



United States Department of the Interior



FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

October 20, 2004

James C. Duck
Chief, Planning Division
U.S. Army Corps of Engineers
701 San Marco Boulevard, Room 372
Jacksonville, Florida 32207-8175

Dear Mr. Duck:

We have received your letter dated October 20, 2004, transmitting the Biological Assessment (BA) for the Picayune Strand Restoration Project, formerly known as the Southern Golden Gate Estates Restoration Project. You have requested our quick concurrence and continued informal consultation regarding the potential effects of this project on federally listed species and designated critical habitats pursuant to the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*), including the red-cockaded woodpecker (*Picoides borealis*), the bald eagle (*Haliaeetus leucocephalus*), the Everglade snail kite (*Rostrhamus sociabilis plumbeus*) and Everglade snail kite critical habitat, the eastern indigo snake (*Drymarchon corais couperi*), the American crocodile (*Crocodylus acutus*) and American crocodile critical habitat, the West Indian manatee (*Trichechus manatus*) and West Indian manatee critical habitat, the wood stork (*Mycteria americana*), and the Florida panther (*Puma concolor coryi*).

Based on the assessment and the project commitments and conservation measures provided in this BA, the U.S. Army Corps of Engineers (Corps) has determined that the project “may affect, but is not likely to adversely affect” the red-cockaded woodpecker, bald eagle, Everglade snail kite, eastern indigo snake, American crocodile, and West Indian manatee critical habitat and will have “no effect” on the Everglade snail kite critical habitat and American crocodile critical habitat. Additional data will be required to complete analysis for the wood stork, the Florida panther, and the West Indian manatee and therefore the Corps has been unable to determine the effects of the project for these species at this time. We will continue to work with your staff, as requested, to complete necessary analyses for these species.

The endangered red-cockaded woodpecker has not been documented within the project boundaries though habitat suitable for nesting and foraging does occur. Four occupied clusters have been identified about 2 miles west of the project in the Belle Meade tract of the Picayune Strand. About 37 miles to the east of the project, approximately 40 clusters have been reported in the Big Cypress National Preserve (BCNP). Although some potential woodpecker pine flatwood habitat would be lost by this project, the remaining flatwoods would be protected and/or restored, potentially to the point of supporting additional clusters. Because this project is



expected to expand available habitat for the Belle Meade population and connect to or augment the BCNP population, the Corps determined that this species “may be affected, but is not likely to be adversely affected” by this project.

The endangered Everglade snail kite has occasionally been observed using the project canals, marshes of the Ten Thousand Islands National Wildlife Refuge, ditches along U.S. Highway 41, and agricultural lands to the west of the project. Because of the low numbers of snail kites that use the project’s sub-optimal habitats and the relatively limited creation of habitat suitable for snail kites by this project, the Corps determined that this species “may be affected, but is not likely to be adversely affected” by this project. Because no designated critical habitat is located within the project action area, the Corps determined that this project would have “no effect” on Everglade snail kite critical habitat.

The endangered American crocodile occurs in the project action area. However, successful reproduction has not been documented. The project would likely provide additional flows to the estuaries and bays adjacent to Faka Union Bay which may improve habitat conditions. The Corps determined that this project “may affect, but is not likely to adversely affect” this species. Because no designated critical habitat is located within the project action area, the Corps determined that this project would have “no effect” on American crocodile critical habitat.

The threatened bald eagle is known to nest within and adjacent to the project boundaries. Because appropriate protection measures will be implemented during construction and operation of this project, the Corps determined that this project “may affect, but is not likely to adversely affect” this species.

The threatened eastern indigo snake is present within the project boundaries and adjacent public and private lands. It is expected that the project will restore wetlands and protect remaining uplands. In addition, the implementation of standard construction protection measures, the reduction of human disturbance, and management of habitat after project construction should minimize effects to this species. The Corps determined that this project “may affect, but is not likely to adversely affect” this species.

The endangered West Indian manatee heavily uses the Port of the Islands basin located near the mouth of the Faka Union Canal during the winter months. This is the second largest warmwater refugia for manatees in southwest Florida and can support up to 300 individuals during cold weather. The project is expected to restore appropriate estuarine flows and depth which is expected to change manatee movements. The Corps has been unable to determine the effects of the project on the West Indian manatee and that additional analysis is needed.

The endangered wood stork uses suitable habitats throughout the project area. Three active nesting colonies occur near the project area, including Audubon’s Corkscrew Swamp Sanctuary which is the largest historic nesting colony in the U.S. The north portion of the project area falls within the core foraging area for this rookery. The project would likely result in increased wetland coverage, including shallow wetland habitats 2 to 15 inches deep suitable for wood stork

foraging. Although increased wetland habitat coverage is anticipated with the project, the lack of an operating plan for restoration and a detailed wetland map of post-project wood stork habitat conditions has not been completed. The Corps has been unable to determine the effects of the project on the wood stork and that additional analysis is needed.

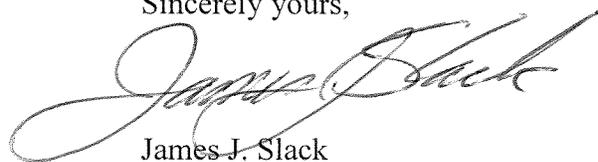
The endangered Florida panther occurs within the project area. The project will reduce upland habitats used by this species. The project will restore wetland habitats to more natural conditions and protect remaining upland habitats, as well as reduce human disturbance, within the project boundaries. These changes might result in an increased prey base and increase the availability of breeding and sheltering habitats for this species, but specific data is unavailable. The Corps has been unable to determine the effects of the project on the Florida panther and that additional analysis is needed.

Since the detailed design and final locations of all project components are still being refined and may change prior to construction, the Corps has been unable to determine the project effects on wood storks, Florida panthers, and West Indian manatees and that additional data is necessary to complete analyses for these species. We will continue to work with your staff to complete necessary analyses for these species. Also if assumptions regarding project description, construction activities, modeling outputs, Operation Manuals, the Ecological and Water Quality Monitoring Plan, the adaptive assessment component of the Monitoring Plan, the Florida Division of Forestry Maintenance Plan, the Invasive Species Management Plan, or other anticipated effects to listed species change, we will continue to consult with you to complete additional analyses.

The Service concurs with your determinations that the Picayune Strand Restoration Project “may affect, but is not likely to adversely affect” the red-cockaded woodpecker, the bald eagle, the Everglade snail kite, the eastern indigo snake, the American crocodile, and West Indian manatee critical habitat and will have “no effect” on Everglade snail kite critical habitat and American crocodile critical habitat. We look forward to continuing consultation with you for the wood stork, the Florida panther, and the West Indian manatee.

Please contact me at 772-562-3909 if you have any questions regarding this letter. Thank you for your continued efforts to protect and restore federally listed species and critical habitats in south Florida through the Comprehensive Everglades Restoration Program.

Sincerely yours,



James J. Slack
Field Supervisor
South Florida Ecological Services Office