



**U.S. Army Corps
of Engineers**
Baltimore District

Public Notice

**In Reply to CENAB-OPR-P
SPECIAL PUBLIC NOTICE-23-17**
Philadelphia District

Pittsburgh District

**THIS PUBLIC NOTICE IS ISSUED JOINTLY BY THE PHILADELPHIA, PITTSBURGH,
AND BALTIMORE DISTRICTS OF THE U.S. ARMY CORPS OF ENGINEERS (CORPS).**

Subject: The purpose of this Special Public Notice is to hereby inform the public of the recent changes made by the United States Fish & Wildlife Service (USFWS) regarding the final rule to reclassify the federal listing of the Northern Long-Eared Bat (*Myotis septentrionalis*) as an Endangered Species under the Endangered Species Act. For additional information regarding the listing of the Northern Long-Eared Bat, including the USFWS Interim Consultation Framework for the Northern Long-Eared Bat, please visit the USFWS web site at:

<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

The Northern Long-Eared Bat, listed as Threatened in 2015, now faces extinction due to the rangewide impacts of the white-nose syndrome, a deadly disease affecting hibernating bats across North America. This listing becomes effective on March 31, 2023. Upon this date, the previously issued species-specific 4(d) Rule under the Endangered Species Act becomes nullified, and the Interim Consultation framework for the Northern Long-Eared Bat becomes effective for a period of one year from March 31, 2023 through April 1, 2024.

The Corps is hereby providing notification to the public regarding the establishment of a Special Condition for previously issued Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act authorizations/verifications in Pennsylvania. This notice affects projects that were previously authorized or verified by the Corps, or the Pennsylvania Department of Environmental Protection, through Nationwide Permits, Individual Permits, General Permits, Letters of Permission, Pennsylvania State Programmatic General Permit-6, or other applicable federal authorizations and/or verifications where the authorized work has not been completed as of March 31, 2023.

To ensure compliance with Section 7 of the Endangered Species Act, the following Special Conditions are hereby added to all previous authorizations and verifications issued by the Corps for work in Pennsylvania, where the authorized work has not been completed as of March 31, 2023:

1. Habitat screening for the Northern Long-Eared Bat (*Myotis septentrionalis*) is now required in all counties of the Commonwealth of Pennsylvania and must be completed by the permittee using the Pennsylvania Natural Diversity Index (PNDI) tool <http://www.naturalheritage.state.pa.us/>. In many cases, the PNDI will direct the permittee

to enter their project information into the [Information for Planning and Consultation \(IPaC\) website](#) to complete the Interim Consultation Framework, and if found to be consistent, work can commence provided all avoidance measures are followed. All previous PNDI receipts dated prior to March 31, 2023, are no longer valid, and an updated PNDI search is required to be run prior to the performance of any additional regulated work.

2. Any and all avoidance measures listed on the PNDI receipt for the Northern Long-Eared Bat, or via a letter generated in [IPaC](#) related to the Northern Long-Eared Bat, are a Special Condition(s) of all previously issued authorizations/verifications.
3. If the permittee cannot comply with avoidance measures referenced in Special Condition 2 above, or if the permittee believes that the avoidance measure(s) is outside of the Corps Section 7 Endangered Species Act scope of analysis, they must contact the appropriate Corps District office. The Corps will consult with USFWS, as appropriate, and the permittee should not perform any additional regulated work until notified by the Corps.
4. If the PNDI receipt requires further consultation with the USFWS, the permittee shall contact the appropriate Corps District office and cease all regulated work until they receive written confirmation from the Corps that consultation under Section 7 of the Endangered Species Act has been completed, or they have directly resolved the concerns with USFWS.

This requirement is made by the Corps with concurrence from the USFWS. The USFWS, as the agency responsible for implementing the Endangered Species Act for this species, has determined that the Northern Long-Eared Bat now listed as an Endangered Species occur throughout the Commonwealth of Pennsylvania.

It is requested that you communicate the foregoing information to any persons known by you to be interested and not being known to this office who did not receive a copy of this notice. If you have any questions regarding this matter, please contact Mrs. Amy Elliott, Baltimore District, United States Army Corps of Engineers, State College Regulatory Field Office, 1610 South Atherton Street, State College, PA, 16801 or via e-mail at amy.h.elliott@usace.army.mil. This public notice is issued by the Chief, Regulatory Branch.