

December 8, 2014

To: Endangered Species Committee of the Agency of Natural Resources

From: Jon Kart, VFWD Permits Administrator

Re: Annual Summary of Threatened & Endangered Species Takings Permits

Enclosed is a summary of 2014 Threatened & Endangered (T&E) Species Takings Permits for the Endangered Species Committee's review. This summary can help the ESC determine whether any permitted activities should be treated differently in the future. This summary includes:

- I) Permit administration terminology and taxonomy explained;
- II) Summary statistics; and,
- III) An annotated list of 2014 permits.

I. Permit Administration Terminology and Taxonomy.

Applications are organized by *types* and *categories*. Each is also assigned an *ESC Review Code*.

Permit Type roughly classifies the potential impact to listed species, and guides the application review process. These types are summarized table 1, and described in VFWD's Standard Operating Procedure (SOP) for T&E Takings Permit Administration.

Table 1. T&E Permit Types

#	Type	Description/Typical Application
1	De Minimis Permits .	Typically for exhibition of zoological specimens
2A	Non De Minimis Permits (Renewal)	Proposed activities likely to result in taking (e.g., involves direct investigation, handling, targeting, or collection of a T&E species.
2B	Non De Minimis Permits (New)	
3	All Other Permits	Typically for economic hardship and all other applications that are not types 1 or 2.
3(PC)	Pre-construction survey Permits	Added in 2013 to identify surveys required of Permittees in advance of construction.

Permit Category a two-letter code is assigned to applications based on the nature of the takings activity (table 2). If a proposed activity falls in more than one category (e.g., a permit for research *and* management of spotted turtles that *also* authorizes a permittee to possess a dead specimen for educational purposes) the code assigned to the permit is only for the primary activity.

Table 2. T&E Permit Categories

Code	Type
EE	T&E-Education
EH	T&E-Economic Hardship; (development & pre-construction surveys)
EM	T&E-Management (to enhance the propagation or survival of a species)
ER	T&E-Research (scientific purposes)
ES	T&E-Special purposes consistent with the purposes of the federal ESA
EZ	T&E Zoological Exhibition



ESC Review Codes identify whether or not the ESC reviewed a permit application directly and the extent to which ESC recommendations incorporated in the permit issued (table 3). The number code signifies the extent of review and letter code the extent to which recommendations were incorporated (e.g. “3C” means that the ESC reviewed the application (but not the issued permit) and that the permit mostly reflects the ESC’s guidance.

Table 3. ESC Permit Review Codes

Extent of Review		ESC Guidance Accepted?	
0	No ESC review	A	ESC guidance fully incorporated
1	Permit approved as a class	C	ESC guidance mostly incorporated
2	Minor amendment, original app reviewed	N	ESC guidance not incorporated
3	ESC reviewed current App only		
4	ESC reviewed current Draft Permit only		
5	ESC reviewed current App & Draft Permit		

II. Summary Statistics for 2014 Threatened & Endangered Species Takings Permits

21 permits (new, renewal and amendments) were issued between January 1st and December 8, 2014. This is a drop of ~36% from the previous two years (20 were issued in 2011). No permits for pre-construction surveys were issued in 2014 whereas 11 and 9 were issued in 2013 and 2012 respectively (table 4).

Table 4. Summary Statistics for 2014 Threatened & Endangered Species Takings Permits

	2014		2013		2012		Notes
	All	ANR	All	ANR	All	ANR	
Applications Received	21	2	34	7	34	7	
Permits Issued-total	21	2	34	7	33	7	20 in 2011
Permits Issued-New	17	0	27	5	24	5	
Permits Issued-Renewal	3	1	4	1	6	2	
Permits Issued-Amendment	1	1	3	1	3	0	
Permits Denied	0	0	0	0	1	0	
Applications Withdrawn	0	0	0	0	0	0	
Type 1 permits	0	0	3	0	4	1	
Type 2a permits	3	1	5	2	6	2	
Type 2b permits	8	0	5	2	2	1	
Type 3(PC) hardship survey	0	0	11	3	9	1	
Type 3 hardship	10	1	10	0	12	2	
EE-Education issued	0	0	4	0	4	1	
EH-Hardship	9	1	10	0	12	2	
ER-Hardship driven surveys	5	0	11	3	9	1	
ER-Research	7	0	6	4	5	1	
EM-Management	0	1	3	0	3	2	
ES-Special Purposes	0	0	0	0	0	0	
EZ-Zoological Exhibition	0	0	0	0	0	0	

III. T&E Permits Issued in 2014

An annotated list of all T&E Takings Permits applied for and/or issued between January 1st and December 8, 2014 can be found in table 5.

Table 5. Threatened Endangered Species Takings Permits Issued between 1/1-12/8/2014

Permit type	Permit #	New or Renewal	Permittee	Biz/Org	Authorized Species	Notes	Effective Date	Expiration Date	ESC Review
T&E-2A	EM-2014-01	New	Louis Porter	Vermont Fish & Wildlife Department	All listed species	Authorizes incidental take of listed species during regular staff duties.	1/1/2014	12/31/2018	3-A
T&E-2A	EM-2014-06	Renew	Barry Genzlinger		Eastern small-footed bat, Little brown bat, Indiana bat, Northern long-eared bat, Tri-colored bat	Authorizes bat rehabilitation at the direction of Scott Darling statewide.	4/15/2014	12/31/2018	1
T&E-2A	ER-2014-02	renew	Douglas E. Facey	Saint Michael's College	Eastern sand darter, Channel darter, Stonecat	Authorizes surveys to assess the relative abundance of species listed in 5 of Vermont's large tributaries of Lake Champlain	1/30/2014	12/31/2016	1
T&E-2B	ER-2014-19	New	William Kilpatrick	Department of Biology, University of Vermont	All species of Threatened and Endangered Amphibians, Birds, Fish, Invertebrates, Mammals and Reptiles	Authorizes the possession of listed animal species provided by VFWD and USFWS for genetic and taxonomic research.	9/19/2014	12/31/2018	1
T&E-2B	EH-2014-11	New	Rodney Olsen		Bald Eagle, Golden Eagle, Henslow's Sparrow, Grasshopper Sparrow, Sedge Wren	Authorizes the incidental capture of listed birds during bird banding exercises.	5/28/2014	12/31/2018	1
T&E-2B	EM-2014-05	New	Sally Beckwith		Eastern small-footed bat, Little brown bat, Indiana bat, Northern long-eared bat, Tri-colored bat	Authorizes bat rehabilitation at the direction of Scott Darling statewide.	4/15/2014	12/31/2018	1
T&E-2B	EM-2014-15	New	Roger Donegan	Burlington Electric Department	Pairie Redroot (<i>Ceanothus herbaceous</i>)	Authorizes the collection of seeds and cuttings for transplantation and establishment of a population at a 2nd Burlington location.	9/5/2014	7/31/2019	3-A
T&E-2B	EM-2014-16	New	Cosimo Brigante	Brigante Living Trust	Harsh sunflower (<i>Helianthus strumosus</i>)	Authorizes the transplantation of Harsh sunflower in advance of development in Colchester.	8/8/2014	12/31/2019	3-A
T&E-2B	ER-2014-03	New	Donald Jessome	Transmission Developers Inc.	Giant floater, Pink heelsplitter, Fragile papershell, Pocketbook, Cylindrical papershell, Black sandshell	Authorizes survey in advance of construction to install transmission line in Northern Lake Champlain. No listed mussels found. Few native mussels found--all covered in zebra mussels. Follow-up monitoring not required.	7/15/2014	9/30/2014	3-A
T&E-2B	ER-2014-08	New	Kristen Haynes	SUNY-Syracuse Environmental Science & Forestry	Boott's rattlesnake-root (<i>Nabalus boottii DC</i>)	Authorizes Nabalus collection in alpine zones of Camel's Hump and Mt Mansfield as part of a genetic study to assess the species local and global extinction risk.	5/18/2014	10/30/2014	3-A
T&E-2B	ER-2014-17	New	Alan Hicks	Vesper Environmental	Little brown bat, Indiana bat, Northern long-eared bat	Authorizes the capture of bats at Aeolus Cave for a population study.	8/14/2015	7/15/2015	3-A

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Table 5. Threatened Endangered Species Takings Permits Issued between 1/1-12/8/2014

Permit type	Permit #	New or Renewal	Permittee	Biz/Org	Authorized Species	Notes	Effective Date	Expiration Date	ESC Review
T&E-3	EH-2013-10(a1)	Amend	Steve Costello	Green Mountain Power	Eastern small-footed bat, Little brown bat, Northern long-eared bat, Tri-colored bat	Amended to remove the curtailment requirement for the Lowell wind facility in June and to monitor bat fatality rates at both 5 m/sec and 6m/sec cut-in wind speeds for the period 7/1-9/30/2014	7/15/2013	12/31/2014	5-A
T&E-3	EH-2014-04	New	Robert Grant	Barton Solar LLC	Marsh horsetail (<i>Equisetum palustre</i>)	Authorizes incidental take of Marsh horsetail in advance of solar array installation in Barton.	6/1/2014	12/31/2019	3-C
T&E-3	EH-2014-07	New	Caleb Linn	PCL Civil Constructors	Hairy bush-clover (<i>Lespedeza hirta</i>), Hairy pinweed (<i>Lechea mucronata</i>)	Authorizes the transplanting and incidental take of H. pinweed and H. bush-clover during the West River bridge repair in Brattleboro. Results: survey required by permit found additional pinweed and bush-clover plants across the site.	8/8/2014	12/31/2019	3-A
T&E-3	EH-2014-09	New	Dave Tilton	USFWS, Lake Champlain Office	American brook lamprey, northern brook lamprey, stonecat; Eastern sand darter, Channel darter	Authorizes lampricide treatment Lamoille River.	9/4/2014	9/3/2015	3-N
T&E-3	EH-2014-10	New	Glen Gingras	Vermont Agency of Transportation	Giant floater	Authorizes translocation in advance of culvert replacement at Rt 125 in Bridport. Results: 13 live mussels found; 8 likely Giant Floater, 3 adults that were either Giant Floater or Eastern Floater, 2 juveniles that were not identifiable. <10 G. Floaters found so follow-up monitoring is not required.	6/1/2014	9/30/2014	1
T&E-3	EH-2014-12	New	Mark Delaney	Smugglers' Notch Management Co.	Giant floater, Cylindrical papershell	Authorizes translocation in advance of water intake pipe installation at Lamoille River, Cambridge Junction. Results: 2 Cylindrical papershell found. Because <10 papershells were found, follow-up monitoring is not required.	6/11/2014	9/30/2014	1
T&E-3	EH-2014-18	Renew	Bernie Pientka	Vermont Fish & Wildlife Department	Giant floater, Pink heelsplitter, Fragile papershell, Pocketbook, Cylindrical papershell, Spiny softshell turtle	Authorizes the incidental take of listed mussels during walleye population monitoring in Northern Lake Champlain. Monitoring will occur in 2015.	9/22/2014	9/15/2015	3-A
T&E-3	EH-2014-20	New	Mark Saba	Bay Harbor Marina	Giant Floater	Authorizes translocation in advance of dock repairs in Colchester. Results: 186 Giant Floater relocated. Follow-up monitoring required (June and Sept 2015).	9/24/2014	9/30/2015	3-A
T&E-3	ER-2014-13	New	Ken Sturm	USFWS/Missisquoi NWR	Giant floater, Pink heelsplitter, Fragile papershell, Fluted-shell, Pocketbook, Cylindrical papershell, Black sandshell	Authorizes translocation in advance of dock repair. Results: five pink heelsplitters and one pocketbook were found and moved. Follow-up monitoring is not required.	6/30/2014	9/30/2014	3-A
T&E-3	ER-2014-14	New	Donald Mason	Normandeau Associates, Inc	Cobblestone tiger beetle (<i>Cicindela marginipennis</i>), Puritan tiger beetle (<i>Cicindela puritana</i>)	Authorizes tiger beetle capture and release as part of suitable habitat survey on lower Connecticut River. Report not yet submitted.	6/30/2014	9/30/2014	3-A

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