

June 5, 2006

Mr. David Dell, Regional HCP Coordinator
USFWS Regional Office
1875 Century Boulevard, Suite 200
Atlanta, GA 30345

Re: Florida Scrub-jay Umbrella HCP proposal, Permit #TE109021-0

Dear Mr. Dell:

Audubon of Florida has long advocated for conservation of our only endemic bird, the Florida Scrub-jay, and is encouraged by the intent of this proposed umbrella HCP. This species is besieged by the current tide of development in Florida and is being lost at an alarming rate due to both the destruction of habitat as well as the rendering of habitat unsuitable to jays as a result of fire exclusion. This proposal is a step towards harnessing the relentless crush of development in some jay habitat to provide Scrub-jay protections elsewhere. *This is an important proposal, but requires further clarification as detailed below.*

- (1) The UHCP and EA document (dated February 2006) states the USFWS has already entered into an agreement with The Nature Conservancy (TNC) to manage the mitigation revenue that would be generated and oversee acquisition and management of jay mitigation lands. *We request that you make this agreement public;* its contents will likely address the following concerns we have with this UHCP proposal.
 - a) The UHCP correctly ties mitigation costs to local land prices. However, there is no indication that mitigation funds will be used to acquire Scrub-jay habitat in the same region that generated those mitigation revenues, and accordingly preserve all the jay metapopulations, not just a few.
 - b) Similarly, parameters for the acquisition size, shape and contiguity are not addressed and will have significant bearing on the success of mitigation.
 - c) We are pleased to see that you have allocated management funds for acquired mitigation lands. As you know, poor management can render habitat unusable to Florida Scrub-jays and has proven the undoing of jay populations on existing public lands that were acquired specifically for these birds. We are interested in the process by which your agreement arrived at \$1000/acre as an adequate allocation for management of these mitigation lands.

- d) Throughout the document, it is suggested TNC will protect jay habitat through fee and less-than-fee acquisitions and through work with private lands. This last reference is unclear: is it simply a restatement of a less-than-fee easement agreement, or does the UHCP anticipate some landowner incentive components to the program?
 - e) Finally, the document states TNC will eventually turn over the management of these lands to “third parties.” This proposal would benefit from some clarification of who these third parties will be and what accommodations will be made to assure the properties’ long-term, good management.
- (2) The areas affected by the UHCP have been established according to a standard of 13-acre territories for Florida Scrub-jays. However, this standard may not be the best available. Fitzpatrick, Woolfenden and Kopeny* found that typical territory sizes for Florida Scrub-jays averaged 25 acres. Other studies suggest jay territory size increases as habitat quality declines. We fear a 13-acre territory standard seriously under-represents the amount of urban jay habitat threatened by development. Accordingly, a 4:1 mitigation ratio would be more appropriate than the proposed 2:1.
- (3) Lastly, we would like to see the UHCP mention the possibility of jay translocation from incidental take permitted sites. Little is understood about the utility of this tool in reestablishing extinct populations. This could provide an important opportunity to gauge its effectiveness and potential for not just maintaining but increasing Florida Scrub-jay populations.

In summary, Audubon of Florida feels this proposal has great potential for Florida Scrub-jay conservation but requires further clarification in subsequent drafts before this process moves forward. We look forward to working with the USFWS further on an UHCP which will undeniably prescribe meaningful Scrub-jay mitigation.

Sincerely,



David Anderson
Executive Director
Audubon of Florida

* Fitzpatrick, J.W., G.E. Woolfenden and M.T. Kopeny. (1991). “Ecology and Development-Related habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens coerulescens*).” Nongame Wildlife Program Technical Report, No. 8. Office of Environmental Services, Florida Game and Fresh Water Fish Commission: Tallahassee.