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

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As of October 30, 2017, all environmental document preparers for INDOT projects may use Information for Planning and Consultation (IPaC), the USFWS’s online system for listed species coordination, for completing consultation under the rangewide programmatic consultation for the Indiana bat and northern long-eared bat. This replaces the paper process that used the USFWS’s Project Submittal Form. For updated information on the rangewide programmatic consultation, see the USFWS’s main page here: https://www.fws.gov/MIDWEST/endangered/section7/fhwa/index.html.

For information on INDOT’s implementation of the rangewide programmatic consultation, see materials on the INDOT Environmental Services NEPA Policy web page https://www.in.gov/indot/2523.htm. This programmatic consultation process applies to all projects that receive FHWA, FRA, or FTA funds. 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 early coordination procedures.

The web site, https://ecos.fws.gov/ipac/, is fairly self-explanatory. It also contains a useful FAQ and a tutorial.

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

Like the old paper process, you should have the following information available when you start: RFI results, the USFWS official species list for the project area, bridge and small structure inspection, site visit results, suitable summer habitat assessment results, and specific project details such as: basic work to be done, 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.

2. Naming your project: Name your project so it can be found again. At minimum, use the DES, primary road number, and short project description in the title. If uncertain what to use as a name, work out a descriptive name with the INDOT environmental contact.

3. Project Description: This should describe the project according to what is of interest to USFWS. Describe the basic work to be done, the project limits, and bridges and culverts involved. Describe suitable summer habitat located adjacent to the project, how much of it will be removed in acres or number or trees, species of dominant tree to be removed, and when it will
be removed. Describe the results of the review of the USFWS database (usually found in the RFI) for captures, roosts, maternity colonies, and hibernacula. Include the date of the query or RFI. Describe results of the bat inspection of the bridges and culverts. Describe the estimated timing of work and any temporary or permanent lighting. If the project will require mitigation, under the In-Lieu Fee Program, include the In-lieu fee calculation, and the amount of trees that will be removed 0-100 feet and 100-300 feet from an existing roadway.

4. Adding an INDOT Reviewer: Project members can see the information that you have prepared for a project. You may 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.

Click on the Member button to add your INDOT environmental services contact to the project.

a. Crawfordsville: Kenneth Mcmullen, KMcmullen@indot.IN.gov
b. Fort Wayne: Toni Langevin, TLangevin@indot.IN.gov AND Karen Novak, KNovak@indot.in.gov
c. Greenfield: Kari Carmany-George, KCarmanyGeorge2@indot.IN.gov
d. LaPorte: Lisa Vale, LVale@indot.IN.gov
e. Seymour: 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

5. 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 your district environmental services contact if you are uncertain how to interpret a question in the key.

b. Temporary lighting: Respond accordingly based on the project. Please contact district environmental staff 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 USP prohibiting night work and if the MOT changes to include night work later in the project the IPAC questionnaire would need to be updated.

6. Upload any documents (e.g. bat inspection forms, BIAS reports if believed to be reliable, or aerials) needed to support the assertions made in the determination key. BIAS inspections can be used for IPaC if the inspection is reliable, completed in the past 24 months, and for some limited or low-risk situations. If there is any question about the reliability of inspection data, an environmental professional should complete a bat inspection to determine whether there are bats present or whether the bridge or culvert shows signs of bat use. Discuss with your district environmental services contact if you are uncertain about the reliability of a BIAS inspection.

7. AMMs: All AMMs become firm commitments on the project. Discuss these AMMs with the designer and with the INDOT or LPA project manager before completing the key to be sure that
they can be accommodated in the project work 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 decision key are recorded in the consistency letter as 
No Effect (NE), Not Likely to Adversely Affect (NLAA) and Likely to Adversely Affect (LAA).

9. Submission to USFWS via INDOT: Once the determination key is complete, the project is ready 
for INDOT to review. Once INDOT determines that the information is complete and correct, 
INDOT will verify the project, which starts USFWS’s comment opportunity. USFWS and the 
project members receive automatic notifications from IPaC that the project has been verified. 
   a. For NE, INDOT will review for completeness and correctness. Send an email to the 
      INDOT district environmental services contact with the DES number and a request for 
      review in IPaC.
   b. For MA-NLAA, send an email to the INDOT verifier with the DES number, the USFWS 
      record locator number (from the consistency letter), and a request to verify the project.
   c. LAA projects receive limited formal rangewide programmatic consultation. Currently, 
      IPaC does not have an automated verification process for LAA projects. For LAA, email 
      the consistency letter to the INDOT verifier with a request to continue coordination with 
      USFWS. Make sure to include the In-lieu fee calculation (if applicable), total acreage of 
      trees to be removed, and acreage of trees to be removed 100-300ft from the existing 
      roadway (if applicable) in the project description. USFWS will return a BO concurrence 
      letter to complete coordination.

10. Environmental Document: Include the appropriate letter in the environmental document. 
   a. For NE, include the official species list and consistency letter.
   b. For MA-NLAA, include the official species list and the full concurrence letter.
   c. For LAA, include the official species list, full consistency letter, and the BO concurrence 
      letter from USFWS.

11. Commitments: Record all accepted AMMs as firm commitments in the commitments database. 
    If a BO letter is received there may be additional firm commitments from the letter that will 
    need included. Firm commitments must be resolved with USPs to the contract.

Instructions for Transportation Agency Verifiers

1. Review the information in the consistency letter for completeness and correctness. Resolve any 
   questions or concerns about the impacts of the proposed work or about the effects of the 
   AMMs before proceeding.

2. Record the work product in Milestones and note the outcome of the decision key (NE, MA-NLAA 
   w/o AMMs, MA-NLAA w/AMMS, or LAA). The start date is the date on which you received the 
   documentation for review and the end date is the date the document was found sufficient (for 
   NE) and forwarded for USFWS for their comment period (MA-NLAA and LAA).
3. For MA-NLAA, verify the project.
   a. Scroll to the bottom of the “My Projects” page. Click on the “Search by Record Locator” button.
   b. Enter the record locator.
   c. Review the determination key and the AMMs
   d. Scroll to the bottom to complete the verification.

4. For LAA, forward the consistency letter to the central office environmental services contact, who will then forward to the appropriate USFWS office. It’s helpful to add the USFWS reviewer (Robin_Mcwilliams@fws.gov) as a project member at this time.
   a. USFWS will review, resolve any questions, and provide a formal consultation response letter containing a statement confirming the applicability of the formal rangewide programmatic agreement, an incidental take statement, reporting requirements, and a reinitiation notice.
   b. The CO contact will forward the letter to the preparer, the district environmental services contact, and the project manager.