**Examples of Threatened or Endangered Species Conditions**

[Ex. instream work TOYR:

No instream work in any stream channel shall occur from Date Range for TOYR of any year to reduce the risk of impacting Species. [If Applicable: Construction activities conducted in a dry channel or within the confines of a cofferdam are not included within this Time-of-Year Restriction.]

[Ex. bat TOYR: The permittee shall comply with the following Time-of-Year Restriction (TOYR) in accordance with recommendations from the Virginia Department of Wildlife Resources (DWR): No tree clearing shall occur from Date Range of any year, in order to protect the Northern Long-Eared Bat (Myotis septentrionalis), a species listed as Threatened under the Federal Endangered Species Act. The permittee may elect to perform a survey, in accordance with the [current USFWS Bat Survey Guidelines](https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines) for the Northern Long-Eared Bat within the project boundary and coordinate results with the U.S. Fish and Wildlife Service (the Service). Should the survey document the absence of the species within the project boundary, this TOYR is removed.]

[Ex. wood turtle TOYR:

The permittee shall inform all employees and contractors of the possible presence of the State Threatened wood turtle on the project site prior to the commencement of work.  The permittee shall distribute the attached information sheet (Attachment #) to all contractors and employees to inform those working on the site of the wood turtles’ appearance, status and life history.  Any wood turtles encountered and found in jeopardy during the development or construction of the project shall be immediately relocated to suitable habitat in or near the closest perennial stream channel.  Any relocations are to be reported via email to the Virginia Department of Wildlife Resources (attention John (J.D.) Kleopfer at John.Kleopfer@dwr.virginia.gov) with the completed wood turtle observation form (Attachment #) and accompanying photos.]

[Ex. canebrake rattlesnake TOYR:

To further satisfy concerns of the Virginia Department of Wildlife Resources with regard to potential impacts to the canebrake rattlesnake, the permittee shall comply with the following Time-of-Year Restriction (TOYR) in accordance with recommendations from the Virginia Department of Wildlife Resources (VDWR): from [MM/DD] to [MM/DD] [the activity – Example: on future mowing of the 0.34-acre permanent conversion maintenance corridor.] The VDWR canebrake rattlesnake fact sheet shall be distributed to all site workers, and notification shall be made to VDWR should a snake be discovered for safe capture and relocation.]

**Examples of conditions for compensation**

[Ex. canebreak rattlesnake on-site mitigation:

To mitigate potential impacts to the canebrake rattlesnake or its habitat, the permittee has volunteered to preserve [acres] of palustrine forested wetlands on the [area of the property] via recordation of a third-party conservation easement, as approved by the Virginia Department of Wildlife Resources. The location of this preservation area is shown on [location – Example: Sheet 2 of the [Name] impacts map.] Proof of easement recordation must be submitted to DEQ prior to commencing impacts in surface waters.]

[Ex. canebrake rattlesnake credit purchase mitigation:

To mitigate potential impacts to the canebrake rattlesnake or its habitat, [amount] canebrake rattlesnake habitat credits shall be purchased from a bank with a confirmed population of canebrake rattlesnakes. Proof of credit purchase must be submitted to DEQ [Enter when – example: prior to work in permitted impact areas or prior to the commencement of construction.]