Natural Heritage Inventory (NHI) Screening Guidance for the Northern Long-eared Bat (NLEB) in Wisconsin

Introduction

The northern long-eared bat (*Myotis septentrionalis*) is a state Threatened species and was listed as federally Threatened by the U.S. Fish and Wildlife Service (USFWS) on May 4, 2015, so take of this species is prohibited by both the federal Endangered Species Act and the state Endangered Species Law. This guide was designed to assist users of the NHI Portal who get an Element Occurrence (EO) for the northern long-eared bat (NLEB) when reviewing a project for potential impacts to rare species. This screening guidance applies statewide in Wisconsin.

The USFWS developed a "4(d) rule" that allows for the incidental (unintentional) take of the northern long-eared bat during certain activities if appropriate conservation measures are followed. All purposeful take is prohibited by federal law – contact the USFWS for more information. **Please note that additional conservation measures may be required if your project involves a federal nexus (i.e., federal funding, permits or property), please contact that federal agency for additional guidance.**

NLEB Element Occurrence (EO) hibernacula and maternity roost trees are currently mapped to include the appropriate buffers as required by the 4(d) rule.

Those seeking to complete wind farm projects should review and follow the Guidance for Minimizing Impacts to Natural Resources from Terrestrial Commercial Wind Energy Development created by the WDNR.

Federal Screening Guidance for the Northern Long-eared Bat (NLEB)

Per the U.S. Fish and Wildlife Service, screening for the Northern Long-eared Bat in Wisconsin must be conducted according to the following guidance.

1. **Does the entire project meet one of the following NLEB exemptions?**
   - Defense of a person's life for public health monitoring purposes.
   - Hazardous tree removal for the protection of human life and property.
   - NLEB removal from a human structure.

   YES. The project can proceed without federal restrictions.

   NO. Continue to question 2.

2. **Does the project intersect a NLEB Element Occurrence (EO)?**

YES. Continue to question 3.

NO. The project can proceed without federal restrictions.

3. **View the Detailed EO Data report to determine if the EO(s) is/are a hibernaculum and/or a maternity roost tree.**

The EO is a hibernaculum.	**Proceed to question 4.**
The EO is a maternity roost tree.	**Proceed to question 6.**
The EOs are both a hibernaculum and a maternity roost tree.	**Proceed to questions 4 and 6.**

4. **Will the project impact a hibernaculum at any time of year?** Impacts to a hibernaculum include disturbing hibernating individuals, altering the hibernaculum entrance or altering the environment within the hibernaculum (e.g., temperature, humidity, air flow, structural changes).

YES. The project is **not** covered by the final 4(d) rule. Consult with the WDNR ER Review Program or WDNR bat species expert prior to proceeding

NO. Continue to question 5.

5. **Hibernaculum EO: Does the project involve tree removal (see definition below) at any time of year?**

YES. The project is **not** covered by the final 4(d) rule. Consult with the WDNR ER Review Program or WDNR bat species expert to determine options prior to proceeding.

NO. The project can proceed without federal restrictions.

6. **Maternity Roost Tree EO: Does the project involve tree removal (see definition below) from June 1 – July 31?**

YES. The project is **not** covered by the final 4(d) rule. Consult with the WDNR ER Review Program or WDNR bat species expert prior to proceeding.

NO. The project can proceed without federal restrictions.

Federal Definitions

Hazardous tree removal is defined as tree removal that is necessary for human safety or for the protection of human facilities.

Human structure is defined as houses, garages, barns, sheds and other buildings designed for human entry.

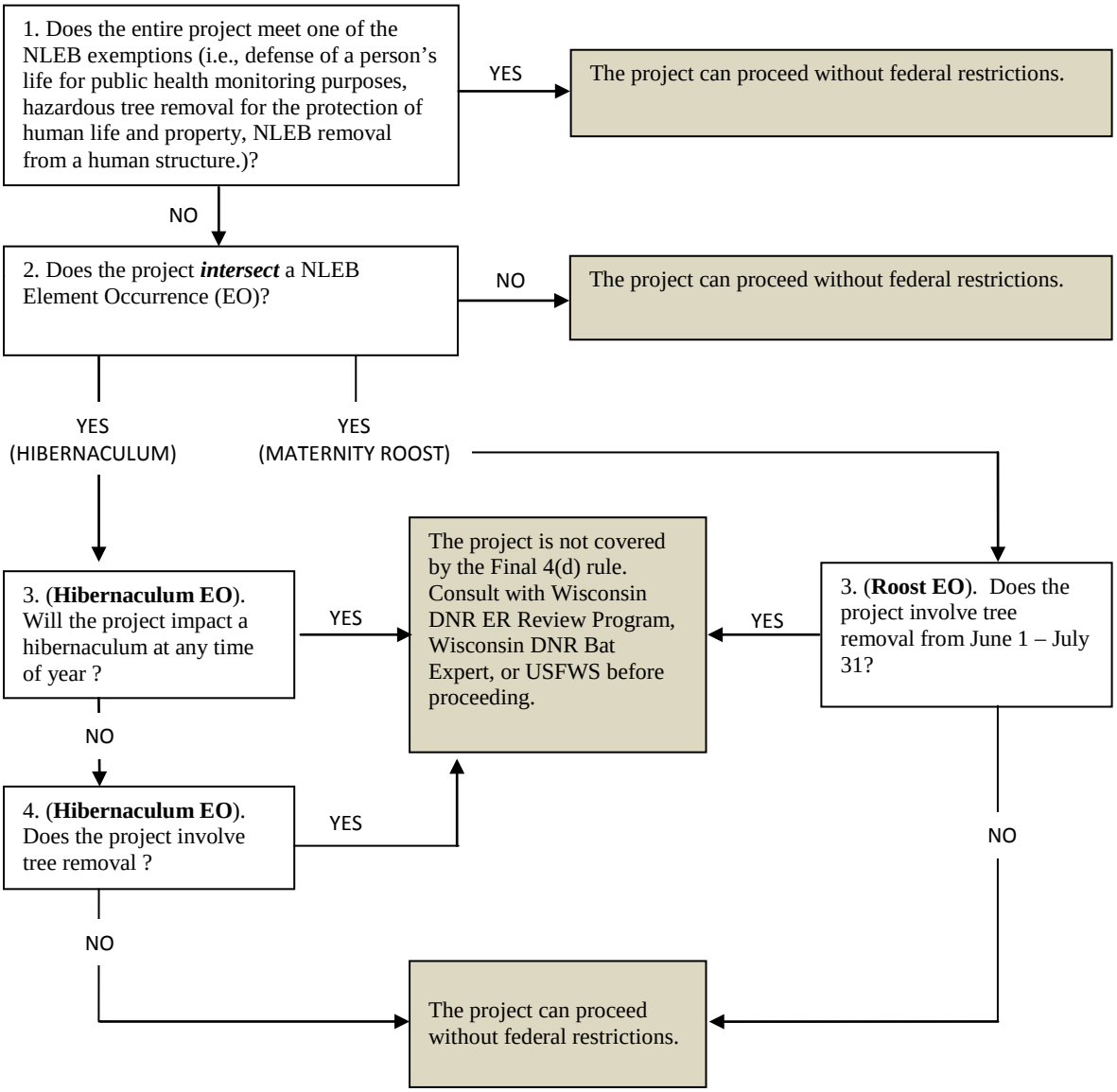
Tree removal is defined as cutting down, harvesting, destroying, trimming, or manipulating in any other way the trees, saplings, snags, or any other form of wood vegetation likely to be used by northern long-eared bats.

Contacts

USFWS Contact Information – Andrew Horton, Andrew_horton@fws.gov

For questions regarding projects that may cause incidental take, contact the WDNR bat species expert, J. Paul White, at john.white@wisconsin.gov.

For questions regarding the review process, contact Endangered Resources Review Staff at DNRERReview@wisconsin.gov.

Northern Long-eared Bat NHI Screening Guidance Flowchart
(review the complete guidance document before proceeding through the flowchart)

These are the procedures in their simplest form which is sufficient for many activities such as tree cutting. If your project is funded all or in part by the federal government and/or occurs on federal lands, please work with the responsible federal agency for next steps, rather than the flowchart. The USFWS has developed a biological determination that federal agencies can use. For more information, see the USFWS' northern long-eared bat page: www.fws.gov/Midwest/endangered/mammals/nleb/index.html