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**Re**: Request for Public Hearing on FWS-R4-ES-2016-N223, Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application and Environmental Assessment for Commercial Mixed-Use Development; Miami-Dade County, FL and 90 Day Public Comment Request.

Dear Mr. Dell and Ms. Blackford,

As a concerned Florida Resident I respectfully request a public hearing on the above-referenced proposed incidental take permit and environmental assessment on the commercial mixed-use development locally known as Coral Reef Commons. We request that this public hearing take place during the comment period and in a location and timeframe that ensures members of the public will be able to meaningfully participate.

As you are aware, native habitats in Florida are rapidly disappearing. Perennially rare communities, such as the pine rocklands that would be impacted by Coral Reef Commons, are among the native habitats in Florida that have been drastically reduced in area. Pine rockland is a globally endangered plant community with more than 98 percent decline in its pre-settlement area due to significant ecological degradation, conversion to other land uses, and outright destruction. This important community provides vital habitat for many endangered species, including those at issue in this permit application.

The U.S. Fish and Wildlife Service’s (Service) review of the Coral Reef Commons application requires compliance with the Endangered Species Act, National Environmental Policy Act (NEPA), and Administrative Procedure Act. The Service’s Habitat Conservation Planning and Incidental Take Permit Processing Handbook (2016) (hereinafter, Handbook), a policy document intended to inform how the Service processes Endangered Species Act Section 10 incidental take permits, describes public hearings as:

[a] common method for soliciting stakeholder input on agency actions. Hearings provide all or selected participants an opportunity to present their opinions on an issue, usually in a formal manner in an allotted amount of time . . . . The information is recorded and becomes part of the public record. Laws and agency regulations often mandate public hearings.

Likewise, the Handbook describes public meetings as:

[f]orums in which our staff can present information to interested stakeholders. Many public meetings . . are designed to encourage discussion and feedback. Public meetings can be very effective and useful for conveying information, educating the interested public, and identifying interested parties.

This guidance echoes the requirements of NEPA, which at every turn emphasize the importance of public participation. The Council on Environmental Quality’s (CEQ) regulations implementing NEPA state that “[a]ccurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA.” 40 C.F.R. § 1500.1. Indeed, CEQ regulations require that the Service hold a public hearing or meeting “whenever appropriate,” taking into account factors such as “substantial environmental controversy concerning the proposed action or substantial interest in holding the hearing.” 40 C.F.R. § 1506.6(c)(1).

I have a longstanding interest in the protection of Pine Rocklands and their endangered and threatened species. I have also have carefully followed years of additional requests for more Pine Rockland Protection.

For example, in 2014, the Center for Biological Diversity, South Florida Wildlands Association, Tropical Audubon Society, Miami Blue Chapter of the North American Butterfly Association and Miami Pine Rocklands Coalition petitioned the Service to list the Miami tiger beetle, one of the species impacted by the incidental take permit, as endangered. Additionally, as the result of a settlement agreement reached between the Center for Biological Diversity and the Service in 2011, the Service listed the Florida bonneted bat as endangered in 2013; listed as endangered and designated critical habitat for the Bartram’s scrub-hairstreak butterfly and Florida leafwing butterfly in 2014; and listed as endangered and designated critical habitat for the Carter’s small-flowered flax and Florida brickell-bush in 2015. All are species that would be negatively impact by Coral Reef Commons.

I understand there have been more than 14,000 letters to the developer of Coral Reef Commons asking it to protect listed species and not move forward with the project. Many concerned residents appear to oppose the project and would benefit from the opportunity to attend a public hearing on the application.

It is evident that a substantial environmental controversy concerning the proposed action and a substantial interest in holding the hearing exist.

We hope you will grant the public the opportunity to more fully discuss the impacts of Coral Reef Commons on federal and state endangered and threatened species through a public hearing. I look forward to your reply.

In addition, I’d also like to request the Public Commnet Period be extended to 90 days to allow the Public to carefully examine the proposed Coral Reef Commons HCP in light of the more than 3 years the applicants have had to develop it jointly with the the FWS.

Sincerely,