

**DRAFT BIOLOGICAL ASSESSMENT**

**COLLIER COUNTY  
COMPREHENSIVE WATERSHED IMPROVEMENT PLAN  
COLLIER COUNTY, FLORIDA**

**APPENDIX D: USFWS IPAC TRUST RESOURCES REPORT**

**PROJECT EFFECTS AREA**



# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
South Florida Ecological Services Field Office  
1339 20th Street  
Vero Beach, FL 32960-3559  
Phone: (772) 562-3909 Fax: (772) 562-4288  
<http://fws.gov/verobeach>

In Reply Refer To:

February 17, 2020

Consultation Code: 04EF2000-2020-SLI-0369

Event Code: 04EF2000-2020-E-01336

Project Name: Collier County Comprehensive Watershed Improvement Plan

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

# Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**South Florida Ecological Services Field Office**

1339 20th Street

Vero Beach, FL 32960-3559

(772) 562-3909

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## Project Summary

Consultation Code: 04EF2000-2020-SLI-0369

Event Code: 04EF2000-2020-E-01336

Project Name: Collier County Comprehensive Watershed Improvement Plan

Project Type: LAND - RESTORATION / ENHANCEMENT

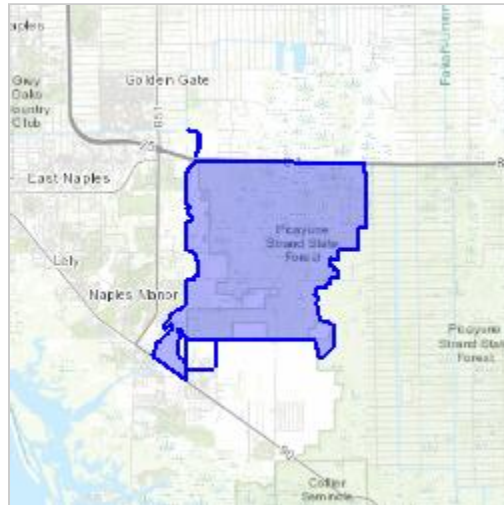
**Project Description:** The proposed project will divert water from Golden Gate Canal (GGC), east of Collier Blvd., in Naples, FL, to rehydrate over 9,000 acres of forested wetland in the Picayune Strand State Forest south of Alligator Alley, located within Rookery Bay watershed. After infiltration and evapotranspiration losses, a fraction of this diverted water will be discharged into the mangrove wetlands of Rookery Bay. The water will be diverted from GGC into I-75 north canal via a proposed flow-way. The water will continue to flow south, into I-75 south canal, through a proposed treatment flow-way, and proposed spreader swale. The spreader swale will release water into the forest as historic overland sheet flow. Through the forest, the flow of water will be driven by topography which slopes gradually from northeast to southwest. After rehydrating the forest, the water remaining after evapotranspiration and infiltration will be collected at the southwest end where it will be safely routed around residential developments through proposed flow ways and will be discharged into U.S. 41. The water will continue to flow south into the Rookery Bay through an existing drainage system.

The project will enhance the hydrology of at least 9,000 acres of the wetland forest that was historically part of a much larger Rookery Bay Watershed draining from the north. Urban development and construction of I-75 cut off the northern third of the watershed, resulting in reduced freshwater flows to Rookery Bay and increased freshwater flows to Naples Bay (via the GGC). This project aims to restore some of the historic hydrology of the area without negatively affecting: on- and off-site flood levels, landowners/private landowners within the project area, water users of the GGC, listed species and their habitat, water quality within the state forest and other natural resources. See Attachment 1: Permit Drawings and Attachment 2: Project Overview for more details. Note: This application is for a conceptual permit only. A permit application with construction level details will be submitted prior to any construction. Currently, Collier County anticipates submitting a permit for construction in late-2020/early-2021 with construction to commence following permit acquisition.

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**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/26.10012835152876N81.62584050554749W>



Counties: Collier, FL

## Endangered Species Act Species

There is a total of 20 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Florida Bonneted Bat <i>Eumops floridanus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8630">https://ecos.fws.gov/ecp/species/8630</a>	Endangered
Florida Panther <i>Puma (=Felis) concolor coryi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1763">https://ecos.fws.gov/ecp/species/1763</a> Habitat assessment guidelines: <a href="https://ecos.fws.gov/ipac/guideline/assessment/population/8/office/41420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/8/office/41420.pdf</a>	Endangered
Puma (=mountain Lion) <i>Puma (=Felis) concolor (all subsp. except coryi)</i> Population: FL No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6049">https://ecos.fws.gov/ecp/species/6049</a>	Similarity of Appearance (Threatened)

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## Birds

NAME	STATUS
<p>Audubon's Crested Caracara <i>Polyborus plancus audubonii</i>            Population: FL pop.            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/8250">https://ecos.fws.gov/ecp/species/8250</a></p>	Threatened
<p>Everglade Snail Kite <i>Rostrhamus sociabilis plumbeus</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/7713">https://ecos.fws.gov/ecp/species/7713</a>            Species survey guidelines:  <a href="https://ecos.fws.gov/ipac/guideline/survey/population/1221/office/41420.pdf">https://ecos.fws.gov/ipac/guideline/survey/population/1221/office/41420.pdf</a></p>	Endangered
<p>Florida Scrub-jay <i>Aphelocoma coerulescens</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6174">https://ecos.fws.gov/ecp/species/6174</a></p>	Threatened
<p>Ivory-billed Woodpecker <i>Campephilus principalis</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/8230">https://ecos.fws.gov/ecp/species/8230</a></p>	Endangered
<p>Red Knot <i>Calidris canutus rufa</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a></p>	Threatened
<p>Red-cockaded Woodpecker <i>Picoides borealis</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/7614">https://ecos.fws.gov/ecp/species/7614</a></p>	Endangered
<p>Wood Stork <i>Mycteria americana</i>            Population: AL, FL, GA, MS, NC, SC            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/8477">https://ecos.fws.gov/ecp/species/8477</a>            Habitat assessment guidelines:  <a href="https://ecos.fws.gov/ipac/guideline/assessment/population/124/office/41420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/124/office/41420.pdf</a></p>	Threatened

## Reptiles

NAME	STATUS
<p>American Alligator <i>Alligator mississippiensis</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/776">https://ecos.fws.gov/ecp/species/776</a></p>	Similarity of Appearance (Threatened)
<p>American Crocodile <i>Crocodylus acutus</i>            Population: U.S.A. (FL)            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6604">https://ecos.fws.gov/ecp/species/6604</a></p>	Threatened
<p>Eastern Indigo Snake <i>Drymarchon corais couperi</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/646">https://ecos.fws.gov/ecp/species/646</a></p>	Threatened
<p>Loggerhead Sea Turtle <i>Caretta caretta</i>            Population: Northwest Atlantic Ocean DPS            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/1110">https://ecos.fws.gov/ecp/species/1110</a></p>	Threatened

## Fishes

NAME	STATUS
<p>Atlantic Sturgeon (gulf Subspecies) <i>Acipenser oxyrinchus (=oxyrhynchus) desotoi</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/651">https://ecos.fws.gov/ecp/species/651</a></p>	Threatened

## Insects

NAME	STATUS
<p>Bartram's Hairstreak Butterfly <i>Strymon acis bartrami</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/4837">https://ecos.fws.gov/ecp/species/4837</a></p>	Endangered
<p>Florida Leafwing Butterfly <i>Anaea troglodyta floridalis</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6652">https://ecos.fws.gov/ecp/species/6652</a></p>	Endangered
<p>Miami Blue Butterfly <i>Cyclargus (=Hemiargus) thomasi bethunebakeri</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3797">https://ecos.fws.gov/ecp/species/3797</a></p>	Endangered

## Flowering Plants

NAME	STATUS
Florida Prairie-clover <i>Dalea carthagenensis floridana</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2300">https://ecos.fws.gov/ecp/species/2300</a>	Endangered
Garber's Spurge <i>Chamaesyce garberi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8229">https://ecos.fws.gov/ecp/species/8229</a>	Threatened

## Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
West Indian Manatee <i>Trichechus manatus</i> For information on why this critical habitat appears for your project, even though West Indian Manatee is not on the list of potentially affected species at this location, contact the local field office. <a href="https://ecos.fws.gov/ecp/species/4469#crithab">https://ecos.fws.gov/ecp/species/4469#crithab</a>	Final

**RECEIVING WATERS**



# United States Department of the Interior



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In Reply Refer To:

February 17, 2020

Consultation Code: 04EF2000-2020-SLI-0417

Event Code: 04EF2000-2020-E-01335

Project Name: Collier County Comprehensive Watershed Improvement Plan - Receiving Waters

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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## Project Summary

Consultation Code: 04EF2000-2020-SLI-0417

Event Code: 04EF2000-2020-E-01335

Project Name: Collier County Comprehensive Watershed Improvement Plan - Receiving Waters

Project Type: LAND - RESTORATION / ENHANCEMENT

Project Description: The proposed project will divert water from Golden Gate Canal (GGC), east of Collier Blvd., in Naples, FL, to rehydrate over 9,000 acres of forested wetland in the Picayune Strand State Forest south of Alligator Alley, located within Rookery Bay watershed. After infiltration and evapotranspiration losses, a fraction of this diverted water will be discharged into the mangrove wetlands of Rookery Bay. The water will be diverted from GGC into I-75 north canal via a proposed flow-way. The water will continue to flow south, into I-75 south canal, through a proposed treatment flow-way, and proposed spreader swale. The spreader swale will release water into the forest as historic overland sheet flow. Through the forest, the flow of water will be driven by topography which slopes gradually from northeast to southwest. After rehydrating the forest, the water remaining after evapotranspiration and infiltration will be collected at the southwest end where it will be safely routed around residential developments through proposed flow ways and will be discharged into U.S. 41. The water will continue to flow south into the Rookery Bay through an existing drainage system.

The project will enhance the hydrology of at least 9,000 acres of the wetland forest that was historically part of a much larger Rookery Bay Watershed draining from the north. Urban development and construction of I-75 cut off the northern third of the watershed, resulting in reduced freshwater flows to Rookery Bay and increased freshwater flows to Naples Bay (via the GGC). This project aims to restore some of the historic hydrology of the area without negatively affecting: on- and off-site flood levels, landowners/private landowners within the project area, water users of the GGC, listed species and their habitat, water quality within the state forest and other natural resources. See Attachment 1: Permit Drawings and Attachment 2: Project Overview for more details. Note: This application is for a conceptual permit only. A permit application with construction level details will be submitted prior to any construction. Currently, Collier County anticipates submitting a permit for

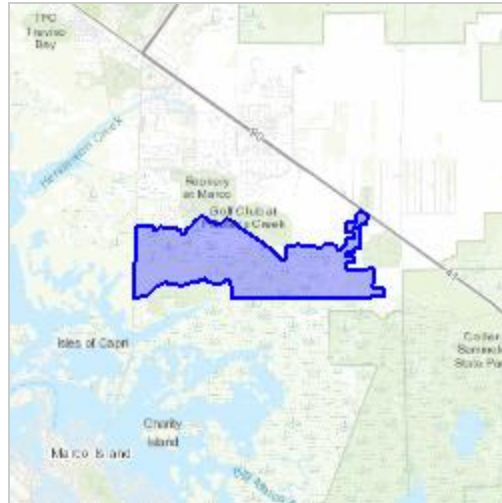
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construction in late-2020/early-2021 with construction to commence following permit acquisition.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/26.009468109741054N81.68052678413491W>



Counties: Collier, FL

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## Endangered Species Act Species

There is a total of 20 threatened, endangered, or candidate species on this species list.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Florida Bonneted Bat <i>Eumops floridanus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8630">https://ecos.fws.gov/ecp/species/8630</a>	Endangered
Florida Panther <i>Puma (=Felis) concolor coryi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1763">https://ecos.fws.gov/ecp/species/1763</a> Habitat assessment guidelines: <a href="https://ecos.fws.gov/ipac/guideline/assessment/population/8/office/41420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/8/office/41420.pdf</a>	Endangered
Puma (=mountain Lion) <i>Puma (=Felis) concolor (all subsp. except coryi)</i> Population: FL No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6049">https://ecos.fws.gov/ecp/species/6049</a>	Similarity of Appearance (Threatened)
West Indian Manatee <i>Trichechus manatus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. <b><i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i></b> Species profile: <a href="https://ecos.fws.gov/ecp/species/4469">https://ecos.fws.gov/ecp/species/4469</a>	Threatened

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## Birds

NAME	STATUS
Florida Scrub-jay <i>Aphelocoma coerulescens</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6174">https://ecos.fws.gov/ecp/species/6174</a>	Threatened
Ivory-billed Woodpecker <i>Campephilus principalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8230">https://ecos.fws.gov/ecp/species/8230</a>	Endangered
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1864">https://ecos.fws.gov/ecp/species/1864</a>	Threatened
Red-cockaded Woodpecker <i>Picoides borealis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7614">https://ecos.fws.gov/ecp/species/7614</a>	Endangered
Wood Stork <i>Mycteria americana</i> Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8477">https://ecos.fws.gov/ecp/species/8477</a> Habitat assessment guidelines: <a href="https://ecos.fws.gov/ipac/guideline/assessment/population/124/office/41420.pdf">https://ecos.fws.gov/ipac/guideline/assessment/population/124/office/41420.pdf</a>	Threatened

## Reptiles

NAME	STATUS
<p>American Alligator <i>Alligator mississippiensis</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/776">https://ecos.fws.gov/ecp/species/776</a></p>	Similarity of Appearance (Threatened)
<p>American Crocodile <i>Crocodylus acutus</i>            Population: U.S.A. (FL)            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6604">https://ecos.fws.gov/ecp/species/6604</a></p>	Threatened
<p>Eastern Indigo Snake <i>Drymarchon corais couperi</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/646">https://ecos.fws.gov/ecp/species/646</a></p>	Threatened
<p>Loggerhead Sea Turtle <i>Caretta caretta</i>            Population: Northwest Atlantic Ocean DPS            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/1110">https://ecos.fws.gov/ecp/species/1110</a></p>	Threatened

## Fishes

NAME	STATUS
<p>Atlantic Sturgeon (gulf Subspecies) <i>Acipenser oxyrinchus (=oxyrhynchus) desotoi</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/651">https://ecos.fws.gov/ecp/species/651</a></p>	Threatened

## Insects

NAME	STATUS
<p>Bartram's Hairstreak Butterfly <i>Strymon acis bartrami</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/4837">https://ecos.fws.gov/ecp/species/4837</a></p>	Endangered
<p>Florida Leafwing Butterfly <i>Anaea troglodyta floridalis</i>            There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat.            Species profile: <a href="https://ecos.fws.gov/ecp/species/6652">https://ecos.fws.gov/ecp/species/6652</a></p>	Endangered
<p>Miami Blue Butterfly <i>Cyclargus (=Hemiargus) thomasi bethunebakeri</i>            No critical habitat has been designated for this species.            Species profile: <a href="https://ecos.fws.gov/ecp/species/3797">https://ecos.fws.gov/ecp/species/3797</a></p>	Endangered

## Flowering Plants

NAME	STATUS
<p>Florida Prairie-clover <i>Dalea carthagenensis floridana</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/2300">https://ecos.fws.gov/ecp/species/2300</a></p>	Endangered
<p>Garber's Spurge <i>Chamaesyce garberi</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/8229">https://ecos.fws.gov/ecp/species/8229</a></p>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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