**To be included in NRTRs and NEPA/SEPA Documentation for projects in Divisions 1-8.**

The US Fish and Wildlife Service has issued a programmatic conference opinion (PCO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the tricolored bat (TCB) (*Perimyotis subflavus*) in eastern North Carolina.  The PCO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities.  NCDOT, FHWA, and USACE have agreed to three conservation measures (listed in the PCO) which will avoid/minimize take to TCBs.  These conservation measures apply to all counties in Divisions 1-8.  The programmatic determination for TCB for the NCDOT program is **May Affect, Likely to Adversely Affect**. Once the TCB is officially listed, the PCO will become the programmatic biological opinion (PBO) by formal request from FHWA and USACE. The PBO will ensure compliance with Section 7 of the Endangered Species Act for approximately five years (effective through December 31, 2028) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes [*XXXX* C*ounty*] , where [PROJECT #] is located.

**ECAP or Division Environmental Staff will evaluate and include in Project Commitments (Green Sheets) for projects in Divisions 1-8 if within 150 feet of a known maternity roost tree.**

**Measures to Avoid/Minimize Mortality**

No tree clearing will occur within 150 feet of a known maternity roost tree May 1 – July 15 in order to protect non-volant young. Winter roost trees are not considered maternity roost trees. NCDOT will cross-reference information provided by the Service for locations of maternity roosts.

Note: At this time, no TCB maternity roost trees have been identified in Div 1-8.