



ACOE Permit Applicants

Scoping for Wildlife Impacts

Wildlife Information and Environmental Services

May 24, 2023

We assume ACOE staff are appropriately coordinating with the USFWS and/or NOAA Fisheries regarding potential impacts upon federal-listed species. As such, this document is written to address concerns for wildlife that are only state-listed.

Coordination with DWR ESS: Due to staffing limitations, we are unable to review and provide comments on your Corps permit application at this time. To ensure compliance with Virginia's Endangered Species Act (Article 6, Chapter 5, Title 29.1 of the Code of Virginia, §§29.1-563 through 29.1-570), we recommend adherence to the following procedures.

1. Conduct a preliminary desktop analysis to evaluate your project's potential impacts upon the Commonwealth's wildlife resources by accessing our online information system, the Virginia Fish and Wildlife Information Service (VAFWIS) and using the **Geographic Search** function to generate an **Initial Project Assessment (IPA)** report.
 - a. Access VAFWIS at this link: <https://services.dwr.virginia.gov/fwis/index.asp>
If you are not already a VAFWIS subscriber, you should request to become one by emailing a request to VAFWIS_support@DWR.virginia.gov. VAFWIS Subscriptions are free of charge. As a subscriber, one is able to generate an IPA for the **project area (project site plus a minimum 2-mile buffer)** which generates a list of imperiled wildlife and designated wildlife resources known from the project area.

Alternatively, you may contact our Geographic Information Systems (GIS) Program Manager, Alicia Motz, at Alicia.Motz@dwr.virginia.gov to request access to the Wildlife Mapping and Environmental Review Map Service (WERMS) which allows you to download GIS data into your own system.

- b. Access information about the location of state-listed bat hibernacula and roosts from the following locations:

Little Brown Bats and Tricolored Bats:

<https://www.dwr.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/>

- c. Access up to date information about the location and status of bald eagle nests in Virginia by accessing the Center for Conservation Biology's Eagle Nest Locator at <https://ccbbirds.org/what-we-do/research/species-of-concern/virginia-eagles/nest-locator/>

2. Make a determination about what, if any, impacts upon **state-listed-only species and/or their habitats and any DWR designated resources** may result from the work proposed based on the results of step #1 above. If any adverse impacts are likely to result, use the information and guidance available at the link below to determine how to avoid and minimize such impacts to ensure consistency with the Wildlife and Inland Fisheries and Commonwealth Lands Enforceable Policies of the Virginia Coastal Zone Management (CZM) Program. If the project for which you are applying will also / has also received a VA Water Protection (VWP) or Va Pollution Discharge Elimination System (VPDES) permit from VA DEQ, a permit from VA's Marine Resources Commission, and/or other permits or processes requiring DWR review, the results of that review should be included in your analysis.

DWR additional information:

<https://dwr.virginia.gov/wies/wies-additional-resources/>

Map of VA's Coastal Zone:

<https://www.deq.virginia.gov/home/showpublisheddocument/4078/637461463603670000>

Virginia CZM Program Enforceable Policies:

<https://www.deq.virginia.gov/home/showpublisheddocument/8605/637556326054300000>

3. Include the following information in the NWP application and supporting documents that you send to the Corps in satisfaction of Regional Condition #14. The Corps will coordinate with DWR, as needed, to ensure Coastal Zone Consistency:
 - a. The VAFWIS IPA results depicting **confirmed** documentation(s) of state-listed listed species and/or DWR-designated resources within 2 miles of the project site.
 - b. Your analysis of potential adverse impacts upon these species and/or resources.
 - c. Any necessary avoidance and/or minimization measures to ensure compliance with the Virginia CZM Program Enforceable Policies.

DWR review and determination: Upon coordination with the Corps including review of the NWP application and impact analysis, as necessary, DWR will either concur with the consistency determination or recommend to the Corps additional measures necessary to ensure issuance of the NWP is consistent with the CZMA.