PennDOT Procedures for Environmental Review

September 16, 2025

Projects not associated with PennDOT should follow this guidance instead: https://www.fws.gov/office/pennsylvania-ecological-services/project-review-information.

Starting September 16, 2025, PennDOT projects will not be reviewed until all requirements below are met.

PNDI and IPaC Screening Instructions

- 1) Finalize the PNDI receipt and follow its instructions under the "U.S. Fish and Wildlife Service Response" section. Continue to step 2 if the section directs you to IPaC.
- 2) Go to IPaC (https://ipac.ecosphere.fws.gov/) and enter the project information. Obtain an Official Species List.
 - a) Include "PennDOT", the PNDI #, and the lead Federal Agency (if known) in the project name.
- 3) Complete the appropriate screening tool or determination key (Dkey) based on your project type and the species affected. Options include:
 - a) Indiana bat, northern long-eared bat, and/or tricolored bat with FHWA/FTA/FRA nexus: use the FHWA/FTA/FRA Programmatic Consultation for Transportation Projects DKey.
 - i) Refer to the <u>User's Guide</u> for context on how to interpret DKey questions.
 - b) Indiana bat, northern long-eared bat, and/or tricolored bat without federal transportation agency nexus:
 - i) Use the Northern Long-eared Bat and Tricolored Bat Range-wide DKey for these 2 species.
 - ii) Use the Northeast DKey for the Indiana bat.
 - c) **Bog turtle**: send in the project using the programmatic biological opinion project submittal form. Send it to IR1_ESPenn@fws.gov and copy the PennDOT Central Office T&E Coordinator.
 - d) Ohio River basin mussels (Bridge Program only):
 - i) Projects in MU1, 2, or 3 streams require further coordination. Send in the project according to the <u>programmatic mussel biological opinion</u> Tier 2 procedures (p.102-103 of PBO).
 - ii) Projects in MU 4 streams must commit to AMMs for the PBO's NLAA determination. You may send in courtesy copies but our concurrence is already in the PBO.

- iii) Projects in MU 5 streams must commit to BMPs and E&S measures for the PBO's NLAA determination. You may send in courtesy copies but our concurrence is already in the PBO.
- e) Ohio River basin mussels (all other project types): use the Northeast DKey.
- f) For all other species, use the Northeast DKey.
 - i) The IPaC Official Species List includes candidate and proposed species. You do not need to coordinate on these since they are not yet listed.
- g) Note that you may need to complete more than one DKey to cover all the species in your species list.

What to do with IPaC NLAA/NE Letters

Letters with only Not Likely to Adversely Affect (NLAA) or No Effect (NE) determinations do not need further coordination. Do not send these letters to IR1_ESPenn@fws.gov. We get these letters automatically from IPaC and we will reach out with any concerns.

What to do with IPaC May Affect or LAA Letters

Letters with May Affect or Likely to Adversely Affect (LAA) determinations need further coordination. For projects that receive May Affect or LAA letters, please send the following information to IR1_ESPenn@fws.gov and include "PENNDOT" in the email subject line:

- IPaC Official Species List
- IPaC generated letters
- PNDI Receipt
- Lead Federal Action Agency, if known
- Project description (if not already in the IPaC species list or DKey letter descriptions)
 - Provide information on the timing and extent of species-disturbing activities, such as blasting, wetland or waterway impacts, tree cutting/trimming (provide acreage, date range, whether trees are <u>suitable bat habitat</u> if known).
 - Provide any proposed AMMs.
 - Address the full Effects of the Action, including secondary activities such as access roads, utility relocations, staging areas, etc.
- Biological reports, if conducted (bog turtle Phase 1 and 2, bat bridge assessment, etc.)
- Photos of the project site, if available
- Project plans
- For Federal projects with May Affect letters, please provide a determination of NLAA or LAA along with a rationale. We will provide a response (such as a concurrence letter).

Consultants should cc' the appropriate PennDOT District environmental staff.

Potential Federal Action Agencies

- FHWA, FRA, or FTA if they fund the project
- U.S. Army Corps of Engineers for federal wetland and waterway permits (i.e. PASPGP, Clean Water Act Section 404, and USACE Section 408).
 - Section 105 is a state permit, not federal. It often overlaps with a Corps permit but not always.
- NPS if project is in the Upper Delaware Scenic River
- Coast Guard (rare possibility for PennDOT)

Additional Notes:

- 1) The above directions pertain to project reviews. Questions, requests to review survey plans/reports, and other needs can continue to be emailed or phoned directly to the transportation liaison.
- 2) Please use the same IPaC project number throughout the life of a project if possible.
- 3) Do not go to the IPaC "Step 3: Analyze project using the CPB".
- 4) Links to relevant PennDOT documents are here: https://www.fws.gov/apps/media/penndot-documents-pennsylvania