



U.S. Fish & Wildlife Service

## South Florida Ecological Services Office

Vero Beach, Florida

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### Big Pine Key/No Name Key Habitat Conservation Plan

#### Frequently Asked Questions

#### **Q1: What is the Big Pine Key-No Name Key Habitat Conservation Plan (HCP)?**

A1: The Big Pine Key-No Name Key HCP is a conservation planning document developed in cooperation with the citizens of Big Pine and No Name Keys, Monroe County, the Florida Department of Community Affairs, the Florida Department of Transportation and the Fish and Wildlife Service.

The HCP outlines a conservation strategy to protect the habitat of the endangered Key deer (*Odocoileus virginianus clavium*), endangered Lower Keys marsh rabbit (*Sylvilagus palustris hefneri*), and threatened eastern indigo snake (*Drymarchon corais couperi*) while allowing limited residential, commercial, recreational, and municipal development on Big Pine and No Name Keys. The Big Pine-No Name Key HCP covers an area of approximately 7,000 acres.

In addition to protecting higher quality habitat, the HCP directs development toward areas that have been already impacted and away from endangered species habitat.

#### **Q2: What is "take"?**

A2: "Take" is defined in the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 et seq.) as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species. Harm may include significant habitat modification where it actually kills or injures a listed species through impairment of essential behavior (e.g., nesting or reproduction).

Private landowners, corporations, State or local governments, or other non-Federal landowners who wish to conduct activities on their land that might "take" threatened and endangered wildlife must first obtain an Incidental Take Permit from the Fish and Wildlife Service. The Fish and Wildlife Service issued an Incidental Take Permit associated with this HCP on June 9, 2006. As a result, individual landowners do not need to receive a permit from the Fish and Wildlife Service.

#### **Q3: How much development has been proposed?**

A3: The development of 200 homes or no more than 168 acres of development over a 20-year period is anticipated on Big Pine Key and No Name Key. The HCP does not specify which properties will be permitted or when. Development is still governed by Monroe County, the Monroe County Comprehensive Plan, and the associated Rate of Growth Ordinance.

#### **Q4: What are the benefits to listed species that will result from the HCP?**

A4: The HCP includes conservation measures to protect Key deer movement corridors and provide habitat mitigation at a 3:1 ratio. The acquisition and restoration of 504 acres of higher quality habitat will maintain the deer population and benefit the eastern indigo snake.

In addition, development will be excluded from Lower Keys marsh rabbit habitat and a public education program will be implemented to address threats posed by free-roaming pets.

#### **Q5: How will the HCP affect me if I want to develop my property on Big Pine Key?**

A5: Because Monroe County now has the approved HCP and Incidental Take Permit necessary to protect listed species and their habitats, property owners can apply to Monroe County for a building permit. All County regulations such as the Rate of Growth Ordinance must be met to participate in the HCP and there may be additional costs necessary to mitigate the impact. Landowners obtaining a building permit from the County can move ahead with construction and do not need any other permits or reviews from the Fish and Wildlife Service.

**Q6: How do I find out the habitat impact value of my land?**

A6: Monroe County will be able to provide you with the habitat impact value (H-value) of your property. You may contact the Monroe County Department of Planning and Environmental Resources at 305-289-2540.

**Q7: Who do I contact if I want to sell or donate my land for conservation?**

A7: Contact the Monroe County Land Authority at 305-295-5180

**Q8: How will this affect my plan to modify my residence on Big Pine Key or No Name Keys?**

A8: Improvements to your property are generally allowed as long as they are consistent with Monroe County regulations. Projects that remove native vegetation or reduce Key deer access to habitat such as fences may undergo additional review by Monroe County and the Fish and Wildlife Service.

**Q9: What about FEMA? How does the HCP affect the rulings on flood insurance?**

A9: A Federal Court has placed an injunction on the issuance of flood insurance on any new residential or commercial developments in suitable habitats of federally listed species in Monroe County. The Big Pine Key-No Name Key HCP is a separate action and does not lift the current injunction. The Fish and Wildlife Service and Federal Emergency Management Agency are working together to address the concerns identified by the Court and plan to submit a revised biological opinion on the National Flood Insurance Program to the Court in the near future, but do not know when the Court will lift the injunction.

**Q10: How will this impact recovery of these species?**

A10: The HCP will aid in the recovery of listed species on Big Pine and No Name Keys because it directs development toward areas that have been already impacted and away from listed species habitat. Development will be limited to 168 acres (with no more than 7 acres being native habitat) of impact over a 20-year period and mitigation will be conducted at a 3:1 ratio. In total, 504 acres will be acquired, restored, and managed for Key deer, Lower Keys marsh rabbit, and eastern indigo snake conservation.

In addition, no development will occur in Lower Keys marsh rabbit habitat and a 1,640-foot buffer from future development will be implemented to reduce the indirect effects of development (except for about 40 acres which have already been fragmented). All unprotected suitable marsh rabbit habitat on Big Pine and No Name Key will be targeted for acquisition and conservation.

The County will also implement a free-roaming pet education program that is expected to reduce mortality (predation) on marsh rabbits.

**Q11: Who does this agreement help?**

A11: The HCP is the result of a cooperative effort between the citizens of Big Pine and No Name Keys, Monroe County, the Florida Department of Community Affairs, the Florida Department of Transportation and the Fish and Wildlife Service. The HCP will help the community by allowing necessary community growth and infrastructure, and it will help the Key deer and other covered species by avoiding development impacts when possible and by securing conservation lands *in perpetuity*.

**Q12: Why not just leave it the way it is?**

Since the mid-1990's Monroe County, the Florida Department of Community Affairs, the Florida Department of Transportation and the Fish and Wildlife Service have recognized that continued growth and development on Big Pine and No Name Keys without proper protective measures would be harmful to Key deer, Lower Keys marsh rabbit and the eastern indigo snake.

The HCP and Incidental Take Permit allow needed residential, commercial, recreational, and municipal development on Big Pine and No Name Keys while protecting habitat and minimizing impacts so that these remarkable species can be enjoyed by future generations.

For further information or if you have questions not answered in these documents, please contact [Spencer Simon](#).

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