



Herod, Holly <holly\_herod@fws.gov>

## Re: CBRA email to Panama City, FL FO

1 message

**Ray-Culp, Melody** <melody\_ray-culp@fws.gov>

Wed, Jun 18, 2014 at 1:19 PM

To: "Bohn, Cynthia" <cynthia\_bohn@fws.gov>

Cc: "Channing St. Aubin" <Channing\_StAubin@fws.gov>, Holly Herod <holly\_herod@fws.gov>

Thanks Cindy.

Per our phone chat, I reviewed the location and other info provided in Kevin Reynolds's message below, and concur with the consistency determinations made for each of the three projects described.

Thank you all for your efforts in support of CBRA.

Melody

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Melody Ray-Culp  
 Florida Panhandle Coastal Program  
 U.S. Fish & Wildlife Service  
 1601 Balboa Avenue  
 Panama City, FL 32405  
 850-769-0552 ext. 232  
 850-763-2177 fax  
[Melody\\_Ray-Culp@fws.gov](mailto:Melody_Ray-Culp@fws.gov)

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On Wed, Jun 18, 2014 at 11:33 AM, Bohn, Cynthia <cynthia\_bohn@fws.gov> wrote:

Melody: the FO (you) still needs to concur with the CBRA determination that they have written below. Holly Herod here in the RO is coordinating the responses. c

Cynthia Bohn  
 Southeast Region Coastal Program and CBRA Coordinator  
 Southeast Region NWI Contact  
 USFWS Southeast Region  
 1875 Century Blvd, Room 200  
 Atlanta, GA 30345  
 Phone: 404-679-7122  
 Fax: 404-679-7081  
[cynthia\\_bohn@fws.gov](mailto:cynthia_bohn@fws.gov)

“Our greatest freedom is the freedom to choose our attitude.”  
 — Viktor E. Frankl

On Wed, Jun 18, 2014 at 11:47 AM, Ray-Culp, Melody <melody\_ray-culp@fws.gov> wrote:

Hi Cindy,

Please see message thread below. As I recall, CBRA consistency determinations for all oil spill related projects were to be handled by a central location. Is that correct? Please advise.

Thanks,  
Melody

----- Forwarded message -----

From: **St. Aubin, Channing** <[channing\\_staubin@fws.gov](mailto:channing_staubin@fws.gov)>  
Date: Wed, Jun 18, 2014 at 10:35 AM  
Subject: Fwd: CBRA email to Panama City, FL FO  
To: Melody Ray-Culp <[Melody\\_Ray-Culp@fws.gov](mailto:Melody_Ray-Culp@fws.gov)>

----- Forwarded message -----

From: **Herod, Holly** <[holly\\_herod@fws.gov](mailto:holly_herod@fws.gov)>  
Date: Wed, Jun 18, 2014 at 8:04 AM  
Subject: Fwd: CBRA email to Panama City, FL FO  
To: "Channing St. Aubin" <[channing\\_staubin@fws.gov](mailto:channing_staubin@fws.gov)>  
Cc: Catherine Phillips <[catherine\\_phillips@fws.gov](mailto:catherine_phillips@fws.gov)>

Hi Channing, I hope this email finds you doing well. I just wanted to check in regarding our CBRA consistency determinations below for the Deepwater Horizon Early Restoration Projects - Gulf Islands National Seashore (GUIS) Beach Enhancement, GUIS Ferry purchase and operation, and Pensacola Living Shoreline. Will we need to provide your office with any additional information or may we consider this consultation complete?

Sincerely,

Holly Herod

Department of the Interior  
DOI DWH Case Management Team, ESA Coordinator

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## CONFIDENTIALITY AGREEMENT AND TRUSTEE COUNCIL MOU/CONFIDENTIAL

----- Forwarded message -----

From: **Kevin Reynolds** <[kevin\\_reynolds@fws.gov](mailto:kevin_reynolds@fws.gov)>

Date: Wed, Jun 4, 2014 at 9:09 AM

Subject: CBRA email to Panama City, FL FO

To: Catherine Phillips <[catherine\\_phillips@fws.gov](mailto:catherine_phillips@fws.gov)>

Cc: Colette Charbonneau <[colette\\_charbonneau@fws.gov](mailto:colette_charbonneau@fws.gov)>, Debora McClain <[debora\\_mcclain@fws.gov](mailto:debora_mcclain@fws.gov)>, Holly Herod <[holly\\_herod@fws.gov](mailto:holly_herod@fws.gov)>, John Rudolph <[John.Rudolph@sol.doi.gov](mailto:John.Rudolph@sol.doi.gov)>, [channing\\_staubin@fws.gov](mailto:channing_staubin@fws.gov)

Good Morning Catherine,

The Deepwater Horizon Case Management Office is continuing to move the proposed Early Restoration projects forward through various environmental compliance consultations. First, we would like to thank you for all your efforts in the Intra-Service ESA Section 7 consultations your office conducted for the proposed projects. We are currently working on the Coastal Barrier Resources Act consistency determinations. There are three projects in Florida that will have Federal expenditures and are being evaluated by the Trustees as potential early restoration projects. The early restoration projects were proposed in the draft early restoration plan that was released for public comment and review on December 6, 2013. If the Trustees select the projects after consideration of public comment and a stipulated agreement is reached with BP, the early restoration projects will be implemented by NOAA, DOI and the State of Florida.

We used the Coastal Barrier Resources System mapper – Beta (<http://www.fws.gov/cbra/Maps/Mapper.htm> [assessed May 19, 2014]) to determine if proposed projects were located within an Otherwise Protected Area or within a System Unit. If the proposed project will occur in an Otherwise Protected Area or outside of a System Unit, no additional analysis was developed.

These are the three Florida projects referenced above:

### **Beach Enhancement at Gulf Islands National Seashore (GINS), Florida**

The Beach Enhancement at GINS is proposed by DOI-National Park Service (NPS) for implementation at Fort Pickens, Santa Rosa, and Perdido Key areas of the Florida District of GINS (Figure 1 attached). This project involves removing fragments of asphalt and road-base material (limestone aggregate and some chunks of clay) that have been scattered widely over hundreds of acres of GINS barrier island habitats. In addition, sections of the old road and some miscellaneous chunks of concrete may be present along a 2 mile stretch of the intertidal zone at Fort Pickens where visitors sometime swim. Asphalt fragments range in shape and size from large slabs down to brick and pea size pieces (i.e., from approximately 10 feet in size down to a quarter of an inch). These materials originated from roads damaged during several storms and hurricanes since 1995 and may serve as a potential hazard to visitors, obstruct migratory bird nesting and feeding, and natural formation of dune ecosystems.

The goal of this project is to restore a portion of the lost visitor use of the Seashore caused by the Spill by improving the future visitor experience there. The aesthetic and physical improvements from asphalt removal would improve the visitors' experience by keeping them from walking on or swimming among the asphalt and road-base materials. While not the purpose of the proposed projects, if the asphalt is obstructing migratory bird behaviors or dune formation, the project could result in improved habitat for protected species.

### *Consistency Analysis*

Santa Rosa and Fort Pickens project areas are contained within FL-98P Coastal Barrier Resource System Unit (CBRS) and the Perdido Key project area is contained within FL-103P CBRS. We have determined that CBRA does not apply because this is an Otherwise Protected Area and the only prohibition is Federal Flood Insurance.

### **Gulf Islands National Seashore (GINS) Ferry Project, Florida**

The DOI-NPS has proposed to purchase up to three ferries to transport visitors (no automobiles) between the City of Pensacola, Pensacola Beach, and the Fort Pickens area of Gulf Islands National Seashore in Florida (Figure 2 attached). Due to the DOI-NPS proposal to purchase the ferries, the resulting ferry service may require additional facilities to be constructed (i.e., connected actions under NEPA): two passenger queuing areas – one with a small ticketing facility; a floating dock, a landing, and a ramp between the two in one area; and an additional dock plus improvements to an existing dock in another area. Both connected actions would occur at existing facilities in City of Pensacola Plaza de Luna and Pensacola Beach Quietwater Beach. These connected actions will not be funded with DOI-NPS early restoration project funds nor will they occur on DOI-NPS property. Until such time that these additional structures are completed, any ferries purchased will operate out of existing marinas and piers (City of Pensacola Plaza de Luna facility and Pensacola Beach Quietwater Beach facility).

Ferry purchase and operation will provide alternative visitor access to GINS barrier islands. Hurricanes and storms in 2004 and 2005, destroyed large segments of the only road going to Ft. Pickens and eliminated vehicle access through this eight-mile-long area. For five years the only means of visitor access to this area was by foot, bicycle, private boat, or limited Commercial Use Authorization permit holders. This severely restricted access to the Park for everyone, especially those with disabilities, the elderly, and the very young.

#### *Consistency Analysis*

The Ferry service operation will occur within FL-98P in an Otherwise Protected Area and areas that are not within any designated System Unit. Connected actions are proposed in areas outside of any designated System Unit and will not be built with federal expenditures from DOI-NPS. Therefore, the proposed project is not subject to CBRA.

### **Pensacola Bay Living Shoreline Project, Florida**

The proposed Pensacola Bay Living Shoreline Project will be implemented by NOAA and the State of Florida. The proposed Pensacola Bay Living Shorelines project is intended to use standard living shoreline techniques that utilize natural and/or artificial breakwater material to reduce shoreline erosion and provide habitat at two sites within a portion of Pensacola Bay (Figure 3 attached). This project would create 4 acres of reefs to reduce wave energy, increase benthic secondary productivity, and 18.8 acres create salt marsh habitat. Proposed activities include:

- \*completing and expanding an existing breakwater at the Project Green Shores Site II,
- \*constructing approximately 2,400 feet of breakwater at the Sanders Beach site, and
- \*creating salt marsh habitat at both sites.

#### *Consistency Analysis*

The Pensacola Bay Living Shoreline project does not occur within any designated System Unit. Therefore, the proposed project is not subject to CBRA.

If there is anything else we need to capture for CBRA determinations, please let me know.

Thanks you for your assistance,

Kevin

\*\*\*\*\*

**Kevin D. Reynolds, Ph.D.**

DOI Case Manager

Deepwater Horizon NRDAR

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Channing St. Aubin

Environmental Contaminants

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