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Central Pennsylvania Cave, Bats, and Other Rare Wildlife Saved from Mine

WILLIAMSBURG, *Penn.* — Conservationists have succeeded in saving a central Pennsylvania cave and surrounding wildlife habitat from a proposed limestone mine. A state-endangered bat species and a tiny cave arthropod found nowhere else on the planet are among the beneficiaries of the settlement agreement reached today by conservation groups Center for Biological Diversity and Juniata Valley Audubon Society, and the state Department of Environmental Conservation (DEP) and Catharine Properties, LLC, the mine developer. In exchange for dropping their lawsuit against the DEP and Catharine Properties, the conservationists have received a formal pledge from the company that it will not disturb the cave site or surrounding area, or bring harm to the species of concern.

“Bats in the Northeast have been under huge pressure in recent years, because of the devastating effects of white-nose syndrome,” said Mollie Matteson, conservation advocate at the Center for Biological Diversity. “Further stressing these animals, by destroying important bat habitat and possibly even killing bats directly, is completely unacceptable.”

The groups had challenged the DEP permit because it failed to protect the eastern small-footed bat, which hibernates in Heller Cave and roosts in rock piles in the surrounding area. The mine also threatened the sole location of the Heller Cave springtail, first discovered in 1997. Hikers, bicyclists, and birdwatchers were concerned about the impact of the quarry on the adjoining Lower Trail, and local residents worried about the safety of hundreds of quarry trucks per day, driving back and forth on the area’s narrow, rural roads.

The bats in Heller Cave were discovered to have contracted the newly emergent fungal disease, white-nose syndrome, two winters ago. Bats throughout the eastern United States have been devastated by the illness, which is estimated to have killed nearly 7 million bats over the last five years, in 16 states and four provinces. The Center filed a federal petition two years ago requesting endangered species listing of the eastern small-footed bat and the northern long-eared bat, which has also been found in the vicinity of the mine site. Both species have experienced steep declines due to the ravages of the disease.

The terms of the settlement agreement stand so long as Catharine Properties, or its successors, are without an approved “large non-coal” mining permit. The large permit would be subject to the same review, and potential litigation, as the small permit that had been challenged by the conservation groups. Among the claims brought by the groups was that DEP had not included a requirement in the permit for a “total avoidance area” around Heller Cave—a stipulation made by the Pennsylvania Game Commission in its review of the permit’s impact on state-protected species.

Stan Kotala, Conservation Chair for the Juniata Valley Audubon Society, was cautiously optimistic that the long-term outcome for the Heller Cave area would be its permanent protection. “Ideally, this site, which has been recognized by both Blair County and the state of Pennsylvania as an outstanding natural area, will eventually be protected by a permanent designation, such as a conservation easement. Until then, our groups will stay vigilant to protect this special place.”

The conservation groups were joined in the lawsuit by wildlife advocate Laura Jackson, and were represented by Professor Kenneth T. Kristl and his law students at Widener University Environment and Natural Resources Law Clinic. The Delaware-based school has a campus in Harrisburg.