

**MORRIS-DEPEW ASSOCIATES, INC.**

ENGINEERS • PLANNERS • SURVEYORS

LANDSCAPE ARCHITECTS

Metro Center 1

2891 Center Pointe Drive, Unit 100

Fort Myers, FL 33916

(239) 337-3993 Office • (239) 337-3994 Fax

#LC26000330

LETTER OF TRANSMITTAL**TO:** Lee County Community Development

1500 Monroe Street

Fort Myers, FL 33901

DATE: 6/17/14**MDA PROJECT NO.:** 12037**ATTENTION:** Brandon Dunn**RE:** 12037 CPA2014-00004 Sufficiency ResponseWe are sending you ☒ Attached ☐ Under separate cover VIA _____ the following items:

Copies	Date	No.	Description
6	6/17/14		Sufficiency Response Packets

These are transmitted as checked below:

- | | | |
|--|---|---|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> Resubmit _____ copies for approval |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints |
| <input checked="" type="checkbox"/> For review and comment | | <input type="checkbox"/> _____ |
| <input type="checkbox"/> For bids due _____ | | <input type="checkbox"/> Prints returned after loan to M-DA |

REMARKS: Should you have any questions or concerns please contact me.

Thank you.

COPY TO:Danielle Grossenbaugh
Planning Technician**SIGNED:** _____Tina Mayfield Ekblad, MPA, AICP, LEED AP
Director of Planning**RECEIVED**
JUN 17 2014

COMMUNITY DEVELOPMENT

**MORRIS****DEPEW**ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916

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June 17, 2014

Brandon D. Dunn
Senior Planner
Planning Division
2115 Second Street
Fort Myers, FL 33901**RE: CPA Insufficiency Letter Dated 5-16-14
WildBlue CPA2014-00004 (MDA #12037)**

Dear Mr. Dunn:

The purpose of this letter is to provide a response to the Planning Division review comments dated May 16, 2014 for the WildBlue Comprehensive Plan Application. Based on the comments received from staff, the proposed text amendment has been revised as well as the project narrative. 6 electronic copies of the concurrent planned development application are also included with this submittal for distribution and review. We believe that we have adequately responded to comments provided and would request a meeting or conference call with staff prior to the publication of a second insufficiency letter.

PLANNING STAFF**III B. a. Property Information, Total Acreage of Property**

The total upland and total wetland acreages should add up to the Total Acreage. Please revise the application to correct this. Excavated lakes contained wholly in the subject property should be counted as uplands.

Response:

The property is comprised of 978± acres of wetlands, 35± acres of other surface waters (i.e., agricultural ditches), and 1,947± acres of uplands (including the excavated mining lakes). A revised Comprehensive Plan Amendment Application is attached.

III D. Proposed changes for the Subject Property

Please clarify if the applicant is proposing to place the preserved acres of uplands and wetlands into the conservation land use category?

Response:

No. The applicant is committing to placing 1,318 acres into a perpetual conservation easement. No map amendment will be requested for the proposed development.

III E. 2. a. Potential development of the Subject Property, Calculation of maximum allowable development under proposed FLUM, Residential Units/Density

Please provide the gross density calculation over the non-commercial areas that would result from the proposed amendments to the Lee Plan.

Response:

The Text Amendment requests 1,100 dwelling units and the subject property includes 1,947 acres of uplands and excavated mining lakes. The gross density for the uplands and excavated mining lakes yield .56 units per acre.

It should be noted that that concurrent planned development application further caps the residential units to 1,000 or .51 units per acre.

IV B. 2. Public Facilities Analysis

Please provide a letter from Lee County Utilities stating if they are able to provide adequate service to the proposed development.

Response:

A Letter of Availability was provided by Lee Count Utilities and is attached.

IV B. 3. b. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Emergency medical service (EMS) provisions

Please provide a letter from Lee County EMS stating if they are able to provide adequate service to the proposed development.

Response:

We are continuing to coordinate with Lee County EMS regarding service to WildBlue. A Letter of Availability will be provided upon receipt.

IV C. 5. Environmental Impacts, A map delineating wetlands, aquifer recharge areas, and rare & unique uplands

Please clarify if the wetland lines have been verified by a state or federal agency?

Response:

The wetland lines have been verified by the South Florida Water Management District (SFWMD) as part of SFWMD Permit No. 36-05075-P and by the U.S. Army Corps of Engineers (COE) per COE Approved Jurisdictional Determination No. SAJ-2003-10995.

IV E. 2. Internal Consistency with the Lee Plan, List goals and objectives of the Lee Plan. Include an evaluation of all relevant policies under each goal and objective.

Please revise the Lee Plan narrative to address Objective 107.10.

Please revise the application to provide a narrative demonstrating compliance with Policy 33.3.3 Item number 2.

Response:

Lee Plan Objective 107.10 specifically addresses protection measures for the wood stork. A management plan for wading birds, including the wood stork, is provided in the attached Protected Species Management and Human-Wildlife Coexistence Plan. The mitigation plan for the Project includes the enhancement and preservation of 744± acres of on-site wetlands and the enhancement of wetlands through the removal and restoration of 6± acres of existing mining haul roads that bisect the two sloughs on-site. In addition, the mitigation plan proposes the creation of 94± acres of herbaceous wetlands from existing upland farm fields, berms and ditches. The grading plan for these areas includes the establishment of wading bird foraging habitat. These areas will be graded to varying depths to allow the concentration of prey for the wood stork and other wading birds at alternating times of the year as water levels seasonally rise and recede.

A revised Project Narrative is included to address compliance with Policy 33.3.3 Item 2.

Miscellaneous Comments

1. Please provide more information on the restoration that is mentioned in the narrative (i.e. maps demonstrating the location of the restoration, a preliminary restoration plan, etc.)

Response:

Please refer to the attached Indigenous Preserve Management Plan for details on the proposed enhancement, preservation and long term management of natural resources within the Project's conservation areas. Appendix A of the Indigenous Preserve Management Plan depicts the locations of the indigenous vegetation preservation, as well as the enhancement that will be conducted on-site as compensatory wetland mitigation for the SFWMD permit.

The Project's conservation areas total 1,318± acres and include 677± acres of indigenous vegetation, which exceeds the 592± acres of indigenous vegetation preservation that is required for the Project. The remaining 641± acres of non-indigenous vegetation within the conservation areas will be enhanced and placed under a perpetual conservation easement as part of the wetland mitigation plan for the SFWMD and COE permits. However, the 641± acres of enhancement is not needed to meet the Lee County indigenous vegetation preserve requirements. The Project does not need to utilize restoration to meet the indigenous vegetation requirement.

2. Please clarify what is the status of the mine pit reclamation?

Response:

The existing lakes will be reclaimed in accordance with Lee County LDC requirements. This reclamation work will be done along with the residential construction. One area of the existing shoreline in the middle lake that is not adjacent to development will not be reclaimed. The shoreline will remain in its current state. This shoreline is adjacent to the slough preserve, and reclamation would removal of existing native vegetation and increased jurisdictional impacts.

3. Please provide a map that delineates the primary and secondary panther protection zones for the proposed project site.

Response:

Attached is a map that depicts the USFWS Florida panther primary and secondary zones relative to the Project (Figure 1).

4. Please provide a series of maps with hatching depicting the table found on page 8 of the project request which compares the existing Ginn approvals with the proposed development parameters (i.e. development footprint, wetland impacts, total project, preserves, etc ...)

Response:

Attached is a series of maps depicting the acreage comparisons between WildBlue and the Ginn Development site plans that are discussed on Page 8 of the Project Request (Figures 2A and 2B through 7A and 7B).

5. Please provide a map demonstrating the location of the proposed wildlife underpass on Corkscrew Rd in relation to the proposed project.

Response:

Attached is a map that depicts the location of the proposed wildlife underpass on Corkscrew Road in relation to the proposed project (Figure 8).

Legal descriptions are under review. Additional comments may follow.

Please see attached additional correspondence from Lee County Utilities and the Division of Natural Resources.

Planning Division Brandon D Dunn, Senior Planner

Cc: Planning file: CPA2014-00004

NATURAL RESOURCES STAFF

1) POLICY 33.3.3(1): Requires that the applicant provide proof of a lower irrigation demand.

Staff comment:

The applicant states there are two existing water use permits which use on-site lakes as their source. The first permit (36-00102-W) is for agricultural irrigation of 248 acres of small vegetables using a flood/seepage irrigation system, with an annual allocation of 242.26 million gallons. The second permit (36-05078-W) is for the landscape irrigation of 419 acres of turf and 74 acres of golf course using sprinkler irrigation systems, with an annual allocation of 633.89 million gallons. This brings the current total on-site acres under irrigation to 741.

The applicant proposes using the on-site lakes as a source of irrigation supply for the project area. The proposal contains a reduction in the irrigated lands to 350 acres of turf/landscape. Secondly, the proposal converts the golf course (74 acres) to 104 acres of tree farm. This conversion results in a total of 454 irrigated acres with a proposed annual allocation total of 546 million gallons. Staff notes: there is a noticeable difference of project foot print change shown in both water use permits. The reduction in irrigated lands and use should also carry with it the reduction in water use (if there is less land there should be less water used for irrigation). Perhaps the applicant could provide a more detailed explanation of the reduction in usage.

Response:

The total project acreage is decreased from 3,552 acres to 2,960 acres due in part to the donation to Lee County of the lake and surrounding lands totaling 488 acres in the northeast section of the property. This parcel donation is being offered for development of a large regional park but offers other opportunities as well for enhanced regional water management associated with the mine lake and the adjacent Stewart Slough system. However, in addition to the park donation and reduced overall project size, substantial increases are proposed for preserve and conservation, wildlife corridors, and regional flow-way connectivity and enhancement. The acreage of restored on-site flow-ways is increased from 480 acres to 586 acres, the total preserve area is also increased from 953 acres to 1,318 acres, wetland impacts are reduced from

380 acres to 219 acres, panther habitat is increased from 953 acres to 1,245 acres, and overall development footprint is reduced from 1403 acres to 754 acres. These development and environmental improvements result in a significant reduction in projected irrigated acreage and therefore will result in a significant reduction in the permitted water use on the project. Initial calculations indicated a reduction in irrigated acreage from 419 acres to 350 acres which is commensurate with the reduction in total project acreage (approximately 16%). However, as project designs are being refined and water use permit preparations initiated, the applicant is projecting a reduction in irrigated acreage of over 20% from the currently permitted irrigation demands from this property. Note that the golf course will be eliminated and replaced by agricultural use (AG-2) for nursery or urban farming. Although the potential acreage that will be irrigated on this parcel may increase from 74 to 104 acres, the project is committed to maintaining the current allocations and will not request increases in allocations for this parcel than those currently permitted for the golf course.

2) POLICY 33.3.3(2): Requires the applicant provide proof that they eliminate private irrigation wells.

Staff comment: In review of the two existing water use permits associated with this project (36-05078-W and 36-00102-W) there is a common irrigation allocation from the onsite lakes. This project was never permitted for irrigation wells. How would the applicant propose to make an improvement on this requirement?

Response:

Covenant documents (applicable to all owners, HOA, or other governing entities) for the project will prohibit the use of individual wells and septic systems. Furthermore, these covenant documents will prohibit the application of fertilizers or pesticides by individual homeowners. The documents will indicate that these processes are centrally controlled and subject to the provisions contained in the documents.

3) POLICY 33.3.3(3): Requires that the applicant provide proof that they protect public wells by meeting or exceeding the requirements of the Well Field Protection Ordinance.

Staff comment: How will the applicant propose to meet or exceed requirements of the wellfield protection zones 3 and 4 of which this project falls within?

Response:

The proposed development will include Homeowners Association documents, such as Declarations and Covenants that cannot be altered by the Homeowners Association or other entities after incorporation. These documents will insure that the project complies with the provisions of Zones 3 and 4 of the Well Field Protection Ordinance.

Details for Zone 3 include:

- Prohibition of the use, handling, production or storage of regulated substances (per Section 14-208) unless a valid operating permit is obtained.
- Prohibition of wastewater effluent, liquid waste, and solid waste disposal.
- Operating permits must be renewed annually.
- Stormwater and surface water discharged must meet SFWMD and FDEP rules

Details for Zone 4 include:

- Activity or land use involving the use, handling, production, or storage of regulated substances (per Section 14-209) is prohibited unless a valid operating permit is obtained.
- Operating permits must be renewed annually.
- Stormwater and surface water discharged must meet SFWMD and FDEP rules

The Homeowners Association documents will prohibit the use of individual wells or septic systems, along with the prohibition of the application of fertilizers or pesticides by individual homeowners. The documents will indicate that these processes are centrally controlled and subject to the provisions contained in the documents. Supplying potable water to the project from the nearby LCU water treatment facilities will remove a competing water use from the freshwater aquifers and allow for additional control and planning over area water resources by LCU. The provision of a central sewer system will eliminate septic tank discharges in the area providing a higher level of protection to the existing LCU wellfields.

4) POLICY 33.3.3(2)(d)(4): Requires that the applicant provide proof that they will use Florida Friendly Plantings with low irrigation requirements in Common Elements.

Staff comment: *The applicant states that they agree to follow this requirement. No proof is provided.*

Response:

Pursuant to the requirements of 33.3.3.2 a companion zoning case has been filed to address these items. The applicant expects that a condition requiring the use of Florida Friendly Plants with low irrigation requirement in Common Elements will be incorporated in the zoning resolution. If needed, the applicant will propose such a condition for staff to consider at this time.

A copy of the planned development application and all supporting materials were provided in electronic format with the CPA submittal and insufficiency response package.

5) POLICY 33.3.3(2)(d)(6): Reduces impervious area relative to existing approvals improving opportunities for groundwater recharge.

Staff comment: Compare impervious area between the existing and proposed plans and address any groundwater recharge benefit associated with the change of impervious area.

Response:

The project includes donation of 488 acres to Lee County including the lake and surrounding lands in the northeast section of the property. The development footprint as currently permitted is 1,403 acres. The footprint proposed for WildBlue is for 754 acres. The total preserve area is being increased from 953 acres to 1,318 acres. Based on the previous Environmental Resource Permit (ERP) issued November 10, 2004 for the property (ERP # 36-05075-P, Application # 031031-18) the impervious area for the project was 293.5 acres. ERP Application # 140516-16 to modify ERP # 36-05075-P, submitted May 16, 2014 in support of the new design for the property has a proposed impervious area of 266.43 acres, resulting in a reduction of impervious area. This reduction in impervious area, along with a reduced development footprint, increased the preserve area and land donations will enhance recharge to the water table across the project site.

6) POLICY 33.3.3(2)(d) 7): Designed to accommodate existing or historic flowways.

Staff comment: Identify historic flowways and means, and methods for proposed restoration and enhancements. The historical flow way has long been significantly impaired by regional alterations of drainage patterns including the decades of mining activities at both on- and off-sites. The proposed Comprehensive Plan Amendment talks about "significant opportunities for flow way restoration and natural resources protection that can be undertaken through the use of incentives, but not a specific methodology has been presented. Moreover, no such measures or "incentives" were offered in the currently submitted rezoning application.

Also, demonstrate hydraulic connectivity with off-site corridors

Response:

Regional flowways such as the Stewart Cypress Slough have been highly impacted by alterations to drainage both off-site and on-site of the WildBlue project site. Large scale agricultural operations beginning in the 1940's created ditch and dike drainage and irrigation systems north and south of Alico Road that robbed the slough systems of

water during part of a typical year and likely increased water flows during other parts of the year. Alico Road itself created a substantial alternation of the slough systems by capturing surface water flows coming from the northeast that should naturally continue to the southwest within the slough system and instead conveyed those captured flows westward within the Alico road ditch system. Starting in the 1980's, aggregate mining activities included line cuts through the slough that promoted the infestation of exotic vegetation that impeded normal water flows. Mining haul roads were also constructed and additional and more complex agricultural ditching, diking, and irrigation system conveyances were developed as part of the changing landscape created by the mining activities. A substantial part of the commitment of the WildBlue application is the restoration and enhancement of these former flowways and slough systems. Restoration and enhancement activities include:

- 1) indigenous vegetation preservation and enhancement through removal of exotics and supplemental plantings where required
- 2) upland restoration through removal of the perimeter berms and ditches around existing farm fields and replanting with native upland species
- 3) wetland creation through regrading of existing farm fields to wetland elevations and planting with native wetland species
- 4) wetland and hydrological restoration through the removal of existing haul roads that cross the sloughs, regrading these areas to match adjacent wetland elevations and planting with native wetland species. Details of the proposed restoration and enhancement activities are provided in the attached Indigenous Preserve Management Plan.

7) POLICY 33.3.3(2)(e): Includes an enhanced lake management plan, that addresses at a minimum the following issues:

POLICY 33.3.3(2)(e): (1) Best management practices for fertilizers and pesticides.

POLICY 33.3.3(2)(e): (2) Erosion control and bank stabilization including the proposed boat slips.

POLICY 33.3.3(2)(e): (3) Lake maintenance requirements.

POLICY 33.3.3(2)(e): (4) Public wellfield protection.

Staff comment:

Please provide a lake management plan to address the above issues.

Response:

Pursuant to the requirements of 33.3.3.2 a companion zoning case has been filed to address these items. An Enhanced Lake Management plan has been provided as part of the planned development application to meet these requirements. A copy is of the plan is attached to this response letter for review.

A copy of the planned development application and all supporting materials were provided in electronic format with the CPA submittal and insufficiency response package.

UTILITIES STAFF

Potable Water

Provide a letter of service availability from the appropriate utility:

A letter of service availability from Lee County Utilities is not provided in the application.

Response:

A Letter of Availability was received from Lee County Utilities and is attached for review.

Sanitary Sewer

Provide a letter of service availability from the appropriate utility:

A letter of service availability from Lee County Utilities is not provided in the application.

Response:

A Letter of Availability was received from Lee County Utilities and is attached for review.

Proposed Amendments:

POLICY 1.7.14 and Objective 33.3:

5. “Environmental Restoration Overlay Communities.” Property with previously approved mining activity, approved residential uses, and having the potential for significant environmental restoration and preservation of natural resources.

...and previously mined properties with existing residential approvals and significant restoration and enhanced protection potential for onsite natural resources (Environmental Restoration Overlay).

Question #1: The use of the criteria “approved residential uses” is ambiguous and needs some clarification. Are we restricting this to property that has approved residential zoning? Conventionally zoned Ag property is approved for residential uses, but isn’t zoned for residential uses.

Response:

Please see the attached, revised Text Amendment.

Question #2: Due to the subjective nature of the term “significant environmental restoration,” and the potential use of this overlay in other areas, would the creation of numerical criteria or qualifiers be appropriate here? For example, significant environmental restoration and preservation of natural resources under this Policy may be satisfied if conditions of development approval or development agreement include the minimum restoration of X% or X number of acres of land? That percentage or size of restoration could be determined on a case by case basis and could be tied to the level of previously impacted wetlands or habitat on the site. Also, the addition of qualifiers could allow staff to create criteria for the minimum type of restoration required to trip the “significant” threshold.

Response:

Please see the attached, revised Text Amendment.

Question #3: What is the minimum restoration criteria needed to comply?

Response:

Please see the attached, revised Text Amendment.

Question #4: The language in Policy 1.7.14 and Objective 33.3 are not consistent. The “*potential for significant environmental restoration and preservation*” is different than “*significant restoration and enhanced protection potential....*” Please consider making the language in 33.3 consistent with 1.7.14 (or vice versa).

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment with suggested changes:

POLICY 1.7.15

Re-establishment and restoration of flowways in the DR/GR areas and establishment of wildlife corridors are in the public interest and properties containing significant portions of such will be eligible for consideration for development incentives as further defined herein if owners commit through development conditions or development agreements to their restoration and/or preservation.

Question #1: Is there a better place to put this additional language? The first paragraph in the existing policy deals with the requirements for analysis of historic Surface and

Groundwater Levels. Adding this language to Policy 1.7.15 seems out of place. Would inclusion in 33 be better?

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment with suggested changes:

POLICY 33.2.1: suggested changes:

or ~~the~~ within the specific conditions imposed in planned development zoning approvals resolution or other development permits issued ~~approving development for development of~~ property located within the Environmental Restoration Overlay.

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment:

POLICY 33.3.3:

Properties within the DR/GR that have existing approvals for residential development inconsistent with the current DR/GR density requirements or properties with previous mining activities and residential approvals, that may damage surface and sub-surface water resources, impact habitat, and encroach on environmentally important land if developed consistent with the vested approvals.

Comments:

While primarily an existing provision, this portion of Policy 33.3.3 doesn't appear to be a complete sentence. Is the Policy stating those existing approvals are inconsistent with the current DR/GR if developed in accordance with their current approvals? If so, then I recommend the following changes:

Properties within the DR/GR that have existing approvals for residential development or were subject to previously approved mining activities that include vested development approvals that would be inconsistent with the current DR/GR density requirements and have the potential to damage surface and sub-surface water resources, impact habitat, and encroach on environmentally important land, should development occur in accordance with those approvals, may be granted additional densities as an incentive to

reduce these potential impacts or to encourage significant environmental restoration and preservation of natural resources if strict criteria improving the adverse impacts are followed.

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment:

d. Is not already designated on Lee Plan Map 17 as an Existing Acreage Subdivision or a Mixed Use Community ***unless the property is located within the “Environmental Restoration Overlay.”***

Comments:

It’s not clear why the bolded, proposed language is added in subsection d. Under subsection 1, it provides that the property would be designated as “Environmental Restoration Overlay.”

Response:

Subsection 1 establishes the conditions by which a property may be designated on Map 17. Item d. establishes that a property may have a designation on Lee Plan Map 17 as an Existing Acreage Subdivision or Mixed Use Community AND be within the “Environmental Protection and Enhancement Overlay.” The proposed text amendment is to address a portion of the property having a Mixed Use Overlay and requesting to be within the proposed Environmental Protection and Enhancement Overlay.

Proposed Amendment with suggested changes:

3. Properties meeting the above criteria and requirements and located in the Improved Residential Communities overlay may be permitted additional residential dwelling units in addition to the already existing approvals, but in no case in excess of three (3) dwelling units per DR/GR upland acre. The application for ~~Residential~~ the required Planned Development must identify the source of the additional residential dwelling units from the criteria below. Approval of the rezoning will be conditioned to reflect the source of additional dwelling units:

Question #1: why is the additional language regarding Improved Residential Communities added? Should this be designated as “Environmental Restoration Overlay”?

Response:

Item 3 establishes sources of additional dwelling units for Improved Residential Communities. The proposed text amendment is for clarification that these sources are not applicable to other communities or overlays on Map 17.

Proposed Amendment:

4. Properties located within the “Environmental Restoration Overlay,” depicted on Map 17, must demonstrate the protection, conservation, enhancement and/or restoration of natural resources such as flowways and indigenous habitats, protection of panther habitat, ***and/or other community and regional benefits***. Properties added to Map 17, as part of the “Environmental Restoration Overlay,” will be incentivized based upon the specific merits associated with the reclamation and restoration plans proposed.

Question #1: what type of indigenous habitats are included (endangered, protected species, or all types of habitats)?

Response:

Please see the attached map series provided by Passarella and Associates.

Question #2: As written, the language would require the protection, conservation, enhancement and/or restoration of “other community and regional benefits.” I’m not sure how that is accomplished. Does the drafter intend this to mean and/or provide “other community and regional benefits?” If so, I would recommend the following:

Suggested changes:

4. Properties located within the “Environmental Restoration Overlay,” depicted on Map 17, must demonstrate the protection, conservation, enhancement and/or restoration of natural resources, such as flowways and indigenous habitats, protection of panther habitat, and provide other community and regional benefits. Properties added to Map 17, as part of the “Environmental Restoration Overlay,” ~~will~~ may be incentivized based upon the specific merits associated with the reclamation and restoration plans proposed.

Comments:

Leaving the “or” in the “and/or” would arguably allow an applicant to satisfy the listed items by only providing one of them. For example, the applicant would only have to demonstrate that it is providing a community and regional benefit (ie regional park) and

protection of natural resources would not have to occur (which is not the apparent intent for these amendments).

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment:

i. Provision of $\pm 1,318$ acres in a conservation easement, subject to enhancement and/or restoration;

Comments:

First, as written (but not apparently intended), the criteria would be met by a conservation easement that provides that it is subject to enhancement and/or restoration. Next, as stated above, the requirements for restoration should be identified. Likewise, the requirements for enhancement should be spelled out, to the extent possible. At a minimum, the types of activities that would be deemed restoration or enhancement should be listed.

Suggested changes:

- i. Placement of $\pm 1,318$ acres [ON THE SUBJECT PARCEL?] into a conservation easement approved by the County;
- ii. Restoration and enhancement of the property placed within the Conservation Easement;

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment:

iv. Provision of enhanced *lake reclamation elements*.

Comments:

As above, lake reclamation elements should be identified.

Response:

Please see the attached, revised Text Amendment.

Proposed Amendment with suggested changes:

c. In recognition of the preservation, enhancement, and protection of WildBlue's flowways and natural habitat corridors, the interconnection with existing off-site conservation areas, and the significant ~~cost of enhancing~~ enhancement and ~~protecting~~ protection of these lands, additional density ~~will~~ may be approved through the planned development zoning process consistent with the following:

Comments:

Adding the "will" language would appear to create an obligation to approve the rezoning regardless of consistency and other zoning considerations. This leads to the rezoning through a Comp Plan amendment concerns that have been raised in other cases and a potential "contract zoning" issue.

Response:

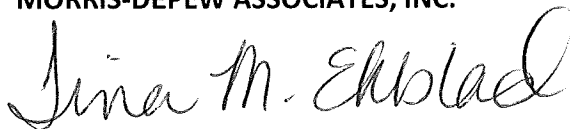
Please see the attached, revised Text Amendment.

Michael D. Jacob
Managing Assistant County Attorney

We believe that we have provided adequate information to Staff's comments to meet the sufficiency requirements. Should it be determined additional information is needed again, we request that a meeting and/or conference call be organized prior to the publication of a second insufficiency letter.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.



Tina M. Ekblad, MPA, AICP, LEED AP BD+C
Planning Director

Enclosure:

Cc: Donald Schrotenboer
Charles Basinait, Esq



Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (239) 533-8585
FAX: (239) 485-8344

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____ REC'D BY: _____

APPLICATION FEE: _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

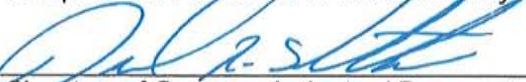
Request No: _____

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.



Signature of Owner or Authorized Representative

3.24.2014

Date

Donald R. Schrottenboer

Printed Name of Owner or Authorized Representative

I. APPLICANT/AGENT/OWNER INFORMATION

Applicant: Alico East Fund, LLC

Address: 12800 University Drive, Suite 275

City, State, Zip: Fort Myers, Florida 33907

Phone Number: 239-590-9066

Fax Number: _____

Email: Don@pegfl.net

Agent*: Morris-Depew Associates, Inc.

Address: Metro Center 1- 2891 Center Pointe Drive, unit 100

City, State, Zip: Fort Myers, Florida 33916

Phone Number: 239-337-3993

Fax Number: 239-337-3994

Email: Planning@m-da.com

Owner(s) of Record: Alico East Fund, LLC

Address: 12800 University Drive, Suite 275

City, State, Zip: Fort Myers, FL 33907

Phone Number: 239-590-9066

Fax Number: _____

Email: don@pegfl.net

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☒ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 24)

List Number(s) of Map(s) to be amended:

6, 7, 17

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. An additional set of mailing labels is required if your request includes a change to the Future Land Use Map (Map 1, page 1). The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

B. SUMMARY OF REQUEST (Brief explanation):

Text and Map Amendments to establish an Environmental Restoration Overlay within the
Density Reduction Groundwater Resource Future Land Use Category

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: Please see attached sheet

2. STRAP(s): Please see attached sheet

B. Property Information:

Total Acreage of Property: 2,960 acres

Total Acreage included in Request: 2,960 acres

Total Uplands: 1,982 acres

Total Wetlands: 978 acres

Current Zoning: AG-2 and PRFPD

Current Future Land Use Designation:

	Density	Reduction/Ground	Water
Area of each Existing Future Land Use Category:	Resource & Wetland		

Existing Land Use: Inactive Mine/Vacant

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

D. Proposed change for the subject property:

Include WildBlue in proposed Environmental Restoration Overlay

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	247
Commercial intensity	N/A
Industrial intensity	N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	1,100 per amendment to Policy 33.3.3
Commercial intensity	40,000 Square Feet
Industrial intensity	N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be

tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- Include any other water conservation measures that will be applied to the site (see Goal 54).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

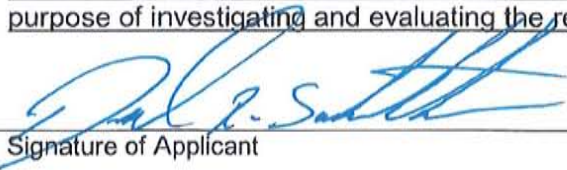
G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

AFFIDAVIT

I, Donald R. Schrottenboer, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.


Signature of Applicant

3.24.2014
Date

Donald R. Schrottenboer
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 3-26-14 (date) by Donald R. Schrottenboer (name of person providing oath or affirmation), who is personally known to me or who has produced n/a (type of identification) as identification.




Signature of Notary Public

Michelle A. Preiss
(Name typed, printed or stamped)



Comprehensive Plan Amendment Proposed Text Amendment

The following proposed comprehensive plan amendment seeks to provide an overlay option within the Density Reduction/Groundwater Resource Future Land Use Category. The overlay would be added to Map 17 for properties that had previous mining activity, residential uses approved, and the opportunity for environmental restoration and preservation of natural resources. The application request for WildBlue includes placing the overlay on the subject property and the implementation of Policy 33.3.3. This is a property specific amendment at this time.

POLICY 1.7.14: The Southeast Density Reduction/Groundwater Resource overlay (Map 17) is described in Policies 33.3.1 through 33.3.4. This overlay affects only Southeast Lee County and identifies ~~four~~ five types of land:

1. "Existing Acreage Subdivisions": existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction.
2. "Rural Golf Course Communities" potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the Southeast Density Reduction/Groundwater Resource area.
3. "Mixed-Use Communities" locations where this concentration of development rights from large contiguous tracts with the Density Reduction/Groundwater Resource area that can be supplemented by transfer of development rights from non-contiguous tracts in the Southeast Density Reduction/Groundwater Resource area. See Objective 33.3 and following policies.
4. "Improved Residential Communities:" Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.
5. "Environmental Enhancement and Preservation Overlay Communities:" Property with previously approved mining activity, approved residential development orders for development greater than a single-family residence, and having significant enhancement and preservation potential for onsite natural resources of areas greater than 200 acres.

POLICY 33.2.1: Large-scale ecosystem integrity in Southeast Lee County should be maintained and restored. Protection and/or restoration of land is of even higher value when it connects existing corridors and conservation areas. Restoration is also highly desirable when it can be achieved in conjunction with other uses on privately owned land including agriculture. Lee County Natural Resources, Conservation 20/20, and Environmental Sciences staff will work with

landowners who are interested in voluntarily restoring native habitats and landowners who are required to conduct restoration based upon land use changes. The parameters for the required restoration will be established in the Land Development Code by 2012 or within specific planned development zoning approvals or other development permits for development of property located within the Environmental Enhancement and Preservation Overlay.

OBJECTIVE 33.3: RESIDENTIAL AND MIXED-USE DEVELOPMENT. Designate on a Future Land Use Map overlay areas that should be protected from adverse impacts of mining (Existing Acreage Subdivisions), specific locations for concentrating existing development rights on large tracts (Mixed-Use Communities), ~~and~~ vacant properties with existing residential approvals that are inconsistent with the density Reduction/Groundwater Resource future land use category (Improved Residential Communities) and previously mined properties with existing residential approvals and significant enhancement and preservation potential for onsite natural resources (Environmental Enhancement and Preservation Overlay).

POLICY 33.3.3: Re-establishment and restoration of flowways in the DR/GR areas, establishment of wildlife corridors, and preservation of natural areas are in the public interest and properties containing 200 acres or more of such property will be eligible for consideration for development incentives as further defined herein if owners commit, through development conditions or development agreements, to enhancement and preservation in accordance with standards to be determined as part of a planned development rezoning request. Properties within the DR/GR that have existing approvals for residential development inconsistent with the current DR/GR density requirements, or properties with previously approved mining activity, approved residential development orders for development greater than a single-family residence, and having significant enhancement and preservation potential for onsite natural resources of areas greater than 200 acres, that have the potential to may-damage surface and sub-surface water resources, impact habitat, and encroach on environmentally important land should development occur in accordance with those approvals, may be granted additional densities as an incentive to reduce these potential impacts or to encourage significant environmental enhancement and preservation of natural resources if developed consistent with the vested approvals. As an incentive to reduce these potential impacts additional densities may be granted if strict criteria improving the adverse impacts are followed.

1. These properties may be designated on Map 17 as “Improved Residential Communities,” or “Environmental Enhancement and Preservation Overlay” provided they meet all of the following requirements:

- a. Abut lands designated as future urban areas;
- b. Adjacent to and eligible for public water and sewer services;
- c. Can provide two (2) direct accesses to an arterial roadway, and;
- d. Is not already designated on Lee Plan Map 17 as an Existing Acreage Subdivision or a Mixed Use Community unless the property is located within the “Environmental Enhancement and Preservation Overlay.”

2. In order to request an increase in density, the property must be rezoned to a Residential

Planned Development (RPD) that demonstrates and is conditioned to provide the following:

- a. Reduced stress to the onsite potable aquifers and is more consistent with water resource goals of Lee County in the DR/GR than the existing development approvals.
- b. Increased conservation areas, relative to the existing approvals, with a restoration plan and long term maintenance commitment.
- c. Active and passive recreational amenities to promote a healthy lifestyle.
- d. Demonstrates a net benefit for water resources, relative to the existing approvals that demonstrates the following.

- (1) Lower irrigation demand.
- (2) Eliminates private irrigation wells
- (3) Protects Public wells by meeting or exceeding the requirements of the Well Field Protection Ordinance.
- (4) Uses Florida Friendly Plantings with low irrigation requirements in Common Elements.
- (5) Connects to public water and sewer service, and must connect to reclaimed water when available.
- (6) Reduces impervious area relative to existing approvals improving opportunities for groundwater recharge.
- (7) Designed to accommodate existing or historic flowways.

e. Includes an enhanced lake management plan that addresses at a minimum the following issues:

- (1) Best management practices for fertilizers and pesticides
- (2) Erosion control and bank stabilization
- (3) Lake maintenance requirements
- (4) Public well field protection

f. Includes an Indigenous Management Plan that must incorporate a human-wildlife coexistence plan.

3. Properties meeting the above criteria and requirements and located in the Improved Residential Communities overlay may be permitted additional residential dwelling units in addition to the already existing approvals, but in no case in excess of three (3) dwelling units per DR/GR upland acre. The application for ~~Residential~~ the required Planned Development must identify the source of the additional residential dwelling units from the criteria below.

Approval of the rezoning will be conditioned to reflect the source of additional dwelling units:

- a. 2 dwelling units for every acre of offsite DR/GR property acquired for conservation purposes with the possibility of passive recreation activities.
- b. 2 dwelling units for every additional acre of offsite DR/GR property put under a conservation easement dedicated to Lee County.
- c. 1.5 dwelling units for every additional acre of onsite property put under a conservation easement.
- d. 1 dwelling unit for every acre of onsite restoration, subject to restoration plan approval as part of the Planned Development rezoning process.
- e. 2 dwelling units for every acre of non-isolated DR/GR preserved primary and secondary panther habitat.

f. 2 dwelling units for every acre of protected onsite wetlands connected to a regionally significant flowway identified in the Lee Plan.

g. 1 dwelling unit for every \$8,500 (the current estimated cost to purchase an acre of Southeast DR/GR land) the applicant provides to the county to extinguish density on other Southeast DR/GR parcels.

h. 1 dwelling unit for every \$8,500 the applicant provides to the county to construct a planned large mammal roadway crossing in the Southeast DR/GR area.

The improvements or acquisition of properties serve to mitigate impacts of the increased density.

Future “Improved Residential Communities” proposed to be added to Map 17 must provide a reanalysis of the cost to purchase one acre of DR/GR property if criteria (g.) or (h.) are used to account for the increased density.

4. Properties located within the “Environmental Enhancement and Preservation Overlay,” depicted on Map 17, must demonstrate the protection, conservation, or enhancement of natural resources such as flowways and indigenous habitats, protection of panther habitat, and provide other community and regional benefits. Properties added to Map 17, as part of the “Environmental Enhancement and Preservation Overlay,” may be incentivized based upon the specific merits associated with the enhancement and preservation plans proposed.

a. The area known as WildBlue may be permitted additional density for the provision of the following regional and community benefits:

- i. Placement of ±1,318 acres (which includes two existing conservation easements totaling 14.88 acres in size) in a perpetual conservation easement approved by Lee County
- ii. Enhancement and preservation of the property placed within the conservation easement in accordance with the specific characteristics of the WildBlue property identified as part of the planned development rezoning request;
- iii. Donation of ±488 acres to Lee County for the purposes of Parks and Recreational uses;
- iv. Reduction of wetland impacts and fewer crossings of on-site flow-ways as compared to existing approvals;
- v. Provision of enhanced lake reclamation elements, including, but not limited to, restoration of lake slopes, where possible without added impacts to preservation areas, to a 6:1 ratio, establishment of littoral plantings beyond that which would have been required for the approved lake reclamation plans, and restoration of historic hydrological connections to flowways and wetlands;
- vi. Preservation of water resources through reductions in water use allocations; and
- vii. Connection to municipal utilities to reduce impacts of individual wells and septic systems upon groundwater resources.

b. Final design and components of the WildBlue development will be determined as part of the companion planned development rezoning process, which must accompany the application for designation on Map 17. Subject areas to be considered for enhancement and preservation efforts will include, but are not limited to, the following:

- i. Hydrologic and Flowway Restoration: Restoration of a more natural surface water regime as practicable to assist in maintaining large scale ecosystem integrity;;
 - ii. Vegetative Enhancement and Exotic Control: Enhancement of native vegetation communities through removal of invasive exotic species and ongoing maintenance of enhanced areas;
 - iii. Habitat Restoration: Restoration of native habitat for species determined to utilize areas of the subject property to a standard that encourages such use where practicable;
 - iv. Wetland Enhancement or Creation: Enhancement restoration or creation of wetlands, forested or marsh, pursuant to state and federal permit conditions for such areas; and
 - v. Monitoring to be provided by owner on an annual basis for five (5) years.
- c. In recognition of the preservation, enhancement, and protection of flow-ways and natural habitat corridors, the interconnection with existing off-site conservation areas, and the significant enhancement, preservation and protection of these lands, additional density may be approved through the planned development zoning process consistent with the following:
- Residential: 1,100 dwelling unit maximum, including amenities such as private clubs and clubhouses and other recreational uses.
 - Commercial: a maximum of 40,000 SF of floor area.



Comprehensive Plan Amendment Project Request

WildBlue is a ±2,960 acre proposed residential community with supporting neighborhood commercial located between Alico and Corkscrew Road East of I-75. The property is a former limerock mine located within the Density Reduction/Groundwater Resource Future Land Use Category in Sections 7, 8, 17, 18, 19 and 20. The property is bounded by Alico Road to the north, Corkscrew Road to the South, an FPL transmission line to the west, and the active University West Lakes mine operation and large lot residential activity along Devore Lane and Corkscrew Ranch to the east. While mining is no longer occurring, the property was highly impacted by excavation activities. Large lakes, stockpiled material and agricultural areas exist on-site along with some undeveloped lands.

The Lee Plan states that the DR/GR category seeks to maintain surface and groundwater levels at their historic levels. Residential development is a permitted use, with a standard density of one (1) dwelling unit per ten (10) upland acres; potential density adjustments above the standard 1/10 dwelling unit per acre can occur through the concentration or transfer of development rights. The property is also within the Southeast Lee County Planning Community, an area that Goal 33 of the Lee Plan states is important for the protection of natural resources within the county.

Since the cessation of mining activities on the WildBlue site, a large lot single family subdivision and private golf course facility were approved in separate applications for portions of the property. These approvals are still active, although development has not yet occurred. The existing approvals on the WildBlue property, consisting of the former mining activity, a residential subdivision, and a 27-hole golf course, represent what the current owner now believes is a fragmented approach to site development, lacking a concentration of development impacts within the already disturbed areas. While the density of these approvals meets the 1du/10ac of the DR/GR, the use of well and septic may be in conflict with the desire to maintain the quality and quantity of surface and groundwater at their historic levels as envisioned by Policy 1.4.5. Additionally, there are significant additional opportunities for flowway restoration, habitat preservation, and natural resource protection that could be undertaken if accompanied by the use of incentives, which would enable enhancement, restoration and added protection of natural resources to become economically feasible.

The project request seeks to promote the restoration and development of the subject property in a manner that is consistent with vision of the Density Reduction/Groundwater Resource Future Land Use Category and Southeast Lee County Planning Community. The amendment requests are as follows:

1. Amend Policy 33.3.3 to establish an 'Environmental Enhancement and Preservation Overlay' within the Density Reduction/Groundwater Resource Future Land Use Category, promoting restoration, enhancement and preservation of natural resources on properties with previous mining activity and approved residential uses.
2. Amend the Future Land Use Map Series, Maps 6 and 7. 'Lee County Utilities Future Water & Sanitary Sewer Service Areas' to place the WildBlue property within the Service Areas.
3. Amend Map 17 to incorporate the Environmental Enhancement and Preservation Overlay, placing the WildBlue subject property within that Overlay.
4. Amend Map 17 to remove the Mixed Use Community Designation on a portion of the subject property.

The request will create a performance based overlay specifically tailored to the WildBlue property, promoting development of the site in a manner that preserves, protects, and enhances the natural resources on the property, provides connectivity with adjoining natural areas, and implements the intent of the applicable Lee Plan Goals, Objectives, and Policies.

Existing Conditions

The subject property was the location of a limerock mine approved by ZAB-86-62 in 1986 with an expansion approved by special exception in 2000. Since the closure of the mine, both a large lot single family subdivision and a separate private golf course facility have been approved for the property. These approvals are still active, yet development on the property has not commenced. The property is located within the DR/GR Future Land Use area and the Southeast Lee County Planning Community, as described below.

Policy 1.4.5: The Density Reduction/Groundwater Resource (DR/GR) land use category includes upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed.

1. *New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided in Policy 33.1.3 and 33.3.4) utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. The modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Off-site mitigation may be utilized, and may be required, to demonstrate this compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.*
2. *Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses public and private recreation facilities, and residential uses are a maximum density of one dwelling unit per ten acres (1 du/10 acres). See Policies 33.3.2, 33.3.3, 33.3.4, and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.*

- a. *For residential development, also see Objective 33.3 and following policies. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.*
 - b. *Individual residential parcels may contain up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alternations are made to those wetland areas.*
 - c. *The Future Limerock Mining Overlay (Map 14) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2030) See Objective 33.1 and following policies.*
3. *Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in goal 16. No private recreational facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 16 of the Lee Plan.*

GOAL 33: SOUTHEAST LEE COUNTY. *To protect natural resources in accordance with the County's 1990 designation of Southeast Lee County as a groundwater resource area, augmented through a comprehensive planning process that culminated in the 2008 report, Prospects for Southeast Lee County. To achieve this goal, it is necessary to address the inherent conflict between regaining shallow aquifers for long-term storage and extracting the aquifer's limestone for processing into construction aggregate. The best overall balance between these demands will be achieved through a pair of complementary strategies; consolidating future mining in the traditional Alico Road industrial corridor while initiating a long-term restoration program to the east and south to benefit water resources and protect natural habitat. Residential and commercial development will not be significantly increased except where development rights are being explicitly concentrated by this plan. Agriculture uses may continue, and environmental restoration may begin. This goal and subsequent objectives and policies apply to Southeast Lee County as depicted on Map 1, Page 2.*

Consistent with the density permitted within the DR/GR FLU, the property is eligible for 247 single family dwelling units. However, the existing approvals provide for the individual lots to be serviced by independent, single user potable water wells and septic systems. While the density of these approvals meets the 1/10 dwelling unit per acre limit of the DR/GR, the use of well and septic for this many dwelling units raises concerns in the context of the intent and vision of the DR/GR as described by Policy 1.4.5., Goal 33 and its supporting Objectives and Policies, and the Southeast Lee County Planning Community Vision Statement.

Proposed Request

The requested text amendment would leave the property within the DR/GR Future Land Use Category by creating an Environmental Enhancement and Preservation Overlay to address the preservation, protection, restoration and enhancement of natural resources. The proposed

amendment will also safeguard the public potable water supplies associated with development of individual wells and septic systems under the current development proposal. The Environmental Enhancement and Preservation Overlay would provide flexibility to analyze and tailor the redevelopment of properties within the Southeast Lee Planning Community that have a significant potential impact upon water and natural resources. The Environmental Enhancement and Preservation Overlay would be applicable to properties that meet identified prerequisites, undergo a planned development rezoning to meet specific and unique redevelopment criteria, and are large enough to have a potential significant impact upon surface water, groundwater, and natural resources within the DR/GR.

Proposed Text Amendment

POLICY 1.7.14: The Southeast Density Reduction/Groundwater Resource overlay (Map 17) is described in Policies 33.3.1 through 33.3.4. This overlay affects only Southeast Lee County and identifies ~~four~~ five types of land:

1. "Existing Acreage Subdivisions": existing rural residential subdivisions that should be protected from adverse external impacts such as natural resource extraction.
2. "Rural Golf Course Communities" potential locations for the concentration of development rights on property zoned Private Recreational Facilities Planned Development and located in the Southeast Density Reduction/Groundwater Resource area.
3. "Mixed-Use Communities" locations where this concentration of development rights from large contiguous tracts with the Density Reduction/Groundwater Resource area that can be supplemented by transfer of development rights from non-contiguous tracts in the Southeast Density Reduction/Groundwater Resource area. See Objective 33.3 and following policies.
4. "Improved Residential Communities:" Property with existing residential approvals that are inconsistent with the Southeast Density Reduction/Groundwater Resource area that could be improved environmentally.
5. "Environmental Enhancement and Preservation Overlay Communities:" Property with previously approved mining activity, approved residential development orders for development greater than a single-family residence, and having significant enhancement and preservation potential for onsite natural resources of areas greater than 200 acres.

POLICY 33.2.1: Large-scale ecosystem integrity in Southeast Lee County should be maintained and restored. Protection and/or restoration of land is of even higher value when it connects existing corridors and conservation areas. Restoration is also highly desirable when it can be achieved in conjunction with other uses on privately owned land including agriculture. Lee County Natural Resources, Conservation 20/20, and Environmental Sciences staff will work with landowners who are interested in voluntarily restoring native habitats and landowners who are required to conduct restoration based upon land use changes. The parameters for the required restoration will be established in the Land Development Code by 2012 or within specific

planned development zoning approvals or other development permits for development of property located within the Environmental Enhancement and Preservation Overlay.

OBJECTIVE 33.3: RESIDENTIAL AND MIXED-USE DEVELOPMENT. Designate on a Future Land Use Map overlay areas that should be protected from adverse impacts of mining (Existing Acreage Subdivisions), specific locations for concentrating existing development rights on large tracts (Mixed-Use Communities), ~~and~~ vacant properties with existing residential approvals that are inconsistent with the density Reduction/Groundwater Resource future land use category (Improved Residential Communities) and previously mined properties with existing residential approvals and significant enhancement and preservation potential for onsite natural resources (Environmental Enhancement and Preservation Overlay).

POLICY 33.3.3: Re-establishment and restoration of flowways in the DR/GR areas, establishment of wildlife corridors, and preservation of natural areas are in the public interest and properties containing 200 acres or more of such property will be eligible for consideration for development incentives as further defined herein if owners commit, through development conditions or development agreements, to enhancement and preservation in accordance with standards to be determined as part of a planned development rezoning request. Properties within the DR/GR that have existing approvals for residential development inconsistent with the current DR/GR density requirements, or properties with previously approved mining activity, approved residential development orders for development greater than a single-family residence, and having significant enhancement and preservation potential for onsite natural resources of areas greater than 200 acres, that have the potential to may-damage surface and sub-surface water resources, impact habitat, and encroach on environmentally important land should development occur in accordance with those approvals, may be granted additional densities as an incentive to reduce these potential impacts or to encourage significant environmental enhancement and preservation of natural resources if developed consistent with the vested approvals. As an incentive to reduce these potential impacts additional densities may be granted if strict criteria improving the adverse impacts are followed.

1. These properties may be designated on Map 17 as “Improved Residential Communities,” or “Environmental Enhancement and Preservation Overlay” provided they meet all of the following requirements:

- a. Abut lands designated as future urban areas;
- b. Adjacent to and eligible for public water and sewer services;
- c. Can provide two (2) direct accesses to an arterial roadway, and;
- d. Is not already designated on Lee Plan Map 17 as an Existing Acreage Subdivision or a Mixed Use Community unless the property is located within the “Environmental Enhancement and Preservation Overlay.”

2. In order to request an increase in density, the property must be rezoned to a ~~Residential~~ Planned Development (RPD) that demonstrates and is conditioned to provide the following:

- a. Reduced stress to the onsite potable aquifers and is more consistent with water resource goals of Lee County in the DR/GR than the existing development approvals.

- b. Increased conservation areas, relative to the existing approvals, with a restoration plan and long term maintenance commitment.
 - c. Active and passive recreational amenities to promote a healthy lifestyle.
 - d. Demonstrates a net benefit for water resources, relative to the existing approvals that demonstrates the following.
 - (1) Lower irrigation demand.
 - (2) Eliminates private irrigation wells
 - (3) Protects Public wells by meeting or exceeding the requirements of the Well Field Protection Ordinance.
 - (4) Uses Florida Friendly Plantings with low irrigation requirements in Common Elements.
 - (5) Connects to public water and sewer service, and must connect to reclaimed water when available.
 - (6) Reduces impervious area relative to existing approvals improving opportunities for groundwater recharge.
 - (7) Designed to accommodate existing or historic flowways.
 - e. Includes an enhanced lake management plan that addresses at a minimum the following issues:
 - (1) Best management practices for fertilizers and pesticides
 - (2) Erosion control and bank stabilization
 - (3) Lake maintenance requirements
 - (4) Public well field protection
 - f. Includes an Indigenous Management Plan that must incorporate a human-wildlife coexistence plan.
3. Properties meeting the above criteria and requirements and located in the Improved Residential Communities overlay may be permitted additional residential dwelling units in addition to the already existing approvals, but in no case in excess of three (3) dwelling units per DR/GR upland acre. The application for ~~Residential~~ the required Planned Development must identify the source of the additional residential dwelling units from the criteria below. Approval of the rezoning will be conditioned to reflect the source of additional dwelling units:
- a. 2 dwelling units for every acre of offsite DR/GR property acquired for conservation purposes with the possibility of passive recreation activities.
 - b. 2 dwelling units for every additional acre of offsite DR/GR property put under a conservation easement dedicated to Lee County.
 - c. 1.5 dwelling units for every additional acre of onsite property put under a conservation easement.
 - d. 1 dwelling unit for every acre of onsite restoration, subject to restoration plan approval as part of the Planned Development rezoning process.
 - e. 2 dwelling units for every acre of non-isolated DR/GR preserved primary and secondary panther habitat.
 - f. 2 dwelling units for every acre of protected onsite wetlands connected to a regionally significant flowway identified in the Lee Plan.
 - g. 1 dwelling unit for every \$8,500 (the current estimated cost to purchase an acre of

Southeast DR/GR land) the applicant provides to the county to extinguish density on other Southeast DR/GR parcels.

h. 1 dwelling unit for every \$8,500 the applicant provides to the county to construct a planned large mammal roadway crossing in the Southeast DR/GR area.

The improvements or acquisition of properties serve to mitigate impacts of the increased density.

Future “Improved Residential Communities” proposed to be added to Map 17 must provide a reanalysis of the cost to purchase one acre of DR/GR property if criteria (g.) or (h.) are used to account for the increased density.

4. Properties located within the “Environmental Enhancement and Preservation Overlay,” depicted on Map 17, must demonstrate the protection, conservation, or enhancement of natural resources such as flowways and indigenous habitats, protection of panther habitat, and provide other community and regional benefits. Properties added to Map 17, as part of the “Environmental Enhancement and Preservation Overlay,” may be incentivized based upon the specific merits associated with the enhancement and preservation plans proposed.

a. The area known as WildBlue may be permitted additional density for the provision of the following regional and community benefits:

- i. Placement of ±1,318 acres (which includes two existing conservation easements totaling 14.88 acres in size) in a perpetual conservation easement approved by Lee County
- ii. Enhancement and preservation of the property placed within the conservation easement in accordance with the specific characteristics of the WildBlue property identified as part of the planned development rezoning request;
- iii. Donation of ±488 acres to Lee County for the purposes of Parks and Recreational uses;
- iv. Reduction of wetland impacts and fewer crossings of on-site flow-ways as compared to existing approvals;
- v. Provision of enhanced lake reclamation elements, including, but not limited to, restoration of lake slopes, where possible without added impacts to preservation areas, to a 6:1 ratio, establishment of littoral plantings beyond that which would have been required for the approved lake reclamation plans, and restoration of historic hydrological connections to flowways and wetlands;
- vi. Preservation of water resources through reductions in water use allocations; and
- vii. Connection to municipal utilities to reduce impacts of individual wells and septic systems upon groundwater resources.

b. Final design and components of the WildBlue development will be determined as part of the companion planned development rezoning process, which must accompany the application for designation on Map 17. Subject areas to be considered for enhancement and preservation efforts will include, but are not limited to, the following:

- i. Hydrologic and Flowway Restoration: Restoration of a more natural surface water regime as practicable to assist in maintaining large scale ecosystem integrity;;

- ii. Vegetative Restoration and Exotic Control: Restoration of native species, removal of invasive exotic species, and ongoing maintenance of restored areas;
 - iii. Habitat Restoration: Restoration of native habitat for species determined to utilize areas of the subject property to a standard that encourages such use where practicable;
 - iv. Wetland Restoration: Restoration or creation of wetlands, forested or marsh, pursuant to state and federal standards for creating and restoring such areas;
 - v. Indigenous Restoration: Restoration of indigenous vegetation in areas impacted by farming, prior development, or intrusion by exotic vegetation; and
 - vi. Monitoring to be provided by owner on an annual basis for not less than five (5) years with guaranteed survivability of 80% for enhanced or preserved material. If, after the first 3 years of monitoring, the survivability rate is 80% or greater than no further monitoring is required.
- c. In recognition of the preservation, enhancement, and protection of flow-ways and natural habitat corridors, the interconnection with existing off-site conservation areas, and the significant enhancement, preservation and protection of these lands, additional density may be approved through the planned development zoning process consistent with the following:
- Residential: 1,100 dwelling units maximum, including amenities such as private clubs and clubhouses and other recreational uses.
- Commercial: a maximum of 40,000 SF of floor area.

Discussion

The subject property meets the pre-requisite criteria, as found in 33.3.3.1, above, to be designated an Environmental Enhancement and Preservation Overlay on Map 17 consistent with the proposed amendment language. A request is included to eliminate the Mixed Use Community designation on a portion of the subject property to be consistent with the criteria. The property is adjacent to Urban Future Land Use Categories; University Community and Suburban are located to the West and South respectively. There are approximately 5,000 feet of frontage along Alico Road and 4,500 feet of frontage along Corkscrew Road, adequate distance to provide the 2 required direct accesses to an arterial roadway. Lee County Utility facilities exist adjacent to the proposed development. The requested map amendments would include the subject property within the Lee County Utilities Service Area with the intent of extending potable water and sanitary sewer services to the proposed development. Providing a connection to central utilities will remove the potential impacts of wells and septic systems from the WildBlue site. The Public Facilities Impact Analysis included as an attachment to this application demonstrates that sufficient capacity exists within the Lee County Utilities system to serve the proposed development.

The applicant has submitted a companion planned development rezoning application to rezone the property to a Mixed Use Planned Development. The application for the MPD promotes the water resource goals of the DR/GR and will increase conservation areas to include a restoration and maintenance plan, promote lake reclamation elements, and includes recreational

amenities while demonstrating a net benefit for water resources as compared to the existing approvals.

Consistent with Policy 33.3.3 item 2, the MPD application promotes the water resource goals of the DR/GR through the following items.

Policy 33.3.3.2 Item a. Reduced Stress to Potable Aquifers

The proposed planned development will provide enhanced protection to Lee County's public water supply wells. The project will extend public utilities, provide a central irrigation system, and limit the control of fertilizers and related chemicals through the homeowners association. These improvements will protect public potable water supplies and reduce demands upon aquifers that have the potential to supply public water supply wells. The use of native plant materials, a practice known as Florida Friendly Plantings, will reduce water dependence and usage. The proposed surface water management system, which includes two existing on-site flowways, will connect to off-site systems, improve the quality of receiving waters and the function of natural groundwater aquifer recharge areas. The project design also clusters development to previously impacted areas and reduces the impervious area of existing approvals.

Policy 33.3.3.2 Item b. Conservation Areas/Flowways

The planned development application outlines the proposed design of the project, providing community and regional benefits related to the protection, preservation, and enhancement of natural resources on-site. The proposed development plan, as demonstrated in the MPD Master Concept Plan, clusters the single family residential development around the existing mining lakes in the central and southeastern portion of the site and within the portions of the property previously disturbed by mining activities. As a result, the development footprint of the proposed MCP will be only ± 754 acres, compared to the existing approvals which have a development footprint of $\pm 1,403$ acres. In addition the wetland impacts are reduced by 168 acres versus the existing approvals. One of the net benefits of these development enhancements is that the conservation areas included within the proposal will be significantly increased.

The subject property currently includes disturbed native upland and wetland habitat, including two flowways. One that extends from the northeast to the southwest of the property and one that extends from the northeast to the south central portion of the site. The sloughs previously served as regional corridors for the movement of wildlife and are proposed to be restored, enhanced, and protected by the development plan to provide for the movement of surface water and wildlife. The northern flow-way is the most prominent and is known as the Stewart Cypress Slough. The southerly flowway, while nameless, also serves to direct surface water and provide a wildlife corridor between Alico Road to the north and Corkscrew Road to the south. The proposed development plan will protect, preserve, and enhance these flowways and ± 586 acres of wetlands connected to the flowways in perpetuity. Restoration and enhancement

efforts will occur in these areas to address previous impacts from road crossings, agricultural ditching, uncontrolled fire, mining operations, and exotic infestation.

Approximately 1,318 acres (which includes 9.9 acres from Instrument No. 2006000336079 and 4.98 acres from Instrument No. 2006000336078) or 45% of the subject property are proposed to be preserved and committed to a perpetual conservation easement; ±490 acres of enhancement activities will also occur to address habitat establishment, restoration and improvement. These efforts are committed within the planned development request which will address the method, timing and scope of the improvements.

Preservation Element	Acres
On-Site Conservation	1,318
Preserved Primary Zone Panther Habitat	1,245
Preserved Wetlands connected to On-Site Flowways	586
Wetland and Upland Enhancement	490
Upland Restoration	51
Wetland Creation	94
Wetland Restoration	6

The subject property is within an area of primary panther habitat, and the proposed protection, preservation, and enhancement efforts associated with the development plan will preserve ±1,245 acres of primary panther habitat. The primary panther habitat is a subset of the ±1,318 acre total to be placed in a perpetual conservation easement. The chart above outlines the acreage associated with each preservation element.

Policy 33.3.3.2 Item c. Healthy Lifestyles

The requested Mixed Use Planned Development will also identify the recreational elements proposed on-site. The proposed development includes a large amenity parcel that will provide active and passive recreation opportunities to future residents, promoting a healthy lifestyle development. A detailed schedule of uses for this parcel is included as part of the planned development rezoning application.

Policy 33.3.3.2 Item d. Net Benefit for Water Resources

The requested MPD will incorporate a number of conditions that will create a net benefit for water resources relative to the existing Ginn approvals.

The proposed development plan for WildBlue commits to extending central utility services for use on the subject property. Two map amendments are proposed in the companion Comprehensive Plan Amendment to extend the future service boundary for Lee County Utilities to the subject property. Currently potable water and sanitary sewer services are located adjacent to the subject property. Utilizing central service for utilities will eliminate the

construction of individual wells and septic systems on the site and enhance protection to Lee County's public water supply wells through the reduction of drawdown and potential impacts to groundwater resources as outlined in the attached analysis prepared by Water Science Associates.

Individual irrigation control boxes or wells will be eliminated by this development proposal. WildBlue is committing to provide irrigation through a central irrigation system that draws water from the on-site lakes. Provisions prohibiting individual systems will be included in the deed restrictions and/or Home Owners Association documents to address this commitment. Currently, the County's re-use system does not have sufficient reclaimed water capacity to meet the demands of the proposed project. The proposed MPD has a development footprint of ± 754 acres compared to the $\pm 1,403$ acre development footprint of the existing Ginn approval resulting in a substantial reduction in irrigation water use. Establishing a central irrigation system provides greater control over water usage than individual service to each lot and will result in a reduction of overall water use.

The WildBlue proposal will utilize Florida Friendly Plantings and establish central pest and fertilizer services for all landscaped area. Florida Friendly landscaping designs utilize native indigenous species, enhancing existing indigenous habitat and reducing the demand for irrigation. Centralizing pest and fertilizer control will further protect water quality as all applications will be conducted by a professional certified in compliance with Lee County Ordinance 08-08, the Lee County Landscape & Fertilizer Best Management Practice Ordinance. Provisions will be included in the deed restriction and/or Home Owners Association documents to address these restrictions. These commitments will reduce water dependence, improve water quality standards, and re-establish indigenous species on the WildBlue site.

The proposed surface water management system will incorporate the two existing on-site flowways which connect to off-site systems. The proposed system will improve the quality of receiving waters and surrounding natural areas as well as the function of natural groundwater aquifer recharge areas while also potentially assisting with flood protection for existing and future development.

Policy 33.3.3.2 Item e. Lake Maintenance

The proposed WildBlue development plan incorporates two existing on-site lakes totaling ± 872 acres. As detailed by the Water Science Associates report, additional water management lakes are proposed to provide treatment of stormwater. To further ensure water quality, Florida Friendly Plantings and central pest and fertilizer services for all common elements will be utilized.

Reclamation of the lake banks is proposed consistent with the existing applicable regulations. The proposed reclamation would reduce impacts to additional areas and native indigenous vegetation surrounding the existing lake banks. The required lake maintenance easement will be provided between the lake and the proposed residential lots to provide adequate access for

future maintenance. A detailed lake maintenance plan will be established as a part of the MPD process.

Policy 33.3.3.2 Item f. Indigenous Management Plan

The development design of the WildBlue Community promotes clustered development, enabling 1,318 acres to be preserved. The Indigenous Management Plan, prepared by Passarella and Associates, identifies the methods to be associated with Indigenous Preservation and Enhancement, a monitoring report and proposed signage. The plan also identifies the acreage associated with each preservation and enhancement activity. It should be noted that project meets the indigenous vegetation requirements of a planned development without the proposed enhancement activities.

Policy 33.3.3.2 Reduced Impacts

The proposed design of the Mixed Use Planned Development clusters the proposed residential and commercial uses around the existing lakes and in areas that have been impacted by the previous mining activities. As a result, the proposed MPD reduces impacts versus the existing approvals and increases the benefits to the on-site natural resources. The comparison chart below demonstrates that the proposed development footprint is reduced ± 649 acres, wetland impacts are reduced by ± 168 acres, the number of slough crossings are reduced from 5 to 1 and the area committed to perpetual conservation has increased by ± 350 acres as compared to the existing approvals relating to the Ginn plan.

	Ginn Development Order (Lago)	WildBlue Proposed MPD
Total Project	3,552 ac	2,960 ac
Development Footprint	1,403 ac	754 ac
Wetland Impacts	380 ac	212 ac
On-Site Wetlands Connected to a Flowway	480 ac	586 ac
Preserve Committed to Easement	968 ac	1,318 ac
Preserve Committed to Primary Panther Habitat	963 ac	1,245 ac
Slough Crossings	5	1

By meeting the necessary pre-requisites as outlined in Lee Plan Policy 33.3.3.1, and the planned development rezoning requirements, the proposal would be eligible for additional density as described in proposed Policy 33.3.3. The proposed text amendment includes a density and intensity cap unique to the subject property, and associated with the community and regional benefits. A maximum of 40,000 SF of commercial intensity is proposed for the subject property to promote accessory commercial uses in support of the proposed residential community. A maximum of 1,100 dwelling units are proposed for the development on the subject property, as noted above, in a clustered and significantly smaller development envelope than the currently

approved development plan. In addition to conserving 1,318 acres on-site, the applicant is proposing to donate 488 acres – property that was formerly a part of the Ginn/Lago development – to Lee County Parks and Recreation for the purposes of a Regional Park. In exchange for these significant and valuable preservation, conservation, and enhancement efforts, the applicant is requesting 853 additional density units above the 247 dwelling units already permitted by right for the subject property.

Conclusions

The proposed amendment to the Comprehensive Plan represents a unique opportunity to provide for significant community and regional benefits. The proposed text amendment restricts the application of the Environmental Enhancement and Preservation Overlay to properties with prior mining activities; no new development areas are being permitted or allowed in the DR/GR designated areas by virtue of this amendment. Compliance with the development allocation table, Table-1b is also part of the Overlay amendment, and no additional modifications to that table will be required by the proposal. The proposed Environmental Enhancement and Preservation Overlay will assist in mitigating impacts to DR/GR lands from existing or previous mining operations at the periphery of the land use category, while at the same time treating each situation individually in order to assess the unique characteristics associated with each mine. In order to provide overall compatibility with the DR/GR, minimize residual impacts of mining activities, and implement provisions for the protection of groundwater and aquifer recharge qualities, the proposed overlay will retain the protections inherent in the DR/GR category while advancing the public interest through significant protection, preservation, and enhancement of natural resources.

The Lee Plan Policy prerequisites and requirements of the planned development rezoning process provide enhanced protection to Lee County's public water supply wells through the elimination of individual wells and septic systems to be constructed on the site. The proposed overlay will implement the provisions of Objective 2.4 and its attendant, applicable policies, which mandate the extension of public utilities, improvements to recharge opportunities, control of fertilizers and related chemicals, improvements to water quality standards, and a demonstration that public potable water supplies will be protected. Inclusion of requirements for reductions in irrigation water and use of reclaimed water, where available, also serves to reduce demands upon aquifers that have the potential to supply public water supply wells. Similarly, the mandate for use of native plant materials works to reduce water dependence and helps re-establish indigenous species within the DR/GR. The overlay also provides the opportunity and requirement to coordinate surface water management systems with the concept of improving the quality of receiving waters and surrounding natural areas as well as the function of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development, consistent with Goal 60 of the Lee Plan.

The proposed project provides conservation lands, clusters the residential uses on already impacted portions of the site, and establishes a community that is sustainable and compatible with the existing, surrounding residential uses. Specific limitations are proposed through the

application of the overlay criteria and incentive calculations. These limitations will also cap the requested density at 1,100 dwelling units. In addition to addressing the amount of density to be accommodated by the subject property, the proposed amendment prohibits the construction of individual potable water well and septic systems as is currently possible according to the existing approvals. Lee County Utilities has confirmed it will provide central water and sewer to the site and irrigation will be provided by the on-site lakes. (Currently reuse water is not available to the site; the system does not have the reclaimed water to meet that added demand.) The expansion of central water and sewer will serve to minimize any concerns about increased drawdown and water quality issues while protecting natural resources.

The proposal density provides a step-down transition from the residential intensity of Miromar Lakes and CenterPlace to the west and the large lot residential to the East. By virtue of the existing approvals on the site and surrounding conditions, the proposal cannot be considered urban sprawl or expansion. The proposed development directs development toward the existing impacted footprint of the previous mining operation to establish a well-designed residential community with a mix of uses to support future residents. The proposed Master Concept Plan of the companion Planned Development rezoning application demonstrates a clustered development footprint that reduces impacts and preserves the on-site natural resources on-site. Public utilities exist adjacent and proximate to the subject property providing for the efficient extension of public service while reducing drawdown and potential impacts to the groundwater resources. Recreational amenities are included in the proposed site design and approximately 488 acres are proposed to be donated to provide additional recreational opportunities to current and future residents. These conditions meet at least four of the criteria delineated in Section 163.3177(6)(a)9.b. of the Florida Statutes, as a development pattern that discourages urban sprawl. Therefore, it must be concluded that the proposed development does not qualify as urban sprawl.

The consolidation of the development footprint provides for an essential component to the development plan, the preservation and enhancement of native Florida ecosystems to improve compatibility with the conservation lands and Stewart Cypress Slough. The amendments require the enhancement activities and conservation easements to be approved and implemented in conjunction with the development process for the property. The proposed development plan for the property has been created to reduce impacts to wetlands and associated vegetation on site, utilizing them as an amenity instead. The wetlands and associated habitat will connect to the existing approved stormwater management system.



Comprehensive Plan Amendment Lee Plan Compliance

WildBlue is a ±2,960 acre proposed residential community with supporting neighborhood commercial located between Alico and Corkscrew Roads East of I-75. The property is a former limerock mine located within the Density Reduction/Groundwater Resource Future Land Use Category in Sections 7, 8, 17, 18, 19 and 20 of Lee County, Florida. The property is bounded by Alico Road to the north, Corkscrew Road to the South, an active mining operation and scattered residential activity to the east, and an FPL transmission line to the west. While mining is no longer occurring, the property was significantly impacted by these activities over the past three decades.

The project seeks to promote the redevelopment of the subject property in a manner that is consistent with the vision of the Density Reduction/Groundwater Resource Future Land Use Category and Southeast Lee County Planning Community. The requests are as follows:

1. Amend Policy 33.3.3 to establish an Environmental Enhancement and Preservation Overlay within the Density Reduction/Groundwater Resource Future Land Use Category to promote the restoration, preservation and enhancement of natural resources on properties with previous mining activity and approved residential uses.
2. Amend the Future Land Use Map Series, Maps 6 and 7. 'Lee County Utilities Future Water & Sanitary Sewer Service Areas' to place the property within the Service Areas.
3. Amend Map 17 to incorporate the Environmental Enhancement and Preservation Overlay and subject property.
4. Amend Map 17 to eliminate a portion of the property from the Mixed Use Community

The request will create a performance based overlay promoting the redevelopment of the site in a manner that protects the natural resources on the property and possesses greater consistency with the purpose and intent of the applicable Lee Plan Goals, Objectives, and Policies than the currently approved Ginn/Lago development plan. The proposed development provides greater habitat restoration and protection, less development impacts, and design parameters that better reflect the applicant's desire to protect and enhance natural features.

The subject property is located within the DR/GR Future Land Use and the Southeast Lee County Planning Community. That Future Land Use category is as described below.

Policy 1.4.5: *The Density Reduction/Groundwater Resource (DR/GR) land use category includes upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers. Only minimal public facilities exist or are programmed.*

1. *New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels (except as provided in Policy 33.1.3 and 33.3.4) utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. The modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Off-site mitigation may be utilized, and may be required, to demonstrate this compatibility. Evidence as to historic levels may be submitted during the rezoning or development review processes.*
2. *Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses public and private recreation facilities, and residential uses at a maximum density of one dwelling unit per ten acres (1 du/10 acres). See Policies 33.3.2, 33.3.3, 33.3.4, and 33.3.5 for potential density adjustments resulting from concentration or transfer of development rights.*
 - a. *For residential development, also see Objective 33.3 and following policies. Commercial and civic uses can be incorporated into Mixed-Use Communities to the extent specifically provided in those policies.*
 - b. *Individual residential parcels may contain up to two acres of Wetlands without losing the right to have a dwelling unit, provided that no alternations are made to those wetland areas.*
 - c. *The Future Limerock Mining Overlay (Map 14) identifies sufficient land near the traditional Alico Road industrial corridor for continued limerock mining to meet regional demands through the Lee Plan's planning horizon (currently 2030) See Objective 33.1 and following policies.*
3. *Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in goal 16. No private recreational facilities may occur within the DR/GR land use category without a rezoning to an appropriate planned development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 16 of the Lee Plan.*

Consistent with the DR/GR FLU, the property is eligible for 247 single family dwelling units. The existing approvals provide for the individual lots to be serviced by independent, single user potable water wells and septic systems. While the density of these approvals meets the 1du/10ac of the DR/GR, the use of well and septic is potentially incompatible with the intent and vision of the DRGR as envisioned by Policy 1.4.5. and the Southeast Lee County Planning Community as envisioned by Goal 33 and its supporting Objectives and Policies. Goal 33 of the Lee Plan states, in part, "The best overall balance between these demands will be achieved through a pair of complementary strategies: consolidating future mining in the traditional Alico Road industrial corridor while **initiating a long-term restoration program** to the east and south to benefit water resources and protect natural habitat. Residential and commercial development will not be significantly increased **except where development rights are being explicitly concentrated by this plan** [emphasis added]." This amendment proposes to not only initiate a long-term habitat restoration program, but it also concentrates residential density on a development footprint

significantly smaller than that already approved for the Ginn/Lago development. The proposed amendment demonstrates compatibility with maintaining surface and groundwater levels at historic levels, and protects both the quality and quantity of water resources found on the subject property. The detailed supporting documentation provided by Water Science Associates demonstrates that the requested density, including the required use of public water and sewer service, will preserve surface and groundwater levels.

The proposed request is consistent with the provisions of Lee Plan Table 1(b). The subject property is located within the Southeast Lee County Planning Community, which is allocated 4,000 acres for residential use in the DR/GR Future Land Use Category. Information obtained from Lee County Community Development indicates there are 1,906 acres remaining for residential uses within the DR/GR FLU. The proposed development will utilize 754 acres for development and supporting infrastructure. As a result, there is sufficient residential acreage remaining to accommodate the proposed development; the request is consistent with Lee Plan Table 1(b).

Lee Plan Objective 2.4 and its supporting policies specifically address comprehensive plan amendments that request an increase in the allowable density or intensity within the DR/GR. Policy 2.4.3 provides four specific requirements that applicants seeking amendments of this type must address.

- 1. Analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources; and*
- 2. Identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water supplier cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of being permitted; and*
- 3. Present data and analysis that the proposed land uses will not cause any significant harm to present and future water resources; and*
- 4. Supply data and analysis specifically addressing the urban sprawl criteria listed in Rule 9J-5.006(5)(g), (h), (i) and (j), FAC.*

An analysis has been conducted by Water Science Associates indicating that irrigation for the subject property will be a central system that draws from the existing on-site lakes. A central system provides greater control of irrigation water and will result in lower water use than will individual private well system. The analysis includes the necessary data and analysis to demonstrate that the proposal will not cause harm to present or future water resources. The proposed development will connect to central water and sewer to be provided by Lee County Utilities. A letter of availability has been requested from Lee County Utilities. The public facilities impact analysis demonstrates there is adequate capacity available to serve the proposed development. The connection to central utilities would eliminate the currently permitted and approved individual potable water wells and septic systems.

The existing approved single family residential units on 1 acre lots – part of the Ginn/Lago development program – is a suburban form of development. The requested amendment would not add acreage to the development footprint, and in fact reduces the overall impacts by 649 acres. As demonstrated by the Master Concept Plan submitted with the concurrent planned development request, the development footprint is ±754 acres, compared to 1,403 acres proposed for development under the Ginn/Lago development plan. There is a 168 acre reduction in wetland impacts, and an increase of 350 acres in preservation area as well.

The property is within the Southeast Lee County Planning Community. The intent of the Southeast Lee County Planning Community is to protect natural resources while concentrating development as demonstrated by Goal 33.

Goal 33: SOUTHEAST LEE COUNTY. *To protect natural resources in accordance with the County's 1990 designation of Southeast Lee County as a groundwater resource area, augmented through a comprehensive planning process that culminated in the 2008 report, Prospects for Southeast Lee County. To achieve this goal, it is necessary to address the inherent conflict between retaining shallow aquifers for long-term water storage and extracting the aquifer's limestone for processing into construction aggregate. The best overall balance between these demands will be achieved through a pair of complementary strategies: consolidating future mining in the traditional Alico Road industrial corridor while initiating a long-term restoration program to the east and south to benefit water resources and protect natural habitat. Residential and commercial development will be significantly increased except where development rights are being explicitly concentrated by this plan. Agriculture uses may continue, and environmental restoration may begin. This goal and subsequent objectives and policies apply to Southeast Lee County as depicted on Map 1, Page 2.*

Consistent with Goal 33, and its supporting objectives and policies, the proposed development plan clusters the requested residential density around the southeast and central mining lakes and reduces the development footprint from the existing approvals. As demonstrated by the Master Concept Plan of the concurrent planned development, 1,318 acres of natural resources (which includes 9.9 acres from Instrument No. 2006000336079 and 4.98 acres from Instrument No. 2006000336078) on the site are proposed to be placed into conservation.

As promoted by Objective 33.3 and its supporting policies the proposed comprehensive plan amendment will cluster development rights, preserving water resources and natural habitat. The Lee Plan amendment requests additional density be granted by following strict criteria to preserve, restore, and enhance the natural resources on-site.

OBJECTIVE 33.3: RESIDENTIAL AND MIXED-USE DEVELOPMENT. *Designate on a Future Land Use Map overlay areas that should be protected from adverse impacts of mining (existing acreage subdivisions), specific locations for concentrating existing development rights on large tracts (Mixed-Use Communities), and vacant properties with existing residential approvals that are inconsistent with the Density Reduction/Groundwater Resource future land use category (Improved Residential Communities).*

An amendment to this Objective and Policy 33.3.3 are proposed to address the conditions of the subject property. The Environmental Enhancement and Preservation Overlay is proposed to promote the environmental restoration and preservation of natural resources on properties with previous mining activities and approved residential uses.

The proposed comprehensive plan amendment enables a development plan that reduces potential impacts to the Lee County potable water supply, permits maintaining historic surface and groundwater levels, improves the protection of natural resources, and conserves flow-ways and native habitat.

The proposed development plan will require connection to Lee County Utility facilities for potable water and sanitary sewer service. This will eliminate the individual domestic self-supply wells and individual onsite sewage treatment and disposal systems (septic systems) that would have been required for the currently approved residential development. As demonstrated within the report provided by Water Science Associates, eliminating these individual connections will significantly reduce drawdown in the vicinity of existing public supply wells and reduce impacts to the aquifer. In addition to protecting groundwater resources, the proposal also protects surface water resources. The clustered development pattern proposed enables the preservation and enhancement of significant flow-ways, connecting to existing off-site conservation areas, including the Stewart Slough. The design of the proposed development, as demonstrated in the concurrent planned development, is consistent with Objectives 33.2 and its supporting policies as well as Objectives 60.5, 61.2 and policies 60.1.1, 60.1.2, 60.1.3, and 60.5.3. Additionally, the establishment of the Stewart Slough connection and the large mammal wildlife corridor is consistent with the intent of Lee Plan objectives 107.1 and 107.11, along with policies 107.1.1, 107.11.2, and 107.11.3.

OBJECTIVE 33.2: WATER, HABITAT, AND OTHER NATURAL RESOURCES. *Designate on a Future Land Use Map overlay the land in Southeast Lee County that is most critical toward restoring historic surface and groundwater levels and for improving the protection of other natural resources such as wetlands and wildlife habitat.*

POLICY 60.1.1: *Develop surface water management systems in such a manner as to protect or enhance the groundwater table as a possible source of potable water.*

POLICY 60.1.2: *Incorporate, utilize, and where practicable restore natural surface water flow-ways and associated habitats.*

POLICY 60.1.3: *The county will examine steps necessary to restore principal flow-way systems, if feasible, to assure the continued environmental function, value, and use of natural surface water flow-ways and associated wetland systems.*

OBJECTIVE 60.5: INCORPORATION OF GREEN INFRASTRUCTURE INTO THE SURFACE WATER MANAGEMENT SYSTEM. *The long-term benefits of incorporating green infrastructure as part of the surface water management system include improved water quality, improved air quality, improved water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief within the urban environment.*

POLICY 60.5.3: *The County encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways.*

OBJECTIVE 61.2: MIMICKING THE FUNCTIONS OF NATURAL SYSTEMS. *Support a surface water management strategy that relies on natural features (flow-ways, sloughs, strands, etc.) and natural systems to receive and otherwise manage storm and surface water.*

OBJECTIVE 107.1: RESOURCE MANAGEMENT PLAN. *The county will continue to implement a resource management program that ensures the long-term protection and enhancement of the natural upland and wetland habitats through the retention of interconnected, functioning, and maintainable hydro-ecological systems where the remaining wetlands and uplands function as a productive unit resembling the original landscape.*

POLICY 107.1.1: *County agencies implementing the natural resources management program will be responsible for the following:*

- 1. Identifying upland and wetland habitats/systems most suitable for protection, enhancement, reclamation, and conservation.*
- 2. Recommending standards to the Board of County Commissioners for Board approval for development and conservation that will protect and integrate wetlands (as defined in Objective 114.1) and significant areas of Rare and Unique upland habitats (as defined in Objective 104.1).*
- 3. Preparing standards for wetland and rare and unique upland mitigation.*
- 4. Conducting a sensitive lands acquisition program, which will consist of the following elements (see also Policy 107.2.8):*
 - a. A comprehensive inventory of environmentally sensitive lands will be maintained and expanded as new data becomes available.*

b. Environmentally sensitive lands will include wetlands (as defined in Objective 114.1); important plant communities (as identified by Objective 107.2); critical habitat for listed wildlife species (see also Objective 107.8 and Policies 107.4.1, 107.4.2, 107.10.4, and 107.11.2); environmentally sensitive coastal planning areas (as defined in Policy 113.1.5); natural waterways; important water resources (as defined in Policy 117.1.1); storm and flood hazard areas; and Rare and Unique uplands (as defined in Objective 104.1).

c. Beginning in 1997, the county will adopt and implement a program to acquire and manage lands critical to water supply, flood protection, wildlife habitat, and passive recreation. The program will be funded by an ad valorem tax of up to 0.50 (1/2) mil annually for a period not to exceed seven years. A fifteen member advisory group to be called the Conservation Lands Acquisition and Stewardship Advisory Committee (CLASAC) will develop and implement the program. Ten percent of the funds will be used to manage the lands acquired.

d. The county will take full advantage of opportunities to cooperatively acquire and manage sensitive lands and to leverage other funding sources by working with state land acquisition and land management agencies such as the Florida Communities Trust and the Florida Game and Fresh Water Fish Commission and by participating in state land acquisition programs such as the Save Our Rivers program and the Conservation and Recreational Lands program. Priority should be given to acquiring and otherwise protecting properties which are adjacent to or in close proximity to existing preservation areas, with emphasis on maintaining opportunities for a regional greenways system that may include a mix of flow ways, areas subject to flooding, native habitats, recreational trails and wildlife corridors.

e. The county (or other appropriate agency) will prepare a management plan for each acquired site for the long term maintenance and enhancement of its health and environmental integrity. The management plan will address any necessary people management (e.g., fences and signage to prevent incompatible uses such as off road vehicle use and hunting); surface water management and restoration; ecosystems restoration; litter control; fire management; invasive exotic plant and animal control; and, where appropriate, compatible recreational use facilities. The plan will also address how maintenance will be funded.

f. The county will encourage the establishment of and provide assistance to community based land trusts, whose purpose is the preservation and protection of Lee County's natural resources.

g. The County will build upon the Conservation 20/20 program for funding a green infrastructure and natural functions program, which will be within the County CIP program.

5. Maintaining a central clearinghouse for all environmental studies and recommendations by both public and private organizations.

- 6. Compiling, maintaining and regularly updating county mapping of vegetation communities; listed species habitat and sitings; and water resources including watersheds, floodplains, wetlands, aquifers, and surface water features.*
- 7. Preparing recommendations for maintaining or restoring the desired seasonal base flows and water quality after reviewing monitoring data.*
- 8. Coordinating in the preparation of plans with the municipalities, South Florida Water Management District, and Southwest Florida Water Management District to better control flows of freshwater and reduce pollutant discharges into the Lee County coastal waters.*
- 9. Providing an annual progress report to the county commission on the resource management program. The report should address the adequacy of the program and land use regulations to protect and enhance these natural systems.*
- 10. Providing on an as needed basis a report to the County Commission on the status of wetlands and rare and unique uplands.*

OBJECTIVE 107.11: FLORIDA PANTHER AND BLACK BEAR. *County staff will develop measures to protect the Florida panther and black bear through greenbelt and acquisition strategies.*

POLICY 107.11.2: *Encourage state land acquisition programs to include known panther and black bear corridors. The corridor boundaries will include wetlands, upland buffers, and nearby vegetative communities which are particularly beneficial to the Florida panther and black bear (such as high palmetto and oak hammocks).*

POLICY 107.11.3: *Lee County will inform Collier and Charlotte counties as to Lee County corridor acquisition projects to encourage a regional approach to corridor acquisition.*

In addition to reducing impacts to surface and ground water, the proposed development design will also reduce impacts to natural resources. As demonstrated by the companion planned development rezoning application, the proposed development area is clustered around the two existing lakes in areas that have been impacted by the previous mining activity. This design leaves 1,318 acres of the site available for perpetual conservation. A portion of the area being conserved is a flow-way that will connect to existing conservation off-site to form the larger Stewart Cypress Slough system. The proposal includes enhancement of the native habitat within this area to address exotic infestation, agricultural ditches, previous farming activities, and other impacts. The property between the central and southeast development areas to be preserved will primarily be utilized to create an enhanced wildlife corridor. This area will also undergo enhancement and preservation to address exotic infestation and any impacts from the previous activities on site. Other areas outside the flow-way and wildlife corridor are also proposed to be improved, and as a result, ±561 acres of enhancement activities are proposed. The concurrent

planned development rezoning application will address the method and timings of the improvements.

These activities are consistent with Goals 77, 107, and 114 and the supporting objectives and policies.

GOAL 77: DEVELOPMENT DESIGN REQUIREMENTS. *To require new development to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.*

Goal 107: RESOURCE PROTECTION. *To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.*

GOAL 114: WETLAND. *To maintain and enforce a regulator program for development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems.*

The 2,960 acre WildBlue property has historically been impacted by previous agricultural and mining activities. The approved residential community and golf course would continue to impact the natural resources of the property and surrounding area. The proposed text amendment will establish a new Environmental Enhancement and Preservation Overlay. It will promote redevelopment of the property providing increased protection of the groundwater, surface water, flow-ways, wildlife corridor, and other natural resources, consistent with the vision of the Density Reduction/Groundwater Resource Future Land Use Category and Southeast Lee County Planning Community. The proposed text amendment and companion planned development zoning are consistent with the Lee Plan and demonstrate sound planning principles.



Mixed Use Planned Development Enhanced Lake Maintenance Plan

In response to the comments received from Lee County Staff and in compliance with Comprehensive Plan Amendment CPA2014-00004, Policy 33.3.3.2.e, the following items are proposed to be included in the Enhanced Lake Maintenance Plan. It is expected that the details of the maintenance plan will be refined through the forthcoming development order process for the WildBlue subdivision. A copy of the finalized plan will be recorded in the public record in compliance with Section 10-329(d)(5) of the Land Development Code.

The following elements are required to be addressed by the lake maintenance plan as described in Land Development Code Section 10-329(d)(5):

- 1) Identification of the methods to remove and control exotic and nuisance plants in perpetuity.

Exotic and nuisance plants will be maintained through a maintenance contract with a licensed contractor to provide such services. Two visits per year with the purpose of exotic removal will be conducted. After the initial clearing of the development tracts, exotics are to be maintained/removed through hand clearing or appropriate herbicide treatments by a licensed applicator on an as needed basis. Herbicides shall be labeled for use in water areas and are not to be detrimental to littoral plantings.

- 2) Required littoral vegetation must remain in a healthy and vigorous state in perpetuity. The use of trimming, mowing and herbicides to remove littoral plants is prohibited.

Contractors performing landscape or lake maintenance work will be notified that trimming, mowing and use of herbicides to remove littoral plants is prohibited. Appropriate native lake littoral plantings are expected to grow in their natural state. A planting plan for littorals will be provided at the time of development order.

- 3) Demonstration as to how surface water runoff quantities and flow velocities will be controlled to prevent bank erosion, including but not limited to, routing roof drains away from lake shorelines.

A stormwater management system exists on-site. This system is proposed to be altered as necessary at the time of development order for the subdivision. Such alterations will be permitted and approved by the South Florida Water Management District. It is

expected that roof drains will be located in a manner that limits velocity and direct run off into the existing lake. The exact direction and flow of surface water is to be determined in coordination with the South Florida Water Management District permitting process.

- 4) Requirements that educational materials be provided to residents describing the purpose and function of the bank slope and littoral areas. The materials must also explain to the individual property owners their responsibilities with respect to compliance with bank slope and littoral area management plans. Educational materials may take the form of signs and brochures.

A narrative summary explaining the benefits of littoral plantings including the requirements that the littoral plantings with the lake shall remain in perpetuity, will be provided through educational pamphlets and/or a newsletter to the residents of the subdivision.

The following items are included to address the specific conditions of CPA2014-00004.

- 1) Best Management Practices for Fertilizers and Pesticides

The WildBlue Community through a homeowners association or other controlling entity will provide centralized control of all landscaping maintenance including application of fertilizers and pesticides to all landscaped areas within the WildBlue Community. In compliance with Lee County Fertilizer Ordinance 08-08, it is expected that a contract will be executed by the future homeowners association with a company that has at least one person certified in Best Management Practices and be registered with Lee County Tax Collector. Fertilizers containing nitrogen and/or phosphorus will not be applied from June 1st to September 30th and will not exceed application limits provided in the Lee County Fertilizer Ordinance. Furthermore, fertilizer shall not be applied in or within 10 feet from the top of bank from the lake. These practices are not expected to apply to newly established landscaping or reclaimed water that may be used on site. Educational materials distributed to residents will include a summary of fertilizer and pesticide best management practices.

- 2) Erosion Control and Bank Stabilization

The WildBlue Community has two existing mining lakes. The Master Concept Plan includes a 20ft easement along the lake bank separate from the abutting lots to provide access to the lake bank and littorals for maintenance purposes. The parameters of the littoral plantings and lake bank maintenance shall be incorporated into the final enhanced lake management plan to be completed at the time of development order. It is expected that littoral plantings will be provided along the bank of the lake for stabilization purposes and a planting plan will be submitted as part of the Development Order process. The Master Concept Plan currently requests a deviation in one location along the central lake to

permit the existing on-site conditions, all other slopes will be provided consistent with the Land Development Code. The developer acknowledges that backfilling is not allowed. Should additional shoreline stabilization determined to be necessary, a proposal will be developed by a professional engineer and submitted for review at the time of Development Order.

3) Protection of public wells

A portion of the WildBlue Community is within Wellfield Protection Zones. Therefore regulated substances stored on-site will not exceed the limitations included in Section 14-208 of the Land Development Code. The community will connect to central water and sewer facilities eliminating risks related to liquid and solid waste disposal. A break in these facilities will be reported to the Division of Natural Resources within 24 hours of discovery as required by Section 14-214 of the Land Development Code. Stormwater and/or surface water discharge will conform to South Florida Water Management District and Florida Department of Environmental Protection rules and regulations.

4) Irrigation Water Supply

Covenant documents applicable to all owners, HOA, or other governing entities for the project will provide for central control of irrigation water supply and use throughout the development to ensure compliance with all applicable regulations and conditions of the community water use permit. Furthermore, covenant documents will prohibit the use of individual irrigation wells in the community.

5) Boating Use in “Shark” Lake

The southeastern corner of the southernmost lake in the WildBlue Community lies within a Wellhead Protection Zone. For this reason, the community will place limits on boating activities in the lake (Shark Lake) to include:

- No fuel storage on Shark Lake
- No mechanical repair facilities on Shark Lake
- Boat motors will be limited to 4-stroke only
- Automated bilge discharge pumps will be prohibited
- A spill response plan will be developed
- A boater’s education program will be developed



LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

June 4, 2014

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Danielle Grossenbaugh
Morris-Depew Associates, Inc.
2891 Center Pointe Drive., Unit 100
Fort Myers, FL 33916

RE: Potable Water and Wastewater Availability
'Wildblue' Development – Comprehensive Plan Amendment
Strap Numbers: 07, 08, 17, 18, 19, & 20-46-26-00-00001.0000

Dear Ms. Grossenbaugh,

Potable water and wastewater lines are in operation in the vicinity of the proposed project mentioned above. However, this project is located outside our future water and sewer service areas as indicated on Maps 6 and 7 of the Lee County Comprehensive Plan. In order to provide service to the subject parcels, the Lee County Comprehensive Plan will need to be amended. In addition, developer funded system enhancements including but not limited to line extensions will be required.

Your firm has indicated that this project will consist of 40,000 sq. ft. of commercial/retail use and 1,100 single-family residential units, with an estimated flow demand of approximately 279,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater service is contingent upon approval of the aforementioned comprehensive plan amendment and final acceptance of the infrastructure to be constructed by the developer.

Upon completion and final acceptance of this project, potable water service will be provided through our Corkscrew Water Treatment Plant. Sanitary sewer service will be provided by through our Three Oaks Wastewater Treatment Plant.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of water and wastewater service to be utilized for a Lee Comprehensive Plan (Lee Plan) Amendment for this project Only. Individual letters of availability will be required for the purpose of obtaining regulatory permits as well as building permits.

Sincerely,

LEE COUNTY UTILITIES

Pam Keyes, P.E.
Director
Lee County Utilities
1500 Monroe St.
Ft. Myers, FL 33901
Phone: 239-533-8544
Email Address: PKeyes@leegov.com

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111
Internet address <http://www.lee-county.com>
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER



RECEIVED MAY 12 2014

John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

May 7, 2014

Lauren R. Hennessey
2891 Center Pointe Drive
Unit 100
Fort Myers, Florida 33916

Re: Letter of Service Availability

Ms. Hennessey,

I am in receipt of your letter dated February 19, 2014, requesting a Letter of Service Availability for the Wild Blue project in southeastern Lee County.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the location you have identified. Because we currently serve this area, we evaluated response times in this vicinity to simulate the anticipated response and modeled GIS data on access in to the project location.

The primary ambulance for this project location is Medic 25, with Medic 21 providing backup as necessary. These two ambulance locations are too far away from the community's access from Alico and Corkscrew Roads, and would not allow us to adequately serve the project as required in County Ordinance 08-16. Compliance with the service standards outlined in county ordinance would require an additional EMS station in that vicinity. We do not currently have plans for expansion of service in this area.

It is our analysis that the service availability for the proposed development of this property is not adequate at this time. Should the plans change, especially access in to the community, a new analysis of this impact would be required.

If you have any questions, please contact me at (239) 533-3961.

Sincerely,



Benjamin Abes
Deputy Chief, Operations
Division of Emergency Medical Services



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www.morris-depew.com

May, 20, 2014

Deputy Chief Benjamin Abes
Lee County Division of Emergency Medical Services
P. O. Box 398
Fort Myers, FL 33902-0398

Subject: Letter of Service Availability dated May 7, 2014, WildBlue (MDAI #12037)

Dear Deputy Chief Abes:

This letter is in response to your letter dated May 7, 2014 to Lauren R. Hennessey inquiring about a Letter of Service Availability for the WildBlue development located in SE Lee County. I am somewhat confused regarding the response as it appears to be inconsistent with responses received for other development projects in the area. Thus, I am writing this letter in an attempt to clarify my understanding of Lee County's position on the matter.

Section VII, Paragraph B, Ordinance 08-16 states, "The County will rely on fractile response time reliability for this evaluation. It will be the goal of the Certificate Holder(s) within Lee County to comply with a turnout or out of chute time of one (1) minute (60 seconds) day time and two (2) minutes (120 seconds) night time and a response time of eight (8) minutes (59 seconds) (for a total of 539 seconds) or less at the ninetieth (90) percentile for high acuity calls for service classified as "Delta" or "Echo" under the Medical Priority Dispatch System." However, this section appears to be one in which evaluation standards are proposed for an application of COPCN. Paragraph C goes on to state, "The County may not recommend for approval a request for an ALS transport or BLS Transport COPCN for any geographical area in which the current ALS or BLS transport service providers' fractile response time reliability is considered to be acceptable."

The issue in question is not whether a new service is to be provided, nor is it an application for a COPCN. The question is whether Lee County EMS can provide service to a new development for which the proposed entrances are located on Corkscrew Road, are ± 1 mile, $\pm 1 \frac{2}{3}$ mile, and $2 \frac{1}{3}$ mile to the east of the

intersection of Firehouse Lane and Corkscrew Road, the location of Estero Fire District Station #44, or ± 3 miles east of LCEMS Station 13. It is noted that 2 of these proposed entrances are closer than the entrance to the Bella Terra development and all 3 are closer than the Corkscrew Woods/Corkscrew Shores development (see attached aerial photograph). Also attached please find a copy of a letter received in September, 2011, regarding the Corkscrew Woods development. As noted above, the WildBlue development access points are all closer than the access point for Corkscrew Woods, yet for the Corkscrew Woods development Lee County EMS indicated that it, "...has no initial concerns with the ability to provide service to this area." Given what appears to be a discrepancy between these 2 projects, I am concerned that Morris-Depew Associates did not adequately communicated what we were requesting for the WildBlue development.

Pursuant to Lee County's requirement for a letter of availability of service, our request is for a letter similar to the one Chief Dickerson provided in 2011. If you feel that Chief Dickerson issued his letter in error, or if you believe that you cannot currently issue such a letter, could you please call me so that we could sit down and discuss options for provision of service that will meet any concerns you might have.

Thank you in advance for your kind consideration.

Sincerely,
Morris-Depew Associates, Inc.



David W. Depew, PhD, AICP, LEED AP
President

Cc: Don Schrotenboer
Charles Basinait, Esq.



Lee County Southwest Florida

Statement of Initial Review

Lee County Emergency Medical Services (LCEMS) has performed a preliminary review of the project referenced herein. Based upon the limited amount of information provided, LCEMS has no initial concerns with the ability to provide service to this project.

The Comprehensive Plan Amendment Application is for Corkscrew Woodlands in Estero, FL, proposing to add 771 single family residences to the already vested 254 lots.

The two closest locations servicing this area are: LCEMS Station 21, located at 21510 Three Oaks Parkway, which is approximately 3.4 miles away, and LCEMS Station 13, located at 25001 South Tamiami Trail, which is approximately 6.2 miles away.

This statement does not indicate that any plans have been received, it just identifies that Lee County EMS has no initial concerns with the ability to provide service to this area.


(Signature)

EMS Chief / Deputy Director of Public Safety
(Title)

Kim Dickerson
(Printed Name)

September 27, 2011
(Date)



Kim Dickerson, EMT-P, RN, MB
Deputy Director, Lee County Public Safety
Chief, Lee County Emergency Medical Services
14752 Ben Pratt/Six Mile Cypress Parkway
Fort Myers, FL 33912
Phone: 239-533-3911
Fax: 239-485-2605
Email: kdickerson@leegov.com
Website: www.lee-ems.com



PASSARELLA & ASSOCIATES, INC.

CONSULTING ECOLOGISTS

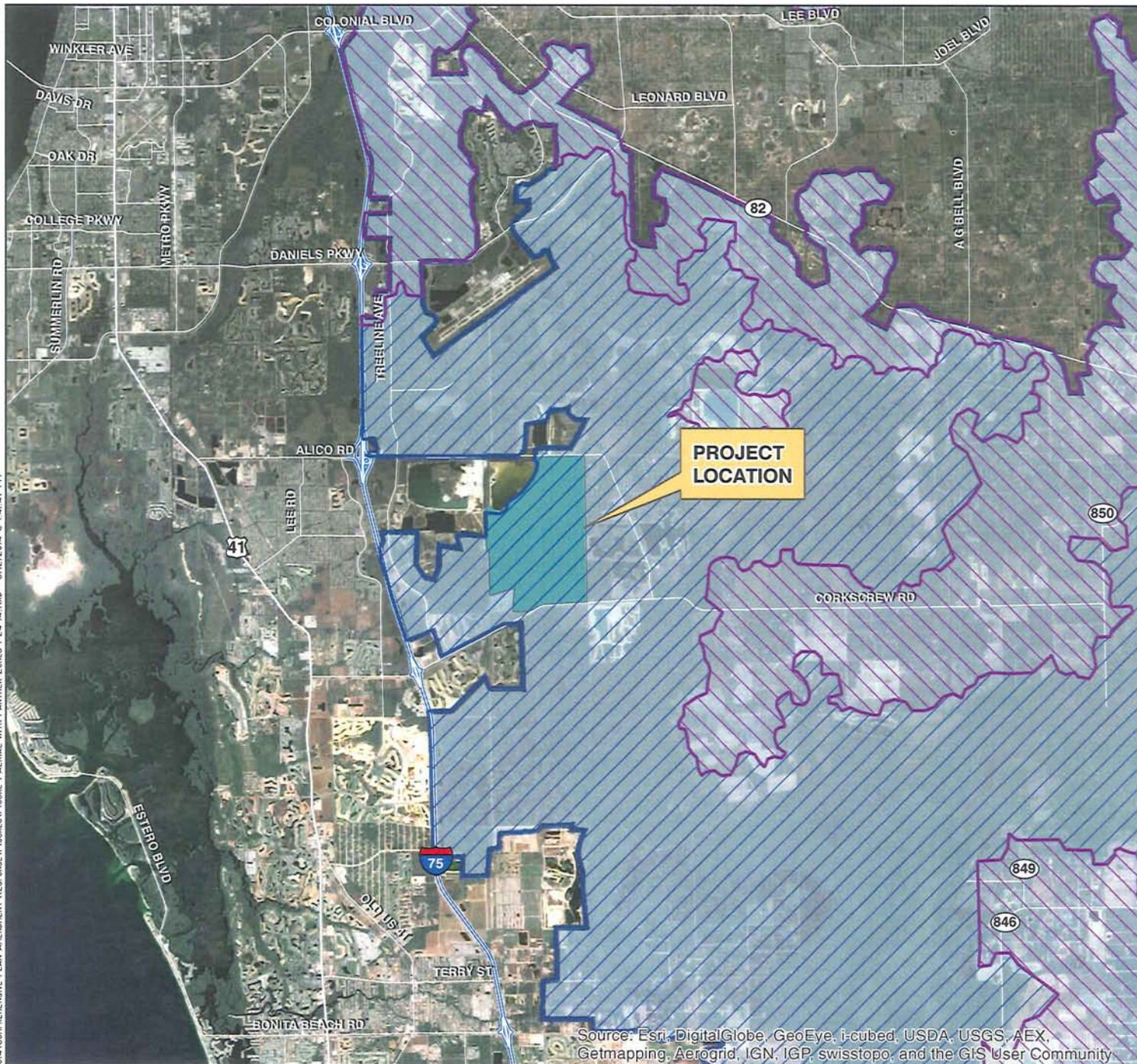
WILDBLUE

CPA SUFFICIENCY RESPONSE ITEMS

FIGURE 1

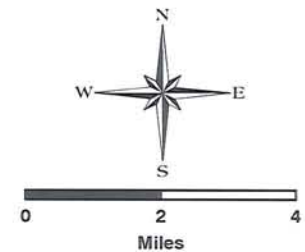
AERIAL WITH PANTHER PRIMARY AND SECONDARY ZONES

J:\2012\2642\2012\GIS\2012\COMPREHENSIVE PLAN AMENDMENT RESPONSE\FIGURES\FIGURE 1 AERIAL WITH PANTHER ZONES 1-24-14.MXD - 6/12/2014 @ 1:41:47 PM



LEGEND

- WILDBLUE
- PANTHER ZONES
- PRIMARY ZONE
- SECONDARY ZONE



NOTES:

AERIAL SOURCE: ESRI, I-CUBED, USDA, FSA, USGS, AEX, GOREYE, GETMAPPING. FOR MORE INFORMATION ON THIS AERIAL, GO TO [HTTP://GOTO.ACRGISONLIN.COM/MAPS/WORLD_IMAGERY](http://GOTO.ACRGISONLIN.COM/MAPS/WORLD_IMAGERY).

COUNTY INFORMATION AND ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

PANTHER FOCUS AREA WAS ACQUIRED FROM THE USFWS FTP SITE MARCH 2007.

PRIMARY AND SECONDARY ZONES WERE ACQUIRED FROM (KAUTZ ET AL. 2006).

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**FIGURE 1. AERIAL WITH PANTHER PRIMARY AND SECONDARY ZONES
WILDBLUE**

DRAWN BY	DATE
F.L.	9/16/13
REVIEWED BY	DATE
C.G.R.	9/16/13
REVISED	DATE



FIGURES 2 THROUGH 7

GINN PLAN AND WILDBLUE COMPARISON MAPS

J:\2012\12\26\2012\GIS\2014\COMPENSATION PLAN AMENDMENT RESPONSE\FIGURES\FIGURE 2A TOTAL PROJECT AREA.MXD - 6/12/2014 @ 1:11:15 PM



LEGEND

 GINN PLAN (3,552 Ac.±)

FIGURE 2A. AERIAL WITH TOTAL PROJECT AREA
GINN PLAN

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE



PASSARELLA
& ASSOCIATES INC

J:\2012\20120622\20120622\COMPREHENSIVE PLAN AMENDMENT RESPONSE\FIGURES\FIGURE 2B TOTAL PROJECT AREA.MXD - 6/12/2014 @ 1:42:10 PM



LEGEND

 WILDBLUE (2,960 Ac.±)

FIGURE 2B. AERIAL WITH TOTAL PROJECT AREA
WILDBLUE

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

 **PASSARELLA**
& ASSOCIATES INC

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISID	DATE



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LEGEND	
	GINN PLAN
	PRESERVE WETLANDS CONNECTED TO FLOW-WAYS (480 AC.±)

FIGURE 4A. PRESERVED WETLANDS CONNECTED TO FLOW-WAYS MAP
GINN PLAN

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE



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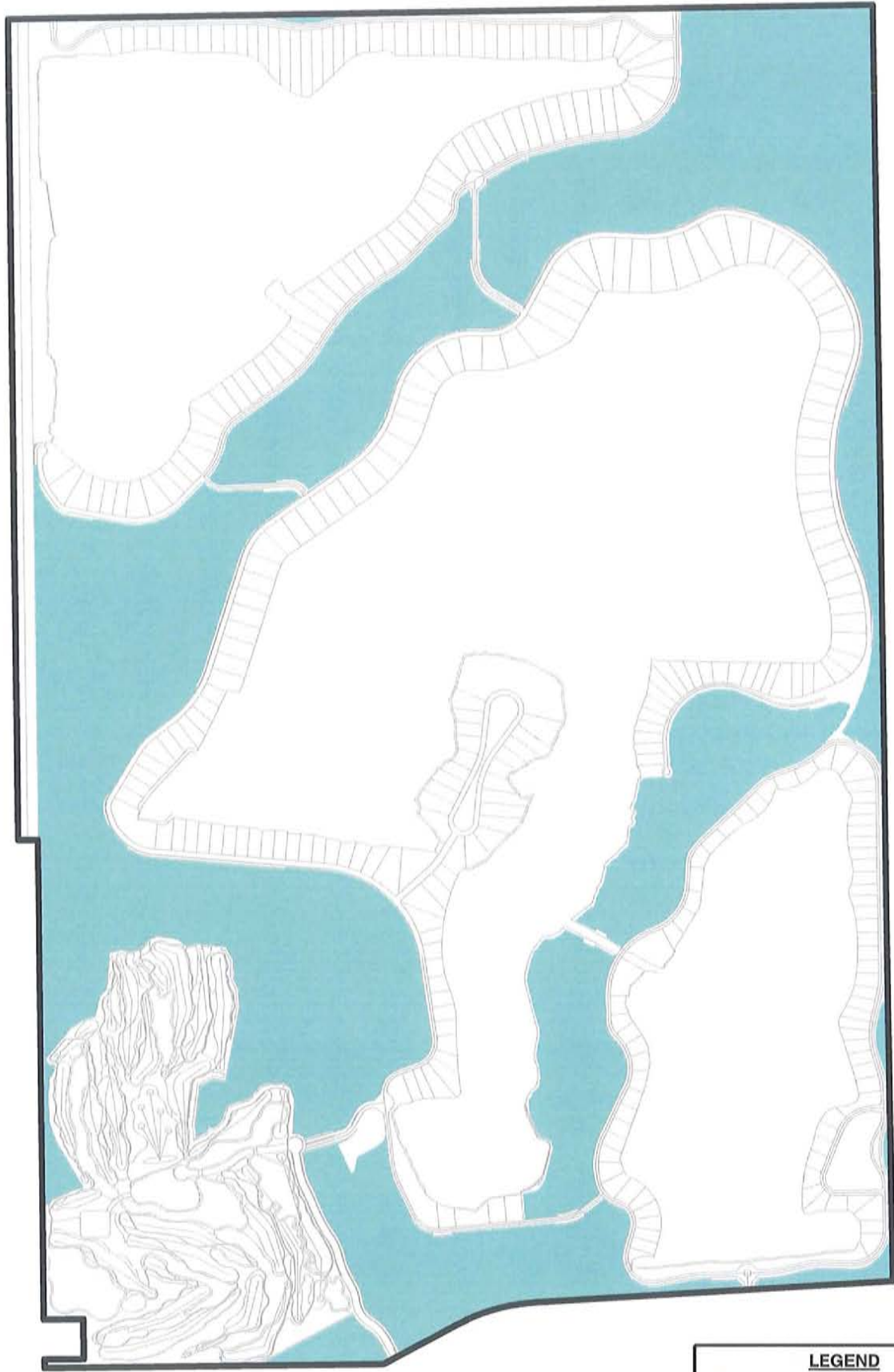


**FIGURE 4B. PRESERVED WETLANDS CONNECTED
TO FLOW-WAYS MAP
WILDBLUE**

DRAWN BY	DATE
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REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE



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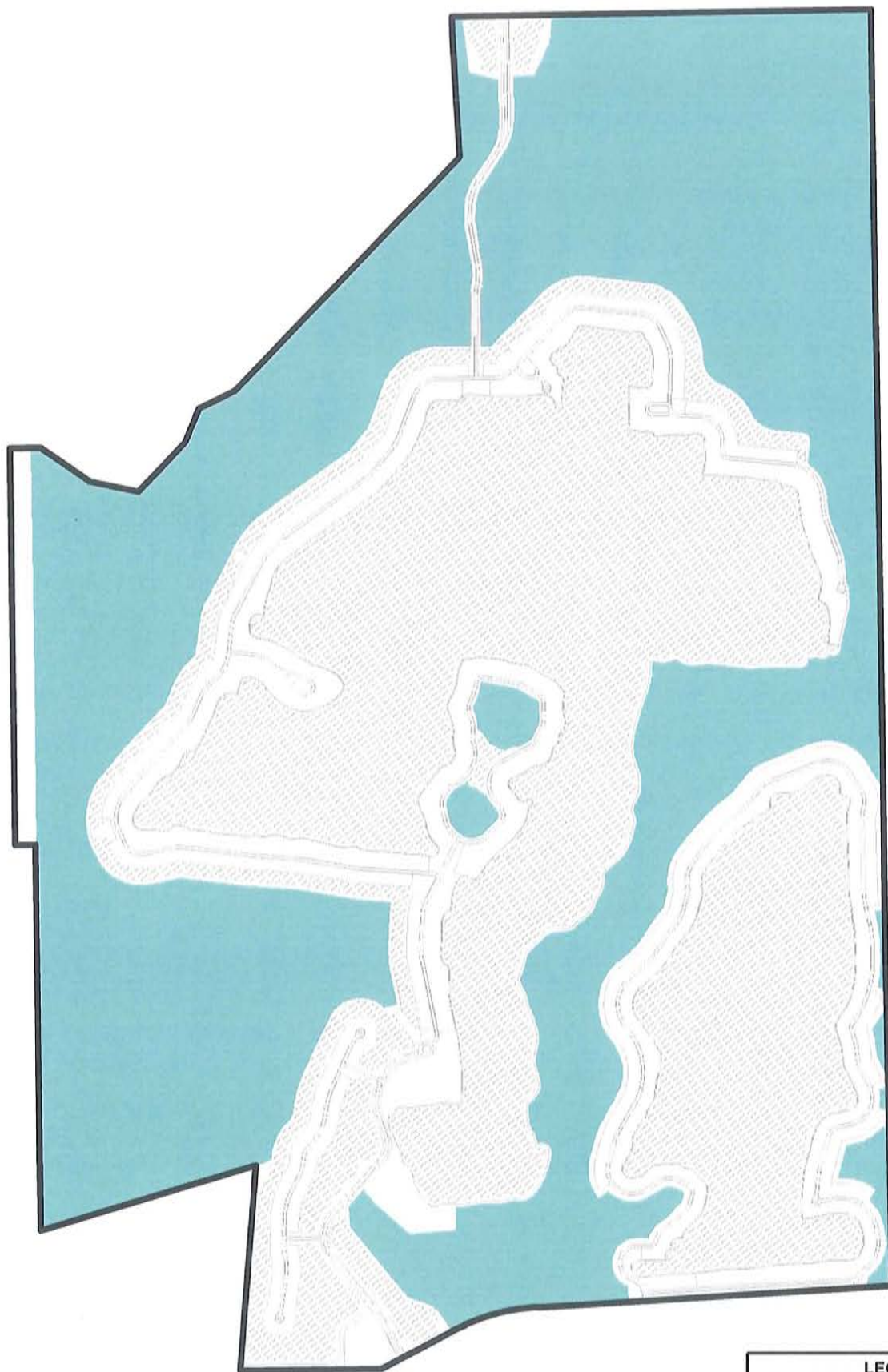
LEGEND	
	GINN PLAN
	CONSERVATION AREAS (968 AC.±)

FIGURE 5A. PRESERVE COMMITTED TO EASEMENT
GINN PLAN

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REVISED	DATE



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LEGEND	
	WILDBLUE
	CONSERVATION AREAS (1,318 Ac.±)

FIGURE 5B. PRESERVE COMMITTED TO EASEMENT
WILDBLUE


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REVISED	DATE



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LEGEND

 GINN PLAN


 SLOUGH CROSSINGS

FIGURE 6A. SLOUGH CROSSINGS
GINN PLAN

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REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

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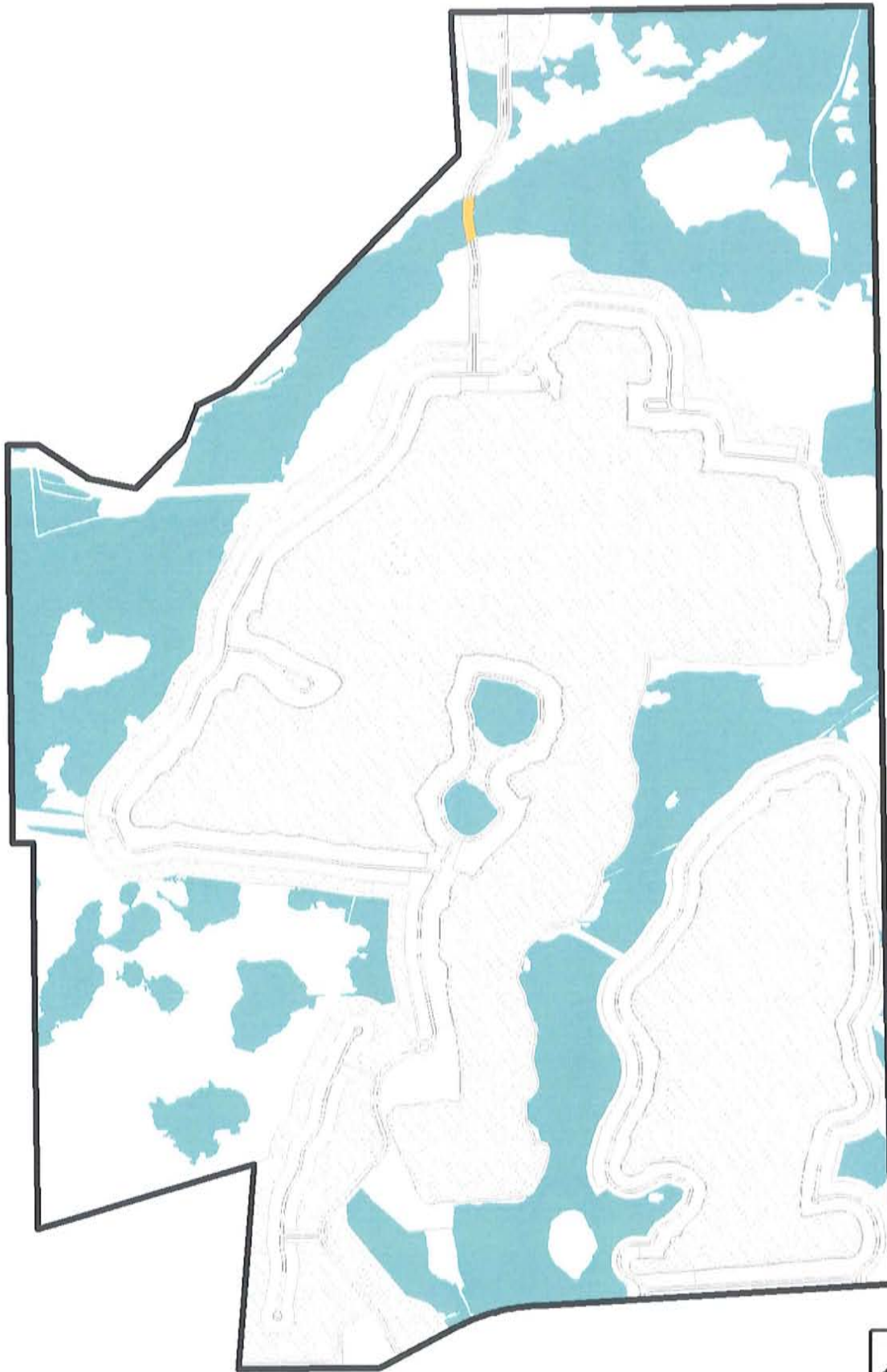


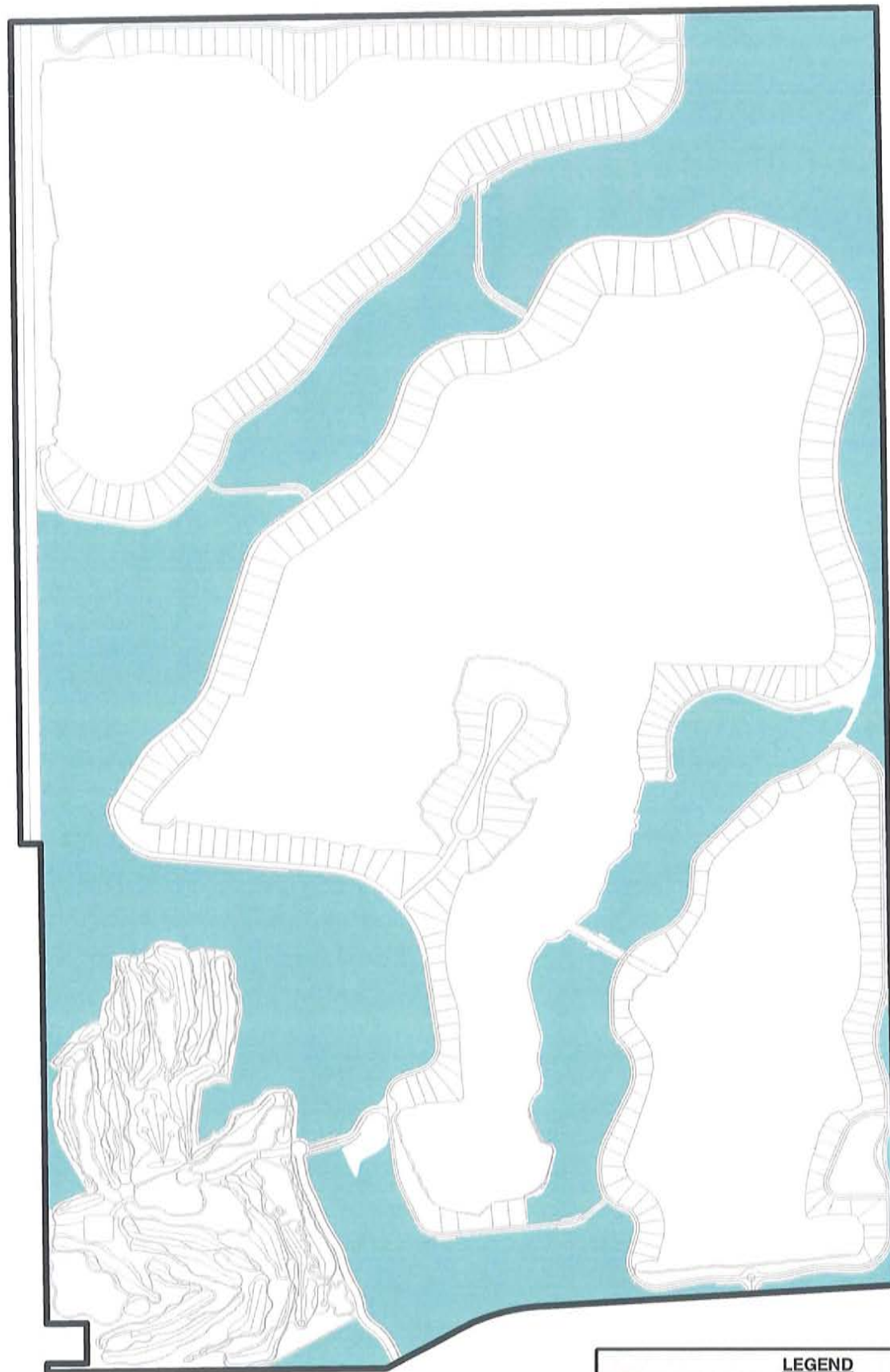
FIGURE 6B. SLOUGH CROSSINGS
WILDBLUE

DRAWN BY	DATE
H.H.	5/29/14
REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE



PASSARELLA
& ASSOCIATES, INC.

J:\12012\02662(2016)\S\2016\COMPREHENSIVE PLAN AMENDMENT RESPONSE\FIGURES\FIGURE 7A PRESERVE IN PRIMARY PANTHER HABITAT.MXD - 6/12/2016 @ 1:44:49 PM



LEGEND

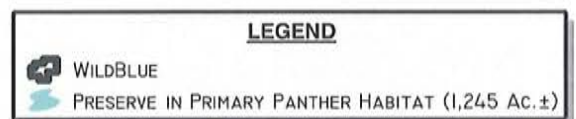
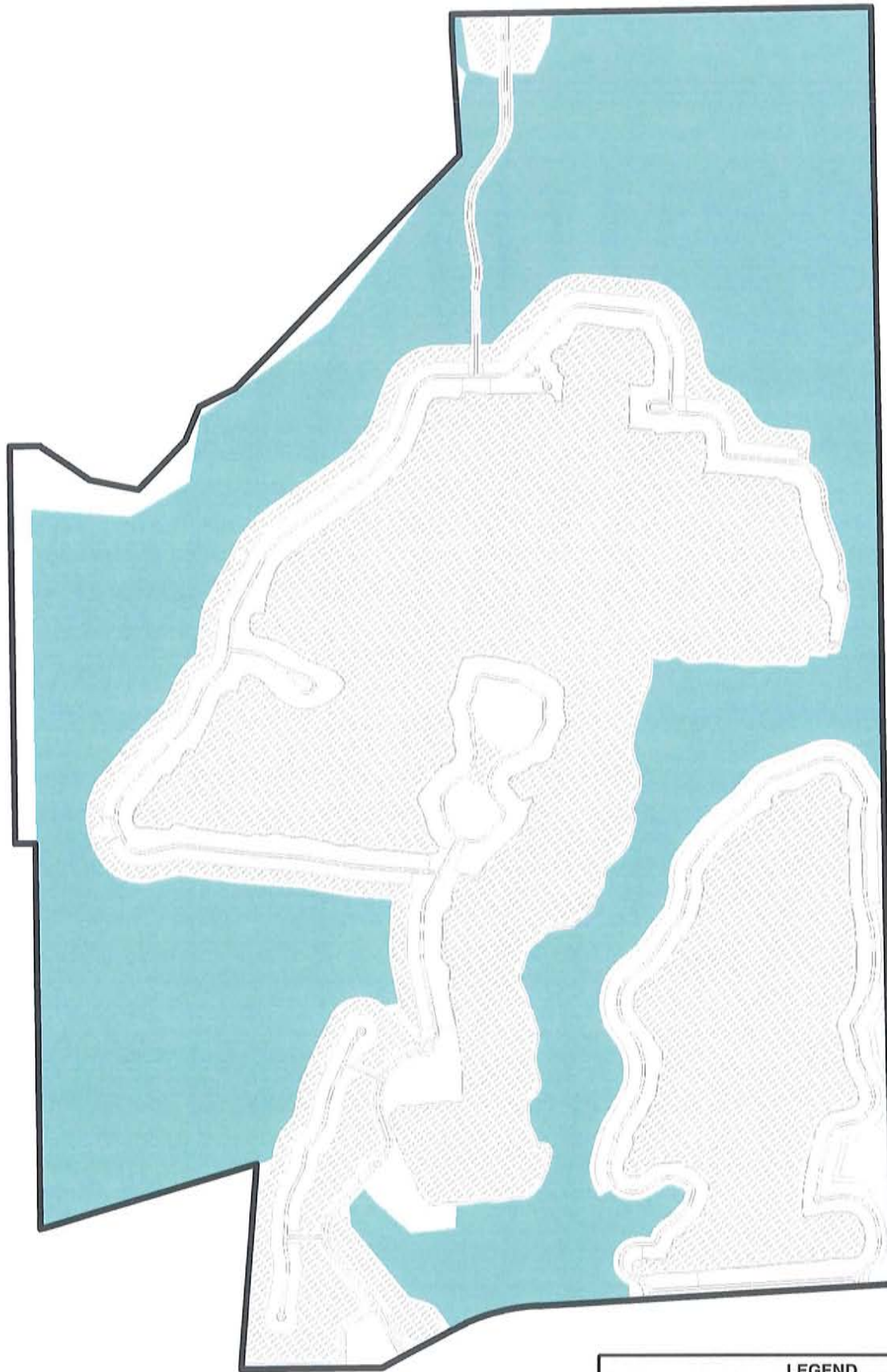
 GINN PLAN

 PRESERVE IN PRIMARY PANTHER HABITAT (963 Ac. ±)

**FIGURE 7A. PRESERVE IN PRIMARY PANTHER HABITAT
GINN PLAN**

DRAWN BY	DATE
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REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

 **PASSARELLA & ASSOCIATES** INC.
Consulting Ecologists



**FIGURE 7B. PRESERVE IN PRIMARY PANTHER
HABITAT
WILDBLUE**

DRAWN BY	DATE
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REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

FIGURE 8

APPROXIMATE LOCATION OF CORSKSCREW ROAD UNDERPASS



FIGURE 8. APPROXIMATE LOCATION OF CORKSCREW ROAD UNDERPASS WILDBLUE

DRAWN BY	DATE
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REVIEWED BY	DATE
K.C.P.	5/29/14
REVISED	DATE

**WILDBLUE
INDIGENOUS PRESERVE MANAGEMENT PLAN**

June 2014

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1.0 INTRODUCTION

The following outlines the Lee County Indigenous Preserve Management Plan for WildBlue (Project) located in Sections 7, 8, 17, 18, 19, and 20; Township 46 South; Range 26 East; Lee County. The conservation areas total 1,318± acres. The conservation areas are depicted in Appendix A and the following is a breakdown of the preserve acreage:

- 677± acres of indigenous wetlands and uplands;
- 490± acres of wetland and upland enhancement (habitats with greater than 75 percent exotics and open disturbed lands);
- 51± acres of upland restoration from farm fields and mining land;
- 94± acres of wetland creation from existing farm fields, berms and ditches; and
- 6± acres of wetland restoration through the removal and restoration of mining haul roads and berms.

The conservation areas, which total 1,318± acres, include 677± acres of existing indigenous wetlands and uplands with less than 75 percent exotic vegetation. The 677± acres of indigenous vegetation preserve exceeds the calculated amount of indigenous vegetation required to be included in the Project's open space according to Lee County Land Development Code (LDC) Chapter 10-415. The indigenous preserves will be enhanced through the removal of exotic vegetation. Supplemental plantings will be installed in 142± acres of the existing indigenous habitat where coverage by exotic vegetation exceeds 50 percent.

In addition to enhancing 677± acres of indigenous habitats, approximately 641 acres of non-indigenous wetlands and uplands will be enhanced and restored in accordance with the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) Application No. 140516-10). The 641± acres of non-indigenous vegetation within the conservation areas is not needed to meet the Lee County indigenous vegetation preserve requirements. Of this 641± acres, 490± acres of wetlands and uplands with greater than 75 percent exotic vegetation, and other open, disturbed areas will be enhanced through exotic removal and supplemental plantings. A total of 51± acres of farm fields and mining lands will be restored to native upland habitat. Also, native herbaceous wetland habitat will be created from 94± acres of upland farm fields, berms and ditches adjacent to the Stewart Cypress Slough, and 6± acres of mining haul roads and berms that currently bisect the sloughs will be removed and restored to native wetland habitat. The on-site conservation areas, totaling 1,318± acres, will be placed in a conservation easement granted to the SFWMD.

2.0 EXISTING INDIGENOUS VEGETATION HABITATS

The indigenous wetlands total 370± acres and include willow, cypress, pine-cypress, hydric pine, wetland forested mix, wetland shrub, freshwater marsh, and wet prairie

habitats. The indigenous upland habitats total 307± acres and include palmetto prairie, pine flatwoods, and mixed hardwood-conifer habitats. Indigenous vegetation areas are identified in Appendix A. Listed below are the Florida Land Use, Cover and Forms Classification System (FLUCFCS) (Florida Department Of Transportation 1999) descriptions of the indigenous wetland and upland habitats proposed for preservation and enhancement.

2.1 Indigenous Wetland Habitats

Willow, Disturbed (0-24% Exotics) (FLUCFCS Code 6189 E1)

The canopy of this wetland habitat is open. The sub-canopy consists of willow (*Salix caroliniana*), buttonbush (*Cephalanthus occidentalis*), primrose willow (*Ludwigia peruviana*), and Brazilian pepper (*Schinus terebinthifolius*). The ground cover includes maidencane (*Panicum hemitomon*), arrowhead (*Sagittaria lancifolia*), and fireflag (*Thalia geniculata*).

Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)

The vegetation composition in this wetland community is similar to FLUCFCS Code 6189 E1 with 25 to 49 percent Brazilian pepper and primrose willow in the canopy and sub-canopy.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)

The canopy of this wetland habitat contains bald cypress (*Taxodium distichum*) and melaleuca (*Melaleuca quinquenervia*). The sub-canopy consists of bald cypress, wax myrtle (*Myrica cerifera*), Brazilian pepper, cabbage palm (*Sabal palmetto*), cocoplum (*Chrysobalanus icaco*), and swamp bay (*Persea palustris*). The ground cover includes swamp fern (*Blechnum serrulatum*), Asiatic pennywort (*Centella asiatica*), maidencane, torpedograss (*Panicum repens*), frog-fruit (*Phylla nodiflora*), water pennywort (*Hydrocotyle umbellata*), bog hemp (*Boehmeria cylindrica*), loosestrife (*Lythrum alatum*), and climbing hempvine (*Mikania scandens*).

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6219 E1 with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6219 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (0-24% Exotics) (FLUCFCS Code 6249 E1)

The canopy of this wetland habitat consists of slash pine (*Pinus elliottii*), bald cypress, melaleuca, and scattered cabbage palm. The sub-canopy consists of slash pine, bald cypress, melaleuca, wax myrtle, and Brazilian pepper. The ground cover includes white-top sedge (*Rhynchospora colorata*), knotroot foxtail (*Setaria parviflora*), beaksedge

(*Rhynchospora microcarpa*), blue maidencane (*Amphicarpum muhlenbergianum*), rosy camphorweed (*Pluchea rosea*), pineland heliotrope (*Heliotropium polyphyllum*), and Leavenworth's tickseed (*Coreopsis leavenworthii*). Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6249 E1 with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics) (FLUCFCS Code 6249 E3)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6249 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1)

The canopy of this wetland habitat consists of slash pine and melaleuca. The sub-canopy consists of slash pine, melaleuca, wax myrtle, and Brazilian pepper. The ground cover includes white-top sedge, knotroot foxtail, beaksedge, blue maidencane, rosy camphorweed, pineland heliotrope, torpedograss, Leavenworth's tickseed, and gulfdune paspalum (*Paspalum monostachyum*). Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6259 E1 with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 6259 E3)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6259 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Mixed Wetland Forest, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)

The canopy of this wetland habitat consists of slash pine, bald cypress, melaleuca, scattered cabbage palm, and laurel oak (*Quercus laurifolia*). The sub-canopy consists of slash pine, bald cypress, melaleuca, wax myrtle, myrsine (*Myrsine cubana*), and Brazilian pepper. The ground cover includes swamp fern, water pennywort, maidencane, and sawgrass (*Cladium jamaicense*). Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Wetland Shrub, Disturbed (25-49% Exotics) (FLUCFCS Code 6319 E2)

The canopy of this wetland habitat is mostly open with scattered slash pine, bald cypress, and melaleuca. The sub-canopy contains wax myrtle, saltbush (*Baccharis halimifolia*), slash pine, Brazilian pepper, bald cypress, willow, and melaleuca. Ground cover includes water pennywort, swamp fern, torpedograss, maidencane, and gulfdune paspalum.

Freshwater Marsh, Disturbed (0-24% Exotics) (FLUCFCS Code 6419 E1)

The canopy of this wetland habitat is typically open. The sub-canopy may contain willow. The ground cover includes maidencane, fireflag, and cattail (*Typha* sp.).

Freshwater Marsh, Disturbed (25-49% Exotics) (FLUCFCS Code 6419 E2)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6419 E1 with 25 to 49 percent coverage by melaleuca, torpedograss, and/or cattail.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)

The vegetation composition in this wetland community is similar to FLUCFCS Code 6419 E1 with 50 to 75 percent coverage by melaleuca, torpedograss, and/or cattail.

Wet Prairies, Disturbed (0-24% Exotics) (FLUCFCS Code 6439 E1)

The canopy of this wetland habitat is open. The sub-canopy consists of melaleuca, wax myrtle, and slash pine. The ground cover includes gulfdune paspalum, knotroot foxtail, beaksedge, pineland heliotrope, torpedograss, rosy camphorweed, sand cordgrass (*Spartina bakeri*), bushy bluestem (*Andropogon glomeratus*), and scattered saw palmetto (*Serenoa repens*).

Wet Prairies, Disturbed (25-49% Exotics) (FLUCFCS Code 6439 E2)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6439 E1 with 25 to 49 percent coverage by melaleuca and torpedograss.

Wet Prairies, Disturbed (50-75% Exotics) (FLUCFCS Code 6439 E3)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6439 E1 with 50 to 75 percent coverage by melaleuca and torpedograss.

2.2 Indigenous Upland Habitats

Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)

The canopy of this upland community contains scattered slash pine and melaleuca. The sub-canopy consists of slash pine, melaleuca, wax myrtle, and Brazilian pepper. The ground cover is dominated by saw palmetto.

Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)

The vegetation composition of this upland community is similar to FLUCFCS Code 3219 E1 with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)

The vegetation composition of this upland community is similar to FLUCFCS Code 3219 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)

The canopy of this upland habitat contains slash pine and melaleuca. The sub-canopy contains myrsine, melaleuca, cabbage palm, and Brazilian pepper. The ground cover includes saw palmetto, spermacoce (*Spermacoce verticillata*), Brazilian pepper, bracken fern (*Pteridium aquilinum*), wiregrass (*Aristida stricta*), and gulfdune paspalum. Portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)

The vegetation composition of this upland community is similar to FLUCFCS Code 4119 E1 with 25 to 49 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Pine Flatwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 4119 E3)

The vegetation composition of this upland community is similar to FLUCFCS Code 4119 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Pine, Disturbed (25-49% Exotics) (FLUCFCS Code 4159 E2)

The canopy of this upland habitat contains slash pine, cabbage palm, laurel oak, and melaleuca. The sub-canopy consists of wax myrtle, slash pine, and Brazilian pepper. The ground cover includes broomsedge (*Andropogon virginicus*), wiregrass, muscadine grapevine (*Vitis rotundifolia*), pennyroyal (*Piloblephis rigida*), chocolateweed (*Melochia corchorifolia*), caesarweed (*Urena lobata*), and scattered saw palmetto.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)

The canopy of this wetland habitat consists of slash pine, melaleuca, live oak (*Quercus virginiana*), and cabbage palm. The sub-canopy consists of myrsine, wax myrtle, Brazilian pepper, and melaleuca. The ground cover includes saw palmetto, bracken fern, and muscadine grapevine. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)

The vegetation composition of this upland community is similar to FLUCFCS Code 4349 E1 with 50 to 75 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

3.0 INDIGENOUS PRESERVATION

3.1 Method and Frequency of Pruning and Trimming

Exotic removal is scheduled to begin after the applicable permits and approvals have been attained. The Project's mitigation activities will be conducted in phases which correspond to the development phases. After the initial removal of exotics, semi-annual inspections of the preserves will occur for the first two years. During these inspections, the Project area will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits (i.e., less than five percent cover), inspections of the Project area will be conducted annually.

Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation (as currently defined by the Florida Exotic Pest Plant Council (EPPC)) immediately following maintenance and that exotic and nuisance species will constitute no more than five percent of total combined cover.

3.2 Methods to Remove and Control Exotic and Nuisance Plants

Exotic and nuisance vegetation will be removed/treated by hand methods where coverage by exotic vegetation is less than 50 percent. Hand treatment will be either felling of exotic trees, hand removal, and herbicide treatment of the stumps; or hand pulling. The hand treatment of exotic and nuisance vegetation will include one or more of the following methods: (1) cut exotics within 12 inches of ground elevation, hand remove cut vegetation, and treat remaining stump with approved herbicide; (2) girdle standing Brazilian pepper, melaleuca, and Australian pine (*Casuarina equisetifolia*) with diameter at breast height (DBH) greater than 4 inches and apply approved herbicide to cambium; (3) foliar application of approved herbicide to Brazilian pepper, melaleuca saplings, Australian pine, and downy rose-myrtle (*Rhodomyrtus tomentosa*); (4) foliar application of approved herbicide or hand pulling of exotic seedlings; and (5) foliar application of approved herbicide to nuisance grasses.

Where exotics exceed 50 percent, mechanical equipment may be utilized to aid in the removal of exotic species. Existing vehicle trails will be used, as available, to access remote areas of the preserve. All efforts will be made to preserve native trees when conducting the exotic removal with mechanized equipment. To minimize adverse impacts to the ground surface, machinery that exerts a relatively low impact on the ground surface (i.e., tracked skid steer, feller buncher) will be utilized within the mechanical removal areas.

The conservation areas will be monitored for excessive ground cover and sub-canopy growth. Ground cover and sub-canopy growth will be maintained to enhance maximum wildlife use. Prescribed burning will be used as a management tool to maintain the native vegetation communities within the conservation areas. The objectives of prescribed

burning will be to aid in the control of exotic vegetation and woody shrubs (i.e., wax myrtle and saltbush), reduce fuel loads and the danger of wildfire, stimulate the growth and diversity of herbaceous vegetation, and improve wildlife habitat. Required permits from the appropriate regulatory authorities will be obtained prior to implementation of prescribed burns.

Exotics to be treated include, but are not limited to, melaleuca and Brazilian pepper. The preserves will be maintained free of invasive exotics listed in Table 1 in perpetuity.

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	<i>Dioscorea alata</i>
Australian pines	All <i>Casuarina</i> species
Bishopwood	<i>Bischofia javanic</i>
Brazilian pepper	<i>Schinus terebinthifolius</i>
Carrotwood	<i>Cupaniopsis anacardioides</i>
Chinese tallow	<i>Sapium sebiferum</i>
Cork tree	<i>Thespesia populnea</i>
Cuban laurel fig	<i>Ficus microcarpa</i>
Downy rose-myrtle	<i>Rhodomyrtus tomentosus</i>
Earleaf acacia	<i>Acacia auriculiformis</i>
Japanese climbing fern	<i>Lygodium japonicum</i>
Java plum	<i>Syzygium cumini</i>
Melaleuca	<i>Melaleuca quinquenervia</i>
Murray red gum	<i>Eucalyptus camaldulensis</i>
Old World climbing fern	<i>Lygodium microrphyllum</i>
Rose apple	<i>Syzygium jambos</i>
Rosewood	<i>Dalbergia sissoo</i>
Tropical soda apple	<i>Solanum viarum</i>
Wedelia	<i>Wedelia trilobata</i>
Weeping fig	<i>Ficus benjamina</i>
Woman's tongue	<i>Albizia lebbbeck</i>

3.3 Debris Removal

Exotic vegetative debris will be removed from the indigenous preserves within 100 feet of development areas. In areas beyond 100 feet from the development line, and where the density of exotics is less than 50 percent, if it is determined that existing trails into the preserve allow for the removal of exotic debris by truck, then this option may be pursued.

If vehicle access is not available, trees greater than four inches DBH will be girdled, treated with approved herbicide and left standing, or vegetative debris will be cut and stacked in piles at approximately 100 foot intervals. If left on the site, smaller cuttings will be stacked butt end to the ground into a nearly vertical position (i.e., teepee method). Larger cuttings will be cut and stacked side by side into an area approximately 6 feet on a side. Cuttings will be stacked perpendicular to the previous layer up to a height of approximately 4 feet (i.e., log cabin method).

In areas where the density of exotic vegetation exceeds 50 percent, vegetative debris will be removed from these areas in order to allow for successful supplemental plantings. Existing vehicle trails will be used, as available, to access remote areas of the preserve. All efforts will be made to preserve native trees when conducting the exotic removal with mechanized equipment. To minimize adverse impacts to the ground surface, machinery that exerts a relatively low impact on the ground surface (i.e., tracked skid steer, feller buncher) will be utilized within the mechanical removal areas.

3.4 Supplemental Plantings

Supplemental plantings will be installed where existing coverage by exotic vegetation exceeds 50 percent. Supplemental plantings will occur in 96± acres of wetland indigenous preserve. Wetland plantings will be selected to replace the type of native vegetation that occurs in the adjacent or nearby wetland habitats. Wetland tree plantings will include a minimum of three of the six tree species listed in Table 2, shrub plantings will include a minimum of two of the five species listed in Table 2, and ground cover plantings will include a minimum of six of the ten ground cover species listed in Table 2. The species selected for planting will depend on market availability at the time the plantings are to occur.

Table 2. Supplemental Wetland Planting List

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Instruction (On Center)
Tree Plantings (at least 3 species)				
Cypress	<i>Taxodium</i> sp.	5 ft.	3 gal.	15 ft.
Dahoon Holly	<i>Ilex cassine</i>	5 ft.	3 gal.	15 ft.
Pop Ash	<i>Fraxinus caroliniana</i>	5 ft.	3 gal.	15 ft.
Red Maple	<i>Acer rubrum</i>	5 ft.	3 gal.	15 ft.
Slash Pine	<i>Pinus elliottii</i>	5 ft.	3 gal.	15 ft.
Laurel Oak	<i>Quercus laurifolia</i>	5 ft.	3 gal.	15 ft.
Shrub Plantings (at least 2 species)				
Wax Myrtle	<i>Myrica cerifera</i>	3 ft.	1 gal.	15 ft.
Myrsine	<i>Myrsine cubana</i>	3 ft.	1 gal.	15 ft.
Gallberry	<i>Ilex glabra</i>	3 ft.	1 gal.	15 ft.
Buttonbush	<i>Cephalanthus occidentalis</i>	3 ft.	1 gal.	15 ft.

Table 2. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Instruction (On Center)
Shrub Plantings (at least 2 species) (Continued)				
Pond Apple	<i>Annona glabra</i>	3 ft.	1 gal.	15 ft.
Ground Cover Plantings (at least 6 species)				
Cordgrass	<i>Spartina bakeri</i>	12 in.	2 in.	5 ft.
Wiregrass	<i>Aristida stricta</i>	12 in.	2 in.	5 ft.
Gulfdune Paspalum	<i>Paspalum monostachyum</i>	12 in.	2 in.	5 ft.
Muhly Grass	<i>Muhlenbergia capillaris</i>	12 in.	2 in.	5 ft.
Sawgrass	<i>Cladium jamaicense</i>	12 in.	2 in.	5 ft.
Blue Maidencane	<i>Amphicarpum muhlenbergianum</i>	12 in.	2 in.	5 ft.
Swamp Lily	<i>Crinum americanum</i>	12 in.	2 in.	5 ft.
Maidencane	<i>Panicum hemitomom</i>	12 in.	2 in.	5 ft.
Spikerush	<i>Eleocharis interstincta</i>	12 in.	2 in.	5 ft.
Pickerelweed	<i>Pontederia cordata</i>	12 in.	2 in.	5 ft.

Supplemental plantings will occur in 46± acres of upland indigenous preserve where exotics exceed 50 percent. Upland plantings will be selected to replace the type of native vegetation that occurs in the adjacent or nearby upland habitats. Upland tree plantings will include a minimum of three of the five tree species listed in Table 3, and ground cover plantings will include a minimum of four of the six ground cover species listed in Table 3. The species selected for planting will depend on market availability at the time the plantings are to occur.

Table 3. Supplemental Upland Planting List

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Instruction (On Center)
Tree Plantings (at least 3 species)				
Slash Pine	<i>Pinus elliottii</i>	6 ft.	3 gal.	15 ft.
Cabbage Palm	<i>Sabal palmetto</i>	6 ft.	3 gal.	15 ft.
Live Oak	<i>Quercus virginiana</i>	6 ft.	3 gal.	15 ft.
Gumbo-Limbo	<i>Bursera simaruba</i>	6 ft.	3 gal.	15 ft.
Dahoon Holly	<i>Ilex cassine</i>	6 ft.	3 gal.	15 ft.
Ground Cover Plantings (at least 4 species)				
Saw Palmetto	<i>Serenoa repens</i>	12 in.	2 in.	5 ft.
Cordgrass	<i>Spartina bakeri</i>	12 in.	2 in.	5 ft.
Muhly Grass	<i>Muhlenbergia capillaris</i>	12 in.	2 in.	5 ft.
Wiregrass	<i>Aristida stricta</i>	12 in.	2 in.	5 ft.

Table 3. (Continued)

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Instruction (On Center)
Ground Cover Plantings (at least 4 species) (Continued)				
Broomgrass	<i>Andropogon virginicus</i>	12 in.	2 in.	5 ft.
Wild Coffee	<i>Psychotria</i> sp.	12 in.	2 in.	5 ft.

4.0 EXISTING NON-INDIGENOUS VEGETATION HABITATS

The following are the existing on-site non-indigenous wetland and upland vegetative communities that are proposed for enhancement and restoration in accordance with the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10). The 641± acres of non-indigenous vegetation within the conservation areas is not needed to meet the Lee County indigenous vegetation preserve requirements. Existing non-indigenous wetlands within the conservation areas total 374± acres and non-indigenous uplands total 116± acres. The non-indigenous areas are identified in Appendix A.

4.1 Non-Indigenous Wetland Habitats

Brazilian Pepper, Hydric (FLUCFCS Code 4221)

The canopy and sub-canopy of this wetland area are dominated by Brazilian pepper. The ground cover typically contains water pennywort and Asiatic pennywort.

Melaleuca, Hydric (FLUCFCS Code 4241)

The canopy of this wetland area is dominated by melaleuca. The sub-canopy contains melaleuca with scattered slash pine, wax myrtle, and myrsine. The ground cover typically includes muhly grass (*Muhlenbergia capillaris*), Asiatic pennywort, torpedograss, broomsedge, yellow-eyed grass (*Xyris* sp.), fingergrass (*Eustachys* sp.), blue maidencane, nutrush (*Scleria* sp.), beaksedge, and knotroot foxtail. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6219 E1 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 6249 E4)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6249 E1 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6259 E1 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Wetland Shrub, Disturbed (76-100% Exotics) (FLUCFCS Code 6319 E4)

The vegetation composition in this wetland community is similar to FLUCFCS Code 6319 E2 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Wet Prairies, Disturbed (76-100% Exotics) (FLUCFCS Code 6439 E4)

The vegetation composition of this wetland community is similar to FLUCFCS Code 6439 E1 with 76 to 100 percent coverage by melaleuca and torpedograss.

Disturbed Land, Hydric (FLUCFCS Code 7401)

The canopy and sub-canopy of this wetland area are mostly open with scattered melaleuca, slash pine, and wax myrtle. The ground cover includes torpedograss, beaksedge, white-top sedge, knotroot foxtail, rosy camphorweed, Leavenworth's tickseed, frog-fruit, dog fennel (*Eupatorium capillifolium*), and yellow-eyed grass. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

4.2 Non-Indigenous Upland Habitats

Mine (FLUCFCS Code 168)

This code denotes areas used for an inactive limerock mining operation. Portions remain devoid of vegetation and other areas have since re-vegetated with various combinations of trees, shrubs, and ground cover species common to disturbed areas. Where present, the canopy consists of scattered melaleuca, lead tree (*Leucaena leucocephala*), Australian pine, and live oak. The sub-canopy is similar to the canopy with scattered wax myrtle and willow. The ground cover is dominated by cogongrass (*Imperata cylindrica*) and spermacoce.

Unimproved Pasture (FLUCFCS Code 212)

This code is used to identify upland pasture that is no longer maintained or used for cattle grazing. The canopy is open or may contain scattered cabbage palm. The sub-canopy consists of cabbage palm, melaleuca, Brazilian pepper, and wax myrtle. The ground cover includes bahiagrass (*Paspalum notatum*), dog fennel, broomsedge (*Andropogon virginicus*), and horseweed (*Conyza canadensis*).

Palmetto Prairie, Disturbed (76-100% Exotics) (FLUCFCS Code 3219 E4)

The vegetation composition of this upland community is similar to FLUCFCS Code 3219 E1 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)

The vegetation composition of this upland community is similar to FLUCFCS Code 4119 E1 with 76 to 100 percent melaleuca and/or Brazilian pepper in the canopy and sub-canopy.

Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 4159 E4)

The vegetation composition of this upland community is similar to FLUCFCS Code 4159 E2 with 76 to 100 percent melaleuca in the canopy and sub-canopy. Small portions of this habitat type on-site are currently being restored per Lee County Compliance Agreement dated July 20, 2012.

Brazilian Pepper (FLUCFCS Code 422)

The canopy and sub-canopy of this upland area are dominated by Brazilian pepper. The ground cover is typically open.

Melaleuca (FLUCFCS Code 424)

The canopy and sub-canopy of this upland area are dominated by melaleuca with scattered slash pine, wax myrtle, myrsine, and Brazilian pepper. The ground cover typically includes Bermudagrass (*Cynodon dactylon*) with scattered saw palmetto and Brazilian pepper.

Wax Myrtle (76-100% Exotics) (FLUCFCS Code 429 E4)

The canopy of this upland habitat is mostly open with scattered slash pine and melaleuca. The sub-canopy is dominated by wax myrtle with scattered saltbush, Brazilian pepper, and melaleuca. Ground cover includes scattered torpedograss, dog fennel, muscadine grapevine, and melaleuca.

Disturbed Land (FLUCFCS Code 740)

The canopy and sub-canopy of this upland area are mostly open with melaleuca, Brazilian pepper, and slash pine. The ground cover includes frog-fruit, bahiagrass, beggar-ticks (*Bidens alba*), big carpetgrass (*Axonopus furcatus*), cogongrass, richardia (*Richardia* sp.), and spermacoce.

Spoil Area (FLUCFCS Code 743)

The canopy of this upland area consists of melaleuca, and the sub-canopy consists of Brazilian pepper, myrsine, and cabbage palm. The ground cover includes saw palmetto, broomsedge, Brazilian pepper, and Bermudagrass.

Berm (FLUCFCS Code 747)

The canopy of this upland area consists of scattered willow, slash pine, melaleuca, cabbage palm, and laurel oak. The sub-canopy consists of wax myrtle, slash pine, and Brazilian pepper. The ground cover is mostly open with scattered saw palmetto and spermacoce.

5.0 ENHANCEMENT OF NON-INDIGENOUS AREAS

Wetland and upland enhancement and restoration activities will be conducted in highly disturbed and exotic infested areas on-site in accordance with the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10). The locations of these areas are shown on Appendix A.

5.1 Non-Indigenous Wetland and Upland Enhancement

Approximately 490 acres of wetland and upland areas that do not meet the indigenous vegetation requirement will be enhanced by the removal of exotic species and supplemental plantings of native vegetative species. Mechanical equipment may be utilized to assist in the removal of exotic species in these areas. The vegetative debris will be removed from these areas in order to allow for successful supplemental plantings. Existing vehicle trails will be used, as available, to access remote areas of the preserve. All efforts will be made to preserve native trees when conducting the exotic removal with mechanized equipment. To minimize adverse impacts to the ground surface, machinery that exerts a relatively low impact on the ground surface (i.e., tracked skid steer, feller buncher) will be utilized within the mechanical removal areas. The non-indigenous wetland and upland enhancement areas are identified in Appendix A.

Wetland enhancement activities will occur in 374± acres of non-indigenous wetlands. Wetland plantings will be selected to replace the type of native vegetation that occurs in the adjacent or nearby wetland habitats. Wetland tree plantings will include a minimum of three of the six tree species listed in Table 2, shrub plantings will include a minimum of two of the five species listed in Table 2, and ground cover plantings will include a minimum of six of the ten ground cover species listed in Table 2. The species selected for planting will depend on market availability at the time the plantings are to occur.

Upland enhancement activities will occur in 116± acres of non-indigenous uplands. Upland plantings will be selected to replace the type of native vegetation that occurs in the adjacent or nearby upland habitats. Upland tree plantings will include a minimum of three of the five tree species listed in Table 3, and ground cover plantings will include a minimum of four of the six ground cover species listed in Table 3. The species selected for planting will depend on market availability at the time the plantings are to occur.

5.2 Upland Restoration

Upland restoration will be conducted in 51± acres of farm fields, mining lands, ditches cut through uplands, and other disturbed lands. Restoration will consist of the removal of fill material, removal of berms and backfilling of ditches, grading, and planting. These areas will be graded, as needed, to match existing upland ground elevations. Once the grading activities are completed, native tree and ground cover plantings will be installed using the plant species and planting specifications listed in Table 3. The goal of the upland restoration is to achieve native plant communities including, but not limited to, pine forest and palmetto prairie.

Seeding to establish upland ground cover may be used as an alternative to installing ground cover plantings within the upland restoration areas. After the ground surface has been mechanically cleared and graded, one to two herbicide applications will be conducted to eliminate undesirable ground cover species. After the herbicide has been successfully applied, the ground surface will be prepared for seeding using a disking and rolling method. Once the ground surface has been fully prepared, seeding with native ground cover will occur in the upland restoration areas. The seed source will be obtained from and applied by a professional experienced with direct seeding as a method of upland restoration. The seed source will be harvested from a local area and will include a mixture of regionally-appropriate native graminoid species. The seed source mixture will include a variety of species to optimize ground cover diversity to the maximum extent possible. Upland tree and shrub species will be planted in accordance with Table 3 after seeding has established a native ground cover. Supplemental ground cover planting will be conducted in accordance with Table 3 in areas where the seeding does not establish appropriately.

5.3 Wetland Restoration – Removal of Haul Roads and Berms

Approximately 6 acres of wetland restoration will be conducted by the removal of elevated mining haul roads that cross the sloughs and by the removal of berms and backfilling of ditches that were cut through wetlands. The majority of the wetland restoration will occur where two haul roads cross the sloughs. The north haul road currently occupies 3± acres and the south haul road occupies 1± acres. The remaining 2± acres of wetland restoration will occur in areas currently occupied by berms, ditches and other disturbed lands that were historically constructed through wetlands. The locations of the wetland restoration areas are shown on Appendix A.

Restoration will consist of the removal of the fill material, backfilling of ditches where needed, grading, and planting. Prior to grading, the limits of grading will be flagged for review and approval by SFWMD staff. These areas will be graded to match existing ground elevations in the adjacent wetlands. An as-built survey of the graded site will be performed to ensure the desired elevations have been obtained. After review and approval of the final grades by SFWMD staff, the areas will be planted using plant species and planting specifications listed in Table 4. Plantings will be selected to replace the type of native herbaceous vegetation that occurs in the adjacent or nearby wetland habitats. The goal of the removal and restoration of the haul road areas is to achieve native plant communities including, but not limited to, wet prairie and freshwater marsh.

5.4 Wetland Creation

The Project's Wetland Mitigation/Monitoring/ Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10) also includes 94± acres of herbaceous wetland creation. Wetlands will be created from existing farm fields, berms and ditches in locations shown on Appendix A. Prior to clearing and grading, the limits of grading will be flagged for review and approval by SFWMD staff. After exotic vegetation has been removed, the cleared areas will be graded to wetland elevations. The grading plan

for these areas will include the establishment of wading bird foraging habitat. These areas will be graded to varying depths to allow the concentration of prey for wading birds at alternating times of the year as water levels seasonally rise and recede. If available, a six inch layer of wetland topsoil will be spread on the graded area to achieve final grades. Due to the presence of exotic and nuisance species within the potential donor sites (i.e., impact areas), it is not anticipated wetland topsoil will be available for use in the graded areas. An as-built survey of the graded site will be performed to ensure the desired elevations have been obtained. After review and approval of the final grades by SFWMD staff, the area will be planted using the species and planting specifications listed in Table 4. The species selected for planting will depend on market availability at the time the plantings are to occur.

Table 4. Planting List for Wetland Restoration and Creation Areas

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Density (On Center)
Cordgrass	<i>Spartina bakeri</i>	12 in.	4 in.	3 ft.
Gulfdune Paspalum	<i>Paspalum monostachyum</i>	12 in.	4 in.	3 ft.
Sawgrass	<i>Cladium jamaicense</i>	12 in.	2 in.	3 ft.
Blue Maidencane	<i>Amphicarpum muhlenbergianum</i>	12 in.	2 in.	3 ft.
Maidencane	<i>Panicum hemitomom</i>	12 in.	2 in.	3 ft.
Pickernelweed	<i>Pontederia cordata</i>	12 in.	2 in.	3 ft.
Arrowhead	<i>Sagittaria lancifolia</i>	12 in.	2 in.	3 ft.
Spikerush	<i>Eleocharis interstincta</i>	12 in.	2 in.	3 ft.
Sawgrass	<i>Cladium jamaicense</i>	12 in.	2 in.	3 ft.
Alligator Flag	<i>Thalia geniculata</i>	12 in.	2 in.	3 ft.
Giant Bulrush	<i>Scirpus californicus</i>	12 in.	2 in.	3 ft.
Spatter-Dock	<i>Nyphar luteum</i>	24 in.	1 gal.	15 ft.

6.0 MONITORING REPORTS

A monitoring report documenting the initial condition of the conservation areas will be submitted to Lee County Division of Environmental Sciences (DES) staff prior to development order approval. A similar report will be submitted to DES staff for each mitigation phase after the initial exotic removal and restoration activities have been completed and prior to Certificate of Compliance approval. Reports will also include a brief description of anticipated maintenance work to be conducted over the next year. The results of quantitative vegetation monitoring conducted in the conservation areas, as well as a list of observed wildlife species, will also be included.

The applicant will submit five annual monitoring reports for each mitigation phase describing the conditions of the conservations areas to DES. The monitoring reports will

include mortality of vegetation, estimated causes of mortality, growth of the vegetation and other factors that demonstrate the functional health of the conservations areas, and photograph stations. Periodic inspections will be conducted by Lee County DES staff to ensure the accuracy of the monitoring reports.

7.0 PRESERVE SIGNAGE

Signage shall be placed around preserve areas to identify and protect the preserves during construction. The signs shall be no closer than ten feet from residential property lines, be limited to a maximum height of four feet and a maximum size of two square feet, and otherwise comply with Section 5.06.00 of the LDC. Signs identifying the preserve as a “nature preserve area” will be installed along the boundary of the preserve. The signage should include language stating, “No dumping allowed.” The approximate locations of the preserve signs are depicted on Appendix A and a typical preserve sign is attached as Appendix B.

8.0 REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

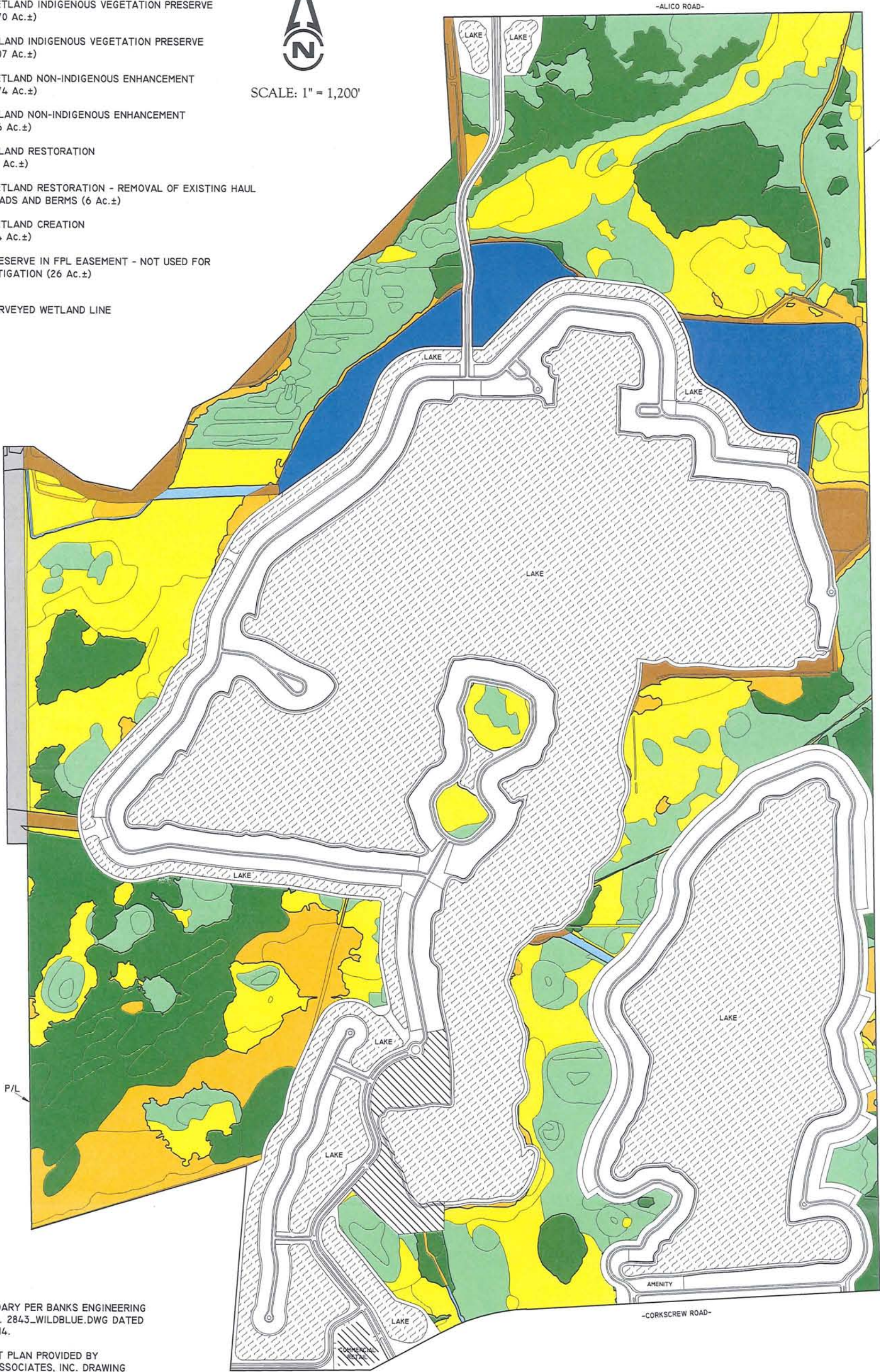
LEE COUNTY INDIGENOUS VEGETATION PLAN

LEGEND:

- WETLAND INDIGENOUS VEGETATION PRESERVE (370 Ac.±)
- UPLAND INDIGENOUS VEGETATION PRESERVE (307 Ac.±)
- WETLAND NON-INDIGENOUS ENHANCEMENT (374 Ac.±)
- UPLAND NON-INDIGENOUS ENHANCEMENT (116 Ac.±)
- UPLAND RESTORATION (51 Ac.±)
- WETLAND RESTORATION - REMOVAL OF EXISTING HAUL ROADS AND BERMS (6 Ac.±)
- WETLAND CREATION (94 Ac.±)
- PRESERVE IN FPL EASEMENT - NOT USED FOR MITIGATION (26 Ac.±)
- SURVEYED WETLAND LINE



SCALE: 1" = 1,200'



NOTES:

PROPERTY BOUNDARY PER BANKS ENGINEERING INC. DRAWING NO. 2843_WILDBLUE.DWG DATED FEBRUARY 28, 2014.

MASTER CONCEPT PLAN PROVIDED BY MORRIS-DEPEW ASSOCIATES, INC. DRAWING NO. 12037 2014-05-10 MASTER CONCEPT PLAN.DWG DATED JUNE 10, 2014.

SURVEYED WETLAND LINES PER STOUTENCRAMER, INC. DRAWING NO. ALICO FIELD LOCATION.DWG DATED MAY 20, 2013.

LAKE LIMITS PER STOUTENCRAMER, INC. DRAWING NO. ALICO LAKES-BENCHMARKS.DWG DATED JULY 10, 2013.

DRAWN BY	DATE
H.H./F.L.	3/28/14
REVIEWED BY	DATE
K.C.P.	3/28/14
REVISED	DATE

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PASSARELLA
& ASSOCIATES

WILDBLUE
LEE COUNTY INDIGENOUS
VEGETATION PLAN

DRAWING No.
12PEG2120
SHEET No.
APPENDIX A

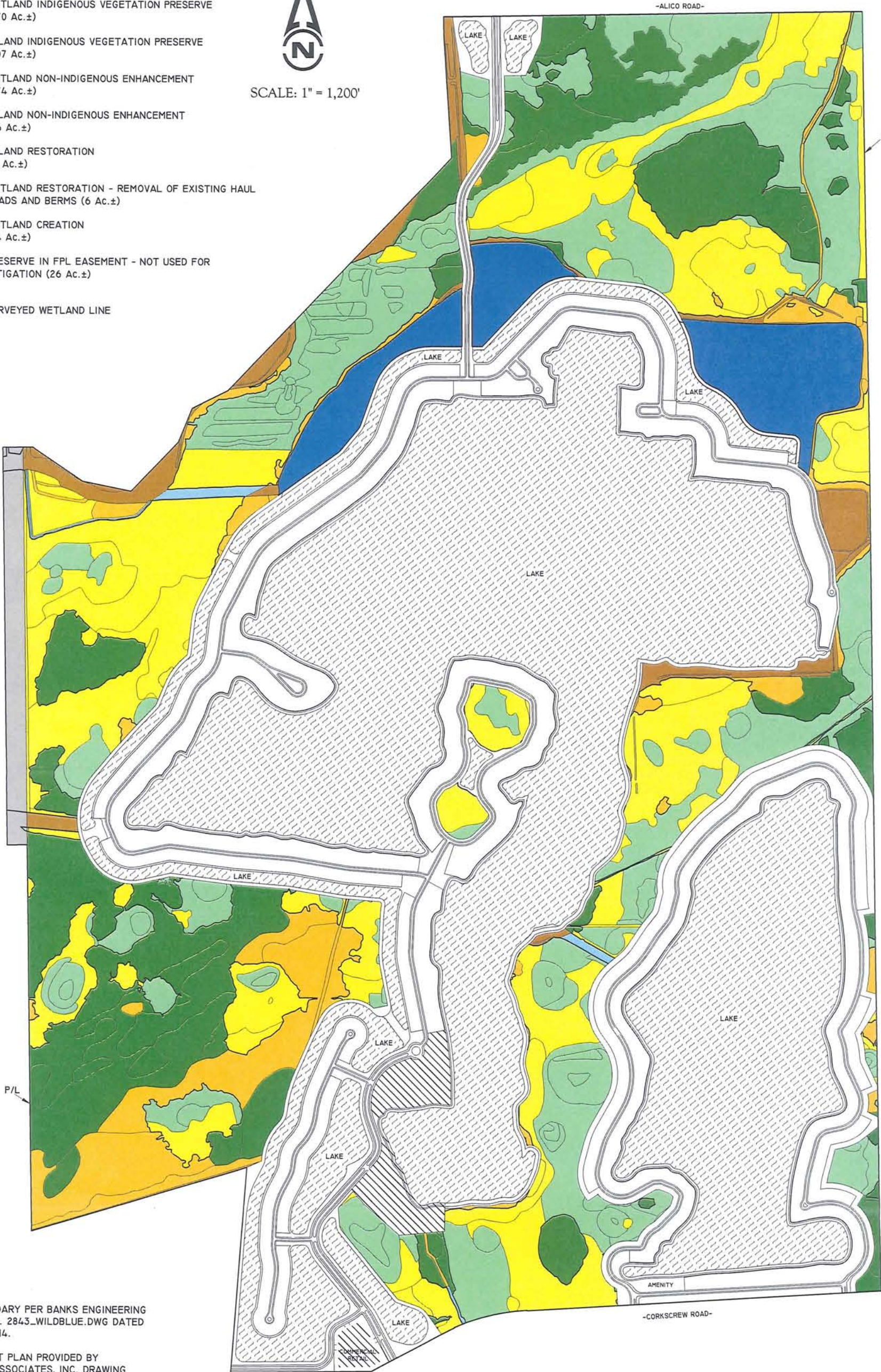
J:\2012\12PEG2120\2014 INDIGENOUS PRESERVE MAP 6-II-IL.DWG TAB: 11X17-M JUN 12, 2014 - 2:03PM PLOTTED BY: HOLLEN HARDING

LEGEND:

- WETLAND INDIGENOUS VEGETATION PRESERVE
(370 Ac.±)
- UPLAND INDIGENOUS VEGETATION PRESERVE
(307 Ac.±)
- WETLAND NON-INDIGENOUS ENHANCEMENT
(374 Ac.±)
- UPLAND NON-INDIGENOUS ENHANCEMENT
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ROADS AND BERMS (6 Ac.±)
- WETLAND CREATION
(94 Ac.±)
- PRESERVE IN FPL EASEMENT - NOT USED FOR
MITIGATION (26 Ac.±)
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SCALE: 1" = 1,200'



NOTES:

PROPERTY BOUNDARY PER BANKS ENGINEERING INC. DRAWING NO. 2843_WILDBLUE.DWG DATED FEBRUARY 28, 2014.

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WILDBLUE
LEE COUNTY INDIGENOUS
VEGETATION PLAN

DRAWING No.
12PEG2120
SHEET No.
APPENDIX A

J:\2012\12\28\2014 INDIGENOUS PRESERVE MAP 6-11-14.DWG TAB: 11X17-M JUN 12, 2014 - 2:03PM PLOTTED BY: HOLLEN HARRING

APPENDIX B

TYPICAL PRESERVE SIGNAGE



**WILDBLUE
PROTECTED SPECIES MANAGEMENT
AND HUMAN-WILDLIFE COEXISTENCE PLAN**

June 2014

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1.0 INTRODUCTION

This report documents the Protected Species Management and Human-Wildlife Coexistence Plan prepared by Passarella & Associates, Inc. (PAI) for WildBlue (Project). The management plan contained in this report pertains to the Eastern indigo snake (*Drymarchon coureus couperi*), American alligator (*Alligator mississippiensis*), gopher tortoise (*Gopherus polyphemus*), listed wading birds, Big Cypress fox squirrel (*Sciurus niger avicennia*), Florida black bear (*Ursus americanus floridanus*), and Florida panther (*Puma concolor coryi*).

The Project totals 2,960± acres and is located in Sections 7, 8, 17, 18, 19, and 20; Township 46 South; Range 26 East; Lee County (Appendix A). The Project is bounded by Alico Road to the north and Corkscrew Road to the south. A Florida Power & Light (FPL) transmission line runs along the western boundary. To the west of the FPL transmission line is an inactive mining operation, the Miromar Lakes residential community, and Florida Gulf Coast University. Low density, single-family residences are adjacent to the Project's northeast corner. To the southeast are active mining and undeveloped lands. The property historically supported agricultural and mining operations. The property currently consists of an inactive mine site with lakes, stockpiled material, abandoned farm fields, and undeveloped lands. The undeveloped lands consist of highly disturbed native habitats. These native habitat areas include two slough flow-ways which extend northeast to southwest through the site. The sloughs have been impacted by road crossings, agricultural ditching, catastrophic fires, and exotic vegetation infestation.

2.0 LISTED SPECIES SURVEYS

PAI conducted a Lee County protected species survey (PSS) on the Project site in April and May 2013. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards. Five Lee County protected species were documented during the April and May 2013 survey. The protected species documented included two American alligators, one inactive American alligator nest, 53 gopher tortoise burrows, three little blue herons (*Egretta caerulea*), and sign of the Florida panther and Florida black bear. Squirrel nests were observed during the PSS. However, no Big Cypress fox squirrels were observed utilizing any of the nests nor were any Big Cypress fox squirrels observed on the Project site during the PSS or any other field work (i.e., wetland flagging, Florida Land Use, Cover and Forms Classification System (FLUCFCS) mapping) conducted on-site.

In addition to the PSS, an Everglade snail kite (*Rostrhamus sociabilis plumbeus*) survey was conducted on the Project site in February and March 2013. The survey was conducted according to the guidelines in the Standardized State-Listed Animal Survey procedures for Use in the Review of Southwest Florida Regional Planning Council (SWFRPC) Projects (Beever 2006) to identify nesting territories for the Everglade snail kite. No snail kites or their sign were documented during the survey.

A red-cockaded woodpecker (*Picoides borealis*) (RCW) nesting season foraging survey was conducted on the Project site in May and June 2013, and a non-nesting season foraging survey was conducted in November and December 2013. No RCWs or RCW cavities were documented during the RCW foraging surveys.

Surveys to document utilization of the site by wood storks (*Mycteria americana*) were conducted during the months of February, March and April 2014. One wood stork was observed foraging in a ditch during the survey.

PAI conducted a survey for the Florida bonneted bat (*Eumops floridanus*) in March 2014 using an AnaBat acoustic bat detector. No Florida bonneted bats were documented during the survey.

Table 1 summarizes the listed wildlife species observed during the PSS, Everglade snail kite survey, wood stork survey, and other field work conducted on the Project site.

Table 1. Listed Wildlife Species Observed

Common Name	Scientific Name	Status	
		FWCC	USFWS
Reptiles			
American alligator	<i>Alligator mississippiensis</i>	FT(S/A)	FT(S/A)
Gopher tortoise	<i>Gopherus polyphemus</i>	ST	*
Birds			
Little blue heron	<i>Egretta caerulea</i>	SSC	--
Tri-colored heron	<i>Egretta tricolor</i>	SSC	--
Snowy egret	<i>Egretta thula</i>	SSC	--
White ibis	<i>Eudocimus albus</i>	SSC	--
Wood stork	<i>Mycteria americana</i>	FE	FE
Mammals			
Florida black bear	<i>Ursus americanus floridanus</i>	**	--
Florida panther	<i>Puma concolor coryi</i>	FE	FE

FWCC – Florida Fish and Wildlife Conservation Commission

USFWS – U.S. Fish and Wildlife Service

FE – Federally Endangered

FT(S/A) – Federally Threatened Due to Similarity of Appearance

SSC – Species of Special Concern

ST – State Threatened

* The gopher tortoise is currently listed as a candidate species by the USFWS.

** No longer listed by the FWCC; however, certain protection measures still apply.

3.0 CONSERVATION AREAS

The Project's conservation areas will be maintained in accordance with the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of South Florida Water

Management District (SFWMD) Environmental Resource Permit (ERP) Application No. 140516-10). The conservation areas will be managed to provide habitat for listed species. An aerial showing the locations of the conservations areas is provided as Appendix B.

The Project has been designed to minimize impacts to the listed species that have been identified on the property and other listed wildlife species that could potentially utilize the site. The site plan minimizes impacts to the higher quality wetlands and ecologically important sloughs, and limits impacts to the lower quality, exotic infested wetlands. Since the site plan was designed to avoid impacts to the sloughs, the development areas are generally located on the lake edges. Public-owned conservation lands exist to the northeast, east, south and west of the Project site. The Project's on-site preserve areas provide habitat connectivity to these conservation lands which include Corkscrew Regional Ecosystem Watershed lands.

The Project's conservation areas total 1,318± acres, which will be comprised of 844± acres of wetlands and 474± acres of uplands following the completion of the mitigation activities. The wetland habitats consist mostly of hydric pine, pine/cypress, and cypress habitats, with mixed wetland forest, wetland shrub, wet prairie, and marsh communities to a lesser extent. The upland habitats consist of pine flatwoods, palmetto prairie, and mixed hardwood-conifer habitats. The preserve areas will be managed for listed species based on habitat type, and current listed species utilization. Target listed species include the American alligator, gopher tortoise, state-listed wading birds, wood stork, Florida black bear, and Florida panther.

The conservation areas will be placed in a conservation easement or other equivalent deed restriction with inspection, enforcement, and approval rights granted to the SFWMD and the U.S. Army Corps of Engineers. The total preserve area to be placed under conservation easement is 1,318± acres.

4.0 WILDLIFE CROSSING

In order to maintain connectivity of the northern slough as a wildlife corridor, a wildlife crossing will be installed where the north-south entrance road off of Alico Road bisects the preserve area. The wildlife crossing will be a box culvert measuring eight feet high by ten feet wide to accommodate use by large mammals, as well as the passage of small and medium mammals, amphibians, and reptiles. The invert of the wildlife crossing will be at natural grade and the bottom of the box culvert will be buried in and covered with natural soils that mimic the surrounding substrate. An aerial depicting the proposed locations of the wildlife crossings is provided as Appendix B.

5.0 PERIMETER LAKE BUFFER AND FENCING

The Project site design includes a perimeter lake buffer between the majority of the residential development located around the central lake. The goal of this lake buffer is to limit the potential for large mammal access to the residential area.

Where a lake buffer is not feasible between development and the preserve area, wildlife fencing will be utilized. The locations of the proposed lake buffer and fencing are depicted on Appendix B.

6.0. EASTERN INDIGO SNAKE MANAGEMENT PLAN

The Eastern indigo snake has not been observed on-site; however, the following plan outlines the protection guidelines that will be implemented for the Eastern indigo snake during clearing operations for the Project. The plan provides educational material and guidelines for construction personnel to follow in case they encounter an Eastern indigo snake. The plan has been prepared following the guidelines established by the U.S. Fish and Wildlife Service (USFWS) for the protection of the Eastern indigo snake.

6.1 Biology

The Eastern indigo is a large, non-poisonous, glossy black snake with smooth iridescent scales. The chin and throat may be rusty or white-blotched. The juvenile snakes are similar to the adults, but may be lighter and exhibit a blotched dorsal pattern. Adults can grow to lengths over eight feet. The Eastern indigo might be confused with the black racer (*Coluber constrictor*), but the black racer exhibits a white or brown throat and is smaller and lighter in build.

The Eastern indigo snake inhabits a range of habitat types including pine flatwoods and wet prairies. Individuals are wide ranging and may utilize an area of 250 acres or more. Eastern indigo snakes are known to shelter in gopher tortoise burrows. The Eastern indigo snake is diurnal (active only during the daytime) and will actively search for prey. Prey may include frogs, snakes, birds, and small mammals. Very little is known of the reproduction of this species in the wild. Breeding is believed to occur during the winter and early spring months with up to 11 large white eggs being deposited in late spring and early summer.

The Eastern indigo snake is a federally threatened species and is listed by the Endangered Species Act (Act). It is unlawful for anyone to injure, harm, harass, or kill this species. Persons who knowingly violate provisions of the Act, that afford this species protection, may be subject to fine and/or imprisonment. Only the Project's qualified biologists may come in contact with or relocate an Eastern indigo snake.

6.2 Habitat Management Plan

The preserve areas will be maintained per the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10), and will provide habitat for the Eastern indigo snake.

7.0 AMERICAN ALLIGATOR MANAGEMENT PLAN

The following plan outlines the protection guidelines that will be implemented for the American alligator during and after construction of the Project. The plan identifies the procedures taken, such as the use of signage to avoid feeding or harassing of American alligators located on the property. The American alligator is listed as a Federally-Designated Threatened species (by similarity of appearance) by the State of Florida. Only representatives of the Florida Fish and Wildlife Conservation Commission (FWCC) are empowered to handle nuisance alligators. The plan has been prepared following the guidelines established by Lee County for the protection of the American alligator and per Lee County LDC Section 10-474.

7.1 Biology

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to one-half ton.

American alligators inhabit all counties in the state of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. Alligators are tolerant of poor water-quality and occasionally inhabit brackish marshes along the coast. A few even venture into salt water. Individuals are wide ranging and some males may utilize an area of two square miles or more. Individuals of both sexes are most likely to become more active and extend their ranges during the April to May courtship and breeding season. Prey may include frogs, snakes, birds, and small mammals, although alligators are opportunistic feeders and may prey on what is readily available. Larger individuals often prefer carrion to fresh meat.

7.2 Habitat Management Plan

Extensive, high quality American alligator habitat will be provided throughout the property through wetland preservation, enhancement, restoration, and creation. Following the completion of the mitigation program, the conservation areas will consist of 844± acres of wetlands that will serve as potential foraging and nesting habitats. Invasive exotic removal will result in wetland preserves that are more suitable as habitat, and provide suitable habitat for American alligator prey species. The preserve areas will be maintained per the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10).

8.0 GOPHER TORTOISE MANAGEMENT PLAN

The goal of the management plan is to relocate existing gopher tortoises from the development area and maintain suitable gopher tortoise habitat within the on-site

conservation areas. This will be accomplished through pre-construction surveys, excavation of burrows and relocation of tortoises from the development area, and the preservation and enhancement of existing upland habitat in the conservation areas. The FWCC Gopher Tortoise Permitting Guidelines will be followed. Long-term management will be implemented to ensure that the exotic vegetation does not reinvade the preserves and the gopher tortoise foraging and burrowing habitat is maintained.

8.1 Biology

The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 centimeters (9 to 11 inches) in shell length. Maximum length is around 38 centimeters (15 inches). The gopher tortoise is characterized by stumpy, elephantine hind feet and flattened, shovel-like forelimbs adapted for digging. The tan, brown, or gray carapace (top portion of the shell) is domed and oblong. The plastron (bottom portion of the shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 centimeters (1.7 inches) in length and are yellowish-orange in color.

The gopher tortoise occurs in the Southeastern Coastal Plain of the United States from Eastern Louisiana to Southeastern South Carolina and throughout Florida. In Florida, gopher tortoises occur in portions of all 67 counties. Gopher tortoises inhabit a wide variety of upland vegetative communities. Three environmental conditions are especially important for gopher tortoises: well-drained, sandy soil in which to burrow; adequate low-growing herbaceous ground cover for food; and relatively open sunlit areas for nesting. The gopher tortoise is primarily associated with longleaf pine-scrub oak woodlands (sandhills), but it is also found in sand pine scrub, coastal strands, live oak hammocks, dry prairies, pine flatwoods, and mixed hardwood-pine communities. Disturbed habitats, such as roadsides, fencerows, clearings, and old fields often support relatively high tortoise densities.

Gopher tortoises excavate burrows averaging 4.5 meters (14.8 feet) in length and 2 meters (6.6 feet) in depth and wide enough to allow them to turn around at any point. These burrows provide protection from temperature extremes, desiccation, and predators; and serve as refuges for a variety of other animals. The placement and depth of burrows vary with the soil type, geographic location, and ground water levels. An individual tortoise may use more than one burrow and may excavate new burrows at any time during its life.

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 meters (164 feet) of the burrow. Principal foods include grasses, legumes, and grasslike plants of the sedge and aster families. Legumes appear to be particularly important in the diet of juveniles. Fruits such as blackberries, pawpaws, gopher apples, and saw palmetto berries are also consumed.

8.2 Pre-Site Development

The applicant will adhere to the FWCC Gopher Tortoise Permitting Guidelines. Prior to site clearing activities, a Conservation Permit will be obtained from the FWCC for the relocation of gopher tortoises that may be located within the development area. All potentially

occupied burrows will be excavated within the limits of construction for the Project. Removal of the vegetation and heavier overburden material will be removed by a backhoe. The finer digging around the burrow will be done by hand with a shovel. All excavation activities will be overseen by a FWCC Authorized Gopher Tortoise Agent.

Gopher tortoises and their commensals will be relocated to the on-site conservation areas or to an FWCC-approved off-site location. If the tortoises are to be relocated on-site, the applicant will obtain a permit from the FWCC authorizing the on-site conservation area as an acceptable relocation area.

8.3 Habitat Management Plan

Uplands within the conservation areas will be maintained to enhance gopher tortoise habitat. Controlled burns of the gopher tortoise preserve will be conducted to remove excess vegetative growth and nuisance vegetation and promote the growth of herbaceous ground cover plants suitable for gopher tortoise foraging. Fire management shall consist of 1) a fuel reduction burn between the months of June and February; 2) a second controlled burn between the months of June and September, one or two years following the initial fuel reduction burn. A summer burn (July and August) is preferred to encourage the sustained growth of wiregrass (*Aristida stricta*) for the gopher tortoises; and 3) subsequent management shall consist of spring or summer burning at five year intervals and/or periodic annual mowing or brush-hogging during the winter months. Any controlled burning shall be conducted by a state certified burn manager to maintain a suitable habitat for the gopher tortoise. Also, selective falling of mid-story hardwood trees may also be implemented at any time within the conservation areas to stimulate the growth of herbaceous ground cover vegetation.

9.0 WOOD STORK AND WADING BIRD MANAGEMENT PLAN

The following habitat management plan has been prepared for the purpose of addressing the conservation of potential wading bird habitat on the Project. Three little blue herons were observed during the PSS, and it is anticipated that wading birds such as the wood stork, snowy egret (*Egretta thula*), tri-colored heron (*Egretta tricolor*), white ibis (*Eudocimus albus*), limpkin (*Aramus guarauna*), roseate spoonbill (*Ajaia ajaja*), and Florida sandhill crane (*Grus canadensis pratensis*) may utilize the wetlands on the property.

9.1 Habitat Management Plan

The Project site includes two sloughs that bisect the site from northeast to southwest. Extensive foraging areas will be provided through the preservation of these sloughs and through the enhancement, restoration and creation of wetlands on-site. Enhancement of the existing wetlands in the conservation areas through the removal of invasive exotic plants and the installation of supplemental plantings will result in habitats that are more suitable for wading bird foraging and roosting. In addition to exotic removal and plantings, the Project's wetland mitigation plan proposes the restoration and creation of wetlands from 6± acres of

haul roads and other disturbed lands, and 94± acres of farm fields, berms and ditches will within the conservation areas. The grading plan for wetland restoration and creation areas includes the establishment of wading bird foraging habitat. These areas will be graded to varying depths to allow the concentration of prey for wading birds at alternating times of the year as water levels seasonally rise and recede.

In addition, littoral planting areas will be constructed along lake edges and will provide additional foraging habitat for protected wading birds. Lighting from the development portions of the Project will not directly illuminate the preserve habitats to ensure against disturbance.

10.0 BIG CYPRESS FOX SQUIRREL MANAGEMENT PLAN

The following habitat management plan has been prepared for the purpose of addressing the conservation of Big Cypress fox squirrel habitat on the Project and outlines the protection guidelines that will be implemented for the Big Cypress fox squirrel prior to, during, and after construction of the Project. The Big Cypress fox squirrel is listed as threatened by the FWCC. There is no federal listing for the Big Cypress fox squirrel in Florida.

10.1 Biology

The Big Cypress fox squirrel lives and breeds in varied habitats in Southwest Florida including cypress swamps, pine flatwoods, tropical hardwood forests, live oak woods, mangrove forests, and suburban habitats, including golf courses, city parks, and residential areas in native vegetation (Humphrey 1992). Dense cypress/hardwood swamps are avoided. This may be due to the competition for food and habitat with the gray squirrel (*Sciurus carolinensis*). Little data is available on the preferred forage habitat of the Big Cypress fox squirrel. Big Cypress fox squirrels prefer to feed on the male and female cones of slash pine. Cabbage palm fruits, bromeliad buds, and acorns are also important food items. A smaller percentage of the diet may consist of seasonal fruits, berries, and seeds (Humphrey 1992).

Big Cypress fox squirrels often form platform nests in pines, hardwoods, and moss and stick nests in cypress (*Taxodium distichum*), tops of cabbage palms (*Sabal palmetto*), and large clumps of bromeliads. Cabbage palms and bromeliads are especially important because they can provide immediate shelter, which allows the squirrel to travel over large areas without requiring a daily return to a permanent nesting facility (Humphrey 1992).

Big Cypress fox squirrels are solitary animals. Interaction between animals occurs primarily during mating season. Mating chases occur frequently throughout the months of May through August. During the non-mating season, interactions are infrequent and often occur around food sources. Young remain in the nest for approximately 90 days. Home ranges are 40 hectares or approximately 100 acres for males and 20 hectares or approximately 50 acres for females (Humphrey 1992).

10.2 Pre-Construction Surveys

Although no Big Cypress fox squirrels or verified nests were documented during the PSS conducted in April and May 2013, there is the potential for Big Cypress fox squirrels to utilize the site. As such, a qualified ecologist will be on-site to supervise Big Cypress fox squirrel management and monitoring activities as detailed in this plan. Prior to commencement of construction activities, the preserve areas will be staked in the field and clearly identified with orange silt fencing or an equivalent barrier. The fencing will be inspected by the preserve manager prior to clearing activities. The operation and storage of construction equipment and the stockpiling of fill and construction material will be prohibited within the fenced preserve areas. The fencing identifying the limits of the preserves will be maintained for the duration of construction activities.

Also, prior to commencement of clearing activities, a survey will be conducted in areas to be cleared to identify potential Big Cypress fox squirrel nests. If potential nests are identified within the clearing limits, observations will be conducted to determine if the nests are being utilized by Big Cypress fox squirrels. The FWCC will be notified of nests determined to be utilized by Big Cypress fox squirrels.

No clearing will be conducted within 125 feet of an active Big Cypress fox squirrel nest tree. After completion of nesting and observations document that juvenile squirrels have left the nest, a written request to remove the nest shall be made to the FWCC. After receipt of the written authorization from the FWCC, the nest tree and buffer can then be cleared.

10.3 Habitat Management Plan

The preserve areas will be enhanced and managed per the Wetland Mitigation/Monitoring/Maintenance Plan (to be approved as part of SFWMD ERP Application No. 140516-10), and will provide foraging and nesting habitats for Big Cypress fox squirrels.

11.0 FLORIDA BLACK BEAR MANAGEMENT PLAN

The following habitat management plan has been prepared for the purpose of addressing the conservation of Florida black bear habitat on the Project site. The Florida black bear is not listed by the FWCC or the USFWS. However, the FWCC and the Lee County LDC have specific management activities for this species.

11.1 Biology

The Florida black bear is a solitary animal that inhabits heavily wooded terrain. They are most often found in large tracts of swamp forest and undisturbed upland forest. Some of the most important habitat types for the black bear include pine flatwoods, hardwood swamps, cypress swamps, cabbage palm forests, sand pine scrub, and mixed hardwood hammocks. Denning often occurs in remote swamps or thickets with dense vegetation. Adult females breed in alternating years during the months of June and July. In Florida, hibernation may be

restricted to females producing cubs. Hibernation most often occurs during the winter months. The diet of black bears is highly variable and includes both plants and animals including saw palmetto (*Serenoa repens*), berries, honeybees, ants, armadillo (*Dasypus novemcinctus*), feral hog (*Sus scrofa*), and white-tailed deer (*Odocoileus virginianus*) (Humphrey 1992).

11.2 Habitat Management Plan

Habitat within the Project's conservation areas will be managed for the Florida black bear through the enhancement, restoration, and preservation of uplands and wetlands to provide quality habitat and wildlife corridors for the Florida black bear and associated prey species. Enhancement activities will provide higher quality habitat for the Florida black bear than exist in the currently degraded condition. Public-owned conservation lands exist to the northeast, east, south and west of the Project site. The Project's on-site preserve areas provide habitat connectivity to these conservation lands which include Corkscrew Regional Ecosystem Watershed lands through preservation of the natural slough systems and associated upland habitats on-site. The southern end of the Project's conservation area lines up with Lee County's proposed location for the Corkscrew Road wildlife underpass as shown on Appendix B.

In order to deter the potential for interactions between humans and large mammals, such as the Florida black bear, a lake buffer will be constructed between the conservation areas and residential development on the central lake to deter large mammals from accessing the Project area. Where a lake buffer is not feasible, fencing will be used between development and conservation areas. To provide connectivity of the preserve areas, a wildlife crossing will be installed where the north-south entrance road off of Alico Road bisects the preserve area. The wildlife crossing will be sized for large mammals as well as small to medium mammals, reptiles, and amphibians. The proposed locations of the wildlife crossing and fencing are depicted on Appendix B.

In addition to habitat enhancement and buffering, lighting from the development portions of the Project will not directly illuminate the preserve habitats to avoid disturbance.

12.0 FLORIDA PANTHER MANAGEMENT PLAN

The following habitat management plan has been prepared for the purpose of addressing the conservation of Florida panther habitat on the Project site. The Florida panther is listed as endangered by the FWCC and the USFWS.

12.1 Biology

The Florida panther is a large, long-tailed cat with a great deal of color variation: pale brown or rusty upper parts; dull white or buff-colored under parts; and dark brown or blackish tail tip, back of ears, and sides of nose. Mature males have an average weight range between 100 to 150 pounds and measure nearly seven feet from nose to tip of tail. Females are

considerably smaller with a weight range of 50 to 100 pounds and measuring about six feet (USFWS 1987). Panthers subsist on a variety of mammalian prey dominated by white-tailed deer, feral hog, and in some areas raccoon (*Procyon lotor*) (Maehr 1988a). Existing data on Florida panther reproduction indicates that breeding occurs throughout the year with a peak in the winter/spring period, a gestation period of around 90 to 95 days, litter sizes of one to four kittens, and a breeding cycle of two years for females successfully raising young to dispersal (which occurs around 18 to 24 months) (Belden 1988, Maehr 1988b).

In terms of population size and occupied range, the Florida panther population is at least stable and at best expanding as evidenced by natality rates exceeding mortality rates and by recent dispersals north of the Caloosahatchee River (Land *et al.* 2000). According to Maehr *et al.* (1991), home ranges average 200 square miles for resident adult males, 75 square miles for adult females, 241 square miles for transient males, and 69 square miles for sub-adult females. Florida panthers inhabit large remote tracts of land with adequate prey and cover and occupy a variety of habitat types including hardwood hammocks, pine flatwoods, mixed hardwood swamps, and cypress swamps. Appropriate cover is an important component of habitats used, especially during hunting, denning, and day-bedding. Recent information based on global positioning system (GPS) telemetry data collected during nocturnal and diurnal periods indicate that forests are the habitats selected by panthers (Land *et al.* 2008).

12.2 Habitat Management Plan

Habitat within the Project's conservation areas will be managed for the Florida panther through the enhancement, restoration, and preservation of uplands and wetlands to provide quality habitat and wildlife corridors for the Florida black bear and associated prey species. Enhancement activities will provide higher quality habitat for the Florida panther than exist in the currently degraded condition. Public-owned conservation lands exist to the northeast, east, south and west of the Project site. The Project's on-site preserve areas provide habitat connectivity to these conservation lands which include Corkscrew Regional Ecosystem Watershed lands through preservation of the natural slough systems and associated upland habitats on-site. The southern end of the Project's conservation area lines up with Lee County's proposed location for the Corkscrew Road wildlife underpass as shown on Appendix B.

In order to deter the potential for interactions between humans and large mammals, such as the Florida panther, a lake buffer will be constructed between the conservation areas and residential development on the central lake to deter large mammals from accessing the Project area. Where a lake buffer is not feasible, fencing will be used between development and conservation areas. To provide connectivity of the preserve areas, a wildlife crossing will be installed where the north-south entrance road off of Alico Road bisects the preserve area. The wildlife crossing will be sized for large mammals as well as small to medium mammals, reptiles, and amphibians. The proposed locations of the wildlife crossing and fencing are depicted on Appendix B.

In addition to habitat enhancement and buffering, lighting from the development portions of the Project will not directly illuminate the preserve habitats to avoid disturbance.

13.0 HUMAN-WILDLIFE COEXISTENCE PLAN

The following Human-Wildlife Coexistence Plan will be incorporated into the WildBlue homeowners association (HOA) documents.

13.1 Eastern Indigo Snake Human-Wildlife Coexistence Plan

The USFWS's Standard Protection Measures for the Eastern Indigo Snake (August 2013) will be followed prior to and during construction activities. The Standard Protection Measures include the placement of posters at strategic locations on the construction site and along proposed access roads clearly visible to construction staff. The posters include a description and photograph of the Eastern indigo snake, its protection status, and instructions in the event that one is observed. In addition, informational brochures will be provided to all construction staff. The USFWS's Standard Protection Measures, including the poster and brochure can be found at <http://www.fws.gov/verobeach/listedspeciesreptiles.html>. A copy of the brochure is provided in Appendix C.

13.2 American Alligator Human-Wildlife Coexistence Plan

Signs will be posted on the subject property to instruct on-site workers and homeowners not to feed or harass the American alligator. The signs will indicate that the offense is punishable by law. The typical signage is provided as Appendix D.

The FWCC educational brochure entitled "A Guide to Living with Alligators" (Appendix E) will be provided to homeowners and maintenance staff. The brochure can be found at http://myfwc.com/media/152524/Alligator_Brochure.pdf.

Construction personnel and homeowners will be instructed that in the event there is a problem with a persistent nuisance alligator, they will need to contact the FWCC, as that is the only agency empowered to handle nuisance alligators.

13.3 Gopher Tortoise Human-Wildlife Coexistence Plan

The FWCC educational brochure entitled "A guide to living with gopher tortoises" (Appendix F) will be provided to homeowners and maintenance staff. The brochure can be found at http://myfwc.com/media/1329739/GopherTortoise_LivingWithBrochure.pdf.

13.4 Wading Bird Human-Wildlife Coexistence Plan

A brochure prepared by PAI entitled "Wading Bird Informational Pamphlet" (Appendix G) will be provided to homeowners and maintenance staff. The brochure provides wading bird information and methods to prevent human-wading bird interactions.

13.5 Big Cypress Fox Squirrel Human-Wildlife Coexistence Plan

Problematic encounters between future residents and Big Cypress fox squirrels are not anticipated. Restricted resident access to the preserves through signage, as well as the typical nest location high within the tree canopy, will ensure against disturbance to fox squirrel nests.

13.6 Florida Black Bear Human-Wildlife Coexistence Plan

The FWCC educational brochure entitled “A guide to living in bear country” (Appendix H) will be provided to homeowners and maintenance staff. This brochure may be found at <http://myfwc.com/wildlifehabitats/managed/bear/brochures/>.

In addition, bear-resistant dumpsters will be used in areas where communal garbage is collected. A list of companies obtained from the FWCC that provide bear-resistant garbage containers for commercial and residential use is provided as Appendix I. Bear resistant receptacles will be required for each residential unit. Please note that Lee County Ordinance No. 11-27 requires individual trash receptacles for residential units of 40 gallons or less in size. In consultation with the local waste disposal company, bear-resistant dumpsters will be purchased from one of the listed companies or another company that is able to provide bear-resistant dumpsters which are compatible with local equipment.

13.7 Florida Panther Human-Wildlife Coexistence Plan

The educational brochure entitled “A guide to living with Florida Panthers” (Appendix J), prepared by the FWCC and the USFWS, will be provided to homeowners and maintenance staff. This brochure provides safety tips and instructions for panther encounters. The brochure may be found on the FWCC website located at <http://myfwc.com/conservation/you-consume/wildlife/panthers/>.

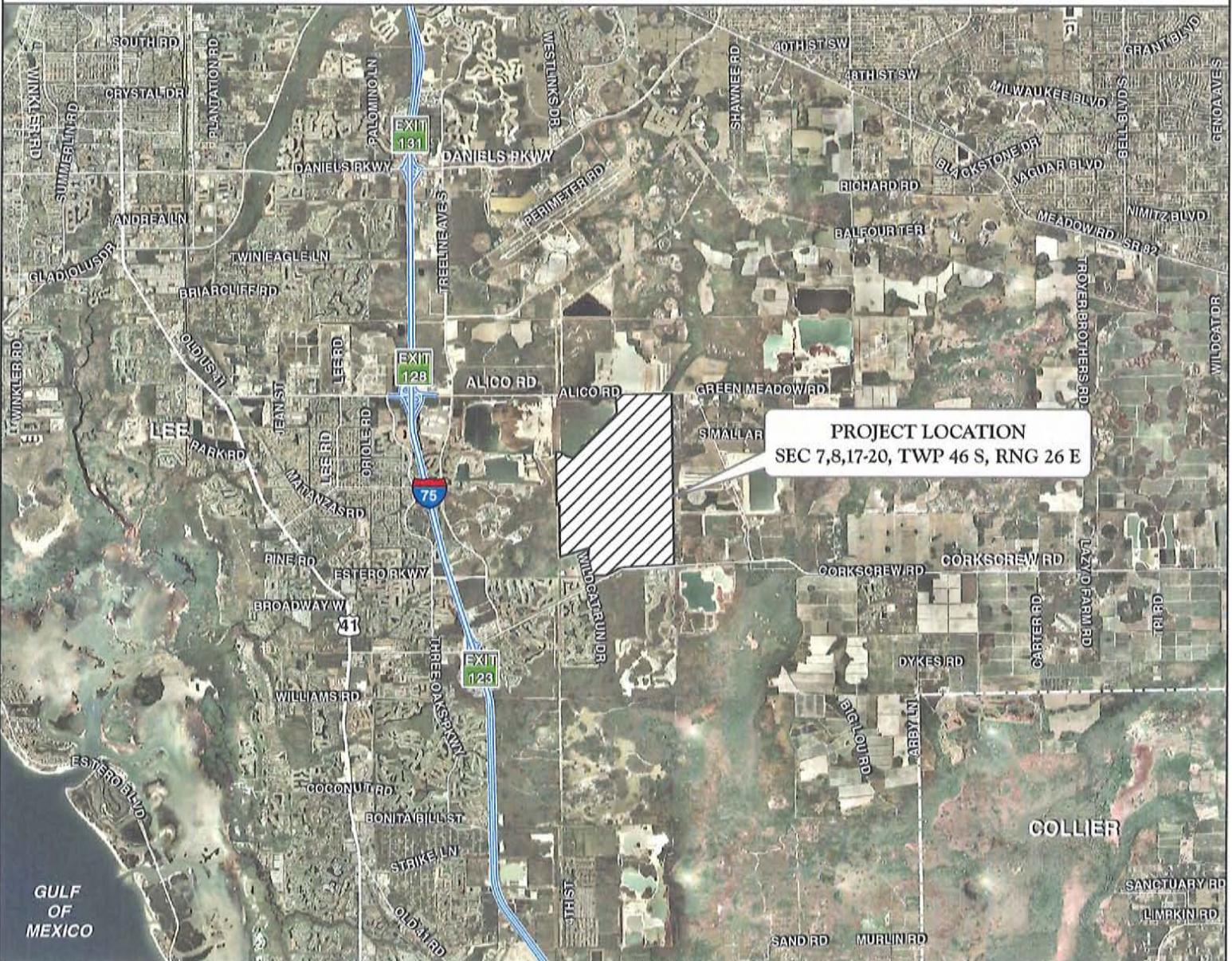
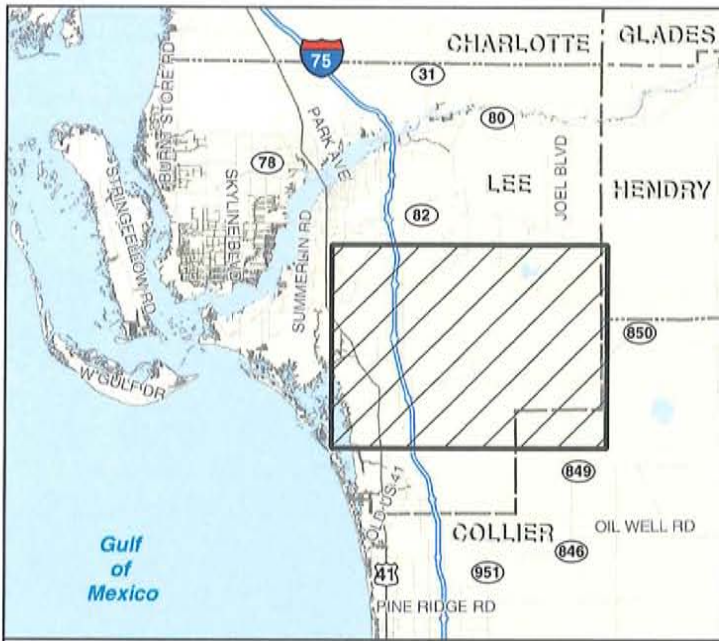
14.0 PRESERVE SIGNAGE

Signage shall be placed around preserve areas to identify and protect the preserves during construction. The signs shall be no closer than ten feet from residential property lines, be limited to a maximum height of four feet and a maximum size of two square feet, and otherwise comply with Section 5.06.00 of the LDC. Signs identifying the preserve as a “nature preserve area” will be installed along the boundary of the preserve. The signage should include language stating, “No dumping allowed.” A typical preserve sign is attached as Appendix D.

15.0 REFERENCES

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- Humphrey, Stephen R. et al. 1992. Rare and Endangered Biota of Florida; Volume I. Mammals. University Press of Florida, Gainesville, FL. 392 pages.
- Land, E.D., M. Lotz, D. Shindle, and S.K. Taylor. 2000. Florida panther genetic restoration and management. Annual report, Study Number 7508. Florida Fish and Wildlife Conservation Commission, Tallahassee, Florida.
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- Maehr, D.S. 1988*a*. Florida Panther Movements, Social Organization and Habitat Utilization. Annual Performance Report, 7/1/87-6/30/88, Study No. E-1-12 II-E-2 7502, Florida Game and Fresh Water Fish Commission. 19 pages.
- Maehr, D.S. 1988*b*. Florida Panther Food Habits and Energetics. Annual Performance Report, 7/1/87-6/30/88, Study No. E-1-12 II-E-3 7503, Florida Game and Fresh Water Fish Commission. 4 pages.
- Maehr, D.S., E.D. Land, and J.C. Roof. 1991. Social Ecology of Florida Panthers. *National Geographic Research & Exploration*, 7(4): 414-431.
- U.S. Fish and Wildlife Service. 1987. Florida Panther Recovery Plan. Prepared by the Florida Panther Interagency Committee for the U.S. Fish and Wildlife Service, Atlanta, Georgia. 75 pages.

APPENDIX A
PROJECT LOCATION MAP



APPENDIX A. PROJECT LOCATION MAP
WILDBLUE

DRAWN BY	DATE
H.H.	6/2/14
REVIEWED BY	DATE
C.G.R.	6/2/14
REVISED	DATE



PASSARELLA
& ASSOCIATES INC.

APPENDIX B

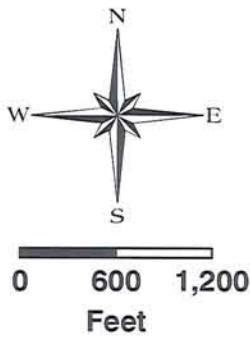
AERIAL WITH PROPOSED WILDLIFE CROSSING AND FENCING

J:\2012\12PEG2120\GIS\2014\PROTECTED SPECIES MANAGEMENT PLAN\FIGURES\APPENDIX B AERIAL WITH PROPOSED LOCATIONS OF WILDLIFE CROSSINGS AND FENCING 6-11-14.MXD - 6/12/2014 @ 2:36:34 PM



LEGEND

- WildBlue
- PRESERVE AREAS
- DEVELOPMENT
- LAKES
- WILDLIFE CROSSING
- FENCING
- CORKSCREW ROAD UNDERPASS



NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2013.

PROPERTY BOUNDARY PER STANTEC, INC. DRAWING NO. ALICO_EAST_SURVEY_SOUTH_PARCEL_215610978. DWG DATED JULY 2, 2012.

MASTER CONCEPT PLAN PROVIDED BY MORRIS-DEPEW ASSOCIATES, INC. DRAWING NO. 12037 2014-05-10 MASTER CONCEPT PLAN.DWG DATED JUNE 10, 2014.

DRAWN BY	DATE	13620 Metropolis Avenue
H.H.	6/2/14	Suite 200
REVIEWED BY	DATE	Fort Myers, Florida 33912
C.G.R.	6/2/14	Phone (239) 274-0067
REVISED	DATE	Fax (239) 274-0069



PASSARELLA
& ASSOCIATES INC

WILDBLUE
AERIAL WITH PROPOSED
WILDLIFE CROSSING
AND FENCING

DRAWING No.
12PEG2120
SHEET No.
APPENDIX B

APPENDIX C

EASTERN INDIGO SNAKE INFORMATIONAL PAMPHLET

Killing, harming, or harassing indigo snakes is strictly prohibited and punishable under State and Federal Law.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

LEGAL STATUS: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. "Taking" of eastern indigo snakes is prohibited by the Endangered Species Act without a permit. "Take" is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.



August 12, 2013

ATTENTION:
THREATENED EASTERN INDIGO
SNAKES MAY BE PRESENT ON
THIS SITE!!!



Photo: Dirk Stevenson

Please read the following information provided by the U.S. Fish and Wildlife Service to become familiar with standard protection measures for the eastern indigo snake.

**IF YOU SEE A LIVE EASTERN
INDIGO SNAKE ON THE SITE:**

- Cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site without interference.
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Immediately notify supervisor or the applicant's designated agent, **and** the appropriate U.S. Fish and Wildlife Service (USFWS) office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

**IF YOU SEE A DEAD EASTERN
INDIGO SNAKE ON THE SITE:**

- Cease clearing activities and immediately notify supervisor or the applicant's designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

**USFWS Florida Field Offices to be
contacted if a live or dead eastern indigo
snake is encountered:**

North Florida ES Office – (904) 731-3336
Panama City ES Office – (850) 769-0552
South Florida ES Office – (772) 562-3909

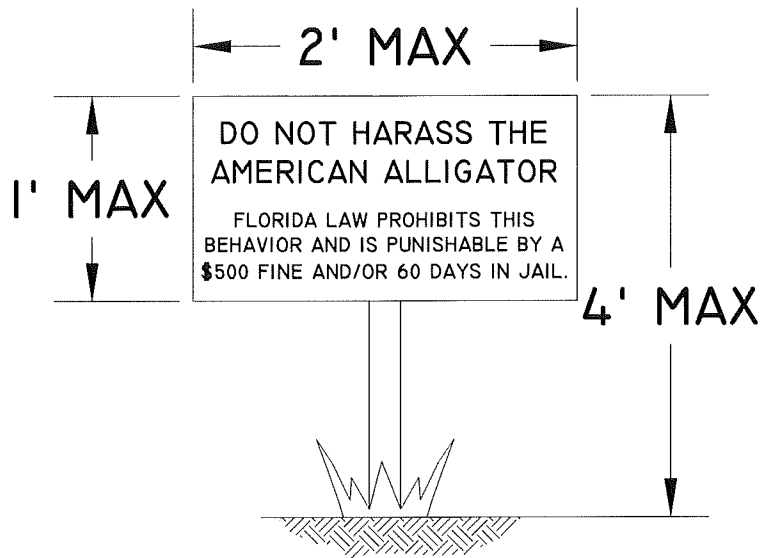
DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat. These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas. Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

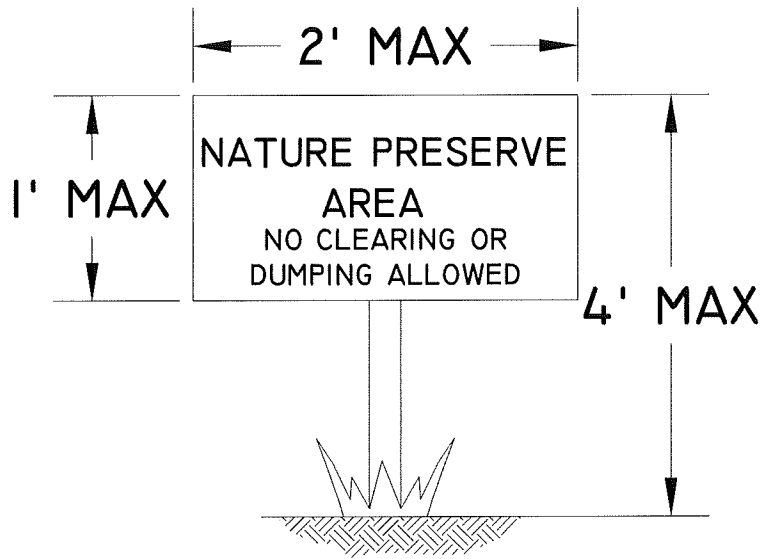
APPENDIX D

AMERICAN ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE



TYPICAL AMERICAN ALLIGATOR SIGNAGE

N.T.S.



TYPICAL PRESERVE SIGNAGE

N.T.S.

APPENDIX E

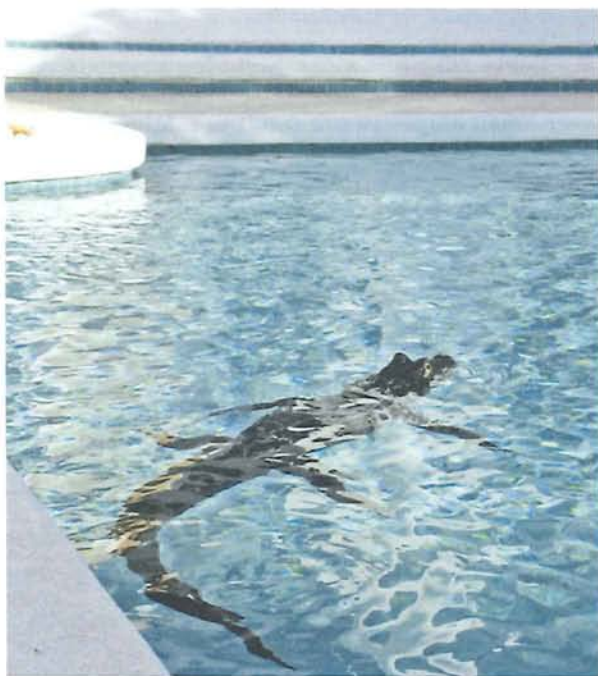
**AMERICAN ALLIGATOR
INFORMATIONAL PAMPHLET**

■ Never feed alligators – it's dangerous and illegal. When fed, alligators can overcome their natural wariness and learn to associate people with food. When this happens, some of these alligators have to be removed and killed.

■ Dispose of fish scraps in garbage cans at boat ramps and fish camps. Do not throw them into the water. Although you are not intentionally feeding alligators when you do this, the result can be the same.

■ Seek immediate medical attention if you are bitten by an alligator. Alligator bites can result in serious infections.

■ Observe and photograph alligators only from a distance. Remember, they're an important part of Florida's natural history as well as an integral component of aquatic ecosystems.



Tim Donovan, FWC

Call 866-FWC-GATOR (392-4286) to report nuisance alligators.



Janice Plain

To report nuisance alligators call
866-FWC-GATOR (866-392-4286).



MyFWC.com/Alligator



Jamie Feddersen



Florida Fish and Wildlife
Conservation Commission

MyFWC.com



Do not swim outside of posted swimming areas or in waters that may be inhabited by alligators.

Living with Alligators

In Florida, the growing number of people living and recreating near water has led to a steady rise in the number of alligator-related complaints. The majority of these complaints relate to alligators being where they simply aren't wanted. Because of these complaints, the Florida Fish and Wildlife Conservation Commission's Statewide Nuisance Alligator Program permits the killing of approximately 7,000 nuisance alligators each year. Using this approach, and through increased public awareness, the rate of alligator bites on people has remained constant despite the increased potential for alligator-human interactions as Florida's human population has grown.

Alligators are an important part of Florida's landscape and play a valuable role in the ecology of our state's wetlands. Alligators are predators and help keep other aquatic animal populations in balance. A better understanding of the facts and information presented in this brochure will help ensure that people and alligators can continue to coexist.

Visit MyFWC.com/Gators for more information about alligators and the latest nuisance alligator program statistics.



Tim Donovan, FWC

Alligators and People

Alligators are a fundamental part of Florida's wetlands, swamps, rivers and lakes, and they are found in all 67 counties. Florida continues to experience human population growth. Many new residents seek waterfront homes, resulting in increased interactions between people and alligators.

Although most Floridians understand that we have alligators living in our state, the potential for conflict exists. Because of their predatory nature, alligators may target pets and livestock as prey. Unfortunately, people also are occasionally bitten. Since 1948, Florida has averaged about five unprovoked bites per year. During that period, a little more than 300 unprovoked bites to people have been documented in Florida, with 22 resulting in deaths.

In the past 10 years, the Florida Fish and Wildlife Conservation Commission has received an average of nearly 16,000 alligator-related complaints per year. Most of these complaints deal with alligators occurring in places such as backyard ponds, canals, ditches and streams, but other conflicts occur when alligators wander into garages, swimming pools and golf course ponds. Sometimes, alligators come out of the water to bask in the sun or move between wetlands. In many cases, if left alone, these alligators will eventually move on to areas away from people.

Safety Tips

■ Generally, alligators less than four feet in length are not large enough to be dangerous unless handled. However, if you encounter any alligator that you believe poses a threat to people, pets or property,

call the Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). Please be aware, nuisance alligators are killed, not relocated.

- Be aware of the possibility of alligators when you are in or near fresh or brackish water. Bites may occur when people do not pay close enough attention to their surroundings when working or recreating near water.
- Do not swim outside of posted swimming areas or in waters that might be inhabited by large alligators.
- Alligators are most active between dusk and dawn. Therefore, avoid swimming at night.
- Dogs and cats are similar in size to the natural prey of alligators. Don't allow pets to swim, exercise or drink in or near waters that may contain alligators. Dogs often attract an alligator's interest, so do not swim with your dog.
- Leave alligators alone. State law prohibits killing, harassing or possessing alligators. Handling even small alligators can result in injury.



A young alligator wanders onto a porch in a residential neighborhood.

Tim Donovan, FWC

APPENDIX F

**GOPHER TORTOISE
INFORMATIONAL PAMPHLET**



Chris Leonard

Before you bulldoze

Before you clear land, learn the law. Visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region. Request a permitting fact sheet and remember gopher tortoises must be relocated before any land clearing or development takes place. Property owners must obtain permits from the FWC before tortoises can be moved. Depending on the type of permit, you may be permitted to move the tortoises yourself or you may need to contact an authorized agent.

Tips for horse owners

Gopher tortoises often dig their burrows in pastures, which can be a challenge to horse farm owners who are concerned their horses may step into the burrows and be injured. For tips on how to avoid potential horse-tortoise conflicts, visit MyFWC.com/GopherTortoise or call the gopher tortoise conservation biologist in your region.

Gopher tortoise fast facts

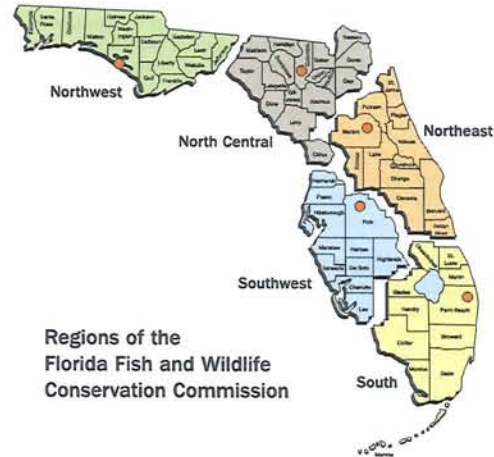
- Gopher tortoise burrows average seven feet deep and 15 feet long but may be more than 40 feet long.
- A tortoise may have multiple burrows within the area it spends most of its time.
- Burrow openings are half-moon shaped with the curve at the top, and its size is a fair representation of the size of the tortoise. Burrows with round openings have generally been taken over by an armadillo.
- Adult tortoises are generally 9-11 inches long and weigh 7-9 pounds.
- Females begin to reproduce when they are 9-21 years old (age depends on local conditions); males begin slightly younger.
- They breed March-October but generally dig nests in May and June. One clutch is laid per year with an average of six eggs. Many eggs never hatch because they are eaten by mammals, birds and snakes.
- The biggest threat to the gopher tortoises' long-term survival is loss of habitat.

Wildlife Alert Reward Program

It is against the law to kill, harass or destroy gopher tortoises, their burrows or eggs. If you suspect illegal activity, you can report it anonymously to FWC's Wildlife Alert Hotline at 888-404-3922, 24 hours a day or online at MyFWC.com/law/Alert. You could be eligible for a reward if your information leads to an arrest.



Robert La Follette



Regions of the
Florida Fish and Wildlife
Conservation Commission

Northwest Region
3911 Highway 2321
Panama City, FL 32409-1658
850-265-3676

North Central Region
3377 East U.S. Highway 90
Lake City, FL 32055-8795
386-758-0525

Northeast Region
1239 S.W. 10th Street
Ocala, FL 34471-0323
352-732-1225

Southwest Region
3900 Drane Field Road
Lakeland, FL 33811-1299
863-648-3200

South Region
8535 Northlake Boulevard
West Palm Beach, FL 33412
561-625-5122

For more on any information in this brochure, or for Gopher Tortoise Management Plan or permitting information, please call the gopher tortoise conservation biologist in your region listed above, or call 850-488-3831, or visit MyFWC.com/GopherTortoise.

printed on recycled paper

A guide to living with gopher tortoises



David Moynahan



Florida Fish and Wildlife
Conservation Commission
MyFWC.com



Chris Leonard

The gopher tortoise in Florida

Where they live: high and dry

The gopher tortoise (*Gopherus polyphemus*) is a medium size land turtle with large, stumpy hind legs and flattened, shovel-like front legs it uses to dig burrows in sandy soil. These burrows provide a home and refuge for the tortoise and more than 350 species of wild animals and insects that share the same habitat.

Gopher tortoises occur in parts of all 67 counties in Florida, but prefer high, dry, sandy places such as longleaf pine and oak sandhills. They also live in scrub, dry hammocks, pine flatwoods, dry prairies, coastal grasslands and dunes, mixed hardwood-pine communities and a variety of disturbed habitats, such as pasture lands.

What they eat

Gopher tortoises graze naturally on a wide variety of plant types, including broadleaf grasses, wiregrass, prickly pear cactus, wild grape, blackberry, blueberry, beautyberry and many more. They generally feed within about 160 feet of their burrows, but have been known to travel more than twice that distance to meet their foraging and nutritional needs.

A keystone species

Wildlife experts call the gopher tortoise a "keystone species" because it is the backbone of the plant and wildlife community in which it lives. Without the tortoise, the populations of more than 350 wildlife species that seek refuge or live in the burrows would be greatly reduced, if not eliminated. The species that depend upon tortoise burrows are called commensals and include the indigo snake, pine snake, gopher frog, opossum, burrowing owl, Florida mouse, gopher cricket and scarab beetle.

Protecting and managing

Gopher tortoises have lived for millions of years, but biologists who study these ancient reptiles are concerned we may lose them entirely unless we do more to protect and conserve them and their rapidly disappearing habitat.

In 2007, the Florida Fish and Wildlife Conservation Commission (FWC) listed the gopher tortoise as a threatened species and created a plan to manage and protect these unique reptiles. The plan is a blueprint of conservation objectives and actions which includes guidelines for landowners whose property contains gopher tortoises, habitat acquisition plans and permitting guidelines all designed to ensure the tortoises' habitat needs are met now and in the future.

Legal protection

It is against the law to damage, destroy, harass or kill gopher tortoises, their burrows or their eggs. Gopher tortoises must be moved out of harm's way before any land clearing or development takes place. Permits are required from the FWC before handling or moving tortoises.



Robert La Follette



Living in your yard

If a gopher tortoise is living in your yard, embrace the opportunity to learn about a threatened species and help the conservation efforts. Here are a few tips:

- Leave the tortoise alone and keep dogs and small children away from it and its burrow.
- Use tortoise-friendly plants to landscape your yard. In addition to providing excellent food for the tortoise, the plants will require very little watering once established. For a list of suitable plants visit MyFWC.com/GopherTortoise.
- Allow the tortoise to come and go freely from your yard. Fencing it in or restricting its movements in any way is against the law.
- It is acceptable to trim tall grass around the burrow if necessary but leave the burrow and mound alone.
- If possible, avoid mowing, digging, driving over or otherwise disturbing the area right around the burrow, which includes the entrance apron and 25 feet beyond the burrow opening.
- Never block the entrance to the burrow, it could harm the tortoise or prevent its exit.
- A burrow should not compromise the integrity of a foundation or mound septic system, but the gopher tortoise conservation biologist in your region can offer you options.

Crossing the road

- Do not take the tortoise with you.
- If it is in the roadway you can move it across the road in the direction in which it was headed. **Do not put your life in danger to move the tortoise.**
- Do not put the tortoise in the water. Gopher tortoises are terrestrial turtles which means they live on land.

Living in your neighborhood

Gopher tortoises and their burrows are often found on undeveloped lots in neighborhoods that were built in gopher tortoise habitat. The last remaining tortoises in a community sometimes take refuge on these habitat islands scattered among home sites. If your neighborhood has some of these reptilian residents, keep the following in mind:

- Before a lot can be developed, any gopher tortoises present must, by law, be moved out of harm's way before land clearing begins. Property owners must obtain permits from the FWC before moving gopher tortoises.
- If a lot is about to be developed, you can search the online gopher tortoise permitting database at MyFWC.com/GopherTortoise to see if a permit to move the tortoise(s) has been issued. You can also call the gopher tortoise conservation biologist in your region.
- If there is no land clearing or construction activity on the lot, leave the tortoises alone.
- If you suspect a violation has occurred or is about to occur, call the FWC's toll free Wildlife Alert Hotline at 888-404-3922 or report it online at MyFWC.com/law/Alert.

Sick or injured

- Sometimes it's better to just leave a sick or injured gopher tortoise alone and let it return to its burrow to heal.
- You may pick up an injured tortoise to transport it for treatment if necessary.
- Call the nearest FWC regional office to find a wildlife rehabilitator in the area or take it to a veterinarian.
- If you think the injury is the result of a violation and you can provide information, call the FWC's Wildlife Alert Hotline.

Help their future

- Become tortoise-wise: Learn about gopher tortoises and their habitat needs online at MyFWC.com/GopherTortoise and share the information with family, friends and neighbors.
- Support "green spaces" in and around developments – there is still time to save gopher tortoise habitat before it's gone.

APPENDIX G

WADING BIRD
INFORMATIONAL PAMPHLET

**Action to be taken if you
observe someone
harassing a
wading bird:**

**Promptly notify the FWCC
1-888-404-FWCC**

**Tips for living with
wading birds**

- Do not feed wading birds.
- Keep out of vegetated areas surrounding lakes and marshes.
- Keep pets leashed to avoid coming into contact with wading birds.
- Properly dispose of fishing line to avoid bird entanglement.



Prepared By:

**PASSARELLA
& ASSOCIATES INC.**

*13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067*

**WADING
BIRD
INFORMATIONAL
PAMPHLET**



WildBlue

Description:

Wading birds are a diverse group of birds which utilize shallow marsh areas as foraging and breeding habitats. They are typically characterized as having long necks, legs and bills, which allows them to feed in shallow water. Wading birds can be found in Florida year round. Examples of wading birds include: great egrets, great blue herons, white ibis', little blue herons and snowy egrets.

Habitat:

Wading birds inhabit all counties in the state of Florida and are most common in the shallow marsh or wetland areas throughout the state. They can also be found in both coastal and inland areas, salt marshes, swamps, ponds, drainage canals, and ditches. Wading birds breed and nest in colonies which consist of various species of other wading birds. Breeding generally occurs just prior to or during the wet season. Stick nests are built in trees or bushes near wetland areas and above the water line.

Wading birds feed in shallow water areas where prey is most concentrated. They feed by spearing prey with their bills or by straining small species out of the water and sediment. Prey may include small fish, invertebrates or other aquatic organisms. Wading birds have also been known to consume snakes, frogs and small rodents.

Protection:

Most wading birds are listed as species of special concern by the State of Florida. Some species such as wood storks are listed as endangered by both the State of Florida and the U.S. Fish and Wildlife Service. It is unlawful for anyone to disturb or take nests or eggs, feed, injure, harm, harass, or kill any wading birds species. Persons who knowingly violate the law may be subject to fines and/or jail time.

APPENDIX H

FLORIDA BLACK BEAR INFORMATIONAL PAMPHLET



Matt Fox

Discouraging bears at home

Properly storing or securing residential garbage and other attractants is a proven method of discouraging bears and preventing bear problems around homes, farms and neighborhoods.

The following items attract bears and should be protected by an electric fence, wildlife resistant containers or stored in a secure place, such as a garage or sturdy shed:

- Trash and recycling containers
- Bird and squirrel feeders
- Game feeders
- Pet foods and bowls
- Barbeque grills and smokers
- Pets and small livestock
- Livestock feed
- Compost piles
- Beehives
- Fruit and nut-bearing trees and shrubs

Help conserve black bears by purchasing a Conserve Wildlife license plate at your local tax collector's office or online at BuyAPlate.com.

Secure common bear attractants

- Use electric fencing to protect gardens, compost piles, apiaries and livestock.
- Store garbage and recyclables in bear-resistant containers or in a secure area until morning of pick up.
- Feed pets indoors or bring food dishes inside before dark. Store pet and livestock feed in bear-resistant containers.
- Remove bird and wildlife feeders. Ensure the area is free of all seed, corn or other wild animal feed.
- Keep orchards and gardens tidy. Remove rotten fruit and harvest all nuts, fruits and vegetables when ripe.
- Clean meat smokers and barbeque grills with a degreasing detergent. Properly dispose of food remnants after each use.

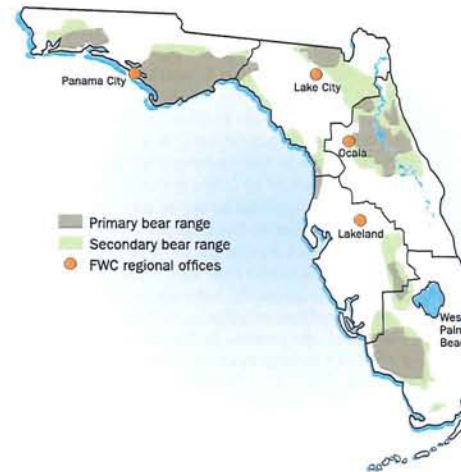
Learn more about black bears with the Florida Black Bear Curriculum Guide. The guide is designed to educate teachers and students in grades 3-8 and offers a comprehensive series of lessons on Florida's black bear.

To learn more about black bears and for tips on how to reduce bear attractants, as well as instructions for electric fencing, suggestions for bear-resistant containers, information about the Conserve Wildlife license tag or the curriculum guide, visit MyFWC.com/bear.



Jessica Tice

Bear ranges in Florida



If you are experiencing bear problems, please contact the nearest FWC regional office.

North Central, Lake City	386-758-0525
Northeast, Ocala	352-732-1225
Northwest, Panama City	850-265-3676
South, West Palm Beach	561-625-5122
Southwest, Lakeland	863-648-3200

If you suspect illegal activity, call FWC's Wildlife Alert Hotline at 1-888-404-3922.

Cover photo by Ashley Hockenberry



Florida Fish and Wildlife
Conservation Commission

MyFWC.com

printed on recycled paper

A guide to living in bear country



Florida Fish and Wildlife
Conservation Commission

MyFWC.com



Ashley Hockenberry

If you live in Florida, you should know

Black bears are at a crossroads in the Sunshine State. Since the 1980s, Florida's bear population has been increasing in most areas of the state while the human population is rapidly expanding. As a result, bears and humans are encountering each other more than ever.

Calls to the Florida Fish and Wildlife Conservation Commission (FWC) about black bear and human encounters have increased from 1,000 in 2001 to over 2,500 in 2008. The most common calls refer to bear sightings and bears in garbage.

The mere presence of a black bear does not represent a problem. In fact, living in bear country can provide unique and rewarding experiences for residents.

However, when black bears have access to pet food, garbage, birdseed, livestock feed or other sources of food, they quickly learn to associate people with food. Bears often are fed by humans, either intentionally or unintentionally. Once they become

more comfortable around people, that familiarity may become a problem for both people and bears. Those bears are often killed, either by vehicle collisions, illegal shooting or as a result of bear management actions.

People ask why problem bears can't simply be relocated to a "wilderness area where they won't bother anyone." Unfortunately, areas that are large and remote enough for bears to avoid people are rare in Florida. Relocated bears typically leave the new area, either to return to their original home or to leave an area already occupied by other bears. Some bears will wander through unfamiliar areas and cross busy roads, creating a danger to the bear and to motorists. In addition, bears that do remain in the relocation area often exhibit the same behavior, which just shifts the problem to a new location. As a result, relocation is not a desirable or effective solution to bear conflicts. Wildlife biologists can provide technical advice to residents who live in bear country to help them take actions that will discourage bears from becoming a problem. The FWC is committed to ensuring the long-term well-being of the black bear, while addressing the property damage and safety concerns of residents and visitors.



Charles Torrey



Ashley Hockenberry

If a bear comes into your yard

If you encounter a bear at close range, remain standing upright, back up slowly and speak to the bear in a calm, assertive voice.

- Do not intentionally feed or attract bears. If a bear is eating something on your property, take note of what it is and secure it after the bear has left the area.
- Never approach or surprise a bear. Keep as much distance between you and the bear as possible.
- Make sure you are in a secure area, and the bear has a clear escape route to leave the area; then yell, bang pots and pans or use an air horn to scare the bear away.
- Do not turn your back, play dead, or run from the bear. Back away slowly into a house, car or building.
- Report any bear that is threatening the safety of humans, pets or livestock, or causing property damage, to the FWC (see back panel).

Climbing trees is a bear's natural escape route. If the bear climbs a tree, keep people and pets away. When things quiet down, the bear will come down the tree and leave. This usually happens after dark, when the bear feels safe.

It is illegal to intentionally place food or garbage out that attracts bears and causes conflicts. Anything that attracts dogs, cats or raccoons also will attract bears!

Did you know?

Black bears are shy animals and generally not aggressive towards people. When a bear stands on its hind legs, it is merely trying to get a better view, rather than acting in a threatening way. A bear may huff, snap its jaws and swat the ground if it feels threatened.

Black bears might "bluff charge" when cornered, threatened or stealing food. Stand your ground and then slowly back away. Always respect bears – they are large and powerful wild animals.

The bear facts

Black bears are the only species of bear in Florida and they once roamed the state's entire 34.5 million acres.

- FWC biologists estimate there are 2,500-3,000 black bears in Florida.
- Florida bears are black with a brown muzzle and may have a white chest marking called a blaze.
- Adult black bears weigh 150-400 pounds; males are usually larger than females. The largest male bear on record in Florida weighed 624 pounds; the largest female weighed 342 pounds.
- Female bears have their first litter at about 3½ years of age and generally have one to three cubs every other year.
- In Florida the breeding season runs from June to August and cubs are born about seven months later, in late January or early February.
- Bears of all ages are excellent climbers and will climb trees when they are frightened.
- About 80 percent of a black bear's diet comes from plants (e.g., fruits, nuts, berries), 15 percent from insects and 5 percent from meat.



Ashley Hockenberry

APPENDIX I

FWCC LIST OF BEAR-RESISTANT GARBAGE CONTAINERS




BEAR RESISTANT TRASH CONTAINERS (prices last updated October 2012)





Residential Poly Carts *WITH* automatic locking lids *AND* designed for fully-automated waste pick-up

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping *To Tallahassee, FL	Estimated Cost per Container ^a
	Kodiak Products	1-800-519-1172 Info@Kodiak-Products.com http://www.kodiak-products.com/ Passed IGBT ^a	96 gallon	1	Contact Kodiak Products	Contact Kodiak Products	\$270.00
			96 gallon	300	Contact Kodiak Products	Contact Kodiak Products	\$237.00


Residential Poly Carts and Cans *WITH* automatic locking lids

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping *To Tallahassee, FL	Estimated Cost per Container ^a
	Toter, Inc	Statesville, NC 1-800-424-0422 toter@toter.com http://www.toter.com Passed IGBT ^a	96 gallon	50	\$197	\$750 (for minimum 50 cans order)	\$212.00




Residential Poly Carts and Cans **WITH** automatic locking lids

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping *To Tallahassee, FL	Estimated Cost per Container ^a
	BearSaver	1-800-851-3887 Fax: 909-605-7780 sales@bearsaver.com http://www.bearsaver.com Passed IGBT ^a	32 gallon	20	Contact BearSaver	Contact BearSaver	Contact BearSaver
			65 gallon	20	\$159	\$473	\$182.65
			96 gallon	24	\$170	\$863	\$205.96
	BearProof, Inc.	234 S. Golden Dr. Silt, CO 81652 970-309-2460 Fax: 970-876-0420 info@bearproofinc.com http://www.bearproofinc.com	32 gallon	1	\$663 each (for 1-4 cans) \$638 each (for 5+ cans)	\$291.59	\$954.59 – 929.59 ^b
			65 gallon	1	\$404 each (for 1-4 cans) \$379 each (for 5+ cans)	\$237.97	\$641.97 – 616.97 ^b
			96 gallon	1	\$416 each (for 1-4 cans) \$391 each (for 5+ cans)	\$265.90	\$947.80 – 656.90 ^b

Residential Poly Carts and Cans **WITHOUT** automatic locking lids

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping *To Tallahassee, FL	Estimated Cost per Container ^a
	The Growler	Sanford, FL 407-519-0766 dennisbooth@cfl.rr.com http://www.thegrowlercan.com Passed IGBTP ^a	32 gallon	1	\$179 (Discounts if buying >3)	Free in central FL or \$34	\$189 in central FL or \$221
			64 gallon	1	\$189 (Discounts if buying >3)	Free in central FL or \$85	\$189 in central FL or \$274
			95 gallon	1	\$209 (Discounts if buying >3)	Free in central FL or \$100	\$209 in central FL or \$309

Residential Poly Carts and Cans **WITHOUT** automatic locking lids

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping* *To Tallahassee, FL	Estimated Cost per Container ^b
	Solid Waste Systems	7855 E. Lark Dr. Parker, CO 80138 Phone: 303-840-3390/ 1-800-944-7973 Fax: 303-840-3460 solidws@comcast.net http://www.bearproofsystems.com/ Passed IGBTP ^a	65 gallon	1	\$172	\$128	\$300
			95 gallon	1	\$190	\$200	\$390
	BEARicuda Bins	1-877-232-7428 Fax: 860-540-0611 kevin@bearicuda.com http://www.bearicuda.com	32 gallon	1	\$189 each (for 1-3 cans) \$185 each (for 4+ cans)	\$75	\$226.50 – 222.50 ^b
			64 gallon	1	\$199 each (for 1-3 cans) \$165 each (for 4+ cans)	Contact BEARicuda Bins	Contact BEARicuda Bins
			95 gallon	1	\$219 each (for 1-3 cans) \$209 each (for 4+ cans)	\$169	\$303 - \$251.25 ^b
	DAWG, Inc.	25 Lassy Court Terryville, CT 06786 1-800-935-3294 bgalvin@dawginc.com http://www.dawginc.com Passed IGBTP ^a	32 gallon	1	\$183	\$67.50 (for 1 can) \$412 (for 16 cans)	\$250.50 - \$208.75 ^c
			64 gallon	1	\$192	\$158 (for 1 can) \$439 (for 12 cans)	\$350 – 228.60 ^c
			95 gallon	1	\$208	\$186 (for 1 can) \$382 (for 8 cans)	\$394 – \$255.75 ^c

Residential Poly Carts and Cans WITHOUT automatic locking lids

	Company	Contact Info/ Testing Status	Size	Minimum order	Price <i>per</i> container without shipping	Shipping* *To Tallahassee, FL	Estimated Cost per Container ^b
	Bear Proofing- R-US	Phone: 704-435-8297/ 704-466-8010 bearproofing.r.us@gmail.com http://bearproofingr-us.com/	96 gallon	1	\$132	\$333 if pre-assembled \$282 with hardware kit	\$465 – 414 ^d

^a Product has passed the [Interagency Grizzly Bear Committee Testing Program](#) (IGBTP) with captive bears at the Living with Wildlife Foundation.




^b The “Estimated Cost per Container” column is showing = amount for shipping divided by (÷) the minimum amount that has to be purchased plus (+) the price per container. Therefore, it is showing the cost of *one* can. Each company has their own minimum order of cans that has to be purchased. Hence, the price provided in the last column is NOT the total cost of the full order.

^c Costs depend on the amount of cans being purchased (shipping costs decreases the more cans purchased)

^d Costs depend on the “type” of order you place (assembled or with hardware kit)

NOTE: all final prices depend on the amount of cans bought, price of gas at the moment of shipping, and the area where it is being shipped.

Residential Poly Carts and Cans **WITH** screw on lids

	Company	Contact Info	Size	Minimum order	Price <i>per</i> container without shipping	Shipping* *To Tallahassee, FL	Estimated Cost per Container ^a
	DAWG, Inc.	25 Lassy Court Terryville, CT 06786 Phone: 800-935-3294 bgalvin@dawginc.com http://www.dawginc.com	20 gallon	1	\$38	Contact DAWG, Inc.	Contact DAWG, Inc.
			30 gallon	1	\$62	\$65 (for 1 can) \$461.50 (for 24 cans)	\$124 - \$78.22 ^b
	BEARicuda Bins	Phone: 877-232-7428 Fax: 860-540-0611 kevin@bearicuda.com http://www.bearicuda.com	50 gallon	1	\$235 (for 1-5 cans) \$225 (for 6+ cans)	Contact BEARicuda Bins	Contact BEARicuda Bins
			95 gallon	1	\$265 (for 1-5 cans) \$239 (for 6+ cans)	Contact BEARicuda Bins	Contact BEARicuda Bins
	BEARier Bins	John Burpee 1-888-433-6920 Fax 888-778-5869 info@bearierbins.com	30 gallon	1	\$65	Contact BEARier Bins	Contact BEARier Bins

^a The "Estimated Cost per Container" column is showing = amount for shipping divided by (÷) the minimum amount that has to be purchased plus (+) the price per container. Therefore, it is showing the cost of *one* can.




→ Each company has their own minimum order of cans that has to be purchased. Hence, the price provided in the last column is NOT the total cost of the full order.

NOTE: all final prices depend on the amount of cans bought, price of gas at the moment of shipping, and the area where it is being shipped.

Other Recreational / Residential Trash Storage Containers

See the following companies (listed above) for more options: BearSaver, Bear Proof Inc., Bear Proofing-R-US, Bear Proof Systems

*For shipping costs contact the corresponding company

	Company	Contact Info/ Testing Status	Description	Size	Price <i>per</i> container without shipping
	BearGuard	P.O. Box 89 Tahoe City, CA 96145 Phone/Fax: 530-581-2211 sales@bearguardinfo.com http://www.bearguardinfo.com Passed IGBTP ^a	Metal trashcan enclosure – internal lock with key *closed for the winter months	Holds two 32 gallon round cans	\$1,099
				Holds two 32 gallon rectangular cans	\$999
	Haul-All Equipment Ltd.	1-888-428-5255 Fax: 403-328-9956 sales@haulall.com http://www.haulall.com/contain.htm Passed IGBTP ^a	Metal trashcan enclosure – with automatic latching door	Holds two 32 gallon round cans	Contact company for pricing
	Smoky Metal Works	1014 Old Knoxville Hwy Sevierville, TN 37862 965-908-4248 sam@smokymetalworks.com www.smokymetalworks.com	Wire mesh metal - trashcan enclosure <i>with</i> clip or lock on door	Holds two 32 gallon round cans	\$375

^a Product has passed the Interagency Grizzly Bear Committee Testing Program (IGBTP) with captive bears at the Living with Wildlife Foundation

Animal Resistant Dumpsters

There are many more companies who sell animal resistant dumpsters, this is just a sample.

All companies listed passed the Interagency Grizzly Bear Committee Testing Program with captive bears at the Living with Wildlife Foundation.

For shipping costs, please contact the corresponding company.

	Company	Contact Info/ Testing Status	Description	Design	Price <u>per</u> container without shipping
 	Capital Industries, Inc.	5801 Third Avenue South Seattle, WA 98108 1-800-967-8585 / 206-762-8585 Fax: 206-762-5455 sales@capitalind.com http://www.capitalind.com/main/	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing
	Haul-All Equipment Ltd.	1-888-428-5255 Fax: 403-328-9956 sales@haulall.com http://www.haulall.com/contain.htm	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing

	Company	Contact Info/ Testing Status	Description	Design	Price <i>per</i> container without shipping
	Robertson Enterprises	Robertson Enterprises P.O. Box 1711 Cody, WY 82414 307-587-2925 ext:12 http://robertsonenterprises.net/	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing
	Colorado Correctional Industries	2862 S. Circle Dr. Colorado Springs, CO 80906 1-800-685-7891 http://www.coloradoci.com	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing
	Jamestown Advanced	Jamestown Advanced Products Corporation 2855 Girts Rd. Jamestown, NY 14701 1-800-452-0639 http://www.jamestownadvanced.com/	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing
	UltraTec.	7278 Justin Way Mentor, OH 44060 1-800-585-8723 http://www.industrialinterface.com/company/waste/987/ultratech-international-inc/	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing
	Enterprise Sales	540 Southeast 9th Avenue Ontario, OR 97914-3866 541-889-5541	Metal Containers & Lids	Various - 2, 4, and 6 cubic yard	contact company for pricing

APPENDIX J

**FLORIDA PANTHER
INFORMATIONAL PAMPHLET**

You live in Florida panther country

Florida panthers are reclusive and rarely seen by people. They normally live in remote, undeveloped areas. However, as the number of people in southern Florida grows, there is an increased chance of an encounter with a Florida panther.

This brochure contains some guidelines to help you live safely in Florida panther country.




Keep children within sight and close to you, especially outdoors between dusk and dawn.

If you feel threatened by a panther, or have lost pets or livestock to a panther, please call the Florida Fish and Wildlife Conservation Commission's Wildlife Alert Hotline at 1-888-404-FWCC (3922).

If you see a Florida panther

The Florida panther moves primarily at night. The chances of seeing a panther are slim. But if you live in Florida panther country, you need to know what to do if you see one.

-  **Keep children within sight and close to you.** Pick up any small children so they don't panic and run. Try to do this without bending over or turning away from the Florida panther.
-  **Give them space.** Florida panthers typically will avoid a confrontation. Give them a way to escape.
-  **Do not run.** Running may stimulate a panther's instinct to chase. Stand and face the animal. Make eye contact to let the panther know you are aware of its presence.
-  **Avoid crouching or bending over.** Squatting or bending makes you look smaller, resembling a prey-sized animal.
-  **Appear larger.** Make gestures that indicate you are not prey and that you may be a danger to the panther. Raise your arms. Open your jacket. Throw stones, branches or whatever you can reach without crouching or turning your back. Wave your arms slowly and speak firmly in a loud voice.
-  **Fight back if attacked.** There has never been a reported panther attack in Florida. In western states, where attacks by cougars have occurred very rarely, potential victims have fought back successfully with rocks, sticks, caps, jackets, garden tools and their bare hands. Since large cats usually try to bite the head or neck, try to remain standing and face the animal.



Mark Lotz

printed on recycled paper



Florida Fish and Wildlife
Conservation Commission
620 S. Meridian Street
Tallahassee, FL 32399-1600
MyFWC.com/Panther

A guide to living with Florida Panthers



© Lynn Stone

MyFWC.com/Panther

7 ways to live safely in Florida panther country

While these guidelines are meant to help you live safely in Florida panther habitat, they also apply to living with more commonly encountered wildlife, including raccoons, snakes, bears and alligators.

1. Be alert from dusk 'til dawn (and whenever deer are active)

Florida panthers primarily are active at night. Exercise more caution at dawn, dusk or dark.

2. Keep panther prey away

Deer, raccoons, rabbits, armadillos and wild hogs are prey for the Florida panther. By feeding deer or other wildlife, people inadvertently may attract panthers. Do not leave potential wildlife food outside, such as unsecured garbage or pet food. Consider fencing vegetable gardens.

3. Keep pets secure

Free-roaming pets, or pets that are tethered and unfenced, are easy prey for predators, including panthers. Bring pets inside or keep them in a secure and covered kennel at night. Feeding pets outside also may attract raccoons and other panther prey; do not leave uneaten pet food available to wildlife.



Keep your pets safe and secure. Bring pets inside or keep them in a secure and covered kennel at night.



Keep livestock safe and secure.

4. Keep domestic livestock secure

Where practical, place chickens, goats, hogs or other livestock in enclosed structures at night. Electric fencing can be an effective predator deterrent.

5. Landscape for safety

Remove dense or low-lying vegetation that would provide hiding places for panthers and other predatory animals near your house.

- Remove plants that deer like to eat.
- Choose plants that do not attract deer or other panther prey species. For information on plants that deer do not like to eat, visit edis.ifas.ufl.edu/UW137.
- Appropriate fencing will make your yard or play area uninviting to prey animals such as deer.

6. Consider other deterrents

Outdoor lighting, motion sensors and electric fencing also may deter prey animals and panthers from entering your yard. Outdoor lighting also will make approaching prey and panthers more visible to you.

7. Hike or bike with a friend

When recreating outdoors, it's a good practice to let friends or family know your whereabouts and when you expect to return. Better yet, take a friend with you!

Florida panther facts

- 🐾 The Florida panther is a subspecies of puma, also known as a mountain lion or cougar. It is the last subspecies still surviving in the eastern United States.
- 🐾 Biologists estimate roughly 100-160 adult and subadult Florida panthers remain in the wild. Most panthers live in southwest Florida, south of the Caloosahatchee River, although some panthers have been documented traveling as far north as central Georgia.
- 🐾 The Florida panther's decline occurred prior to 1950, when it still was legal to hunt panthers. It was listed as endangered in 1967 and is protected under federal and state laws.
- 🐾 Florida panther numbers declined to roughly 30 cats by the early 1980s. Severe inbreeding resulted in many health and physical problems. A genetic restoration project in 1995 was successful in improving the genetic health and vigor of the panther population.
- 🐾 Florida panthers are found primarily in the Big Cypress/Everglades ecosystem in Collier, Lee, Hendry, Monroe and Miami-Dade counties.
- 🐾 Florida panthers' home range sizes vary by sex and by individual. Female home ranges are typically 60-75 square miles whereas males' are typically 160-200 square miles.



FWC panther team

- 🐾 There is no record of a Florida panther attacking a person. Florida panthers are rarely seen.
- 🐾 The biggest threat to the future of the Florida panther is habitat loss. A number of panthers also die each year due to vehicle strikes on roadways.
- 🐾 The Florida panther was chosen as the State Animal of Florida in 1982 by a vote of elementary school students throughout the state.



Florida Panther Range

- Known Breeding Range
- Confirmed Presence of Males
- Caloosahatchee River and Lake Okeechobee



This brochure was produced through a partnership of the Audubon Society of Florida, Conservancy of Southwest Florida, Defenders of Wildlife, Florida Fish and Wildlife Conservation Commission, Florida Wildlife Federation, Friends of the Florida Panther Refuge, Mountain Lion Foundation, National Park Service, National Wildlife Federation, Seminole Tribe of Florida, University of Florida and the U.S. Fish and Wildlife Service.

Funding provided by the Florida Fish and Wildlife Conservation Commission, Friends of the Florida Panther Refuge and the National Fish and Wildlife Foundation.

To: Lee County Board of County Commissioners

Chicago Title Insurance Company

OWNERSHIP AND ENCUMBRANCE REPORT

Order No.: 4718744

Customer Reference: WildBlue

This will serve to certify that Chicago Title Insurance Company has caused to be made a search of the Public Records of Lee County, Florida, ("Public Records") as contained in the office of the Clerk of the Circuit Court of said County, from January 01, 1984, through May 23, 2014 at 8:00 AM, as to the following described real property lying and being in the aforesaid County, to-wit:

A parcel of land lying in Sections 7, 8, 17, 18, 19 and 20, Township 46 South, Range 26 East, Lee County, Florida, lying South of Alico Road, and being more particularly described as follows:

COMMENCE at the intersection of the West line of a Florida Power & Light Easement (110 feet wide) as described in Official Records Book 221, page 191 of the public records of Lee County, Florida, and the maintained South right-of-way line of Alico Road (100 feet wide); thence, along said maintained South right-of-way line of Alico Road, N.88°59'33"E., 5232.33 feet to the POINT OF BEGINNING; thence, continue, along said South line N.88°59'33"E., 4904.75 feet an intersection with the East line of the Northeast one-quarter of said Section 8; thence, along said East line of the Northeast one-quarter of Section 8, S.01°05'22"E., 2,311.14 feet; thence, along the East line of the Southeast one-quarter of said Section 8, S.01°05'17"E., 2,643.61 feet to the Southeast corner of said Section 8; thence, along the East line of the Northeast one-quarter of said Section 17, S.00°53'05"E., 2,806.42 feet; thence, along the East line of the Southeast one-quarter of said Section 17, S.00°55'01"E., 2,805.88 feet to the Northeast corner of the aforementioned Section 20; thence, along the East line of the Northeast one-quarter of said Section 20, S.01°09'17"E., 2,639.23 feet; thence, along the East line of the Southeast one-quarter of said Section 20, S.01°09'17"E., 1,733.42 feet to an intersection with the Northerly right-of-way of Corkscrew Road described as parcel 102B in Official Records Instrument #2008000174785 of the aforementioned public records; thence, along said Northerly right-of-way S.86°32'28"W., 4,155.04 feet; thence, continue, along said Northerly right-of-way described as Parcel 102B-SE in Official Records Instrument #2008000174785 of the aforementioned public records, for the following three (3) courses:

1. N.03°40'07"W., 5.00 feet;
2. S.86°32'28"W., 18.98 feet;
3. along the arc of a tangent circular curve concave Southerly, having for its elements a radius of 2385.00 feet, a central angle of 11°47'38", a chord distance of 490.07 feet, a chord bearing of S.80°39'49"W., an arc distance of 490.93 feet;

thence, continue, along said Northerly right-of-way of Corkscrew Road and along the arc of a circular curve concave Southerly, having for its elements a radius of 870.17 feet, a central angle of 3°07'09", a chord distance of 47.37 feet, a chord bearing of S.74°15'44"W., an arc distance of 47.37 feet; thence, continue, along said Northerly right-of-way of Corkscrew

Road described as Parcel 102A-SE in Official Records Instrument #2008000174785 of the aforementioned public records for the following two (2) courses:

1. along the arc of a non-tangent circular curve concave Southerly, having for its elements a radius of 2385.00 feet, a central angle of 7°42'54", a chord distance of 320.90 feet, a chord bearing of S.69°46'02"W., an arc distance of 321.15 feet;
2. S.24°05'25"E., 5.00 feet;

thence, continue, along said Northerly right-of-way of Corkscrew Road described as Parcel 102-A, in Official Records Instrument #2008000174785, of the aforementioned public records for the following two (2) courses:

1. along the arc of a non-tangent circular curve concave Southerly, having for its elements a radius of 2380.00 feet, a central angle of 4°07'35", a chord distance of 171.37 feet, a chord bearing of S.63°50'47"W., an arc distance of 171.41 feet;
2. S.61°47'00"W., 933.33 feet

to an intersection with the South line of the Southeast one-quarter of the aforementioned Section 19; thence, along said South line, S.89°22'06"W., 1,649.18 feet; thence N.04°16'08"E., 2,407.10 feet; thence, S.73°15'13"W., 2,634.32 feet to the East line of a Florida Power & Light easement (125 feet wide) as described in Official Records Book 730, page 622 of the aforementioned public records; thence, along the East line of said easement for the following three (3) courses:

1. N.00°48'26"W., 978.60 feet;
2. N.00°50'13"W., 2639.97 feet;
3. N.00°50'47"W., 888.10 feet

to an intersection with the North line of the South 890.43 feet of the west 565 feet of the aforementioned Section 18; thence, along said North line S.89°23'43"W., 235.00 feet to an intersection with the West line of a Florida Power & Light Easement (110 feet wide) as described in Official Records Book 221, page 191 of the aforementioned public records; thence, along said West line, N.00°50'47"W., 4644.62 feet; thence, leaving said West line N.89°09'13"E., 352.36 feet; thence, S.49°04'56"E., 32.52 feet; thence, S.56°00'04"E., 671.79 feet; thence, S.78°37'05"E., 581.08 feet; thence, N.43°48'39"E., 800.00 feet; thence, N.22°12'13"E., 426.30 feet; thence, N.63°23'30"E., 468.41 feet; thence, N.43°48'39"E., 3780.80 feet; thence, N.03°42'39"W., 1427.54 feet; thence, N.01°00'27"W., 223.27 feet to the POINT OF BEGINNING.

Said parcel contains 2960.03 acres, more or less.

As of the effective date of this Report, the Public Records show the Fee Simple title owner(s) to the above-described real property is/are:

Allico East Fund, LLC, a Florida limited liability company

by virtue of that Warranty Deed recorded in Instrument Number 2012000217086.

The following liens against the said real property recorded in the aforesaid Public Records have been found:

None

The following restrictions, easements and other encumbrances, with the exception of mortgages and liens, against the said real property recorded in the aforesaid Public Records have been found:

1. Easement granted to Florida Power and Light Company by instrument recorded in Official Records Book 221, Page 191, modification recorded in Official Records Book 3442 page 1432 and Memorandum of Right-of-Way Consent Agreement recorded in Official Records Instrument Number 2006000366926, Public Records of Lee County, Florida.
2. Easement granted to Florida Power and Light Company by instrument recorded in Official Records Book 730, Page 622 and Memorandum of Right-of-Way Consent Agreement recorded in Official Records Instrument Number 2006000366926, Public Records of Lee County, Florida.
3. Easement granted to Florida Power and Light Company by instrument recorded in Official Records Book 2104, Page 1152, Public Records of Lee County, Florida.
4. Deed of Conservation Easement recorded in Official Records Instrument Number 2006000336078, Public Records of Lee County, Florida.
5. Deed of Conservation Easement recorded in Official Records Instrument Number 2006000336079, Public Records of Lee County, Florida.
6. Notice of Development Order Approval recorded in Official Records Instrument Number 2009000023384, Public Records of Lee County, Florida.
7. Notice of Environmental Resource or Surface Water Management Permit recorded in Official Records Instrument Number 2011000053510, Public Records of Lee County, Florida.
8. Declaration of Restrictions recorded in Official Records Instrument Number 2013000219323, Public Records of Lee County, Florida.

Public Records shall be defined herein as those records currently established under the Florida Statutes for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.

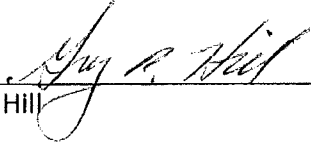
This Report shows only matters disclosed in the aforesaid Public Records, and it does not purport to insure or guarantee the validity or sufficiency of any documents noted herein; nor have the contents of any such documents been examined for references to other liens or encumbrances. This Report is not to be construed as an opinion, warranty, or guarantee of title, or as a title insurance policy; and its effective date shall be the date above specified through which the Public Records were searched. This Report is being provided for the use and benefit of the Certified Party only, and it may not be used or relied upon by any other party. This Report may not be used by a Chicago Title Insurance Company agent for the purpose of issuing a Chicago Title Insurance Company title insurance commitment or policy.

In accordance with Florida Statutes Section 627.7843, the liability Chicago Title Insurance Company may sustain for providing incorrect information in this Report shall be the actual loss or damage of the Certified Party named above up to a maximum amount of \$1,000.00.

Order No.: 4718744
Customer Reference: WildBlue

IN WITNESS WHEREOF, Chicago Title Insurance Company has caused this Report to be issued in accordance with its By-Laws.

Chicago Title Insurance Company



Greg R. Hill

A PARCEL OF LAND LYING IN SECTIONS 7, 8, 17, 18, 19 AND 20, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, LYING SOUTH OF ALICO ROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION THE WEST LINE OF A LA PLATA POWER & LIGHT EASEMENT (110 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 221, PAGE 191 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE MAINTAINED SOUTH RIGHT-OF-WAY LINE OF ALCO ROAD (100 FEET WIDE); THENCE, ALONG SAID MAINTAINED SOUTH RIGHT-OF-WAY LINE OF ALCO ROAD, N89°53'30", 10,137.08 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHWEST QUARTER SECTION 17, TOWNSHIP 36N, RANGE 1E, MERIDIAN 20W; THENCE, ALONG THE EAST LINE OF THE NORTHWEST QUARTER SECTION 17, S01°05'25", 2,311.14 FEET; THENCE, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 8, S01°05'17", 2,643.61 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 17, S00°03'30", 2,808.42 FEET; THENCE, ALONG THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 17, S00°35'01", 2,803.68 FEET; THENCE, ALONG THE NORTHWEST ONE-QUARTER OF SAID SECTION 20, S01°09'17", 2,639.23 FEET; THENCE, ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 20, S01°09'17", 1,733.42 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD DESCRIBED AS PARCEL 1028 IN OFFICIAL RECORDS INSTRUMENT #2008000174785 OF THE AFFOREMENTED PUBLIC RECORDS; THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD, S86°32'14", 4,155.51 FEET; THENCE, ALONG THE NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD, S86°32'14", 4,155.51 FEET; THENCE, ALONG THE NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD, S86°32'14", 4,155.51 FEET; THENCE, ALONG INSTRUMENT #2008000174785 OF THE AFFOREMENTED PUBLIC RECORDS, FOR THE FOLLOWING THREE (3) COURSES:

1. N.03°40'07"W., 5.00 FEET;
2. S.86°32'28"W., 18.98 FEET;
3. ALONG THE ARC OF A TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2385.00 FEET, A CENTRAL ANGLE OF 11°47'38", A CHORD DISTANCE OF 490.07 FEET, A CHORD BEARING OF S.80°39'49"W., AN ARC DISTANCE OF 490.93 FEET;

THENCE, CONTINUE, ALONG SAID NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD AND ALONG THE ARC OF A CIRCULAR CHORD CONCAVE SOUTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 8740.17 FEET, A CENTRAL ANGLE OF 3°07'09", A CHORD DISTANCE OF 47.37 FEET, A CHORD BEARING OF S.74°15'44"W, AN ARC DISTANCE OF 47.37 FEET; THENCE, CONTINUE, ALONG SAID NORTHERLY RIGHT-OF-WAY DESCRIBED AS PARCEL 102A-SE IN OFFICIAL RECORDS INSTRUMENT #2008000174785 OF THE AFOREMENTIONED PUBLIC RECORDS FOR THE FOLLOWING TWO (2) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2385.00 FEET, A CENTRAL ANGLE OF 7°42'54", A CHORD DISTANCE OF 320.90 FEET, A CHORD BEARING OF S.69°46'02"W, AN ARC DISTANCE OF 321.15 FEET;
2. S.24°05'25"E, 5.00 FEET;

THENCE, CONTINUE, ALONG THE NORTHERLY RIGHT-OF-WAY OF CORKSCREW ROAD DESCRIBED AS PARCEL 102-A, IN OFFICIAL RECORDS INSTRUMENT #2008000174785, OF THE AFOREMENTIONED PUBLIC RECORDS FOR THE FOLLOWING TWO (2) COURSES:

1. ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY, HAVING FOR ITS ELEMENTS A RADIUS OF 2380.00 FEET, A CENTRAL ANGLE OF 4°07'35", A CHORD DISTANCE OF 171.37 FEET, A CHORD BEARING OF S.63°50'47"W., AN ARC DISTANCE OF 171.41 FEET;
2. S.61°47'00"W., 933.33 FEET

TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE AFORESAIDED SECTION 19, THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 19, S.89°22'06"N., 3.8621' WET; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 19, S.89°21'56"N., 2.0423' SE TO THE EAST LINE OF A FLORIDA POWER & LIGHT EASEMENT (125 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 730, PAGE 622 OF THE AFORESAIDED PUBLIC RECORDS; THENCE, ALONG THE EAST LINE OF SAID EASEMENT, N.00°48'26"W., 100.00 FEET; THENCE ALONG THE BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3442, PAGE 1430 OF THE AFORESAIDED PUBLIC RECORDS FOR THE FOLLOWING THREE (3) COURSES:

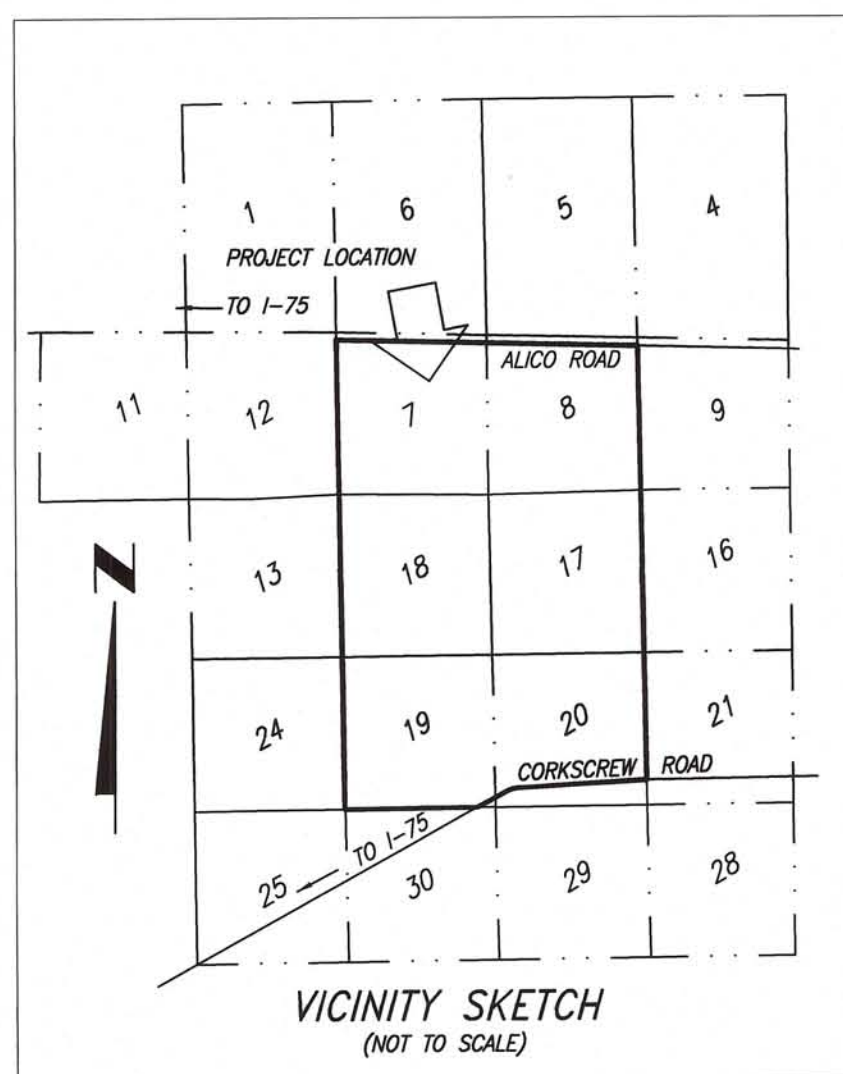
1. N.89°21'56"E., 466.69 FEET;
2. N.00°48'26"W., 466.69 FEET;
3. S.89°21'56"W., 466.69 FEET

TO THE EAST LINE OF A FLORIDA POWER & LIGHT EASEMENT (125 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 730, PAGE 622 OF THE AFOREMENTIONED PUBLIC RECORDS; THENCE, ALONG THE EAST LINE OF SAID EASEMENT FOR THE FOLLOWING THREE (3) COURSES:

1. N.00°48'26"W., 2,079.13 FEET;
2. N.00°50'13"W., 2,639.97 FEET;
3. N.00°50'47"W., 888.10 FEET

TO AN INTERSECTION WITH THE NORTH LINE OF THE SOUTH 890.43 FEET OF THE WEST 565 FEET OF THE AFOREMENTIONED SECTION 18; THENCE, ALONG SAID NORTH LINE S.89°23'43"N., 235.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF A FLORIDA POWER & LIGHT EASEMENT (110 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 221, PAGE 191 OF THE AFOREMENTIONED PUBLIC RECORDS; THENCE, ALONG THE WEST LINE OF SAID EASEMENT, N.00°50'47"W., 9,604.65 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3,555.74 ACRES, MORE OR LESS



THIS SURVEY DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THE PROJECT WAS SURVEYED USING THE RURAL CLASSIFICATION AS DEFINED IN CHAPTER 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE. THE MINIMUM RELATIVE DISTANCE ACCURACY REQUIRED FOR THIS CLASSIFICATION IS 1 FOOT IN 5,000 FEET. FIELD MEASUREMENTS WERE FOUND TO EXCEED THE MINIMUM REQUIREMENTS.

BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM (NORTH AMERICAN DATUM OF 1983 / 1980 ADJUSTMENT - NAD83(90) FLORIDA WEST ZONE, FIXING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS S.89°21'56"W.

OWNERSHIP AND PUBLIC RECORDS CITATIONS SHOWN FOR ADJOINERS ON THE ATTACHED MAP WERE OBTAINED FROM THE RECORDS OF THE LEE COUNTY PROPERTY APPRAISER.

THE ALIGNMENT AND RIGHT-OF-WAY FOR ALICO ROAD THOUGH SECTIONS 7 AND 8, WAS TAKEN FROM A RIGHT-OF-WAY SURVEY PREPARED BY DUANE HALL AND ASSOC., INC. DATED JULY 1, 1977. THIS MAP WAS PROVIDED TO THE SURVEYOR BY LEE COUNTY DEPARTMENT OF TRANSPORTATION AS THE BEST AVAILABLE INFORMATION ON THE ALIGNMENT OF ALICO ROAD.

THE ALIGNMENT AND RIGHT-OF-WAY FOR CORKSCREW ROAD WAS TAKEN FROM A RIGHT-OF-WAY MAP PREPARED BY HOLE, MONTES AND ASSOCIATES, INC. DATED FEBRUARY 1980. THIS MAP WAS PROVIDED TO THE SURVEYOR BY LEE COUNTY DEPARTMENT OF TRANSPORTATION AS THE BEST AVAILABLE INFORMATION ON CORKSCREW ROAD. ADDITIONAL RIGHT-OF-WAY TAKING FOR CORKSCREW ROAD, RECORDED IN ORI 20080001747785, IS SHOWN HEREON.

THE PROJECT AREA APPEARS TO LIE OUTSIDE THE AREA OF THE 100-YEAR FLOOD ZONE ACCORDING TO THE FLOOD INSURANCE RATE MAP (F.I.R.M.) INDEX FOR COMMUNITY #125124 DATED AUGUST 28, 2008.

NO INTERIOR OR ADJOINING IMPROVEMENTS OR FEATURES (BUILDINGS, DITCHES, PONDS, LAKES, WETLANDS, FENCES, ROADS OR TRAILS, ETC.) WERE FIELD LOCATED EXCEPT AS SHOWN HEREON.

NO UNDERGROUND ENCROACHMENTS AND/OR UTILITIES, FOUNDATIONS OR OTHER FACILITIES WERE LOCATED AS A PART OF THIS SURVEY. HAZARDOUS WASTE SITES, IF ANY, WERE NOT LOCATED OR SHOWN HEREON.

THIS BOUNDARY SURVEY DOES NOT PURPORT TO DELINEATE THE REGULATORY JURISDICTION OF ANY FEDERAL STATE OR LOCAL AGENCY.

THE EXISTING HAUL ROAD EASEMENT IN SECTION 18 SHOWN GRAPHICALLY HEREON WAS CREATED TO ALLOW FOR A RE-ALIGNMENT OF THE EXISTING HAUL ROAD. THIS EASEMENT IS RECORDED IN OR BOOK 3285, PAGE 1212.

EDGES OF THE EXISTING LAKES SHOWN HEREON WERE DIGITIZED USING 2012 AERIAL PHOTOGRAPHY PUBLISHED BY THE LEE COUNTY PROPERTY APPRAISER. THE LAKE EDGES ARE SHOWN GRAPHICALLY FOR REFERENCE PURPOSES ONLY.

THERE ARE SEVERAL TRAILS AND LIME ROCK AND/OR PAVED ROADS WHICH ENTER AND EXIT THE PROPERTY. TWO LARGE LIME ROCK HAUL ROADS, ENTER THE PARCEL ALONG THE WEST LINE OF SECTION 18. POINTS OF ENTRY FOR SUBSTANTIAL ROADS HAVE BEEN SHOWN HEREON. NO INTERIOR ROADS OR TRAILS WERE LOCATED AS A PART OF THIS SURVEY.

THE FLORIDA POWER & LIGHT (FPL) EASEMENT, FOR THE LARGE POWER TRANSMISSION LINE IN SECTIONS 7, 18 AND 19 IS GATED AND FENCED ALONG PORTIONS OF ITS LENGTH WITHIN THE PROJECT.

THE TOP OF BANK OF THE DITCH LOCATED ALONG SOUTH LINE OF SECTION 19 (AS SHOWN ON SHEET 4 OF 4) EXTENDS INTO THE SUBJECT PARCEL. DITCH APPEARS TO HAVE BEEN CONSTRUCTED AS A PART OF THE SURFACE WATER MANAGEMENT SYSTEM FOR THE ADJOINING DEVELOPMENT.

THERE IS AN EASEMENT BENEFITING FLORIDA POWER & LIGHT RECORDED IN OR 2217/1270 THAT AFFECTS THE SUBJECT PARCEL IN SECTION 7 SOUTH OF ALICO ROAD AND HAS BEEN SHOWN HEREON.

LAND TITLE INFORMATION SHOWN AND REFERRED TO HEREIN WAS TAKEN FROM CHICAGO TITLE INSURANCE COMPANY OWNERSHIP AND ENCUMBRANCE REPORT, ORDER NO. 4718744 UPDATED THROUGH MAY 23, 2014. RESTRICTIONS EASEMENTS AND ENCUMBRANCES LISTED IN SAID REPORT AND THAT AFFECT THE SUBJECT PARCEL ARE LISTED BELOW.

1. EASEMENTS BENEFITING FLORIDA POWER & LIGHT AS RECORDED IN OR 221/191, OR 3442/1432 AND MEMORANDUM RECORDED IN OR 2006000366926 AFFECT THE SUBJECT PARCEL AND ARE SHOWN HEREON.

2. EASEMENT BENEFITING FLORIDA POWER & LIGHT AS RECORDED IN OR 730/622 AND MEMORANDUM RECORDED IN OR 2006000366926 AFFECT THE SUBJECT PARCEL AND ARE SHOWN HEREON.

3. EASEMENT BENEFITING FLORIDA POWER & LIGHT RECORDED IN OR 2104/1152 AFFECTS THE SUBJECT PARCEL IN SECTION 8 SOUTH OF ALICO ROAD AND HAS BEEN SHOWN HEREOF.

4. CONSERVATION EASEMENT RECORDED IN ORI 2006000336078 LIES IN SECTIONS 7 AND 18 AND IS SHOWN HEREON.

5. CONSERVATION EASEMENT RECORDED IN ORI 2006000336079 LIES IN SECTION 7 AND 18 AND IS SHOWN HEREON.

6. NOTICE OF DEVELOPMENT ORDER RECORDED IN ORI 2009000023384 AFFECTS A PORTION OF THE SUBJECT PROPERTY IN SECTION 19 AND IS SHOWN HEREON.

7. NOTICE OF ENVIRONMENTAL RESOURCE PERMIT RECORDED IN ORI 2011000053510 AFFECTS ALL OF THE SUBJECT PROPERTY.

8. DECLARATION OF RESTRICTIONS RECORDED IN ORI 2013000219323 AFFECTS ALL OF THE SUBJECT PROPERTY.

ORI - OFFICIAL RECORDS INSTRUMENT/

OR - OFFICIAL RECORDS BOOK/PAGE

PG - PAGE

FD - FOUND

COR - CORNER

SEC - SECTION

R - RIGHT-OF-WAY

(C) - CALCULATED

(D) - DEED

RCF - REINFORCED CONCRETE PIPE

Ø - CONCRETE POLE

Ø - WOOD POLE

← - GUY ANCHOR

⊙ - WELL

⊙ - WATER VALVE

□ - TELEPHONE RISER

P.O.B. - POINT OF BEGINNING

P.O.C. - POINT OF COMMENCEMENT

○ - FIRE HYDRANT

⊞ - ELECTRIC HAND ROSE

— - CABLE TV HOLE

— - WATER METER

—*— - FENCE AS NOTED

NOTE: SEE SHEETS 2, 3 AND 4 OF 4 FOR MAP OF SURVEY.

WE HEREBY CERTIFY TO THE BEST OF OUR KNOWLEDGE AND BELIEF THAT THIS DRAWING IS A TRUE AND CORRECT REPRESENTATION OF THE BOUNDARY SURVEY OF THE REAL PROPERTY DESCRIBED HEREON. WE FURTHER CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE.

WILSONMILLER, INC.
(A WHOLLY OWNED SUBSIDIARY OF STANTEC CONSULTING SERVICES, INC.,
LICENSED BUSINESS NO. 1843)

MARK D. HAINES
PROFESSIONAL SURVEYOR & MAPPER NO. LS5312
STATE OF FLORIDA
LAST DATE OF FIELD SURVEY: JUNE 13, 2012

Jun 09, 2014 - 10:59:56 MHAINES\I:\2156\active\215610978\survey\drawing\215610978-001001_south_wildblue.dwg

9	REVISE SURVEYORS NOTES REGARDING REFERENCE TO DME REPORT ONLY. NO FIELD UPDATE.	06/09/14	MDH		MDH	
8	ADD LIMITS OF PROPOSED WILDLIFE PD TO SHEETS 3, J AND 4. NO FIELD UPDATE.	03/04/14	MDH		MDH	
7	REVISED PER COMMENTS -- BASIS OF MEASURES	08/03/12	MDH		MDH	
6	REVISED TO INCLUDE ONLY PORTION LYING SOUTH OF ALEO ROAD.	07/03/12	MDH		MDH	
5	UPDATE SURVEY	06/15/12	DPD		MDH	
4	REVISED CERTIFICATION ONLY	7/12/08	JLP	1918		
3	REVISED CERTIFICATION ONLY	6/28/08	SPE	1146		
2	UPDATE SURVEY	6/8/05	CPB	945	MDH	1223
1	ADD CERTIFICATION TO DRAWING. NO FIELD UPDATE.	6/2/05	MDH	1223		
AREY NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.

ACTIVITY		INITIALS	EMP. NO.	DATE	ACTIVITY		INITIALS	EMP. NO.	DATE
SENT TO:					COMPUTED BY:		DPG	1099	9/10/03
FIELD BOOK:		GPS1/441	PAGE:	62-64/13-17	DRAWN BY:		EML	1704	9/10/03
					CHECKED BY:		MDH	1223	9/03
					CLOSED BY:				
					215610979 LD				

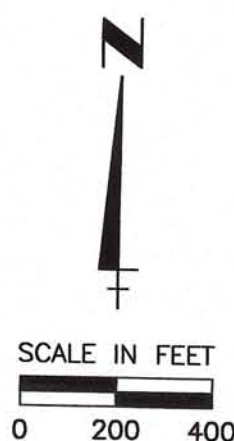


TITLE:	BOUNDARY SURVEY	DATE:	6/13/12			CLIENT:	PRIVATE EQUITY GROUP, LLC		
	ALICO EAST PARCEL	HORIZONTAL SCALE:	1" = 400'				12800 UNIVERSITY DRIVE, SUITE 275		
	SECS. 7, 8, 17, 18, 19 & 20, TWP. 46S, RGE. 26E	VERTICAL SCALE:	N/A				FORT MYERS, FL 33907		
	LEE COUNTY, FLORIDA	SEC. TWP. RGE:	45S 26E			PIN:	TASK:	SHEET NUMBER:	DRAWING NUMBER:
		45S 26E				215610978	200	1 of 4	SM-215610978-001

SEE SHEET 1 OF 4 FOR LEGAL DESCRIPTION AND NOTES.

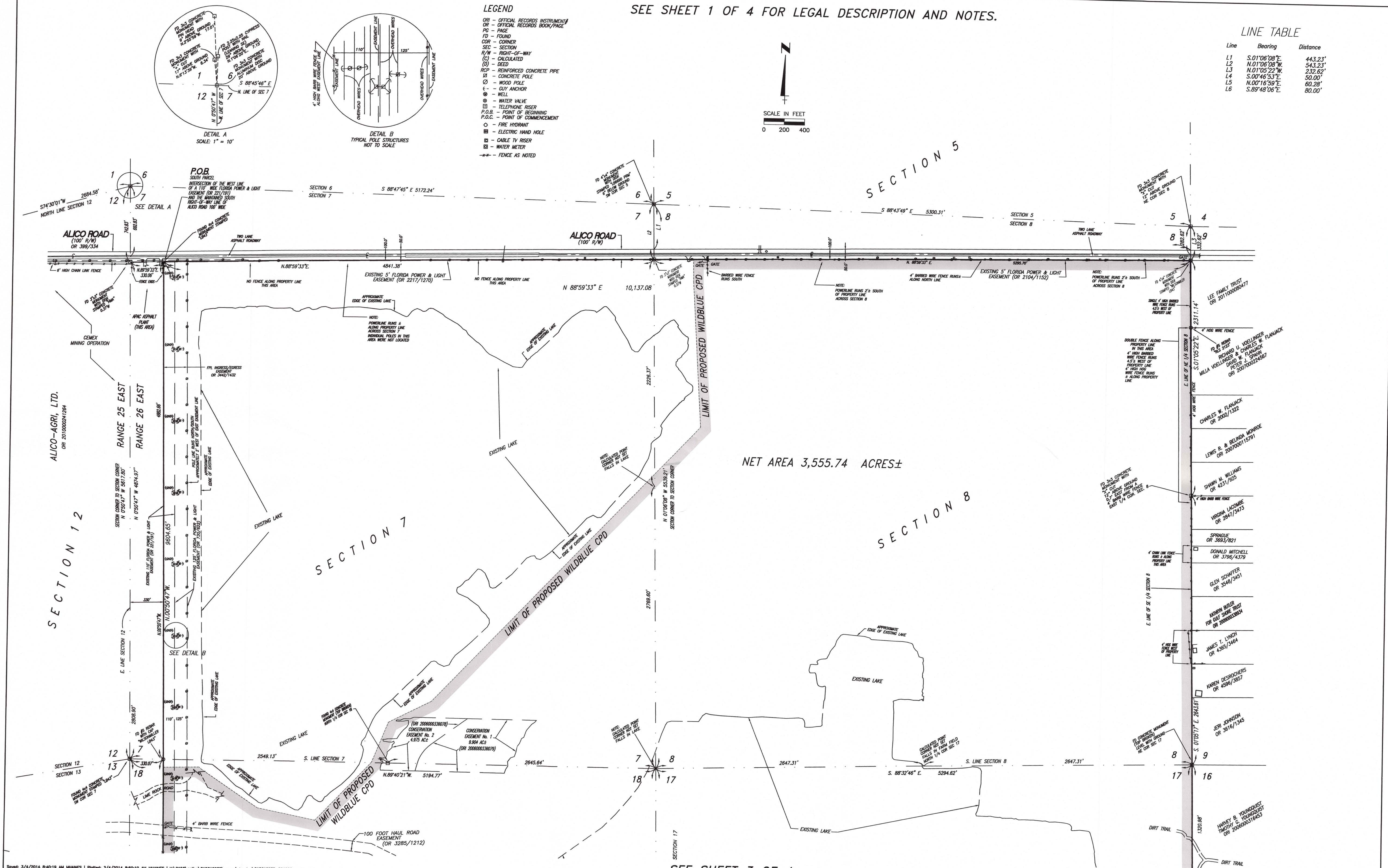
LEGEND

- ORI - OFFICIAL RECORDS INSTRUMENT#
- OR - OFFICIAL RECORDS BOOK/PAGE
- PD - PAGE
- FD - FOUND
- COR - CORNER
- SEC - SECTION
- R/W - RIGHT-OF-WAY
- (C) - CALCULATED
- (I) - DEED
- RCP - REINFORCED CONCRETE PIPE
- 21 - CONCRETE POLE
- W - WOOD POLE
- E - GUY ANCHOR
- W - WELL
- W - WATER VALVE
- TD - TELEPHONE RISER
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- - FIRE HYDRANT
- EH - ELECTRIC HAND HOLE
- CR - CABLE TV RISER
- WM - WATER METER
- - FENCE AS NOTED



LINE TABLE

Line	Bearing	Distance
L1	S.01°06'08"E.	443.23'
L2	N.01°06'08"W.	543.23'
L3	N.01°05'22"W.	232.62'
L4	S.00°46'53"E.	50.00'
L5	N.00°16'50"E.	60.28'
L6	S.89°48'06"E.	80.00'



NET AREA 3,555.74 ACRES±

SEE SHEET 3 OF 4

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REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
4	ADD PROPOSED WILDBLUE CPD LIMITS TO DRAWING. NO FIELD UPDATE.	03/03/14	MDH			
3	UPDATE SURVEY	06/21/12	DPG		MDH	
2	UPDATE SURVEY	06/05/09	DPG	945	MDH	1223
1	UPDATE CERTIFICATION TO DRAWING. NO FIELD UPDATE.	02/05/09	MDH	1223		

ACTIVITY	INITIALS	EMP. NO.	DATE	ACTIVITY	INITIALS	EMP. NO.	DATE
SENT TO:				COMPUTED BY:	DPG	1099	9/03
FIELD BOOK:	GPS1/441	PAGE:	62-64/13-17	DRAWN BY:	EML	1704	9/10/03
				CHECKED BY:	MDH	1223	9/03
				CLOSED BY:			
215610979 LD							



TITLE: BOUNDARY SURVEY
ALICO EAST PARCEL
SECS. 7, 8, 17, 18, 19 & 20, TWP. 46S, RGE. 26E
LEE COUNTY, FLORIDA

DATE: 06/13/12
HORIZONTAL SCALE: 1" = 400'
VERTICAL SCALE: N/A
SHEET: TWO
RGE: 45S 26E

CLIENT: PRIVATE EQUITY GROUP, LLC
12800 UNIVERSITY DRIVE, SUITE 275
FORT MYERS, FL 33907
(239) 590-9066

PIN: 125610978
TASK: 200
SHEET NUMBER: 2 OF 4
DRAWING NUMBER: SM-215610978-002

SEE SHEET 2 OF 4

SEE SHEET 1 OF 4 FOR LEGAL DESCRIPTION AND NOTES.

SEE SHEET 4 OF 4

NET AREA 3,555.74 ACRES±

- LEGEND
- ORI - OFFICIAL RECORDS INSTRUMENT#
 - OR - OFFICIAL RECORDS BOOK/PAGE
 - PG - PAGE
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 - W - WELL
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 - F - FIRE HYDRANT
 - E - ELECTRIC HAND HOLE
 - C - CABLE TV RISER
 - M - WATER METER
 - FENCE AS NOTED

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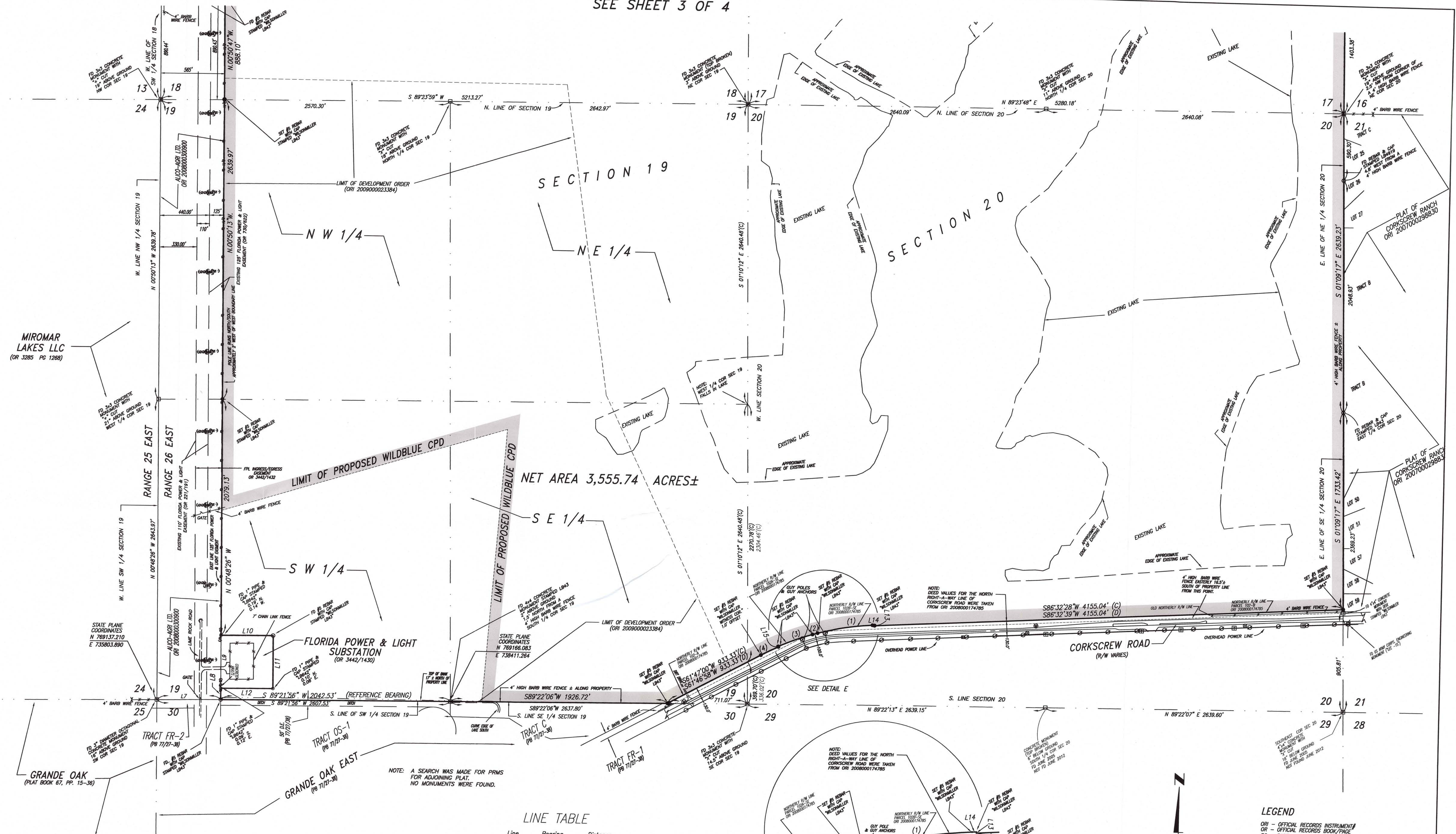
4	ADD PROPOSED WILDBLUE CPD LIMITS TO DRAWING. NO FIELD UPDATE.	03/03/14	MDH		
3	UPDATE SURVEY	06/21/12	DPG	MDH	
2	UPDATE SURVEY	09/09	DPG	MDH	1223
1	UPDATE CERTIFICATION TO DRAWING. NO FIELD UPDATE.	09/09	MDH	1223	
Δ	REV. NO.	REVISION	DATE	DRAWN BY	EMP. NO.
				CHECKED BY	EMP. NO.

ACTIVITY	INITIALS	EMP. NO.	DATE	ACTIVITY	INITIALS	EMP. NO.	DATE
SENT TO:				COMPUTED BY:	DPG	1099	9/03
FIELD BOOK: GPS1/441	PAGE: 62-64/13-17			DRAWN BY:	MDH	1704	9/10/03
				CHECKED BY:	MDH	1223	9/03
				CLOSED BY:			
215610979 LD							

WilsonMiller **Stantec**

WilsonMiller, Inc. - FL Lic# LC-0000000 - WilsonMiller, Inc. - Certificate of Authorization #63
2801 Woodloch Drive Suite 100 - Fort Myers, Florida 33908-0000 - Phone 239-939-9200 - Fax 239-939-3442

TITLE:	BOUNDARY SURVEY ALICO EAST PARCEL SECS. 7, 8, 17, 18, 19 & 20, TWP. 46S, RGE. 26E LEE COUNTY, FLORIDA	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC 12800 UNIVERSITY DRIVE, SUITE 275 FORT MYERS, FL 33907 (239) 590-9066
HORIZONTAL SCALE:	1" = 400'	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC
VERTICAL SCALE:	N/A	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC
SEC. TWP. RGE:	45S 26E	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC
PROJECT NO.:	125610978	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC
SHEET NUMBER:	3 OF 4	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC
DRAWING NUMBER:	SM-215610978-002	DATE:	06/13/12	CLIENT:	PRIVATE EQUITY GROUP, LLC



LINE TABLE

Line	Bearing	Distance
L7	N.89°21'56"E.	565.00'
L8	N.00°48'26"W.	100.00'
L9	S.00°48'26"E.	466.69'
L10	S.89°21'56"W.	466.69'
L11	N.00°48'26"W.	466.69'
L12	N.89°21'56"E.	466.69'
L13	N.03°40'07"W.(C)	5.00'(C&D)
L14	S.86°32'28"W.(C)	18.98'(C&D)
L15	S.24°05'25"E.(C)	5.00'(C&D)

NO.	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
C1	2385.00'(C)	11°47'38"(C)	490.93'(C)	490.07'(C)	S80°39'49"W(C)
C2	2385.00'(D)	11°46'21"(D)	490.05'(D)	489.19'(D)	S80°39'28"W(D)
C3	2385.00'(C)	7°42'54"(C)	321.15'(C)	320.90'(C)	S69°46'02"W(C)
C4	2385.00'(D)	7°39'07"(D)	318.52'(D)	318.29'(D)	S69°43'45"W(D)
C5	2380.00'(C)	4°07'35"(C)	171.41'(C)	171.37'(C)	S63°50'47"W(C)

SEE SHEET 1 OF 4 FOR LEGAL DESCRIPTION AND NOTES.

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NO.	REVISION	DATE	DRAWN BY	EMP. NO.	CHECKED BY	EMP. NO.
4	ADD PROPOSED WILDBLUE CPD LIMITS TO DRAWING. NO FIELD UPDATE.	03/03/14	MDH			
3	UPDATE SURVEY	06/21/12	DPG		MDH	
2	UPDATE SURVEY	6/6/05	DPG	945	MDH	1223
1	UPDATE CERTIFICATION TO DRAWING. NO FIELD UPDATE.	6/2/05	MDH	1223		

ACTIVITY	INITIALS	EMP. NO.	DATE
SENT TO:			
FIELD BOOK: GPS1/441 PAGE: 62-64/13-17			
COMPUTED BY: DPG 1099 9/03			
DRAWN BY: EML 1704 9/10/03			
CHECKED BY: MDH 1223 9/03			
CLOSED BY:			

Wilson Miller **Stantec**

Wilson Miller, Inc. - FL Lic# LC-000070 • Wilson Miller, Inc. - Certificate of Authorization #43
2801 Woodbine Drive, Suite 100 • Fort Myers, Florida 33907-8000 • Phone 239-939-9200 • Fax 239-939-3482

TITLE: BOUNDARY SURVEY
ALICO EAST PARCEL
SECS. 7, 8, 17, 18, 19 & 20, TWP. 46S, RGE. 26E
LEE COUNTY, FLORIDA

DATE: 06/13/12	CLIENT: PRIVATE EQUITY GROUP, LLC
HORIZONTAL SCALE: 1" = 400'	12800 UNIVERSITY DRIVE, SUITE 275
VERTICAL SCALE: N/A	FORT MYERS, FL 33907
SEC: TWP: RGE: 45S 26E	(239) 590-9066
PIN: 215610978	TASK: 200
SHEET NUMBER: 4 OF 4	DRAWING NUMBER: SM-215610978-002