

Environmental Commenting Program

Imperiled Species Management Section



The National Conference on Beach Preservation Technology

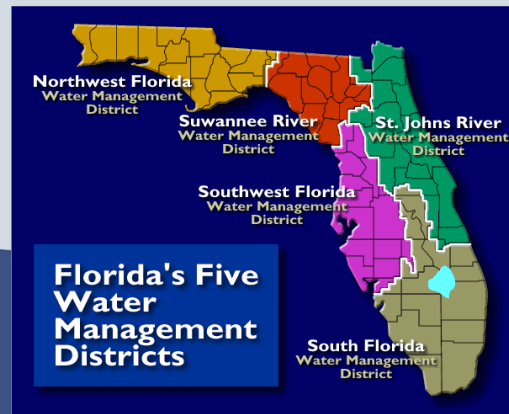
Eric Seckinger, Florida Fish and Wildlife Conservation Commission (FWC)

February 7, 2025



What is Environmental Commenting?

- FWC staff provide expert opinion on potential adverse impacts to Florida's imperiled species and their habitat.
- Objectives
 - Avoid
 - Minimize
 - Mitigate
- Recommendations via permit conditions or best management practices



FWC Authorization for Commenting

- **Florida Statutes**

- 379.2431

- Marine Turtle Protection Act & Florida Manatee Sanctuary Act

- 161.053 (Beach and Shore Preservation)

- 20.331 (FWC's Organization Structure)

- **Florida Administrative Code**

- 62B-33 (Rules for coastal construction)

- 68A-27 (Rules for threatened and endangered species)

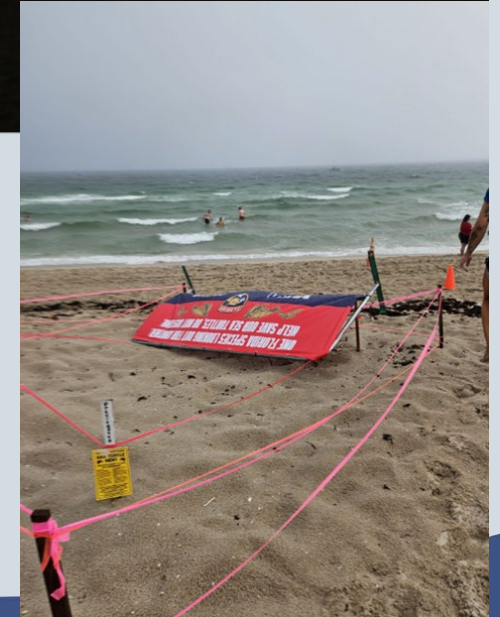
- **United States Laws**

- Endangered Species Act (1973), Marine Mammal Protection Act (1972), Coastal Zone Management Act (1972)



Types of Projects

- Beach nourishment
- Coastal structures
- Piers
- Armoring
- Beach structures
- Beach cleaning
- Beach events
- Exterior lighting



- Requests to review
- General information
- [Conservation](#)
- [Marine Turtle](#)
- [Imperiled Species](#)
- Direct email
- Internal coordination
- Staff member

**FWC Imperiled Species Management Section
Commenting Team Regional Assignments May 2024
*Manatee and Marine Turtle***



**Florida Fish and Wildlife
Conservation Commission**
*Division of Habitat and Species Conservation
Imperiled Species Management Section (ISM)*
MyFWC.com

Environmental Commenting Administrator
Eric Seckinger - Eric.Seckinger@MyFWC.com

Primary Reviewer

- Ryan Byrne
Ryan.Byrne@MyFWC.com
- Stephanie Jones
Stephanie.Jones@MyFWC.com
- Ashley LaVere
Ashley.LaVere@MyFWC.com
- Serigne Ndiaye
Serigne.Ndiaye@MyFWC.com

Copy ImperiledSpecies@MyFWC.com on all emails
Copy MarineTurtle@MyFWC.com on all DEP CCCL and JCP projects

Statewide Marine Turtle Lighting Coordinator
Kristin Halley - Kristin.Halley@MyFWC.com
SeaTurtleLighting@MyFWC.com

Statewide Manatee Protection Plan Coordinator
Bethan Roberts - Bethan.Roberts@MyFWC.com

Statewide Manatee Rules Coordinator
Emma Kindley - Emma.Kindley@MyFWC.com
ManateeRuleComments@MyFWC.com

For general inquiries, please contact
ImperiledSpecies@MyFWC.com or call
(850) 922-4330





This document represents the regional assignments for ISM's biologists for the distribution of manatee and marine turtle related commenting work. However, the distribution of assignments are subject to change.



Legend



IBNB Breeding Sites

-  American oystercatcher
-  Snowy plover
-  Black skimmer
-  Least tern

Critical Roosting



Critical Brood Rearing



Broward
Oct. 31

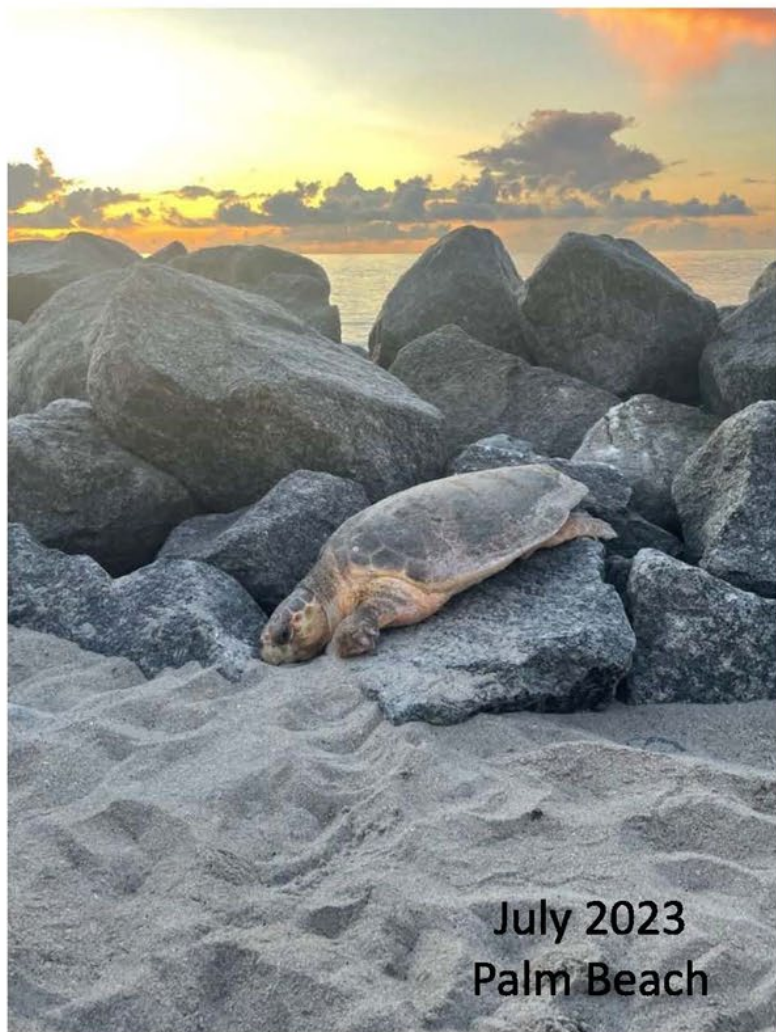
<https://gis.myfwc.com/ShoreMapper/>



Review Process

- Assess potential impacts on imperiled wildlife
- Coordinate with subject matter experts
- Collaborate with federal partners (USFWS, USACE)
- Compile questions / comments / concerns
- Request Additional Information – RAI





July 2023
Palm Beach



June 2013
Sarasota



June 2023
Palm Beach



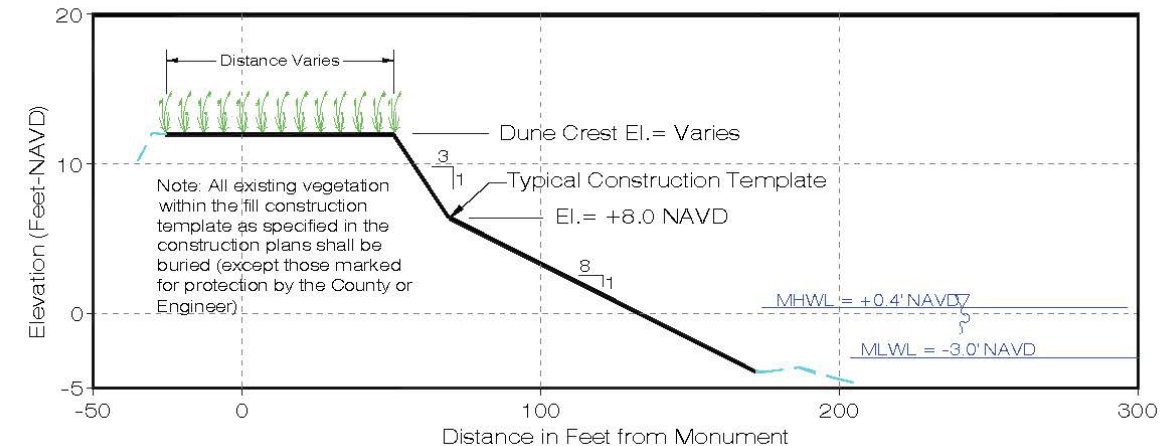
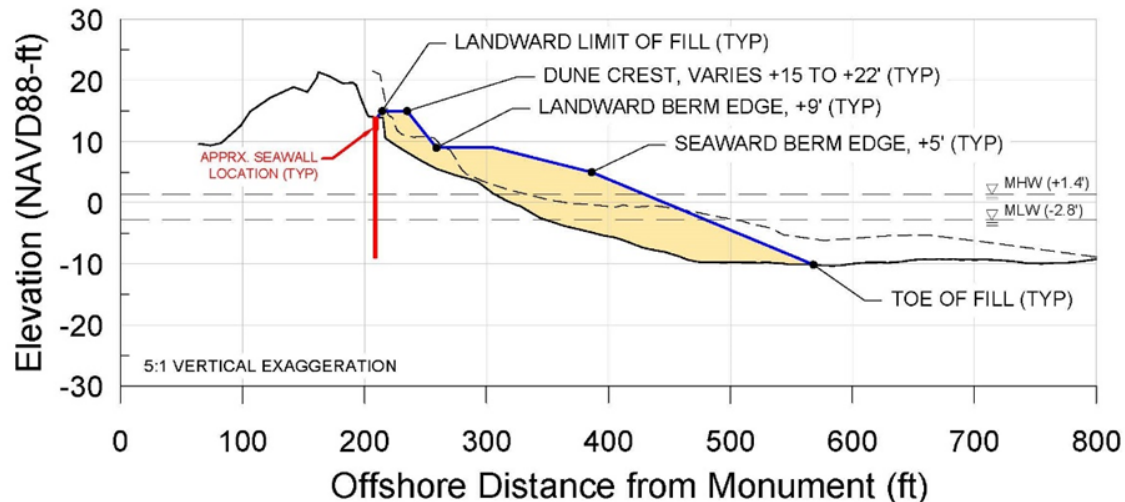
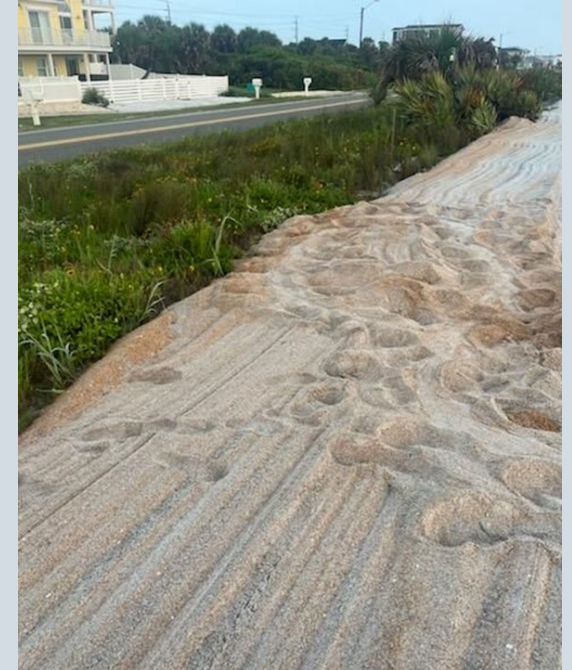
June 2023
Palm Beach



May 2023
Sarasota

Challenges – Beach and Dune Design

- Existing armoring
 - Proposed fill covering seawalls
- Adjacent roadways
 - Gentler slopes provide easier access
- Wide dune crests
 - Higher risk of disorientation



Wildlife Conditions for All Beach Related Activities. The Permittee shall adhere to the following requirements for all beach-related activities during marine turtle and shorebird nesting/breeding seasons **February 15 through October 31**.

a. Beach Maintenance:

- i. The Permittee shall require their contractor and protected species monitors to inspect all work areas that have excavations and temporary alterations of beach topography each day, to determine which areas have deviations (such as depressions, ruts, holes and vehicle tracks) capable of trapping flightless shorebird chicks or marine turtle hatchlings. If so, the deviations shall be filled or leveled from the natural beach profile prior to 9:00 p.m. each day. The beach surface shall also be inspected subsequent to completion of the project, and all tracks, mounds, ridges or impressions, etc. left by construction equipment on the beach shall be smoothed and leveled.
- ii. All debris, including derelict construction or coastal armoring material, concrete and metal, found on the beach placement site, shall be removed from the beach to the maximum extent practicable prior to any placement of fill material. If debris removal activities will take place during protected species nesting seasons, the work shall be conducted during daylight hours only, and shall not commence until completion of daily monitoring surveys.

b. Equipment Storage and Placement.

- i. Staging areas and temporary storage for construction equipment and pipes shall be located off the beach to the maximum extent practicable. Nighttime storage of construction equipment that is not in use shall be located off the beach. If staging and storage areas off the beach are not possible, then additional marine turtle and shorebird protective measures shall be implemented. Such protective measures shall be determined in coordination with the Department and FWC prior to beginning of construction. All construction pipes that are in use on the beach shall be located as far landward as possible without compromising the integrity of the existing or reconstructed dune system. Pipes placed parallel to the dune shall be 5 to 10 feet away from the toe of the dune.
- ii. If it is necessary to extend construction pipes past a known shorebird nesting site, then those pipes shall be placed landward of the site before birds are active in that area. No pipe or sand shall be placed seaward of a shorebird nesting site during the shorebird nesting season. If such placement is not feasible for the project, FWC's Regional Biologist shall be contacted for alternative measures. See contacts available at http://myfwc.com/conservation/you-conserve/wildlife/shorebirds/contacts_.
- c. **Beach Driving.** All vehicles operated on the beach shall operate in accordance with the FWC's Best Management Practices for Operating Vehicles on the Beach (<http://myfwc.com/conservation/you-conserve/wildlife/beach-driving/>). Specifically, the vehicle shall be operated at speeds less than 6 mph and run at or below the high-tide line. All personnel associated with the project shall be instructed about the potential presence of protected species, and the need to avoid injury and disturbance to these species. *Note: when flightless chicks are present*

- ii. Have a clear working knowledge of, and adhere to, the *Breeding Bird Protocol for Florida's Seabirds and Shorebirds*.
<https://app.myfwc.com/crossdoi/shorebirds/PDF-files/BreedingBirdProtocol.pdf>
- iii. Have completed full-length webinars: Route-Surveyor Training and Rooftop Monitoring Training, including the annual refresher training. Training resources can be found on the *Florida Shorebird Database* (FSD) website.
<https://app.myfwc.com/crossdoi/shorebirds/>
- iv. Familiar with FWC beach driving guidelines.
<https://myfwc.com/conservation/you-conserve/wildlife/beach-driving/>.
- v. Experience posting beach-nesting bird sites, consistent with *Florida Shorebird Alliance (FSA) Guidelines for Posting Shorebird and Seabird Sites in Florida*.
<https://flshorebirdalliance.org/media/1055/fsapostingguidelines.pdf>
- vi. Has registered as a contributor to the FSD.

18. **Shorebird Survey Protocols.** Bird survey protocols, including downloadable field data sheets, are available on the [FSD website](#). All breeding activity shall be reported to the FSD website within one week of data collection. If the use of this website is not feasible for data collection, the FWC Regional Biologist shall be contacted for alternative methods of reporting. The Permittee shall ensure that the Bird Monitors use the following survey protocols:

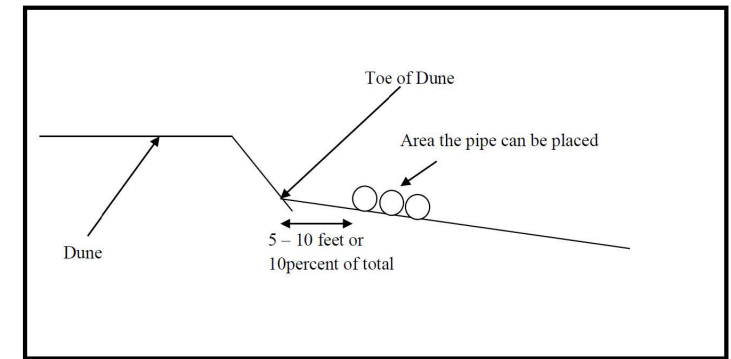
- a. Surveys shall be conducted by walking the length of all survey routes and visually surveying for the presence of shorebirds exhibiting breeding behavior, shorebird chicks or shorebird juveniles, as outlined in the FSD Breeding Bird Protocol for Shorebirds and Seabirds. Use of binoculars (minimum 8x40) is required and use of a spotting scope may be necessary to accurately survey the area. If an ATV or other vehicle is needed to cover large survey routes, the Bird Monitor shall stop at intervals of no greater than 600 feet to visually inspect for breeding activity.
- b. Once breeding or nesting behavior is confirmed by the presence of a scrape, eggs or young, the Permittee (or their designee) shall notify the FWC Regional Biologist within 24 hours.

19. **Shorebird Buffer Zones and Travel Corridors.** The Permittee shall require the Bird Monitor(s) and Contractor(s) to meet the following:

- a. The Bird Monitor(s) shall establish a disturbance-free buffer zone around any location within the project area where the Bird Monitor has observed shorebirds engaged in breeding behavior, including territory defense. A 300-foot buffer shall be established around each nest or around the perimeter of each colonial nesting area. A 300-foot buffer shall also be placed around the perimeter of areas where shorebirds are seen digging nest scrapes or defending nest territories. All construction activities, movement of vehicles, stockpiling of equipment, and pedestrian traffic are prohibited in the buffer zone. **Smaller, site-specific buffers may be established if approved in writing by the FWC Regional Biologist.** Travel corridors shall be designated and marked outside the buffer areas for pedestrian, equipment or vehicular traffic.
- b. The Bird Monitor(s) shall keep breeding sites under sufficient surveillance to

Beach Mice Protection.

- a. Beach mouse habitat shall be avoided when selecting sites for equipment, pipes, vehicle storage and staging to the maximum extent practicable. Suitable beach mouse habitat constitutes the primary dunes (characterized by sea and other grasses), secondary dunes (similar to primary dunes, but also frequently includes such plants as woody goldenrod, false rosemary), and interior or scrub dunes, as well as areas with natural vegetation adjacent to the dunes (seaward of the toe of the dune, in blow-outs, or other openings between dunes). Equipment placement or storage shall be excluded in the area between 5 to 10 feet seaward of the existing dune toe or 10 percent of the beach width (for projects occurring on narrow eroded beach segments) seaward of the dune toe in areas of occupied beach mouse habitat (Figure 3). The toe of the dune is where the slope breaks at the seaward foot of the dune.



- b. Existing beach access points shall be used for vehicle and equipment beach access to the maximum extent practicable. These accesses shall be delineated by post and rope or other suitable material to ensure vehicles and equipment transport stay within the access corridor. The topography at the accesses shall be fully restored to pre-project work configuration following project completion. Parking areas for construction crews shall be located as close as possible to the work sites, but outside of vegetated dunes to minimize impacts to existing habitat and the need to transport workers along the beachfront. The creation of new or expansion of existing beach accesses for vehicles and equipment within beach mouse habitat consisting of vegetated dunes is authorized for no more than one every 4 miles. The distribution of access areas will result in the least number of access areas within beach mouse habitat as practicable and delineated by post and rope or other suitable material to ensure vehicles and equipment transport stay within the access corridor. The access points shall be as follows:
 - i. No more than 25 feet wide for vehicles.
 - ii. No more than 50 feet wide for equipment.
- c. New or expanded beach accesses that impact vegetated dunes shall be replanted within 3 months following project completion. The habitat restoration shall consist

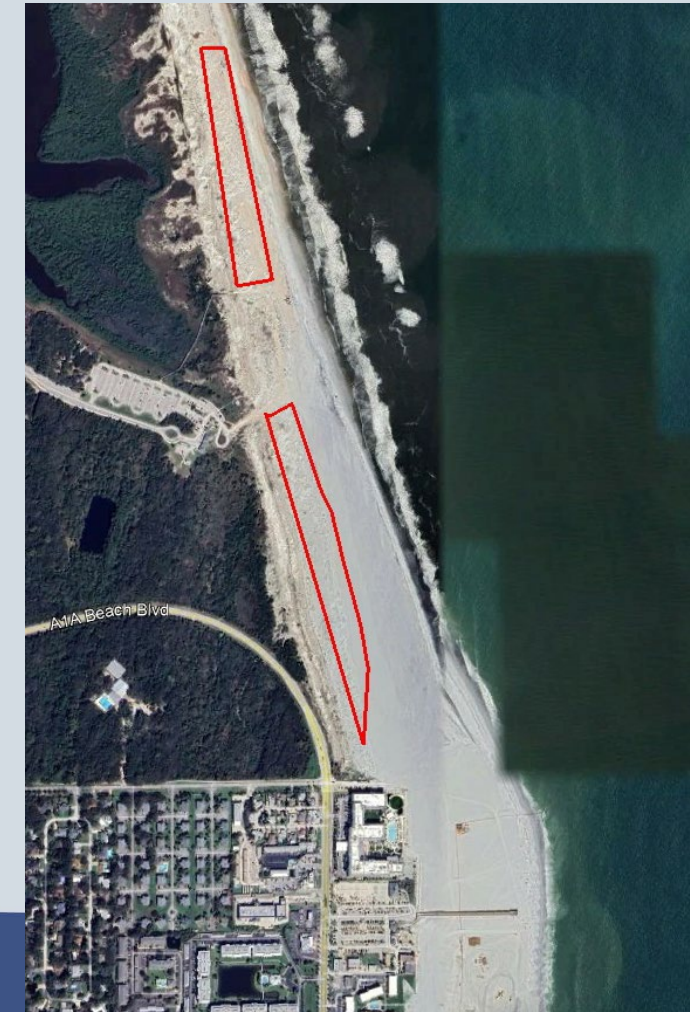
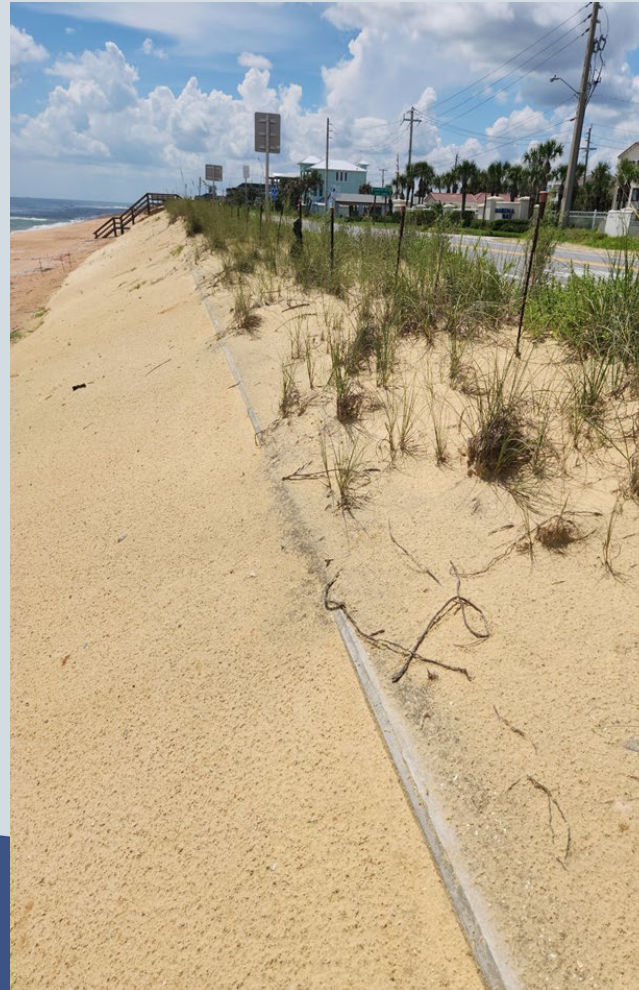
Project Commencement

- **Pre-construction meetings**
 - Discuss project details and responsible entities involved
 - Marine turtle nest surveys and nest relocation
 - Shorebird surveys
 - Communication between contractor and surveyors



Project Duration

- Progress meetings with authorized entities
 - Status updates
 - Resolve issues



Project Completion

- **Post-construction monitoring:**
 - Marine turtle nest monitoring
 - Lighting surveys
 - Scarp monitoring and remediation
 - Tilling, compaction sampling
- **Coordinate with DEP, USACE, and USFWS to ensure reports are submitted and conditions followed**



Questions?

MarineTurtle@MyFWC.com

Eric.Seckinger@MyFWC.com

<https://myfwc.com/wildlifehabitats/wildlife/sea-turtle/>

