MS N				
DIRECTION	-	Innerarity Island Conservation Easement Escambia County, Florida		
20	Salt Marsh	Innerarity Island C Escambia County,	July 12th, 2024	
PHOTO POINT	DESCRIPTION	PROPERTY	DATE	



APPENDIX 3 THREATENED & ENGANGERED SPECIES



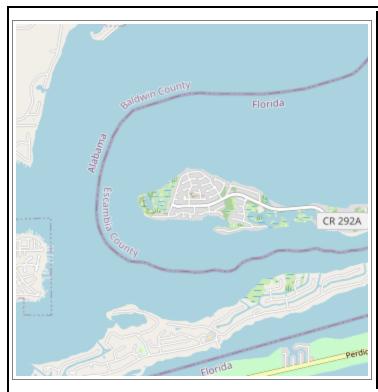
Florida Natural Areas Inventory Biodiversity Matrix Query Results UNOFFICIAL REPORT

Created 7/29/2024

(Contact the FNAI Data Services Coordinator at 850.224.8207 or kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 3 Matrix Units: 131, 163, 196



Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

- documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; or
- there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 131

0 Documented Elements Found

0 Documented-Historic Elements Found

1 Likely Element Found

Scientific and Common Names	Global	State	Federal	State
	Rank	Rank	Status	Listing
Mesic flatwoods	G4	S4	N	N

Matrix Unit ID: 163

0 Documented Elements Found

0 Documented-Historic Elements Found

1 Likely Element Found

:	Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing	
Į,	Mesic flatwoods	G4	S4	N	N	

Matrix Unit ID: 196

0 **Documented** Elements Found

0 Documented-Historic Elements Found

1 Likely Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing	
Mesic flatwoods	G4	S4	N	N	

Matrix Unit IDs: 131, 163, 196

11 Potential Elements Common to Any of the 3 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<u>Acipenser oxyrinchus desotoi</u> Gulf Sturgeon	G3T2T3	S2?	Т	FT
<u>Chrysopsis godfreyi</u> Godfrey's goldenaster	G2	S2	N	Е
<u>Dermochelys coriacea</u> Leatherback Sea Turtle	G2	S2	Е	FE
<u>Fundulus jenkinsi</u> Saltmarsh Topminnow	G3	S2	N	ST
Gopherus polyphemus Gopher Tortoise	G3	S3	С	ST
<u>Lilium iridollae</u> Panhandle lily	G3	S3	N	Е
<i>Nerodia clarkii clarkii</i> Gulf Salt Marsh Snake	G4T3	S2	N	N
Polygonella macrophylla large-leaved jointweed	G3	S3	N	Т
Rallus longirostris scottii Florida Clapper Rail	G5T3?	S3?	N	N
<u>Rhexia parviflora</u> small-flowered meadowbeauty	G2G3	S2	N	Е
<u>Xyris scabrifolia</u> Harper's yellow-eyed grass	G3	S3	N	Т

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a Standard Data Request option for those needing certifiable data.

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Escambia County, Florida



Local office

Florida Ecological Services Field Office

\((352) 448-9151

(772) 562-4288

<u>fw4flesregs@fws.gov</u>

NOT FOR CONSULTATION

777 37th St Suite D-101 Vero Beach, FL 32960-3559

https://www.fws.gov/office/florida-ecological-services

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the <u>Ecological Services Program</u> of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact <u>NOAA Fisheries</u> for <u>species under their jurisdiction</u>.

1. Species listed under the <u>Endangered Species Act</u> are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the <u>listing status page</u> for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME STATUS

Northern Long-eared Bat Myotis septentrionalis

Wherever found

This species only needs to be considered if the following condition applies:

• This species only needs to be considered if the project includes wind turbine operations.

No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9045

West Indian Manatee Trichechus manatus

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/4469

Endangered

Threatened

Marine mammal

Birds

NAME STATUS

Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/10477

Threatened

Reptiles

NAME STATUS

Alligator Snapping Turtle Macrochelys temminckii

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/4658

Proposed Threatened

Eastern Indigo Snake Drymarchon couperi

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/646

Threatened

Fishes

NAME STATUS

Gulf Sturgeon Acipenser oxyrinchus (=oxyrhynchus) desotoi

adii stargeon riciperiser oxymnenas (oxymnymenas) aesoto

Wherever found

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

https://ecos.fws.gov/ecp/species/651

Threatened

Insects

NAME STATUS

Monarch Butterfly Danaus plexippus

Candidate

Wherever found

No critical habitat has been designated for this species.

https://ecos.fws.gov/ecp/species/9743

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below.

Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds
 https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to <u>Bald Eagle Nesting and Sensitivity to Human Activity</u>

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME BREEDING SEASON

Bald Eagle Haliaeetus leucocephalus

Breeds Sep 1 to Jul 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/1626

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (=)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

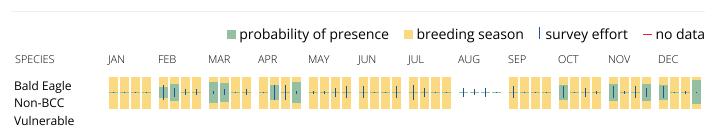
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply). To see a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

What does IPaC use to generate the probability of presence graphs of bald and golden eagles in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey</u>, <u>banding</u>, <u>and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the <u>Eagle Act</u> should such impacts occur. Please contact your local Fish and Wildlife Service Field Office if you have questions.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.

Additional information can be found using the following links:

• Eagle Management https://www.fws.gov/program/eagle-management

- Measures for avoiding and minimizing impacts to birds
 https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC <u>https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action</u>

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME BREEDING SEASON

American Kestrel Falco sparverius paulus

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9587

Breeds Apr 1 to Aug 31

Bald Eagle Haliaeetus leucocephalus

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds Sep 1 to Jul 31

https://ecos.fws.gov/ecp/species/1626

Black Scoter Melanitta nigra

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Black Skimmer Rynchops niger

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

https://ecos.fws.gov/ecp/species/5234

Breeds May 20 to Sep 15

Brown Pelican Pelecanus occidentalis

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/6034

Breeds Jan 15 to Sep 30

Brown-headed Nuthatch Sitta pusilla

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Mar 1 to Jul 15

Chimney Swift Chaetura pelagica

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Mar 15 to Aug 25

Chuck-will's-widow Antrostomus carolinensis

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 10 to Jul 10

Coastal (wayne s) Black-throated Green Warbler

Setophaga virens waynei

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds May 1 to Aug 15

Common Loon gavia immer

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/4464

Breeds Apr 15 to Oct 31

Double-crested Cormorant phalacrocorax auritus

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

https://ecos.fws.gov/ecp/species/3478

Breeds Apr 20 to Aug 31

Gull-billed Tern Gelochelidon nilotica

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9501

Breeds May 1 to Jul 31

Kentucky Warbler Geothlypis formosa

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 20 to Aug 20

Least Tern Sternula antillarum antillarum

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 25 to Sep 5

Magnificent Frigatebird Fregata magnificens

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Painted Bunting Passerina ciris

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds Apr 25 to Aug 15

Prairie Warbler Setophaga discolor

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 1 to Jul 31

Prothonotary Warbler Protonotaria citrea

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 1 to Jul 31

Red-breasted Merganser Mergus serrator

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Red-headed Woodpecker Melanerpes erythrocephalus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Sep 10

Ring-billed Gull Larus delawarensis

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Royal Tern Thalasseus maximus

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds Apr 15 to Aug 31

Ruddy Turnstone Arenaria interpres morinella

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Semipalmated Sandpiper Calidris pusilla

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Breeds elsewhere

Short-billed Dowitcher Limnodromus griseus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480

Breeds elsewhere

South Polar Skua Stercorarius maccormicki

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Surf Scoter Melanitta perspicillata

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Swallow-tailed Kite Elanoides forficatus

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8938

Breeds Mar 10 to Jun 30

White-winged Scoter Melanitta fusca

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds elsewhere

Willet Tringa semipalmata

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds Apr 20 to Aug 5

Wood Thrush Hylocichla mustelina

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Breeds May 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

- 1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
- 2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern (BCC)</u> and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the <u>Avian Knowledge Network (AKN)</u>. The AKN data is based on a growing collection of <u>survey, banding, and citizen science datasets</u> and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (<u>Eagle Act</u> requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the <u>Rapid Avian Information Locator (RAIL) Tool</u>.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the <u>Avian Knowledge Network (AKN)</u>. This data is derived from a growing collection of <u>survey, banding, and citizen science datasets</u>.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the <u>RAIL Tool</u> and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are <u>Birds of Conservation Concern</u> (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

- 2. "BCC BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA: and
- 3. "Non-BCC Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the <u>Eagle Act</u> requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the <u>Northeast Ocean Data Portal</u>. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the <u>NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.</u>

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the <u>Diving Bird Study</u> and the <u>nanotag studies</u> or contact <u>Caleb Spiegel</u> or <u>Pam Loring</u>.

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Marine mammals

Marine mammals are protected under the <u>Marine Mammal Protection Act</u>. Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the <u>Marine Mammals</u> page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

- 1. The Endangered Species Act (ESA) of 1973.
- 2. The <u>Convention on International Trade in Endangered Species of Wild Fauna and Flora</u> (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
- 3. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following marine mammals under the responsibility of the U.S. Fish and Wildlife Service are potentially affected by activities in this location:

NAME

West Indian Manatee Trichechus manatus https://ecos.fws.gov/ecp/species/4469

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the <u>National Wildlife Refuge</u> system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (NWI)

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

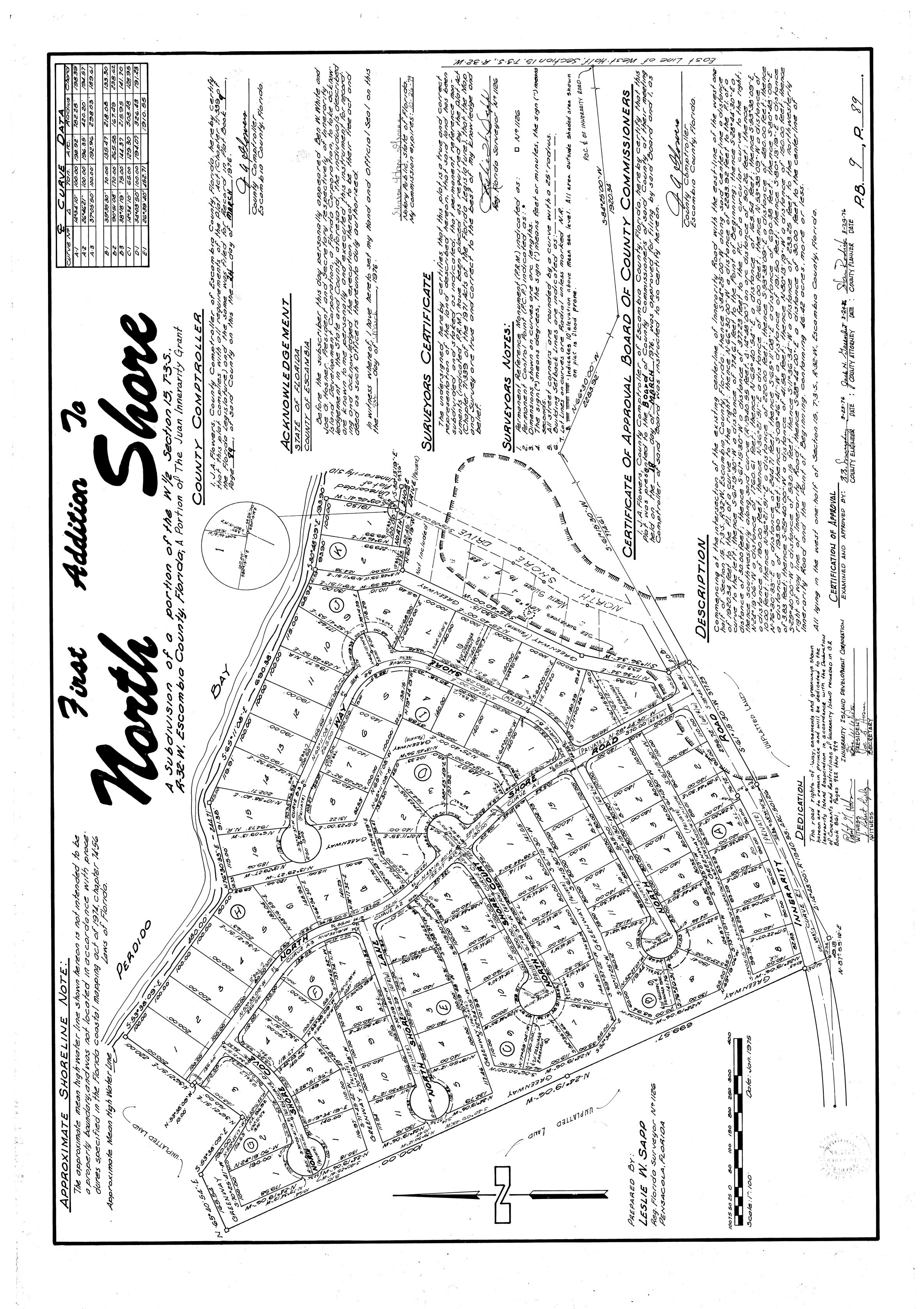
Wetland information is not available at this time

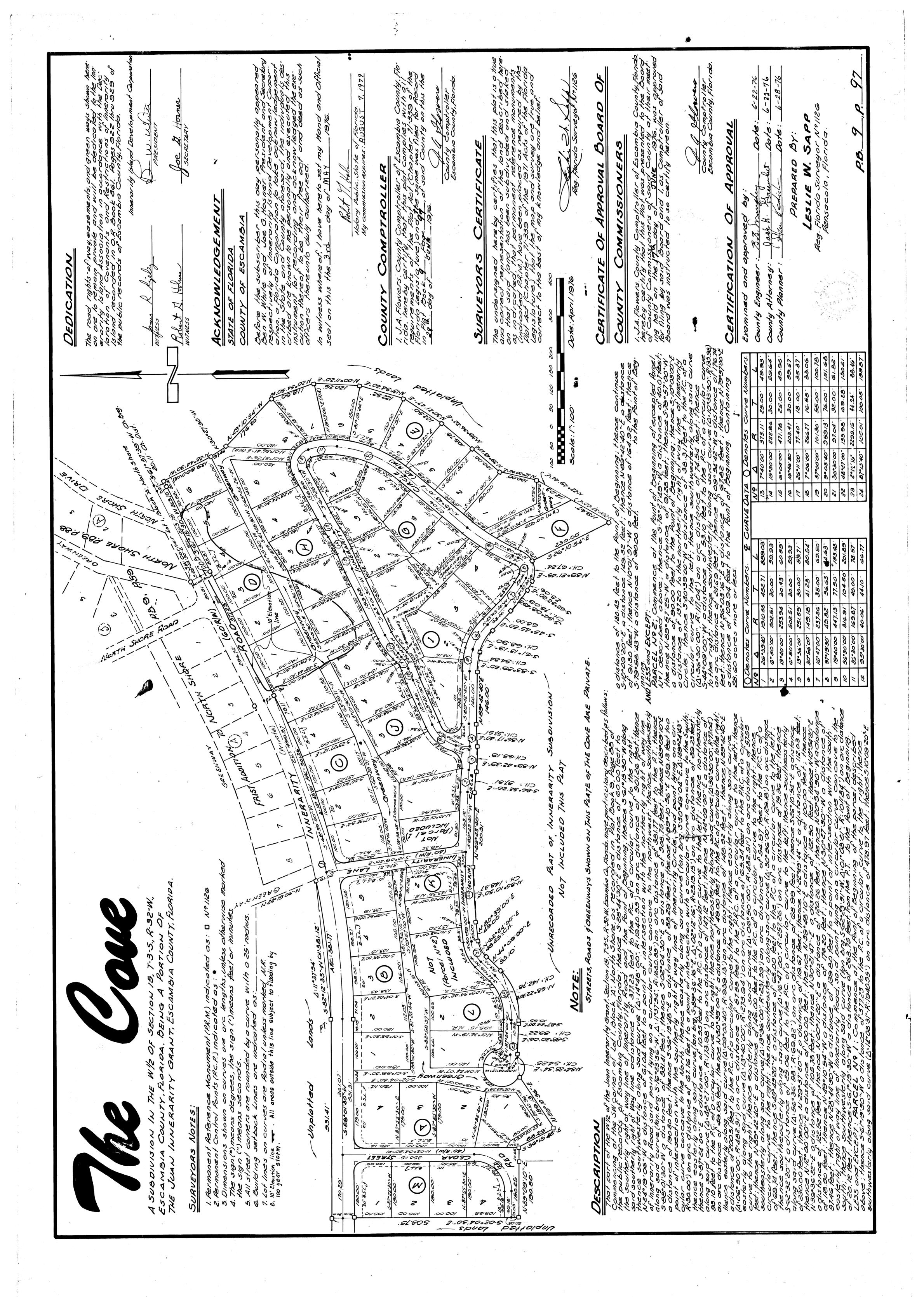
This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the <u>NWI map</u> to view wetlands at this location.

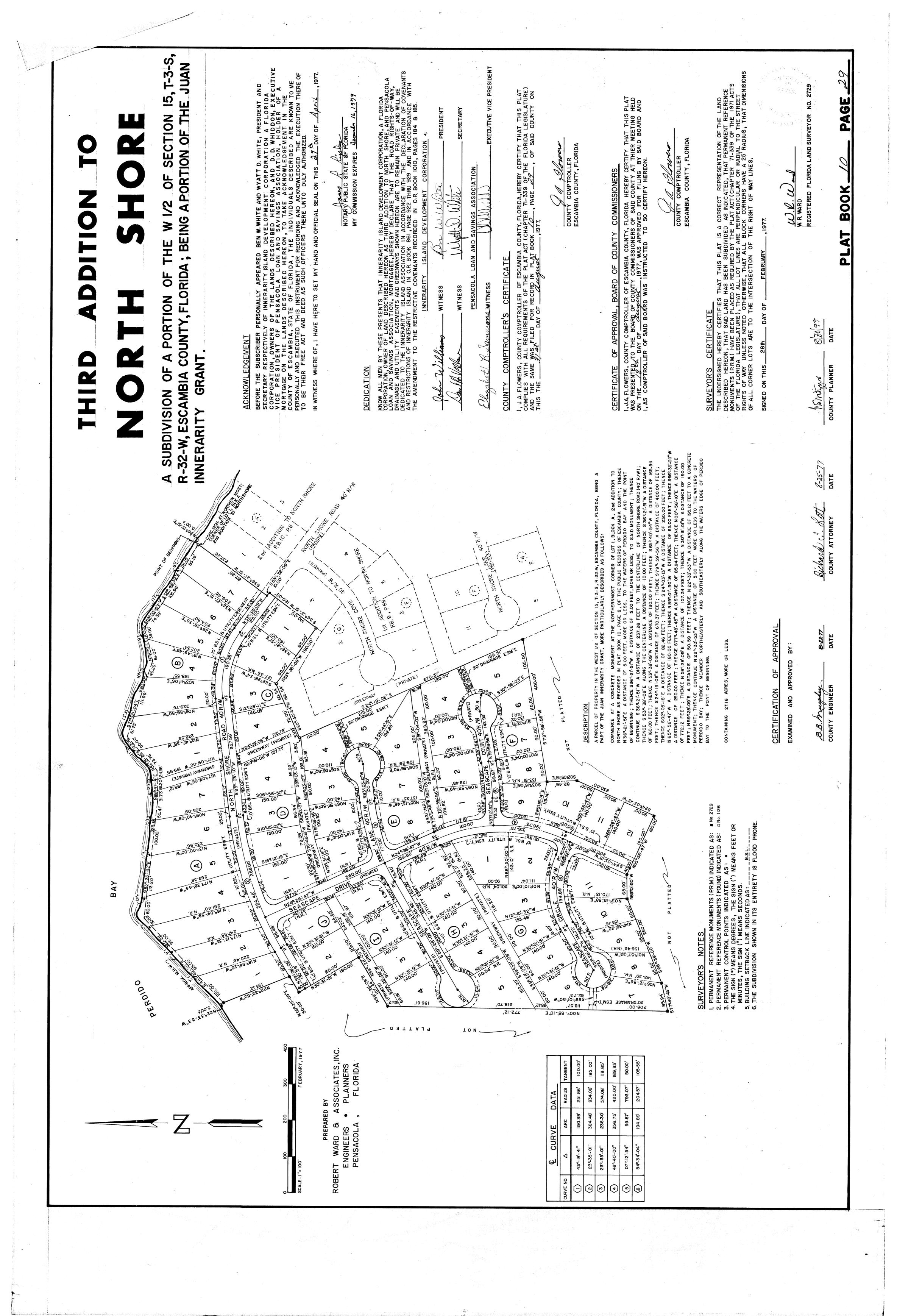
Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

APPENDIX 4 BOUNDARY DRAWING







,T-3-S, JUAN 出 SECTION 15 OF COUNTY, FLORIDA; BEING A PORTION OF **▼ 1/2** OF THE **3DIVISION OF A PORTION** GRANT W, ESCAMBIA RARITY

BEFORE THE SUBSCRIBER PERSONALLY APPEARED BEN W. WHITE AND WYATT D. WHITE, PRESIDENT AND SECRETARY RESPECTIVELY OF INNERARITY ISLAND DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, OWNERS OF THE LANDS DESCRIBED HEREON, AND ROBERT F. MACKAY, PRESIDENT OF THE FIRST AMERICAN BANK OF PENSACOLA, HOLDER OF A MORTGAGE ON THE LAND DESCRIBED HEREON, TO TAKE ACKNOWLEDGEMENT IN THE COUNTY OF ESCAMBIA, STATE OF FLORIDA, THE INDIVIDUALS DESCRIBED ARE KNOWN TO ME PERSONALLY AND EXECUTED THIS INSTRUMENT FOR RECORDING AND ACKNOWLEDGED THE EXECUTION THERE OF TO BE THEIR FREE ACT AND DEED AS OFFICERS THERE UNTO DULY AUTHORIZED. DAY OF CLAND Blanda A. Elicon NOTARY PUBLIC-STATE OF FLORIDA MY COMMISSION EXPIRES 12 26 36 WHERE OF, I HAVE HERE TO SET MY HAND AND OFFICAL SEAL ON THIS **ACKNOWLEDGEMENT**

KNOW ALL MEN BY THESE PRESENTS THAT INNERARITY ISLAND DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, OWNER OF THE LAND DESCRIBED HEREON AS FOURTH ADDITION TO NORTH SHORE, AND THE FIRST AMERICAN BANK OF PENSACOLA, MORTGAGEE, HEREBY DECLARE THAT THE ROAD RIGHTS-OF-WAY, DRAINAGE AND UTILITY EASEMENTS AND GREENWAYS SHOWN HEREON ARE TO REMAIN PRIVATE AND WILL BE DEDICATED TO THE INNERARITY ISLAND ASSOCIATION IN ACCORDANCE WITH THE DECLARATION OF COVENANTS AND RESTRICTIONS OF INNERARITY ISLAND AS RECORDED IN OR. BOOK FINE 929 AND IN ACCORDANCE WITH THE AMENDMENT TO THE RESTRICTIVE COVENANTS AS RECORDED IN O.R. BOOK IOIO, PAGES 184 & 185. **DEDICATION**

CORPORATION PENSACOLA DEVELOPMENT Ŋ. BANK FIRST AMERICAN _WITNESS WITNESS INNERARITY HH. Pricos). Janon _ 4 Brenda 1

AIVERS

PN M

W"05'83°10 N

C DATTALANU -

PRESIDENT

SECRETARY

PRESIDENT

CERTIFICATE -WITNESS COMPTROLLER'S COUNTY

I, J.A. FLOWERS, COUNTY COMPTROLLER OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH ALL REQUIREMENTS OF THE PLAT ACT (CHAPTER 71-339 OF THE FLORIDA LEGISLATURE) AND THE SAME WAS FILED FOR RECORD IN PLAT BOOK 10, PAGE 26, OF SAID COUNTY ON THIS 10 MAY OF 56, 1979. COUNTY COMPTROLLER ESCAMBIA COUNTY, FLORIDA

I, J. A. FLOWERS, COUNTY COMPTROLLER OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS 10 PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY AT THEIR MEETING HELD ON THE 23 DAY OF CHARACT, 1979, WAS APPROVED FOR FILING BY SAID BOARD AND I, AS COMPTROLLER OF SAID BOARD WAS INSTRUCTED TO SO CERTIFY HEREON. OF APPROVAL, BOARD OF COUNTY COMMISSIONERS CERTIFICATE

CERTIFICATE SURVEYOR'S

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DESCRIBED LAND WHICH WAS RECENTLY SURVEYED AND PLATTED UNDER MY DIRECTION AND SUPERVISION, AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN SET IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES. SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

2729

SURVEYOR - NO.

LAND

U, K, U, W W. WARD REGISTERED FLORIDA L

 α

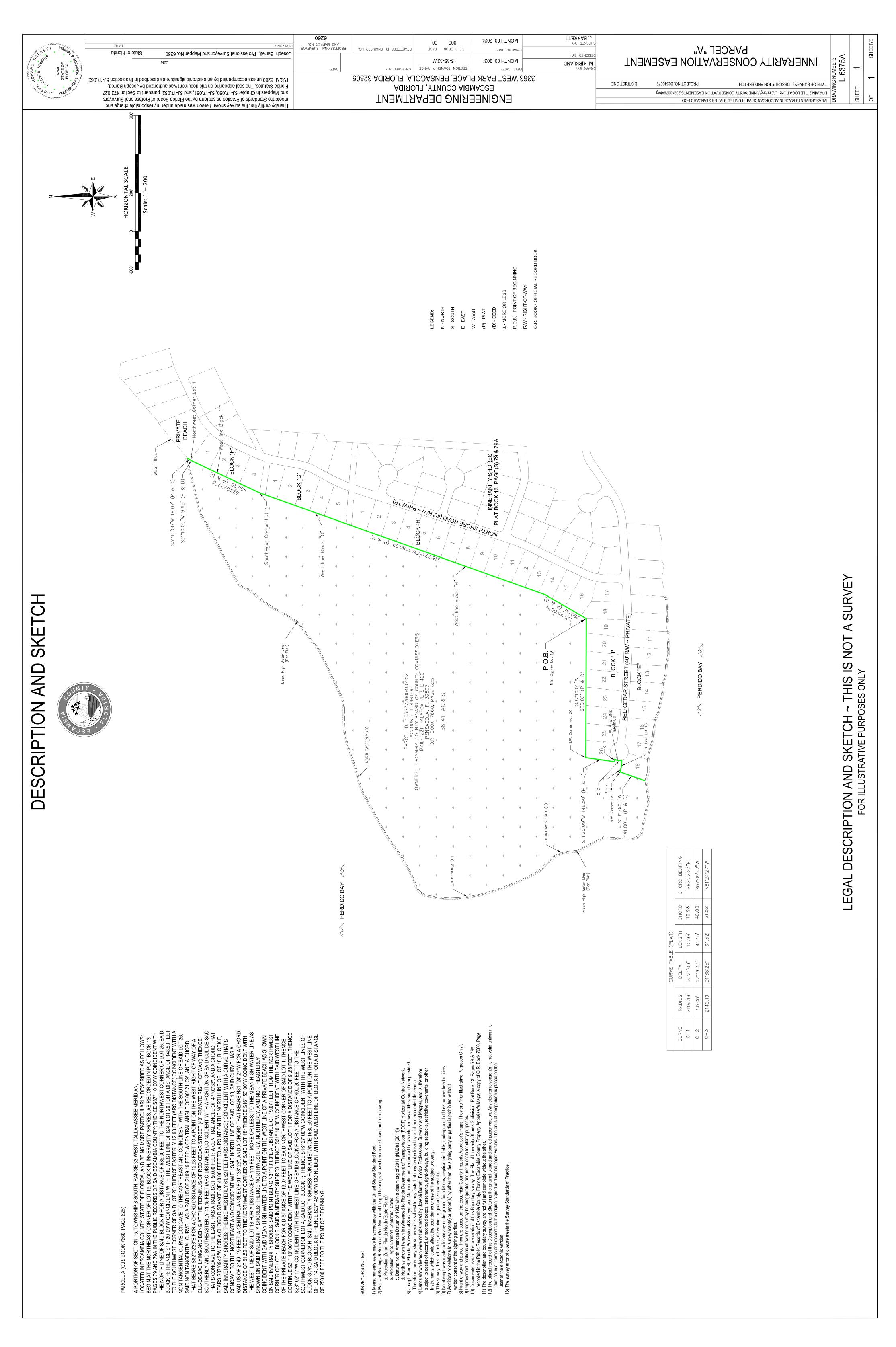
SURVEYOR'S NOTES

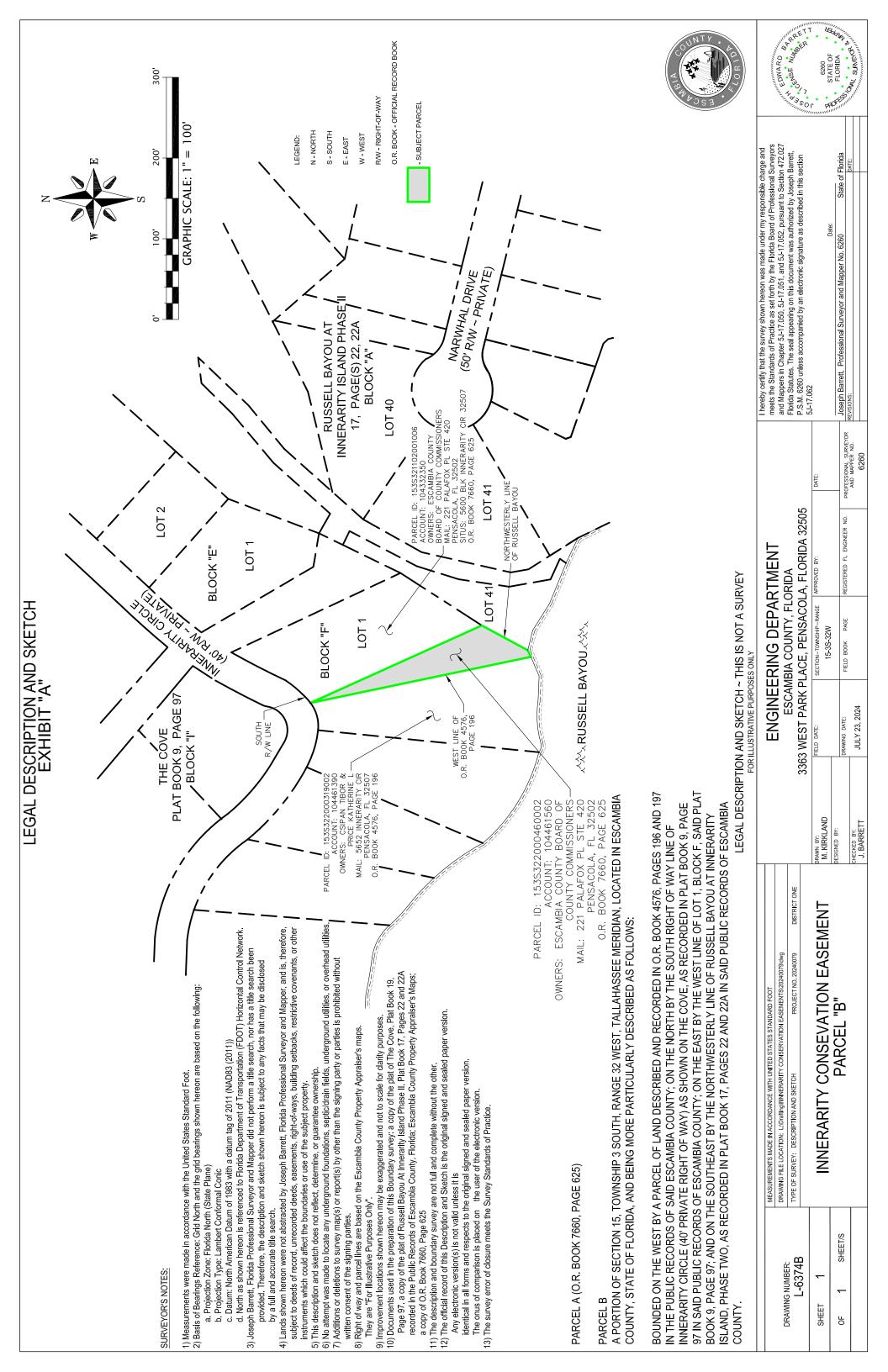
DATE.

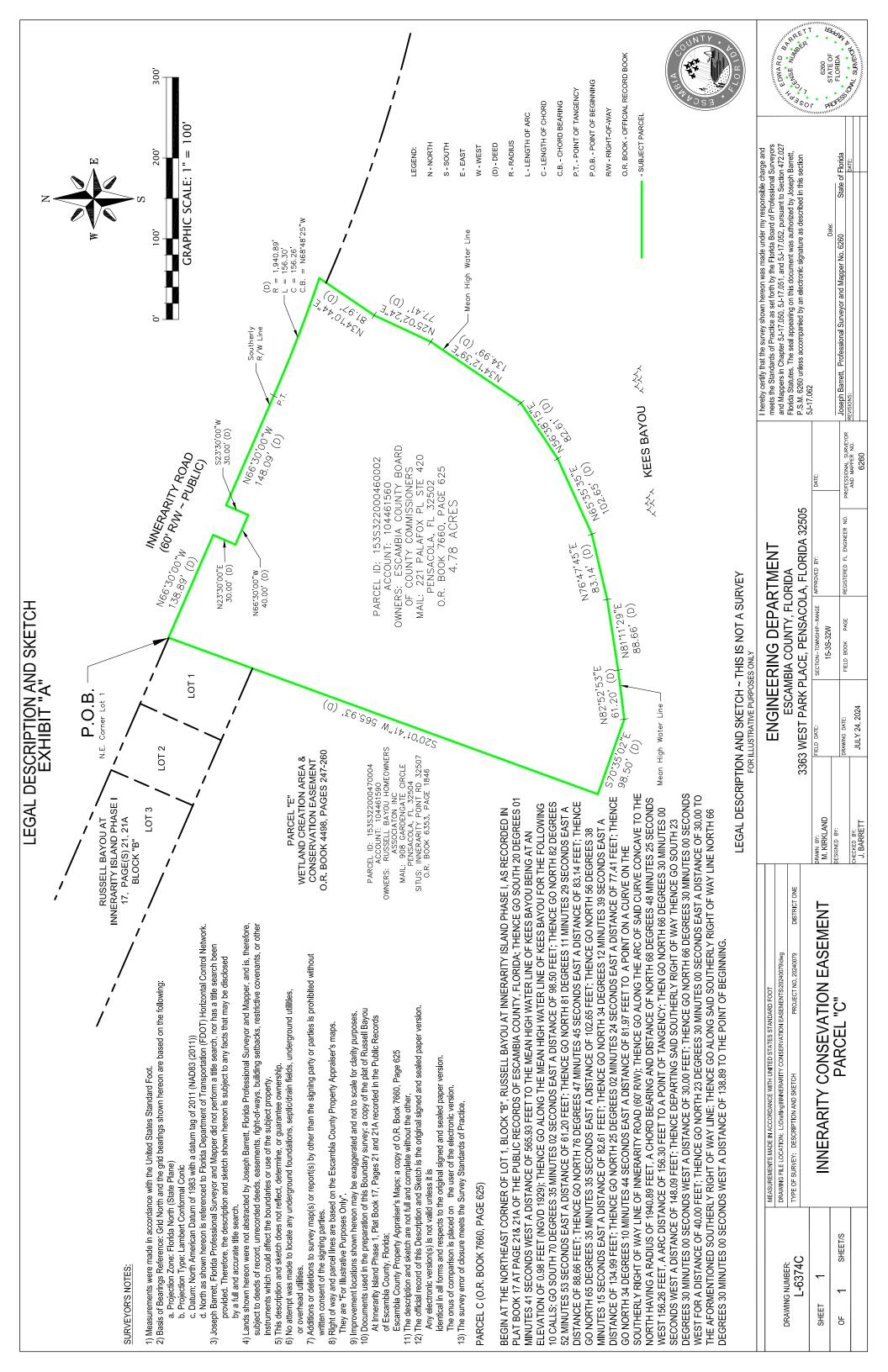
THE MINUTES, 2729 1. PERMANENT REFERENCE MONUMENTS (P.R.M.) INDICATED AS: 2. PERMANENT REFERENCE MONUMENTS (FOUND) INDICATED AS: 3. 3. PERMANENT CONTROL POINTS (P.C.P) INDICATED AS: 4. THE SIGN (*) MEANS FEET OR 5. BUILDING SETBACK LINE INDICATED AS: 5. B.S.L. 6. ALL RIGHT OF WAY INTERSECTIONS HAVE A 25' RADIUS.

SIGN

97 29 Of 89







LEGAL DESCRIPTION AND SKETCH EXHIBIT "A"

SURVEYOR'S NOTES:

- Measurements were made in accordance with the United States Standard Foot.
- 2) Basis of Bearings Reference: Grid North and the grid bearings shown hereon are based on the for

lowing

- a Projection Zone: Florida North (State Plane)
- b. Projection Type: Lambert Conformal Conic
- c. Datum: North American Datum of 1983 with a datum tag of 2011 (NAD83 (2011))
- d. North as shown hereon is referenced to Florida Department of Transportation (FDOT) Horizontal Control Network. 3) Joseph Barrett, Florida Professional Surveyor and Mapper did not perform a title search, nor has a title search been provided. Therefore, the description and sketch shown hereon is subject to any facts that may be disclosed by a full and accurate title search.
- Aapper, and is, therefore, subject to deeds of record, unrecorded deeds, easements, right-of-ways, building setbacks, restrictive covenants, or other 4) Lands shown hereon were not abstracted by Joseph Barrett, Florida Professional Surveyor and

ACCOUNT: 104461560 ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

6 MAIL:

OWNERS:

153S322000460002

PARCEL ID:

221 PALAFOX PL STE 420 PENSACOLA, FL 32502 R. BOOK 7660, PAGE 625

O.R. BOOK 7660,

1.29 ACRES

- 5) This description and sketch does not reflect, determine, or guarantee ownership. instruments which could affect the boundaries or use of the subject property.
 - 6) No attempt was made to locate any underground foundations, septic/drain fields, underground utilities,
- 7) Additions or deletions to survey map(s) or report(s) by other than the signing party or parties is prohibited withou written consent of the signing parties.

S0317'45"E 28.61

THE INTERSECTION OF THE WEST LINE OF INNERARITY GRANTS A RE-SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 13 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THE CENTERLINE OF INNERARITY ROAD (60' R/W)

PUBLIC

AND

POB

INNERARITY ROAD (60' R/W ~ PUBLIC) N86°43'44"E 783.72

POC

= 100

GRAPHIC SCALE: 1

200'

100

[]

7

Southerly "R/W Line

0

- 8) Right of way and parcel lines are based on the Escambia County Property Appraiser's maps.
- They are "For Illustrative Purposes Only"

mprovement locations shown hereon may be exaggerated and not to scale for clarity purposes.

- Plat Book 2, Page 13, a copy of the plat of Ammended Plat of Innerarity Townhomes, Plat Book 13, Page(s) 85, 85A, recorded in the Public Records of Escambia County, Florida; Escambia County Property Appraiser's Maps; 10) Documents used in the preparation of this Description and Sketch: a copy of the plat of Innerarity Grants, a copy of O.R. Book 7660, Page 625
- 11) The description and sketch are not full and complete without the other
- 12) The official record of this Description and Sketch is the original signed and sealed paper versior Any electronic version(s) is not valid unless it is

identical in all forms and respects to the original signed and sealed paper version.

The onus of comparison is placed on the user of the electronic version.

13) The survey error of closure meets the Survey Standards of Practice.

PARCEL D (O.R. BOOK 7660, PAGE 625)

03°17'45" EAST ALONG SAID WEST LINE FOR A DISTANCE OF 28.61 FEET TO A POINT

COMMENCE AT THE INTERSECTION OF THE WEST LINE OF INNERARITY GRANTS A RE

FOR A DISTANCE OF 15.04 FEET TO THE POINT OF BEGINNING; SAID POINT BEING ON

SOUTH 83°52'10" WEST FOR A DISTANCE OF 70.99 FEET; THENCE RUN SOUTH 83°52

RUN NORTH 80°43'27" WEST FOR A DISTANCE OF 34.65 FEET; THENCE RUN SOUTH

ROAD (60' R/W); THENCE DEPARTING SAID SOUTHERLY R/W RUN SOUTH 80°40'21"

BEARING MEAN HIGH WATER LINE ELEVATION 0.75', NAVD 88 AS LOCATED ON 07/23/2024 LENGTH H N N LASYN KEES BAYOU LASYN ELEVATION 0.75', NAVD 88 AS LOCATED ON 07/23/2024 MEAN HIGH WATER LINE ON THE MEAN HIGH-WATER LINE OF KEES BAYOU FOR -SUBDIVISION AS RECORDED IN PLAT BOOK 2, PAGE 13 I THE SOUTHERLY RIGHT-OF-WAY LINE OF INNERARITY THE FOLLOWING 29 CALLS; THENCE RUN SOUTH 86°14'37" WEST FOR A DISTANCE OF 63.93 FEET; THENCE RUN SOUTH 80°40'21" WEST OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA AND THE CENTERLINE OF INNERARITY ROAD (60' R/W) THENCE RUN SOUTH

A DISTANCE OF 45.63 FEET; THENCE RUN SOUTH 20°02'54" WEST FOR A DISTANCE OF 51.99 FEET; THENCE RUN SOUTH 02°11'42" EAST FOR DISTANCE OF 29.87 FEET; THENCE RUN SOUTH 56°14'50" WEST FOR A DISTANCE OF 33.49 FEET; THENCE RUN SOUTH 73°24'48" WEST FOR TO THE POINT OF BEGINNING. ALL LYING AND BEING HENCE RUN NORTH 28°31'01" WEST FOR A DISTANCE A DISTANCE OF 52.18 FEET; THENCE RUN SOUTH 22°47'54" WEST FOR A DISTANCE OF 42.07 FEET; THENCE RUN SOUTH 66°14'28" WEST W LINE OF INNERARITY ROAD; THENCE RUN ALONG FOR A DISTANCE OF 29.46 FEET; THENCE RUN NORTH 50°40'21" WEST FOR A DISTANCE OF 23.08 FEET; THENCE RUN NORTH 33°29'34" EST FOR A DISTANCE OF 31.53 FEET; THENCE RUN DISTANCE OF 111.33 FEET; THENCE RUN NORTH OF 98.16 FEET; THENCE RUN NORTH 35°23'00" WEST FOR A DISTANCE OF 32.15 FEET; THENCE RUN NORTH 63°10'38" WEST FOR A CONTAINING 1.29 ACRES, MORE OR LESS LEGAL DESCRIPTION AND SKETCH ~ THIS IS NOT A SURVEY

O.R. BOOK - OFFICIAL RECORD BOOK

P.O.C. - POINT OF COMMENCEMENT

W - WEST

E - EAST

S-SOUTH N - NORTH

THENCE RUN SOUTH 16°03'26" WEST FOR A DISTANCE OF 39.06 FEET; THENCE RUN SOUTH 17°12'33" EAST FOR A DISTANCE OF 55.51 FEET;

THENCE RUN SOUTH 32°21'23" WEST FOR A DISTANCE OF 23.15 FEET; THENCE RUN FEET; THENCE RUN SOUTH 40°07'02" WEST FOR A DISTANCE OF 31.62 FEET; THENCE 46.22 FEET; THENCE RUN SOUTH 80°44'40" WEST FOR A DISTANCE OF 46.52 FEET; T

WEST FOR A DISTANCE OF 17.98 FEET; THENCE RUN

10" WEST FOR A DISTANCE OF 41.96 FEET: THENCE

'2°53'21" WEST FOR A DISTANCE OF 34.76 FEE'

SOUTH 57°06'39" WEST FOR A DISTANCE OF 24.97

RUN NORTH 75°55'21" WEST FOR A DISTANCE OF

LEGEND:

P O B - POINT OF BEGINNING

R/W - RIGHT-OF-WAY

I hereby certify that the survey shown hereon was made under my responsible charge and meets the Standards of Practice as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 5J-17.050, 5J-17.051, and 5J-17.052, pursuant to Section 472.027 Florida Statutes. The seal appearing on this document was authorized by Joseph Barrett, P.S.M. 6260 unless accompanied by an electronic signature as described in this section 5J-17.062

Professional Surveyor and Mapper No. Joseph Barrett,

A SENSE NOW SENTON

15-3S-32W

TION EASEMENT INNERARITY CONSERVA PARCEL "I

TYPE OF SURVEY: DESCRIPTION AND SKETCH

L-6374D DRAWING NUMBER:

SHEET Я

MEASUREMENTS MADE IN ACCORDANCE WITH UNITED STATES STANDARD FOOT

IN SECTION 15, TOWNSHIP 3 SOUTH, RANGE 32 WEST, ESCAMBIA COUNTY, FLORIDA

SAID SOUTHERLY R/W LINE NORTH 86°43'44" EAST FOR A DISTANCE OF 783.72 FEE

84°57'55" WEST FOR A DISTANCE OF 39.38 FEET; THENCE RUN NORTH 89°32'08" W NORTH 21°04'41" EAST FOR A DISTANCE OF 10.91 FEET TO THE SAID SOUTHERLY R/

WEST FOR A DISTANCE OF 99.46 FEET; THENCE RUN NORTH 49°51'46" WEST FOR A

JULY 26, 2024 JULY 25, 2024 M. KIRKLAND HECKED BY:
J. BARRETT SIGNED BY: DISTRICT ONE PROJECT NO. 20240079

JESSIONAL SURVEYOR AND MAPPER NO. 3363 WEST PARK PLACE, PENSACOLA, FLORIDA 32505 REGISTERED FL ENGINEER NO. ENGINEERING DEPARTMENT ESCAMBIA COUNTY, FLORIDA PAGE 3-6 FIELD BOOK 579

Exhibit C
Building Envelope Map

