



Friends of Minnesota Scientific & Natural Areas

August 27, 2020

Public Comments Processing
Attn: FWS-HQ-ES-2020-0047
U.S. Fish and Wildlife Service, MS: PRB(3W)
5275 Leesburg Pike
Falls Church, VA 22041-3803

VIA E-MAIL AND U.S. MAIL

Re: Proposal Rule – “Habitat” Definition under Endangered Species Act
Docket No. FWS-HQ-ES-2020-0047

To Whom It May Concern:

Friends of Minnesota Scientific and Natural Areas (FMSNA) is a Minnesota non-profit, tax-exempt [“501(c)(3)’] corporation whose mission is to advocate for the protection, management, and perpetuation of Minnesota’s Scientific and Natural Areas (SNAs) in an undisturbed natural state. SNAs are the crown jewels of Minnesota’s state land base and provide habitat for Minnesota’s rarest and most threatened species. Thus, SNAs receive the highest legal protection of any state land classification.

The U.S. Fish and Wildlife Service (USFWS) has published a proposed rule to establish a regulatory definition of “habitat”, as that term is used in the context of “critical habitat” designations under the Endangered Species Act. (Federal Register, Vol. 85, No. 151, pages 47333-47337, August 5, 2020.) We understand that the **deadline for public comment continues to be September 4, 2020.**

Friends of Minnesota Scientific and Natural Areas (FMSNA) asserts that the proposed definition of “habitat” is **inadequate** because it does **not** consider areas capable of being restored and areas capable of becoming habitat due to changing or changed conditions.

Therefore, FMSNA recommends the following definition of “habitat” (Please note: the additional language is highlighted in **underlined, bold face type;** the published proposed rule is in normal font.)

Habitat. The physical places that individuals of a species depend upon to carry out one or more life processes. Habitat includes: (1) areas with existing attributes that have the

capacity to support individuals of the species; (2) restored areas and areas, within the historic range of the species, that are reasonably capable of being restored in the foreseeable future; and (3) areas that are reasonably capable of becoming habitat due to changing climatic conditions, landscape scale forces (e.g., pesticides, forest blowdown, forest pest outbreaks, overharvest, etc.), or land use changes (e.g. dam removal, mine remediation, etc.).

On behalf of Friends of Minnesota Scientific and Natural Areas, I thank you in advance for your kind consideration.

Sincerely yours,

Thomas E. Casey

Thomas E. Casey, Board Chair
Friends of Minnesota Scientific and Natural Areas

Please send reply to:

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cc: Sara Strommen, Commissioner, MN DNR (via e-mail and U.S. Mail)
FMSNA Board of Directors