

## U.S. Fish and Wildlife Service



Our Mission: Working with others to conserve, protect and enhance fish, wildlife, and plants and their habitats for the continuing benefit of the American people

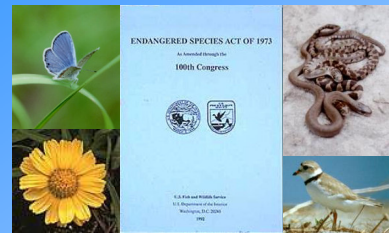
## U.S. Fish and Wildlife Service

- Department of Interior
  - USFWS
    - Division of Ecological Services
    - Columbus Ohio Field Office

## Division of Ecological Services

- Programs
  - Endangered Species
  - Environmental Contaminants
  - Federal Projects
  - Habitat Conservation

## Endangered Species Act



## Definitions

### *Endangered*

- Any species in danger of extinction throughout all or a significant portion of its range

### *Threatened*

- Any species likely to become endangered in the foreseeable future in all or a significant portion of its range

## Section 9 of the ESA

- Prohibits the “take” (intentional or unintentional) of endangered species
- Exemptions can be obtained through section 7 and section 10
  - Section 7 consultation with Federal agencies
  - Section 10 allows for permits
    - 10(a)(1)(A) permits for research and recovery activities
    - 10(a)(1)(B) permits for incidental take (HCP)

## Take (wildlife)

Defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct”

## Harm

- “Significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering”

## Incidental Take

- “Take” resulting from, but not the purpose of, an otherwise lawful activity.
- Unintentional, but still a prohibited action under the ESA

## Consultation

- Under Section 7 of the ESA:
  - Federal agencies (or their representatives) must consult with the USFWS on all discretionary Federal actions that may affect a listed species.
- A *Federal action* is any action that a Federal agency authorizes, funds, or carries out.
- Service may request a survey to determine if a species is present.

## Federal Section 10(a)(1)(A) Permit

- Required for any activity that could result in the capture/handling of an Indiana bat.
- Indiana bat is potentially present in every county in Ohio.
- Applications can be found online at: [www.fws.gov/midwest/endangered/permits](http://www.fws.gov/midwest/endangered/permits)

## Applying for a Permit

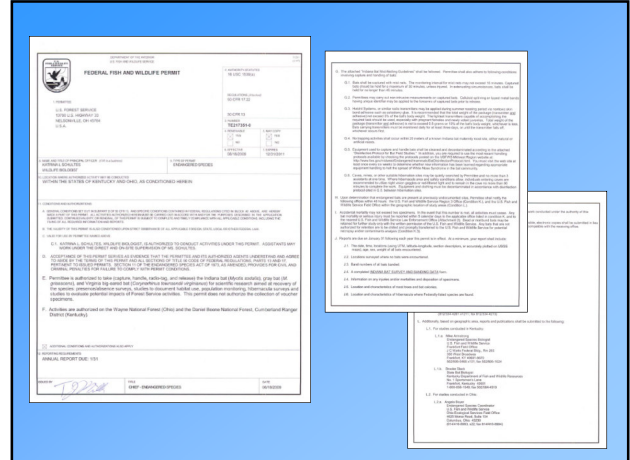
Document your experience and ability to work with bats

- Qualified to conduct competent hands-on work with Indiana bats (proper handling techniques, species ID)
- Qualified to identify suitable survey sites for studies focused on presence/absence surveys of the Indiana bat
- Typically experience along side other experienced bat biologists will be necessary in order to successfully obtain a Federal permit. Letters of reference



## Applying for a Permit

- Permits are processed/issued by USFWS Regional Offices
  - Lisa Mandell is the USFWS Permit Coordinator for Region 3
- Please allow at least 4 months for an application to be processed.
- All permit applications undergo a mandatory public comment period through notice in the Federal Register.



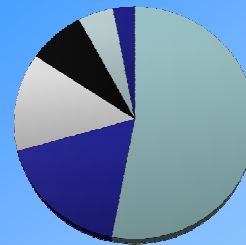
## Things You Need to Do

- Read your permit
  - Usually permit doesn't authorize site-specific surveys without additional coordination
  - Annual reports due by January 31 each year
- Request a renewal BEFORE your permit expires
- Amendments may be requested at any time your permit is valid



## Indiana Bat Mist Net Surveys

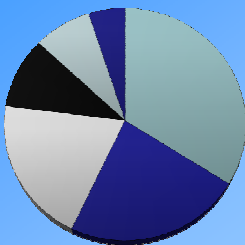
2011 (65)



- Coal Mining (35)
- Development Projects (12)
- Wind Projects (9)
- ODOT/FHWA (5)
- Other (3)
- Pipeline Projects (2)

## Indiana Bat Mist Net Surveys

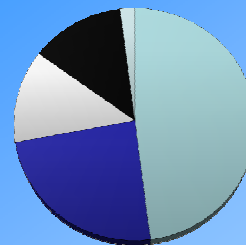
2010 (40)



- Coal Mining (13)
- Development Projects (9)
- Wind Projects (8)
- Other (4)
- Pipeline Projects (3)
- Hydroelectric Projects (2)

## Indiana Bat Mist Net Surveys

2009 (45)



- Coal Mining (21)
- Development Projects (11)
- Wind Projects (6)
- Other (6)
- Pipeline Projects (1)

## Indiana Bat Summer Captures

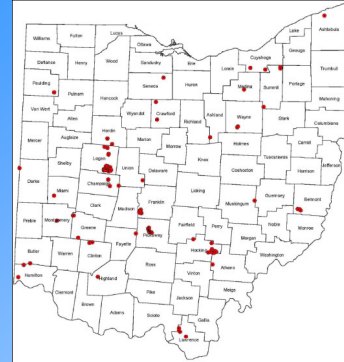
- 2011 – 2 (females)
- 2010\* – 2 (1 male, 1 female)
- 2009\* – 19 (2 males, 17 females)



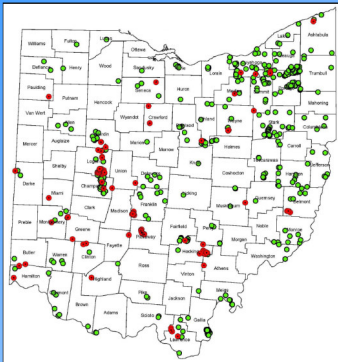
- All but one were found on proposed wind farm sites

\*Additional captures at Pickaway County maternity site during research project in 2009 (26 +4 recaptures) and 2010 (24 +2 recaptures)

## Summer Indiana Bat Records



## Indiana Bat Summer Survey Sites



## Listing Petition

- In January 2010, USFWS received a petition from CBD to list northern long-eared and eastern small-footed bats under the ESA.
- In June 2011, USFWS made 90-day "substantial" petition finding, which triggers a more thorough review known as a 12-month petition review. Looking at all threats, not just WNS.
- By September 30, 2013, for each species, the USFWS will either issue a:
  - Not-warranted 12-month finding (no listing proposed)
  - or
  - Proposed rule to list as either E or T

## Non-petitioned Status Review

- December 2010, Boston University's Center for Ecology and Conservation Biology submitted a Status Review of the little brown bat to the USFWS.
- USFWS is conducting a thorough review of the status of the species to determine if listing is warranted.
  - Data call last spring for eastern US
    - Data can still be submitted to [karl\\_tinsley@fws.gov](mailto:karl_tinsley@fws.gov)
    - Looking at all threats, not just WNS
  - Data call out now for the western US