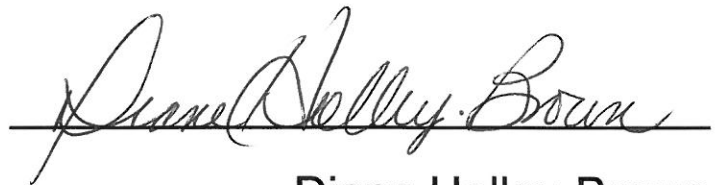


NOTICE

Please note that this bid from Cooperhead Environmental Consulting, Inc. for CRFQ ADJ16*20 was received at the Purchasing Division office prior to the established bid opening date and time on April 21, 2016 as noted on the coversheet, but was unable to load properly through wvOASIS at the public bid opening. This bid has since been loaded and is now posted.

A handwritten signature in cursive script, reading "Diane Holley-Brown", written over a horizontal line.

Diane Holley-Brown
Assistant Purchasing Director



April 22, 2016

April 21, 2016 1:30 PM Electronic Solicitation Responses (ESRs)

ISSUE

On Thursday, April 21, 2016 1:52 PM, the Purchasing Division contacted the wvOASIS Finance Team because five centralized solicitations closed at 1:30 PM, but no electronic solicitation responses (or “ESRs”) were received. At that time, a Finance Team member observed that the 1:30 PM sync cycle was complete and successful (See Exhibit 1). The team member also found one decentralized ESR that interfaced successfully during the 1:30 PM sync cycle (SR 0211 ESR0420160000005077; see Exhibit 2). Based on this information, the team member advised the Purchasing Division that everything appeared to be in order.

At 3:19, the Purchasing Division contacted wvOASIS again after noticing ESRs in the system relating to the five centralized solicitations: CRFQs ADJ160000020, CPR160000001, DOT160000083, DOT160000086, and DNR160000028.

Exhibit 1

Job ID	Item Type	Catalog Id	Catalog Name	Job Name	User ID	Start Time	End Time	Run Status	Return Code			
✓ 446257	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 16:31:49	04-21-2016 16:31:56	Complete	Successful	View Log		
446206	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 15:31:29	04-21-2016 15:31:32	Complete	Successful	View Log		
446129	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 14:29:59	04-21-2016 14:30:13	Complete	Successful	View Log		
446108	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 13:29:59	04-21-2016 13:30:03	Complete	Successful	View Log		
446063	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 12:29:49	04-21-2016 12:29:53	Complete	Successful	View Log		
445986	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 11:29:59	04-21-2016 11:30:01	Complete	Successful	View Log		
445963	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 10:29:59	04-21-2016 10:30:01	Complete	Successful	View Log		
445914	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 09:29:49	04-21-2016 09:29:54	Complete	Successful	View Log		
445824	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 08:29:49	04-21-2016 08:29:53	Complete	Successful	View Log		
445719	System Batch	127	Load to Advantage	DAFN012701_Load_to_Advantage_127	batch	04-21-2016 07:30:19	04-21-2016 07:30:40	Complete	Successful	View Log		

Exhibit 2

The screenshot displays a web-based procurement system interface. At the top, a header bar contains the text: "Solicitation Response(SR) Dept: 0211 ID: ESR04201600000005077 Ver.: 1 Function: New Phase: Final Modified by batch_04/21/2016". Below the header, there are tabs for "General Information", "Contact", "Default Values", "Discount", and "Document Information". The "General Information" tab is active, showing the following details:

- Procurement Folder: 209322
- Procurement Type: Agency Purchase Order
- Vendor ID: 000000199924
- Legal Name: F M PLE HARDWARE CO INC
- Alias/DBA:
- Total Bid: \$1,000.00
- Response Date: 04/20/2016
- Response Time: 15:46

On the right side of the interface, additional information is displayed:

- SO Doc Code: ARFQ
- SO Dept: 0211
- SO Doc ID: GSD1600000162
- Published Date: 4/15/16
- Close Date: 4/21/16 (highlighted with a red box)
- Close Time: 13:00 (highlighted with a red box)
- Status: Closed
- Solicitation Description: Toro Lawn Mower Parts

BACKGROUND

The wvOASIS system is a web-based, enterprise-wide financial application that runs on multiple servers. When a vendor submits a Solicitation Response document in the Vendor Self Service (VSS) portal, the document remains sealed in the VSS electronic lockbox until the solicitation closing date and time are reached. Then, the responses are copied from the lockbox to the procurement folder by a synchronizing interface. The Purchasing Division is not able to access electronic solicitation responses until they are exported from the lockbox to the procurement folder. The synchronizing interfaces, or sync cycle, run every hour at the bottom of the hour, from 7:30 AM to 5:30 PM weekdays.

ANALYSIS

Members of the wvOASIS Technical Team identified the cause of the issue relating to the April 21, 2016 1:30 PM ESR documents. The system clocks on two wvOASIS servers were out of sync by a matter of seconds. This caused the 1:30 PM sync cycle to begin at 1:29 PM. Because the ESRs relating to the five centralized solicitations were not eligible to be interfaced until after their 1:30 PM closing time, they were not copied to their respective procurement folders until the completion of the 2:30 PM sync cycle. It should be noted that the decentralized ESR shown in Exhibit 2 had a closing time of 1:00 PM, making it eligible to be interfaced at 1:29 PM.

CONCLUSION

After careful review, it is our conclusion that the ESR documents relating the five centralized solicitations were received in the wvOASIS system prior to the 1:30 PM closing time and should be considered valid bids by the Purchasing Division. The specific ESR documents are:

CRFQ 0603 ADJ1600000020

Solicitation Response SR,0603,ESR04061600000004696,1
Solicitation Response SR,0603,ESR04191600000005013,1
Solicitation Response SR,0603,ESR04191600000005025,1
Solicitation Response SR,0603,ESR04201600000005072,1
Solicitation Response SR,0603,ESR04201600000005074,1
Solicitation Response SR,0603,ESR04201600000005079,1

CRFQ 0203 CPR1600000001

No solicitation responses received

CRFQ 0803 DOT1600000083

Solicitation Response SR,0803,ESR03281600000004481,1

CRFQ DOT1600000086

Solicitation Response SR,0803,ESR04201600000005078,1

Solicitation Response SR,0803,ESR04201600000005081,1

CRFQ DNR1600000028

Solicitation Response SR,0310,ESR04211600000005085,1

Solicitation Response SR,0310,ESR04211600000005092,1



West Virginia Purchasing Division

2019 Washington Street, East
Charleston, WV 25305
Telephone: 304-558-2306
General Fax: 304-558-6026
Bid Fax: 304-558-3970

The following documentation is an electronically-submitted vendor response to an advertised solicitation from the *West Virginia Purchasing Bulletin* within the Vendor Self-Service portal at ***wvOASIS.gov***. As part of the State of West Virginia's procurement process, and to maintain the transparency of the bid-opening process, this documentation submitted online is publicly posted by the West Virginia Purchasing Division at ***WVPurchasing.gov*** with any other vendor responses to this solicitation submitted to the Purchasing Division in hard copy format.

Header

[List View](#)

- General Information**
- Contact
- Default Values
- Discount
- Document Information

Procurement Folder: 203105

SO Doc Code: CRFQ

Procurement Type: Central Purchase Order

SO Dept: 0603

Vendor ID:

SO Doc ID: ADJ1600000020

Legal Name: COPPERHEAD ENVIRONMENTAL CONSULTING INC

Published Date: 4/14/16

Alias/DBA:

Close Date: 4/21/16

Total Bid: \$149,475.00

Close Time: 13:30

Response Date:

Status: Closed

Response Time:

Solicitation Description:

Total of Header Attachments: 0

Total of All Attachments: 0



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**State of West Virginia
 Solicitation Response**

Proc Folder : 203105
Solicitation Description : ADDENDUM 1 BAT SURVEY-CAMP DAWSON
Proc Type : Central Purchase Order

Date issued	Solicitation Closes	Solicitation No	Version
	2016-04-21 13:30:00	SR 0603 ESR04191600000005025	1

VENDOR
000000165530 COPPERHEAD ENVIRONMENTAL CONSULTING INC

FOR INFORMATION CONTACT THE BUYER
 Crystal Rink
 (304) 558-2402
 crystal.g.rink@wv.gov

Signature X	FEIN #	DATE
-------------	--------	------

All offers subject to all terms and conditions contained in this solicitation

Line	Comm Ln Desc	Qty	Unit Issue	Unit Price	Ln Total Or Contract Amount
1	Bat Survey-Endangered Species Mgmt Plan-Camp Dawson				\$149,475.00

Comm Code	Manufacturer	Specification	Model #
77111507			

Extended Description : Critical Fauna Survey and Endangered Species Management Plan for the Indiana Bat and the Northern Long-Eared Bat



COPPERHEAD
ENVIRONMENTAL CONSULTING

Crystal Rink
Bid Clerk
Department of Administration
Purchasing Division
2019 Washington Street, East
Charleston, WV 25305

19 April 2016

Sent via email

Re: Summer 2016 endangered bat presence/probable absence survey, Preston County, West Virginia

Ms. Rink,

Copperhead Environmental Consulting, Inc. (Copperhead) is pleased to submit a proposal for the above referenced project. Our experience in conducting presence/probable absence surveys for endangered bats, combined with our knowledge of bat ecology, gives us the qualifications and experience needed to provide high quality surveys for our clients.

Federal guidelines allow for a three phase approach to presence/probable absence surveys: 1) acoustic surveys 2) follow-up mist-netting and 3) radio-telemetry and emergence counts. However, the level of effort of mist-netting is dependent on the results of the acoustic survey and radio-telemetry is only conducted if Indiana bats or northern long-eared bats are captured. This proposal is based on the 2016 USFWS survey guidelines and includes completion of an Endangered Species Management Plan.

If you have any questions regarding this submittal, or need additional information, please do not hesitate to contact me.

Sincerely,

Joshua Adams
Director of Energy Services
859-925-9012(o)

COPPERHEAD ENVIRONMENTAL CONSULTING, INC.

P.O. BOX 73 ■ 11641 RICHMOND RD. ■ PAINT LICK, KENTUCKY, 40461
(859) 925-9012 OFFICE (859) 925-9816 FAX
mwgumbert@copperheadconsulting.com

www.copperheadconsulting.com



Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

State of West Virginia
 Request for Quotation

Proc Folder: 203105
 Doc Description: BAT SURVEY-CAMP DAWSON
 Proc Type: Central Purchase Order

Date Issued	Solicitation Closes	Solicitation No	Version
2016-03-28	2016-04-19 13:30:00	CRFQ 0603 ADJ1600000020	1

BID RECEIVING LOCATION

BID CLERK
 DEPARTMENT OF ADMINISTRATION
 PURCHASING DIVISION
 2019 WASHINGTON ST E
 CHARLESTON WV 25305
 US

VENDOR

Vendor Name, Address and Telephone Number:
 Copperhead Environmental Consulting, Inc.
 P.O. Box 73
 Paint Lick, KY 40461
 (859)-925-9012

FOR INFORMATION CONTACT THE BUYER

Crystal Rink
 (304) 558-2402
 crystal.g.rink@wv.gov

Signature X

FEIN # 27-0083689

DATE 19 Apr 2016

All offers subject to all terms and conditions contained in this solicitation

ADDENDUM ACKNOWLEDGEMENT FORM
SOLICITATION NO.: ADJ160000020

Instructions: Please acknowledge receipt of all addenda issued with this solicitation by completing this addendum acknowledgment form. Check the box next to each addendum received and sign below. Failure to acknowledge addenda may result in bid disqualification.

Acknowledgment: I hereby acknowledge receipt of the following addenda and have made the necessary revisions to my proposal, plans and/or specification, etc.

Addendum Numbers Received:

(Check the box next to each addendum received)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Addendum No. 1 | <input type="checkbox"/> Addendum No. 6 |
| <input type="checkbox"/> Addendum No. 2 | <input type="checkbox"/> Addendum No. 7 |
| <input type="checkbox"/> Addendum No. 3 | <input type="checkbox"/> Addendum No. 8 |
| <input type="checkbox"/> Addendum No. 4 | <input type="checkbox"/> Addendum No. 9 |
| <input type="checkbox"/> Addendum No. 5 | <input type="checkbox"/> Addendum No. 10 |

I understand that failure to confirm the receipt of addenda may be cause for rejection of this bid. I further understand that any verbal representation made or assumed to be made during any oral discussion held between Vendor's representatives and any state personnel is not binding. Only the information issued in writing and added to the specifications by an official addendum is binding.

Copperhead Environmental Consulting
Company

[Signature]
Authorized Signature

19 Apr 2016
Date

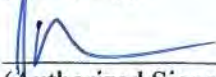
NOTE: This addendum acknowledgment should be submitted with the bid to expedite document processing.
Revised 6/8/2012

CERTIFICATION AND SIGNATURE PAGE

By signing below, or submitting documentation through wvOASIS, I certify that I have reviewed this Solicitation in its entirety; that I understand the requirements, terms and conditions, and other information contained herein; that this bid, offer or proposal constitutes an offer to the State that cannot be unilaterally withdrawn; that the product or service proposed meets the mandatory requirements contained in the Solicitation for that product or service, unless otherwise stated herein; that the Vendor accepts the terms and conditions contained in the Solicitation, unless otherwise stated herein; that I am submitting this bid, offer or proposal for review and consideration; that I am authorized by the vendor to execute and submit this bid, offer, or proposal, or any documents related thereto on vendor's behalf; that I am authorized to bind the vendor in a contractual relationship; and that to the best of my knowledge, the vendor has properly registered with any State agency that may require registration.

Copperhead Environmental Consulting, Inc.

(Company)



Josh Adams, Director of Energy Services

(Authorized Signature) (Representative Name, Title)

((859)-925-9012) ((859)-925-9816) (19 Apr 2016)

(Phone Number) (Fax Number) (Date)

EXHIBIT A
CRFQ ADJ1600000020

ALL LABOR, MATERIALS, EQUIPMENT, AND SUPPLIES NECESSARY TO CONDUCT CRITICAL FAUNA
SURVEY AND ENDANGERED SPECIES MANAGEMENT PLAN FOR THE INDIANA BAT AND
NORTHERN LONG-EARED BAT, ON CAMP DAWSON ARMY TRAINING SITE AT KINGWOOD, WV

BID FORM

The undersigned, hereafter called the Bidder, being familiar with and understanding the bidding documents; and being familiar with the required qualifications and the mandatory requirements of the Project with regards to the deliverables and associated timelines, hereby proposes to furnish labor, material, equipment, supplies, and transportation to perform the work as described in the bidding documents

BIDDERS COMPANY NAME: Copperhead Environmental Consulting, Inc.

VENDOR ADDRESS: P.O. Box 73
Paint Lick, KY 40461

TELEPHONE: (859) 925-9012

FAX NUMBER: (859) 925-9816

E-MAIL ADDRESS: jadams@copperheadconsulting.com

CONTRACT TOTAL BID:

one hundred forty nine thousand, four hundred seventy five dollars and no cents

(\$ \$149,475.00) ***(Contract bid to be written in words and numbers.)

The contract will be awarded to the Bidder with the lowest contract total bid meeting all of the specifications. Bidder understands that to the extent allowed by the West Virginia Code, the OWNER reserves the right to waive any informality or irregularity in any bid, or bids, and to reject any and all bids in whole or in part; to reject a bid not accompanied by the required bid security or by other data required by the bidding documents; to reject any conditions of the bid by the Bidder that is any way inconsistent with the requirements, terms, and conditions of the bidding documents; or to reject a bid that is in any way incomplete or irregular.

Failure to use this bid form may result in bid disqualification.

SIGNATURE:  DATE: 19 Apr 2016

NAME: Josh Adams
(Please Print)

TITLE: Director of Energy Services

State of West Virginia VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Vendor Preference, if applicable.

1. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
- Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or**,
- Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; **or**,

2. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

3. Application is made for 2.5% vendor preference for the reason checked:

- Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; **or**,

4. Application is made for 5% vendor preference for the reason checked:

- Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or**,

5. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or**,

6. Application is made for 3.5% vendor preference who is a veteran for the reason checked:

- Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.

- Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code*, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Josh Adams

Signed: 

Date: 19 Apr 2016

Title: Director of Energy Services

**REQUEST FOR QUOTATION
CRFQ ADJ1600000020**

**Critical Fauna Survey & Endangered Species Plan for Indiana Bats and Northern Long-Eared Bats on Camp Dawson Army Training Site
Kingwood, WV (Preston Co.)**

10. VENDOR DEFAULT:

10.1. The following shall be considered a vendor default under this Contract.

10.1.1. Failure to perform Contract Services in accordance with the requirements contained herein.

10.1.2. Failure to comply with other specifications and requirements contained herein.

10.1.3. Failure to comply with any laws, rules, and ordinances applicable to the Contract Services provided under this Contract.

10.1.4. Failure to remedy deficient performance upon request.

10.2. The following remedies shall be available to Agency upon default.

10.2.1. Cancellation of the Contract.

10.2.2. Cancellation of one or more release orders issued under this Contract.

10.2.3. Any other remedies available in law or equity.

11. MISCELLANEOUS:

11.1. Contract Manager: During its performance of this Contract, Vendor must designate and maintain a primary contract manager responsible for overseeing Vendor's responsibilities under this Contract. The Contract manager must be available during normal business hours to address any customer service or other issues related to this Contract. Vendor should list its Contract manager and his or her contact information below.

Contract Manager: Josh Adams
Telephone Number: (859) 925-9012
Fax Number: (859) 925-9816
Email Address: jadams@copperheadconsulting.com

STATE OF WEST VIRGINIA
Purchasing Division**PURCHASING AFFIDAVIT**

MANDATE: Under W. Va. Code §5A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:Vendor's Name: Copperhead Environmental Consulting, Inc.Authorized Signature: *Brygg Jones* Date: 4/19/16State of KentuckyCounty of Cassard, to-wit:Taken, subscribed, and sworn to before me this 19 day of April, 2016.My Commission expires October 27, 2018, 20 .

AFFIX SEAL HERE

NOTARY PUBLIC *[Signature]*

Phase 1: Acoustic Survey

Acoustic surveys will be implemented in accordance with the Range-wide Indiana Bat Summer Survey Guidelines (USFWS 2016), specifically using acoustic surveys to determine presence/probable absence. Based on guidelines for the required number of detector nights (dn) for non-linear projects (4 dn/123 ac) and the estimated amount of forested habitat within the project area of approximately 2,956 acres we expect that 98 dn will be sufficient to provide regulatory compliance for the project. However, a Study Plan confirming the required number of net nights will be submitted to USFWS prior to the start of field work. Early coordination with USFWS and/or the State is important to ensure that the field work is completed without delay. If the amount of forested habitat requiring a mist-net survey changes, the scope of work and cost estimate will need to be adjusted.

Beginning no sooner than 15 May 2016, Copperhead will deploy 2 AnaBat SD2 (Titley Electronics Pty Ltd, Ballina, NSW Australia) acoustic detectors per 123 ac/night and anticipates completing approximately 12 sites/2 nights. If this rate of completion is maintained, the acoustic survey would be completed in 9 nights. AnaBat SD1 and AnaBat II detectors may also be incorporated to supplement capacity if needed. Detectors will be placed in habitats where bats are likely to be foraging/traveling and in areas that increase the likelihood that high quality calls are recorded (e.g., forest canopy openings, road or stream corridors with open canopies, ponds, wetlands). Detector microphones will be placed on 12' poles to increase the sample area and reduce distortion from the ground or vegetation. Acoustic surveys cannot be conducted during inclement weather (e.g., rain, strong winds, dense fog, <50°F); therefore, surveys will be suspended and site(s) resurveyed if not completed.

Acoustic data will be downloaded in the field using AnalookW and the CFCread software associated with the AnaBat system. All calls will initially be analyzed using BCID East (version 2.7c) on a night/site basis. Any call file identified by BCID as either Indiana bat (*Myotis sodalis*) or northern long-eared bat (*Myotis septentrionalis*) will initiate a visual examination of all files for that site/night by a Copperhead biologist trained in acoustic bat identification. It should also be noted that because of an enormous overlap in the call repertoire of most members of the *Myotis* genus, we do not believe it is possible to distinguish between the calls of many of these species (e.g., *M. sodalis*, *M. lucifugus*, *M. leibii*) in all situations. This assumption is supported in the scientific literature and has been shared at countless training classes and professional meetings by the creators of the acoustic analysis software. Copperhead personnel will therefore verify that a call is of sufficient quality for identification (e.g., long duration calls with limited interference) and only confirm that a call is, or is not characteristic of the given species. Results of the acoustic identification program and the manual vetting will be considered before the presence/probable absence of a species will be decided.

Phase 2: Follow-up Mist-Netting

Mist-net surveys will only be conducted at sites where Indiana bats or northern-long eared bats have been identified by the acoustic software and verified by Copperhead personnel. Mist-net surveys will be implemented in accordance with the Range-Wide Indiana Bat Summer Survey Guidelines (USFWS 2016). Based on the 2016 guidelines, there is no minimum number of net nights required during this phase. Therefore, Copperhead recommends a minimum of 4 net

nights (over 2 calendar nights) of mist-net surveys at an appropriate site, as close as possible to the acoustic site that recorded the positive call. Mist-nets will be set to maximize coverage of flight paths used by bats along suitable travel corridors, foraging areas, and/or drinking areas. Weather permitting; mist-nets will be monitored for a minimum of five hours after sunset each night. As with acoustic surveys, sampling will be repeated if weather conditions become unsuitable for sampling during the survey period (e.g., temps below 50°F, strong winds, and/or precipitation, or fog). The number of mist-net sites and the number of mist-nets per site is dependent upon site specific conditions and available habitat. Placement of mist-net sites is based on the extent of canopy cover, presence of an open flyway, and forest conditions near the site. Actual location and orientation of each mist-net site will be determined in the field and photographed for inclusion in the final report.

Bats will be live-caught in mist-nets and released unharmed near the point of capture. Biological and morphometric data will be recorded for each individual captured (e.g., time of capture, capture net, species, sex, age class, reproductive condition, mass, and forearm length). Representative photographs will be taken of all Indiana, northern long-eared bats, and the first 10 little brown bats (*Myotis lucifugus*). Processing will be completed within 30 minutes from the time the bat is removed from the net. Time, weather, GPS location of each net site and hourly weather conditions will also be recorded. All data will be recorded on pre-printed data sheets. Data sheets and photographs will be included in the final report.

Special caution will be taken during mist-net activities to minimize the potential for transmission of White Nose Syndrome (WNS) by following the most recent decontamination protocols of the USFWS. Bats will be evaluated for potential WNS infection following the “Wing-Damage Index Used for Characterizing Wing Condition of Bats Affected by White-nose Syndrome” by Reichard.

Phase 3: Radio Telemetry and Emergence Counts

In the event that Indiana bat(s) or northern long-eared bat(s) are captured, USFWS recommends that radio-telemetry be conducted in order to determine location of day roosts. The decision to conduct radio-telemetry must be made prior to study plan submission to the agencies. Results from the radio telemetry survey will provide data that is useful in developing the bat management plan. Should radio-telemetry not be conducted on captured individuals, USFWS will assume a maternity colony is present within project bounds and will be impacted by project activities. Additional analysis will then be required to determine appropriate mitigation for impacts to the assumed maternity colony. Radio-telemetry can provide vital data regarding roosting habitat for use during the Endangered Species Act (ESA) consultation process. In particular, this information would provide valuable insight into the selection of appropriate avoidance, minimization, and/or mitigation techniques, and assist the client and/or the federal action agency in satisfying their requirements under the ESA.

Radio-telemetry will continue for at least seven consecutive days (or until transmitter fails or sheds, whichever comes first). A minimum of two evening emergence counts at each day roost tree will also be conducted. The number of bats to be fitted with radio transmitters will be determined through coordination with USFWS. The cost of radio-telemetry will only be

incurred if Indiana bats or northern long-eared bats are captured during the mist-net survey effort. Radio-telemetry and roost tree data will be recorded in the field and summarized in the draft and final reports.

Phase 4: Endangered Species Management Plan

An Endangered Species Management Plan (ESMP) will be prepared for northern long-eared and Indiana bats in accordance with Chapter 11 of the Army Regulation 200-3. The document will identify species' population goals and current and potential habitat on the property. Included in this document will be:

- the results of inventory and survey results,
- conservation goals for the two species',
- measurable criteria to meet these goals,
- management and actions needed to meet the goals,
- means to include the plan into training management programs,
- an ongoing inventory and monitoring plan,
- estimates of cost, and
- effort to achieve the goals, and a checklist to act as a guide for conducting the assessment of compliance

Reporting

A draft report (electronic copy) including all data collected, maps of survey sites, locations of roost trees (if Indiana bats or northern long-eared bats are captured), copies of data sheets, and a summary and interpretation of data meeting regulatory expectations will be provided after completion of field work. Upon review (and subsequent return) of the draft report, comments will be addressed and a final report will be submitted. If requested, Copperhead can submit the report to USFWS.

References

Coleman Hardman, Williams Companies:

Coleman.Hardman@williams.com

Christopher Dobony, Fort Drum Military Reservation:

christopher.a.dobony.civ@mail.mil

Mary Miller, U.S. Forest Service:

mcmiller@fs.fed.us

Cost Proposal

Phase 1: Acoustic Survey

For the purposes of this proposal we assumed a team could deploy an average of six acoustic detectors per night of surveying, which would require approximately 49 sites be surveyed for two nights each to complete the estimated 98 detector nights. The estimated cost to complete an acoustic survey for 49 sites (98 dn) is **\$40,125.00**. This cost includes completion of a USFWS approved study plan, field work, travel, food, lodging, reporting, and standard agency coordination during survey activities. If project size or the survey guidelines change significantly, this cost may be re-evaluated.

Phase 2: Mist-net Survey

The estimated cost to complete a mist-net survey for 15 sites is **\$51,100.00**. If additional sites are required due to positive acoustic results at more than 15 sites, these sites can be surveyed for an additional \$3,400.00 per site.

Phase 3: Radio-Telemetry and Emergence Counts

Radio-telemetry is inherently difficult to cost due to numerous unknown factors associated with this technique including the number of bats radio-tagged on any given night, the number and distances to and between roosts, and the frequency at which bats switch roosts. Bats (and the costs associated with tracking them) can be highly dynamic during the summer maternity season. For example, two bats caught on the same night that use the same roosts have a combined cost that is about the same as for one bat, but the opposite extreme can also occur. The number of bats a team (2 people) can radio track at any given time is impossible to predict until tracking takes place.

Based on project size, we are assuming that up to 6 individual bats (MYSE or MYSO only) will be radio tracked for a maximum of 7 days each. The estimated cost to track up to 6 bats for 7 days each and conduct emergence counts is **\$51,000.00**.

Phase 4: Endangered Species Management Plan

The cost to complete an ESMP for northern long-eared and Indiana bats is **\$7,350.00**.

Cost Schedule

Item	Cost
Phase 1: Acoustic survey (98 dn)	\$40,125.00
Phase 2: Mist-net survey (15 sites)	\$51,000.00
Phase 3: Radio-telemetry (max 6 bats)	\$51,000.00
Phase 4: Endangered Species Management Plan	\$7,350.00

Staff Biographies

Mark Gumbert: As a Master's student at Eastern Kentucky University, Mr. Gumbert conducted research on the roosting behavior of endangered Indiana bats near a hibernaculum in Kentucky. Since his thesis work, Mr. Gumbert has been interested in the ecology of bats and has extensive experience with techniques used for the study of bats, including radio telemetry. An accomplished naturalist and focused project coordinator with 18 years of experience, Mr. Gumbert founded Copperhead Environmental Consulting in 2004. As a new pilot he has begun conducting radio telemetry tracking by aircraft, both during spring and fall migration. Using this technique he has helped track the migration paths of Indiana bats that have resulted in the discovery of new maternity colonies in the spring, connect a maternity colony to hibernacula in the fall, and helped to shed light on how Indiana bats move across the landscape.

Chris Leftwich: Chris Leftwich completed his Master of Science degree in Biology at Eastern Kentucky University in 2003 where he conducted his thesis research on the singing behavior of male Henslow's sparrows. Mr. Leftwich has conducted numerous surveys for a variety of bird species and has studied birds at locations spread across the United States. He is also experienced in conducting bat surveys throughout the eastern United States. He is particularly experienced in bat surveys associated with mining and utility projects and has conducted extensive radio telemetry projects with federally listed Indiana bats. A well rounded biologist, Mr. Leftwich has completed many surveys for variety of wildlife over a wide geographic area, including, plants, reptiles, amphibians and fish.

Josh Adams: Josh Adams began his career as a field biologist working with federal and state listed flora and fauna species in 2007. He has worked extensively throughout the eastern United States with federally listed bat species as well as Blackside dace. During his career, Mr. Adams has also worked extensively on other listed and non-listed mammals, reptile, amphibian, fish, bird, and plant research, baseline inventories, management plans, and regulatory compliance consultation projects. Josh has filled supervisory roles on major consultations for both regulatory agencies and industrial clients and has successfully completed formal consultations on several threatened and endangered species related projects.

Kate Baer: Ms. Baer received her A.S in Wildlife Technology and a B.S. in Wildlife and Fishery Science from Pennsylvania State University. She has six years of experience conducting surveys for federal and state listed bat species. Her work has focused predominately on the Indiana bat where she has extensive experience conducting mist-net surveys, harp-trap surveys, and hibernacula cave surveys. Ms. Baer is also experienced in conducting telemetry on various bat species.

Zachary Baer: Mr. Baer received his A.S. in Wildlife Technology as well as a B.S. in Wildlife and Fisheries Science at The Pennsylvania State University. He has been involved in field surveys since 2009, conducting surveys for small and large mammals, birds, reptiles, amphibians, and gastropods. Since 2010, his main area of focus has been bat species of the eastern United States. Mr. Baer has worked extensively with the federally listed bat species conducting mist-net surveys and winter hibernacula. Mr. Baer also serves as point of contact for BrandenBark™, Copperhead's artificial bark mitigation/habitat enhancement tool. He has been involved with

BrandenBark™ development and product testing and has served as field supervisor during installation and monitoring projects.

Taylor Culbertson: Mr. Culbertson is a wildlife biologist with extensive experience in terrestrial ecology and received a B.S. in Wildlife Management from Eastern Kentucky University. He has completed many surveys for a variety of taxa over a wide geographic area, including bats, fish, snails, and aquatic macro invertebrates. He has three years of survey experience dealing with eastern bat species including federally listed species. During his three years of ecological work, Mr. Culbertson has become skilled at terrestrial radio telemetry and has participated in several aerial and ground-based radio telemetry projects. Mr. Culbertson has a great deal of experience applying radio transmitters on bat species. He is also skilled with the setup, implementation, and analysis of acoustic monitoring systems. He is proficient in the use of mist-nets and harp traps for capturing bats, as well as roost tree exit counts. During the winter months, Mr. Culbertson has completed many hibernacula counts and WNS surveys in Kentucky.

Jeff Hawkins: Mr. Hawkins began his professional career conducting surveys of natural resources in 1998. During this time, he has worked with a wide variety of taxa, including plants, birds, bats, reptiles, amphibians, and both terrestrial and aquatic invertebrates. His years of field experience have also allowed him to work with several endangered bat species and has extensive experience in mist netting, harp trapping, identifying, processing, light tagging, tracking, and obtaining hair/tissue/guano samples from bats of the eastern U.S. He also has experience in aerial telemetry techniques and the use of bat detector equipment (AnaBat II) for recording and identifying ultrasonic bat calls. Mr. Hawkins is a certified taxonomist with the Society for Freshwater Science (formally NABS) and has spent numerous hours in the field and laboratory working with aquatic invertebrates. Mr. Hawkins has participated in numerous mussel surveys and is comfortable in the use of methodologies involved in the collection, sorting, preparation, and identification of the mussels of eastern North America. He has also been an avid birdwatcher for many years having participated in many avian research projects while obtaining his B.S. in Wildlife Management and in the course of pursuing a Master's Degree at Eastern Kentucky University.

Gregg Janos: Mr. Janos received his B.S. in Wildlife Management from Eastern Kentucky University where his undergraduate research focused on winter habitat use and foraging behavior of Eastern Bluebirds. He then completed his M.S. in Biology at Bowling Green State University where he utilized acoustics to study bat habitat use and bats perception of owls. Over the years Mr. Janos has worked on various types of projects including mist-net, acoustic, and radio telemetry projects for federally listed bat species. Additionally he has experience radio tracking birds, macroinvertebrate surveys, snail surveys, and fish surveys. He is a KY certified pesticide applicator who has lead a team conducting timber stand improvement (TSI). He is also SCUBA certified and has experience working on fresh water mussel projects.

Piper Roby: Piper Roby received her B.A. in Biology at Hanover College and her M.S. in Biology at the University of Louisville. Both her undergraduate and master's work were conducted on amphibian surveys with an emphasis on egg and larval stages. However, her work experience at various federal and state agencies includes trapping and tracking bobcats,

coyotes, and mountain lions; small mammal surveys; stream surveys; and constructing and monitoring pit-fall trap arrays used during reptile surveys. Ms. Roby has extensive radio-telemetry experience tracking snakes, meso-carnivores, and bats. She also has experience in several versions of ArcGIS and previously acted as the GIS technician at Copperhead. Ms. Roby is currently pursuing her Ph.D. at the University of Kentucky studying Indiana bat migration.

Steve Samoray: Steve Samoray received both a B.A. and M.S. in biology from Middle Tennessee State University. His undergraduate work focused on amphibian and reptile research. His Master's thesis involved bat acoustic monitoring and habitat use. Mr. Samoray has been conducting biological field research throughout the United States since 1998, focusing mainly on herps, birds, and bats. His extensive work with cave and forest bat species has given him the opportunity to handle and identify thousands of individuals including the endangered Indiana bat and gray bat. He has participated in hundreds of cave surveys throughout the Southeast and Midwest United States. Mr. Samoray has been active in the bat research community for many years. He is a member of the Southeastern Bat Diversity Network Executive Committee, currently serves as the Past-Chair of the Tennessee Bat Working Group, and administers the websites for both organizations. Additionally, Mr. Samoray has held a private pilot certification since 2013. He has participated in countless projects focusing on bats and conducted aerial American Bald Eagle surveys

Price Sewell: With nineteen years of experience with ecological surveys and project management, Mr. Sewell has gained experience in a wide variety of fields. His primary focus has been in Section 7 Endangered Species surveys and agency coordination. His field expertise includes the identification of fish, freshwater mussels, bats, reptiles, and amphibians. In addition to field work, Mr. Sewell has conducted GIS ecological impact analysis for large scale transportation projects. He is proficient in hibernating bat identification, technical caving techniques, vertical rope work, cave mapping, and cave rescue. Mr. Sewell is Copperhead's lead malacologist for freshwater mussel surveys and is proficient at planning surveys and the identification of mussel fauna of Kentucky, Tennessee, Indiana, Ohio, and West Virginia. He is a certified SCUBA and Rescue diver. Additionally, Mr. Sewell has expertise in the identification of freshwater fishes, particularly the upper Cumberland River fauna.

Rob Stinson: Mr. Stinson is a wildlife biologist with extensive experience in terrestrial ecology and has completed many surveys for various species over a wide geographic area, including, bats, snails, fish, aquatic macro invertebrates, and herptiles. He received a Bachelor's of Science in Wildlife and Fisheries Science with a concentration in management from the University of Tennessee in May of 2013. Mr. Stinson has three years of survey experience dealing with eastern bat species including federally listed species. He is skilled with the techniques of aerial and ground-based telemetry. He is proficient in the use of mist-nets, radio telemetry, acoustic monitoring/analysis, and bat counts using techniques such as guano measurements, and direct emergence counts.

Theresa Wetzel: Ms. Wetzel began her wildlife biology career in 2006. Since then, she has gained experience in surveying a wide variety of taxa including, amphibians, reptiles, plants, birds, bats, and fish. She earned her B.S. in Biology with an environmental emphasis at the University of Tennessee at Martin. Her undergraduate work focused in niche partitioning and overlap between wintering red-headed and red-bellied woodpeckers. Continuing with her

passion for field biology, she pursued a M.S. in Biology at Eastern Kentucky University studying the tail-wagging movements of eastern phoebes. Ms. Wetzel has extensive experience in terrestrial ecology and has completed a variety of surveys focusing on eastern bat species. She has also been active in the bat research community for several years, going to and presenting professional research at annual meetings. Ms. Wetzel currently serves as the Secretary for the Kentucky Bat Working Group.

Past Projects

Fort Drum Military Reservation – Bat Survey and Radio Telemetry Study *Lewis and Jefferson Counties, NY*

In March 2015, Copperhead Consulting was contracted by the United States Army to conduct a mist net and radio telemetry study designed to determine the presence and roosting preferences of bats on the Fort Drum Military Reservation. Survey efforts primarily focused on the federally-threatened northern long-eared bat (*Myotis septentrionalis*), the federally-endangered Indiana bat (*Myotis sodalis*), little brown bat (*Myotis lucifugus*), big brown bat (*Eptesicus fuscus*), and silver-haired bat (*Lasionycteris noctivagans*) roosting within and adjacent to the reservation boundaries. Over the course of the project, 20 bats were radio-tagged and with the assistance of Copperhead’s aerial telemetry capabilities every radio-tagged bat was located. One of the radio-tagged bats was located over 9 miles away from its previous roost, a distance over which this bat most likely would not have been found using traditional ground tracking methods. By the end of the project, Copperhead was able to locate 51 individual roosts, one of which was a maternity roost being used by more than 200 little brown bats.

Fort Knox Military Reservation – Bat population monitoring and habitat improvement *Bullitt, Hardin, and Meade Counties, KY*

Since 2005, Copperhead has conducted survey and monitoring efforts for bats at Fort Knox in northcentral Kentucky. The entirety of Fort Knox is 109,000 acres (44,110 ha) and is located in parts of Bullitt, Hardin, and Meade counties, but bat surveys have been conducted on approximately 14,000 acres (5,666 ha). There have been 1,505 captures of nine species of bats at Fort Knox over 10 years: big brown bats (*Eptesicus fuscus*), eastern red bats (*Lasiurus borealis*), hoary bats (*Lasiurus cinereus*), federally endangered gray bats (*Myotis grisescens*), little brown bats (*M. lucifugus*), federally threatened northern long-eared bats (*M. septentrionalis*), federally endangered Indiana bats (*M. sodalis*), evening bats (*Nycticeius humeralis*), and tricolored bats (*Perimyotis subflavus*). During two years, northern long-eared bats were targeted for study, but the majority of focus has been on the Indiana bat, including capture on the landscape, capture at roosts, radio-tracking to locate diurnal roosts, radio-tracking at night to collect foraging data using both ground and aerial techniques, radio-tracking bats as they migrate to hibernacula in autumn, and developing effective artificial roost structures to replace an area of degrading habitat and also to supplement existing natural habitat.

Non-linear bat mist-net and radio telemetry survey *North Central Ohio*

Copperhead Consulting conducted a mist-net survey for Indiana and northern long-eared bats in an approximately 38,000 acre area in northern Ohio. Copperhead biologists conducted desktop and ground based habitat assessments to identify potential habitat of listed bats. The mist net survey was completed in accordance with

the 2015 *Range-wide Indiana Bat Summer Survey Guidelines*, 2009 *Ohio Department of Natural Resources On-Shore Bird and Bat Pre-and Post- Construction Monitoring Protocol for Commercial Wind Energy Facilities in Ohio*, and the most recent *Ohio Division of Wildlife Guidance for Bat Permitted Biologist*. During this survey, 429 bats of six species were captured at 36 mist net sites. Diurnal radio telemetry was conducted on seven northern long-eared bats and one Indiana bat caught during the project resulting in the finding of 14 northern long-eared bat roost trees and two Indiana bat roost trees. In addition, through the use of aerial telemetry, biologists documented nightly foraging movements of five northern long-eared bats and one Indiana bat. The use of a fixed-winged aircraft to collect foraging data allowed for the collection of data on multiple bats each night, and the ability to move long distances between multiple foraging areas in one night. In five nights of aerial telemetry, Copperhead collected more foraging points on the six individuals than have been collected by ground crews over several months in other studies.

Copies of State and Federal Permits



DEPARTMENT OF THE INTERIOR
 U.S. FISH AND WILDLIFE SERVICE
 Endangered Species Permit Office
 1875 Century Boulevard, Suite 200
 Atlanta, GA 30345
 permitsR4ES@fws.gov

FEDERAL FISH AND WILDLIFE PERMIT

1 PERMITTEE

MARK W GUMBERT
 PO BOX 73
 PAINT LICK, KY 40461
 U.S.A.

2 AUTHORITY-STATUTES
 16 USC 1539(a)

REGULATIONS
 50 CFR 17.22

50 CFR 13

3 NUMBER
TE070584-12 **AMENDMENT**

4 RENEWABLE

YES
 NO

5 MAY COPY

YES
 NO

6 EFFECTIVE

05/01/2015

7 EXPIRES

12/31/2017

8 NAME AND TITLE OF PRINCIPAL OFFICER *(if #1 is a business)*

9 TYPE OF PERMIT

NATIVE ENDANGERED SP RECOVERY - E WILDLIFE

10 LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

See location information below

11 CONDITIONS AND AUTHORIZATIONS

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY OR RENEWAL OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

Block 10 list of states: Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming

C. 1. The following individuals are authorized to conduct activities as authorized by this permit: **FOR ALL SPECIES-** Josh Adams, Lois Baer, Zachary Baer, Dan Dourson, Douglas Foster, Mark Gumbert, Jeff Hawkins, Chris Leftwich, Gregg Janos, Missy Littrell, Les Meade, Rex Medlin, Piper Roby, Sara Samoray, Price Sewell, Greg Shirk, and Theresa Wetzels; **FOR INDIANA, GRAY, AND NORTHERN LONG-EARED BATS -** William Garcia, Jonathan Hootman, Kelsey Pearman, Steve Samoray, Jeff Schwierjohann, and Cory Stringfield; **FOR VIRGINIA BIG-EARED BAT -**Jeffrey Schwierjohann.

Trained assistants not named on this permit may work on permitted bat activities under the direct and on-site supervision of the individuals named above. However, trained assistants may not work independently at a site.

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

Annual reports are due by January 31 following each year this permit is in effect

ISSUED BY

TITLE

CHIEF, DIVISION OF ENVIRONMENTAL REVIEW

DATE

05/01/2015

Roxanna Hinzman

Chief, Division of Environmental Review

Trained assistants are individuals who are considered qualified by the permitted biologist(s) to select sampling sites, deploy sampling equipment and nets, and handle bats in the field.

At least one named permittee must remain present at each mist-net site while it is being operated.

D. Acceptance of this permit serves as evidence that the permittee understands and agrees to abide by the terms of this permit and all sections of Title 50 Code of federal regulations, parts 13 and 17, pertinent to issued permits. Section 11 of the endangered species act of 1973, as amended, provides for civil and criminal penalties for failure to comply with permit conditions.

E. Permittee is authorized to take (enter hibernacula or maternity roost caves, salvage dead bats, capture with mist nets or harp traps, handle, identify, collect hair samples, band, radio tag, light-tag, swab, and wing-punch) Indiana bats (*Myotis sodalis*), gray bats (*Myotis grisescens*), northern long-eared bats (*Myotis septentrionalis*), Virginia big-eared bats (*Corynorhinus townsendii virginianus*), and Ozark big-eared bats (*Corynorhinus townsendii ingens*) for scientific research aimed at recovery of the species, such as: presence/absence surveys, studies to document habitat use, population monitoring, and to evaluate potential impacts of white-nose syndrome or other threats as conditioned below.

F. Activities at the following locations require written site-specific approval from the USFWS Field Supervisor in the State(s) where the project will occur (as outlined in Condition G):

F.1. Locations within Region 2 of the USFWS: Oklahoma

F.2. Locations within Region 3 of the USFWS: Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin

F.3. Locations within Region 4 of the USFWS: Alabama, Arkansas, Georgia, Kentucky, Mississippi, North Carolina, Louisiana, Florida, South Carolina, and Tennessee

F.4. Locations within Region 5 of the USFWS: Connecticut, Delaware, Maryland, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia and West Virginia

F.5. Locations within Region 6 of the USFWS: Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Montana

G. Permittee shall notify the USFWS Field Supervisor for the State in which activities are proposed to occur at least 15 days prior to conducting any activities. Contact information is in Condition P., below. Your request for this site-specific approval must be in writing and must indicate:

G.1. The purpose and a description of the activities proposed (e.g., surveys, radio telemetry studies, etc.).

G.2. Location of proposed activities, including project site (legal description and lat/long), county, and state.

G.3. Dates when the project is proposed to take place.

G.4. You may proceed with activities only upon receipt of written concurrence from the applicable USFWS Field Supervisor. *Your concurrence letter must be carried with this permit to authorize site-specific activities.*

H. Permittee shall adhere to the following conditions involving capture and handling of bats:

H.1. Federally listed bats may be captured (e.g., mist-nets and harp traps) following the protocol(s) provided by the USFWS, when available. Permittees must contact the USFWS FO in the state(s) which activities are proposed

to ensure correct protocol(s) are used. For example, the current Range-wide Indiana Bat Summer Survey Guidelines are available at:

<http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html>. The monitoring interval for mist nets is once every 10 minutes. Harp traps must be continually monitored.

H.2. Captured bats may be held for a maximum of 30 minutes, unless injured. If an exception is required to this prohibition, Permittee must receive prior written approval from the USFWS Field Supervisor for the state in which the activities are proposed to occur.

H.3. Permittees shall carry out non-intrusive measurements on all captured bats. Data shall be recorded for all bats captured and include, but not be limited to, the data requested in any automated or species specific data form provided by the USFWS (e.g., INDIANA BAT SURVEY AND BANDING DATA form). Handling should be limited to the maximum extent practicable and should cease immediately at signs of undue stress (e.g., bat becoming unresponsive, etc.). Bats that appear stressed from handling should be placed in a dark, quiet location away from activity where it can safely fly away after recovery, and should be checked to ensure successful recovery before leaving the study site. Photographs of the identifying characteristics for each individual federally-listed species captured are encouraged. The Permittee may be requested to provide individual photographs after submittal of annual reporting data.

H.4. If bands are applied, these must be lipped metal bands having a unique identifier. Bands should be applied to the forearm of captured bats prior to release. No more than one band per bat may be used. Position the band on the wing so that when the bat is hanging upside down, the band numbers are right-side up. A single band should be placed on the right forearm of each male and the left forearm of each female bat.

H.5. Radio transmitters may be applied during spring, summer, and fall roosting and migration periods via nontoxic skin bond adhesive. The total weight of the transmitter may not exceed 5% of the bat's body weight and the total weight of the package (transmitter and adhesive) may not exceed 6% of the bat's body weight. The lightest package (both transmitter and adhesive) capable of accomplishing the required task should be used, especially with pregnant females and newly volant juveniles. Bats carrying transmitters must be monitored daily for at least five days, or until the transmitter falls off, whichever occurs first.

H.6. No capture activities shall occur within 20 meters of a known or potential summer or winter roost site, either natural or artificial, of a federally listed bat. If an exception is required to this prohibition, Permittee must receive prior written approval from the USFWS Field Supervisor for the State in which the activities are proposed to occur.

H.7. Permittee may collect dorsal hair samples, wing biopsy tissue samples, fungal lift tape and swab samples from captured bats for scientific study. Hair samples shall be obtained via clipping fur from between scapula from females and juvenile males. The clipped area is the same area frequently clipped for radio transmitter attachment. Wing tissue samples may be taken using a new, sterile biopsy punch (2mm) for each endangered bat sampled. No more than two samples, one from each wing, may be obtained per individual. All boards and equipment used to obtain samples must be disinfected according to the protocol cited in Condition H.9.

H.8. Cyalume light tags may be affixed to the back of unmarked bats during summer roosting period via non-toxic skin bond adhesive to aid in identification of individuals for echolocation recordings. Light tags shall not be affixed to bats carrying radio transmitters. Light tag cannot exceed 2 cm in length or 0.15 g in weight. The light tag must be resistant to tooth puncture and sealed to prevent bats from ingesting cyalume compound. Any light tag that has the potential to expose bats to the cyalume compound is prohibited; the compound is known to be toxic to bats.

H.9. Equipment used to capture and handle bats shall be cleaned and decontaminated, including personal gear such as boots and gloves, using products cited in decontamination guidelines and in compliance with label

directions. The most recent decontamination guidance is found on the web at: <http://whitenosesyndrome.org/>

H.10. Caves mines or other suitable hibernation sites may be quietly searched in a manner that minimizes disturbance by utilizing the minimum number of people and time required to complete the survey. Surveys of known hibernacula conducted during the winter hibernation season shall follow the guidelines established in the recovery plans for each federally listed bat species with regards to how often a site may be visited and other species-specific requirements related to entering hibernaculum. Under no circumstances should multiple trips to the hibernation area occur within the same year without written approval of the USFWS Field Supervisor for the State in which activities are proposed.

Bats may be handled during winter surveys in order to collect band information and confirm the identification of listed species. When possible, bands should be read without touching the bat. Banded bats should only be handled if easily accessible and removal of the bat does not disturb a large number of additional bats and is unlikely to result in injury to the bat. Detailed photographs should be taken to document the presence of listed species in previously undocumented hibernaculum. Where hibernacula area and safety conditions allow, individuals entering hibernacula are recommended to utilize night vision goggles or red-filtered light and to remain in the site no more than 90 minutes to complete the work.

H.11. Surveys of gray bat, Ozark big-eared bat, or Virginia big-eared bat maternity roosts and their other known summer roost sites shall be conducted by observing the bats with night vision equipment and/or infrared light sources (e.g., thermal infrared) as they emerge from their roosts to avoid any possible disturbance to these bats. At previously undocumented sites for these species, the accepted method to determine if they are present is to carefully and slowly enter the potential roost site to check for evidence of presence/use, such as visual observation of bats, significant quantities or a strong smell of guano, or the audible sounds produced by bats roosting at the site. As soon as any evidence is obtained that the roost site is being used by a federally-listed bat species, survey team members shall immediately exit the roost site and make further observations from outside the entrance to the roost. All further observations shall be made from the entrance during the evening emergence.

I. Upon determination that endangered bats are present, Permittee shall notify the following offices immediately (not to exceed 1 business day): the appropriate USFWS Regional Office (Condition N.), and the USFWS Field Office within the geographic location of study areas (Condition P.).

J. Permittee must carry a copy of this permit at all times when conducting the authorized activities. Shipments of collected biological materials should also be accompanied by a copy of this permit. NOTE: This permit is limited to the above activities and identified species.

K. Issuance of this permit does not constitute permission to conduct these activities on National Wildlife Refuges or any other public or private lands; such permission must be obtained separately from the appropriate landowner or land manager before beginning these authorized activities. This permit, neither directly nor by implication, grants the right of trespass.

L. The Service anticipates that no federally listed bats will be injured or killed as a result of permitted activities. If any injury or mortality does occur, the Permittee shall immediately notify the appropriate Species Recovery Lead (s) noted in Condition O., below. Notification shall also be made within 24 hours to the Southeast Regional Permit Coordinator, at the address and telephone number noted in Condition N., below. Based on consultation with these offices, a decision will be made as to whether any of the authorized activities can continue. Decisions will also be made concerning the disposition of any dead or injured specimens within 5 working days of an injury or mortality. The permittee shall provide a written statement to the Service offices noted in Conditions N and O, below, which documents the cause of the injury or mortality, and identifies the remedial measures employed by the Permittee to eliminate future mortality or injury events. The final decision on remedial measures rests with the Service.

Upon locating a dead, injured, or sick listed species, under circumstances not addressed in this authorization, initial notification must be made immediately to the Service field office in the State in which the specimen is found, identified in Condition P., below. Notification should also be made by the next work day to the appropriate Service Regional Office identified in Condition N., below. Care should be taken in handling sick, injured, or dead specimens to ensure effective treatment or to preserve biological materials for later analysis. In conjunction with the care of sick or injured endangered or threatened species, and the preservation of biological materials from a dead animal, the finder should take responsible steps to ensure that the site is not unnecessarily disturbed.

M. An annual report summarizing authorized activities must be submitted by January 31 following each year this permit is valid. Each report should include, at a minimum, the following information:

M.1. The date, time, geographic locations (including datum and projection information).

M.2. All locations surveyed (regardless of whether federally-listed bats were captured/observed).

M.3. Band numbers of all bats banded.

M.4. Information on any injuries and/or mortalities and disposition of specimens.

M.5. Location and characteristics of roost trees and bat colonies.

M.6. Copies of any separate reports and/or publications resulting from work conducted under the authority of this permit.

M.7. Data shall be submitted for all bats captured and include, but not be limited to, the data requested in any automated or species-specific data form provided by the USFWS (e.g., INDIANA BAT SURVEY AND BANDING DATA forms, the data collection forms found in the current range wide Indiana Bat Summer Survey Guidelines cited in Condition H.1., or other species specific forms). Photographs of the identifying characteristics for each individual federally-listed species captured are encouraged. The Permittee may be requested to provide individual photographs after submittal of annual reporting data.

M.8. Copies of all site specific authorization letters required under Condition G.

N. Copies of your reports shall be sent to the offices listed below. When possible, electronic copies shall be submitted in lieu of hard copies in MS Word, Portable Document Format, Rich Text Format, or other file format that is compatible with the receiving office.

IF NO ACTIVITIES OCCURRED OVER THE COURSE OF THE YEAR, INDICATION OF SUCH SHALL BE SUBMITTED AS AN ANNUAL REPORT.

N.1

Regional Recovery Permits Coordinator
U.S. Fish and Wildlife Service - Southwest Region (Region 2)
500 Gold Ave., SW
P.O. Box 1306
Albuquerque, New Mexico 87103-1306
(505/248-6665; fax 505/248-6788)
permitsR2ES@fws.gov

N.2.

Regional Recovery Permits Coordinator
U.S. Fish and Wildlife Service - Midwest Region (Region 3)



DIVISION OF NATURAL RESOURCES
 Wildlife Resources Section
 Operations Center
 P.O. Box 67
 Elkins, West Virginia 26241-3235
 Telephone (304) 637-0245
 Fax (304) 637-0250

Earl Ray Tomblin
 Governor

Robert A. Fala
 Director

NUMBER 2016.114

SCIENTIFIC COLLECTING PERMIT

Under Authority Conferred by Chapter 20, Article 2, Section 50, Code of West Virginia, As Amended

Zachary Baer
Copperhead Environmental Consulting, Inc.
PO Box 73
Paint Lick, KY 40461

is hereby permitted to collect specimens according to the attached application and the Special Provisions on the reverse side of this permit.

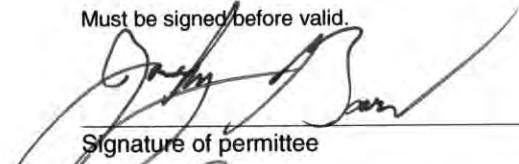
This permit is not transferable and expires on December 31, 2016.

A complete list of all specimens collected will be kept and reported to the Director of the Division of Natural Resources of West Virginia no later than 45 days after the expiration date of this permit.


PERMIT PROVISIONS

I understand that (1) The privileges granted under this permit are not transferable, and to allow anyone other than myself to use my permit is unlawful and will be considered cause for revocation of said permit; (2) A Federal Scientific Collection Permit issued by the U.S. Department of Interior must be obtained before any migratory birds, or their nests or eggs, are collected or held in captivity; (3) The Federal Permit does not extend the privileges of the permittee beyond those granted by the Division of Natural Resources; (4) Permission must be obtained from either the owner or the custodian of any fenced or posted land before entering same for the purpose of collecting scientific specimens; (5) It is unlawful to carry a revolver or pistol contrary to Article VII, Chapter 61, Code of West Virginia; (6) It is unlawful to collect specimens with a gun on a Sunday; (7) It is unlawful to sell, offer for sale, barter, or offer to barter any wild animals, wild birds, fish or frogs collected; (8) When traps or nets or other devices are used UNATTENDED while exercising the privileges of this permit, said traps, nets, or devices must have attached thereto a tag bearing the name, address and number of the Scientific Collecting Permit; (9) It is unlawful to take or attempt to take any wild animals, wild birds, fish or frogs under said permit except for scientific and propagation purposes; (10) A hunting or fishing license must be obtained before specimens may be taken for sport; (11) Only those species or classes of wild birds, wild animals, fish or frogs listed below, and in the numbers stated, may be lawfully taken under said permit; and (12) I am required by law to carry my Scientific Collecting Permit, on my person while exercising the privileges granted thereunder, and to exhibit the permit to anyone requesting to see the same.

Must be signed before valid.



 Signature of permittee



 Chief, Wildlife Resources, WVDNR

Date of issue 3-9-16

IMPORTANT

THE ATTACHED APPLICATION FORM INDICATING SPECIES TO BE COLLECTED, LOCATIONS OF COLLECTIONS, MANNER OF COLLECTION, AND PURPOSE OF COLLECTION IS TO BE CONSIDERED A PART OF THIS PERMIT AND SHOULD REMAIN ATTACHED.

YOU ARE SUBJECT TO THE FOLLOWING COLLECTING AND REPORTING PROVISIONS. FAILURE TO MEET THESE CRITERIA IS GROUNDS FOR REVOCATION OF THE PERMIT AND/OR DENIAL OF FUTURE PERMIT APPLICATIONS AND/OR PENALTIES OR OTHER STRICTURES.

SPECIAL PROVISIONS:

For the purposes of this study, the permittee is designated as an agent of the State of West Virginia, and therefore covered under the WV Division of Natural Resources' Endangered Species permit as set forth in a cooperative agreement between the WVDNR and the U.S. Fish & Wildlife Service. Violation of the federal Endangered Species Act or Chapter 20 of the WV State Code may lead to arrest and prosecution.

This is a general permit allowing for bat surveys. **It is not valid until project-specific information is provided and permit addenda have been issued.**

1. Under no circumstances will a federally listed bat (*Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, or *Corynorhinus townsendii virginianus*) be killed for scientific purposes or any other reason. No body tissue or blood can be taken from a federally listed bat.
2. No other bats will be killed for scientific purposes or any other reason; nor will body tissues or blood be collected without justification and written approval.
3. All *Corynorhinus townsendii virginianus*, *Corynorhinus rafinesquii*, *Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, and *Myotis leibii* will be released immediately (within a few minutes) after capture and at the site of capture.
4. Mortality of bats of the six species noted in #3 above while exercising the provisions of this permit will be reported within 48 hours to the WVDNR. The permittee will take appropriate precautions to preserve the dead animal, and the entire animal will be surrendered to the WVDNR.
5. Bats will not be collected by shooting.
6. No more than two specimens of any species of bat not listed above will be taken from a collection locality.
7. Bats may be banded and released. The band numbers must be both embossed and printed on the bands. All banding numbers and other banding data must be supplied to the WVDNR as part of the permit reporting process. *Myotis leibii* may not be banded. Bands are available from the WVDNR, and only *Myotis sodalis* and *Myotis lucifugus* may be banded with WVDNR bands.
8. Radio transmitters may be placed on bats. Transmitters may not be placed on pregnant or juvenile bats.
9. Mist-net poles shall be labeled with the company's or researcher's name.
10. Notify the U.S. Forest Service one week prior to surveys if mist-netting on their properties. A permit must be obtained from the U.S. Forest Service.
11. To minimize the disturbance to hibernating bats, bats will not be collected from hibernacula containing any endangered bat species or other hibernacula known to be important for any species of bat.

12. Follow the decontamination protocol for White-nose Syndrome as instructed in this document: https://www.whitenosesyndrome.org/sites/default/files/resource/national_wns_revise_final_6.25.12.pdf.
13. In addition to the standard permit reporting requirements, the permittee will routinely notify the WVDNR (Craig Stihler or Barbara Sargent, P.O. Box 67, Elkins, WV 26241, (304) 637-0245) **within 48 hours of capture** or handling any *Corynorhinus* spp., *Myotis sodalis*, *Myotis grisescens*, or *Myotis septentrionalis*. Photographs showing diagnostic characteristics shall be taken of *Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, *Corynorhinus* spp. and *Nycticeius humeralis* and provided to the WVDNR. A reporting spreadsheet will be provided via email.
14. REPORTING REQUIREMENTS: Please provide copies of field sheets (WVDNR field sheets are enclosed). In addition, report information electronically via the WVBatMistNet_Reporting spreadsheet which will be provided via email.
15. It is recommended that survey proposals be approved by the US Fish and Wildlife Service prior to conducting surveys to assure that surveying guidelines are met.

Requests for exemption from any of the above conditions will be reviewed on a case by case basis by the WVDNR. Salvage of dead specimens is permitted and is not covered by the above restrictions, but must be reported to the WVDNR. If dead federally listed species are collected they must be reported to the WVDNR within 48 hours (304/637-0245), and then turned over to the WVDNR.

If any work is planned to occur in a State Park or State Forest, a permit must be obtained from WVDNR – Parks and Recreation.

Please provide disposition of any voucher specimens, including the collection number if available.

The WVDNR requests a copy of any papers, reports or theses published as a result of this research.



DIVISION OF NATURAL RESOURCES

Wildlife Resources Section

Operations Center

P.O. Box 67

Elkins, West Virginia 26241-3235

Telephone (304) 637-0245

Fax (304) 637-0250

Earl Ray Tomblin
Governor

Robert A. Fala
Director

NUMBER 2016.117

SCIENTIFIC COLLECTING PERMIT

Under Authority Conferred by Chapter 20, Article 2, Section 50, Code of West Virginia, As Amended

Price Sewell
Copperhead Environmental Consulting, Inc.
PO Box 73
Paint Lick, KY 40461

is hereby permitted to collect specimens according to the attached application and the Special Provisions on the reverse side of this permit.

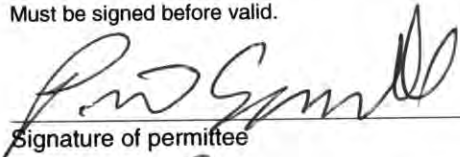
This permit is not transferable and expires on December 31, 2016.

A complete list of all specimens collected will be kept and reported to the Director of the Division of Natural Resources of West Virginia no later than 45 days after the expiration date of this permit.

PERMIT PROVISIONS

I understand that (1) The privileges granted under this permit are not transferable, and to allow anyone other than myself to use my permit is unlawful and will be considered cause for revocation of said permit; (2) A Federal Scientific Collection Permit issued by the U.S. Department of Interior must be obtained before any migratory birds, or their nests or eggs, are collected or held in captivity; (3) The Federal Permit does not extend the privileges of the permittee beyond those granted by the Division of Natural Resources; (4) Permission must be obtained from either the owner or the custodian of any fenced or posted land before entering same for the purpose of collecting scientific specimens; (5) It is unlawful to carry a revolver or pistol contrary to Article VII, Chapter 61, Code of West Virginia; (6) It is unlawful to collect specimens with a gun on a Sunday; (7) It is unlawful to sell, offer for sale, barter, or offer to barter any wild animals, wild birds, fish or frogs collected; (8) When traps or nets or other devices are used UNATTENDED while exercising the privileges of this permit, said traps, nets, or devices must have attached thereto a tag bearing the name, address and number of the Scientific Collecting Permit; (9) It is unlawful to take or attempt to take any wild animals, wild birds, fish or frogs under said permit except for scientific and propagation purposes; (10) A hunting or fishing license must be obtained before specimens may be taken for sport; (11) Only those species or classes of wild birds, wild animals, fish or frogs listed below, and in the numbers stated, may be lawfully taken under said permit; and (12) I am required by law to carry my Scientific Collecting Permit, on my person while exercising the privileges granted thereunder, and to exhibit the permit to anyone requesting to see the same.

Must be signed before valid.



Signature of permittee



Chief, Wildlife Resources, WVDNR

Date of issue 3-9-16

IMPORTANT

THE ATTACHED APPLICATION FORM INDICATING SPECIES TO BE COLLECTED, LOCATIONS OF COLLECTIONS, MANNER OF COLLECTION, AND PURPOSE OF COLLECTION IS TO BE CONSIDERED A PART OF THIS PERMIT AND SHOULD REMAIN ATTACHED.

YOU ARE SUBJECT TO THE FOLLOWING COLLECTING AND REPORTING PROVISIONS. FAILURE TO MEET THESE CRITERIA IS GROUNDS FOR REVOCATION OF THE PERMIT AND/OR DENIAL OF FUTURE PERMIT APPLICATIONS AND/OR PENALTIES OR OTHER STRICTURES.

SPECIAL PROVISIONS:

For the purposes of this study, the permittee is designated as an agent of the State of West Virginia, and therefore covered under the WV Division of Natural Resources' Endangered Species permit as set forth in a cooperative agreement between the WVDNR and the U.S. Fish & Wildlife Service. Violation of the federal Endangered Species Act or Chapter 20 of the WV State Code may lead to arrest and prosecution.

This is a general permit allowing for bat surveys. **It is not valid until project-specific information is provided and permit addenda have been issued.**

1. Under no circumstances will a federally listed bat (*Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, or *Corynorhinus townsendii virginianus*) be killed for scientific purposes or any other reason. No body tissue or blood can be taken from a federally listed bat.
2. No other bats will be killed for scientific purposes or any other reason; nor will body tissues or blood be collected without justification and written approval.
3. All *Corynorhinus townsendii virginianus*, *Corynorhinus rafinesquii*, *Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, and *Myotis leibii* will be released immediately (within a few minutes) after capture and at the site of capture.
4. Mortality of bats of the six species noted in #3 above while exercising the provisions of this permit will be reported within 48 hours to the WVDNR. The permittee will take appropriate precautions to preserve the dead animal, and the entire animal will be surrendered to the WVDNR.
5. Bats will not be collected by shooting.
6. No more than two specimens of any species of bat not listed above will be taken from a collection locality.
7. Bats may be banded and released. The band numbers must be both embossed and printed on the bands. All banding numbers and other banding data must be supplied to the WVDNR as part of the permit reporting process. *Myotis leibii* may not be banded. Bands are available from the WVDNR, and only *Myotis sodalis* and *Myotis lucifugus* may be banded with WVDNR bands.
8. Radio transmitters may be placed on bats. Transmitters may not be placed on pregnant or juvenile bats.
9. Mist-net poles shall be labeled with the company's or researcher's name.
10. Notify the U.S. Forest Service one week prior to surveys if mist-netting on their properties. A permit must be obtained from the U.S. Forest Service.
11. To minimize the disturbance to hibernating bats, bats will not be collected from hibernacula containing any endangered bat species or other hibernacula known to be important for any species of bat.

12. Follow the decontamination protocol for White-nose Syndrome as instructed in this document: https://www.whitenosesyndrome.org/sites/default/files/resource/national_wns_revise_final_6.25.12.pdf.
13. In addition to the standard permit reporting requirements, the permittee will routinely notify the WVDNR (Craig Stihler or Barbara Sargent, P.O. Box 67, Elkins, WV 26241, (304) 637-0245) **within 48 hours of capture** or handling any *Corynorhinus* spp., *Myotis sodalis*, *Myotis grisescens*, or *Myotis septentrionalis*. Photographs showing diagnostic characteristics shall be taken of *Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, *Corynorhinus* spp. and *Nycticeius humeralis* and provided to the WVDNR. A reporting spreadsheet will be provided via email.
14. REPORTING REQUIREMENTS: Please provide copies of field sheets (WVDNR field sheets are enclosed). In addition, report information electronically via the WVBatMistNet_Reporting spreadsheet which will be provided via email.
15. It is recommended that survey proposals be approved by the US Fish and Wildlife Service prior to conducting surveys to assure that surveying guidelines are met.
16. Relic *Triodopsis platysayoides* shells will be turned over to the WVDNR. All *Triodopsis platysayoides* captures will be reported to the WVDNR within 48 hours.

Mussels

Survey proposals for work in endangered mussel streams or potential endangered mussel streams must be approved by the US Fish and Wildlife Service prior to conducting surveys.

1. Contact local law enforcement officers, WVDNR district biologists, and WVDNR mussel biologist, Janet Clayton (304/637-0245; janet.l.clayton@wv.gov) at least one week prior to survey work to give notification of survey dates and locations. If it is anticipated that endangered species may be encountered during the survey, coordination with Barbara Douglas (304/636-6586; barbara_douglas@fws.gov) of the USFWS is also required.
2. All surveys shall be conducted during suitable water conditions (sustained water temperatures of 60° and above) between May 1 and October 1, except as deemed necessary by the WVDNR.
3. Submit all data from surveys, as well as a listing of specimens kept as the State of West Virginia is in the process of compiling detailed mussel data. Please use the enclosed data sheets; however, an electronic version of the data sheets is preferred and available upon request.
4. Report any threatened or endangered species found during the surveys to the WVDNR (Craig Stihler or Barbara Sargent at 304/637-0245) and USFWS (304/636-6586) **within five business days** of the find. Maps of the locations shall be submitted with the permit report. Live specimens shall be returned to the substrate in as near proximity as possible to where they were collected.
5. No live specimens of threatened or endangered species, Category 1 (C1) species, or Species of Concern may be kept (see attached list). Species and locations shall be documented with photographs, maps of the locations shall be submitted with the permit report, and all specimens shall be returned to the substrate in as near proximity as possible to where they were collected.
6. No dead shells of threatened or endangered species, C1 species, or Species of Concern may be kept. All shall be turned over to the WVDNR.
7. If your request to take voucher specimens has been approved by the WVDNR, then dead representations should be used first. If no suitable dead specimens are available then photo vouchers are preferred. If it is still necessary to collect a live specimen, then only one specimen may be taken of each species from each collection site. This does not apply to threatened or endangered species, C1 species, or Species of Concern; no live specimens of these species may

be retained. Vouchers shall be turned over to a recognized museum collection, and voucher information given to the WVDNR.

8. All brailing shall be coordinated with the WVDNR.
9. Reporting: Please provide a report detailing your survey work within 45 days after the expiration date of your permit using the attached reporting forms, and include a topographical map with the site(s) marked. **Please use one form per site and per date.** Send reports to Scientific Collecting Permit, Wildlife Resources Section, PO Box 67, Elkins, WV 26241.

Requests for exemption from any of the above conditions will be reviewed on a case by case basis by the WVDNR. Salvage of dead specimens is permitted and is not covered by the above restrictions, but must be reported to the WVDNR. If dead federally listed species are collected they must be reported to the WVDNR within 48 hours (304/637-0245), and then turned over to the WVDNR.

If any work is planned to occur in a State Park or State Forest, a permit must be obtained from WVDNR – Parks and Recreation.

Please provide disposition of any voucher specimens, including the collection number if available.

The WVDNR requests a copy of any papers, reports or theses published as a result of this research.



DIVISION OF NATURAL RESOURCES
Wildlife Resources Section
Operations Center
P.O. Box 67
Elkins, West Virginia 26241-3235
Telephone (304) 637-0245
Fax (304) 637-0250

Earl Ray Tomblin
Governor

Robert A. Fala
Director

NUMBER 2016.113

SCIENTIFIC COLLECTING PERMIT

Under Authority Conferred by Chapter 20, Article 2, Section 50, Code of West Virginia, As Amended

Mark Gumbert
Copperhead Environmental Consulting, Inc.
PO Box 73
Paint Lick, KY 40461

is hereby permitted to collect specimens according to the attached application and the Special Provisions on the reverse side of this permit.

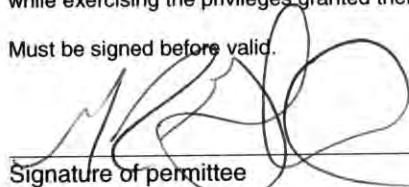
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Signature of permittee



Chief, Wildlife Resources, WVDNR

Date of issue 3-9-16

IMPORTANT

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14. REPORTING REQUIREMENTS: Please provide copies of field sheets (WVDNR field sheets are enclosed). In addition, report information electronically via the WVBatMistNet_Reporting spreadsheet which will be provided via email.
15. It is recommended that survey proposals be approved by the US Fish and Wildlife Service prior to conducting surveys to assure that surveying guidelines are met.
16. Relic *Triodopsis platysayoides* shells will be turned over to the WVDNR. All *Triodopsis platysayoides* and *Plethodon nettingi* captures will be reported to the WVDNR within 48 hours.

Requests for exemption from any of the above conditions will be reviewed on a case by case basis by the WVDNR. Salvage of dead specimens is permitted and is not covered by the above restrictions, but must be reported to the WVDNR. If dead federally listed species are collected they must be reported to the WVDNR within 48 hours (304/637-0245), and then turned over to the WVDNR.

If any work is planned to occur in a State Park or State Forest, a permit must be obtained from WVDNR – Parks and Recreation.

Please provide disposition of any voucher specimens, including the collection number if available.

The WVDNR requests a copy of any papers, reports or theses published as a result of this research.



DIVISION OF NATURAL RESOURCES
 Wildlife Resources Section
 Operations Center
 P.O. Box 67
 Elkins, West Virginia 26241-3235
 Telephone (304) 637-0245
 Fax (304) 637-0250

Earl Ray Tomblin
 Governor

Robert A. Fala
 Director

NUMBER 2016.115

SCIENTIFIC COLLECTING PERMIT

Under Authority Conferred by Chapter 20, Article 2, Section 50, Code of West Virginia, As Amended

Josh Adams
Copperhead Environmental Consulting, Inc.
PO Box 73
Paint Lick, KY 40461

is hereby permitted to collect specimens according to the attached application and the Special Provisions on the reverse side of this permit.

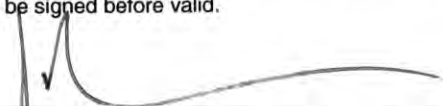
This permit is not transferable and expires on December 31, 2016.

A complete list of all specimens collected will be kept and reported to the Director of the Division of Natural Resources of West Virginia no later than 45 days after the expiration date of this permit.

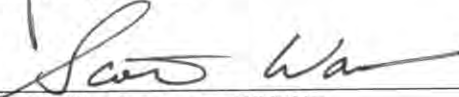
PERMIT PROVISIONS

I understand that (1) The privileges granted under this permit are not transferable, and to allow anyone other than myself to use my permit is unlawful and will be considered cause for revocation of said permit; (2) A Federal Scientific Collection Permit issued by the U.S. Department of Interior must be obtained before any migratory birds, or their nests or eggs, are collected or held in captivity; (3) The Federal Permit does not extend the privileges of the permittee beyond those granted by the Division of Natural Resources; (4) Permission must be obtained from either the owner or the custodian of any fenced or posted land before entering same for the purpose of collecting scientific specimens; (5) It is unlawful to carry a revolver or pistol contrary to Article VII, Chapter 61, Code of West Virginia; (6) It is unlawful to collect specimens with a gun on a Sunday; (7) It is unlawful to sell, offer for sale, barter, or offer to barter any wild animals, wild birds, fish or frogs collected; (8) When traps or nets or other devices are used UNATTENDED while exercising the privileges of this permit, said traps, nets, or devices must have attached thereto a tag bearing the name, address and number of the Scientific Collecting Permit; (9) It is unlawful to take or attempt to take any wild animals, wild birds, fish or frogs under said permit except for scientific and propagation purposes; (10) A hunting or fishing license must be obtained before specimens may be taken for sport; (11) Only those species or classes of wild birds, wild animals, fish or frogs listed below, and in the numbers stated, may be lawfully taken under said permit; and (12) I am required by law to carry my Scientific Collecting Permit, on my person while exercising the privileges granted thereunder, and to exhibit the permit to anyone requesting to see the same.

Must be signed before valid.



 Signature of permittee



 Chief, Wildlife Resources, WVDNR

Date of issue 3-9-16

IMPORTANT

THE ATTACHED APPLICATION FORM INDICATING SPECIES TO BE COLLECTED, LOCATIONS OF COLLECTIONS, MANNER OF COLLECTION, AND PURPOSE OF COLLECTION IS TO BE CONSIDERED A PART OF THIS PERMIT AND SHOULD REMAIN ATTACHED.

YOU ARE SUBJECT TO THE FOLLOWING COLLECTING AND REPORTING PROVISIONS. FAILURE TO MEET THESE CRITERIA IS GROUNDS FOR REVOCATION OF THE PERMIT AND/OR DENIAL OF FUTURE PERMIT APPLICATIONS AND/OR PENALTIES OR OTHER STRICTURES.

SPECIAL PROVISIONS:

For the purposes of this study, the permittee is designated as an agent of the State of West Virginia, and therefore covered under the WV Division of Natural Resources' Endangered Species permit as set forth in a cooperative agreement between the WVDNR and the U.S. Fish & Wildlife Service. Violation of the federal Endangered Species Act or Chapter 20 of the WV State Code may lead to arrest and prosecution.

This is a general permit allowing for bat surveys. **It is not valid until project-specific information is provided and permit addenda have been issued.**

1. Under no circumstances will a federally listed bat (*Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, or *Corynorhinus townsendii virginianus*) be killed for scientific purposes or any other reason. No body tissue or blood can be taken from a federally listed bat.
2. No other bats will be killed for scientific purposes or any other reason; nor will body tissues or blood be collected without justification and written approval.
3. All *Corynorhinus townsendii virginianus*, *Corynorhinus rafinesquii*, *Myotis sodalis*, *Myotis grisescens*, *Myotis septentrionalis*, and *Myotis leibii* will be released immediately (within a few minutes) after capture and at the site of capture.
4. Mortality of bats of the six species noted in #3 above while exercising the provisions of this permit will be reported within 48 hours to the WVDNR. The permittee will take appropriate precautions to preserve the dead animal, and the entire animal will be surrendered to the WVDNR.
5. Bats will not be collected by shooting.
6. No more than two specimens of any species of bat not listed above will be taken from a collection locality.
7. Bats may be banded and released. The band numbers must be both embossed and printed on the bands. All banding numbers and other banding data must be supplied to the WVDNR as part of the permit reporting process. *Myotis leibii* may not be banded. Bands are available from the WVDNR, and only *Myotis sodalis* and *Myotis lucifugus* may be banded with WVDNR bands.
8. Radio transmitters may be placed on bats. Transmitters may not be placed on pregnant or juvenile bats.
9. Mist-net poles shall be labeled with the company's or researcher's name.
10. Notify the U.S. Forest Service one week prior to surveys if mist-netting on their properties. A permit must be obtained from the U.S. Forest Service.
11. To minimize the disturbance to hibernating bats, bats will not be collected from hibernacula containing any endangered bat species or other hibernacula known to be important for any species of bat.

12. Follow the decontamination protocol for White-nose Syndrome as instructed in this document: https://www.whitenosesyndrome.org/sites/default/files/resource/national_wns_revise_final_6.25.12.pdf.
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Earl Ray Tomblin
Governor

Robert A. Fala
Director

NUMBER 2016.116

SCIENTIFIC COLLECTING PERMIT

Under Authority Conferred by Chapter 20, Article 2, Section 50, Code of West Virginia, As Amended

Gregg Janos
Copperhead Environmental Consulting, Inc.
PO Box 73
Paint Lick, KY 40461

is hereby permitted to collect specimens according to the attached application and the Special Provisions on the reverse side of this permit.

This permit is not transferable and expires on December 31, 2016.

A complete list of all specimens collected will be kept and reported to the Director of the Division of Natural Resources of West Virginia no later than 45 days after the expiration date of this permit.

PERMIT PROVISIONS

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 Signature of permittee



 Chief, Wildlife Resources, WVDNR

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Certificate of Insurance



CERTIFICATE OF LIABILITY INSURANCE

COPPE-1 OP ID: LYNN

DATE (MM/DD/YYYY)
04/13/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER R. J. Roberts, Inc. dba Roberts Insurance P. O. Box 1177 Richmond, KY 40476-1177 John H. Roberts		CONTACT NAME: John H. Roberts PHONE (A/C, No, Ext): 859-623-7684 FAX (A/C, No): 859-623-0242 E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	
		NAIC #	
INSURED COPPERHEAD ENVIRONMENTAL CONSULTING, INC. P O Box 73 Paint Lick, KY 40461		INSURER A : Kentucky Employer's Mutual Ins	
		INSURER B : CSU Producer Resources Inc	
		INSURER C : Motorists Insurance Companies	
		INSURER D :	
		INSURER E :	
		INSURER F :	


COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CSU0037279	05/03/2015	05/03/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
C	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			3327662560	11/04/2015	11/04/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CSU0037281	05/03/2015	05/03/2016	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	336746	04/26/2016	04/26/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
B	PROFESSIONAL LIAB			CSU0037280	05/03/2015	05/03/2016	OCCURRENCE 1,000,000 AGGREGATE 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

THE STATE OF WEST VIRGINIA CRYSTAL RING, SENIOR BUYER 2019 WASHINGTON ST. EAST CHARLESTON, WV 25305	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE John H. Roberts 

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