

# THE WALL STREET JOURNAL.

This copy is for your personal, non-commercial use only. To order presentation-ready copies for distribution to your colleagues, clients or customers visit <http://www.djreprints.com>.

<http://www.wsj.com/articles/bat-preservation-rules-rile-industry-1428448309>



**BROWSER UPDATE** To gain access to the full experience, please upgrade your browser:

[Chrome](#) | [Safari](#) | [Firefox](#) | [Internet Explorer](#)

Note: If you are running Internet Explorer 9 and above, make sure it is not in compatibility mode

## U.S. News

Bat-Preservation Rules Rile Industry

### Federal decision to list a bat species as threatened comes under fire from some business groups

New federal rules aim to aid northern long-eared bats, which are being devastated by a fungal disease. *PHOTO: WISCONSIN DEPARTMENT OF NATURAL RESOURCES/ASSOCIATED PRESS*

By

Kris Maher

April 7, 2015 7:11 p.m. ET

A recent federal decision to list the northern long-eared bat as a threatened species has come under fire from industry groups, which say new regulations will raise costs for businesses in more than two dozen states without addressing the disease that is decimating the flying mammals. Millions of bats in the Northeast have died from white-nose syndrome since 2006, when the fungus that causes the condition was discovered in a cave in upstate New York. In some areas, 99% of the bat population has been wiped out, raising alarms since bats keep a check on mosquitoes as well as insect pests that damage crops.

The fungus has been detected in 28 of the 37 states inhabited by the northern long-eared bat, one of seven species affected by the syndrome and the first to be listed as threatened.

The U.S. Fish and Wildlife Service issued regulations Thursday that prohibit harming northern long-eared bats or cutting down trees where they roost, except under certain conditions. The agency exempted some forest-management practices and timber harvesting as long as they occur more than a quarter mile from caves where bats hibernate or trees where they roost.

The oil and gas industry, among others, objected to the new regulations, which will take interim effect May 4, saying they could cause production delays and raise costs as companies are required to develop conservation plans and obtain permits to remove trees and bats.

“The agency itself has acknowledged that industry is not the culprit of the bat’s demise, it is this

fungal disease,” said Neal Kirby, a spokesman for the Independent Petroleum Association of America. “The fact that we’re being punished for something that we’re not really causing is cause for alarm for our industry and many others.”

From 2008 to 2012, 1,486 acres of forest in Pennsylvania were used for natural gas development in the Marcellus Shale region, according to the petroleum association. That includes acreage used for roads, pipelines and drilling 578 gas wells.

The Marcellus Shale Coalition, which represents natural gas companies, said the rules could unnecessarily harm gas production, wind-power projects, agriculture and construction, among other economic activity, “without providing meaningful conservation and core disease-management-driven solutions.”

Dana Lee Cole, executive director of the Hardwood Federation, said hardwood companies are pleased that the agency exempted some timber activities in its rule. But she said the group will advocate for more changes and that resources would be better spent addressing the disease itself. “The focus on habitat control isn’t going to do much of anything to deal with the problem,” she said.

The Fish and Wildlife agency says the rules are the best way to protect the species. It backed away from a 2013 proposal to list the northern long-eared bat as endangered, a higher level of protection used for a species at risk of becoming extinct. The threatened-species designation means the bat is likely to become endangered, the agency says.

In Pennsylvania, one of the states hardest hit by white-nose syndrome, the number of long-eared bats is 5% of what it was before 2006, according to Michael Gannon, a professor of biology at Pennsylvania State University. Mr. Gannon said he thought the rules were a good first step to protecting the bats. “The fact is that they are disappearing,” he said.

Federal regulators have noted that human activity, including real-estate development and the growing use of wind turbines, also harms bats but isn’t a cause of overall population decline. The wildlife agency, which received more than 100,000 comments, is asking for more through July 1 before it completes the new rule.

“The intent of this rule is to make sure that what we need to do to conserve the bat is being done,” said Georgia Parham, a spokeswoman for the agency.

During the summer, the bats roost beneath bark or in tree cavities while raising their young. They can contract white-nosed syndrome while hibernating in caves or mines during the winter. The disease appears to rouse the bats too early, when there are no insects to feed on and they starve to death.

The bat’s habitat extends from Maine to North Carolina, as far west as Oklahoma and through the Dakotas, Montana and Wyoming and well as into Canada.

**Write to** Kris Maher at kris.maher@wsj.com

Copyright 2014 Dow Jones & Company, Inc. All Rights Reserved

This copy is for your personal, non-commercial use only. Distribution and use of this material are governed by our Subscriber Agreement and by copyright law. For non-personal use or to order multiple copies, please contact Dow Jones Reprints at 1-800-843-0008 or visit [www.djreprints.com](http://www.djreprints.com).