

Northern Long-Eared Bat

Issue

The Northern Long Eared Bat (NLEB) is a medium-sized, brown bat with a body length of 3 to 3.7 inches and a wingspan of 9 to 10 inches. The NLEB's range is enormous, encompassing 39 states, primarily in the eastern U.S. As its name suggests, this bat is distinguished by its long ears. The NLEB is federally listed as a threatened species under the Endangered Species Act (ESA) as a result of significant population declines due to White Nose Syndrome (WNS).

Protective measures for the NLEB are governed by a 4(d) rule issued by the U.S. Fish and Wildlife Service (FWS) in January of 2016. The conservation guidelines provide regulatory exclusions for the forest products industry. Following the finalization of the threatened designation and the issuance of the 4(d) rule, several environmental groups filed a legal challenge to both the threatened designation and the 4(d) rule. The Hardwood Federation and a coalition of forest industry associations support the FWS rule and are engaged in legal defense efforts in order to protect existing relief for the industry.

Background

The general consensus (including FWS) is that the sole threat to the NLEB population is WNS, a non-native fungal disease discovered in 2006 for which there is no known cure. WNS is devastating to NLEB colonies once established, with morbidity rates exceeding 90 percent in many instances.

Where WNS is not yet present, populations of NLEB appear to be quite robust. For instance, the NLEB is one of the most frequently captured bat in mist net surveys on the Black Hills National Forest in South Dakota, one of the most heavily managed National Forests in the country. Moreover, prior to the introduction of WNS, NLEBs were regarded as "most common" in the Northeastern portion of their range which contains a mosaic of habitat types, forest ownerships, and land use practices. This strongly suggests that the bat is not dependent on a particular type of habitat, much less a particular age class of forest. More importantly, it indicates that forest harvest practices have no significant impact on the declining bat populations.

The 4(d) rule issued by FWS provides conservation guidance for activities in areas impacted by WNS. Exempted activities include: forest management practices; limited tree removal projects, provided these activities protect known maternity roosts and hibernacula; removal of hazardous trees, maintenance and limited expansion of transportation and utility rights-of-way; and prairie habitat management.

However, the above activities must be conducted under the following restraints:

- harvesting activity must occur more than .25 miles from known, occupied hibernacula (caves or bat hibernation sites) throughout the calendar year;
- no cutting of known, occupied roost trees between June 1 and July 31 (pup season);
- no clear-cuts within 0.25mile of known, occupied roost trees between June 1 and July 31 (pup season)
- During months other than June and July, forest management activities, including timber harvests, may proceed as normal unless they are within the .25 radius of known hibernacula under the interim rule.

The ongoing lawsuit disputes the validity of the above exemptions. Should the designation and rule be overturned, it would have devastating impacts on the ability of the forest products industry to harvest the raw materials needed to stock our mills. The Hardwood Federation is working closely with a number of forest products industry associations including the National Alliance of Forest Owners (NAFO) and the American Forest & Paper Association (AF&PA) defending the U.S. Fish and Wildlife's threatened designation and 4(d) rule. There are a number of other non-forestry-related groups that are also party to the suit in defense of USFWS.

The FY2018 Omnibus Spending Bill included directions to address WNS. The language states that "the four Federal land management agencies and the U.S. Geological Survey are expected to continue to prioritize research on, and efforts to address, white-nose syndrome in bats and to work with other Federal, State, and non-governmental partners to implement the North American Bat Monitoring Program."

Hardwood Federation Position

The final 4(d) rule and guidance for NLEB conservation support the forest products industry's ability to responsibly harvest timber on public and private lands without unnecessary and unwarranted impediments. Increasing limits on forest activities negatively impacts local economies and does nothing to prevent further decline of bat populations. We support the current threatened designation and 4(d) rule. We also support efforts by FWS to find a cure for WNS which is the best way to preserve the NLEB and the many jobs and communities that depend on the forest for their livelihood.