Pat St Joe

NRDA ROUTING SLIP

Comments:_____

_____ Date:

	Received	Due	
Imm, Don			
Phillips, Catherine			
Ambrose, Lydia	4/22/14		Concur VA
Kelly, Patty	5/1/14		
Lehnhoff, Lisa	4/22/14	Concur	
~~Mitchell, Harold~~			
~~Negron-Ortiz, Vivian~~			
~~Pursifull, Sandy~~			
Yanchis, Kristi	4/16/14	MANAA KRJ No comments concur	

agreed ~~shoog~~ signage to inform no dogs, rules for St. Joe SP should reduce indirect affects of B disturbance to nesting & wintering shorebirds.
- PKelly

United States Department of the Interior

FISH AND WILDLIFE SERVICE
1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/DH NRDAR

MAR 26 2014

Memorandum

To: Field Supervisor, Panama City Ecological Services Office

From: Deputy Deepwater Horizon, Department of the Interior Natural Resource Damage Assessment and Restoration (NRDAR), Case Manager

Subject: Informal Consultation and Conference Request for the Proposed Gulf County Recreation Project – Highland View Boat Ramp and Port St. Joe Frank Pate Boat Ramp, Florida

As you are no doubt aware, on or about April 20, 2010, the mobile offshore drilling unit *Deepwater Horizon* experienced an explosion, leading to a fire and its subsequent sinking in the Gulf of Mexico (the Gulf). These events resulted in the discharge of millions of barrels of oil into the Gulf over a period of 87 days. In addition, various response actions were undertaken in an attempt to minimize impacts from spilled oil. These events are hereafter collectively referred to as the Oil Spill.

The Department of the Interior (DOI), acting through the U.S. Fish and Wildlife Service (the Service) and other Bureaus, is a designated natural resource trustee agency authorized by the Oil Pollution Act of 1990 (OPA) and other applicable federal laws to assess and assert a natural resource damages claim for this Oil Spill. DOI is only one of several Trustees, including agencies of the State of Florida, so authorized. Consistent with their federal and state authorities, the Trustees are investigating the resource injuries and losses that occurred as a result of the Oil Spill and have initiated restoration planning to identify the actions that will be needed or appropriate to restore injured resources and to make the public whole for the injuries and losses that occurred. This process is known as a Natural Resource Damage Assessment (NRDA).

On April 20, 2011, DOI, National Oceanic and Atmospheric Administration, and the Trustees for the five Gulf states affected by the Oil Spill entered into an agreement with BP, a responsible party for the Oil Spill, under which BP agreed to provide $1 billion for early restoration projects in the Gulf to address injuries to natural resources caused by the Oil Spill. The subject project is being evaluated by the Trustees as a potential early restoration project. The early restoration project has been proposed in a draft early restoration plan that was released for public comment and review on December 6, 2013. If the Trustees select the project after consideration of public comment and a stipulated agreement is reached with BP, the early restoration project will be implemented by the State of Florida. DOI, acting through the Service, will be a co-Trustee for the project, if it is selected and implemented.

The above facts lead us to the conclusion that consultation and conference under Section 7 of the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), is required for the

proposed project and we wish to engage in such consultation. Accordingly, we have reviewed the proposed Gulf County Recreation Project – Highland View Boat Ramp; and Port St. Joe Frank Pate Boat Ramp, Florida for potential impacts to listed, candidate, and proposed species and designated and proposed critical habitats in accordance with Section 7 of the ESA. We determined the proposed project may affect, but is not likely to adversely affect, St. Andrews beach mouse, five species of sea turtles (green, hawksbill, Kemp's ridley, leatherback, and loggerhead), piping plover, red knot (if listed), and West Indian manatee and have provided our analysis in the attached Biological Evaluation. We also determined the proposed project would not result in adverse modification or destruction of critical habitat for St. Andrews beach mouse, piping plover, or loggerhead sea turtle (if designated). We have also reviewed the proposed project for impacts to bald eagles and migratory birds in accordance with the Bald and Golden Eagle Protection Act (BGEPA) of 1940 (16 U.S.C. 668-668c) and the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703–712), respectively. Consultation will also be initiated with National Marine Fisheries Service for species where ESA regulatory authority is shared in regards to Marine Mammal Protection Act (MMPA) of 1972, as amended (16 U.S.C. 1461 *et seq.*).

We request your review of and concurrence with the attached intra-Service Section 7 Biological Evaluation form describing the proposed project, potential effects, conservation measures and justifications for our determinations. If you have questions or concerns regarding this request for consultation, please contact Holly Herod, Fish and Wildlife Biologist, at 404-679-7089 or holly_herod@fws.gov.

Attachment

SOUTHEAST REGION
INTRA-SERVICE SECTION 7
BIOLOGICAL EVALUATION FORM

Originating Person: Holly Herod; prepared by David Mills (representing the State of Florida Natural Resource Trustees – The Florida Department of Environmental Protection and the Florida Fish and Wildlife Conservation Commission)
Telephone Number: Holly Herod: 404-679-7089; Dave Mills 303 381 8248
E-Mail: holly_herod@fws.gov; dmills@stratusconsulting.com
Date: March 25, 2014

PROJECT NAME (Grant Title/Number): (1) Gulf County Recreation Project – Highland View Boat Ramp and (2) FWC Strategic Boat Access – Port St. Joe Frank Pate Boat Ramp

I. **Service Program:**
- _X__ **NRDAR**
- ___ **Ecological Services**
- ___ **Federal Aid**
  - ___ **Clean Vessel Act**
  - ___ **Coastal Wetlands**
  - ___ **Endangered Species Section 6**
  - ___ **Partners for Fish and Wildlife**
  - ___ **Sport Fish Restoration**
  - ___ **Wildlife Restoration**
- ___ **Fisheries**
- ___ **Migratory Birds**
- ___ **Refuges/Wildlife**

II. **State/Agency:** Florida Department of Environmental Protection (DEP) and Florida Fish and Wildlife Conservation Commission (FWC)

III. **Station Name:** DOI Deepwater Horizon Case Management Team, USFWS Southeast Regional Office, Atlanta, Georgia 30345

IV. **Location (attach map):** See the following figures for the general location and project areas of activity for each of these efforts:
- Highland View: general location, Figure A; activity area, Figure B
- Frank Pate: general location, Figure C; activity area from plans, Figures D and E.

A. **Ecoregion Number and Name:** Southeast Region

B. **County and State:** Gulf County, Florida

C. **Section, township, and range (or latitude and longitude):** See Figures B and D for project activity areas for Highland View and Frank Pate respectively.

D. Distance (miles) and direction to nearest town: See maps at the end of the document (Figure A for the Highland View boat ramp location, Figure C for the Frank Pate boat ramp location).

V. Description of Proposed Action (attach additional pages as needed):

Two related actions are being evaluated as part of this review. These actions consist of improving the Highland View boat ramp and the Frank Pate boat ramp, both of which are located in Gulf County, Florida. These actions are being evaluated together because they share the same general project area and types of actions. The rest of this section provides information on each of these actions.

Highland View Boat Ramp

As part of this project, the amenities at this boat ramp site would be upgraded and will include some renovations to the existing pier structure such as replacing planking and side bumpers. No work to the ramp itself is planned. Work to expand the pier footprint is not anticipated and no new piling placement is expected. Additional work would include renovating and expanding the existing informal sand parking area to provide a more stable long-term surface such as stone or crushed shell. See Figure B for a more detailed view of the project area and Figure F for a view at the site. In addition, current project plans call for providing some sort of restroom facilities (e.g., a port-a-potty). Should final designs call for an increase in the impervious area at the site, the need for a formal wastewater treatment plan would be evaluated with DEP staff as part of the construction permitting process and, if deemed necessary based on existing state regulations managed by DEP, a stormwater management plan would be developed and implemented (. However, project implementation would not require the development of any additional terrestrial habitat as all construction activity would take place within the existing developed footprint of the area.

The current scope of required in-water work is not clear as much of the project may be able to be completed from the existing pier. However, during all in-water construction activity, the conditions and guidelines of the *Sea Turtle and Smalltooth Sawfish Construction Conditions* (NOAA, 2006) and the *Standard Manatee Conditions for in-Water Work* (USFWS, 2011) would be implemented. Significant aspects of these provisions include stopping operation of any equipment if manatees, sea turtles or smalltooth sawfish come within 50 feet of the equipment until the time when animals leave the project area of their own volition.

BMPs for erosion control would also be implemented and maintained at all times during upland construction to prevent siltation and turbid discharges into surface waters. Use of in water devices such as silt curtains would help further reduce potential turbidity impacts. Upland control methods could include but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and installation of turbidity screens around the immediate project site.

Port St. Joe Frank Pate Boat Launch

The Frank Pate boat launch project includes the renovation and extension of an existing boarding dock; construction of additional boat trailer parking; and construction of a new staging area and fish cleaning station.

There is an existing, two-lane boat ramp at the site with the two lanes separated by a boarding dock. A gravel parking lot lies to the southeast of the boat ramp. There is also an informal grass parking area on the north side of the ramp. The proposed project would include making the north parking lot more formal and adding additional parking to the gravel lot of the boat ramp (see Figure D for details of this area). A fish cleaning station would be located near the existing park restroom facilities so the existing water and sewer lines could be used. Figure E presents a conceptual plan for this work along with additional elements that are not part of this project. Most work would be completed from the existing disturbed area, although some of the dock construction work would take place from the water.

The current boarding dock separating the two lanes of the boat ramp would be renovated and extended to allow for more temporary mooring areas while boaters are launching and loading at the ramp. Fenders and rub rails located on the north and south sides of the boat basin along the existing sheet pile retaining wall would also be repaired.

Final design and locations of the dock extension would reflect, among other things, the results of a submerged aquatic vegetation (SAV) survey in the potential placement areas. Such a survey typically involves an initial review of aerial photos and existing seagrass maps. Initial results are then confirmed with an onsite visual survey, typically conducted from a boat. In areas with visibility issues, the assessment may involve attaching a small rake head to a line and dragging it through the area of interest to see if seagrasses are present. Snorkel assessments would then be used to verify results.

If SAV areas were intersected by the project design appropriate construction guidelines would be followed (e.g., *Construction Guidelines in Florida for Minor Piling-supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat*, USACE, NMFS, 2001). Pilings for the dock will be placed by a combination of water jetting and mechanical auguring. However, project implementation would not require the development of any additional terrestrial habitat as all pier construction activity would take place within the existing developed footprint of the area. As a result, with no anticipated change in the area covered by impervious pavement, there would be no requirement for the project to develop and implement specific stormwater control measures.

During all in-water construction activity, the conditions and guidelines of the *Sea Turtle and Smalltooth Sawfish Construction Conditions* (NOAA, 2006) and the *Standard Manatee Conditions for in-Water Work* (USFWS, 2011) would be implemented. Significant aspects of these provisions include stopping operation of any equipment if manatees, sea turtles or smalltooth sawfish come within 50 feet of the equipment until the time when animals leave the project area of their own volition.

BMPs for erosion control would also be implemented and maintained at all times during upland construction to prevent siltation and turbid discharges into surface waters. Use of in water

devices such as silt curtains would help further reduce potential turbidity impacts. Upland control methods could include but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and installation of turbidity screens around the immediate project site.

VI. Description of the Project Area (attach additional pages as needed):

Highland View Boat Ramp

The project area for the Highland View boat ramp is identified in Figure A. The Highland View boat ramp is located in Port St. Joe, Gulf County, Florida, under the Tapper Bridge on Highway 98. The coordinates in decimal degrees are 29.832N 85.313W. This boat ramp is a single-lane concrete ramp on the Gulf County Canal providing access to St. Joseph Bay. The boat ramp area consists of an L-shaped boarding dock, parking for more than 40 vehicles with trailers, and restroom facilities (e.g., portable toilets) and trash cans. Critical habitat for loggerhead sea turtles (unit LOGG-N-32) has been proposed along the beach adjacent to the west side of the project site (DOI, 2013). However, this area is beyond the proposed project area of activity (see Figure B).

Port St. Joe Frank Pate Boat Launch

The potential project area is defined in Figures C and D. The project is located at 5th and Baltzell streets on St. Joseph Bay, Port St. Joe, Gulf County, Florida, in Section 1, Township 8-S, Range 11-W, at Latitude: 29° 81' 10.85" North and Longitude: -85° 30' 52.41" West. The activities are to occur between U.S. Highway 98 and the shoreline. St. Joseph Bay is located in the western Florida Panhandle approximately 75 miles southwest of Tallahassee and has direct access to the Gulf of Mexico. No species-specific critical habitat is designated or proposed at this ramp or in the project vicinity.

VII. Species and Habitat:

A. Complete the following table:

Table 1, provided at the end of this document, provides a summary of the different species that were identified and initially considered for the project's potential impacts. The information in this table was adopted from the U.S. Fish and Wildlife, Panama City office website: http://www.fws.gov/panamacity/specieslist.html which provides a county-based list of federal threatened, endangered, and other species of concern likely to occur in the Florida Panhandle.

VIII. Determination of Effects:

A. Explanation of effects of the action on species and critical habitats in item VII.A (attach additional pages as needed):

Table 2 presents a summary of the potential species/critical habitat that could be impacted from the proposed project. The species/critical habitat in Table 2 were identified after considering

where there was potential overlap from information on identified natural communities in Table 1 with the potential locations where the project could be implemented and areas adjacent to the immediate project locations.

Table 2. Potential Impacts to Species/Critical Habitats

SPECIES/CRITICAL HABITAT	SPECIES/CRITICAL HABITAT IMPACTS
Green turtle, Hawksbill turtle, Kemp's ridley turtle; Leatherback turtle, Loggerhead turtle	All of the project areas are within existing developed areas associated with each of these boat ramps and no additional disturbance of existing habitat is proposed. The areas for proposed and current facilities do not support nesting habitat for sea turtles; however sea turtle nesting could occur on beaches adjacent to each of these projects. Though no lighting is planned, additional lighting or visitor use could disrupt normal nesting behaviors of sea turtles in nearby habitats. Conservation measures below should reduce potential impacts to an insignificant and discountable level. The main risk to sea turtles during construction and use of these ramps would come from boat collisions which could result in harm or mortality. Consultation will be initiated with NMFS to address this risk as this agency has jurisdiction to review impacts to sea turtles in their estuarine and marine habitats.
Loggerhead proposed critical habitat	The Highland View component of the project is adjacent to currently proposed critical habitat area LOGG-N-32 encompassing nearshore reproductive habitat in Florida for Northwest Atlantic Distinct Population Segment of the loggerhead sea turtle (i.e., beaches and shorelines) (78 FR 18000) (Department of the Interior, 2013). PCEs for proposed loggerhead critical habitat include: 1) Suitable nesting beach habitat that: (a) has relatively unimpeded nearshore access from the ocean to the beach for nesting females and from the beach to the ocean for both post-nesting females and hatchlings and (b) is located above mean high water to avoid being inundated frequently by high tides. 2) Sand that: (a) allows for suitable nest construction, (b) is suitable for facilitating gas diffusion conducive to embryo development, and (c) is able to develop and maintain temperatures and moisture content conducive to embryo development. 3) Suitable nesting beach habitat with sufficient darkness to ensure that nesting turtles are not deterred from emerging onto the beach and hatchlings and post-nesting females orient to the sea. No other proposed or designated critical habitat for sea turtles occurs within or adjacent to the project area. Conservation measures below should ensure that PCEs of proposed critical habitat continue to function to support recovery of the species and no adverse modification or destruction of critical habitat should occur.
West Indian manatee	The counties in the project area are not part of the 36 Florida counties that are identified as being counties where manatees regularly occur in coastal and inland waters (U.S. Department of the Interior, 2011). However, manatees could be present in the project waters.

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	The main risk to manatees during implementation of this project is noise from in-water construction and risk to manatees during use of the new ramps from boat collisions which could result in harm or mortality. Conservation measures below are anticipated to reduce these potential impacts to an insignificant and discountable level.
Piping plover and Red knot	The main risk to Piping plovers and Red knots is from human disturbance while the birds are resting and foraging in habitats adjacent to work areas and from human disturbance if boaters choose to visit nearby islands. The proposed project could result in short term increases in noise during construction which could startle individuals, though we would expect normal activity to resume within minutes or cause the individuals to move to a nearby area. Because other foraging/resting habitats are nearby (less than two miles) we would expect this temporary displacement to be within normal movement patterns for either species and consider this effect insignificant and discountable. The proposed project will not result in any changes to shoreline habitats where either species is likely to forage or rest. Educational signage will be posted at all ramps reminding visitors of nearby bird resources and any protective measures that may be necessary when visiting nearby islands. This signage will be developed in coordination with FWC and the Panama City Ecological Services Field Office.
Piping plover critical habitat	Piping plover critical habitat is not designated in the project area but is nearby (where visitors may access it via these ramps) on St. Joe Peninsula. The primary constituent elements (PCEs) of wintering Piping plover critical habitat includes: 1) Intertidal flats with sand or mud flats (or both) with no or sparse emergent vegetation. 2) Adjacent unvegetated or sparsely vegetated sand, mud, or algal flats above high tide are also important, especially for roosting piping plovers. Such sites may have debris, detritus, or microtopographic relief (less than 50 cm above substrate surface) offering refuge from high winds and cold weather. 3) Important components of the beach/dune ecosystem include surf-cast algae, sparsely vegetated back beach and salterns, spits, and washover areas. 4) Washover areas are broad, unvegetated zones, with little or no topographic relief, that are formed and maintained by the action of hurricanes, storm surge, or other extreme wave action. Project construction will not adversely modify or destroy critical habitat for Piping plover because the construction work will not be taking place in any of the habitats listed above. Visitation of nearby area will not alter any of the PCEs or result in adverse modification or destruction of critical habitat because general visitor use does not result in changes to the way a shoreline accretes or erodes or how the area is maintained through natural processes.
St. Andrews beach mouse	Neither the St. Andrews beach mouse nor its critical habitat occurs within the project areas. Therefore, construction activities will not affect this species or its critical habitat.

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	However, both the mouse and its critical habitat occur on the St. Joe Peninsula which could be accessed by visitors using the improved ramps. Mice or critical habitat could be disturbed if visitors travel to St. Joe Peninsula from the ramps. Conservation measures below are expected to minimize the risk of disturbance such that effects are insignificant and discountable.
St. Andrews beach mouse critical habitat	Primary constituent elements (PCEs) for St. Andrews beach mouse critical habitat are: 1) A contiguous mosaic of primary, secondary scrub vegetation, and dune structure, with a balanced level of competition and predation and few or no competitive or predaceous nonnative species present, that collectively provide foraging opportunities, cover, and burrow sites; 2) Primary and secondary dunes, generally dominated by sea oats that, despite occasional temporary impacts and reconfiguration from tropical storms and hurricanes, provide abundant food resources, burrow sites, and protection from predators; 3) Scrub dunes, generally dominated by scrub oaks, that provide food resources and burrow sites, and provide elevated refugia during and after intense flooding due to rainfall and/or hurricane induced storm surge; 4) Functional, unobstructed habitat connections that facilitate genetic exchange, dispersal, natural exploratory movements, and recolonization of locally extirpated areas; and 5) A natural light regime within the coastal dune ecosystem, compatible with the nocturnal activity of beach mice, necessary for normal behavior, growth and viability of all life stages. Project construction will not adversely modify or destroy critical habitat for the St. Andrews beach mouse because the construction work will not be taking place in any of the habitats listed above. Conservation measures below are expected to minimize effects to PCEs such that no adverse modification or destruction of critical habitat occurs from visitor use.
Gulf sturgeon and its critical habitat	NMFS is providing consultation for Gulf sturgeon and its Critical Habitat in the marine/estuarine environment. As a result, Gulf Sturgeon will not be considered in the consultation with the USFWS.

B. Table 3. Explanation of actions (Conservation Measures) to be implemented to reduce adverse effects:

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Green turtle, Hawksbill turtle, Kemp's ridley turtle, Leatherback turtle, Loggerhead turtle	No work (including staging or storing of equipment) will occur on sandy beach areas that could be used for nesting. To avoid and minimize impacts to sea turtles from visitor use of the area, signs will be posted at ramps and piers to provide visitors with information to avoid sea turtles and minimize impacts in their habitats. Signs will be developed in coordination with NOAA, FWC, and the Panama City Ecological Services Field Office.

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Proposed loggerhead critical habitat	To minimize risks in the aquatic environment, all construction conditions identified in the *Sea Turtle and Smalltooth Construction Conditions* (NOAA, 2006) would be implemented and adhered to during project construction to minimize the risk of collisions. None of the ramps are located in areas that impede beach access for turtles; therefore repairs to these ramps will not alter or change accessibility for the turtles. Repairs and construction will occur in the existing project footprint, and no materials will be staged, stored, or dumped on the beach. Any sand or gravel material brought to the project site and not used during construction will be removed and will not be placed on the beach. Therefore, changes to sand characteristics are not expected from construction. Lighting is not proposed in this project; however, should it become necessary, lighting will follow FWC wildlife-friendly lighting guidance; therefore, the lighting regime should remain the same or improve. Visitor use is not expected to alter the PCEs. (see All below, for additional measures to avoid and minimize impacts from visitor use.)
West Indian manatee	All construction conditions identified in the *Standard Manatee Conditions for In-water Work* (USFWS, 2011) would be implemented and adhered to during project construction. Also, pilings for the dock will be placed by a combination of water jetting and mechanical auguring to minimize noise. Signs will be placed at ramps to remind visitors that marine mammals could be present nearby and inform visitors of precautions to take while boating and fishing. We anticipate these conservation measures will avoid any risk of adverse effects to manatees from proposed project.
Piping plover and Red knot Piping plover critical habitat	The poor quality habitat (due to existing ramp and parking) in the project area, the presence of additional suitable habitat surrounding the area and the infrequent nature of the project noise or workers and equipment will minimize project risks. If construction occurs within the period from February through September: 1. Shorebird surveys will be conducted in the project area. 2. Within the project area a 300-foot wide buffer zone (no work zone) where Piping plover or Red knot congregate in significant numbers will be established. 3. Any and all construction will be prohibited in the buffer zone. No project work will occur within Piping plover critical habitat. Visitor use is not expected to alter PCEs as visitor use isn't expected to increase from the proposed project and has not altered the way a shoreline accretes or erodes or change other natural processes that maintain the PCEs. (see All below, for additional measures to avoid and minimize impacts from visitor use.)

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
St. Andrews beach mouse and its critical habitat.	Neither beach mice nor their critical habitat occur within the project site. Visitor use is not expected to alter PCEs as use isn't expected to increase from the proposed project and has not altered lighting regimes or result in changes to the dune formation and vegetation characteristics. (see All below, for additional measures to avoid and minimize impacts from visitor use.)
Gulf sturgeon and its critical habitat	See table above. The review of potential impacts to Gulf sturgeon and its critical habitat will be coordinated through NMFS instead of through the USFWS.
All	Project activity will not extend into designated critical habitat for species or expand beyond existing developed areas. Should any lighting be installed or upgraded at any of the project locations the new lighting will be wildlife friendly and comply with the guidance provided in the current edition of the FWC's Lighting Technical Manual. DEP and FWC will coordinate with staff from the USFWS Panama City Field Office (PCFO) regarding specific signage that could be posted at the locations in this consultation as deemed necessary by the PCFO staff. Such signage would be intended to inform/educate visitors that nearby areas support protected species and critical habitats and provide guidance with respect to how activities could be pursued that would avoid harming these species and their critical habitats. Through the combination of these signs visitor use should not result in modifications to PCEs and species disturbance should be insignificant and discountable.

IX. Table 4. Effect Determination and Response Requested:

Species	Species Impacts					Response Requested
	NE	NLAA	MAA	JP	JC	
Green turtle		X				Concurrence (terrestrial); Consultation with NMFS (in-water)
Hawksbill turtle		X				Concurrence (terrestrial); Consultation with NMFS (in-water)
Kemp's ridley turtle		X				Concurrence (terrestrial); Consultation with NMFS (in-water)
Leatherback turtle		X				Concurrence (terrestrial); Consultation with NMFS (in-water)
Loggerhead turtle		X				Concurrence (terrestrial); Consultation with NMFS (in-water)
Loggerhead turtle proposed critical habitat	No adverse modification or destruction					Conference

Species	Species Impacts					Response Requested
	NE	NLAA	MAA	JP	JC	
West Indian manatee		X				Concurrence
Piping plover		X				Concurrence
Piping plover Critical habitat	No adverse modification or destruction					Concurrence
Red knot		X				Conference
St. Andrews beach mouse		X				Concurrence
St. Andrews beach mouse critical habitat	No adverse modification or destruction					Concurrence
Gulf sturgeon[a]	---	---	---	---	---	n/a – see table note a

[a] NMFS is providing consultation for Gulf sturgeon and its CH in the estuarine environment so this species will not be considered in the consultation with the USFWS.

X. Bald Eagles

Are bald eagles present in the action area? _X__No____Yes

If "Yes," can you implement the conservation measures below? ____Yes ____ No

1. If bald eagle breeding or nesting behaviors are observed or a nest is discovered or known, all activities (walking, camping, cleanup, use of a UTV, ATV, or boat) should avoid the nest by a minimum of 660 feet. If the nest is protected by a vegetated buffer where there is *no* line of sight to the nest, then the minimum avoidance distance is 330 feet. This avoidance distance shall be maintained from the onset of breeding/courtship behaviors until any eggs have hatched and eaglets have fledged (approximately 6 months).
2. If a similar activity (like driving on a roadway) is closer than 660 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated activity.
3. If a vegetated buffer is present and there is no line of sight to the nest and a similar activity is closer than 330 feet to a nest, then you may maintain a distance buffer as close to the nest as the existing tolerated activity.
4. In some instances activities conducted within 660 feet of a nest may result in disturbance, particularly for the eagles occupying the Mississippi barrier islands. If an activity appears to cause initial disturbance, the activity shall stop and all individuals and equipment will be moved away until the eagles are no longer displaying disturbance behaviors.

If not, contact the Service's Migratory Bird Permit Office to determine how to avoid impacts or if a permit may be needed.

XI. Migratory Birds

A. Identify the species anticipated in the project area and behaviors (breeding, roosting, foraging) anticipated during project implementation.

SPECIES	BEHAVIOR	SPECIES/HABITAT IMPACTS
Shorebirds	Foraging, feeding, resting, nesting	Shorebirds nest, forage, feed, and rest in the types of habitats consistent with some of the shoreline areas near the proposed project. As such, they may be impacted locally and temporarily by the project.
Seabirds (terns, gulls, skimmers, double-crested cormorant, American white pelican, brown pelican)	Resting, roosting, nesting	Seabirds forage in water and rest/roost in terrestrial habitats including dunes. Seabirds may nest nearby.

B. If species or habitat impacts could occur, identify avoidance and minimization measures to prevent incidental take. Incidental take of Migratory Birds cannot be authorized.

SPECIES/SPECIES GROUP	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Shorebirds	The project area is not an optimal area for shorebird foraging. Therefore, we expect foraging and resting birds to move to another nearby location, likely with better habitat, to continue foraging and resting. If project activities occur during shorebird nesting season (February 15 to August 31), the FWC will be contacted to obtain the most recent guidance to protect nesting shorebirds or rookeries and their recommendations will be implemented. Signage described above under "All" will include information to make visitors aware of nesting birds in nearby areas and any protective measures that are necessary.
Seabirds (terns, gulls, skimmers, double-crested cormorant, American white pelican, brown pelican)	Care will be taken to minimize noise and physical disruptions near areas where foraging or resting birds are encountered. If the level of project activity startles foraging or resting birds, we would expect them to move a short distance and resume behaviors as noise will be localized to the existing ramp areas. The general behavior of these birds is to mediate their own exposure to human activity when given the opportunity, which they will have. Roosting should not be impacted because the project will occur during daylight hours only. If project activities occur during seabird nesting season (February 15 to August 31), the FWC will be contacted to obtain the most recent guidance to protect nesting seabirds or rookeries and their recommendations will be implemented. Signage described above under "All" will include information to make visitors aware of nesting birds in nearby areas and any protective measures

SPECIES/SPECIES GROUP	CONSERVATION MEASURES TO MINIMIZE IMPACTS
	that are necessary.

XII. Signatures from the station preparing the Intra-Service Biological Evaluation:

/s/ Holly N. Blalock-Herod — March 26, 2014
Signature (originating station - preparer) **date**

_____
Title

Debra L McCl — 3/26/14
Signature (originating station) **date**
Deputy Case Manager

This analysis resulted in a determination that no "take" of a federally listed species would occur. If any of the following occur, then there must be reinitiation on this action:

(1) any unforeseen circumstances arise or incidental take occurs
(2) new information reveals effects of the Service's action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion;
(3) the Service's action is later modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or
(4) a new species is listed or critical habitat designated that may be affected by the action.

In instances where any incidental take occurs, the operations causing such take must cease until reinitiation.

If reinitiation is required, contact the Panama City Ecological Services Field Office **about the action.**
US Fish and Wildlife Service
1601 Balboa Avenue
Panama City, FL 32405
Tel: 850-769-0552

XIII. Reviewing Ecological Services Office Evaluation:

A. Concurrence ✓ **Nonconcurrence** _____

B. Formal consultation required _____

C. Conference required _____

D. Informal conference required _____

E. Remarks (attach additional pages as needed):

Donald C. 5/1/14

Signature **date**

DONALD IMM PCFO

Field Supervisor **office**

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Figure A. Location of envisioned Highland View Boat Ramp Project.

Figure B. Detail of activity area for the Highland View Boat Ramp Project.

Figure C. Location of envisioned City of Port St. Joe Frank Pate Boat Ramp Improvements Project.

Figure D. Details of City of Port St. Joe Frank Pate Boat Ramp and Planned Improvement Areas.

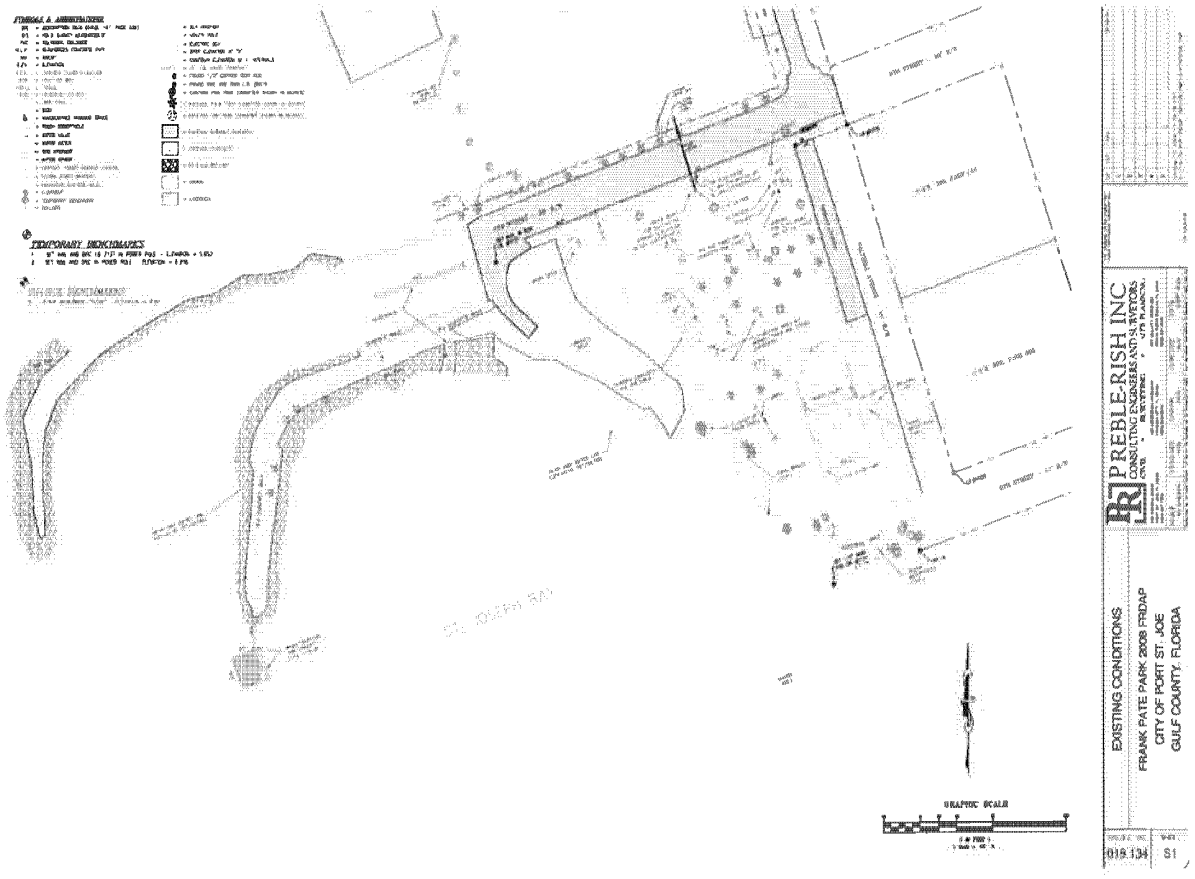

Figure E. General Plan Baywalk Park in Port St. Joe which incorporates the Frank Pate Boat Ramp.

Figure F. View from Highland View Boat Ramp Project looking roughly South down the boat ramp.

Table 1. Species of concern in Gulf County.

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Amphibians	Gopher frog	SSC	ce	Terrestrial: sandhill, scrub, scrubby flatwoods, xeric hammock (reproduces in ephemeral wetlands within these communities).	NE	Listed natural community is inconsistent with the project habitat
Amphibians	Reticulated flatwoods salamander	E (CH)		Palustrine: wet Flatwoods, dome swamp, basin swamp, Terrestrial: mesic flatwoods (reproduces in ephemeral wetlands within this community).	NE	Listed natural community is inconsistent with the project habitat
Birds	Arctic peregrine falcon	ce	E	Terrestrial: various, ruderal. Winters along coast	NE	Listed natural community is inconsistent with the project habitat
Birds	Bald eagle	BGEPA		Estuarine: marsh edges, tidal swamp, open water Lacustrine: swamp lakes, edges Palustrine: swamp, floodplain Riverine: shoreline, open water Terrestrial: pine and hardwood forests, clearings.	NE	Listed natural community is inconsistent with the project habitat
Birds	Least tern		T	Terrestrial: beach dune, ruderal. Nests common on rooftops.	NE	Listed natural community is inconsistent with the project habitat
Birds	Piping plover	T (CH)	T	Estuarine: exposed unconsolidated substrate Marine: exposed unconsolidated substrate Terrestrial: dunes, sandy beaches, and inlet areas. Mostly wintering and migrants.	NLAA	See Table 2, 3, and 4
Birds	Red knot	P		Estuarine: exposed unconsolidated substrate Marine: exposed unconsolidated substrate Terrestrial: dunes, sandy beaches, and inlet areas. Mostly wintering and migrants.	NLAA	See Table 2, 3, and 4
Birds	Red-cockaded woodpecker	E		Terrestrial: mature pine forests.	NE	Listed natural community is inconsistent with the project habitat
Birds	Southeastern kestrel	ce	T	Terrestrial: open pine forests, clearings, ruderal, various.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.						
Resource category	**Common name**	**FWS status**	**State status**	**Natural communities**	**Species impacts (NE, NLAA, MAA)**	**Justification**
Birds	Southeastern snowy plover	ce	T	Estuarine: exposed unconsolidated substrate Marine: exposed unconsolidated substrate Terrestrial: dunes, sandy beaches, and inlet areas.	NE	Listed natural community is inconsistent with the project habitat
Birds	Wood stork	E	E	Estuarine: marshes Lacustrine: floodplain lakes, marshes (feeding), various Palustrine: marshes, swamps, various.	NE	Listed natural community is inconsistent with the project habitat
Fish	Gulf sturgeon	T (CH)	SSC	Estuarine and Marine: sandy habitats for foraging and resting. Riverine: alluvial and blackwater streams.	---	See Table 2 and 4
Mammals	Florida black bear	ce	T	Palustrine: titi swamps, floodplains Terrestrial: pine and hardwood forests.	NE	Listed natural community is inconsistent with the project habitat
Mammals	St. Andrew beach mouse	E (CH)	E	Terrestrial: beach dune, coastal scrub	NLAA	See Table 2, 3, and 4
Mammals	West Indian manatee	E	E	Estuarine: submerged vegetation, open water Marine: open water, submerged vegetation Riverine: alluvial stream, blackwater stream, spring-run stream.	NLAA	See Table 2, 3, and 4
Mussels	Chipola slabshell	T (CH)		Riverine: main channel of the Chipola River and its larger tributaries in substrate combinations of silt, clay, sand and occasionally gravel. Panhandle drainages: Chipola River.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Fat threeridge	E (CH)		Riverine: main channels of small to large rivers in slow to moderate currents; fine to medium silty sand, also mixtures of sand, clay, and gravel. Panhandle drainages: Chipola and Apalachicola Rivers.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Gulf moccasinshell	E (CH)		Riverine: medium-sized creeks to large rivers with sand and gravel substrates in slow to moderate currents. Panhandle drainages: Econfina Creek and Chipola River.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Mussels	Oval pigtoe	E (CH)		Riverine: medium-sized creeks to small rivers; various substrates; slow to moderate currents.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Purple bank climber	T (CH)		Riverine: small to large rivers in sand, sand mixed with mud, or gravel substrates with slow to moderate currents. Panhandle drainages: Chipola, Apalachicola, and Ochlockonee Rivers.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Shinyrayed pocketbook	E (CH)		Riverine: medium-sized creeks to mainstem rivers in a range of substrates including sand, clay, and gravel with slow to moderate current. Panhandle drainages: Econfina (Creek),Chipola, and Ochlockonee (upstream of Lake Talquin) Rivers.	NE	Listed natural community is inconsistent with the project habitat
Plants	Apalachicola dolls daisy	ce		Palustrine: Floodplain Forest.	NE	Listed natural community is inconsistent with the project habitat
Plants	Bear tupelo or Dwarf blackgum	ce		Terrestrial: fire prone savannas, open herb bogs, and along the wet edges of pineland swamps	NE	Listed natural community is inconsistent with the project habitat
Plants	Bent golden aster	ce	E	Terrestrial: pine forest, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Plants	Buckthorn	ce	E	Palustrine: hydric hammock, floodplain swamp.	NE	Listed natural community is inconsistent with the project habitat
Plants	Chapman's butterwort	ce	T	Palustrine: wet flatwoods, seepage slopes, bog, dome swamp, ditches; in water.	NE	Listed natural community is inconsistent with the project habitat
Plants	Chapman's crownbeard	ce	T	Palustrine: seepage slope Terrestrial: mesic flatwoods with wiregrass (Aristida stricta).	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Chapman's rhododendron	E	E	Palustrine: seepage slope (titi bog) Terrestrial: mesic flatwoods; ecotone between flatwoods or more xeric longleaf communities and titi bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Dark-headed hatpin	ce		Palustrine: Wet Boggy Seepage slopes, mucky soils.	NE	Listed natural community is inconsistent with the project habitat
Plants	Decumbant pitcher plant		T	Palustrine: Bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Florida skullcap	T	E	Palustrine: seepage slope, wet flatwoods, grassy openings Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	Giant water-dropwort		E	Palustrine: dome swamp, wet flatwoods, ditches; in water.	NE	Listed natural community is inconsistent with the project habitat
Plants	Godfrey's (violet) butterwort	T	E	Palustrine: wet flatwoods, wet prairie, bog; in shallow water Riverine: seepage slope; in shallow water. Also, roadside ditches and similar habitat.	NE	Listed natural community is inconsistent with the project habitat
Plants	Gulf coast lupine	ce	T	Terrestrial: beach dune, scrub, disturbed areas, roadsides, blowouts in dunes.	NE	Listed natural community is inconsistent with the project habitat
Plants	Harper's beauty	E	E	Palustrine: wet prairie, seepage slope, roadsides, edges of titi swamps.	NE	Listed natural community is inconsistent with the project habitat
Plants	Harper's grooved yellow flax	ce		Palustrine: wet Flatwoods Terrestrial: mesic flatwoods; in site-prepped areas.	NE	Listed natural community is inconsistent with the project habitat
Plants	Harper's yellow-eyed grass	ce	T	Palustrine: seepage slope, wet prairie, bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Hooded pitcher plant		T	Palustrine: wet flatwoods, wet prairie, seepage slope.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.						
Resource category	**Common name**	**FWS status**	**State status**	**Natural communities**	**Species impacts (NE, NLAA, MAA)**	**Justification**
Plants	Karst pond xyris		E	Lacustrine: sandhill upland lake margins.	NE	Listed natural community is inconsistent with the project habitat
Plants	Meadow beauty	ce	E	Palustrine: dome swamp margin, seepage slope, depression marsh; on slopes; with hypericum.	NE	Listed natural community is inconsistent with the project habitat
Plants	Panhandle spiderlily	ce	E	Palustrine: dome swamp edges, wet prairie, wet flatwoods, baygall edges, swamp edges Terrestrial: wet prairies and flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	Parrot pitcher plant		T	Palustrine: wet flatwoods, wet prairie, seepage slope.	NE	Listed natural community is inconsistent with the project habitat
Plants	Pine-woods aster	ce	E	Palustrine: seepage slope Terrestrial: sandhill, scrubby and mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	Quillwort yellow-eyed grass	ce		Lacustrine: lake margins Palustrine: wet flatwoods, wet prairie.	NE	Listed natural community is inconsistent with the project habitat
Plants	Snowy orchid		T	Palustrine: bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Southern milkweed	ce	T	Palustrine: wet prairie, seepage slope edges Riverine: seepage stream banks Terrestrial: mesic flatwoods, drainage ditches.	NE	Listed natural community is inconsistent with the project habitat
Plants	Southern red lily		T	Palustrine: wet prairie, wet flatwoods, seepage slope Terrestrial: mesic flatwoods, seepage slope; usually with grasses.	NE	Listed natural community is inconsistent with the project habitat
Plants	Spoon-leaved sundew		T	Lacustrine: sinkhole lake edges Palustrine: seepage slope, wet flatwoods, depression marsh Riverine: seepage stream banks, drainage ditches.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.						
Resource category	**Common name**	**FWS status**	**State status**	**Natural communities**	**Species impacts (NE, NLAA, MAA)**	**Justification**
Plants	Telephus spurge	T	E	Terrestrial: mesic flatwoods; disturbed wiregrass (Aristida stricta) areas, coastal scrub. All known sites are within 4 miles of Gulf of Mexico.	NE	Listed natural community is inconsistent with the project habitat
Plants	Thick-leaved water willow	ce	E	Palustrine: dome swamp, seepage slope Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	Tropical waxweed	ce		Palustrine: wet prairie, seepage slope Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	West's flax	ce	E	Palustrine: dome swamp, depression marsh, wet flatwoods, wet prairie, pond margins.	NE	Listed natural community is inconsistent with the project habitat
Plants	White birds-in-a-nest	T	E	Palustrine: seepage slope Terrestrial: grassy mesic pine flatwoods, savannahs, roadsides, and similar habitat.	NE	Listed natural community is inconsistent with the project habitat
Plants	White Indian Plantain	ce		Palustrine: wet flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	White-top pitcher plant	ce	E	Palustrine: wet prairie, seepage slope, baygall edges, ditches.	NE	Listed natural community is inconsistent with the project habitat
Plants	Wiregrass gentian	ce	E	Palustrine: seepage slope, wet prairie, roadside ditches Terrestrial: mesic flatwoods, planted slash pine.	NE	Listed natural community is inconsistent with the project habitat
Plants	Yellow butterwort		T	Palustrine: flatwoods, bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Yellow fringed orchid		T	Palustrine: bogs, wet flatwoods Terrestrial: Bluff.	NE	Listed natural community is inconsistent with the project habitat
Plants	Yellow fringeless orchid	ce	E	Palustrine: wet prairie, seepage slope Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Species of concern in Gulf County.						
Resource category	**Common name**	**FWS status**	**State status**	**Natural communities**	**Species impacts (NE, NLAA, MAA)**	**Justification**
Reptiles	Alligator snapping turtle	ce	SSC	Estuarine: tidal marsh Lacustrine: river floodplain lake, swamp lake Riverine: alluvial stream, blackwater stream.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Barbour's map turtle	ce	SSC	Palustrine: floodplain stream, floodplain swamp Riverine: alluvial stream.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Eastern indigo snake	T	T	Estuarine: tidal swamp Palustrine: hydric hammock, wet Flatwoods Terrestrial: mesic flatwoods, upland pine forest, sand hills, scrub, scrubby flatwoods, rockland hammock, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Florida pine snake	ce	SSC	Lacustrine: ruderal, sandhill upland lake Terrestrial: flatwoods, xeric hammock, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Gopher tortoise	C	SSC	Terrestrial: sandhills, scrub, scrubby flatwoods, xeric hammocks, coastal strand, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Green turtle	E	E	Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Hawksbill turtle	E	E	Marine: open water; no nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Kemp's ridley turtle	E	E	Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Leatherback turtle	E	E	Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Loggerhead turtle	T	T	Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4