



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Pennsylvania Field Office  
110 Radnor Road, Suite 101  
State College, Pennsylvania 16801-4850



**AECOM**

JAN 23 2017

**RECEIVED**

January 13, 2017

Ryan Leiberher  
AECOM  
100 Sterling Parkway  
Suite 205  
Mechanicsburg, PA 17050

RE: USFWS Project #2015-1047

Dear Mr. Leiberher:

This responds to your letter of December 16, 2016, requesting our review of mist-net survey results for Shell Pipeline Company, LP, proposed Falcon Ethane Pipeline project located in Beaver, Allegheny, and Washington Counties, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to ensure the protection of endangered and threatened species.

## Indiana bat

The proposed project is located within the range of the Indiana bat (*Myotis sodalis*), a species that is federally listed as endangered. Due to proposed forest clearing associated with construction of the pipeline, mist-netting was recommended to determine whether Indiana bats are present. According to the December 2016 survey report, surveys were conducted at 46 sites within the project area in April and May 2016, in accordance with the Fish and Wildlife Service's Indiana bat summer survey guidelines. During these surveys, 274 bats of six species were captured, but this did not include any Indiana bats. Based on these survey results, we have concluded that Indiana bats are either not present in the project area, or are present in such low densities that they were not detected. In addition, the project is not within an area that is known to be occupied by a maternity colony, or within the fall swarming habitat associated with any known Indiana bat hibernacula. Consequently, we have determined that tree-clearing related to installation of the proposed natural gas pipeline construction project is not likely to adversely affect the Indiana bat.

## Northern long-eared bat

Of the 274 bats captured, 17 northern long-eared bats (*Myotis septentrionalis*; herein after NLEB) were captured, at 13 of the 46 sites. Subsequently, 11 NLEB were fitted with tracking

devices, and tracked to roost trees where emergence surveys were conducted. Eight pregnant female NLEB were tracked to their respective roost trees, all of which were located between .07 and .59 miles from your project location. On February 16, 2016, the final rule that tailors protections for the northern long-eared bat under the endangered species act became effective (81 FR 1900; see: <https://www.fws.gov/midwest/endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf>). Therefore, because your project is not located within .25 miles of a known NLEB hibernaculum or within 150 feet from a known maternity roost tree, incidental take that might result from tree removal is not prohibited. More information on the northern long-eared bat and the 4(d) rule can be found here:

<https://www.fws.gov/Midwest/endangered/mammals/nleb/index.html>. Consequently, we have determined that tree-clearing related to installation of the proposed natural gas pipeline construction project is not likely to adversely affect the northern long-eared bat.

This response relates only to endangered or threatened species under our jurisdiction, based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

*To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

If you have any questions regarding this matter, please contact Nicole Ranalli of my staff at 814-234-4090.

Sincerely,



Lora Z. Lattanzi  
Field Office Supervisor