

Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA)

Range-wide Programmatic Consultation for
Indiana Bat and Northern Long-eared Bat

Project Submittal Form

Updated June 2019

The use of the Assisted Determination Key in the U.S. Fish and Wildlife Service (Service) Information for Planning and Conservation (IPaC) System is strongly recommended for submitting project-level information to the Service for use of the range-wide programmatic consultation covering actions that may affect the Indiana bat and/or northern long-eared bat (NLEB). However, if not using the key, transportation agencies must provide this submittal form (or a comparable Service approved form) with project-level information to the Service. The completed form should be submitted to the appropriate Service Field Office prior to project commencement. For more information, see the Standard Operating Procedure for Site Specific Project(s) Submission in the User's Guide (Section 3).

By submitting this form, the transportation agency ensures that each component of the proposed project(s) adheres to the criteria and conditions of the range-wide programmatic consultation, as outlined in the biological assessment (BA) and biological opinion (BO). Upon submittal of this form, the appropriate Service Field Office may review the project-specific information provided and request additional information. For projects that may affect, but are not likely to adversely affect (NLAA) the Indiana bat and/or NLEB, if the applying transportation agency is not contacted by the Service with any questions or concerns within 14 calendar days of form submittal, it may proceed under the range-wide programmatic consultation and assume concurrence of the NLAA determination made by the Service in the BO. For projects that may affect, and are likely to adversely affect (LAA) the Indiana bat and/or the NLEB, the appropriate Service Field Office will respond¹ within 30 calendar days of receiving a complete project-level submission, which includes, but may not be limited to this completed form.

Further instructions on completing the submittal form can be found by hovering your cursor over each text box.

1. Date:

2. Lead agency:

*This refers to the **Federal governmental** lead action agency initiating consultation; select **FHWA, FRA or FTA** as appropriate.*

3. Requesting agency:

This refers to the transportation agency completing the form (it may or may not be the same as the Lead Agency).

- Name:

¹ Service Field Offices should use the response letter template for projects that may affect, and are likely to adversely affect the Indiana bat and/or NLEB.

- Title:
- Phone:
- Email:

4. Consultation code:²

5. Project name(s):

6. Project description:

Please attach additional documentation or explanatory text if necessary.

7. Project location (county, state):

If not delineated in IPaC, attach shape files.

8. For species other than Indiana bat and NLEB (from IPaC official species list):

No effect – project(s) are inside the range, but no suitable habitat (see additional information attached).

May affect – see additional information provided for those species (see attached or forthcoming).

Please confirm and identify how each component of the proposed project(s) adheres to the criteria of the BO by completing the following (see User Guide Section 2.0):

² Available through IPaC System Official Species List: <https://ecos.fws.gov/ipac/>

NO EFFECT

9. For Indiana bat/NLEB, if applicable, select your no effect determination:

No effect – project(s) are outside the species' range.

No effect – project(s) are inside the species range with no suitable summer habitat within the project action area; project(s) must also be greater than 0.5 miles from any hibernaculum unless meeting exceptions listed below.

No effect – project(s) do not involve any construction activities³ (e.g., bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales).

No effect – project(s) do not cause any stressors to the bat species, including as described in the BA/BO (i.e., do not involve habitat removal, tree removal/trimming, bridge or structure activities, temporary or permanent lighting, or use of percussives (e.g., lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.)).

No effect - project(s) within 0.5 mile of hibernacula that are limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins) located outside suitable summer habitat – no new ground disturbance.⁴

No effect – project(s) are within 300 feet from the existing road/rail surface surface (must also be greater than 0.5 miles of a hibernacula) that include percussives or other activities that increase noise above existing traffic/background levels:

- within areas that contain suitable habitat (**documented or undocumented**),
- conducted during the inactive season, and
- does not involve tree removal/trimming or bridge/structure work.

No effect – project(s) includes removal, replacement, or maintenance of bridge(s) and/or structure(s) without any signs of bats (bridge/structure assessment documents no sign of bat use (bats, guano, etc.)) and does not impact suitable summer habitat within the project action area.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

³ Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

⁴ Ground disturbance is defined as any activity that compacts or disturbs the ground. Ground disturbance can be caused by the use of hand tools (shovels, pick axe, posthole digger, etc.), heavy equipment (excavators, backhoes, bulldozers, trenching and earthmoving equipment, etc.), and heavy trucks (large four wheel drive trucks, dump trucks and tractor trailers, etc.). Note that ground disturbance can be a component of other actions (e.g., bulldozing trees). Contact the local Service Field Office, as needed, to assist in determining if and how ground disturbance may affect bat hibernacula.

MAY AFFECT, NOT LIKELY TO ADVERSELY EFFECT – W/O AMMS

10. For Indiana bat/NLEB, if applicable, select your may affect, NLAA determination (without implementation of AMMs):

NLAA – project(s) are inside the species range and within suitable bat habitat, but **negative** bat presence/absence (P/A) surveys; must also be greater than 0.5 miles from any hibernaculum.

NLAA – project(s) are within 300 feet of the existing road/rail surface (must also be greater than 0.5 miles of a hibernacula) that include percussives or other activities that increase noise above existing traffic/background levels:

- within areas that contain **undocumented** habitat
- conducted during the **active season**
- does not involve tree removal/trimming or bridge/structure work.

NLAA – project(s) are limited to slash pile burning (must also be greater than 0.5 miles from any hibernaculum).

NLAA – project(s) are limited to wetland or stream protection activities associated with compensatory wetland/stream mitigation that do not clear suitable habitat (must also be greater than 0.5 miles from any hibernaculum).

NLAA – project(s) within 0.5 mile of hibernacula that are limited to the maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins) located within suitable summer habitat – no new ground disturbance or tree removal/trimming.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

MAY EFFECT, NOT LIKELY TO ADVERSELY AFFECT – WITH AMMs

11. For Indiana bat/NLEB, if applicable, document your may affect, NLAA determination (**with implementation of AMMs**) by completing the following section; use #13 to document AMMs).

Affected Resource/Habitat Type:

- a. Trees

Verify that the project is within 100 feet of existing road/rail surfaces.

Verify that all tree removal/trimming occurs greater than 0.5 mile from any hibernaculum.

Verify that all trees to be removed/trimmed are clearly demarcated.

Verify that no documented Indiana bat and/or NLEB roosts and/or surrounding summer habitat within 0.25 mile of documented roosts will be impacted.

Verify that all tree removal/trimming will occur outside the active season (i.e., will occur in winter):⁵

Or

Verify that tree removal/trimming will include 10 or fewer trees⁶ per project during the active season, and visual emergence survey⁷ observed no bats. Acres of trees 0-100 feet of existing road/rail surface proposed for removal/trimming:

Verify that all applicable lighting minimization measures will be implemented.

b. Bridge/Structure Work

Projects Proposed work:

Timing of work:

Signs of bat activity on/in bridge/structure? Yes: No:

Verify that work will be conducted outside the active season, or if during the active season, verify that no roosting bats will be harmed or disturbed in any way:⁸

Verify that work will maintain suitable roosting habitat.⁹

Verify that all applicable lighting minimization measures will be implemented.

Proceed with this form to identify how other components of the proposed project adhere to the criteria of the BO.

MAY AFFECT, LIKELY TO ADVERSELY AFFECT

12. For Indiana bat/NLEB, if applicable, document your may affect, LAA determination by completing the following section (use #13 to document AMMs).

⁵ Coordinate with the local Service Field Office for appropriate dates.

⁶ Areas containing more than 10 trees will be assessed by the local Service Field Office on a case-by-case basis with the project proponent.

⁷ Refer to <http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html>

⁸ See page 12 of the User Guide for a description of activities that are NLAA roosting bats during the active season.

⁹ This only applies when assessment documents signs of bat use of when bat use is assumed.

Affected Resource/Habitat Type:

a. Trees

Project Location:

0-100 feet from edge of existing road/rail surface

100-300 feet from edge of existing road/rail surface

Verify that all tree removal/trimming occurs greater than 0.5 mile from any hibernaculum

Timing of tree removal/trimming:

Verify that no documented Indiana bat roosts or surrounding summer habitat within 0.25 mile of documented roosts will be impacted between May 1 and July 31.

Verify that no documented NLEB roosts or surrounding summer habitat within 150 feet of documented roosts will be impacted between June 1 and July 31.

Acres of trees 0-100 feet of existing road/rail surface proposed for removal/trimming:

Acres of trees 100-300 feet of existing road/rail surface proposed for removal/trimming:

Verify that all applicable lighting minimization measures will be implemented.

b. Bridge/Structure Work Projects

Proposed work:

Timing of work:

Verify no signs of a maternity colony.

Verify that work will maintain suitable roosting habitat.¹⁰

Verify that all applicable lighting minimization measures will be implemented.

13. For Indiana bat/NLEB, if applicable to the action type, the following AMMs will be implemented¹¹ unless P/A surveys and/or bridge/structure assessments document that

¹⁰This only applies when assessment documents signs of bat use or when bat use is assumed.

¹¹See AMMs Fact Sheet (Appendix C) for more information on AMMs.

the species are not likely to be present:

General AMM 1 (required for all projects)

Tree Removal AMM 1

Tree Removal AMM 2 (required for NLAA)

Tree Removal AMM 3 (required for all projects)

Tree Removal AMM 4 (required for NLAA)

Tree Removal AMM 5 (required for LAA)

Tree Removal AMM 6 (required for LAA)

Tree Removal AMM 7 (required for LAA)

Bridge AMM 1

Bridge AMM 2 (required for NLAA during active season)

Bridge AMM 3 (required for NLAA during active season)

Bridge AMM 4 (required for all projects)

Structure AMM 1 (required for all projects for Indiana bat and required for NLAA for NLEB)

Structure AMM 2 (required for NLAA for both bat species) or

Structure AMM 3 (required for NLAA for both bat species)

Structure AMM 4 (required for all projects for Indiana bat and required for NLAA for NLEB)

Lighting AMM 1 (required for all projects during the active season)

Lighting AMM 2 (required for all projects)

Hibernacula AMM 1 (required for all projects)

14. For Indiana bat, if applicable, compensatory mitigation measures will also be required to offset adverse effects on the species (see Section 2.10 of the BA). Please verify the mechanism in which compensatory mitigation will be implemented and that sufficient information is provided to the Service.

Range-wide In-Lieu Fee Program, The Conservation Fund

State, Regional, Recovery Unit-Specific In-Lieu Fee
Program Name:

Conservation Bank

Name:

Location:

Local Conservation Site(s)

Name:

Location:

Description: