



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.

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

The survey season for **Small Whorled Pogonia** (*Isotria medeoloides*) is upon us. As a federally-listed threatened and state-listed endangered plant, the small whorled pogonia is afforded full protection under the guidelines of the Federal Endangered Species Act (ESA) and the Virginia Endangered Plant and Insect Species Act. 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) and the Virginia Department of Agriculture and Consumer Services (VDACS). This means that the U.S. Army Corps of Engineers (Corps) 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. Surveys may be requested by USFWS and the Virginia Department of Conservation and Recreation, Division of Natural Heritage outside of the aforementioned localities if project sites are near areas deemed to be ecologically significant.

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 or State 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 2012 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), Sean Wender in our Richmond office (804-267-3474), or Paul Oldt in our Stafford office (540-785-5544).

Shrike/Sandpiper Survey Season is Here

The survey seasons for the upland sandpiper (*Bartramia longicauda*) and the loggerhead shrike (*Lanius ludovicianus*) are upon us. The Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Game and Inland Fisheries (VDGIF) require habitat surveys and/or species specific surveys in counties throughout the Commonwealth. The agencies have historically required surveys for the upland sandpiper in Loudoun, Frederick, Fairfax, Prince William, Culpeper, and Fauquier Counties, although surveys for projects in other, more southern counties may be required if appropriate habitat exists.



Photo by Ryan Brady

The Upland Sandpiper nests in open farming areas with mixes of habitat including sod fields, grazed to tall pastures and/or hayfields, and fallow or early stage old fields. Breeding and nesting territories typically include telephone poles, fence posts, scattered small trees or shrubs, etc., which are used as perches. Migrant upland sandpipers arrive in Virginia in late March or early to mid April. Nesting begins shortly after birds arrive at breeding locations. Young have been reported in the nest from late May through June.

The young remain in the nest for a short time and can be seen away from the nest from early June. Family groups remain together until post breeding migration which begins in mid- to late-August and continues through the first week of September. **Specific surveys are required to be completed in April through June.**

The Loggerhead Shrike is a rare or uncommon resident in Virginia. Egg laying in Virginia occurs as early as the first week of April until the second week of June. Young remain in the nest for approximately 18 days and adults and fledglings will stay at the breeding territory for a variable amount of time. The loggerhead shrike favors open land with scattered trees and shrubs. Breeding habitat in Virginia consists of closely grazed or occasionally mowed pastures containing shrubs/trees, hedgerows, and fences. The shrike usually nests in Eastern red cedar and hawthorns and are also known to nest in multiflora rose. In periods of cold weather or snow, the loggerhead shrike may move to woodlots.

Specific surveys are required to be completed in April through July.

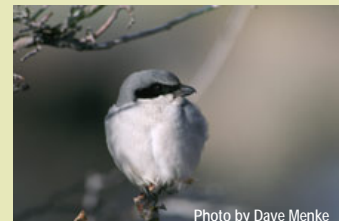


Photo by Dave Menke

For More Information:

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