

HABITAT CONSERVATION PLAN
ALABAMA BEACH MOUSE
(Peromyscus polionotus ammobates)

1.0 COMPLETE DESCRIPTION OF THE ACTIVITY SOUGHT TO BE AUTHORIZED (50 CFR 17.22(b)(1)(I))

We/I _____(name) propose to construct a single-family / duplex (circle one) dwelling on a lot measuring ____ by ____ feet, totaling approximately _____ square feet. The lot, in part or in its entirety, lies within an area which is considered habitat for the Alabama beach mouse, *Peromyscus polionotus ammobates* (ABM). The lot contains elements of suitable ABM habitat, including open sandy areas in the process of dune formation, interdunal areas, and associated natural vegetation. The habitat may be occupied by the ABM. Construction of the residence and eventual occupancy may result in the incidental take of ABM, and thus potentially expose the applicant to a potential violation of Section 9 of the Endangered Species Act. Authorization, therefore, is sought for any incidental taking of ABM that may result from the construction and occupancy of the proposed residence. The lot may also be located all, or in part, within designated Critical Habitat for the ABM.

1.01 The lot is located at (Provide parcel ID number, street address of lot, legal description (ie Lot # and Subdivision), and any other pertinent information. Include map showing location of lot.)...

1.02 The lot is bordered on the west by _____,
on the east by _____,
on the north by _____,
and on the south by _____.
(i.e., undeveloped lot, single family dwelling, condominium, road, etc.).

1.03 Describe all structures proposed to be built, including driveway, parking pad, storage buildings, amenity features, etc., and their location within the lot (i.e. distance from property lines, Coastal Construction Control Line (CCCL), other natural features) Please include drawing indicating the proposed development features within the lot.

1.04 Vegetation on the lot consists of (Describe vegetation, including species, abundance,
Version June 1, 2007

location, etc.)...

2.0 COMMON AND SCIENTIFIC NAMES OF THE SPECIES SOUGHT TO BE COVERED BY THE PERMIT, AS WELL AS THE NUMBER, AGE, AND SEX OF SUCH SPECIES, IF KNOWN (50 CFR 17.22(B)(1)(II))

2.01 Incidental take of the Alabama beach mouse (*Peromyscus polionotus ammobates*) is sought to be covered by the subject permit. Incidental take is difficult to detect for a species such as the ABM and is therefore based on the take of all ABM within a specified amount of habitat impacted. Loggerhead (*Caretta caretta*) and Kemp's Ridley (*Lepidochelys kempii*) sea turtles may also use the lot for nesting, however impacts to nesting sea turtles must be avoided.

2.02 The US Fish and Wildlife Service (Service) has determined that the habitat in this area is capable of supporting ABM, therefore occupancy by ABM is considered likely. Because ABM have home ranges larger than the lot, it is always possible that mice could occur on the construction site during construction and thus be exposed to a taking. Even though ABM are nocturnal and not likely to be out of their burrows during daylight construction periods, construction activities could result in harassment, harm, or death of an ABM in a burrow.

**3.0 HABITAT CONSERVATION PLAN (50 CFR 17.22 (b)(iii)(a)-(c))
THE IMPACT THAT WILL LIKELY RESULT FROM THE PROPOSED TAKING (50 CFR 7.22(b)(1)(iii)(a))**

3.01 Construction is on the (**Insert appropriate description of residence location on the lot and number of square feet permanently impacted**) _____ portion of the lot. The area to be permanently altered will consist of _____ square feet for the residence and attached amenity features (deck, pool, etc.), plus a driveway which will be of the minimum size to allow access from the main road (include impacts within the road right-of-way), _____ feet long and _____ feet wide. Parking will be restricted to the parking pad underneath the dwelling. Other structures proposed on the lot include...
_____ and will impact
_____ square feet. The total amount of permanent impact is _____ square feet.

3.02 Temporary habitat impacts will be limited to a minimal temporary construction workspace around the residence and installation of utilities. Utilities to the residence will be _____ (under/above) ground. If underground, _____ square feet of habitat will be temporarily impacted and restored to pre-project conditions after utilities are installed. An estimate of the total amount of temporary habitat impacts is _____ square feet.

3.03 This residence will be used as a _____ (permanent residence

/weekend or vacation retreat/rental unit). **(If residence will be rented, additional measures will be undertaken to ensure that renters/tenants must comply with provisions of the HCP (i.e., signs inside or outside the house, provisions in lease agreement, verbal notification, etc.))**

4.0 STEPS TO BE TAKEN TO MONITOR, MINIMIZE, AND MITIGATE SUCH IMPACTS, THE FUNDING THAT WILL BE AVAILABLE TO IMPLEMENT SUCH STEPS, AND THE PROCEDURES TO BE USED TO DEAL WITH UNEXPECTED CIRCUMSTANCES (50 CFR 17.22(b)(2)(iii)(B))

4.01 MONITORING

The applicant will allow Service or the State of Alabama Department of Conservation personnel, or other persons designated by either agency, to enter the property at any time for the purpose of monitoring ABM populations, conducting compliance inspections, implementing predator control measures, or trapping ABM. **(The applicant may choose to submit an annual survey report conducted by a biologist holding a valid ABM collection permit.)** The Service will continually monitor compliance with the terms and conditions of the HCP and ITP during and post construction. Any violations of permit conditions will be reported to the applicant and Service law enforcement, with compliance actions and timelines indicated. Failure to bring the property into compliance could result in enforcement actions by the Service under Section 9 of the Endangered Species Act.

4.02 MINIMIZATION AND MITIGATION OF IMPACTS

Impacts to ABM will be minimized on the property by implementing the following Conservation Measures:

4.021 County waste disposal services will be used in this area. No user of the property will accumulate any refuse capable of attracting rodents. All refuse will be disposed of using a refuse container that is rodent proof and scavenger-proof.

4.022 No lumber, metals, nor bulk materials will be kept, stored, or accumulated on the property excepting only building materials during construction. Building materials will be stored in neat piles and positioned on the parking pad or driveway to the maximum extent possible. Construction debris will be placed in a bulk refuse container (dumpster) located on site for this purpose **(Dumpsters will not be placed in ABM habitat)**. Each contractor, including each subcontractor, retained for land preparation and construction of the proposed residence, will be provided with specific written requirements reflecting the entirety of the above conditions controlling construction refuse disposal and removal and limitations on material storage. These prohibitions and reporting provisions are to avoid the introduction of predators/competitors.

4.023 No free-roaming cats will be allowed on the property. Residents or visitors are prohibited from supporting the presence of free-roaming cats by providing food, shelter or any

other life support elements. Any observations of free-roaming cats will be reported to local animal control authorities and to the U.S. Fish and Wildlife Service's Daphne, Alabama Ecological Services Field Office. Pets of property owners and/or renters will be kept on a leash while outside.

4.024 All undeveloped areas of the lot will be maintained in a natural state. Landscaping of the lot is discouraged. If landscaping is proposed, only plants native to the coastal dune system of Alabama will be used. (**A list of allowable plants is available from the Service.**) The natural topography of the lot will not be altered for landscaping purposes, with the exception of the construction of new dunes. New dune formation may be enhanced by the installation of sand fencing. (The Service can provide guidelines for sand fence installation.) The use of hay bales and/or any form of mulch will not be allowed because they can introduce exotic weed seeds and fire ants into the area.

4.025 No exterior lighting will be allowed for decorative purposes. No directional outdoor floodlights or any other lights that illuminate any area outside of the residential footprint will be installed or used. Exterior lights will be low pressure sodium and cannot exceed 40 watts. All exterior lights must be shielded or hooded. Any lights on dune walkovers must be recessed and no lights are permitted at the end of dune walkovers or south of the CCCL. Tinted glass is required for all exterior windows and doors. These lighting requirements comply with the City of Gulf Shores' Ordinance 1461, passed in 2006.

4.026 For first tier lots, an elevated wooden dune walkover (_____feet long) will be constructed to lead from the residence to the beach, thus protecting the primary dune area from foot traffic damage. (**This applies to Gulf-fronting lots only.**) The elevation of the dune walkover must be one foot higher than the highest dune on the property (**otherwise the dunes will migrate and cover the walkover**), or a minimum height of five feet. The walkway will be constructed top-down to reduce the impacts of heavy equipment operation on ABM habitat. All undeveloped areas of the lot will be maintained in a natural state. The developed area will be confined to the footprint of the residence and the driveway. The area of the site to be used for staging building materials will be minimized.

4.027 Driveways must be reduced to the minimum size and distance necessary, but will not exceed 30-feet in width for driveways less than 30 feet long or 15 feet in width for driveways longer than 30 feet. The Service recommends driveways constructed of concrete or of other materials that will not redistribute during and after storm events. Use of shell or gravel is no longer permitted. Driving and/or parking in natural areas of the lot (outside of the construction footprint) is not be permitted.

4.028 Recreation and beach equipment will not be placed or stored within undeveloped areas of the lot. Outdoor storage facilities will be restricted to the parking area underneath the residence.

4.029 If at any time during land development activity or subsequent residential construction

and/or occupancy any ABM is: (a) killed or found dead, the applicant will immediately place the specimen in a secure freezer storage and will, within 48 hours, contact the designated representative of the U.S. Fish and Wildlife Service, who will make arrangements for transfer of the specimen to appropriate custody or will direct disposition; (b) injured or found in an injured state, such that it is immobilized or otherwise traumatized sufficiently that it readily may be captured, the applicant will take custody of the injured mouse, using due caution to avoid further injury; will immediately notify the designated representative of the U.S. Fish and Wildlife Service concerning circumstances of the injury and apparent condition of the injured mouse and will follow such instructions as the U.S. Fish and Wildlife Service representative may provide concerning custody, care and disposition.

4.03 FUNDING OF THE HABITAT CONSERVATION PLAN

4.031 Costs associated with monitoring ABM on the site will be borne by the permit holder or the permit holder may elect to allow the Service access to the property for monitoring and trapping. In this case, the cost of trapping, monitoring, and surveying will be borne by the Service.

4.032 The essential features of this HCP to minimize potential adversity to ABM (i.e., positioning of the residence, management of construction materials storage, and elevated wooden boardwalk) require little costs above that normally associated with construction and maintenance costs and supervision of same and thus require no separate financing or financial guarantees of performance.

4.033 The provision of refuse containers according to specifications herein (**4.021**) is an expense that will be the sole responsibility of the permit holder. Supervision of contractors to assure their compliance with the same provisions is also the sole responsibility of the permit holder.

4.034 The prohibition of free-roaming cats requires no funding commitment.

4.035 The provisions regarding annual reporting may result in minor expenses which will be borne by the permit holder.

4.04 PROCEDURES TO BE USED TO DEAL WITH UNFORESEEN CIRCUMSTANCES

The property owner and the U.S. Fish and Wildlife Service acknowledge that even with the above detailed provisions for monitoring, minimizing and mitigating impacts to the ABM, circumstances could arise which were not fully anticipated by this plan which may result in unanticipated impacts to ABM. Should such an event come to the attention of either the property owner or the Service, the party identifying the unforeseen circumstances will promptly notify the other. Within 10 working days of such notification, representatives of the parties will

discuss the unexpected circumstances, and will agree to appropriate corrective measures. Implementation of any agreed upon measures will begin, if feasible, within an additional 10 working days. Failure of the permit holder to implement protective measures within 60 days of the discovery of unforeseen circumstances may constitute grounds for permit suspension or revocation. The Service will provide to the permit holder a written notice of the deadline for implementation of corrective measures.

In the case of unforeseen extraordinary circumstances which are causing (or which pose the threat of) immediate harm to ABM, and which require implementation of corrective measures to relieve such threat or to mitigate, minimize or avoid such harm, the parties will implement the provision of this part as expeditiously as is feasible and will not invoke any above-described time limitation as a basis for any delay which would reduce the scope or effectiveness of the protective or corrective measures necessary for addressing such extraordinary unforeseen circumstances.

4.05 REPORTING

During the incidental take permit period, the permit holder will submit to the Service a report immediately after construction has been completed and annually thereafter, for a reporting period to be specified in the permit. The report will describe all activities carried out on the site, amount of permanent and temporary habitat impacts, and implementation of the mitigation and minimization measures set forth in **4.02**. A report will also be prepared if any of the following situations occur:

- An incident of non-compliance with any requirement or condition of the incidental take permit, including any corrective measures taken and the result of such corrective measures.
- Observations of house mice (*Mus musculus*) on the lot or in the residence.
- Any change in garbage and refuse management.
- Any placement and/or storage of materials or equipment relating to construction of the project within ABM habitat.
- Dune integrity and crossover status and any maintenance required for dune crossover structures.
- Landscaping with species not on the native Alabama dune plant species list.
- Any changes to lighting on the property.
- Any corrective measures or other changes that may be necessary to improve the efficacy

of the permit, including a description of incidents that have been resolved.

Contact for reports: U.S. Fish & Wildlife Service, 1208-B Main Street, Daphne, AL 36526,
Telephone:(251) 441-5181, Fax:(251) 441-6222

5.0 CERTIFICATION

I hereby certify that all information provided in this Habitat Conservation Plan is complete and accurate to the best of my knowledge.

Signature _____ Date _____