



United States Department of the Interior

FISH AND WILDLIFE SERVICE

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December 10, 2015

Mr. John Sobiech
U.S. Army Corps of Engineers
180 Fifth Street East, Suite 700
St. Paul, Minnesota 55101-1678

Project: FWS No. 03E19000- 2009-B-0001
 Fargo Moorhead Flood Risk Reduction Project
 Impacts to wetlands and removal of forested habitat

Dear Mr. Sobiech,

This letter is in response to your request for informal consultation, received on November 17, 2015 with the determination that activities permitted by the U.S. Army Corps of Engineers (Corps) regarding this Project may affect, but are not likely to adversely affect the northern long-eared bat (*Myotis septentrionalis*, NLEB), pursuant to consultation under section 7(a)(2) of the Endangered Species Act of 1973, as amended. This project is located in Cass and Richland County, North Dakota and in Clay and Wilkin County, Minnesota.

As described in your letter, the proposed action is anticipated to impact forest habitat that may provide suitable roosting habitat for the northern long-eared bat, as described as trees greater than 3 inches at diameter breast height (DBH) with loose bark, cracks or crevices. Due to the forested nature of this site and its relative proximity to recorded locations for the species, the northern long-eared bat may be present in the affected area during the roosting season, from approximately April 1 to September 30.

- Tree removal will not take place during a period when the species would be present in the action area. Therefore, we do not expect any direct effects to the species as a result of the action.
- Tree clearing may occur during the period when the northern long-eared bat may be present in the affected area but will be avoided during the northern long-eared bat pupping season of June 1 through July 31.
- Tree clearing associated with this project is anticipated to remove less than one acre of suitable roosting habitat for the northern long-eared bat.
- Removal of forested habitat is not anticipated to appreciably change the usability of northern long-eared bat habitat in the action area or the surrounding landscape.

- Although possible, the probability that a northern long-eared bat will be present in any of the trees when they are felled is likely to be extremely low based on what we know about the population of the bats in the area.

- Other: There are 66 tracts of forest habitat being impacted, however, none are greater than 9-acres in size. Based on what we know of the species, we do not anticipate these forest tracts to be supportive of a maternity colony and NLEB presence at this location is unlikely.

Based on the information summarized above, we concur that the proposed action **may affect, but is not likely to adversely affect** the northern long-eared bat. This concludes section 7(a)(2) consultation. For further information, or if new information not previously considered may result in additional effects to the northern long-eared bat, please contact me at (612) 725-3548 (extension 2208) or via email at andrew_horton@fws.gov.

Sincerely,

ANDREW
HORTON

Digitally signed by
ANDREW HORTON
Date: 2015.12.10
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Fish and Wildlife Biologist