

Exhibit 8

In Support of Plaintiffs' Partial Motion for Summary Judgment
on Their Endangered Species Act Listing Claims

in

Center for Biological Diversity et al., v. Jim Kurth et al., No. 1:15-cv-00477-EGS

and

Defenders of Wildlife v. Jim Kurth et al., No. 1:16-cv-00910-EGS

Consolidated Cases

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CENTER FOR BIOLOGICAL)
DIVERSITY, *et al.*,)
))
Plaintiffs,)
))
v.)
))
DANIEL M. ASHE, *et al.*,)
))
Federal Defendants,)
))
AMERICAN FOREST & PAPER)
ASSOCIATION, *et al.*,)
))
Defendant-Intervenors.)

Case No. 1:15-cv-00477-EGS

DEFENDERS OF WILDLIFE,)
))
Plaintiff,)
))
v.)
))
DANIEL M. ASHE, *et al.*,)
))
Federal Defendants.)
))
AMERICAN FOREST & PAPER)
ASSOCIATION, *et al.*,)
))
Defendant-Intervenors.)

Case No. 1:16-cv-00910-EGS
(Consolidated Case)
Honorable E.G. Sullivan

DECLARATION OF LAURA JACKSON

I, Laura Jackson, hereby declare as follows:

1. The facts set forth in this declaration are based on my personal knowledge. If called as a witness, I could and would testify competently to these facts. As to those matters which reflect an opinion, they reflect my personal opinion and judgment on the matter.

2. I am over 21 years of age. I reside in Everett, Pennsylvania. I have been a member of the Sierra Club Pennsylvania Chapter since 2004. I joined Sierra Club and support its work because of its advocacy in protecting forests and our native species - particularly bats like the Northern Long-eared Bat. Sierra Club members educate the public about the importance of bats and why their forested habitat should be protected. I am also a member of the Center for Biological Diversity. I became a member in 2012 because the Center joined with me in filing an injunction against the Pennsylvania Department of Environmental Protection (DEP) in 2010 when DEP approved a small non-coal mining permit that would have destroyed an important bat hibernaculum in Blair County, Pennsylvania. Thanks, in part to their advocacy, that hibernaculum was protected. I have also been a member of the Defenders of Wildlife since 2010. This organization has a singular focus on wildlife and habitat conservation, which includes protecting the Northern Long-eared Bat.

3. I was an Environmental Science and Advanced Biology educator at a public high school for most of my professional career. I also taught biology at a local community college for 5 years. My passion was teaching young people about the intriguing and complex ecosystems that occur in a healthy environment, with an emphasis on the flora and fauna that keep those ecosystems operating in a sustainable manner. I served as an advisor for Envirothon Clubs, where I taught students about the importance of bats and how to identify the bat species found in our area, including the Northern Long-eared Bat. I took students on field trips to local caves to learn about bats and why they should be protected. In my Environmental Science classes, I emphasized the importance of low impact and sustainable living, including the use of renewable energy. However, after I learned that industrial wind turbines, when sited on forested ridges, kill significant numbers of bats, I became an advocate for protecting forested Appalachian

Mountains from industrial wind development. I helped to start a non-profit, Save Our Allegheny Ridges, that works with local communities to help residents learn the importance of open space and why forests are important for bats and other wildlife, and why industrial wind turbines should not be built on forested mountains. I volunteer as president of Save Our Allegheny Ridges. I was privileged to participate as a volunteer in a bat study at a local state park to determine where bats roost during the day in the spring after leaving their hibernacula. I am a volunteer leader in my local chapter of National Audubon, and I recognize birds as keystone indicators of healthy environments. A healthy environment depends on the diversity of habitats, birds, bats, and other wildlife, in addition to clean air, water, etc. I keep in touch with the bat biologists who work for the Pennsylvania Game Commission and I've invited them to speak at several programs to educate others about the importance of bats. My husband and I own 114 acres, of which 108 are forested. We manage the forest for biodiversity, including bats such as the Northern Long-eared Bat: we put up bat boxes on our property and we protect trees, such as shagbark hickories, that make good roosting sites for bats. We also maintain snags (dead and dying trees) on our property, as many bats seek shelter during the day under loose bark. We have also created six small pools on our property and we rely on bats to control the mosquito populations that could occur as a result of the increased aquatic habitats. We also built these pools to create food for bats, such as the Northern Long-eared Bats.

4. I am a small part of the complex deciduous forest where I live. Northern Long-eared Bats, as well as other bats, help to maintain the equilibrium of this complex system. As I hike or camp in forests, kayak in rivers that flow through forests, and observe the wildlife around me, I am always aware that there are many wild creatures that I cannot see - especially during the day time. But at night, when I sit on my porch, or when I camp along a river or near a lake, a

miraculous spectacle occurs - the emergence of bats. Unfortunately, bat numbers have greatly lessened over the past ten years, since White-Nose Syndrome has killed millions of bats. I also used to marvel when thousands of bats would emerge at twilight from the attic of an abandoned church, to begin their nightly feeding. It was a transfixing experience, to see such a multitude of creatures that are so important to the balance of life, pour out of a small opening. I plan to visit that church again, in Canoe Creek State Park in Blair County, Pa. this coming July to count the bats that emerge from that church. I vividly remember the first time I ever saw this natural marvel - it was approximately 20 years ago.

5. We also know that bats play a very important economic role for farmers and foresters. Not only do they feed on many insects that devour farmers' crops, they also feed on moths that feed on trees in forests. Their important role in the economics of ecosystems is just now beginning to be understood. For purely economic reasons, it is important that we protect bats so they don't go extinct. Bats are also unique - they are the only mammal that flies, so this creates a mystique about them. They are very unusual creatures with highly adapted anatomy. Their prowess at using sonar is absolutely amazing. My husband and I will be doing bat surveys this coming July. We will count the number of bats that emerge from the newest bat box that we put up in 2015. We plan to do this as long as we are physically able to do so. We also plan to do a bat survey in June at a neighbor's garage, which has held bats for at least the past 10 years. On June 22, 2017 I will be leading a trip for a local conservation group, the Bedford Co. Bird and Nature Club, where I volunteer as Secretary, to observe bats at a local pond owned by one of our club members. I especially feel sad that so many bats have died from White-Nose Syndrome and from being killed by industrial wind turbines. The bats that are rare, such as the Indiana Bat and the Northern Long-eared Bat especially need our help. It is a tragedy that we have destroyed so

much of their habitat, helped to spread the onslaught of White-Nose Syndrome, and even then, we are not taking the steps we should to protect those few individuals who are left.

6. The failure of the U.S. Fish and Wildlife Service to adequately protect the Northern Long-eared Bat directly harms my interests and activities regarding this species. The extensive work that we have done on our property to create food, cover, and habitat for the Northern Long-eared Bat, as well as other bat species, is undermined by the failure of the Defendants to list the Northern Long-eared Bat as “endangered” rather than “threatened” under the Endangered Species Act. My opportunity to observe Northern Long-eared Bats is, and will continue to be, greatly diminished because it does not have full ESA protection. The best science shows that this species needs greater protection to increase its chances of survival. In my opinion, the failure of the U.S. Fish and Wildlife Service to protect this bat species is an example of the power that industry has over people, wildlife, and the health of forest ecosystems. It is my understanding that the public didn’t even have the opportunity to comment on the decision to list the Northern Long-eared Bat as “threatened,” instead of “endangered,” further evidence that the U.S. Fish and Wildlife Service is responding to the heavy hand of industry at the expense of the Northern Long-eared Bat. Future generations have the right to enjoy this species.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of February, 2017



Laura Jackson

Everett, Pennsylvania