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June 6, 2003

John Schultz, District Ranger
Allegheny National Forest
Bradford Ranger District
Star Route 1, Box 88
Bradford, PA 16701

Dear Mr. Schultz:

This responds to your letter of January 24, 2003, requesting Fish and Wildlife Service review of the Countyline-Fourmile Project Biological Assessment (BA). 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.

On June 1, 1999, the Fish and Wildlife Service issued a biological opinion (BO) regarding the impacts of forest management and other activities that would be implemented under the 1986 Land and Resource Management Plan (Forest Plan) for the Allegheny National Forest (ANF). The Service's programmatic BO evaluated the effects of Forest Service management program activities, including timber management, on the bald eagle (*Haliaeetus leucocephalus*), Indiana bat (*Myotis sodalis*), clubshell mussel (*Pleurobema clava*), and northern riffleshell mussel (*Epioblasma torulosa rangiana*).

In the programmatic biological opinion, we determined that the implementation of projects predicated upon the Forest Plan is not likely to jeopardize the continued existence of the bald eagle, Indiana bat, or clubshell mussel. We also determined that implementation of the Forest Plan and most projects predicated upon it (with the exception of boating facility operation) are not likely to jeopardize the continued existence of the northern riffleshell. A jeopardy determination was made for the operation of boating facilities with respect to the northern riffleshell mussel, and reasonable and prudent alternatives were identified to avoid jeopardy to this species.

Although the Service has provided a programmatic biological opinion to the Forest Service for the ANF Forest Plan, the Service will review, as they are developed, site-specific projects that the Forest Service determines "may affect" federally listed species. The Service will determine if any effects will occur as a result of a site-specific project in a manner, or to an extent, not evaluated or previously disclosed and discussed in the Service's programmatic BO. We consider this site-specific project analysis to be "Tier 2" of the consultation process, with the programmatic consultation (and resulting BO) constituting the "Tier 1" consultation. Our project-specific (Tier 2) consultations will focus on: 1) compliance with the reasonable and prudent measures and associated terms and conditions in the programmatic BO; 2) consistency

with the scope and effects previously analyzed in the programmatic BO; 3) project-specific incidental take vs. take estimated in the programmatic BO; and 4) project-specific reasonable and prudent measures and associated terms and conditions (i.e., for non-jeopardy determinations). In the event of a “may affect” but “not likely to adversely affect” determination for a specific project that is consistent with the programmatic BO, no further evaluation by the Service is necessary and section 7(a)(2) consultation will be considered complete for that project (e.g., via a concurrence letter documenting the conclusion of informal consultation).

We have reviewed the information contained in the Countyline-Fourmile Project BA, which describes the potential effects of the proposed project on federally listed species. The proposed project types (e.g., timber harvesting) and their effects were discussed and evaluated in the Forest Plan BA and programmatic BO. Therefore, this consultation qualifies as a “Tier 2” consultation under the Forest Plan BO.

Forest Service Effect Determinations

The Forest Service initially determined that the federally listed Indiana bat, bald eagle, and small-whorled pogonia (*Isotria medeoloides*) occur or may occur in the project area. No suitable habitat for the clubshell or northern riffleshell is present in the project area; therefore, project implementation was determined to have “no effect” on these species.

Based on species surveys, and further assessment of the potential effects of this project on listed species, the Forest Service reached a “no effect” determination for the small-whorled pogonia; a “may affect, not likely to adversely affect” determination for the bald eagle; and a “may affect, likely to adversely affect” determination for the Indiana bat. You requested our review of, and concurrence with, these effect determinations. Based on our review of the BA and programmatic BO, our comments on your determinations follow.

Small-whorled Pogonia

The BA (p. 23) indicates that “all areas proposed for treatment have been surveyed and no small-whorled pogonias were detected.” After considering the results of these surveys, we concur with the Forest Service’s “no effect” determination, provided surveys were conducted during the appropriate survey window (May 15 to July 31) for this species.

Bald Eagle

Based on available information, no bald eagle nest sites are located in or near the project area (BA, p. 7). The closest known bald eagle nest site is located approximately six miles north of the project area. Suitable bald eagle foraging habitat is available within the project area along portions of Tionesta Creek. However, the BA (p. 7) indicates that project activities will be far removed from any eagle foraging areas (i.e., at least 1.6 miles from Tionesta Creek, and 1.2 miles from Kinzua Bay). Based on this information, we concur with your determination that implementation of Alternative 3 is not likely to adversely affect the bald eagle.

Indiana Bat

The Forest Service determined that implementation of this project “may affect, is likely to adversely affect” the Indiana bat. Given the nature of activities associated with the proposed project, we concur with your determination that incidental take of Indiana bats is possible within the analysis area. As described in the Service’s Programmatic BO, we believe that adverse effects are likely to occur to the Indiana bat from harvesting or tree removal under the Forest Service’s management program activities. However, based on the implementation of reasonable and prudent measures and associated terms and conditions from the programmatic BO, and the conservation measures proposed with the Countyline-Fourmile project that will minimize the impact of any incidental take, we have concluded that activities associated with the Countyline-Fourmile project will not result in adverse effects to the Indiana bat beyond those that were previously disclosed and discussed in the Service’s programmatic BO.

The following biological opinion is based on likely adverse effects to the Indiana bat from the removal of suitable habitat during timber harvesting and gravel pit expansion with the Countyline-Fourmile Project area. This Tier 2 BO identifies the incidental take anticipated due to implementation of the Countyline-Fourmile project (Alternative 3), and the cumulative total of incidental take which has occurred (Table 2).

Description of the Proposed Action

The proposed project involves various timber management activities, reforestation practices, wildlife habitat improvement activities, and transportation/road activities within the Countyline-Fourmile Project area (Table 1-1, page 2 of the BA) in Mead and Sheffield Townships in Warren County, and Hamilton Township in McKean County, Pennsylvania. The project area is approximately 12,515 acres, of which 70% (8705 acres) is National Forest System lands, and 30% (3810 acres) is privately owned. Currently, 79% of the project area is mature second-growth forest, and 12% has undergone final harvest treatments in the past 30 years.

The primary purpose of this project is to provide a sustained flow of timber products (including high quality black cherry) by carrying out timber harvesting and reforestation practices. Road maintenance will be conducted to facilitate these activities. In addition, various wildlife habitat improvement activities will be carried out.

Five alternatives were assessed in the BA for the 2003-2012 planning seasons. The Forest Service has selected Alternative 3 as the preliminary preferred alternative; therefore, this biological opinion focuses on the effects expected due to implementation of this alternative. Timber harvest activities associated with Alternative 3 that may result in incidental take of the Indiana bat are detailed in Table 1. In total, 1184 acres are proposed to be treated between 2003 and 2009. Of this total, 549 acres will receive a second treatment between 2008 and 2012. In addition to timber management activities, Alternative 3 includes gravel pit expansions to support road maintenance activities. Gravel pit expansions will affect six acres of forested habitat, which could be potential foraging and roosting habitat for the Indiana bat.

Table 1. Activities which may contribute to take of Indiana bats (Alternative 3).

Activity	Take Category from Programmatic BO	Type of Harvest	Acres Affected
TIMBER HARVEST			
shelterwood seedcut	shelterwood seed/prep	green partial	549
commercial thinning	thinning	green partial	191
thinning for savannah	thinning	green partial	6
removal cut	shelterwood removal	green final	183
delayed removal cut	shelterwood removal	green final	255
removal cut	shelterwood removal	green final	549 ¹
ROAD ACTIVITIES			
gravel pit expansion	road reconstruction/betterment	–	6
TOTAL ACRES OF FOREST AFFECTED			1739

¹ involves acreage previously subject to shelterwood seedcut

All the above activities will affect a total of 1739 forested acres, and are therefore counted toward the cumulative annual incidental take as outlined in Table 6 (p. 67) of the programmatic BO. The types of timber harvest activities proposed were described on pages 7-8 of the programmatic BO, and the effects of timber harvesting on the Indiana bat were discussed on pages 46 and 65 of the programmatic BO. Road construction activities were described on page 9 of the programmatic BO, and were analyzed on pages 47-48 of the programmatic BO.

The Forest Service has proposed to implement the following project conservation measures (summarized from the BA, pp. 15-16, 21), based on the presence of suitable Indiana bat habitat in the project area, and the assumption that the habitat is occupied by this species.

- C Retain all shagbark and shellbark hickories (live, dead and dying), regardless of size, in partial and final harvest cutting units (green and salvage units).
- C Retain 4-6 live den trees per acre. Where an inadequate number of live trees occur, retain older, larger trees, especially those with old wounds and broken limbs.
- C Mark for retention a clump approximately 1/4 acre in size for every 5 acres harvested. Where possible, clumps of trees in a variety of sizes should contain any or all of the following: den trees, snags, oak/hickory, conifers, minority, and/or mast trees. The Forest Service will protect these clumps and note the clumps on the sale area map.

- C For both partial and final harvests in green units, retain all snags. Retain at least 8-15 live trees \$9 inches d.b.h. per acre in final harvest units, and at least 16 live trees \$9 inches d.b.h. per acre in partial harvest units.
- C Live residual trees to be retained will be Class 1 or Class 2 trees (Romme *et al.* 1995), or other trees exhibiting or likely to develop characteristics preferred by Indiana bats (e.g., exfoliating bark).
- C For partial/intermediate harvests in healthy stands, reduce canopy closure to >54%.
- C Designate and retain living residual trees in the vicinity of 1/3 of all large diameter snags with exfoliating bark to provide them with partial shade in summer.
- C Protect all known roost trees until they no longer serve as a roost.
- C Reinitiate consultation if a maternity roost is located in or within 1.5 miles of the project area.
- C Prior to initiating any harvest treatments, conduct mist-netting at two additional sites in the project area in 2003.

All remaining proposed activities associated with Alternative 3 are not expected to remove suitable Indiana bat habitat, or result in direct or indirect effects on, or take of, the Indiana bat. These activities include: 1) 3747 acres of reforestation treatments, including 1118 acres of herbicide application, 804 acres of site preparation, 141 acres of area fencing, 983 acres of cleaning and weeding, and 701 acres of fertilizer application; 2) 520 acres of wildlife habitat improvement work, including 253 acres of conifer and mast tree underplanting, 26 acres of shrub release, 91 acres of seedbed preparation and grass/forb seeding, 22 acres of apple tree prune and release, 49 acres of shrub fencing or protection with tree shelters, 70 acres of opening maintenance, and 9 acres of vernal pond creation; 3) 22.6 miles of road maintenance; 4) 0.9 mile of road obliteration; and 5) 4.8 miles of spot application of limestone to road surfaces. For the reasons described on page 51 of the programmatic BO, any effects to Indiana bats from proposed herbicide application used in forest regeneration (reforestation) are considered to be insignificant.

Status of the Species

Species description, life history, population dynamics, status and distribution of the Indiana bat are fully described on pages 21 to 36 of the programmatic BO, and are hereby incorporated by reference. New information on the status of the Indiana bat obtained since the Forest Plan and programmatic BO follow.

A biennial survey was conducted on Indiana bat Priority I hibernacula since the issuance of the Service's programmatic BO. Approximately 102,870 Indiana bats were counted during surveys conducted in 2000 and 2001. This compares to the 115,885 Indiana bats that were estimated in

1999 at the same locations (Richard Clawson, Missouri Department of Conservation, *in litt.* 2001 -- as presented at the Indiana Bat Symposium held in Lexington, Kentucky, March 29-31, 2001).

In Pennsylvania, an Indiana bat hibernaculum was located in January of 2000 in an abandoned limestone mine in Armstrong County, approximately 50 miles southwest of the ANF. During a survey of the mine, 67 Indiana bats were located; however, additional surveys of this extensive mine system are needed to determine the extent of this wintering Indiana bat population. Another Indiana bat hibernaculum was recently located in Lawrence County (southwest of the ANF). A survey of this abandoned limestone mine in 2001 revealed the presence of 21 Indiana bats. In February of 2001, the Pennsylvania Game Commission documented the presence of 604 Indiana bats at the Canoe Creek mine in Blair County, approximately 75 miles southeast of the ANF.

Terms and conditions from the programmatic BO (p. 73-75, item 5), describe monitoring procedures for the Forest Service to use to determine use of the ANF by Indiana bats. Between 1998 and 2002, 186 sites were surveyed (i.e., mist-netted) for bats on the ANF. In addition, 123 of these sites were also sampled using Anabat detectors. The mist net survey protocol from the draft Indiana Bat Recovery Plan has been used, and in some cases, sampling efforts exceeded those outlined in the protocol. One male Indiana bat was captured on the ANF in 1998, and another male Indiana bat was captured on private land adjacent to the ANF in 2001.

Between 1998 and 2001, potential Indiana bat vocalizations were detected at 16 of 123 Anabat sampling sites. Positive detection of bats with this equipment could form the basis of a presumption of Indiana bat presence. Recent studies indicate that the echo-location calls of Indiana bats can be distinguished from other *Myotis* bats. While the system definitely shows promise, it still requires substantial development before it can reliably determine whether Indiana bat vocalizations were detected. At this time, the Service does not believe that this technique alone (i.e., without positive mist-net survey results) is sufficient to determine whether Indiana bats are present in a project's action area.

Other mist-netting efforts in and near the ANF included a survey conducted in 2001 in association with a proposed natural gas pipeline project. During that survey effort, mist-netting was conducted at 100 sites along the proposed pipeline right-of-way, which extends from the Pennsylvania-Ohio State line in Lawrence County (near the North Fork Little Beaver Creek) east to Clinton County, Pennsylvania (near the town of Tamarack). The pipeline goes through portions of Lawrence, Butler, Armstrong, Clarion, Jefferson, Elk, Forest, McKean, Cameron, Potter, and Clinton Counties, Pennsylvania. Portions of McKean, Forest, and Elk Counties occur within the ANF proclamation boundary. Out of the 100 sites surveyed, 12 survey sites were located within the ANF. No Indiana bats were captured at any of the survey sites.

Environmental Baseline

The environmental baseline for the ANF was established and described on pages 7-12 and 42-44 in the programmatic BO. Since issuance of the BO, the environmental baseline on the ANF has changed as follows.

Factors Affecting the Species' Environment (on the ANF)

The percentage of trees in the 90 years and older age classes has increased, and includes a 6.8% increase in trees in the 90-109 year-old age class, and an increase of 9.6% in trees 110 years and older. Conversely, trees in the 60-89 year age class have decreased by 4.3%. Additionally, there has been a decrease of 9.9% in trees in the 20-59 year age class and a 2.1% decrease in under-stocked savannahs and openings. Stands in the 0-19 year age class have increased slightly (0.2%). Other changes relate to a decrease in timber harvest between 1998 and 2001. The average timber harvest on the ANF has decreased from an average annual harvest of 7556 acres between 1986 and 1997, to 2557 acres between 1998 and 2001. This represents a 66% reduction in timber harvest since 1997.

Although the amount of timber harvest has been reduced in the last five years, the mix of timber harvest practices has remained relatively unchanged. Of the 2557 acres harvested annually on the ANF between 1998 and 2001, an annual average of 789 acres (31%) involves thinning and salvage treatments, 175 acres (7%) includes uneven-aged management (i.e., group and individual tree selection), and 902 acres (62%) were associated with even-aged regeneration harvest techniques (e.g., shelterwood seedtree harvest, removal cutting and clear-cutting). Although the amount of timber harvest has been reduced since 1997, reforestation treatments have not changed appreciably. Since 1998, the average annual amount of reforestation (herbicide application, site preparation, TSI, fencing, planting, fertilization, release) that has occurred on ANF has been 4818 acres. The average annual amount was 4469 acres between 1986 and 1997.

Activities that benefit wildlife such as prescribed fire, tree and shrub planting, opening construction, and shrub and tree release have decreased from an average annual amount of approximately 2200 acres between 1986 and 1997, to an average annual amount of approximately 1600 acres since 1998. This represents a 30% reduction in the total amount of wildlife and fish habitat improvement work that has been completed annually across the ANF since the programmatic BO was issued.

There has also been a reduction in the amount of road work completed on the ANF. New road construction has dropped from an average annual of 13.7 miles between 1986 and 1997, to an annual average of 0.1 mile of new road construction per year since 1998. Road reconstruction has had a similar reduction, and road betterment has dropped from an average annual amount of 10.1 miles per year from 1986 to 1997, to an annual amount of 0.1 mile per year between 1998 and 2000. Since 1998, the average annual amount of road restoration has been 36.9 miles per year, which represents a 22% reduction in annual road restoration over what was completed between 1986 and 1997 (46.8 miles per year).

Status of the Species Within the Action Area

Although mist-net surveys have been conducted at five locations in the project area, no Indiana bats were captured or detected during sampling efforts. However, due to the presence of suitable Indiana bat roosting and foraging habitat in the project area, the Forest Service has assumed that Indiana bats are present. Mist-netting will be conducted at two additional sites in the project area in 2003.

Of the 12,515-acre project area, 87% was determined to be suitable or optimal foraging and roosting habitat for Indiana bats. Approximately 42% of the project area currently provides optimal maternity roosting habitat, and 22% provides optimal foraging habitat.

Effects of the Action

Service analysis of the preliminary preferred alternative (Alternative 3) for the Countyline-Fourmile Project includes consideration of the assumed presence of Indiana bats and their habitat in the project area.

The Service anticipates that the proposed actions associated with the Countyline-Fourmile Project will result in the incidental take of Indiana bats through harm or harassment, especially if those activities occur when bats may be present (i.e., between April 1 and September 30).

Based on the level of timber harvesting anticipated, there will be some reduction in levels of suitable Indiana bat habitat within the project area. Suitable roosting and foraging habitat will be reduced from 87% to 81%. Optimal roosting habitat will be reduced from 42% to 25%. Optimal foraging habitat will be reduced from 22% to 7%. Sites receiving a partial harvest treatment may provide optimal habitat for a short period of time (i.e., until a final harvest treatment is conducted). Stands undergoing final harvest treatments will not meet all of the criteria for suitable maternity roosting habitat or foraging habitat.

The types of timber harvest activities proposed were described on pages 7-8 of the programmatic BO. The potential direct and indirect effects to the Indiana bat from harvest or removal of trees are consistent with those identified and evaluated in the programmatic BO (pp. 46-48, 51, and 65-66), and are hereby incorporated by reference. Minimization of adverse effects will be addressed by implementation of the project-specific conservation measures, as described in the "Proposed Action" section of this opinion.

As described in the Service's programmatic BO, we believe that adverse effects are likely to occur to the Indiana bat from harvesting or tree removal under the Forest Service's management program activities. Therefore, given the nature of activities associated with the proposed project, we believe that incidental take of Indiana bats is possible within the analysis area. However, we have concluded that activities associated with the Countyline-Fourmile Project will not result in adverse effects to the Indiana bat beyond those that were previously disclosed and discussed in the Service's programmatic BO.

Cumulative Effects

Cumulative effects include the effects of future State, tribal, local, or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Regeneration (final) harvest treatments are anticipated to occur on private lands within the project area. Based on an estimate that approximately 10% of industrial forest lands around the ANF are subject to regeneration harvests each decade, the Forest Service estimates that 280 acres of regeneration harvests will occur on private land within the project analysis area. This will have effects similar to those discussed for harvest practices on Forest Service lands.

Conclusion

The actions and effects associated with the proposed Countyline-Fourmile Project are consistent with those identified and discussed in the Service's programmatic BO. After reviewing the size and scope of the project, the environmental baseline, the overall status of the Indiana bat, the effects of the action, and the cumulative effects, it is the Service's biological opinion that the proposed action is not likely to jeopardize the continued existence of the Indiana bat.

This project has not resulted in a jeopardy determination because: 1) the project's impacts are consistent with those identified and discussed in the programmatic BO; and 2) the Forest Service has proposed to implement project conservation measures to minimize take, including Forest Plan standards and guidelines, and the terms and conditions from the programmatic BO.

Incidental Take Statement

This biological opinion is based on likely adverse effects to the Indiana bat from the removal of suitable foraging and roosting habitat during timber harvesting within the Countyline-Fourmile Project area. This Tier 2 BO identifies the incidental take anticipated due to implementation of the Countyline-Fourmile Project (Alternative 3), and the cumulative total of incidental take which has occurred (Table 2).

Consistent with the approach taken in the programmatic BO, incidental take for this species is measured indirectly as loss or alteration of forested habitat (in acres), as outlined in Table 2. Thus, implementation of Alternative 3 will result in the take of Indiana bats, as measured by the loss/alteration of 1739 acres of forested habitat between 2003 and 2012. This take is counted toward the cumulative annual incidental take as outlined in the programmatic BO (Table 6, p. 67).

Table 2. Actual vs. authorized incidental take (as measured indirectly by acreage) due to the removal or disturbance of potential Indiana bat habitat on the Allegheny National Forest, Pennsylvania.

Activity	Acres Actually vs. (Authorized to be) Removed/Disturbed						
	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003	Total ¹
Trail Construction							
• Pedestrian	.3 (0)	7.8 (8)	.3 (2)	.2 (2)	0 (2)	0 (2)	8.6 (16)
• Motorized - winter	.3 (4)	3.6 (0)	0 (4)	.6 (4)	0 (4)	0 (4)	4.5 (20)
• Motorized - summer	6 (0)	1.2 (0)	3.2 (4)	2.14 (4)	0 (4)	0 (4)	12.54 (16)
Timber management							
• Clearcut	191 (220)	222 (220)	0 (420)	59 (220)	6 (220)	0 (220)	478 (1520)
• Shelterwood seed/prep	1558 (1640)	521 (1640)	299 (4000)	395 (2000)	575 (2000)	260 (2000)	3608 (13,280)
• Shelterwood removal	1203 (1864)	573 (1864)	488 (1864)	843 (1864)	381 (1864)	268 (1864)	3756 (11,184)
• Thinning	1526 (3225)	732 (3225)	240 (7000)	659 (3225)	988 (3225)	316 (3225)	4461 (23,125)
• Selection cut	458 (334)	184 (334)	17 (700)	40 (800)	63 (800)	0 (800)	762 (3768)
Wildlife Habitat Management	10 (10)	7 (10)	4 (10)	0 (10)	0 (10)	0 (10)	21 (60)
Prescribed burning	0 (40)	10 (40)	3 (40)	0 (40)	0 (40)	0 (40)	13 (240)
Roads							
• Construction	0 (1)	0 (0)	0 (73)	1.44 (55)	1.8 (55)	0 (55)	3.24 (239)
• Reconstruction/betterment	0 (0)	0 (0)	0 (55)	4.44 (55)	2.28 (55)	0 (55)	6.72 (220)
• Restoration	2 (2)	3 (3)	4.14 (3)	1.99 (3)	1.01 (3)	0 (3)	12.14 (17)
Oil and Gas Development	149 (149)	206 (112)	258.75 (112)	236.25 (112)	194.25 (112)	0 (112)	1044.25 (709)
TOTALS	5103.6 (7489)	2470.6 (7456)	1317.39 (14,287)	2243.06 (8394)	2212.34 (8394)	844 (8394)	14,191 (54,414)

¹ Total actual take (1998 through 2nd quarter of 2003) vs. authorized take (total estimated in programmatic BO)

The actual incidental take reported by the Forest Service (fiscal years 1998 through 2003), has consistently been far below the annual levels estimated (authorized) in the programmatic BO (see Table 2). Therefore, we do not anticipate that implementation of this project will cause the take levels in the programmatic BO to be exceeded.

Reasonable and Prudent Measures

The Service believes the following reasonable and prudent measures are necessary and appropriate to minimize take of the Indiana bat.

- C Ensure that suitable Indiana bat foraging and roosting habitat is retained within the project area.

Terms and Conditions

In order to be exempt from the prohibitions of section 9 of the Act, the Forest Service must comply with the following terms and conditions, which implement the reasonable and prudent measures described above, and outline reporting and monitoring requirements. These terms and conditions are non-discretionary.

- C Implement project conservation measures (as detailed on pp. 15, 16, and 21 of the BA; and pp. 4-5 of this BO).
- C Continue to report incidental take to the Fish and Wildlife Service quarterly.

Reinitiation Notice

We would like to remind you that, in accordance with our June 1, 1999, biological opinion, and the June 1, 2000, amendment to that opinion, incidental take that occurs as a result of this and other projects on the ANF cannot exceed the annual or cumulative incidental take levels established in the programmatic biological opinion. If implementation of any project or projects is anticipated to exceed these take levels, further consultation will be necessary. To ensure that incidental take is not exceeded, quarterly reports should continue to be provided to this office tabulating the amount of incidental take (as it occurs) on projects being implemented throughout the Forest, as indirectly measured by acres affected. In addition, you should be aware that this project may be subject to further consultation pending the outcome of future consultations on the Forest Plan or Forest Plan amendments.

Should new information reveal that the agency action may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; or the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or a new species is listed or critical habitat is designated that may be affected by the action; or the amount or extent of take as identified in Table 2 is exceeded, reinitiation of formal consultation as outlined in 50 CFR 402.16 is required.

If you have any questions regarding our response, or if you need additional information, please contact Carole Copeyon of my staff at 814-234-4090.

Sincerely,

David Densmore
Supervisor

LITERATURE CITED

Romme, R.C., K. Tyrell and V. Brack, Jr. 1995. Literature summary and habitat suitability index model: components of summer habitat for the Indiana bat, *Myotis sodalis*. Report submitted to the Indiana Department of Natural Resources, Division of Wildlife, Bloomington, Indiana by 3D/Environmental, Cincinnati, Ohio. Federal Aid Project E-1-7, Study No. 8, 38 pp.

cc:

ANF - Kevin Elliott

RO - Glenn Smith

Project file (CKC)

Readers file

ES file: ANF - Mini-BO

ES: PAFO:CCopeyon/ckc:tp:6/6/03

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