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July 19, 2017

Brandon Dunn  
Lee County Planning Section  
P.O. Box 398  
Fort Myers, FL 33902-0398  
[bdunn@leegov.com](mailto:bdunn@leegov.com)

RE: Comprehensive Plan Amendment (CPA2016-00013 [Babcock]), Lee County 17-4DRI

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced comprehensive plan amendment and provides the following comments and recommendations for your consideration in accordance with Chapter 163.3184(3), Florida Statutes. While we have no objection to the amendment, we offer the following information as technical assistance during your review of the application and as documentation of FWC staff's involvement in planning for this project on the subject property.

### **Proposed Amendment**

The proposed Comprehensive Plan Amendment covers approximately 4,157 acres within the Babcock Ranch development that lies within the Lee County portion of the project area. Specifically, the proposal would change the designation in the Future Land Use Map (FLUM), Map 1 from Density Reduction/Groundwater Resource (DR/GR) and Wetlands to New Community and Wetlands, and remove the lands from FLUM Map 4 designated as the Private Recreational Facilities Overlay. If these planning amendments and local zoning changes for this property are approved, it would allow for a clustered, low density, mixed-use development with a maximum of one dwelling unit per 2.5 acres for 1,630 dwelling units, 1,170,000 square feet of non-residential uses, 600 hotel rooms, and other ancillary recreational and civic spaces. Current zoning and density provisions only allow for the property to be subdivided into 10-acre tracts in the DR/GR future land use category and 20-acre tracts in the Wetlands future land use category.

The lands contained in this application are dominated by agricultural uses and include 3,428 acres of uplands (improved pasture, pine flatwoods, palmetto prairies, mixed rangeland, pine with oak and cabbage palm, live oak, and upland scrub). Herbaceous and forested wetlands represent approximately 672 acres with varying degrees of disturbance and exotic infestation and the remaining 57 acres consists of streams, waterways and manmade surface waters associated with agricultural activities. These changes would allow for 1,662 acres (40% of property) of the agricultural lands to be developed and 2,494 acres (60% of property) to be set aside as open space. The majority of the open space area will be enhanced or restored, then placed under a permanent conservation easement. This will add to the existing conservation lands within northeast Lee County.

## Potentially Affected Resources

A *Babcock Environmental Impacts/Benefits Analysis* (November 2016) was provided by Johnson Engineering for the CPA and identifies the following as potentially occurring on the parcel: gopher tortoise (*Gopherus polyphemus*, State Threatened, ST), little blue heron (*Egretta caerulea*, ST), reddish egret (*Egretta rufescens*, ST), tricolored heron (*Egretta tricolor*, ST), southeastern American kestrel (*Falco sparverius paulus*, ST), Florida sandhill crane (*Antigone canadensis pratensis*, ST), roseate spoonbill (*Platalea ajaja*, ST), Everglades mink (*Neovison vison evergladensis*), Sherman's fox squirrel (*Sciurus niger shermani*, State Species of Special Concern) and the Florida black bear (*Ursus americanus floridanus*). Presently, gopher tortoise is the only known state-listed species located within the Lee County portion of the Babcock Ranch Community (BRC) while other listed species have been observed foraging, but not nesting.

Prior to each phase of construction, 100% surveys for gopher tortoise are proposed to be conducted in suitable gopher tortoise habitat, by or under supervision of an Authorized Gopher Tortoise Agent. Snags and cavity trees within a construction area are proposed to be surveyed prior to removal to ensure there is no direct taking of a potential bat roost. Additional pre-construction surveys may be conducted or protection measures implemented in accordance with the approved listed species management plans, previously approved during the review of the conceptual Environmental Resource Permit (ERP) for the BRC for the following wildlife species: American alligator, gopher tortoise, eastern indigo snake, sandhill crane, wood stork, listed wading birds, burrowing owl, Audubon's crested caracara, Florida scrub-jay, red cockaded woodpecker, Sherman's fox squirrel, Florida black bear, and Florida panther.

There are 11 proposed wildlife crossings contained in South Florida Water Management District (SFWMD) conceptual ERP for the entire Babcock Ranch site. Only one is contained in this proposed amendment and the design details will be finalized in coordination with FWC staff, Florida Department of Transportation (FDOT) staff, and the applicant during future permitting phases. The development will also have multiple trails with access and use available to both residents and the public. To inform the residents and visitors that may be utilizing these trails about human-wildlife coexistence within the BRC, several layers of education will be provided to help them identify potential species that may be encountered and actions that should be implemented to minimize potential conflicts. The Property Owner Association (POA) documents contain information related to wildlife that may be found within the development, the need for bear-proof containers, and the use of prescribed fire as a management tool. Additional information will be provided for residents and visitors via educational kiosks placed at trail heads, signage at shade structures, and the Discovery Center (located in the Charlotte County BRC Town Center).

## Comments and Recommendations

FWC staff played an active role in the visioning of the BRC since Kitson & Partners purchased the Crescent B Ranch in 2006. Shortly after land purchase, interested individuals from the public, non-governmental organizations (NGOs), and regulatory

agencies were invited to a series of charrettes to help develop a strategic vision plan for the property. FWC staff participated in several of the charrettes (February 1st, 2nd, and 8th of 2006) to facilitate planning for wildlife preserves and connectivity across the future development/preserve interface. The FWC is also an active member of the State's Acquisition and Restoration Council (ARC), which was instrumental in determining the final boundary of that portion of the Babcock Ranch that would be purchased by the State, now known as the Babcock Ranch Preserve. In 2008 through 2009, FWC staff participated in a Steering Committee that included FDOT, the Friends of Myakka River, Audubon and the Sierra Club that provided additional input and continues to play an active role in the management oversight of the Babcock Ranch Preserve, of which a portion is coordinated with the mitigation activities occurring on the BRC.

FWC staff previously provided comments for the Charlotte County Development of Regional Impact (DRI) and subsequent notices of proposed changes, the original SFWMD Conceptual ERP and ongoing applications for construct/operate modifications of specific development areas, and the ongoing Lee County Comprehensive Plan Amendments and zoning applications. Our previous comments and recommendations for fish and wildlife resources and any potential impacts from these projects remain the same and are enclosed for your reference. FWC staff will also continue to provide further technical assistance for the wildlife crossings and potential impacts to listed species during future permitting phases of this project.

We appreciate the opportunity to continue to provide input to this project. If you need further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at [Jane.Chabre@MyFWC.com](mailto:Jane.Chabre@MyFWC.com). If you have specific technical questions regarding the content of this letter, please contact Jim Keltner by phone at (239) 332-6972 x9209 or by email at [James.Keltner@MyFWC.com](mailto:James.Keltner@MyFWC.com).

Sincerely,



Jennifer D. Goff  
Land Use Planning Program Administrator  
Office of Conservation Planning Services

jdj/jdk

Env 1  
Lee County 17-4DRI\_33348\_071917  
Attachments (3)

cc: Laura Herrero, Johnson Engineering, [lherrero@johnsoneng.com](mailto:lherrero@johnsoneng.com)  
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