

Standard Local Operating Procedures for Endangered Species  
Audubon's Crested Caracara

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USFWS South Florida Ecological Services Office

The Standard Local Operating Procedures for Endangered Species (SLOPES) for Audubon's crested caracara provides a tool to assist the user in determining if an action, *i.e.*, a Federal permit, a Federal construction project, or other such action, may adversely affect crested caracaras. The SLOPES for Audubon's crested caracara provide the user with a stepwise process to determine if the proposed action will affect caracaras, what effect will the action have on caracaras, and options available that may avoid or minimize the action's effects to caracaras.

The Fish and Wildlife Service (Service) encourages Federal agencies to utilize the guidelines set forth in the Service's *Habitat Management Guidelines for Audubon's Crested Caracara in Central and Southern Florida* (caracara guidelines) (Service 2002a) for any action they propose that may have an affect on caracaras. In addition, the *South Florida Multi-Species Recovery Plan, Volume I: the Species* (Service 1999) and the *Recommended Management Practices and Survey Protocols for Audubon's Crested Caracara (Caracara cheriway audubonii)* (Morrison 2001) provide a synopses of Audubon's crested caracara ecology.

In evaluating project effects to caracaras in Florida, the Service views all primary and secondary protection zones as 300 meters (985 feet) and 2,000 meters (6,600 feet) outward from the nest tree, respectively (Service 2002a). Some activities not recommended to occur within the primary zone may be allowed if data are available to support their implementation. Modifications of both the primary and secondary zone activity restrictions are reviewed and decided on a case-by-case basis.

SLOPES for Caracaras Flowchart Guide (see Figure 1)

As with the "SLOPES Process" flowchart, the first step is to require project specific information, which generally includes a project description, habitat maps, project location, and county. On the project maps, determine the boundaries of the project and a 6,600-foot buffer surrounding the property. The reason for

the 6,600-foot radius is that the caracara guidelines identify a primary zone of 985 feet and a secondary zone of 6,600 feet. To identify off-site primary and secondary zones that may overlap onto the property, the Service has determined the center point of a 6,600-foot circular secondary zone as the furthest point that would allow for overlap of an off-site territory onto the property.

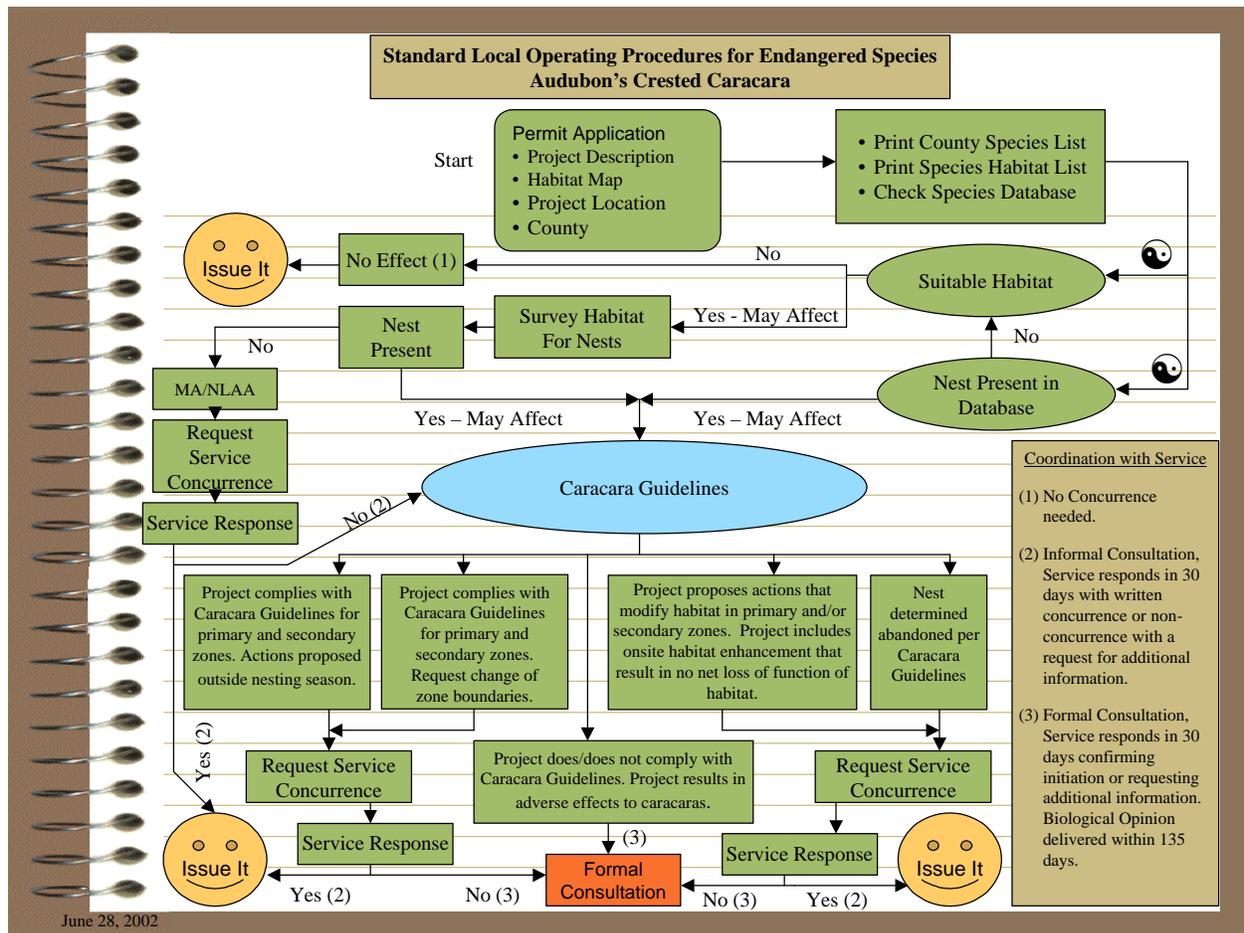


Figure 1 SLOPES for Caracaras Flowchart Guide

The next step is to map the vegetative communities present on the property and in the property buffer area using one of the community profile guides referenced in the "SLOPES Process" narrative. Also, a review of caracara nests records available from the Florida Natural Areas Inventory database or databases maintained by the Service or other organizations needs to be conducted to identify known nests locations.

Nest Present/Suitable Habitat Present - Yes/No

The SLOPES flowchart provides yes/no options for presence or absence of nests and suitable habitat. If no nests are recorded in the databases and no suitable habitat is present, then the Corp may make the determination that the project will have "no effect" on caracaras and can proceed with the Federal action. If desired, the Corps can request a concurrence letter from the Service.

If suitable habitat is present in the project area and no recorded nests, the Service presumes that suitable habitat is occupied and would result in a determination of "may affect" for the listed species. The option provided in the SLOPES for caracaras flowchart recommends surveys of suitable habitat. For this purpose, suitable habitat for caracaras includes wet and dry prairies, with scattered saw palmetto, scrub oaks, or cypress, and improved and semi-improved pastures and range lands. Heavily forested communities are not considered suitable habitat for caracaras.

Breeding activity can occur from September through June with the primary season being November through April. Peak egg laying occurs from late December through early February (Morrison 1999). The post-fledging dependency period is approximately 8 weeks. Therefore, surveys for territory occupancy or to find new breeding pairs are best conducted during the months of January, February, March, and April when nesting within the overall population is at its peak and adults are most likely feeding nestlings (Morrison 2001). Since caracaras are most sensitive during the nest building, incubation, and early stages of the nesting cycle, surveys made earlier than January, *i.e.* December, may unduly disturb the birds and result in nest abandonment. Therefore, the Service does not recommend surveys during the month of December, due to the birds' sensitivity to disturbances during nest building and early periods of incubation.

When surveying for caracara nests in areas where the nest site is not known, observers should search all freestanding palm trees, cabbage palm hammocks and other tree groupings once a day for 3 consecutive days. The 3-day search should be repeated again in 2 weeks and again in 4 weeks. Generally, three observation periods are sufficient to assess caracara presence,

territory size, and population distribution. Note the locations, with GPS coordinates on the site survey maps.

If the surveys do not detect caracara nests, then a "may affect, not likely to adversely affect" determination may be reached. To receive concurrence with this determination from the Service, supporting data documenting the level of survey effort in suitable habitat must be provided as well as the project description, the project area habitat map, the text descriptions of these habitats, and the reason for the determination, *i.e.*, nest surveys of suitable habitats did not detect caracara nests.

#### May Affect Determination

If the surveys detected caracara nests or the database searches show the presence of nests, then the determination is "may affect" and further consultation with the Service is warranted and the Corps is directed to the caracara guidelines. The caracara guidelines provide a series of recommended restrictions for activities in the primary and secondary zones both during nesting season and outside the nesting season. These recommendations are the basis for the Service's concurrence with "no effect," "may affect, not likely to adversely affect," "may beneficially affect," and "may affect, likely to adversely affect" determinations. The flowchart provides five "may affect" scenarios for consultations, with four providing for "may affect, not likely to adversely affect" determinations, and the fifth requiring formal consultation.

#### Project Complies With Caracara Guidelines - Construction Outside Nesting Season.

The first scenario provides the least amount of technical review. In this scenario, the project provides for full restriction of intrusive actions in the primary (985 feet) and the secondary zones (6,600 feet), with any acceptable land uses in the primary and secondary zones occurring outside the nesting season. Primary zone restrictions are listed in the caracara guidelines and generally include the following types of land use changes: removal of pasture, removal of natural or man-made wetlands within pastures, removal of nest trees, removal of protective cover for fledged chicks, no construction of any buildings, roads, powerlines or canals, no changes in current land management, and no use of chemicals harmful to wildlife.

The primary zone is set aside by deed restriction, easement, or other protective covenant as an environmentally sensitive area. During the nesting season, unauthorized human entry is restricted and helicopter or fixed-wing flyovers within 500 feet vertical and 1,000 feet horizontal are prohibited. The nest and the nest tree are protected by both Federal and State law and removal or other means of physical damage is prohibited year-round. However, during the non-nesting season, exotic species control, normal agricultural operations, and other wildlife enhancement actions may be permitted in the primary zone.

Restrictions in the secondary zone as listed in the caracara guidelines include: restrictions on new construction activities, including vehicles traffic, equipment storage, material storage, and earth stockpiling, no new commercial or industrial sites, no multi-story buildings, no high density housing developments or apartment complexes, no removal of cover vegetation or trees, no conversion of pasture and wetland habitats to row crops, sugarcane, citrus groves, pine plantations, or hardwood forest, and no use of chemicals harmful to wildlife. Routine agricultural practices are not restricted. Again, these restrictions should be assigned by deed restrictions, easements, or other protective covenants.

The incorporation of these primary and secondary zone designations and prohibitions into land use restriction documents and provided as a component of a caracara management plan would allow the Corps to make the determination that the project "may affect, but is not likely to adversely affect" caracaras and request concurrence from the Service. Upon receipt of the concurrence request and supporting data, the Service may provide concurrence.

Project Complies With Caracara Guidelines - Construction Outside Nesting Season - Request Changes of Primary and Secondary Zone Boundaries.

This option provides guidance to the Corps for projects where the proponent is requesting modification of the caracara guideline's recommended dimensions for the primary and secondary zones. Modifications of the primary and secondary zone boundaries are viewed on a site-specific, project-specific basis and are based on the existing habitat qualities in the primary and secondary zones and the flight and feeding patterns of the

caracaras. In order to support a request to modify the dimensions of the zones, data are necessary on the vegetative community profiles in each of the zones, the flight patterns of the caracaras, the available foraging areas, and foraging routes. The proponent providing the data must include a biological evaluation of the monitoring data and why the proposed modifications would not adversely affect the nesting caracaras. This information is incorporated as a component of the caracara management plan. If the data in the caracara management plan biologically supports the proponents request to modify the primary and secondary zones, the Corps may make the determination that the project "may affect, but is not likely to adversely affect" caracaras and request concurrence from the Service. Upon receipt of the concurrence request and supporting data, the Service may provide concurrence. However, the Service believes that there are very few circumstances that biologically justify modifications of the primary zone.

Project proposes actions that modify habitat in primary and/or secondary zones. Project includes onsite habitat enhancement that result in no net loss of function of habitat.

This option provides guidance to the Corps for projects where the proponent is proposes modifications to habitat in the primary and/or secondary zones. Normally, such a request would be considered as a "take" issue by the Service and would require formal consultation. For instance, surveys of the habitats within the territory of a resident pair of birds have identified that the habitat has been physically altered by exotic species invasion, lack of fire, or other anthropogenic actions. These alterations have produced conditions onsite, either in the primary or secondary zones, that have resulted in marginally suitable habitat for the survival and propagation of caracaras. The planned action proposes land use changes to these marginally suitable habitats or to suitable habitats in the territory. The project also proposes onsite habitat enhancements and management actions that provide habitat quality improvements that balance losses of small amounts of marginally suitable habitat onsite. The incorporation of these recommendations into the project and documented in a caracara management plan would allow the Corps to make the determination that the project "may affect, but is not likely to adversely affect" listed species and request concurrence from the Service. Upon receipt of the concurrence request and the supporting data, the Service could provide

concurrence with the "may affect, but is not likely to adversely affect" determination. The management plan, in this scenario, also needs a monitoring program to document the success of the enhancement actions.

#### Nest Abandoned or Blown Down

This "may affect" scenario provides guidance to the Corps in assessing adverse effects to caracara nests that may have been abandoned or blown down during storm events. Documented caracara nests are protected both by Federal and State laws. In situations, where nests are blown down or damaged during storm events, the caracaras will usually rebuild the nest during the next nesting season in the same tree or in an adjacent tree. In certain circumstances, several years may past before a new nest is constructed. Caracaras will also abandon a nest if the basic physical and biological parameters necessary for survival of the species are lost.

To evaluate such situations, the caracara guidelines provide recommendations that a nest site be protected for no less than 3 years for blown down nests and no less than 3 years for abandoned nests.

The incorporation of these recommendations into the project and documented in the caracara management plan would allow the Corps to make the determination that the project "may affect, but is not likely to adversely affect" caracaras and request concurrence from the Service. Upon receipt of the concurrence request and supporting data, the Service may provide concurrence.

#### Formal Consultation

The fifth "may affect" scenario in the SLOPES for caracaras flowchart addresses the circumstances where an action results in a "may affect, likely to adversely affect" determination for caracaras. In these situations, the project proponent has proposed actions that because of a variety of project-specific circumstances either cannot be achieved during the non-nesting season, require intrusion into the primary zone, or other actions that will result in adverse effects to either the eggs in the nest, the nestlings, the nest tree, the primary zone or the secondary zone. In these situations, formal consultation is

required with the Service. The importance of the caracara guidelines in this situation is in determining the options that may be available to minimize the proposed action's adverse effects to caracaras and options that may be available to reduce the amount of incidental take. Actions that may be appropriate to minimize project-specific effects could include habitat enhancement actions, muffling of equipment, less intrusive constructions methods, and other project specific recommendations. In this scenario, the Service recommends early consultation to identify issues and options available to reduce the project's adverse effects to caracaras.

As discussed in the SLOPES Process, when a request is received for formal consultation, the Service will provide within 30 days, acknowledgment that formal consultation has begun or that the Service believes that additional data are needed before formal consultation can begin. Formal consultation concludes 90 days following receipt of the initial request or following receipt of the additional data. An integral part of the initial data submittal is an analysis of the manner in which the action may affect listed species. This analysis needs to also include an estimation of the extent of take. The Biological Opinion is completed within 45 days following conclusion of formal consultation. As defined in 50 CFR 402.14(c), the additional data is the best scientific or commercial data available that would assist the Service in formulating its Biological Opinion and is not to be a request for a special research project.

#### Reports

Biological Assessment/Biological Evaluation Report.

In general, the report should include a project description (proposed action and defined project area), project habitat descriptions, effects of the proposed action on the species, conservation measures to minimize effects to the species, and a conclusion (effects determination). The report should also include the survey protocol, survey data sheets, and primary and secondary zones of the nesting caracaras, if caracaras are present. If habitat preservation and enhancements are proposed, the report needs to include a habitat monitoring component and a proposed land preservation conservation easement. Refer to the Service's *Outline Example for a Biological Assessment or a Biological Evaluation* (2002b) for a more detailed discussion of

report requirements, format, explanations of common ESA questions, and level of detail needed in the report.

#### Caracara Management Plan

A caracara management plan is necessary when a proponent proposes actions that may affect caracaras. The plan addresses primary and secondary zone issues and compliance with the caracara guidelines. The plan includes any proposed monitoring and mitigation, baseline surveys, and actions proposed to minimize adverse effects to caracaras. The caracara management plan can be a component of the Biological Assessment/Evaluation.

The management plan includes a discussion of project effects to the species and should include the following components.

All projects should be carefully considered on a case-by-case basis. Consider the following when assessing project effects to caracaras:

What is the level of use of the project area by caracaras? You may need to conduct surveys.

How is the area used? Why are caracaras there? Are they transient, foraging, perching, roosting, nesting?

What effect will the project have on the caracaras primary food stocks and foraging areas in all areas influenced by the project?

What actions are proposed to minimize potential effects to caracaras; include baseline monitoring, construction monitoring, and site enhancement actions, if any.

#### References

Morrison, J.L. 2001. Recommended management practices and survey protocols for Audubon's crested caracaras (*Caracara cheriway audubonii*) in Florida. Technical Report No. 18. Florida Fish and Wildlife Conservation Commission, Tallahassee, Florida, USA.

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