

The Boston Globe

Shift in classification could be a death sentence for bats



UNIVERSITY OF ILLINOIS/US FISH AND WILDLIFE SERVICE A northern long-eared bat with visible symptoms of white-nose syndrome.

OPINION

MOLLIE MATTESON

APRIL 02, 2015

AS THE bat-killing disease known as white-nose syndrome has spiraled into one of the worst wildlife epidemics on record, no bat has been harder hit than the northern long-eared bat. The disease causes a fungus to grow on the muzzles and wings of hibernating bats, eventually killing them.

With population declines of 99 percent across the Northeast, the northern long-eared bat, most scientists agree, has become one of the nation's most imperiled species. These animals, which are distinguished by their long ears and preference for dense, old forests, also live elsewhere — like a few areas of the western United States where the disease has not yet spread — but even in those places they face numerous threats

that have been virtually unchecked. Logging, fracking, and oil and gas drilling are all intruding on the bats' habitats. That would be bad enough by itself, but combined with the ravages of white-nose syndrome, the prospect of extinction looms larger than ever.

Despite the bats' dire plight, however, the US Fish and Wildlife Service last week decided to step away from its own science-based proposal that called for protecting the northern long-eared bat by classifying it as "endangered." The decision to back off from that designation came under mounting political pressure from industry groups, a handful of state leaders, and conservatives in Congress who are committed to weakening the federal Endangered Species Act.

The agency said Wednesday that it would instead protect the beleaguered bat under the less urgent status of "threatened." That downgraded designation is not as subtle as it may sound. Protecting a species as "threatened" opens the door for the Fish and Wildlife Service to establish exemptions — under so-called 4(d) rules — that allow continued logging, mining, and drilling in areas key to the species' survival.

Such exemptions are permitted under the Endangered Species Act, but they are primarily meant to increase protection for threatened species, not provide blanket approvals for activities that clearly harm the animals in question. Yet that is precisely what will happen. It's clear the exemption rule is being invoked not to help keep the bats from vanishing, but to appease industries such as oil, gas, and logging.

In recent years, the Fish and Wildlife Service has increasingly used 4(d) rules to skirt the strong protections of the Endangered Species Act and avoid blowback from powerful special interest groups whose profits could suffer if certain regulations were put in place and enforced. The agency has exempted known threats to a host of species, including the polar bear, sage grouse, and the lesser prairie-chicken. In the case of the prairie-chicken, the agency agreed to allow oil and gas drilling and agriculture operations, even though those activities are known to be the main threats to those species.

The Endangered Species Act does have provisions that allow some potentially harmful activities — but the law stipulates certain monitoring, mitigation, and reporting requirements. That's far different from the wholesale exemption handed out regarding the northern long-eared bat.

The federal law was specifically designed to prevent this kind of political tinkering, so that scientific research is the basis for important protection decisions. Now, years of science-based policy that has prevented the extinction of 99 percent of species protected under the law is being abandoned in favor of political expedience and horse trading.

And it will probably get worse — each new industry-friendly 4(d) rule further emboldens politicians to push for similar treatment for any controversial species in their home districts.

Left unchecked, exemptions to the Endangered Species Act will become standard operating procedure, leading to a de facto rewriting of the rules that puts politics, not science, at the forefront. That is at odds with the intent of lawmakers who wrote the legislation four decades ago.