



# United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE  
Anchorage Fish and Wildlife Conservation Office  
4700 BLM Road  
Anchorage, Alaska 99507



In Reply Refer to:  
FWS/IR11/AFWCO

Ben Case  
Attn: Thomas Bay Young-Growth Timber Sale  
12 North Nordic Drive  
P.O. Box 1328  
Petersburg, Alaska 99833

Subject: Thomas Bay Young-Growth Timber Sale Environmental Assessment and Finding of  
No Significant Impact (Reference Number 2023-0077063)

Ben Case:

Thank you for the opportunity to provide comments on the U.S. Forest Service's Tongass National Forest, Thomas Bay Young-Growth Timber Sale Environmental Assessment (EA) and Finding of No Significant Impact (FONSI). The U.S. Fish and Wildlife Service (Service) has no specific concerns about your proposed activities, though we encourage you to consider the following recommendations in addition to your existing best management practices:

## **Bald Eagles**

Eagles do not have to be present during human activities for those activities to cause unlawful impacts to eagles. For example, habitat alteration that substantially interferes with normal behavioral habits (including breeding, feeding, and sheltering behavior) may be considered injurious to eagles under the Bald and Golden Eagle Protection Act (BGEPA). During the nesting period, breeding eagles occupy and defend territories. A territory includes an in-use nest and may include one or more inactive, alternate nests that are built or maintained but not used for nesting in a given year. Both in-use eagle nests and alternate nests are protected under the BGEPA.

The Service maintains an eagle nest database that may provide insight into nesting activity in the project area. These data are available in an online spatial database (<https://eagle.abrinc.com/>) but have historical value only; nests displayed on the Historical Bald Eagle Nest Map may no longer exist on the landscape, and new nests may have been built that are not identified in the database. The Historical Bald Eagle Nest Map is not intended to take the place of a survey to determine the presence/absence, status, or exact location of a current eagle nest. Current eagle nests and potential habitat may or may not overlap with the nesting areas shown. The Service therefore recommends conducting eagle nest surveys in advance of timber harvest activities, using a biologist experienced with raptor nest surveys. Eagle nest surveys typically take place in early spring (April 15 to May 15), when both nest location and nest status (i.e., in-use nest versus

alternate nest) can be determined. If eagle nest surveys are implemented for this project, we encourage you to share your results with us in WGS 84 format so that we can continue to update our nest database with the most current information.

We also provide the following recommendations to minimize the potential for eagle nest disturbance:

- Timber harvest should be undertaken outside the eagle nesting season (March 1 to August 31) to the extent practicable.
- At any time of year, avoid tree removal within 330 feet (100 meters) of both active and alternate nests.
- When work cannot be conducted outside the nesting season, spatial buffers should be increased. Avoid timber harvest operations and associated activities, including road construction and chain saw and yarding operations, within 660 feet (200 meters) of in-use and alternate nests.
- Generally, activities should not take place within the landscape buffer that has been established around the nest. Limit human activity near the nest site during the nesting season, including motorized and non-motorized entry. Minimize other activities that could cause habitat degradation within the buffer, regardless of whether eagles are present at the time of the activity.
- Project proponents, their contractors, and any on-site personnel should be aware that eagle nests cannot be removed or altered in any way without a valid permit. This applies to any nest in the area, regardless of whether it is an active nest or an inactive, alternate nest and whether the nest is currently documented (i.e., catalogued in the Service's eagle nest database) or not.

### **Migratory Birds**

Listed below are voluntary conservation measures the Service recommends be implemented at all project sites, with the goal of reducing adverse impacts to migratory birds and bird habitat. While these conservation measures are intended to avoid, minimize, and mitigate impacts to migratory birds under the Migratory Bird Treaty Act they may also benefit non-migratory species.

- Schedule timber removal activities outside the peak bird breeding season to the extent practicable (April 15 to July 15 for forest/woodland areas in Southeast Alaska).
- Southeast Alaska is home to many "species of concern" such as olive-sided flycatchers, Queen Charlotte goshawks, western screech owls, marbled murrelets, and rufous hummingbirds. These species are on one or more "watch lists" for declining populations, and are vulnerable to habitat loss, environmental contaminants, and threats during the breeding season or at other critical times throughout the year. The Service recommends project proponents avoid disturbing habitats these species rely on to the maximum extent possible.

**Amphibians and Fish**

The following recommendations are intended to conserve stream and wetland function and riparian connectivity processes that create and maintain spawning, rearing, migratory, and overwintering habitat necessary to support amphibian and fish populations. We encourage you to consider these conservation measures during project activities to avoid and minimize impacts to amphibians, fish, and their habitats:

- Minimize soil disturbance when using heavy equipment. Use low-pressure tires and limit equipment use to drier seasons or when the ground is frozen. Heavy equipment can disturb and compact soil, increase erosion and sediment, disrupt vegetative succession, and provide distribution corridors for exotic plants.
- Identify corridors of possible colonization (e.g., valleys and flowing waters from areas where amphibians are present) and important imbedded habitats (e.g., ponds, seeps, rock outcrops), which can provide important migratory habitat. Maintain connectivity by minimizing activities in these areas
- Clean equipment with a 10 percent bleach solution when initiating work in a new location or moving between project sites that are not hydrologically connected. Mild bleach solution will kill most pathogens and prevent potential contamination of habitats.
- Reduce disturbances from timber activities in headwaters to maintain water quality and habitat attributes for aquatic wildlife that live in downstream reaches.
- Avoid dragging logging materials across springs and seeps. This practice can damage sensitive vegetation and alter flow patterns.
- Keep logging landings away from wetlands if possible. Logging landings can impact subterranean refugia, alter hydrologic flow regimes, and create conditions for invasive plant species.

**Deer**

The following monitoring recommendations and conservation measures were adapted from the 2017 Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2 (GMU2) (Wolf Technical Committee 2017). These recommendations are intended to improve our understanding of the effects of the implemented actions and promote adaptive management of deer habitat as appropriate.

- In general, we recommend additional monitoring and research in conjunction with examination of currently available information to evaluate the effectiveness of differing young-growth treatments on deer use, vital rates, and population dynamics.
- We strongly encourage investigating population-level effects of stand treatments on deer using an experimental framework.
- We recommend favoring yellow cedar and red cedar for retention over hemlock and spruce that have no winter forage value for deer. Retain, and consider planting, red alder to allow longer retention of understory forage.

**Bats**

The project area is located within the known range of at least four bat species: little brown myotis (*Myotis lucifugus*), western long-eared myotis (*Myotis evotis*), long-legged bat (*Myotis volans*), and silver-haired bat (*Lasionycteris noctivagans*). Bats use a variety of habitat types but are typically associated with forests and woodlands. Roosting sites, particularly maternity roosts and hibernacula are especially important and may include buildings, trees, rock piles, and caves and crevices. The Service recommends the following conservation measures for bats within the action area:

- Avoid disturbing or destroying known or suspected bat roosts, especially when likelihood of use is high (e.g., maternity, day, and night roosts in the active season and hibernacula during the winter).
- Bat distribution, seasonal activity patterns, and the timing of reproduction are all poorly documented throughout much of Alaska. Collecting and reporting bat observations will help improve our understanding of bats in the state. Specifically, we encourage documentation of the following information:
  - Groups of three or more bats (either flying or roosting). This may indicate high quality foraging habitat, a nearby maternity roost (May to mid-July), or a nearby migration stopover or overwintering area (August to September).
  - Observations of bats from late fall (October to November) to early spring (March to April). This will help us determine if bats are migrating or overwintering locally.

Thank you for the opportunity to comment on the Thomas Bay Young-Growth Timber Sale EA and FONSI. If you have questions or concerns regarding these recommendations, please contact Fish and Wildlife Biologist, Sarah Markegard at (907) 231-5850 or [sarah\\_markegard@fws.gov](mailto:sarah_markegard@fws.gov) and reference Project Number 2023-077063.

Sincerely,

Douglass M. Cooper  
Ecological Services Branch Chief

## **References**

Wolf Technical Committee. 2017. Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2. Management Bulletin R10-MB-822. USDA Forest Service, USDI Fish and Wildlife Service, and Alaska Department of Fish and Game.