

Using USFWS's IPaC System for Listed Bat Consultation for INDOT Projects

As of October 30, 2017, all environmental document preparers coordinate through the U.S. Fish and Wildlife Services (USFWS) online Information for Planning and Consultation (IPaC) system. IPaC is a guided analysis of project impacts and streamlines coordination with USFWS under the Rangewide Programmatic Agreement for the Indiana bat and northern long-eared bat. The Rangewide Programmatic Agreement is based on a biological opinion which can be found on the USFWS Section 7 website: <https://www.fws.gov/MIDWEST/Endangered/section7/fhwa/index.html>.

For information on Indiana Department of Transportation's (INDOT) implementation of the Rangewide Programmatic Agreement, see materials on the INDOT Environmental Policy [website](#). This programmatic consultation process applies to only projects that have a federal nexus (federal funding, federal permits, federal oversight, etc.) involving FHWA, FRA, and FTA. The programmatic consultation only covers the Indiana bat and the northern long-eared bat, so preparers must coordinate on other listed species through INDOT's other species procedures located on the INDOT Environmental Policy [website](#), if applicable. Please note, all protected species coordination and questions start with the appropriate INDOT District Environmental. USFWS should not be coordinated with prior to INDOT.

The web site, <https://ecos.fws.gov/ipac/>, is fairly self-explanatory. It also contains a useful FAQ and a tutorial. Please note, IPaC is undergoing many ongoing updates. If there are questions about completing IPaC, or if new or out of the ordinary information is requested, please coordinate with the appropriate INDOT District Environmental prior to completing the IPaC information.

Another helpful resource when completing the IPaC is INDOT's Protected Species guidance located on the INDOT Environmental Policy [website](#). Additional information regarding completing the IPaC, interpreting the IPaC determination key questions, bridge/structure inspections, common USFWS definitions, etc. can be found in the document.

USFWS uses the data in the IPaC to track project documentation and report on various aspects of the Rangewide Programmatic Agreement. Projects can be entered into the IPaC by consultant preparers but must be verified for completeness and correctness by an environmental employee of a signatory transportation agency. In this case, the verifier is INDOT.

The following information should be available when you start: USFWS database check results (INDOT 0.5-mile bat review), the USFWS species list for the project area, bridge/structure inspection(s), site visit observations, suitable summer habitat assessment results (if applicable), INDOT Bat Guano Collection file (if applicable), and specific project details such as: scope of work, the project limits, timing of proposed work, vegetation removal, additional lighting, etc.

Instructions for Document Preparers:

1. Locating your project: Upload the correct shapefile for the footprint of your project (if available). Otherwise, the project location will need drawn into the IPaC.
2. Naming your project: Name your project so it can be found again. At a minimum, use the project Designation Number(s) (DES), primary road name/number, and a short project description in the title (i.e., Bridge Project, Small Structure Project, Roadway Project). If uncertain what to use as a name, work out a descriptive name with the appropriate INDOT District Environmental.

3. Project Description: This should describe the project according to what is of interest to USFWS, not the full project description that will be included in the environmental document. Please note, the project description box in IPaC has a character limit, so only information that is of interest to USFWS should be included. The USFWS requires the following information:
 - Scope of work, the project limits, and bridge/structure(s) involved (include bridge number and NBI number/structure number if applicable).
 - Suitable summer habitat located within or adjacent to the project, how much of it will be trimmed and/or removed in acres, species of dominant trees to be removed, and when it will be removed (i.e. inactive bat season, season and year).
 - Include the amount of tree trimming and/or clearing needed for the project. If the project requires tree clearing beyond 100ft from the existing roadway, break out tree clearing in the project description to include distance where clearing will occur. For example, the project will require a total of 10 acres of tree removal. 4 acres will be removed within 100ft of the roadway and 6 acres will be removed 100-300ft from the roadway.
 - It is important to be accurate with the amount of tree trimming and/or clearing needed for the project. If tree trimming and/or clearing amounts change after the environmental document is approved, re-coordination with INDOT and USFWS must occur. This might cause additional project costs and project timing delays.
 - The results of the INDOT 0.5-mile bat review by the appropriate INDOT District Environmental include captures, roosts, maternity colonies, and hibernacula. This INDOT 0.5-mile bat review must be completed prior to IPaC, and the project description must include the date of the review.
 - If something is found during the INDOT 0.5-mile bat review make sure to describe any locations close to the project area in general terms. Do not include exact locations. For example, 2 Indiana bat captures were found close to the project area.
 - Refer to the most current INDOT Protected Species guidance located on the INDOT Environmental Policy [website](#) regarding the determination of documented bat habitat.
 - There is not currently an expiration date on INDOT 0.5-mile bat reviews, however, the GIS layer data gets updated periodically with USFWS field information. In the future there might be an expiration on the INDOT 0.5-mile bat reviews. If several years have passed (more than 3) since the last INDOT 0.5-mile review, it is highly recommended that the INDOT 0.5-mile bat review be completed again to ensure there is no new bat habitat near the project area.
 - Refer to the most current INDOT Protected Species guidance located on the INDOT Environmental Policy [website](#) regarding when tree clearing dates must be adjusted.
 - Results of the bat inspection of the bridge/structure(s). This will come from Bridge Inspection Application System (BIAS) and/or environmental inspection(s). This also includes any structure or building that will be removed due to the project. Please note, if bats or signs of bats are found during the inspection, coordination will need to occur with the appropriate INDOT District Environmental as soon as possible. Likely, the next step would be to collect guano for analysis which may be time sensitive. Refer to the most current INDOT Protected Species guidance on the INDOT Environmental Policy [website](#) for additional information about finding bats and/or signs of bats.
 - Describe the estimated timing of construction (not the letting date).
 - Discuss temporary or permanent lighting needs.
 - If the project will require mitigation, under the In-Lieu Fee Program, include the In-lieu fee calculation (amount in acres of tree clearing x ratio x (current dollar amount for IN) = dollars for mitigation) in the project description. Refer to the most current INDOT Protected Species guidance on the INDOT Environmental Policy [website](#) for additional information regarding mitigation.
4. Completing the Determination Key: Read each question carefully and answer based on the scope and likely effects of the project.

- a. Do not guess—discuss with the project manager or designer if you need to determine any facts about the project. Discuss with the appropriate INDOT District Environmental if you are uncertain how to interpret a question in the key.
 - b. **Karst:** The Indiana Karst Region has been expanded based on the new guidance document entitled, *Protection of Karst Features during Project Development and Construction*. Answer the IPaC determination key's karst questions accordingly based on the updated guidance. Answering yes to this determination key question will likely generate the Hibernacula AMM1 for the project.
 - c. **Temporary lighting:** Respond accordingly based on the project. Please contact the appropriate INDOT District Environmental to determine district policies regarding night work. Some districts may require this to be yes based on construction schedules. If there is any possibility for night work to be performed the answer should be 'yes'. A 'no' may require a firm commitment and Unique Special Provision (USP) prohibiting night work and if the Maintenance of Traffic (MOT) changes to include night work later in the project the IPaC questionnaire would need to be updated.
 - d. **Permanent Lighting:** If a project involves replacing or adding traffic signals or railroad signals, yes should be answered for the question: "Will the project install new or replace existing permanent lighting?" Per the USFWS Biological Opinion, traffic signals and railroad signals are considered permanent lighting. Once yes is answered for that question, there will be two additional questions: "Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society^{[1][2]} to rate the amount of light emitted in unwanted directions?" And, "Will the permanent lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?" Yes, can be answered for those questions due to the replacement permanent lighting will not be substantially different than the baseline light conditions.
 - e. **Mitigation (if applicable):** Indicate the "Rangewide In-Lieu Fee Program, The Conservation Fund" will be the type of mitigation used.
 - f. **Additional Species:** If the IPaC species list does not generate any additional species (other than the Indiana bat and northern long-eared bat), N/A should be answered for the other species determination questions in IPaC. Candidate species do not require a determination and should be N/A.
 - g. **Guano Results:** Refer to the most current INDOT Protected Species guidance on the INDOT Environmental Policy [website](#) for additional information on processing guano results.
5. Supporting Documents: Upload any documents (i.e., environmental inspections, BIAS inspections, INDOT Bat Guano Collection file, or aerials) needed to support the assertions made in the determination key.
- a. Refer to the most current INDOT Protected Species guidance on the INDOT Environmental Policy [website](#) regarding bridge/structure inspections.
 - b. When uploading BIAS inspections into the IPaC only include the title page and bat results page of the inspection. Do not include the entire BIAS inspection.
 - c. Coordinate inspection questions with the appropriate INDOT District Environmental.

USFWS Inspection Form:

<https://www.fws.gov/midwest/endangered/section7/fhwa/pdf/Bridge%20Culvert%20Bat%20Assessment%20Form%20April%202020%20-%20fillable.pdf>

6. Adding the appropriate members: Project members can see the information that has been entered for a project. You should add as many members as necessary to keep your project team informed. For INDOT, being added as a member allows us to verify the project so it can be processed by USFWS. To determine the appropriate INDOT District Environmental, the county where the project will be occurring should be used. For example, if the project will be occurring in Clay County, Crawfordsville district would be the appropriate INDOT District Environmental. If the project is located in multiple counties and districts, coordinate with the INDOT project manager to determine

Effective: November 2021

what the appropriate lead district for the project will be. All bat coordination and questions start with the appropriate INDOT District Environmental. USFWS should not be coordinated with prior to INDOT. If additional questions or coordination is needed for a project, INDOT will coordinate with USFWS. The only exception is if an early coordination letter is required to be sent to USFWS for the project. Early coordination letters should not automatically be sent to USFWS for every project. Refer to the most current INDOT guidance located on the Environmental Policy [website](#) to determine if an early coordination letter should be sent to USFWS for your project.

Click on the Member button to add the appropriate INDOT District Environmental to the project.

- a. Crawfordsville: Zane Kurtz, RKurtz@indot.IN.gov AND Makinna Laymon, MLaymon2@indot.IN.gov
 - b. Fort Wayne: Karen Novak, KNovak@indot.in.gov AND Madeline Mettler, MMettler1@indot.in.gov AND Arianna Papadakis, APapadakis@indot.IN.gov
 - c. Greenfield: Taylor Darrah, TDarrah@indot.in.gov AND Drew Passmore, APassmore@indot.IN.gov
 - d. LaPorte: Stewart Michels, Smichels@indot.IN.gov, Cassie Wahl, CWahl@indot.IN.gov, AND Bridgette Murray, BMurray@indot.IN.gov
 - e. Seymour: David Dye, DDye@indot.IN.gov AND Mindy Baker, mbaker2@indot.IN.gov
 - f. Vincennes: Ryan Falls, rfalls@indot.in.gov AND Kristy Wright, KWright@indot.IN.gov
 - g. Central Office: Laura Hilden, lhilden@indot.in.gov AND Meghan Hinkle, MHinkle@indot.IN.gov
7. Avoidance and Minimization Measures (AMM): All AMMs become firm commitments to the project. Discuss these AMMs with the project designer, the INDOT Project Manager and, if an LPA, the Employee of Responsible Charge (ERC) before finalizing the IPaC determination key to ensure the AMMs can be accommodated in the project scope and/or schedule. In some cases, altering the project schedule or scope can reduce the onerousness of the AMMs and resulting commitments.
 8. Consistency Letter: The outcomes of the determination key are recorded in the consistency letter as No Effect (NE), May Affect - Not Likely to Adversely Affect (MA-NLAA) and May Affect - Likely to Adversely Affect (MA-LAA).
 9. Submission to INDOT and/or USFWS: Once the determination key is complete, the project is ready for INDOT District Environmental to review. INDOT District Environmental will review the information for accuracy, and submit to USFWS as required. For MA-NLAA determinations USFWS receives a 14-day review period. For MA-LAA determinations USFWS receives a 30-day review period, and the project will receive a USFWS concurrence letter.
 - a. For NE, send an email to the appropriate INDOT District Environmental with the project DES number and a request for review of the IPaC.
 - b. For MA-NLAA, send an email to the appropriate INDOT District Environmental with the project DES number, the USFWS record locator number (from the consistency letter), and a request to verify the project.
 - c. MA-LAA projects receive limited formal rangewide programmatic consultation. Currently, IPaC does not have an automated verification process for MA-LAA projects. For MA-LAA projects, add the appropriate INDOT District Environmental as IPaC project members and email the consistency letter to the appropriate INDOT District Environmental with a request to continue the IPaC review and coordination with USFWS.
 10. Environmental Document: Include the appropriate species list, IPaC letter, and inspection form(s) in the environmental document appendix. Please note, BIAS inspections should only include the title page and bat results page of the inspection. Do not include the entire BIAS inspection. If applicable,

do not include the guano collection plan and the guano analysis results in the environmental document appendix.

- a. For NE, include the official species list, consistency letter, BIAS inspection and/or environmental inspection.
 - b. For MA-NLAA, include the official species list, the full concurrence letter, BIAS inspection and environmental inspection. (If the project completes standard informal coordination there may be different attachments to the CE document)
 - c. For MA-LAA, include the official species list, full consistency letter, the USFWS concurrence letter, BIAS inspection and environmental inspection.
11. Commitments: Record all AMMs as firm commitments in the environmental document and commitments database. If a USFWS concurrence letter is received there may be additional firm commitments from the letter that will need included. Lastly, there may be additional INDOT firm commitments required for the project. Refer to the most current INDOT Protected Species guidance on the INDOT Environmental Policy [website](#) for more information regarding commitments and appropriate resolutions.
12. Scope Changes: If project scope changes occur after the IPaC completion and approval, the IPaC may need to be updated and re-coordination occur with INDOT and USFWS. If it is unclear whether IPaC coordination needs updated, coordinate with the appropriate INDOT District Environmental. A few common examples of scope changes that require IPaC updates include:
- a. Project footprint or location change.
 - b. Tree clearing needed for the project is increased.
 - c. Any scope change that causes an IPaC determination key answer to change.
 - d. Any scope change that will cause the concluding IPaC determination or AMMs to change.
 - e. Another species gets added to a determination key (look for guidance from INDOT and USFWS).