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Submitted Electronically

Re: Docket ID No. FWS-R5-ES-2011-0024
Endangered and Threatened Wildlife and Plants; Listing the Northern Long-Eared Bat With a Rule Under Section 4(d) of the Act

To Whom It May Concern:

The Georgia Forestry Association (GFA) is the leading advocate for Georgia's forestry community. Georgia's forests are vital to the lives of many state residents, from private landowners and foresters, to loggers and thousands of others employed by the forestry community. Georgia's forests also provide ecosystem services such as clean water and air and valuable wildlife habitat. In order to continue to maintain these precious natural resources, forest landowners must be able to actively manage their forest through harvesting and implementation of a wide array of silvicultural techniques. Therefore, GFA offers the following comments to the U.S. Fish & Wildlife Service (Service) specific to proposed (4)d rule (80 Federal Register 2371–2378) which would allow exemptions for forest management activities if the northern long-eared bat (NLEB) were to be listed as threatened under the Endangered Species Act (ESA).

1. Exempting certain forest management activities from take under the 4(d) rule is necessary and advisable.

The primary threat to the NLEB is white nose syndrome, and there is no evidence that forest management activities are limiting populations of northern long-eared bats. In fact, there is ample evidence that active forest management promotes habitat conditions beneficial to forest dwelling bats (NCASI 2013). Canopy openings, edges, and early successional tree species associated with timber harvests provide foraging and roosting opportunities. Therefore, the rule exempting silviculture techniques utilized in active forest management will assure that forests continue to provide key habitat elements.

2. It is not advisable to place limitations on the scope of exempt silvicultural activities without clear scientific justification for these limitations and readily definable parameters for non-exempt activities.

Of primary concern is the reference to conversion of a mixed forest into an “intensively managed monoculture pine plantation” as being a non-exempt activity (80 FR 2374-2375). The replanting of pine following harvest of a natural pine or mixed pine hardwood stand is a common regeneration technique employed in Georgia and across the Southern United States. Typically one species of pine is planted, chosen based on its ability to thrive based on site conditions. These planted areas occur on the landscape as intermingled elements adjoining hardwood dominated riparian areas, ridges, and openings. They contain a mixture of competing hardwoods and stand level wildlife elements such as snags, mast producing hardwoods, and stream side management zones. Not only do they provide ample foraging and roosting habitat, they would be virtually impossible to define and regulate. The uncertainty over the definition of these non-exempt “pine monocultures” could result in poor management and a loss of quality NLEB habitat.

3. A buffer zone of 0.25 miles around known hibernacula is unnecessary to protect the NLEB, potentially detrimental to habitat quality, and severely limiting to small private landowners.

Without an exemption from incidental take within this buffer zone, forest management on 128 acres surrounding known hibernacula could be severely limited. This would not only reduce the ability of small landowners to generate vital income from their forest land, it could potentially reduce habitat quality. As discussed in Section 1, active harvesting creates suitable NLEB habitat through enhanced foraging opportunities and development of future snag resources. Menzel et al. 2002 and Ford et al. 2006 documented significant use of early successional tree species such as black locust and black cherry, as NLEB roost trees.

While protection of the hibernacula integrity is vital, we encourage the Service to consider that forest management activity does not result in “*filling, excavation, or excessive noise and smoke exposure*”. Therefore, forest management in the vicinity of hibernacula should not be excluded.

4. Maternal roost trees are not limiting, used ephemerally, and the mapping and protection of these trees would be unrealistic and of limited conservation value.

The NLEB uses roost trees opportunistically (78 FR 61055) and commonly switches maternity roost trees. A number of studies have documented the tendency of female northern long-eared bats to switch roost trees as often as every 1-5 days (Johnson et al.2009, Carter and Feldhamer 2005, Foster and Kurta 1999, Sasse and Pekins 1996, Owen et al. 2002, Cryan et al. 2001, Olson 2011). This behavior demonstrates the NLEB’s ability to exploit a dynamic forest environment and ephemeral snag resource. Not only would mapping of these roost trees be extremely difficult, protection of individual trees would have limited conservation value.

Conclusion

We are encouraged by the Service’s inclusion of a forestry exemption in the proposed 4(d) rule and appreciate the opportunity to provide comment. We are hopeful that the Service will consider the following suggestions which will make the rule simpler and easier for landowners to apply: (1) remove the exclusion specific to pine monocultures, (2) focus hibernacula protection on the cave itself and not prohibit forest management in the surrounding 128 acres, (3) avoid mapping and tracking of individual maternal roost trees which sets up an unrealistic expectation for future protection of these non-limiting ephemeral features.

Respectfully,

Georgia Forestry Association

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