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## Screening Form For Low-Effect HCP Determination

This screening form contains an evaluation of a project involving the construction of a commercial development for The Sunterra Communities, LLC in Lake County, Florida

### I. Project Information

#### Project:

- A. The Sunterra Communities, LLC
- B. Affected species: sand skink (*Plestiodon reynoldsi*)
- C. Project size: ± 1,680 ac
- D. Brief description including minimization and mitigation plans:

The Applicant is requesting take of sand skinks on approximately 7.74 acres of the 10.99 acres of occupied sand skink habitat for the construction of a commercial development and associated infrastructure and landscaping in Lake County. The occupied sand skink habitat will be destroyed as a result of land clearing, infrastructure, and construction of the development.

To mitigate for unavoidable loss of sand skinks on occupied habitat, the Applicant proposes to purchase 15.48 mitigation credits within the Lake Wales Ridge Conservation Bank or another approved Service sand skink bank. 3.25 acres of occupied sand skink habitat will be avoided and will remain on the property. No further minimization measures will be incorporated.

### II. Does the HCP fit the low-effect criteria in the HCP handbook?

- A. **Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitat covered under the HCP prior to implementation of the mitigation plan?**

Yes. The suspected decline in the distribution and abundance of sand skink locations along the Lake Wales Ridge is the cumulative result of habitat destruction and unregulated loss associated with agricultural practices and more recently, urban development. In most instances, sand skink habitat in areas fragmented by agriculture and urban development is degraded due to lack of proper management, long-term fire suppression, and alterations of storm-water run-off patterns.

Based on the above information, the long-term success of the current unmanaged skink population may be low due to the following factors:

- decline of habitat suitability because of surrounding urbanization,
- diminished fire interval, and
- further habitat fragmentation.

Consequently, we believe that the loss of 7.74 acres of occupied disturbed habitat is likely to result in only minor or negligible impacts on the species.

**B. Are the effects of the HCP minor or negligible on other environmental values or resources (e.g., air quality, geology and soils, water quality, socio-economic, cultural resources, recreation, visual resources, etc.) prior to implementation of the mitigation plans?**

Yes. This area was historically used for agriculture and rangeland. Residential, commercial, and other planned urban uses have evolved since this time and the area's future urban growth plans dominate much of the remaining landscape within this immediate and surrounding area.

Currently, the project site consists of Live Oak, Open Land, Coniferous Plantations, and Roads and Highways. The surrounding area is a mixture of similar lands as well as medium density private residences, urban and commercial development, pasture, disturbed lands, and agriculture. Therefore, given the existing level of urban and agricultural development and the fragmented and degraded nature of the habitat, we expect that impacts to most environmental values and resources will be negligible. There may be a temporary decline in air quality and an increase in noise within the construction site, but these effects will be minor.

**C. Would the impacts of the HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant?**

No. As a result of the projected continuation of rapid human population growth, many of the same factors that historically affected sand skinks in the past are likely to continue to negatively affect these resources in the foreseeable future. However, predicting the exact extent and magnitude of these adverse effects is difficult since human population growth in the action area will undoubtedly be influenced by many unpredictable, extrinsic factors such as economic conditions, population demography, and long-term weather patterns.

Sand skinks are likely to decline in abundance and distribution as a result of the outright destruction of habitat. This loss of habitat will occur in the future due to actions authorized by the Service through either Section 7 or 10 of the Act or

through non-regulated activities. In many instances local and county ordinances place the burden of regulatory compliance on the landowner who either does not understand the regulatory process for protection of federally listed species or is unwilling to contact the Service to discuss compliance with the Act.

The Service concludes that most of the sand skinks persisting on privately owned, remnant, poor condition xeric habitat, will continue to decline in number and distribution due to environmental and demographic factors. Based on the information above and current development trends, cumulative effects resulting from the issuance of the ITP and future ITPs, are not expected to significantly affect the persistence of sand skinks in this action area.

With respect to cumulative impacts on other elements of the human environment, should the Service decide to issue the ITP, we expect that impacts to the general human environment would not be significant because of the relatively small impact associated with construction of a commercial development and associated infrastructure and landscaping compared to the existing and anticipated future development of Lake County.

### **III. Do any of the exceptions to the categorical exclusions apply to the HCP?**

#### **Would implementation of the HCP:**

#### **A. Have significant adverse effect on public health or safety?**

No. The area covered by the HCP is adjacent to open lands, pasture, coniferous plantations, disturbed lands, and residential and commercial development. Land clearing and construction activities are not expected to have adverse effects on public health or safety. The Service has no reason to believe that the Applicant or their contractors will not abide by all public health and safety laws as governed by State and local jurisdictions.

#### **B. Have adverse effects on such unique geographic characteristics as historical or cultural resources, park, recreation or refuge lands, wilderness area, wild or scenic rivers, sole or principal drinking water aquifers, prime farmland, wetlands, flood plains, or ecologically significant or critical areas, including those listed on the Department's National Registry of Natural Landmarks?**

No. Adverse effects are not anticipated on the above resources.

#### **C. Have highly controversial environmental effects?**

No. The Service does not anticipate this project to have any controversial effects.

**D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?**

No. Issuance of the ITP will result in the construction of a commercial development and associated infrastructure and landscaping that is surrounded by agriculture, residential and commercial development, and disturbed lands. Such construction in an area of disturbed and degraded habitat does not pose significant, unique, or unknown environmental risks.

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?**

No. Issuance of an ITP by the Service is made on a case-by-case basis pursuant to agency regulations. Each HCP is evaluated on its own merit prior to a Service decision regarding whether to issue the ITP or deny the ITP. Therefore, the issuance of the ITP does not represent a decision in principle about future actions the Service may take.

**F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?**

No. The Service has not identified any other related actions that meet the above test.

**G. Have adverse effects on properties listed or potentially eligible for listing on the National Register of Historic Places?**

No. No sites were located that were eligible for the National Register of Historic Places.

**H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?**

No. Sand skinks are the only listed species that would be affected by implementation of the HCP. As indicated above, the suspected decline in numbers of sand skink locations in Lake County is the cumulative result of habitat destruction and unregulated loss associated with agricultural practices and more recently, urban development. We expect that the mitigation proposed as part of the ITP process will contribute to efforts to restore, and/or manage contiguous habitat in perpetuity within the Lake Wales Ridge for sand skinks.

The gopher tortoise (*Gopherus polyphemus*), a State Species of Special Concern

and a Candidate Species, may occur on this property and the Applicant will coordinate with the Florida Fish and Wildlife Conservation Commission for any necessary permits. We are not aware of the presence of any other species that are proposed to be listed within the planning area of the HCP. Therefore, we do not expect issuance of the ITP will have an adverse effect on proposed species. Similarly, no critical habitat has been designated for the sand-skink; therefore, none will be adversely affected.

**I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.**

No. The HCP area contains no wetlands or floodplains; therefore, none will be impacted.

**J. Threaten to violate a Federal, State, local, tribal law or requirement imposed for the protection of the environment?**

No. Implementation of the HCP and issued ITP is not expected to threaten to violate any other Federal, State, local, or tribal law or requirement governing environmental protection.

