

Perdido Key Beach Mouse Habitat Conservation Plan

1. Why are Escambia County Beaches undergoing a separate HCP when the FWC has been granted funding for a Statewide Habitat Conservation Plan for Florida Beaches?

The HCPs have different purposes. The Escambia County HCP is specific to Perdido Key and covers the entire Key including areas that would not be covered under the Statewide HCP. The statewide HCP only includes activities permitted by the State of Florida Department of Environmental Protection at or seaward of the Coastal Construction Control Line (CCCL). Thus, projects north of the CCCL, such as property north of SR 292 or improvements to SR 292, would not be covered in the Statewide. Additionally, the Escambia County HCP is on a faster track than the Statewide HCP.

2. Has a contract been signed with PBS&J to conduct the area-wide HCP and Environmental Studies?

A limited Notice to Proceed (NTP) was issued to PBS&J effective September 15, 2007. A grant has been obtained from US Fish and Wildlife to assist with costs associated with preparing the Key-wide HCP.

3. What properties on Perdido Key are currently included in the contract?

- a. Road easements
- b. 80 acres of private property
- c. 240 acres of private property
- d. All of Perdido Key

The Scope of Work (SOW) includes all of Perdido Key in Florida. State or Federally held lands are excluded with the exception of the Perdido Key Drive right-of-way.

4. What is the additional cost to include private property in this study?

The Scope of Work did not differentiate between private and public property. Benefits to private property owners include reduction of endangered species permitting time from a current 18-24 months to normal County permitting timelines and development of a master permit (Perdido Key HCP/ITP) with standard permit conditions to reduce marketing issues associated with uncertainty of permitting through state and federal agencies.

5. What species will be included in the Escambia County Environmental Assessments and HCP?

All federally listed and candidate species that are reasonably anticipated to be impacted by potential development on Perdido Key (Perdido Key beach mouse, sea turtles (4 species),

and shorebirds (2 species)

6. When were the Sea Turtles, Piping Plover and Red Knot added to the scope of the area-wide HCP? By whom? By what mandate?

All federally listed and candidate species that are reasonably anticipated to be impacted by potential development on Perdido Key were included from the inception. While the beach mouse is the primary focus of the HCP, the County believes it is prudent to include all federally listed species in the plan to fully streamline the permitting process. In coordination with the US Fish and Wildlife Service, it has been determined that potential take for these species to be discountable when conservation measures are incorporation to protect nesting sea turtles, non-breeding piping plover and red knot.

7. Will additional mitigation fees be required for the additional species in the HCP:

- a. Loggerhead Turtle**
- b. Green Turtles**
- c. Kemp's Ridley Turtles**
- d. Leatherback Turtles**
- e. Piping Plover**
- f. Red Knot**

None are anticipated. However, there will likely be typical special conditions/conservation measures as currently required by US Fish and Wildlife for incidental take permits in Florida through the Florida Department of Environmental Protection Coastal Construction Control Line (CCCL) permit program.

8. If so, how much might mitigation cost for these species? What percentage, if any, of avoidance on property might be expected for these additional species?

Mitigation cost would be in direct association with implementing standard conservation measures (i.e. tinted glass, lighting restrictions, predator proof garbage containers, seasonal timing of construction, etc.). Mitigation for these species will not have a "fee" associated as formalized through the tri-party agreement for the beach mouse.

9. Will the \$100,000 per acre of impact mitigation and 50% or 75% avoidance for PKBM cover these additional species?

One mitigation option for the beach mouse is the referenced \$100,000 per acre of impacted habitat as determined by US Fish and Wildlife and the incorporation of conservation measures. Avoidance criteria has not been formalized by US Fish and Wildlife and will likely vary on a case-by-case basis. This mitigation option was formalized through the tri-party agreement regarding beach mice and does not address additional species. Please note most conservation measures for beach mice are redundant with the conservation measures for other listed species and will likely satisfy mitigation requirements (There may be case-by-

case variations based on site-specific conditions).

10. What percentage, if any, of avoidance on property might be expected for these additional species?

Additional avoidance is not expected for these species beyond current limitations (prohibition of construction seaward of the 1975 Coastal Construction Control Line) as found in the Escambia County Land Development Code Article 12.01.00. It is anticipated habitat avoidance for the beach mouse will also benefit sea turtles, piping plover, and red knot.

11. Will the \$100,000 per acre of impact mitigation and 50% or 75% avoidance for PKBM cover these additional species?

One mitigation option for the beach mouse is the referenced \$100,000 per acre of impacted habitat as determined by US Fish and Wildlife and the incorporation of conservation measures. Avoidance criteria has not been formalized by US Fish and Wildlife and will likely vary on a case-by-case basis. This mitigation option was formalized through the tri-party agreement regarding beach mice and does not address additional species. Please note most conservation measures for beach mice are redundant with the conservation measures for other listed species and will likely satisfy mitigation requirements (There may be case-by-case variations based on site specific conditions).

12. Does Santa Rosa Island have habitat consistent with these species?

Yes – with the exception of the Perdido Key beach mouse. Santa Rosa Island has it's own beach mouse (Santa Rosa beach mouse) which is not state or federally listed on an endangered species list. Review for the other species of interest (sea turtles and shore-birds) is conducted through the Florida Department of Environmental Protection Coastal Construction Control Line (CCCL) permit program.

13. Will the HCP include the coastline of Santa Rosa Island?

No – the primary focus of the Perdido Key HCP is the Perdido Key beach mouse and it is not found on Santa Rosa Island.

14. How will Santa Rosa Island be affected by these studies?

Santa Rosa Island will not be impacted by the Perdido Key HCP.

15. Has the grant from USFW been accepted by Escambia County? When?

No – it is anticipated the Florida Fish and Wildlife Conservation Commission (FWC) will accept the grant on behalf of Escambia County in the near future. At that time, the County

will be able to contract with FWC to receive grant funds.

16. When is the Environmental Assessment scheduled to begin and when do you plan to have the HCP completed?

The Environmental Assessment began with the Notice to Proceed on September 15, 2007. A draft HCP and draft Environmental Assessment is expected to be presented to the Board of County Commissioners by December 15, 2008 from PBS&J.

17. When will the Steering Committee for the HCP be developed? Who will be appointed? Will the meetings be open to the public? When will meetings begin?

The Steering Committee is expected to be developed in the near future. It is expected to consist of representatives of regulatory agencies including, but not limited to: US Fish and Wildlife, Gulf Islands National Seashore, Florida Fish and Wildlife Conservation Commission, Florida Department of Environmental Protection-Bureau of Beaches and Shores, Florida Park Service, and Escambia County. Meeting criteria such as timing, location, setting (formal sit-down or teleconference) has not been determined.

18. When will the public meetings with stakeholders be held? How will they be publicized?

Six quarterly meetings are anticipated to be hosted by PBS&J to keep the public informed on progress and give the public and stakeholder groups to provide an opportunity to provide comment and guidance.

19. When will public outreach meetings be held? How will they be publicized?

Six quarterly meetings are anticipated to be spread throughout the 14 month HCP development process. They will be publicized through direct notification of the Perdido Key Chamber, Perdido Property Rights, the Perdido Key Association, and District 2 newsletters. It is anticipated indirect notification will occur through advertisement in a local newspaper.

20. What is the web address for updating stakeholders on the HCP development?

The County website has links to HCP development and beach nourishment [here >](#)

21. How can an individual property owner “opt out” of being included in the area-wide HCP once it is completed and concludes that their property is habitat?

An individual may “opt out” and go directly to US Fish and Wildlife if the final result of the County HCP is deemed by the individual as not desirable or if they want to pursue a permit sooner. The “normal” HCP process and timelines as required by US Fish and Wildlife would apply. The County HCP will not provide a determination of whether federally protected

species occur on individual properties. Currently, species presence and habitat suitability is determined by US Fish and Wildlife and fine-tuned through a site visit from US Fish and Wildlife upon request of the property owner.

22. Is this option available in writing from USFW?

Per US Fish and Wildlife, any non-federal entity may apply to US Fish and Wildlife for an incidental take permit (ITP) regardless of existing ITPs in place. Escambia County has requested a letter to confirm and will insist language is inserted in the Perdido Key HCP to assure the option of bypassing the County HCP and interacting directly with US Fish and Wildlife is available to private landowners.

23. Who directs the guidelines of HCP studies? USFW? FWC? Escambia County? PBS&J?

The Steering Committee will provide overall guidance with input from public meetings to PBS&J regarding needed studies and conservation measures and mitigation required under the HCP. The final form of the HCP will be approved by the Board of County Commissioners prior to submittal for US Fish and Wildlife review.

24. Has Escambia County obtained written commitment from FWC or USFW that if the HCP is done to their specifications that they will allow the county to issue building permits to private property applicants according to conformance with the HCP?

It is anticipated US Fish and Wildlife will be a participant on the Steering Committee and will work with the County to include all necessary conservation measures and mitigation requirements in the HCP. However, the US Fish and Wildlife in its review process of the HCP and Incidental Take Permit (ITP) application, including receipt of comments from the public comment period, may determine additional measures are necessary. If the draft HCP meets the Endangered Species Act issuance criteria, an ITP will be issued to the County allowing the County to issue certificates of inclusion to the applicant (building permit). US Fish and Wildlife will perform annual audits to monitor the County performance implementing the HCP.

25. How many incidental take permits or building permits have been issued since the MOU was signed? To whom? What parcels?

1. Florencia – (Note this project predates the tri-party agreement and was substantially constructed at the time of review by FWS) 3.5 acre impact fee \$ 823 **Fee Paid**
2. Magnolia West 5.2 acre impact fee \$520,000
Waiting for ACOE permit issuance
3. Palazzo 0.58 acre impact fee \$ 58,000

County building permit not applied for

4. Searinity 0.32 acre impact fee \$ 32,000

County building permit not applied for

5. Retreat 0.21 acre impact fee \$ 21,000

County building permit not applied for

6. Bond home-site 0.17 acre impact fee \$ 17,000

Fee Paid – County permit ISSUED

7. Paradise Island 0.91 acre impact fee \$ 91,000

Waiting for ACOE permit issuance

The following four projects have completed the HCP process and a permit will be sent to the applicant for signature in the next 60-90 days.

8. Island Club 0.31 acre impact fee \$ 31,000

9. Coquina Caye 0.24 acre impact fee \$ 24,000

10. Marquesas 0.50 acre impact fee \$ 50,000

11. Lorelei 0.14 acre impact fee \$ 14,000

The following seven projects are in the HCP process and have not received final approval for acreage to be impacted.

12. Calabria

13. Lost Key

14. Seabreeze

15. Metcalf home-site

16. Miller home-site

17. Mediterraenea

18. Perdido Key Fire Station/Community Center

26. What funds have been collected by Escambia County NESD for PKBM mitigation?

\$17,823.03

Florencia \$ 823.03

Bond home-site \$17,000.00

27. What expenses have been incurred by Escambia County NESD for PKBM conservation?

Staff time associated with the development of the tri-part agreement, site surveys, and development of the HCP concept.

28. What is the balance of the PKBM Conservation fund that has been collecting PKBM mitigation fees to date?

\$17,823.03

Florencia \$ 823.03

Bond home-site \$17,000.00

29. What will Escambia County do with the collected mitigation fees if the suit against USFW to challenge the PKBM habitat is successful?

The Notice of Intend against US Fish and Wildlife appears to be challenging the designation of the Critical Habitat expansion and not the Endangered Species Act take provisions. It does not appear to challenge the authority of US Fish and Wildlife to exert jurisdiction on areas not deemed "critical habitat" and therefore would not impact the outcome of the Perdido Key HCP

■ **Q & A - Beach Renourishment**

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