



United States Department of the Interior

FISH AND WILDLIFE SERVICE
South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960



September 13, 2010

Andy Stevens
Community Services Department Manager
2050 Forrest Nelson Boulevard
Port Charlotte, Florida 33952-2128

Service Log Number: 41420-2008-TA-0935
Date Received: May 14, 2008
County: Charlotte

Dear Mr. Stevens:

Thank you for your May 14, 2008, letter requesting technical assistance from the Fish and Wildlife Service (Service). Your request concerns projects to improve existing single family homes located on quarter acre lots which occur within Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) review areas. We understand single-family homeowners are seeking building permits to improve their existing residences or construct ancillary structures. The proposed improvements include: (1) constructing room additions or expansions; (2) razing and reconstructing within the previous structure's footprint; (3) razing and constructing a larger structure; (4) constructing ancillary structures such as pools, decks, sheds, and detached non-commercial garages; and (5) constructing detached non-commercial garages or sheds on an adjacently owned undeveloped lot. The County is seeking guidance as to which projects, if any, can be exempt from Service review as described in our revised procedure letter dated March 12, 2007.

The Service appreciates Charlotte County's efforts to improve the permitting process in balance with scrub-jay conservation. In the urban landscape, scrub-jays are subject to numerous threats as a result of development activities in occupied habitat. Primarily, impacts to scrub-jays occur as a result of habitat fragmentation, degradation, and loss, as well as, increased mortality due to car strikes and predation by domestic cats. Typically, significant impacts to habitat occur during the initial construction of the single family home.

We believe the proposed improvements to existing single family homes will not significantly increase risk to scrub-jays above the baseline (existing) conditions and, therefore, do not require further Service review provided: (1) no woody vegetation is removed including saw palmettos (*Serenoa repens*) and surrogate scrub-jay habitat such as exotic vegetation; (2) construction activities occur outside of the scrub-jay nesting season (March 1 through June 30); and (3) scrub oaks are incorporated into the landscape design, if possible. If criteria 1 or 2 cannot be met, please forward those projects to the Service for review.

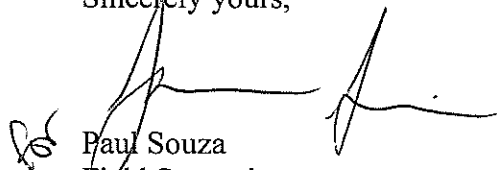
Please note, the exemption of Service review of projects listed in the first paragraph of this letter in no way implies compliance with other Federal, State, County, or municipal regulations. It is



the Applicants' responsibility to ensure their projects meet all applicable regulations. If project modifications are made that are not in compliance with items 1 and 2 in the immediately preceding paragraph, if additional information involving potential effects to listed species becomes available, if a new species is listed, or if designated critical habitat may be adversely affected by any project, additional coordination with this office will be necessary.

Thank you for your cooperation in the effort to conserve fish and wildlife resources. If you have any questions, please contact Elizabeth Landrum at 772-562-3909, extension 304.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Paul Souza", is written over a horizontal line. To the left of the signature is a small, stylized mark that looks like a lowercase "p" or "s".

Paul Souza
Field Supervisor
South Florida Ecological Services Office

cc: electronic only
Charlotte County, Port Charlotte, Florida (Jamie Scudera)
FWC, Ocala, Florida (Robin Boughton)