



December 16th, 2014

Mr. Dan Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

RE: Docket No. FWS–R5–ES–2011–0024

Dear Mr. Ashe,

The Forest Guild is providing comments in response to your agency's pending decision on a proposal to list the northern long-eared bat (*Myotis septentrionalis*; *NLEB*) as an endangered species under the Endangered Species Act. Please find attached to this letter our organization's position statement on this issue in the Lake States, adopted September 2014.

The Forest Guild is a non-profit organization dedicated to promoting responsible forest conservation through science-based research, advocacy, and professional practice. Our over 600 members include practicing foresters, ecologists, researchers, academics, and a wide range of professionals involved in forest conservation and forest stewardship.

As an organization of resource managers committed to protecting the diversity and integrity of forest ecosystems, we share the concern over the threats posed to NLEB and other North American bat species due to the spread of the introduced disease, white nose syndrome. The fact that NLEB and other bat populations throughout the Lake States, based on all available evidence, are currently healthy, viable, and widespread throughout a variety of forest habitat and landscapes attests to the positive and complementary role of sustainable forest management in supporting suitable habitat for NLEB and other bat species.

As practicing forest stewards in both private practice and public service, our members share a strong commitment to understanding habitat and conservation needs for NLEB and other bat species that may be vulnerable to WNS, and employing the best practices possible for bat conservation based on our current knowledge. We are deeply concerned however over the possibility that an endangered listing decision by US Fish and Wildlife Service (USFWS), and what we understand to be the likely restriction on activities that would come with such a decision, would create severe un-intended consequences while providing little if any demonstrable benefit for NLEB species conservation.

In the Lake States of Michigan, Minnesota, and Wisconsin, NLEB exists within a matrix of over 50 million acres of working forests in federal, state, county, tribal and private ownerships - a land base which comprises the largest concentration of third-party certified forests in the United States. The large geographic range of NLEB in the Lake States and the relatively wide range of forest conditions which provide suitable summer roosting habitat together create a scenario in which any mandatory restrictions on forest practices, even if well-intended, could have wide-ranging effects. Such restrictions could ultimately threaten the capacity of those lands and land managers to provide ecological, social, and economic benefits, including the diverse habitat for a wide range of wildlife and other biota which our current sustainable forestry practices help assure.

If for example, the current voluntary provisions listed in the USFWS Interim Conference and Planning Guidance that recommends restricted harvesting of both live and dead trees greater than 3” in diameter during summer months was adopted as a mandatory restriction on forest practice, such a sweeping provision would have the practical effect of eliminating summer harvesting as a management tool across large areas. Although we estimate summer harvesting to occur only on as little as .5% of our forestland base annually, summer harvests can be an essential tool for maintaining some forest types. Summer harvests also help provide important continuity of work for the thousands of logging contractors and their employees who are essential partners in implementing sustainable forestry activities.

As stated in our position statement, the Forest Guild strongly encourages the USFWS to consider a threatened rather than an endangered listing decision in order to provide the flexibility needed for appropriate conservation measures to occur within the context of the entire suite of sustainable forestry practices that occur throughout our region. A special rule clarifying that forest practices, and in particular summer forest management, may occur and are not considered takings should be promulgated as part of a listing decision.

The Forest Guild further supports the position and the contentions raised by the members of the Midwest Association of Fish and Wildlife Agencies (MAFWA), the Southeastern Association of State Fish and Wildlife Agencies, the Southern Group of State Foresters, and the Northeastern Area Association of State Foresters, in their letter to US-FWS Director Dan Ashe on November 5th, 2014.

In particular, we concur with and believe it is worth re-stating the conclusion of those organizations that:

“Normal forest management activities provide population level benefits to NLEBs that far outweigh any potential harm or incidental take to individual NLEBs. Maintaining healthy forested ecosystems within the NLEB’s range provides suitable habitat that benefits the population across its entire range. The states’ forest management programs produce reliable outcomes, are governed by legal frameworks, and in many cases are subject to third-party certification and audit. As such, the programs meet the standards of the

Service's Policy for Evaluation of Conservation Efforts when Making Listing Decisions (68 Federal Register 15100-15115).”

The Forest Guild and our members fully support the goal of the Endangered Species Act, and the work of the USFWS in implementing all of the conservation practices and regulatory measures that protect our species and ecosystems. A number of our organization's professional members are in fact USFWS employees, and their unique perspective and experience contributes to our strength as an organization.

As a final note I would emphasize that, despite the concerns which we are raising about USFWS's upcoming listing decision, Forest Guild members are part of a growing group of public and private partners who are committed to understanding the conservation needs of NLEB and other forest-dwelling bat species and sharing that information widely with forest resource managers, forest industry leaders, loggers, and other partners in forest management in our region.

There is a strong interest among these partners in gathering enough population and habitat suitability information to allow us to develop and apply Best Management Practices for bat conservation. Our region has well-developed precedents for such collaborative and voluntary actions to address other conservation issues such as water quality and invasive species, and I am confident that with the right science-based information we can be equally successful with NLEB.

One of the greatest conservation needs for NLEB and other bat species today is more information from applied research and field studies to create a sufficiently detailed picture of habitat suitability so that forest managers can make more informed decisions to conserve and benefit these unique and important animals. The Forest Guild will be an active partner in this effort and we look forward to working in collaboration with you and your staff on this and other issues in the years ahead.

Thank you for your attention to this important issue and your consideration of these comments. Please feel free to contact me directly with any questions or clarifications.

Sincerely,



Fred Clark
Executive Director

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