United States Department of the Interior

FISH AND WILDLIFE SERVICE
1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/DH NRDAR

FEB 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 Debra L McCall

Subject: Informal Consultation and Conference Request for the Proposed Enhancement of Franklin County Parks and Boat Ramps (Abercrombie Boat Ramp Project, Waterfront Park Improvement Project, Indian Creek Park Boat Ramp Project, Eastpoint Fishing Pier Improvement Project, and St. George Island Fishing Pier Improvement Project), 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 Enhancement of Franklin County Parks and Boat Ramps (Abercrombie Boat Ramp Project, Waterfront Park Improvement Project, Indian Creek Park Boat Ramp Project, Eastpoint Fishing Pier Improvement Project, and St. George Island Fishing Pier Improvement) project, 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, 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 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: February 25, 2014

PROJECT NAME (Grant Title/Number): Enhancement of Franklin County Parks and Boat Ramps (Abercrombie Boat Ramp Project, Waterfront Park Improvement Project, Indian Creek Park Boat Ramp Project, Eastpoint Fishing Pier Improvement Project, and St. George Island Fishing Pier Improvement Project).

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 Figure 1 at the end of the file for an overview of the location of these projects in Franklin County, Florida. Figures 2-8 provide additional detail for the project elements.

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

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

C. **Section, township, and range (or latitude and longitude):** See Figures 1-8

D. **Distance (miles) and direction to nearest town:** see map (Figure 1)

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

Project Overview

The proposed project consists of construction activities at five existing recreation areas within Franklin County, Florida, that provide water-based recreation opportunities. These actions are being evaluated together because they share the same general project area (Franklin County, Florida), and involve similar actions. The relative proposed location of these actions is presented in Figure 1. Each of these actions is summarized independently in the rest of this section.

Abercrombie Boat Ramp:
The Abercrombie boat ramp currently has a boat launch and small dock. The upland area includes an access road and parking area. The surrounding area is mostly vegetated and undeveloped. The existing boat ramp consists of a two-lane, paved boat launch; each lane is approximately 20 feet wide, and there is a small dock between the two lanes, extending approximately 10 feet into the water.

The proposed Abercrombie Boat Ramp project would improve the existing boat launch facility in Franklin County by removing and replacing the existing docks to Americans with Disabilities Act (ADA) standards. Figure 2 illustrates the project area and Figure 3 provides a view of the current ramp and docks.

While detailed construction methods would be delineated in the final project design, standard construction methods would be used to remove and rebuild the two docks. Pilings will be installed in dry substrates (on land) and in-water for proper width and height compliance. Pilings in dry substrates will be installed from the existing ramp or parking area using heavy machinery to mechanically augur holes in upland areas. Pre-formed pilings or other forms will be placed in the auger holes and filled with pumped concrete to create new pilings. The holes for the pilings would likely be about 1 to 2 feet in diameter. Pilings being placed in –water will likely be installed by mechanical auguring or water-jetting. We estimate up to 25 pilings may be needed to properly support the docks based on the current dock design and assumption that the replacements would be similar. Work on the docks and boat ramp would occur in the existing developed footprint.

Any in-water construction would take place within silt curtains designed to minimize potential impacts to turbidity from the activities. Construction fencing would be erected to isolate the area of construction so as to maintain public access to the boat ramp lanes not affected by construction. Materials would be staged on site in the parking lots or other nearby areas that are already developed. No disturbance to adjacent habitats is proposed.

In addition, signage will be installed/updated to provide users of the ramp with information on sensitive species and areas and appropriate actions to take with species interactions (e.g., what to do if a sea turtle or nesting migratory bird is encountered).

Waterfront Park

The proposed improvements at Waterfront Park include enhancing existing parking and adjacent tie-up docks. In addition, an existing onsite building would be enhanced to serve as an information center and dockmaster office. A kiosk describing fishing ethics, litter control, and the important resources surrounding the area (primarily commercial oyster bars, coastal marshes, migratory bird and listed species protection at St. Vincent's National Wildlife Refuge and St. George Island) would also be added as part of this project. Figure 4 provides an overview of the project location.

Figure 5 provides a more detailed view of the project site and location. The proposed dock enhancements type has yet to be determined; however two potential improvement types have been identified as alternatives. One type uses the existing pilings and lowers the decking as it is currently too high for safe loading and unloading of visitors and their gear. No pile removal or replacement is expected with this alternative.

The second type involves installing floating docks attached to the existing pilings to provide enough additional height so that materials could first be transferred to the floating dock then to the existing dock. Final plans for the project have not been developed. Installation of floating docks would involve the most in-water work with the need to install some undetermined number of additional pilings to anchor the floating docks on their bay side (the existing pilings could be used for anchoring on the shore side). However, based on images of the current dock, it seems likely that fewer than 10 additional pilings would be required.

The techniques used to place any additional pilings would be determined based on an engineering assessment of the site requirements while taking into account which options would minimize disruption to the aquatic environment including available BMPs (e.g., use of bubble curtains). As part of this engineering and site assessment, a survey of submerged aquatic vegetation (SAV) in the area would be completed. Should SAV be identified in the project area, the conditions in the *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat* (U.S. Army Corps of Engineers/National Marine Fisheries Service, 2001) would be followed.

Figure 5 shows the building that would be enhanced for the dockmaster office (red arrow), the boundaries of the park site (yellow), and the proposed parking area (red square). The parking lot would be left as pervious material and the new area (grass removal and grading may be necessary) would also be surfaced with pervious material. The kiosk would likely be a small free standing structure with information behind plexiglass covers strategically placed within the developed area with good access to the docks. An example of such a kiosk is provided in Figure 9.

Indian Creek Park

The proposed project would renovate the existing boat ramp facilities at Indian Creek Park on the northern shore (see Figure 6 for general project location). The proposed improvements

include constructing restroom facilities and connecting them to an existing central wastewater facility nearby, installing an informational kiosk (see Figure 9 for an example), and renovating the existing boat ramp, bulkhead, and parking area to enhance water access. The Indian Creek Park restroom would be connected to sewer lines currently within close proximity to the park. Heavy machinery would be used to excavate the material for the restroom foundations and trench for the sewer connections.

The existing boat ramp is paved and includes a boarding dock; however, review of recent aerial photographs indicates the ramp is silted in and currently unusable. The shoreline adjacent to the boat ramp is armored with large boulders. The single-lane boat ramp is approximately 20 feet wide and runs perpendicular to the shoreline. The boat launch is located along the East Bay portion of the Apalachicola Bay shoreline. The in-water habitat adjacent to the ramp is shallow nearshore habitat with a sandy bottom. The boat ramp is near a large bridge crossing the Apalachicola Bay and the shoreline nearby is frequently interrupted with developed structures associated with the residential neighborhood.

The initial work on the boat ramp would require the removal of the existing cracked concrete boat ramp and disposal of the material. Heavy machinery would be used to break up the concrete ramp and bulkhead and to load the material into large dump trucks for removal. New subgrade material would be compacted and prepared for the new concrete. Concrete forms for new bulkheads and ramp surface would be constructed and poured using hand-held and small mechanical tools. All work would be performed behind a silt curtain to isolate the construction activities from the water. Safety fencing would be constructed to prevent incidental access to areas outside of the construction and staging footprint. The footprint of the finished ramp and bulkhead would be the same as the existing facility. All staging will occur in existing parking areas.

Eastpoint Fishing Pier

This project would add restroom facilities to the base of the existing Eastpoint public fishing pier with a holding tank that would be pumped out regularly. See Figure 7 for the project location. All work for this project would take place in developed upland areas. No in-water work would be required.

In addition, signage will be installed/updated to provide users of the ramp with information on sensitive species and areas and appropriate actions to take with species interactions (e.g., what to do if a sea turtle or nesting migratory bird is encountered).

St. George Island Fishing Pier

The proposed improvements to the pier facility resulting from this project would include constructing new restrooms and a holding tank that would be pumped out regularly since there is no central wastewater facility on the island (see Figure 8 for project location). Constructing the restrooms at the fishing piers would require excavation for placement of a 1,500 gallon primary septic and 1,050 gallon overflow tank underneath the buildings. This work would take place in previously developed areas (the pier and adjacent areas are part of the old bridge).

The proposed improvements also include renovating the existing bulkhead that leads up to the pier and protects the road to the pier. Repair of the 275 foot long bulkhead would be performed by a combination of hand-held and mechanical tools from upland and barge locations. Existing sections of bulkhead would be removed using machinery to lift the materials. All in-water work would be performed behind silt curtains to isolate the work area from the open water. After bulkhead installation, construction crews of two to three persons would install approximately 100 feet of rubber bumpers to the open water side using hand held tools from a barge. Best management practices (BMPs) for erosion control would be implemented and maintained at all times during construction to prevent siltation and turbid discharges into waters of the state. These measures may include the use of filter fences (staked or floating), sedimentation screens, erosion control blankets or other appropriate erosion and turbidity control measures.

In addition, an informational kiosk would be constructed (see Figure 9 for an example). This kiosk would be used to distribute information describing fishing ethics and litter control, provide contacts and information for specific topics (e.g., hooking a sea turtle), migratory bird and listed species protection at St. Vincent's National Wildlife Refuge and St. George Island and to provide additional information on nearby resources surrounding the pier (primarily commercial oyster bars).

The temporary staging area for the project materials, supplies, and equipment during construction would be located within the existing paved parking lot and material would be loaded directly onto the barge for work on the bulkhead.

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

The five proposed project sites are located in Franklin County, Florida, and provide water based recreational access and opportunities to Apalachicola Bay, St. George Sound, and the Gulf of Mexico. The sites include: Abercrombie Boat Ramp (Figures 2 and 3), Franklin County Waterfront Park (Figures 4 and 5), Indian Creek Park (Figure 6), Eastpoint Fishing Pier (Figure 7), and St. George Island Fishing Pier (Figure 8).

The four Franklin County sites are all located within the Apalachicola National Estuarine Research Reserve (ANERR). The National Estuarine Research Reserve System is administered by the National Oceanic and Atmospheric Administration (NOAA) and the coastal states. The ANERR was designated in 1979 because of its pristine nature and valued habitat for commercially and recreationally important species. Public lands within the ANERR include the St. Vincent Island National Wildlife Refuge, St. George Island State Park, Apalachicola River Wildlife and Environmental Area, Apalachicola River Water Management Area, and Little St. George Island. The Florida Department of Environmental Protection (FDEP) Office of Coastal and Aquatic Managed Areas administers the ANERR.

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[a], Kemp's ridley turtle; Leatherback turtle[a], Loggerhead turtle	The main risk to sea turtles during implementation of this project would come from in-water construction activities 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 the estuarine and marine environments. No sea turtle nesting habitat is present at any of the proposed project locations. Sea turtles do nest on the Gulf side of nearby locations (i.e., St. Vincent's NWR and St. George Island). Educational signage or information at kiosks will remind visitors of any necessary measures to protect nesting sea turtles in nearby Gulf side areas. Visitor use is not expected to increase at the ramps because the projects are enhancing facilities rather than increasing them. Therefore, we expect no effects

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	from construction and potential effects from use of ramps to be minimized to an insignificant and discountable level.
Loggerhead proposed critical habitat	No critical habitat is designated within any of the project sites. Proposed critical habitat for loggerhead sea turtles is on the Gulf side of St. Vincent's NWR and St. George Island. 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. Visitors to nearby islands using the ramps in this project are not expected to alter the PCEs for proposed critical habitat as visitors would not be building/constructing on the beaches in a way that changes access, sand compaction and moisture, or lighting levels; therefore, no proposed critical habitat will be adversely affected or modified.
West Indian manatee	Franklin County is not one of the 36 Florida counties in which manatees regularly occur in coastal and inland waters (U.S. Department of the Interior, 2011). However, manatees could be present in the project waters. The main risk to manatees during implementation of this project would come from use of erosion control measures during construction, construction noise and boat collision during use which could result in harm or mortality. Conservation measures below are designed to avoid effects from erosion control measures and noise, and information at kiosks and signage will minimize effects from boaters to manatees potentially present in the area such that effects are insignificant and discountable.
Piping plover and red knot Piping plover critical habitat	Piping plover and red knot are not expected to be using habitats present at any of the proposed project locations. However, both use nearby areas (i.e., St. Vincent's NWR and St. George Island). Piping plover critical habitat is present on the bay side of St. George Island. Visitors will be informed of any necessary protective measures for these species through information available at kiosks, signage, or staff (waterfront park). The educational signage is expected to inform visitors such that impacts from their presence is minimized to an insignificant and discountable level. PCEs of piping plover critical habitat include: 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

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	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. The proposed project will not alter any PCEs within the critical habitat as activities will not extend into critical habitat or influence the way PCE's are formed or maintained. Visitors to nearby islands using the ramps in this project are not expected to alter the PCEs for proposed critical habitat as visitors would not be building/constructing on the beaches in a way that changes the shoreline and how it is formed; therefore, no proposed critical habitat will be adversely affected or modified. Critical habitat PCEs include lack/no disturbances
Gulf sturgeon	NMFS is providing consultation for Gulf sturgeon and its Critical Habitat in the estuarine environment. As a result, Gulf Sturgeon will not be considered in the consultation with the USFWS.

but signs and enforcement can alter / remove pistachio on area #s.

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

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
All	Signage will be installed/updated to provide users of the ramps with information on sensitive species and areas and appropriate actions to take with species interactions (e.g., what to do if a sea turtle or nesting migratory bird is encountered).
Green turtle, Hawksbill turtle, Kemp's ridley turtle; Leatherback turtle, Loggerhead turtle	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.
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.
Piping plover and red knot	No additional measures are necessary.
Gulf sturgeon	See note in above table about the review of potential Gulf sturgeon impacts being coordinated through NMFS instead of through the USFWS.

VIII. Table 4. Effect Determination and Response Requested:

[1]DETERMINATION/ RESPONSE REQUESTED:

Species	Species Impacts					Response Requested*
	NE	NLAA	MAA	JP	JC	
Green turtle		X				Concurrence – Terrestrial Habitats Only;

Species	Species Impacts					Response Requested*
	NE	NLAA	MAA	JP	JC	
						Consultation with NMFS for Estuarine/Marine habitats
Hawksbill turtle		X				Concurrence – Terrestrial Habitats Only; Consultation with NMFS for Estuarine/Marine habitats
Kemp's ridley turtle		X				Concurrence – Terrestrial Habitats Only; Consultation with NMFS for Estuarine/Marine habitats
Leatherback turtle		X				Concurrence – Terrestrial Habitats Only; Consultation with NMFS for Estuarine/Marine habitats
Loggerhead turtle		X				Concurrence – Terrestrial Habitats Only; Consultation with NMFS for Estuarine/Marine habitats
Proposed critical habitat - loggerhead	No adverse modification					Conference
Piping plover		X				Concurrence
Piping plover critical habitat	No adverse modification					Concurrence
Red knot		X				Conference
West Indian manatee		X				Concurrence
Gulf sturgeon and critical habitat	---	---	---	---	---	n/a – see table note a

*Concurrence, Formal Consultation, Formal Conference

[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 forage, feed, and rest in the types of habitats at the project sites and nest on nearby islands that may be accessed by visitors using the ramps. As such, all behaviors could be impacted by the proposed 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 at the project sites and nest on nearby islands that may be accessed by visitors using the ramps. As such, all behaviors could be impacted by the proposed project.
Passerines and near-passerines	Feeding, resting, nesting	These species may be using habitats adjacent to the project site for feeding, resting, and nesting. As such, they may be impacted locally and temporarily by construction noise and noise from visitors in the project areas.

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
All	Care will be taken to minimize noise and physical disruptions during construction near areas where foraging or resting birds are encountered. All construction disturbances will be localized and temporary. Signage will be installed/updated to provide users of the ramps with information on sensitive species and areas and appropriate actions to take with species interactions (e.g., what to do if a sea turtle or nesting migratory bird is encountered).
Shorebirds	We expect foraging and resting birds will be able to move to another nearby location to continue foraging and resting if disturbed.
Seabirds (terns, gulls, skimmers, double-crested cormorant, American white pelican, brown pelican)	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.
Upland birds	No work will occur in adjacent vegetated areas where upland birds could be nesting. 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.

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

/s/Holly N. Blalock-Herod — 2/26/2014
Signature (originating station - preparer) — **date**

DOI Case Management Team, ESA Coordinator
Title

Debra L. McCall — 2/26/14
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):

RECEIVED 3/25/14 1654

Donald Lee 3/24/14
Signature **date**

DOI IMM PCFO
Field Supervisor **office**

References

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U.S. Department of the Interior. 2013. 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Northwest Atlantic Ocean District Population Segment of the Loggerhead Sea Turtle (*Caretta caretta*). Proposed Rule. Federal Register p. 18000-18082. March 25.

USFWS 2011. Standard Manatee Conditions for In-Water Work. http://www.fws.gov/northflorida/Manatee/Manate_Key_Programmatic/20130425_gd_Appendix%20B_2011_Standard%20Manatee%20Construction%20Conditions.pdf

U.S. Army Corps of Engineers/National Marine Fisheries Service. 2001. *Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat.* August.

Figure 1. Overview of the relative location of the Franklin County projects addressed in this evaluation.

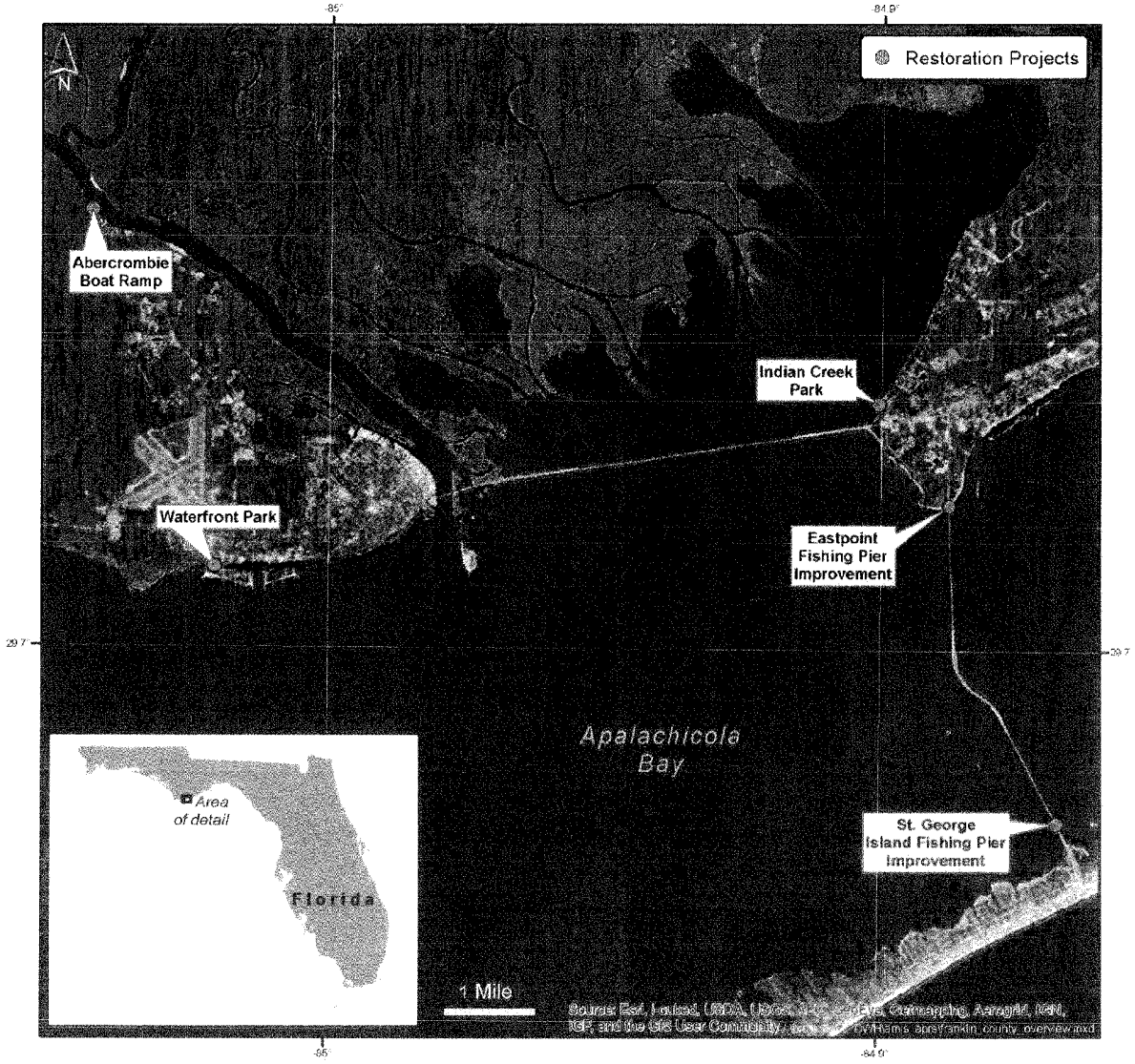


Figure 2. Location of envisioned Abercrombie Boat Ramp Project.

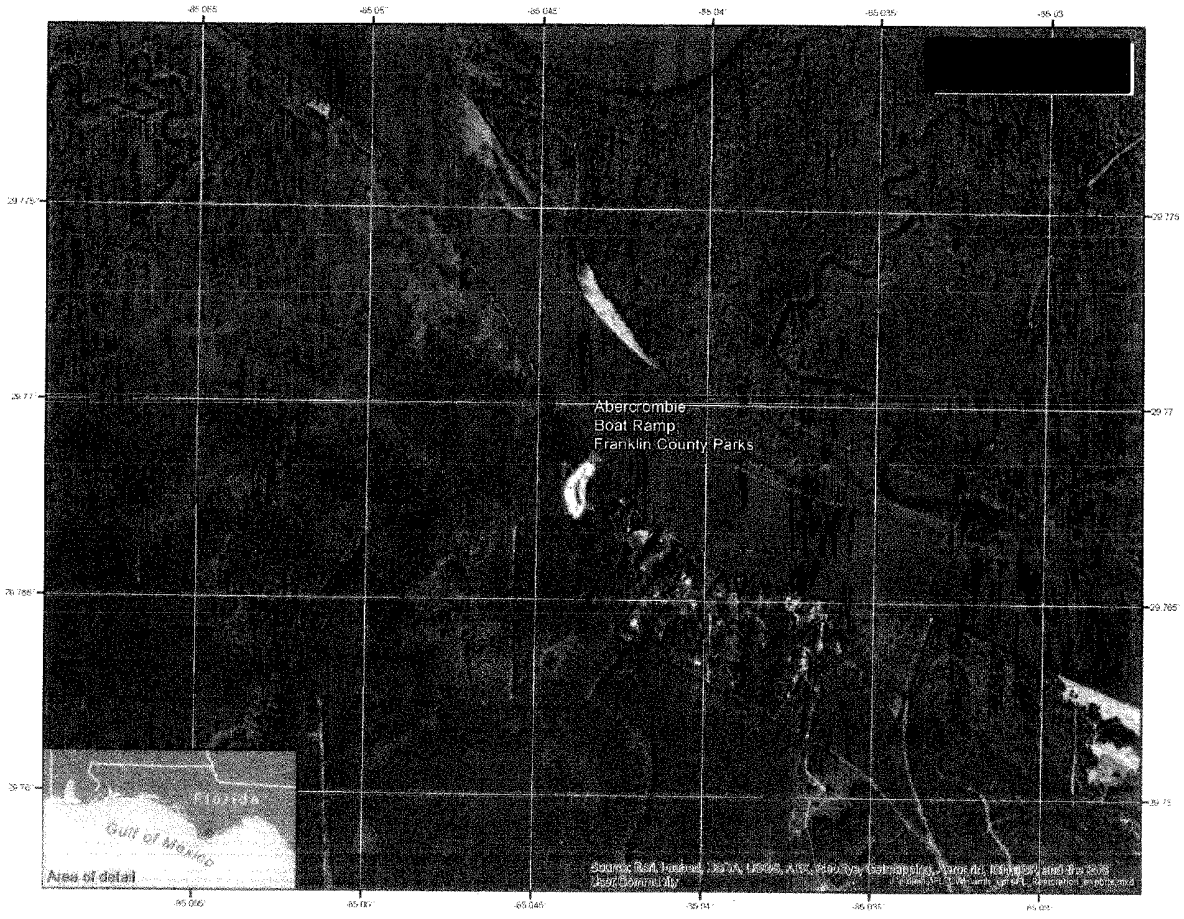


Figure 3. Detailed view of the Abercrombie boat ramp.

Figure 4. Location of envisioned Waterfront Park improvements project.

Figure 5. Detailed view of location for Waterfront Park Project (the building that would be enhanced for the dockmaster office is indicated with the red arrow), the boundaries of the park site are in yellow, and the proposed parking area is indicated with the red square.

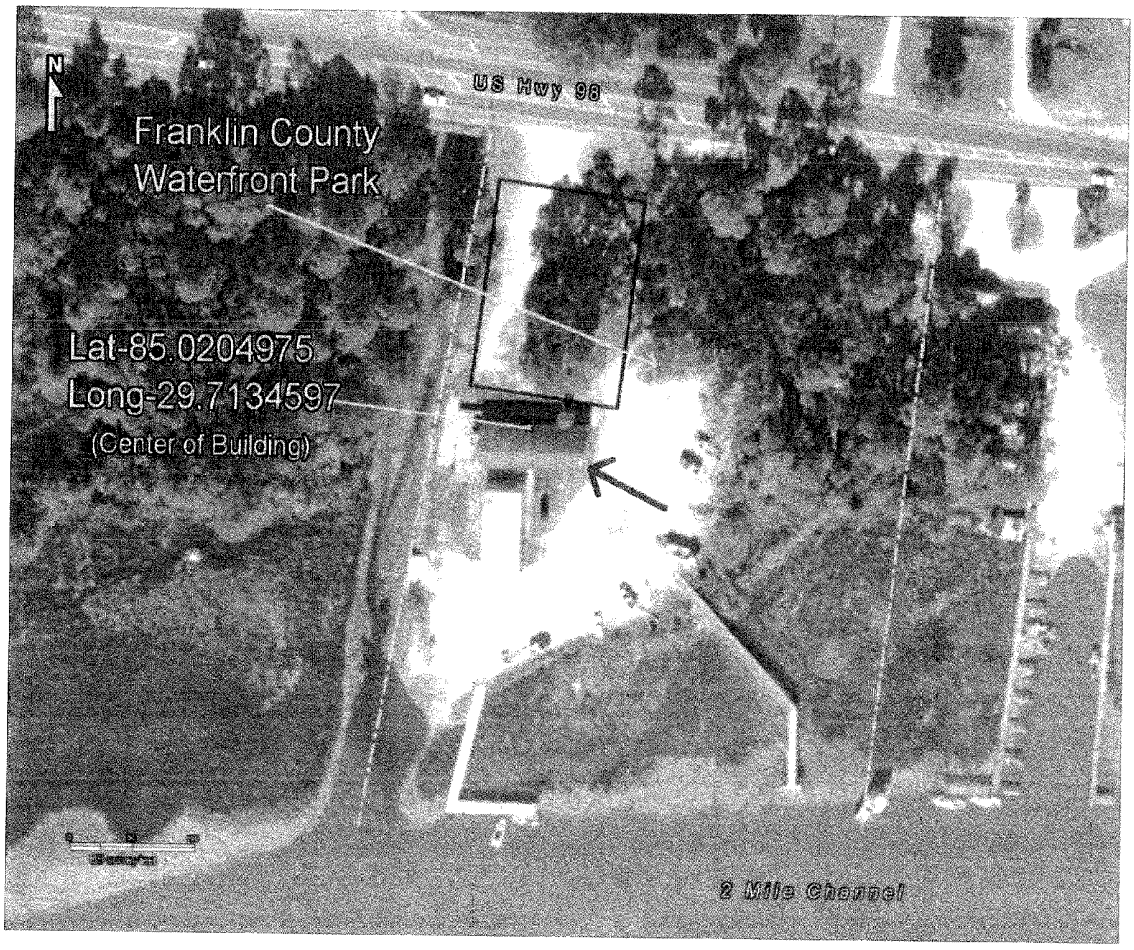


Figure 6. Location of envisioned Indian Creek Park Improvements Project.

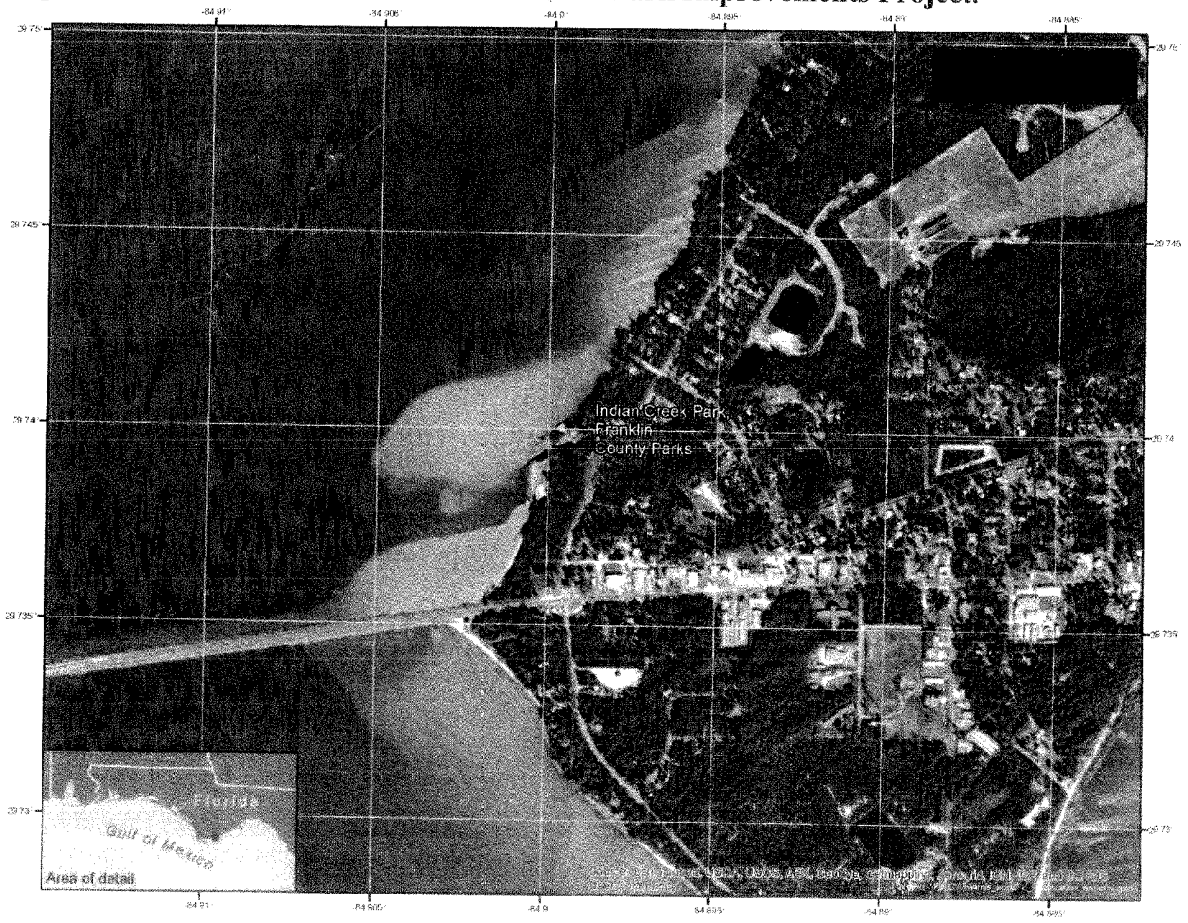


Figure 7. Location of the envisioned East Point Fishing Pier Project.

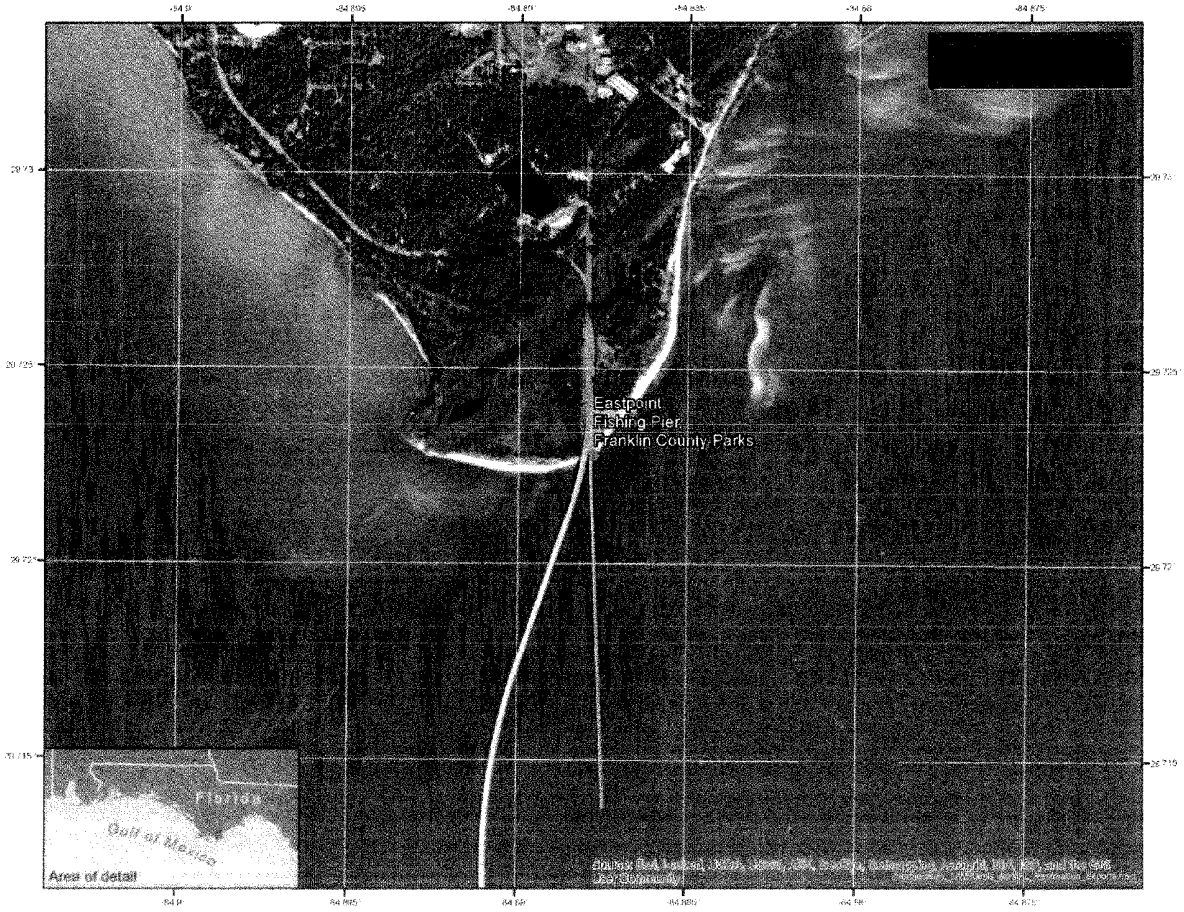


Figure 8. Location of the envisioned St. George Island Fishing Pier Enhancement Project.

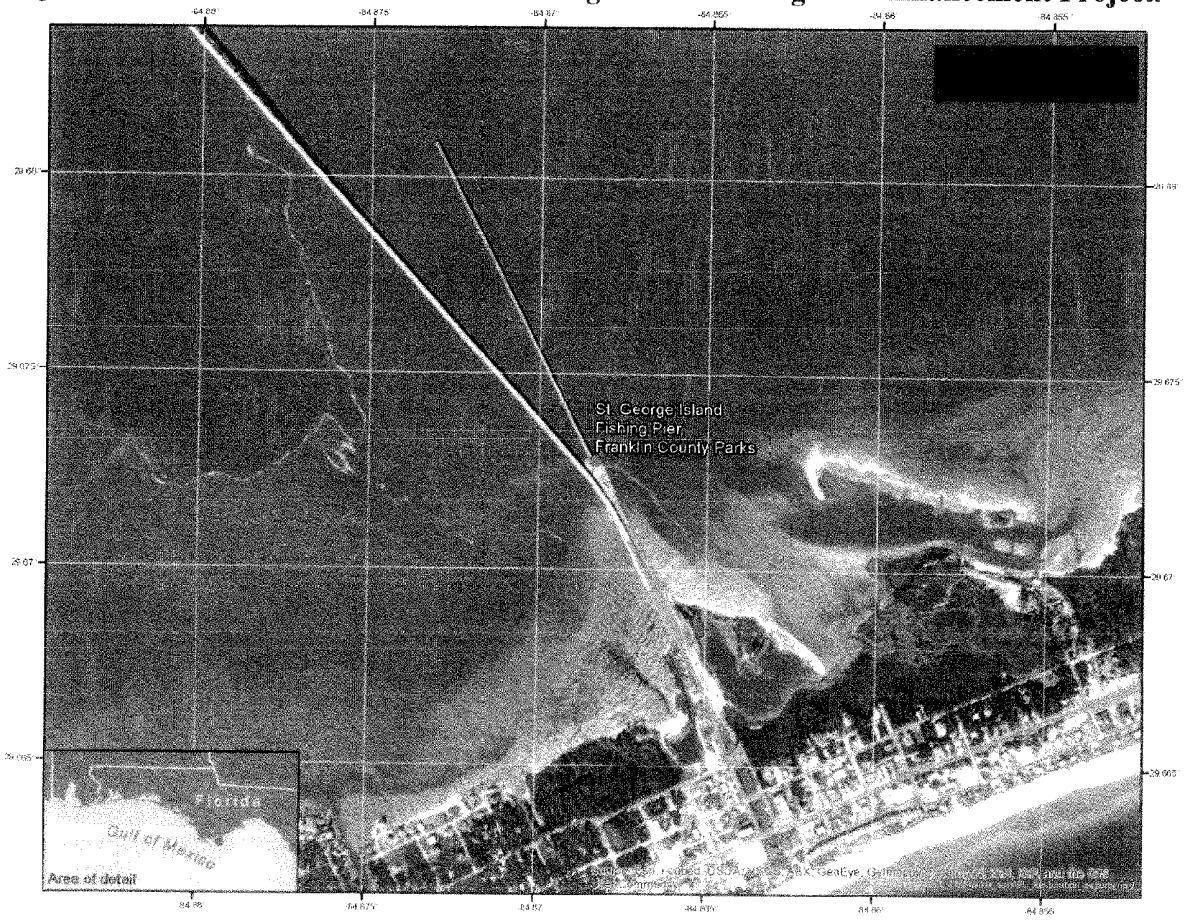
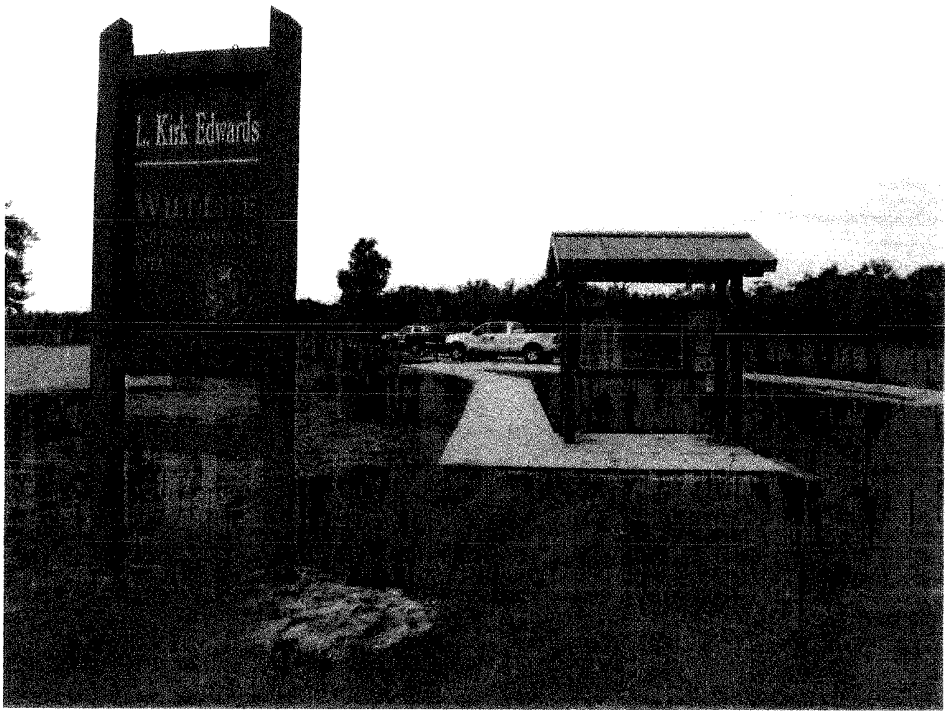


Figure 9. Example of an informational kiosk.



Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Amphibians	Frosted flatwoods salamander	T (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
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
Birds	Arctic peregrine falcon	ce	E	Terrestrial: various, ruderal; winters along coasts	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 Tables 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 Tables 2, 3, and 4
Birds	Red-cockaded woodpecker	E		Terrestrial: mature pine forests.	NE	Listed natural community is inconsistent with the project habitat
Birds	Reddish egret	ce	SSC	Estuarine: tidal swamp, depression marsh, bog, marl prairie, wet prairie Lacustrine: flatwoods/prairie lake, marsh lake Marine: tidal swamp.	NE	Listed natural community is inconsistent with the project habitat

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Birds	Southeastern kestrel	ce	T	Terrestrial: open pine forests, clearings, ruderal, various.	NE	Listed natural community is inconsistent with the project habitat
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	Wakulla seaside sparrow	ce	SSC	Estuarine: tidal marsh Marine: tidal marsh.	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 sediments for foraging and resting; Riverine: alluvial and blackwater streams.	---	See Table 2, 3, 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	Florida mouse	ce	SSC	Terrestrial: scrub, sandhill, scrubby flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Mammals	Round-tailed muskrat	ce		Estuarine: tidal marsh Lacustrine: marsh lake, flatwoods/prairie lake Palustrine: floodplain marsh, swale, depression marsh, basin marsh.	NE	Listed natural community is inconsistent with the project habitat
Mammals	Southeastern big-eared bat	ce		Palustrine: various, floodplains Terrestrial: pine and hardwood forests, ruderal, various.	NE	Listed natural community is inconsistent with the project habitat
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	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

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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
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	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	Carolina grass-of-parnassus	ce	E	Palustrine: seepage slope Terrestrial: mesic flatwoods.	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

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Corkwood		T	Estuarine: tidal marsh Palustrine: freshwater tidal swamp, hydric hammock.	NE	Listed natural community is inconsistent with the project habitat
Plants	Curtiss' loosestrife	ce	E	Palustrine: wet Flatwoods edges, floodplain swamp, seepage slope, dome swamp edges Terrestrial: seepage slope.	NE	Listed natural community is inconsistent with the project habitat
Plants	Florida bear-grass	ce	T	Terrestrial: mesic flatwoods grassy areas.	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	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	Godfrey's blazing star	ce	E	Terrestrial: sandhill, scrub, coastal grassland; disturbed areas.	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
Plants	Hummingbird flower		E	Palustrine: seepage slope, dome swamp edges, floodplain swamps Riverine: seepage stream banks Terrestrial: seepage slopes.	NE	Listed natural community is inconsistent with the project habitat

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Large-flowered-grass-of-parnassus		E	Palustrine: dome swamp margins, seepage slope Riverine: spring-run stream edge Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
Plants	Large-leaved jointweed	ce	T	Terrestrial: scrub, sandpine/oak scrub ridges.	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	Scare-weed	ce	T	Terrestrial: mesic flatwoods, sand hill; on disturbed sites.	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
Plants	Sweet shrub		E	Terrestrial: upland hardwood forest, slope forest, bluffs Palustrine: bottomland forest, stream banks, floodplains.	NE	Listed natural community is inconsistent with the project habitat

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-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 fringeless orchid	ce	E	Palustrine: wet prairie, seepage slope Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
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

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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	Marine: open water; 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	Marine: open water; Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Leatherback turtle	E	E	Marine: open water; Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4
Reptiles	Loggerhead turtle	T	T	Marine: open water; Terrestrial: sandy beaches; nesting.	NLAA	See Table 2, 3, and 4

Franklin Co Rpts

NRDA ROUTING SLIP

Comments:_____

_____ Date:

	Received	Due
Imm, Don		
Phillips, Catherine		
Ambrose, Lydia	3/11/14	C
Kelly, Patty	3/12/14	concur
Lehnhoff, Lisa	3/10/14	OK Lisa Lehnhoff
~~Mitchell, Harold~~		
~~Negron-Ortiz, Vivian~~		
~~Pursifull, Sandy~~		
Yanchis, Kristi		

Concur w/ A
Sign required - See C.M.

Hoccy,

Please include revisions on page 8

THX, CSA