



## Land and Water Conservation Fund Virginia 2022 Application and Revision (A&R) Form\*

*Please read the **Virginia LWCF 2022 Application Manual** before completing this form and other application documents.*

\*This is a revised version of an NPS form that has been modified to remove any questions not pertinent to new project applications. This must be answered in totality as part of the Virginia 2022 LWCF Grant Round application.

### INSTRUCTIONS:

All applicants fill out Brief Description of Proposal (on this page), Section 1.0, 2.0, and 3.0.

Plus:

- Acquisition projects fill out section 2.1.
- Development/Renovation projects fill out section 2.2.
- Combination Acquisition & Development/Renovation fill out **both** sections 2.1 and 2.2.

Brief Description of Proposal (maximum 300 words):

The Virginia Department of Wildlife Resources (DWR) proposes to enhance facilities at its Big Survey Wildlife Management Area (WMA). The Wildlife Management Area is 7,564 acres and is located just outside of the southern part of Wytheville, a short distance from Interstates 81 and 77. Most of the WMA is characterized by mature forest on steep slopes, which often precludes access by individuals with limited mobility or other impairment. The proximity to interstate corridors and the diversity of wildlife habitats adjacent to the forested areas provide an excellent opportunity to address the needs of limited-mobility wildlife enthusiasts, giving them greater opportunities to pursue a variety of wildlife-dependent recreation, consistent with DWR and County priorities. The work will involve the removal of an existing building and construction of a new operations and maintenance facility and the development of a 2000-foot-long barrier free trail. The operations and maintenance facility would directly increase staff ability to do habitat work, maintain roads and parking, and increase recreational access to Big Survey and surrounding DWR management areas. The LWCF 6(f) boundary would encompass 1,282.08 acres, with remaining portion (discrete parcel) functioning as wildlife habitat.

## SECTION 1.0 NEW PROJECT GRANT APPLICATION (ALL APPLICANTS)

### A. Risk assessment

1. Describe how you can ensure the project will be completed as scoped and within the proposed time frame? *For example, dedicated staff and experience with similar project types.*

DWR would have a dedicated project manager on this project and has previously completed 4 other operations and maintenance facilities and 4 barrier free trails throughout the state of Virginia.

2. What is the applicant's recent experience completing similar projects with federal grant funding (LWCF or other), if any?

The DWR recently completed an operations and maintenance facility at the Princess Anne Wildlife Management Area and at 3 other locations, and 4 barrier-free trails on WMAs around the state using funds from the U.S. Fish and Wildlife Service's Wildlife Restoration grant program.

## SECTION 2.0 SITE BASED PROJECT GRANTS (ALL APPLICANTS)

### A. Public benefit

1. Describe both short- and long-term outdoor recreation benefits that will be achieved as a result of this project.

In the short term the operations and maintenance facility will provide a place where staff can store equipment, increasing efficiency and effectiveness of operations and maintenance on the Wildlife Management Area, which supports operations and maintenance of recreational resources. In the long term, it will allow DWR to meet its habitat and management goals, as well as increase useful life of equipment used for those goals.

The barrier free trail will provide new recreational opportunity in the short term, and in the long term, it will provide the DWR an additional access towards the goal of providing a more diverse and inclusive opportunity to all Virginians, consistent with its Inclusive Excellence Plan (addressing diversity, equity and inclusion).

2. Explain how this project fits as part of any other projects planned for this same site in the next three years. Are there any additional developments or proposals for this recreation area outside of the application scope?

Additional trail and hunting/viewing blinds may be added in the future.

## SECTION 2.1 (ACQUISITION AND COMBINATION PROJECTS ONLY – DEVELOPMENT PROJECTS SKIP TO SECTION 2.2)

### A. Need

1. Why is this acquisition (whether attained via purchase or donation) needed?  
Click to enter text.
2. Describe the existing resources and features of the site that make it desirable for public outdoor recreation.  
Click to enter text.
3. Explain how you envision this acquisition contributing to outdoor recreation in the long term.  
Click to enter text.

### B. Acquisition schedule & appraisal/waiver valuation certification

Reproduce table as needed for multiple parcels

Parcel Name: Click to enter text.
Parcel Size: Click to enter text.
Parcel Value: Click to enter text.
Anticipated Acquisition Date: Click to enter text.
Date of appraisal, if already completed: Click to enter text. Please include appraisal summary sheet with the application to DCR.  <input type="checkbox"/> A State-certified Review Appraiser has reviewed the appraisal and has determined that it was prepared in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions. OR <input type="checkbox"/> The applicant will obtain a Review Appraisal as per UASFLA requirements.

### C. Property information

1. From whom is this property being purchased?  
Click to enter text.
2. Are any buildings or structures being purchased along with the property?
  - a.  No
  - b.  Yes – Describe what is planned for those structures and whether the grant funded project includes the value of those structures.  
Click to enter text.
3. How will the site be made open and accessible for public outdoor recreation use (signage, entries, parking, site improvements, allowable activities, etc.)?  
Click to enter text.
4. When will access to the site for public outdoor recreation become available?  
Click to enter text.

5. Describe development planned for the site(s) for the three (3) years following acquisition. As this will impact NHPA and NEPA compliance, focus on what you reasonably expect to accomplish.  
Click to enter text.
  
6. If development will be delayed by more than three years from grant close, explain why this acquisition is still a priority for grant funding at this time and what ability the public will have to use the site in the interim.  
Click to enter text.
  
7. Is this acquisition an addition to an existing park or other recreation area?
  - a.  No
  - b.  Yes – How will it support and enhance that existing park?  
Click to enter text.

#### D. Acquisition approach

1. Is this property being acquired under threat of condemnation?
  - a.  No
  - b.  Yes – Explain:  
Click to enter text.
  
2. Was the property listed for public sale?
  - a.  No
  - b.  Yes – Explain how the property owner was made aware of the grant sponsor interest in the property.  
Click to enter text.
  
3. Does this project involve donated property?
  - a.  No
  - b.  Yes – Include evidence that the seller was offered the fair market value of the property as just compensation and willingly chose to donate the property instead. (If the donation is subject to a waiver of retroactivity the evidence must pre-date the donation.)  
Click to enter text.

## SECTION 2.2 (DEVELOPMENT AND COMBINATION GRANTS ONLY – ACQUISITION PROJECTS SKIP TO SECTION 3.0)

### A. Grant elements

1. What new facilities will be constructed as part of this project?

An existing building will be demolished and an operations and maintenance facility and barrier free trail will be established.

2. What existing facilities will be renovated or replaced (specify which) as part of this project?

An existing building will be demolished and replaced with a new operations and maintenance facility.

3. What general site improvements (e.g. demolition, site preparation, landscaping, habitat improvements, etc.) will be completed as part of this project?

Demolition of old building to provide entrance to work center. An existing road bed will be utilized to establish the barrier free trail. Parking and interpretive signage will be addressed operational by the DWR once construction of the trail has been completed.

4. What is the anticipated life span of the facilities that will be funded as part of this project?

Barrier Free Trail = 25 Years

Operations and Maintenance Facility = 35 Years

5. Does the project scope include facilities that also eligible for Dingell-Johnson or Wallop-Breaux Act funding (i.e., boat/fish access)?
  - a.  No
  - b.  Yes – Please contact DWR and DCR for verification.

### B. Design elements

1. What design elements are included that contribute to preserving environmental resources as part of ensuring a quality outdoor recreation experience for present and future generations?

The operations and maintenance facility provides staff a place to store equipment and to plan work from as they work to conserve, connect people to, and protect wildlife resources, increasing efficiency and effectiveness and supporting operations and maintenance of recreational resources.

The barrier free trail ensures that additional users can enjoy quality outdoor recreation.

## SECTION 3.0 SITE INFORMATION (ALL APPLICANTS)

### A. Basic information

1. Will this proposal create a new public park/recreation area where none previously existed?
  - a.  No
  - b.  Yes – Explain:  
Click to enter text.
  
2. If this is an existing LWCF site, has the park name changed since the last grant?
  - a.  No
  - b.  Yes – Explain:  
Click to enter text.
  
3. Is this project located in a floodplain?
  - a.  No
  - b.  Yes – Explain and confirm that you will meet applicable federal insurance requirements.  
Click to enter text.
  
4. Is your site contiguous with or connected to any federally owned recreation area?
  - a.  No
  - b.  Yes – Explain:  
Click to enter text.
  
5. Is your site part of a larger management area, such as a greenway or regional recreation area?
  - a.  No
  - b.  Yes – Explain:  
This is part of Big Survey Wildlife Management Area
  
6. Describe the existing site conditions.  
Trail site is an existing roadbed. The operations and maintenance facility site currently has a dilapidated building and adjacent flat area where work center will be built.
  
7. Explain why the site is suitable for the type of outdoor recreation proposal being submitted.  
  
This site is suitable for this type of outdoor recreation because people are already familiar with the WMA and the trail will enhance the experience for current and future visitors.
  
8. Does the site include any elements that visually detract from the outdoor recreation experience or that represent a potential public safety hazard?
  - a.  No
  - b.  Yes – Explain and describe whether this project will help to address those concerns.  
Click to enter text.
  
9. What is/will be the applicant's type of ownership and control of the property?
  - a.  Fee simple ownership.
  - b.  Less than fee simple. Explain what rights the applicant has and what agency holds the underlying fee simple ownership.  
Click to enter text.

- c.  Lease. Include a copy of the lease with the application.

## B. Stewardship considerations

1. Is this a multi-use site (i.e. school, reservoir, state forest, etc.)?
  - a.  No
  - b.  Yes – Explain:
    - i. How often will the public have recreation access to the site?
    - ii. What kinds of restrictions to public outdoor recreation will occur?
2. Describe the nature of any rights-of-way, easements, reversionary interests, etc. within the proposed LWCF boundary area:

None
3. Are there any pre-existing or planned indoor facilities on site that would not themselves be eligible for LWCF grant funding?
  - a.  No
  - b.  Yes – Describe and explain how/if the structure(s) support public outdoor recreation.  
Click to enter text.
4. Is the proposed LWCF boundary the same as the boundary of the park/recreation area as it exists in its totality?
  - a.  Yes
  - b.  No – Explain any area proposed for exclusion and why, and ensure it is clearly depicted on the proposed LWCF boundary map  
The LWCF boundary is the entire parcel (1,282.08 acres) on which the development work will occur. The other separate and discrete parcel that comprises the WMA will continue to be managed as habitat for wildlife.
5. Are there any pre-existing or planned resource management practices (i.e. timber management, grazing, etc.)?
  - a.  No
  - b.  Yes – Describe the nature of the practice, the anticipated duration, and how the practice supports outdoor recreation.  
Big Survey is managed for habitat and wildlife which would directly enhance the experience of the user of the barrier free trail. Additionally, plantings for wildlife and some timber management may be conducted nearby that would further enhance the habitat value for wildlife and improve wildlife viewing opportunities.
6. Are there any pre-existing or planned uses on site that are incompatible with LWCF requirements that should be excluded from the LWCF boundary?
  - a.  No
  - b.  Yes – Describe the nature of the use and ensure it is clearly depicted on the proposed LWCF boundary map. Clarify whether the future intent is for the area to become subject to LWCF once the use is terminated, or if the intent is for the use to continue within the park in perpetuity.  
Click to enter text.

## C. Environmental Resources Survey

NPS requires all NEPA environmental review and NHPA Section 106 review and documentation to be complete at the time of project submission to NPS. DCR's target date for NPS submission for projects selected in this grant round is the June-July 2022 submission window. The tables on the following pages will be submitted with the complete project package to NPS at that time.

For the purposes of the application, please describe any and all NEPA and Section 106 agency review correspondence that has been completed to date in question 39 of the **2022 DCR Application Form**. The agency correspondence does not need to be complete to submit an application to DCR.

Then, please fill out the tables below based on agency correspondence to date. Check the question mark (?) box for information not yet verified.

Selected project applicants will be required to complete the NEPA review and Section 106 review and finalize these tables in Spring 2022.

The tables below serves as a record of the environmental resources present at the site, whether the proposed action is likely to have a significantly negative impact those resources, and whether further information is needed to determine the potential impact. Review the listed resources and identify any resources that may be significantly impacted by the action.

The Environmental Resources Survey should be completed with professional input from resource experts and in consultation with relevant local, state, tribal, and federal governments, as appropriate.

Table 1 – For each resource indicate if positive impacts or negative impacts are anticipated to result from the action or if further information is needed to determine the potential impact.

- + indicates positive impacts are anticipated to result from the action
- indicates negative impacts are anticipated to result from the action
- ? indicates further information is needed to determine the potential impact

Site Name:

	How will the project affect the following resources?	+	-	?
1	Air quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Circulation and transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	Climate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Contamination or hazardous materials even if remediated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Endangered species: (listed or proposed threatened or endangered) including associated habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Environmental justice: minority and low-income populations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Geological resources: soils, bedrock, slopes, streambeds, landforms, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Historic or cultural resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Invasive species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Land use plans or policies from other agencies including tribes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Lightscares, especially night sky	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	Migratory birds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Recreation resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14	Socioeconomics: changes to tax base or competition with private sector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15	Sound (noise impacts)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



	<b>How will the project affect the following resources?</b>	<b>+</b>	<b>-</b>	<b>?</b>
<b>16</b>	Unique ecosystems, such as biosphere reserves, World Heritage sites, old growth forests, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>17</b>	Water quality and/or quantity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>18</b>	Water: coastal barrier resources or coastal zones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>19</b>	Water: marine and/or estuarine	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>20</b>	Water: stream flow characteristics	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>21</b>	Water: wetlands and floodplains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>22</b>	Other important resources Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Table 2 – This is a list of mandatory impact criteria that preclude the use of a categorical exclusion. If you answer “yes” or “?” for any of the mandatory criteria, you must develop an EA or EIS regardless of your answers in table 1.

Site Name:

	<b>Will your proposal:</b>	<b>Y</b>	<b>N</b>	<b>?</b>
<b>1</b>	Have significant negative impacts on public health or safety?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2</b>	Have significant negative impacts on unique natural resource or geographic characteristics such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3</b>	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>4</b>	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>5</b>	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6</b>	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>7</b>	Have significant adverse effects on properties listed or eligible for listing in the National Register of Historic Places as determined by NPS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>8</b>	Have significant negative impacts to species listed, or proposed to be listed, on the List of Endangered or Threatened Species or have significant impacts on designated critical habitat for these species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>9</b>	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>10</b>	Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>11</b>	Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>12</b>	Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Have there been any previous NEPA/SEPA documents that are relevant to this project or this specific site?
  - a.  No
  - b.  Yes – Attach and summarize findings and include page number references below  
Click to enter text.

2. Explain any negative or unknown impacts identified in Table 1 of the Environmental Resources Survey, or any boxes marked “yes” in Table 2 (mandatory criteria).  
Because the work is proposed to occur in previously disturbed sites, no impacts to resources are anticipated. However, the DWR has initiated all appropriate due diligence with regulatory and consulting agencies to confirm such expectations.

3. How was the information identified in the tables derived and what sources of data were used to justify the impact selection?  
Information provided through Virginia DHR’s V-CRIS historic resources system; US Fish and Wildlife iPAC system; prior experience of the DWR with these types of construction activities.

4. Who contributed to filling out the Environmental Resources Survey (include name, title, agency) and what qualifications do they have that provide the necessary resource expertise to determine impact significance?

Rebecca Gwynn, Deputy Director, Department of Wildlife Resources. 34 years experience coordinating land acquisitions, protecting endangered species, restoring and conserving wetlands, and addressing water quality issues.

5. List all required federal, state, and local permits/approvals needed for the proposal and explain their purpose and status.  
**Barrier Free Trail** : Approval from USFWS to construct the trail (Already granted), erosion and sediment control plan. **Operations and Maintenance Facility**: Approval from Virginia DHR for demo, construction approval from VA Department of Building and Engineering, state building permit, erosion and sediment control plan, and storm water management plan

#### D. Cultural and historic resources review

Have there been any previous cultural and/or historic resource surveys completed that included this site within the area of potential effect that was assessed?

No – Describe any construction planned as a result of this project that will extend beyond the pre-existing disturbance area (including surface area and depth).

Yes – Attach survey and summarize findings and include page number references below.

None planned beyond pre-existing disturbance area



Gwynn, Rebecca &lt;becky.gwynn@dwr.virginia.gov&gt;

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**Fwd: Big Survey barrier free trail (DHR File No. 2022-3624) | e-Mail #01289**

1 message

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**Norris, David** <david.norris@dwr.virginia.gov>  
To: Rebecca Gwynn <becky.gwynn@dwr.virginia.gov>

Thu, Apr 7, 2022 at 2:26 PM

----- Forwarded message -----

From: **ePIX System** <ePIX@dhr.virginia.gov>  
Date: Thu, Apr 7, 2022 at 2:12 PM  
Subject: Big Survey barrier free trail (DHR File No. 2022-3624) | e-Mail #01289  
To: David Norris <david.norris@dgif.virginia.gov>

Dear David Norris:

Thank you for submitting your application through the ePIX system and requesting the comments of the Department of Historic Resources on the referenced project. Your application is being processed and our 30-day review period will start on the next business day after submission. You will be notified if your application is insufficient or if additional materials are required for our review.

You may view the submitted application and track our review of this project through your ePIX account under "My Projects" (<https://epix.dhr.virginia.gov>). When our review is complete, comments will be emailed to you and attached to the application in your ePIX account. No project activities that have the potential to impact historic properties should take place until the lead agency has provided a notice to proceed.

If you wish or are asked to submit additional materials in support of your application, documents must be submitted electronically to the appropriate reviewer. Submissions with a total size of less than 10mb may be submitted via email. Submissions larger than 10mb must be made through VITA's Large File Transfer Application (<https://lft.virginia.gov/>). Contact your reviewer for instructions.

Please reference the assigned DHR File Number on all future correspondence.









If you have any questions concerning the review process or if we may provide any further assistance, please do not hesitate to contact me. We look forward to working with you on this project.

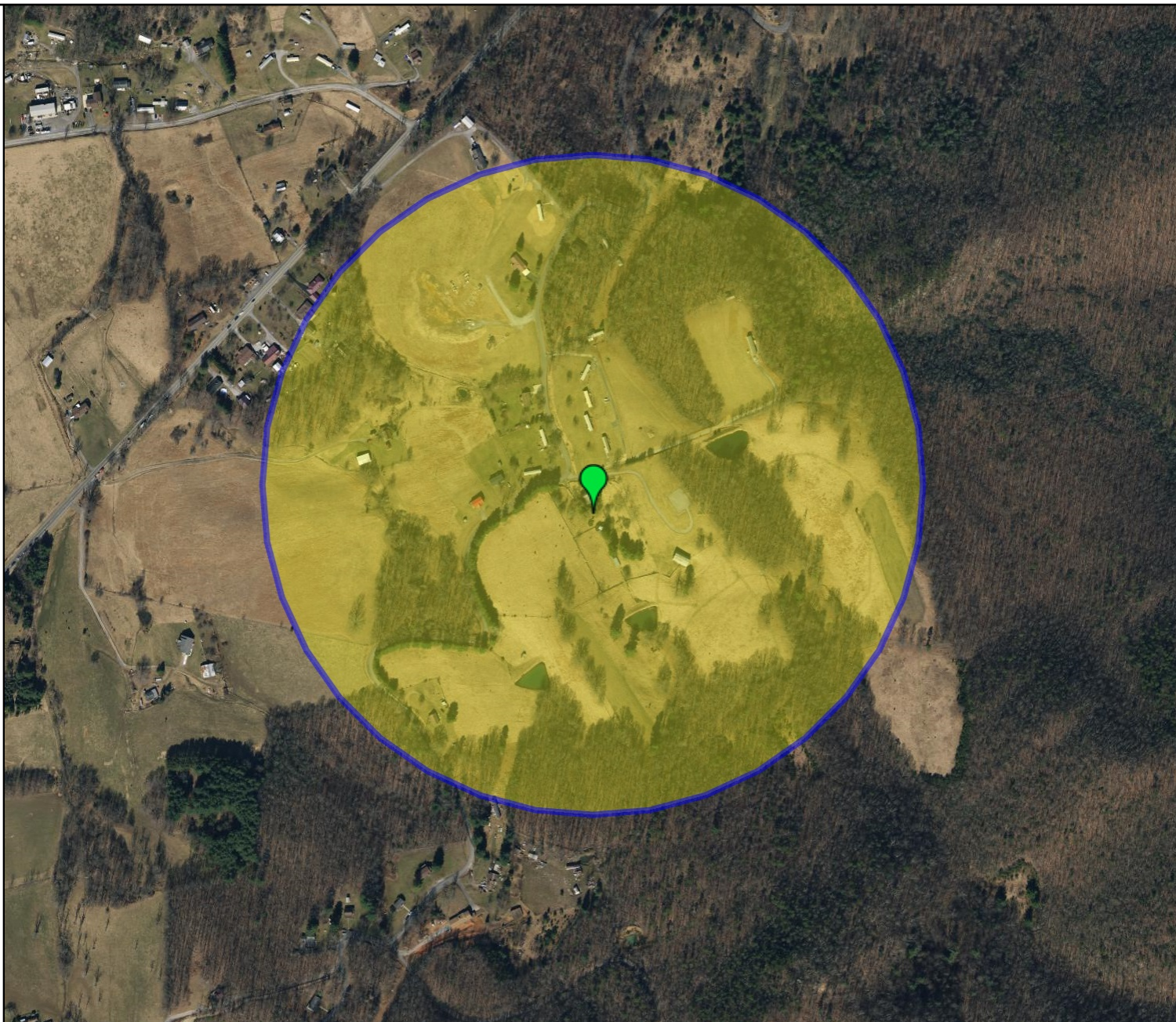
Sincerely,

Jennifer Bellville-Marrion  
Review and Compliance Division

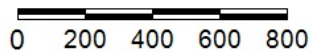


**Legend**

-  Architecture Resources
-  Architecture Labels
-  Individual Historic District Properties
-  Archaeological Resources
-  Archaeology Labels
-  DHR Easements
-  USGS GIS Place names
-  County Boundaries



Feet



1:9,028 / 1"=752 Feet

**Title:**









**Date: 4/7/2022**

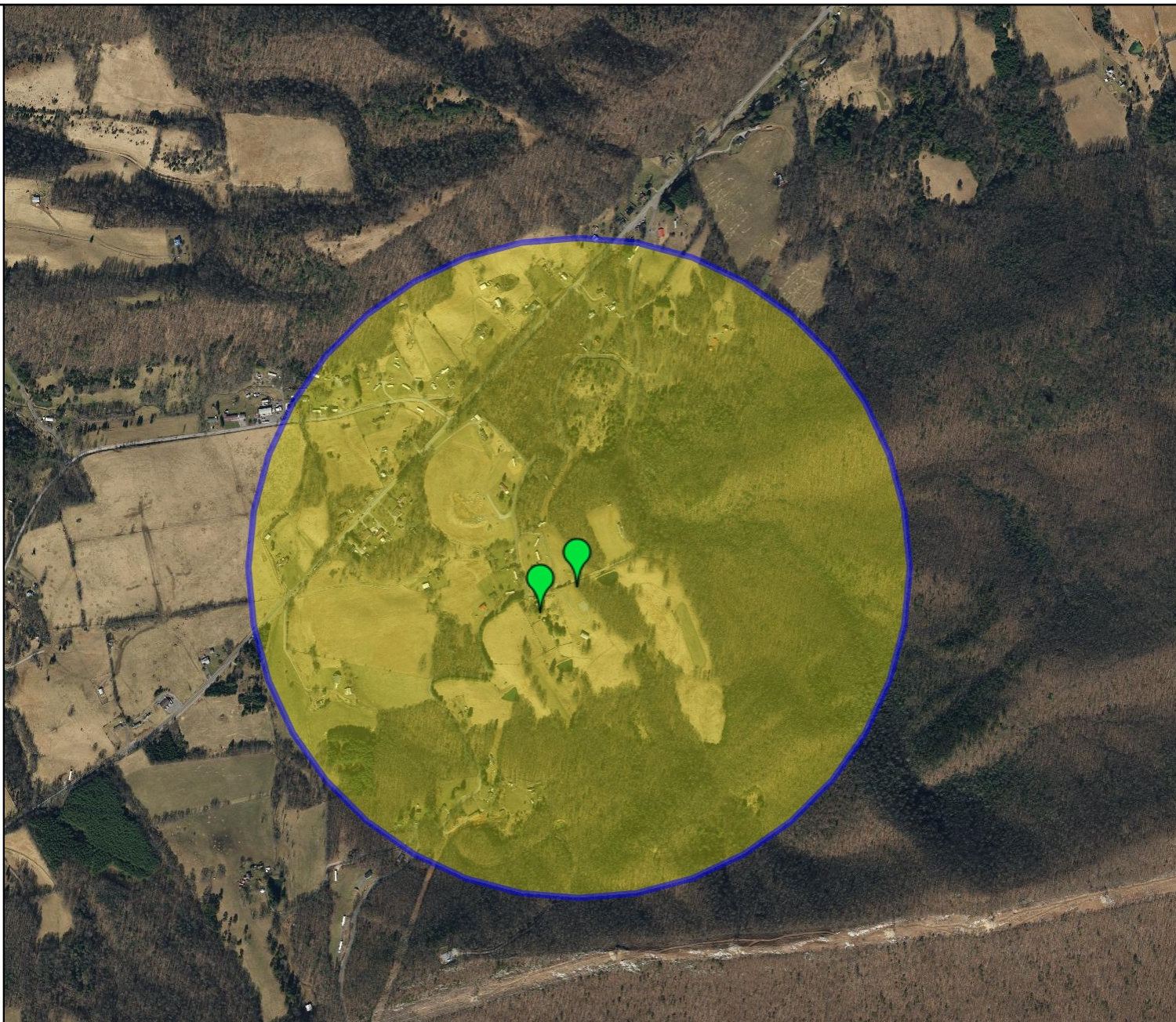
*DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.*

*Notice if AE sites: Locations of archaeological sites may be sensitive to the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.*

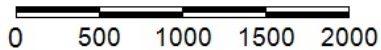


**Legend**

-  Architecture Resources
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-  County Boundaries



Feet



1:18,056 / 1"=1,505 Feet

**Title:**

**Date: 4/7/2022**

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Virginia Ecological Services Field Office  
6669 Short Lane  
Gloucester, VA 23061-4410  
Phone: (804) 693-6694 Fax: (804) 693-9032  
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:  
Project Code: 2022-0029770  
Project Name: VDWR Work Center at Big Survey WMA

April 08, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

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letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Migratory Birds
-



## **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Virginia Ecological Services Field Office**

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

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## Project Summary

Project Code: 2022-0029770

Event Code: None

Project Name: VDWR Work Center at Big Survey WMA

Project Type: Recreation - New Construction

Project Description: To build the work center current structures would be demolished and the work center constructed in a previously disturbed area with all E&S controls in place. The current buildings would be evaluated and any hazardous materials mitigated before demolition.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.88573285,-81.13320852434371,14z>



Counties: Wythe County, Virginia

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## Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

# **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

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# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

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### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

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[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## **IPaC User Contact Information**

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State: VA  
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Phone: 8043672211

## **Lead Agency Contact Information**

Lead Agency: National Park Service

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## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Virginia Ecological Services Field Office  
6669 Short Lane  
Gloucester, VA 23061-4410  
Phone: (804) 693-6694 Fax: (804) 693-9032  
<http://www.fws.gov/northeast/virginiafield/>

In Reply Refer To:

April 08, 2022

Project Code: 2022-0029768

Project Name: VDWR Barrier-free trail at Big Survey WMA

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

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letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds

## **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

### **Virginia Ecological Services Field Office**

6669 Short Lane

Gloucester, VA 23061-4410

(804) 693-6694

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## Project Summary

Project Code: 2022-0029768  
Event Code: None  
Project Name: VDWR Barrier-free trail at Big Survey WMA  
Project Type: Recreation - Maintenance / Modification  
Project Description: The Barrier Free trail would utilize the previously disturbed roadbed, the Barrier Free trail could be developed with minimal excavation. The compacted limestone aggregate will provide a firm surface for wheeled mobility devices and maintain permeability for better water management and reduced maintenance costs. All E&S controls would be required. . Stone-filled geo cell matting is the preferred method for crossing the intermittent stream,as this would require less maintenance than a small diameter culvert placed in a woodland drainage.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@36.8871123,-81.1286528320953,14z>



Counties: Wythe County, Virginia

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## Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### Mammals

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6329">https://ecos.fws.gov/ecp/species/6329</a>	Endangered
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

### Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

### Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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# **USFWS National Wildlife Refuge Lands And Fish Hatcheries**

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

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# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

THERE ARE NO FWS MIGRATORY BIRDS OF CONCERN WITHIN THE VICINITY OF YOUR PROJECT AREA.

## Migratory Birds FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the migratory birds potentially occurring in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

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### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical](#)

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[Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## **IPaC User Contact Information**

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Phone: 8043672211

## **Lead Agency Contact Information**

Lead Agency: National Park Service

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