

# Beaches Habitat Conservation Plan



May 21, 2008

DEP Bureau of Beaches Training Room

## Participants

Lee Killinger, **Consultant**

Joe Donahue, **FSU**

Steve Shea, **St. Joe**

Patty Kelly, **FWC**

Beth Alvi, **URS**

Bob Deyle, **FSU**

Richard Deadman, **DCA**

Trish Adams, **FWS**

Kat Diersen, **FWC**

Tom Ostertag, **FWC**

Perran Ross, **UF**

Jackie Larso, **DEP**

Phil Worley, **Emergency Management**

Gene Chalecki, **DEP**

Brian Taylor, **URS**

Blair Witherington, **FWC**

Dianna Ferguson, **Association of Counties**

Blair Witherington, **FWC**

Julie Wraithmell, **Audubon**

Peggy Mathews, **Marine Contractors**

## **Tom's Ostertag's Presentation - Coastal Initiative**

### *Questions/ Comments:*

- P. Matthews "Coastal Zone" has specific legal meaning; FWC must clarify its use of term. The CWCI needs to use a different term to describe the area the initiative is addressing.
- How far inland does proposed coastal initiative extend? (Tom- That is still being determined, as of this time the species involved on a local basis will determine how far landward and/or seaward the plan will go.
- Is Coastal Initiative regulatory? (Tom- Possibly but not primarily.)
- Is Dept of Agriculture involved? (Tom- Yes via Dennis Hardin- listed plants)

## **Trish Adams Presentation - HCP's**

### *Questions/ Comments:*

- Comment: The regulatory problem here is vast and we need to understand the regulatory framework.
- Will this be an individual permit application? (no)
- How long will it take? (Application or HCP process? Both will be very time-consuming)
- Will there be an interim permit process as the HCP is developed? (Bob- sea turtle examples)
- Does the HCP influence landward of CCCL?
- Will HCP conditions be incorporated into County Mgt Plans? (possibly)
- Can HCP conditions inform and guide other regulatory regimes landward of CCCL? (hopefully yes)
- Would interim agreements with other jurisdictions also be included?
- Can HCP extend to 'candidate species'? (Yes)
- Can HCP cover COBRA zones? (Yes)
- Question regarding the challenge to the "no surprises" clause. (Trish will look into it further.)
- Comment: Any lighting plans developed may be contentious. (Trish- we can actually play them up as a benefit.)
- What is timeline to develop HCP? (5-10yrs)
- Why so long? (Complexity of issue, expected opposition from interest groups, experience of other HCP's)

- Suggestion that the timeline should be more aggressive. Comments that some initial, obtainable goals should be set.
- Is HCP needed if current CCCL permitting proceeds without FWC difficulties? (Gene Chalecki reviewed current process of DEP consultation with FWS that potentially could require section 7 or 10 findings/biological opinions and delay permits [but apparently rarely does?])
- How often are permits declined based on species other than sea turtles? (They are not.)
- Current models for HCP development? Sonoran Desert in Arizona, Etowah River Basin in Georgia.
- How does the process currently work; i.e., why is take being allowed to happen. (Trish- This HCP may need to include a CCCA to protect state-listed species.)
- Could HCP be developed by regional coastline sections? (Trish- That would be undesirable, better to do all at once despite complexity.)

**Break for lunch 11.50- 1.00pm**

**Gene Chalecki's Presentation - DEP CCCL/JCP**

*Questions/ Comments:*

- How will CCCL respond to sea level change? Will this require legislative changes?
- Several questions on how specific aspects of the CCCL are calculated.
- Comment: We should add "special events" to the list of activities permitted by the CCCL and this should be included in the HCP as well.
- How has DEP changed process and interpretation since 2004/05?
- How is compliance achieved? (Field inspectors.)
- Does the rule covering geotubes allow other species specific regulation?
- What is current status of evaluation of CCCL program?
- Why not integrate JCP into CCCL HCP to cover whole coastal region? (Because JCP already requires compliance through Army Corps section 7 requirements- unnecessary to mix into HCP.)
- Does the Corps of Engineers have to mitigate when they dig channels, etc. (Trish- No, because it is conducted under section 7. It would be worthwhile to see if we could make this HCP pick up some of that responsibility somehow.)
- Can CCCL extend regulatory control over species and habitats? Or is it restricted to building code and activity permitting?

## **Kat Diersen's Presentation - Structure to Address HCP Planning**

### *Questions/ Comments:*

- Comment: We need to clarify exactly what the HCP will try to regulate.
- Importance of contact to counties- Diane a key resource thru Association of Counties.
- Add contact to League of Cities to pick up municipal governments. Diane can advise.
- Are 'trigger species' and 'listed species' the same? (More or less; document will be changed to reflect that)
- Will FWC legal staff be consulted on structure and rule jurisdictions? Yes
- Can Science committee include climate change issues? (Kat- It can and it will.)
- Why is stakeholder committee separate?
- Stakeholder outreach will require expert advice on structure and process to be effective.
- Can Steering Committee and Core working group be combined? (Extensive discussion and some support for this simplification. Further discussion will be had.)
- Burdens on members, particularly those on more than one committee could be a problem.
- There should be an outlet for information for all involved (Kat- URS is developing a website.)
- Integration among committees needed but should not complicate the work of each committee with other groups' issues; e.g. science should be insulated from policy.
- What is the appropriate level of contact for local government? Specifically can county technical people speak for elected commissions? (Usually not- the aim will be to reach decision makers at the county manager level, but not go so high as to have elected officials [whose terms will run out during this process] on the committees.)
- Should out of state expertise be consulted? Are plant experts being included?
- Are there lessons available from other HCP's? (Beth- URS has collected and reviewed a great deal of this info.)
- Future meeting schedule- steering and working committees?
- Kat's planned outreach process to local interests- opportunity for coordination and support.

**Closed at 4.00 pm.**