

Re: Coral Reef Commons Draft Habitat Conservation Plan
Agency/Docket Number: FWS-R4-ES-2016-N223
Document Number: [2017-05767](#)

Dear Sir(s)

First, I would like to formally thank FWS for last week's webinar concerning this HCP, the ITP and the additional information and clarification of the rules and laws concerning it. I have additional comments from my previous letter to add and I'll start with questions that were raised concerning issuance of the ITP.

1). Is the proposed take incidental to an otherwise lawful act?

That depends, while it may be within the law under Section 10 (a) (2) (B), the question should just because you "can" do something, "should" you do it? As taxpayers, we pay FWS to protect species, and add them to the ESA and not issue Take Permits to kill them. What is the purpose of getting a species on the ESA list to save it from extinction only to allow a developer to "take" them and cause extinction.

2). Would implementation of the HCP minimize and mitigate take to the maximum extent practicable?

No, not at all. The maximum extent of the HCP would mean that ALL the land was going to be preserved and there would be no commercial development allowed so that the habitat would remain intact and not fragmented as the HCP plans to do. Fragmentation is detrimental to the species that live there even if an ITP was not issued some species could go extinct because the size of the land they need to survive was dramatically cut back and separated.

3). Has the applicant ensured that adequate funding will be dedicated to ensure implementation of the programs and measures proposed in the submitted HCP?

No, of course not. The applicant is a Developer, not a Conservationist. You do not preserve anything by paving over it and breaking it into smaller pieces. Would you tear a Rembrandt painting apart and plaster over part of it in the living room and another part of it in the kitchen? No, so why is that being proposed for our masterpiece, the Richmond Pine Rocklands? Where in the HCP did the applicant

list how much funding will be set aside specifically for the controlled burns that need to be done to preserve the Pine Rockland?

The ITP is for 30 years, did the applicant propose a tentative burn schedule of 6 to 10 controlled burns for the next 30 years in the HCP? Should they be required to do so? Does anybody really believe that the applicant will really do the burns next to a Walmart retail shopping center and 900 apartments that will draw upwards 30,000 car trips each day? Not to mention the 60,000 daily car trips SW 152 Street, Coral Reef Drive is already inundated with currently.

4). Will the issuance of the ITP appreciably reduce the likelihood of survival or recovery of listed species?

Yes, it is a Death Sentence for the Eight Covered Species. The Bartram's scrub-hairstreak butterfly, Florida leafwing butterfly, Florida bonneted bat, Miami tiger beetle, Eastern indigo snake, Gopher tortoise, Rim rock crowned snake and white-crowned pigeon.

As we know, everything is connected in life. The little fish gets eaten by the mid-size fish and the mid-size fish gets eaten by the big fish and so on up and down the food chain. Take one out the equation and it affects the others. It is even more dire in the Pine Rocklands where there is a limit to the area in which they live and thrive so to "take" any one of them will have a drastic effect on the others.

The HCP tries to minimize the impact when asking for the ITP and of the Covered Species, only, one, the Bartram's scrub-hairstreak butterfly has reportedly been documented on the CRC Property. When the applicant started work on the site in 2015, they brought in people from Fairchild Tropical Gardens. One of the people from Fairchild took a picture of the Bartram's scrub-hairstreak butterfly and published it.

When the applicant, Ram Development found out about the picture, they were furious and started all sorts of legal action against everyone even remotely involved. Does this sound like a company that will do all they can to make the taking "incidental" or does it sound like a company that cares more about themselves and will "take" as much as they can even if it wipes out a few or all of the endangered species covered?

5). Are there other measures that should be required as a condition of the ITP?

Yes, mandatory burns every 3 to 5 years to preserve the land with a tentative burn schedule from the U.S. Forest Service for said burns. Mandatory notification to all prospective retail tenants and all residential tenants of such required burns and the tentative burn schedule before they sign a lease. The applicant needs to have signed acknowledgment of the burns from all tenants kept on file and have copies on file with Miami-Dade County to prevent any future legal action from tenants that do not want to have burns so close to their business and homes for the next 30 years.

The Richmond Pine Rocklands are the largest Globally Imperiled Tract of Pine Rocklands outside of Everglades National Park and have been and will continue to be a prime target for development unless they are preserved. It is abundantly clear that the applicant, Ram Development and the University of Miami along with our local Miami-Dade County Government are doing as little as possible to save this land and the endangered species that can only survive on it. So, we need to have the “adults” at FWS involved to stop this “childish” action of the applicant and do the right thing and reject the HCP and deny the ITP.

The U.S. Geological Survey Agency has determined that only 1.5% of Pine Rocklands remain in South Florida, down from 2% not that long ago. South Florida has been over developed for years and only very small fragments of habitat remain spread out across Miami-Dade County. Denying the ITP will force the applicant to look for other options and other less environmentally sensitive sites to build. Miami-Dade County should be encouraged to propose a land swap deal of suitable land currently in county inventory for the Coral Reef Commons site.

I volunteer as Train Crew at the Gold Coast Railroad Museum located in the heart of the Richmond Pine Rocklands. I have been out in the Pine Rocklands nearly every weekend going on three years now. I know firsthand that they are home to more than a dozen rare and Federally Protected plants and animals, I point this out to our guests on the train ride. I personally have seen 4 of the 8 “Covered Species” in the Pine Rocklands. Despite the denial of the applicant I know for a fact that they are there.

The Richmond Pine Rocklands are significantly higher than other parts of the County, they are part of the Miami Rock Ridge, which made them prime for

development. I am not an expert on Climate Change or Global Warming, but as a resident of South Florida I have seen the effects it has made over my 57 years living here. There is erosion and flooding that takes place in various parts of the County. The Richmond Pine Rocklands are a “Lifeboat Habitat” for rare and endangered plants and animals to protect them from such conditions.

Most people think that all of the Richmond Pine Rocklands are designated “Critically Endangered Habitat” as there are signs stating such all over Zoo Miami property and the Zoo has Pine Rocklands as one of the exhibits. However, that is not true. A lot of it, like the Coral Reef Commons site are not and there is even more proposed development of a major theme / water park that will further fragment and destroy the habitat and adversely affect the endangered species that live there.

The Miami Pine Rocklands Coalition and all of our environmental organization partners and our members and over 1,200 Facebook followers vehemently oppose the applicants HCP for the Coral Reef Commons Project. FWS and the applicant got to hear some of us speak out against it on last week’s webinar. FWS has gotten letters and e-mail and will be receiving more from concerned citizens right up to the May 22 deadline for Public Comments. Every one of us strongly urges and is greatly depending upon the FWS and our Miami Dade County Government to work together with the applicant to find another solution. We desperately want and need to preserve and restore the Richmond Pine Rocklands for our future generations and never allow any more commercial development.

Save It Don’t Pave It

Cully Waggoner