

U.S. Army Corps of Engineers (Corps) Protocol for defining ‘Vicinity’ for the Indiana and Northern Long-eared bats (NLEB), per General Condition No. 18 of the Nationwide Permits (NWP). Note that this ONLY pertains to the listed bats.

1) Does Indiana bat and/or NLEB come up in IPaC species list?

Yes. Continue to step 2.
No. Done – not in the vicinity.

2) Does the project affect a bridge¹?

Yes. Continue to step 2a.
No. Continue to step 3.

2a) Has a bridge assessment² been completed?

No. Conduct bridge assessment for bats.
Yes, AND signs of bats observed. Stop and coordinate with the Corps – you are in the vicinity.
Yes, however NO signs of bats. Continue to step 3.

3) Project within 0.5 miles of a hibernaculum?

Yes. Stop and coordinate with the Corps - you are in the vicinity.
No. Continue to step 4.

4) Suitable* Indiana bat or NLEB summer habitat present within the entire project area?

Yes. Continue to step 5.
No. Done – not in the vicinity.

5) Project within 1.5 mile distance around any summer records (documented roosts and/or netting captures) for northern long-eared bat and 2.5 miles for Indiana bat (i.e., either species identified by NYSDEC mapper or NYNHP)?

Yes. Continue to step 5a.
No. Continue to step 6.

¹ Bridge (for purposes of determining “in the vicinity”): Any road crossing structure, including culverts, with at least 4 feet of clearance (vertical rise) over a land or water surface.

² Appendix D Bridge/Structure Assessment Guidelines and Form located at <https://www.fws.gov/midwest/endangered/section7/fhwa/index.html>

5a) Is the project within 0.25 miles of documented roosts or captures?

Not sure. Coordinate with the Corps and/or the U.S. Fish and Wildlife Service for assistance in determining distance.

Yes. Stop and coordinate with the Corps - you are in the vicinity.

No. Continue to step 7.

6) Prior negative Indiana bat and NLEB summer P/A surveys (within last 5 years) at the project site?

Yes. Done - not in vicinity.

No. Continue to step 7.

7) Does the project entail removing trees exceeding 3 inches dbh anywhere in the project area?

Yes. Stop and coordinate with the Corps - you are in the vicinity.

No. Done - not in vicinity.

*Suitable habitat:

Indiana bat: Summering bats typically day roost under exfoliating bark of trees in riparian, bottomland, and upland forests. Roost trees are most often snags, however, live shag-bark trees such as hickory, ash, oak, elm, pine, hemlock, and many others, are also used. It appears that roost trees are chosen based on structure, rather than species. For the purposes of this document, suitable habitat for the Indiana bat are trees greater than or equal to 5 inches in diameter.

Northern long-eared bat: In general, they use a variety of structures for roosting habitat, such as live and dead trees with cracked and exfoliating bark, broken limbs, cavities, and also man-made structures. However, they more often roost in crevices or cavities of trees than under exfoliating bark. Maternity colonies (adult females) use cracks, cavities, and beneath the bark of dead and living trees. Males are solitary and do not roost with maternity colonies. The bat forages under the forest canopy, at small ponds or streams, along paths and roads, or at the forest edge. For the purposes of this document, suitable habitat for the northern long-eared bat are trees greater than or equal to 3 inches in diameter.

Examples of unsuitable habitat:

- Individual trees that are greater than 1000 feet from forested/wooded areas;
- Urban street trees (trees found in highly-developed urban areas);
- A pure stand of 5-inch dbh (Indiana bat) or 3-inch (NLEB) trees (or less) that are not mixed with larger trees;
- Apple orchards;
- Buckthorn patches; and
- Christmas tree stands that are actively managed.

For more detail see:

<https://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html>