A close-up photograph of a bat's face and wing, with the text "Programmatic Indiana Bat Conservation Memorandum of Agreement" overlaid in the center. The bat is shown in profile, with its mouth slightly open, revealing its teeth. The wing is extended, showing the intricate structure of the membrane. The background is dark and out of focus, highlighting the bat's features.

Programmatic Indiana Bat
Conservation Memorandum
of Agreement

Purpose of the Agreement

- **Streamline or eliminate project specific consultation process**
- **Reduce costs**
- **Promote the survival, conservation, and recovery of the Indiana bat by providing tangible benefits to the species**
- **May replace but does not prohibit use of presence/absence surveys**

Purpose of the Agreement

“...this MOA provides recovery based conservation benefits for the Indiana bat in the form of habitat protection and/or voluntary contributions to the IBCF which in turn will fund habitat protection, conservation, restoration and/or priority monitoring and research projects for the Indiana bat.”

Framework for the Consultation

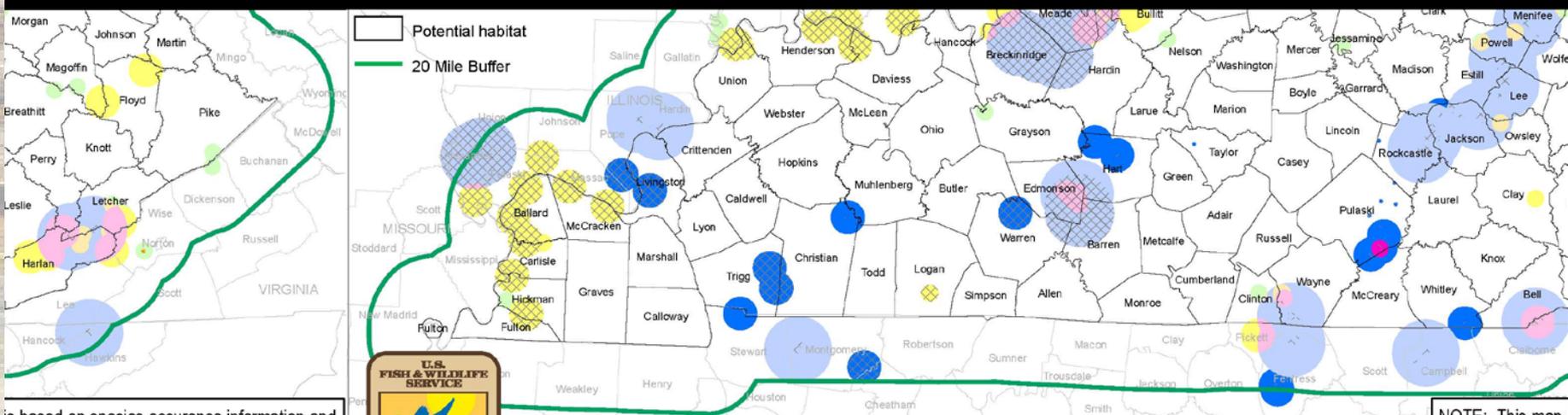
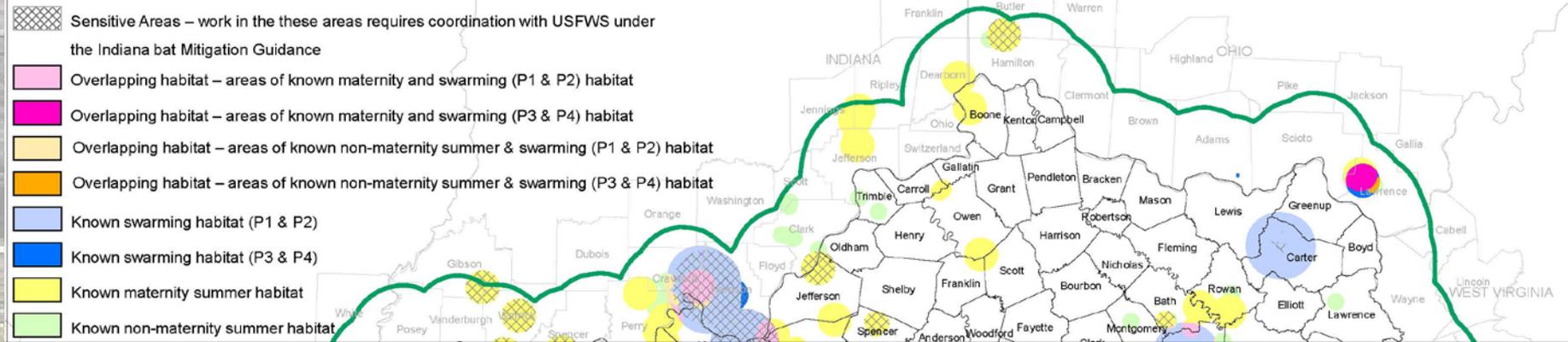
- **USFWS intra-service Biological Opinion for loss of summer roosting habitat statewide**
 - Authorized up to 2,500 acres/12,500 acres of take per year/5 year
 - Framework for Conservation MOAs
 - Method for calculating minimization contribution to IB Conservation Fund
 - Available for anyone seeking ESA coverage
 - Monies used for tangible benefits to IB

Known Occurrences

Indiana bat Habitat in Kentucky and within 20 mi. (February 2011)

LEGEND

-  Sensitive Areas – work in these areas requires coordination with USFWS under the Indiana bat Mitigation Guidance
-  Overlapping habitat – areas of known maternity and swarming (P1 & P2) habitat
-  Overlapping habitat – areas of known maternity and swarming (P3 & P4) habitat
-  Overlapping habitat – areas of known non-maternity summer & swarming (P1 & P2) habitat
-  Overlapping habitat – areas of known non-maternity summer & swarming (P3 & P4) habitat
-  Known swarming habitat (P1 & P2)
-  Known swarming habitat (P3 & P4)
-  Known maternity summer habitat
-  Known non-maternity summer habitat



is based on species occurrence information and



NOTE: This map

Cost Calculation

Table 1. MITIGATION MULTIPLIER BY HABITAT TYPE AND SEASON

	November 15-March 31 (all habitats unoccupied)	April 1-August 15 (swarming unoccupied*; potential, maternity** and non-maternity occupied)	August 16-October 14 (swarming and potential occupied; maternity and non-maternity unoccupied)	October 15-November 14 (swarming occupied; potential, maternity and non-maternity unoccupied)
Determine habitat type				
Determine seasonal sensitivity				
Known Maternity +P1&2 swarming	2.5	3.0 (4.0)	3.5	3.5
Known Maternity +P3&4 swarming	2.0	2.5 (3.5)	3.0	3.0
Known non-maternity +P1&2 swarming	2.0	2.5 (3.5)	3.0	3.0
Known non-maternity +P3&4 swarming	1.5	2.0 (3.0)	2.5	2.5
Potential +P1&2 swarming	1.5	2.0 (3.0)	2.5	2.5
Potential +P3&4 swarming	1.0	1.5 (2.5)	2.0	2.0
Known maternity	1.5	2.0	1.5	1.5
Known non-maternity	1.0	1.5	1.0	1.0
Potential	0.5(0.0)	1.0 (0.5)	1.0(0.5)	0.5(0.0)

Select the appropriate multiplier

Indiana Bat Mitigation Guidance

- **Guidance document that details the applicability and use of the IB Conservation Fund including:**
 - explanation of terms
 - identification of certain priority habitats
 - determination of the standard tree canopy size for the single tree method
 - determination of situations which require direct consultation with the Service
 - acceptability of mitigation measures
 - calculation of impacts and mitigation measures

Programmatic Consultation

- **KYTC Programmatic BA**
- **Tier 1:**
 - Screens project types and identifies those defined as No Effect
 - Assesses and screens No Habitat/No Effects
 - Identifies impacts with special conditions
- **Tier 2: Address impacts through BA or mitigation via IBCF**

What's covered?

- **Available for all KYTC project types**
- **Project consultation not required for:**
 - **Removal in “potential” area w/seasonal tree cutting (October 15-March 31)**
 - **Tree trimming within 100 feet of pavement**
 - **Removal of up to two acres of roadside habitat for maintenance w/i 500 feet)**

Limitations

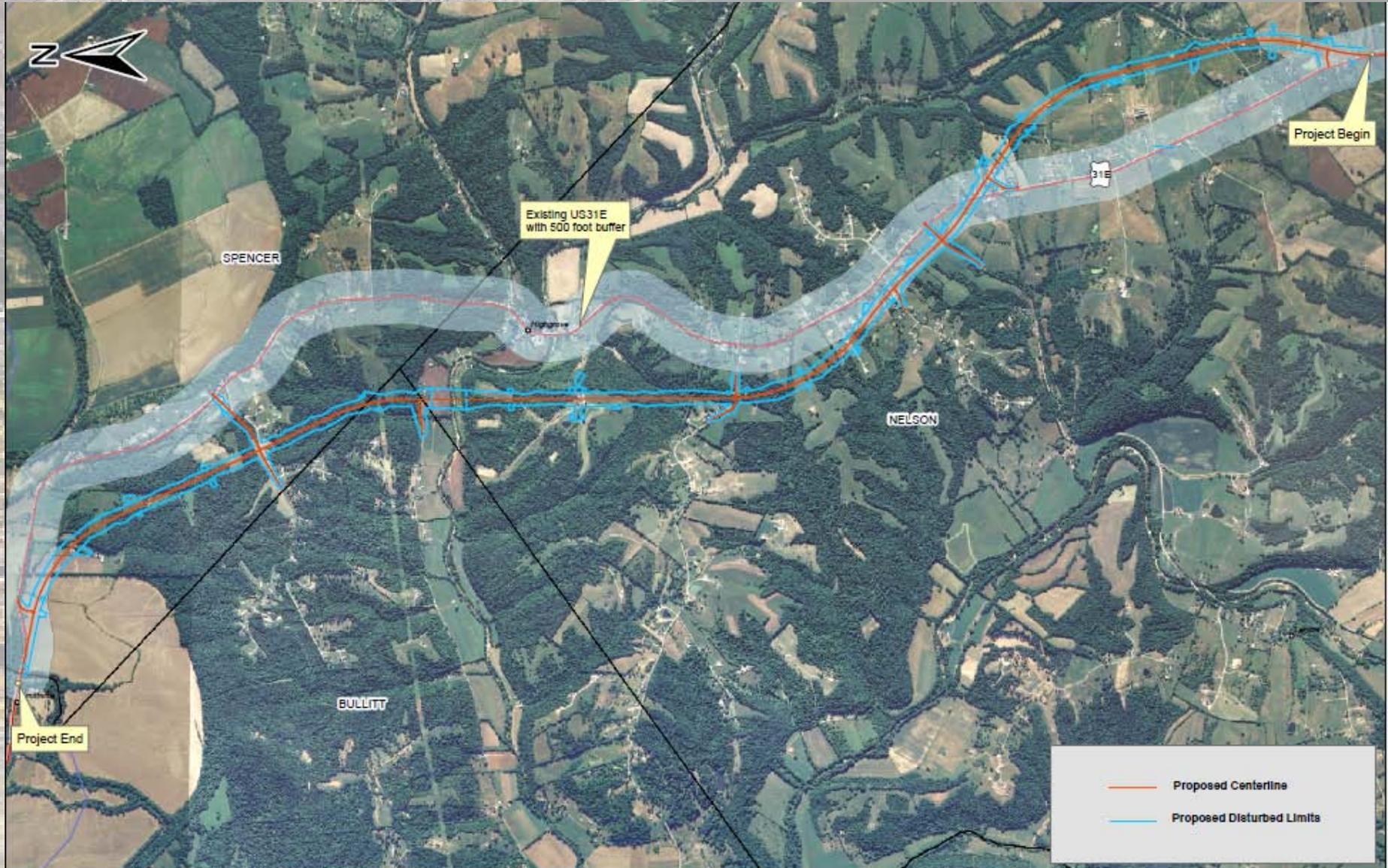
Projects that are not automatically covered

- Loss of more than 250 acres of habitat/project
- >300 ac/year and >1200 ac through Jan. 2016
- Within 1 mile of priority 1 or 2 hibernacula
- Within ½ mile of priority 3 or 4 hibernacula
- Projects resulting in impacts to known maternity habitat between June 1 and July 31.
- Projects impacting caves, portals, or mine adits suitable for use by Indiana bats MAY NOT use the PCMOA.

Features

- **Mitigation due prior to impacts**
- **Acreage calculated through GIS and/or tree counting**
- **“Potential” area considerations**
 - **New alignment vs. existing alignment**
 - **50 percent of the total disturbance area associated with the project is within 500 feet of the edge of pavement**
- **Can propose other property acquisition in lieu of payment to IBCF**

New or Existing Alignment?



Mechanics

- **Ledger of projects within seven days of monthly letting**
- **Identifies:**
 - **Habitat type**
 - **Acreage of impact**
 - **Appropriate multiplier given timing**
 - **Cost of IBCF Contribution**
- **USFWS through KNLT issues invoice with payment due within 30 days**

Check and Balance

- **USFWS may request to audit project records**
- **KYTC must reevaluate prior to letting to determine if determination consistent with current mapping**
- **If habitat designation has changed, must consult and adjust**

Bridge Habitat

- **Unless bridge is unsuitable as habitat KYTC shall:**
 - **Prior to construction/demolition, conduct inspection of the underside of the bridge for use or signs of use by bats**
 - **If present, coordinate with Service regarding minimization measures**

Benefits

- **A 50% reduction in costs for impacts along existing highways**
- **Allows for limited trimming and removal of trees along existing corridors for maintenance and other activities**
- **Provides a more cost effective option to conducting time consuming and expensive biological surveys**
- **Allows seasonal tree removal in areas where Indiana bats may “potentially” roost**
- **Eliminates project specific Conservation MOAs for loss of Indiana bat summer roosting habitat**

More Benefits

- **Eliminates the need for project specific consultation for many projects**
- **Provides flexibility in timing of payments that is favorable to the KYTC**
- **Uses credit of KYTC site preservation occurring through the stream and wetland mitigation program**
- **Addresses Section 7 consultation issues with the US Army Corps that will streamline that process**

Questions

