

Exhibit 14

In Support of Plaintiffs' Partial Motion for Summary Judgment
on Their Endangered Species Act Listing Claims

in

Center for Biological Diversity et al., v. Jim Kurth et al., No. 1:15-cv-00477-EGS

and

Defenders of Wildlife v. Jim Kurth et al., No. 1:16-cv-00910-EGS

Consolidated Cases

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CENTER FOR BIOLOGICAL)
DIVERSITY, *et al.*,)
)
Plaintiffs,)
)
v.)
)
DANIEL M. ASHE, *et al.*,)
)
Federal Defendants,)
)
AMERICAN FOREST & PAPER)
ASSOCIATION, *et al.*,)
)
Defendant-Intervenors.)
_____)

Case No. 1:15-cv-00477-EGS

DEFENDERS OF WILDLIFE,)
)
Plaintiff,)
)
v.)
)
DANIEL M. ASHE, *et al.*,)
)
Federal Defendants.)
)
AMERICAN FOREST & PAPER)
ASSOCIATION, *et al.*,)
)
Defendant-Intervenors.)
_____)

Case No. 1:16-cv-00910-EGS
(Consolidated Case)
Honorable E.G. Sullivan

DECLARATION OF DOUG WOOD

I, Doug Wood, hereby declare as follows:

1. The facts set forth in this declaration are based on my personal knowledge. If called as a witness, I could and would testify competently to these facts. As to those matters which reflect an opinion, they reflect my personal opinion and judgment on the matter.

2. I am over 21 years of age. I currently reside near Hurricane, West Virginia and have resided in southern West Virginia my entire life. I am a member of the Ohio Valley Environmental Coalition and have been since 1999. I joined the Ohio Valley Environmental Coalition and support its work because my own health, livelihood, and well-being depend upon the air, water, soil, forests, wildlife, fish, and sustainable economic activities that the coalition endeavors to protect and promote. I support the coalition's effort to protect wildlife habitats, particularly the healthy forests, clean streams, and hibernacula of the Ohio River watershed that the Northern Long-eared Bat depends upon.

3. I was raised in an outdoor-oriented family that participated in consumption and non-consumption activities with wildlife and wild plants as the foci. Hunting, fishing, canoeing, camping, hiking, backpacking, and nature study were all significant contributors to my character. I was the first of 13 cousins in my generation to attend and graduate from a college, having graduated from WVU in 1977 with a Bachelor of Science Degree in Wildlife Management. I worked 33 years as an inspector, biologist, and ecologist with the Water Resources agency in West Virginia. In that capacity I have worked closely with several colleagues in the state Fish and Wildlife Resources agency as well as with the United States Fish and Wildlife Service to collect biological specimens and make observations of wild floral and faunal species to help those agencies understand the ranges and population dynamics of rare, threatened, and endangered species in West Virginia. In 2016, I conducted a stream monitoring workshop for the Ohio Valley Environmental Coalition. In 1994, I was introduced to the Northern Long-eared Bat by WV Dept. of Natural Resources Biologist Kiernan O'Malley during a bat capture/tag/release workshop at the Wildlife Diversity Weekend at Blackwater Falls State Park. Since that introduction, I have occasionally assisted the WVDNR with annual bat counts in WV Caves,

including Northern Long-eared Bats. In 2014, I was the principle coordinator of a research effort at Kanawha State Forest to determine if the Northern Long-eared Bat hibernates in the abandoned deep mines in that State Forest. Upon confirming the hypothesis, I began an ongoing effort to raise enough money to construct a protective bat gate at one of the hibernacula to act as a centerpiece in an interpretive trail that will highlight the ecological and economic importance of bats, the ecological significance of Kanawha State Forest's diversity of bats, and the life history of the endangered Indiana Bat and the threatened Northern Long-eared Bat residing in the Forest. Since 2014, I have led several hikes and interpretive programs focused on bats. The Kanawha State Forest Foundation has charged me with development of a bat display for the future planned Nature Center at the Forest.

4. I have been enjoying encounters with bats since I was a small child. My first memories of bat encounters are those on summer evenings in my neighborhood and on campouts when we kids would toss small gravels in the air attempting to fool bats into detecting our decoys with their sonar and then scooping them into their trailing membranes. At Camp Virgil Tate on a boy scout camporee, I caught a bat from an abandoned coal mine by scooping him off the roof with my shirt. Outside, with no container, I removed the large battery from my flashlight and put the bat inside, making it viewable to others through the lens cover. Neighbors would call upon me when I was a teenager to come and remove individual bats who had somehow gotten into their houses. I never killed any of them, preferring to release them outside. On and on I could write about a great variety of bat encounters in my youth and middle age, but all of them have given me an appreciation for and an affinity with bats. I have read many books and scientific articles on bats. On my own 143 acre property I conduct certain management practices particularly beneficial for bats, establishing small watering holes in the field edges and

managing timber plots for bat roosts. Around 1967, my family camped at Carter Caves State Park in Kentucky, famous for its bat hibernacula and summer bat roosts. Since that time, I have become a friend of John Tierney, long-time Naturalist at the Park, since retired. Now I am friends with his replacement, Coy Ainsley. I often visit the park and go into the caves to observe bats. My two friends have provided me access to caves closed to the general public, in order to observe and count bats, including Northern Long-eared Bats. I intend to continue visiting that Park's special bat roosting caves as long as I am fit enough to crawl into a cave. Other caves I have visited specifically to observe roosting/hibernating bats include Mammoth Cave National Park in Kentucky, and in West Virginia; Bowden Cave, Windy Mouth Cave, Organ Cave, McNeill Cave, General Davis Cave, Fort Spring Cave, Muddy Creek Cave, Alton Cave, and Laurel Run Cave. One of my favorite summer evening enjoyments, at many places that have abundant insect life, is to watch the bats catching insects. Every September I visit Beech Fork State Park to observe bats in the picnic area near the campground. That area's proximity to water and its scattering of trees over an infrequently mowed meadow, provides primo bat feeding territory. I intend to visit that spot to observe bats until I can no longer do so. This coming June (2017) I will guide Bat Biologist Jesse Delacruz, of All-Star Ecology, to two Indiana Bat maternity roosts in Kanawha State Forest, where he will research summer habitat conditions preferred by this species. Jesse hopes to expand his research to include the Northern Long-eared Bat, since it is known to hibernate in the Forest and to raise its young nearby. I am the originator and currently the lead coordinator of an effort to preserve the known Northern Long-eared Bat maternity colony that is on private land adjacent to Kanawha State Forest.

5. When the U.S. Fish and Wildlife Service classified the Northern Long-eared Bat as "threatened" rather than "endangered," it then used the "4(d) rule," changing the species'

“take” protections, thus allowing for incidental killing and habitat destruction leading to killing Northern Long-eared Bats. This led immediately to destruction of part of the known Northern Long-eared Bat maternity colony habitat on the private land under a mining permit adjacent to Kanawha State Forest. The Fish and Wildlife Service also did not let the public comment on the agency’s plan to change the bat’s status. The agency’s responsibility to provide for public comment is required by the Endangered Species Act and the National Environmental Policy Act. The Northern Long-eared Bat would be better able to survive and become restored to sustainable population levels that benefit me and future generations if the Fish and Wildlife Service would better protect the species by granting it “endangered” status, by using the best scientific data and processes available, and by letting the public comment on agency decisions before making them.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 5th day of March, 2017.

Douglas McClure Wood

Doug Wood

Coal Mountain near Hurricane, West Virginia