User’s Guide for the
Range-wide Programmatic Consultation
for Indiana Bat and Northern Long-eared Bat

Version 4.0, December 2016

Federal Highway Administration
Federal Railroad Administration
Federal Transit Administration
U.S. Fish and Wildlife Service
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*This version of the User’s Guide reflects changes in response to input from users and the completion of a programmatic biological opinion. The most current versions of supporting documents for this range-wide programmatic consultation, including the appendices listed above, are posted on the U.S. Fish and Wildlife Service’s Region 3 website.*
1 Introduction

This document provides guidance for the implementation of the range-wide programmatic consultation for the Indiana bat and northern long-eared bat (NLEB). This document is based on the May 2016 Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA) Programmatic Biological Assessment for Transportation Projects in the Range of the Indiana Bat and Northern Long-eared Bat (BA), and the U.S. Fish and Wildlife Service (Service) Programmatic Biological Opinion, dated May 20, 2016 (BO). The BO encompasses the previously released programmatic informal consultation, which has undergone minor revisions and now includes FTA projects. The Service, FHWA, FRA, and FTA jointly developed this User’s Guide to be instructional for both transportation agencies and Service Field Offices. We encourage feedback on the User’s Guide to facilitate updates and improvements, as necessary.

This User’s Guide provides:

- **Programmatic Scope and Effects Analysis Summary**: Actions appropriate for use of the range-wide programmatic consultation and key effects analysis decision points;
- **Standard Operating Procedure (SOP) for Project(s) Submission**: Guidance for project submission under the range-wide programmatic consultation for FHWA, FRA, FTA, and their respective designated non-federal representatives (henceforth “transportation agencies”) and SOPs for the Service’s review and tracking of the range-wide programmatic consultation;
- **Scoping Worksheet**: An optional worksheet to assist in the identification of potential project effects on both bat species and applicable AMMs to reduce effects to be discountable or insignificant (NLAA only) (Appendix A);
- **Project Submittal Form**: A form for transportation agencies to use for submitting project-level information to the appropriate Service Field Office (Appendix B);
- **Avoidance and Minimization Measures**: Summary of Avoidance and Minimization Measures (AMMs) to be implemented, as applicable, to reduce the potential effects of projects so as to be within the scope of the range-wide programmatic consultation (Appendix C); and
- **Bridge/Abandoned Structure Assessment Guidance and Form**: Guidelines to determine if any bat species are likely using bridges/structures, and a form for documenting and submitting a site-

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1 Provide feedback on the User Guide and Appendices to the appropriate agency contact listed in the box above.
specific bridge/abandoned structure assessment (Appendix D).

The Service encourages all parties who plan to use the range-wide programmatic consultation to review the BA if there are questions regarding interpretation. The BA contains detailed information on the proposed action, an analysis of the potential effects to the species and their resources, and support of effect determinations. The BA and implementation documents relevant for compliance with the range-wide programmatic consultation, as well as Service Field Office contacts are available at the Service’s Region 3 website at: http://www.fws.gov/midwest/endangered/section7/fhwa/index.html.

The BA covers the full range of both bat species within the United States, which includes all or part of the following States (plus the District of Columbia): Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

2 Programmatic Scope and Effects Analysis Summary

The range-wide programmatic consultation can be used for projects that may affect Indiana bats and/or NLEBs. However, Transportation Agencies may use any other applicable Endangered Species Act Section 7 consultation for projects that may affect the Indiana bat and/or NLEB. The Intra-Service Programmatic BO on the Final 4(d) Rule for the NLEB may be used for projects only affecting the NLEB. If both species are present in the action area, the programmatic consultation may be used in conjunction with the Intra-Service Programmatic BO on the Final 4(d) Rule, although it is not necessary. Projects impacting designated Indiana bat critical habitat are not included in this programmatic consultation.

This section provides examples of: 1) actions that are outside the scope of the programmatic consultation and may require additional or separate coordination with the appropriate Service Field Office; 2) actions that have no effect on either bat species, in which consultation with the Service is not required; and 3) actions that may affect either bat species. The scoping worksheet (Appendix A) is an additional tool to assist in determining potential project effects on both bat species, and the applicable AMMs to be implemented in order to reduce effects to be discountable or insignificant.

Note: In certain cases, the transportation agency or the Service Field Office may request additional up-front coordination to determine whether a project adheres to the scope of the range-wide programmatic consultation. This coordination could be initiated in one of two ways: 1) the transportation agency is uncertain whether or not a project is covered and contacts the appropriate Service Field Office, or 2) the transportation agency submits the project under the programmatic consultation, but the Service Field Office requests more information following the receipt of the Project Submittal Form. The Service’s request for additional information must be made within the 14-calendar day evaluation period for informal consultation or the 30-calendar day review period for formal consultation under the range-wide BO. The official evaluation period starts following the receipt of a complete Project Submittal Form. Transportation agencies are encouraged to coordinate with Field
There are also two outcomes for projects requiring additional coordination: 1) upon the acquisition of additional information (e.g., summer roosting, hibernacula, bridge roosting activity, etc.) or the implementation of site-specific AMMs,\(^2\) the project is determined to be within the scope of the range-wide programmatic consultation and the transportation agency and Service proceed using the range-wide BO, or 2) the project is determined to be outside the scope of the range-wide programmatic consultation, in which case separate consultation with the appropriate Service Field Office is necessary.

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\(^2\)If additional information is required or if site-specific AMMs are implemented in order to employ the programmatic consultation, the relevant transportation agency and Service Field Office are responsible for documenting those actions on the Project Submittal Form.
The following categories of activities are **NOT** covered by the range-wide programmatic consultation:

- Activities that remove documented **Indiana bat** roosting/foraging habitat\(^3\) or travel corridors\(^4\) between May 1 and July 31;

- Activities that remove documented **NLEB** roosts and/or trees within 150 feet of those roosts between June 1 and July 31;

- Activities within documented habitat that do not include tree removal, but involve percussives or other activities that increase noise above existing traffic/background levels;

- Activities that impact a known hibernaculum, or a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a known hibernaculum;

- Projects that raise the road profile above the tree canopy within 1,000 feet of known summer habitat (based on documented roosts and/or captures) **at any time of year**;

- Activities within 0.5 miles of a hibernaculum involving slash pile burning;

- Bridge and/or structure removal, replacement, or maintenance activities that make the bridge/structure no longer suitable for roosting (when assessment\(^5\) shows bat colonies are known to roost under the bridge/structure);

- A bridge or structure maintenance activity that is likely to disturb bats when a maternity colony of bats is documented to be present;

- Any activity **within 0.5 mile from an Indiana bat and/or NLEB hibernaculum unless those activities:**
  - Do not involve any construction, (e.g., bridge/abandoned structure assessments, property inspections, development of planning and technical studies, property sales, and equipment purchases; or
  - Are completely within existing road/rail surface\(^6\) (e.g., road line painting) and do not involve percussives or other activities that increase noise above existing traffic/background levels; or

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\(^3\) Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry bi-angulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.

\(^4\) Documented travel corridor - for the purposes of this BA, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

\(^5\) Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See User Guide Appendix D for bridge/abandoned structure assessment guidance).

\(^6\) Road surface is defined as the driving surface and shoulders (may be pavement, gravel, etc.) and rail surface is defined as the edge of the rail ballast.
o Are limited to the maintenance of existing facilities (e.g., rest areas, stormwater detention basins)
  ▪ For activities with no suitable summer habitat\(^7\) present, tree removal/trimming may occur but no ground disturbing activities.
  ▪ For activities with suitable summer habitat present, no tree removal/trimming or ground disturbing activities.

- Any activity greater than 0.5 mile from an Indiana bat and/or NLEB hibernaculum and outside 300 feet from existing road/rail surfaces \textit{at any time of year}, unless those activities:
  o Do not involve any construction, examples of non-construction activities include: 
    \textit{bridge/abandoned structure} assessments, property inspections, development of planning and technical studies, property sales, and equipment purchases; or
  o Are limited to maintenance of existing facilities (e.g., rest areas, stormwater detention basins); or
    ▪ For activities with no suitable summer habitat present, tree removal/trimming may occur but no ground disturbing activities.
    ▪ For activities with suitable summer habitat present, no tree removal/trimming or ground disturbing activities.
  o Are limited to wetland or stream protection activities associated with compensatory wetland mitigation that do not clear suitable habitat; or
  o Only involve slash pile burning; or
  o Have negative presence/probable absence (P/A) summer surveys.\(^8\)

\textbf{2.2 Actions That Will Have No Effect on Bats and/or Indiana Bat Critical Habitat}

Some projects for reasons of location or activity type will have “no effect” on the bat species or Indiana bat designated critical habitat.

The following categories of activities result in “no effect” with respect to Indiana bat, designated Indiana bat critical habitat, and NLEB:

- Project(s) outside the species’ range\(^9\);

- Project(s) inside the species range with no suitable summer habitat\(^10\); must also be greater than 0.5 miles from any hibernaculum unless meeting exceptions listed below; and

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\(^7\) See the USFWS’s current summer survey guidance for our latest definitions of suitable habitat.

\(^8\) P/A summer surveys conducted within the fall swarming/spring emergence range of a documented Indiana bat hibernacula (contact local Service Field Office for appropriate \textit{distance from hibernacula}) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

\(^9\) See \url{http://ecos.fws.gov/speciesProfile/profile/speciesProfile?spcode=A000}

\(^10\) Refer to \url{http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html}
Activities (anywhere, including within 0.5 mile of hibernacula) that do not involve any construction activities, examples of non-construction activities include: bridge/abandoned structure assessments, property inspections, planning and technical studies, property sales, property easements, and equipment purchases; or

Activities (anywhere, including within 0.5 mile of hibernacula) conducted completely within the existing road/rail and do not involve percussive or other activities that increase noise above existing traffic/background levels (e.g., road line painting); or

Activities (anywhere, including within 0.5 mile of hibernacula) outside suitable summer bat habitat that are limited to the maintenance of existing facilities (e.g., rest areas, stormwater detention basins) with no new ground disturbance.

- A bridge or structure project that has been assessed using the criteria documented in the BA and has no signs of bats.

For activities identified above that result in “no effect” to the Indiana bat, designated Indiana bat critical habitat, or NLEB, the transportation agency documents “no effect” on the Project Submittal Form (Appendix B) for their files. No coordination with the Service is required.

2.3 Actions That May Affect Bats

For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

Actions NLAA

Projects occurring near suitable habitat (e.g., non-forested area between patches of suitable habitat that Indiana bat or NLEB would typically cross) or within suitable habitat may affect the Indiana bat or NLEB. Some of these projects may have a discountable or insignificant effect on either bat species and thus are considered NLAA actions.

Such activities that are NLAA include:

- Projects inside the species range and within suitable bat habitat, but with negative bat P/A summer surveys\(^\text{11,12}\) (must also be greater than 0.5 mile from any hibernaculum);

\(^{11}\) Refer to [http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html](http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html)

\(^{12}\) P/A summer surveys conducted within the fall swarming/spring emergence range of a documented Indiana bat hibernacula (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.
• Activities within 300 feet of the existing road/rail surface and in areas that contain suitable habitat (but no documented habitat) that do not involve tree removal, but include percussives or other activities that increase noise above existing traffic/background levels (must also be greater than 0.5 miles of a hibernaculum);

• Activities anywhere that are limited to slash pile burning (must also be greater than 0.5 miles of a hibernaculum);

• Activities anywhere that are limited to wetland or stream protection activities associated with compensatory wetland mitigation that do not clear suitable habitat (must also be greater than 0.5 miles of a hibernaculum); and

• Activities (anywhere, including within 0.5 mile of hibernacula), with suitable summer bat habitat present that are limited to the maintenance of existing facilities (e.g., rest areas, stormwater detention basins) with no new ground disturbance or tree removal/trimming.

For activities identified above that result in “may effect, NLAA” to the Indiana bat or NLEB, the transportation agency will complete and email the Project Submittal Form (Appendix B) to the lead Service Field Office, which will observe a 14-calendar day evaluation period from receipt of submittal form.

Actions NLAA with AMMs

As identified above, transportation projects occurring near or within suitable habitat “may affect” the Indiana bat or NLEB. In many such circumstances, the implementations of AMMs (Appendix C) are required for the project to reach NLAA for both bat species.

Transportation projects that meet the conditions listed below, and implement all applicable AMMs are NLAA Indiana bats or NLEBs:

• Tree removal that:
  o Occurs greater than 0.5 mile from any hibernacula; and
  o Occurs within 100 feet of existing road/rail surfaces; and
  o Is clearly demarcated, and
  o Does not alter documented roosts and/or surrounding summer habitat within 0.25 mile of documented roosts; and
  o Occurs outside the active season (i.e., winter).

• Lighting that does not increase illumination above ambient conditions and that incorporates full cut-off, downward facing lights directed away from forested areas.

AND / OR
• Structure or bridge maintenance that:
  o Is outside the active season; and
  o Does not alter roosting potential; and
  o Includes any applicable lighting minimization measures.

• Structure maintenance that:
  o Is during the active season, and does not disturb or harass roosting bats in any way (e.g. activity away from roosts inside); and
  o Does not alter roosting potential; and
  o Includes any applicable lighting minimization measures.

• Bridge maintenance that:
  o Is during the active season, and does not disturb roosting bats in any way, including:
    ▪ Above deck work that does not drill down to the underside of the deck or include percussives (vibration) or noise levels above general traffic;
    ▪ Below deck work that is conducted away from roosting bats and does not involve percussives or noise levels above general traffic (e.g., wing-wall work, abutment, beam end, scour, or pier repair); and
  o Does not alter roosting potential; and
  o Includes any applicable lighting minimization measures.

For activities identified above that result in “may effect, NLAA” to the Indiana bat or NLEB with the implementation of all applicable AMMs, the transportation agency will complete and email the Project Submittal Form (Appendix B) to the lead Service Field Office, which will observe a 14-calendar day evaluation period from receipt of submittal form.

Actions LAA

If adverse effects to either bat species cannot be avoided, formal consultation with the Service is required. The following project criteria within the scope of the range-wide programmatic consultation are likely to adversely affect the Indiana bat and/or northern long-eared bat.

Project Criteria for Tree Removal Conditions:

• All tree removal must:
  o Occur greater than 0.5 mile from hibernacula; and
  o Be within 300 feet of existing road/rail ballast; and
  o Be clearly demarcated.

• Projects within suitable bat habitat, but no documented Indiana bat roosting/foraging
habitat or travel corridors must:
  o Occur during the winter season 100-300 feet from existing road/rail surface; or
  o Occur during the active season (except May, June, July) within 0-300 feet from existing road/rail surface; or
  o Occur during May, June, July of the active season within 0-300 feet from existing road/rail surface, and include limited clearing such that all trees can be visually assessed – see BA for more instructions; or

• Projects within **documented** Indiana bat roosting/foraging habitat or travel corridors must:
  o Occur during the winter season within 0-300 feet from existing road/rail surface; or
  o Occur during the active season (except May, June, July) within 0-300 feet of existing road/rail surface.

• Projects within **suitable bat habitat, but no documented** NLEB roosting/foraging habitat or travel corridors must:
  o Occur during the winter season 100-300 feet from existing road/rail surface; or
  o Occur during the active season within 0-300 feet from existing road/rail surface.

• Projects within **documented** NLEB roosting/foraging habitat or travel corridors must:
  o Occur during the winter season within 0-300 feet from existing road/rail surface; or
  o Occur during the active season (except known NLEB roosts and trees within 150 feet of those roosts in June and July) within 0-300 feet from existing road/rail surface.

**Project Criteria for Bridges/Structures:**

• Structure or bridge maintenance that:
  o Is during the active season; and
  o Has **no** signs of a maternity colony (no more than 5 bats estimated to be present); and
  o Does not alter roosting potential; and
  o May or may not result in disturbance or death to a small number of bats.
Table 1: Summary of project criteria for tree removal conditions likely to adversely affect the Indiana bat and/or northern long-eared bat; and is within the scope of the range-wide programmatic consultation.

<table>
<thead>
<tr>
<th>Distance to existing road/rail surface</th>
<th>Habitat Type</th>
<th>Allowed Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-300 feet</td>
<td>No documented Indiana bat or NLEB roosting/foraging habitat or travel corridors</td>
<td>Winter</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>Documented Indiana bat or NLEB roosting/foraging habitat or travel corridors</td>
<td>Winter</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>No documented Indiana bat roosting/foraging habitat or travel corridors</td>
<td>Active season except May 1 to July 31</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>No documented Indiana bat roosting/foraging habitat or travel corridors – limited clearing such that all trees can be visually assessed</td>
<td>May, June, July</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>Documented Indiana bat roosting/foraging habitat or travel corridors</td>
<td>Active season except May 1 to July 31</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>No documented NLEB roosting/foraging habitat or travel corridors</td>
<td>Active season</td>
</tr>
<tr>
<td>≤300 feet</td>
<td>Documented NLEB roosts and trees within 150 feet of those roosts</td>
<td>Active season except June 1 to July 31</td>
</tr>
</tbody>
</table>

Note: All tree removal must occur greater than 0.5 mile from hibernacula.

*For activities identified above that result in “may effect, LAA” to the Indiana bat or NLEB with the implementation of all applicable AMMs, the transportation agency will complete and email the Project Submittal Form (Appendix B) to the lead Service Field Office, which will observe a 30-calendar day evaluation period from receipt of submittal form.*
3 Standard Operating Procedure for Site-Specific Project(s) Submission

Please use the following procedure to submit site specific transportation project(s) for inclusion in the range-wide programmatic consultation and to record project-specific information.

3.1 Process for Transportation Agencies

Step 1 - Begin Notification/Submittal Process

To begin this step, the applying transportation agency will go to the Information for Planning and Conservation (IPaC) website at http://ecos.fws.gov/ipac/ and follow these steps:13

- Enter project location and define project action area,
- Request an official species list,
- Enter project information (name, description, classification/type, etc.),
- Enter requesting agency name and contact information, and
- Check the box to verify your project and submit request.

After an initial e-mail confirmation that the request has been submitted, the transportation agency contact will receive a follow-up email with an attached official species list, an attached GIS file of their project location, the appropriate Service Field Office contact(s) information, and the consultation code(s) associated with the species list. Should a project span multiple Service Field Office jurisdictions, the transportation agency will be provided with more than one Service Field Office contact and consultation code. For transportation actions that cross jurisdictional boundaries (e.g., from one State DOT to another), one transportation entity should take the lead in implementing this process and determining whether the action, as a whole, meets the requirements for inclusion in the range-wide programmatic consultation.

Step 2 – Determine Adherence to Scope and Submit Form

The transportation agency will determine whether or not the proposed project adheres to the scope and criteria of the range-wide BA (optional use of the scoping worksheet in Appendix A may be used to help make this determination). If so, unless the determination is NE, the transportation agency shall submit a Project Submittal Form (or a comparable Service approved form), which includes the identification of AMMs and if applicable, compensatory mitigation measures required to offset adverse effects on the Indiana bat, to the email addresses of the appropriate Service Field Offices.

3.2 Process for Lead Service Field Office

TAILS

13 Transportation agencies may coordinate with the appropriate Service Field Office to develop a separate process for requesting a site-specific project be included in the range-wide programmatic consultation. However, the Project Submittal Form must be provided
Upon receiving the Project Submittal Form from a transportation agency, the lead Service Field Office will update the project(s) TAILS Activity in the Environmental Conservation Online System (ECOS) Tracking and Integrated Logging System (TAILS) using the consultation code(s) from the Project Submittal Form. If a separate process other than IPaC is used by the transportation agency, the lead Service field office (upon receiving the Project Submittal Form) will create a Section 7 Consultation Activity in ECOS-TAILS for the specific project(s) following their office’s data entry procedures and the process described above.

Each Service Field Office will follow their office’s data entry procedures for ECOS-TAILS as well as the processes described below. The following process is required to enter additional project-specific information and “position/associate” the Activity in the appropriate Programmatic Bundle.

- Go to ECOS-TAILS at https://ecos.fws.gov/tails.
- Perform a Section 7 Consultation search or report and navigate to the TAILS Activity associated with the consultation code provided in the Project Submittal Form.
- Go to Edit – Core information:
  - Consultation Type – you will be changing the Activity from Species List to Informal or Formal Consultation via “Add Event” as described below (leave blank under Core Information).
  - Species – select all species requiring consultation for the project(s).
  - Staff Lead – select individual (identify additional staff within the “Staff” field).
  - Lead Agency – Note that this refers to the Federal governmental lead action agency initiating consultation; change to/select FHWA or FRA or FTA under DEPT OF TRANSPORTATION as appropriate.
  - Supporting Agency – this is an optional field and refers to Federal or non-Federal agencies (other than the Lead Agency) involved in the activity; the Supporting Agency is often the requesting transportation agency listed on the Project Submittal Form.
  - Consultation Complexity – select Programmatic Project-Level
  - Start Date – reset to date in which a completed Project Submittal Form was received
  - Due Date – enter either “14” in the “Standard Days until Due” field for Informal Consultation or “30” in the “Standard Days until Due” field for Formal Consultation and click on the “Compute” button (this will calculate the Due Date as being 14 or 30 calendar days out from the Start Date)
  - Conclusion Date – reset to date the Service completed optional review
  - Click SAVE
- Go to Edit – Bundles

14 If a separate process other than IPaC is used by the transportation agency, the lead Service field office (upon receiving the Project Submittal Form) will create a Section 7 Consultation Activity in ECOS-TAILS for the specific project(s) following their office’s data entry procedures and the process described above.

15 Information entered into IPaC is transferred to ECOS-TAILS as a Section 7 Species List (IPaC-Generated) Activity, in which “project name” translates to the TAILS Activity Title, the “project description” translates to the TAILS Activity Description, and the “project classification/type” translates to the TAILS Action/Work Type.

16 If a separate process other than IPaC is used by the transportation agency, the lead Service field office will create an original Section 7 Consultation Activity in ECOS-TAILS for the specific project(s).
o Search for Bundle Code 09E00000-2015-B-0002 titled “FHWA, FRA, FTA Indiana bat/Northern long-eared bat Programmatic Consultation”
o Select “Add” to position/associate the Activity to the selected Bundle

• Go to Edit – Biological Conclusion
  o Biological Conclusions By Species – select effects determination/consultation type for each species
  o Take – for projects LAA either bat species, type the following information (as quoted):
    ▪ “Type – loss or alteration of forested habitat”
    ▪ “Number – [enter number rounded to hundreds] acres of forested habitat”
    ▪ “Timing – [enter ‘active season’ or ‘winter’]”
    ▪ “Phase – [enter life stage of ‘pups’ and/or ‘adults’]”
  o Click SAVE
    ▪ After the project is completed, should the State or local transportation agency report the discovery of a dead or injured Indiana bat and/or NLEB, type the following information into the Take field under Biological Conclusion:
      ▪ “Type – individual”
      ▪ “Number – [enter number] Indiana bat(s)” and/or
      ▪ “Number – [enter number] NLEB(s)”

• Go to Events – Add Event
  o Event Date – reset to date a completed Project Submittal Form was received
  o Type – select “Change in Consultation Type”
  o New Consultation Type (activated only with above Event Type) – select “Informal Consultation’ if ALL species require informal consultation
  o New Consultation Type (activated only with above Event Type) – select “Formal Consultation” if ANY species require formal consultation (even if other non-bat species require informal consultation, including Indiana bat and NLEB)
  o Description – type “2015-2016 FHWA/FRA/FTA range-wide programmatic consultation for Indiana bat and NLEB”
  o Staff – enter name of Service person who is the contact for the project
  o Select “Create” to complete the Event

• Go to Events – Add Event
  o Event Date – reset to date a completed Project Submittal Form was received
  o Type – select “Additional Project Information Received”
  o Description – for projects NLAA either bat species only, include the following information in your Event Description:
    ▪ Identify the affected resource/habitat type (e.g., tree, bridge, other non-tree roosting structure, etc.) and acres of tree habitat removed, if applicable.
  o Staff – select who is creating the EventElectronic File – upload the completed Project Submittal Form and Bridge/Abandoned Structure Assessment Form (if applicable) received from the transportation agency; and select “Available Beyond FWS”
  o File Categories – select “Event General”
  o Select “Create” to complete the Event
FWS Response

No response from the lead Service Field Office is required if you agree that the transportation agency’s project correctly falls within the scope of the programmatic NLAA determination. The lead Service Field Office should contact the transportation agency immediately if there are any questions or concerns about their determination.

The lead Service Field Office must respond to the transportation agency for any projects that fall within the scope of the programmatic LAA determination for either the Indiana bat and/or the NLEB. This response should happen within 30 days of receipt of the complete consultation package. There is a template Service response letter available for use.

Appendix A – Scoping Worksheet (Optional Use)
The scoping worksheet is an optional worksheet that may be used to help determine what type of an effect a project may have on either bat species; and identify AMMs to be implemented, as applicable, to reduce the effects to be discountable or insignificant, and thus considered NLAA either bat species. The most current scoping worksheet is available at the Service’s Region 3 website: http://www.fws.gov/midwest/endangered/section7/fhwa/index.html

Appendix B - Project Submittal Form
In order to use the range-wide programmatic consultation, project-level information shall be provided to the appropriate Service Field Office for all “may affect” determinations. The most current Project Submittal Form is available at the Service’s Region 3 website: http://www.fws.gov/midwest/endangered/section7/fhwa/index.html

Appendix C - Avoidance and Minimization Measures
The most current summary of AMMs necessary to reduce the potential effects of projects so as to be within the scope of the range-wide programmatic consultation is available at the Service’s Region 3 website: http://www.fws.gov/midwest/endangered/section7/fhwa/index.html

Appendix D – Bridge/Abandoned Structure Assessment Guidance and Form
The guidelines in this document describe favorable characteristics of bridges/structures that may provide habitat for many bat species, and preliminary indicators intended to determine if any bat species are likely using bridges/structures. An assessment form is also included for use in documenting a site-specific bridge/abandoned structure. The most current bridge/abandoned structure assessment guidance and form are available at the Service’s Region 3 website: http://www.fws.gov/midwest/endangered/section7/fhwa/index.html