

Information for Private Landowners – Process for Red-cockaded Woodpeckers in the NC Sandhills

Private landowners have different responsibilities than do public land managers for endangered species conservation under Section 9 of the Endangered Species Act. Therefore, private landowners are strongly encouraged to follow general guidelines for red-cockaded woodpecker (*Picoides borealis*) management in order to avoid inadvertent destruction of pine habitat supporting red-cockaded woodpeckers and any potential violation of the Federal Endangered Species Act.

Because of the potential for harassment and/or harm under the definition of 'take' in the Endangered Species Act, the following activities are prohibited without concurrence and/or a permit from the U.S. Fish and Wildlife Service (Service):

1. Removing any red-cockaded woodpecker cavity tree, through cutting, bulldozing, or any other activity.
2. Damaging an active cavity tree which results in the death of that tree. Damage includes, but is not limited to, injury to the bole or root system (generally due to heavy equipment use), exposure to herbicides, and fire scorch to the crown due to inadequate protective measures during prescribed burning. Pines are best protected from damage by intense fires through frequent low-intensity prescribed burns.
3. Using insecticides on any standing pine tree. Prevention and control of disease and insect infestations is encouraged. Infestations of insects such as southern pine beetles are best prevented by maintaining open structure and adequate spacing between pines. Control of active infestations often includes the cutting of infested trees. If such control will result in losses of trees below recommended foraging guidelines (below), or in the removal of cavity trees, the U.S. Fish and Wildlife Service must be contacted prior to the action.
4. Constructing roads and utility rights-of-way within a cluster. A cluster is defined as the aggregation of cavity trees previously and currently used and defended by a group of red-cockaded woodpeckers plus a 200 foot buffer around the outermost trees. Use of existing roads, improved or unimproved, generally does not adversely affect red-cockaded woodpeckers and therefore is permitted. If, in the landowner's opinion, there is no reasonable alternative to construction of new roads, either improved or unimproved, or if there is no reasonable alternative to placing a utility right-of-way within the cluster, the U.S. Fish and Wildlife Service must be contacted before construction or clearing activities are initiated.
5. Construction of facilities within a cluster including, but not limited to, buildings, campgrounds, recreational developments, residential dwellings, and industrial or business complexes. If, in the landowner's opinion, extenuating circumstances require a facility to be constructed in an active cluster, the U.S. Fish and Wildlife Service must be contacted during the planning phase and prior to any construction activity.
6. Planting of shrubs and/or ornamental plants that will exceed 2.1 m (7 ft) in height within 15.24 m (50 ft) of active and inactive cavity trees. If cavities are 3.05 m (10 ft) or less in

height, planting any shrubs within 15.24 m (50 ft) of cavity trees may adversely affect red-cockaded woodpeckers. Construction equipment and construction material cannot be stored within 61 m (200 ft) of cavity trees. Landscaping within clusters should be accomplished with hand tools or lightweight power equipment rather than tractor-mounted equipment.

RESIDENTIAL PROPERTIES

Requests to evaluate potential impacts of proposed development on residential properties in Moore County, NC may be either faxed (910-695-3322), emailed (ncsandhillsrcw@fws.gov) or mailed to the USFWS Sandhills Sub-office at the address below. The applicant should expect to receive a response within 14 working days from receipt of the request (emailed requests will receive the quickest response). Alternatively, an applicant can secure the services of a qualified environmental consultant who has experience with surveying for red-cockaded woodpeckers. The consultant or the applicant can then submit the results of the survey to the USFWS for review. Whether you contact the USFWS directly or work through a qualified consultant, the following information is required in order for the USFWS to complete an evaluation:

Name and mailing address of applicant
Subject property's lot number, street address
Property LRK number

For a general map showing the location of red-cockaded woodpecker cluster locations and foraging areas in Moore County, NC go to

<http://www.fws.gov/ncsandhills/files/MooreCounty2008.pdf>

COMMERCIAL PROPERTIES

Requests to evaluate potential impacts of proposed commercial developments within red-cockaded woodpecker habitat require a more in-depth project review. As part of this review process, the Service requests that project applicants submit a biological assessment of the proposed action to the address below. For more details on the project review process, please contact Pete Campbell at (910) 695-3323 or pete_campbell@fws.gov. Biological assessments generally require a minimum of 25 working days for review by the Service.

For more information about private landowner's responsibilities, please visit [Appendix 5](#) at http://www.fws.gov/rcwrecovery/private_lands_guidelines.pdf of the [Recovery Plan](#) for the Red-cockaded Woodpecker (*Picoides borealis*) Second Revision January 2003.

U.S. Fish and Wildlife Service
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