

**Pennsylvania State Game Lands, State Forests, and
State Parks Habitat Conservation Plan for Indiana (*Myotis sodalis*) and Northern Long-Eared
(*Myotis septentrionalis*) Bats (also known as the PA State Lands HCP)**

Frequently Asked Questions - Last updated July 22, 2020

The Department of Conservation and Natural Resources (DCNR) and the Pennsylvania Game Commission (PGC) manage a combined 3.8 million acres of mostly forested public lands for many uses and values, including wildlife habitat.

Forest management strategies and uses for these lands include removing timber and prescribed burns, both of which have the potential to impact bats using foraging, roosting, maternity colony, spring staging, fall swarming and migratory habitat in Pennsylvania, including the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). However, timber removal and prescribed burns also help create foraging habitat and can be beneficial to Indiana and northern long-eared bats.

To avoid these impacts to the greatest extent possible and mitigate them where they might occur, the agencies are working with the U.S. Fish and Wildlife Service (USFWS) on a Habitat Conservation Plan (HCP) for Indiana and northern long-eared bats. The HCP is a requirement of an Incidental Take Permit (ITP), issued by the USFWS. One of the benefits of this HCP is that it allows the agencies to limit and address impacts across the entire 3.8 million acres over a 30-year period, rather than on a project-by-project basis. This allows the agencies to be more proactive in planning for the conservation of Indiana and northern long-eared bats across the state lands system. Initiatives such as seasonal restrictions, canopy retention, and hibernation protection will be incorporated into the plan to aid in the conservation of Indiana and northern long-eared bats.

Please see the frequently asked questions below for more information about the HCP and its development and public comment process:

What is the goal of the habitat conservation plan (HCP)?

The overall goal of this HCP is to develop and implement a conservation plan that will accomplish the following objectives:

- Avoid and minimize incidental take of Indiana and northern long-eared bats resulting from forestry management and other related activities and to fully offset impacts to covered bats on state lands;
- Accommodate current and future forestry management activities on state lands;
- Support state conservation goals such as those described in the Game and Wildlife Code, the Conservation and Natural Resources Act, the Wild Resource Conservation Act, the Cave Protection Act, the Environmental Rights Amendment to the PA Constitution, and other applicable state laws and regulations; and
- Identify targeted conservation efforts that can improve the value of state lands for Indiana bats and northern long-eared bats and thus help stabilize and aid in the recovery of the species.

What is the HCP process?

To obtain an ITP, applicants develop an HCP and apply for a permit. To submit a permit application, the following are necessary: application form, HCP document, application fee, and a draft National Environmental Policy Act (NEPA) analysis. While processing the permit application, the USFWS prepares

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the ITP, a biological opinion under Section 7, and a findings and recommendations under Section 10 of the Endangered Species Act and finalizes the NEPA analysis.

What are the covered management practices within the HCP?

This HCP addresses the agencies' forest management activities that are critical to managing a diverse and sustainable habitat on state lands but have the potential to incidentally take Indiana or northern long-eared bats. Activities occurring on state lands that are not listed below are subject to their own permitting requirements. The HCP covered activities are as follows:

- *Forestry Regeneration and Operations:* timber harvests, timber salvage, fencing and firewood collection
- *Roads and Trails:* roads associated with timber harvests, trails, and maintenance/use associated with roads and trails
- *Prescribed Fire:* burning and fire breaks
- *Activities associated with the HCP implementation:* habitat restoration and HCP monitoring efforts

Why are energy exploration and development on state lands not covered under the HCP?

Natural gas, oil, and coal deposits are found beneath most state lands, and the extraction of these resources has the potential to impact Indiana and northern long-eared bats. All such energy extraction efforts are subject to their own compliance processes and are not covered by this HCP, which focuses solely on the forestry and forestry-related activities as described above.

Was there any public input used in developing the HCP?

The HCP was developed using input from a stakeholder group comprised of experts and professionals in the timber, prescribed fire, and wildlife fields. Groups that were invited to participate were ones that could provide direct input on the covered activities in the HCP. The participants represent conservation organizations, academic institutions, and business and development interests related specifically to forest management activities and/or Indiana or northern long-eared bat biology and were selected to provide input on timber, prescribed fire, and wildlife management on state lands. For information on how the general public can participate, please refer to the information found under "*How can I participate in the process?*" below.

What steps are required for PGC and DCNR to complete the HCP process and what is the process for the agencies to receive the ITP?

In order for PGC and DCNR to obtain an ITP, an HCP will need to be completed and subsequently approved by the USFWS. The issuance of the ITP is a federal action by the USFWS. Certain federal actions, such as the issuance of the ITP, require compliance with the National Environmental Policy Act, 42 U.S.C. § 4332 et seq. (NEPA). The objectives of NEPA include disclosing environmental information, fostering intergovernmental coordination and cooperation, and enhancing public participation in government planning and decision making. The NEPA environmental document (EA - Environmental Assessment) will assess and analyze the potential effects of the action on the human and natural environments, including biological resources and economic and social resources. Through the NEPA process, the effects of issuing an ITP as described in the HCP will be disclosed to the public, and the public will be afforded the opportunity to participate in the process and comment on the NEPA document and issuance of an ITP.

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How can I participate in the process?

Upon completion of the preliminary NEPA analysis, the Draft NEPA document (EA) and HCP will be published in the *Federal Register*, and the public will have a 30-day period to submit comments on both documents. Once the public comment period is closed, the NEPA document will be finalized (including responding to any public comments received) and USFWS will make a determination regarding the issuance of an incidental take permit.

Where is the HCP process currently?

On July 22, 2020, the HCP and draft NEPA document (EA) were published on the Federal Register. The notice can be found at www.regulations.gov under docket number FWS-R5-ES-2013-0090. Public comments can be submitted via www.regulations.gov through August 21, 2020. USFWS is anticipating that a permit issuance decision will be made in winter 2020-21.

For other questions, please contact Tracey Librandi Mumma, PA Game Commission at tlibrandi@pa.gov or Rebecca Bowen, DCNR at rebbowen@pa.gov.