



Rare, Threatened and Endangered Species

July 2023

US 6219, Section 050
Transportation Improvement Project
Meyersdale, PA to Old Salisbury Road, MD



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1.0 INTRODUCTION

1.1 Project History

The “US 219, I-68 (Maryland) to Somerset, Pennsylvania Needs Analysis”, prepared by the Pennsylvania Department of Transportation (PennDOT) in 1999, identified two projects with independent utility and logical termini on US 219. These projects were: US 219, Section 019 (currently Section 050) (from I-68 in Maryland to the southern terminus of the Meyersdale Bypass in Pennsylvania) and US 219, Section 020 (from the northern terminus of the Meyersdale Bypass to Somerset, Pennsylvania).

Preliminary engineering and work towards a Draft Environmental Impact Statement (DEIS) for US 219, Section 019, originally began in 2001 by PennDOT and the Maryland Department of Transportation/ Maryland State Highway Administration (MDOT/SHA) but was put on hold in 2007 due to funding constraints. Since that time, PennDOT has completed construction of US 219, Section 020, Meyersdale to Somerset, which opened to traffic in 2018.

The US 219, Section 020 project involved construction of a new 11 mile, four-lane, limited access roadway extending from the northern end of the Meyersdale Bypass of US 219 (a four-lane limited access roadway) to the southern end of the existing four-lane limited access US 219, south of Somerset.

The US 219 Section 050 project was re-started in 2014 as a Planning and Environmental Linkage (PEL) study. The study was completed in July 2016 and recommended two alignments that could move forward into the National Environmental Policy Act (NEPA) process: Alignments E and E-Shift. The PEL study also identified an independent, stand-alone breakout project within these two alignments in Maryland: from I-68 to Old Salisbury Road. This 1.4 mile project was advanced, and construction was completed in 2021.

1.2 Study Area Description and Location

This project was re-started in 2020 and includes the proposed construction of an eight mile (six miles in Pennsylvania and two miles in Maryland) four-lane limited access facility on new alignment from the end of the Meyersdale Bypass in Somerset County, Pennsylvania to the newly constructed portion of US 219 in Garrett County, Maryland.

The study area extends approximately eight miles from the southern end of the Meyersdale Bypass in Somerset County, Pennsylvania south to US 40 in Garrett County, Maryland. The study area encompasses portions of Elk Lick and Summit Townships in Somerset County, Pennsylvania, and the northeastern corner of Garrett County, Maryland. The Borough of Salisbury, Pennsylvania is also located within the central portion of the study area, as shown in Appendix A: Project Location Map. The study area

is mostly rural, with residential and small commercial facilities, as well as larger amounts of forested areas and farmland.

1.3 Project Purpose & Need

The purpose of the US 219 Section 050 Meyersdale to Old Salisbury Road project is to complete Corridor N of the Appalachian Development Highway System (ADHS), to improve the system linkage in the region, provide safe and efficient access for motorists, and provide a transportation infrastructure to support economic development within the Appalachian Region.

The project needs identified for this project are that existing US 219 does not provide efficient mobility for trucks and freight, there are numerous roadway and geometric deficiencies present along the existing US 219 alignment, and the existing roadway infrastructure is a limiting factor in economic development opportunities in the Appalachian Region.

1.4 Rare, Threatened and Endangered Species Background

This technical memorandum report provides a detailed summarization of the multi-agency coordination related to rare, threatened, and endangered (RT&E) species for the US 6219-050 Meyersdale, PA to Old Salisbury Road, MD Transportation Improvement Project. RT&E species are regulated through a complex of state and federal regulations, most notably the Endangered Species Act (ESA) of 1973, which establishes protections for fish, wildlife, and plants that are listed as threatened or endangered. RT&E species coordination has a direct relationship with the National Environmental Policy Act (NEPA) and permitting processes for federally funded transportation projects. For projects with federal funding or another federal action, Section 7 of the ESA, Interagency Cooperation, applies, which requires the federal agency to consult with the U.S. Fish and Wildlife Service or National Marine Fisheries Service. Additionally, state interagency coordination is required for Pennsylvania Department of Transportation projects including coordination with Pennsylvania Fish and Boat Commission, Pennsylvania Game Commission, and Pennsylvania Department of Conservation of Natural Resources. Similarly, Maryland Department of Transportation, State Highway Administration projects require state interagency coordination with the Maryland Department of Natural Resources- Wildlife and Heritage Service and the Maryland Department of Natural Resources- Environmental Review Unit. State and federal agency coordination is necessary to identify RT&E resources known to be present within a project area and, if necessary, develop and implement alternative, conservation, or avoidance measures for the protection of identified RT&E resources.

The Markosky Engineering Group, Inc. (Markosky) was retained to assist KCI Technologies, PennDOT and MDOT SHA with state and federal agency coordination to obtain necessary clearances related to potential RT&E species in Pennsylvania and

Maryland, with the exception of bat related potential impacts. All agency coordination associated with bat related potential impacts is being handled by AECOM and are not addressed herein. Agency coordination was completed for the project utilizing the Pennsylvania Conservation Explorer (PACE) web tool, performing an Information for Planning and Consultation (IPaC) review, and requesting a MDNR Environmental Review.

2.0 DETAILED ALTERNATIVES

2.1 Segment Overview

The proposed project alternatives have been divided into three segments; Segment 1, Segment 2, and Segment 3. Segment 1 is also known as Segment 1 DU-E. Segment 2 has segment options, Segment 2 DU and Segment 2 E, and Segment 3 has two segment options, Segment 3 DU-E and Segment 3 DU-E Shift. When combined, these segments make up the four alternatives under consideration. These four alternatives, along with the No Build Alternative, are being evaluated for the project. A map depicting the segments is included in Appendix B: Detailed Alternatives Mapping. The alternatives under consideration include:

No Build Alternative

Segment 1 DU-E + Segment 2 DU + Segment 3 DU-E

Segment 1 DU-E + Segment 2 DU + Segment 3 DU-E Shift

Segment 1 DU-E + Segment 2 E + Segment 3 DU-E

Segment 1 DU-E + Segment 2 E + Segment 3 DU-E Shift

Segment 1 DU-E, Segment 2 DU, Segment 2 E, Segment 3 DU-E, and Segment 3 DU-E Shift are each being evaluated with a consistent roadway layout, also known as a typical section. The typical section for each segment provides a four-lane divided limited access highway with 12 feet wide travel lanes, 8 feet wide inside shoulders, and 10 feet wide outside shoulders. The width of the median between the inside edges of northbound and southbound travel lanes is 60 feet. In cut sections, where excavation will be required for construction, a proposed swale is located 15 feet outside the edge of the roadway shoulder. The backslope of the swale extends for 5 feet at a 4:1 slope, then continues at a 2:1 slope, until intersecting the existing ground. In fill sections, where fill must be placed for construction, a 10:1 slope extends from the outside roadway shoulder for 6 feet, then continues at a 2:1 slope until intersecting existing ground.

2.2 No Build Alternative

The No Build Alternative involves taking no action, except routine maintenance, along US 219. The existing two-lane alignment of US 219 between Meyersdale, Pennsylvania and Garrett County, Maryland would remain. No new alignments or additional roadway would be constructed. The No Build Alternative does not meet the approved Purpose and Need for the project.

2.3 Segment 1 DU-E

Segment 1 DU-E is a three mile portion of the proposed alternative, beginning in the northern end of the study area, at the existing Meyersdale interchange. The segment includes portions of the existing US 219 roadway and the surrounding area, including along Mountain Road and Hunsrick Road. The segment continues to the south of Hunsrick Road, where it diverges from existing US 219 and crosses Clark Road. The segment then turns slightly west, minimizing impacts to the Pennsylvania State Gamelands 231. The segment then traverses along the bottom of Meadow Mountain. Stormwater management facilities have also been incorporated into the design.

As part of this segment, portions of several local roadways will be improved. These local improvements include: Improvements to the existing US 219 roadway (Mason-Dixon Highway), Hunsrick Road Extension, Mountain Road, and Clark Road. These are proposed as part of the construction of Segment 1 DU-E. These improvements are intended to ensure that local traffic has continued access. The scope of these proposed improvements is outlined below.

2.3.1 Mason-Dixon Highway

The Mason-Dixon Highway (T-355) will be improved between Hunsrick Road and the US 219 Meyersdale Interchange in accordance with PennDOT's Resurfacing, Restoration, and Rehabilitation (3R) design criteria, using a design speed transition from 55 MPH to 35 MPH. The improvement corridor is roughly 1.3 miles in length, starting at the south near Hunsrick Road and ending at the US 219 Meyersdale Interchange.

Prior to the opening of the Meyersdale Bypass, Mason-Dixon Highway carried US 219. After the Meyersdale Bypass opened, PennDOT transferred ownership and maintenance of Mason-Dixon Highway to Summit Township. Following completion of the new US 219 alternative, ownership of Mason-Dixon Highway is to be transferred back to PennDOT as part of re-routed traffic patterns in the area.

2.3.2 Hunsrick Road Extension

Improvements made to tie the new US 219 alternative into existing US 219 necessitates the removal of the existing Hunsrick Road Bridge (SR 2102). Due to geometric and intersection sight distance constraints at the intersection of Hunsrick Road (T-355) and Mason-Dixon Highway (T-355), it was determined not to replace the Hunsrick Road Bridge and terminate Hunsrick Road on the east side of US 219.

As a result of the Hunsrick Road Bridge removal, a new roadway will be constructed; identified as the Hunsrick Road Extension. This new roadway will connect existing Hunsrick Road with Fike Hollow Road (T-363) and generally runs parallel to the new US 219 alternative along the eastern side. This new connector roadway will provide access

from Hunsrick Road to US Business Route 219 (SR 2047) near the Meyersdale Interchange.

The proposed typical section for Hunsrick Road Extension includes 2- 10 feet travel lanes and 4 feet outside shoulders. The design speed is anticipated to be 25 miles per hour.

2.3.3 Mountain Road

Mountain Road (T-824) currently extends north from the intersection with Hunsrick Road to a cul-de-sac adjacent to existing US 219. With the associated improvements of the Hunsrick Road Extension, the northern end of Mountain Road will be connected to Hunsrick Road Extension and the existing cul-de-sac will be removed. The existing intersection of Mountain Road with Hunsrick Road will be maintained.

To avoid the steep grade (14%) on the existing Mountain Road, a portion of Mountain Road is to be closed to traffic. Access to property along Mountain Road will be maintained and cul-de-sacs will be placed where the road will be closed. As noted above, the northern segment of Mountain Road will be accessible from the Hunsrick Road Extension while the southern segment of Mountain Road will be accessible from the existing intersection with Hunsrick Road.

2.3.4 Clark Road

Clark Road (T-353) extends west from Mountain Road (T-824) to existing US 219. Due to topographical and geometric constraints, providing a grade separated crossing of the new US 219 alternative was not practical. It was determined Clark Road should be bisected where it crosses the new alternative of US 219. A cul-de-sac will be placed at each end of the roadway where it intersects the US 219 right-of-way. The eastern side of Clark Road will maintain access to US Business Route 219 near the Meyersdale Interchange via Mountain Road, Hunsrick Road Extension, and Fike Hollow Road.

2.4 Segment 2 DU

Segment 2 DU turns west from Segment 1 DU-E, towards existing US 219 (Mason-Dixon Highway), and is sited between existing US 219 and Segment 2 E for about three miles. Segment 2 DU runs west across Piney Run Road and Piney Creek until it crosses Greenville Road, about 0.5 miles southeast of Salisbury Borough, and turns south. Segment 2 DU rejoins Segment 2 E at the Pennsylvania/Maryland border. From the Pennsylvania/Maryland border, Segment 2 DU and Segment 2 E continue south and west towards existing US 219. About 0.1 mile north of the Pennsylvania/Maryland border, there are preliminary plans for a PennDOT maintenance facility along Segment 2 DU, on the western side of the proposed US 219 alternative, with access to US 219 from the southbound lanes. Stormwater management facilities have also been incorporated into the design as appropriate.

2.5 Segment 2 E

After separating from Segment 1 DU-E, Segment 2 E continues southwest for approximately one mile before spanning Piney Run Road. As Segment 2 E crosses Piney Creek and Greenville Road, it continues west towards existing US 219 and Segment 2 DU for 1.3 miles. Subsequently, Segment 2 E rejoins Segment 2 DU at the Pennsylvania/Maryland border. Segment 2 E and Segment 2 DU follow approximately the same path for approximately 0.8 miles, from the Pennsylvania/Maryland border until the beginning of Segment 3. Approximately 0.1 mile north of the Pennsylvania/Maryland border, there are preliminary plans for a PennDOT maintenance facility along Segment 2 E, along the eastern side of the proposed alternative, with access to US 219 from the northbound lanes. Stormwater management facilities have also been incorporated into the design.

2.6 Segment 3 DU-E

Segment 3 DU-E continues the proposed alternative south of the Pennsylvania/ Maryland border and ties back into the newly constructed section of US 219, south of Old Salisbury Road. The Segment 3 DU-E alternative is located approximately 0.05 miles east of Old Salisbury Road.

2.7 Segment 3 DU-E Shift

Segment 3 DU-E Shift is situated slightly southwest of Segment 3 DU-E. This segment ties into the newly constructed section of US 219 at the same location as Segment 3 DU-E. However, Segment 3 DU-E Shift is shifted slightly eastward, farther from Old Salisbury Road. This shift avoids or minimizes impacts to the Little Meadows Historic District to the extent possible.

3.0 PENNSYLVANIA INTERAGENCY COORDINATION

A search of the Pennsylvania Conservation Explorer (PACE) web tool conducted for the project on August 11, 2021 (PNDI-738552) indicated that there is a potential conflict with species under the jurisdiction of the Pennsylvania Game Commission (PGC), U.S. Fish and Wildlife Service (USFWS), and the Pennsylvania Fish and Boat Commission (PFBC).

On May 12, 2023, an updated PNDI screening (PNDI-786952) performed as a result of minor modifications to the proposed project corridor in addition to the original PNDI screening approaching expiration. The results of the updated screening indicated that there is a potential conflict with species under the jurisdiction of the PGC, USFWS, and the PFBC.

Copies of PNDI-738552 review receipt and PNDI-786952 review receipt can be located in Appendix C.

Refer to Section 5.0 Federal Agency Coordination for information pertaining to potential conflicts with species under the jurisdiction of the USFWS.

3.1 Pennsylvania Game Commission

On September 15, 2021, in response to PNDI Review Receipt (PNDI-738552), the PGC indicated that potential impacts to federal and state endangered bat species are associated with the project area. The PGC noted that a significant winter bat hibernaculum, known as the [REDACTED], is known to be located in close proximity to the proposed project area. The following species of special concern under the jurisdiction of the PGC have been identified within the project area:

Scientific Name	Common Name	PA Status	Federal Status
Myotis sodalis	Indiana Bat	Endangered	Endangered
Myotis lucifungus	Little Brown Bat	Endangered	-
Myotis septentrionalis	Northern Long-Eared Bat	Endangered	Threatened
Myotis leibii	Eastern Small-Footed Bat	Threatened	-

The Indiana Bat and Northern Long-Eared Bat are federally listed species under the jurisdiction of the USFWS; therefore, the PGC deferred comments on potential impacts of these two species to the USFWS.

In an effort to avoid potential impacts to the Little Brown Bat and Eastern Small-Footed Bat species, the PGC will require seasonal timber restrictions to be implemented. All trees or dead snags greater than 5 inches in diameter at breast height that need to be harvested to facilitate the project (including any access roads or off right-of-way work spaces) shall be cut between November 1 and March 31.

In addition to the federal and state endangered bat species listed above, the PGC indicated that several other species of special concern have also been identified as potentially present within the study area. These bat species include *Myotis pipistrellus* (Tri-Colored Bat) and *Eptesicus fuscus* (Big Brown Bat). PGC noted that additional measures may be necessary to avoid potential impacts to this species; however, no measures were specifically outlined.

On May 16, 2023, in response to the updated PNDI screening (PNDI-786952), the PGC determined that potential impacts to federal and state endangered bat species are associated with the project. The PGC also confirmed that hibernaculum studies associated with this project are ongoing, and that recommendations based on the findings can be provided by the agency upon completion of the surveys and findings reports. The following species of special concern under the jurisdiction of the PGC have been identified within the project area:

Scientific Name	Common Name	PA Status	Federal Status
<i>Myotis sodalis</i>	Indiana Bat	Endangered	Endangered
<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	Endangered	Endangered
<i>Myotis lucifungus</i>	Little Brown Bat	Endangered	-
<i>Permimotis subflavus</i>	Tri-colored Bat	Endangered	-
<i>Myotis leibii</i>	Eastern Small-footed Bat	Threatened	-
	Hibernaculum	Special Concern	-

The PGC elected to defer comments on potential impacts related to the Indiana Bats and Northern Long-Eared Bats to the USFWS, as both species are federally listed species under the jurisdiction of the USFWS.

With respect to Little Brown Bats, Tri-colored Bats, and Eastern Small-footed Bats, the PGC is implementing the following seasonal timber restrictions to avoid potential impacts: *All trees or dead snags greater than 3 inches in diameter at breast height that need to be harvested to facilitate the project (including any access roads or off-right-of-way work spaces) shall be cut between November 15th and March 31st.*

The PGC requested coordination with their Regional Land Management supervisor to discuss project activities and necessary approvals if the project will impact State Gamelands No. 231. The project area does not encroach State Gamelands No. 231; therefore, no further coordination or approvals are required.

Refer to Appendix D: PA Game Commission Correspondence.

3.2 Pennsylvania Fish and Boat Commission

On August 17, 2021, in response to PNDI Review Receipt (PNDI-738552), the PFBC indicated potential impacts of two species: Longnose Sucker (*Catostomus catostomus*, Endangered) and Timber rattlesnake (*Crotalus horridus*, PA candidate).

The PFBC indicated that the Longnose Sucker is known from the Casselman River and its tributaries. The project area spans Piney Creek and potentially impacts several other unnamed tributaries to the Casselman River; therefore, the PFBC provided the following avoidance measures to be implemented during the project planning phase.

- Strict E&S controls to avoid sedimentation downstream.
- Storm water management should be designed in such a way that the discharge entering streams will not cause increases in stream temperatures.
- Stream crossings should be designed in such a way that will not result in a loss of Longnose Sucker habitat.
- Any planned areas of new excavation should be explored for the presence of acid bearing rock. If acid bearing rock is found during the geotechnical studies, appropriate treatment options should be developed and followed during construction to ensure there are no long-term impacts to water quality.
- Any in-stream construction should be avoided between March 15 and July 1.

On May 24, 2023, in response to the updated PNDI screening (PNDI-786952), the PFBC indicated that the Longnose Sucker (*Catostomus catostmus*, Endangered) is known from the vicinity of the project site and indicated that the site will need to be investigated further for potential habitat of the species or design of avoidance measures.

On June 13, 2023, representatives from PFBC and PennDOT investigated the reach of Meadow Run which traverses the project area. During the field investigation, Brook Trout were identified in Meadow Run, and as a result, in-stream restrictions will be required during the construction phase of the project between October 1 through December 31. The PFBC representative specializing in the Longnose Sucker was unavailable to participate in the field investigation. Therefore, further coordination is ongoing between the PFBC and PennDOT to conduct a follow-up field investigation to evaluate Meadow Run and Piney Creek for a presence or absence of the Longnose Sucker. As of June 29, 2023, Markosky is waiting for the results of the follow-up species survey.

Per the May 24, 2023, response letter, the PGC noted that the Timber rattlesnake is threatened by habitat loss/alternation, wanton killing, and poaching. The PFBC indicated that Timber rattlesnake observations have been made in the vicinity of the project area; however, based on their threatened and endangered species impact review no direct adverse impacts are anticipated for the proposed project. No avoidance measures were provided by the PFCB with respect to the Timber rattlesnake, though caution is recommended to avoid rattlesnake-human conflicts. The Timber rattlesnake occurs in forested, mountainous regions of the Commonwealth, preferring forested areas to forage for small mammals and southerly-facing slopes for hibernating and other thermoregulatory activities. The project areas could be used as foraging habitat for Timber rattlesnakes. They are attracted to open, rocky, log-strewn areas for basking and forested areas with thick deciduous leaf litter that tend to support high populations of

rodents. The nature of the Timber rattlesnake is rather docile; however, it can be dangerous if cornered or handled.

The PFBC recommends that workers responsible for implementing this transportation project be advised that Timber rattlesnakes may be encountered, and that avoidance is the best means of minimizing risks to personal safety. These workers should also be advised that the Timber rattlesnake is a state protected species and is not to be harmed. Killing of Timber rattlesnakes without a proper permit is prohibited by the PFBC pursuant to 58 Pa. Code Section 79.6. If any Timber rattlesnakes are observed on-site, the regional office should be contacted.

Refer to Appendix E: PA Fish and Boat Commission Correspondence.

3.3 PA Department of Conservation and Natural Resources

The DCNR agency response indicated that no further review is required based on PNDI Review Receipt (PNDI-738552) performed on August 11, 2021, and PNDI Review Receipt (PNDI-786952) performed on May 12, 2023. No additional coordination with the DCNR is required.

The DCNR response remains valid through May 12, 2025.

4.0 MARYLAND INTERAGENCY COORDINATION

4.1 Maryland Department of Natural Resources

On September 17, 2021, in response to an Environmental Review requested for the project area, the Maryland Department of Natural Resources (MDNR) and Maryland Department of Natural Resources-Environmental Unit (MDNR-ERU) indicated in a combined memo that a number of special concern species could be present in the project vicinity. The agency's response described three areas within the study area known to support RT&E species (Casselman River, Meadow Mountain, and Piney Creek). However, as a result of re-route, the current alignment through Maryland only crosses through the Meadow Mountain area.

The Environmental Review in the area of Meadow Mountain within the project area resulted in records for the following RT&E species: Linear-leaved Willowherb (*Epilobium leptophyllum*, Rare), Alder Flycatcher (*Empidonax alnorum*, Rare (breeding)), and North American Porcupine (*Erethizon dorsatum*, Watchlist). None of these species within the area of Meadow Mountain are listed as threatened or endangered.

Additionally, Environmental Review indicated that remote analysis suggests that the forested area of the project area contains Forest Interior Dwelling Bird habitat which populations of many bird species in decline depend on.

Interagency coordination being led between MDNR and MDOT SHA remains ongoing for the Maryland portion of this project. As of June 29, 2023, Markosky has not received any further updates related to RT&E recommendations provided by MDNR and MDNR-ERU.

Refer to Appendix F: MD Dept. of Natural Resources Correspondence.

5.0 FEDERAL AGENCY COORDINATION

5.1 U.S. Fish and Wildlife Service

In response to an Information for Planning and Consultation (IPaC) review, the USFWS issued an official species list (Event Code: 05E2CB00-2021-E-04788), pursuant to Section 7 of the ESA, dated August 19, 2021. The review indicated that there are two threatened, endangered, or candidate species on the ESA species list within the geographic area of the proposed project. The USFWS indicated that species on this list should be considered in an effects analysis for the project and could include species that exist in another geographic area (i.e., certain fish may appear on the species list because a project could affect downstream species).

ESA species within the proposed project area include the Indiana Bat (*Myotis sodalis*, Endangered) and Northern Long-Eared Bat (*Myotis septentrionalis*, Threatened). No critical habitats within the project area under the USFWS's jurisdiction were identified.

No refuge lands or fish hatcheries on lands managed by the National Wildlife Refuge were identified within the project area.

No response has been received from National Marine Fisheries Service (NMFS), also known as National Oceanic and Atmospheric Administration- Fisheries (NOAA Fisheries).

On February 17, 2022, in response to PNDI Review Receipt (PNDI-738552), the USFWS Pennsylvania Field Office and Chesapeake Bay Field Office provided a compilation of recommendations regarding the proposed project. Recommendations were provided under the following headings:

- Fish and Wildlife Coordination Act
- Wildlife Crossings and Habitat Connectivity
- Barriers to Movement
- Right-of-Way Fencing
- Acid-Bearing Rock
- Pollinator Habitat
- Migratory Bird Treaty Act
- Endangered Species Act
- Other Species of Concern

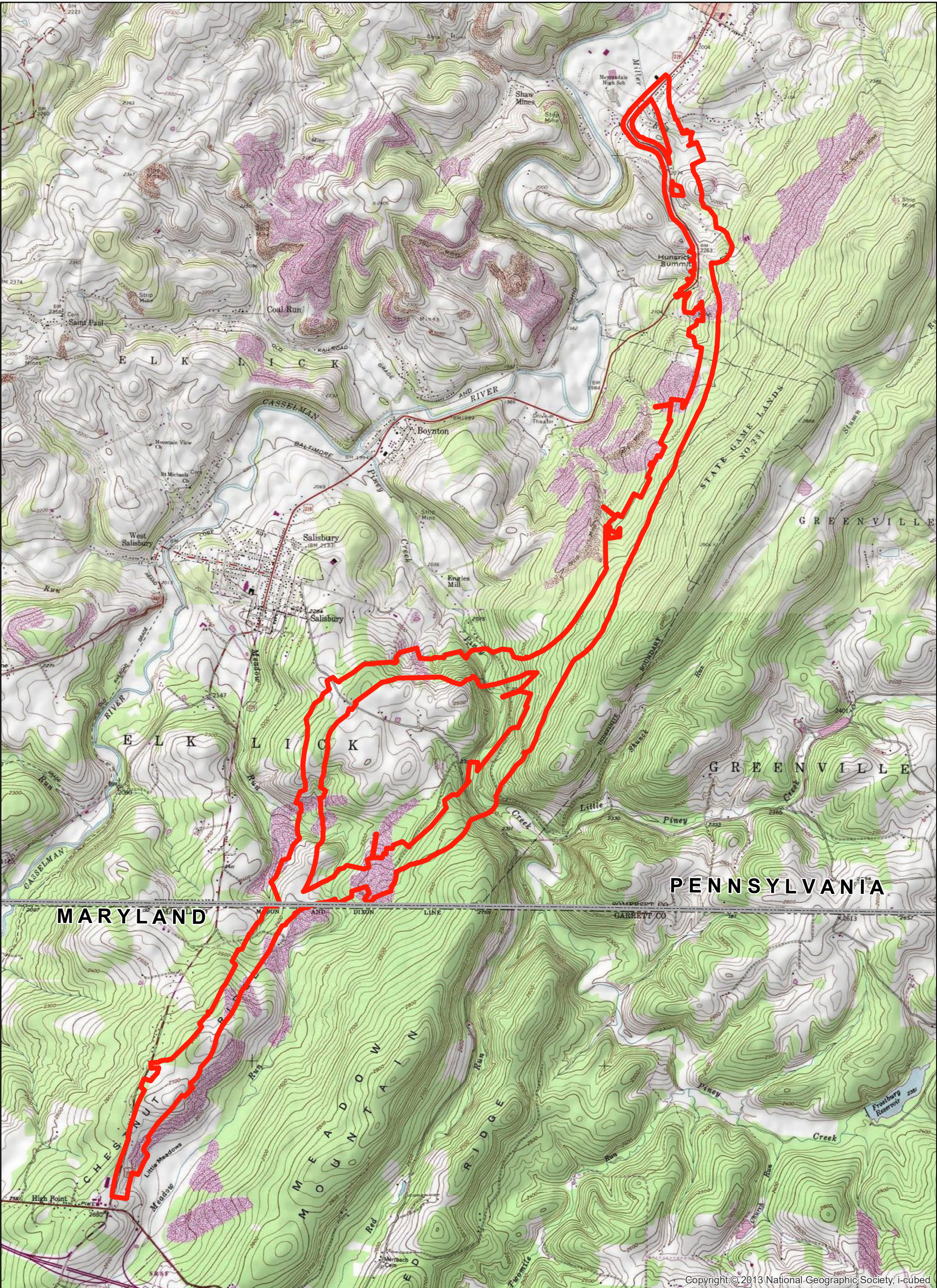
The complete compilation of recommendations made by the USFWS can be located in Appendix G.


On June 14, 2022, PennDOT issued a response letter to USFWS providing additional information specific to the project planning, design, and ongoing efforts specific to the compilation of recommendations. A copy of PennDOT's response letter can be located in Appendix H.

To date, a response has not been received from the USFWS in response to the updated PNDI Review Receipt (PNDI-786952). The PNDI record indicated that there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. Markosky provided the USFWS with the required informational package to further review the potential for impacts to federally-listed species on May 12, 2023. As of June 29, 2023, no response has been received.


APPENDIX A

PROJECT LOCATION MAP





Overall Study Area



State Boundary



TRANSPORTATION
IMPROVEMENT PROJECT

APPENDIX A
PROJECT LOCATION MAP



MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

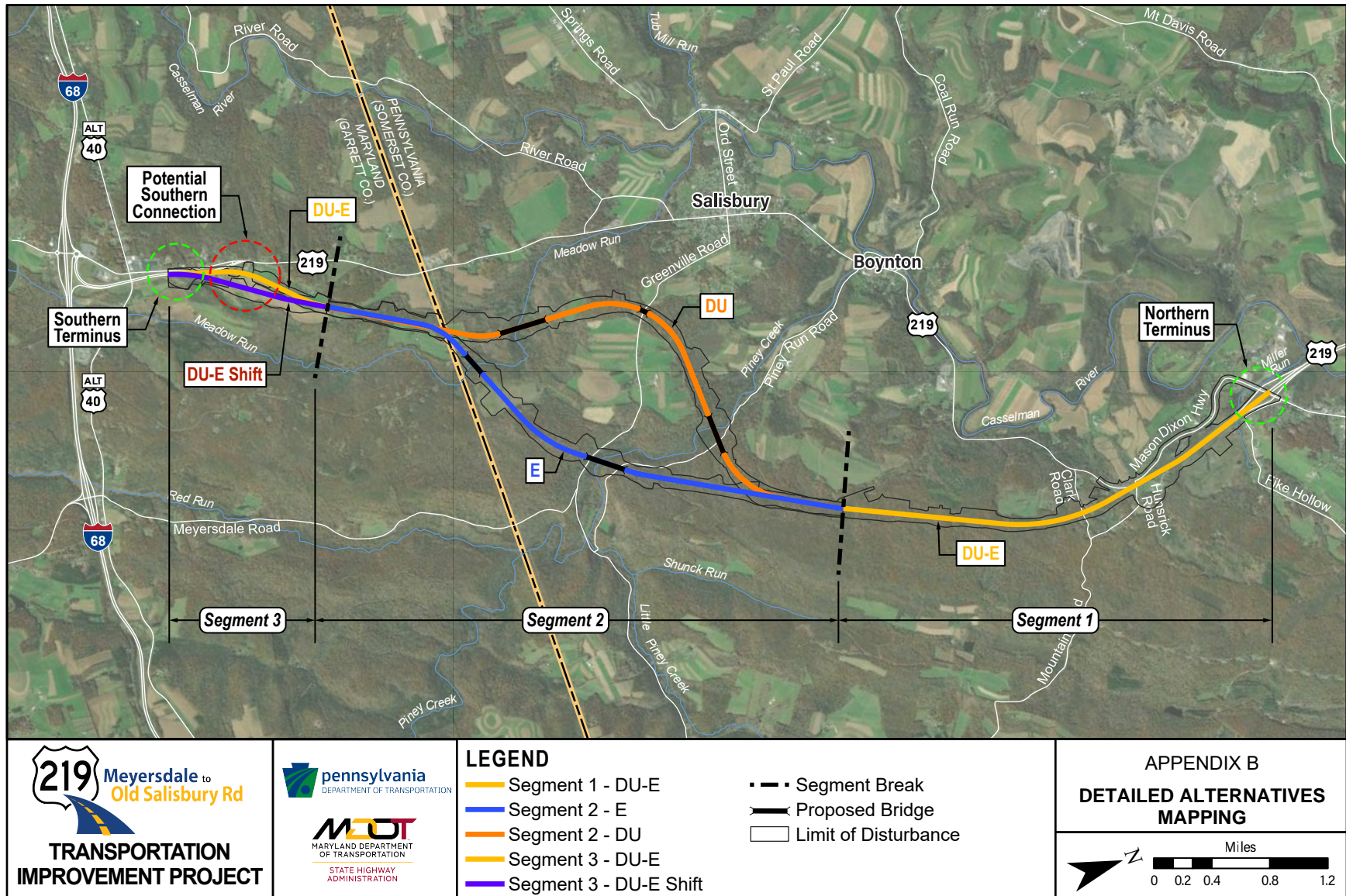


pennsylvania
DEPARTMENT OF TRANSPORTATION

Date: 6/28/2023

APPENDIX B

DETAILED ALTERNATIVES MAP



APPENDIX C
PENNSYLVANIA PNDI REVIEW RECEIPTS

1. PROJECT INFORMATION

Project Name: **US 219 Meyersdale to Old Salisbury Road**

Date of Review: **8/11/2021 03:53:37 PM**

Project Category: **Transportation, Roads, New construction/ New alignment**

Project Area: **532.44 acres**

County(s): **Somerset**

Township/Municipality(s): **ELK LICK TOWNSHIP; SUMMIT TOWNSHIP**

ZIP Code:

Quadrangle Name(s): **AVILTON; MEYERSDALE**

Watersheds HUC 8: **Youghiogheny**

Watersheds HUC 12: **Flag Run-Casselman River; Little Piney Creek-Piney Creek; Miller Run-Casselman River; Tub Mill Run-Casselman River**

Decimal Degrees: **39.746372, -79.046080**

Degrees Minutes Seconds: **39° 44' 46.9386" N, 79° 2' 45.8876" W**

2. SEARCH RESULTS

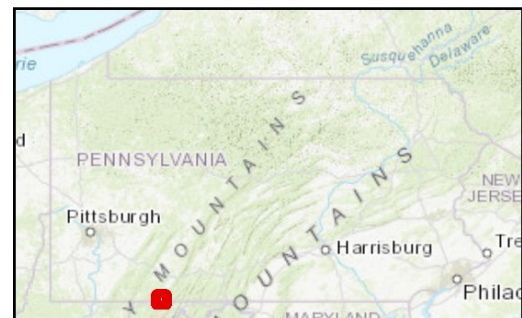
Agency	Results	Response
PA Game Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
U.S. Fish and Wildlife Service	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

US 219 Meyersdale to Old Salisbury Road

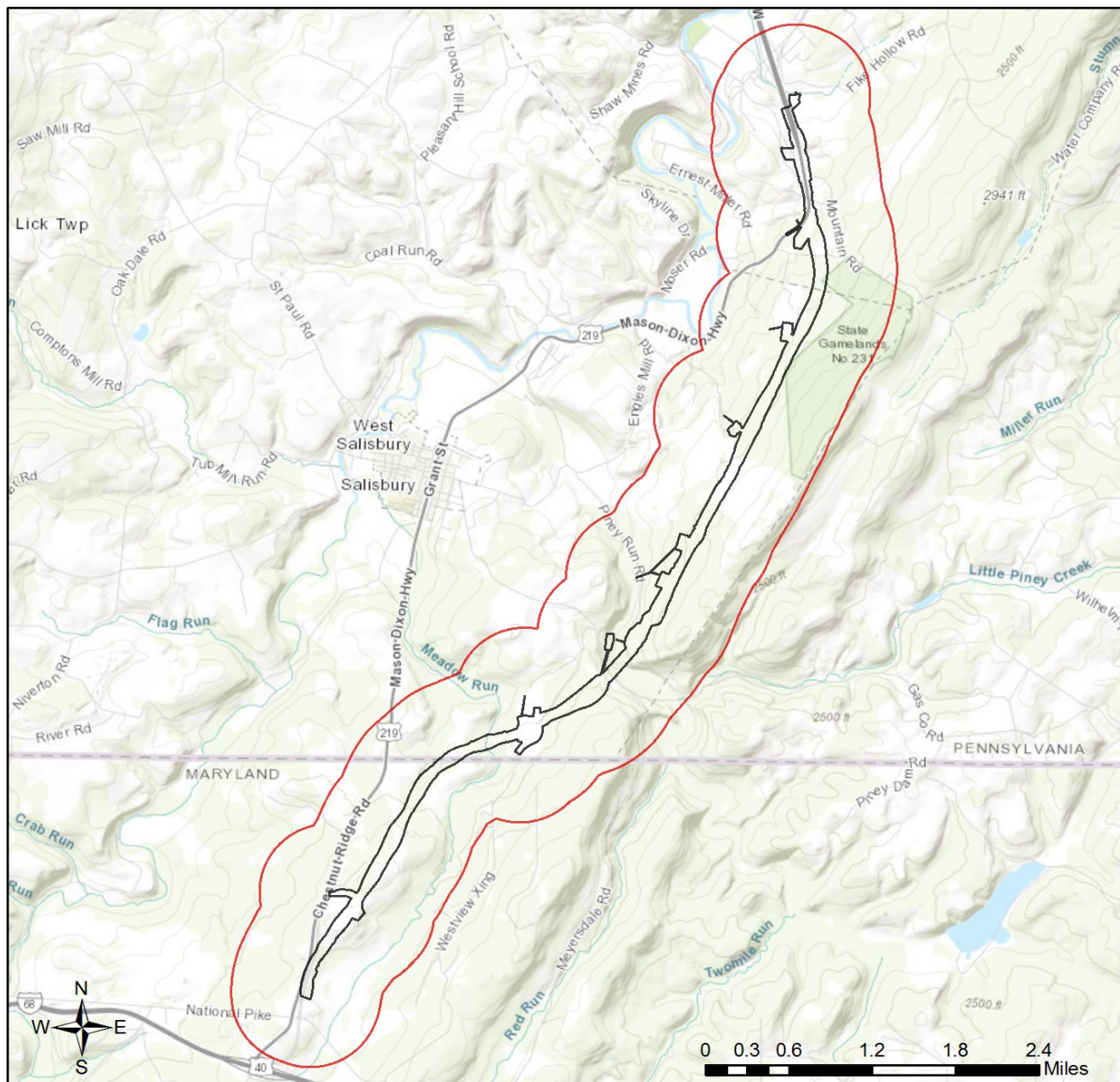


- Project Boundary
- Buffered Project Boundary



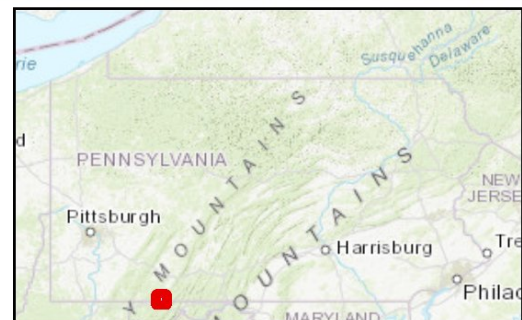
Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

US 219 Meyersdale to Old Salisbury Road



- Project Boundary
- Buffered Project Boundary

Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community



RESPONSE TO QUESTION(S) ASKED

Q1: The proposed project is in the range of the Indiana bat. Describe how the project will affect bat habitat (forests, woodlots and trees) and indicate what measures will be taken in consideration of this. Round acreages up to the nearest acre (e.g., 0.2 acres = 1 acre).

Your answer is: The project will affect 40 to 200 acres of forests, woodlots and trees AND a seasonal restriction on tree clearing will be implemented (Conduct any tree cutting, tree inundation (flooding), and prescribed burning from October 1 to March 31.)

Q2: Is tree removal, tree cutting or forest clearing of 40 acres or more necessary to implement all aspects of this project?

Your answer is: Yes

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PGC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Sensitive Species**		Special Concern Species*
Sensitive Species**		Threatened
Sensitive Species**		Endangered
Sensitive Species**		Endangered

PA Department of Conservation and Natural Resources

RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Fish and Boat Commission

RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PFBC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Catostomus catostomus	Longnose Sucker	Endangered
Sensitive Species**		Special Concern Species*

U.S. Fish and Wildlife Service

RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

* Special Concern Species or Resource - Plant or animal species classified as rare, tentatively undetermined or candidate as well as other taxa of conservation concern, significant natural communities, special concern populations (plants or animals) and unique geologic features.

** Sensitive Species - Species identified by the jurisdictional agency as collectible, having economic value, or being susceptible to decline as a result of visitation.

WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, upload* or email the following information to the agency(s) (see AGENCY CONTACT INFORMATION). Instructions for uploading project materials can be found [here](#). This option provides the applicant with the convenience of sending project materials to a single location accessible to all three state agencies (but not USFWS).

*If information was requested by USFWS, applicants must email, or mail, project information to IR1_ESPenn@fws.gov to initiate a review. USFWS will not accept uploaded project materials.

Check-list of Minimum Materials to be submitted:

___ Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.

___ A map with the project boundary and/or a basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)

In addition to the materials listed above, USFWS REQUIRES the following

___ **SIGNED** copy of a Final Project Environmental Review Receipt

The inclusion of the following information may expedite the review process.

___ Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)

___ Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams.

4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. Two review options are available to permit applicants for handling PNDI coordination in conjunction with DEP's permit review process involving either T&E Species or species of special concern. Under sequential review, the permit applicant performs a PNDI screening and completes all coordination with the appropriate jurisdictional agencies prior to submitting the permit application. The applicant will include with its application, both a PNDI receipt and/or a clearance letter from the jurisdictional agency if the PNDI Receipt shows a Potential Impact to a species or the applicant chooses to obtain letters directly from the jurisdictional agencies. Under concurrent review, DEP, where feasible, will allow technical review of the permit to occur concurrently with the T&E species consultation with the jurisdictional agency. The applicant must still supply a copy of the PNDI Receipt with its permit application. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. The applicant and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <https://conservationexplorer.dcnr.pa.gov/content/resources>.



5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources

Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552
Harrisburg, PA 17105-8552
Email: RA-HeritageReview@pa.gov

PA Fish and Boat Commission

Division of Environmental Services
595 E. Rolling Ridge Dr., Bellefonte, PA 16823
Email: RA-FBPACENOTIFY@pa.gov

U.S. Fish and Wildlife Service

Pennsylvania Field Office
Endangered Species Section
110 Radnor Rd; Suite 101
State College, PA 16801
Email: IR1_ESPenn@fws.gov
NO Faxes Please

PA Game Commission

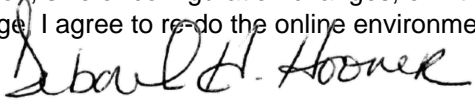
Bureau of Wildlife Habitat Management
Division of Environmental Planning and Habitat Protection
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Email: RA-PGC_PNDI@pa.gov
NO Faxes Please

7. PROJECT CONTACT INFORMATION

Name: Deborah Hoover
Company/Business Name: KCI Technologies, Inc.
Address: 5001 Louise Drive
City, State, Zip: Mechanicsburg, PA 17055
Phone: (717) 215-4516 Fax: ()
Email: deb.hoover@kci.com

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.


applicant/project proponent signature

August 11, 2021

date

1. PROJECT INFORMATION

Project Name: **US 219 Meyersdale to MD**

Date of Review: **5/12/2023 05:37:49 PM**

Project Category: **Transportation, Roads, New construction/ New alignment**

Project Area: **1,147.87 acres**

County(s): **Somerset**

Township/Municipality(s): **ELK LICK TOWNSHIP; SUMMIT TOWNSHIP**

ZIP Code:

Quadrangle Name(s): **AVILTON; MEYERSDALE**

Watersheds HUC 8: **Youghiogheny**

Watersheds HUC 12: **Flag Run-Casselman River; Little Piney Creek-Piney Creek; Miller Run-Casselman River; Tub Mill Run-Casselman River**

Decimal Degrees: **39.744025, -79.058946**

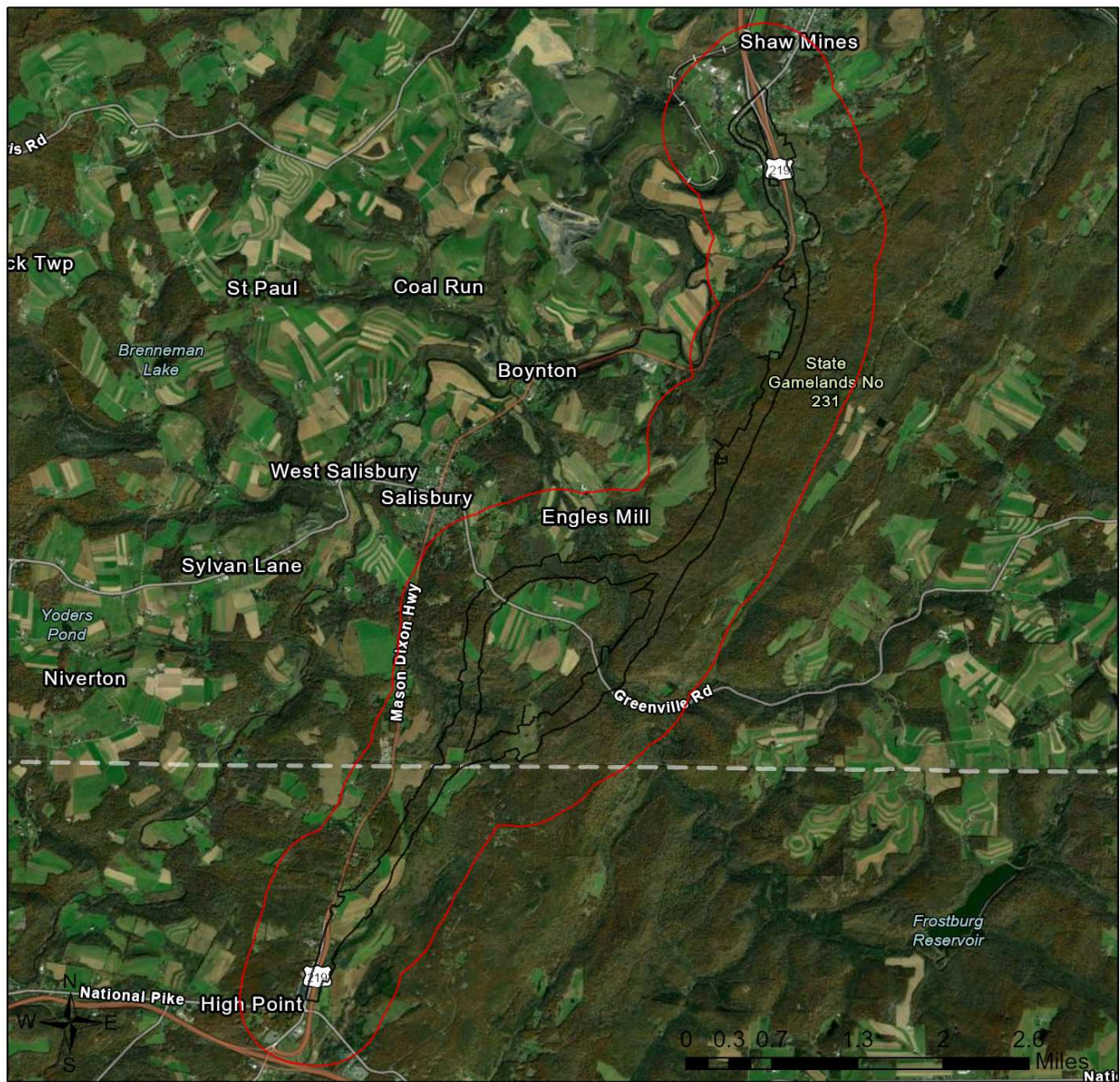
Degrees Minutes Seconds: **39° 44' 38.4899" N, 79° 3' 32.2067" W**



2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
U.S. Fish and Wildlife Service	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

US 219 Meyersdale to MD

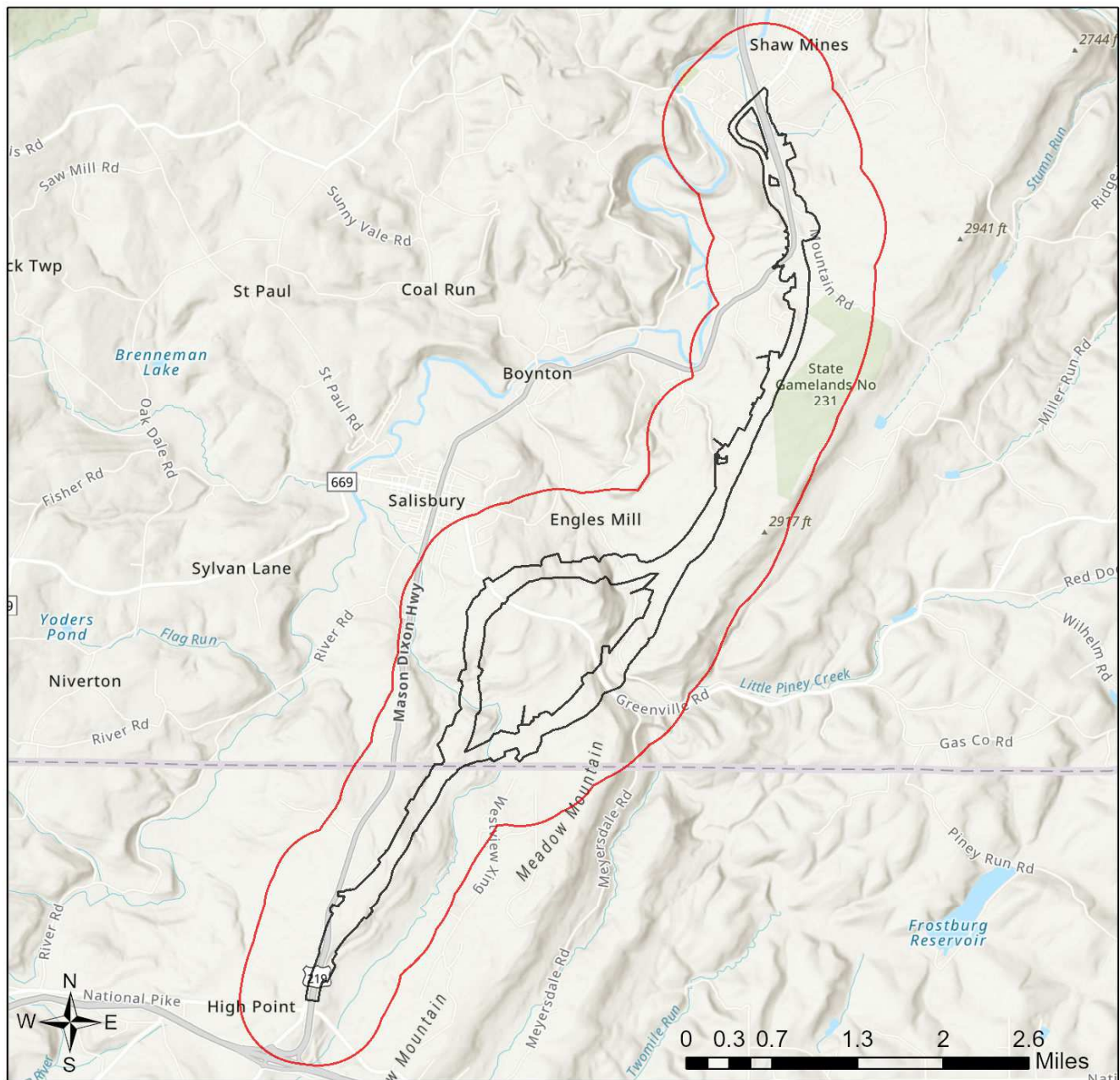


-  Buffered Project Boundary
-  Project Boundary



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

US 219 Meyersdale to MD



- Buffered Project Boundary
- Project Boundary



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community

RESPONSE TO QUESTION(S) ASKED

Q1: The proposed project is in the range of the Indiana bat. Describe how the project will affect bat habitat (forests, woodlots and trees) and indicate what measures will be taken in consideration of this. Round acreages up to the nearest acre (e.g., 0.2 acres = 1 acre).

Your answer is: The project will affect 40 to 200 acres of forests, woodlots and trees AND a seasonal restriction on tree clearing will be implemented (Conduct any tree cutting, tree inundation (flooding), and prescribed burning from October 1 to March 31.)

Q2: Is tree removal, tree cutting or forest clearing necessary to implement all aspects of this project?

Your answer is: Yes

Q3: Is tree removal, tree cutting or forest clearing of 40 acres or more necessary to implement all aspects of this project?

Your answer is: Yes

Q4: How many acres of woodland, forest, forested fencerows and trees will be cut, cleared, removed, disturbed or flooded (inundated) as a result of carrying out all aspects or phases of this project? [Round acreages UP to the nearest acre (e.g., 0.2 acres = 1 acre).]

Your answer is: More than 50 acres

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PGC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Sensitive Species**		Special Concern Species*
Sensitive Species**		Threatened
Sensitive Species**		Endangered
Sensitive Species**		Endangered

PA Department of Conservation and Natural Resources

RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Fish and Boat Commission

RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PFBC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Catostomus catostomus	Longnose Sucker	Endangered
Sensitive Species**		Special Concern Species*

U.S. Fish and Wildlife Service

RESPONSE:

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Check-list of Minimum Materials to be submitted:

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___ A map with the project boundary and/or a basic site plan (particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)

In addition to the materials listed above, USFWS REQUIRES the following

___ **SIGNED** copy of a Final Project Environmental Review Receipt

The inclusion of the following information may expedite the review process.

___ Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)

___ Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams.

4. DEP INFORMATION

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5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources

Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552
Harrisburg, PA 17105-8552
Email: RA-HeritageReview@pa.gov

PA Fish and Boat Commission

Division of Environmental Services
595 E. Rolling Ridge Dr., Bellefonte, PA 16823
Email: RA-FBPACENOTIFY@pa.gov

U.S. Fish and Wildlife Service

Pennsylvania Field Office
Endangered Species Section
110 Radnor Rd; Suite 101
State College, PA 16801
Email: IR1_ESPenn@fws.gov
NO Faxes Please

PA Game Commission

Bureau of Wildlife Management
Division of Environmental Review
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Email: RA-PGC_PNDI@pa.gov
NO Faxes Please

7. PROJECT CONTACT INFORMATION

Name: Christine Hainzer
Company/Business Name: The Markosky Engineering Group, Inc.
Address: 3689 State Route 711
City, State, Zip: Ligonier, PA 15658
Phone: (724) 238-2138 Fax: (724) 238-2194
Email: chainzer@markosky.com

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

Christine Hainzer Digitally signed by Christine Hainzer
Reason: I am the author of this document
Date: 2023.05.12 17:57:19-04'00'

applicant/project proponent signature

5/12/2023

date

APPENDIX D
PA GAME COMMISSION CORRESPONDENCE

September 15, 2021

Ms. Deb Hoover
KCI Technologies
5001 Louise Drive
Mechanicsburg, PA 17055

Project Search ID: PNDI-738552
PNDI Receipt: *project_receipt_us_219_meyersdale_old_sal_738552_FINAL_1.pdf*
Re: US 219 Myersdale to Old Salisbury Road
Elk Lick and Summit Townships, Somerset County, PA

Dear Ms. Hoover,

Thank you for submitting the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt *project_receipt_us_219_meyersdale_old_sal_738552_FINAL_1.pdf* for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

Potential Impact Anticipated

The PGC has received and thoroughly reviewed the information that you provided to this office, as well as PNDI data, and determined that potential impacts to federal and state endangered bat species, are associated with your project. These species and their status are identified in the table below. A significant winter bat hibernaculum known as the [REDACTED] is located in close proximity to this proposed re-route. In addition to the below-listed species, several other species of special concern have also been identified, including the *Myotis pipistrellus* (tri-colored bat), and the *Eptesicus fuscus* (big brown bat). Therefore, additional measures may be necessary to avoid potential impacts to these species.

Scientific Name	Common Name	PA Status	Federal Status
<i>Myotis sodalis</i>	Indiana Bat	ENDANGERED	ENDANGERED
<i>Myotis lucifungii</i>	Little Brown Bat	ENDANGERED	
<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	ENDANGERED	THREATENED
<i>Myotis Leibii</i>	Eastern Small-footed Bat	THREATENED	

Next Steps

Indiana Bats and Northern Long-Eared Bats: Indiana bats and northern long-eared bats are federally listed species under the jurisdiction of the U.S. Fish and Wildlife Service. As a result, our agency defers comments on potential impacts to these two bat species to the U.S. Fish and Wildlife Service.

Little Brown Bats and Eastern Small-footed Bats: In an effort to avoid potential impacts to these two species, the following seasonal timber restriction is to be implemented: *All trees or dead snags greater than 5 inches in diameter at breast height that need to be harvested to facilitate the project (including any access roads or off - R.O.W. work spaces) shall be cut between November 1st and March 31st.*

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,



Donald E. Wandling
Division of Environmental Planning & Habitat Protection
Bureau of Wildlife Habitat Management
Phone: 717-787-4250, Extension 73604
Fax: 717-787-6957
E-mail: dowandling@pa.gov

A PNHP Partner



DEW/dew

cc: Jennifer Kagel, U.S. Fish & Wildlife Service
File



PENNSYLVANIA GAME COMMISSION

BUREAU OF WILDLIFE MANAGEMENT

2001 ELMERTON AVENUE HARRISBURG, PA 17110-9797 | (717) 787-5529

May 16, 2023

Christine Hainzer
Markosky Engineering Inc.
3689 Route 711
Ligonier, Pennsylvania 15658
chainzer@markosky.com

Project Search ID: PNDI-786952

PNDI Receipt: *project_receipt_us_219_meyersdale_md_786952_FINAL_1.pdf*

Re: US 219 Meyersdale to MD road project

Elk Lick and Summit Townships, Somerset County, PA

Dear Christine Hainzer,

Thank you for submitting the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt *project_receipt_us_219_meyersdale_md_786952_FINAL_1.pdf* for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

Potential Impact Anticipated

The PGC has received and thoroughly reviewed the information that you provided to this office, as well as PNDI data, and determined that potential impacts to federal and state endangered bat species, are associated with your project. These species and their status are identified in the table below.

Scientific Name	Common Name	PA Status	Federal Status
<i>Myotis sodalis</i>	Indiana Bat	ENDANGERED	ENDANGERED
<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	ENDANGERED	ENDANGERED
<i>Myotis lucifungii</i>	Little Brown Bat	ENDANGERED	N/A
<i>Perimyotis subflavus</i>	Tri-colored Bat	ENDANGERED	N/A
<i>Myotis leibii</i>	Eastern Small-footed Bat	THREATENED	N/A
	Hibernaculum	SPECIAL CONCERN	N/A

Next Steps

Indiana Bats and Northern Long-Eared Bats: Indiana Bats and Northern Long-eared Bats are federally listed species under the jurisdiction of the U.S. Fish and Wildlife Service. As a result, our agency defers comments on potential impacts to these two bat species to the U.S. Fish and Wildlife Service.

Little Brown Bats, Tri-colored Bats and Eastern Small-footed Bats: In an effort to avoid potential impacts to these two species, the following seasonal timber restriction is to be implemented: *All trees or dead snags*

greater than 3 inches in diameter at breast height that need to be harvested to facilitate the project (including any access roads or off - R.O.W. work spaces) shall be cut between November 15th and March 31st.

Hibernaculum studies are ongoing for this project. Once the surveys and report completed, the PGC can provide recommendations based on the study results.

In addition, the proposed project is located on **State Game Lands No. 231**. Please contact Mr. Matthew Lucas, Land Management Supervisor, at 724-238-9523 to discuss the project activities and coordinate obtaining the necessary approvals if your project will impact State Game Lands. It is recommended that you coordinate with Game Commission Staff early in your project planning process.

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,



Sue Guers
Environmental Review Lead
Bureau of Wildlife Management
Phone: 717-787-4250, Extension 73412
Fax: 717-787-6957
E-mail: suguers@pa.gov

A PNHP Partner



SLG/slg

cc: Jennifer Kagel, US Fish and Wildlife Service
Sze Wing Yu, US Fish and Wildlife Service
Schnupp
Williams
Lovallo
Turner
Farabaugh
Lucas
Trusso

APPENDIX E
PA FISH AND BOAT COMMISSION CORRESPONDENCE



Pennsylvania Fish & Boat Commission

Division of Environmental Services
Watershed Analysis Section
595 E Rolling Ridge Dr.
Bellefonte, PA 16823

August 17, 2021

IN REPLY REFER TO
SIR# 54926

KCI Technologies
Deb Hoover
5001 Louise Drive
Mechanicsburg, Pennsylvania 17055

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 738552_1
US 219 Meyersdale to Old Salisbury Road
SOMERSET County: Elk Lick Township, Summit Township

Dear Deb Hoover:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search “potential conflict” or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

Longnose Sucker (*Catostomus catostomus*, Endangered)

The Longnose Sucker is known from the Casselman River and its tributaries. This project is planned to span Piney Creek as well as potentially impact several unnamed tributaries to the Casselman river. During the planning phase of this project it is important to implement the following:

- Strict E&S controls to avoid sedimentation downstream.
- Storm water management should be designed in such a way that the discharge entering streams will not cause increases in stream temperatures.
- Stream crossings should be designed in such a way that will not result in a loss of Longnose Sucker habitat.
- Any planned areas of new excavation should be explored for the presence of acid bearing rock. If acid bearing rock is found during the geotechnical studies, appropriate treatment options should be developed and followed during construction to ensure there are no long term impacts to water quality.

Our Mission:

www.fish.state.pa.us

To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

- In addition to these design recommendations **any in-stream construction should be avoided March 15 – July 1.**

Timber rattlesnake (*Crotalus horridus*, PA candidate)

Timber rattlesnakes occur in the forested, mountainous regions of the Commonwealth. They prefer forested areas to forage for small mammals (e.g., mice and chipmunks) and southerly-facing slopes for hibernating and other thermoregulatory activities. The timber rattlesnake is threatened by habitat loss/alteration, wanton killing, and poaching.

There have been observations of timber rattlesnakes in the vicinity of the project area, but based on our review of the information you sent as well as mapping overlays, **we do not anticipate any direct adverse impacts to the timber rattlesnake from the proposed project.** However, the project areas could be used as foraging habitat for timber rattlesnakes, and this warrants some concern about rattlesnake-human conflicts. Although the nature of the timber rattlesnake is rather docile, it can be dangerous if cornered or handled. Therefore, the workers should be mindful of the presence of the snakes in the area. Rattlesnakes are attracted to open, rocky, log-strewn areas for basking and forested areas with thick deciduous leaf litter that tend to support high populations of rodents. We recommend that the workers responsible for implementing this project be advised that timber rattlesnakes may be encountered, and that avoidance is the best means of minimizing risks to personal safety. These workers should also be advised that the timber rattlesnake is a state protected species and is not to be harmed. Killing of timber rattlesnakes without a proper permit is prohibited by the Commission pursuant to 58 Pa. Code Section 79.6. If any timber rattlesnakes are observed on-site, please notify this office.

I am aware that this project is early in the planning phase and will require more coordination to avoid impacts to the species above. Please continue coordinating with this office as the project progresses.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Joshua Wisor at 814-359-5135 and refer to the SIR # 54926. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,



Joshua Wisor, Fisheries Biologist
Watershed Analysis Section



May 24, 2023

IN REPLY REFER TO

SIR# 58133

Markosky Engineering Inc.
Christine Hainzer
3689 Route 711
Ligonier, Pennsylvania 15658

**RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 786952
US 219 Meyersdale to MD
Elk Lick Township, Summit Township: SOMERSET County**

Dear Christine Hainzer:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search “potential conflict” or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish and Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish and Boat Code (Chapter 75), or the Wildlife Code.

Longnose Sucker (*Catostomus catostomus*, Endangered)

The Longnose Sucker is known from the vicinity of the project site. Given the proximity to a nearby extant population of the species of concern listed above, the site will need to be investigated further for potential habitat of the species or design of avoidance measures. Please contact Joshua Wisor at 814-359-5135 at your earliest convenience to set up a field view to look at the project area and review the site plans.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Joshua Wisor at 814-359-5135 or jowisor@pa.gov and refer to the SIR # 58133. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,



Joshua Wisor, Fisheries Biologist
Watershed Analysis Section

HAS//JMW/dn

APPENDIX F
MD DEPT. OF NATURAL RESOURCES CORRESPONDENCE

September 17, 2021

MEMO

To: Chris Homeister, PRD
From: Lori Byrne, WHS
RE: Environmental Review for US 6219-050: PA to Old Salisbury Road, Garrett and Allegany Counties, Maryland.

The western part of the study area includes part of the Casselman River, parts of which are designated as Wetlands of Special State Concern, and is known to support these RT&E species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>State Status</u>
<i>Strophitus undulatus</i>	Creeper	In Need of Conservation
<i>Catostomus catostomus</i>	Longnose Sucker	Endangered Extirpated
<i>Noturus flavus</i>	Stonecat	Endangered
<i>Cryptobranchus alleganiensis</i>	Eastern Hellbender	Endangered
<i>Plethodon wehrlei</i>	Wehrle's Salamander	In Need of Conservation
<i>Luxilus chrysocephalus</i>	Striped Shiner	In Need of Conservation
<i>Regulus satrapa</i>	Golden-crowned Kinglet	Watchlist (breeding)
<i>Viola appalachiensis</i>	Appalachian Blue Violet	Watchlist
<i>Matteuccia struthiopteris</i>	Ostrich Fern	Rare
<i>Actaea podocarpa</i>	American Bugbane	Rare
<i>Valerianella chenopodifolia</i>	Goosefoot Cornsalad	Endangered
<i>Bromus nottowayanus</i>	Nottoway Brome	Watchlist
<i>Moehringia lateriflora</i>	Grove Sandwort	Endangered
<i>Schizachne purpurascens</i>	Purple Oat	Endangered
<i>Dirca palustris</i>	Eastern Leatherwood	Threatened
<i>Homalosorus pycnocarpus</i>	Glade Fern	Threatened

In the area of Meadow Mountain within the study area, there are records for these RT&E species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>State Status</u>
<i>Epilobium leptophyllum</i>	Linear-leaved Willowherb	Rare
<i>Empidonax alnorum</i>	Alder Flycatcher	Rare (breeding)
<i>Erethizon dorsatum</i>	North American Porcupine	Watchlist

The eastern part of the study area includes a segment of Piney Creek, which is known to support these RT&E species:

<u>Scientific Name</u>	<u>Common Name</u>	<u>State Status</u>
<i>Amblyscirtes hegon</i>	Pepper and Salt Skipper	In Need of Conservation
<i>Strophitus undulatus</i>	Creeper	In Need of Conservation
<i>Luxilus chrysocephalus</i>	Striped Shiner	In Need of Conservation
<i>Phegopteris connectilis</i>	Northern Beechfern	Rare
<i>Epilobium leptophyllum</i>	Linear-leaved Willowherb	Rare
<i>Oryzopsis asperifolia</i>	Mountain-ricegrass	Threatened

Also, our remote analysis suggests that the forested area on this property contains Forest Interior Dwelling Bird habitat. Populations of many bird species which depend on this type of forested habitat are declining in Maryland and throughout the eastern United States.

ER# 2021.US219.ga/al

APPENDIX G
U.S. FISH AND WILDLIFE SERVICE CORRESPONDENCE



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>

<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

August 19, 2021

Consultation Code: 05E2CB00-2021-SLI-2011

Event Code: 05E2CB00-2021-E-04788

Project Name: US 6219-050: Meyersdale, PA to Old Salisbury Road, MD

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 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. This 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 us 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.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>;

<http://www.towerkill.com>; and

[http://](http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html)

www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. 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
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

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:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Pennsylvania Ecological Services Field Office

110 Radnor Road Suite 101
State College, PA 16801-7987
(814) 234-4090

Project Summary

Consultation Code: 05E2CB00-2021-SLI-2011

Event Code: 05E2CB00-2021-E-04788

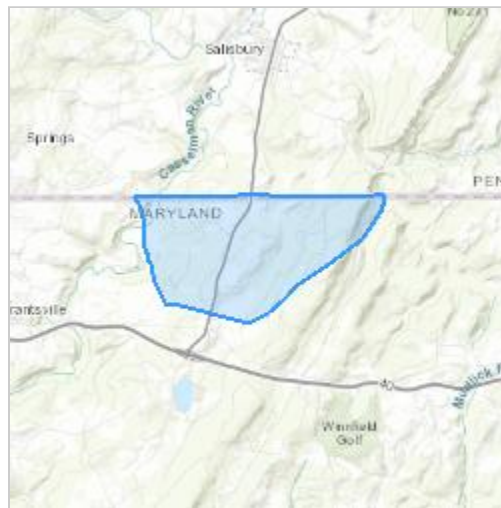
Project Name: US 6219-050: Meyersdale, PA to Old Salisbury Road, MD

Project Type: TRANSPORTATION

Project Description: This current study addresses the 6.5-mile (5 miles in PA and 1.5 miles in MD) portion of US 219 from Meyersdale, PA to Old Salisbury Road in MD. PennDOT and MDOT SHA will build upon the 2016 Planning and Environmental Linkages (PEL) document that examined several alternatives within the attached study area. All study alignments extended from the existing northern tie east of existing US 219 (between Meadow Mountain and US 219) before splitting off into various alignments. Some of the alignments continued to the east of US 219 and others crossed over US 219 in various locations south of Salisbury, PA, either remaining on the west side of US 219 or crossing back over US 219 to tie in on US 219's eastern side. At this time, no preferred alignment has been identified. We are requesting an inventory of environmental resources that could be impacted by the project within the study area boundary (as drawn) in Maryland.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.70929835,-79.08968719231436,14z>



Counties: Maryland and Pennsylvania

Endangered Species Act Species

There is a total of 2 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.

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
Indiana Bat <i>Myotis sodalis</i> 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/5949	Endangered
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

Critical habitats

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

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

WETLAND INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED.
PLEASE VISIT [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) OR CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
110 Radnor Road, Suite 101
State College, Pennsylvania 16801-4850

February 17, 2022

Nicki Donahoe
Attilio Squillario
PA Department of Transportation
Engineering District 9-0
1620 N. Juniata Street
Hollidaysburg PA 16648

RE: USFWS Project #2022-0001474 (formerly #2021-1348)
PNDI Receipt # 738552

Dear Ms. Donahoe and Mr. Squillario:

This letter serves as a compilation of recommendations from the U.S. Fish and Wildlife Service's (Service) Pennsylvania Field Office and the Chesapeake Bay Field Office regarding the proposed State Route (SR) 6219, Section 050, located in Somerset County, Pennsylvania, and Garrett County, Maryland. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species; the Migratory Bird Treaty Act (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755, as amended) to support the protection of migratory bird species; and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*) to support protection of other fish and wildlife resources.

The Federal Highway Administration (FHWA), in conjunction with the Pennsylvania Department of Transportation (PennDOT) and Maryland State Highway Administration (MDSHA), proposes to construct a new 7-mile, limited-access section of SR 6219, from SR 219, Section 019 at Meyersdale, Pennsylvania, to Old Salisbury Road in Maryland. The project study area is located in Elk Lick, Greenville, and Summit Townships; and Salisbury Borough, Somerset County, Pennsylvania; and Garrett County, Maryland. The project under consideration involves transportation routes to provide access to regional destinations to include Interstate 68 in Maryland and the Pennsylvania Turnpike (Interstate 76). Other goals of the project include facilitating economic development, and safety improvement for the SR 219 corridor.

Fish and Wildlife Coordination Act

Alternatives Analysis and Minimization. Information was provided to the Service during a Pennsylvania Agency Coordination Meeting on November 16, 2021, and as part of the Virtual

Scoping Field View and Field Features Map on the same date. In addition, FHWA, PennDOT, and MDSHA presented information regarding a Planning and Environment Linkages Study process on September 22, 2021, and an Interagency Review Meeting of July 16, 2021. FHWA and PennDOT requested comments about additional studies and methodologies from potential Cooperating Agencies.

The study area now under consideration is associated with related projects for which the Service has previously provided comments and completed section 7 consultation. These include the Meyersdale Bypass Project in 2007, the SR 219 Project from Somerset to Meyersdale in 2014, and the Interstate 68 Interchange Project from I-68 to Old Salisbury Road in 2020. Information presented at the September and November meeting relate to the preliminary stages of the project entitled, *SR 6219-050: Meyersdale, PA to Old Salisbury Road, MD* that is currently in the planning stage.

Although the project has not yet been defined, project alternatives appear to have been reduced to three conceptual alignments: Concept D, E, and E-shift. Project designers should attempt to incorporate the least environmentally damaging, practicable alternatives that minimize or avoid encroachment into wetlands, streams, riparian areas, floodplains, large contiguous blocks of forested areas, and migratory bird and bat habitat. This project is part of the overreaching SR 219 Transportation Project. As such, it has already undergone the Planning and Environmental Linkages process in 2016, as a precursor to the official NEPA analysis by means of a document entitled *US 219: I-68 (MD) to Meyersdale (PA) Planning and Environment Linkages Study*. During that process, FHWA and the State DOTs found that a small section of road (about 1.8 miles) had independent utility and logical termini to move forward to complete the Chestnut Ridge Development Corridor (corridor for economic development and controlled growth along existing major traffic corridors, which will be a mixed-use residential and industrial area), as part of the Appalachian Development Highway System. Specifically, the I-68 interchange project was permitted and constructed. It opened in May of 2021.

The 2016 Planning and Environmental Linkages document outlines the three general principles contained in 23 CFR 771.111(f) for a stand-alone, subsequent project. These were developed to ensure meaningful evaluation of alignments and avoid commitments to transportation improvements before they are fully evaluated in an environmental document. Those three principles include:

1. Connect logical termini to address environmental matters on a broad scope;
2. Have independent utility or independent significance; and
3. Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

Originally, the SR 219 Transportation Project started out with about 16 different alignments, and due to specified reasons, most of these alignments were eliminated, leaving three. For this particular section of SR 219 (from Meyersdale, Pennsylvania to Old Salisbury Road, Maryland), the remaining available alignments have been further reduced, based on the difficulty in making the connection to the existing newest section at the I-68 Interchange project to Old Salisbury Road.

Based on the information presented at the Pennsylvania Agency Coordination Meeting and Maryland Interagency Review Meeting, many of the former alignments were eliminated, ostensibly due to the complexity of positioning the proposed alignments with the sections that have already been constructed. This is not keeping in the spirit of 23 CFR 771.111(f), #3, and is actually restricting consideration of alternatives for foreseeable transportation projects.

Elimination of alignments that do not connect with the new road segments may actually be dictating where the new alignment should go. We request, in light of 23 CFR 771.111(f), #3, that FHWA, PennDOT, and MDSHA reevaluate all alignments solely on their own merit, and not with regard to those segments that are already constructed. Further, we recommend that project designers thoroughly explore construction footprints that minimize impacts to aquatic resources, including streams, wetlands, riparian areas, and floodways; and large contiguous blocks of forested areas to conserve forest interior-dependent bat and migratory bird species.

Wildlife Crossings and Habitat Connectivity. As long linear features on the landscape, roads and highways have adverse effects on wildlife and wildlife habitat that are disproportionate to the area of land the projects occupy. In addition to the loss and fragmentation of habitats, road effects to wildlife also include habitat degradation (*e.g.*, from stormwater and invasive species); road avoidance; increased human disturbance/exploitation; road mortality; disruption of social structure; reduced access to vital habitats; population fragmentation and isolation; and disruption of processes that maintain regional populations (Jackson 2000). The SR 6219-050: Meyersdale, PA to Old Salisbury Road, MD project would be significantly strengthened by incorporating additional wildlife passage infrastructure. For more information, see the following websites:

<http://www.wildlifecrossings.info> and

https://www.fhwa.dot.gov/clas/ctip/wildlife_crossing_structures/.

Barriers to Movement. Roads create barriers to wildlife movement. Studies have documented that several species of small mammals, reptiles, and amphibians are reluctant to cross even relatively small roads, and that larger, more heavily trafficked roads have still greater impacts on wildlife movement. Additionally, some wildlife species avoid areas adjacent to highways due to noise and human activity associated with roads (Jackson 2000).

As barriers to wildlife movement, highways reduce access to vital habitats for a variety of wildlife species. Wide-ranging mammal species can lose access to important habitats when movements are bisected by highways, thus jeopardizing local populations. The loss of intermediate habitat patches (“stepping-stones”) also may contribute to population fragmentation (Jackson 2000).

By creating distribution barriers, roads subdivide wildlife into smaller and isolated populations, which are more vulnerable to localized extirpation. Dispersal among local populations is important for maintaining gene flow, supplementing small or declining populations, and re-colonizing local populations lost to extirpation events. The effects of roads and highways on local and regional populations are an important factor affecting the long-term persistence of populations (Jackson 2000). Even with features to permit wildlife crossing, large highways may reduce genetic connectivity in populations of medium and large mammals, adversely affecting populations (Strasburg 2006). Larger mammals in the SR 219 project area include white-tailed deer (*Odocoileus virginianus*), coyote (*Canis latrans*), black bear (*Ursus americanus*), red fox

(*Vulpes vulpes*), bobcat (*Lynx rufus*) and raccoon (*Procyon lotor*). Smaller mammals in the project area include the eastern fox squirrel (*Sciurus niger vulpinus*), Allegheny woodrat (*Neotoma magister*), and the West Virginia water shrew (*Sorex palustris punctulatus*); all of which are designated as State Species of Greatest Conservation Need in Pennsylvania and/or Maryland.

Right-of-Way Fencing. To create a safe, effective travel-way for wildlife; to reduce wildlife-vehicle collisions and improve safety for the traveling public; and to encourage wildlife to use constructed crossings, we recommend inclusion of appropriate wildlife fencing in conjunction with wildlife crossings. Fences help guide animals to wildlife passage sites (Jackson and Griffin 2000) and can be as critical as the wildlife crossing structures themselves (Ruediger and DiGiorgio 2007). In fact, through a study conducted in north-central Pennsylvania, PennDOT concluded that maintaining fencing along roadways helps decrease the likelihood of wildlife entering the right-of way and directs them to underpasses (A.D. Marble 2004). Many species of wildlife are wary of unnatural situations and confinement. Given the choice between going through an unfamiliar wildlife crossing and crossing the highway pavement, many animals will choose the latter (Ruediger and DiGiorgio 2007), often leading to their demise. Fencing forces wildlife to use the crossings.

The Service fully supports consideration and inclusion of wildlife crossing facilities to maintain wildlife habitat connectivity. We look forward to working with FHWA, PennDOT, and MDSHA to develop designs for wildlife passage facilities to be included in the SR 219 project including large mammal passage and small mammal, amphibian, and reptile underpasses. We request that FHWA, PennDOT, and MDSHA coordinate with the Service as necessary on this issue and conduct studies necessary to determine appropriate placement of these structures. We recommend that project proponents consult with the guidelines included in Chapter 3 of FHWA's publication: *Wildlife Crossing Structure Handbook Design and Evaluation in North America* (https://www.fhwa.dot.gov/clas/ctip/wildlife_crossing_structures/ch_3.aspx) for appropriate methods for siting wildlife crossings.

Acid-bearing rock. Acid-bearing rock seems to be a prevalent issue for Pennsylvania, with regard to large transportation projects. Areas of coal and black shale so typical of the geology of Pennsylvania characteristically contain pyrite, a mineral composed of iron and sulfur (PA Department of Environmental Protection 2018). When pyrite is exposed to the atmosphere, it weathers and produces iron and sulfuric acid, which can dissolve additional undesirable elements from the rocks, like aluminum and manganese (PA Department of Environmental Protection 2018). If acid-producing rocks are disturbed or exposed during construction of large transportation projects, and those rocks are not properly handled, streams and groundwater can become polluted from the acid-producing rock leachates.

To prevent acid drainage pollution as a secondary impact of the implementation of this project, we request that you map areas of acid-bearing rock for both Pennsylvania and Maryland portions of the study area, and conduct proper geotechnical studies, to locate acid-producing rocks, before a preferred alignment is chosen. If acid-producing rocks are found, FHWA, PennDOT, and MDSHA should also consider alternatives and options to avoid and minimize impacts to acid-producing rocks after these more comprehensive geotechnical studies are completed. In addition, please develop an Acid Rock Management plan that includes acid rock handling and

acid rock disposal, in the event that any unanticipated acid rock should be encountered during project construction.

Pollinator Habitat. In 2019, PennDOT, with the support of FHWA, developed their Voluntary Pre-Listing Pollinator Conservation Program (Program). The Program is voluntary, non-regulatory, and proactive for the conservation of pollinator species of special concern, including the Monarch, regal fritillary, and frosted elfin butterflies; and the yellow-banded bumblebee. PennDOT's intent of developing the Program included implementing conservation actions that may preclude the need to list these pollinator species of concern under the Endangered Species Act (Act). If, in the future, the Service determines that these species do require protection under the Act, PennDOT's commitments through the Program enable them to provide advanced credits to offset impacts to these four species of special concern that would result from transportation-related actions.

To fulfill PennDOT's commitment to pollinator conservation, we request that FHWA/PennDOT consider implementing conservation efforts to increase habitat for the four species of special concern described above, and other pollinator species in general. Principle conservation approaches that hold the greatest potential for pollinator habitat increases include, but are not limited to:

1. Increasing implementation of conservation mowing seasons and methods;
2. Promoting milkweed and nectar-producing plant growth;
3. Implementing specific planted pollinator sites; and
4. Using seed mixes that are native to Pennsylvania and Maryland in roadside and right-of-way plantings

We recommend that PennDOT, FHWA, and MDSHA evaluate all proposed roadway corridors for opportunities to enhance habitat for pollinators early in the roadway planning process. Depending on the specific pollinator species (e.g., bees, butterflies, beetles), project proponents should identify focal areas to target their conservation efforts; incorporate a certain percentage of native flowering plants into buffer planting specifications (e.g., bumble bee "superfood plants," specialty monarch seed mixes, or wild indigo and lupine); encourage the maintenance and restoration of early successional habitats; encourage the replacement of plant losses during normal buffer establishment activities (e.g. by herbicide kill or repeated mowing); creating or protecting nest sites (e.g., establish native bunch grasses, build brush piles, and adjust mowing activities to avoid disturbance along forest edges and field buffers to allow for taller grass cover during the nesting season); and develop scenarios that integrate pollinator protection into pest management activities (i.e., herbicide application and timing).

The Service fully supports the inclusion of pollinator habitat and maintenance of that habitat in the design and planning of large roadway projects such as the SR 219 project. We look forward to working with FHWA, PennDOT, and MD-SHA to develop designs and practices to enhance and expand pollinator habitat. We request that FHWA, PennDOT, and MDSHA coordinate with the Service as necessary on this issue and conduct studies to determine target pollinator species, locate optimum sites for pollinator plantings and habitat enhancements, and determine appropriate maintenance activities for the prolonged support of pollinators. For additional

resources on pollinator habitat, and habitat maintenance, we recommend that project proponents consult with FHWA's publication and website at the following links:

<https://highways.dot.gov/public-roads/september-2017/save-bees-and-butterflies>,
https://www.environment.fhwa.dot.gov/env_topics/ecosystems/pollinators.aspx

Migratory Bird Treaty Act

On October 5, 2021, the Service's Director signed Order No. 225, which clarified the Service's interpretation of the Migratory Bird Treaty Act to prohibit incidental take of migratory birds. The Service recognizes that a wide range of activities may result in incidental take of migratory birds and pursuing enforcement for all these activities would not be an effective or judicious use of the Service's law enforcement resources. Accordingly, the Service's primary focus for enforcement of the Act includes emphasis on specific types of activities that both foreseeably cause incidental take, and where project proponents fail to implement known beneficial practices to avoid or minimize incidental take. That said, we offer the following discussion and best management practices for the conservation of migratory birds for consideration and inclusion as project design decisions are made.

The mission of the Service is to work with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. Migratory bird conservation remains an integral part of our mission. The Service works with any partner that is interested in reducing impacts to migratory birds and their habitats through voluntary conservation measures. We continue to develop best management practices to protect migratory birds and their habitats in partnership with any industry, Federal, State, and Tribal entity as interest dictates.

The potential exists for avian mortality from habitat destruction and alteration within the project boundaries. Site-specific factors can be considered in project siting to avoid and minimize the risk to birds, including avian abundance; the quality, quantity and type of habitat; geographic location; type and extent of bird use (*e.g.*, breeding, foraging, migrating, etc.); and landscape features.

We offer the following general conservation recommendations that may avoid and minimize impacts to migratory birds within and around the project area:

1. Where disturbance is necessary, clear natural or semi-natural habitats (*e.g.*, forests, woodlots, reverting fields, shrubby areas) and perform maintenance activities (*e.g.*, mowing) between September 1 and March 31, which is outside the nesting season for most native bird species. Without undertaking specific analysis of breeding species and their respective nesting seasons on the project site, implementation of this seasonal restriction will avoid take of most breeding birds, their nests, and their young (*i.e.*, eggs, hatchlings, fledglings).
2. Minimize land and vegetation disturbance during project design and construction. To reduce habitat fragmentation, co-locate roads, fences, lay down areas, staging areas, and other infrastructure in or immediately adjacent to already-disturbed areas (*e.g.*, existing

roads, pipelines, agricultural fields) and cluster development features (e.g., buildings, roads) as opposed to distributing them throughout land parcels. Where this is not possible, minimize roads, fences, and other infrastructure.

3. Avoid permanent habitat alterations in areas where birds are highly concentrated. Examples of high concentration areas for birds are wetlands, State or Federal refuges, Audubon Important Bird Areas, private duck clubs, staging areas, rookeries, leks, roosts, and riparian areas. Avoid establishing sizable structures along known bird migration pathways or known daily movement flyways (e.g., between roosting and feeding areas).
4. To conserve area-sensitive species, avoid fragmenting large, contiguous tracts of wildlife habitat, especially if habitat cannot be fully restored after construction. Maintain contiguous habitat corridors to facilitate wildlife dispersal. Where practicable, concentrate construction activities, infrastructure, and man-made structures (e.g., buildings, cell towers, roads, parking lots) on lands already altered or cultivated, and away from areas of intact and healthy native habitats. If not feasible, select fragmented or degraded habitats over relatively intact areas.
5. Develop a habitat restoration plan for the proposed site that avoids or minimizes negative impacts to birds, and that creates functional habitat for a variety of bird species. Use only plant species that are native to the local area for revegetation of the project area.

Please be aware that because these are general guidelines, some of them may not be applicable to the current project development or they may have already been considered in the project design.

Endangered Species Act

The proposed project is located within the range of the Indiana bat (*Myotis sodalis*), a species that is federally listed as endangered, and the northern long-eared bat (*Myotis septentrionalis*), a species that is federally listed as threatened.

Indiana bats hibernate in caves and abandoned mines during the winter months (November through March), and use a variety of upland, wetland and riparian habitats during the spring, summer and fall. They usually roost in dead or living trees with exfoliating bark, crevices or cavities. Female Indiana bats form nursery colonies under the exfoliating bark of dead or living trees, such as shagbark hickory, black birch, red oak, white oak, and sugar maple, in upland or riparian areas. Land-clearing, especially of forested areas, may adversely affect Indiana bats by killing, injuring or harassing roosting bats, and by removing or reducing the quality of foraging and roosting habitat. During the spring, summer and fall, Indiana bats roost and forage in forests and woodlots. To a lesser extent, the foraging bats also use a variety of adjacent fields, meadows, emergent wetlands, riparian corridors and shrub-lands. These habitats are necessary to support the female bats' needs for food and shelter during the critical periods of pregnancy and lactation, and to support the juvenile bats' needs for food and shelter so they can quickly grow to a healthy body condition that will sustain them during fall migration.

The northern long-eared bat was listed as a threatened species on April 2, 2015, (Federal Register 50 CFR, Part 17, Volume 80[63]:17974) under the Endangered Species Act and the listing became effective on May 4, 2015, 30 days after publication of the final listing determination. No critical habitat was designated at that time. As the previous studies related to this project were conducted in 2005 and 2014, prior to the official listing of this species, it was not a consideration at the time.

Northern long-eared bats hibernate in underground caves and cave-like structures (*e.g.*, abandoned or active mines, railroad tunnels) that typically have large passages with significant cracks and crevices; relatively constant, cool temperatures (0-9 degrees Celsius); and high humidity and minimal air currents. There may be other landscape features used by northern long-eared bats during the winter that have not yet been documented. During the summer northern long-eared bats roost singly or in colonies in cavities, underneath bark, crevices, or hollows of trees and/or dead snags that have a diameter at breast height of 3 inches or greater. Suitable summer habitat for these bats comprises a wide variety of forested habitats where they roost, forage, and travel. Summer habitat also includes adjacent and interspersed non-forested habitats, such as emergent wetlands, adjacent edges of agricultural fields, old fields, and pastures.

Indiana Bat and Northern Long-eared Bat

Past bat investigations related to the SR 219 corridor development included a 2005 Indiana bat hibernacula entrance survey for mine and cave portals. That survey resulted in the evaluation of 28 portals, four of which were found to be used by bats including northern long-eared bats, tricolored bats (*Perimyotis subflavus*), and little brown bats (*Myotis lucifugus*).

In 2014, additional surveys were completed to inform a then proposed transportation project. This resulted in 30 sites in Pennsylvania and Maryland, where five species were captured, including big brown bats (*Eptesicus fuscus*), eastern red bats (*Lasiurus borealis*), little brown bat, northern long-eared, and eastern small-footed bats (*Myotis leibii*).

One Indiana bat hibernaculum is known in the vicinity of the study area. Known as the [REDACTED], the site is located just east of the current study area along Piney Creek. The Pennsylvania Game Commission last conducted surveys at the [REDACTED] in 2005 documenting the presence of Indiana bats. Due to site access limitations, it appears that no more recent surveys have been completed. However, habitat likely remains suitable, and we presume Indiana bats continue to utilize this hibernacula and surrounding forest during fall swarming, spring staging, during the summer for roosting, foraging and, possibly, maternity habitat.

White Nose Syndrome. White-nose syndrome is a fungal infection that often kills cave-hibernating bats. This malady reached Pennsylvania in 2007-2008 and is believed to have reached Somerset County around 2010 to 2011 (PA Game Commission, 2019(1)). Although most sites in Pennsylvania have now been contaminated by this fungus, preliminary research in Pennsylvania documents all survivors still become infected annually (PA Game Commission 2019). According to the Pennsylvania Game Commission (G. Turner, personal communication, December 10, 2021), there are survivors of white-nose syndrome in bat colonies in Pennsylvania.

He noted that the bat's behaviors have changed dramatically in recent years, including a preference for colder temperatures during hibernation. As a consequence, bats are being observed in novel locations as they appear to be preferentially selecting caves and rooms in caves that are significantly cooler (*e.g.*, nearer the entrance).

Study Recommendation. Section 7(a)(1) of the Endangered Species Act requires Federal agencies to use their authorities to further the conservation of listed species. Bat surveys were last conducted in portions of the SR 219 project corridor in 2014 and are considered to be valid for up to 5 years. Because the survey results are outdated, and because bat populations have been observed to shift behavior and habitat use due to white-nose syndrome, the Service recommends maternity surveys for bats be completed in the SR 219 project study area now under consideration, to verify that previous results remain valid. Conducting new bat surveys (acoustic, mist-netting, radio-tracking, and emergence) will inform alignment selection with regard to presence of Federal and State-listed Indiana bat and northern long-eared bat.

Conservation measures are discretionary Federal agency activities that are intended to minimize or avoid adverse effects of a proposed action on listed species or critical habitat; to help implement recovery plans; or to develop information. The Service developed the following conservation measures for all Federal agencies to consider if their actions may affect the northern long-eared bat:

1. Perform northern long-eared bat surveys according to the most recent Range-wide Indiana Bat/northern long-eared bat Summer Survey Guidelines (<https://www.fws.gov/midwest/Endangered/mammals/inba/inbasummersurveyguidance.html>). Benefits from agencies voluntarily performing northern long-eared bat surveys are as follows:
 - a. Surveys will help Federal agencies meet their responsibilities under section 7(a)(1) of the Act. The Service and its partners will use the survey data to better understand habitat use and distribution of northern long-eared bats; track the status of the species; evaluate threats and impacts; and develop effective conservation and recovery actions. Active participation of Federal agencies in survey efforts will lead to a more effective and robust conservation strategy for the northern long-eared bat.
 - b. Should the Service reclassify the northern long-eared bat as endangered in the future, an agency with a good understanding of how the species uses habitat, based on surveys within its action areas, could inform greater flexibility under section 7(a)(2) of the Act. Such information could facilitate an expedited consultation and incidental take statement that may, for example, exempt taking associated with tree removal during the active season, but outside of the pup season, in known, occupied habitat.

On January 28, 2020, the U.S. District Court for the District of Columbia ruled on a lawsuit filed by the Center for Biological Diversity and Defenders of Wildlife. The court remanded to the Service its decision to list the northern long-eared bat as threatened rather than endangered. The

Species Status Assessment currently being conducted for the species will serve to satisfy the court's required reconsideration of the species' listing status. The Service expects to complete a status recommendation for this species in Fiscal Year 2022.

Other species of concern. Cave-hibernating bat species have suffered from substantial population declines (ranging from 41% to 98%) due to white-nose syndrome. As a consequence, the Service has been petitioned to list the little brown bat (*Myotis lucifugus*) and tricolored bat (*Perimyotis subflavus*). Species Status Assessments for both species are underway and we expect a status recommendation (e.g., either 'not warranted' or 'warranted' for listing) will be made by September 2022.

While the little brown bat and the tricolored bat currently receive no regulatory protection under the Endangered Species Act, the Service strongly encourages Federal agencies and other planners to consider them when planning and implementing their projects. Efforts to conserve these species now may preclude the need to list them as endangered or threatened under the Act in the future or improve their status, and may avoid the need to consult with the Service with regard to these species, should they be listed under the Endangered Species Act.

The survey efforts recommended above for Indiana bat and northern long-eared bat will provide information regarding the little brown bat and the tricolored bat in the SR 219 project corridor study area. In the event that either species is federally listed as endangered or threatened, considering these species now may avoid future project delays.

The spotted turtle (*Clemmys guttata*) and wood turtle (*Glyptemys insculpta*) may be present within the project action area in Maryland, and the wood turtle may be present within the project action area in Pennsylvania. The Service was petitioned to list both of these species under the Endangered Species Act in 2012 and we have initiated Species Status Assessments for these species to determine if Federal listing is warranted. Spotted turtles favor shallow water, and vegetated wetlands (including small streams, swamps, and vernal pools), but can also be found in upland areas and forest during their active season (April to October). Wood turtles occupy larger streams and associated riparian and forested habitats with thick cover; and use open-canopy, sunny, terrestrial riparian thickets with sparse vegetation for nesting. The wood turtle's active season is late March through October.

Thank you for the opportunity to provide comments and recommendations on additional studies and methodologies for the SR 219 project. We look forward to working with PennDOT on this project.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

If you have any questions regarding this project, please contact Jennifer Kagel of my staff at 814-206-7451.

Sincerely,

A handwritten signature in cursive script that reads "Sonja Jahrsdoerfer".

Sonja Jahrsdoerfer
Project Leader

cc:

USFWS – Clark, Li

PGC – Guers, Tuner

KCI - Hoover

Baker – James

MD DNR – Gibson, Feller

FHWA – Crum

MDSHA – Arnold

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APPENDIX H

PENNDOT RESPONSE TO USFWS



June 14, 2022

Sonja Jahrsdoerfer, Project Leader
 Jennifer Kagel
 United States Department of the Interior
 Fish and Wildlife Service
 Pennsylvania Field Office
 110 Radnor Road, Suite 101
 State College, PA 16801-4850

Re: USFWS Project #2022-0001474 (formerly #2021-1348)
 PNDI Receipt # 738552

Dear Ms. Jahrsdoerfer and Ms. Kagel:

The Pennsylvania Department of Transportation is in receipt of your February 17, 2022 letter that provided a compilation of recommendations from the U.S. Fish and Wildlife Service's (Service) Pennsylvania Field Office and the Chesapeake Bay Field Office regarding the proposed State Route (SR) 6219, Section 050, located in Somerset County, Pennsylvania, and Garrett County, Maryland.

This letter provides responses in a similar order as presented in the USFWS letter. Each USFWS recommendation is bolded and underlined. This letter was written to match the order the issues were presented and are presented as an underlined title prior to each response.

1) Fish and Wildlife Coordination Act

The first paragraph on Page 3 states that, "Based on the information presented at the Pennsylvania Agency Coordination Meeting and Maryland Interagency Review Meeting, many of the former alignments were eliminated, ostensibly due to the complexity of positioning the proposed alignments with the sections that have already been constructed. This is not keeping in the spirit of 23 CFR 771.111(f), #3, and is actually restricting consideration of alternatives for foreseeable transportation projects. Elimination of alignments that do not connect with the new road segments may actually be dictating where the new alignment should go. We request, in light of 23 CFR 771.111(f), #3, that FHWA, PennDOT, and MDSHA reevaluate all alignments solely on their own merit, and not with regard to those segments that are already constructed."

Overview –

The Project Team believes that the proposed project will be keeping in the spirit of 23 CFR 771.111(f), #3. This will be accomplished by utilizing the vast history of studies completed for the project as well as the accumulation of updated project area

information, in addition to past and future public and agency cooperation. However, the project study area has changed since the evaluation in the PEL Study to the start of this Environmental Impact Statement (EIS). The southern terminus has changed since the construction of the newly built roadway in Maryland from the existing I-68 interchange to the Casselman Farm Development's entrance and connection back to existing US 219. It is not the intention of the Project Team to eliminate former alignments based solely on connection to the new terminus or to restrict consideration of other alternatives. Former alignments have and will be evaluated based upon meeting the project's Purpose and Need as well as their environmental, cultural and socio-economic impacts.

We present the following sections to further assist the USFWS's understanding of the current state of the proposed project. The following presents:

- Development of the Project's Purpose and Need, which was presented at the recent ACM.
- Alternative screening,
- The Maryland breakout project and the establishment of the southern logical termini
- A discussion of the currently proposed NEPA Study Alternatives and their origins

Establishing the Project's Purpose and Needs and Alternative Screening - The US 219, I-68 Maryland (MD) to Meyersdale Pennsylvania (PA) PEL Study consisted of three (3) screening stages with study alternatives either being dismissed from further study or advancing to the subsequent screening step. Figure 1 presents all the PEL considered alternatives.

The first step of the PEL screening process evaluated whether the alternatives would meet the PEL's Vision and Goals. At the start of the study in 2021, the project team re-examined the PEL Vision and Goals to evaluate and identify current project needs. The current project needs, very similar to the PEL Vision and Goals, are:

- The existing US 219 roadway network does not provide efficient mobility for trucks
- There are numerous roadway and geometric deficiencies present along the existing US 219 alignment which do not meet current design criteria and contribute to slower travel speeds through the corridor
- Existing US 219 does not provide the infrastructure needed to access the surrounding municipalities along with labor and business markets and is a contributing factor in limiting economic development to the Appalachian Region

Step 1 Screening - Alternatives were evaluated to determine whether they meet the project needs. The following alternatives were dismissed for the same reasons that they did not meet the PEL Vision and Goals:

- No-Build
- Upgrade Alternative

- TSM Alternative
- US 219 Citizen's Impact Group (Ridge Options)
- US 219 Western Alignment (Westerly)

Step 2 Screening - The second step of the PEL process screened alternatives for natural, cultural and socio-economic environmental impacts based on secondary data sources. Field views and updated secondary source information indicate that the project area has not significantly changed since the PEL Study. The impact numbers for those alternatives can be found at Chapter 6-12 in the 2016 US 219 PEL document. A summary of the reasons for dismissal are in the table below.

The following alternatives were found to have higher impacts than those alternatives that were advanced to Step 3 and as a result, those alternatives were not advanced.

- Alignment A
- Alignment B
- Alignment C
- Alignments USACE 1
- Alignment USACE 2
- USFWS Alignment
- Agency Alignment

ALIGNMENT	DESCRIPTION	REASONS FOR DISMISSAL
A	Suggested to avoid the mountain slope/ridge and stay closer to US 219 in attempt to reduce natural resource impacts	<ul style="list-style-type: none"> • Greater impacts to productive agriculture and NHD streams than Alignment E, E-Shift, and AE • Would displace 10 residences • Anticipated adverse effect on 2 historic properties and would have greater potential for archaeology impacts • Bisects Garrett County Employment Center, possibly affecting future of a known proposed development
B	Suggested to avoid the mountain slope/ridge and stay closer to US 219 and further from the Casselman River than Alignment A	<ul style="list-style-type: none"> • One of the highest impacts to productive agriculture • Would require 11 residential and 7 commercial displacements • Would have the greatest NWI wetlands and NHD streams • Anticipated adverse effect to two historic properties and would have highest potential for pre-historic archaeology impacts • Encroach further into the Little Meadows historic site than any other alignment, apart from Alignment C
C	Suggested to avoid all farmland in PA and most farmland in MD	<ul style="list-style-type: none"> • Would require approximately 8 residential and 7 commercial displacements • Anticipated adverse effect on two historic properties • Encroaches further into the Little Meadows historic site than any other alignment • Would be closer than any other alignment to, and potentially impact, Meadow Run wetland complex within the Little Meadows historic site
USACE 1	Connect the northern portion of A with the southern portion of E to avoid the mountain slope/ridge and stay away from the Salisbury mine	<ul style="list-style-type: none"> • Would require 15 residential displacements • One of the highest productive agriculture impacts • Has Higher NHD streams and forestland impacts • Is anticipated to adversely affect two historic properties
USACE 2	Combine portion of D, with southern portion of E, crossing between 2 large farms in PA	<ul style="list-style-type: none"> • Would require 11 residential displacements • Greater impact to streams and forests than USACE1 Alignment • Likely have a direct impact on 3 potential bat hibernacula identified during the 2014 Fall Harp Net surveys
USFWS	Combine northern portion of A with the southern portion of E to avoid the mountain slope/ridge in PA and terrestrial impacts	<ul style="list-style-type: none"> • Would require 15 residential displacements • Anticipated adverse effect on two historic properties • Would inflict one of highest impacts to productive agriculture • Greater potential for forestland impacts • Higher potential for impact to NHD streams, when compared to other alignments Alignment E, E-Shift, and AE • Second largest area of NWI wetland impact (similar to USACE1 Alignment)
Agency	Combine northern portion of A with E, south of the state border to keep the alignment further away from the Salisbury Mine while still allowing a crossing of US 219 in case a local access interchange was desired	<ul style="list-style-type: none"> • Would have the highest impacts to productive agriculture, second highest impact to forestland • Would require 7 residential displacements • Anticipated adverse effect on 2 historic properties and would have greater potential for archaeology impacts

Step 3 Screening - As a result of the Step 2 analysis, four alternatives advanced to Step 3 and were screened using more detailed data.

- Alignment D

- Alignment E
- Alignment E-shift
- Alignment AE

The PEL concluded that Alignments E and E-shift were considered reasonable and recommended to be evaluated in future NEPA Studies. However, at the time of the PEL study, adequate funding was not available to advance the project in its entirety. As a result, the team completed an evaluation to identify whether any stand-alone projects existed along the project alignments.

The MD Breakout Project: Establishing Logical Termini - The recently-constructed 1.4-mile MD project was identified in the PEL as a stand-alone project to move forward into NEPA based on its ability to:

- 1) address the PEL's local and regional economic goals,
- 2) provide a high-speed and safe truck connection to the proposed Casselman Farm Development, and
- 3) provide rational end points for both the transportation improvement and for the assessment of environmental impacts, consistent with FHWA's logical termini definition.

PEL identified that the MD 1.4-mile section both improves the existing I-68/US 219 interchange and best addresses the PEL's Project Vision and Goals by directly serving near future planned development (Casselman Farm Development Site) located in Garrett County MD's Smart Growth Priority Funding Area. This section was also found to be *"of sufficient length to address environmental matters on a broad scope and does not restrict consideration of alternatives for other reasonably foreseeable transportation improvements"* including the current study to complete the remaining 4-lane US 219 section between the Meyersdale Interchange in PA and the recently completed 1.4-mile MD Section.

After the PEL, MDOT SHA developed seven preliminary concepts and presented them at a public workshop on September 8, 2016 and an open house on September 9, 2016. Based on a preliminary analysis of the concepts, as well as public and agency input, SHA identified the No-Build and three build alternatives as its Alternatives Retained for Detailed Study (ARDS). A Joint Location/Design Public Hearing was held on February 6, 2017 to obtain public input on the alternatives under consideration. Following the public hearing, additional design modifications were made to Alternative 4. Based on the evaluation and comparison of the alternatives, including input from the public, Alternative 4 Modified was recommended as the MDOT SHA Preferred Alternative. This section received FHWA PACM/CE approval on July 18, 2018 and subsequently constructed.

On a regional level, the goals of the Appalachian Highway Development System (ADHS) are to generate economic development in previously isolated areas by supplementing the interstate system. Connecting the missing ADHS link between I-68 to the south and Meyersdale to the north is a critical step in bringing the goals and vision of the ADHS to fruition. Though the 1.4-mile roadway project did not fully complete ADHS Corridor N in Maryland, it provides a significant incremental improvement with both short-term benefits of supporting development of the CRDC and long-term benefits of a nearly completed ADHS.

The southern logical termini from the initial EIS and PEL has been reevaluated and revised to be the northern end of the newly constructed section of US 219 in MD. This newly identified logical termini is consistent with the current study's purpose of completing Corridor N of the Appalachian Development Highway System, to improve the system linkage in the region, to provide safe and efficient access for motorists traveling on US 219 and provide a transportation infrastructure to support economic development within the Appalachian Region.

Information regarding the southern logical termini was presented at the September 22, 2021, Joint ACM/IRM Meeting. It was explained that the project's southern logical terminus has been redefined subsequent to PEL based on the construction of the new MD 1.4-mile section.

Currently Proposed NEPA Study Alternatives (See Alignment Alternatives Board)-

When the team reinitiated studies in 2021, it was determined that in order to adequately consider a full range of alternatives in the EIS given the change in terminus, it would be necessary to evaluate more than just Alignments E and E-shift. It made logical sense to first look at Alignments AE and D as they were the two alignments that made it to Step 3 of the PEL Evaluation. Since both of these alignments ended at I-68 west of the current interchange and bisected the Casselman Farm Development, both alignments needed to be modified to tie into the current southern terminus. Alignment AE was eliminated from further consideration to be studied in the EIS because it essentially became the same alignment as Alignment E and E-shift once modified to tie into the new southern logical termini. Alignment D, however, due to its more northerly east-to-west crossing of the study area provided multiple opportunities to combine with the southern portion of previously dismissed PEL alignments to tie into the new southern terminus.

The first of these combinations was with Agency Alternative which the team is now referring to as Alternative D/Agency (Alternative DA). This alignment uses the original D alignment to a point just west of where it crosses existing US 219 and then it essentially follows the Agency alignment back to the new southern terminus. The second combination was with the original USFWS and USACOE2 alignments, which is being referred to as Alternative D/USFWS/USACOE (Alternative DU). This alternative

again uses the northern portion of the D alignment but veers southeast of US 219 in the same proximity as the original USFWS and USACOE2 alignments on its way to the new southern terminus. Finally, since a shift for Alignment E was evaluated in the vicinity of Old Salisbury Road near the southern terminus, it is appropriate to study the same shift for Alternatives DA and DU.

As mentioned above, the team has updated all secondary source data and conducted field views within the project area and determined that no significant changes have occurred in the study area that would invalidate the findings from the 2016 PEL. Due to these advancements in the study, the project study area was revised from what was used in the PEL Study to what is shown on the graphic below (219 Study Area) which reflects our new logical southern terminus. None of the project area's natural, cultural and socio-economic environmental features have significantly changed since 2016 and would not significantly result in different impact quantities from the previously studied alternatives. Therefore, the team intends to carry Alternative DA, DA-Shift, DU, DU-Shift, E, E-Shift into the formal NEPA process. Additional studies will be completed on these alternatives to ultimately identify one preferred alternative. At this time, a preferred alternative has not been identified.

Summary:

The 2016 PEL Study concluded with Alignments E and E-shift being recommended for advancement into the NEPA Phase.

The recently constructed 1.4-mile MD project was identified in PEL as a stand-alone project to move forward into NEPA. The July 18, 2018, Preferred Alternative/Conceptual Mitigation (PACM) Concurrence Package documents the impacts and mitigation from the constructed 1.4-mile roadway segment. For the US 219-050 project, the northern end of this newly constructed section in MD is the most logical terminus. Any other location along I-68 would introduce unnecessary additional environmental, cultural, and socio-economic impacts due to length and location as well as possibly not meeting the project purpose and need.

However, given the change in terminus, the project team feels it is essential to consider more alternatives than just Alternatives E and E-Shift during the NEPA Detailed Alternatives Phase and have developed 4 new alignments to be studied that utilizes both findings from the PEL and updated new resource data within the project study area. These alternatives have been described above and were presented at the recent ACM.

The PEL Study remains valid and PennDOT, MDOT SHA and FHWA are all in agreement with the new logical termini and the alternatives to advance into the EIS, including Alternatives E, E-Shift, DA, DA-Shift DU and DU-Shift. *If the USFWS has*

information that may help to further develop the alignments under consideration, the team kindly requests that you share that information as soon as possible.

2) Wildlife Crossings and Habitat Connectivity

The team agrees with your statement regarding wildlife crossings and habitat connectivity and plans to incorporate wildlife crossings into the design where appropriate. We appreciate the resources that you included with your letter.

3) Barriers to Movement

Information has been noted.

4) Right-of-Way Fencing

We appreciate the resource that you included with your letter. Where applicable, the Project Team will look to utilize fencing in consideration and inclusion of wildlife crossing facilities to maintain habitat connectivity.

5) Acid-bearing rock

PennDOT understands the concern for potential impacts from acid-bearing rock run-off and commits to implementing effective best mitigation measures consistent with best practices successfully implemented on recent past projects. Obtaining detailed borings generally occurs during final design stage of the project due to time, associated costs and the invasive nature of the numerous borings. As was done on SR 6219 Section 020, PennDOT will work with associated permitting and cooperating agencies to avoid and mitigate any potential impacts of acid-bearing rock.

6) Pollinator Habitat

PennDOT, MDOT SHA and FHWA will consider implementing conservation efforts into the project to increase habitat for the Monarch, regal fritillary, and frosted elfin butterflies; and the yellow-banded bumblebee. These efforts will need to be vetted through the project team including PennDOT and MDOT SHA's maintenance units to ensure that no undue or unintended maintenance consequences result from implementing certain conservation measures.

The team will keep an open line of communication with the USFWS on this issue and share the plans at the ACM and IRM meetings. We appreciate the resource that you included with your letter.

7) Migratory Bird Treaty Act

The team will work with the USFWS during the project design process to implement the recommended conservation measures that can be agreed upon by the team in cooperation with the USFWS.

8) Endangered Species Act

The Department is considering several different studies relatives to the bats. These studies include misting netting, refreshing the mine data from the 2005 Abandoned Mine Portal Study, trapping. The scope of work is ongoing, and the Project Team submitted the summer bat survey plan to the USFWS for comment. The fall bat survey plan will also be submitted for comment.

9) Other species of concern

The bat studies mentioned under Item 8 would also include the little brown bat and the tricolored bat.

No formal surveys for the spotted turtle or wood turtle are proposed at this time. The Team will look for the presence of spotted turtle and wood turtle during wetland and stream studies and will document any findings.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thom Prestash", written over a horizontal line.

for Thomas A. Prestash, P.E.
District Executive
Engineering District 9-0

Cc:

USFWS – Clark, Li; PGC – Guers, Tuner; KCI – Hoover; Stantec – George; Baker – Plitt; MD DNR – Gibson, Feller; FHWA – Crum; MDSHA - Maimone