

**From:** [Harris, Anna](#)  
**To:** [MacLean, Billie J](#)  
**Cc:** [Beaucage, Timothy](#)  
**Subject:** Re: Procedural Order and Comments from MDIFW  
**Date:** Sunday, December 10, 2017 1:20:25 PM

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Hi Billie,

Here are comments on bats, Canada lynx and bald eagles in regards to the Concept plan. Again, I apologize that we did not put together formal comments in the form of a signed Service letter addressing all topics that the Service would be interested in working with the Grantor on. I am hopeful that throughout this process we will continue to communicate and coordinate as this Concept plan moves towards reality.

The northern long-eared bat (NLEB) is a Threatened species under the Endangered Species Act and may be found in the Plan area. The Service has developed several voluntary conservation measures and the Maine Field Office would like to work collaboratively with the Grantor to determine what measure could be incorporated for the NLEB. The Service recommends that no trees be cut if it: (1) occurs within 0.25 miles (0.4 km) of known NLEB hibernacula; or (2) cuts or destroys known, occupied maternity roost trees or any other trees within a 150-foot (45-meter) radius around the known, occupied maternity tree during the pup season (June 1 to July 31). Removal of hazardous trees for the protection of human life and property does not apply here. Known, occupied maternity roost trees are defined as trees that have had female NLEBs or juvenile bats tracked to them or the presence of female or juvenile bats is known as a result of other methods. Known, occupied maternity roost trees are considered known roosts as long as the tree and surrounding habitat remain suitable for the NLEB. The Service does not anticipate significant impacts to this bat species as a result of this Plan.

Canada lynx are listed as a Threatened species under the Endangered Species Act. The Canada lynx is widely distributed throughout northern Maine (Aroostook, Franklin, Oxford, Penobscot, Piscataquis, Somerset County, and Washington Counties) wherever large areas of regenerating conifer support high landscape densities of snowshoe hares. The Service concurs with MDIFW's recommendation of conducting two or more snow track surveys on the project area each winter, following MDIFW guidelines, to determine if lynx are currently present. If lynx are present in the Plan area, the Service recommends the Grantor consult with the Maine Field Office to minimize impacts to Canada lynx and their habitats.

The State of Maine and the U. S. Fish and Wildlife Service can proudly celebrate a collaborative effort to recover the bald eagle. More than 500 pairs currently nest in the State, and bald eagles are once again a common sight to the people of Maine. Bald Eagles were removed from the endangered species list in June 2007 because their populations recovered sufficiently. The Bald Eagle continues to be protected under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (Eagle Act) and associated regulations. The Service recommends consulting with the Maine Field office if proposed development is within 660 feet of eagle nests. Projects within this area can usually proceed, in most instances with few or minor modifications. Under the Eagle Act, if landowners and

developers adhere to the National Bald Eagle Management Guidelines they can self-certify that their projects will not take or disturb eagles – a simple visit to our Web site (<https://www.fws.gov/southdakotafieldoffice/NationalBaldEagleManagementGuidelines.pdf>) and no lengthy Federal agency reviews. The Eagle Act is flexible and provides permits for take of eagles or their nests when no other alternatives are available. If the Grantor believes that this project will take or disturb bald eagles, contact the Maine Field Office so that we can help find solutions that allow people and eagles to coexist. Most often conducting activities outside of the nesting season allows projects to proceed.

Please don't hesitate to reach out with any comments or questions.

all the best,  
Anna

On Thu, Dec 7, 2017 at 9:28 AM, MacLean, Billie J <[Billie.J.MacLean@maine.gov](mailto:Billie.J.MacLean@maine.gov)> wrote:

Anna. Attached are MDIFW's final comments on the Concept plan. They are still deferring to USFWS for Bats, Lynx and Eagle.

I know your staff are busy, but any comments or concerns on these species or other issues would be appreciated and helpful to this process. As previously stated, we have a deadline for comments of Dec. 11 (Monday).

Thanks so much.

*Billie J. MacLean*

Billie J. MacLean

Regional Supervisor

Land Use Planning Commission

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**From:** MacLean, Billie J

**Sent:** Wednesday, November 22, 2017 1:48 PM

**To:** Harris, Anna <[anna\\_harris@fws.gov](mailto:anna_harris@fws.gov)>

**Cc:** Beaucage Timothy ([Timothy.Beaucage@maine.gov](mailto:Timothy.Beaucage@maine.gov)) <[Timothy.Beaucage@maine.gov](mailto:Timothy.Beaucage@maine.gov)>

**Subject:** RE: Procedural Order and Comments from MDIFW

Thank you Anna.

As I noted yesterday, I have reviewed the comments that I sent you from MDIFW and see that they have deferred to USFWS on Bats, Canada Lynx and Bald Eagles. These are on the last couple pages of their comments. It would be helpful if you could review the Concept plan for any issues with these wildlife species before December 11. Details about these and other species are in

Volume 1, Appendix A "Existing Conditions..", starting on pg. 13 [http://www.maine.gov/dacf/lupc/reference/resourceplans/fishriverlakes/petition\\_amend\\_061717/Volume1\\_partD-Appendices.pdf](http://www.maine.gov/dacf/lupc/reference/resourceplans/fishriverlakes/petition_amend_061717/Volume1_partD-Appendices.pdf)  
and

Volume 3, Maps 19, 20, 22-26 [http://www.maine.gov/dacf/lupc/reference/resourceplans/fishriverlakes/petition\\_amend\\_061717/Volume3-Maps.pdf](http://www.maine.gov/dacf/lupc/reference/resourceplans/fishriverlakes/petition_amend_061717/Volume3-Maps.pdf)

If you have any questions, please let me know. Thank you.

*Billie J. MacLean*

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**From:** Harris, Anna [[mailto:anna\\_harris@fws.gov](mailto:anna_harris@fws.gov)]  
**Sent:** Wednesday, November 22, 2017 11:38 AM  
**To:** MacLean, Billie J <[Billie.J.MacLean@maine.gov](mailto:Billie.J.MacLean@maine.gov)>  
**Subject:** Re: Procedural Order and Comments from MDIFW

Thanks Billie,

Have a wonderful Thanksgiving

On Tue, Nov 21, 2017 at 2:53 PM, MacLean, Billie J <[Billie.J.MacLean@maine.gov](mailto:Billie.J.MacLean@maine.gov)> wrote:

Anna.

Nice speaking with you today. These are MDIFW's draft comments and we will be meeting with them again next week to discuss some of them. Have a great Thanksgiving.

*Billie J. MacLean*

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