

To: County and Regional Planning and Building Permits Staff

Re: Federally Protected Coastal Species – Post Hurricane Ivan Additional Guidelines for Demolition and Debris Clean-Up and Removal

To Whom It May Concern:

Questions have arisen regarding demolition and debris clean-up and removal and associated building activities in Hurricane affected areas and compliance with the Endangered Species Act (ESA). Continued interest is directed to possible conflicts between demolition and debris clean-up in coastal developed and undeveloped areas that support endangered beach mice (Perdido Key, Choctawhatchee, and St. Andrew beach mice), endangered and threatened nesting sea turtles (loggerhead, green, leatherback, and Ridley sea turtles), and threatened wintering piping plover. Additional guidance is provided for nesting snowy plover, a federal species of concern.

Quick debris removal and clean up in coastal areas particularly along the Gulf of Mexico beachfront and in primary, secondary and scrub dunes also benefits protected species in various ways. Debris could interfere with feeding or reproduction activities of the species, attract predators (raccoons, cats, fox, coyote) or other pests (house mice, Norway and black rats) that may reduce already low species numbers or introduce diseases into the coastal environment.

Demolition and Clean Up of Damaged/Destroyed Structures: The U.S. Fish and Wildlife Service (Service) has determined that demolition, debris clean up and removal and reconstruction of damaged/destroyed structures should not result in “take” of federally listed coastal species if guidelines are followed. These guidelines are included on this web site. The guidelines generally provide for confining the activity within the pre-storm development footprint and protecting beach and dune habitats. Provided the guidelines are correctly implemented, it would not be necessary for property owners, County and local governments, or State or federal agencies to contact the Service or otherwise obtain authorization under section 7 or 10 of the ESA before beginning the demolition and clean-up process. However, all other applicable local, State and other Federal authorizations would still need to be obtained. Expansion or new construction within these areas would need to be coordinated with the Service.

Debris Clean-Up within Undeveloped Beach and Dune Habitat Areas: The Service has determined that debris clean up and removal in undeveloped areas containing beach and dune (primary, secondary, and scrub) habitats should not result in “take” of federally listed coastal species if guidelines are followed. These guidelines are included on this web site. The guidelines generally provide for minimizing the impact of the clean-up and removal activities on beach and dune habitats. Provided the guidelines are correctly implemented, it would not be necessary for property owners, County and local governments, or State or federal agencies to contact the Service or otherwise obtain authorization under section 7 or 10 of the ESA before

beginning the demolition and clean-up process. Any construction within previously undeveloped areas would need to be coordinated with the Service.

Affected persons/entities should be aware that they are still responsible for obtaining required Federal and State authorization if a “take” of any coastal listed species will occur. Persons desiring to build new or expanded structures and reconstructing damaged/destroyed structures that may impact areas outside pre-storm development footprints or beach and dune habitat in undeveloped areas should contact the Service to determine if an authorization under section 7 or 10 of the ESA would be necessary. If it is uncertain whether authorization would be necessary for demolition and debris clean-up on a particular site, please contact this office for assistance.

The Service has coordinated this information with the Florida Fish and Wildlife Conservation Commission. The above determination is consistent with the permitting regulations for the State Endangered Species Act. If you have any questions regarding State permitting regulations, please contact Mr. John Himes at 850/265-3676.

We are providing similar notifications to Federal agencies. If you have any questions concerning our position on these issues, please contact me at extension 247.

Sincerely yours,

Don Imm
Project Leader