



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Field Office

1601 Balboa Avenue

Panama City, FL 32405-3721

Tel: (850) 769-0552

Fax: (850) 763-2177

September 29, 2003

Mr. Sid Vogelpohl
Acting Field Manager
U.S. Department of Interior
Bureau of Land Management
Jackson Field Office
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206

Re: FWS No. 4-P-02-153
Lathrop Bayou Draft Habitat
Management Plan
Bay County, Florida

Dear Mr. Vogelpohl:

Thank you for your letter of August 28, 2003, requesting our review of the Lathrop Bayou Draft Habitat Management Plan (Plan). Your letter was accompanied by a Biological Assessment (BA). Mr. Bruce Dawson provided our office with the Plan in July 2003. This response is provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and Section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

The Bureau of Land Management (BLM) has prepared a Habitat Management Plan that addresses the management of a 189-acre tract of BLM-administered land known as Lathrop Bayou. Lathrop Bayou is located at the east end of East Bay in Bay County, Florida. Lands comprising the Lathrop Bayou tract consist of Raffield Island, a large unnamed adjacent island, and two smaller islands – Pine Island and Little Pine Island. The entire Lathrop Bayou tract totals 539 acres and includes 189 acres of BLM land, 206 acres owned by the St. Joe Timberland Company, and 144 acres owned by the Genecov Group. While the Plan specifically addresses the management of the BLM-administered portion of Lathrop Bayou, under a Land Stewardship Memorandum of Understanding (MOU), the actions outlined in the plan are expected to be implemented across public and private land at Lathrop Bayou.

Under the MOU, coordination of conservation and recovery efforts between BLM and St. Joe Timberland Company will take place on an additional 926-acre tract of land in Gulf County,

located roughly 9 miles from Lathrop Bayou known as the Wetappo Tract. In fiscal year 2003, the Service provided funding to St. Joe Timberland Company to aid in conservation and recovery efforts on the Wetappo tract. An intra-service consultation was completed for this funding activity. As part of the Section 7 consultation for the funding, the Service will review a Habitat Management Plan for the Wettapo Tract. Management of the Wettapo tract will not be further addressed in this consultation for the Lathrop Bayou Plan.

The objective of the Lathrop Bayou Plan is to manage and restore a functioning mesic pine ecosystem and to protect special status species while allowing for primitive recreation use. The Plan outlines a series of actions designed to improve and protect the habitat for special status species that are present, or are expected to occur on the site, including the red-cockaded woodpecker, bald eagle, and several endemic flatwoods/savanna plant species. The primary management tool proposed in the plan is the re-introduction of fire. While dormant season burning would be initially conducted to reduce fuel loads, the intent of the prescribed burning program is to manage Lathrop Bayou on an ecosystem-based growing season fire regime. Other actions include reducing the basal areas of pine in dense stands to benefit the RCW and rare and listed plant species. Pine thinning in the form of hand cutting/girdling to kill overstocked slash pine to a basal area of 80 square feet of pine basal area per acre is proposed. Girdled trees would be left in place to blow over naturally. Cut trees would be felled and left in place.

Other actions identified in the Plan include (but are not limited to) conducting baseline surveys of reptiles and amphibians, and monitoring rare and listed plants' responses to burning and thinning operations. We view the surveying and monitoring actions as critical components of the Lathrop Bayou Plan. Augmentation of a small RCW population in danger of extirpation on Lathrop Bayou is also proposed. The plan also includes the regulation of visitor use and recreation on Lathrop Bayou.

After reviewing the Plan, we believe that actions are consistent with the *Habitat Management Guidelines for the Bald Eagle in the Southeast Region* (January 1987) and the *Revised Red-cockaded Woodpecker Recovery Plan* (January 2003). Monitoring will provide the feedback to fine-tune burn schedules and other management to optimize conditions for rare and listed plants and animals. The information you have provided supports a conclusion that the actions identified in the Lathrop Bayou Plan are not likely to adversely affect species protected under the Act. In view of this statement, we believe that the requirements of Section 7 of the Act have been satisfied. Reinitiation of consultation may be required if modifications are made in the Plan; the monitoring and/or the avoidance and minimization procedures that you identified in the Plan are not implemented; impacts to listed species occur beyond what has been considered; or if other pertinent information becomes available on listed species .

We offer the following conservation recommendations:

BLM should continue to work with the National Marine Fisheries Service and prescribed burning experts to find a way to create an effective but least intrusive method to create fire breaks in the intertidal marsh and other areas of Lathrop Bayou.

Tyndall Air Force Base (AFB) is another landowner adjacent to Lathrop Bayou. While the Air Force has not signed the Land Stewardship MOU, the Air Force has been informed of this project planning. We recommend that BLM continue to coordinate with Tyndall AFB and encourage the Air Force to enter into a partnership with BLM to enhance conservation and recovery on both BLM and Department of Defense lands.

We wish to recognize BLM's efforts in proposing a plan that will move toward restoring a functioning ecosystem on Lathrop Bayou resulting in protection and recovery of rare and federally listed species. We also wish to compliment BLM for including various species and land management experts from the federal, state, and private sectors in the planning process. In particular, Faye Winters' efforts in coordination and collaboration have resulted in a partnership between federal and state agencies and private industry that will result in ecosystem management and conservation practices that will exceed what is proposed on BLM land. We would also like to take this opportunity to thank both St. Joe Timberland Company and the Genecov Group for their cooperation in the conservation and recovery of rare and listed species.

If you have any questions or concerns about this consultation or for further coordination, please contact Mr. Stan Simpkins at ext. 234.

Sincerely yours,



Gail A. Carmody
Project Leader

cc:

Mr. Clay Smallwood, President, St. Joe Timberland Co., Port St. Joe, FL
Mr. David Wilson, Genecov Group, Tyler, TX
Ms Peggy Weigle, Sater Enterprises, Evansville, IN
Mr. Doug Bradley, Rudman Partnership, Dallas, TX
Mr. Mark Thompson, NFMS, Panama City Beach, FL
Mr. Bob Bates, Tyndall AFB, FL

PCFO:S.Simpkins:sks:kh:09-26-03:850-769-0532:[c:\stan\4p02153.wpd]



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800

Please Respond to:

Division of Aquaculture
Shellfish Environmental Assessment Section
Western Gulf Coast District Office
Port Panama City, 1832 B Avenue
Panama City, FL 32401
Phone: 850-747-5252

August 13, 2003

Faye Winters
U.S. Department of the Interior
Bureau of Land Management
Jackson Field Office
411 Briarwood Drive, Suite 404
Jackson, MS 39047

RE: Lathrop Bayou Draft Habitat Management Plan Environmental Assessment (6780 (020) FW

Thank you for sending me the draft Habitat Management Plan for the Lathrop Bayou Tract. I have reviewed the document and offer the following comments regarding the shellfish harvesting areas in the vicinity.

Page 21, Setting and Resource Values, Fisheries, 3rd paragraph

I recommend inserting the words "shellfish harvesting area" after "East Bay Section 2" in the first sentence as follows:

"The tract is located in an area designated as the East Bay Section 2 shellfish harvesting area by the Florida Department of Agriculture and Consumer Services."

I recommend revising the sentence that indicates the location of the conditionally approved area in the vicinity of the Bayou to (primarily to the southwest) instead of (primarily to the southeast) as follows:

"The waters surrounding Lathrop Bayou have been designated for shellfish harvesting: conditionally approved (primarily to the southwest), conditionally restricted to the north and west and prohibited to the south and east."

You may want to indicate that Lathrop Bayou itself is prohibited to shellfish harvesting and since this section refers to fisheries, you may want to state that both commercial and recreational oyster harvesting occurs in the area.



Florida Agriculture and Forest Products
\$50 Billion for Florida's Economy

I recommend revising the 2nd paragraph in this section to read as follows, with recommended changes in bold text, and recommended deletions in strikethrough text:

"There are two water quality sampling stations in the vicinity of Lathrop Bayou monitored by the Florida Department of Agriculture and Consumer Services to assess a variety of parameters for the shellfish harvesting. Shellfish harvesting in ~~these~~ the conditionally approved area ~~areas~~ is ~~often curtailed~~ temporarily closed after a four-day cumulative rainfall of 0.53 inches as measured at Tyndall Air Force Base, or a creek stage of 2.00 feet measured at Wetappo Creek. These temporary closures are required due to the increase in fecal coliform levels that result after heavy precipitation.

Thank you for the opportunity to comment. Please call me if you have any questions

Sincerely,



Patrice E. Couch
Environmental Specialist II

John McDowell
Chris Knight



Florida Agriculture and Forest Products
\$53 Billion for Florida's Economy



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES

15 2003

October 2, 2003

Ms. Judy Pace
Bureau of Land Management
Jackson Field Office
411 Briarwood Drive, Suite 104
Jackson, Mississippi 39206

Re: DHR No. 2003-5289B
Additional Documentation Received October 1, 2003
Field Investigations at the Lathrop Bayou Site, Bay County, Florida

Dear Ms. Pace:

Our office received and reviewed the above referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended and *36 CFR Part 800: Protection of Historic Properties*. The State Historic Preservation Officer is to advise Federal agencies as they identify historic properties (listed or eligible for listing, in the *National Register of Historic Places*), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

Results of the survey indicate that one previously recorded archaeological site (8BY893) was encountered and evaluated. The archaeological site is a circa 1940s home site, with possible turpentine collecting and processing associations. The site is considered unlikely to have significant research potential, and thus is ineligible for listing in the *National Register*. Based on the information provided, we office concurs with these determinations, and finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

We note that only 50 acres of the 185-acre tract were investigated. If exchange, transfer, development or any ground disturbing activities of the remainder of the tract are planned, archaeological and historical investigations should be completed and the results forwarded to this office for review and coordination purposes. In addition, we concur with the recommendation that if controlled burning is to be conducted on the tract, an archaeologist should walk new fire lines and conduct an after-the-fact inspection of the tract. New archaeological sites should be recorded and completed Florida Master Site File archaeological forms submitted with a monitoring report to the State Historic Preservation Office.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office (850) 245-6300 • FAX: 245-6435
 Archaeological Research (850) 245-6444 • FAX: 245-6436
 Historic Preservation (850) 245-6333 • FAX: 245-6437
 Historical Museums (850) 245-6400 • FAX: 245-6433
 Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476
 St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044
 Tampa Regional Office (813) 272-3843 • FAX: 272-2340

Ms. Judy Pace
October 2, 2003
Page 2

If you have any questions, please contact Laura Kammerer, Historic Preservationist Supervisor, at (850) 245-6333. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Barbara C. Mattick
Historic Preservationist Supervisor

for Janet Snyder Matthews, Ph.D., Director, and
State Historic Preservation Officer



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES

17 2003

Bureau of Land Management
Jackson Field Office
Attn: Faye Winters
411 Briarwood Drive, Suite 404
Jackson, Mississippi 39206

September 11, 2003

RE: DHR Project File Number: 2003-5289-B
Received by DHR August 11, 2003 *LRK 9/11/03*
8100 (020) JLP
Lathrop Bayou Tract Habitat Management Plan
Bay County

Dear Mr. Winter:

Our office received and reviewed the above referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended and *36 CFR Part 800: Protection of Historic Properties* and the *National Environmental Policy Act of 1969*, as amended. The State Historic Preservation Officer is to advise Federal agencies as they identify historic properties (listed or eligible for listing, in the *National Register of Historic Places*), assess effects upon them, and consider alternatives to avoid or minimize adverse effects.

Based on the information provided, this office finds that the Lathrop Bayou Tract Habitat Management Plan has adequately addressed cultural resources.

We look forward to receiving the cultural resources assessment survey report in accordance with Chapter 1A-46, *Florida Administrative Code*, and the Florida Master Site File site form on the historic resource located in the Lathrop Bayou Tract.

If you have any questions concerning our comments, please contact Scott Edwards, Historic Preservationist, by electronic mail sedwards@dos.state.fl.us, or at 850-245-6333 or 800-847-7278.

Sincerely,

Bonnie E. Mattick
Deputy SHPO for Survey & Registration

for Janet Snyder Matthews, Ph.D., Director, and
State Historic Preservation Officer

XC: Judy Pace, BLM

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

<input type="checkbox"/> Director's Office (850) 245-6300 • FAX: 245-6435	<input type="checkbox"/> Archaeological Research (850) 245-6444 • FAX: 245-6436	<input checked="" type="checkbox"/> Historic Preservation (850) 245-6333 • FAX: 245-6437	<input type="checkbox"/> Historical Museums (850) 245-6400 • FAX: 245-6433
<input type="checkbox"/> Palm Beach Regional Office (561) 279-1475 • FAX: 279-1476	<input type="checkbox"/> St. Augustine Regional Office (904) 825-5045 • FAX: 825-5044	<input type="checkbox"/> Tampa Regional Office (813) 272-3843 • FAX: 272-2340	