



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/DH NRDAR

February 20, 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. McClure*

Subject: Informal Consultation and Conference Request for the Proposed Walton County Boardwalks and Dune Crossovers and Deer Lake State Park Development, 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 Walton County Boardwalks and Dune Crossovers and Deer Lake State Park Development project 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), West Indian manatee, Choctawhatchee beach mouse, piping plover, or red knot (if listed) and have provided our analysis in the attached Biological Evaluation. Further, we determined the proposed project will not adversely modify or destroy critical habitat for the Choctawhatchee beach mouse. 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: January 30, 2014

PROJECT NAME (Grant Title/Number): Walton County Boardwalks and Dune Crossovers and Deer Lake State Park Development

I. Service Program:

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 this document for a map indicating the general location of the proposed project action areas. More detailed maps of the anticipated activity areas at each of the sites include:

- Figure 2: Activity area for the Bayside Ranchettes Park Improvements
- Figure 3: Activity area for the Palms of Dune Allen West Beach Access Improvements
- Figure 4: Activity area for the Ed Walline Beach Access improvements
- Figure 5: Activity area for the Gulfview Heights Beach Access improvements
- Figure 6: Activity area for the Grayton Dunes Access Boardwalk Improvements
- Figure 7: Activity area for the Dothan Beach Access Boardwalk Improvements
- Figures 8, 9, and 10: Activity area for the Deer Lake State Park Development

A. Ecoregion Number and Name: Southeast Region

B. County and State: Walton County, Florida

C. Section, township, and range (or latitude and longitude): See Figure 1

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

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

There are two related actions being evaluated as part of this review. The first consists of activity associated with the proposed Walton County Boardwalks and Dune Crossovers project. This project would improve beach access, boardwalk facilities, and park facilities at six associated locations: Bayside Ranchettes, Palms of Dune Allen, Ed Walline, Gulfview Heights, Grayton Dunes, and Dothan Beach. The second action, the Deer Lake State Park Development project, involves improving amenities at the Deer Lake State Park by adding a paved access road, parking, picnic shelters, and a restroom to the existing park. These actions are being evaluated together because they share the same general project area, with all activity to take place in Walton County, and would involve similar actions. The relative proposed location of these actions is presented in Figure 1.

Project 1 - Walton County Boardwalks and Dune Crossovers Project

Table 1 provides a summary of the specific activity associated with the six components of the Walton County Boardwalks and Dune Crossovers project.

Table 1. Walton County Beach access infrastructure improvements detail.

PROJECT	EXISTING FACILITIES DESCRIPTION	PROPOSED IMPROVEMENTS DESCRIPTION
Bayside Ranchettes Park	N/A - Undeveloped	Create a new parking area, add a picnic table, and construct a dock for canoe/kayak launching and steps into the waters of Choctawhatchee Bay
Palms of Dune Allen West Beach Access	N/A - Undeveloped	Construct new dune walkover
Ed Walline Beach Access	Restroom facilities and picnic pavilion	Replace the pavilion, replace restroom fixtures, and update all interior plumbing
Gulfview Heights Beach Access	Restroom facilities and picnic pavilions	Replace restroom fixtures, update all interior plumbing, and repair all soffits on pavilions
Grayton Dunes Beach Access	Parking and a 400-foot boardwalk	Replace the existing dune walkover
Dothan Beach Access Boardwalk	Boardwalk	Replace existing dune walkover

Additional information on each of the components is provided below.

Bayside Ranchettes Park Improvements

This parcel is approximately 0.25 acres located on Choctawhatchee Bay. It is owned by Walton County but remains undeveloped at this time. Improvement of this beach access would provide parking, a picnic table, a dock, and steps into the water allowing access to the bay. The proposed Bayside Ranchettes Park project is on the Choctawhatchee Bay, a coastal inlet that is connected

to the Gulf of Mexico by Destin Pass near Destin, Florida. A detail of the project area is provided in Figure 2.

Palms of Dune Allen West Beach Access Improvements

This parcel is approximately 0.5 acre of beach and dunes. It is owned by Walton County but remains undeveloped at this time. Improvement of this beach access would include constructing a dune walkover allowing beach visitors to access the beach. The Palms of Dune Allen site is approximately 1,300 feet east of Oyster Lake, a coastal dune lake. A detail of the project area is provided in Figure 3.

Ed Walline Beach Access Improvements

This is a regional beach access with restroom facilities and picnic pavilions. Improvement of this beach access would provide enhanced facilities by replacing the pavilions, replacing restroom fixtures, and updating all interior plumbing. A detail of the project area is provided in Figure 4.

Gulfview Heights Beach Access Improvements

This is a regional beach access with restroom facilities and picnic pavilions. Improvement of this beach access would provide enhanced facilities by replacing restroom fixtures, updating all interior plumbing, and repairing all soffits on pavilions. The Gulfview Heights site is approximately 1,500 feet west of Draper Lake, a coastal dune lake. A detail of the project area is provided in Figure 5.

Grayton Dunes Beach Access Boardwalk Improvements

This is a regional beach access with parking and a 400-foot boardwalk. Improvement of this beach access would provide enhanced facilities by replacing the dune walkover, allowing beach visitors to access the beach. The project originates from a beachside residential area at the end of the pavement on Garfield Street and is approximately 400 feet west of the border of Grayton Beach State Park and Western Lake, a coastal dune lake. A detail of the project area is provided in Figure 6.

Dothan Beach Access Boardwalk Improvements

This is a pedestrian beach access with a boardwalk. Improvement of this beach access would provide enhanced facilities by replacing the dune walkover, allowing beach visitors to access the beach. A detail of the project area is provided in Figure 7.

Construction and Installation for Boardwalks and Dune Crossovers projects

In all of these project components, staging of construction equipment and supplies, as well as any removed material, will take place in adjacent developed parking areas to the extent possible. In any areas lacking an existing parking area, or where such an area is inadequate for the project needs, staging would take place on existing county rights-of-way, most likely along county road 30A (CR 30A). In addition, in cases where lighting is installed or replaced the new fixtures will be required to be consistent with the guidance provided in the current edition of the FWC's Lighting Technical Manual.

Bayside Ranchettes Park Improvements

Construction of public facilities, including parking, picnic area, and a dock at Bayside Ranchettes would require disturbance of several feet of soil although the final footprint is not known though parcel boundaries have been identified. Heavy equipment will be necessary to grade and install parking and facilities. In-water stairs and dock may require pile driving. Staging would be on the project site and nearby disturbed areas.

Palms of Dune Allen West Beach Access Improvements, Grayton Dunes Beach Access Boardwalk Improvements, and Dothan Beach Access Boardwalk Improvements

To the maximum extent possible, the footprint of construction activities at these sites would remain within the footprint of existing facilities (Grayton Dunes and Dothan Beach accesses) or in the footprint of the existing foot path access (Palms of Dune Allen). Old boardwalk and pavilion materials would be removed from areas where repairs are required. Posts/pilings may be required for boardwalk repairs and is required for new construction. Pilings would likely be placed by mechanically auguring holes (with an auger mounted to a bobcat) to place pre-formed pilings or to place forms that would be filled with pumped concrete to create new pilings. The holes for the pilings would likely be approximately 1–2 feet in diameter (this is an estimate, final sizes would depend on final design requirements). In addition, as work proceeds, the project area could be isolated by construction fencing to prevent incidental access. This fencing material would be placed by hand driving (e.g., with a sledge hammer or post driver) stakes as necessary. These stakes would likely be less than 2 inches in diameter and driven to a depth of 1–2 feet to secure the fencing.

The dune walkovers would be constructed at a height (minimum 3 feet above grade) to accommodate natural dune growth and associated vegetation. No storage of equipment or materials would occur on the beach or dunes throughout construction. No activity, except as needed to remove old walkovers, construct the new walkovers, and repair/maintain the walkovers (in subsequent years), would occur on existing healthy dunes during any time of the year. If dunes are impacted during the proposed projects, they would be restored by planting the appropriate vegetation or installing sand fence. All dune vegetation to be used in dune restoration would be native to the specific Walton County dunes and grown from northwest Florida plant stock. If seedlings are planted, they would be at least 1 × 1 inch with a 2.5-inch pot. Vegetation would be planted with an appropriate amount of fertilizer and anti-desiccant material, as appropriate, for the plant size. Planting would likely be on 18-inch centers throughout the created dune; however, 24-inch centers may be acceptable depending on the area to be planted. No irrigation lines or pipes would be installed.

Ed Walline Beach Access Improvements and Gulfview Heights Beach Access Improvements

The footprint of construction activities at these sites would remain within the footprint of existing facilities. Restroom repairs and improvements, as well as repairs or improvements to facilities such as pavilions, would likely require little or no disturbance outside of the footprint of existing developed public facilities. Materials to be removed include old plumbing fixtures and other old restroom material, and other debris removed as part of facilities improvements. Posts/pilings may be required for pavilion replacement.

Project 2 - Deer Lake State Park Development

The proposed Deer Lake State Park Recreation Areas project would improve the existing visitor areas at Deer Lake State Park in Walton County. The proposed improvements would include adding a paved access road, parking, picnic shelters, and restroom facilities, plantings (trees, grass, shrubs), and necessary utilities (water, sewer, and electrical). Figure 8 provides the general location for the planned work at Deer Lake State Park and Figure 9 provides a conceptual plan for the activity.

The project scope includes developing two parking lots with approximately 100 total spaces, paved access roads, various sidewalks, an entry ranger station with associated utilities (water, sewer, power), an entrance sign with wildlife friendly lighting, a day-use bathroom and pump station with associated utilities (water, sewer, power), an elevated picnic shelter, wildlife-friendly parking lot lighting, and underground power. Construction would require connecting the new restroom and entry ranger station to the regional sanitary sewer collection system operated by the Regional Utilities of Walton County. Water and power would also be connected to the site.

Materials planned for removal may include soil, sand, rubble, trees, and asphalt. The demolition plan includes the removal of approximately 1,500 square feet (0.03 acre) of existing concrete, 650 square feet (0.01 acre) of an existing bike trail, the existing park entry sign, and between 40 and 60 existing trees. In addition to the parking lots, access roads, and structures, construction plans specify the addition of approximately 2.6 acres of “vegetative buffer,” which would consist of native grasses with species to-be-determined. A mix of native trees and shrubs are planned for parking areas and various beds throughout the 8-acre site as detailed in Table 8 below and identified in Figure 9. Tree protection would include, but not be limited to root protection, water-holding soil additive, drainage outside of the root ball, aboveground poles or protective fencing, and trunk ropes to stabilize trees during the initial growth period.

Table 2. Number and type of plants to be planted.

Number	Type
35	Sand live oak (<i>Quercus virginiana</i>)
5	Sand pine (<i>Pinus clausa</i>)
5	Slash pine (<i>Pinus ewotti</i>)
13	Tree wax myrtle (<i>Myrica cerifera</i>)
47	Inkberry (<i>Ilex glabra</i>)
56	Saw palmetto (<i>Serenoa repens</i>)
5	Chapman oak (<i>Quercus chapmanii</i>)
3	Myrtle oak (<i>Quercus myrtifoua</i>)
44*	Golden aster (<i>Chrysopsis sp.</i>)
44*	Apalachicola rosemary (<i>Conradina glabra</i>)
44*	False rosemary (<i>Conradina sp.</i>)

*Mixture of the following per planting bed

Road and parking lot construction would entail the removal of 0.65 acre of the 0.69-acre existing impervious surface and the construction of 1.71 acres of new impervious surface for the road and parking area, resulting in a slight expansion of the parking area over the existing developed footprint. In addition, the current plans call for 0.07 acre for 5-foot-wide sidewalks with new build in footprints covering 0.04 acre. As a result, the total impervious surface area associated with project work would be 1.82 acres.

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

The proposed projects are in the State of Florida, Walton County. All sites are approximately 17–25 miles east of Eglin Air Force Base and 21–29 miles west of Panama City Beach, Florida. Other than Bayside Ranchettes Park, which is on Choctawhatchee Bay, all of the sites, are on the Gulf Coast.

Habitat at Bayside Ranchettes consists of a previously undeveloped sand with scrub vegetation and trees area that currently lacks structures or infrastructure. The area is generally surrounded by development however and the site is accessed from the terminus of a paved road.

Habitat at all other sites consists of Gulf side sandy beaches and primary dunes. At Palms of Dune Allen, Ed Walline, and Gulfview Heights, residential properties are immediately behind the beach and primary dune.

At Grayton Dunes and Dothan Beach access, there appears to be primary and secondary dunes with residential properties adjacent to the secondary dunes. Grayton Dunes is designated critical habitat for the Choctawhatchee beach mouse.

Deer Lake State Park has beach front, primary and secondary dunes, wetlands, and vegetated uplands with Deer Lake to the West and some residential development to the east. All work will be conducted in the vegetated uplands.

VII. Species and Habitat:

A. Complete the following table:

Table , 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 4 presents a summary of the potential species/critical habitat that could be impacted from the proposed project. The species/critical habitat in Table 4 were identified after considering where there was potential overlap from information on identified natural communities in Table 3 with the potential locations where the project could be implemented and areas adjacent to the immediate project locations.

Table 4. 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	<p>The main risk to sea turtles during execution of this project would come should work be conducted during the turtles nesting season from approximately May to November when turtles, and to a greater extent their nests could be at risk of harassment, harm, and mortality from the use of heavy equipment on the beach. Construction equipment can crush individuals and nests, create ruts and other structures that may make it difficult to return to the sea, and compact substrates which may make nesting difficult. Due to the small footprint of any single project and the conservation measures below, effects to sea turtles and their nests will be minimized to an insignificant and discountable level.</p> <p>No proposed or designated critical habitat for sea turtles occurs within the action area; therefore, none will be adversely affected or modified.</p>
West Indian manatee	<p>The county in the project area is 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 (U.S. Department of the Interior, 2011) for the Bayside Ranchettes action area.</p> <p>The main risk to manatees during implementation of this project would come from in-water material collisions which could result in harm or mortality. Due to the conservation measures below, we believe these effects will be reduced such that they are either avoided or insignificant and discountable.</p>
Piping plover	<p>The main risk to Piping plovers is from human disturbance while resting and foraging in habitats adjacent to work areas. The proposed project could result in short term increases in noise which could startle individuals, though we would expect normal activity to resume within minutes or cause the plovers to move to a nearby area. Because other foraging/resting habitats surround the area we would expect this temporary displacement to be within normal movement patterns and consider this effect insignificant and discountable. Piping plover critical habitat is not designated in or near the action.</p>
Red knot	<p>The main risk to Red knots is from human disturbance while resting and foraging in habitats adjacent to work areas. The proposed project could result in short term increases in noise which could startle individuals, though we would expect normal activity to resume within minutes or cause the Red knots to move to a nearby area. Because other foraging/resting habitats surround the area we would expect this temporary displacement to be within normal movement patterns and consider this effect insignificant and discountable.</p>

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
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.
<p data-bbox="180 411 480 472">Choctawhatchee beach mouse</p> <p data-bbox="180 787 480 882">Critical habitat for Choctawhatchee beach mouse</p>	<p data-bbox="480 411 1437 724">The Choctawhatchee beach mouse could occupy any and all these sites except Bayside Ranchettes, though they are not expected in the Ed Walline and Gulfview Heights project areas. If working in or near habitat for the mouse (i.e., dune systems) burrows could collapse during walkover construction/replacement activities which can result in abandonment of the burrow by the adults; leading to potential harm or mortality and mortality of any young within the burrow, and increased risk of predation. Lighting added to parking areas could affect the nocturnal habitats of the mouse. Because of the conservation measures listed below (including those for critical habitat), we believe effects to beach mice are insignificant and discountable.</p> <p data-bbox="480 766 1437 892">The <i>Grayton Dunes Beach Access Boardwalk Improvements</i> component of the Walton County Boardwalks and Dune Crossovers Project overlaps with Choctawhatchee Beach Mouse Critical Habitat Unit 3 (Grayton Beach Unit – 179 acres). Critical habitat is adjacent to the Deer Lake project site.</p> <p data-bbox="480 924 1437 955">Primary Constituent Elements (PCEs) for the mouse habitat are:</p> <ol data-bbox="480 987 1437 1533" style="list-style-type: none"> 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 predateous 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. <p data-bbox="480 1564 1437 1978">The proposed projects are not expected to negatively impact PCEs but rather may benefit PCEs. The existing boardwalks or lack of boardwalks could be limiting the amount of contiguous habitat, food resources, burrow sites, and the boardwalks may be causing obstructions due to their low height. In the absence of a boardwalk, individuals develop footpaths through the dunes. These paths are devoid of vegetation and widen and the entrance/exit areas “fan-out” and as such serve as erosion points into the dune systems. Overtime, especially with storms, these paths can erode the dune systems causing fragmentation. Repairing boardwalks and constructing new ones should allow for unobstructed movements by mice; help prevent dune erosion (pathway “fanning”) from general visitor use thereby reducing changes to burrow sites, food resources, and susceptibility to hurricane/storm impacts. No lighting is planned for the walkovers. At Deer Lake any lighting will be wildlife friendly, consistent with latest edition of FWC lighting</p>

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	<p>technical manual. The project will occur in very localized locations for very short periods of time, allowing the mosaic of primary, secondary scrub vegetation and dune structure to remain unchanged and, eventually to recover with the construction or replacement of a dune walkover (i.e., keeps visitor traffic off dunes allowing dunes to function properly).</p> <p>Due to the conservation measures below and project design, no adverse modification or destruction of critical habitat is anticipated.</p>

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

Table 5. Conservation Measures to Minimize Impacts to species

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Green turtle, Hawksbill turtle, Kemp's ridley turtle, Leatherback turtle, Loggerhead turtle	<p>No lighting will be installed on the boardwalks. Any other lighting used (in parking areas, sidewalks, signage, etc.) will be sea turtle and wildlife friendly.</p> <p>Should work be undertaken between May 1 and October 31 the following conservation measures will be followed:</p> <ol style="list-style-type: none"> 1. The existing, local, sea turtle nesting surveyor will conduct daily sea turtle nesting surveys and will assess the need for the relocation of sea turtle nests that could be affected by the project construction prior to project implementation each day 2. If a sea turtle (either adult or hatchling) is observed, maintain at least 200 feet between the turtle and personnel. 3. All actions shall observe a 10-foot buffer from marked sea turtle nests. Between May 1 and August 31¹, actions with mechanized equipment or vehicles shall not begin prior to 9:00 am to ensure sea turtle monitoring surveys are completed for the day. 4. If altered, beach topography shall be restored in all areas to the natural beach profile by 20:00 hours each day. Restoring beach topography includes raking of tire ruts, filling pits or holes.
West Indian manatee	<p>All construction conditions identified in the <i>Standard Manatee Conditions for In-water Work</i> (USFWS 2011) would be implemented and adhered to during project construction.</p>
Piping plover	<p>The presence of additional suitable habitat nearby and the infrequent nature of the project noise or workers and equipment will minimize project risks. If construction occurs within the period from August to May:</p> <ol style="list-style-type: none"> 1. Shorebird surveys will be conducted in the project area; 2. Within the project area a 300-foot wide buffer zone where piping plover congregate in significant numbers will be established. 3. Any and all construction will be prohibited in the buffer zone.

1. 1 Turtle *nesting* season is May 1 to August 31, while turtle *hatching* continues until October 31. The remaining turtle BMPs should be implemented May 1 through October 31.

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Red knot	<p>The presence of additional suitable habitat nearby and the infrequent nature of the project noise or workers and equipment will minimize project risks. If construction occurs within the period from August to May:</p> <ol style="list-style-type: none"> 1. Shorebird surveys will be conducted in the project area; 2. Within the project area a 300-foot wide buffer zone where red knot congregate in significant numbers will be established. 3. Any and all construction will be prohibited in the buffer zone.
Gulf sturgeon	<p>See note in Table 4 about the review of potential Gulf sturgeon impacts being coordinated through NMFS instead of through the USFWS.</p>
Choctawhatchee beach mouse	<p>The Choctawhatchee beach mouse could occur at all project locations except Bayside Ranchettes, though they are not expected in the Ed Walline and Gulfview Heights project areas. Known populations and critical habitat occur at Grayton Dunes and Deer Lake. These conservation measures will be implemented at all sites except Bayside Ranchettes:</p> <ul style="list-style-type: none"> • All construction personnel will be notified of the potential presence of Choctawhatchee Beach Mice and reminded of the criminal and civil penalties associated with harassing, injuring, or killing these mice. • To minimize impacts to Choctawhatchee beach mice in burrows, a qualified, permitted, biologist will survey the project site before work commences and flag potential burrows and tracks so that they can be avoided. • Only hand tools will be used within a five-foot radius of a burrow opening or any observed mice tracks. • Equipment and vehicles will avoid the dune by 10 foot of the toe of the dune. • Construction noise will be kept to the minimum feasible. • Construction will occur during the day to minimize disturbance to nocturnal patterns. • Equipment, vehicles, and project debris will not be stored in a manner or location where it could be colonized by mice. <ul style="list-style-type: none"> ○ Prior to bringing any equipment (including personal gear, machinery, vehicles or vessels) to the work site, inspect each item for mud or soil, seeds, and vegetation. If present, the equipment, vehicles, or personal gear shall be cleaned until they are free from mud, soil, seeds, and vegetation. This inspection will occur each time equipment, vehicles, and personal gear are being prepared to go to a site or prior to transferring between sites to avoid spreading exotic, nuisance species. ○ Inspect sites periodically to identify and control new colonies/individuals of an invasive species not previously observed prior to construction. ○ Remove trash or anything that would attract nuisance wildlife to work areas daily. • Project related trash or debris shall not be allowed to blow into open water, onto beaches or in the dunes. • Appropriate waste/trash receptacles will be installed and maintained at boardwalks so that predators are not attracted to the area.

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
	<ul style="list-style-type: none"> • Lighting will not be added to boardwalks. Any lighting for parking, sidewalks, signage, etc. will be wildlife friendly. • All walkover construction will follow the recent guidance for such work issued by the USFWS Panama City field office (USFWS, 2013).
Choctawhatchee beach mouse habitat	<p>Conservation measures that will be implemented to avoid impacts to the Choctawhatchee Beach Mouse habitat include:</p> <ul style="list-style-type: none"> • If native plants are destroyed during the project, appropriate native plants will be planted in the same location to minimize effects to the vegetative composition of the area. • If necessary (due to food source removal during construction and growing periods for replacement plants), supplemental beach mouse food sources will be provided. • Project work will only occur during daylight hours, as such it will not alter the natural light regime of the area.

VIII. Effect Determination and Response Requested:

Table 6. Effects Determinations

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)
West Indian Manatee		X				Concurrence
Piping plover		X				Concurrence
Red knot		X				Conference
Choctawhatchee beach mouse		X				Concurrence

Species	Species Impacts					Response Requested
	NE	NLAA	MAA	JP	JC	
Critical Habitat for Choctawhatchee beach mouse	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? 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.**

Table 2. Migratory birds Species/Habitat Impacts

SPECIES	BEHAVIOR	SPECIES/HABITAT IMPACTS
Shorebirds	Foraging, feeding,	Shorebirds nest, forage, feed, and rest in the types of

SPECIES	BEHAVIOR	SPECIES/HABITAT IMPACTS
	resting, nesting	habitats consistent with some of the shoreline areas near the proposed project. As such, foraging, feeding, and resting may be impacted locally and temporarily by the project. Impacts to breeding/nesting birds will be avoided.
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. However, the level of project activity could startle foraging or resting birds; however, they would be expected to move to nearby locations and resume activities. Because activities will occur during the day roosting should not be impacted. Impacts to breeding/nesting birds will be avoided.
Songbirds	Foraging, feeding, resting, nesting	Songbirds are likely to nest, feed, and rest in and around Grayton Beach and Deer Lake. As such, they may be impacted locally and temporarily by the project. Impacts to breeding/nesting birds will be avoided.

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.

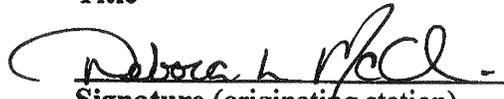
Table 3. Conservation Measures to Minimize Impacts to Migratory Birds

SPECIES/SPECIES GROUP	CONSERVATION MEASURES TO MINIMIZE IMPACTS
Shorebirds	We expect foraging and resting birds would be able to move to another nearby location 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.
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. All disturbances will be localized and temporary. 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. Nesting should not be impacted because the project will not occur near nesting habitats.
Songbirds	Trees will not be removed during songbird nesting season at Deer lake or Grayton Beach.

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

/s/ Holly N. Blalock-Herod January 30, 2014
 Signature (originating station - preparer) date

DOI Case Management Team, ESA Coordinator
 Title

 2/20/14
 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):

_____ Signature	_____ date
_____ Field Supervisor	_____ office

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U.S. Fish and Wildlife Service (USFWS), 2013. Conservation Measures for Dune Walkover Construction. Unpublished Guidance prepared by Panama City Ecological Services Field Office.

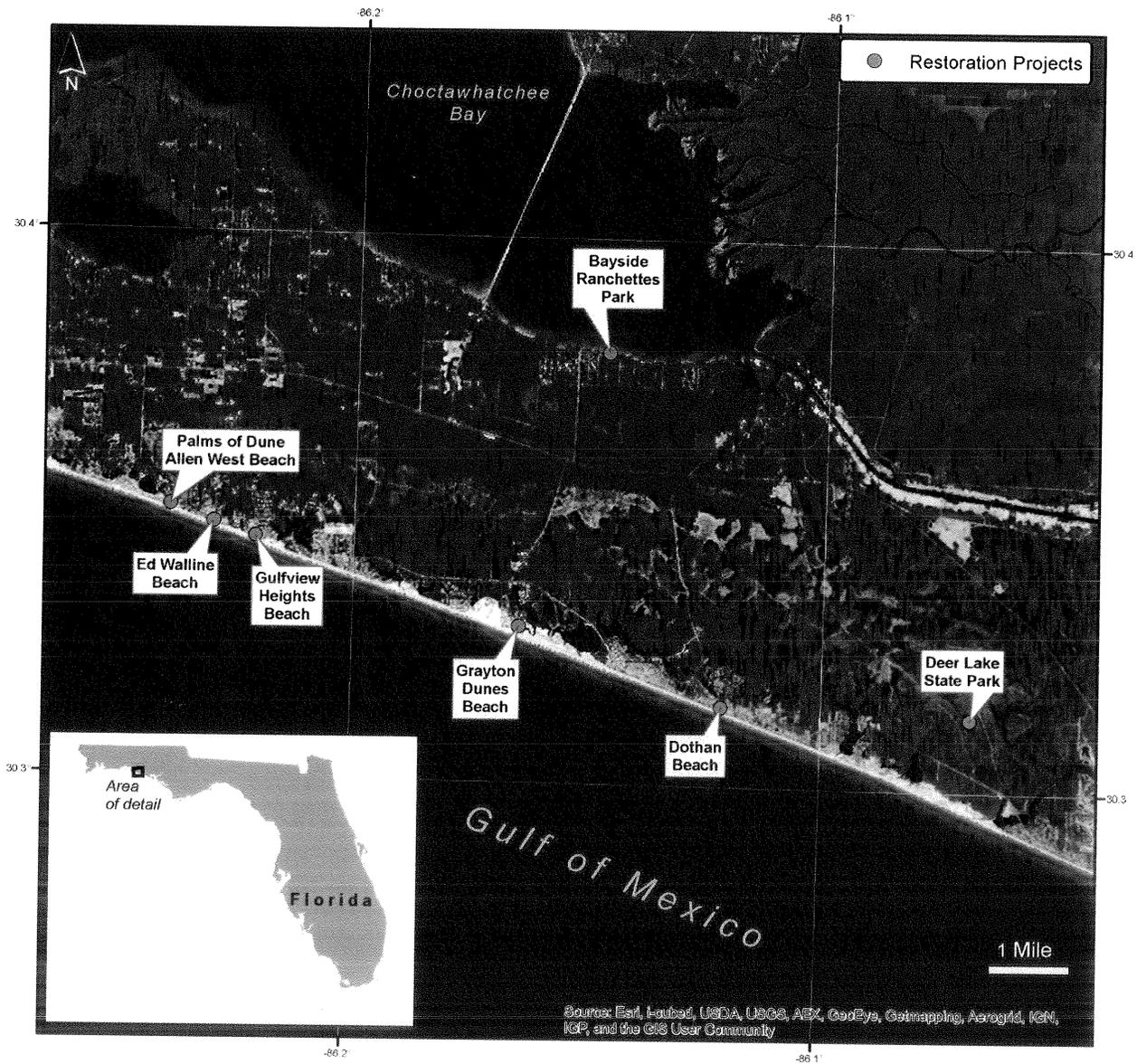


Figure 1. Location of Palms of Dune Allen West Beach, Ed Walline Beach, Gulfview Heights Beach, Bayside Ranchettes Park, Grayton Dunes Beach, Dothan Beach Access, and Deer Lake State Park projects.



Figure 2. Detailed location and activity area for the Bayside Ranchettes Park Improvements



Figure 3. Detailed location and activity area for the Palms of Dune Allen West Beach Access Improvements

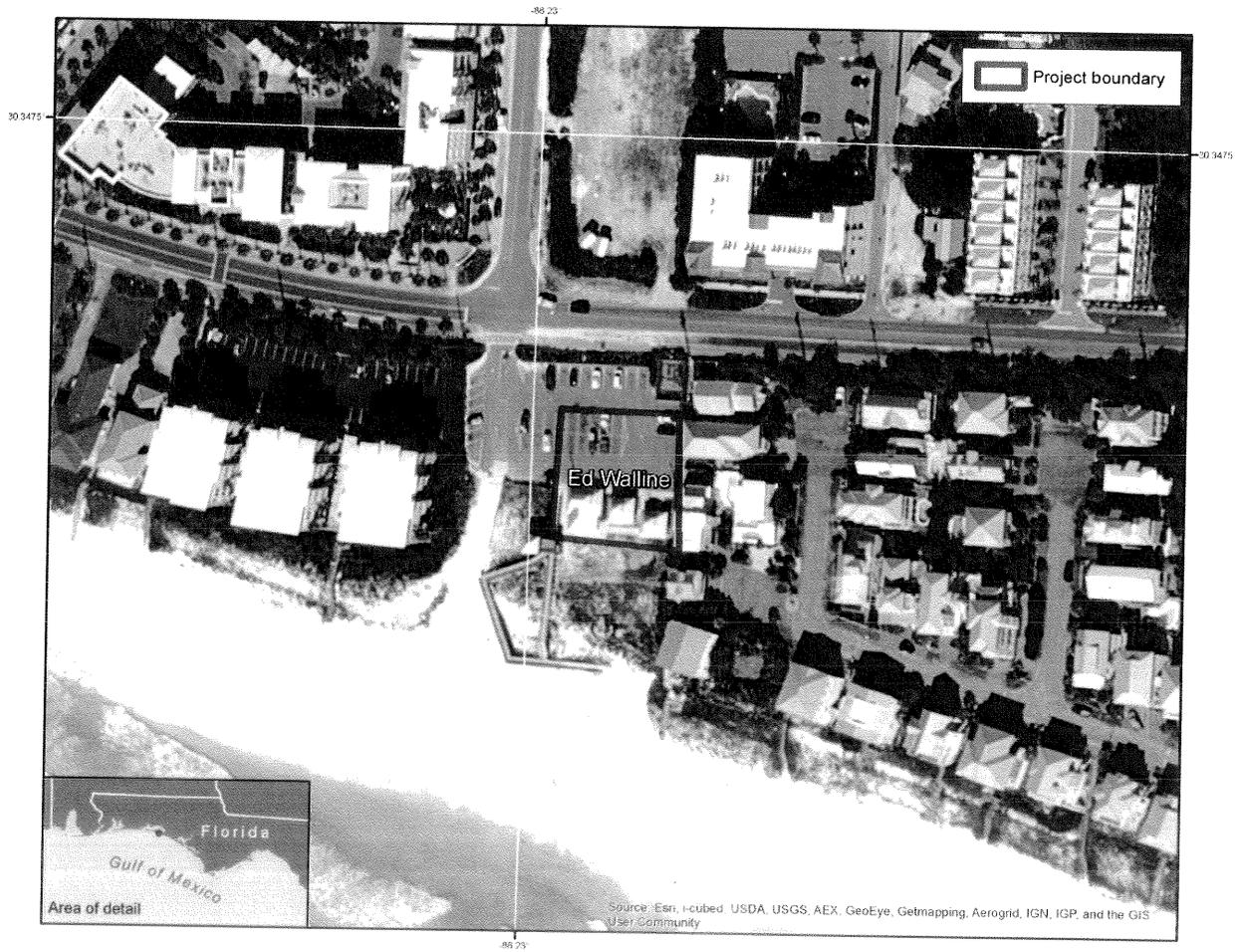


Figure 4. Detailed location and activity area for the Ed Walline Beach Access Improvements



Figure 5. Detailed location and activity area for the Gulfview Heights Beach Access Improvements



Figure 6. Detailed location and activity area for the Grayton Dunes Beach Access Boardwalk Improvements



Figure 7. Detailed location and activity area for the Dothan Beach Access Boardwalk Improvements

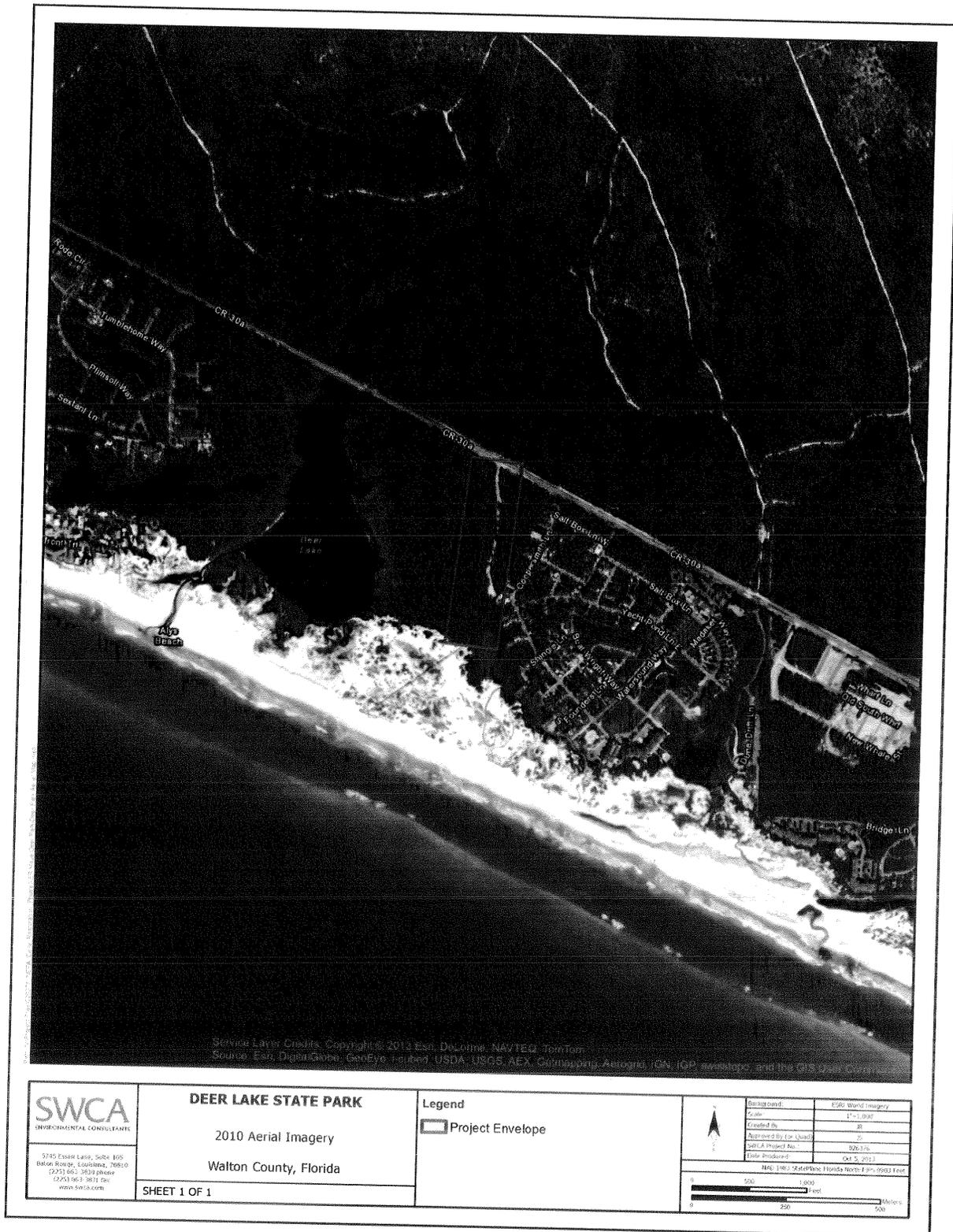


Figure 7. Aerial imagery of the project area in Deer Lake State Park

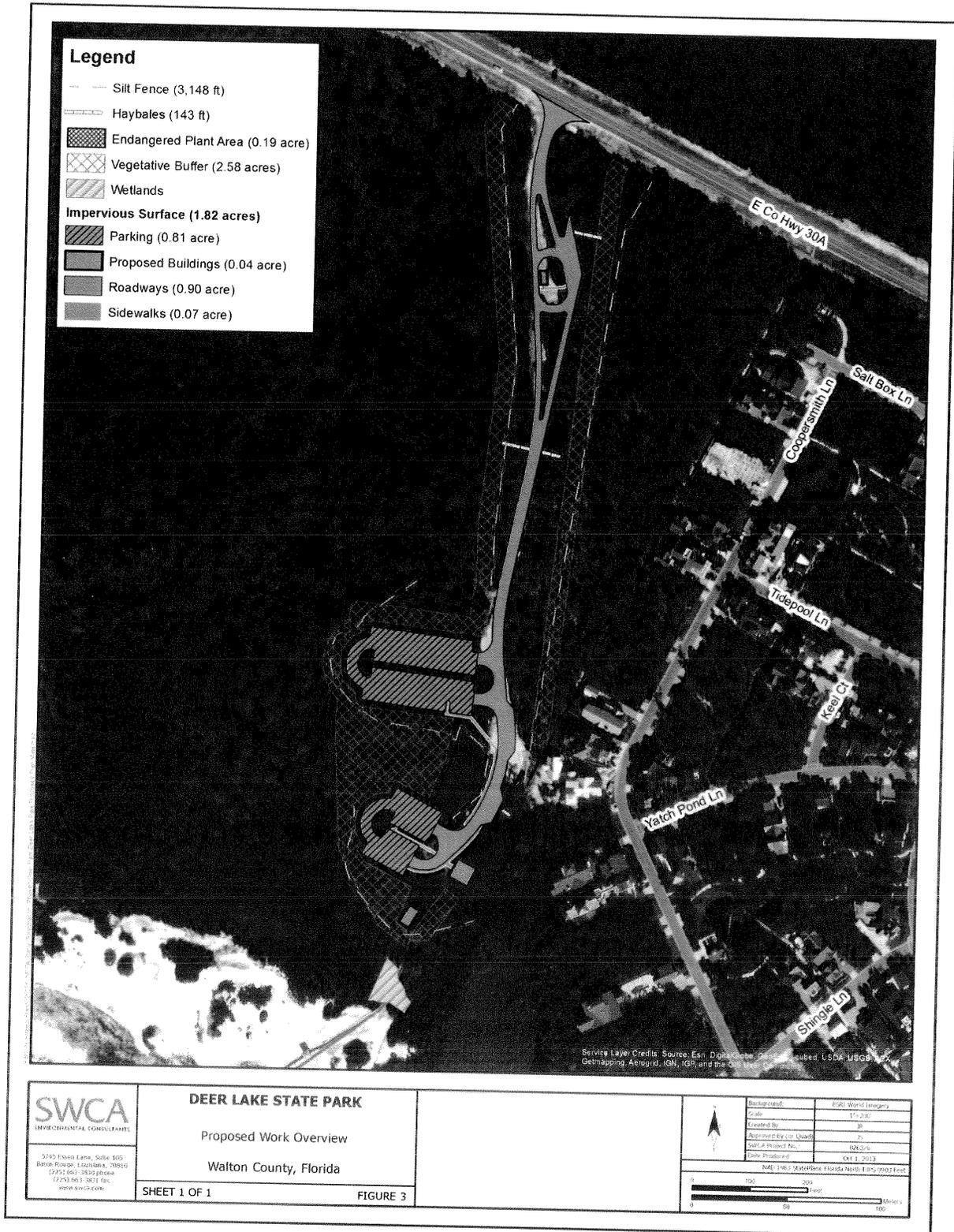


Figure 8. Proposed work overview in the project area in Deer Lake State Park

Table 3. Species of concern in Walton County, Florida.

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Amphibians	Florida bog frog	SSC	ce	Palustrine: seepage slope, baygall Riverine: seepage slope, seepage stream.	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 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 Table 4, 5, and 6
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 4, 5, and 6
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
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

Table 3. Species of concern in Walton County, Florida.						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Birds	Stoddard's yellow-throated warbler	ce		Terrestrial: wooded habitats with Spanish moss, various.	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 substrates for foraging and resting Riverine: alluvial and blackwater streams.	----	See Table 4, 5, and 6
Fish	Okaloosa darter	T	E	Riverine: seepage stream.	NE	Listed natural community is inconsistent with the project habitat
Mammals	Choctawhatchee beach mouse	E (CH)	E	Terrestrial: beach dune, coastal scrub	NLAA	See Table 4, 5, and 6
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	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 4, 5, and 6
Mussels	Choctaw bean	E (CH)		Riverine: Small to large creeks and rivers in sand to silty-sand substrates with moderate current. Panhandle drainages: Escambia, Yellow, and Choctawhatchee Rivers.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Fuzzy pigtoe	T (CH)		Riverine: small to medium-sized creeks and rivers with slow to moderate currents in sand and sand with some silt. Panhandle drainages: Escambia, Yellow, and Choctawhatchee Rivers.	NE	Listed natural community is inconsistent with the project habitat

Table 3. Species of concern in Walton County, Florida.

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Mussels	Southern kidneyshell	E (CH)		Riverine: small to medium-sized creeks and rivers in sand with some silt or claystone pockets with sand; often near exposed limestone. Panhandle drainages: Escambia and Choctawhatchee Rivers.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Southern sandshell	T (CH)		Riverine: found in small to medium-sized creeks and rivers in sandy substrates sometimes with some silt in slow to moderate current. Panhandle drainages: Escambia, Yellow, and Choctawhatchee Rivers.	NE	Listed natural community is inconsistent with the project habitat
Mussels	Tapered pigtoe	T (CH)		Riverine: Small to medium-sized creeks to large rivers in stable substrates of sand, small gravel, or sandy mud, with slow to moderate current. Panhandle drainages: Choctawhatchee River.	NE	Listed natural community is inconsistent with the project habitat
Plants	Alternate-leaf or pagoda dogwood		E	Palustrine: creek swamps Terrestrial: slope forest, upland hardwood forest, bluffs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Ashe's magnolia		E	Terrestrial: slope and upland hardwood forest, ravines.	NE	Listed natural community is inconsistent with the project habitat
Plants	Baltzell's sedge	ce	T	Terrestrial: slope forest, moist sandy loam; moist sandy loam.	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 (<i>Aristida stricta</i>).	NE	Listed natural community is inconsistent with the project habitat
Plants	Cooley's meadowrue	E	E	Palustrine: seepage slope, edges of shrub bogs, disturbed areas; one site on Champion International Corp. land.	NE	Listed natural community is inconsistent with the project habitat
Plants	Cruise's golden-aster	ce	E	Terrestrial: coastal dunes, coastal strand, coastal grassland; openings and blowouts.	NE	Listed natural community is inconsistent with the project habitat

Table 3. Species of concern in Walton County, Florida.						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Cucumber magnolia		E	Terrestrial: slope forest, upland mixed forest.	NE	Listed natural community is inconsistent with the project habitat
Plants	Curtiss' sandgrass	ce	T	Palustrine: mesic and wet flatwoods, wet prairie, depression marsh Terrestrial: mesic flatwoods.	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 anise		T	Palustrine: floodplain forest, baygall Riverine: seepage stream bank Terrestrial: slope forest, seepage slope.	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	Gulf sweet pitcherplant	ce		Terrestrial: sandy springhead bogs, often along the headwaters of small streams or margins of small ponds or slow creeks and rivers; year-round inundation and full sunlight exposure	NE	Listed natural community is inconsistent with the project habitat
Plants	Heartleaf		T	Riverine: seepage stream bank Terrestrial: slope forest.	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
Plants	Karst pond xyris		E	Lacustrine: sandhill upland lake margins.	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	Mountain laurel		T	Riverine: seepage stream bank Terrestrial: slope forest, seepage stream banks.	NE	Listed natural community is inconsistent with the project habitat

Table 3. Species of concern in Walton County, Florida.

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Orange azalea		E	Palustrine: bottomland forest seepage stream bank Terrestrial: slope forest, upland mixed forest.	NE	Listed natural community is inconsistent with the project habitat
Plants	Panhandle lily	ce	E	Palustrine: baygall, dome swamp edges, mucky soil, seepage slope, edges of titi bogs, Riverine: banks.	NE	Listed natural community is inconsistent with the project habitat
Plants	Panhandle Meadow-beauty	ce		Palustrine: Wetland obligate with moist sandy or peaty soils in full sunlight.	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	Primrose-flower butterwort		E	Palustrine: bogs, pond margins, margins of spring runs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Purple cliff brake		E	Terrestrial: upland glade.	NE	Listed natural community is inconsistent with the project habitat
Plants	Pyramid magnolia		E	Terrestrial: slope forest.	NE	Listed natural community is inconsistent with the project habitat
Plants	Red-flowered pitcher plant		T	Palustrine: bog, wet prairie, seepage slope, wet flatwoods Riverine: seepage stream banks.	NE	Listed natural community is inconsistent with the project habitat
Plants	Silky camellia		E	Palustrine: baygall Palustrine: slope forest, upland mixed forest, Terrestrial: slope forest, upland mixed forest, acid soils.	NE	Listed natural community is inconsistent with the project habitat
Plants	Smooth-barked St. John's wort	ce	E	Lacustrine: lake margins Terrestrial: lake margins.	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

Table 3. Species of concern in Walton County, Florida.						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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
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	Wild hydrangea		E	Terrestrial: bluff.	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 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
Plants	Yellow-root		E	Riverine: seepage stream; sandy banks.	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

Table 3. Species of concern in Walton County, Florida.

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/Estuarine: open water, feeding migrating; Terrestrial: sandy beaches, nesting.	NLAA	See Table 4, 5, and 6
Reptiles	Hawksbill turtle	E	E	Marine/Estuarine: open water, feeding migrating; Terrestrial: sandy beaches, nesting.	NLAA	See Table 4, 5, and 6
Reptiles	Kemp's ridley turtle	E	E	Marine/Estuarine: open water, feeding migrating; Terrestrial: sandy beaches, nesting.	NLAA	See Table 4, 5, and 6
Reptiles	Leatherback turtle	E	E	Marine/Estuarine: open water, feeding migrating; Terrestrial: sandy beaches, nesting.	NLAA	See Table 4, 5, and 6
Reptiles	Loggerhead turtle	T	T	Marine/Estuarine: open water, feeding migrating; Terrestrial: sandy beaches, nesting.	NLAA	See Table 4, 5, and 6

BGEPA = Bald and Golden Eagle Protection Act, C = candidate, ce = consideration encouraged, CH = critical habitat, E = endangered, P = proposed, SSC = species of special concern, T = threatened.

Source: This table reflects the information available 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. Information downloaded March 13, 2013.