



August 29, 2014

Public Comments Processing  
Attn: FWS–R5–ES–2011–0024  
Division of Policy and Directives Management  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, MS 2042–PDM  
Arlington, VA 22203

RE: Endangered and Threatened Wildlife and Plants; 12-Month Finding on Petition To List the Northern long-eared Bat and the Eastern Small-Footed Bat as Endangered or Threatened Species; Listing the Northern long-eared Bat as an Endangered Species – [Docket No. FWS-R5-ES-2011-0024]

The Gas Processors Association (“GPA”) appreciates the opportunity to submit comments to the United States Fish and Wildlife Service (“USFWS”) on the proposed endangered listing of the Northern Long-Eared Bat (NLE Bat) (Docket No. FWS–R5–ES–2011–0024).

GPA has served the U.S. energy industry since 1921 as an incorporated nonprofit trade association. GPA is composed of 130 corporate members engaged in the gathering and processing of natural gas into merchantable pipeline gas, commonly referred to as “midstream activities”. Such processing includes the removal of impurities from the raw gas stream produced at the wellhead as well as the extraction for sale of natural gas liquids, NGLs; ethane, propane, butane, and natural gasoline.

GPA supports the USFWS efforts to protect threatened and endangered species when there is sound scientific justification for such a listing determination. However, with the NLE Bat, legitimate concerns have been expressed by many in the scientific community, state and federal agencies, and members of Congress stating that the USFWS is not using the best available scientific methods or data to justify its proposed listing decision. GPA requests that the USFWS strongly consider the following when making its listing decision:

- The hibernacula counts used by the USFWS have not generated an accurate portrayal of NLE Bat populations. Summer survey data indicates that the NLE Bat is very prevalent in the environment, which calls into question how the USFWS can justify an “endangered” listing decision. GPA member companies have reported capturing more NLE Bats than any other species when conducting mist net surveys and also report capturing large numbers of NLE Bats during survey seasons. GPA believes that if the USFWS considers the best available scientific data on NLE Bat populations, an “endangered” listing would not be warranted.

- The USFWS stated in its June 30, 2014 Federal Register notice that there is substantial scientific uncertainty and disagreement about the analysis and interpretation of how white-nose syndrome (WNS) will spread and affect the bat population. In the proposed listing rule, the USFWS stated, "...we have found that no other threat is as severe and immediate to the northern long-eared bat's persistence as the disease, white-nose syndrome (WNS)." As such, it does not seem prudent to move forward with a listing decision until the scientific uncertainties and disagreements are adequately addressed.

- Improving research on WNS and identifying solutions to reduce or eliminate its affect on the NLE Bat should be the primary focus at this time. If WNS is the sole threat to the NLE Bat, the USFWS should include scientific experts, industry, and other stakeholders in the development of a strategy to limit the spread of WNS and further study its effects on NLE Bat populations while allowing the continuation of responsible development activity. An endangered listing by the USFWS would put a large emphasis on habitat protection rather than combating WNS. Habitat loss is not a significant causal factor for this listing decision, and such a move would subject many landowners and private companies to cumbersome and costly regulatory requirements that will not have any significant positive impact on the stated cause of species decline.

- Should the USFWS proceed with anything other than a "not warranted" listing we respectfully request that the USFWS issue a "threatened" listing and also promulgate a 4(d) rule to allow activities that are not detrimental to the NLE Bat populations to continue and to create a mechanism to fund additional research on WNS and monitor the success of overall conservation measures.

GPA appreciates the opportunity to provide our comments to the USFWS on the proposed listing decision. Thank you for your consideration of these comments.

Respectfully submitted,

Gas Processors Association



By: \_\_\_\_\_

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