



WILLIAMSBURG  
ENVIRONMENTAL  
GROUP, INC.

eNewsflash



*WEG is dedicated to keeping our clients informed on the ever-changing landscape of environmental regulations. The following eNewsflash provides a brief summary of issues that may be of importance to you. If you have any questions or would like any additional information, please do not hesitate to contact us at any of our office locations listed below or by email at [info@wegnet.com](mailto:info@wegnet.com).*

## USFWS Recommends Surveys for Federally-Threatened Small Whorled Pogonia in Virginia

The survey season for the small whorled pogonia (*Isotria medeoloides*) is upon us. As a federally-listed threatened plant, the small whorled pogonia is afforded full protection under the guidelines of the Federal Endangered Species Act (ESA). Under Section 7 of the ESA, Federal agencies must ensure that no federally-authorized activities will jeopardize the continued existence of a listed species, and this must be determined by a formal consultation process with the U.S. Fish and Wildlife Service (USFWS). This means that the U.S. Army Corps of Engineers (Corps), for example, cannot issue a wetland permit unless it is clear that a federally-listed species will not be harmed by the authorization. Therefore, a detailed survey for small whorled pogonia will likely be required during the wetland permitting process in any of the following counties of Virginia: **Amherst, Appomattox, Bedford, Botetourt, Buckingham, Campbell, Caroline, Charles City, Craig, Essex, Fairfax, Floyd, Franklin, Giles, Gloucester, Hanover, Henrico, James City, King George, King William, Lee, Madison, New Kent, Pittsylvania, Prince William, Roanoke, Rockbridge, Spotsylvania, Stafford, Wise, and York and the City of Williamsburg.**

While habitat surveys can be performed throughout the year, detailed surveys for small whorled pogonia must be conducted during specific time periods. In Virginia, for projects located south of Caroline County, the period of time in which the USFWS accepts detailed surveys is **May 25 to July 15.** For projects located in Caroline County and areas north, the period of time is **June 1 to July 20.**

If you are planning to obtain any Federal permit over the next year and your project is within one of the aforementioned counties, it is strongly advised that you have a detailed small whorled pogonia survey conducted during the accepted survey window in the upcoming months. This is important because if you miss the opportunity, the USFWS may require that you wait until the 2011 survey

season before acting on a permit application.

The USFWS maintains a list of qualified individuals approved to conduct small whorled pogonia surveys in Virginia. The agency generally will **not** accept small whorled pogonia surveys (or any federally-listed plant or animal surveys, for that matter) which have been conducted by unapproved or unqualified professionals. Several WEG ecologists throughout the state are listed by the USFWS as approved survey contacts and are available to assist you with habitat surveys, detailed surveys, or any issues that may arise regarding this plant or other listed species in Virginia.

If you have any questions about whether you need a small whorled pogonia survey (detailed or habitat), please contact your WEG project manager or Kenny Presgraves in our Williamsburg office (757-220-6869), Chris Senfield in our Richmond office (804-267-3474), or Paul Oldt in our Fredericksburg office (540-785-5544).

**For More Information:**

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