APPENDIX G: THE OUTER–TIER GUIDANCE

Since early radio-tracking studies in Illinois, it has become standard practice for USFWS FOs to assume that an Indiana bat maternity colony will utilize suitable habitat within approximately 2.5 miles of its primary roost tree(s)/focal roosting area. However, if a reproductive adult female or juvenile Indiana bat is captured (or Indiana bats are acoustically detected), but not radio-tracked to a roost site, then FOs typically assign its capture site a 5-mile conservation buffer and assume that its roost tree is located somewhere within 2.5 miles of the capture site. This approach is further detailed in the Service’s Indiana Bat Section 7 and Section 10 Guidance for Wind Energy Projects. 

NOTE: The same principles used for Indiana bat can be used for NLEB pertaining to NLEB capture/detections having been assigned a 3-mile conservation buffer.

Because a 5-mile buffer encompasses four times more area than a 2.5-mile buffer (50,265 acres vs. 12,566 acres), it is reasonable to assume that only 25% of a 5-mile buffered area is actually occupied by the documented Indiana bat maternity colony at any given time and that 75% remains unoccupied or could be used by members of another as yet undocumented colony(s). Therefore, if a subsequently proposed project is either ≤123 acres in size or affects ≤1% of existing suitable summer habitat within a 5-mile buffer (whichever is greater), but is situated ≥2.5 miles from the original capture/detection site, then it will have a relatively low probability of being within the true maternity colony home range (assuming suitable habitat is more or less evenly distributed in all directions from the capture site). Allowing project proponents of such “outer tier” projects to conduct a P/A survey for Indiana bats using the standard survey level of effort (LOE) (as outlined in Appendix B and C) in such cases is reasonable and the additional survey data would 1) help refine the home range boundaries of the original colony, 2) confirm presence of additional colonies if present, 3) provide additional radio-tracking opportunities /roost tree locations, and 4) provide an option for project proponents to survey instead of always assuming presence. NOTE: A FO may decide not to approve an outer-tier survey under the following circumstances: (1) If available forest habitat with a 5-mile buffer is not more-or-less evenly distributed, but rather is highly clumped or restricted to a relatively narrow strip(s) (e.g., a riparian corridor); (2) <10% of a 5-mile buffer contains suitable summer habitat; or (3) other site-specific reasons.

If a project proponent of an “outer-tier” project coordinates with a USFWS FO upfront and conducts a valid summer mist-netting (Appendix B) or acoustic (Appendix C) survey using the appropriate LOE and does not capture/detect an Indiana bat(s), then no Indiana bat-related restrictions will be required for that specific project area. However, all restrictions/assumptions of Indiana bat presence outside of a completed outer-tier project survey area shall remain intact indefinitely within the 5-mile buffer zone or until additional negative survey data or discovery of roost trees indicate adjustments to a buffer are warranted by USFWS. Negative survey results from “outer-tier” projects are valid for 5 years for that particular project area. If an Indiana bat(s) is captured/detected/radio-tracked during the survey, then the project area will be presumed to be occupied, restrictions will remain in place, and the FO will reassess/adjust the original buffer(s) if warranted using the newly acquired bat location data.

A MYSO was captured at Site X, but not tracked to a roost tree during P/A surveys for Project A so the FO assigned it a standard 5-mile buffer.

Project B falls within the 5-mile buffer of Project A’s MYSO detection /capture, but because it is more than 2.5 miles away from X, it has a relatively low probability of falling within the true maternity colony home area (assuming suitable habitat is more or less evenly distributed in all directions from the capture site).

Therefore, allowing proponents of Project B to conduct their own P/A survey for MYSO at the standard LOE in this “outer tier” case would be reasonable AND obtaining additional P/A survey data could help refine the maternity colony’s true location and/or document roost trees.
Conceptual cases where Project B may fall within a 5-mile buffer, but is outside of a MYSO colony area previously documented at capture site x.