



United States Department of the Interior



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

December 31, 2013

Donnie Kinard
Chief, Regulatory Division
U.S. Army Corps of Engineers
Post Office Box 4970
Jacksonville, Florida 32232-0019

Service Federal Activity Code: 2008-FA-0118
Service Consultation Code: 2006-F-1005
Applicant: FEMA
County: Monroe

Dear Mr. Kinard:

On April 30, 2010, the U.S. Fish and Wildlife Service issued a Biological Opinion (BiOp) which evaluated the potential effects of the Federal Emergency Management Agency's (FEMA) implementation of the National Flood Insurance Program (NFIP) on threatened and endangered species in the Florida Keys, Monroe County, Florida. The BiOp and associated January 11, 2011, Settlement Agreement ended a 20-year lawsuit filed against FEMA and the Service by the National Wildlife Federation and others. To facilitate local implementation of the BiOp, the Service issued Species Assessment Guides (SAGs) to Monroe County and the municipalities in 2012. The SAGs are intended to be re-evaluated and revised over time. As such, they were revised in 2013. The 2013 SAGs can be found on our website at: <http://www.fws.gov/verobeach/ConservationintheKeys.html>.

The SAGs provide a mechanism whereby the participating community can evaluate, using our determinations, whether incidental take will occur as a result of a proposed project given the actual site conditions and proposed conservation measures. We anticipate that listed species issues can be addressed through the determinations in the SAGs in the vast majority of applications. For projects that we have determined will have "No Effect" or are "Not Likely to Adversely Affect (NLAA)" in the SAGs, no incidental take will occur. Projects that "may affect" listed species, as determined through SAGs, are forwarded to the Service and FEMA for further review.

In order to streamline consultation and improve consistency across agencies, we are transmitting these SAGs to the Corps for use in making effect determinations for projects in the Florida Keys. For projects which the Corps determines will have "No Effect" or are "NLAA" through use of the SAGs, this letter provides concurrence for those determinations and no further consultation is needed. Projects which reach a determination of "may affect" through use of the SAGs should be forwarded to the Service for consultation.

Donnie Kinard

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Thank you for your cooperation in the effort to conserve fish and wildlife resources. If you have any questions regarding this letter, please contact Victoria Foster at 772-469-4269.

Sincerely yours,


for Larry Williams
Field Supervisor
South Florida Ecological Services Office

cc: electronic only

Corps, Jacksonville, Florida (Stuart Santos, Tori White)

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