



Update on Lake States Forest Management Bat Habitat Conservation Plan (HCP)

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Topics We'll Cover Today

Why MN bats are in trouble

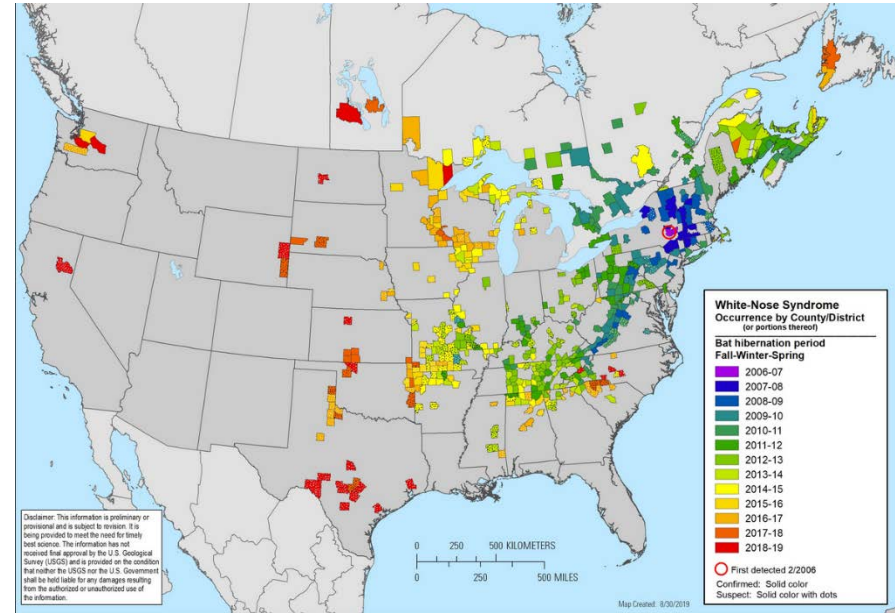
HCP development process

Highlights of chapters 6, 7, & 8 + Appendix F

Next steps

Why bats are in trouble

- White Nose Syndrome
 - Has been spreading since 2006
 - First mortalities in Minnesota in March 2016
 - Up to 98% mortality in Minnesota as of 2020
 - All cave-hibernating bats are impacted
 - WNS causes bats to wake from hibernation and deplete energy reserves



Bats and Forest Management Activities

- Many of Minnesota's bats spend spring, summer and fall in forests
 - Female bats give birth to young in tree roosts.
 - Before they are able to fly, young bats may be vulnerable to impacts from normal forest management activities that include tree removal.



Cave-hibernating bats covered by HCP



Northern Long-Eared Bat: Listed as threatened with 4(d) Rule by USFWS (found in all 3 states)



Little Brown Bat: Under status review by USFWS (found in all 3 states)



Tri-colored Bat: Petitioned for listing (found in all 3 states)

Indiana Bat: Listed as endangered by USFWS (found in Michigan only)

Current Federal Regulations

- Northern Long-eared Bat was designated as a threatened species under the federal Endangered Species Act (ESA) in 2015
 - Threatened status provides exemption: special regulation (“4(d) Rule”) that allows tree removal that might otherwise result in **take** (finalized 2016)

Take = to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

- Other bat species covered by the HCP could be listed as threatened or endangered if declines continue

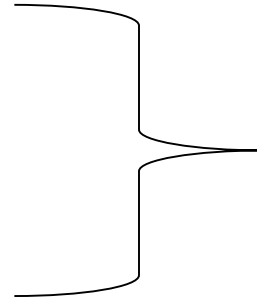
HCP Reasoning

- If any covered bat species are listed as endangered, an ITP or consultation with USFWS would be required to continue activities that might result in a “take” of the species
- ITP application must include an HCP
- Minnesota, Wisconsin, and Michigan working jointly on an HCP
- Proposed Permit Term – 50 years



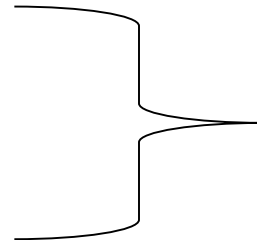
Contents of the HCP & Where We Are

- Ch 1: Introduction
- Ch 2: Covered Activities
- Ch 3: Environmental Setting



Initial comments received in 2018

- Ch 4: Impacts Analysis
- Ch 5: Conservation Strategy

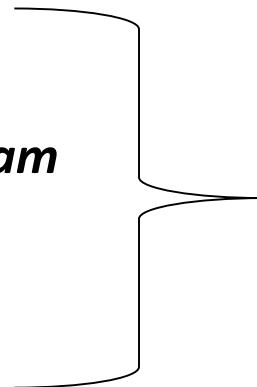


Initial comments received in May 2020

- **Ch 6: Implementation & Assurances**
 - **Appendix F: Landowner Enrollment Program**

- **Ch 7: Cost & Funding**

- **Ch 8: Alternatives to Take**



Available now for stakeholder input

Chapter 6 Overview

- Structure and responsibilities for implementing the HCP once it is complete
 - Lake States Advisory Committee
 - MN DNR Staffing
 - Development of implementation policy and procedures to fulfill the terms of the HCP
- Annual reporting requirements
- Changed circumstances
 - Listing of additional threatened or endangered species
 - Wildfire
- No surprises regulation
- Administrative changes and amendments to the HCP
- Extension of take authorization to other non-federal and non-state landowners (described in Appendix F)

Chapter 7 Overview

- Planning level cost estimates that demonstrate DNR's commitment to implementation

Table 7-7. Summary of HCP Implementation Costs

Cost	Annual Cost in Year 1 ^a			Annual Cost Over Permit Term		
	Michigan	Minnesota	Wisconsin	Michigan	Minnesota	Wisconsin
Program admin. costs	\$127,084	\$73,038	\$79,035	\$6,354,192	\$3,651,912	\$3,951,733
Conservation program	\$111,715	\$57,772	\$62,550	\$5,585,725	\$2,888,577	\$3,127,509
Adaptive management ^b	\$8,937	\$4,622	\$5,004	\$446,858	\$231,086	\$250,201
Changed circumstances ^c	\$5,586	\$2,889	\$3,128	\$279,286	\$144,429	\$156,375
Total Cost Per State	\$253,321	\$138,320	\$149,716	\$12,666,061	\$6,916,004	\$7,485,819
Total Cost of HCP (All States Combined)	\$541,358			\$27,067,885		

Chapter 8 Overview

- Three alternatives were considered to the proposed HCP:
 - No take
 - Reduced covered activities
 - Reduced geographic coverage



Appendix F - Landowner Enrollment Program

- Each DNR has the ability to extend take authorization to non-federal and non-state landowners
 - county
 - municipal
 - private
 - corporate landholdings
 - family forests
 - Native American tribes
 - nongovernmental organization
 - unincorporated partnerships
 - associations
 - club landowners



Appendix F Overview Application Process

- Straightforward application process
 - Lands to be enrolled, proof of ownership, description of the type and extent of covered activities conducted on the enrolled land, information regarding participation in any forest certification programs, application fee (set by each state, TBD)

Appendix F - Eligibility

- Applicants must own land on which they conduct or plan to conduct one or more covered activities, and
- Applicants must own land with a sufficient probability of take because:
 - It is of a size such that take of a covered species is reasonably certain to occur (in MN, the size criteria is 10,000 acres or more, otherwise take is unlikely to occur),* or
 - It contains a known maternity roost for covered bats, or
 - It contains a known hibernaculum entrance for covered bats or is within a 0.25-mile buffer of a known hibernaculum entrance



Appendix F – Eligibility Continued

* Eligibility for the LEP is based on the assumption that if the amount of take estimated within a given ownership size equates to less than one bat, take is not reasonably certain to occur on those parcels. As a result, if there are private lands in the Lake States on which take is not reasonably certain to occur, no ITP is needed, and these parcels are not eligible for inclusion in the LEP.

- = 10,000 acres (total land holdings) or more for MN

Appendix F – Conservation Actions

- Implement MFRC Voluntary Site Level Guidelines in forest habitat
- Protect known roost maternity roost trees with a 150 foot year round buffer where tree cutting is not allowed
- Protect known hibernacula with a 0.25 mile year round buffer where tree cutting is not allowed and noise must be limited
- Incorporate bat conservation criteria into prescribed burn plans where possible (limiting temperature and plume height)



Appendix F – Reporting Requirements



- Annual form to demonstrate compliance
- If the MN DNR becomes aware that conservation actions are not being implemented as directed, the MN DNR will provide reasonable notice to the program participant along with an opportunity to rectify the effects of the breach. If the program participant fails to do so, the MN DNR may suspend or revoke program participation.

Ch. 6-8 + App. F Stakeholder Review:

- July 7 – August 21: 45 day stakeholder review period
- Stakeholder Webinar on July 30 from 1-2 PM
- Chapters available at: [Minnesota DNR Bat HCP Project Webpage](#)
- Submit comments to: bathcp.dnr@state.mn.us

Moving forward:

- Once all chapters of the HCP are compiled, the HCP will go through the NEPA process. The compiled HCP will be made available through the Federal Register for public comment.



Thank You!

Submit comments to: bathcp.dnr@state.mn.us

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