

## **CHAPTER 11: MINIMIZATION MEASURES**

This section of the HCP describes the programs, policies, and other measures that will be implemented by Walton County to avoid or minimize impacts to listed species causally related to County-managed and/or regulated activities. Those activities include:

1. All future shoreline protection measures initiated under the County's emergency permitting authority following issuance of the ITP.
2. Installation of permanent shoreline protection structures permitted under the 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 that replace temporary shoreline protection measures initiated following the passage of Hurricane Dennis in 2005 and for which incidental take coverage is provided under this HCP (see Class 3 structures in Chapter 1, Distinctions Among Past, Present and Future Shoreline Protection Actions).
4. Permanent shoreline protection structures permitted under FDEP's standard (non-emergency) CCCL permitting process following issuance of the County's ITP and for which incidental take coverage is provided under this HCP (see Class 5 structures in Chapter 1, Distinctions Among Past, Present and Future Shoreline Protection Actions).
5. County construction of 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 removal of hazardous materials, debris and/or obstacles from the beach that pose a public health and/or safety risk;
  - 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

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- 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.

**Proactive Planning and Public Awareness**

Germane to all of the above-listed activities is the need to inform and educate the public about the plight of protected species within the Plan Area and the importance of the minimization measures described in this chapter to their conservation. This program will be coordinated by the HCP Coordinator and may be carried out with the assistance of various County, municipal, non-profit, and private agencies. Copies of all draft ITP/HCP-related educational materials will be provided to the FWC and USFWS for review and comment prior to distribution.

One of the principal methods of minimizing the potential for impacts to protected species under this HCP is to reduce the need for emergency shoreline protection. Many beachfront property owners, particularly those that have recently moved to Walton County from other areas, may be unfamiliar with the highly eroded nature of the County's coastline. It is imperative that these individuals be alerted to the potential threats of erosion and provided with a synopsis of the County's beach management program. It is also important that they be made aware of the importance of the beach/dune system to sea turtles, beach mice, and shorebirds and understand how beachfront activities, such as shoreline armoring, can potentially impact those species.

Walton County will develop a public awareness brochure that will be made available to all beachfront property owners within the Plan Area advising them of the dynamic nature of the coastline and identifying areas of critical erosion. A schedule of planned beach nourishment projects will be presented. The brochure will contain contact numbers of County and State agencies that can provide technical guidance and assistance on shoreline protection issues. Procedures for applying for emergency permits will also be included.

The public awareness brochure will be developed within one year of issuance of the ITP in consultation with the FDEP, FWC and USFWS. The County will assess the most effective method for its distribution, such as during real estate transactions.

In addition to the brochure, the HCP Coordinator and/or other County staff will work with public education entities such as local science centers, museums, public and private schools, community organizations, chambers-of-commerce, and others to disseminate information regarding the HCP and the conservation of protected species on County Beaches.

Walton County will work cooperatively with the TDC and other agencies to develop public service announcements, advisories, and/or other notices to local media, as needed, regarding important HCP and protected species issues on County beaches. Information about sea turtles, beach mice, piping plovers, and HCP regulations will be posted on the County's official website.

### **Protective Measures Associated with Emergency Shoreline Protection**

Principal among those activities likely to result in take of protected species is the issuance of permits for emergency shoreline protection following declared emergencies. Short-term impacts can occur during implementation of emergency measures and/or during removal of temporary erosion control devices. Longer-term impacts can result if permanent armoring structures replace temporary structures installed under emergency authorization.

#### ***Limitation on Length of Shoreline Armored***

Approximately 8.8 miles (14.2 km) of shoreline could become permanently armored as a result of actions taken under this HCP (Table 8). This includes all permanent shoreline protection structures resulting from the County's future emergency permitting actions, as well as all Class 3 temporary armoring structures installed after Hurricane Dennis (see Chapter 1, Distinction Among Past, Present, and Future Shoreline Protection Actions) whose permanent retention was pending FDEP issuance of CCCL permits on December 31, 2008. Thus, mitigation was predicated on 46,320 ft (14,118 m) of shoreline being permanently armored over the next 25 years as the result of the County's past and future emergency permitting activities. Once that armoring threshold is reached, the County will immediately notify both the FDEP and USFWS and will terminate issuance of any additional emergency permits unless additional take authorization has been provided by the USFWS or the County is in or within two months of the official hurricane season, as provided under the Adaptive Management section of this HCP (see Chapter 20).

#### ***Geographic Information System Database of Protected Species***

Walton County will maintain a Geographic Information System (GIS) database of protected species locations and habitat for quick reference during permitting of emergency shoreline protection projects. As part of the County's sea turtle monitoring program, monitoring personnel will routinely mark all nests throughout the Plan Area. The location of each nest (original and relocated location if appropriate) will be determined with a GPS possessing sufficient precision as to allow the reestablishment of nest barriers should they be vandalized. The County will also obtain and maintain GPS data relating to CBM locations derived from monitoring performed by the USFWS or other entity and provided to the County. Shorebird data, including known nest sites, collected during HCP monitoring will also be entered into the GIS database.

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***Pre-permitting Assessment of Protected Species Habitat***

Due to the extensive erosion typically associated with a storm that triggers an emergency declaration, it is unlikely that suitable sea turtle nesting habitat or beach mouse habitat would be present in the vicinity of an emergency shoreline protection project. Most nests incubating at the time of the storm event will probably have been washed out or destroyed by prolonged or repeated tidal inundation. However, some viable nests, particularly those deposited in the dune or high on the beach, may remain. Likewise, some suitable beach mouse habitat may be present.

Prior to implementation of any emergency shoreline protection activities during the sea turtle nesting season (May 1 through October 31), the HCP Coordinator will review the GIS database to determine if any nests had been documented in the project area prior to the declared emergency and will consult with the FWC. The FWC, in consultation with the appropriate Marine Turtle Permit Holder, will advise the HCP Coordinator if any previously documented nests at the site are still viable (i.e., still incubating). If a previously marked nest is still present, it is likely that erosion has been minimal and shoreline protection is not warranted. However, the presence of marked nests alone shall not preclude emergency shoreline protection activities. Should marked nests be present at the site, and the Coastal Engineer determines that shoreline protection measures are warranted, he/she, in consultation with the FWC will determine if the nest(s) can be safely left in place (*in situ*) or need to be relocated. Those that can remain in place shall be marked for avoidance in accordance with procedures established in Chapter 14 of this HCP.

To the extent possible, all emergency shoreline protection activities shall be designed and conducted to avoid pre-existing marked nests. However, if nest relocations are necessary, as determined by FWC, they can only occur after an emergency permit has been issued for the affected property, and they must be conducted in strict accordance with FWC directives to minimize the potential for embryonic mortality. Take associated with these late-term relocations will be covered under the County's ITP.

Similar assessments and consultations with the USFWS will be conducted if the County's GIS database indicates that known beach mouse habitat or shorebird nesting sites were previously present at a project site.

The pre-construction assessment of sea turtle nesting habitat suitability, presence/absence of marked nests, and presence/absence of CBM habitat will be factored into the Coastal Engineer's decision as to the type of shoreline protection measures and/or the siting of temporary structures allowed under an emergency permit (see Chapter 10). To the greatest extent practicable, the Coastal Engineer will only allow those activities that will avoid impacts to marked nests and CBM habitat while providing adequate temporary protection for the vulnerable structure.

*Precautions During Implementation of Emergency Measures*

**Inclusive Period of Monitoring**

A Countywide sea turtle monitoring program, as described in Chapter 14 of this HCP, will be in place commencing on the date of issuance of the ITP or May 1, whichever is later. This program will serve to support emergency shoreline protection projects initiated under the County’s emergency authorization. The intent of construction-phase monitoring is to identify and protect any new nests that may be deposited in a project area during the period of construction and to ensure that existing marked nests, if present, are unaffected by construction activities.

The latest documented nest by any species of sea turtle in Walton County between 1993 and 2007 was on August 29 (Topsail Hill Preserve State Park, 2003; FWC 2008). Consequently, daily monitoring shall commence on May 1 each year and shall continue uninterrupted through August 31. Consequently, daily construction-phase monitoring shall commence on May 1 or the date of emergency permit issuance, whichever is later, and shall continue uninterrupted until the completion of construction or August 31, whichever is earlier (Table 10). If construction proceeds beyond August 31 and marked nests remain within the project area, daily monitoring will continue until the last marked nest has hatched.

<b>Table 10. Sea Turtle Monitoring Requirements During Construction of Emergency Shoreline Protection Measures in Walton County.</b>					
<b>Construction Start Date</b>	<b>Construction End Date</b>	<b>Monitoring Required</b>	<b>Monitoring Area</b>	<b>Start Date for Daily Monitoring</b>	<b>End Date for Daily Monitoring</b>
September 1 – April 30	Before April 30	No	NA	NA	NA
	After April 30	Yes	Project Area <sup>1</sup>	May 1	End of Construction
May 1 – August 31	Before August 31	Yes	Project Area	Date of Issuance of Emergency Permit	End of Construction
	After August 31	Yes	Project Area	Date of Issuance of Emergency Permit	August 31 or Last Nest in Project Area Hatches, Whichever is Later

<sup>1</sup>Project area includes construction site, buffer zones, equipment access points and equipment travel corridors, as applicable.

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**Establishing Project Boundaries**

Daily sea turtle monitoring shall be performed at the construction site, the beach access point for construction equipment, and the beach corridor used by equipment to travel between the access point and construction site, as applicable. Based on the nature of authorized emergency measures and construction techniques, the Coastal Engineer may include a 25-foot buffer zone on either end of the construction site to allow for the maneuvering of equipment. The east and west boundaries of the inclusive area encompassing the construction site, buffer zone, access point, and travel corridor, as applicable, shall be considered the project area. The project area shall be conspicuously marked and monitored each day.

**Protection of Beach Mouse Habitat**

If it is determined through consultation with the USFWS that viable beach mouse habitat is present at a project site, the following precautions will be implemented:

- Existing vegetated dunes shall be protected during construction to the extent practicable;
- To the extent practicable, intact dunes shall be left in place, with particular effort taken to maintain the integrity of continuous dune systems along the beach: and
- Silt or similar fencing shall be installed to keep construction personnel out of vegetated or small frontal dunes adjacent to the immediate project area.

**Equipment on the Beach and Access Locations**

To the greatest extent practicable, construction shall be conducted from the upland portion of the property for which an emergency permit has been issued. No heavy equipment (e.g., tracked or wheeled motorized machinery, such as bobcats, bulldozers, front-end loaders, etc.) shall be operated on the beach, unless no reasonable upland alternative exists, as determined by the Coastal Engineer. If heavy equipment must be operated on the beach in support of a permitted emergency shoreline protection project, a public access as close to the construction site as possible will be selected by the County's Coastal Engineer in consultation with sea turtle monitoring personnel. A marked path no wider than 50 ft (15 m) and running perpendicular to the beach from the dune to the high tide line will be used for beach access. Equipment ingress and egress shall be confined to this marked corridor. Once on the beach, equipment shall move to the project site as low (as far seaward) on the beach as reasonably possible and shall avoid all marked nests and, to the extent possible, the wrack line if present. The County shall consider private property rights when selecting beach access points and travel corridors and shall incorporate related conditions into its emergency permits.

**Time of Monitoring and Daily Commencement of Construction**

Monitoring of a project area shall be performed as early as possible each day in accordance with the most current FWC Marine Turtle Conservation Guidelines. No

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construction activities, including the movement of heavy equipment on the beach, may commence until the daily survey is completed. The HCP Coordinator shall ensure that there is an effective line of communication between sea turtle monitoring personnel and construction crews and shall incorporate the above condition into the emergency permit.

**Construction Debris**

All construction debris associated with a permitted emergency project shall be stored off the beach in a bulk refuse container. If the project is located within suitable beach mouse habitat, as determined by the HCP Coordinator in consultation with the USFWS, the refuse container will be stored at a location directed by the HCP Coordinator. These conditions shall be incorporated into the emergency permit.

**Data Collection**

The HCP Coordinator shall develop standardized data sheets for monitoring emergency shoreline protection project areas during the sea turtle nesting season. Sea turtle monitoring personnel will be responsible for completing the sheets and submitting them to the HCP Coordinator. The data sheet will segregate the project area into the construction site (including the buffer zone, as applicable), equipment access point, and equipment travel corridor. Monitoring personnel will carefully interpret all crawls evident from the previous night to determine which species of sea turtle came ashore and whether or not it nested. The species and crawl type (nest or false crawl) will be recorded in the appropriate field on the data sheet.

In addition to species and crawl type, the following information will be entered into the appropriate fields on the data sheet:

- Date of monitoring;
- Inclusive time of monitoring (i.e., start and end times);
- Name of monitoring personnel;
- Type of nest protection (e.g., relocated or marked *in situ*), as applicable;
- Observations of any construction-related impacts to marked sea turtle nests, adults or hatchlings; and
- Observations of any hatchling disorientation events or erosional loss of nests.

Following the end of each nesting season, project monitoring reports will be forwarded to the FWC by the HCP Coordinator.

**Nest Protection**

If a newly deposited nest occurs within a permitted construction site and it is likely to unavoidably interfere with construction activities, as determined by the County's Coastal Engineer in consultation with the sea turtle monitoring personnel, the nest may be relocated to a nearby, safe, sheltered location. All relocations of newly deposited nests

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shall be completed by 9:00 AM in accordance with FWC Marine Turtle Conservation Guidelines.

If a newly deposited nest within the construction area can be safely left in place, it will be marked for avoidance in accordance with procedures established in Chapter 14 of this HCP. All newly deposited nests within equipment access and travel corridors will be marked and left *in situ*. It shall be the responsibility of the construction crew to avoid encroachment on marked turtle nests.

Occasionally, turtles begin to construct a nest but then abandon the site before nesting. If sea turtle monitoring personnel are unsure as to whether a disturbed area along the path of a crawl at a construction site is a nest, and the disturbed area is in an area potentially affected by construction, the disturbed area will be extensively excavated to determine if eggs are present. If eggs are found, they will be relocated from the project area. If a questionable nest (i.e., disturbed area) is located within an area of the construction site that will not be affected by construction activities or if it is located in an equipment access or travel corridor, it will be marked and left *in situ*.

It is the intent of this HCP to minimize impacts to sea turtle nests during implementation of emergency shoreline protection projects. Consequently, nests shall be left *in situ* and marked for avoidance whenever possible.

The location of all marked nests within a project area will be determined with GPS equipment possessing sufficient precision as to allow the reestablishment of nest barriers should they be vandalized.

**Nest Monitoring**

Sea turtle monitoring personnel will maintain a geographically sequenced inventory of all marked nests within the project area, including GPS coordinates. Each morning that the project area is surveyed, all nests listed on the inventory will be inspected. If a nest barrier has been damaged, the circumstances (e.g., stake knocked down by another nesting turtle, stakes run over by construction equipment, stakes pulled out of ground, stakes washed out by tide, etc.) will be noted on the field data sheet and the barrier repaired. If the barrier of a nest listed on the inventory has been washed out by tides, an attempt will be made to locate the nest/eggs before presuming that the nest has been completely destroyed.

**Incidental Exhumation of Eggs**

If an unmarked sea turtle nest is exhumed or exposed during the course of implementing shoreline protection measures, construction in the vicinity of the nest shall cease immediately and sea turtle monitoring personnel shall be notified. The HCP Coordinator shall ensure that there is an effective line of communication between sea turtle monitoring personnel and construction crews and shall incorporate the above condition into the emergency permit.

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Sea turtle monitoring personnel shall respond to the site and document the extent of damage, if any. The number of eggs in the clutch and the number of eggs destroyed during the incident will be recorded. Any remaining intact eggs will be relocated from the construction site. Construction may not resume until the relocation is complete. An Incident Report containing the above information shall be submitted to the HCP Coordinator as soon as possible, and no later than 24 hours, after the incident occurs. The HCP Coordinator will notify the USFWS and FWC within 24 hours of receiving an Incident Report, as prescribed by the ITP. A summary of the incident shall also be included in the Annual Report (see Chapter 20, Data Compilation and Annual Reporting).

**Nighttime Precautions**

If construction activities are to occur during any portion of the sea turtle nesting season, the following conditions shall be incorporated into the emergency permit:

- Construction shall be confined to daylight hours;
- Temporary security lighting, if required, shall be designed and/or positioned such that the source(s) of light and any reflective surface of the light fixture(s) are not visible from the beach and there is no direct or indirect illumination of the beach;
- If the construction site poses a hazard to beach users because of nighttime lighting constraints and/or a hazard to turtles (e.g., large holes, trenches, etc.), a temporary security fence may be erected around the site; and
- No equipment or materials shall be left on the beach overnight, unless:
  - Tidal conditions preclude reasonable daily movement of equipment between the construction site and the access point; or
  - The storage of equipment on the beach at night poses less risk to sea turtles than the daily movement of equipment to and from the construction site, as determined by sea turtle monitoring personnel in consultation with the FWC.

*Leaving equipment on the beach overnight will be considered only as a last resort because of the potential for impacting nesting sea turtles.*

If construction on the beach poses a risk to public safety and/or a hazard to turtles, those areas shall be effectively barricaded. These barricades shall:

- Encompass the smallest area practical to effectively prevent humans or turtles from accessing the hazardous area;
- Be sited as close to the hazard as possible to minimize the amount of nesting habitat pre-empted by construction activities;
- Be constructed of materials that will not entrap or cause injury to turtles; and
- Be removed as soon as the risk to public safety or sea turtles is eliminated.

*Constructing a barrier on the beach will be considered only as a last resort because of the potential for impacting nesting sea turtles.*

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Sea turtle monitoring personnel shall inspect barricaded areas each morning prior to commencement of any construction activities to ensure that turtles have not breached the barricade and/or been trapped by materials on the beach. Any trapped but otherwise healthy turtle shall be released, and a standard FWC Sea Turtle Stranding and Salvage Network Stranding Form shall be completed and submitted to the FWC the same day. A copy of the stranding report shall be provided to the HCP Coordinator on the date of the incident. The HCP Coordinator will inspect the construction site and work with the construction crew to improve methods of excluding turtles from hazardous areas. Construction will be halted and not resumed until improved turtle excluding measures have been completed. The HCP Coordinator will prepare a report of the incident for inclusion in the Annual Report (see Chapter 20, Data Compilation and Annual Reporting).

If a turtle is found injured at a construction site, monitoring personnel will complete a FWC Sea Turtle Stranding and Salvage Network Form and will immediately report the incident to the FWC. The turtle will then be handled in accordance with FWC directives. As for trapped turtles, a copy of the stranding form will be provided to the HCP Coordinator on the date of the incident so appropriate corrective measures, if applicable, can be implemented before nightfall. The HCP Coordinator will prepare a report of the incident for inclusion in the Annual Report (see Chapter 20, Data Compilation and Annual Reporting).

***Inspection of Temporary Structures***

Temporary structures installed under an emergency permit shall be closely inspected each day during the sea turtle nesting season by State-permitted monitoring personnel to ensure that they do not trap or pose hazards to nesting or hatchling sea turtles. If hazards are identified, the HCP Coordinator shall be notified. The HCP Coordinator will inspect the temporary structure, and in consultation with sea turtle monitoring personnel, shall require modification of the structure and/or implementation of other protective measures to eliminate the hazard.

**Impact Assessment**

To assess impacts of construction activities, sea turtle monitoring personnel will excavate all nests relocated from, or marked within, the project area after the nests have hatched. The contents of these nests will be interpreted in accordance with the most current FWC Marine Turtle Conservation Guidelines and resultant data furnished to the HCP Coordinator. The HCP Coordinator shall compile and analyze all sea turtle monitoring data collected at the construction site during the period that the temporary structure is in place. Appropriate measures of reproductive success will be calculated and results compared with data collected from outside the project area, if available. This analysis will be included in the Annual Report (see Chapter 20, Data Compilation and Annual Reporting).

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For each emergency permit issued, the following information, as applicable, shall be documented and tabulated for inclusion in the Annual Report:

- Permit number;
- Date of issuance;
- Project particulars, including but not limited to:
  - Project location (address and adjacent FDEP monuments);
  - GPS locations of each terminal end of the structure taken from atop its seaward edge and the location of the adjacent scarp or dune line immediately adjacent to each terminal end;
  - Type of shoreline protection measure authorized;
  - Construction methods;
  - Inclusive dates of construction;
  - Total length of beach affected, broken down by construction site, (including buffer zone), equipment access point, and equipment travel corridor;
  - Date of application to the FDEP for retention of a temporary structure or alternative protection; and
  - Resolution of the FDEP permit application (date of issuance or denial and type of shoreline protection authorized).
- Results of pre-permitting assessment of nesting habitat, including number of marked nests present on that date;
- Records of daily sea turtle monitoring (dates and times of monitoring and names of monitoring personnel);
- Nesting activity (nests and false crawls) within the project area by date and species;
- Numbers of nests marked *in situ* within the project area;
- Numbers of nests relocated from the project area;
- Reported incidents of impacts to sea turtle nests, adults and/or hatchlings, and/or live stranded turtles during the period of construction;
- Nest fate of all marked nests;
- Reproductive success of all nests relocated from the project;
- Reproductive success of all nests marked *in situ* within the project area; and
- Date of removal of temporary structure.

***Monitoring of Project Areas Following Construction***

Following completion of construction, daily monitoring, as described above, shall continue within the marked boundaries of the construction site through August 31 or the last marked nest has hatched, whichever is later (Table 11). Site-specific monitoring of the construction site shall continue in subsequent nesting seasons until the temporary structure is removed from the beach, if applicable. If the temporary structure is subsequently replaced with a permanent structure, monitoring of the construction site shall continue for an additional two full nesting seasons (May 1 – August 31, or the last nest hatches, whichever is later) following its installation. The intent of this monitoring is to document the response of sea turtles to changed beach conditions resulting from the

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implementation of emergency shoreline protection measures and the subsequent permanent structures that replace them. During post-construction monitoring, any new nests shall be marked *in situ* in accordance with procedures established in Chapter 14 of this HCP.

***Precautions During Removal of Temporary Structures***

Temporary shoreline protection structures, including sheetpile seawalls, wooden retaining walls, sand bag installations, and similar structures installed under Walton County's emergency permitting authority, shall be removed under the following circumstances:

- A complete CCCL permit application for retention of the temporary structure or alternative protection has not been submitted to the FDEP within 60 days of issuance of the emergency permit; or
- FDEP denies application for a CCCL permit to retain the temporary structure installed under the County's emergency authorization.

The HCP Coordinator shall incorporate the above condition into the emergency permit.

Temporary structures built under an emergency permit issued by Walton County may remain in place for more than 60 days if the property owner has submitted an application to the FDEP for retention of the temporary structure as a permanent structure, as described in Chapter 10 of this HCP. If such application is made, the length of time that the temporary structure may remain in place will be predicated on the length of time required by the FDEP to review and make a determination on the application. If the FDEP denies the permit, the structure shall be removed in accordance with the provisions described below.

**WALTON COUNTY BEACHES HABITAT CONSERVATION PLAN**

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**Table 11. Sea Turtle Monitoring Requirements Following Construction of  
Emergency Shoreline Protection Measures in Walton County.**

<b>Construction End Date</b>	<b>Temporary Structure Installed</b>	<b>Temporary Structure Present on May 1</b>	<b>Monitoring Required</b>	<b>Nesting Season Affected</b>	<b>Monitoring Area</b>	<b>Start Date for Daily Monitoring</b>	<b>End Date for Daily Monitoring</b>
September 1 – April 30	No	NA	No	NA	NA	NA	NA
	Yes	No	No	NA	NA	NA	NA
		Yes	Yes	Yes	Season After Construction	Project Area	May 1
During Nesting Season	No	NA	Yes	Season of Construction	Construction Area <sup>2</sup>	End of Construction	August 31 <sup>1</sup>
	Yes	No	Yes	Season of Construction	Construction Area <sup>2</sup>	End of Construction	August 31 <sup>1</sup>
		Yes	Yes	Yes	Season of Construction	Project Area <sup>3</sup>	End of Construction
During Nesting Season	Yes	Yes	Yes	Season After Construction	Project Area	March 1	Removal of Temporary Structure or August 31 <sup>1</sup> , Whichever is Earlier

<sup>1</sup>If marked nests are still present within the project area on August 31, periodic monitoring will continue until the last marked nest has hatched.

<sup>2</sup>Construction area is the marked area seaward of a vulnerable structure within which emergency shoreline protection measures were implemented.

<sup>3</sup>Project area includes the construction area, buffer zones, equipment access points, and beach travel corridors, as applicable.

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To minimize impacts to sea turtle nests, removal of temporary structures shall be in accordance with the following guidelines:

- If the 60-day period expires between October 31 and April 10, removal of the temporary structure must be completed prior to May 1.
- If the 60-day period expires between April 11 and May 1, the temporary structure must be removed prior to May 20 in conjunction with a sea turtle monitoring and nest protection program. Any nests deposited in the project area prior to May 20 shall be marked for avoidance. If the temporary structure cannot be removed without jeopardizing marked sea turtle nests or shorebird nest sites, removal activities shall be terminated and resumed after August 31, or the last marked nest in the project area hatches, whichever is later.
- If the 60-day period expires between May 1 and August 31, the temporary structure will be removed after August 31 or the last marked nest in the project area has hatched, whichever is later.
- Construction activities associated with the removal of temporary structures shall not exceed 20 days.
- All debris and structural material associated with temporary structures must be removed from the beach/dune area and deposited off site, landward of the CCCL and all holes or alterations of the beach surface restored to their original condition.

To the greatest extent practicable, construction associated with the removal of temporary structures shall be conducted from the upland portion of the affected property. No heavy equipment (e.g., tracked or wheeled motorized machinery, such as bobcats, bulldozers, front-end loaders, etc.) shall be operated on the beach at any time, unless no reasonable upland alternative exists, as determined by the Coastal Engineer. If heavy equipment must be operated on the beach to effectively remove a temporary structure, a public access point as close to the construction site as possible will be selected by the County's Coastal Engineer. A marked path no wider than 50 ft (15 m) and running perpendicular to the beach from the dune to the high tide line will be used for beach access. Equipment ingress and egress shall be confined to this marked corridor. Once on the beach, equipment shall move to the project site as low (as far seaward) on the beach as reasonably possible and shall, to the extent possible, avoid the wrack line if present. The County shall consider private property rights when selecting beach access points and travel corridors and shall incorporate related conditions into its emergency permits.

To protect beach mouse habitat, silt or similar fencing shall be installed to keep construction personnel out of vegetated or small frontal dunes adjacent to the immediate project area. Upon completion of construction activities, the HCP Coordinator will assess the condition of the beach/dune system within the project area. Any damage to the beach dune system resulting from authorized activities must be repaired to its pre-construction condition prior to the beginning of the next nesting season. All beach/dune restoration activities shall occur outside of the sea turtle nesting season and shall avoid any shorebird nesting sites.

***Failure of Temporary Structures***

If a temporary structure fails (breaks apart, becomes dysfunctional, etc.), all debris and structural material associated with the installation shall be removed from the beach and deposited off site landward of the CCCL. This activity must be completed within 20 days of the structure's failure, provided such removal is not likely to impact sea turtle nests, as determined by the HCP Coordinator in consultation with the USFWS and FWC. All protective measures for sea turtles related to the removal of a failed structure shall be the same as those described for the removal of a temporary structure (see Chapters 10, Removal of Temporary Structures and Bonding Requirements, and 11, Precautions During Removal of Temporary Structures). Removal of failed temporary structures must be coordinated with the FDEP to determine if a CCCL permit is required.

**Installation of Permanent Shoreline Protection**

***Replacement of Temporary Structures or Installation of New Structures***

If the FDEP issues a permit for the retention of a temporary structure or alternative protection, removal of the temporary structure and/or construction of the permanent structure shall occur during the first non-nesting season (November 1 – April 30) following issuance of the FDEP permit. The only exceptions to this requirement will be if all work can be performed from the upland portion of the property in a manner that will not impact sea turtles and/or nesting habitat, as determined by the FDEP in consultation with the FWC or if it is determined that the activity needs to be accomplished during the nesting season to maintain the integrity of the structure. If construction is to occur during any portion of the sea turtle nesting season, precautions set forth in this HCP must be in place (see Chapter 10, Timing Constraints). Regardless of time of year, all work must be performed in accordance with all conditions attached to the FDEP permit.

For work that is likely to impact sea turtles and/or nesting habitat, every reasonable effort shall be made to complete construction prior to the beginning of the next nesting season. If there is insufficient time to complete construction prior to May 1, the following options are available:

1. The temporary structure may remain in place and construction may be postponed until the following non-nesting season. If this option is elected, the temporary structure may be fortified to ensure its effectiveness. Any modifications to a temporary structure prior to its permanent replacement shall require the approval of the Coastal Engineer. All protective measures for sea turtles related to the fortification of temporary structures, as applicable, shall be the same as those described for the removal of temporary structures described in Chapters 10 and 11 of this HCP.
2. Construction may commence during the non-nesting season and continue into the nesting season until June 1 provided a nest monitoring and marking program is in

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place as described in Chapter 14 of this HCP. However, during installation of permanent armoring, nests may not be relocated due to construction activities. All new nests deposited within the project area shall be marked for avoidance in accordance with procedures described elsewhere in this chapter. Construction must be conducted in a manner that does not encroach on or impact these marked nests.

Prior to initiation of any construction activities, silt or similar fencing shall be installed to keep construction personnel out of the vegetated or small frontal dunes adjacent to the immediate construction area. To the extent practicable, existing vegetated dunes shall be protected during construction and installation. To the degree possible, intact dunes shall be left in place, with particular effort taken to maintain the integrity of continuous dune systems along the beach. Following installation, the topography and the vegetation on any dunes impacted by construction shall be fully restored to preconstruction conditions using appropriate native dune vegetation. If pedestrian access to the beach is required, elevated dune walkovers shall be constructed. Replacement of existing and construction of new dune walkovers must conform to all conditions attached to the required DEP CCCL permit.

A copy of all FDEP permits issued for shoreline protection pursuant to this HCP shall be provided to the HCP Coordinator by FDEP. Upon issuance of a FDEP permit, the HCP Coordinator shall consult with affected property owners. Through written notice or other means, the HCP Coordinator shall ensure that property owners clearly understand HCP requirements related to construction activities during the nesting season. In particular, they will be advised that nests within a project area could effectively delay or exclude certain activities, thereby resulting in additional construction costs. This dialogue is intended to ensure that construction activities initiated during the non-nesting season are completed in a timely manner and, in those cases where a FDEP permit is issued late in the non-nesting season, thoughtful consideration is given as to whether or not construction should be postponed until after the next nesting season.

All activities associated with the installation of permanent structures shall conform to the conditions and requirements of the FDEP permit issued for such activities. Any discrepancies regarding the timing of construction and/or protective measures for sea turtles between the FDEP permit and this HCP shall be brought to the immediate attention of the HCP Coordinator. Until such time as those discrepancies are resolved, no construction authorized by the FDEP permit may occur.

In addition to the ongoing, standardized, Countywide sea turtle monitoring program, more detailed data will be collected at the site of any permanent shoreline protection structure installed as the result of the County's emergency authorization for at least two complete nesting seasons or until a beach nourishment project is constructed at the site, whichever occurs first. Specific data to be collected at these project sites was prescribed earlier in this chapter.

*Sand Cover On and Adjacent to Permanent Structures*

**Vertical Structures**

As a means of reducing some of the documented impacts of armoring on sea turtle nesting, the County may require that permanent structures permitted by the FDEP be overlain or fronted with sufficient sand as to limit the amount of exposed structure. If required, this material must comply with Walton County's White Sands Protection Zone Ordinance (2005-24) and sloped properly to minimize scarping and allow dune plant growth. If properly designed, this constructed dune feature will augment available nesting habitat and improve nesting success (percentage of crawls resulting in nests) by reducing direct interactions with the structure. It is also likely to accelerate the rebuilding of the beach, as sand is redistributed via wind and tidal action.

The extent to which a constructed dune feature seaward of an armoring structure will serve as sea turtle nesting or beach mouse habitat will largely be dependent on its height, slope, and location of its seaward toe. If it is too steep or the seaward toe too close to the water, the dune could interfere with nesting turtles. Steep dunes are also more prone to formation of vertical escarpments (scarps) during high tide events. Scarps act much in the same manner as an exposed seawall by preventing turtles from accessing otherwise suitable areas further landward. However, if good quality (i.e., beach compatible) material is used for the constructed dune, scarps should be an ephemeral feature that diminish in height and eventually disappear over time as sand within the active beach environment is redistributed.

Where dune restoration is compatible with maintaining viable nesting habitat, planted dune vegetation will help stabilize the constructed dune feature and will aide in the recovery of the beach/dune system by trapping wind-blown sand. In addition to these beach-building attributes, a vegetated dune is more aesthetically pleasing than an exposed seawall. This is not an inconsequential consideration in a coastal area valued for its scenic beauty.

The amount of material used for the constructed dune feature, as well as its design specifications (cross-sectional profile), will have to be determined on a site-specific basis with consideration given to the height and condition of the existing dunes in the vicinity, the design of the armoring structure, beach width, and other factors. The County's Coastal Engineer will make these determinations and provide recommendations to the HCP Coordinator. The HCP Coordinator will work with the FDEP to establish a mechanism by which the sand placement recommendations are incorporated either directly or by reference into CCCL permits for permanent armoring that replaces temporary shoreline protection measures initiated under the County's emergency authorization.

Constructed dune features, as described above, will be constructed concurrently with, or immediately following, installation of the permanent structure and will be a one-time requirement. Thus, if the feature is eroded, no subsequent action on the part of the

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property owner is required (i.e., no annual sand maintenance requirement), unless otherwise stipulated by the terms and conditions of the CCCL permit.

The County will assess the efficacy of requiring this constructed dune feature relative to its cost, stability, contribution to beach accretion, and effect on sea turtle nesting success. This assessment will be conducted over a period of five years following issuance of the ITP. Upon completion of the assessment, and in consideration of public input, the County will determine if it wishes to continue or rescind this policy. Changes to this policy may be considered as an administrative amendment of the ITP. The County will consult with the USFWS, FDEP, and FWC prior to taking any further action.

**Sand-filled Geotextile Containers or Similar Structures**

If the FDEP permits sand-filled geotextile containers or similar structures as the core of a restored dune feature the following conditions shall be required of the affected property owner to obtain incidental take coverage:

- The property owner shall submit an as-built drawing prior to the beginning of the first sea turtle nesting season that follows installation of the structure or within 30 days of installation if construction is completed during the sea turtle nesting season, as applicable. This submission shall include sub-meter accuracy latitude and longitude coordinates that define the boundaries of the installed structure.
- The property owner shall ensure that the exact location of the structure is marked prior to each sea turtle nesting season (May 1) for the life of the structure. The exact methods for such marking shall be coordinated with the County.
- A minimum of 5 feet of sand shall be present over the entire armoring structure prior to the beginning of each sea turtle nesting season (May 1), and 3 feet shall be maintained over the entire armoring structure throughout each sea turtle nesting season. In the event that the erosion rate is such that sand cannot be maintained over the structure, consistent with the depth requirements above, the property owner shall notify the County. The County, in consultation with the USFWS and FWC, will determine if remedial measures are needed.
- The sand used to cover the structure shall comply with FDEP CCCL permit conditions and Walton County's White Sands Protection Zone Ordinance (2005-24).
- At least one month prior to the onset of every sea turtle nesting season (May 1) the structure is in place or the term of the County's ITP, whichever is shorter, the property owner shall verify that the structure is covered with the required depth of beach-compatible sand by measuring at 50-foot intervals

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along the seaward edge of the armoring structure and 5-foot intervals toward the landward edge of the armoring structure. These data shall be submitted to the County no later than April 1 each year. If this annual assessment indicates that less than the required depth of sand is present, the property owner shall add additional beach quality material prior to May 1 of that year.

- Twice each year (June and August) during the sea turtle nesting season, the property owner shall verify that the structure is covered with the required depth of beach-compatible sand by measuring at the same spacing intervals described above. These data shall be submitted to the County within 30 days of the date the measurements are taken. If less than the required depth of sand occurs over the armoring structure during sea turtle nesting season, the County, in consultation with the USFWS and FWC, shall advise in writing if additional sand placement is required and shall provide conditions for such placement.
- In the event that escarpments form at the seaward edge of the sand fill over the structure, the County, in consultation with the USFWS and FWC, will determine if remedial action (e.g., scarp knockdowns) is required to ensure that female turtles are able to access available nesting habitat landward of the escarpment and that hatchlings emerging from nests landward of the escarpment are able to safely reach the water.
- All vegetation planted over the structure shall be native to the local area.
- Structure maintenance shall be considered to be failed relative to preventing adverse impacts to sea turtles if during any 5 consecutive years the required 3 feet of sand was not retained over the structure throughout the nesting season based on the data collected above.
- In the event the structure fails the sand maintenance requirements noted above or is irreparably damaged by storms, the property owner shall ensure all debris and structural material, including fabric from the structure, is removed from the nesting beach area and properly deposited offsite. Removal of failed structures shall take place outside the sea turtle nesting season, which extends from May 1 through August 31 or the last nest hatches, whichever is later, unless it is determined by the County, in consultation with the USFWS and FWC, that it would be less harmful to sea turtles if the structures and debris were removed during the nesting season.
- The property owner must coordinate with the FDEP to determine if a state permit(s) is required for additional sand placement over the structure or removal of a failed structure.

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- Upon completion of construction or removal of a failed structure the beach/dune system shall be contoured similar to adjacent beaches outside of the project area.

Property owners of sand-filled geotextile containers shall be responsible for all expenses associated with monitoring sand depth, remediating insufficient sand coverage or escarpment formations, and/or removing failed structures, as well as all ancillary actions (e.g., FDEP permitting) needed to comply with the conditions set forth above.

Federal incidental take coverage afforded under the County's ITP shall be terminated for any property owner who fails to comply with the conditions set forth in this section. The County shall promptly notify the property owner, FDEP and the USFWS whenever it renders a determination of non-compliance.

**Beach Driving and Vehicular Beach Access-Related Activities**

The following types of vehicular activities will be authorized under the County's ITP:

- Official vehicles used for public safety and law enforcement;
- Vehicles involved in HCP implementation and other official County business;
- Private or government vehicles responding to emergency events;
- 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 local and/or State permitted coastal construction projects that will not result in the unauthorized take of federally listed species, as determined by the USFWS.

***Public Safety and Law Enforcement***

Vehicles involved in public safety and law enforcement shall have 24-hour access to all beaches within the Plan Area. Minimization of impacts will be achieved by marking all sea turtle nests and shorebird nesting areas for avoidance and developing guidelines for beach driving. The County shall work with the Florida Park Service (FPS) to prepare an agreement regarding driving access through or across State Park beaches.

***Vehicles Involved in HCP Implementation and Other Official County Business***

As for public safety and law enforcement operations, persons involved in official County business, including those responsible for implementing the HCP, shall have 24-hour vehicular access to the beach and shall adhere to the same driving guidelines developed

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for public safety and law enforcement personnel. The County shall work with FPS to prepare an agreement regarding driving access through or across State Park beaches.

***Vehicles Responding to Emergency Events***

Authorization of vehicle access to beaches within the Plan Area in response to an emergency event may be granted by the HCP Coordinator at any time. An emergency event shall be a situation, action, or circumstance that poses an imminent threat to human life, health, or property, or to the environment, including protected species. This includes but is not limited to, passage of hurricanes and other severe storms, downing of aircraft along the coastline, grounding of boats on the beach, oil spills, and washing ashore of dangerous or hazardous materials. Vehicles, including heavy equipment, may be necessary to repair damaged structures and/or remove debris from the beach. The HCP Coordinator shall be responsible for coordinating vehicular beach access during these events, providing any necessary guidelines to responders to minimize impacts to covered species, and monitoring the emergency response. A report of the incident and any documented impacts to the beach/dune system and/or protected species shall be summarized for inclusion in the Annual Report. In addition to those conditions imposed by the HCP Coordinator, all debris removal resulting from a declared emergency shall be performed in accordance with all Federal Emergency Management Agency requirements. The County shall work with FPS to prepare an agreement regarding driving access through or across State Park beaches.

***Vehicles Involved in Protected Species Monitoring and Scientific Investigations***

Private or government vehicles involved in wildlife monitoring other than sea turtles (e.g., CBM, piping plover surveys, shorebirds, etc.), government research, or other *bonafide* scientific data collection activities are allowed year-round, 24-hour vehicular access to County beaches with the written approval of the HCP Coordinator. Vehicle operators must abide by all conditions attached to the authorization. The HCP Coordinator will impose the most restrictive access times and locations possible to allow the authorized activity's objective to be achieved. When possible, ATVs or other light-weight vehicles with wide, low-pressure tires will be used. The HCP Coordinator will provide personnel involved in protected species monitoring and scientific investigations on County beaches the same driving guidelines developed for public safety and law enforcement personnel. The County shall work with FPS to prepare an agreement regarding driving access through or across State Park beaches.

***Vehicles Used for Routine Beach Maintenance and Sanitation***

Vehicles used by the TDC, the County, and/or its contractors for routine beach maintenance and sanitation activities shall follow the driving guidelines established for public safety and law enforcement personnel. However, from May 1 through August 31 or the last marked nest hatches, whichever is later, vehicular access is allowed after completion of the morning nesting survey until sunset. The HCP Coordinator shall work with the TDC, sea turtle monitoring personnel, and other affected parties to develop an

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“all-clear” signal to notify beach maintenance personnel when it is safe to begin morning operations during the nesting season. In no instance may routine beach maintenance operations begin prior to completion of the daily sea turtle nesting survey. From September 1 or after the last marked nest hatches, whichever is later, through April 30 each year, vehicular access hours for routine beach maintenance activities shall be confined to the period between sunrise and sunset. Vehicles shall stay clear of marked sea turtle nests, and under no circumstances shall maintenance personnel enter nest barriers (e.g., to collect debris by hand) without consent of sea turtle monitoring personnel. The County shall work with FPS to prepare an agreement regarding driving access through or across State Park beaches.

***Private Vehicles***

Walton County has designated two designated limited access areas for vehicles along its coastline: Grayton Beach and Inlet Beach (Figure 3). Collectively, these designated areas encompass 1,336 ft (407 m) of shoreline. Vehicles are authorized to drive, launch boats, and park in these areas under a permit issued by the County in accordance with provisions set forth in the County’s Beach Activities Ordinance (2003-07). The County may temporarily open and close any of the existing designated limited access areas at its discretion, but cannot designate additional areas without the expressed consent of the USFWS and appropriate permits from the FDEP, if applicable. Additionally, the County will amend its Beach Activities Ordinance to restrict vehicular access to the beach by the general public, including those launching or recovering boats, to the following hours:

- From May 1 through August 31 or after the last marked nest in the affected driving area has hatched, whichever is later - 8:00 AM, or after the morning nesting survey has been completed, whichever is earlier, to sunset; and
- From August 31, or after the last marked nest in the affected driving area has hatched, whichever is later through April 30, or the first nest in the affected driving area is documented, whichever is earlier – 24 hour access.

During the sea turtle nesting season, the HCP Coordinator shall work with sea turtle monitoring personnel to develop an “all-clear” signal to let the permittees know when it is safe to begin vehicular operations on the beach each day. Vehicles shall not be allowed to park within 25 ft (7.6 m) of a marked sea turtle nest or posted shorebird nesting area. Vehicle beach access permits issued by Walton County shall be conditioned upon adherence to the restrictions described above and any other regulations required to comply with the ITP. Shall any provision in this HCP conflict or contradict any previously adopted ordinance, the more restrictive provision shall apply.

The County shall ensure that designated limited access areas are conspicuously posted to show access locations and east and west boundaries on the beach. Signs shall be posted at vehicular beach access locations to show access hours and indicate that a County permit is required to operate a motor vehicle on the beach. The County shall develop a method for opening and closing access areas at designated times and shall prescribe within its Beach Activities Ordinance a method that allows easy identification of those

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vehicles on the beach that have valid permits. The HCP Coordinator will work with sea turtle monitoring personnel to ensure that all sea turtle nests and known shorebird nesting sites are conspicuously marked for avoidance.

***Vehicles Involved in Vending Operations and Special Events***

During the sea turtle nesting season (May 1 through August 31, or the last marked nest has hatched, whichever is later), private vehicles involved in vending operations or special events permitted by Walton County shall be allowed access to the beach between 8:00 AM or after the morning sea turtle nesting survey has been completed, whichever is later, and sunset. The HCP Coordinator shall work with sea turtle monitoring personnel to develop an “all-clear” signal to let the permittees know when it is safe to begin vehicular operations on the beach each day during the sea turtle nesting season. Outside of the sea turtle nesting season, vehicular beach access shall be restricted to the period between sunrise and sunset. Vending and Special Event Permits issued by Walton County shall be conditioned upon adherence to the vehicle access restrictions described above and any other regulations required to comply with the ITP. Vehicles shall not encroach on marked sea turtle nests or posted shorebird nesting sites. The vendors shall not be allowed to drive through State Parks.

***Vehicles Involved in Routine Coastal Construction Projects***

Vehicles involved in State-approved coastal construction activities may access the beach from November 1 or after the last marked turtle nest has hatched, whichever is earlier, and April 30 with prior written approval of the HCP Coordinator. Approval will only be granted if the person/firm performing the work provides evidence of a valid FDEP permit and there is no reasonable alternative upland access to the construction site. Vehicle operators must abide by all conditions of the FDEP permit as well as those attached to the County’s authorization, including those that designate access locations, times of operation, and operating procedures. The vehicles or equipment shall not be allowed to drive through State Parks or private property without explicit authorization from the property owner.

Vehicles involved in beach nourishment and other coastal construction projects that require a permit from the U.S. Army Corps of Engineers (USACOE) or are otherwise federally authorized are not covered under this HCP. Under Section 7 of the ESA, the Corps is required to consult with the USFWS regarding the potential take of listed species resulting from their permitting actions. The USFWS prepares a biological opinion and incidental take statement for each project and appropriate minimization and mitigation measures are then incorporated into the USACOE permit. Therefore, the inclusion of such measures under this HCP and the County’s ITP would be redundant. However, the County will work with the FDEP and the USACOE to ensure that the spirit and intent of the HCP are considered during the review of permit applications for beach nourishment and other Federal projects.

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***Rut Removal***

Vehicles that operate in soft sand areas of the beach often leave ruts that can impede or trap hatchling turtles as they emerge from their nests and crawl toward the Gulf. Consequently it is necessary to implement a rut removal program. The TDC initially shall be responsible for conducting this program, although the County may designate another entity in the future. Regardless of who is conducting this program, the County shall be responsible for ensuring that rut removal operations are performed in accordance with the terms and conditions of its ITP.

All marked sea turtle nests on the County's beaches must be evaluated for rut removal as they near hatching. Since 2000, records provided by the SWTW indicate that hatchlings have emerged from only one nest (July 15, 2005) prior to 50 days of incubation (48 days). Consequently, rut removal operations will commence at each nest when it has reached 50 days of incubation. The HCP Coordinator shall undertake a review of incubation periods at the end of each nesting season and shall revise the rut removal start date for subsequent years to coincide with the shortest incubation period on record.

Within three months of issuance of the ITP, the HCP coordinator shall meet with sea turtle monitoring personnel and the TDC to coordinate rut removal operations. Issues to be addressed include:

- How sea turtle nests will be marked to designate them as target nests for rut evaluations;
- Protocol for notifying TDC of nests requiring rut evaluations;
- Criteria for determining if rut removal operations are needed;
- Methods and equipment to be used for rut removal; and
- Documentation of hatchling-rut encounters.

Following this meeting, the HCP Coordinator will develop written rut removal guidelines to address the issues identified above, as well as any other relevant issues that may emerge from the meeting. These guidelines will be provided to the USFWS for approval within six months of ITP issuance, and upon approval they will be appended to the HCP. Rut removal operations will commence during the first full nesting season following USFWS approval of the rut removal guidelines.

Rut removal guidelines may be updated periodically over the life of the ITP, as deemed appropriate by the HCP Coordinator, based on annual assessments of the program's effectiveness in minimizing hatchling-rut encounters. Any changes to procedures shall be approved by the USFWS prior to implementation.

***Guidelines for Beach Driving***

The HCP Coordinator will develop guidelines for daytime and nighttime beach driving. These guidelines will be tailored for, and distributed to, each general category of beach driving group, including but not limited to:

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- Law enforcement and public safety personnel;
- County staff with HCP implementation and other official responsibilities;
- TDC staff involved in beach maintenance and sanitation operations;
- Personnel involved in protected species monitoring and scientific investigations;
- Persons receiving permits to operate vehicles in designated limited access areas;
- Beach vendors; and
- Special event permittees.

These guidelines will be prepared within six months of ITP issuance and shall be submitted to the USFWS for review and approval. Once approved, the guidelines will be reviewed during HCP training. The guidelines will address the following issues:

- Avoidance of marked turtle nests;
- Avoidance of posted shorebird areas;
- Driving in a manner that minimizes impacts to wildlife (e.g., avoiding flocks of resting shorebirds);
- Driving in a manner that minimizes impacts to dune habitat;
- Avoidance of driving through the wrack line whenever possible;
- Driving in a manner that minimizes the creation of ruts seaward of nests nearing hatching;
- Ensuring that unauthorized vehicles are off the beach by sunset during the sea turtle nesting season.

Additionally, vehicles involved in nighttime beach operations will, to the extent practicable, adhere to the following guidelines:

- When the vehicle is moving, headlights will be turned on so nesting and hatchling sea turtles and shorebirds may be more easily spotted and avoided;
- When a vehicle is at rest for more than one minute, headlights will be turned off and amber parking lights turned on;
- Law enforcement and code enforcement personnel will avoid the indiscriminate shining of spotlights into the dune area;
- During the sea turtle nesting season, vehicle operators will watch for tracks of nesting females to avoid impacts;
- Public safety personnel will provide crowd control in instances where beachgoers may be interacting with nesting sea turtles or hatchlings in a disruptive manner (touching, flashlights, loud noises, etc.); and
- Report incidents where turtle hatchlings are observed crawling in any direction other than towards the ocean.

**ADA-compliant Dune Crossovers**

The TDC's policy regarding public beach access states that they will provide ADA-compliant structures at all Regional Beach Accesses. An ADA structure consists of a ramp with a number of alternating switchbacks that allows a person in a wheelchair to

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safely maneuver from the dune crest to the beach. A Regional Beach Access is a County property with more than five parking spaces and a restroom facility adjacent to a public beach. Currently there are nine Regional Beach Accesses (Figure 3): Inlet Beach, Santa Clara, Van Ness, Grayton Dunes, Blue Mountain, Gulfview Heights, Ed Walline, Dune Allen and Miramar. All currently have ADA access with the exception of Blue Mountain and Gulfview Heights. Additionally, the County will consider installation of ADA structures at neighborhood beach access points if dune elevations permit and sufficient County property is available to accommodate ADA design guidelines.

ADA-compliant beach access structures typically terminate five to 10 feet seaward of the toe of the dune. Consequently, they preempt a certain amount of sea turtle nesting habitat and may be an obstacle to nesting and hatchling sea turtles. The on-grade platform shall be the minimal footprint needed to accommodate a wheelchair and a person exiting or entering the structure. An observation platform may also be constructed on the first level above the ground that cantilevers over the beach but does not pose barriers to sea turtles. To minimize impacts associated with replacement of existing, or construction of new, ADA-compliant beach access structures, construction will take place outside of the sea turtle nesting season in accordance with the guidelines established for non-emergency shoreline protection. Vehicles involved in ADA-compliant crossover construction shall comply with the standards set forth for those involved in routine coastal construction projects. FDEP permits issued for ADA-compliant structures seaward of the CCCL may contain additional minimization measures. The County will abide by all FDEP permit conditions.

**Bonfires**

The County will assess the feasibility of prohibiting burn barrels and/or bonfires on the beach during the sea turtle nesting season (May 1- October 31) and, if appropriate, will amend its Beach Activities Ordinance accordingly.

**HCP Training**

The HCP Coordinator will develop a training program to educate personnel involved in HCP implementation with the programs and policies germane to their specific responsibilities (e.g., law enforcement, sea turtle monitoring staff, TDC beach maintenance personnel, rut removal staff, beach vendors, contractors, etc.). HCP training will be provided at times and frequencies deemed appropriate by the HCP Coordinator to ensure compliance with the terms and conditions of the ITP. Records will be maintained to include dates, names, and affiliations of persons receiving HCP training for inclusion in the Annual Report.

**Beach Vending Activities**

Section 10 of Walton County’s Beach Activities Ordinance (2003-07) requires vendors to obtain a County permit for the “sale, rental, or solicitation of any merchandise, services, goods, or property of any kind or character”. Of particular concern to the protection of

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listed species covered under this HCP is the placement of beach furniture, temporary stands, and rental equipment on the beach. Insofar as the deployment of these materials in the early morning hours during the sea turtle nesting season may obscure the distinctive crawls used by monitoring personnel to identify nest locations. Furthermore, the use of mechanical auger to dig holes in the beach for the placement of beach umbrellas could destroy unmarked sea turtle nests. Consequently, timing constraints shall be imposed on the initiation of vending activities each morning during the nesting season. From May 1 through August 31 each year, or the last marked turtle nest has hatched, whichever is later, no set up of vending operations will be permitted on the beach until completion of the daily nesting survey. Furthermore, no vending equipment or activities shall encroach on marked sea turtle nests, and under no circumstances shall vending equipment and/or supplies be placed within a nest barrier. The HCP Coordinator shall establish effective lines of communications between sea turtle monitoring personnel and permitted beach vendors and implement an unambiguous system to notify vendors when the survey has been completed each day. Vending permits issued by Walton County shall be conditioned upon adherence to these restrictions and any other regulations required to comply with the ITP. Vendors shall be informed that repeated non-compliance with these conditions shall be cause for non-renewal and/or revocation of vending permits.

**Placement of Temporary Vending Equipment Storage Boxes**

Vendors are authorized to place temporary equipment storage boxes on the beach under permits issued pursuant to the Walton County Beach Activities Ordinance (2003-07). The boxes must be placed as far landward as possible but seaward of the vegetation line. To ensure that sea turtles have reasonable access to upper beach habitat and beach mouse habitat is protected, multiple storage boxes at a vending location shall be placed at least 10 ft (3 m) apart. The County shall incorporate this condition into its vending permits.

**Implementation of Beach Management Program**

In addition to its existing 5.0-mile (8.0-km) beach nourishment project (Phase I) at the western end of the County, Walton County's Beach Management Program calls for an additional 12.8 mi (20.6 km) of beach to be restored along the 30A Corridor (Figure 5). This Phase II project will restore all of the remaining 9.3 mi (15.0 km) of critically eroded shoreline as well as an additional 3.5 mi (5.6 km) of beach in adjacent areas. Implementation of Phase II of the Beach Management Program will serve as *de facto* minimization, because it will provide shoreline protection for upland properties and thereby limit the number of permanent armoring structures likely to result from the County's future emergency permitting activities. However, the scope and timing of Phase II projects cannot be determined at this time because of permitting and funding uncertainties. Furthermore, these planned beach nourishment projects will be governed under separate State and/or Federal permits and therefore are not offered as a formal minimization measure under this HCP.

## **Non-Emergency Shoreline Protection**

### ***Structural Protection***

Structural shoreline protection systems, including seawalls, revetments, and riprap, not otherwise authorized under an emergency permit issued by Walton County require CCCL permits from the FDEP. Other structural systems that extend below the MHWL, such as groins and jetties, also require authorization from the USACOE. The repair of existing and installation of new non-emergency structures shall not be permitted without a FDEP and/or USACOE permit, as applicable, and must conform with Walton County's Land Development Regulations and have written authorization from Walton County. The written authorization shall reference applicable State and/or Federal permits, and shall specify access locations, timing constraints (time of year and time of day), and equipment travel corridors to minimize potential impacts to listed species. Unless otherwise authorized by the FDEP and/or USACOE and incidental take has been authorized by the USFWS, non-emergency shoreline protection activities shall be conducted outside the sea turtle nesting season (May 1 – October 31). (Emergency repairs can occur during the sea turtle nesting season in accordance with procedures established elsewhere in this HCP.) Construction activities must be conducted in compliance with all applicable permit conditions. Restoration of damage to the beach/dune system as a result of construction activities shall be a condition of the County's authorization for non-emergency shoreline protection projects. The County will work with the FDEP and/or USACOE to ensure that the spirit and intent of this HCP are considered during the review of permit applications for shoreline protection projects.

### ***Sand Fences***

Sand fences installed for dune restoration or protection require CCCL permits from the FDEP. The repair of existing and installation of new fences shall not be permitted without a FDEP permit and written authorization from Walton County. Sand fences cannot be installed or repaired during the sea turtle nesting season unless authorized under the terms and conditions of the FDEP permit. All activities, including vehicle access locations, times, and operating procedures, must be conducted in accordance with this HCP and other conditions imposed by County and/or State authorizations for the work. The County will work with the FDEP to ensure that the spirit and intent of the HCP are considered during the review of permit applications for the installation of new and removal of relict sand fences.

### ***Dune Modification and Restoration***

Any project involving modifications to the dune system, including dune restoration, require CCCL permits from the FDEP. Construction of new and restoration of existing dunes, including planting of native dune vegetation, shall not be permitted without a FDEP permit and written authorization from Walton County. Under this HCP, non-emergency dune alterations cannot occur during the sea turtle nesting season. All activities, including vehicle access locations, times, and operating procedures, must be

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conducted in accordance with this HCP and other conditions imposed by County and/or State authorizations for the work. Emergency repairs to the dune can occur during the sea turtle nesting season in accordance with procedures established elsewhere in this HCP.

***FDEP Coordination***

Upon issuance of the ITP, the HCP Coordinator will contact FDEP's Field Agent for Walton County to establish a process for coordinating issuance of FDEP field permits. Field Permits for non-emergency shoreline protection and other activities affecting the coastal system (e.g., special events, mechanical beach cleaning, etc.) should be written to ensure consistency with HCP requirements. The HCP Coordinator will work with FDEP's Bureau of Beaches and Coastal Systems to resolve conflicts arising from FDEP's issuance of either standard or field permits.

**Enforcement**

Walton County will commit sufficient personnel resources to ensure that the regulations established in this HCP are effectively enforced. Enforcement responsibilities shall be primarily assigned to County Code Enforcement and/or other County staff, as directed by the County Administrator. The Walton County Sheriff's Office may assist, as necessary and practicable.