



# FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

ST. JOHNS COUNTY  
4020 LEWIS SPEEDWAY  
ST. AUGUSTINE, FLORIDA 32084

TELEPHONE: 904/823-2509  
FACSIMILE: 904/823-2507

2. AUTHORITY-STATUTES

16 USC 1539(a)(1)(B)

REGULATIONS (Attached)

50 CFR §§ 13 & 17

3. NUMBER

TE091980-0

4. RENEWABLE

YES

NO

5. MAY COPY

YES

NO

6. EFFECTIVE

8/4/2006

7. EXPIRES

8/31/2026

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)

9. TYPE OF PERMIT

THREATENED AND ENDANGERED SPECIES  
- INCIDENTAL TAKE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

THE ATLANTIC COASTLINE OF ST. JOHNS COUNTY, FLORIDA. THE SPECIFIC GEOGRAPHIC AREA COVERED BY THIS PERMIT IS DEFINED IN CONDITION 11.E, BELOW.

11. CONDITIONS AND AUTHORIZATIONS:

- A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.
- B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL OR OTHER FEDERAL LAW.
- C. VALID FOR USE BY PERMITTEE NAMED ABOVE, AND AUTHORIZED AGENTS.
- D. ACCEPTANCE OF THIS PERMIT SERVES AS EVIDENCE THAT THE PERMITTEE AND ITS AUTHORIZED AGENTS UNDERSTAND AND AGREE TO ABIDE BY THE TERMS OF THIS PERMIT AND ALL SECTIONS OF TITLE 50 CODE OF FEDERAL REGULATIONS, PARTS 13 AND 17, PERTINENT TO ISSUED PERMITS. SECTION 11 OF THE ENDANGERED SPECIES ACT OF 1973, AS AMENDED, PROVIDES FOR CIVIL AND CRIMINAL PENALTIES FOR FAILURE TO COMPLY WITH PERMIT CONDITIONS.

XX BLOCK 11 OF THIS PERMIT CONTAINS CONDITIONS A - S (19 PAGES TOTAL).

12. REPORTING REQUIREMENTS

REPORTS WILL BE PROVIDED TO THE U.S. FISH AND WILDLIFE SERVICE OFFICES APPEARING IN CONDITIONS 11.Q AND 11.R OF THIS PERMIT.

ISSUED BY

TITLE

DEPUTY REGIONAL DIRECTOR, FWS,  
SOUTHEAST REGION

DATE

8/15/06

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## Block 11:

- E. The Permittee has defined the geographic area covered by its Habitat Conservation Plan (HCP) in two ways. The first is the "Plan Area," which is described in the HCP as about 41.1 miles of coastal beaches, and includes the entire length of the coastline within the boundaries of St. Johns County, except for the coastline seaward of Fort Matanzas National Monument. The second is the "County Beaches" which refers to those coastline areas within the Plan Area and under the direct jurisdiction, or within the legal access, of the Permittee. The County Beaches encompass about 28.6 miles of coastline within the Plan Area. The western boundary of both the Plan Area and County Beaches is delimited by the Coastal Construction Control Line as defined by the Florida Beach and Shore Preservation Act of 1998 (Chapter 161, Florida Statutes). The eastern limit is delimited by the mean low water line of the Atlantic Ocean.

Status surveys and/or annual monitoring indicate that the Plan Area provides feeding, breeding, and sheltering habitat (beach mouse) and nesting habitat (sea turtles) for the following covered species:

<u>Common Name</u>	<u>Scientific Name</u>
Anastasia Island beach mouse	<i>Peromyscus polionotus phasma</i>
Loggerhead sea turtle	<i>Caretta caretta</i>
Green sea turtle	<i>Chelonia mydas</i>
Leatherback sea turtle	<i>Dermochelys coriacea</i>
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>

- F. The Permittee, and its designated agents, successors, and assigns, are authorized to take, in the form of harassment, harm, or mortality the covered species incidental to the activities as described in the Permittee's HCP and as conditioned herein. This Permit does not authorize take of any covered species resulting from unlawful activities, including activities that are not described in the HCP.

This Permit is based upon the Permittee's expected compliance with the provisions and commitments established in the HCP and the stated terms and conditions of the Permit, as set forth herein. Where a conflict occurs between the HCP and this Permit, the Permit shall control.

Subject to the continuing validity of this Permit, the following types of incidental take are authorized herein:

1. Harassment, injury, and/or death to Anastasia Island beach mice resulting from collisions and/or interactions with emergency, public safety, wildlife

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F. 1. (Continued).

- protection, and/or other official vehicles operating within the Plan Area. Official vehicles include those operated by Code Enforcement personnel and/or County staff charged with implementing and managing the HCP and this Permit or conducting other official County business.
2. Harassment, injury, and/or death to Anastasia Island beach mice resulting from public vehicles operating within the Plan Area in designated traffic lane/driving area(s) or ramp grading area(s).
  3. Habitat destruction or alteration, harassment, injury, and/or death to Anastasia Island beach mice within the Plan Area due to activities associated with placement of trash receptacles; placement of portable toilets and portable toilet trailers; and/or beach maintenance activities, including ramp maintenance.
  4. Habitat destruction or alteration, harassment, injury, and/or death to Anastasia Island beach mice within the Plan Area due to excavation, physical crushing, and/or burial during vehicular activities associated with removal of hazardous material, debris, and/or obstacles from the beach that pose a public health or safety risk; scientific monitoring and studies; placement and maintenance of permanent and/or portable signs used for regulating beach access, on-beach traffic, and other HCP-required conservation measures; placement and maintenance of permanent and/or temporary lifeguard stands, signage, and other physical structures used for public safety operations; State and federally permitted coastal construction projects that will not result in the unauthorized take of federally listed species; and/or other vehicular activities approved by the U.S. Fish and Wildlife Service.
  5. Habitat destruction or alteration, harassment, injury, and/or death to Anastasia Island beach mice within the Plan Area resulting from physical interaction with signs and structures used for traffic management, public safety, or public awareness.
  6. Harassment, injury, and/or death to sea turtle eggs and/or hatchlings resulting from public vehicles driving over undetected and unmarked sea turtle nests located in designated traffic lane/driving area(s) or ramp grading area(s) within the Plan Area.
  7. Harassment, injury, and/or death to sea turtle eggs and/or hatchlings

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F. 7. (Continued).

- resulting from emergency, public safety, wildlife protection, and/or other official vehicles driving over undetected and unmarked sea turtle nests located within the Plan Area. Official vehicles include those operated by Code Enforcement personnel and/or County staff charged with implementing and managing the HCP or conducting other official County business.
8. Harassment, injury, and/or death to sea turtle eggs and/or hatchlings resulting from emergency and/or safety vehicles driving over marked sea turtle nests located within the Plan Area.
  9. Harassment, injury, and/or death to hatchling sea turtles emerging from undetected and unmarked nests in the Plan Area and subsequently encountering vehicle ruts.
  10. Harassment, injury, and/or death to hatchling sea turtles emerging from marked nests in the Plan Area and subsequently encountering vehicle ruts in areas where rut removal was not performed due to circumstances beyond the control of the Applicant, including, but not limited to, dangerous weather conditions, extreme high tides, equipment failure, vandalism of nest barriers, and hatchling emergence prior to the scheduled date/time for initiation of rut removal activities.
  11. Harassment, injury, and/or death to hatchling sea turtles emerging from marked nests in the Plan Area and subsequently encountering vehicle ruts in areas where rut removal was performed in conformance with the terms and conditions of this Permit.
  12. Harassment, injury, and/or death to adult, hatchling, stranded, or post-hatchling washback sea turtles resulting from collisions with emergency, safety, wildlife protection, and/or other official vehicles operating within the Plan Area.
  13. Harassment of adult, hatchling, stranded, or post-hatchling washback sea turtles resulting from vehicle headlights or in-vehicle handheld lights, while in motion or at rest for less than one minute. Official vehicles include those operated by Code Enforcement personnel and/or County staff charged with implementing and managing the HCP and this Permit or conducting other official County business.

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Block 11:

F. (Continued).

14. Harassment, injury, and/or death to adult female sea turtles attempting to nest within the Plan Area between 8:00 a.m. and 8:00 p.m., resulting from collisions with vehicles operated by the general public.
15. Harassment, injury and/or death to adult female sea turtles attempting to nest within the Plan area between 5:00 am and 10:00 pm, resulting from collisions with vehicles operated by authorized Commercial Fishermen, pursuant to the terms and conditions of this Permit.
16. Harassment, injury, and/or death to hatchling sea turtles emerging from nests within the Plan Area between 8:00 a.m. to 8:00 p.m., resulting from collisions with vehicles operated by the general public.
17. Harassment, injury and/or death to hatchling sea turtles emerging from the nest and/or crawling on the beaches within the Plan area to the ocean between 5:00 am and 10:00 pm, resulting from collisions with vehicles operated by authorized Commercial Fishermen, pursuant to the terms and conditions of this Permit.
18. Harassment, injury, and/or death to post-hatchling washback sea turtles resulting from collisions with vehicles operated by the general public.
19. Harassment, injury, and/or death to adult, hatchling, stranded, or post-hatchling washback sea turtles resulting from public nighttime driving from the north side of Vilano Road beach access ramp to the southwestern tip of Porpoise Point from 8:00 p.m. on July 4, until 1:00 a.m. on July 5, of each year.
20. Harassment, injury, and/or death to adult sea turtles attempting to nest in the Plan Area related to physical changes in beach conditions resulting from vehicles operating in the Plan Area, pursuant to the terms and conditions of this Permit. Changes in beach conditions include, but are not limited to, increased sand compaction and the presence of ruts, both of which might result in physiological stress to nesting turtles through reduced nesting success (percentage of crawls resulting in nests), increased digging attempts, and/or increased energy expenditure during nest construction.
21. Harassment, injury, and/or death to sea turtle eggs and/or hatchlings in undetected and unmarked nests within the Plan Area due to physical crushing by activities associated with marking the established

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