

RE-INITIATION OF CONSULTATION UNDER PROGRAMMATIC BIOLOGICAL OPINIONS

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Florida Shore and Beach Preservation
Association (FSBPA)
Technical Meeting

February 7, 2025



US Army Corps
of Engineers®



AGENDA



- **USACE and the Endangered Species Act (ESA)**
- **Existing USFWS ESA Programmatic Biological Opinions**
- **Project Overview & Success**
- **Goals and Need for Reinitiation**
- **Status of Reinitiation**





USACE AND THE ENDANGERED SPECIES ACT (ESA)



What is the ESA?

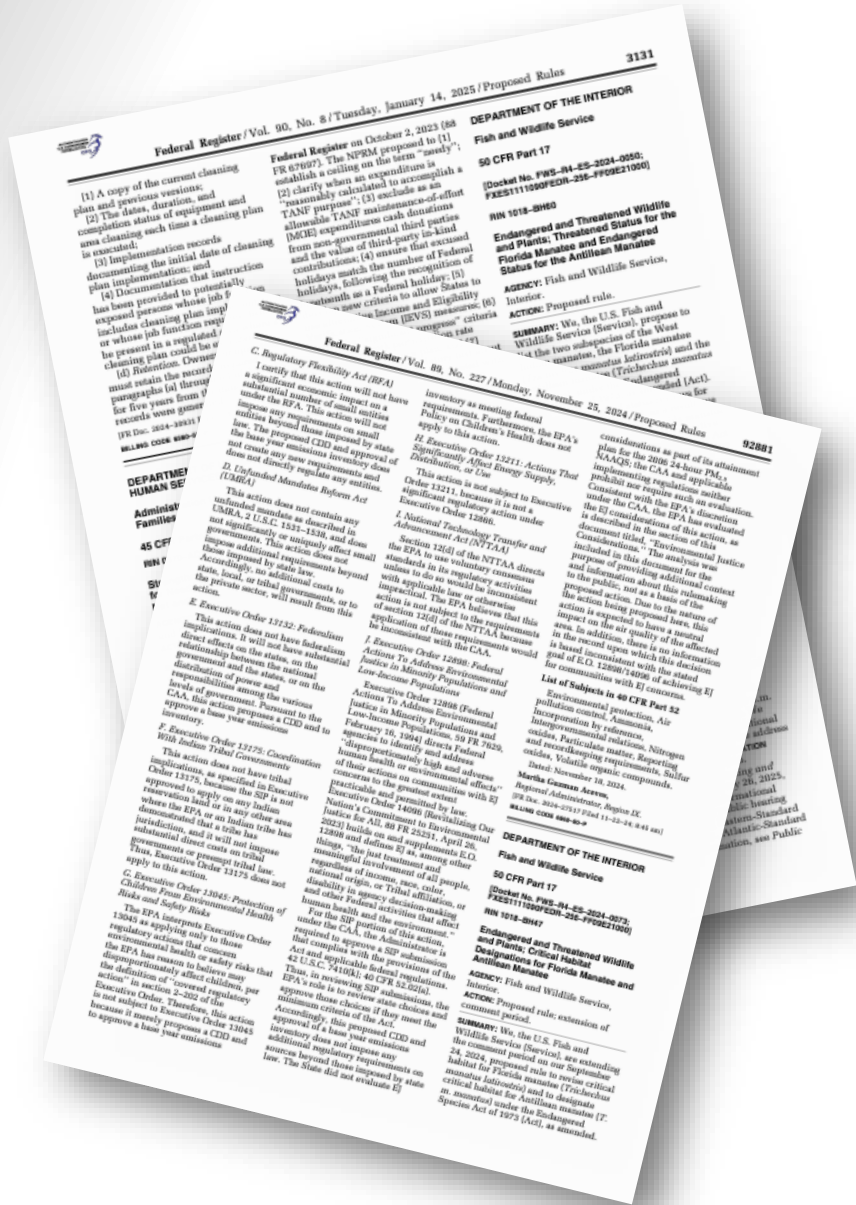
- Enacted in 1973, the purpose of the ESA is to conserve endangered and threatened species and their ecosystems.

What is Section 7?

- Section 7 of the ESA outlines the procedures for Federal interagency cooperation to conserve federally listed species and designated critical habitat.

Section 7- Interagency Cooperation

- ESA Section 7(a)(1)** directs Federal agencies to implement programs for the conservation of threatened and endangered species.
- ESA Section 7(a)(2)** requires Federal agencies to consult with NOAA Fisheries or the US Fish and Wildlife Service when any project or action they take may affect an ESA-listed species or designated critical habitat.





USFWS PROGRAMMATIC BIOLOGICAL OPINIONS



U.S. Fish and Wildlife Service listed species

- Generally terrestrial Federally-listed threatened and endangered species as well as West Indian manatees
- Migratory Bird Treaty Act for nesting birds

Prior to 2011 Individual Biological Opinions

- Issued by USFWS for each individual project
- Redundant consultations and conflicting requirements

Species included in the Programmatic BOs (PBOs)

- Nesting sea turtles, West Indian manatees, piping plover, red knot, and beach mice
- Critical habitat for the above species





USFWS STATEWIDE PROGRAMMATIC BIOLOGICAL OPINION (SPBO)



2011 SPBO

- First PBO to reduce need for individual project BOs for effects to **nesting sea turtles and beach mice** from covered activities

2015 SPBO

- Nesting sea turtles and beach mice but updated Terms and Conditions for nesting sea turtles per county and added loggerhead NW Atlantic DPS and DCH



Activities Covered (anywhere in Florida)

- Beach nourishment of shore protection projects (SPP) / coastal storm risk management (CSRM) projects
- Maintenance dredging of navigation channels with sand placement on beaches
- Repair/rehabilitation of existing jetties and groins



USFWS PIPING PLOVER PROGRAMMATIC BIOLOGICAL OPINION (P3BO)



2013 P3BO

- Effects to [piping plover](#) and its critical habitat resulting from beach placement of sediments
- Extends protections to rufa red knot (as well as other shorebirds)
- Activities in Peninsular Florida



Activities Covered

- Maintenance dredging of navigation channels with sand placement on beaches, dunes, swash zones, and nearshore regions
- Beach construction for coastal storm risk management including extraction from a BOEM lease
- Sand by-passing/back-passing
- Repair/replacement of groins and jetties

DEEP DRAFT NAVIGATION PORTFOLIO

JACKSONVILLE DISTRICT U.S. ARMY CORPS OF ENGINEERS

LEGEND

Navigation – Deep Draft

14 - Deep Draft Harbors

2 - Harbor Improvement Authorized

1 - New/On-going Feasibility Study



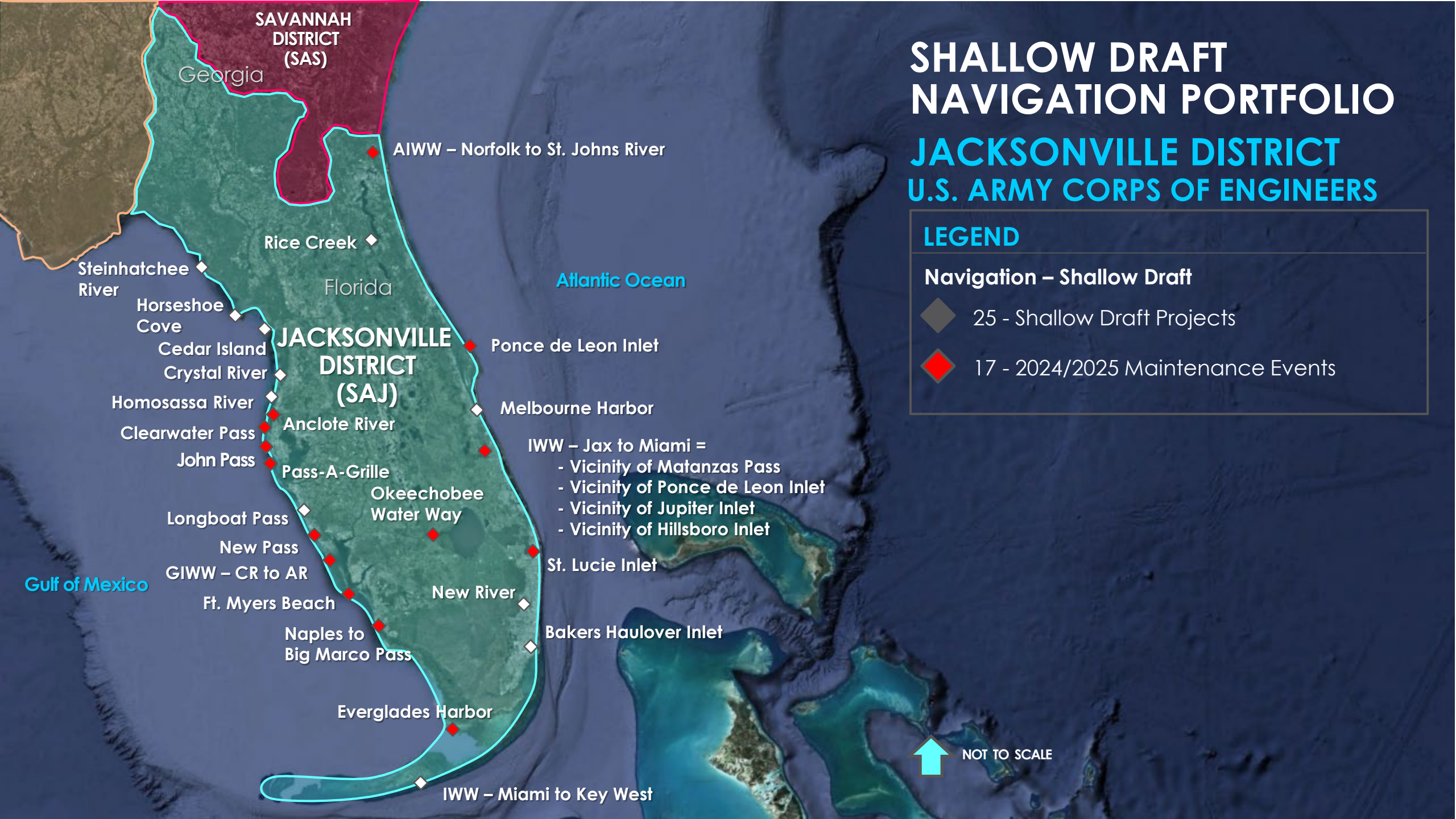
SHALLOW DRAFT NAVIGATION PORTFOLIO

JACKSONVILLE DISTRICT U.S. ARMY CORPS OF ENGINEERS

LEGEND

Navigation – Shallow Draft

- 25 - Shallow Draft Projects
- 17 - 2024/2025 Maintenance Events



NOT TO SCALE





10+ YEARS OF SUCCESS

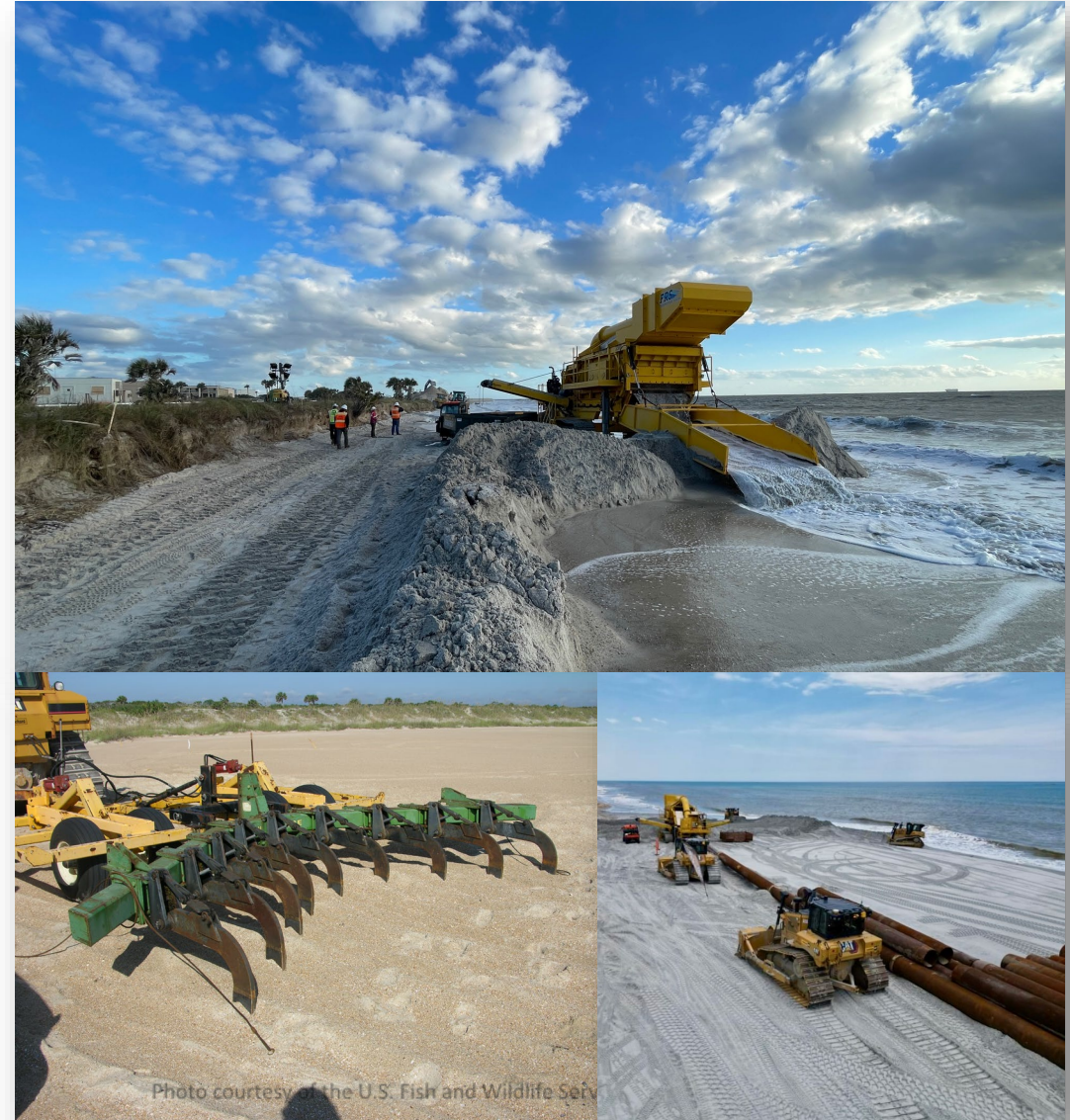


125 miles of beach nourished
across 17 counties

FY2024

October 2023 to September 2024

- Just under 40 miles of beach renourished
- Almost 13 million cubic yards of sand dredged





GOALS AND NEED FOR REINITIATION



SPBO says so!

- *“Reinitiation of formal consultation is also required ten years after the issuance of this SPBO.”*

Combine the SPBO and P3BO

- Letter from USFWS to USACE in May 2023 expressed interest and intent to revise covered activities and conservation measures into one programmatic BO

Clarify existing Terms and Conditions

- Update, revise, and incorporate existing best management practices

Storm events and funding availability

- Storm damages and increased funding since 2018 increased the number of projects completed and coordinated with USFWS under SPBO and P3BO



STATUS OF REINITIATION



Kick Off Discussion

- Held during the annual PBO in October 2024
- Identified primary POCs from USFWS as well as USACE Civil Works and Regulatory SAJ and SAM

Progress Meeting #1

- Held in December 2024
- Revisiting USACE Statewide Programmatic Biological Assessment from 2014 to identify efficiencies in preparing the upcoming Biological Assessment
- Currently brainstorming and consolidating a list of activities to be considered for coverage by the new PBO



Periodic interagency update meetings and well as targeted meetings for specific SPBA updates will be held in the coming months



QUESTIONS

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