

CHAPTER 3: COVERED ACTIVITIES AND SPECIES

Walton County is applying to the USFWS for an Incidental Take Permit, as provided under Section 10(a)(1)(B) of the Federal ESA. In formulating Section 10 of the ESA, Congress envisioned a process for the resolution of conflicts between traditional and lawful land-use practices and the conservation of protected species. Walton County has a legal right and desires to continue to assist its citizens in responding to emergency shoreline conditions following storm events. It also wishes to continue to manage and/or regulate certain other beach activities that could potentially result in the take of protected species. Implementation of the programs and policies contained in this HCP will allow the County to engage in these activities in a manner and extent compatible with the protection of the federally listed species covered under the Plan.

Covered Activities

The County is seeking Federal authorization for the take of covered species within the Plan Area pursuant to the terms and conditions of the ITP. Activities for which take authorization is being requested include:

1. All future shoreline protection measures initiated under the County's emergency permitting authority following issuance of the ITP. As used throughout this HCP, shoreline protection shall refer only to those temporary measures permitted by the County to protect vulnerable beachfront structures from damage following storm events. Such measures include: using beach compatible sand from upland sources to restore the dune; creating a temporary barrier seaward of the structure using sand bags (<100 lbs); shoring up (reinforcing foundations); and installing temporary retaining walls, cantilever sheetpile walls (without concrete caps, tie backs, or other reinforcement) or similar structures seaward of the vulnerable structure.
2. Permanent shoreline protection structures permitted under FDEP's CCCL program, when such structures replace temporary shoreline protection measures initiated under the County's future emergency authorization following issuance of the ITP.
3. Permanent shoreline protection structures permitted under FDEP's CCCL program, when such structures replace temporary shoreline protection measures initiated with or without the County's emergency authorization following the passage of Hurricane Dennis in 2005 (Class 3 structures). Incidental take coverage will only be afforded to those affected property owners who agree to participate in the County's HCP and abide by the terms and conditions of this HCP and the County's ITP. (Property owners of Class 3 structures may seek alternative incidental take coverage under an individual ITP issued through the USFWS' companion GCP, as described elsewhere in this HCP.)

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4. Permanent shoreline protection structures permitted under FDEP’s standard (non-emergency) CCCL permitting process following issuance of the County’s ITP (Class 5 structures). Incidental take coverage will only be afforded to those affected property owners who agree to participate in the County’s HCP and abide by the terms and conditions of this HCP and the County’s ITP. (Property owners of Class 5 structures may seek alternative incidental take coverage under an individual ITP issued by the USFWS.)
5. ADA compliant beach crossovers at public access points.
6. Beach driving and vehicular beach access-related activities, including:
 - Official vehicles used for public safety and law enforcement;
 - Vehicles involved in HCP implementation and other official County business;
 - Private or government vehicles and heavy equipment involved in storm cleanup, emergency shoreline protection projects permitted by the State or Walton County, and the removal of hazardous materials, debris, or obstacles from the beach that pose a risk to the health, safety, and/or welfare of the public;
 - Private or government vehicles used for protected species monitoring and scientific investigations;
 - Routine beach maintenance and sanitation;
 - Private vehicles operating under a permit issued by Walton County to launch boats and park in designated areas;
 - Private vehicles, including ATVs, for vending operations and special events permitted by Walton County; and
 - Use of heavy equipment and other types of vehicles on the beach for State permitted coastal construction projects consistent with State rules and regulations.
7. Sale or rental of merchandise, services, goods, or property by beach vendors permitted by Walton County.
8. Beach placement of temporary vending equipment storage boxes.

Potential direct, indirect, and cumulative impacts to listed species potentially resulting from the above-listed activities within the Plan Area, and for which take authorization has been requested, include:

1. Construction-related impacts to covered species during implementation of shoreline protection measures initiated under Walton County’s future emergency authorization following issuance of the ITP.
2. Lethal and sub-lethal impacts resulting from the relocation of sea turtle eggs from construction areas during implementation of future emergency shoreline protection measures permitted by Walton County following issuance of the ITP when authorized by the FWC.

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3. Impacts resulting from the physical interaction of covered species with temporary shoreline protection structures installed under the County's emergency authorization following issuance of the ITP.
4. Construction-related impacts to covered species during the removal of temporary shoreline protection structures installed under the County's emergency authorization following issuance of the ITP.
5. Construction-related impacts to covered species during installation of permanent shoreline protection structures that: (a) replace temporary measures initiated under the County's emergency authorization following issuance of the ITP; (b) replace existing "temporary" structures installed with or without the County's emergency authorization following the passage of Hurricane Dennis in 2005 (Class 3 structures); or (c) are permitted through FDEP's standard (non-emergency) CCCL permitting process following issuance of the County's ITP (Class 5 structures), as described in this HCP.
6. Impacts resulting from the physical interaction of covered species with permanent shoreline protection structures covered under No. 5 above.
7. Impacts to habitat of covered species resulting from the implementation of emergency shoreline protection measures permitted by Walton County following issuance of the ITP.
8. Impacts to habitat of covered species resulting from the permanent retention of temporary shoreline protection structures installed under the County's emergency authorization following issuance of the ITP.
9. Construction-related and post-construction impacts to covered species and their habitat related to County-constructed ADA-compliant beach access structures.
10. Vehicular impacts to covered species and/or their habitat resulting from activities managed and/or regulated by the County and authorized under the ITP.
11. Impacts to covered species resulting from routine beach maintenance and sanitation operations.
12. Impacts resulting from the interaction of covered species with temporary vending equipment storage boxes.
13. Impacts to covered species resulting from the sale, use, placement, and/or storage of equipment, supplies, or merchandise associated with beach vendor operations and special events regulated and/or permitted by Walton County.
14. Any and all other direct, indirect, and cumulative impacts to covered species and/or their habitat resulting from implementation of this HCP in accordance with the terms and conditions of the ITP.

The types of take listed above shall only be authorized when covered activities are conducted in accordance with the minimization measures contained in this HCP and are compliant with the terms and conditions of the County's ITP.

Walton County is not requesting take coverage for the following:

- Impacts of any kind to covered species resulting from any activities or conditions associated with coastal armoring or dune restoration *initiated* under a standard FDEP CCCL permit when the permittee is not a participant in this HCP;

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- Impacts of any kind to covered species resulting from any activities or conditions associated with beach nourishment, dune restoration, or other federally permitted coastal construction projects initiated under a Joint Coastal Permit (JCP) issued by the FDEP; and
- Impacts to any federally listed species other than those specifically covered under this HCP.

Covered Species

Authorization for take is requested for the following federally listed species:

- Choctawhatchee beach mouse (*Peromyscus polionotus allophrys*) – The CBM is known to occupy dune habitats in Walton County. It is listed as an endangered species;
- Piping plover (*Charadrius melodus*) – The piping plover is a migratory bird that utilizes portions of the County’s beaches as a migratory stopover and wintering habitat. Confirmed sightings from all three breeding populations in the United States (northern Great Plains, the Great Lakes, and the Atlantic Coast) have been documented in the Florida panhandle. Non-breeding piping plovers on their migratory and wintering grounds are listed as a threatened species.
- Loggerhead turtle (*Caretta caretta*) – The loggerhead turtle is the most common species of sea turtle to nest on Walton County’s beaches and is listed as threatened under the ESA.
- Green turtle (*Chelonia mydas*) – Green turtles nest infrequently on the County’s beaches. The Florida breeding population of green turtles is listed as endangered under the ESA.
- Leatherback turtle (*Dermochelys coriacea*) – Nesting by leatherbacks in northwest Florida is rare, with a single nest recently documented in Walton County. The leatherback turtle is listed as endangered under the ESA.
- Kemp’s ridley turtle (*Lepidochelys kempii*) – Nesting by Kemp’s ridley turtles in northwest Florida is rare, but a single nest was recently documented in Walton County. The Kemp’s ridley turtle is the most globally imperiled species of sea turtle and is federally listed as endangered.

Requested Term of ITP

The County is requesting take of covered species within the Plan Area for a period of 25 years.