

OPERATIONS PERMIT APPLICATION FOR DRILLING AND PRODUCTION AT THE NOBLES
GRADE AND TAMIAMI PROSPECTS, BIG CYPRESS NATIONAL PRESERVE

APPENDIX G: FWS/FWC GUIDELINES

APPENDIX G

SUMMARY OF GUIDANCE FROM USFWS AND FWC FOR EFFECTS OF CONSTRUCTION ACTIVITIES NEAR NESTING LISTED SPECIES

The table below provides a summary of current guidance from USFWS and FWC regarding setback distances (buffers) for breeding/nesting activity by listed species that may occur in the vicinity of construction activities at the Nobles Grade and Tamiami areas of operations. More detailed effects analyses for the proposed actions will be developed during the ESA section 7 consultations with USFWS and the state permitting process with FWC.

The guidelines summarized in the table are just that: guidelines. In many cases, if breeding or nesting activity were detected within or near the area of operations, the conservation action would be to wait until the breeding/nesting activity in the area has completed, and then perform the work within that local area. If pre-construction field surveys and monitoring during construction should detect breeding activity within/near an area of operations, the permittee will consult with FWS and/or FWC as appropriate. Factors such as land cover, visual and noise barriers between construction and species occurrence(s), and modification to construction equipment (e.g., mufflers) can result in adjustments to the setback (buffer) distances. Much of the literature for setbacks/buffers notes that the guidelines are general and should be tailored to site-specific factors.

In many cases, the duration of the nesting/breeding season is considerably longer than the period of most frequent breeding activity. Within a localized area such as the proposed areas of operations, any breeding activity that is detected can be monitored and construction schedules can be adjusted based upon actual field conditions.

It is important to note that several of these guidelines apply to colonial nesting situations (e.g., wood stork; state-listed wading birds). The guidelines are not intended to preclude construction activities in areas where foraging or other non-breeding behaviors are occurring. In those cases, human activities typically result in avoidance behaviors by wildlife (i.e., the wildlife move away from the source of disturbance). The general wide availability of suitable habitats within these areas is not expected to significantly interfere with species behavior patterns.

Additionally, the general ecology and occurrence data for several species suggest that there likely will be no breeding/nesting activity within or near the areas of operations. However, these species are included in the listed species tables and this appendix due to the potential for them to occur. For example, the nearest known wood stork colony to the Tamiami site is over 2 miles distant, while the closest colony to the Nobles Grade site is approximately 17 miles away. The closest known eagle nests to the areas of operations are 6-10 miles distant. For other species, such as the Florida bonneted bat and RCW, species-specific surveys will be performed to determine if inhabited cavities are present within or near construction areas. If found, the cavities will be buffered from construction activities after consultation with the wildlife agencies.

SUMMARY OF GUIDANCE FROM USFWS AND FWC FOR EFFECTS OF CONSTRUCTION ACTIVITIES NEAR NESTING LISTED SPECIES

FEDERALLY LISTED SPECIES	RECOMMENDED SETBACKS	NESTING/BREEDING SEASON	INFORMATION SOURCES
BIRDS			
Bald eagle ¹	200m / 660ft	September - May	FWS National Bald Eagle Management Guidelines
Everglade snail kite	500m / 1,640ft	December - July	FWS Draft Snail Kite Management Guidelines (2006)
Wood stork	1,500ft	December - July	FWS Habitat Management Guidelines (Ogden 1990)
Red-cockaded woodpecker	152m / 499ft	April - June	Delaney et al. 2011; FWS South Florida MSRP
Northern caracara	300m / 984ft	September - June	Morrison (2001), and subsequent publications
MAMMALS			
Florida panther	None found	Year-round	No distance established; Janis and Clark (2002)
Florida bonneted bat	76m / 250ft	January - April 15	FWS Consultation Key for FBB (10/22/2019)
REPTILES			
American alligator (T/SA)	None found	April - September	FWC Alligator Management Program
Eastern indigo snake	None found	October - February	FWS Seppecies Status Assessment (2019)
STATE-LISTED SPECIES	RECOMMENDED SETBACKS	NESTING SEASON RECOMMENDATIONS	INFORMATION SOURCES
BIRDS			
Florida sandhill crane	125m / 400ft	February - April	FWC Florida Sandhill Crane Species Action Plan (2013a)
Roseate spoonbill	91m / 300ft	March - August	FWC Species Action Plan (Imperiled Wading Birds; 2013)
Little blue heron	91m / 300ft	March - August	FWC Species Action Plan (Imperiled Wading Birds; 2013)
Tricolored heron	91m / 300ft	March - August	FWC Species Action Plan (Imperiled Wading Birds; 2013)
MAMMALS			
Big Cypress fox squirrel	150m / 500ft	November - July	FWC Species Action Plan for BCFS (2013)
Everglades mink	None found	Autumn(?)	FWC Species Action Plan for Everglades Mink (2013)

¹The bald eagle is no longer listed, but is regulated under the Bald and Golden Eagle Protection Act