

# Protected Bats: Guidance for Demolishing Buildings

## What buildings are of concern for bats?

- Federal and state listed bats may utilize buildings such as homes, rest areas, offices, sheds, outbuildings, barns and parking garages. This is not an exhaustive list. The structures may be occupied or vacant.
- Per WDNR, bats are unlikely to use billboards and signs as roosts in Wisconsin. There is presently no federal/state requirement to inspect these elements for bats prior to maintenance/removal.
- See WisDOT [improvement project](#) or [non-federal action](#) FAQ documents for guidance on bridges and culverts.

## What actions does this guidance document cover?

- Demolishing (razing/removal) of WisDOT-owned buildings, such as rest area comfort buildings.
- Demolishing (razing/removal) of buildings that will be affected by an improvement project and need to be acquired through the real estate process.
- This guidance document does not cover routine maintenance or repairs for WisDOT-owned buildings. See the WisDOT [non-federal actions FAQ](#) for guidance.

## Does every building need to be inspected?

- Buildings must either be inspected for bats, or we must assume that bats are present.
- Some inspections may need to be deferred (bat presence assumed) until the acquisition process (see question below).
- In some circumstances, the Region Environmental Coordinators (REC) may determine it is appropriate to assume bats are utilizing the structure rather than conduct an inspection.

## When are buildings inspected?

- Inspections are ideally completed during the bat active season (April 1 – October 31); however, they may be completed any time of year if necessary.
- Buildings that are owned by WisDOT (e.g., rest area comfort buildings) should be inspected during environmental document preparation.
- Buildings that need to be acquired for the project should be identified during the determination of right-of-way impacts and preparation of the environmental document.
  - Except for early/advanced acquisitions, structures that need to be acquired cannot be easily inspected during environmental document preparation. WisDOT must assume presence of federally protected bats for Endangered Species Act (ESA) consultation and completion of the environmental document.
  - The Statewide Relocation Program Coordinator will copy the appropriate [Region Environmental Coordinator](#) and [Statewide Ecologist](#) on the Conceptual Stage Relocation Plan Approval Memo for awareness of upcoming inspection needs.
  - It is recommended that RECs track projects requiring bat inspections in buildings.

## Protected Bats: Guidance for Demolishing Buildings

### How is the bat inspection coordinated during environmental document preparation?

- The Project Manager should work with the REC to determine the best way to accomplish the inspection:
  - Design contract consultant
  - BTS-ESS Ecological Services contract (funded by project)
  - In some instances, the REC may also elect to conduct the bat inspection. [WisDOT Safety Directives](#) must be followed and confined space training must be completed, as needed.

### How is the bat inspection coordinated during the real estate acquisition process?

- It is recommended that bat inspection topic is discussed at the acquisition start up meeting (potential standing agenda item).
- After the acquisition start up meeting, the real estate specialist should provide the REC a general acquisition timeline for structures requiring a bat inspection.
- The "Ownership Information Record" form (RE1861) includes a question regarding presence/evidence of bats in their structures. This may give the project team an early indication that time of year restrictions will be necessary for demolishing the structure.
- Most structures will be inspected for bats during the appraisal walkthrough with the property owner.
  - The real estate specialist will notify the REC of the scheduled date of the appraisal walkthrough with as much notice as possible (at least 3 business days).
  - The REC will submit an email request (mark high priority) to the [Ecological Services Contract Manager](#) to utilize the on-call work order with GEI for real estate bat inspections.
  - GEI staff will coordinate with the real estate specialist and conduct the bat inspection during the appraisal walkthrough.
- There may be some instances when the real estate specialist and REC determine that the structure inspection can/must be deferred until after the parcel has been acquired.
- In some instances, the REC may also elect to conduct the bat inspection. [WisDOT Safety Directives](#) must be followed and confined space training must be completed, as needed.

### What information is collected during the bat inspection?

- Each building/structure on the property must be inspected.
- The inspectors must follow [USFWS](#) and [WDNR](#) inspection guidance.
- The [USFWS inspection form](#) or another comparable form is completed and provided to WisDOT. One form is completed per building/structure. A photo log must be included.

### How will bats or evidence of bats (e.g., guano, staining) in a structure affect its demolition?

- Avoidance and minimization measures will be determined through USFWS consultation and/or the WDNR cave bat broad incidental take authorization.

## Protected Bats: Guidance for Demolishing Buildings

- **USFWS:**
  - Applicable when federally protected bats (i.e., northern long-eared bat, tricolored bat) are known or assumed to be present in a structure.
  - Expectations vary based on whether action is federal or non-federal and proximity of the project to known bat locations (i.e., roost trees, hibernacula).
  - Many federal actions require structure demo during bat inactive season (Nov 1 –March 31) and may require establishment of a new suitable roosting site (e.g., similar building or bat house).
  - Negative inspections are valid for 2 years.
- **WDNR:**
  - Applicable when there is a known occurrence of a state protected cave bats (i.e., northern long-eared bat, tricolored bat, little brown bat, big brown bat) within 1 mile of the project or when evidence of bats or state protected bats are observed during an inspection completed for USFWS consultation purposes.
  - The [WDNR cave bat broad incidental take authorization](#) has predetermined time of year restrictions (attached diagram). These restrictions may be superseded by more restrictive USFWS avoidance/minimization measures.
  - Negative inspections are valid for 1 year.

### How will bat requirements be incorporated into let contracts?

- Buildings are demolished either through the project's let contract or a central office real estate razing/removal let contract. A bat inspection special provision has been developed for use in both situations.
- Similar to asbestos inspections, the bat inspection special provision article should be included for all let contracts with buildings to be demolished.

### What happens if bats are found during the demolition?

- Bats may carry rabies, which is generally fatal to humans if medical treatment is not sought promptly after exposure. Any person handling bats must be from sufficiently protected from exposure to diseases.
- USFWS ([darin\\_simpkins@fws.gov](mailto:darin_simpkins@fws.gov)) must be contacted when the bat is known or suspected to be a federally protected species.
  - USFWS will provide further guidance on requirements for documentation, handling and relocating the bat, as applicable.
  - Handling/relocating a live bat is considered federal incidental "take".
- If the bat is not a federally protected species, to meet WDNR requirements, attempts must be made to:
  - Transfer the bat to a [wildlife rehabilitator](#) for the remainder of the hibernation period (November – February or if < 30 degrees)

## Protected Bats: Guidance for Demolishing Buildings

- Attempt to capture and release (March – October or if > 30 degrees)
- OR if neither option works, then consult WDNR's bat biologists for additional options (J. Paul White, [john.white@wi.gov](mailto:john.white@wi.gov), or Heather Kaarakka, [heather.kaarakka@wi.gov](mailto:heather.kaarakka@wi.gov)).