



## UPDATE: Guide to Threatened and Endangered Species on Private Lands in Virginia

Substantive changes may be coming to the Endangered Species Act. A full revision of the accompanying publication: *A Guide to Threatened and Endangered Species on Private Lands in Virginia* will be released once they are finalized. In the meantime, this brief document serves as an update reflecting changes that have occurred since the original publishing of the document. The first update pertains to Incidental Take Permits that protect landowners from prosecution under the ESA for incidental takings of listed species during otherwise lawful activities. Incidental Take Permits require the landowner to develop a Habitat Conservation Plan (HCP). Now, in addition to assurances a landowner may receive from developing and implementing an approved HCP, several other options are available. These include **Safe Harbor Agreements (SHAs)**, **Candidate Conservation Agreements (CCAs)**, and **Candidate Conservation Agreements with Assurances (CCAAs)**.

For landowners who want to promote recovery of a listed species, the Safe Harbor Agreement provision of the ESA may be of interest. This provision encourages landowners to enroll (with the USFWS) property on which a currently listed species exists and to develop and implement a management plan that establishes the baseline habitat or environmental conditions needed by the listed species for survival, even if that restoration work results in minor Incidental Take of the listed species. The landowner would not incur any penalty for such Incidental Take, so long as all provisions of the agreement were upheld.

To reduce the likelihood that a species becomes imperiled, which might trigger future listing, a Candidate Conservation Agreement (CCA) is a voluntary program in which a landowner partners with the USFWS, and perhaps other parties who share similar interests. Under a CCA, the partners to the agreement develop a plan that identifies threats to an at-risk species considered a candidate for future listing and then prescribes management actions that, if implemented, would reduce those threats. The approved plan also includes specific metrics to evaluate progress or, if necessary, modify practices to improve success as the landowner implements the plan. However, if the candidate species eventually is listed, despite implementation of the CCA, the landowner then would be obligated to abide by all provisions of the ESA at the time of listing.

To provide landowners additional protection from restrictions that might be imposed should that candidate species become listed, a Candidate Conservation Agreement with Assurances (CCAA) ensures that a landowner who implements a management plan approved by the USFWS would not be obligated to meet any new regulatory restrictions beyond what was included in the original CCAA plan. Any Incidental Take that occurs while implementing an approved management operation, as stipulated in the plan, would not be subject to future prosecution.

The second set of updates pertain to the contact information. Please use the following information to contact the agencies involved with the ESA and to find the databases mentioned in the text of the full-length publication.

## **Updated Contact Information**

### **Virginia Department of Game & Inland Fisheries (DGIF)**

*dgif.virginia.gov*

- ***Headquarters***

7870 Villa Park Drive  
Suite 400 (Villa Park 3)  
Henrico, VA 23228  
804-367-1000

- ***Regional Offices***

*See map below to determine which office to contact*

- **Region 1**

3801 John Tyler Memorial Highway  
Charles City, VA 23030  
804-829-6580

- **Region 2**

1132 Thomas Jefferson Road  
Forest, VA 24551  
434-525-7522

- **Region 3**

1796 Highway Sixteen  
Marion, VA 24354  
276-783-4860

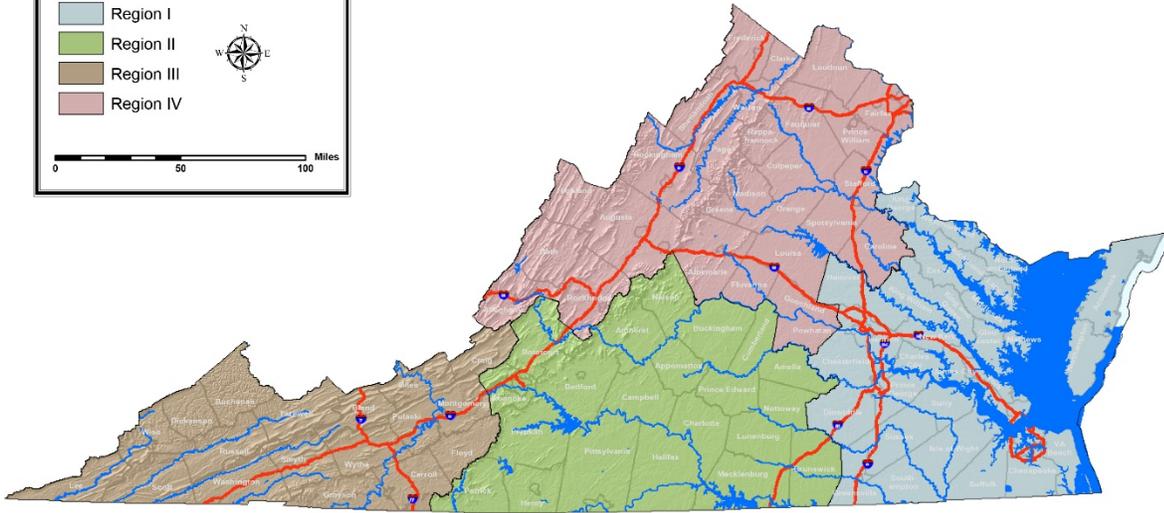
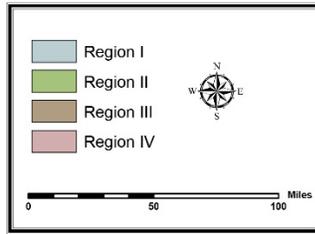
- **Region 4**

517 Lee Highway  
Verona, VA 24482  
540-248-9360

**OR**

1320 Belman Road  
Fredericksburg, VA 22401  
540-899-4169

## Virginia Department of Game and Inland Fisheries



## Virginia Department of Conservation and Recreation (DCR)

[dcr.virginia.gov/natural-heritage/](http://dcr.virginia.gov/natural-heritage/)

- *Natural Heritage Program*  
600 East Main Street  
24<sup>th</sup> Floor  
Richmond, VA 23219  
804-786-7951

## Virginia Department of Agriculture and Consumer Services (VDACS)

[vdacs.state.va.us](http://vdacs.state.va.us)

- *Office of Plant Industry Services*  
102 Governor Street  
Richmond, VA 23219  
804-786-3515

## Virginia Department of Forestry (DOF)

[dof.virginia.gov](http://dof.virginia.gov)

- 900 Natural Resources Drive  
Charlottesville, VA 22903  
434-977-6555

## United States Fish and Wildlife Service (USFWS)

[fws.gov/northeast/virginiafield/index.html](http://fws.gov/northeast/virginiafield/index.html)

[fws.gov/endangered/map/state/VA.html](http://fws.gov/endangered/map/state/VA.html)

- *Virginia Ecological Services Field Office*  
6669 Short Lane  
Gloucester, VA 23061  
(804) 693-6694
- *Southwestern Virginia Ecological Services Field Office*  
330 Cummings Street  
Abingdon, VA 24210  
276) 623-1233
- *Northeast Region*  
300 Westgate Center Drive  
Hadley, MA 01035  
413-253-8200  
<https://www.fws.gov/northeast/>
- *Ecological Services – Endangered Species Permits*  
<https://www.fws.gov/northeast/EcologicalServices/permits.html>

## Databases

[www.natureserve.org](http://www.natureserve.org)

- **Plants and Insects**  
[Vanhde.org/species-search](http://Vanhde.org/species-search)
- **Wildlife**  
[vafwis.org/fwis/](http://vafwis.org/fwis/)  
[dgif.virginia.gov/wp-content/uploads/virginia-threatened-endangered-species.pdf](http://dgif.virginia.gov/wp-content/uploads/virginia-threatened-endangered-species.pdf)
- **Communities and Habitat**  
[dcr.virginia.gov/natural-heritage/natural-communities](http://dcr.virginia.gov/natural-heritage/natural-communities)  
[epa.gov/owow/wetlands/type](http://epa.gov/owow/wetlands/type)