**Western Bat Programmatic Biological Opinion (PBO) and Programmatic Conference Opinion (PCO) for the following bat species: Indiana bat (*Myotis sodalis*, MYSO), gray bat (*M. grisescens*, MYGR), northern long-eared bat (*M. septentrionalis*, MYSE), tricolored bat (*Perimyotis subflavus*, PESU), and little brown bat (*M. lucifugus*, MYLU)**

link to Programmatic Biological Opinion <https://connect.ncdot.gov/resources/Environmental/EAU/BSG/Documents/Bats/Bat%20Programmatic%20(Div%209-14)/WNC%20Bats%20PBO%20Div%209-14%20(2025).pdf>

**For NRTR Documentation for projects in Divisions 9-14, we typically do not produce a BC at this time not knowing what construction activities will occur. It is our protocol to show a BC of Unresolved until we get closer to project permitting and can determine impacts and develop a biological conclusion for listed animal species. The blurb below is appropriate for this stage of project planning.**

Biological Conclusion: Unresolved

As of [Date], the following federally protected bat species are listed in IPaC (<https://ecos.fws.gov/ipac/>) as occurring in the action area: [list of species in IPaC]. Construction activities for this project are unknown at this stage in project planning, NCDOT will resolve Section 7 prior to let as appropriate.

**To be included in NEPA Documentation for projects in Divisions 9-14** (red text will change per project, coordinate further with BSG):

The U.S. Fish and Wildlife Service (USFWS), in partnership with the Federal Highway Administration (FHWA), U.S. Army Corps of Engineers (USACE), and NCDOT, has issued a combined Programmatic Biological Opinion (PBO) and Programmatic Conference Opinion (PCO) for the following bat species: Indiana bat (*Myotis sodalis*, MYSO), gray bat (*M. grisescens*, MYGR), northern long-eared bat (*M. septentrionalis*, MYSE), tricolored bat (*Perimyotis subflavus*, PESU), and little brown bat (*M. lucifugus*, MYLU). Per current design and construction plans, the project is eligible for PBO use and NCDOT can adhere to the appropriate Conservation Measures outlined in the PBO/PCO. The USFWS, Asheville Ecological Services Field Office reviewed this project for coverage under the PBO/PCO issued April 1, 2025. In a letter dated July 7, 2025, USFWS confirmed the project meets the criteria for coverage under this PBO in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531– 1543) (ESA), thus concluding consultation for the project for tricolored bat, northern Long-eared bat, and gray bat.

Table

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**Green Sheet Commitments for projects using western bat programmatic:**

In an effort to streamline greensheet commitments, only include the commitments that involve PBO buffers and the reporting requirement. Therefore, the following buffer commitments (3) and the reporting requirement are what will be included in the greensheet commitments. **The first three are only for projects that are in the protected buffered areas (from Figure below), it is very important that people understand not to copy and paste these first 3 for all PBO projects.** If your project is within a buffered area, use all of the below, if not, just use the last one ‘Reporting’. The reporting requirement can be completed by the contractor as a stipulation in the contract. The other CMs of the Programmatic are NCDOT standard practice or will be addressed by BSG and do not need to be highlighted in the greensheet.

* To the maximum extent possible, if suitable roost trees or structures are present near high-decibel percussive activities (81-162 dBA as measured from 50 feet from source), those percussive activities will be avoided from May 1 – July 31, when non-volant pups may be present.
* Design permanent lighting systems for an average illumination level of 0.6 footcandle, reducing overall brightness, a 25% minimization from a standard 0.8 fc illumination.
* Limit tree clearing within 100 meters (328 ft) of blue line streams on USGS topographic maps. The following exceptions apply within 10 meters of a stream: (1) the NCDOT must clear easements (utility, drainage, and construction), (2) at bridge sites, the NCDOT must clear the entire width of the right of way beginning at a station three feet beyond the beginning and ending extremity of the structure, per NCDOT Standard Specifications.
* Reporting: For each project involving tree clearing or structure removal, submit final numbers of tree clearing and/or number of structures demolished and the date(s) that these activities actually occurred. This will ensure accurate payments and submittal to USFWS in the required annual report. Numbers must be reported using the link to the PBO Reporting Requirement Form on the Biological Surveys Group (BSG) Connect site here: [https://forms.cloud.microsoft/g/iiEeEtHFU4](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fforms.cloud.microsoft%2Fg%2FiiEeEtHFU4&data=05%7C02%7Cclknepp%40ncdot.gov%7C11628e664df5463030a308ddf4948a37%7C7a7681dcb9d0449a85c3ecc26cd7ed19%7C0%7C0%7C638935640986517045%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=odvBsVScFtL9ZLBlkgr568kebR8uE6sy8LQ%2B6wkKxI0%3D&reserved=0).

**PROCESS FOR USING WESTERN BAT PBO:**

**ECAP or Division Environmental Staff will provide the following information to BSG**

As of April 2025, BSG is has created a map of the protective buffer areas and is streamlining this process into an interactive online map and online submission form. But in the meantime, if you have a project you would like to use the western bat PBO, please fill in the information below and email it back to [clknepp@ncdot.gov](mailto:clknepp@ncdot.gov) so BSG can track all projects used in PBO and then submit them to USFWS.

Project-Level Pre Notification

NCDOT Biological Surveys Group will monitor project implementation to ensure all identified conservation measures are implemented, ensure the appropriateness of the opinion’s application, and track take. For each project conducted under this PBO, the NCDOT project manager will work with their project’s environmental lead to provide BSG with the following information prior to any ground-disturbing actions:

* Description (include lat/long and project timeline and specifics of any structure work that will occur -bridge rehab, culvert extension, # of structures this work will occur on):
* Create a project in IPaC including project boundary and make the following people members: [clknepp@ncdot.gov](mailto:clknepp@ncdot.gov), [cdmanley@ncdot.gov](mailto:cdmanley@ncdot.gov), [mrmiller2@ncdot.gov](mailto:mrmiller2@ncdot.gov), [holland\_youngman@fws.gov](mailto:holland_youngman@fws.gov), [mark\_endries@fws.gov](mailto:mark_endries@fws.gov)
* Lead Federal Agency: FHWA or USACE
* IPaC generated bat species:
* IPaC generated list date:
* Tree clearing estimate (acres):
* Tree clearing period (months range, if known, example November 2025-May 2026):
* Structure work known (rehabilitation, structure removal or NA and how many structures):
* Structure work period (months range, if known, example November 2025-May 2026):
* Will the project have effects to other listed species that requires consultation that will be addressed separately? Yes/No (list spp)
* Can all pertinent CMs be adhered to, see PBO User Key link below, (you may be able to ignore ‘buffer’ CMs if you are not within a Protective Buffer area): Yes/No
* <https://connect.ncdot.gov/resources/Environmental/EAU/BSG/Documents/Bats/Bat%20Programmatic%20(Div%209-14)/WNC%20Bats%20PBO%20User%20Key.pdf>
* Findings of any bat survey work conducted in relation to the covered project, including documents such as completed structure survey forms, photographs, etc. (BSG should have this if everything was turned in to us to enter in the database)

Chart, map

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