

# Wildlife Scoping Instructions and Resource Protection Recommendations

Wildlife Information and Environmental Services

Purpose: This document provides information about scoping any project for wildlife species and designated resources and provides general recommendations for coordination with DWR's Environmental Services Section based on those scoping results. This document also provides general recommendations for avoiding and minimizing impacts upon Virginia's wildlife and their habitats.

Step 1: Access the VA Fish and Wildlife Information Service (VAFWIS) from the DWR website at: <a href="https://services.dwr.virginia.gov/fwis/index.asp">https://services.dwr.virginia.gov/fwis/index.asp</a>. Also access the below bat data applications: Northern Longeared Bat Regulatory Buffer Map: <a href="https://dwr.virginia.gov/wildlife/bats/northern-long-eared-bat-application/">https://dwr.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter- habitat-roosts-application/</a> Send an email to <a href="mailto-support\_VAFWIS@dwr.virginia.gov">Support\_VAFWIS@dwr.virginia.gov</a> if you need to set up an account or need other assistance.

**Step 2**: Using the geographic search function, generate an Initial Project Assessment (IPA) report for the site using an at least 2 – mile buffer around project boundaries (action area). See the "help" section for instructions.

**Step 3**: Review the below information regarding data returned by VAFWIS and apply, as appropriate. Please see the end of the document for contacts regarding common wildlife species, the location of which may not be accurately depicted by VAFWIS which is most heavily populated by imperiled species and designated resource data.

Any project with a federal nexus (e.g., the project entails any federal funding, permits, or federal agency action) must comport with consultation requirements pursuant to Section 7 of the Endangered Species Act. To ensure such compliance, the project applicant or proponent should access the USFWS Virginia Field Office Project Review (IPaC) website at: https://www.fws.gov/office/virginia-ecological-services/virginia-field-office-online-review-process. Since listing of Atlantic Sturgeon, all hydraulic hopper dredging activities in the Chesapeake Bay, Atlantic Ocean, and major tributaries, regardless of time of year must be coordinated with NOAA Fisheries Service.

#### I. Listed Species and Designated Wildlife Resources

**Species Observations (SppObs)** – The Species Observation dataset includes all verified species documentations maintained by DWR. If the IPA results indicate that a *listed species* has been documented from the project area, it is possible that the species is present on the project site, if suitable habitat exists. Coordinate with DWR Environmental Services Staff, per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a>, as conservation measures may be necessary to ensure compliance with the Endangered Species Act

Threatened and Endangered Species Waters (TEWaters) – The Threatened and Endangered Species Waters (TEWaters) dataset includes the locations of waters from which *listed species* have been documented and which agency biologists have determined are currently occupied by such species. If work in the TEWater or its tributaries is proposed (ex: installation of crossings, soil borings, stream restoration, utility installation, etc.), we recommend coordination with DWR's Environmental Services (ES) staff per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> as conservation measures may be necessary to ensure compliance with the Endangered Species Act. Otherwise, we offer the below general guidance regarding protection of TEWaters:

a) If a waterbody is designated a TEWater due to the presence of listed fishes, mussels, snails, or crayfish, we recommend the following to best protect such listed aquatic species (and the resources upon which they depend) from harm that may result from nearby agriculture, silviculture, habitat management or restoration, and/or land development:

- We recommend protecting from impacts a natively vegetated riparian buffer of at least 100 ft on both sides of all intermittent tributaries to the designated water;
- We recommend protecting from impacts a natively vegetated riparian buffer of at least 200 ft on both sides of all perennial tributaries to designated waters; and/or
- We recommend protecting from impacts a natively vegetated riparian buffer of at least 300 ft on both sides of designated waters.
- b) If a waterbody is designated a TE Water due to the presence of wood turtles, we recommend the following (in addition to the above), to best protect this listed semi-aquatic species (and the resources upon which it depends) from harm that may result from nearby silviculture, habitat management or restoration, and/or land development
  - Because wood turtles must have access to freshwater streams during hibernation as well as access to
    adjacent uplands, where they forage, mate, and nest, we recommend coordination with us not only for
    instream work, but also for any work in uplands adjacent to (within 900 feet of) the designated water.

**Anadromous Fish Use Areas** – The Anadromous Fish Use Areas (AnadFish Waters) dataset includes the locations of streams known to provide migratory and spawning habitats for anadromous fishes. We recommend coordination with DWR ES anytime work in designated AnadFish Waters and/or their tributaries is proposed. Otherwise, we offer the below general guidance regarding protection of AnadFish Waters:

- We recommend protecting from impacts a natively vegetated riparian buffer of at least 100 ft on both sides of all perennial tributaries to the designated water; and/or
- We recommend protecting from impacts a natively vegetated riparian buffer of at least 200 ft on both sides of all designated waters.

Anadromous Fishes/Fish Passage Expert:

Alan Weaver

804-367-6795

or Alan.Weaver@DWR.virginia.gov

**Bat Occurrence Data Applications** – These datasets include documented occurrences of these bats and regulatory buffers around those features. If your project/activity falls within one of the regulatory buffers. we recommend coordination with DWR's Environmental Services (ES) staff per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> as conservation measures may be necessary to ensure compliance with the Endangered Species Act.

- Northern Long-eared Bats: <a href="https://dwr.virginia.gov/wildlife/bats/northern-long-eared-bat-application/">https://dwr.virginia.gov/wildlife/bats/northern-long-eared-bat-application/</a>
- Little brown and Tricolor Bat hibs and roosts:

 $\underline{\text{https://www.DWR.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/}$ 

**Sea Turtle Nesting Beaches\***– This dataset includes stretches of beach/shoreline in Virginia known to support nesting of sea turtles, all of which are federally- and state-listed. We recommend coordination with DWR ES, per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> as conservation measures may be necessary to ensure compliance with the Endangered Species Act.

**Wild Trout Waters** – The Cold Water Streams dataset includes the locations of waters designated as cold water habitat. Many of these streams represent wild trout streams. To best protect these waters and the species they are known to support, we recommend coordination with DWR ESS per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> anytime work in designated Trout Waters and/or their tributaries is proposed. Otherwise, we offer the below general guidance regarding protection of Trout Waters:

- We recommend protecting from impacts a natively vegetated buffer of at least 100 ft on both sides of all perennial tributaries to the designated water;
- We recommend protecting from impacts a natively vegetated buffer of at least 200 ft on both sides of designated waters.

**Stockable Trout Waters** – The Cold Water Streams dataset also includes the locations of waters currently stocked with trout by DWR as well as those suitable for stocking, but perhaps not currently stocked. To best protect these waters and the species they are known to or capable of supporting, we recommend coordination with DWR ESS per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> anytime work in Stocked Trout Waters is proposed. Otherwise, we offer the below general guidance regarding protection of Trout Waters:

- We recommend protecting from impacts a natively vegetated buffer of at least 100 ft on both sides of all perennial tributaries to the designated water;
- We recommend protecting from impacts a natively vegetated buffer of at least 200 ft on both sides of designated waters.

**Colonial Waterbird (CWB) colonies** – This DWR-maintained dataset includes documented locations of colonial waterbird colonies. To ensure protection of the colony and the species known to nest within it, we recommend coordination with DWR's ES per the protocols provided here: <a href="https://dwr.virginia.gov/wies/environmental-services/">https://dwr.virginia.gov/wies/environmental-services/</a> for any land development or timbering activities proposed to occur within 0.5 miles of a documented colony. Otherwise, we offer the below general guidance regarding protection of colonial waterbird colonies:

 We recommend preserving, planting and/or enhancing an undisturbed natively vegetated buffer of at least 500 ft around the waterbird colony. This provides the colony with a line of sight and habitat buffer, providing nesting activity protection as well as habitat protection to ensure suitability for future nesting seasons.

**DWR Lands (boat ramps, WMA's, Fish Hatcheries, Lakes)\*** – The DWR Lands dataset includes locations of all DWR facilities. We support development of easement restrictions protective of our facilities and access to them by the public and our staff; and the watersheds/drainages upstream of our hatcheries and fishing lakes.

Bald Eagle Nests – This dataset includes the location of bald eagle nests, and their associated buffers, within Virginia. While we periodically update nest status or add new nests based on curated observations from citizens and/or our staff, we no longer update bald eagle nest data annually per flyover survey data. To ensure protection of bald eagles in compliance with the Bald and Golden Eagle Act, we recommend using the Center for Conservation Biology (CCB) <a href="Eagle Nest Locator">Eagle Nest Locator</a> to determine if any active eagle nests are known from the project area. If active bald eagle nests have been documented from the project area, we recommend that the project move forward in a manner consistent with <a href="State-and-federal guidelines">state-and-federal guidelines</a> for protection of <a href="bald-eagles">bald-eagles</a>; and coordination, as indicated, with the U.S. Fish and Wildlife Service regarding possible impacts upon bald eagles or the need for a federal bald eagle take permit.

**Bald Eagle Concentration Area and Roosts (BECAR)** - This dataset includes bald eagle concentration areas (defined as 660 feet landward or channelward of the shoreline) and documented roosting sites documented by VDWR and/or our partners. Significant habitat alteration, location of water-dependent facilities or other recreational and commercial activities within certain distances of eagle nests, concentration zones, or roosts may result in adverse impacts upon eagles. Therefore, we recommend that land owners comply with the Virginia management guidelines for landowners; and that he or she coordinate with the U.S. Fish and Wildlife Service regarding possible impacts upon bald eagles or the need for a federal bald eagle take permit associated with activities on his or her property.

## II. Common Wildlife Species and Resources

Use the following table to identify the appropriate contact to answer any questions or provide information regarding common wildlife and/or wildlife-related recreation in your area. Link to DWR regional map: https://www.DWR.virginia.gov/wp-content/uploads/vDWR-region-map.pdf

DWR Region	Terrestrial Species	Aquatic Species	Lands/Facilities
I	David Norris	Clinton Morgeson	Jennifer Allen
	804-829-6580	804-829-6580	804-367-1000
	David.Norris@dwr.virginia.gov	Clinton.Morgeson@dwr.virginia.gov	Jenn.Allen@dwr.virginia.gov
II	Matthew Overstreet	Scott Smith	Pete Schula
	434-525-7522	434-525-7522	434-252-7522
	Matthew.Overstreet@dwr.virginia.gov	Scott.Smith@dwr.virginia.gov	Pete.Schula@dwr.virginia.gov
III	Lisa Sztukowski	Jeff Williams	Tom Hampton
	276-783-4860	276-783-4860	276-783-4860
	Lisa.Sztukowski@dwr.virginia.gov	Jeff.Williams@dwr.virginia.gov	Tom.Hampton@dwr.virginia.gov
IV	Jaime Sajecki	Stephen Reeser	Matt Kline
	540-248-9360	540-248-9360	540-248-9360
	Jaime.Sajecki@dwr.virginia.gov	Steve.Reeser@dwr.virginia.gov	Matt.Kline@dwr.virginia.gov

Temporary 2023

<sup>\*</sup> coming to VAFWIS very soon!

## **III: Species Special Status Table**

Species Status and	Туре	Responsible Agency in Virginia	
Federal Endangered (FE)	Animals	USFWS (or NOAA) and DWR	
	Plants and insects	USFWS and DCR-DNH	
Federal Threatened (FT)	Animals	USFWS (or NOAA) and DWR	
	Plants and insects	USFWS and DCR-DNH	
Federal Candidate (FC)	Animals	USFWS	
	Plants and insects	USFWS and DCR-DNH	
Federal Proposed (FP)		USFWS (at applicant's discretion)	
Federal Species of Concern (FS)		USFWS (at applicant's discretion)	
State Endangered (SE)	Animals	DWR	
	Plants and insects	DCR-DNH	
State Threatened (ST)	Animals	DWR	
	Plants and insects	DCR-DNH	
Wildlife Action Plan (WAP) Species of Gi Need (SGCN)^	eatest Conservation	DWR (at applicant's discretion)	

#### Table Notes:

NOAA Fisheries Service has jurisdictional authority over protection of sea turtles in Virginia's waters (non-nesting), Atlantic sturgeon, shortnose sturgeon and marine mammals.

The VA Dept. of Agriculture and Consumer Services (VDACS) retains legal authority for the protection of all plants and listed insects. However, through a memorandum of agreement with VDCR-DNH, coordination regarding these resources should be initiated with VDCR-DNH.

See www.bewildvirginia.org for more information about the Virginia Wildlife Action Plan

# **IV: DWR Environmental Services Contacts**

Amy Martin, Program Manager 804-481-5296 Amy.Martin@dwr.virginia.gov

Lee Brann 804-481-1934 Lee.Brann@dwr.virginia.gov

Tamara Doucette 804-659-3428 Tamara.Doucette@dwr.virginia.gov

## V: Project Review Submission Emails\*

ESSProjects@dwr.virginia.gov

ProjectReview@dwr.virginia.gov

\*See information here to determine which email address to submit your project for review: https://dwr.virginia.gov/wies/environmental-services/