



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Ecological Services  
Maine Field Office  
17 Godfrey Drive, Suite 2  
Orono, Maine 04473  
207/866-3344 Fax: 207/866-3351

December 21, 2015

Richard Doucette  
Environmental Program Manager  
Federal Aviation Administration  
Airports Division  
12 New England Executive Park  
Burlington, Massachusetts 01803

Dear Mr. Doucette:

This letter responds to the Federal Aviation Administration (FAA) consultation pursuant to section 7 of the Endangered Species Act (ESA) for the threatened northern long-eared bat (*Myotis septentrionalis*), which was listed with an accompanying 4(d) rule. The FAA intends to fund the proposed action that will be conducted by the City of Belfast. This letter also serves as documentation that a request for consultation was sent to the U.S. Fish and Wildlife Service (Service) by the FAA's consultant and informal consultation was initiated on November 20, 2015 via email correspondence, which included a Biological Assessment report (BA).

**Project Name/Location: Runway 15-33 Easement Acquisition & Obstruction Removal in Belfast, Maine**

**Consultation Log Number: 05E1ME00-2014-I-0202**

The City of Belfast, Maine, to ensure compliance with the FAA regulations and continued safe operation of the Belfast Municipal Airport, proposes to remove 17.4 acres of trees within the known range for the federally listed northern long-eared bat. Of the 17.4 non-contiguous acres, approximately 14.8 acres is considered northern long-eared bat summer habitat.

### **Action Description and Action Area**

The proposed action requires tree removal to eliminate potential current and future safety obstructions for aircraft to the FAA airspace surfaces located at the approach ends of Runway 15-33. These obstructions, identified through an airspace analysis, are located within 17.4 acres of non-contiguous land on and off airport property. Obstruction removal is required to meet Federal safety guidelines in addition to maintaining the airport's existing operational capabilities and cannot be avoided for continued safe airport operation. Once vegetative obstructions are removed, the area will be allowed to naturally re-vegetate. Future maintenance of these areas

may control vegetation growth of taller plant species while promoting the growth of small shrubs and herbaceous cover species.

The Service identifies the larger 17.4 acres of tree cover and forest as the action area.

There are no known hibernacula within 50 miles of the Belfast Airport. Additionally, in 2013 and 2014, the FAA evaluated aerial imagery and conducted site visits to determine if some areas targeted for tree removal contain northern long-eared bat summer roosting habitat. This evaluation determined that the 17.4-acre action area contains 14.8 acres of suitable habitat. The FAA and the City of Belfast have not performed surveys to determine if the northern long-eared bat is present during roosting season. As is our practice, without presence/absence survey data, the Service assumes this species is present in suitable habitat.

Within the 14.8 acres of suitable habitat, 7.5 acres are not contiguous forest. In these areas, the FAA proposes to selectively remove trees as an avoidance and minimization measure to protect potential northern long-eared bat roost sites. Selective tree removal will focus on only those trees deemed to be a current or near-future threat to aircraft safety.

As part of the action, the FAA and the City of Belfast have proposed conservation measures to further avoid and/or minimize potential effects to the northern long-eared bat. They are summarized below.

1. To avoid killing or injuring northern long-eared bats, tree removal efforts will not occur during the maternity period when pregnant, lactating, and post-lactating females and juveniles that may, or may not, be able to fly are at greatest risk of harm from roost removal. To avoid this critical period, and ensure removals occur when northern long-eared bats are not present, **all tree removal efforts will occur between October 15 and April 20 when the northern long-eared bat is not expected to be present.**
2. To minimize other direct effects to the northern long-eared bat and maintain potential summer maternity habitat within the action area, where possible, live or dead trees and snags greater than three inches diameter at breast height that have exfoliating bark, cracks, crevices, or cavities will be allowed to remain on site. Selective tree removal will be performed where feasible and appropriate to eliminate only those trees necessary to meet the FAA safety guidelines
3. Prior to any removal activities, forested areas not proposed for clearing will be field marked to assure the contractor does not remove them.
4. Tree removal within wetland areas will take place using hand crews and light duty vehicles (i.e., less than truck class 3, less than 15,000 ton weight), and performed in a manner that minimizes site disturbance.
5. To preserve forested wetland habitats, all activities within wetlands will be restricted to frozen ground conditions to minimize potential for impacts.

### **Effects of Action**

The proposed conservation measures are anticipated to avoid and minimize potential effects to the northern long-eared bat to the greatest extent practicable. Direct harm to individual northern long-eared bats, is expected to be avoided through implementation of the conservation measure

that assures tree removal when northern long-eared bats are not present. However, removal of potential roost trees could result in the direct and permanent loss of suitable summer habitat. The Service recognizes that this species has demonstrated flexibility in roost site selection from year to year and will use multiple roost sites in a single year. This suggests that minor amounts of habitat and roost site loss would produce no more than an insignificant effect. Moreover, because of the extensive amount of available suitable habitat in this region, throughout Maine, and the species range, it is likely that any potential effects to the northern long-eared bat from this amount of habitat removal will also be insignificant.

### **Conclusion**

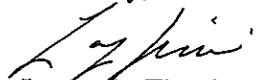
The Service has determined that the proposed action is not likely to adversely affect the northern long-eared bat due primarily to implementation of conservation measures that will limit tree clearing activities to only those trees requiring removal and by removing trees during the hibernation period, when northern long-eared bats will not be in the action area.

### **Reinitiation Notice**

This concludes consultation pursuant to section 7 of the ESA for these projects. However, reinitiation of consultation is required and shall be requested by the Corps or by the Service, where discretionary Federal involvement or control over the action has been retained or is authorized by law and (a) if new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered in the consultation; (b) if the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the consultation; or (c) if a new species is listed or critical habitat designated that may be affected by the identified action.

Thank you for your cooperation in completing this section 7 consultation. Please contact Thomas Davidowicz by telephone at 207/866-3344 Extension 1152 or by email at [Thomas\\_Davidowicz@fws.gov](mailto:Thomas_Davidowicz@fws.gov) if you have any questions.

Sincerely,



Laury A. Zicari,  
Field Supervisor  
Maine Field Office

cc: Stacie Grove, NewEarth Ecological Consulting – Saco, Maine

