

EFO Wildlife Committee News

January 21, 2016

- 1.) USFWS published the final 4(d) rule for the Northern Lone-eared Bat (NLEB). In summary, the FWS simplified the rule prohibiting:
 - (1) Purposeful take of the NLEB throughout the species' range with standard exceptions, i.e., removal of bats from human structures, activities authorized by permit; and
 - (2) Incidental take within the white-nose syndrome zone (WNS zone) if:
 - A. Actions result in the incidental take of NLEB in hibernacula;
 - B. Actions result in the incidental take of NLEB by altering a known hibernaculum's entrance or interior environment if the alteration impairs an essential behavioral pattern, including sheltering NLEBs; or
 - C. Tree-removal activities result in the incidental take of NLEB when the activity either occurs within 0.25 mile of a known hibernaculum, or cuts or destroys known occupied maternity roost trees, or any other trees within a 150-foot radius from the maternity roost tree, during the pup season (June 1 through July 31).

The complete and final rule can be found [here](#).

- 2.) USFWS announced a draft methodology for prioritizing ESA status reviews. The methodology would help strategically prioritize work on ESA listing petitions to ensure the most urgent wildlife needs are addressed first. The service intends to place each pending petition finding in one of five priority categories or "bins". These include:
 1. Highest Priority: Critically Imperiled
 2. Strong Data Available on Species' Status
 3. New Science Underway to Inform Key Uncertainties
 4. Conservation Opportunities in Development or Underway
 5. Limited Data Currently Available

This methodology does not apply to actions to downlist a species from an endangered species to a threatened species or actions to delist a species. Currently they are taking public comments on this

draft methodology at www.regulations.gov docket number FWS-HQ-ES-2015-0169. Comments will be accepted until February 16, 2016. The publication can be found [here](#).

Contact Rob LeForce at r_leforce@wfec.com with questions or to sign up for the EFO Wildlife Committee.