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Comments: Subject: Ozark-St. Francis National Forest' Bat Conservation EA

Forest Plan Amendment for Bat Conservation

Lori Wood: Forest Supervisor

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This amendment would change the secondary Bat Conservation zone boundaries from less than 68,000 acres to the entire 1.2 million acres of the Ozark St. Francis National Forest (OSFNF).(Forest Plan Amendment for Bat Conservation,2020). Data collected directly from monitoring for bats over the past 20+ years was used to inform the proposed action but this data fails to show present methods success in preserving the endangered bat.

After an examination of the proposed changes to FW 48, 64, 69, 71, 163, the expansion proposed by the Forest Service (FS) is not warranted based upon current scientific data. The amendment for bat conservation is a revision of the forest plan and accordingly should consider the goals and objectives of the Forest Service(FS) strategic plan 36CFR219.2(b). Priority of the bat is not the mission of the FS.

The Indiana Bat Habitat Restoration Project results show that the Indiana Bat population in Arkansas is declining(King,2019). Each discovery of new hibernacula has been followed by a decrease of the Indiana Bat population under direct management, "Due in part to disturbance of the winter colonies by human entry into the caves"(Anderson,2020). All caves in the OSFNF except Blanchard Springs Caverns are closed to the public. Authorized entry into bat hibernacule is restricted to the FS and associated partners.

The Indiana Bat Habitat Restoration Project implemented in 2013 started with a scoping meeting 2011 to inform the public. The U.S. Forest Service's plan was to establish primary and secondary zones in the Ozark St-Francis National Forest on 80000+ acres in the Sylamore District based upon hibernacule caves. When asked which caves, the FS redefined the hibernacula caves as significant caves and, therefore did not have to reveal the significant caves location.(43CFR37.12)

In contrast "A general description of the proposed project or activity's location with sufficient information to allow the interested public to identify the location".36CFR 218.4(b)(2) The FS has violated this provision throughout the Indiana Bat Habitat Restoration Project. The FS mission is to protect the land and serve the people. The FS serves the people by choosing significant over sufficient.

Arkansas has almost 2000 caves. After 20+ years of bat monitoring for bats the FS has identified less than 40 Indiana Bat Hibernacule. Stone County in the OSFNF has six caves known to house hibernating Indiana bats: Hidden Spring Cave, Rowland Cave, Amphitheater Cave, Barkshed Cave, Biology Cave, and Gustafson Cave (Gustafson Cave was gated in the 1990's.(Sasse) Indiana bat population has subsequently dropped from 600 to less than 40).Sasse None of these cave habitats are P1 or P2 habitats. Further, there are no P1 or P2 caves within the OSFNF or the state of Arkansas.

A species range is "SIGNIFICANT" if that portion's contribution to the viability of the species is so important that, without the members in that portion, the species would be in danger of extinction.(US Fish and Wildlife Service USFWS) Arkansas's Indiana Bat population (2749) is ONE HALF OF ONE PERCENT of the total Indiana Bats(King,2019). Critical habitat for the Indiana Bat is to the north and east [Bat Cave, Coach Cave in Kentucky];

[White Oak Blowhole Cave in Tennessee]; [Big Wyandotte Cave, Ray's Cave in Indiana]; Cave021, Cave009, Cave017, Cave029, Pilot Knob Mine, Bat Cave in Missouri] and [Hellhole Cave in West Virginia]. The OSFNF caves have no such designation. The term significant caves is misleading. The significance of the Indiana Bat population in Arkansas is debatable.

Blake Sasse of Arkansas Game and Fish reported seven gated caves in 2011. In response to FOIA April 2020 for "actual cost incurred and contractors employed by the Forest Service for the installation of barrier gates on 5 cave hibernacula under the Indiana Bat Habitat Recovery Project". Forest Supervisor responded "your request...did not require a Freedom of Information Act submission" and supplied cost information on two gates in 2014, one in 2015, and replacement of dilapidated gate in 2016.

Arkansas's Indiana Bat population (2749) was 89.9% protected by gates in 2014, was 96.2% protected in 2015, and was 97.5% protected in 2016. That leaves 1 plus the 11 gated reported in 2011 to protect the remaining 69 bats in Arkansas 2019. With exception of Gustafson Cave, the gated caves location remain unavailable to the public and any reference to gated cave hibernacule is on my part is speculation.

"Any gating on the cave that prevents access or alters the air flow, temperature, humidity, and amount of light is harmful". USFWS. This suggests the best gate design has a degree of harmfulness to it and has both positive and negative components. A restriction of human entry would be positive but restriction of bats would be both immeasurable and negative. Human entry into the caves contributes to reduced bat populations by 1)disturbing the hibernation cycle and 2) possible cross contamination of the ecosystem. When the bat are disturbed they have a metabolic increase depleting the bats reserves. This can lead to an early exit from the caves. An early exit from the winter habitat for food can contribute to starvation.

"Cave gating will also help protect these bats from White Nose Syndrome (WNS) by limiting human to bat transmission of the fungus". (Biological Evaluation for the Indiana Bat Habitat Restoration Project, p22) Help protect does not mean stop or contain. The FS recognizes human to bat transmission WNS is possible but scientific data has not determined the effects upon the people and the bats by zoonotic diseases. Because the COVID-19 is still emerging no scientific data is available. But "COVID-19 is caused by the novel coronavirus,SARS-CoV-2, which is closely related to other viruses associated with bats".(Harapan, 2020)(Sasse, 2020) *Blanchard Springs Cavern is now closed or operating under restricted hours due to COVID-19 (Nov 2020). The U.S. Fish and Wildlife Service (USFWS) could use the take provision of the Endangered Species Act (ESA) to enter the caves within the OSFNF for scientific study. ** I am not advocating nor promoting this as cave entries are detrimental to bats.

Federal agencies under ESA section 7 must consider whether their actions are likely to destroy or adversely modify CRITICAL HABITAT. 79Federal Register 37,578-37,612, July 1,2014.

The Indiana Bat Habitat Restoration Project provided the opportunity to study smaller hibernacule as compared to larger hibernacule. The benefits of conservation actions achieved under Indiana Bat Habitat Restoration Project already extends to other species. One of the main stated objectives of the Indiana Bat Habitat Restoration Project was to correct the overly dense canopy cover. Suitability of a given area as roosting habitat declines as canopy closure falls below 60 percent.(Menzel 2001) FW48 Optimal overstory... is a range of 50 to 70. What is the current canopy closure around Hidden Spring Cave, Rowland Cave, Amphitheater Cave, Barkshed Cave, Biology Cave, and Gustafson Cave (caves identified in Stone County as bat hibernacule)? It appears the FS has in the short term overcorrected.

The FS needs to consider the irreversible effects that harvest methods would have upon expansion given their recognition that the original time frame is not being met. "Some longer intervals may be needed to promote natural regeneration to attain desired tree composition". Seven years of scientific data concludes the FS program needs more time.

The effectiveness of present management practices has not been adequately addressed. The present methods employed to enhance the bat environment will interrupt the economic sustainability of the forest. Cutting the round wood eliminates a 20-50 year production cycle. Future generations will be denied income opportunities. "The quantity of timber that may be sold from the national forest is limited to an amount equal to or less than that which can be removed from such forest annually in perpetuity on a sustained yield basis". 36CFR219.11(6) Presently, short term economic interruptions are offset by averaging small areas with the entire forest effectively hiding the economic impact to local areas. Averaging allows the FS to continue sustainability as defined in economic terms but an expansion of harvesting method used to thin canopy cover over the entire forest would destroy the sustainability of the forest. Sustainability means dollar value of forest harvest and preservation of land for recreational activities. 36CFR219.11(6)(iii), 36CFR219.10(7). The dollar revenue is offset by different revenue streams but the focus of the FS mission statement to protect the land has multiple and varying implications based upon your definition of sustainability. Some of these are being recognized the permanent funding for the Land and Water Conservation Fund currently expected to pass.[See Cost]

The National Forest Management Act (NFMA) requires the FS to develop a plan for the national forests, set standards for timber sales, and create policies to regulate timber harvesting. The purpose of these objectives is to protect national forest from permanent damages from excessive logging and clear cutting.

Bats have coexisted with other species within the forest over time and will continue to do so if the forest is correctly managed and they are not disturbed. If the Indiana Bat Habitat Restoration Project continues under the guise of HAPPY BAT for the educational/ research opportunities it provides, the FS should operate within the parameters (rules and range) already established. The triggers within the Endangered Species Act (ESA) for protection of endangered species are not limited to any particular species and will not change with the acceptance or rejection of the Forest Plan Amendment for Bat Conservation.

These triggers are administered by U.S. Fish and Wildlife Service and National Marine Fisheries Service [DEPARTMENT OF THE INTERIOR].

The Forest Service's [DEPARTMENT OF AGRICULTURE] mission is to "protect the land and serve the people". The obligation under ESA is avoiding destruction or adverse modification of critical habitat by their actions.

Different agency, different mission, and different Department of the government. A change of policy is not required.

The expansive nature of Forest Plan Amendment for Bat Conservation is both physical (80000+ acres to 1.2 million acres) and the protection of bat types (FW71) due to lack of zero Indiana Bat maternity colonies within OSFNF. FW163 "If Indiana bat maternity trees are discovered". This FW is not necessary. This is a trigger embedded within the ESA. As defined in this amendment one female will be considered a maternity colony lactating or not. FW71 "Protections are established around gray bat maternity and hibernation colony sites and Ozark big-eared bat maternity sites, bachelor sites, and winter colony". The gray bat and the Ozark big-eared bat are both endangered species. Therefore, they are already afforded protection under the ESA. The inclusion of bachelor sites and winter colonies, combined with the definition of maternity roost, and inclusion of other species will increase primary zones over a large area of the forest as both species live in caves there.

Proposed changes to the FW components and the expansion are not justified based upon current scientific data. Rather than expanding the project the FS should reveal and justify UNKNOWN expenses to date.

COST

The Forest Service claims the Indiana Bat Habitat Restoration Project is not subject to cost transparency. The

budget does not include money contributed by other sources and NO accountability is required. I disagree. The money spent by government and upon what it is spent is public information and should be available in electronic format at any time upon request.(FOIA,2016) Pending legislation The Great American Outdoors Act requires "a detailed description of each project, including the estimated expenditures from the fund for the project for applicable fiscal years". Without transparency in government spending large undocumented contributions might be viewed as an attempt to influence future policy i.e. might have influenced the FS to modify the forest plan and make the bat priority one.

When the FS reveals cost of the Indiana Bat Habitat Recovery, cost should include all money spent regardless of origin.

FOIA to USDA FOREST SERVICE Atlanta for cost figures went unanswered.

NEW SCIENCE

Can the FS IGNORE "Covid-19 pandemic is caused by the novel, (SARS-CoV-2, which is closely related to other viruses associated with bats". Sasse citing Harapan 2020; IGNORE the bat is a scientifically known carrier of viruses.(Calisher CH, 2006)(Dominguez SR, 2007)(Li W,2005)(Andersen G,2020); IGNORE the pandemic is worldwide; and Covid-19 was unknown prior to late 2019. Is the temporary closing of Blanchard Springs Cavern due to COVID-19 by the FS an affirmation their earlier position of continued support of the bat? Or is it recognizing the possible dangers of COVID-19 introduction into the cave ecosystem thereby serving the people by keeping them out? Increased monitoring will increase cross contamination exposure.

Cave gating will also help protect these bats from WNS by limiting human to bat transmission of the fungus (Biological Evaluation for the Indiana Bat Habitat Restoration Project, p22). The FS recognizes the potential for human to bat transmission but data to date has not determined the effects upon the people and the bats by zoonotic diseases. Bats are carriers in regard to virus transmission and have been called public enemy number one.

The gated hibernacule caves have proven ineffective in stopping the spread of White nose syndrome(WNS) which first appeared in Arkansas in 2012. This could be failure of proper decontamination procedures but the spread could be the bats themselves. We cannot know what the bats as carriers will bring back this year. The viruses will be present in guano for up to a year. They can be analyzed next summer without disturbing the bat population in their winter habitat. A monitoring expansion by the Forest Service without studying the possible health consequences to the people they serve would be neither PRUDENT nor RATIONAL. The FS needs to discontinue winter entry into caves because data shows a positive correlation between this action and reduced bat population and the unknown zoonotic possibilities of Covid-19 need to be further examined.

FW 66 Not cutting of potential roost trees. The intent of this rule would be better served by use of artificial roosts. USFWS report of a study in Kentucky indicates artificial roost provide several advantages over natural roosts: they are easily monitored, they withstand the elements and last longer, and they immediately provide habitat when installed.

FW69 "trees no longer standing" Artificial roost would allow the removal of trees to support the health of the forest.

FW64 ALL activities proposed within primary Indiana Bat conservation zones will be coordinated with USFWS and conservation and recovery of the Indiana Bat will be the management priority for those actions. This provision dismisses the enforcement power of ESA in regard to all endangered species. This FW changes the management priority of the FS to the priority of the USFWS in regard to endangered species. The FS is not required to coordinate on all activities just actions to avoid destruction or adverse modification of critical habitat.

Critical habitat is not the OSFNF. Let the USFWS do their job.

The OSFNF is a living entity. Sustainability means dollar value of forest harvest and preservation of land for recreational activities. 36CFR219.11(6)(iii), 36CFR219.10(7). The dollar revenue is offset by different revenue streams but the focus of the FS mission statement protect the land has multiple and varying implications based upon your definition of sustainability.

CONCLUSION

The combined indirect effects of Forest Plan Amendment for Bat Conservation are being understated, ignored, or deliberately misrepresented. A change of policy will have DIRECT effects. It is a matter of time. Future actions would conform to the new rules. The name says it all i.e. FOR BAT CONSERVATION. Gating is not stopping the spread of disease. Monitoring is harming the bat. Harvesting methods are defeating the sustainability mandates of the FS.

Bats have coexisted with other species within the forest over time and will continue to do so if they are not disturbed and a healthy forest is maintained.

In summary, this is not the time for changes sought by The Forest Plan Amendment for Bat Conservation. This plan subverts the Forest Services mission "protect the land and serve the people" by making bat conservation the number one priority of the OSFNF.

Thank you,

Gary Norman

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