



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/DH NRDAR

JAN 22 2014

Memorandum

To: Field Supervisor, Panama City Ecological Services Office

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

Subject: Informal Consultation Request for the Proposed Strategically Provided Boat Access along Florida's Gulf Coast: Walton County, Lafayette Creek Boat Dock Improvements

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 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 Strategically Provided Boat Access along Florida's Gulf Coast: Walton County, Lafayette Creek Boat Dock Improvements 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, West Indian manatee and have provided our analysis in the attached Biological Evaluation. 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 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 15, 2014

PROJECT NAME (Grant Title/Number): Strategically Provided Boat Access along Florida's Gulf Coast: Walton County, Lafayette Creek Boat Dock Improvements

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 A at the end of this document for a map indicating the proposed project area.

The project is located at the southern terminus of Shipyard Road in Freeport, Florida. From the project location there is access to the Gulf of Mexico via LaGrange Bayou, approximately 1 mile away, and Choctawhatchee Bay (Figure A- project location on Lafayette Creek – detail does not capture downstream connection to La Grange Bayou to the South). The project activities are to occur between the parking lot and the shoreline.

A. Ecoregion Number and Name: Southeast Region

B. County and State: Walton County, Florida

C. Section, township, and range (or latitude and longitude): The approximate center of activity for this project is located at Latitude 30.48634 N and Longitude 86.13663 W, marked by the green dot in Figure A.

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

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

The proposed project would improve the existing Lafayette Creek boat dock in Walton County, Florida. The proposed improvements include expanding the dock by 400 feet at the boat ramp to accommodate larger vessels and additional vessels. The proposed project area is identified in Figure A. Figures B and C provide a sense of existing conditions at the project location.

The site is developed with existing structures including a paved boat ramp, boardwalk, and docking facility and a large, paved parking lot. The banks along the shoreline are armored. The structures cover approximately 12,475 square feet over water. The existing docks provide approximately 10 locations for boats to dock. The project is located on Lafayette Creek which for the most part consists of natural stream habitat and substrate that is influenced tidally with saltwater. The habitat surrounding the project is a mixture of is open water and shoreline habitat along with developed and undeveloped upland forested and wetland communities. The shoreline within the project area is armored however; the shoreline in the surrounding areas is predominantly natural. There are no seagrasses, mangroves, or corals present within the project area. Figure D provides additional detail with respect to the project's orientation and location on the site.

As part of the existing FDEP permit to the Walton County Board of County Commissioners for this project, Permit No.: 66-0269475-003-EI, some of the project construction tasks and methods are identified. As shown in Figure E, constructing the additional boardwalk will require a mix of in-water and land-based work. In particular, Figure E makes it clear that a significant number of piles will need to be placed to construct the additional boardwalk and additional docking facility. While methods for placing the piles in the creek are not identified, a range of options (pile driving, water jetting) will be evaluated for feasibility and cost. Either method is expected to affects listed species similarly (see table 2). At the same time, as indicated in Figure E t the land-based piles will need to be driven their final 3 feet clarifying that pile-driving will be used for part of the activity.

Approximately 800 feet of turbidity barrier will be installed in Lafayette Creek to minimize direct water impacts during construction. These turbidity barriers will have weighted skirts extending to within one foot of the bottom and would remain in place and be maintained until the authorized work has been completed and all erodible materials have been stabilized.

Immediately after completion of the final grading of land surface, all slopes, land surfaces, and filled areas would be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. Erosion control measures would remain in place and be maintained until all authorized work is completed and the site has been stabilized. During and

following construction, all construction waste materials would be disposed of appropriately.

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.

The majority of the project area consists of a paved parking lot, and a concrete boat ramp is in place. Areas around the perimeter of the parking lot are vegetated with grass and landscape planting. These areas provide little to no wildlife habitat function.

The extent of riparian habitat within the project site is limited, as the bank is armored with riprap and the upland extent of functional riparian habitat is limited by existing impervious surfaces. The riparian area within the proposed project site is mostly devoid of vegetation, with the exception of a few scattered trees and patches of ruderal grass/forb habitat within the riparian buffer zone.

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 Lafayette Creek Boat Dock Improvements 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
West Indian manatee	<p>The counties in the project area are not part of the 36 Florida counties that are identified as being counties where manatees regularly occur in coastal and inland waters (U.S. Department of the Interior, 2011). However, manatees could be present in the project waters.</p> <p>The main risk to manatees during implementation of this project would come from boat collisions in the Bay, after launching at the ramp, which could result in harm or mortality. Manatees are not expected to be present in Lafayette Creek therefore noise from construction and use of siltation or turbidity barriers are not expected to affect this species. However, conservation measures (see below) will be implemented nonetheless to ensure adverse effects are minimized to a discountable</p>

SPECIES/CRITICAL	SPECIES/CRITICAL HABITAT IMPACTS
	level if a manatee were to be present in the construction zone.
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.

^a Critical habitat areas for these species are identified at <http://sero.nmfs.noaa.gov/pr/GISDataandMaps.htm>

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

SPECIES	CONSERVATION MEASURES TO MINIMIZE IMPACTS
West Indian manatee	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. Educational signs will be posted to inform visitors of the potential for marine mammals and any necessary precautions. We anticipate these conservation measures will avoid and minimize any impacts to manatees such that they are insignificant and discountable.
Gulf sturgeon	See note in Table 2 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:

¹DETERMINATION/ RESPONSE REQUESTED:

Species	Species Impacts					Response Requested*
	NE	NLAA	MAA	JP	JC	
West Indian manatee		X				Concurrence
Gulf sturgeon ^a	---	---	---	---	---	Consultation with NMFS

*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? 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
Wading birds, songbirds, and woodpeckers	Foraging, feeding, resting, nesting	These species groups collectively forage, feed, rest, and may nest and in the types of habitats consistent with some of the areas near the proposed project location. As such, they may be impacted locally and temporarily by the project. It is expected that they would be able to move to another nearby location to continue foraging, feeding and resting activities. Therefore we do not anticipate impacts. The short duration of the construction is also unlikely to impact nesting activity as noise and disruption from construction is not expected to be substantially greater than noise levels associated with the site being an active boat ramp.

- 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
Wading birds, songbirds, and woodpeckers	Migratory birds are likely to be foraging and resting in the general vicinity of the project site. Care will be taken to minimize noise and physical disruptions near areas where foraging, resting, or nesting 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. However, if evidence of nesting is suspected or observed, FWC will be contacted to obtain the most recent guidance to protect nesting shorebirds or rookeries and their recommendations will be implemented.

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

/s/ Holly N. Blalock-Herod

Signature (originating station - preparer)

January 15, 2014

date

DOI Case Management Office, ESA Coordinator

Title



Signature (originating station)

Deputy Case Manager

1/16/14

date

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**

References

U.S. Department of the Interior. 2011. Biological Opinion: Permitted actions for watercraft access facilities. FWS Log No. 41910-2-11-FC-0195. March, 21.

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

Figure A. Location of envisioned Lafayette Creek Boat Dock Improvements Project.





Figure B. A photo of the existing boat ramp and dock.



Figure C. A photo of other structures present at the Lafayette Creek boat ramp facility.

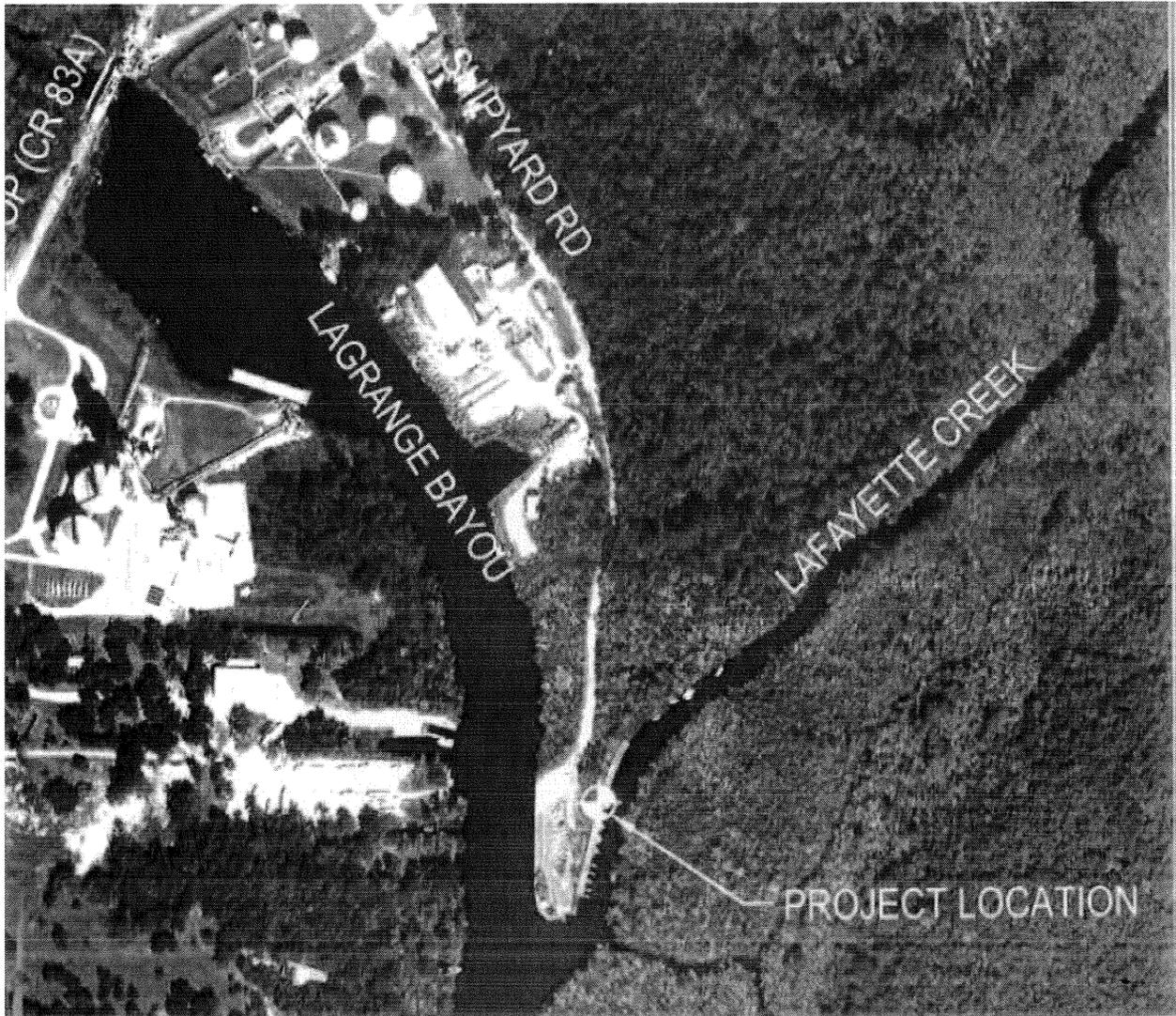


Figure D. A photo of detailing the planned location of the project on Lafayette Creek with respect to the existing facility.

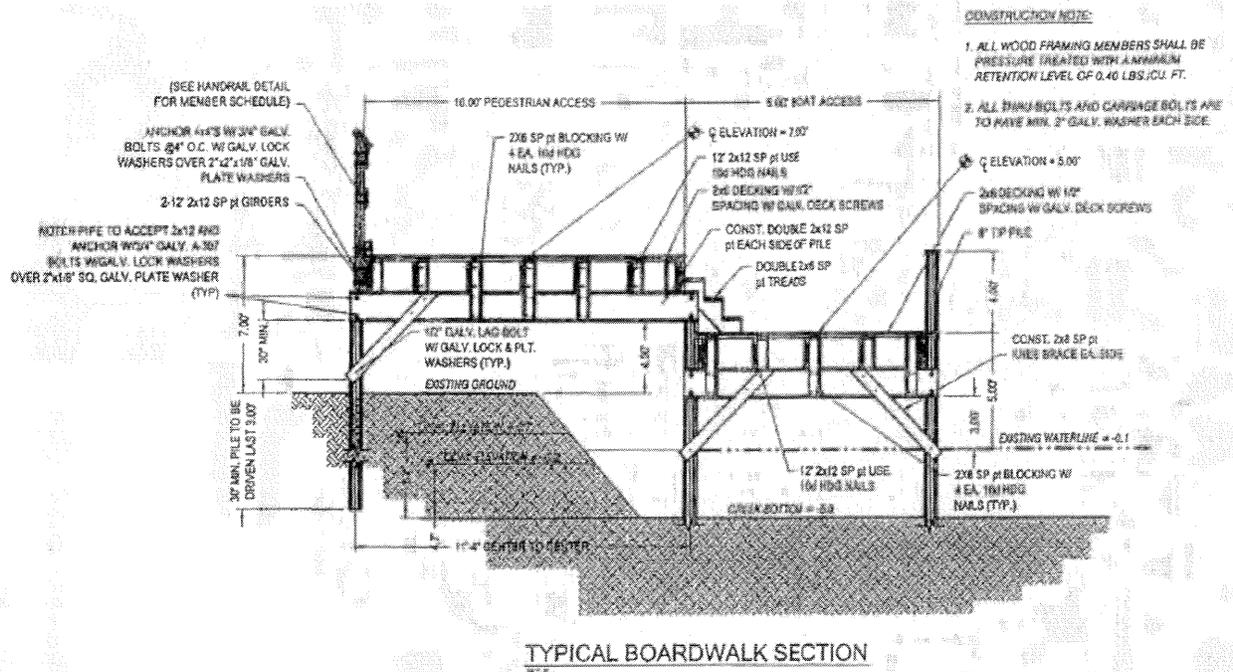


Figure E. Typical section from initial boardwalk design

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur						
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.	NE	Listed natural community is inconsistent with the project habitat
Birds	Red knot	P		Estuarine: exposed unconsolidated substrate Marine: exposed unconsolidated substrate Terrestrial: dunes, sandy beaches, and inlet areas. Mostly wintering and migrants.	NE	Listed natural community is inconsistent with the project habitat
Birds	Red-cockaded woodpecker	E		Terrestrial: mature pine forests.	NE	Listed natural community is inconsistent with the project habitat
Birds	Southeastern kestrel	ce	T	Terrestrial: open pine forests, clearings, ruderal, various.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Birds	Southeastern snowy plover	ce	T	Estuarine: exposed unconsolidated substrate Marine: exposed unconsolidated substrate Terrestrial: dunes, sandy beaches, and inlet areas.	NE	Listed natural community is inconsistent with the project habitat
Birds	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 feeding and resting. Riverine: alluvial and blackwater streams.	---	See Table 2, 3, and 4
Fish	Okaloosa darter	T	E	Riverine: seepage stream.	NE	Listed natural community is inconsistent with the project habitat
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	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	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 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur

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	Balzell'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

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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
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	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

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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
Plants	Orange azalea		E	Palustrine: bottomland forest Riverine: 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	T	Terrestrial: Wetland obligate with moist sandy or peaty soils in full sunlight. Known population within 3 miles.	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

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
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
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

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur						
Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Plants	Yellow butterwort		T	Palustrine: flatwoods, bogs.	NE	Listed natural community is inconsistent with the project habitat
Plants	Yellow fringed orchid		T	Palustrine: bogs, wet flatwoods Terrestrial: Bluff.	NE	Listed natural community is inconsistent with the project habitat
Plants	Yellow fringeless orchid	ce	E	Palustrine: wet prairie, seepage slope Terrestrial: mesic flatwoods.	NE	Listed natural community is inconsistent with the project habitat
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
Reptiles	Eastern indigo snake	T	T	Estuarine: tidal swamp Palustrine: hydric hammock, wet Flatwoods Terrestrial: mesic flatwoods, upland pine forest, sand hills, scrub, scrubby flatwoods, rockland hammock, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Florida pine snake	ce	SSC	Lacustrine: ruderal, sandhill upland lake Terrestrial: flatwoods, xeric hammock, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Gopher tortoise	C	SSC	Terrestrial: sandhills, scrub, scrubby flatwoods, xeric hammocks, coastal strand, ruderal.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Green turtle	E	E	Terrestrial: sandy beaches; nesting.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Hawksbill turtle	E	E	Marine: open water; Terrestrial: sandy beaches nesting.	NE	Listed natural community is inconsistent with the project habitat

Table 1. Listed species of concern in the counties where activity for the Lafayette Creek Boat Dock Improvements project could occur

Resource category	Common name	FWS status	State status	Natural communities	Species impacts (NE, NLAA, MAA)	Justification
Reptiles	Kemp's ridley turtle	E	E	Terrestrial: sandy beaches; nesting.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Leatherback turtle	E	E	Terrestrial: sandy beaches; nesting.	NE	Listed natural community is inconsistent with the project habitat
Reptiles	Loggerhead turtle	T	T	Terrestrial: sandy beaches; nesting.	NE	Listed natural community is inconsistent with the project habitat

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.