

The Burlington Free Press

• Serving Vermont for 100 years. •

Wildlife group, Vermont-based expert sue for bat-disease documents

May. 16, 2012

Matt Volz,
Associated Press

HELENA, Mont. — A wildlife advocacy group sued the U.S. Forest Service on Wednesday to seek the release of documents about how the agency plans to keep a disease that already has killed millions of bats in the U.S. and Canada from spreading to the Northern Rocky Mountains.

The Center For Biological Diversity, which has an office in Vermont that has worked heavily on the bat-disease issue, wants an explanation of why the federal agency has taken no action to keep white-nose syndrome out of the Forest Service's northern region, which includes Montana, Idaho and parts of Washington, North Dakota and South Dakota.

The center says the fungal disease has killed 7 million bats so far, with the eastern U.S. particularly hard-hit, and it can be spread by spores that attach to cave explorers' gear.

The disease has not been documented in the caves and abandoned mines of the Northern Rockies, but preventative measures must be taken now to halt the spread, said Mollie Matteson, a conservation advocate for the group who works out of the Vermont office, in Richmond.

"Other regions have taken action and the public needs to know why the northern region, even though it said



Many Vermonters used to be familiar with the little brown bat. Females of the species gathered in summer colonies in old barns and attics of urban and rural homes. Since the arrival of white-nose syndrome, a fungal disease, the numbers little brown bats found in summer surveys has plunged 75 to 99 percent.

it is considering it, has done nothing yet," Matteson said. "We don't know when white-nose syndrome might show up in the West, but it behooves all land managers to take all the steps they can to make sure it doesn't happen."

White-nose, named for the sugary smudges found on affected bats' snouts, prompts bats to wake from their winter hibernation and die when they fly into the winter landscape in a futile search for food.

Caves and old mines have already been closed in parts of Colorado,

Wyoming, Kansas, Nebraska and South Dakota — including the Black Hills National Forest — to keep the disease from reaching those places. But nothing has been shut down in the Northern Rockies.

Forest Service officials said they can't comment on pending litigation, but northern region media coordinator Phil Sammon said several measures are pending.

They include temporarily closing caves and abandoned mines to everyone who lacks a permit; installing "bat gates" that cut off

cave access to people and large animals; and asking caving groups to voluntarily comply with a decontamination protocol set by the U.S. Fish and Wildlife Service.

None of those measures have been approved, but there is still time, Sammon said. The disease has not been documented in any of the region's neighboring states and many mountain caves are still covered by snowpack, he said.

"It's not that close to us yet. We're trying to get our vigilance and awareness up among cavers so that if we see any changes we'll notice it right away," Sammon said.

The advocacy group asserts in its lawsuit that a better explanation for the Forest Service's inaction to date may lie in 13 pages of documents the agency withheld after a federal Freedom of Information Act request by the center.

Those documents are part of a larger release of material that the Forest Service sent the advocacy group, including emails and internal correspondence, Matteson said.

The government told the group the withheld pages contain information about the spread of white-nose syndrome, the caves that are subject to closure and other related matters. But the Forest Service cited an exemption to the FOIA law that allows it to withhold records that contain material that is deliberative.

The center sued, saying the information in those documents is crucial to giving the public a "better understanding of the decision making or lack of decision making," Matteson said.

The advocacy group is asking a judge to order the Forest Service to release all the documents.

"The urgency of this in terms of the threat to bats is really central," Matteson said. "The Forest Service should be making an effort to show the public what it knows or what it doesn't."