River Hall
Comprehensive Plan Amendment
Environmental Responses

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.

Please provide the required environmental analysis of the subject property that includes numbers 1 through 6 identified below.

IV C. 1. Environmental Impacts, A map of the plant communities

Response

Please refer to Exhibits B and C of the enclosed Environmental Assessment.

IV C. 2. Environmental Impacts, A map and description of the soils found on the property.

Response

Please refer to Exhibits E and F of the enclosed Environmental Assessment.

IV C. 3. Environmental Impacts, A topographic map

Response

Please refer to Exhibit H of the enclosed Environmental Assessment.

IV C. 4. Environmental Impacts, A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.

Response

Please refer to Exhibit I of the enclosed Environmental Assessment.

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

Response

The on-site wetlands are depicted on Exhibits B and C of the enclosed Environmental Assessment. No aquifer recharge areas were identified on-site. Also, no rare or unique uplands exist on the property since the project is located outside of the Lee County Coastal Planning Area.

IV C. 6. Environmental Impacts, A table of plant communities of FLUCFCS

Response

Please refer to Exhibit D of the enclosed Environmental Assessment.

RIVER HALL
COMPREHENSIVE PLAN AMENDMENT
ENVIRONMENTAL ASSESSMENT

January 2013

Prepared For:

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Project No. 03PEG931

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INTRODUCTION

This environmental assessment has been prepared to support the proposed Comprehensive Plan Amendment (CPA) for River Hall (Project) which is currently being reviewed by Lee County under File No. CPA2012-00001. This report documents existing land uses and vegetative cover; jurisdictional wetlands; topography; flood zones; protected species occurrences; and protected species management plans. The proposed CPA boundary covers the majority of the site, excluding the Sub-Outlying Suburban Area in the far northwest corner of the Project.

The CPA area totals 1,892.29± acres and is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The site is located immediately south of State Road (SR) 80, approximately 0.5 mile east of the intersection of SR 80 and Buckingham Road. The surrounding land uses include Lehigh Acres to the south; SR 80, undeveloped, forested land, and residential housing to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west (Exhibit A).

The property consists of a residential golf course community with the associated storm water management lakes and conservation areas. The conservation areas include forested and herbaceous uplands and wetlands both internal to the development, as well as a large preserve located along the east boundary. The majority of the infrastructure for the Project is in place and numerous residential homes have already been constructed.

LAND USES AND VEGETATION ASSOCIATIONS

The majority of the vegetation associations for the property were originally delineated by Consul-Tech Engineering, Inc. over ten years ago. Passarella & Associates, Inc. (PAI) initially updated the mapping in August 2003 using 2002 rectified color aerials. The updated mapping was based on a nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation (FDOT) 1999). Level IV FLUCFCS was utilized to denote disturbance. Additional parcels were later added to the Project which were subsequently mapped by PAI in 2004 and 2005. In December 2012, PAI updated the FLUCFCS mapping again to reflect the conditions of the site after the majority of the construction activities had occurred and mitigation work had been completed. The most recent FLUCFCS mapping for the CPA area is utilized in this assessment. AutoCAD Map 3D 2011 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Exhibit B). An aerial photograph of the property with an overlay of the FLUCFCS is provided as Exhibit C.

A total of 28 vegetative associations and land uses (i.e., FLUCFCS codes) were identified within the CPA area. The dominant land uses are urban/residential, disturbed land, lakes, golf course, and forested uplands and wetlands. A summary of the FLUCFCS codes with acreage breakdown and description of each FLUCFCS code is presented in Exhibit D. No rare or unique uplands were identified since the Project is located outside of the Lee County Coastal Planning Area.

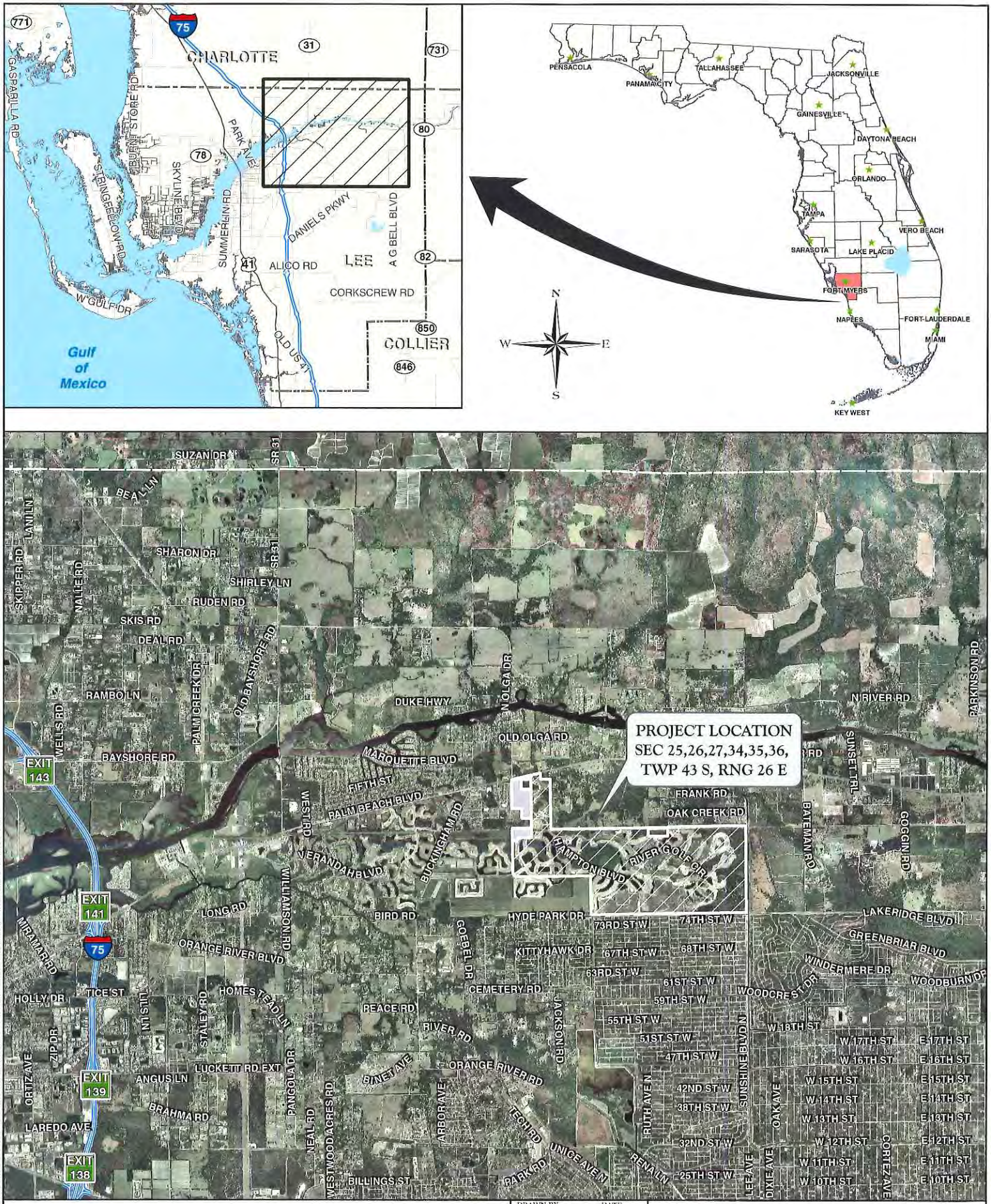


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/10/12
REVIEWED BY	DATE
A.D.	12/10/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2003\03PE693\GIS\2012\COMP PLAN AMENDMENT\FIGURES\FIGURE 1 PROJECT LOCATION MAP.MXD - 1/10/2013 @ 12:58:55 PM

SOILS

The soils for the property, per the Natural Resource Conservation Service (formerly the Soil Conservation Service), are shown on Exhibit E and listed in Exhibit F. A brief description for each soil type per the Soil Survey of Lee County, Florida (Soil Conservation Service 1998) is presented in Exhibit F. It should be noted that the majority of the development area has previously been filled, so the soil types depicted on Exhibit E typically apply to the preserve areas.

JURISDICTIONAL WETLANDS

The South Florida Water Management District (SFWMD) jurisdictional wetlands were identified using the "Delineation of the Landward Extent of Wetlands and Surface Waters" (Chapter 62-340, Florida Administrative Code). The SFWMD jurisdictional wetlands were approved under the existing SFWMD Environmental Resource Permit (No. 36-040006-P) for the Project. U.S. Army Corps of Engineers (COE) wetlands were identified per the COE's Clean Water Act jurisdiction. The majority of the COE jurisdictional wetlands were approved under COE Permit No. 199901378 (IP-DEY). The on-site waters were estimated based on an interpretation of aerial photographs.

The wetlands and waters for the CPA area are shown on Exhibit B. The wetlands and waters by FLUCFCS code are summarized in Table 1. SFWMD and COE wetlands constitute a total of 166.35± acres or approximately 8.8 percent of the CPA area. The COE claimed an additional 13.51± acres of wetlands. SFWMD "other surface waters" (i.e., lakes) constitute a total of 216.50± acres or approximately 11.4 percent of the CPA area.

Table 1. Wetland and Waters Acreage by FLUCFCS Code

FLUCFCS Code	Description	Wetland and Waters Acreage
4291	Wax-Myrtle/Willow,Hydric	11.56
4341	Hardwood-Conifer, Hydric	1.90
514*	Ditch	0.01
520*	Lakes	216.49
617	Mixed Wetland Hardwoods	9.42
617C	Mixed Wetland Hardwood (COE Wetland Only)	2.01
618	Pop Ash and Willow	0.44
621	Cypress	10.23
625	Hydric Pine	4.63
625C	Hydric Pine (COE Wetland Only)	1.15
630	Mixed Wetland Forest	109.76
630C	Mixed Wetland Forest (COE Wetland Only)	10.35

Table 1. (Continued)

FLUCFCS Code	Description	Wetland and Waters Acreage
641	Freshwater Marsh	5.43
643	Wet Prairie	12.98
TOTAL		**421.34**

*SFWMD "other surface waters"

The prominent wetland feature on the Project is the large forested wetland system in the central portion of the site. Other smaller wetland systems are scattered throughout the development area. A U.S. Geological Survey Quadrangle Map is provided as Exhibit G. This map shows the location of some of the wetland systems on-site.

TOPOGRAPHY AND FLOOD ELEVATIONS

A topographic map for the preserve areas and Flood Insurance Rate Map (effective August 2008) for the CPA area are provided as Exhibits H and I, respectively.

LISTED SPECIES

Lee County Protected Species Surveys (PSSs) were previously conducted on the Project in 2004. The surveys were conducted to meet the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards. The reports detailing the results of the previous surveys were provided as part of the zoning authorized under Resolution No. Z-05-051. During the previous surveys, a total of five Lee County protected species were identified on the Project site. The protected species previously identified included gopher tortoises (*Gopherus polyphemus*), burrowing owls (*Athene cunicularia*), Florida sandhill cranes (*Grus canadensis pratensis*), little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*).

To address the protection of the listed species previously documented on-site, as well as listed other species with the potential to occur on-site, PAI prepared a Lee County Protected Species Management Plan for the overall Project in May 2006 (Exhibit J). The management plan was written to meet the requirements of LDC 10-474 and Zoning Resolution No. Z-05-051; and was reviewed and approved by Lee County Division of Environmental Sciences (DES) staff as part of Development Order No. DOS2006-00042. The management plan pertains to the gopher tortoise, American Alligator (*Alligator mississippiensis*), burrowing owl, Florida sandhill crane, Florida Scrub Jay (*Aphelocoma coerulescens*), as well as listed wading birds. The management plan also outlines protected species that could potentially inhabit or utilize conservation areas or indigenous open spaces.

An updated PSS was conducted within the Disturbed Land habitats on the Project site on December 4, 6, 7, and 11, 2012 (Exhibit K). The updated PSS was limited to this area as

authorized under Lee County Waiver No. PRE2012-00252 issued on December 12, 2012. During the updated surveys, a total of three different Lee County protected species were observed within the survey area, including the gopher tortoise, burrowing owl, and little blue heron. A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (with 3 burrowing owls at various burrow locations), and 2 little blue herons were identified. In addition, one bald eagle was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys.

The protection of the gopher tortoises, burrowing owls, and little blue herons recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan. Prior to construction of the undeveloped areas, the gopher tortoise burrows will be excavated as authorized under Florida Fish and Wildlife Conservation Commission (FWCC) Gopher Tortoise Incidental Take Permit (#LEE-58). The captured tortoises will be relocated to the 64.58± acre gopher tortoise preserve in the southeast portion of the site. The applicant will also obtain a nest removal permit from the FWCC for the taking of the burrowing owl burrows. The nest removal will be conducted prior to construction of the undeveloped areas, in the non-nesting season (i.e., July 10 – February 15) while the burrows are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County DES staff for their records. Habitat protection for the little blue herons, along with other listed wading birds, has been provided through extensive foraging areas throughout the property.

SUMMARY

The property consists of a residential golf course community with the associated storm water management lakes and conservation areas. The conservation areas include forested and herbaceous uplands and wetlands both internal to the development, as well as a large preserve located along the east boundary. The majority of the infrastructure for the Project is in place and numerous residential homes have already been constructed.

A total of 28 vegetative associations and land uses (i.e., FLUCFCS types) have been identified within the 1,892.29± acre CPA area. The dominant land uses are urban/residential, disturbed land, lakes, golf course, and forested uplands and wetlands. No rare or unique uplands were identified since the Project is located outside of the Lee County Coastal Planning Area.

SFWMD and COE wetlands constitute a total of 166.35± acres or approximately 8.8 percent of the CPA area. The COE claimed an additional 13.51± acres of wetlands. SFWMD "other surface waters" (i.e., lakes) constitute a total of 216.50± acres or approximately 11.4 percent of the CPA area. The prominent wetland feature on the Project is the large forested wetland system in the central portion of the site. Other smaller wetland systems are scattered throughout the development area.

Lee County PSSs were previously conducted on the Project in 2004. The protected species previously identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons, and wood storks. To address the protection of the listed species previously

documented on-site, as well as listed other species with the potential to occur on-site, PAI prepared a Lee County Protected Species Management Plan for the overall Project in May 2006. The management plan was written to meet the requirements of LDC 10-474 and Zoning Resolution No. Z-05-051; and was reviewed and approved by the Lee County DES staff as part of Development Order No. DOS2006-00042. The management plan pertains to the gopher tortoise, American alligator, burrowing owl, Florida sandhill crane, Florida scrub jay, as well as listed wading birds.

An updated PSS was conducted on December 4, 6, 7, and 11, 2012. A total of three different Lee County protected species were observed, including the gopher tortoise, burrowing owl, and little blue heron. A total of sixty-one gopher tortoise burrows, 16 burrowing owl burrows (with three burrowing owls at various burrow locations), and two little blue herons were identified. In addition, one bald eagle was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys. The protection of gopher tortoises, burrowing owl, and listed wading birds recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan.

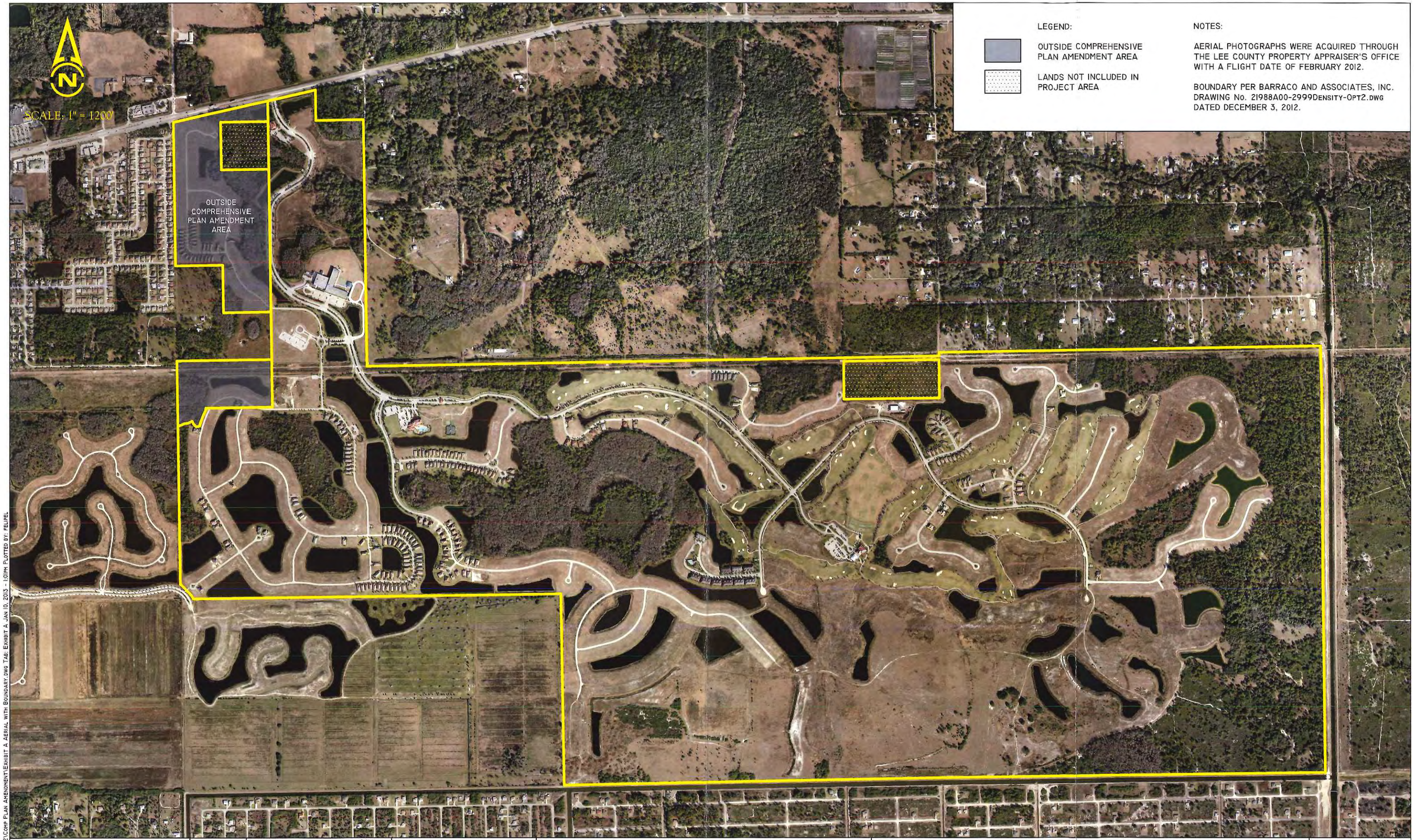
REFERENCES

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

Soils Conservation Service. 1998. Soil Survey of Lee County, Florida.

EXHIBIT A

AERIAL WITH BOUNDARY



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REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.D.	DATE: 12/10/12
REVIEWED BY: A.D.	DATE: 12/10/12

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Phone (239) 274-0067
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PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL

AERIAL WITH BOUNDARY

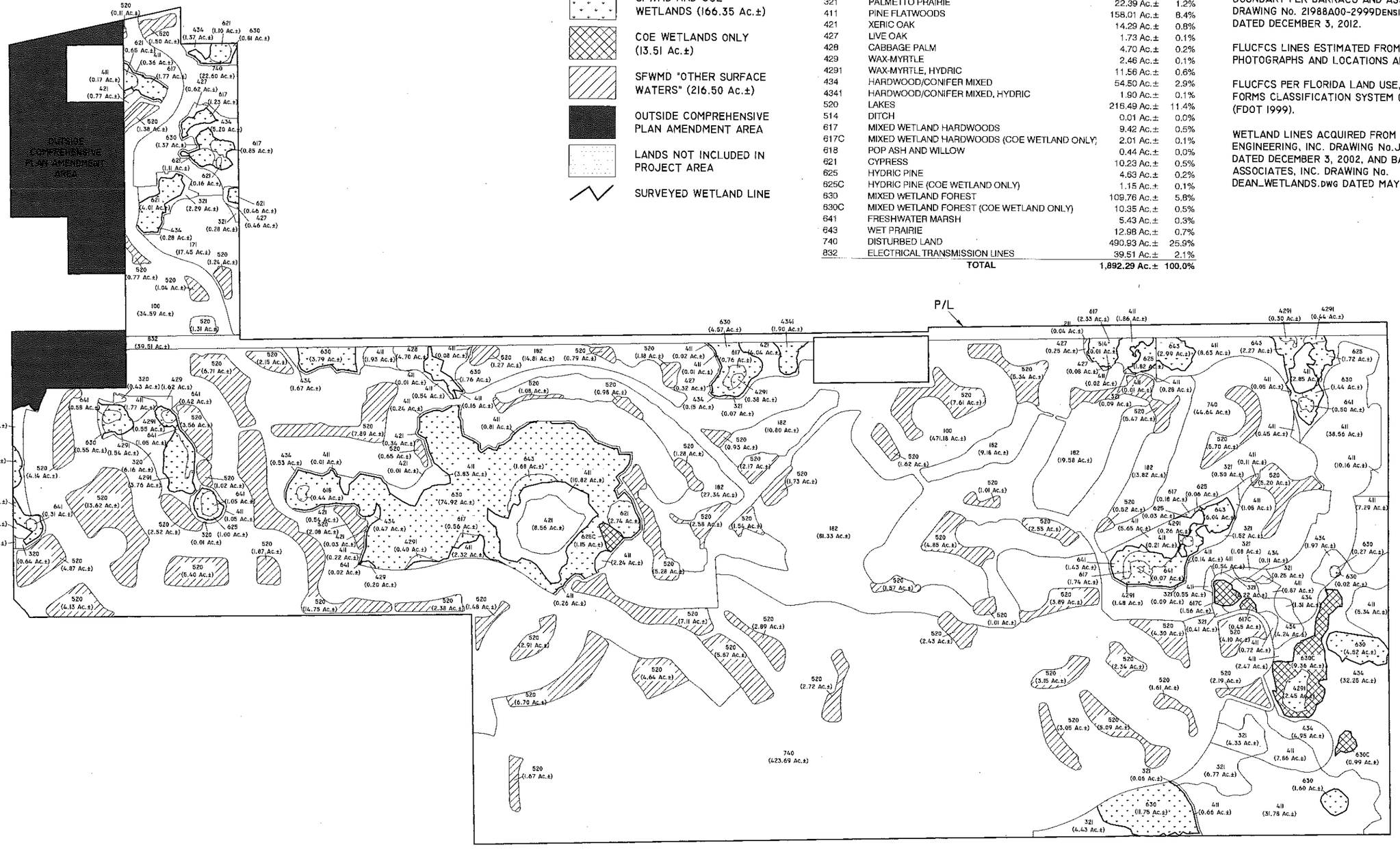
DRAWING No. 03PEG931

SHEET No. EXHIBIT A

EXHIBIT B

FLUCFCS AND WETLANDS MAP

SCALE: 1" = 1200'



LEGEND:

- SFWMD AND COE WETLANDS (166.35 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (216.50 Ac.±)
- OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	505.77 Ac.±	26.7%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.91 Ac.±	9.3%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.2%
411	PINE FLATWOODS	158.01 Ac.±	8.4%
421	XERIC OAK	14.29 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.46 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
520	LAKES	216.49 Ac.±	11.4%
514	DITCH	0.01 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	9.42 Ac.±	0.5%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	10.23 Ac.±	0.5%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	109.76 Ac.±	5.8%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	25.9%
832	ELECTRICAL TRANSMISSION LINES	39.51 Ac.±	2.1%
	TOTAL	1,892.29 Ac.±	100.0%

NOTES:

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

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REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

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PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL

FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. EXHIBIT B

EXHIBIT C

AERIAL WITH FLUCFCS AND WETLANDS MAP

SCALE: 1" = 1200'

OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA

LEGEND:

- SFWMD AND COE WETLANDS (166.35 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (216.50 Ac.±)
- OUTSIDE COMPREHENSIVE PLAN AMENDMENT AREA
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	505.77 Ac.±	26.7%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.91 Ac.±	9.3%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.2%
411	PINE FLATWOODS	158.01 Ac.±	8.4%
421	XERIC OAK	14.29 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.46 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.9%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
520	LAKES	216.49 Ac.±	11.4%
514	DITCH	0.01 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	9.42 Ac.±	0.5%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	10.23 Ac.±	0.5%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	109.76 Ac.±	5.8%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	25.9%
832	ELECTRICAL TRANSMISSION LINES	39.51 Ac.±	2.1%
	TOTAL	1,892.29 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMIATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2003\03PEG931\2012\Comp Plan Amendment\Exhibit B and C Aerial with FLUCFCS and Wetlands.dwg Tab: Exhibit C Jan 10, 2013 - 1:05pm Plotted by: felipel

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

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PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL

AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. EXHIBIT C

EXHIBIT D

EXISTING LAND USE AND COVER SUMMARY TABLE AND FLUCFCS DESCRIPTIONS

RIVER HALL
EXISTING LAND USE AND COVER SUMMARY TABLE AND FLUCFCS DESCRIPTIONS

The following table summarizes the FLUCFCS codes and provides an acreage breakdown of the habitat types found within the Comprehensive Plan Amendment boundary, while a description of each of the FLUCFCS classifications follows.

Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
100	Urban/Residential	505.77	26.7
171	Educational Facilities	17.45	0.9
182	Golf Course	176.91	9.3
211	Improved Pasture	0.04	<0.1
320	Shrub and Brushland	7.24	0.4
321	Palmetto Prairie	22.39	1.2
411	Pine Flatwoods	158.01	8.4
421	Xeric Oak	14.29	0.8
427	Live Oak	1.73	0.1
428	Cabbage Palm	4.70	0.2
429	Wax-Myrtle	2.46	0.1
4291	Wax-Myrtle/Willow, Hydric	11.56	0.6
434	Hardwood-Conifer Mixed	54.50	2.9
4341	Hardwood-Conifer, Hydric	1.90	0.1
514	Ditch	0.01	<0.1
520	Lakes	216.49	11.4
617	Mixed Wetland Hardwoods	9.42	0.5
617C	Mixed Wetland Hardwoods (COE Wetland Only)	2.01	0.1
618	Pop Ash and Willow	0.44	<0.1
621	Cypress	10.23	0.5
625	Hydric Pine	4.63	0.2
625C	Hydric Pine (COE Wetland Only)	1.15	0.1
630	Mixed Wetland Forest	109.76	5.8
630C	Mixed Wetland Forest (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	5.43	0.3
643	Wet Prairie	12.98	0.7
740	Disturbed Land	490.93	25.9
832	Utility Easement	39.51	2.1
TOTAL		**1,892.29**	**100.0**

Urban/Residential (FLUCFCS Code 100)
This land use includes numerous development tracts throughout the Project and occupies 505.77± acres or 26.7 percent of the site.

Educational Facilities (FLUCFCS Code 171)
This land use consists of the River Hall Elementary School and occupies 17.45± acres or 0.9 percent of the site.

Golf Course (FLUCFCS Code 182)
This land use consists of the River Hall County Club and associated golf course which occupies 176.91± acres or 9.3 percent of the site.

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 0.04± acres or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Shrub and Brushland (FLUCFCS Code 320)
This upland habitat occupies 7.24± acres or 0.4 percent of the site. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm (*Sabal palmetto*), and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper (*Schinus terebinthifolius*), and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat occupies 22.39± acres or 1.2 percent of the site. The canopy contains scattered slash pine, live oak (*Quercus virginiana*), and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 158.01± acres or 8.4 percent of the site. The canopy contains slash pine. The sub-canopy contains wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Xeric Oak (FLUCFCS Code 421)
This upland habitat occupies 14.29± acres or 0.8 percent of the site. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbrier.

Live Oak (FLUCFCS Code 427)
This upland habitat occupies 1.73± acres or 0.1 percent of the site. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 4.70± acres or 0.2 percent of the site. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Wax-Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 2.46± acres or 0.1 percent of the site. The canopy and sub-canopy are open. Ground cover includes wax-myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax-Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland habitat occupies 11.56± acres or 0.6 percent of the site. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax-myrtle, willow, buttonbush (*Cephalanthus occidentalis*), flowering dogwood (*Cornus florida*), and Brazilian pepper. The ground cover includes peppervine, grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 54.50± acres or 2.9 percent of the site. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland habitat occupies 1.90± acres or 0.1 percent of the site. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass, gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Ditch (FLUCFCS Code 514)
This water area occupies 0.01± acres or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Lakes (FLUCFCS Code 520)
This water area includes storm water management lakes throughout the Project and occupies 216.49± acre or less than 11.4 percent of the site. The canopy and sub-canopy are open. The ground cover is also mostly open but contains littoral plants around the lake edge including pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), and maidencane (*Panicum hemitomon*).

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 9.42± acres or 0.5 percent of the site. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash *(Fraxinus caroliniana)*, and American elm (*Ulmus americana*). The sub-canopy includes wax-myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods (COE Wetland Only) (FLUCFCS Code 617C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 2.01± or 0.1 percent of the site and is similar to that of FLUCFCS Code 617.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 0.44± acres or <0.1 percent of the site. The canopy and sub-canopy contain pop ash and willow (*Salix caroliniana*). The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat occupies 10.23± acres or 0.5 percent of the site. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 4.63± acres or 0.2 percent of the site. The canopy is slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine (COE Wetland Only) (FLUCFCS Codes 625C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 1.15± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 625.

Mixed Wetland Forest (FLUCFCS Codes 630)
This wetland habitat occupies 109.76± acres or 5.8 percent of the site. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax-myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630C)
This area is considered an upland habitat by the SFMD and wetland by the COE. It occupies 10.35± acres or 0.5 percent of the site and is similar to that of FLUCFCS Code 630.

Freshwater Marsh (FLUCFCS Code 641)
This wetland habitat occupies 5.43± acres or 0.3 percent of the site. The canopy and sub-canopy are absent. The ground cover includes pickerelweed, arrowhead, buttonbush, and maidencane.

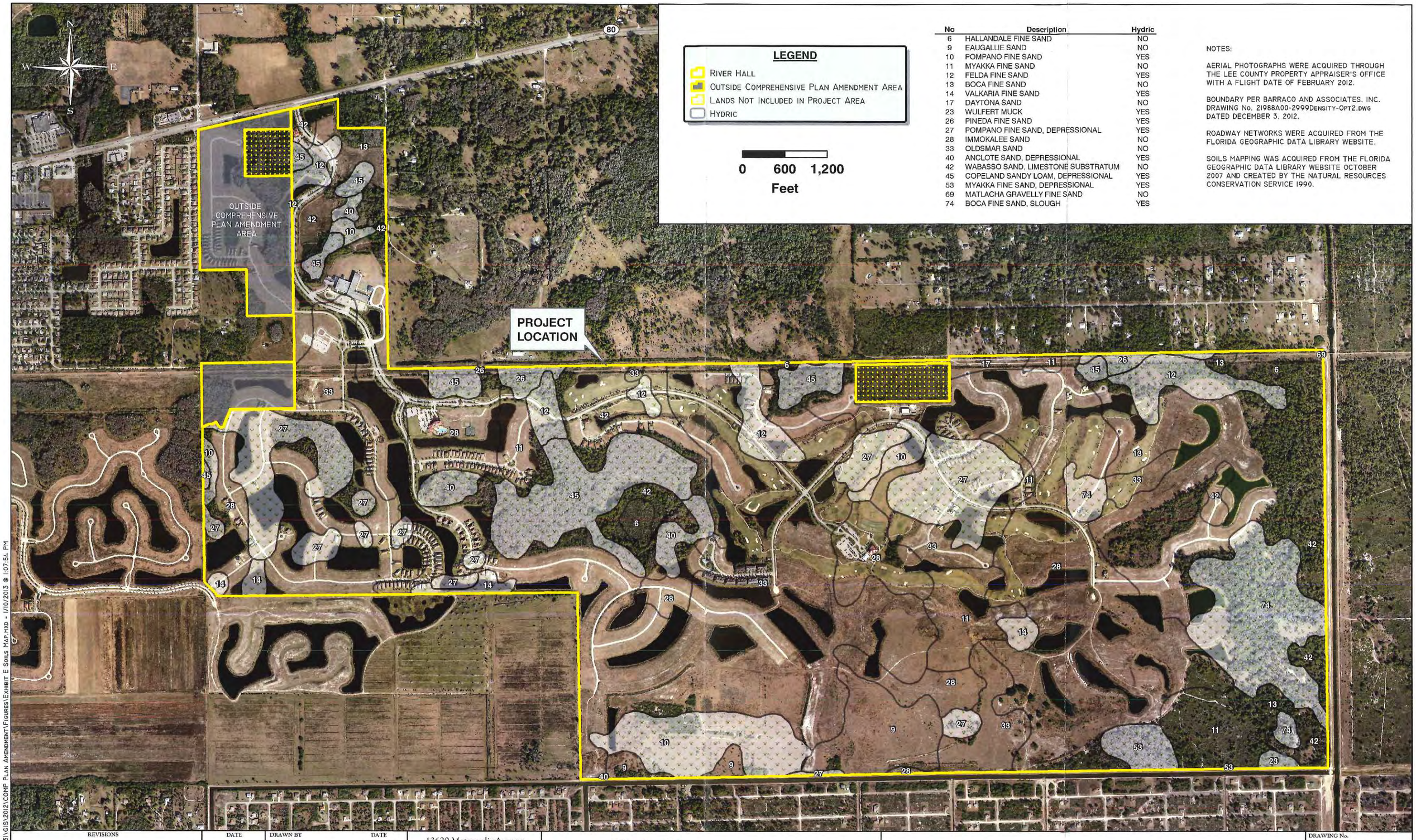
Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 12.98± acres or 0.7 percent of the site. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Disturbed Land (FLUCFCS Code 740)
This upland habitat occupies 490.93± acres or 25.9 percent of the site. The canopy and sub-canopy are mostly open with scattered live oak and slash pine. The ground cover includes bahiagrass, dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass (*Sporobolis indicus*), saw palmetto, peppervine, and wild sensitive plant (*Chamaecrista nictitans*).

Utility Easement (FLUCFCS Code 832)
This land use includes a Florida Power & Light electrical transmission lines and occupies 39.51± acres or 2.1 percent of the site.

EXHIBIT E

SOILS MAP



LEGEND

- River Hall
- Outside Comprehensive Plan Amendment Area
- Lands Not Included in Project Area
- Hydric

0 600 1,200

Feet

No	Description	Hydric
6	HALLANDALE FINE SAND	NO
9	EAUGALLIE SAND	NO
10	POMPANO FINE SAND	YES
11	MYAKKA FINE SAND	NO
12	FELDA FINE SAND	YES
13	BOCA FINE SAND	NO
14	VALKARIA FINE SAND	YES
17	DAYTONA SAND	NO
23	WULFERT MUCK	YES
26	PINEDA FINE SAND	YES
27	POMPANO FINE SAND, DEPRESSIONAL	YES
28	IMMOKALEE SAND	NO
33	OLDSMAR SAND	NO
40	ANCLOTE SAND, DEPRESSIONAL	YES
42	WABASSO SAND, LIMESTONE SUBSTRATUM	NO
45	COPELAND SANDY LOAM, DEPRESSIONAL	YES
53	MYAKKA FINE SAND, DEPRESSIONAL	YES
69	MATLACHA GRAVELLY FINE SAND	NO
74	BOCA FINE SAND, SLOUGH	YES

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

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

SOILS MAPPING WAS ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE OCTOBER 2007 AND CREATED BY THE NATURAL RESOURCES CONSERVATION SERVICE 1990.

J:\2003\03PEG95\GIS\2012\COMP PLAN AMENDMENT\FIGURES\EXHIBIT E SOILS MAP.MXD - 1/10/2013 @ 1:07:54 PM

REVISIONS	DATE

DRAWN BY	DATE
H.H.	12/10/12
DESIGNED BY	DATE
A.D.	12/10/12
REVIEWED BY	DATE
K.C.P.	12/10/12

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PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL
SOILS MAP

DRAWING No. 03PEG931

SHEET No. EXHIBIT E

EXHIBIT F

SOILS SUMMARY TABLE AND DESCRIPTIONS

RIVER HALL
SOILS SUMMARY TABLE AND DESCRIPTIONS

Soils Listed by the NRCS on the Project

Mapping Unit	Description
6	Hallandale Fine Sand
9	Eaugallie Sand
10	Pompano Fine Sand
11	Myakka Fine Sand
12	Felda Fine Sand
13	Boca Fine Sand
14	Valkaria Fine Sand
17	Daytona Sand
23	Wulfert Muck
26	Pineda Fine Sand
27	Pompano Fine Sand, Depressional
28	Immokalee Sand
33	Oldsmar Sand
40	Anclote Sand, Depressional
42	Wabasso Sand, Limestone Substratum
45	Copeland Sandy Loam, Depressional
53	Myakka Fine Sand, Depressional
69	Matlacha Gravelly Fine Sand
74	Boca Fine Sand, Slough

6 - Hallandale Fine Sand

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about two inches thick. The subsurface layer is light gray fine sand about 5 inches thick. The substratum is very pale brown fine sand about 5 inches thick. At a depth of 12 inches is fractured limestone bedrock that has solution holes extending to a depth of 25 inches. These solution holes contain mildly alkaline, loamy material. In most years, under natural conditions, the water table is less than 10 inches below the surface for 1 to 3 months. It recedes below the limestone for about 7 months.

9 – EauGallie Sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth to convex and less than 1 percent. Typically, the surface layer is dark gray sand about 4 inches thick. The subsurface layer is sand that is gray in the upper 5 inches and light gray in the lower 13 inches. In most years, under natural conditions, the water table is within I0 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months.

10 – Pompano Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. Typically, the surface layer is dark gray fine sand about 4 inches thick. The underlying layers are light gray, very pale brown, or white fine sand and extend to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 2 to 4 months and at a depth of 10 to 40 inches for about 6 months. It recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

11 – Myakka Fine Sand

This is a nearly level, poorly drained soil on broad flatwoods areas. Slopes are smooth to slightly concave and range from 0 to 2 percent. Typically, the surface layer is very dark gray fine sand about 3 inches thick. The subsurface layer is fine sand about 23 inches thick. In the upper 3 inches it is gray, and in the lower 20 inches it is light gray. The subsoil is fine sand to a depth of 80 inches or more. The upper 4 inches is black and firm, the next 5 inches is dark reddish brown and friable, the nest 17 inches is black and firm, the next 11 inches is dark reddish brown and friable, and the lower 17 inches is mixed black and dark reddish brown and friable. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It is more than 40 inches below the surface during extended dry periods

12 – Felda Fine Sand

This is a nearly level, poorly drained soil on broad, nearly level sloughs. Slopes are smooth to concave and range from 0 to 2 percent. Typically, the surface layer is dark gray fine sand about 8 inches thick. The subsurface layer is light gray and light brownish gray fine sand about 14 inches thick. The subsoil is light gray loamy fine sand about 16 inches thick and is underlain by gray and light gray fine sand that extends to a depth of 80 inches of more. In most years, under natural conditions, this soil has a water table within 10 inches of the surface for 2 to 4 months. The water table is 10 to 40 inches below the surface for about 6 months. It is more than 40 inches below the surface for about 2 months. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

13 – Boca Fine Sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 11 inches is light gray and the lower 11 inches is very pale brown. The subsoil, about 5 inches thick, is gray fine sandy loam with brownish yellow mottles and calcareous nodules. At a depth of 30 inches is a layer of fractured limestone. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It recedes below the limestone for about 6 months.

14 – Valkaria Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to concave and range from 0 to 1 percent. Typically, the surface layer is about 2 inches of dark grayish brown fine sand. The subsurface layer is 5 inches of very pale brown fine sand. The subsoil is loose fine sand to a depth of 80 inches or more. The upper 9 inches is yellow, the next 4 inches is brownish

yellow, the next 6 inches is yellowish brown, and the lowermost 54 inches is pale yellow, yellow, brown, and very pale brown. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at depth of 10 to 40 inches for about 6 months and recedes to a depth of more than 40 inches for about 3 months. During periods of high rainfall, the soil is covered by slowly moving water for periods of about 7 to 30 days or more.

17 – Daytona Sand

This is a nearly level to gently sloping, moderately well drained soil on low ridges on the flatwoods. Slopes are smooth to convex and are 0 to 5 percent. Typically, the surface layer is dark gray sand about 4 inches thick. The subsurface layers are light gray and white sand about 39 inches thick. The subsoil is sand to a depth of 80 inches or more. The upper 7 inches is mixed black and dark reddish brown, and the lower 30 inches is dark brown. In most years, under natural conditions, the water table is at a depth of 24 to 40 inches for about 1 to 4 months. It is at a depth of 40 to 60 inches for 8 months.

23 – Wulfert Muck

This is a nearly level, very poorly drained soil on broad tidal swamps. Slopes are smooth and range from 0 to 1 percent. Typically, the surface layer is muck that is dark reddish brown to a depth of 12 inches and dark brown to a depth of 36 inches. Beneath the muck is gray fine sand with light gray streaks and about 10 percent shell fragments. The water table fluctuates with the tide. Areas are subject to tidal flooding.

26 – Pineda Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Typically, the surface layer is black fine sand about 1 inch thick. The subsurface layer is very pale brown fine sand about 4 inches thick. The upper part of the subsoil is brownish yellow fine sand about 8 inches thick. The next 10 inches is strong brown fine sand. The next 6 inches is yellowish brown fine sand. The next 7 inches is light gray fine sand with brownish yellow mottles. The lower part of the subsoil is light brownish gray fine sandy loam with light gray sandy intrusions about 18 inches thick. The substratum is light gray fine sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 6 months, and it recedes to more than 40 inches below the surface during extended dry periods. During periods of high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 to 30 days or more.

27 – Pompano Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is gray fine sand about 3 inches thick. The substratum is fine sand to a depth of 80 inches or more. The upper 32 inches is light brownish gray with few, fine, faint yellowish brown mottles. The lower 45 inches is light gray. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months and stands above the surface for about 3 months. It is 10 to 40 inches below the surface for more than 5 months.

28 – Immokalee Sand

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months and 10 to 40 inches below the surface for 2 to 6 months. It recedes to a depth of more than 40 inches during extended dry periods.

33 – Oldsmar Sand

This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods.

40 – Anclote Sand, Depressional

This is a nearly level, poorly drained soil in isolated depressions. Slopes are smooth to concave and less than 1 percent. Typically, the surface layer is about 22 inches thick. The upper 8 inches is black sand, and the lower 14 inches is black sand with common light gray pockets and streaks throughout. The substratum is sand to a depth of 80 inches or more. The upper 18 inches is light brownish gray and the lower 40 inches is light gray. In most years, under natural conditions, the soil is ponded for more than 6 months.

42 – Wabasso Sand, Limestone Substratum

This is a nearly level, poorly drained soil on broad flatwoods. Slopes range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is sand about 16 inches thick. The upper 10 inches is gray, and the lower 6 inches is light gray. The subsoil is about 32 inches thick. The upper 2 inches is dark brown sand that is well coated with organic matter. The next 2 inches is dark reddish brown friable sand. The next 14 inches is brown loose sand with dark brown streaks along root channels. The lower 14 inches is light brownish gray, firm fine sandy loam with light olive brown mottles. A hard, fractured limestone ledge and boulders are at a depth of 51 inches. In most years, under natural conditions, the water table is within 10 inches of the surface for 1 to 3 months. It is 10 to 40 inches below the surface for 2 to 4 months. It is below the limestone during extended dry periods.

45 – Copeland sandy loam, depressional

This is a low, nearly level, very poorly drained soil in depressions. Slopes are concave and less than 1 percent. Typically, the surface layer is about 8 inches of very dark gray sandy loam. The subsoil is very dark gray sandy loam about 12 inches thick. It is underlain by 8 inches of light

brownish gray sandy clay loam with soft calcium carbonate throughout. Fractured limestone bedrock is at a depth of 28 inches. Under natural conditions, the water table is above the surface for 3 to 6 months. It is 10 to 40 inches below the surface for about 3 to 6 months.

53 – Myakka Fine Sand, Depressional

This is a nearly level, poorly drained soil in depressions. Slopes are smooth to concave and are less than 1 percent. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is fine sand about 26 inches thick. The upper 4 inches is light gray, and the lower 22 inches is light brownish gray. The subsoil is fine sand about 17 inches thick. The upper 6 inches is dark brown with grayish brown streaks, and the sand grains are well coated with organic matter. The lower 11 inches is very brown with many well coated sand grains. Below this, extending to a depth of 80 inches or more is brown fine sand. In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months

69 – Matlacha Gravelly Fine Sand

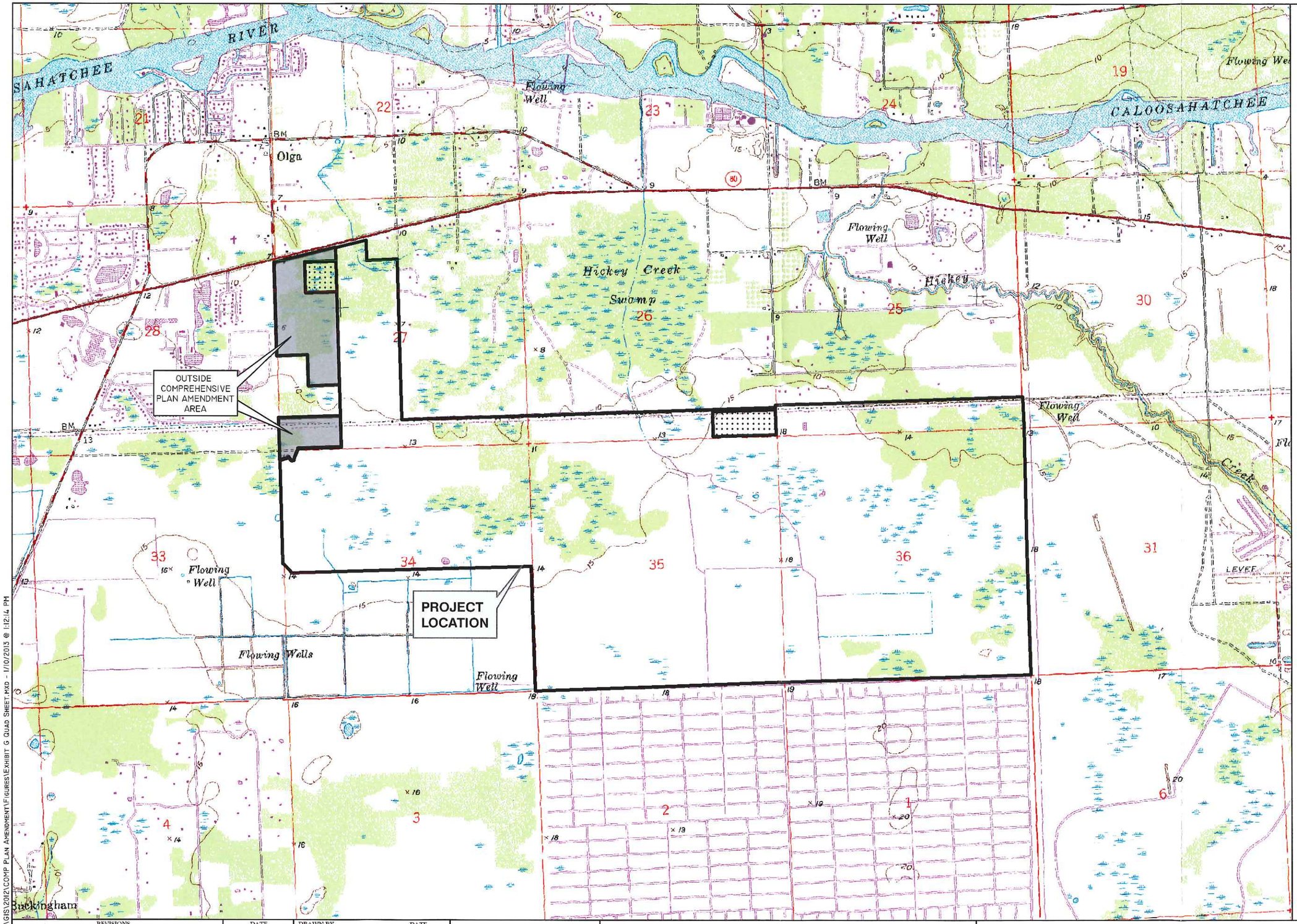
This is a nearly level, somewhat poorly drained soil formed by filling and earthmoving operations. Slopes are smooth to slightly convex and range from 1 to 2 percent. Typically, the surface layer is about 35 inches of black, olive brown, grayish brown, dark brown, light brownish gray, very dark gray, and very pale brown mixed gravelly fine sand and sandy mineral material. The surface layer contains lenses of loamy sand and coated sandy fragments of former subsoil material with about 25 to 30 percent limestone and shell fragments. Below this, to a depth of 80 inches or more, is undisturbed fine sand. The upper 5 inches is dark gray and the lower 40 inches is light gray with common, medium, distinct dark grayish brown stains along old root channels. The depth to the water table varies with the amount of fill material and the extent of artificial drainage. However, in most years, the water table is 24 to 36 inches below the surface of the fill material for 2 to 4 months. It is more than 60 inches below the surface during extended dry periods.

74 – Boca Fine Sand, Slough

This is a nearly level, poorly drained soil in sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Typically, the surface layer is grayish brown fine sand about 3 inches thick. The subsurface layer is light gray and very pale brown fine sand about 30 inches thick. The subsoil, about 5 inches thick, is gray sandy clay loam with yellowish brown and brownish yellow mottles. At a depth of about 38 inches is hard, fractured limestone bedrock with solution holes extending to 46 inches. In most years, under natural conditions, the water table is within 10 inches of the surface for 2 to 4 months. It is 10 to 40 inches below the surface for more than 4 months and recedes to a depth of more than high rainfall, the soil is covered by a shallow layer of slowly moving water for periods of about 7 days to 1 month or more.

EXHIBIT G

QUAD SHEET



LEGEND

- River Hall
- Outside Comprehensive Plan Amendment Area
- Lands Not Included in Project Area

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Feet

NOTES:

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

DIGITAL RASTER GRAPHIC USGS TOPOGRAPHIC QUADRANGLES WERE ACQUIRED FROM THE LAND BOUNDARY INFORMATION SYSTEM (LABINS) WEBSITE JULY 2007.

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.D.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

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Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

Passarella & Associates, Inc. — Consulting Ecologists

RIVER HALL
QUAD SHEET

DRAWING No. 03PEG931

SHEET No. EXHIBIT G

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EXHIBIT H

TOPOGRAPHIC MAP

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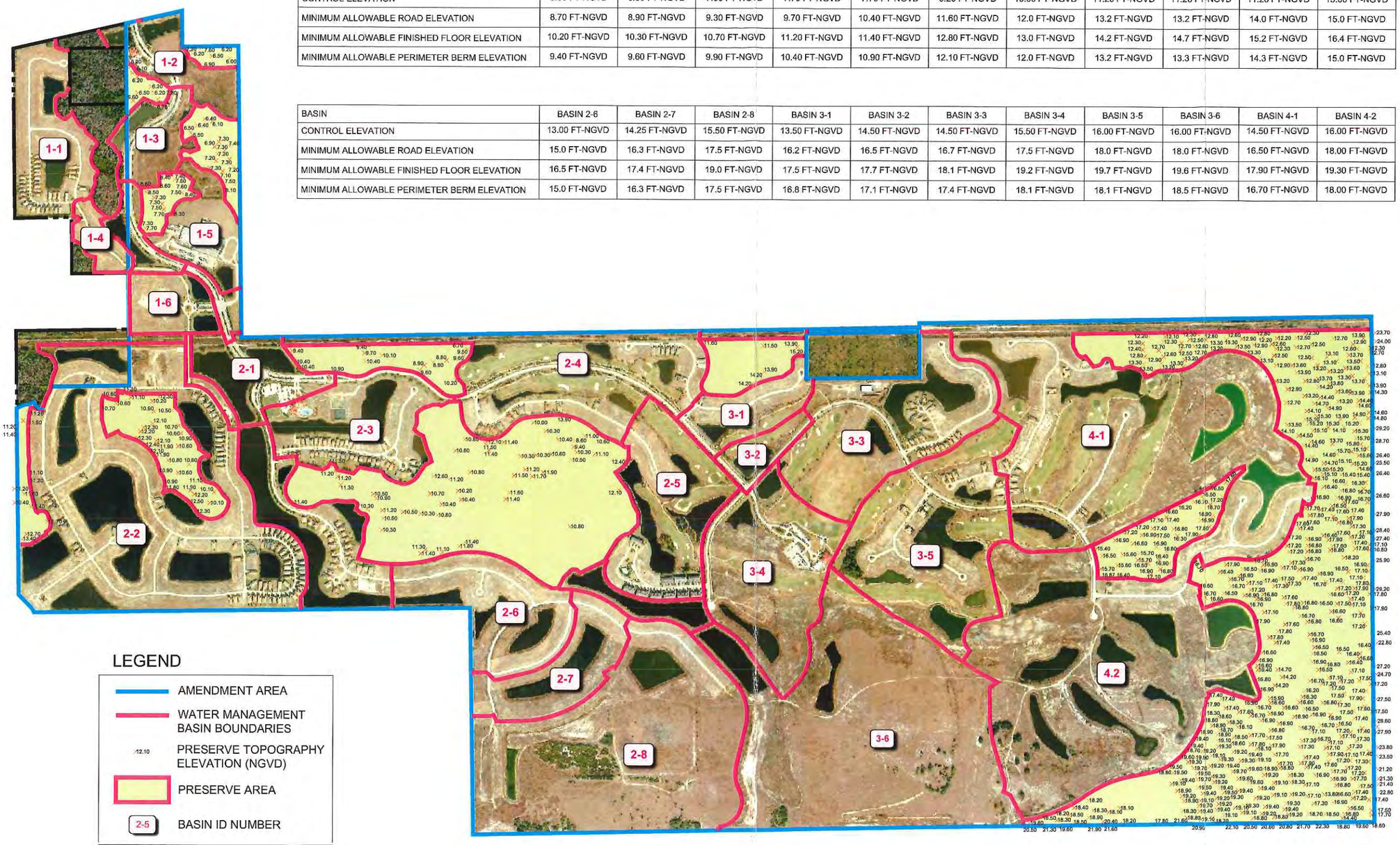
SCALE IN FEET

BASIN	BASIN 1-1	BASIN 1-2	BASIN 1-3	BASIN 1-4	BASIN 1-5	BASIN 1-6	BASIN 2-1	BASIN 2-2	BASIN 2-3	BASIN 2-4	BASIN 2-5
CONTROL ELEVATION	6.50 FT-NGVD	6.50 FT-NGVD	7.00 FT-NGVD	7.70 FT-NGVD	7.70 FT-NGVD	9.20 FT-NGVD	10.00 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	11.20 FT-NGVD	13.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	8.70 FT-NGVD	8.90 FT-NGVD	9.30 FT-NGVD	9.70 FT-NGVD	10.40 FT-NGVD	11.60 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.2 FT-NGVD	14.0 FT-NGVD	15.0 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	10.20 FT-NGVD	10.30 FT-NGVD	10.70 FT-NGVD	11.20 FT-NGVD	11.40 FT-NGVD	12.80 FT-NGVD	13.0 FT-NGVD	14.2 FT-NGVD	14.7 FT-NGVD	15.2 FT-NGVD	16.4 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	9.40 FT-NGVD	9.60 FT-NGVD	9.90 FT-NGVD	10.40 FT-NGVD	10.90 FT-NGVD	12.10 FT-NGVD	12.0 FT-NGVD	13.2 FT-NGVD	13.3 FT-NGVD	14.3 FT-NGVD	15.0 FT-NGVD

BASIN	BASIN 2-6	BASIN 2-7	BASIN 2-8	BASIN 3-1	BASIN 3-2	BASIN 3-3	BASIN 3-4	BASIN 3-5	BASIN 3-6	BASIN 4-1	BASIN 4-2
CONTROL ELEVATION	13.00 FT-NGVD	14.25 FT-NGVD	15.50 FT-NGVD	13.50 FT-NGVD	14.50 FT-NGVD	14.50 FT-NGVD	15.50 FT-NGVD	16.00 FT-NGVD	16.00 FT-NGVD	14.50 FT-NGVD	16.00 FT-NGVD
MINIMUM ALLOWABLE ROAD ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.2 FT-NGVD	16.5 FT-NGVD	16.7 FT-NGVD	17.5 FT-NGVD	18.0 FT-NGVD	18.0 FT-NGVD	16.50 FT-NGVD	18.00 FT-NGVD
MINIMUM ALLOWABLE FINISHED FLOOR ELEVATION	16.5 FT-NGVD	17.4 FT-NGVD	19.0 FT-NGVD	17.5 FT-NGVD	17.7 FT-NGVD	18.1 FT-NGVD	19.2 FT-NGVD	19.7 FT-NGVD	19.6 FT-NGVD	17.90 FT-NGVD	19.30 FT-NGVD
MINIMUM ALLOWABLE PERIMETER BERM ELEVATION	15.0 FT-NGVD	16.3 FT-NGVD	17.5 FT-NGVD	16.8 FT-NGVD	17.1 FT-NGVD	17.4 FT-NGVD	18.1 FT-NGVD	18.1 FT-NGVD	18.5 FT-NGVD	16.70 FT-NGVD	18.00 FT-NGVD



LEGEND

- AMENDMENT AREA
- WATER MANAGEMENT BASIN BOUNDARIES
- 12.10 PRESERVE TOPOGRAPHY ELEVATION (NGVD)
- PRESERVE AREA
- 2-5 BASIN ID NUMBER

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
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PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE COMMUNITIES, LLC
7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

FORMERLY KNOWN AS
HAWKS HAVEN

PART OF SECTIONS 27,34,35 AND 36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY, ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

FILE NAME	TOPO.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\CPA\ENVIRO\
PLOT DATE	FRI. 12-14-2012 - 12:52 PM
PLOT BY	JENNIFER SAPEN
DESIGN BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS

PLAN REVISIONS

PLAN STATUS

EXHIBIT IV.C.C
AND D-7-H

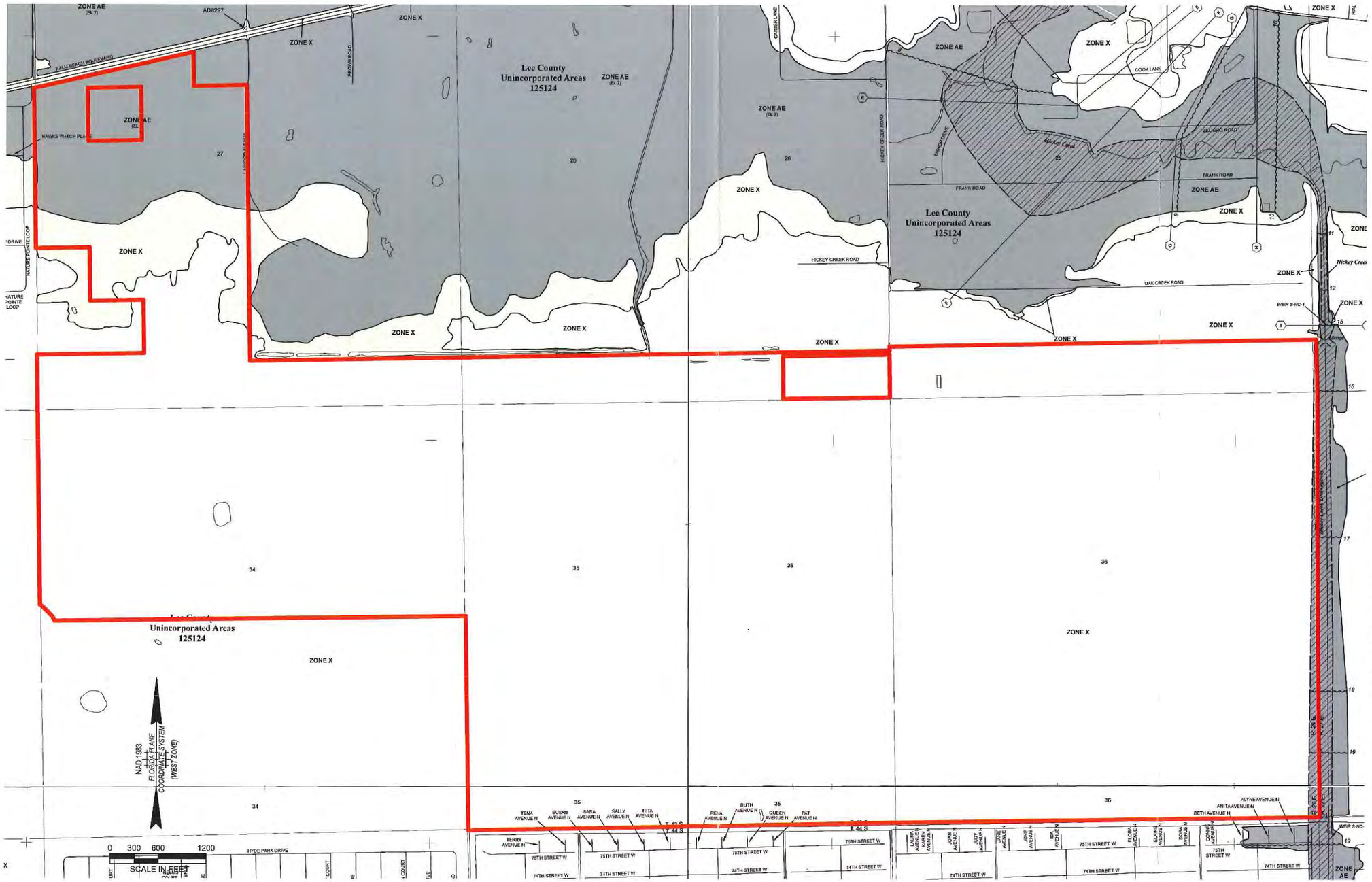
TOPOGRAPHIC MAP

PROJECT / FILE NO.	SHEET NUMBER
21988	1

EXHIBIT I

FLOOD INSURANCE RATE MAP

RIVER HALL OVERLAID ON FIRM(S) 12071C0304F, 12071C0308F, 12071C0312F & 12071C0316F, EFFECTIVE DATE: AUGUST 28, 2008.



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SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

Exhibit of

RIVER HALL

A Parcel of Land in Sections 25, 26, 27, 34, 35 & 36 Township 43 South, Range 26 East Lee County, Florida

PROJECT SURVEYOR

SCOTT A. WHEELER CERTIFICATE NO. 5949 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME	22951F01.DWG
LAYOUT	FIRM
LOCATION	J:\22955\DWG\SURVEYING\FIRM\
PLOT DATE	THU. 12-13-2012 - 3:43 PM
PLOT BY	PETER OLSEN

DRAWING DATA	
SURVEY DATE	12-13-2012
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=600'
FIELD BOOK	

PLAN REVISIONS	

STRAP NUMBERS

FLOOD INSURANCE RATE MAP EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
22955 25-43-26	1 OF 1

EXHIBIT J

LEE COUNTY PROTECTED SPECIES SURVEY

RIVER HALL
LEE COUNTY PROTECTED SPECIES SURVEY

January 2013

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Ave, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 03PEG931

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

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INTRODUCTION

This report documents the updated Lee County Protected Species Survey (PSS) conducted by Passarella & Associates, Inc. (PAI) for the 1,978.44± acre River Hall (Project). The purpose of the survey was to review the undeveloped portions of the property for Lee County protected species. The updated PSS was limited to disturbed land habitats on the Project site as authorized under Lee County Waiver No. PRE2012-00252 issued on December 12, 2012.

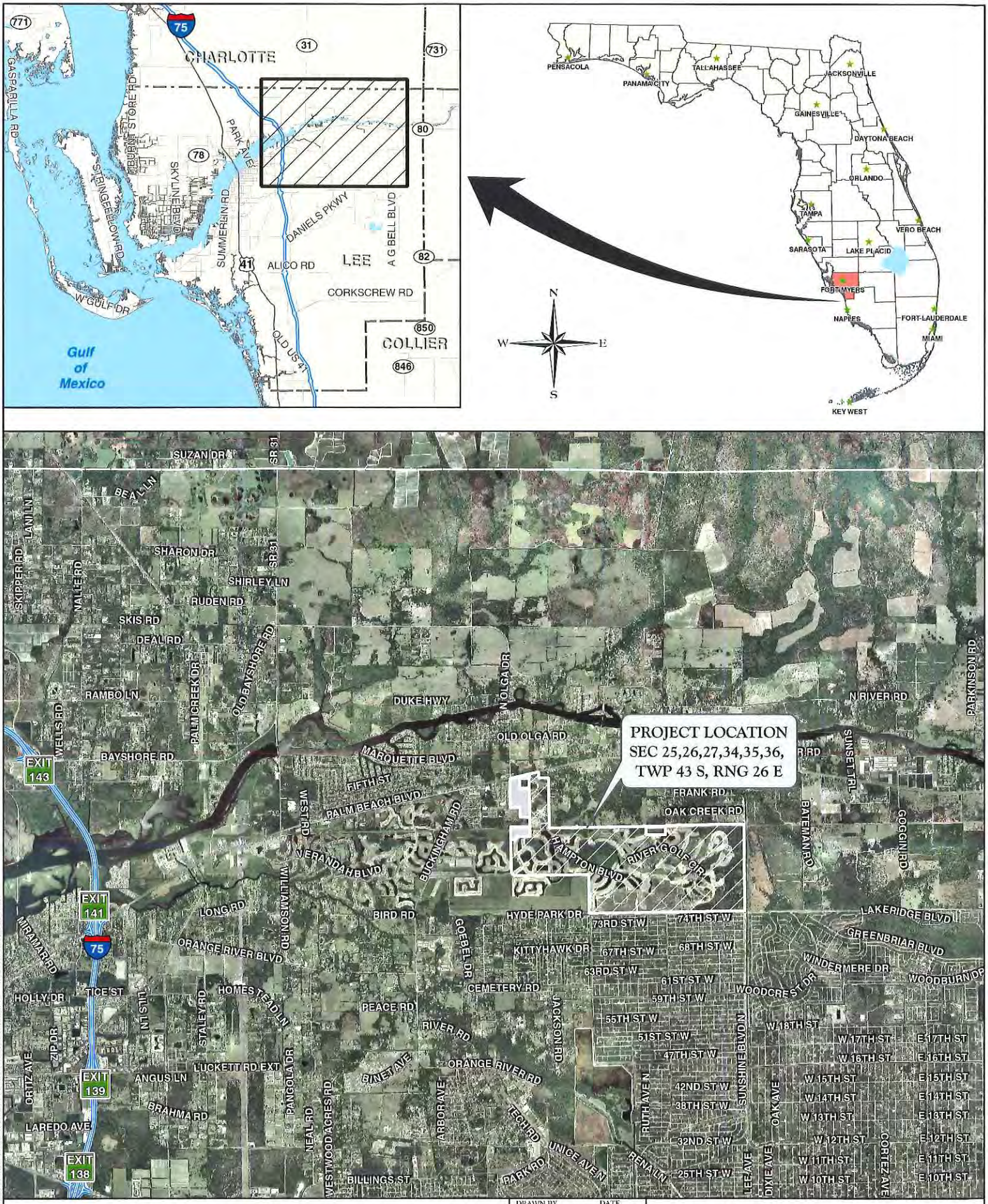
The Project is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The site is located immediately south of State Road (SR) 80, approximately 0.5 mile east of the intersection of SR 80 and Buckingham Road. The surrounding land uses include Lehigh Acres to the south; SR 80, undeveloped, forested land, and residential housing to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west

PSSs were previously conducted for the Project in 2004. During the previous surveys, a total of five Lee County protected species were identified on the Project site. The protected species identified included gopher tortoises (*Gopherus polyphemus*), burrowing owls (*Athene cunicularia*), Florida sandhill cranes (*Grus canadensis pratensis*), little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*).

The updated PSS was conducted within the disturbed land habitats on the Project site on December 4, 6, 7, and 11, 2012. This report documents the results of the updated PSS.

LAND USES AND VEGETATION ASSOCIATIONS

The majority of the vegetation associations for the property were originally delineated by Consul-Tech Engineering, Inc. over ten years ago. PAI initially updated the mapping in August 2003 using 2002 rectified color aerials. The updated mapping was based on a nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation (FDOT) 1999). Level IV FLUCFCS was utilized to denote disturbance. Additional parcels were later added to the Project which were subsequently mapped by PAI in 2004 and 2005. In December 2012, PAI updated the FLUCFCS mapping again to reflect the conditions of the site after the majority of the construction activities had occurred and mitigation work had been completed. AutoCAD Map 3D 2011 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Figure 2). Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows.



J:\2005\03\FEG93\GIS\2012\PSS\FIGURES\FIGURE 1 PROJECT LOCATION MAP.MXD - 1/10/2013 @ 15:38 PM

FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/10/12
REVIEWED BY	DATE
A.D.	12/10/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

SCALE: 1" = 1200'

LEGEND:

- SFWMD AND COE WETLANDS (180.99 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (226.88 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- SURVEYED WETLAND LINE

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	556.99 Ac.±	28.2%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.86 Ac.±	8.9%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.1%
411	PINE FLATWOODS	162.68 Ac.±	8.2%
421	XERIC OAK	15.02 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.47 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.8%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
514	DITCH	0.01 Ac.±	0.0%
520	LAKES	226.87 Ac.±	11.5%
617	MIXED WETLAND HARDWOODS	11.19 Ac.±	0.6%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	19.22 Ac.±	1.0%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	113.65 Ac.±	5.7%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	24.8%
832	ELECTRICAL TRANSMISSION LINES	44.05 Ac.±	2.2%
	TOTAL	1,978.44 Ac.±	100.0%

NOTES:

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-DPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING No.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

J:\2003\03PEG931\2012\PSS\FIGURE 2 FLUCFCS AND WETLANDS MAP.DWG TAB: FIGURE 2 JAN 10, 2013 - 1:17PM PLOTTED BY: FELIPEL

REVISIONS	DATE

DRAWN BY: H.H.	DATE: 12/10/12
DESIGNED BY: A.K.	DATE: 12/10/12
REVIEWED BY: K.C.P.	DATE: 12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

RIVER HALL

FLUCFCS AND WETLANDS

DRAWING No. 03PEG931

SHEET No. FIGURE 2

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
100	Urban/Residential	556.99	28.2
171	Educational Facilities	17.45	0.9
182	Golf Course	176.86	8.9
211	Improved Pasture	0.04	<0.1
320	Shrub and Brushland	7.24	0.4
321	Palmetto Prairie	22.39	1.2
411	Pine Flatwoods	162.68	8.2
421	Xeric Oak	15.02	0.8
427	Live Oak	1.73	0.1
428	Cabbage Palm	4.70	0.2
429	Wax-Myrtle	2.47	0.1
4291	Wax-Myrtle/Willow, Hydric	11.56	0.6
434	Hardwood-Conifer Mixed	54.50	2.8
4341	Hardwood-Conifer, Hydric	1.90	0.1
514	Ditch	0.01	<0.1
520	Lakes	226.87	11.5
617	Mixed Wetland Hardwoods	11.19	0.6
617C	Mixed Wetland Hardwoods (COE Wetland Only)	2.01	0.1
618	Pop Ash and Willow	0.44	<0.1
621	Cypress	19.22	1.0
625	Hydric Pine	4.63	0.2
625C	Hydric Pine (COE Wetland Only)	1.15	0.1
630	Mixed Wetland Forest	113.65	5.7
630C	Mixed Wetland Forest (COE Wetland Only)	10.35	0.5
641	Freshwater Marsh	5.43	0.3
643	Wet Prairie	12.98	0.7
740	Disturbed Land	490.93	24.8
832	Utility Easement	44.05	2.2
TOTAL		**1,978.44**	**100.0**

Urban/Residential (FLUCFCS Code 100)

This land use includes numerous development tracts throughout the Project and occupies 556.99± acres or 28.2 percent of the site.

Educational Facilities (FLUCFCS Code 171)

This land use consists of the River Hall Elementary School and occupies 17.45± acres or 0.9 percent of the site.

Golf Course (FLUCFCS Code 182)
This land use consists of the River Hall County Club and associated golf course which occupies 176.86± acres or 8.9 percent of the site.

Improved Pasture (FLUCFCS Code 211)
This upland habitat occupies 0.04± acre or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover is dominated by bahiagrass (*Paspalum notatum*) with St. Augustine grass (*Stenotaphrum secundatum*), water drop-wort (*Oxypolis* sp.), blackroot (*Pterocaulon virgatum*), caesarweed (*Urena lobata*), five-leaf sneezeweed (*Helenium amarum*), Baldwin flatsedge (*Cyperus globulosus*), pawpaw (*Asimina reticulata*), prickly pear (*Opuntia* sp.), smutgrass (*Sporobolus indicus*), greenbriar (*Smilax* sp.), and grapevine (*Vitis rotundifolia*).

Shrub and Brushland (FLUCFCS Code 320)
This upland habitat occupies 7.24± acres or 0.4 percent of the site. The canopy has widely scattered slash pine (*Pinus elliotii*), cabbage palm (*Sabal palmetto*), and earleaf acacia (*Acacia auriculifomis*). The sub-canopy consists of cabbage palm, Brazilian pepper (*Schinus terebinthifolius*), and slash pine. The ground cover contains greenbriar, bahiagrass, grapevine, Johnson grass (*Sorghum halepense*), and caesarweed.

Palmetto Prairie (FLUCFCS Code 321)
This upland habitat occupies 22.39± acres or 1.2 percent of the site. The canopy contains scattered slash pine, live oak (*Quercus virginiana*), and cabbage palm. The sub-canopy consists of Brazilian pepper, beauty-berry (*Callicarpa americana*), wax myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine.

Pine Flatwoods (FLUCFCS Code 411)
This upland habitat occupies 162.68± acres or 8.2 percent of the site. The canopy contains slash pine. The sub-canopy contains wax myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass, and staggerbush (*Lyonia fruiticosa*).

Xeric Oak (FLUCFCS Code 421)
This upland habitat occupies 15.02± acres or 0.8 percent of the site. Canopy and sub-canopy contains myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand live oak (*Quercus geminata*), and live oak. Ground cover includes saw palmetto, tarflower (*Bejaria racemosa*), staggerbush, hogplum (*Prunus umbellata*), and greenbriar.

Live Oak (FLUCFCS Code 427)
This upland habitat occupies 1.73± acres or 0.1 percent of the site. The canopy consists of live oak, swamp laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes myrsine (*Rapanea punctata*), saw palmetto, beauty-berry, bracken fern (*Pteridium aquilinum*), grapevine, poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*).

Cabbage Palm (FLUCFCS Code 428)
This upland habitat type occupies 4.70± acres or 0.2 percent of the site. The canopy and sub-canopy contain cabbage palm. The ground cover includes wild coffee and beauty-berry.

Wax Myrtle (FLUCFCS Code 429)
This upland habitat type occupies 2.47± acres or 0.1 percent of the site. The canopy and sub-canopy are open. Ground cover includes wax myrtle, Brazilian pepper, bahiagrass, whitetop sedge (*Rhynchospora colorata*), and asiatic pennywort (*Centella asiatica*).

Wax Myrtle/Willow, Hydric (FLUCFCS Code 4291)
This wetland habitat occupies 11.56± acres or 0.6 percent of the site. The canopy is open with scattered cypress (*Taxodium distichum*). The sub-canopy contains wax myrtle, willow (*Salix caroliniana*), buttonbush (*Cephalanthus occidentalis*), flowering dogwood (*Cornus florida*), and Brazilian pepper. The ground cover includes peppervine (*Ampelopsis arborea*), grapevine, swamp laurel oak, iris (*Iris* sp.), sawgrass (*Cladium jamaicense*), and asiatic pennywort.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
This upland habitat type occupies 54.50± acres or 2.8 percent of the site. The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed, Brazilian pepper, and cabbage palm.

Hardwood-Conifer, Hydric (FLUCFCS Code 4341)
This wetland habitat occupies 1.90± acres or 0.1 percent of the site. The canopy includes slash pine, laurel oak (*Quercus laurifolia*), and cabbage palm. The sub-canopy includes laurel oak and cabbage palm. The ground cover is mostly open with scattered yellow-eyed grass (*Xyris* spp.), gulfdune paspalum (*Paspalum monostachyum*), and flatsedge (*Cyperus* sp.).

Ditch (FLUCFCS Code 514)
This water area occupies 0.01± acre or <0.1 percent of the site. The canopy and sub-canopy are open. The ground cover contains dotted smartweed (*Polygonum punctatum*) and cattail (*Typha* sp.).

Lakes (FLUCFCS Code 520)
This water area includes storm water management lakes throughout the Project and occupies 226.87± acre or less than 11.5 percent of the site. The canopy and sub-canopy are open. The ground cover is also mostly open but contains littoral plants around the lake edge including pickerelweed (*Pontedaria cordata*), arrowhead (*Sagittaria lancifolia*), and maidencane (*Panicum hemitomon*).

Mixed Wetland Hardwoods (FLUCFCS Codes 617)
This wetland habitat occupies 11.19± acres or 0.6 percent of the site. The canopy contains red maple (*Acer rubrum*), swamp laurel oak, cypress, cabbage palm, pop ash (*Fraxinus caroliniana*), and American elm (*Ulmus americana*). The sub-canopy includes wax myrtle, buttonbush, and cabbage palm. The ground cover includes swamp fern (*Blechnum serrulatum*), sawgrass, smartweed, and yellow-eyed grass.

Mixed Wetland Hardwoods (COE Wetland Only) (FLUCFCS Code 617C)
This area is considered an upland habitat by the South Florida Water Management District (SFWMD) and wetland by the U.S. Army Corps of Engineers (COE). It occupies 2.01± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 617.

Pop Ash and Willow (FLUCFCS Code 618)
This wetland habitat occupies 0.44± acre or <0.1 percent of the site. The canopy and sub-canopy contain pop ash and willow. The ground cover is mostly open with scattered swamp fern.

Cypress (FLUCFCS Code 621)
This wetland habitat occupies 19.22± acres or 1.0 percent of the site. The canopy is dominated by cypress. The sub-canopy contains cypress, swamp bay (*Persea palustris*), wax myrtle, and pop ash. The ground cover is mostly open with scattered swamp fern and leather fern (*Acrostichium danefolium*).

Hydric Pine (FLUCFCS Code 625)
This wetland habitat occupies 4.63± acres or 0.2 percent of the site. The canopy contains slash pine. The sub-canopy is mostly open with scattered slash pine and cabbage palm. The ground cover includes gulfdune paspalum, wiregrass (*Aristida stricta*), sawgrass, flatsedge, yellow-eyed grass, and beaksedge (*Rhynchospora* sp.)

Hydric Pine (COE Wetland Only) (FLUCFCS Codes 625C)
This area is considered an upland habitat by the SFWMD and wetland by the COE. It occupies 1.15± acres or 0.1 percent of the site and is similar to that of FLUCFCS Code 625.

Mixed Wetland Forest (FLUCFCS Codes 630)
This wetland habitat occupies 113.65± acres or 5.7 percent of the site. The canopy contains cabbage palm, cypress, American elm, swamp laurel oak, and slash pine. The sub-canopy contains swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern, myrsine, wax myrtle, poison ivy, iris, peppervine, greenbriar, asiatic pennywort, and day-flower (*Commelina* sp.).

Mixed Wetland Forest (COE Wetland Only) (FLUCFCS Codes 630C)
This area is considered an upland habitat by the SFWMD and wetland by the COE. It occupies 10.35± acres or 0.5 percent of the site and is similar to that of FLUCFCS Code 630.

Freshwater Marsh (FLUCFCS Code 641)
This wetland habitat occupies 5.43± acres or 0.3 percent of the site. The canopy and sub-canopy are absent. The ground cover includes pickerelweed, arrowhead, buttonbush, and maidencane.

Wet Prairie (FLUCFCS Code 643)
This wetland habitat occupies 12.98± acres or 0.7 percent of the site. The canopy and sub-canopy are absent. Ground cover includes pickerelweed, arrowhead, sand cordgrass (*Spartina bakeri*), corkwood (*Stilingia aquatica*), and little blue maidencane (*Amphicarpum muhlenbergianum*).

Disturbed Land (FLUCFCS Code 740)
This upland habitat occupies 490.93± acres or 24.8 percent of the site. The canopy and sub-canopy are mostly open with scattered live oak and slash pine. The ground cover includes bahiagrass, dogfennel (*Eupatorium capillifolium*), fireweed (*Erechtites hieracifolia*), ragweed (*Ambrosia artemisiifolia*), caesarweed, sweet broom (*Scoparia dulcis*), hairy beggar-ticks (*Bidens pilosa*), sandspur (*Cenchrus* sp.), smutgrass, saw palmetto, peppervine, and wild sensitive plant (*Chamaecrista nictitans*).

Utility Easement (FLUCFCS Code 832)
This land use includes a Florida Power & Light electrical transmission lines and occupies 44.05± acres or 2.2 percent of the site.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species were conducted within the undeveloped portions of the site mapped as disturbed land. The frequency of transects performed were designed to meet the 80 percent minimum coverage requirement. Based on discussions with Lee County's Division of Environmental Sciences (DES) staff and past knowledge of the site, these areas were reviewed for certain protected species. Table 2 outlines the protected species that may inhabit or utilize the disturbed land areas.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
740	Disturbed Land	Gopher Tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia*)

The PSS for the 490.93± acre disturbed land survey area was conducted by PAI on December 4, 6, 7, and 11, 2012. Surveys were conducted during the daylight hours. Weather conditions during the survey period are summarized in Table 3. The type of survey utilized for the PSS included meandering pedestrian transects, per Wilson Miller, Inc, previously approved by Lee County.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
December 4, 2012	Mostly cloudy with light winds and temperatures in the mid 80's
December 6, 2012	Mostly cloudy with light winds and temperatures in the mid 80's
December 7, 2012	Partly cloudy with light winds and temperatures in the mid 80's
December 11, 2012	Overcast with light winds and temperatures in the mid 80's

A summary of the limits of visibility, acreage, length of transects walked, and percent of coverage for the Disturbed Land is provided in Table 4.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
740	Disturbed Land	490.93	114,052	75	80

[1]Average visibility to one side of transect

SURVEY RESULTS

During the surveys, a total of three different Lee County protected species were observed within the survey area including the gopher tortoise, burrowing owl, and little blue heron. A total of 61 gopher tortoise burrows, 16 burrowing owl burrows (with 3 burrowing owls at various burrow locations), and 2 little blue herons were identified (Appendix A).

In addition, one bald eagle (*Haliaeetus leucocephalus*) was observed perched in a pine snag near the southern property boundary. However, no bald eagle nests or nesting activity was observed during the surveys. In addition, no bald eagle nests have been documented on or immediately adjacent to the Project. A Florida Fish and Wildlife Conservation Commission (FWCC) bald eagle nest location map is provided as Figure 3.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for each Lee County protected species documented. The Lee County protected species abundance calculations are provided in Table 5, while Table 6 summarizes the protected species survey findings.

Table 5. Lee County Protected Species Density Calculations

Protected Species Density:

$$= \{n(C)/[L\ (w_1+w_2)]\}\ (43{,}560\ ft.^2/ac)$$

Where n= number of individuals observed or active plus inactive gopher tortoise burrows
L= length of transect
w_1= distance of visibility to the right of transect
w_2= distance of visibility to the left of transect

C= gopher tortoise conversion factor (0.5)*

*Used for gopher tortoise calculation only

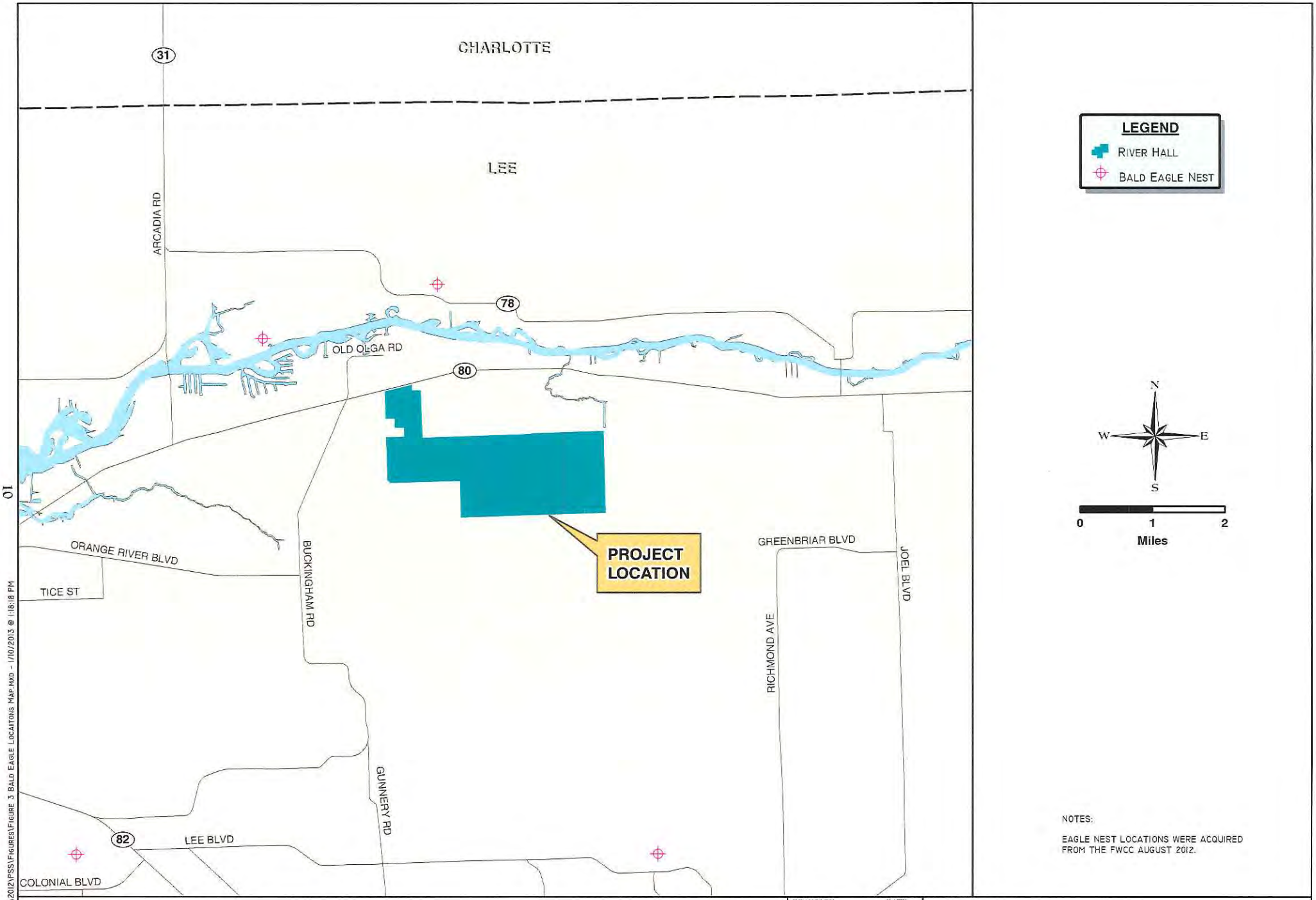


FIGURE 3. BALD EAGEL NEST LOCATIONS MAP
RIVER HALL

DRAWN BY	DATE
H.H.	12/14/12
REVIEWED BY	DATE
A.K.	12/14/12
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

J:\2003\03PE693\GIS\2012\PSS\FIGURES\FIGURE 3 BALD EAGLE LOCATIONS MAP.MXD - 1/10/2013 @ 1:18:18 PM

Table 5. (Continued)

Gopher Tortoise (*Gopherus polyphemus*)

FLUCFCS Code 740

= [61GT(0.5)/114,052 ft. (75 ft. + 75 ft.)] (43,560 $ft.^2$/ac)
= [30.5GT/17,107,800] (43,560 $ft.^2$/ac)
= [1.78 x 10^{-6} GT/$ft.^2$] (43,560 $ft.^2$/ac)
= 0.08 GT/ac

Burrowing Owl (Burrows) (*Athene cunicularia floridana*)

FLUCFCS Code 740

= {16/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {16/17,107,800}(43,560)
= {9.35 x 10^{-7}}(43,560)
= 0.04 Burrowing Owl Burrows/Acre

Burrowing Owl (Individuals) (*Athene cunicularia floridana*)

FLUCFCS Code 740

= {3/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {3/17,107,800}(43,560)
= {1.75 x 10^{-7}}(43,560)
= 0.01 Burrowing Owls/Acre

Table 5. (Continued)

Little Blue Heron (*Egretta caerula*)

FLUCFCS Code 740

= {2/[114,052 ft. (75 ft. + 75 ft.)]}(43,560)
= {2/17,107,800}(43,560)
= {1.17 x 10^{-7}}(43,560)
= 0.01 Little Blue Herons/Acre

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles					
Gopher Tortoise	740	80	X		0.08
Birds					
Burrowing Owl (Burrows)	740	80	X		0.04
Burrowing Owl (Individuals)	740	80	X		0.01
Little Blue Heron	740	80	X		0.01

MANAGEMENT PLAN

The protection of the gopher tortoises, burrowing owls, and little blue herons recently identified within the development footprint will be addressed per the approved Lee County Protected Species Management Plan dated May 2006. Prior to construction of the undeveloped areas, the gopher tortoise burrows will be excavated as authorized under FWCC Gopher Tortoise Incidental Take Permit (#LEE-58). The captured tortoises will be relocated to the 64.58± acre gopher tortoise preserve in the southeast portion of the site. The applicant will also obtain a nest removal permit from the FWCC for the taking of the burrowing owl burrows. The nest removal will be conducted prior to construction of the undeveloped areas, in the non-nesting season (i.e., July 10 – February 15) while the burrows are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County DES staff for their records. Habitat protection for the little blue herons, along with other listed wading birds, has been provided through extensive foraging areas throughout the property.

REFERENCES

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

APPENDIX A

AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS

EXHIBIT K

LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

RIVER HALL
LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

May 2006

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

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9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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INTRODUCTION

This report documents the Lee County Protected Species Management Plan prepared by Passarella and Associates, Inc. (PAI) for the River Hall property (Project). The purpose of the management plan is to meet the requirements of the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) and Zoning Resolution No. Z-05-051. The management plan contained in this report pertains to the gopher tortoise (*Gopherus polyphemus*), American alligator (*Alligator mississippiensis*), burrowing owl (*Athene cunicularia*), Florida sandhill crane (*Grus canadensis pratensis*), Florida scrub jay (*Aphelocoma coerulescens*), as well as listed wading birds.

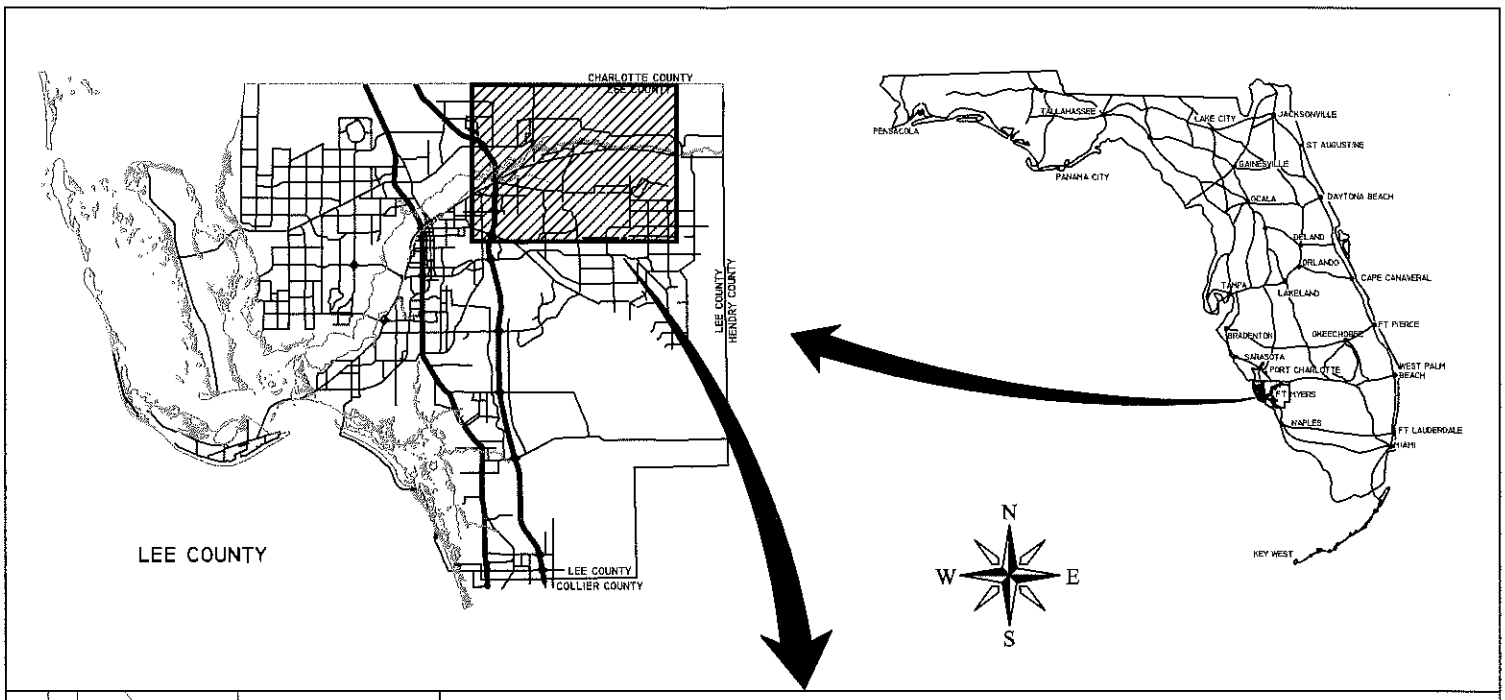
The Project is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west.

The protected species survey for the 1,978.70± acre River Hall property was conducted by PAI on May 25, 2004 (PAI 2004a); September 1, 2, and 7, 2004 (PAI 2004b); September 10, 14, 15, 16, and 22, 2004 (PAI 2004c); and February 1, 2005 (PAI 2005). Surveys were conducted during the daylight hours. The type of survey utilized for the protected species survey included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county. In addition, a Florida scrub jay survey conducted per Florida Fish and Wildlife Conservation Commission (FWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines was conducted in March 2006.

A total of five Lee County protected species were identified on the Project site. The protected species identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*). PAI identified 236 gopher tortoise burrows, eight burrowing owls, three burrowing owl burrows, two Florida sandhill cranes, three little blue herons, and three wood storks on the property. No Florida scrub jays were observed or heard during the protected species surveys or the March 2006 scrub jay survey.

The majority of the property is currently under construction and most of the site has been cleared with the exception of the conservation areas. A FLUCFCS and wetlands map for the conservation areas and indigenous open space is provided as Figure 2. The FLUCFCS acreage for each conservation area and indigenous open space is summarized in Exhibit A. The property contains 16 conservation areas which will be maintained per the South Florida Water Management District (SFWMD) Mitigation Plan (Exhibit B).

Conservation areas CE-1 through CE-16, totaling 332.49± acres, are recorded under conservation easement INSTR # 5245223 (Exhibit C) deeded to Lee County with third party enforcement rights to the SFWMD. The south 64.58± acres of conservation area CE-15B also has a separate conservation easement INSTR # 5262661 (Exhibit D) deeded to the FWCC with third party enforcement rights to the SFWMD which serves as the gopher tortoise relocation area which includes additional management activities outlined in the conservation easement and this management plan.



LEE COUNTY

PROJECT LOCATION

SEC 25, 26, 27, 34, 35 & 36, TWP 43 S, RGE 26 E

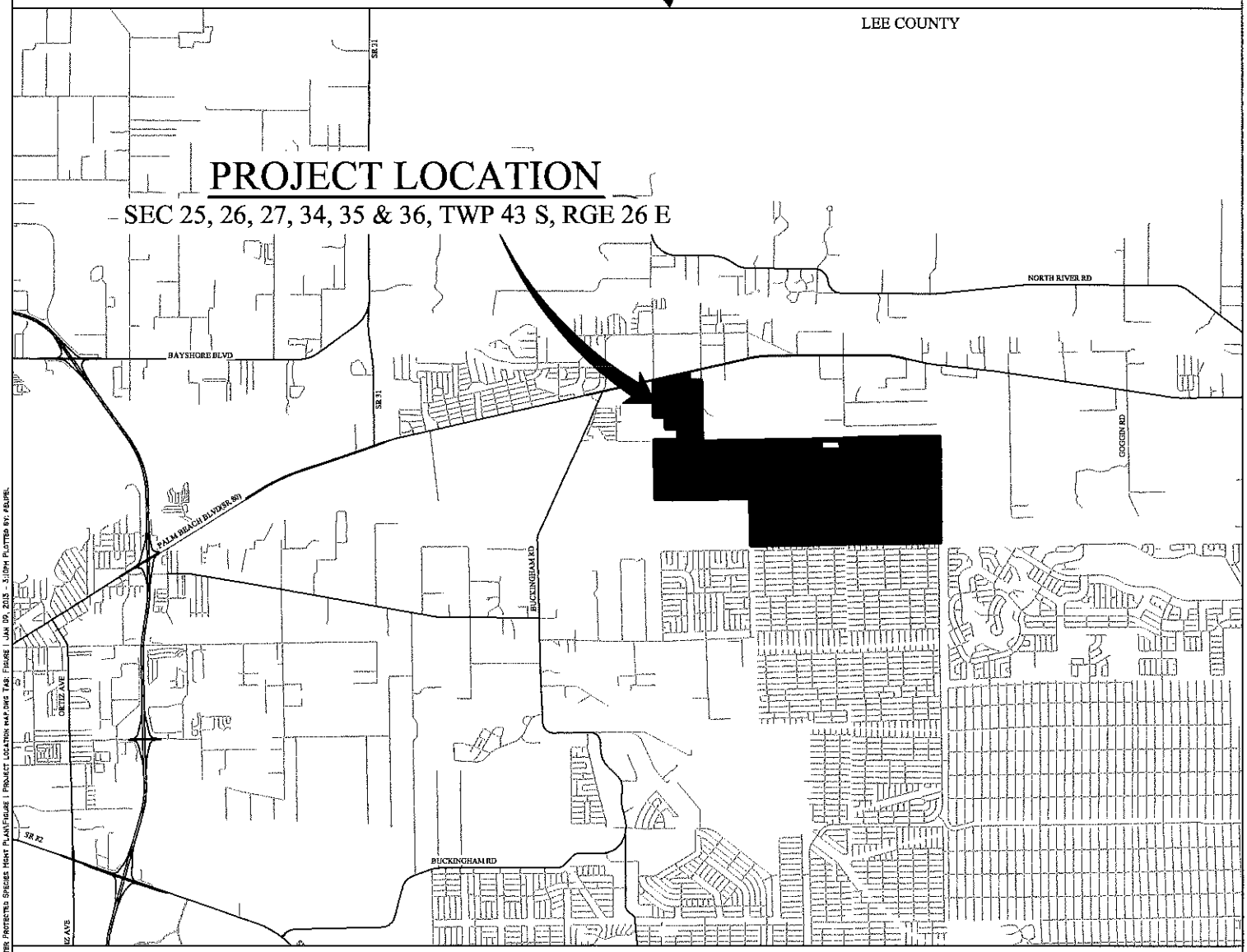
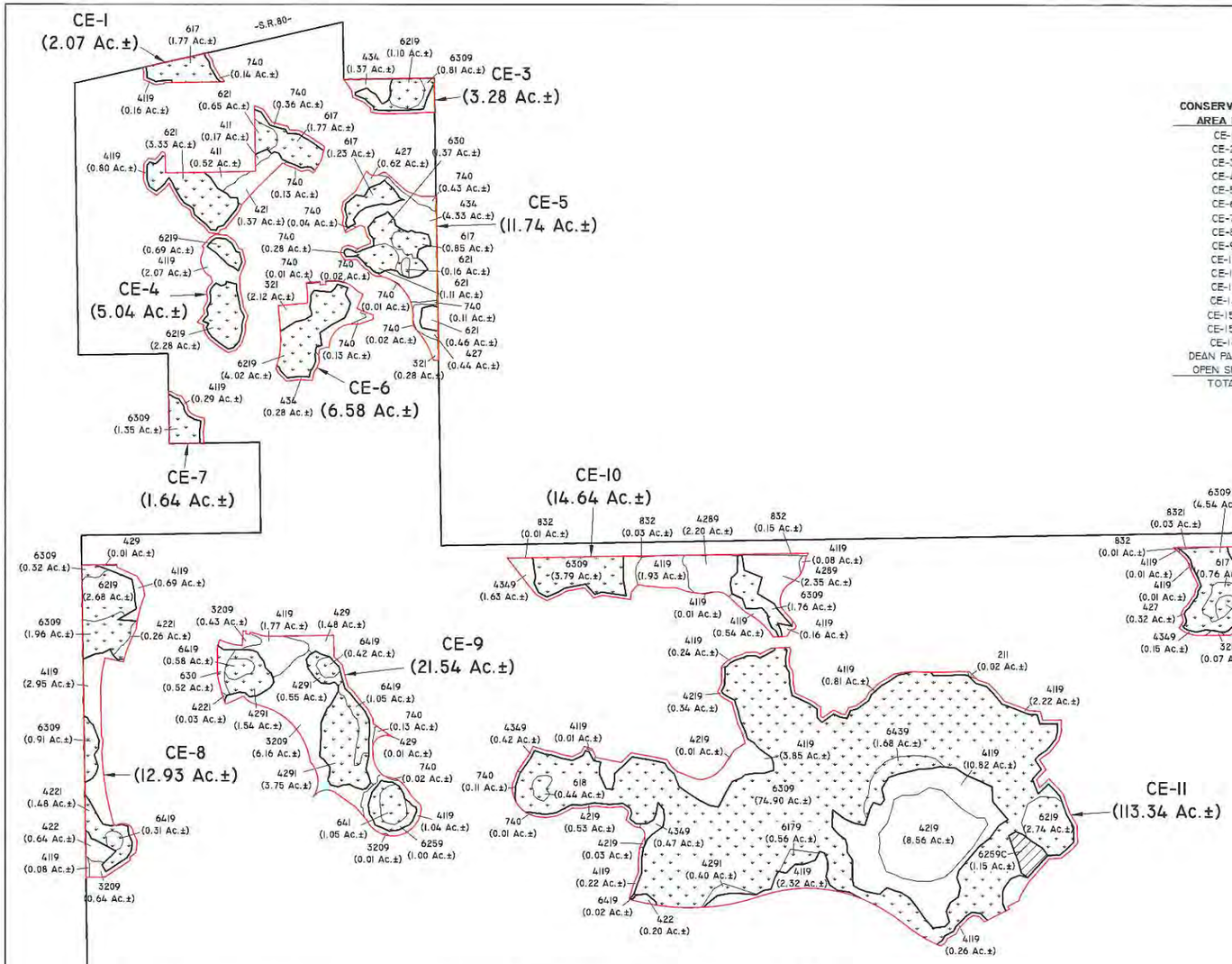
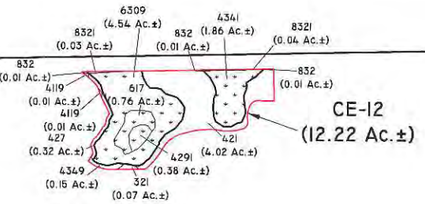


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 9/16/04

J:\2003\03PES931\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE | PROJECT LOCATION MAP.DWG TAB: FIGURE | JAN 09, 2015 - 5:08PM PLOTTED BY: FELIPEL





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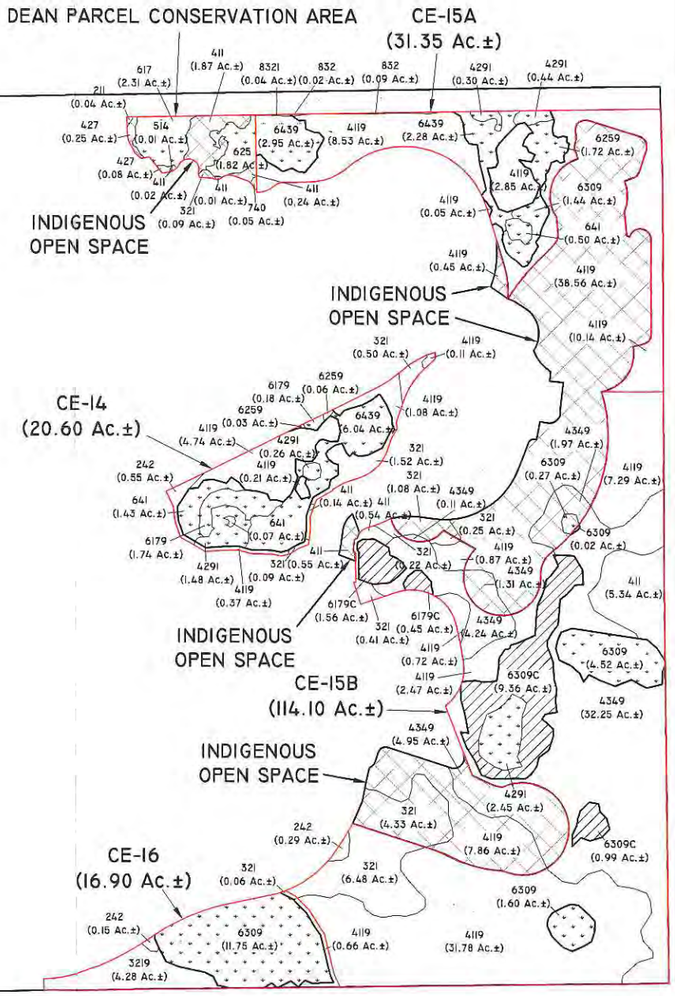

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 AC.±
CE-2	9.10 AC.±
CE-3	3.28 AC.±
CE-4	5.04 AC.±
CE-5	11.74 AC.±
CE-6	6.58 AC.±
CE-7	1.64 AC.±
CE-8	12.93 AC.±
CE-9	21.54 AC.±
CE-10	14.64 AC.±
CE-11	113.34 AC.±
CE-12	12.22 AC.±
CE-14	20.60 AC.±
CE-15A	31.35 AC.±
CE-15B	114.10 AC.±
CE-16	16.90 AC.±
DEAN PARCEL	6.79 AC.±
OPEN SPACE	61.44 AC.±
TOTAL	465.30 AC.±

LEGEND:

- SFWMD AND COE WETLANDS (180.40 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.01 Ac.±)
- OPEN SPACE NOT INCLUDING DEAN PARCEL (61.44 Ac.±)
- SURVEYED WETLAND LINE
- CONSERVATION EASEMENT BOUNDARIES

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/9/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/9/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/9/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

FLUCFCS AND WETLANDS MAP OF CONSERVATION AREAS AND INDIGENOUS OPEN SPACE

DRAWING No.: 03PEG931

SHEET No.: FIGURE 2

In addition, 64.10± acres of indigenous open space will remain on-site which is contiguous with CE-15A and CE-15B and provides additional foraging and nesting habitat for the gopher tortoise population and has potential foraging habitat for the Florida scrub jay.

The Dean parcel is proposing to place 4.13± acres of wetlands under a conservation easement to the SFWMD and 2.66± acres of upland habitats as indigenous open space; although, the conservation easement has not been recorded. These habitats are contiguous with CE-15A and CE-15B which will provide potential habitat for the American alligator and wading birds.

Protected species observed on-site that could potentially inhabit or utilize conservation areas or indigenous open spaces are summarized in Table 1.

Table 1. Protected Species Observed On-site that could Potentially Inhabit or Utilize Conservation Areas

Conservation Area	Gopher Tortoise	American Alligator	Burrowing Owl	Florida Sandhill Crane	Florida Scrub Jay	Wading Bird
CE-1	×	×				×
CE-2	×	×				×
CE-3		×				×
CE-4	×	×				×
CE-5	×	×				×
CE-6	×	×				×
CE-7		×				×
CE-8	×	×		×		×
CE-9	+	×		×		+
CE-10	×	×				×
CE-11	+	×		×	×	×
CE-12	+	×			×	×
CE-14	+	×		×		+
CE-15A	+	×		×	×	×
CE-15B	+	×	×		×	×
CE-16	+	×				×
Indigenous Open Space	+				×	
Dean Parcel		×				×

×Protected species observed on-site that could potentially inhabit or utilize conservation areas
+Protected species observed within conservation areas

I. GOPHER TORTOISE RELOCATION AND MANAGEMENT PLAN

INTRODUCTION

This relocation and management plan has been prepared for the purpose of addressing the conservation of gopher tortoise habitat on the Project. The gopher tortoise is listed as a species of special concern by the FWCC. There is no federal listing for the gopher tortoise in Florida.

The protected species surveys previously described identified 236 gopher tortoise burrows on the property (Figure 3).

The River Hall gopher tortoise relocation and management plan calls for the "taking" of the gopher tortoise habitat and their burrows within the development footprint of the Project and the on-site relocation of the gopher tortoises to the 64.58± acre gopher tortoise preserve and relocation area (Figure 3). The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58) (Exhibit E). Prior to construction the tortoises were relocated out of harms way to an on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

BIOLOGY

The following is summarized from Diemer (1992). The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 cm (9 to 11 inches) in shell length. Maximum length is around 38 cm (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 shell) is domed and oblong. The plastron (bottom portion of shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 cm (1.7 inches) in length and are yellowish-orange in color. Gopher tortoises excavate burrows averaging 4.5 m (14.8 feet) in length and 2 m (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. The gopher tortoise exhibits deferred sexual maturity, low reproductive potential, and a long life span. Females mature sexually at 10 to 20 years of age, depending on latitude. The breeding season is usually from April to June, but males may attempt to mate throughout the activity season. Eggs are usually deposited in the burrow mounds from mid-May to mid-June. Only one clutch of eggs is produced annually. Clutch size usually ranges from 3 to 12, with an average of 6; however, a clutch of 25 eggs has been reported. The incubation period varies from about 80 to 110 days. Predation on eggs and hatchlings is heavy. Predators include

LEGEND:

- CONSERVATION AREA (397.07 Ac.±)
- GOPHER TORTOISE PRESERVE AREA (64.58 Ac.±)
- INDIGENOUS OPEN SPACE (61.44± Ac.)
- DEAN PARCEL CONSERVATION AREA (6.79± Ac.)
- GOPHER TORTOISE FENCING

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

NOTES:

PROPERTY BOUNDARY PER CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

SITE PLAN PER BARRACO & ASSOCIATES, INC. DRAWING NO.21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'

DEAN PARCEL CONSERVATION AREA

P/L

GOPHER TORTOISE FENCING

GOPHER TORTOISE PRESERVE

J:\2003\03PEG931\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE 3 GOPHER TORTOISE PRESERVE AND RELOCATION MAP.DWG TAB: FIGURE 3 JAN 09, 2013 - 3:11PM PLOTTED BY: FELIPEL

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/5/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/5/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/5/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

GOPHER TORTOISE PRESERVE AND RELOCATION AREA

DRAWING No.: 03PEG931

SHEET No.: FIGURE 3

raccoons, foxes, skunks, armadillos, snakes, and various raptors. Although some hatchlings immediately construct burrows, others may use burrows of adults or merely shelter opportunistically under sand or litter. Estimated life expectancy is 40 to 60 years.

Three environmental conditions are especially important for gopher tortoises: well-drained, loose soil in which to burrow; adequate low-growing herbs for food; and open sunlit sites 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 (Diemer 1992).

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 m (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 (Diemer 1992).

ON-SITE RELOCATION AND MANAGEMENT PLAN

Habitat Management

Conservation areas CE-9, CE-11, CE-12, CE-14, CE-15A, CE-15B, CE-16, and indigenous open space areas contain active gopher tortoise populations and will be maintained per the SFWMD Mitigation Plan to enhance gopher tortoise habitat. To comply with the requirements of Conservation Easement (INSTR # 5262661) Habitat Management Plan, controlled burns of the gopher tortoise preserve and relocation area will be conducted to remove excess vegetative growth and nuisance vegetation and promote the growth of herbaceous groundcover 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 wire grass (*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 relocation area to stimulate the growth of herbaceous groundcover vegetation.

Pre-Site Development

The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58). The designated gopher tortoise relocation area was survey located and staked in the field. The preserve was enclosed with silt fencing per typical industry standards, which include burying the bottom of the fence 12 to 18 inches below the existing grade and angling the

fence back towards the relocation area. Installation of the fence was approved and inspected by county staff.

Within the limits of construction for the Project, all active and inactive burrows were excavated. Removal of the vegetation and heavier overburden material was removed by a backhoe. The finer digging around the burrow was done by hand with a shovel. All excavation activities were overseen by a qualified ecologist.

Prior to construction gopher tortoises and their commensals were relocated out of harms way to a 64.58± acre on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

Post-Site Development

The gopher tortoise fence will remain in place until all construction activities have been completed. During this period, fence maintenance will be the responsibility of LandMar Group, LLC. The conservation areas will be maintained per the SFWMD Mitigation Plan and Conservation Easement (INSTR # 5262661) Habitat Management Plan.

LandMar Group, LLC will be responsible for the exotic maintenance within the relocation area, which will occur annually, at a minimum, until such time that the homeowner's association takes over the development. The homeowner's association will then be responsible for maintenance of the relocation area. The gopher tortoise preserve area will be maintained in perpetuity.

II. AMERICAN ALLIGATOR MANAGEMENT PLAN

INTRODUCTION

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 species of special concern by the FWCC and threatened by similarity of appearance by the USFWS.

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 of a 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.

MANAGEMENT PLAN

Extensive habitat will be provided throughout the property through wetland preservation and enhancement and the creation of lakes. The conservation areas will be maintained per the SFWMD Mitigation Plan. All conservation areas contain wetlands that will serve as potential foraging and nesting habitats for the American alligator.

EDUCATIONAL MATERIALS

Signs will be posted on the subject property to instruct construction workers and residents not to feed or harass the American alligator. The sign will indicate that the offense is punishable by law.

Informational pamphlets providing background information on identification, habits, and protection of the American alligator will be made available to homeowner's and construction/maintenance personnel (Exhibit F). The pamphlet states if there is a problem with a persistent nuisance alligator, they will need to contact the FWCC, as they are the only agency empowered to handle nuisance alligators.

III. BURROWING OWL HABITAT MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential burrowing owl habitat on the Project. The burrowing owl is listed as a species of special concern by the FWCC. There is no federal listing for the burrowing owl.

The River Hall burrowing owl habitat management plan calls for the "taking" of the burrowing owl habitat and their burrows within the development footprint of the Project and the on-site preservation of burrowing owl habitat. Prior to initiation of construction, the applicant will obtain the appropriate nest removal permit from the FWCC. The nest removal will be conducted in the non-nesting season (i.e., July 10 – February 15) while the burrows

are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County Division of Environmental Sciences for their records.

Lee County protected species surveys conducted on-site by PAI identified three burrowing owl burrows in the southern portion of the property (Figure 4). An updated survey for burrowing owls was conducted on August 23, 2005. The updated survey revealed that Burrow Nos. 1 and 2 were inactive (old) and Burrow No. 3 was active with two adult burrowing owls observed at the burrow.

Additional burrowing owl monitoring was conducted on March 15, 27, 28, and 29, 2006 and April 19, 2006 to determine habitat use by the burrowing owls during the 2006 nesting season, per Lee County Division of Environmental Sciences requests. The March monitoring events revealed a new primary burrow had been excavated along with numerous secondary burrows (Figure 4) and two burrowing owls were observed flying among the burrows. The April 19, 2006 monitoring event revealed the primary burrow had been preyed upon with four broken burrowing owl egg shells observed near the burrow cavity. Recent signs of armadillo rutting were observed around the burrow and armadillo tracks were observed on the burrow apron.

BIOLOGY

The burrowing owl lives and breeds in varied habitats throughout the Florida peninsula with the primary natural habitat occurring in dry prairie and during the dry season the edges of depressional marshes. Presently, the burrowing owl inhabits several ruderal areas including pastures, golf courses, airports, athletic fields, school campuses, vacant areas in residential or industrial neighborhoods, and road right-of-ways (Hipes *et al* 2001). One of the largest subpopulations of burrowing owls is located on the Cape Coral peninsula in Lee County.

Burrowing owls nest and inhabit underground burrows that they excavate or adopt from other burrowing animals, such as gopher tortoises. Culverts, PVC pipes, and spaces underneath sidewalks and roofs also serve as nesting locations for the burrowing owl. Predominately, the burrowing owl is non-migratory and resides within the vicinity of the burrow. They are mostly monogamous and territorial around their burrows. During the nesting season, burrows are adorned with various materials such as grasses and palm fronds before egg laying. Subsequent to the laying of eggs, the entrance to the burrow is decorated with highly visible non-natural objects, such as tinfoil and plastics.

In Southern Florida, the burrowing owl feeds primarily on the brown anole (*Anolis sagrei*), marine toad (*Bufo marinus*), and Cuban treefrog (*Osteopilus septentrionalis*). To a lesser extent, other amphibians, small rodents, insects, arachnids, and crayfish provide supplemental sustenance. The majority of foraging occurs at dusk, but they also will hunt from perches or burrow entrances during the day. Fence posts serve as a main source for perching (Wood 2001).

LEGEND:

- SFWMD AND COE WETLANDS (180.99 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (226.88 Ac.±)
- LANDS NOT INCLUDED IN PROJECT AREA
- NOT REQUIRED TO BE SURVEYED
- SURVEY TRANSECT
- SURVEYED WETLAND LINE

- GT-1 — APPROXIMATE LOCATION OF GOPHER TORTOISE BURROW (TYP.)
- BO-1 — APPROXIMATE LOCATION OF BURROWING OWL BURROW (TYP.)
- BO-14* — APPROXIMATE LOCATION OF BURROWING OWL BURROW WITH BURROWING OWL PRESENT (TYP.)
- BE — APPROXIMATE LOCATION OF BALD EAGLE (TYP.)
- LBHE — APPROXIMATE LOCATION OF LITTLE BLUE HERON (TYP.)

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
100	URBAN/RESIDENTIAL	556.99 Ac.±	28.2%
171	EDUCATIONAL FACILITIES	17.45 Ac.±	0.9%
182	GOLF COURSE	176.86 Ac.±	8.9%
211	IMPROVED PASTURE	0.04 Ac.±	0.0%
320	SHRUB AND BRUSHLAND	7.24 Ac.±	0.4%
321	PALMETTO PRAIRIE	22.39 Ac.±	1.1%
411	PINE FLATWOODS	162.68 Ac.±	8.2%
421	XERIC OAK	15.02 Ac.±	0.8%
427	LIVE OAK	1.73 Ac.±	0.1%
428	CABBAGE PALM	4.70 Ac.±	0.2%
429	WAX-MYRTLE	2.47 Ac.±	0.1%
4291	WAX-MYRTLE, HYDRIC	11.56 Ac.±	0.6%
434	HARDWOOD/CONIFER MIXED	54.50 Ac.±	2.8%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	1.90 Ac.±	0.1%
514	DITCH	0.01 Ac.±	0.0%
520	LAKES	226.87 Ac.±	11.5%
617	MIXED WETLAND HARDWOODS	11.19 Ac.±	0.6%
617C	MIXED WETLAND HARDWOODS (COE WETLAND ONLY)	2.01 Ac.±	0.1%
618	POP ASH AND WILLOW	0.44 Ac.±	0.0%
621	CYPRESS	19.22 Ac.±	1.0%
625	HYDRIC PINE	4.63 Ac.±	0.2%
625C	HYDRIC PINE (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	113.65 Ac.±	5.7%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	10.35 Ac.±	0.5%
641	FRESHWATER MARSH	5.43 Ac.±	0.3%
643	WET PRAIRIE	12.98 Ac.±	0.7%
740	DISTURBED LAND	490.93 Ac.±	24.8%
832	ELECTRICAL TRANSMISSION LINES	44.05 Ac.±	2.2%
	TOTAL	1,978.44 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF FEBRUARY 2012.

BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00-2999DENSITY-OPT2.DWG DATED DECEMBER 3, 2012.

FLUCFCS LINES ESTIMATED FROM1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

WETLAND LINES ACQUIRED FROM CONSUL-TECH ENGINEERING, INC. DRAWING NO.JD LINES.DWG DATED DECEMBER 3, 2002, AND BARRACO AND ASSOCIATES, INC. DRAWING No. DEAN_WETLANDS.DWG DATED MAY 10, 2005.

SCALE: 1" = 500'

J:\2003\03PEG931\2012\PSS\APPENDIX A AERIAL WITH FLUCFCS WETLANDS SURVEY TRANSECTS AND PROTECTED SPECIES LOCATIONS.DWG TAB: 36X24-C TB JAN 10, 2013 - 1:20PM PLOTTED BY: FEUPEL

REVISIONS	DATE

	DATE
DRAWN BY: H.H.	12/10/12
DESIGNED BY: A.K.	12/10/12
REVIEWED BY: K.C.P.	12/10/12

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

Consulting Ecologists
PASSARELLA & ASSOCIATES INC

RIVER HALL

AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS AND PROTECTED SPECIES LOCATIONS MAP

DRAWING No. 03PEG931

SHEET No. APPENDIX A

EXHIBIT K

LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

RIVER HALL
LEE COUNTY PROTECTED SPECIES MANAGEMENT PLAN

May 2006

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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INTRODUCTION

This report documents the Lee County Protected Species Management Plan prepared by Passarella and Associates, Inc. (PAI) for the River Hall property (Project). The purpose of the management plan is to meet the requirements of the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) and Zoning Resolution No. Z-05-051. The management plan contained in this report pertains to the gopher tortoise (*Gopherus polyphemus*), American alligator (*Alligator mississippiensis*), burrowing owl (*Athene cunicularia*), Florida sandhill crane (*Grus canadensis pratensis*), Florida scrub jay (*Aphelocoma coerulescens*), as well as listed wading birds.

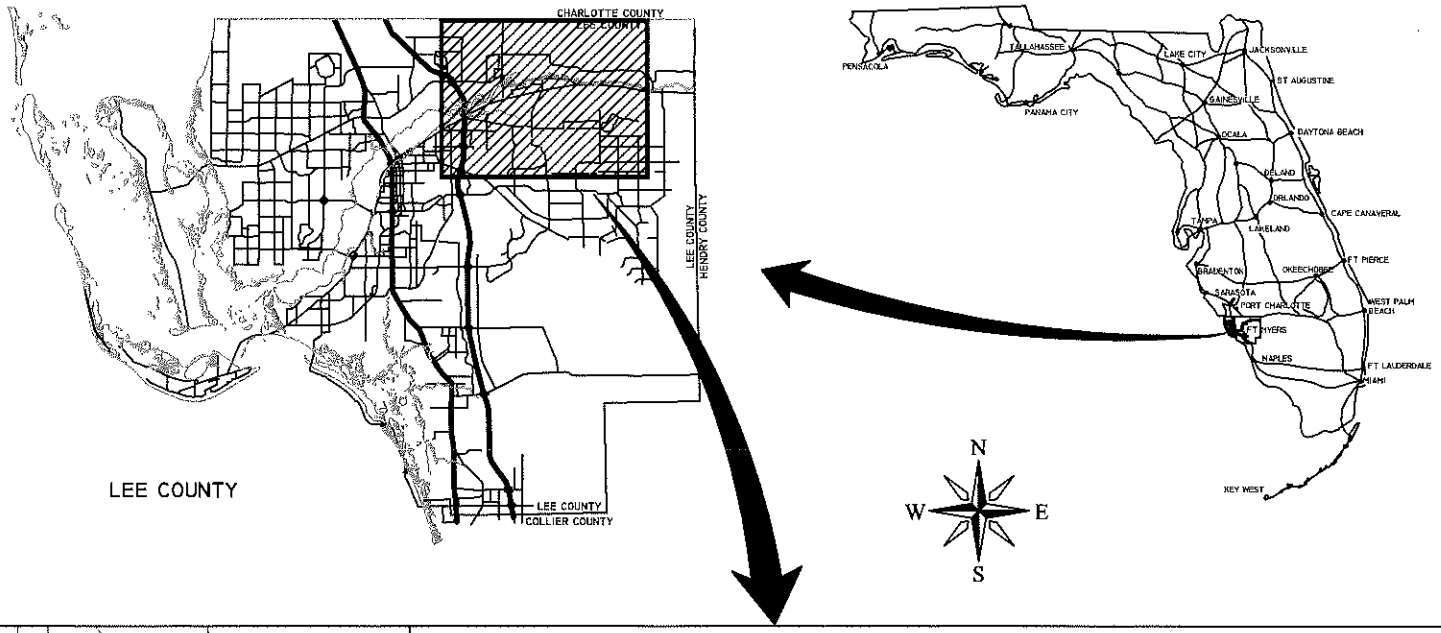
The Project is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; and the residential development Hawk's Preserve to the west.

The protected species survey for the 1,978.70± acre River Hall property was conducted by PAI on May 25, 2004 (PAI 2004a); September 1, 2, and 7, 2004 (PAI 2004b); September 10, 14, 15, 16, and 22, 2004 (PAI 2004c); and February 1, 2005 (PAI 2005). Surveys were conducted during the daylight hours. The type of survey utilized for the protected species survey included meandering pedestrian transects, per Southern Biomes EIS methodology, previously approved by the county. In addition, a Florida scrub jay survey conducted per Florida Fish and Wildlife Conservation Commission (FWCC) and U.S. Fish and Wildlife Service (USFWS) guidelines was conducted in March 2006.

A total of five Lee County protected species were identified on the Project site. The protected species identified included gopher tortoises, burrowing owls, Florida sandhill cranes, little blue herons (*Egretta caerula*), and wood storks (*Mycteria americana*). PAI identified 236 gopher tortoise burrows, eight burrowing owls, three burrowing owl burrows, two Florida sandhill cranes, three little blue herons, and three wood storks on the property. No Florida scrub jays were observed or heard during the protected species surveys or the March 2006 scrub jay survey.

The majority of the property is currently under construction and most of the site has been cleared with the exception of the conservation areas. A FLUCFCS and wetlands map for the conservation areas and indigenous open space is provided as Figure 2. The FLUCFCS acreage for each conservation area and indigenous open space is summarized in Exhibit A. The property contains 16 conservation areas which will be maintained per the South Florida Water Management District (SFWMD) Mitigation Plan (Exhibit B).

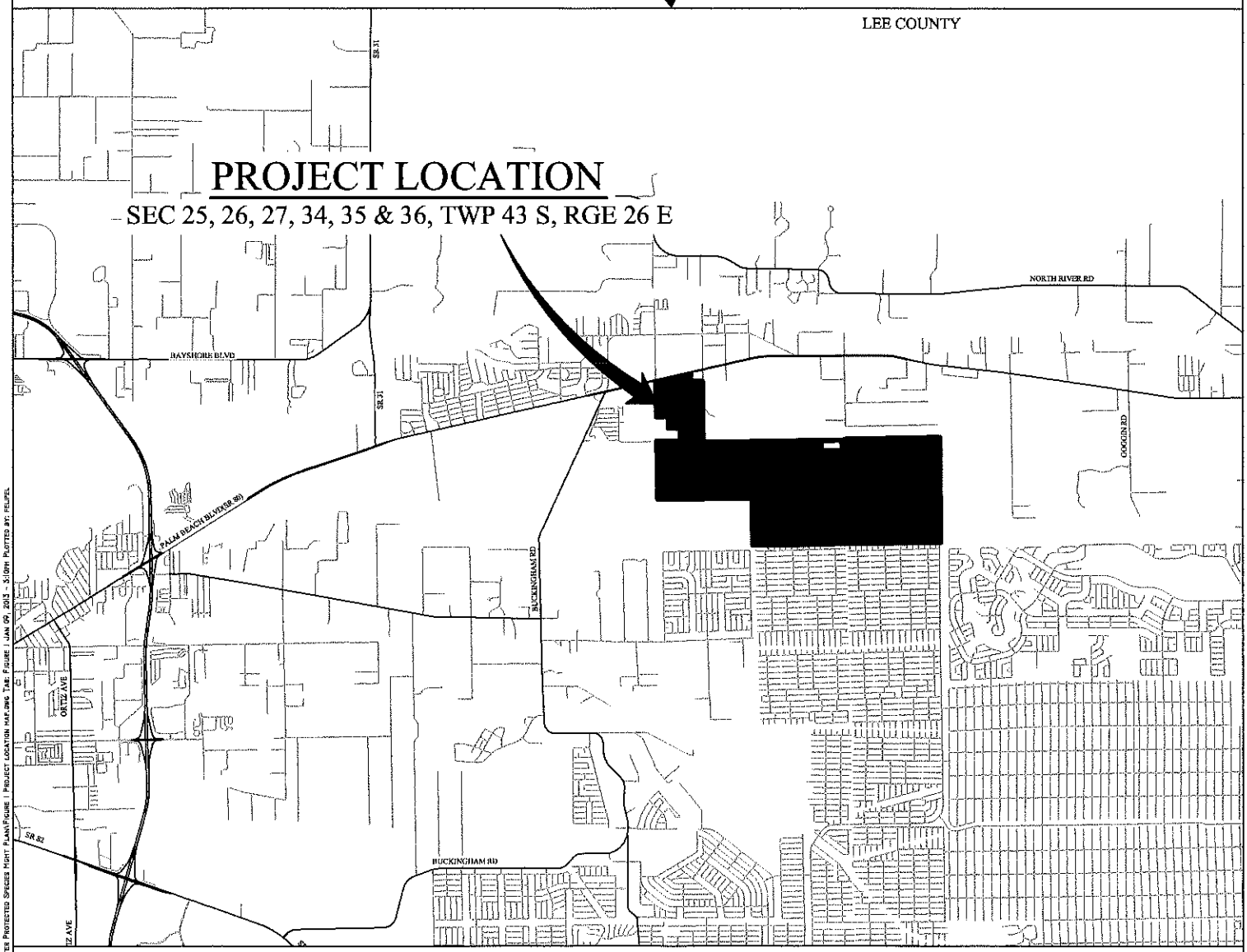
Conservation areas CE-1 through CE-16, totaling 332.49± acres, are recorded under conservation easement INSTR # 5245223 (Exhibit C) deeded to Lee County with third party enforcement rights to the SFWMD. The south 64.58± acres of conservation area CE-15B also has a separate conservation easement INSTR # 5262661 (Exhibit D) deeded to the FWCC with third party enforcement rights to the SFWMD which serves as the gopher tortoise relocation area which includes additional management activities outlined in the conservation easement and this management plan.



LEE COUNTY

PROJECT LOCATION

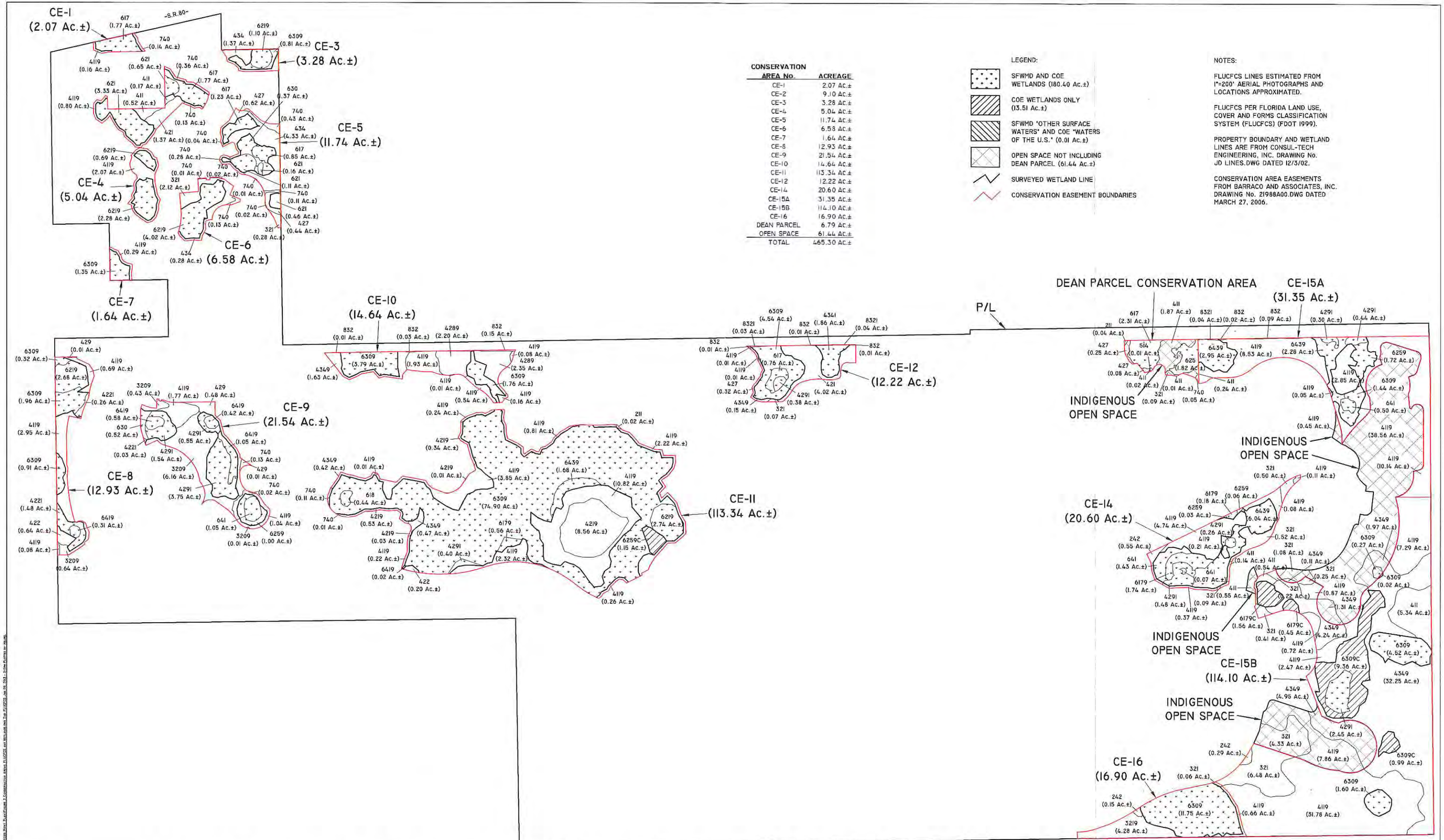
SEC 25, 26, 27, 34, 35 & 36, TWP 43 S, RGE 26 E



J:\2003\03PEG93\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE 1 PROJECT LOCATION MAP.DWG TAB: FIGURE 1 JAN 09, 2013 - 3:10PM PLOTTED BY: FELIPEL

FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 9/16/04



CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

LEGEND:

- SFWMD AND COE WETLANDS (180.40 Ac.±)
- COE WETLANDS ONLY (13.51 Ac.±)
- SFWMD "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (0.01 Ac.±)
- OPEN SPACE NOT INCLUDING DEAN PARCEL (61.44 Ac.±)
- SURVEYED WETLAND LINE
- CONSERVATION EASEMENT BOUNDARIES

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/9/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/9/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/9/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

FLUCFCS AND WETLANDS MAP OF CONSERVATION AREAS AND INDIGENOUS OPEN SPACE

DRAWING No.: 03PEG931

SHEET No.: FIGURE 2

In addition, 64.10± acres of indigenous open space will remain on-site which is contiguous with CE-15A and CE-15B and provides additional foraging and nesting habitat for the gopher tortoise population and has potential foraging habitat for the Florida scrub jay.

The Dean parcel is proposing to place 4.13± acres of wetlands under a conservation easement to the SFWMD and 2.66± acres of upland habitats as indigenous open space; although, the conservation easement has not been recorded. These habitats are contiguous with CE-15A and CE-15B which will provide potential habitat for the American alligator and wading birds.

Protected species observed on-site that could potentially inhabit or utilize conservation areas or indigenous open spaces are summarized in Table 1.

Table 1. Protected Species Observed On-site that could Potentially Inhabit or Utilize Conservation Areas

Conservation Area	Gopher Tortoise	American Alligator	Burrowing Owl	Florida Sandhill Crane	Florida Scrub Jay	Wading Bird
CE-1	×	×				×
CE-2	×	×				×
CE-3		×				×
CE-4	×	×				×
CE-5	×	×				×
CE-6	×	×				×
CE-7		×				×
CE-8	×	×		×		×
CE-9	+	×		×		+
CE-10	×	×				×
CE-11	+	×		×	×	×
CE-12	+	×			×	×
CE-14	+	×		×		+
CE-15A	+	×		×	×	×
CE-15B	+	×	×		×	×
CE-16	+	×				×
Indigenous Open Space	+				×	
Dean Parcel		×				×

×Protected species observed on-site that could potentially inhabit or utilize conservation areas
+Protected species observed within conservation areas

I. GOPHER TORTOISE RELOCATION AND MANAGEMENT PLAN

INTRODUCTION

This relocation and management plan has been prepared for the purpose of addressing the conservation of gopher tortoise habitat on the Project. The gopher tortoise is listed as a species of special concern by the FWCC. There is no federal listing for the gopher tortoise in Florida.

The protected species surveys previously described identified 236 gopher tortoise burrows on the property (Figure 3).

The River Hall gopher tortoise relocation and management plan calls for the "taking" of the gopher tortoise habitat and their burrows within the development footprint of the Project and the on-site relocation of the gopher tortoises to the 64.58± acre gopher tortoise preserve and relocation area (Figure 3). The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58) (Exhibit E). Prior to construction the tortoises were relocated out of harms way to an on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

BIOLOGY

The following is summarized from Diemer (1992). The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 cm (9 to 11 inches) in shell length. Maximum length is around 38 cm (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 shell) is domed and oblong. The plastron (bottom portion of shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 cm (1.7 inches) in length and are yellowish-orange in color. Gopher tortoises excavate burrows averaging 4.5 m (14.8 feet) in length and 2 m (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. The gopher tortoise exhibits deferred sexual maturity, low reproductive potential, and a long life span. Females mature sexually at 10 to 20 years of age, depending on latitude. The breeding season is usually from April to June, but males may attempt to mate throughout the activity season. Eggs are usually deposited in the burrow mounds from mid-May to mid-June. Only one clutch of eggs is produced annually. Clutch size usually ranges from 3 to 12, with an average of 6; however, a clutch of 25 eggs has been reported. The incubation period varies from about 80 to 110 days. Predation on eggs and hatchlings is heavy. Predators include

LEGEND:

- CONSERVATION AREA (397.07 Ac.±)
- GOPHER TORTOISE PRESERVE AREA (64.58 Ac.±)
- INDIGENOUS OPEN SPACE (61.44± Ac.)
- DEAN PARCEL CONSERVATION AREA (6.79± Ac.)
- GOPHER TORTOISE FENCING

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

NOTES:

PROPERTY BOUNDARY PER CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

SITE PLAN PER BARRACO & ASSOCIATES, INC. DRAWING NO.21988A00.DWG DATED MARCH 27, 2006.

SCALE: 1" = 1000'

DEAN PARCEL CONSERVATION AREA

P/L

GOPHER TORTOISE FENCING

GOPHER TORTOISE PRESERVE

J:\2003\03PEG931\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE 3 GOPHER TORTOISE PRESERVE AND RELOCATION MAP.DWG TAB: FIGURE 3 JAN 09, 2013 - 3:11PM PLOTTED BY: FELIPEL

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/5/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/5/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/5/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

GOPHER TORTOISE PRESERVE AND RELOCATION AREA

DRAWING No.: 03PEG931

SHEET No.: FIGURE 3

raccoons, foxes, skunks, armadillos, snakes, and various raptors. Although some hatchlings immediately construct burrows, others may use burrows of adults or merely shelter opportunistically under sand or litter. Estimated life expectancy is 40 to 60 years.

Three environmental conditions are especially important for gopher tortoises: well-drained, loose soil in which to burrow; adequate low-growing herbs for food; and open sunlit sites 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 (Diemer 1992).

Gopher tortoise densities and movements are affected by the amount of herbaceous ground cover present. Generally, feeding activity is confined to within 50 m (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 (Diemer 1992).

ON-SITE RELOCATION AND MANAGEMENT PLAN

Habitat Management

Conservation areas CE-9, CE-11, CE-12, CE-14, CE-15A, CE-15B, CE-16, and indigenous open space areas contain active gopher tortoise populations and will be maintained per the SFWMD Mitigation Plan to enhance gopher tortoise habitat. To comply with the requirements of Conservation Easement (INSTR # 5262661) Habitat Management Plan, controlled burns of the gopher tortoise preserve and relocation area will be conducted to remove excess vegetative growth and nuisance vegetation and promote the growth of herbaceous groundcover 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 wire grass (*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 relocation area to stimulate the growth of herbaceous groundcover vegetation.

Pre-Site Development

The applicant has obtained a FWCC Gopher Tortoise Incidental Take Permit (#LEE-58). The designated gopher tortoise relocation area was survey located and staked in the field. The preserve was enclosed with silt fencing per typical industry standards, which include burying the bottom of the fence 12 to 18 inches below the existing grade and angling the

fence back towards the relocation area. Installation of the fence was approved and inspected by county staff.

Within the limits of construction for the Project, all active and inactive burrows were excavated. Removal of the vegetation and heavier overburden material was removed by a backhoe. The finer digging around the burrow was done by hand with a shovel. All excavation activities were overseen by a qualified ecologist.

Prior to construction gopher tortoises and their commensals were relocated out of harms way to a 64.58± acre on-site preserve area located in the southeast portion of the site. A total of 185 active and inactive gopher tortoise burrows were excavated from November 11 through December 3, 2004. A total of 78 gopher tortoise (48 females, 24 males, and 6 juveniles) were relocated to the on-site relocation area.

Post-Site Development

The gopher tortoise fence will remain in place until all construction activities have been completed. During this period, fence maintenance will be the responsibility of LandMar Group, LLC. The conservation areas will be maintained per the SFWMD Mitigation Plan and Conservation Easement (INSTR # 5262661) Habitat Management Plan.

LandMar Group, LLC will be responsible for the exotic maintenance within the relocation area, which will occur annually, at a minimum, until such time that the homeowner's association takes over the development. The homeowner's association will then be responsible for maintenance of the relocation area. The gopher tortoise preserve area will be maintained in perpetuity.

II. AMERICAN ALLIGATOR MANAGEMENT PLAN

INTRODUCTION

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 species of special concern by the FWCC and threatened by similarity of appearance by the USFWS.

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 of a 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.

MANAGEMENT PLAN

Extensive habitat will be provided throughout the property through wetland preservation and enhancement and the creation of lakes. The conservation areas will be maintained per the SFWMD Mitigation Plan. All conservation areas contain wetlands that will serve as potential foraging and nesting habitats for the American alligator.

EDUCATIONAL MATERIALS

Signs will be posted on the subject property to instruct construction workers and residents not to feed or harass the American alligator. The sign will indicate that the offense is punishable by law.

Informational pamphlets providing background information on identification, habits, and protection of the American alligator will be made available to homeowner's and construction/maintenance personnel (Exhibit F). The pamphlet states if there is a problem with a persistent nuisance alligator, they will need to contact the FWCC, as they are the only agency empowered to handle nuisance alligators.

III. BURROWING OWL HABITAT MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential burrowing owl habitat on the Project. The burrowing owl is listed as a species of special concern by the FWCC. There is no federal listing for the burrowing owl.

The River Hall burrowing owl habitat management plan calls for the "taking" of the burrowing owl habitat and their burrows within the development footprint of the Project and the on-site preservation of burrowing owl habitat. Prior to initiation of construction, the applicant will obtain the appropriate nest removal permit from the FWCC. The nest removal will be conducted in the non-nesting season (i.e., July 10 – February 15) while the burrows

are inactive and relocation is not necessary. A copy of the nest removal permit will be forwarded to the Lee County Division of Environmental Sciences for their records.

Lee County protected species surveys conducted on-site by PAI identified three burrowing owl burrows in the southern portion of the property (Figure 4). An updated survey for burrowing owls was conducted on August 23, 2005. The updated survey revealed that Burrow Nos. 1 and 2 were inactive (old) and Burrow No. 3 was active with two adult burrowing owls observed at the burrow.

Additional burrowing owl monitoring was conducted on March 15, 27, 28, and 29, 2006 and April 19, 2006 to determine habitat use by the burrowing owls during the 2006 nesting season, per Lee County Division of Environmental Sciences requests. The March monitoring events revealed a new primary burrow had been excavated along with numerous secondary burrows (Figure 4) and two burrowing owls were observed flying among the burrows. The April 19, 2006 monitoring event revealed the primary burrow had been preyed upon with four broken burrowing owl egg shells observed near the burrow cavity. Recent signs of armadillo rutting were observed around the burrow and armadillo tracks were observed on the burrow apron.

BIOLOGY

The burrowing owl lives and breeds in varied habitats throughout the Florida peninsula with the primary natural habitat occurring in dry prairie and during the dry season the edges of depressional marshes. Presently, the burrowing owl inhabits several ruderal areas including pastures, golf courses, airports, athletic fields, school campuses, vacant areas in residential or industrial neighborhoods, and road right-of-ways (Hipes *et al* 2001). One of the largest subpopulations of burrowing owls is located on the Cape Coral peninsula in Lee County.

Burrowing owls nest and inhabit underground burrows that they excavate or adopt from other burrowing animals, such as gopher tortoises. Culverts, PVC pipes, and spaces underneath sidewalks and roofs also serve as nesting locations for the burrowing owl. Predominately, the burrowing owl is non-migratory and resides within the vicinity of the burrow. They are mostly monogamous and territorial around their burrows. During the nesting season, burrows are adorned with various materials such as grasses and palm fronds before egg laying. Subsequent to the laying of eggs, the entrance to the burrow is decorated with highly visible non-natural objects, such as tinfoil and plastics.

In Southern Florida, the burrowing owl feeds primarily on the brown anole (*Anolis sagrei*), marine toad (*Bufo marinus*), and Cuban treefrog (*Osteopilus septentrionalis*). To a lesser extent, other amphibians, small rodents, insects, arachnids, and crayfish provide supplemental sustenance. The majority of foraging occurs at dusk, but they also will hunt from perches or burrow entrances during the day. Fence posts serve as a main source for perching (Wood 2001).

LEGEND:

- CONSERVATION AREA (397.07± Ac.)
- INDIGENOUS OPEN SPACE (61.44± Ac.)
- BURROWING OWL PRESERVE WITHIN CE-15B (43.69± Ac.)
- DEAN PARCEL CONSERVATION AREA (6.79± Ac.)

NOTES:

PROPERTY BOUNDARY PER CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

SITE PLAN PER BARRACO & ASSOCIATES, INC. DRAWING NO.21988A00.DWG DATED MARCH 27, 2006.

CONSERVATION AREA No.	ACREAGE
CE-1	2.07 Ac.±
CE-2	9.10 Ac.±
CE-3	3.28 Ac.±
CE-4	5.04 Ac.±
CE-5	11.74 Ac.±
CE-6	6.58 Ac.±
CE-7	1.64 Ac.±
CE-8	12.93 Ac.±
CE-9	21.54 Ac.±
CE-10	14.64 Ac.±
CE-11	113.34 Ac.±
CE-12	12.22 Ac.±
CE-14	20.60 Ac.±
CE-15A	31.35 Ac.±
CE-15B	114.10 Ac.±
CE-16	16.90 Ac.±
DEAN PARCEL	6.79 Ac.±
OPEN SPACE	61.44 Ac.±
TOTAL	465.30 Ac.±

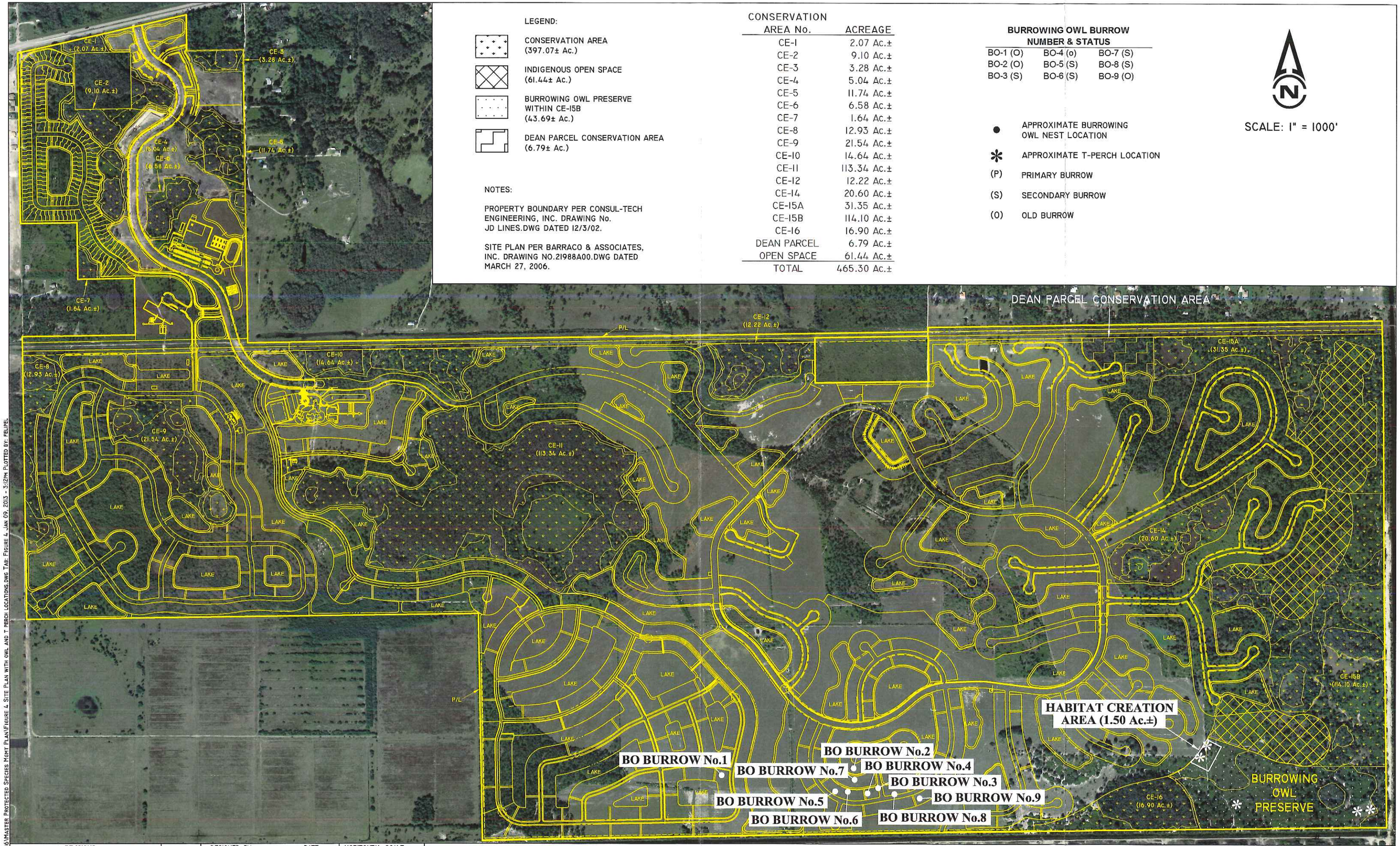
BURROWING OWL BURROW NUMBER & STATUS

BO-1 (O)	BO-4 (o)	BO-7 (S)
BO-2 (O)	BO-5 (S)	BO-8 (S)
BO-3 (S)	BO-6 (S)	BO-9 (O)

- ● APPROXIMATE BURROWING OWL NEST LOCATION
- ✻ APPROXIMATE T-PERCH LOCATION
- (P) PRIMARY BURROW
- (S) SECONDARY BURROW
- (O) OLD BURROW

N

SCALE: 1" = 1000'



J:\2003\03PEG931\2006\MASTER PROTECTED SPECIES MGMT PLAN\FIGURE 4 SITE PLAN WITH OWL AND T PERCH LOCATIONS.DWG TAB: FIGURE 4 - JAN 09, 2013 - 3:12PM PLOTTED BY: FELIPEL

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/12/06	1"=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/12/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/12/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

AERIAL WITH SITE PLAN, BURROWING OWL PRESERVE, BURROW LOCATIONS, AND T-PERCH LOCATIONS

DRAWING No.: 03PEG931

SHEET No.: FIGURE 4

UPLAND PRESERVATION

A total of 43.69± acres will be enhanced and preserved on the Project site for burrowing owls (Figure 4). Approximately 0.29± acre of Sod Farm (FLUCFCS Code 242); 6.63± acres of Palmetto Prairie (FLUCFCS Code 321); 31.85± acres of Pine Flatwoods (FLUCFCS Code 411); 3.32± acres of Hardwood/Conifer Mixed (FLUCFCS Code 434); and 1.60± acres of Mixed Wetland Forest (FLUCFCS Code 6309) will be preserved in the burrowing owl preserve under Conservation Easement INSTR # 5262661.

The following habitat types are located within the south portion of CE-15B designated for burrowing owls.

Upland Habitats

Sod Farm (FLUCFCS Code 242)
This area is occupied by abandoned agricultural operations which provide suitable habitat for burrowing owls.

Palmetto Prairie (FLUCFCS Code 321)
The canopy contains scattered slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), and cabbage palm (*Sabal palmetto*). The sub-canopy consists of Brazilian pepper (*Schinus terebinthifolius*), beauty-berry (*Callicarpa americana*), wax-myrtle (*Myrica cerifera*), and winged sumac (*Rhus copallina*). The ground cover includes saw palmetto (*Serenoa repens*) and grapevine (*Vitis rotundifolia*). The saw palmetto is low growing allowing open areas for the burrowing owls to nest. Also, many gopher tortoise burrows exist in this FLUCFCS code, which provides existing burrows for burrowing owls to occupy.

Pine Flatwoods (FLUCFCS Code 411)
The canopy contains low density slash pine. The sub-canopy contains scattered wax-myrtle, dahoon holly (*Ilex cassine*), and cabbage palm. Ground cover includes saw palmetto, bahiagrass (*Paspalum notatum*), and staggerbush (*Lyonia fruiticosa*). Also, many gopher tortoise burrows exist in this FLUCFCS code, which provides existing burrows for burrowing owls to occupy.

Hardwood-Conifer Mixed (FLUCFCS Code 434)
The canopy contains slash pine, live oak, and cabbage palm. The sub-canopy contains cabbage palm. The ground cover includes bahiagrass, caesarweed (*Urena lobata*), Brazilian pepper, and cabbage palm. Open pockets of bahiagrass exist among this FLUCFCS code for burrowing owls to nest and forage.

Wetland Habitat

Mixed Wetland Forest (FLUCFCS Code 6309)
The canopy contains cabbage palm, cypress (*Taxodium distichum*), American elm (*Ulmus americana*), swamp laurel oak (*Quercus laurifolia*), and slash pine. The sub-canopy contains

swamp laurel oak, cabbage palm, dahoon holly, and Brazilian pepper. The ground cover includes swamp fern (*Blechnum serrulatum*), myrsine (*Rapanea punctata*), wax-myrtle, poison ivy (*Toxicodendron radicans*), iris (*Iris* sp.), peppervine (*Ampelopsis arborea*), greenbriar (*Smilax* sp.), asiatic pennywort (*Centella asiatica*), and day-flower (*Commelina* sp.). This wetland provides additional foraging areas for the burrowing owls to collect lizards, amphibians, insects, and crayfish.

PRE-CONSTRUCTION ACTIVITIES

A qualified ecologist will be on-site to supervise burrowing owl management activities as detailed in this plan. Prior to commencement of construction activities, the preserve area will be staked in the field and clearly identified with orange tape on the existing gopher tortoise fencing. The flagging will be inspected by Lee County staff 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 area. The fencing identifying the limits of the preserve will be maintained for the duration of construction activities.

On August 23, 2005 a site review revealed that Burrowing Owl Burrows Nos. 1 and 2 were inactive and that Burrowing Owl Burrow No. 3 was active with two adult burrowing owls observed at the burrow (Figure 4). As recommended by the FWCC, Burrow No. 3 was staked and roped off with a ten foot buffer around the burrow entrance to prevent human entry and disturbance prior to construction. Five T-perches, approximately three to four feet in height, were constructed in the 43.69± acre burrowing owl preserve area prior to commencement of construction activities on February 15, 2006 (Figure 4). The T-perches were installed in open areas in sod farm, palmetto prairie, and pine flatwoods. Starter burrows near the T-perches were added to help induce nesting and encourage burrow excavation.

Pre-construction monitoring of the burrowing owl burrows was conducted in March 2006 and April 2006 to determine habitat use by the burrowing owls during the 2006 nesting season.

HABITAT ENHANCMENT

During the construction phase of the Project, exotic nuisance vegetation, including but not limited to, Brazilian pepper, melaleuca (*Melaleuca quinquenervia*), Australian pine (*Casuarina equisetifolia*), and downy rose-myrtle (*Rhodomyrtus tomentosus*) will be removed and/or treated with herbicide within the designated preserves. Precautions will be taken when applying herbicides around live oak, cabbage palm, or slash pine. Herbicides that contain label warnings indicating potential damage or kill to live oak, cabbage palm, or pines are prohibited. The conservation areas will be maintained per the SFWMD Mitigation Plan.

Additional management activities in the burrowing owl preserve will include habitat creation and enhancement through the mechanical clearing of approximately 1.21 acre of existing saw

palmetto and oak (*Quercus* sp.) along the northwestern fringe of the preserve to open ground cover to attract the burrowing owls (Figure 4). The mechanical clearing will be performed with small machinery that does not disturb the soil or existing gopher tortoise burrows within the preserve, and will be conducted in the winter months when the gopher tortoises are less active. Supplemental planting of bahiagrass will be installed in clusters within the mechanically cleared area leaving open sandy pockets to provide foraging habitat. Ground cover will be opened by removing plugs of sod in the existing sod farm located within the habitat creation area.

Limited mowing will be conducted in the burrowing owl preserve area in order to sustain low ground cover. During these management activities, a qualified ecologist will be present and supervise these activities.

EDUCATIONAL MATERIALS

Signs will be posted around the burrowing owl preserve to instruct construction workers, residents, and golfers not to harass the burrowing owl. Informational pamphlets will be made available to homeowners and individuals in charge of the clearing operation for distribution to all construction crew and is enclosed as Exhibit G. All homeowners with properties adjacent to the large eastern preserve should receive a copy of the burrowing owl informational pamphlet upon the closing of the property. The pamphlet provides background information on identification, habits, and protection of the burrowing owl. The pamphlet states actions to take if a burrowing owl is sighted or if a burrow is excavated, and the names and numbers of contact persons.

IV. FLORIDA SANDHILL CRANE MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential Florida sandhill crane habitat on the Project. The Florida sandhill crane is listed as threatened by the FWCC and endangered by the USFWS.

BIOLOGY

It is a heavy bodied bird with a long neck and legs (Nesbit 1996). It stands almost four feet tall and is uniformly gray-brown with bustle-like tail feathers and a distinctive reddish colored unfeathered crown. Vocalizations are a very loud trumpeting rattle. Unlike herons and egrets, sandhill cranes fly with both their legs and neck extended. The young can swim and run at one day old and will accompany the adults on long foraging trips well before they can fly (Stys 1997).

Sandhill cranes typically nest in shallow, open wetlands. The most important nesting criteria are habitat availability and water levels. Water levels are critical and must not be too shallow or too deep if nesting is to be successful. Mean water depths at nest sites range from 5.3 to 12.8 inches. Preferred nesting sites are in shallow freshwater marshes and wet prairies. Nest productivity is typically better in wet winters and dry springs. Wet winters provide suitable water depths for nesting and foraging, but wet springs can cause nest flooding and abandonment (Stys 1997). Sandhill cranes have been known to nest in wetlands in developed urban settings if urban disturbances are in place when they choose the nest site.

The foraging diet includes a variety of foods such as plants, insects, worms, seeds, grains, berries, aquatic invertebrates, small mammals, and even birds. Some agricultural crops such as corn and peanuts are utilized in the northern parts of Florida where they are grown on large scale (Stys 1997).

Sandhill cranes are usually found foraging in large, open upland areas and herbaceous emergent wetlands with shallow water. They roost in shallow herbaceous wetlands with water that is four to12 inches deep. Roost sites are often surrounded by deeper water or open marsh. Improved pasture, sod farms, open pine forest, and woodland pasture are typical habitats utilized for foraging. Sandhill cranes have been documented foraging in golf course roughs, airports, and other open types of developments that have large grassed areas. They are adaptive birds that are increasingly utilizing suburban and urban areas (Stys 1997).

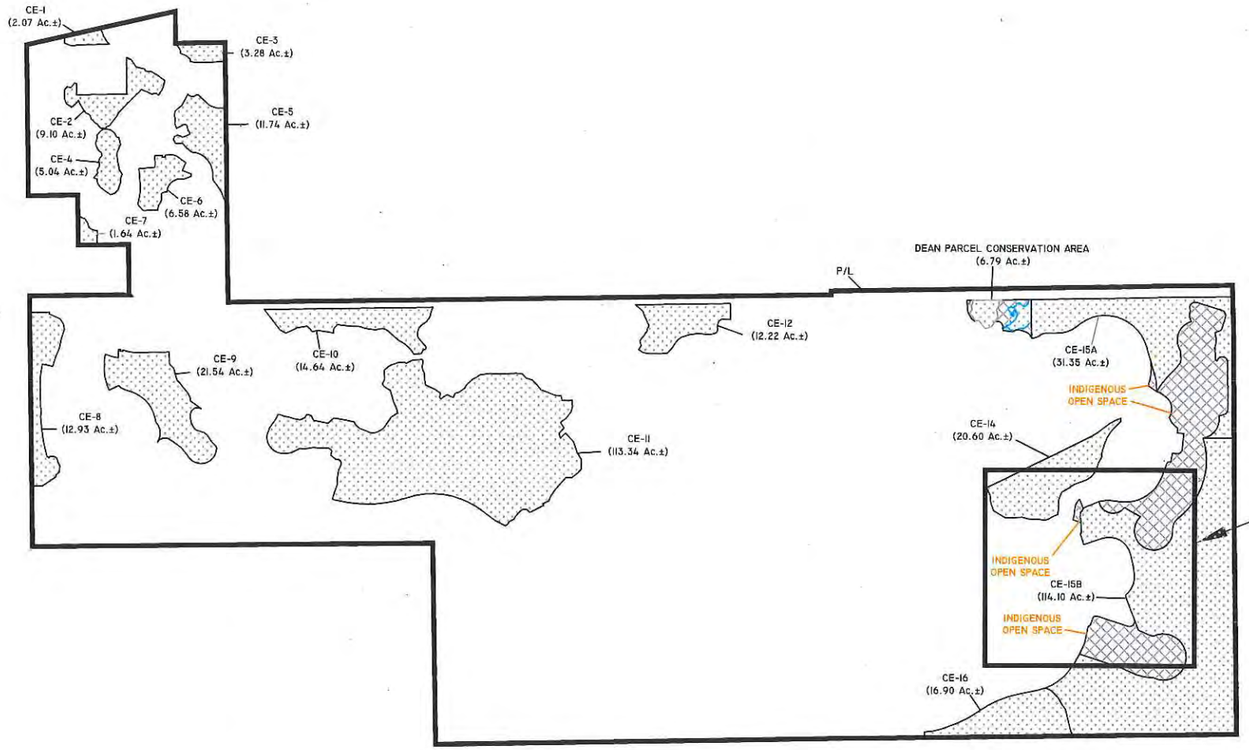
MANAGEMENT PLAN

The two sandhill cranes observed on the property were foraging. No active nests were located, nor were any unfledged birds observed. Because there were no active nests sites on the property, there are no habitat buffers required.

However, extensive foraging areas will be provided throughout the property in golf course roughs and upland/wetland preserves. Conservation areas CE-8, CE-9, CE-11, CE-14, and CE-15A will provide potential foraging areas for sandhill cranes. The conservation areas will be maintained per the SFWMD Mitigation Plan.

Emergent wetland acres will be increased through the planting of littoral zones in the lakes created as part of the development. Expanded littoral zones will be provided in two draw down pools by adding a ten foot shelf, two feet below control elevation, around the perimeter of the lakes (Figure 5). Invasive exotic removal will result in upland and wetland preserves that are more suitable as foraging habitats, as well as making the wetlands better for roosting.

An additional measure to encourage the continued use of River Hall by sandhill cranes includes the prohibition of free roaming pets. Free roaming dogs and cats are prohibited by the River Hall homeowner's documents. These prohibitions will initially be enforced by the developer and ultimately by the homeowner's association.



DETAIL AREA

LEGEND:

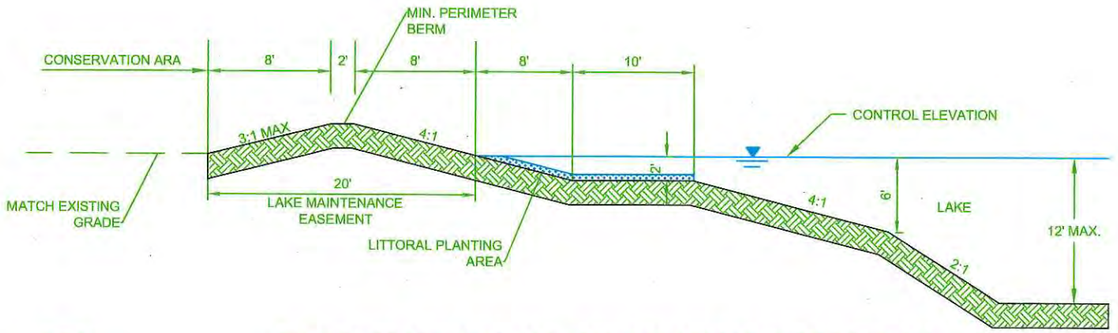
CONSERVATION AREA

INDIGENOUS OPEN SPACE

NOTES:

SITE PLAN PER BARRACO & ASSOCIATES, INC.
DRAWING No. 22060GC2-11.DWG DATED APRIL 24, 2006.

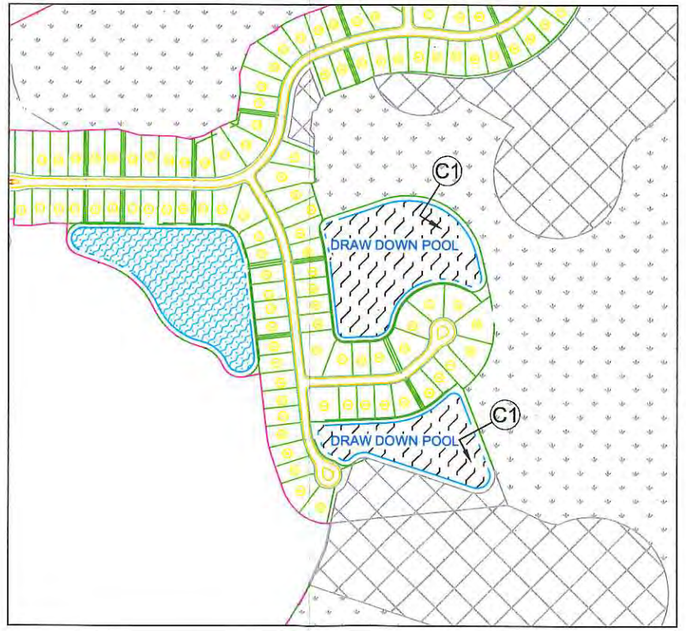
CROSS SECTION PER BARRACO & ASSOCIATES, INC.
DRAWING No. 22060GC2-18A.DWG DATED APRIL 24, 2006.



C1 CROSS SECTION OF DRAW DOWN POOL

NOT TO SCALE

DETAIL



REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
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		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/10/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/10/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
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RIVER HALL
DRAW DOWN POOL LOCATION MAP WITH CROSS SECTION

DRAWING No.: 03PEG931
SHEET No.: FIGURE 5

V. FLORIDA SCRUB JAY HABITAT MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential Florida scrub jay habitat on the Project. The Florida scrub jay is listed as threatened by the FWCC and USFWS.

FLORIDA SCRUB JAY SURVEYS

Florida scrub jay nesting season surveys were conducted in March 2006 by PAI for the Project (Exhibit H). The surveys were conducted per the USFWS guidelines in the Draft Standard Local Operating Procedures for Endangered Species (SLOPES) (USFWS 2002) for the Florida scrub jay and per the FWCC guidelines in Ecology and Development Related Habitat Requirements of the Florida Scrub Jay, Non-Game Wildlife Program Technical Report No. 8 (Fitzpatrick *et al.* 1991). No Florida scrub jays were observed or heard during the March 2006 surveys and only marginal scrub jay habitat was present. The nearest documented scrub jay colony is located approximately one quarter mile east of the Project on Hickey's Creek Mitigation Park.

BIOLOGY

The Florida scrub jay is about 9.8 to 11.8 inches long and weighs about 2.7 ounces. They are similar in size and shape to the blue jay (*Cyanocitta cristata*) but differ significantly in coloration (Woolfenden and Fitzpatrick 1996a). Unlike the blue jay, the scrub jay does not have a crest. It also lacks the conspicuous white-tipped wing and tail feathers, black barring, and bridle of the blue jay. The Florida scrub jay's head, nape, wings, and Eastern cottontail are pale, blue while its back and belly are pale grey. The sexes are similar in appearance (Woolfenden 1978).

The Florida scrub jay is an isolated, relict population of a species with a wide geographic range in western North America. It occurs only in the botanically distinct Florida oak scrub, a rare, scattered habitat whose island-like distribution is being reduced further by man (Woolfenden and Fitzpatrick 1984). Historically, the Florida scrub jay was distributed throughout the Florida peninsula in suitable scrub habitat in 39 of the 40 counties south of, and including, Levy, Gilchrist, Alachua, Clay, and Duval Counties. Today, they have been extirpated from Broward, Dade, Gilchrist, Hendry, Pinellas, and St. Johns counties (Figzpatrick *et al.* 1991).

The Florida scrub jay shows obligatory reliance on oaks, especially those growing in short, open scrub maintained by periodic fire (Woolfenden and Fitzpatrick 1984). Optimal habitats include xeric oak scrub, open sand pine scrub, open scrubby flatwoods with slash pine (*Pinus elliottii*), and rosemary (*Ceratiola ericoides*) scrub (Fitzpatrick *et al.* 1991).

Age at first breeding in the Florida scrub jay varies from one to seven years, although most individuals become breeders between two and four years of age (Fitzpatrick and Woolfenden 1998). The Florida scrub jay is permanently monogamous (Woolfenden and Fitzpatrick 1984). The pair retain ownership and sole breeding privileges in their particular territory year after year.

Nesting is synchronous, normally occurring from March 1st through June 30th each year (Woolfenden and Fitzpatrick 1990). In suburban habitats, nesting is consistently initiated earlier in the season (March and April) than in natural scrub habitats (Fleischer 1996). The nest is a open cup constructed of course twigs from oaks and other vegetation, and the inside is lined with tightly wound palmetto or cabbage palm fibers (Woolfenden and Fitzpatrick 1996b). Clutch size ranges from one to five eages but three to four eggs is typical (Fleisher 1996). Eggs are incubated for 17 to 18 days, and fledging occurs 16 to 21 days after hatching (Woolfenden 1974). Average production of young is two fledglings per pair per year (Woolfenden and Fitzpatrick 1990), and the presence of helpers improves fledging success (Mumme 1992).

About 30 to 40 percent of the Florida scrub jays at the onset of a nesting season are not breeders but helpers. Predominantly yearlings, the helpers are adult plumaged prebreeders, mostly living in their natal territory where they assist the breeders, usually their parents, with all daily activities. Male helpers may remain nonbreeders for up to five years, while female helpers generally disperse after on or two years (Fitzpatrick *et al.* 1991).

Various snakes, mammals, and birds prey on the Florida scrub jay adults, yearlings, nestlings and eggs. Some noted predators include bobcat (*Felis rufus*), raccoon, cotton rats (*Sigmodon hispidus*), domestic cats (*Felis cattus*), Eastern indigo snake (*Drymarchon corais couperi*), coachwhip (*Masticophis flagellum*), great horned owl (*Bubo virginianus*), screech-owl (*Otus asio*), and fish crow (*Corvus ossifragus*) (Fitzpatrick *et al.* 1991). The scrub jay's average life expectancy is five to six years; however, some have been recorded to live as long as 20+ years (Woolfenden and Fitzpatrick 1984).

IDENTIFICATION OF PREFERRED HABITAT TYPES

The Project's vegetation associations were reviewed to identify potential habitat types for Florida scrub jays using the type definitions found in Fitzpatrick *et al.* 1991. The three preferred habitat types are defined as follows:

> Type I Habitat - any upland plant community, in which percent cover of the substrate by scrub oak species is 15 percent or more. Scrub oak species include Chapman's oak (*Quercus chapmanii*), sand live oak (*Q. geminata*), scrub oak (*Q. inopina*), myrtle oak (*Q. myrtifolia*), and dwarf live oak (*Q. minima*). Type I habitat may be characterized as xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, or sand pine scrub.

Type II Habitat - any plant community not meeting the definition of Type I Habitat, in which one or more scrub oak species is greater than zero but less than 15 percent cover. Presence of scrub oaks is a key indicator.

Type III Habitat - any upland or seasonally dry wetland within one quarter mile of any area designated as Type I or Type II Habitat.

PREFERRED HABITAT TYPES OCCURING ON SITE

The Lee County Zoning Resolution (Z-05-051) contains language stating 80± acres of Type I habitat exists on the southeastern portion of the Project site. However, the habitats occurring in this area contain minimal occurrence of scrub oak species and are extensively overgrown which do not appear to provide suitable habitat at present for Florida scrub jays. On March 27, 2006 the preserve areas were mapped for Florida scrub jay preferred habitat types (Figure 6). Type I xeric oak habitats on site are too small, isolated, and overgrown to provide nesting or foraging areas for the Florida scrub jay. Two small areas mapped as Palmetto Prairie and Pine Flatwoods, Disturbed contained less than 15 percent cover of the substrate by scrub oak species therefore these areas are categorized as Type II. Surrounding uplands and seasonal dry wetlands within one quarter mile of Type I or II habitats were mapped as Type III.

Existing Types I and II habitats occurring on-site are extensively overgrown and do not appear to provide any suitable habitat at present for Florida scrub jays. These areas are considered marginal Florida scrub jay habitat because presence of scrub oak is very minimal, the majority of existing oaks are live oak and swamp laurel oak; existing scrub oak species are very overgrown, averaging approximately 20 feet in height; the ground cover is densely covered with saw palmetto lacking herbaceous ground cover and open sandy areas for foraging; dense slash pine canopy exists in some areas; and these habitats are too small and isolated to provide appropriate Florida scrub jay habitat. On-site habitat is not suitable for nesting and is marginal for foraging at present. However, existing Types II and III habitats located on the eastern portion of the property could potentially serve as foraging areas for the Florida scrub jays occurring at Hickey's Creek Mitigation Park after habitat management activities have taken place, per the Lee County River Hall Protected Species Management Plan.

MANAGEMENT PLAN

To offset potential impacts to the Florida scrub jay, 12.59± acres of Type I, 28.59± acres of Type II and 259.76± acres of Type III scrub jay habitat has been recorded under Conservation Easement INSTR # 5245223 and Conservation Easement INSTR # 5262661 (CE-11, CE-12, CE-15A, and CE-15B) or set aside as indigenous open space (Figure 6). The conservation areas located along the eastern border of the property are adjacent to the Hickey's Creek Mitigation Park to serve as a buffer to development and to provide potential foraging areas for the Florida scrub jay.

FLUCFCS CODE	DESCRIPTIONS	TYPE I	TYPE II	TYPE III	TOTAL
211	IMPROVED PASTURE	-	-	0.02 Ac.±	0.02 Ac.±
242	SOD FARM	-	-	0.38 Ac.±	0.38 Ac.±
321	PALMETTO PRAIRIE	-	9.47 Ac.±	4.47 Ac.±	13.94 Ac.±
3219	PALMETTO PRAIRIE, DISTURBED	-	-	1.21 Ac.±	1.21 Ac.±
411	PINE FLATWOODS	-	-	5.57 Ac.±	5.57 Ac.±
4119	PINE FLATWOODS, DISTURBED	-	19.12 Ac.±	95.31 Ac.±	114.43 Ac.±
421	XERIC OAK	4.02 Ac.±	-	-	4.02 Ac.±
4219	XERIC OAK, DISTURBED	8.57 Ac.±	-	0.12 Ac.±	8.69 Ac.±
427	LIVE OAK	-	-	0.32 Ac.±	0.32 Ac.±
4291	WAX MYRTLE, HYDRIC	-	-	3.22 Ac.±	3.22 Ac.±
4341	HARDWOOD/CONIFER MIXED, HYDRIC	-	-	1.86 Ac.±	1.86 Ac.±
4349	HARDWOOD/CONIFER MIXED, DISTURBED	-	-	44.90 Ac.±	44.90 Ac.±
617	MIXED WETLAND HARDWOODS	-	-	0.76 Ac.±	0.76 Ac.±
6179	MIXED WETLAND HARDWOODS, DISTURBED	-	-	0.56 Ac.±	0.56 Ac.±
6179 C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	-	-	0.98 Ac.±	0.98 Ac.±
6219	CYPRESS, DISTURBED	-	-	2.74 Ac.±	2.74 Ac.±
6259	HYDRIC PINE, DISTURBED	-	-	0.09 Ac.±	0.09 Ac.±
6259 C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	-	-	1.15 Ac.±	1.15 Ac.±
6309	MIXED WETLAND FOREST, DISTURBED	-	-	81.39 Ac.±	81.39 Ac.±
6309 C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	-	-	10.35 Ac.±	10.35 Ac.±
641	FRESWATER MARSH	-	-	0.50 Ac.±	0.50 Ac.±
6439	WET PRAIRIE, DISTURBED	-	-	3.76 Ac.±	5.23 Ac.±
832	ELECTRICAL TRANSMISSION LINES	-	-	0.03 Ac.±	0.03 Ac.±
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	-	-	0.07 Ac.±	0.07 Ac.±
	TOTAL	12.59 Ac.±	28.59 Ac.±	259.76 Ac.±	300.94 Ac.±

LEGEND:

- LIMITS OF FLORIDA SCRUB JAY TYPE I HABITATS
- LIMITS OF FLORIDA SCRUB JAY TYPE II HABITATS
- LIMITS OF FLORIDA SCRUB JAY TYPE III HABITATS
- FLORIDA SCRUB JAY MANAGEMENT AREA (64.58 Ac.±)

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

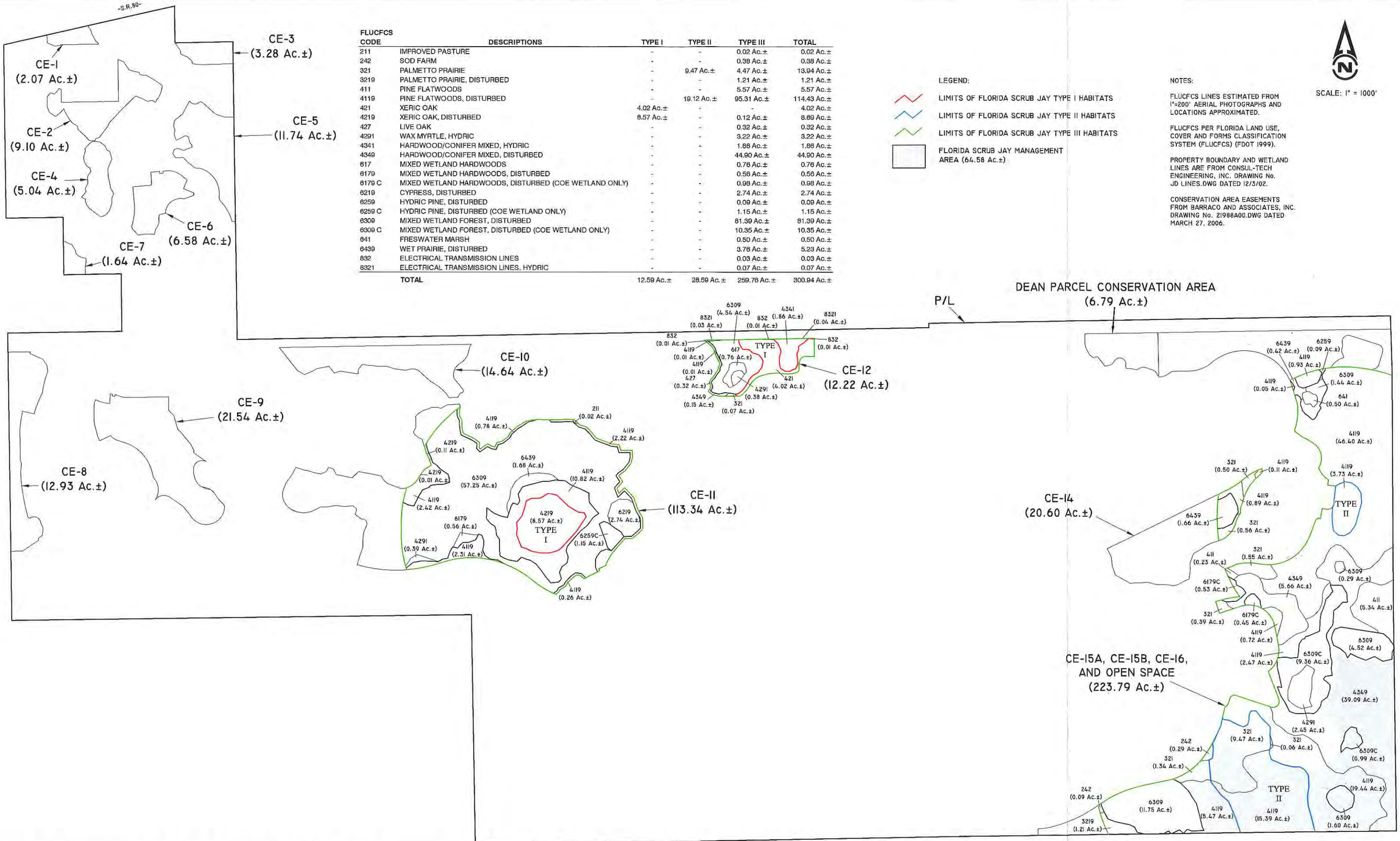
FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'



REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
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		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/10/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/10/06	25,26,27,34,35,36/43/26

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9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL
FLORIDA SCRUB JAY MANAGEMENT AREA AND PREFERRED HABITAT TYPES

DRAWING No.: 03PEG931
SHEET No.: FIGURE 6

Conservation areas CE-11, CE-12, CE-15A, and CE-15B will be managed and enhanced per the SFWMD Mitigation Plan and Conservation Easement (INSTR # 5262661) Habitat Management Plan. Additional management activities within the gopher tortoise relocation area will also be managed for the Florida scrub jay (Figure 6). Controlled burns will be conducted to remove excess vegetative growth and nuisance vegetation to open groundcover for scrub jay foraging. Fire management shall consist of 1) a fuel reduction burn between the months of June and February, outside the scrub jay nesting season; 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); 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 scrub jay and gopher tortoise. Also, selective felling of mid-story hardwood trees may also be implemented at any time within the 64.58± acre preserve to sustain low growing oaks and open ground cover. These habitat management activities will provide suitable Florida scrub jay foraging habitat for existing scrub jay colonies located at the Hickey's Creek Mitigation Park. In addition, indigenous open space contiguous with CE-15A and CE-15B will provide additional foraging grounds.

LandMar Group, LLC will be responsible for the exotic maintenance within the conservation area, which will occur annually, at a minimum, until such time that the homeowner's association takes over the development. The homeowner's association will then be responsible for maintenance of the conservation area. The Florida scrub jay conservation area will be maintained in perpetuity.

VI. WADING BIRD MANAGEMENT PLAN

INTRODUCTION

This habitat management plan has been prepared for the purpose of addressing the conservation of potential wading bird habitat on the Project.

MANAGEMENT PLAN

Extensive foraging areas will be provided throughout the property through wetland preservation and enhancement. The conservation areas will be maintained per the SFWMD Mitigation Plan. All conservation areas contain wetlands that will serve as potential foraging and nesting habitats for wading birds.

Emergent wetland acres will be increased through the planting of littoral zones in the lakes created as part of the development. Expanded littoral zones will be provided in two draw down pools by adding a ten foot shelf, two feet below control elevation, around the perimeter of the lakes (Figure 5). Invasive exotic removal will result in upland and wetland preserves that are more suitable as foraging habitats, as well as making the wetlands better for roosting.

An additional measure to encourage the continued use of Project by wading birds includes the prohibition of free roaming pets. Free roaming dogs and cats are prohibited by the River Hall homeowner's documents. These prohibitions will initially be enforced by the developer and ultimately by the homeowner's association.

REFERENCES

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EXHIBIT A

FLUCFCS ACREAGE SUMMARY

EXHIBIT A. FLUCFCS Acreage Summary

FLUCFCS Code	Description	CE-1	CE-2	CE-3	CE-4	CE-5	CE-6	CE-7	CE-8	CE-9	CE-10	CE-11	CE-12	CE-14	CE-15A	CE-15B	CE-16	Dean Parcel Wetlands	Indigenous Open Space	Total
211	Improved Pasture											0.02							0.04	0.06
242	Sod Farm													0.55		0.29	0.15			0.99
3209	Shrub and Brushland, Disturbed								0.64	6.60										7.24
321	Palmetto Prairie					0.28	2.12						0.07	2.11		7.36	0.06		5.50	17.50
3219	Palmetto Prairie, Disturbed																4.28			4.28
411	Pine Flatwoods		0.69											0.14		5.88			2.69	9.40
4119	Pine Flatwoods, Disturbed	0.16	0.80		2.07			0.29	3.72	2.81	2.72	20.75	0.02	6.51	21.57	43.13	0.66		46.87	152.08
421	Xeric Oak		1.37										4.02							5.39
4219	Xeric Oak, Disturbed											9.47								9.47
422	Brazilian Pepper								0.64			0.20								0.84
4221	Brazilian Pepper, Hydric								1.74	0.03										1.77
427	Live Oak					1.06							0.32						0.33	1.71
4289	Cabbage Palm, Disturbed										4.55									4.55
429	Wax Myrtle								0.01	1.49										1.50
4291	Wax Myrtle, Hydric									5.84		0.40	0.38	1.74	0.74	2.45				11.55
434	Hardwood/Conifer Mixed			1.37		4.33	0.28													5.98
4341	Hardwood/Conifer Mixed, Hydric												1.86							1.86
4349	Hardwood/Conifer Mixed, Disturbed										1.63	0.89	0.15			36.49			8.34	47.50
514	Ditch																	0.01		0.01
617	Mixed Wetland Hardwoods	1.77	1.77			2.08							0.76					2.31		8.69
6179	Mixed Wetland Hardwoods, Disturbed											0.56		1.92						2.48
6179 C	Mixed Wetland Hardwoods, Disturbed (Coe Wetland Only)															2.01				2.01
618	Popash and Willow											0.44								0.44
621	Cypress		3.98			1.73														5.71
6219	Cypress, Disturbed			1.10	2.97		4.02		2.68			2.74								13.51
625	Hydric Pine																	1.82		1.82
6259	Hydric Pine, Disturbed									1.00				0.09	1.72					2.81
6259 C	Hydric Pine, Disturbed (Coe Wetland Only)											1.15								1.15
630	Mixed Wetland Forest					1.37				0.52										1.89
6309	Mixed Wetland Forest, Disturbed			0.81				1.35	3.19		5.55	74.90	4.54		1.44	6.14	11.75		0.27	109.94
6309 C	Mixed Wetland Forest, Disturbed (Coe Wetland Only)															10.35				10.35
641	Freswater Marsh									1.05				1.50	0.50					3.05
6419	Freswater Marsh, Disturbed								0.31	2.05		0.02								2.38
6439	Wet Prairie, Disturbed											1.68		6.04	5.23					5.23
740	Disturbed Land	0.14	0.49			0.89	0.16			0.15		0.12							0.05	2.00
832	Electrical Transmission Lines										0.19		0.03		0.11					0.33
8321	Electrical Transmission Lines, Hydric												0.07		0.04					0.11
TOTAL		**2.07**	**9.10**	**3.28**	**5.04**	**11.74**	**6.58**	**1.64**	**12.93**	**21.54**	**14.64**	**113.34**	**12.22**	**20.60**	**31.35**	**114.10**	**16.90**	**4.14**	**64.09**	**465.30**

EXHIBIT B

SFWMD MITIGATION AND MONITORING PLAN

Mitigation Plan

(Revised 5/17/01)

Upland and Wetland Enhancement and Preservation

Management and monitoring of upland and wetland preserve areas will follow the same general criteria for exotic species control and monitoring as provided in the Wetland Enhancement and Preservation Specifications enclosed herein. Protected Management Plans approved by Lee County and the Florida Fish and Wildlife Conservation Commission (FWC) will be implemented, where appropriate. The gopher tortoise preserve and other upland conservation areas will be managed in accordance with the guidelines provided in Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated For Large-Scale Development In Florida, Nongame Wildlife Program Technical Report No. 4, FGFWFC, 1987 and Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens coerulescens,),* Nongame Wildlife Program Technical Report No. 8, FGFWFC, 1991.

Conservation easements will be provided for all upland and wetland preservation areas, granted either to Lee County or to the FWC, with third party enforcement rights granted to the South Florida Water Management District.

Monitoring And Maintenance Schedule

Mitigation monitoring and maintenance schedule is based on an anticipated permit issuance date of June 14, 2001. It is acknowledged that a permit modification is required to revise this activity schedule.

	Completion Date	Activity
	August 1, 2001	Baseline Monitoring Report
	July 1, 2002	Exotic eradication, planting, and earthwork
	July 15, 2002	As-built Survey (at earthwork locations)
1st Year	August 1, 2002	Time Zero Monitoring Report & Submittal
	November 1, 2002	First Quarterly Monitoring
	February 1, 2003	Second Quarterly Monitoring
	May 1, 2003	Third Quarterly Monitoring
	August 1, 2003	Fourth Quarterly Monitoring Report & Submittal
2nd Year	November 1, 2003	Fifth Quarterly Monitoring
	February 1, 2004	Sixth Quarterly Monitoring
	May 1, 2004	Seventh Quarterly Monitoring
	August 1, 2004	Eight Quarterly Monitoring Report & Submittal
3rd Year	February 1, 2005	First Bi-Annual Monitoring
	August 1, 2005	Second Bi-Annual Monitoring & Submittal
4th Year	February 1, 2006	First Bi-Annual Monitoring
	August 1, 2006	Fourth Bi-Annual Monitoring & Submittal
5th Year	February 1, 2007	Sixth Bi-Annual Monitoring
	August 1, 2007	Seventh Bi-Annual Monitoring & Submittal

APPLICATION NUMBER

991012-3

EXHIBIT 25A

Wetland Enhancement and Preservation Specifications

1. The objective of the mitigation effort is to establish and maintain a diversity of native floral species. The potential establishment of a monoculture will be monitored and controlled, as needed. Therefore, the applicant will ensure 80% coverage by desirable species for the herbaceous marsh, mixed hardwood, and cypress communities, to include the three stratum combined, through the duration of the monitoring period. The coverage success criteria will be achieved within 2 years of project completion and will be evaluated each year as follows: (a) first year - 30 percent coverage required; (b) second year - 80 percent coverage required. Eighty percent coverage will be present at the end of the 2-year period except where species composition, density of planted and recruited species and overall wetland condition, growth rates, and viability of the area are of higher quality, as determined by the regulatory agency. Planting to achieve 80-percent coverage of desirable plant species will be undertaken as necessary.

2. All exotic vegetation, as currently defined in the Florida Exotic Pest Council, shall be removed during maintenance events throughout the five year monitoring program and nuisance vegetation coverage will not exceed 5-percent coverage. Exotic and undesirable species include:

Scientific Name	Common Name
Typha spp.	Cattail
Ludwigia peruviana	Primrose willow
Panicum repens	Torpedograss
Bishofia javanica	Bishofia
Cestrum diurmum	Day jasmine
Hisbiscus tiliaceus	Mahoe
Colocasia esculenta	Elephant, wild taro
Phragmites ausiralis	Common reed

Scientific Name	Common Name
Malalecua quinquenervia	Malaleuca
Casuarina equiselifolla	Australian pine
Schinus terebinthifolius	Brazilian pepper

3. A maintenance program for the mitigation area will be implemented by the property owner to ensure its perpetual ecological integrity and viability subsequent to the successful completion of the initial five year monitoring program. Maintenance shall be conducted in perpetuity to ensure that the areas are free from exotic vegetation (as currently defined by the Florida Exotic Pest Plant Council). Exotic /nuisance species shall constitute no more than five (5) percent of the total vegetative cover between maintenance activities.

4. Monitoring and maintenance specifications are outlined in paragraphs a-d below:

   a. Upon completion of the mitigation construction, the following documentation shall be submitted to the regulatory agency: (a.) certification of elevations in relation to design, and (b) the time zero monitoring report. This documentation will be submitted within 30 days of completion of the improvements. Staff gauge readings will be taken every two weeks for the first year of monitoring and taken every month for years 2 through 5.

   b. Narrative reports will also be submitted for five years and shall include the data, time, exact locations of monitoring, person responsible for monitoring results, photographs taken for the same permanent stations (photography shall be sufficient to reflect the entire restoration area), and a description of problems encountered and solutions undertaken. Photographs will be taken at each station marked on the plans.

EXHIBIT 25B

Quarterly monitoring will be performed for the first year. Bi-annual monitoring (i.e. twice per year) will occur for the third, fourth, and fifth years.

c. Vegetation quadrat analysis by visual inspection will be performed at sampling stations. Date collected at each station and provided in each report will include dominant, subdominant, and frequently occurring plant species and their associated percent (%) aerial coverage (including Nuisance and exotic species), approximate water depth (staff gauge readings at appropriate stations, and wildlife observations.

d. Water level monitoring within wetlands will occur monthly, except for July, August, and September, in which it will occur twice a month.

5. Slit screens, hay bales or other such sediment control measures shall be utilized during construction of the mitigation area (s). The selected sediment control measures shall be installed landward of the wetland mitigation area (s). Construction areas shall be stabilized and vegetated immediately after completion to prevent erosion into the wetlands.

APPLICATION NUMBER

991012-3

EXHIBIT 25C

EXHIBIT C

CONSERVATION EASEMENT INSTR # 5245223

INSTR # 5245223
OR BK 03492 PG 0568
RECORDED 09/27/01 03:40 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 289.50
DOC TAX PD(F.S.201.02) 0.70
DEPUTY CLERK C Keller

This Instrument Prepared By:
George L. Consoer, Jr., Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

THIS DEED OF CONSERVATION EASEMENT is given this 24 day of September, 2001, by FC Hawks Haven, Inc., a Florida Corporation, whose address is 5307 Fox Hunt, Wesley Chapel, Florida 33543, ("Grantor") to Lee County, a Political Subdivision, ("Grantee"), whose address is P.O. Box 398, Fort Myers, Florida 33902-0398, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as herinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Lee County, Florida, and more specifically described in composite Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 36-04006-P ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve and/or mitigate wetlands under the District's jurisdiction; and

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (2001), over the Property which includes third party enforcement rights for the District.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to District in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual non-exclusive Conservation Easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

The scope, nature and character of this Conservation Easement shall be as follows:

1. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the

Permit.

To carry out this purpose, the following rights are conveyed to the Grantee and the District by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District.

a. The Grantor may conduct limited land cleaning for the purpose of construction such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities

shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

4. No right to access by the general public to any portion of the Property is conveyed by this Conservation Easement.

5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this Conservation Easement shall be borne by and recoverable against the non-prevailing party in such proceedings.

8. The District shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the discretion of Grantee, or the District, and any forbearance on behalf of Grantee or the District to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or Districts rights hereunder.

9. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this Conservation Easement except to another organization determined in advance by the District to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the Conservation Easement shall be made unless prior written approval is given by the District to the Grantee.

10. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

12. The terms, conditions, restrictions and purpose of this Conservation Easement shall

be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement and the third party enforcement rights of the south Florida Water Management District.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this Conservation Easement, or any release or termination thereof, shall be subject to prior review and written approval by the District. The District shall be provided no less than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement and all mortgages and liens have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this 24 day of September, 2001.

Signed, Sealed and Delivered
in our presence as witnesses:

Janice L. Patsolic
1st Witness
JANICE L. PATSOLIC
Printed Name

Darcy Oas
2nd Witness
DARCY OAS
Printed Name

GRANTOR

FC HAWKS HAVEN, INC.,
a Florida Corporation

By: Robert F. Moncheini
Its VICE President
Printed Name: ROBERT F. MONCHEIN

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

On this 24TH day of SEPTEMBER, 2001, before me, the undersigned notary public, personally appeared ROBERT F. MONCHEINI, VICE President of FC Hawks Haven, Inc., who is personally known to me ~~or who has produced _____ as identification.~~

MY COMMISSION EXPIRES:

Janice L. Patsolic
Notary Public
Print Name: JANICE L. PATSOLIC, Notary Public
STATE OF OHIO
My Commission Expires Jan. 27, 2005
(Recorded in Cuyahoga County)

G:\GLC\Hawks Haven\passive easement 32901.wpd

Exhibit A

OR BK 03452 PG 0573

CONSUL-TECH ENGINEERING, INC.

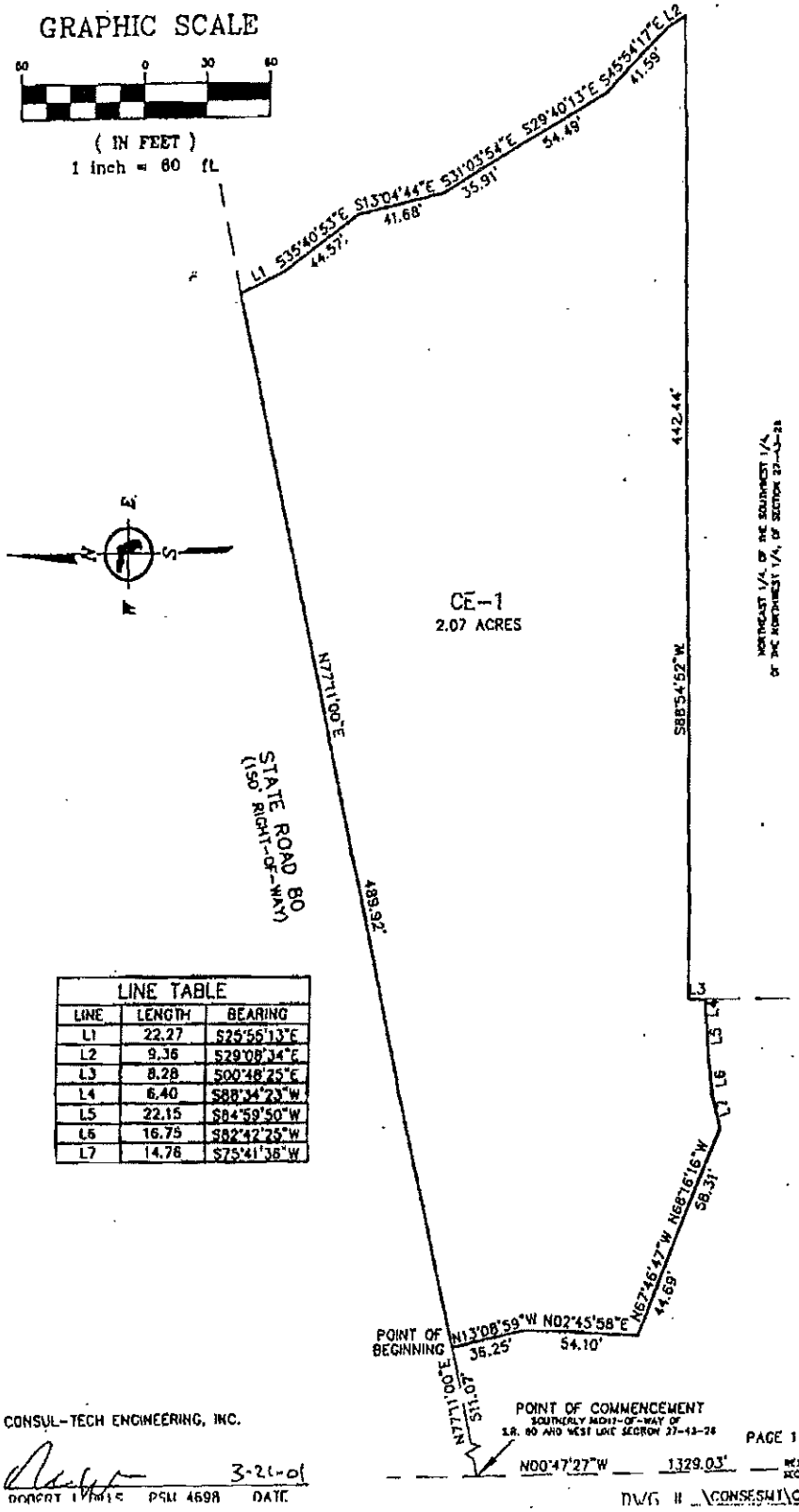
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

60 0 30 60

(IN FEET)
1 inch = 60 ft.



LINE TABLE		
LINE	LENGTH	BEARING
L1	22.27	S25°55'13"E
L2	9.36	S29°08'34"E
L3	8.28	S00°48'25"E
L4	6.40	S88°34'23"W
L5	22.15	S84°59'50"W
L6	16.75	S82°42'25"W
L7	14.78	S75°41'36"W

CONSUL-TECH ENGINEERING, INC.

ROBERT L. PHILLIPS PSM 4698 3-26-01 DATE

DWG # ...\CONSESMT\CE-01.DWG

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers
- Aviation Consultants

RESPOND TO:

Bonita Springs
24831 Old 41 Road
Bonita Springs, FL 34135
(941) 947-0266
FAX (941) 947-1323
E-mail: bonita@consul-t.com

Other Offices

Ft. Pierce
(561) 467-9085
Fax (561) 467-9350
E-mail: pierce@consul-t.com

Jacksonville
(904) 276-3100
Fax (904) 276-3102
E-mail: jackson@consul-t.com

Miami
(305) 599-3141
FAX (305) 599-3143
E-mail: mia@consul-t.com

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

Orlando
(407) 843-0094
Fax (407) 423-0085
E-mail: orl@consul-t.com

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #1)

Commencing at the intersection of the south right-of-way line of S.R. 80 and the west line of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along said south right-of-way line, North 77°11'00"East 511.07 feet to the Point of Beginning of the easement herein described:

Thence continuing along said south right-of-way line, North 77°11'00" East 489.92 feet;
Thence leaving said right-of-way line, South 25°55'13" East 22.27 feet;
Thence South 35°40'53" East 44.57 feet;
Thence South 13°04'44" East 41.68 feet;
Thence South 31°03'54" East 35.91 feet;
Thence South 29°40'13" East 54.49 feet;
Thence South 45°54'17" East 41.59 feet;
Thence South 29°08'34" East 9.36 feet;
Thence South 88°54'52" West 442.44 feet;
Thence South 00°48'25" East 8.28 feet;
Thence South 88°34'23" West 6.40 feet;
Thence South 84°59'50" West 22.15 feet;
Thence South 82°42'25" West 16.75 feet;
Thence South 75°41'36" West 14.76 feet;
Thence North 68°16'16" West 58.31 feet;
Thence North 67°46'47" West 44.69 feet;
Thence North 02°45'58" East 54.10 feet;
Thence North 13°08'59" West 36.25 feet to the south right-of-way line of SR 80 and the Point of Beginning;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 2.07 acres more or less.

Date: August 10, 1999

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
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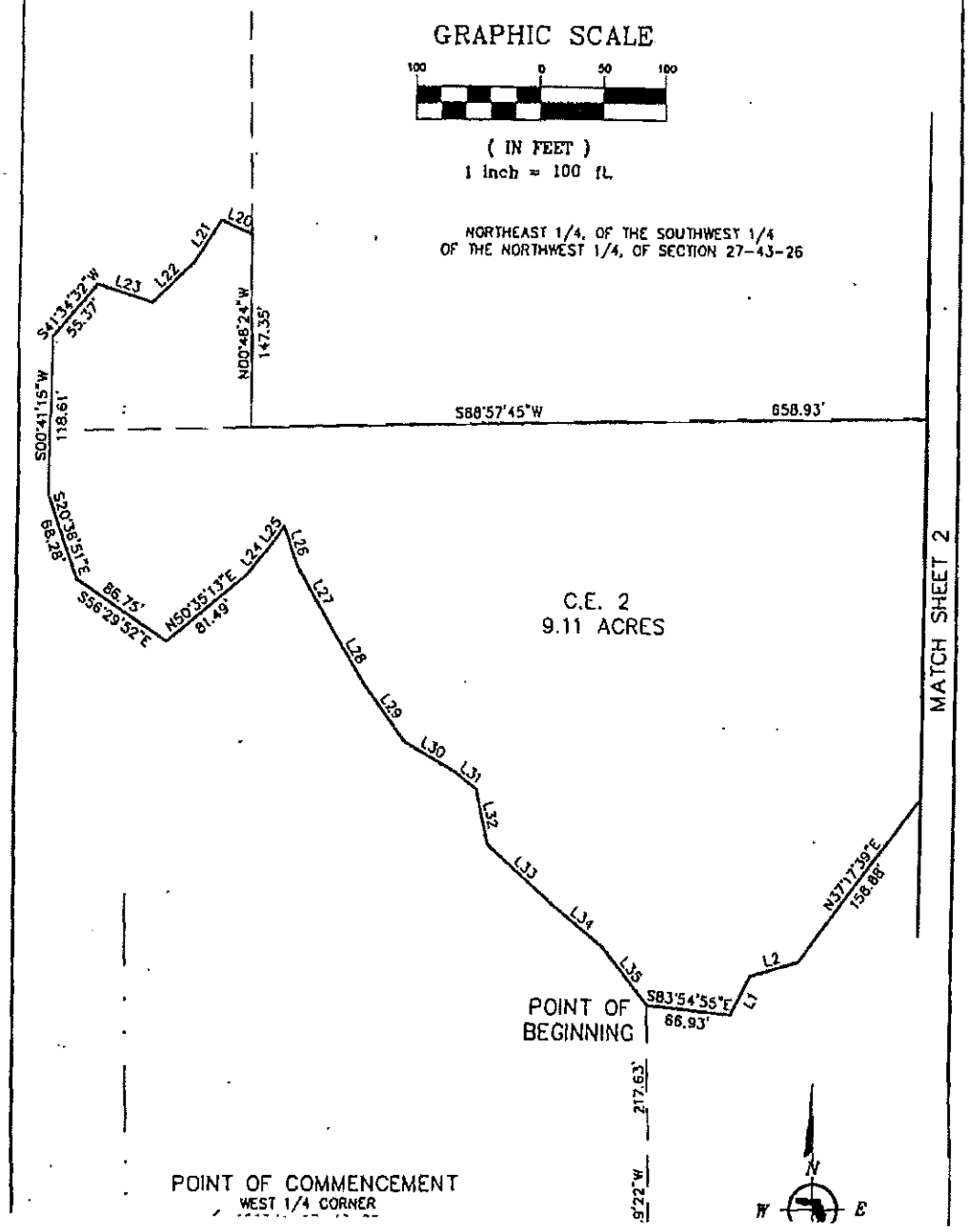
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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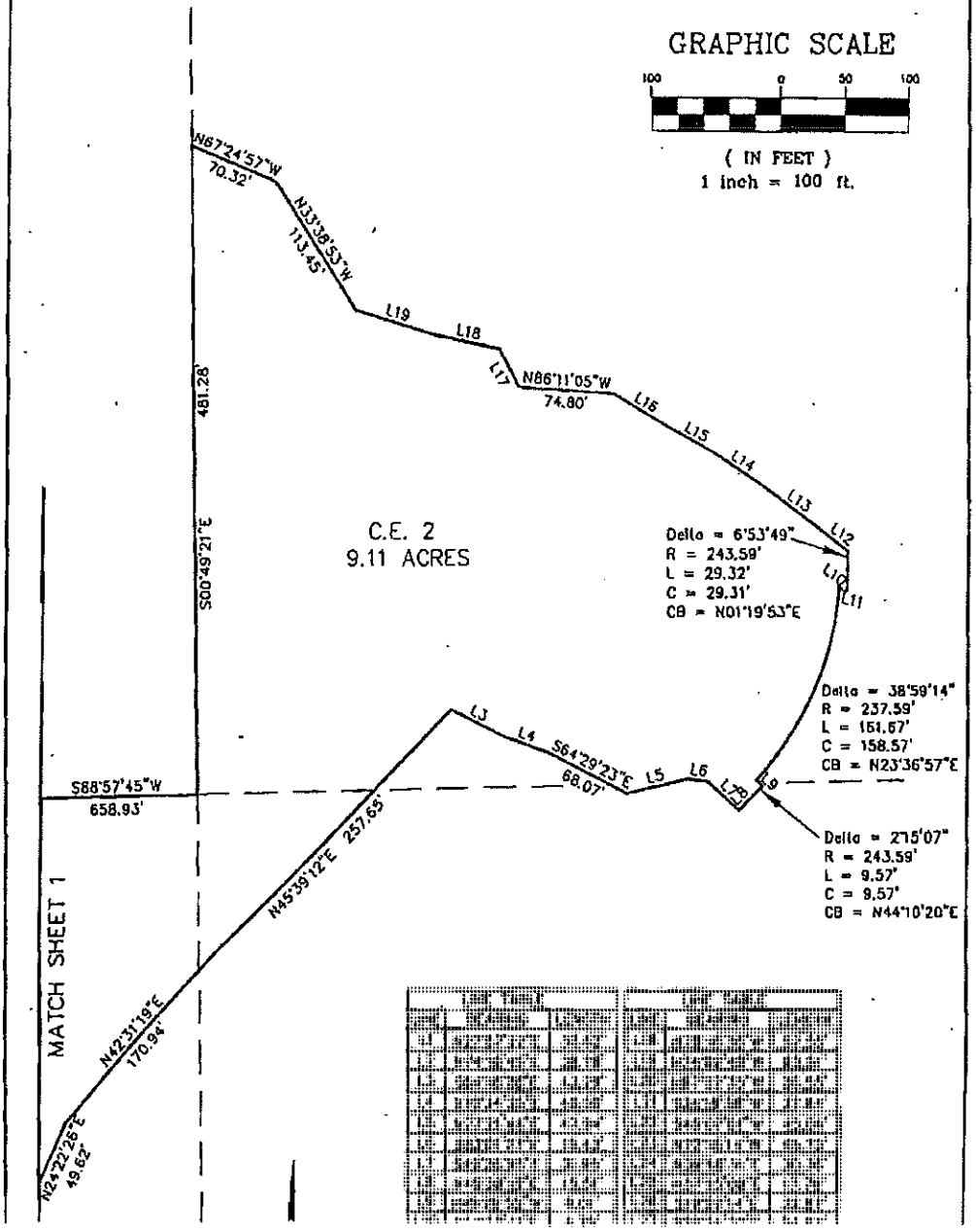

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DESCRIPTION OF A PORTION OF THE NORTH ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #2)

Commencing at the west ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line, North 89°00'38" East 973.56 feet; thence leaving said ¼ section line, North 00°59'22" West 217.63 feet to the Point of Beginning of the easement herein described;

Thence South 83°54'55" East 66.93 feet;
Thence North 27°57'22" East 32.62 feet;
Thence North 74°16'45" East 39.78 feet;
Thence North 37°17'39" East 158.88 feet;
Thence North 24°22'26" East 49.62 feet;
Thence North 42°31'19" East 170.94 feet;
Thence North 45°39'12" East 257.65 feet;
Thence South 64°18'28" East 43.29 feet;
Thence South 70°34'35" East 40.50 feet;
Thence South 64°29'23" East 88.07 feet;
Thence North 77°21'44" East 47.94 feet;
Thence South 83°01'27" East 15.43 feet;
Thence South 49°26'55" East 31.95 feet;
Thence North 45°39'12" East 15.51 feet;
Thence 9.57 feet along the arc of a circular curve concave northwesterly, having a radius of 243.59 feet, through a central angle of 02°15'07" and being subtended by a chord which bears North 44°10'20" East 9.57 feet;
Thence North 49°26'55" West 6.01 feet;
Thence 161.67 feet along the arc of a circular curve concave northwesterly, having a radius of 237.59 feet, through a central angle of 38°59'14" and being subtended by a chord which bears North 23°36'57" East 158.57 feet;
Thence South 54°38'41" East 4.76 feet;
Thence South 76°07'03" East 1.94 feet;
Thence 29.32 feet along the arc of a circular curve concave northwesterly, having a radius of 243.59 feet, through a central angle of 06°53'49" and being subtended by a chord which bears North 01°19'53" East 29.31 feet;
Thence North 54°38'41" West 20.18 feet;
Thence North 54°38'38" West 62.62 feet;
Thence North 56°19'52" West 41.82 feet;
Thence North 60°57'39" West 41.20 feet;

Thence North 58°35'30" West 49.86 feet;
Thence North 86°11'05" West 74.80 feet;
Thence North 28°14'11" West 31.90 feet;
Thence North 78°18'38" West 52.55 feet;
Thence North 74°02'48" West 65.51 feet;
Thence North 33°38'53" West 113.45 feet;
Thence North 67°24'57" West 70.32 feet;
Thence South 00°49'21" East 481.28 feet;
Thence South 88°57'45" West 658.93 feet;
Thence North 00°48'24" West 147.35 feet;
Thence North 67°22'35" West 26.55 feet;
Thence South 34°19'58" West 37.84 feet;
Thence South 46°07'01" West 45.04 feet;
Thence North 72°15'14" West 45.73 feet;
Thence South 41°34'32" West 55.37 feet;
Thence South 00°41'15" West 118.61 feet;
Thence South 20°36'51" East 68.28 feet;
Thence South 56°29'52" East 86.75 feet;
Thence North 50°35'13" East 81.49 feet;
Thence North 39°40'31" East 30.36 feet;
Thence North 37°25'09" East 17.76 feet;
Thence South 19°52'14" East 32.97 feet;
Thence South 29°34'30" East 54.97 feet;
Thence South 31°01'52" East 50.46 feet;
Thence South 37°43'38" East 52.46 feet;
Thence South 61°10'34" East 46.11 feet;
Thence South 53°32'15" East 22.35 feet;
Thence South 12°38'56" East 43.78 feet;
Thence South 48°01'20" East 70.47 feet;
Thence South 51°29'30" East 50.40 feet;
Thence South 40°22'30" East 56.04 feet to the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 9.11 acres more or less.

Date: March 21, 2001

CONSUL-TECH ENGINEERING, INC.

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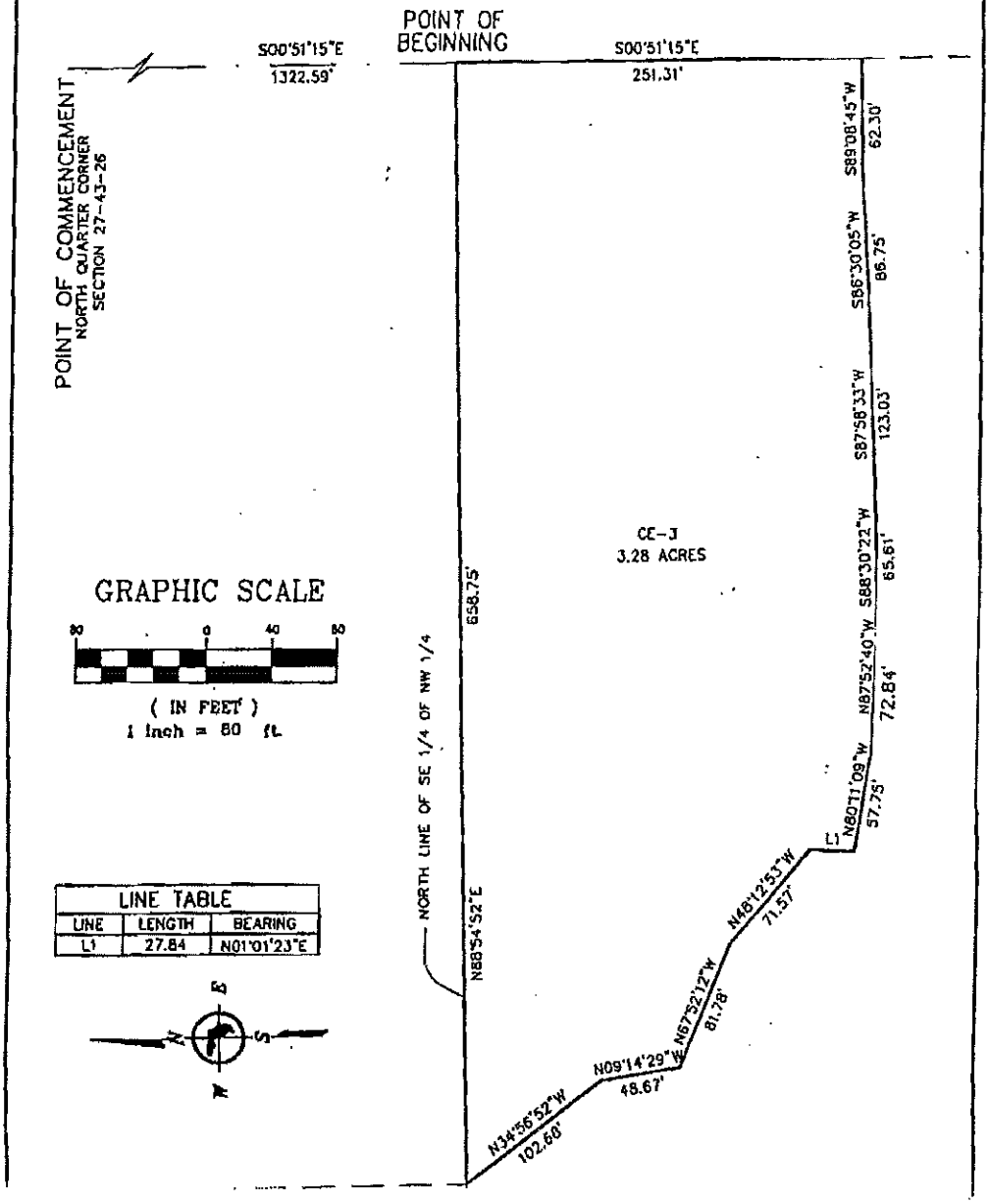
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #3)

Commencing at the north ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line, South 00°51'15" East 1322.59 feet to the northeast corner of the southeast ¼ of the northwest ¼ of said Section 27 and the Point of Beginning of the easement herein described:

Thence continuing along said north-south ¼ section line, South 00°51'15" East 251.31 feet;
Thence leaving said north-south ¼ section line, South 89°08'45" West 62.30 feet;
Thence South 86°30'05" West 86.75 feet;
Thence South 87°58'33" West 123.03 feet;
Thence South 88°30'22" West 65.61 feet;
Thence North 87°52'40" West 72.84 feet;
Thence North 80°11'09" West 57.75 feet;
Thence North 01°01'23" East 27.84 feet;
Thence North 48°12'53" West 71.57 feet;
Thence North 67°52'12" West 81.78 feet;
Thence North 09°14'29" West 48.67 feet;
Thence North 34°58'52" West 102.68 feet to the north line of the southeast ¼ of the northwest ¼ of said Section 27;
Thence along said north line, North 88°54'52" East 658.75 feet to the northeast corner of the southeast ¼ of the northwest ¼ of said Section 27 and the Point of Beginning;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 3.28 acres more or less.

Date: March 21, 2001

OR BK 03492 PG 0580

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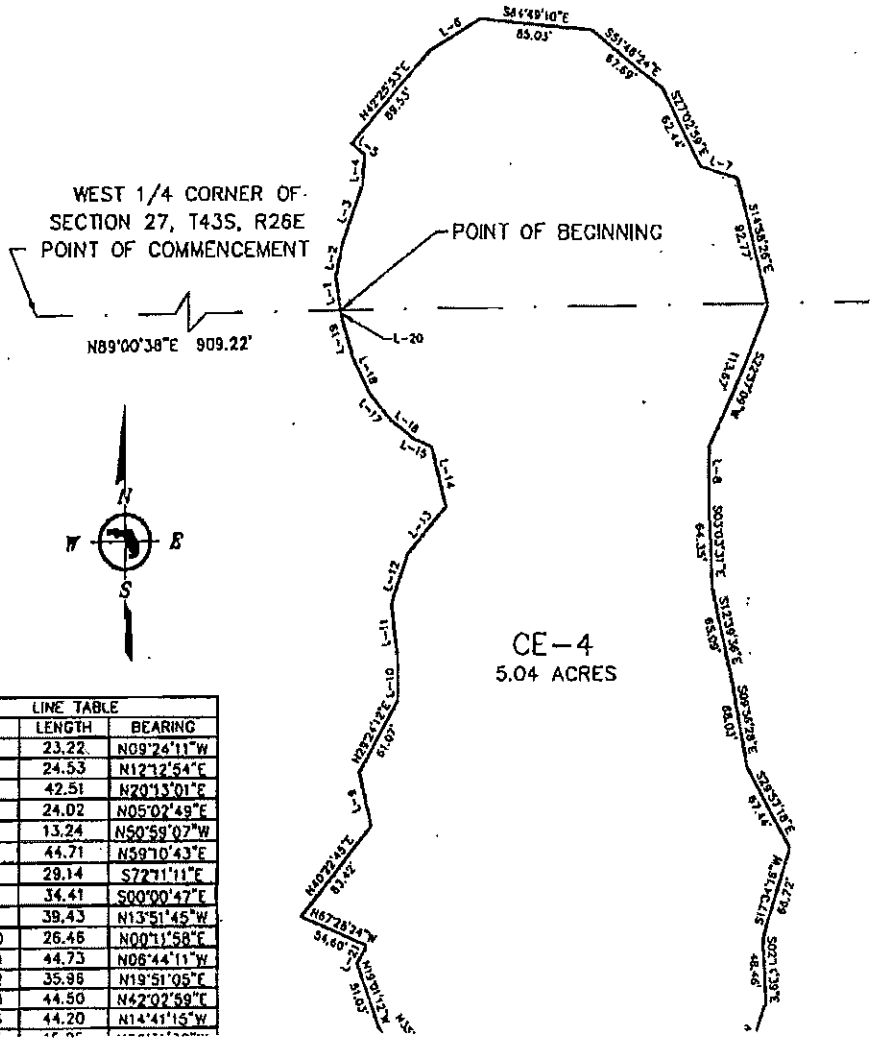
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.



LINE TABLE		
LINE	LENGTH	BEARING
L-1	23.22	N09°26'11"W
L-2	24.53	N12°12'54"E
L-3	42.51	N20°13'01"E
L-4	24.02	N05°02'49"E
L-5	13.24	N50°59'07"W
L-6	44.71	N59°10'43"E
L-7	29.14	S72°11'11"E
L-8	34.41	S00°00'47"E
L-9	39.43	N13°51'45"W
L-10	26.46	N00°11'58"E
L-11	44.73	N06°44'11"W
L-12	35.96	N19°51'05"E
L-13	44.50	N42°02'59"E
L-14	44.20	N14°41'15"W

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DESCRIPTION OF A PORTION OF
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #4)

Commencing at the west ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line of said Section 27, North 89°00'38" East 909.22 feet to the Point of Beginning of the easement herein described:

Thence North 09°24'11" West 23.22 feet;
Thence North 12°12'54" East 24.53 feet;
Thence North 20°13'01" East 42.51 feet;
Thence North 05°02'49" East 24.02 feet;
Thence North 50°59'07" West 13.24 feet;
Thence North 42°25'53" East 89.53 feet;
Thence North 59°10'43" East 44.71 feet;
Thence South 84°49'10" East 85.03 feet;
Thence South 51°46'24" East 67.69 feet;
Thence South 27°02'59" East 62.44 feet;
Thence South 72°11'11" East 29.14 feet;
Thence South 14°58'26" East 92.77 feet;
Thence South 22°57'09" West 113.67 feet;
Thence South 00°00'47" East 34.41 feet;
Thence South 03°03'31" East 64.35 feet;
Thence South 12°39'36" East 65.09 feet;
Thence South 09°56'28" East 68.03 feet;
Thence South 29°57'18" East 67.44 feet;
Thence South 17°34'16" West 66.72 feet;
Thence South 02°14'39" East 48.46 feet;
Thence South 17°44'34" West 93.09 feet;
Thence South 41°23'45" West 68.91 feet;
Thence South 71°02'11" West 56.33 feet;
Thence North 56°03'31" West 81.29 feet;
Thence North 51°58'34" West 88.69 feet;
Thence North 35°55'44" West 50.30 feet;
Thence North 19°01'12" West 51.03 feet;
Thence North 28°08'50" East 15.14 feet;
Thence North 67°28'24" West 54.60 feet;
Thence North 40°22'45" East 83.42 feet;
Thence North 13°51'45" West 39.43 feet;
Thence North 29°24'12" East 61.07 feet;

Thence North 00°11'58" East 26.46 feet;
Thence North 06°44'11" West 44.73 feet;
Thence North 19°51'05" East 35.96 feet;
Thence North 42°02'59" East 44.50 feet;
Thence North 14°41'15" West 44.20 feet;
Thence North 66°31'38" West 15.06 feet;
Thence North 51°22'28" West 24.25 feet;
Thence North 39°19'27" West 25.82 feet;
Thence North 26°06'11" West 29.75 feet;
Thence North 17°07'21" West 29.53 feet;
Thence North 09°24'11" West 3.86 feet the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 5.04 acres more or less.

Date: March 23, 2001

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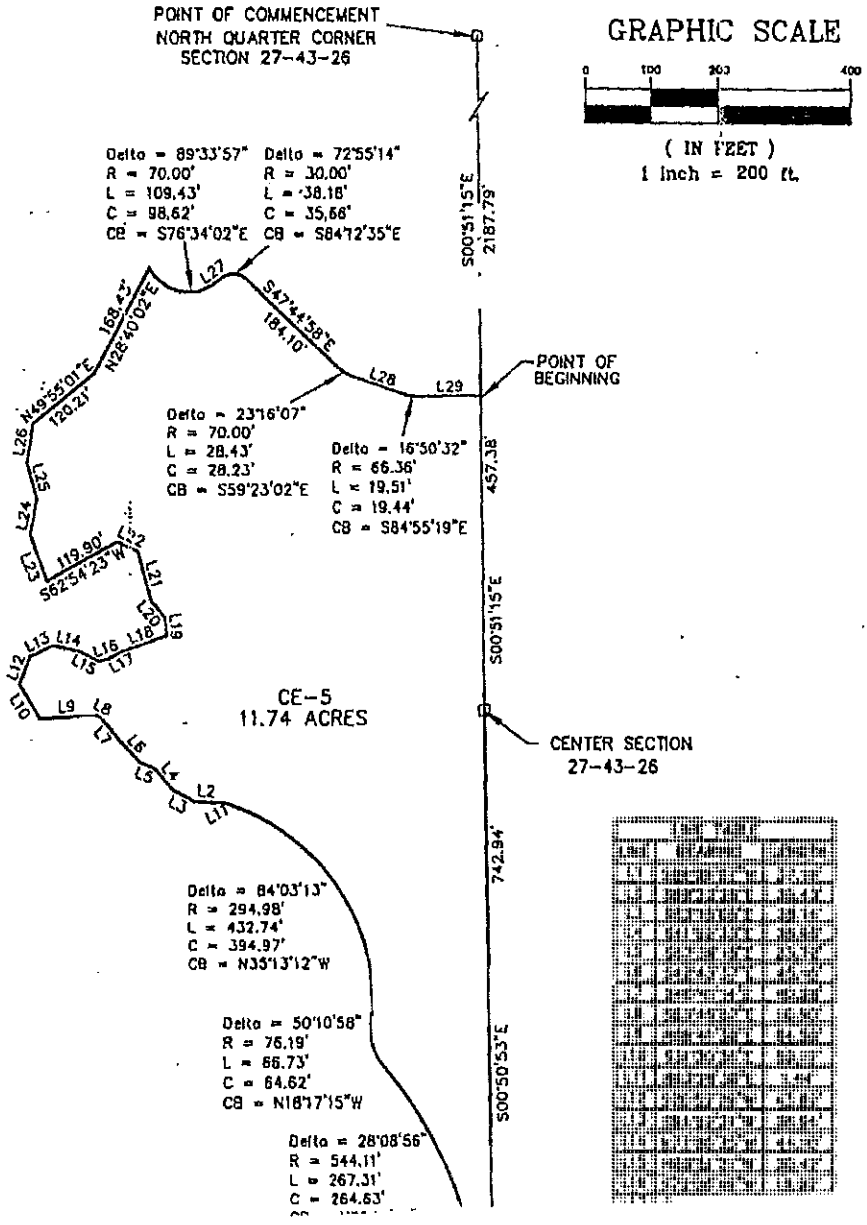
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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DESCRIPTION OF A PORTION OF THE WEST ½ OF
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #5)

Commencing at the north ¼ corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line, South 00°51'15" East 2187.79 feet to the Point of Beginning of the easement herein described:

Thence continuing along said north-south ¼ section line, South 00°51'15" East 457.38 feet to the center of said Section 27;

Thence continuing along said north-south ¼ section line, South 00°50'53" East 742.94 feet;

Thence leaving said north-south ¼ section line, South 89°09'07" West 37.19 feet;

Thence 267.31 feet along the arc of a circular curve concave southwesterly, having a radius of 544.11 feet, through a central angle of 28°08'56" and being subtended by a chord which bears North 29°19'41" West 264.63 feet;

Thence 66.73 feet along the arc of a circular curve concave northeasterly, having a radius of 76.19 feet, through a central angle of 50°10'58" and being subtended by a chord which bears North 18°17'15" West 64.62 feet;

Thence 432.74 feet along the arc of a circular curve concave southwesterly, having a radius of 294.98 feet, through a central angle of 84°03'13" and being subtended by a chord which bears North 35°13'12" West 394.97 feet;

Thence South 63°29'30" West 1.44 feet;
Thence North 89°23'26" West 35.43 feet;
Thence North 63°15'05" West 38.14 feet;
Thence North 41°52'33" West 38.96 feet;
Thence North 67°36'18" West 23.72 feet;
Thence North 42°43'37" West 45.16 feet;
Thence North 40°41'14" West 40.28 feet;
Thence North 63°46'57" West 10.50 feet;
Thence South 86°41'38" West 84.58 feet;
Thence North 31°30'36" West 59.12 feet;
Thence North 20°52'29" East 43.82 feet;
Thence North 64°52'31" East 38.94 feet;
Thence South 77°06'35" East 44.10 feet;
Thence South 60°51'21" East 30.42 feet;

Thence North 72°08'49" East 19.92 feet;
Thence North 61°26'31" East 17.36 feet;
Thence North 70°07'14" East 69.86 feet;
Thence North 03°40'49" West 25.26 feet;
Thence North 40° 08'02" West 34.02 feet;
Thence North 15°30'04" West 72.37 feet;
Thence North 66°05'25" West 32.67 feet;
Thence South 62°54'22" West 119.90 feet;
Thence North 21°20'29" West 68.84 feet;
Thence North 10°53'08" East 52.02 feet;
Thence North 16°25'16" West 53.01 feet;
Thence North 08°34'32" East 59.47 feet;
Thence North 49°55'01" East 120.21 feet;
Thence North 28°40'02" East 168.43 feet;
Thence 109.43 feet along the arc of a circular curve concave northerly, having a radius of 70.00 feet, through a central angle of 89°33'57" and being subtended by a chord which bears South 76°34'02" West 98.62 feet;
Thence 2.66 feet along the arc of a circular curve concave northwesterly, having a radius of 26.40 feet, through a central angle of 05°46'39" and being subtended by a chord which bears North 56°05'55" East 2.66 feet;
Thence North 55°56'07" East 16.37 feet;
Thence 38.18 feet along the arc of a circular curve concave southerly, having a radius of 30.00 feet, through a central angle of 72°55'14" and being subtended by a chord which bears South 84°12'35" East 35.66 feet;
Thence South 47°44'58" East 184.10 feet;
Thence 28.43 feet along the arc of a circular curve concave northeasterly, having a radius of 70.00 feet, through a central angle of 23°16'07" and being subtended by a chord which bears South 59°23'02" West 28.23 feet;
Thence South 71°01'05" East 89.50 feet;
Thence 19.51 feet along the arc of a circular curve concave northerly, having a radius of 66.36 feet, through a central angle of 16°50'32" and being subtended by a chord which bears South 84°55'19" East 19.44 feet;
Thence North 89°08'45" East 93.44 feet to the north-south ¼ section line of said Section 27 and the Point of Beginning of the herein described easement.

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 11.74 acres more or less.

Date: March 26, 2001

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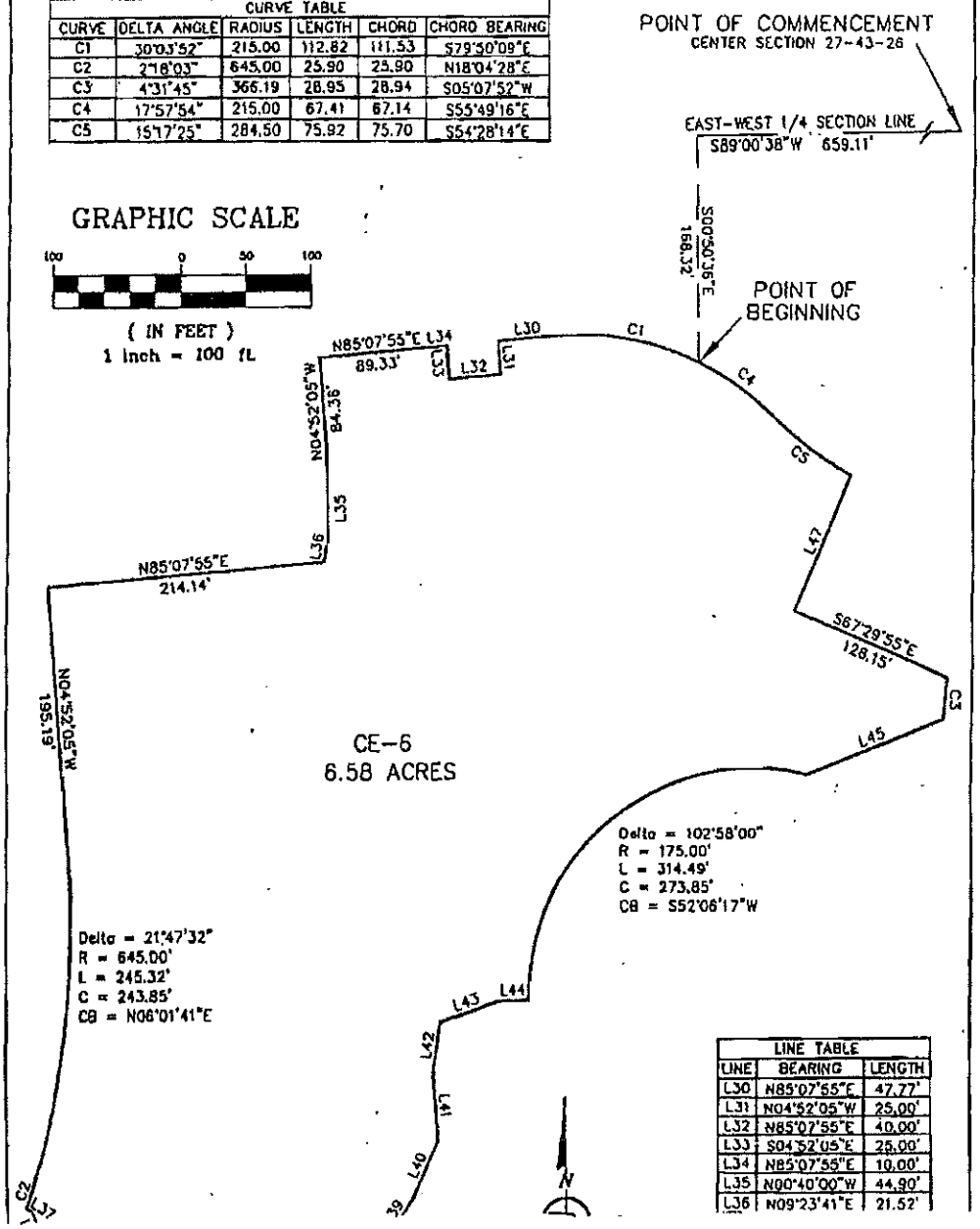
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	30°03'52"	215.00	112.82	111.53	S79°30'09"E
C2	2°18'03"	645.00	25.90	25.90	N18°04'28"E
C3	4°31'45"	366.19	28.95	28.94	S05°07'52"W
C4	17°57'54"	215.00	67.41	67.14	S55°49'16"E
C5	15°17'25"	284.50	75.92	75.70	S54°28'14"E



LINE TABLE		
LINE	BEARING	LENGTH
L30	N85°07'55"E	47.77'
L31	N04°52'05"W	25.00'
L32	N85°07'55"E	40.00'
L33	S04°52'05"E	25.00'
L34	N85°07'55"E	10.00'
L35	N00°40'00"W	44.90'
L36	N09°23'41"E	21.52'

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DESCRIPTION OF A PORTION OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #6)

Commencing at the center of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east-west ¼ section line, South 89°00'38" West 659.11 feet; Thence South 00°50'36" East 168.32 feet to the Point of Beginning of the easement herein described:

Thence 67.41 feet along the arc of a circular curve concave southwesterly, having a radius of 215.00 feet, through a central angle of 17°57'54" and being subtended by a chord which bears South 55°49'16" East 67.14 feet;

Thence 75.92 feet along the arc of a circular curve concave northeasterly, having a radius of 284.50 feet, through a central angle of 15°17'25" and being subtended by a chord which bears South 54°28'14" East 75.70 feet;

Thence South 22°30'05" West 111.26 feet;

Thence South 67°29'55" East 128.15 feet;

Thence 28.95 along the arc of a circular curve concave easterly, having a radius of 366.19 feet, through a central angle of 04°31'45" and being subtended by a chord which bears South 05°07'52" West 28.94 feet;

Thence South 69°32'25" West 112.75 feet;

Thence 314.49 along the arc of a circular curve concave southeasterly, having a radius of 175.00 feet, through a central angle of 102°58'00" and being subtended by a chord which bears South 52°06'17" West 273.85 feet;

Thence South 88°44'37" West 23.42 feet;

Thence South 71°48'10" West 48.67 feet;

Thence South 07°58'14" West 35.55 feet;

Thence South 03°55'00" East 56.03 feet;

Thence South 23°33'09" West 47.94 feet;

Thence South 33°25'28" West 36.18 feet;

Thence South 12°59'12" West 61.88 feet;

Thence North 86°33'39" West 89.92 feet;

Thence South 82°52'59" West 49.35 feet;

Thence South 84°08'01" West 52.11 feet;

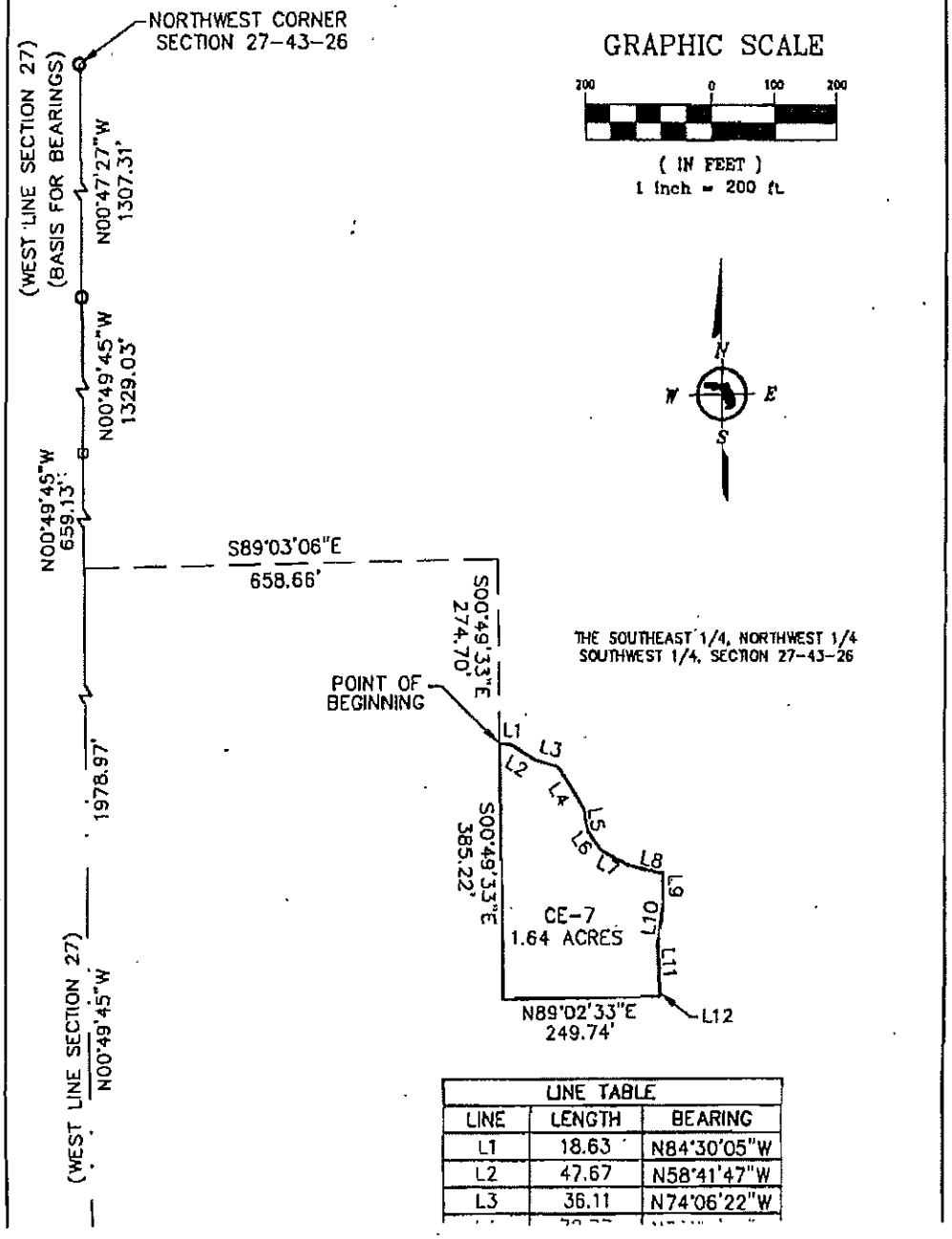
Thence North 44°22'03" West 89.18 feet;
Thence North 22°03'25" West 26.30 feet;
Thence North 56°46'20" West 5.45 feet;
Thence 25.90 feet along the arc of a circular curve concave southeasterly, having a radius of 645.00 feet, through a central angle of 02°18'03" and being subtended by a chord which bears North 18°04'28" East 25.90 feet;
Thence 245.32 feet along the arc of a circular curve concave westerly, having a radius of 645.00 feet, through a central angle of 21°47'32" and being subtended by a chord which bears North 06°01'41" East 243.85 feet;
Thence North 04°52'05" West 195.19 feet;
Thence North 85°07'55" East 214.14 feet;
Thence North 09°23'41" East 21.52 feet;
Thence North 00°40'00" West 44.90 feet;
Thence North 04°52'05" West 84.36 feet;
Thence North 85°07'55" East 89.33 feet;
Thence North 85°07'55" East 10.00 feet;
Thence South 04°52'05" East 25.00 feet;
Thence North 85°07'55" East 40.00 feet;
Thence North 04°52'05" West 25.00 feet;
Thence North 85°07'55" East 47.77 feet;
Thence 112.82 feet along the arc of a curve concave southwesterly, having a radius of 215.00 feet, through a central angle of 30°03'52" and being subtended by a chord which bears South 79°50'09" East 111.53 feet to the Point of Beginning;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 6.58 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors.
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



LINE TABLE		
LINE	LENGTH	BEARING
L1	18.63'	N84°30'05"W
L2	47.67'	N58°41'47"W
L3	36.11'	N74°06'22"W

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
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- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers
- Aviation Consultants

RESPOND TO:

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E-mail: bonita@consul-t.com

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DESCRIPTION OF A PORTION OF THE SOUTHWEST ¼ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #7)

Commencing at the southwest corner of Section 27, Township 43 South, Range 26 East, Lee County, Florida; Thence along the west line of said Section 27, North 00°49'45" West 1978.97 feet; Thence South 89°03'06" East 658.66 feet; Thence South 00°49'33" East 274.70 feet to the Point of Beginning of the easement herein described:

Thence continuing South 00°49'33" East 358.22 feet;
Thence North 89°02'33" East 249.74 feet;
Thence North 02°04'30" East 13.01 feet;
Thence North 03°11'36" West 66.67 feet;
Thence North 07°58'47" East 65.91 feet;
Thence North 01°37'20" West 38.84 feet;
Thence North 76°55'06" West 57.16 feet;
Thence North 62°14'59" West 47.74 feet;
Thence North 36°11'55" West 35.47 feet;
Thence North 08°44'08" West 31.13 feet;
Thence North 32°37'28" West 78.77 feet;
Thence North 74°06'22" West 36.11 feet;
Thence North 58°41'47" West 47.67 feet;
Thence North 84°30'05" West 18.63 feet to the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 1.64 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.
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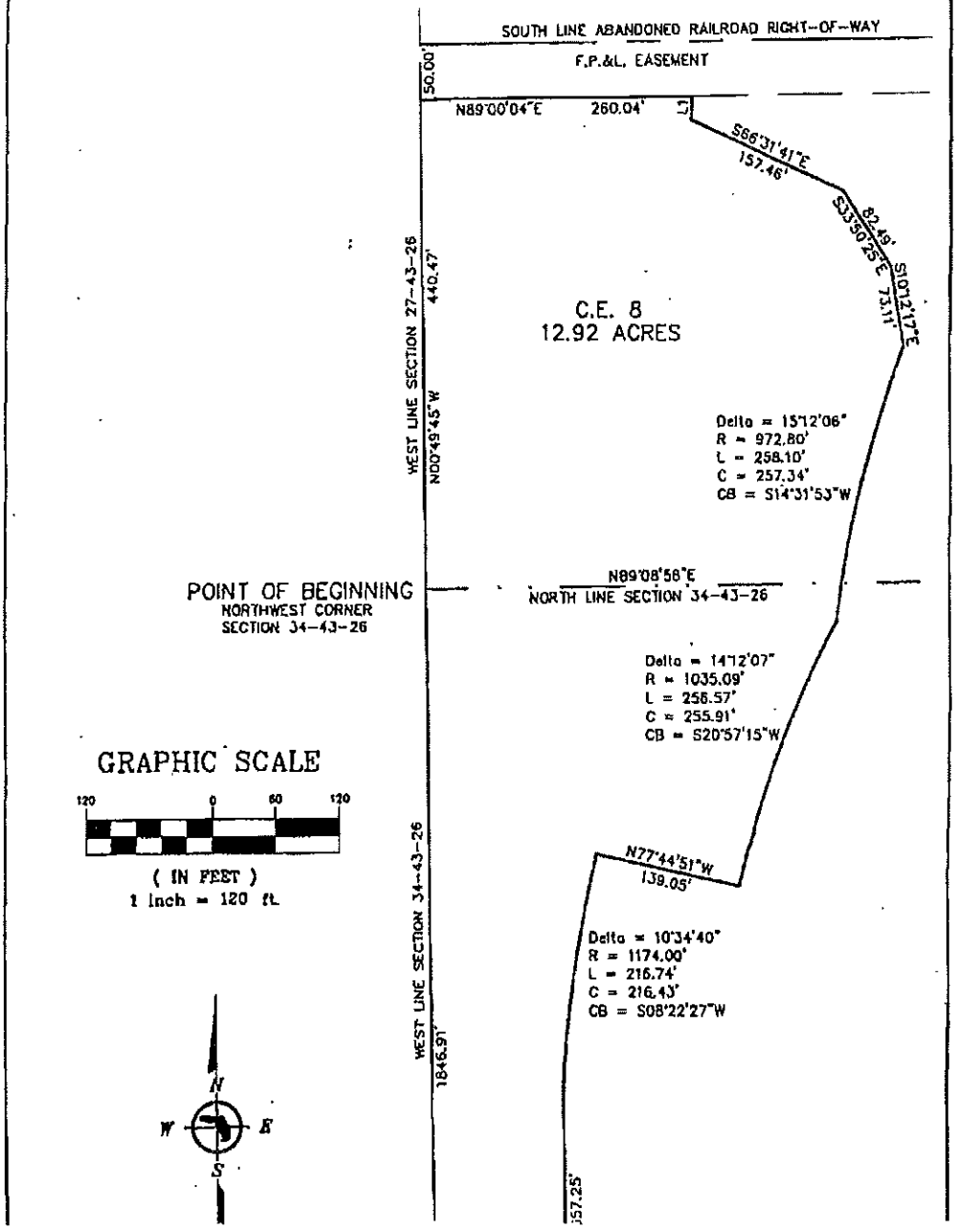
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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CERTIFICATE OF AUTHORIZATION #LB3527

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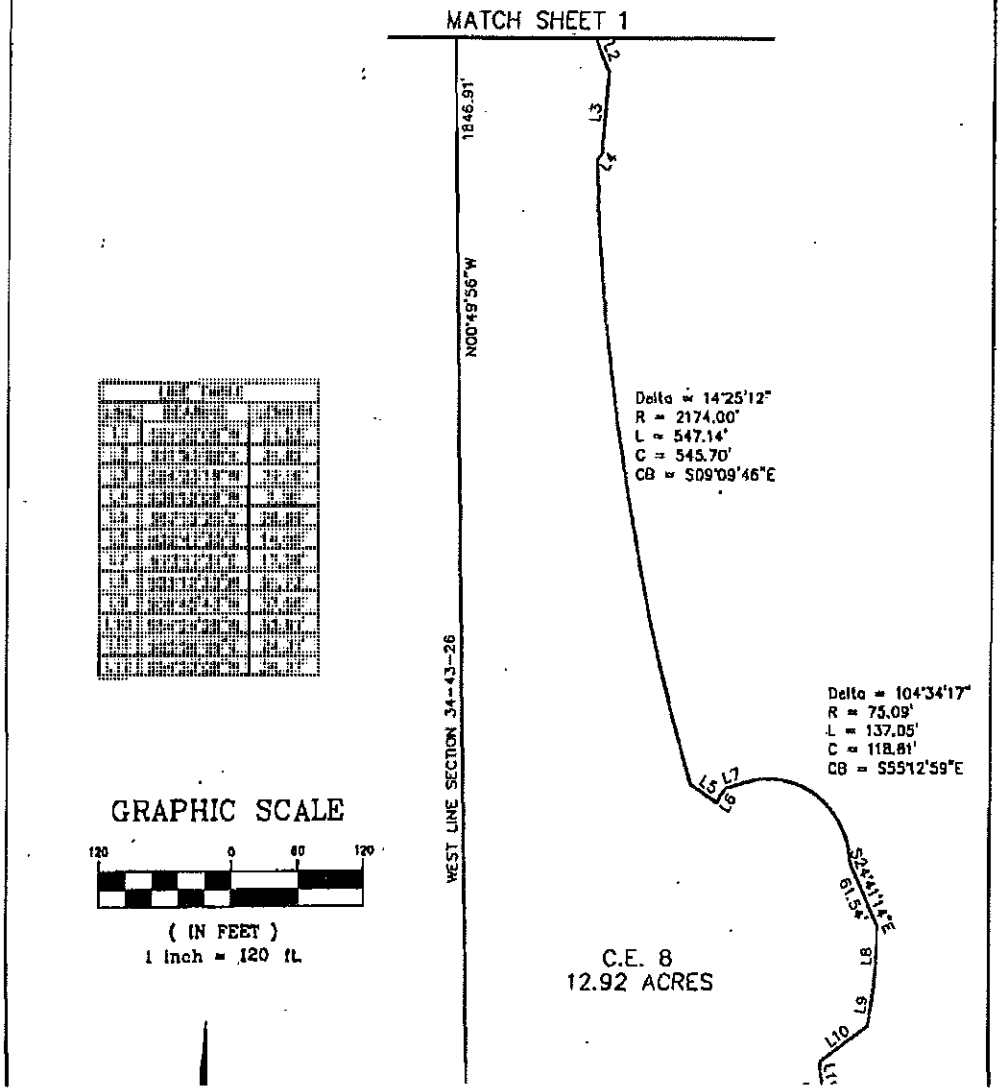

GRAPHIC SCALE

120 0 60 120

(IN FEET)
1 inch = 120 ft.

CONSUL-TECH ENGINEERING, INC.

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DESCRIPTION OF A PORTION OF THE WEST ½ OF
SECTIONS 27 AND 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #8)

Beginning at the northwest corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the west line of Section 27, Township 43 South Range 26 East, North 00°49'45" East 440.47 feet;
Thence leaving said section line, North 89°00'04" East 260.04 feet along the south line of an FPL easement;
Thence leaving said easement line, South 01°32'06" West 21.53 feet;
Thence South 66°31'41" East 157.46 feet;
Thence South 33°50'25" East 82.49 feet;
Thence South 10°12'17" East 73.11 feet;
Thence 258.10 feet along the arc of a circular curve concave southeasterly, having a radius of 972.80 feet, through a central angle of 15°12'06" and being subtended by a chord which bears South 14°31'53" West 257.34 feet;
Thence 256.57 feet along the arc of a circular curve concave southeasterly, having a radius of 1035.09 feet, through a central angle of 14°12'07" and being subtended by a chord which bears South 20°57'15" West 255.91 feet;
Thence North 77°44'51" West 139.05 feet;
Thence 216.74 feet along the arc of a circular curve concave southeasterly, having a radius of 1174.00 feet, through a central angle of 10°34'40" and being subtended by a chord which bears South 08°22'27" West 216.43 feet;
Thence South 01°00'21" East 357.25 feet;
Thence South 21°53'08" East 31.82 feet;
Thence South 04°23'18" West 72.16 feet;
Thence South 36°10'09" West 7.30 feet;
Thence 547.14 feet along the arc of a circular curve concave northeasterly, having a radius of 2174.00 feet, through a central angle of 14°25'12" and being subtended by a chord which bears South 09°09'46" West 545.70 feet;
Thence South 57°12'25" East 28.69 feet;
Thence North 32°47'35" East 14.00 feet;
Thence North 73°17'31" East 17.36 feet;
Thence 137.05 feet along the arc of a circular curve concave southwesterly, having a radius of 75.09 feet, through a central angle of 104°34'17" and being subtended by a chord which bears South 55°12'59" East 118.81 feet;

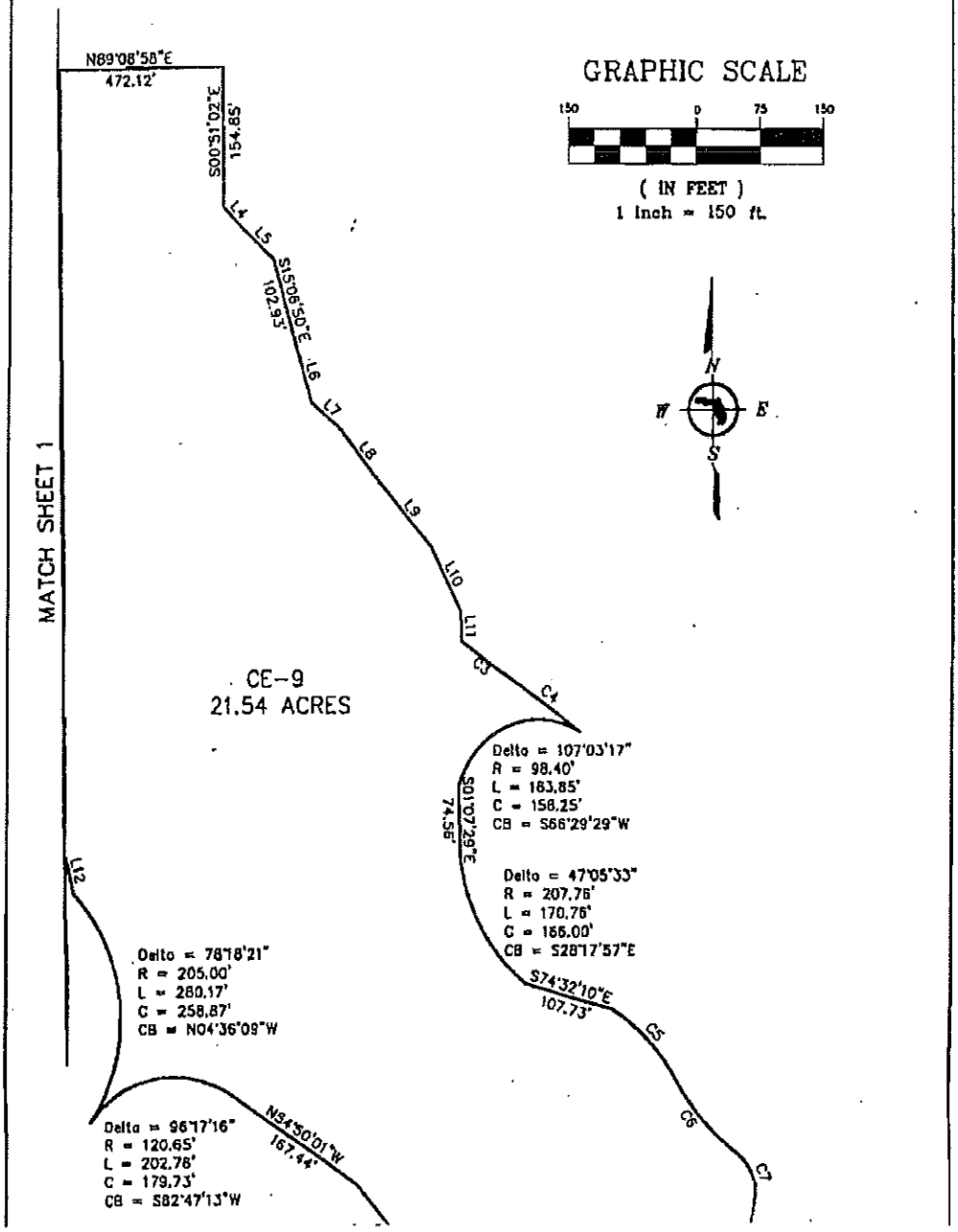
Thence South 24°41'14" East 61.54 feet;
Thence South 03°12'33" West 51.73 feet;
Thence South 09°45'43" West 37.68 feet;
Thence South 54°24'28" West 53.61 feet;
Thence South 05°56'09" East 24.31 feet;
Thence South 54°33'09" West 34.37 feet;
Thence South 56°42'28" West 188.42 feet;
Thence South 89°35'39" West 137.00 feet to the west line of said section 34;
Thence along said west line, North 00°49'56" West 1846.91 feet to the northwest corner of said Section 34 and the Point of Beginning of the herein described easement.

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 12.92 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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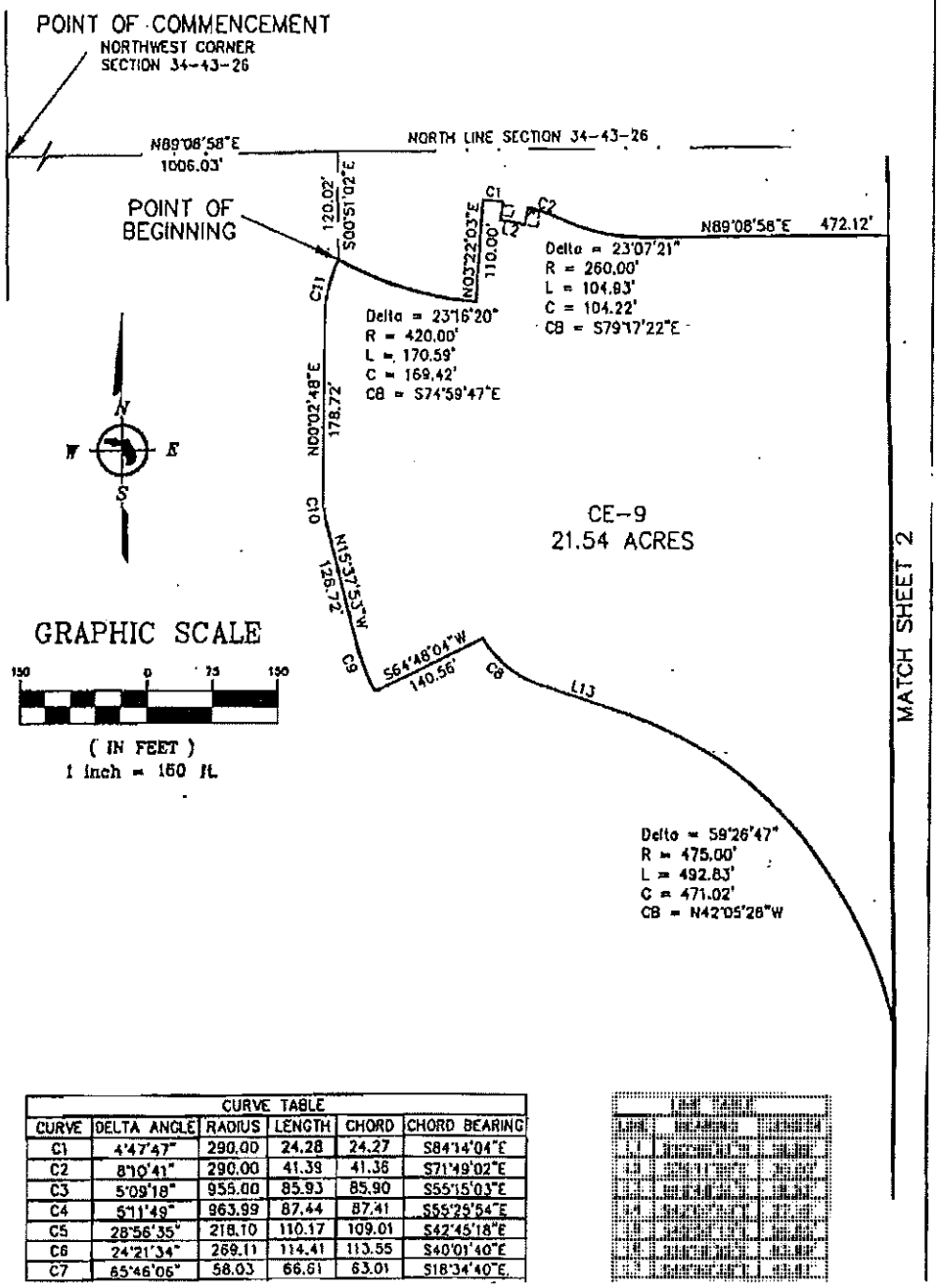

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	4°47'47"	290.00	24.28	24.27	S84°14'04"E
C2	8°10'41"	290.00	41.39	41.36	S71°49'02"E
C3	5°09'18"	955.00	85.93	85.90	S55°15'03"E
C4	5°11'49"	963.99	87.44	87.41	S55°29'54"E
C5	28°56'35"	218.10	110.17	109.01	S42°45'18"E
C6	24°21'34"	269.11	114.41	113.55	S40°01'40"E
C7	65°46'06"	58.03	66.61	63.01	S18°34'40"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°51'02"E	120.02'
L2	N03°22'03"E	110.00'
L13	S64°48'04"W	140.56'

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DESCRIPTION OF A PORTION OF THE NORTHWEST ¼ OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #9)

Commencing at the northwest corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north line of said Section 34, North 89°08'58" East 1006.03 feet; Thence leaving said section line, South 00°51'02" East 120.02 feet to the Point of Beginning of the easement herein described:

Thence 170.59 feet along the arc of a circular curve concave northeasterly, having a radius of 420.00 feet, through a central angle of 23°16'20", and being subtended by a chord which bears South 74°59'47" East 169.42 feet;
Thence North 03°22'03" East 110.00 feet;
Thence 24.28 feet along the arc of a circular curve concave southwesterly, having a radius of 290.00 feet, through a central angle of 04°47'47", and being subtended by a chord which bears South 84°14'04" East 24.27 feet;
Thence South 10°48'51" West 19.69 feet;
Thence South 79°11'09" East 30.00 feet;
Thence North 10°48'51" East 19.53 feet;
Thence 41.39 feet along the arc of a circular curve concave southwesterly, having a radius of 290.00 feet, through a central angle of 08°10'41", and being subtended by a chord which bears South 71°49'02" East 41.36 feet;
Thence 104.93 feet along the arc of a circular curve concave northeasterly, having a radius of 260.00 feet, through a central angle of 23°07'21", and being subtended by a chord which bears South 79°17'22" East 104.22 feet;
Thence North 89°08'58" East 472.12 feet;
Thence South 00°51'02" East 154.85 feet;
Thence South 42°07'53" East 27.19 feet;
Thence South 45°52'13" East 56.85 feet;
Thence South 15°06'50" East 102.93 feet;
Thence South 16°18'55" East 63.89 feet;
Thence South 48°50'38" East 45.61 feet;

OR BK 03452 PG 0598

Thence South 37°49'01" East 79.85 feet;
Thence South 40°50'17" East 93.15 feet;
Thence South 26°28'50" East 81.82 feet;
Thence South 02°42'45" East 34.51 feet;
Thence 85.93 feet along the arc of a circular curve concave northeasterly, having a radius of 955.00 feet, through a central angle of 05°09'18" and being subtended by a chord which bears South 55°15'03" East 85.90 feet;
Thence 87.44 feet along the arc of a circular curve concave southwesterly, having a radius of 963.99 feet, through a central angle of 05°11'49" and being subtended by a chord which bears South 55°25'54" East 87.41 feet;
Thence 183.85 feet along the arc of a circular curve concave southeasterly, having a radius of 98.40 feet, through a central angle of 107°03'17" and being subtended by a chord which bears South 66°29'29" West 158.25 feet;
Thence South 01°07'29" East 74.56 feet;
Thence 170.76 feet along the arc of a circular curve concave easterly, having a radius of 207.76 feet, through a central angle of 47°05'33" and being subtended by a chord which bears South 28°17'57" East 166.00 feet;
Thence South 74°32'10" East 107.73 feet;
Thence 110.17 feet along the arc of a circular curve concave southwesterly, having a radius of 218.10 feet, through a central angle of 28°56'35" and being subtended by a chord which bears South 42°45'18" East 109.01 feet;
Thence 114.41 feet along the arc of a circular curve concave northeasterly, having a radius of 269.11 feet, through a central angle of 24°21'34" and being subtended by a chord which bears South 40°01'40" East 113.55 feet;
Thence 66.61 feet along the arc of a circular curve concave southwesterly, having a radius of 58.03 feet, through a central angle of 65°46'06" and being subtended by a chord which bears South 18°34'40" East 63.01 feet;
Thence 534.34 feet along the arc of a circular curve concave northwesterly, having a radius of 208.95 feet, through a central angle of 146°31'07" and being subtended by a chord which bears South 79°54'00" East 400.19 feet;
Thence 124.17 feet along the arc of a circular curve concave southwesterly, having a radius of 8625.66 feet, through a central angle of 00°49'29" and being subtended by a chord which bears North 39°23'24" West 124.16 feet;
Thence North 54°50'01" West 167.44 feet;
Thence 202.76 feet along the arc of a circular curve concave southerly, having a radius of 120.65 feet, through a central angle of 96°17'16" and being subtended by a chord which bears South 82°47'13" West 179.73 feet;
Thence 280.17 feet along the arc of a circular curve concave southwesterly, having a radius of 205.00 feet, through a central angle of 78°18'21" and being subtended by a chord which bears North 04°36'09" West 258.87 feet;
Thence North 12°22'02" West 49.75 feet;

CONSUL-TECH ENGINEERING, INC.

Thence 492.83 feet along the arc of a circular curve concave southwesterly, having a radius of 475.00 feet, through a central angle of 59°26'47" and being subtended by a chord which bears North 42°05'26" West 471.02 feet;
Thence North 71°48'49" West 104.30 feet;
Thence 86.43 feet along the arc of a circular curve concave northeasterly, having a radius of 125.00 feet, through a central angle of 39°09'22" and being subtended by a chord which bears North 52°14'08" West 83.77 feet;
Thence South 64°48'04" West 140.56 feet;
Thence 60.49 feet along the arc of a circular curve concave northeasterly, having a radius of 265.00 feet, through a central angle of 13°04'41" and being subtended by a chord which bears North 22°10'13" West 60.36 feet;
Thence North 15°37'53" West 126.72 feet;
Thence 45.15 feet along the arc of a circular curve concave easterly, having a radius of 165.00 feet, through a central angle of 15°40'40" and being subtended by a chord which bears North 07°47'32" West 45.01 feet;
Thence North 00°02'48" East 178.72 feet;
Thence 73.25 feet along the arc of a circular curve concave southeasterly, having a radius of 165.00 feet, through a central angle of 25°26'05" and being subtended by a chord which bears North 12°45'50" East 72.65 feet to the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 21.54 acres more or less.

Date: March 26, 2001

CONSUL-TECH ENGINEERING, INC.

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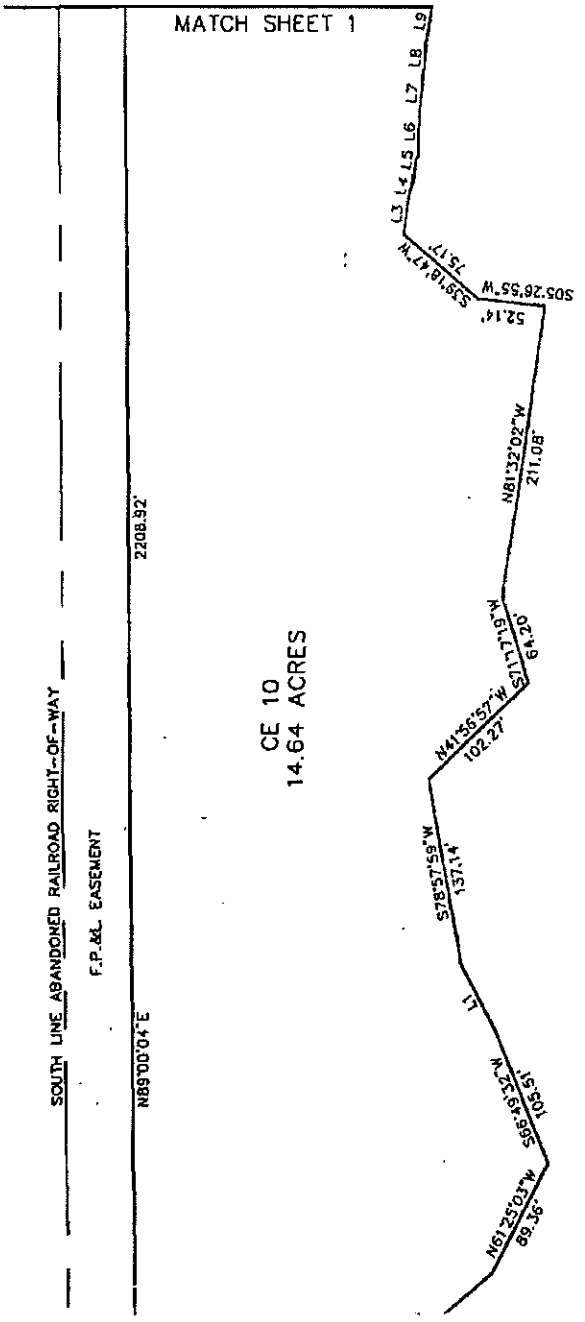
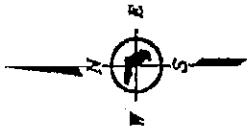


LINE TABLE		
LINE	LENGTH	BEARING
L1	54.01	S60°21'28"W
L3	28.41	N81°52'34"W
L4	15.30	N74°03'58"W
L5	15.05	N79°59'56"W
L6	29.12	N87°52'29"W
L7	21.25	N83°23'10"W
L8	28.49	N84°10'58"W
L9	24.52	N80°38'00"W
L10	18.02	N86°14'02"W
L11	28.73	N86°37'44"W
L12	23.59	N89°40'43"W
L13	22.54	S89°07'32"W
L14	21.03	S89°07'13"W
L15	18.28	N80°10'28"W
L16	23.61	N73°20'28"W
L17	20.38	N68°45'50"W
L18	14.15	N70°21'36"W
L19	17.37	N74°29'14"W
L20	13.85	N79°42'07"W
L21	12.72	N78°42'14"W
L22	11.82	N79°13'47"W
L23	17.36	N86°03'35"W
L24	24.26	N82°30'50"W
L25	52.90	N83°17'56"W
L26	40.66	S41°17'50"E



GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

SHEET 2 OF 5

DWG # \CONSESMT\CE-10.DWG

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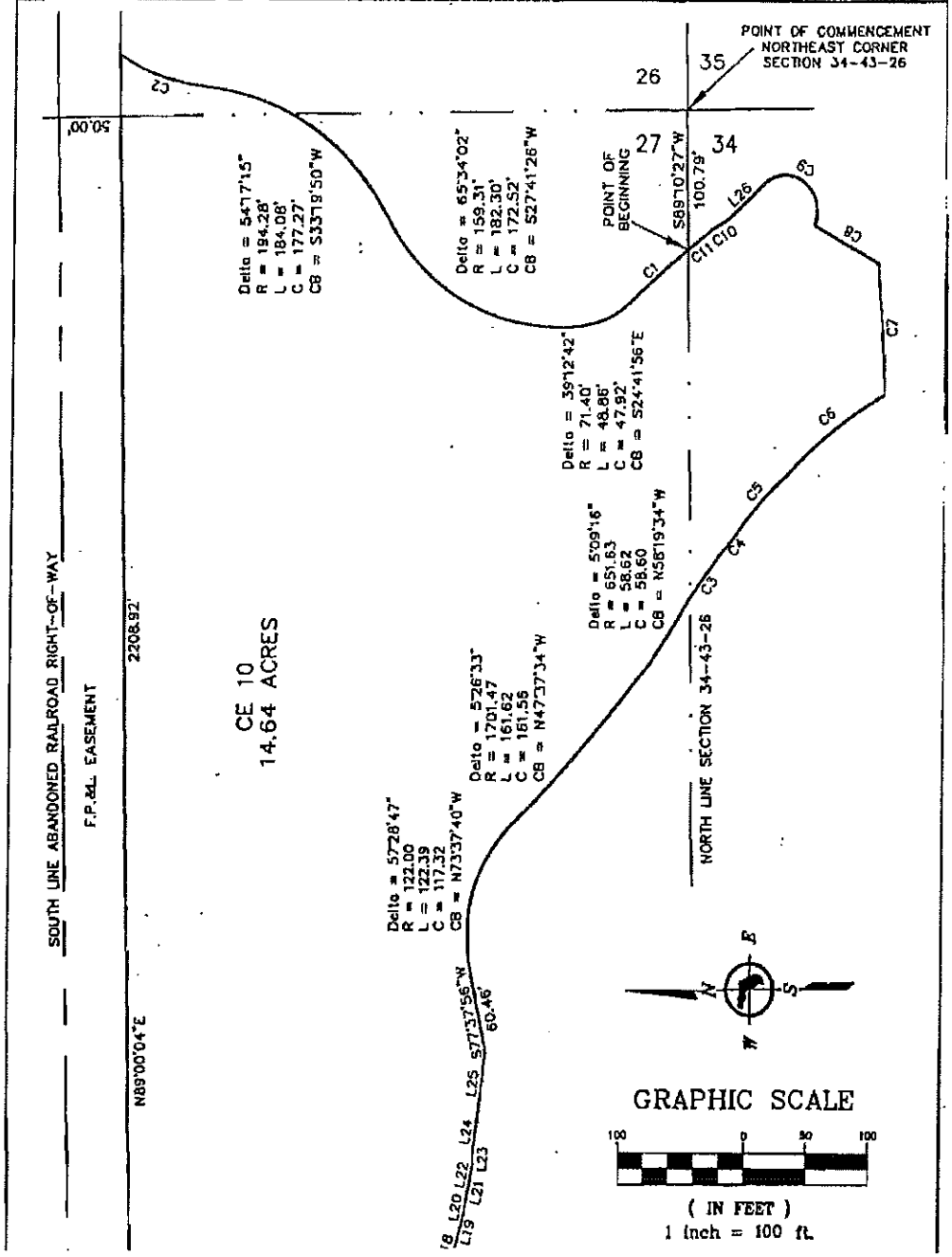

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- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers
- Aviation Consultants

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Palm Beach
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FAX (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF SECTIONS 26, 27, AND 34
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #10)

Commencing at the northeast corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north line of said Section 34, South 89°10'27" West 100.79 feet to the Point of Beginning of the easement herein described:

Thence leaving said north line, 25.13 feet along the arc of a circular curve concave southwesterly, having a radius of 783.15 feet, through a central angle of 01°50'19" and being subtended by a chord which bears South 38°57'03" East 25.13 feet;

Thence 12.03 feet along the arc of a circular curve concave southwesterly, having a radius of 103.22 feet, through a central angle of 06°40'36" and being subtended by a chord which bears South 28°53'18" East 12.02 feet;

Thence South 41°17'50" East 40.66 feet;

Thence 62.48 feet along the arc of a circular curve concave northwesterly, having a radius of 25.00 feet, through a central angle of 143°11'53" and being subtended by a chord which bears South 30°18'06" West 47.44 feet;

Thence 58.50 feet along the arc of a circular curve concave southeasterly, having a radius of 2099.23 feet, through a central angle of 01°35'48" and being subtended by a chord which bears South 29°13'15" West 58.50 feet;

Thence 102.61 feet along the arc of a circular curve concave southerly, having a radius of 1460.00 feet, through a central angle of 04°01'36" and being subtended by a chord which bears South 86°16'11" West 102.59 feet;

Thence 98.77 feet along the arc of a circular curve concave southwesterly, having a radius of 304.08 feet, through a central angle of 18°36'40" and being subtended by a chord which bears North 37°14'22" West 98.34 feet;

Thence 50.02 feet along the arc of a circular curve concave southwesterly, having a radius of 263.95 feet, through a central angle of 10°51'26" and being subtended by a chord which bears North 46°19'19" West 49.94 feet;

Thence 28.99 feet along the arc of a circular curve concave northeasterly, having a radius of 160.16 feet, through a central angle of 10°22'21" and being subtended by a chord which bears North 52°18'29" West 28.95 feet;

Thence 44.98 feet along the arc of a circular curve concave northeasterly, having a radius of 6920.98 feet, through a central

angle of 00°22'21" and being subtended by a chord which bears North 55°24'02" West 44.98 feet;
Thence 58.62 feet along the arc of a circular curve concave northeasterly, having a radius of 651.63 feet, through a central angle of 05°09'16" and being subtended by a chord which bears North 58°19'34" West 58.60 feet;
Thence 161.62 feet along the arc of a circular curve concave northeasterly, having a radius of 1701.47 feet, through a central angle of 05°26'33" and being subtended by a chord which bears North 47°37'34" West 161.56 feet;
Thence 122.39 feet along the arc of a circular curve concave southwesterly, having a radius of 122.00 feet, through a central angle of 57°28'47" and being subtended by a chord which bears North 73°37'40" West 117.32 feet;
Thence South 77°37'56" West 60.46 feet;
Thence North 83°17'56" West 52.90 feet;
Thence North 82°30'50" West 24.26 feet;
Thence North 86°03'35" West 17.36 feet;
Thence North 79°13'47" West 11.82 feet;
Thence North 78°42'14" West 12.72 feet;
Thence North 79°42'07" West 13.85 feet;
Thence North 74°29'14" West 17.37 feet;
Thence North 70°21'36" West 14.15 feet;
Thence North 68°45'50" West 20.38 feet;
Thence North 73°20'28" West 23.61 feet;
Thence North 80°10'28" West 18.28 feet;
Thence South 89°07'13" West 21.03 feet;
Thence South 89°07'32" West 22.54 feet;
Thence North 89°40'43" West 23.59 feet;
Thence North 86°37'44" West 28.73 feet;
Thence North 86°14'02" West 18.02 feet;
Thence North 80°38'00" West 24.52 feet;
Thence North 84°10'58" West 28.49 feet;
Thence North 83°23'10" West 21.25 feet;
Thence North 87°52'29" West 29.12 feet;
Thence North 79°59'56" West 15.05 feet;
Thence North 74°03'58" West 15.30 feet;
Thence North 81°52'34" West 28.41 feet;
Thence South 39°18'47" West 75.17 feet;
Thence South 05°26'55" West 52.14 feet;
Thence North 81°32'02" West 211.08 feet;
Thence South 71°17'19" West 64.20 feet;
Thence North 41°56'57" West 102.27 feet;
Thence South 78°57'59" West 137.14 feet;
Thence South 60°21'28" West 54.01 feet;
Thence South 66°49'32" West 105.51 feet;
Thence North 61°25'03" West 89.36 feet;

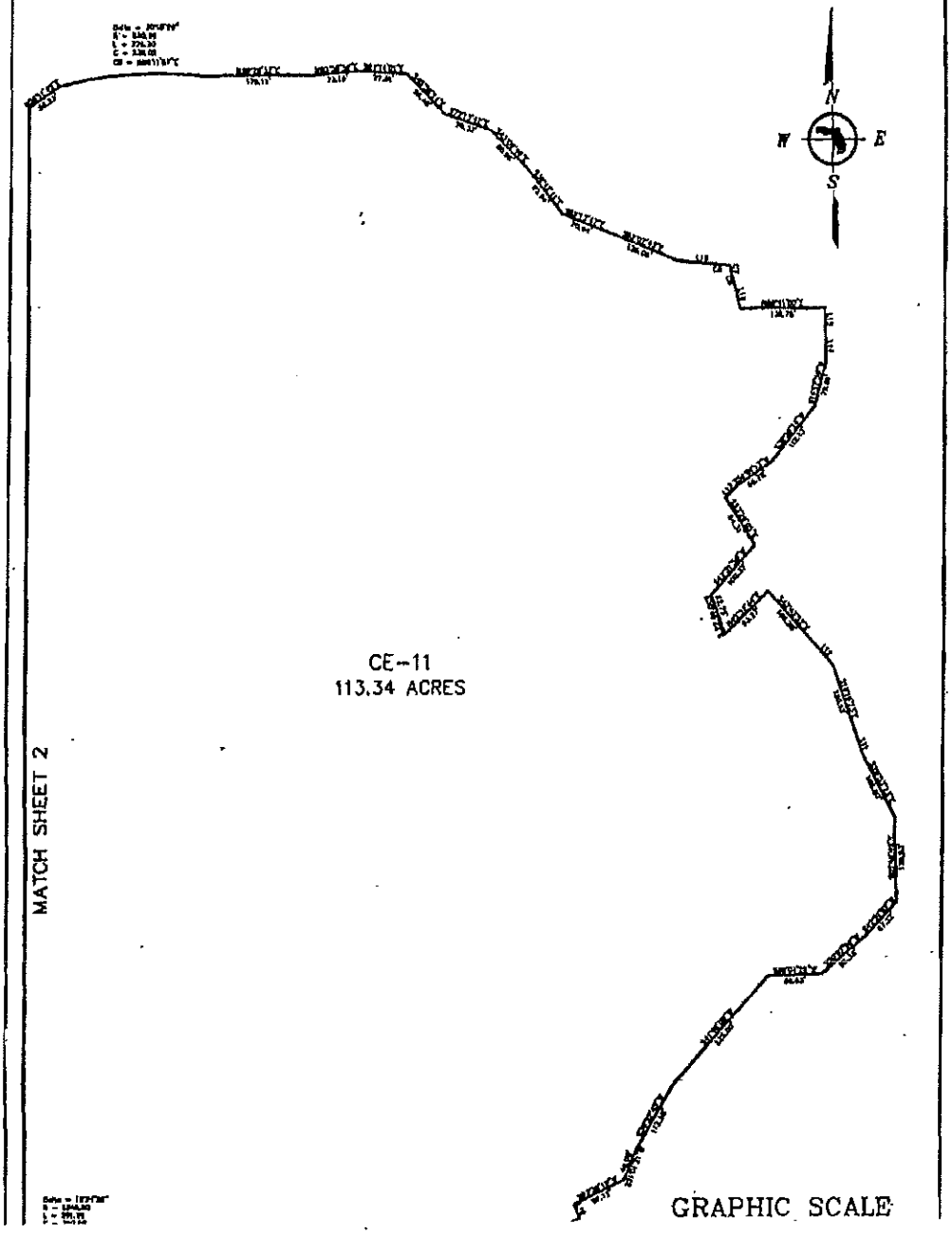
Thence North 38°28'35" West 343.15 feet to the southerly line of an FPL easement;
Thence along the southerly line of said easement, North 89°00'04" East 2208.92 feet;
Thence leaving said southerly line, 74.03 feet along the arc of a circular curve concave southeasterly, having a radius of 139.98 feet, through a central angle of 30°18'10" and being subtended by a chord which bears South 21°20'17" West 73.17 feet;
Thence 184.08 feet along the arc of a reverse circular curve concave northwesterly, having a radius of 194.28 feet, through a central angle of 54°17'15" and being subtended by a chord which bears South 33°19'50" West 177.27 feet;
Thence 182.30 feet along the arc of a reverse circular curve concave southeasterly, having a radius of 159.31 feet, through a central angle of 65°34'02" and being subtended by a chord which bears South 27°41'26" West 172.52 feet;
Thence 48.86 feet along the arc of a compound circular curve concave northeasterly, having a radius of 71.40 feet, through a central angle of 39°12'42" and being subtended by a chord which bears South 24°41'56" East 47.92 feet;
Thence 60.61 feet along the arc of a reverse circular curve concave southwesterly, having a radius of 783.15 feet, through a central angle of 04°26'04" and being subtended by a chord which bears South 42°05'15" East 60.60 feet to the north line of said Section 34 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 14.64 acres more or less.

March 27, 2001

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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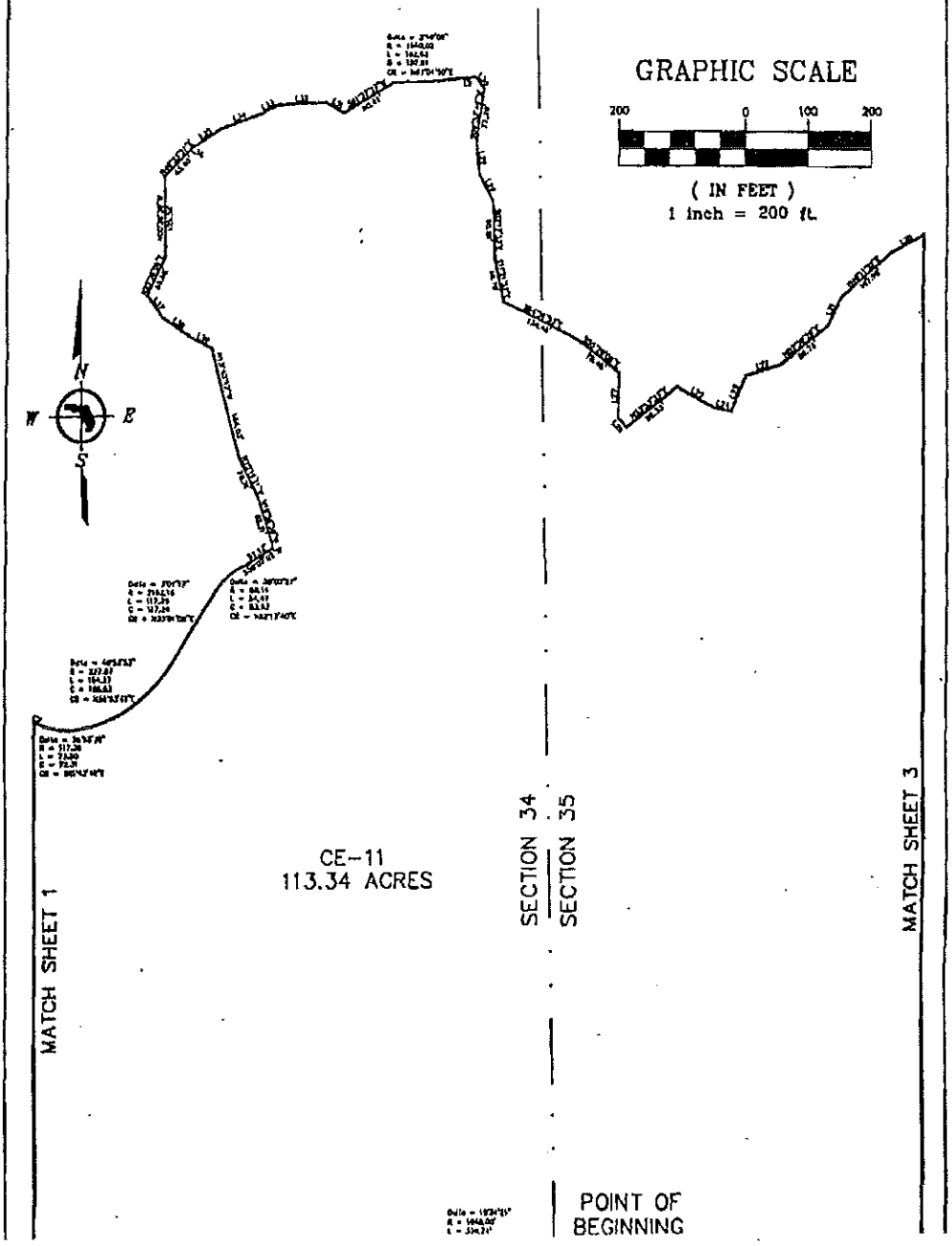

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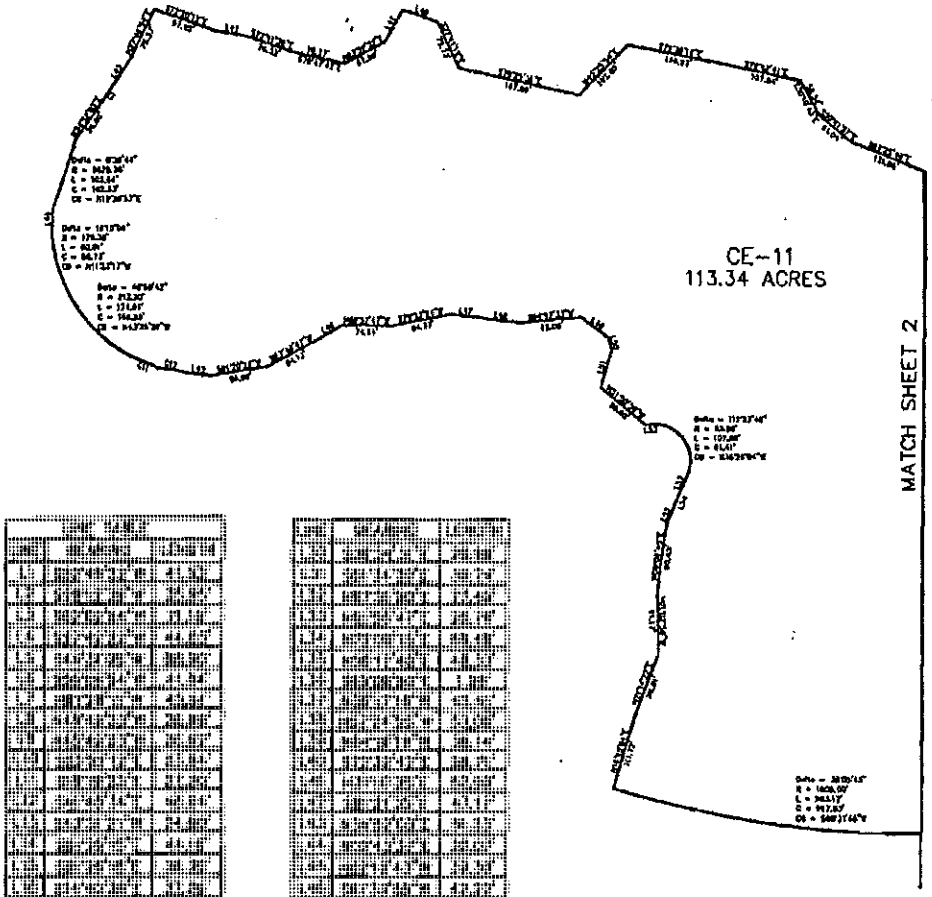
LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

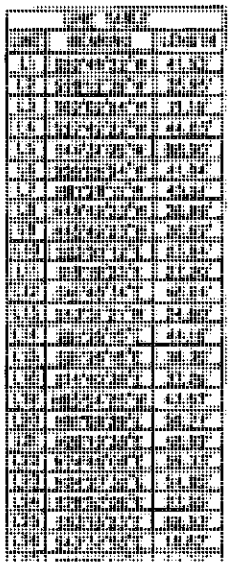
CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	0°33'08"	1600.35	15.43	15.43	N34°52'03"E
C2	11°13'23"	16.59	3.25	3.25	S69°24'10"E
C6	6°06'20"	98.95	10.54	10.54	S14°03'18"E
C7	8°04'31"	131.41	18.52	18.51	S13°01'53"E
C8	1°02'11"	2073.87	37.51	37.51	S85°55'55"E
C9	1°06'41"	1540.00	29.87	29.87	N84°36'56"E
C11	10°55'35"	194.59	37.11	37.05	N88°08'07"W
C12	4°52'07"	504.56	42.87	42.86	N82°10'43"W

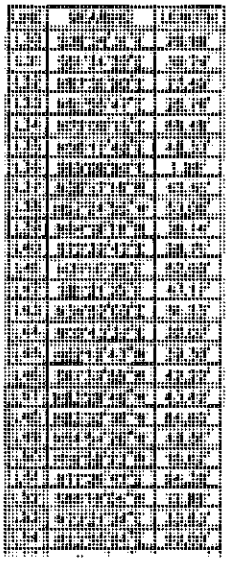
GRAPHIC SCALE

200 0 100 200

(IN FEET)
1 inch = 200 ft.







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DESCRIPITON OF A PORTION OF SECTIONS 34 AND 35
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #11)

Commencing at the east ¼ corner of Section 34, Township 43 South, Range 26 East, Lee County, Florida; Thence along the east line of said Section 34, North 00°57'28" West 654.01 feet to the Point of Beginning of the easement herein described:

Thence 338.74 feet along the arc of a circular curve concave southeasterly, having a radius of 1045.00 feet, through a central angle of 18°34'21" and being subtended by a chord which bears South 80°16'04" West 337.26 feet;
Thence 983.12 feet along the arc of a reverse circular curve concave northeasterly, having a radius of 1605.00 feet, through a central angle of 35°05'45" and being subtended by a chord which bears South 88°31'45" West 967.83 feet;
Thence North 16°45'04" East 111.77 feet;
Thence North 21°14'22" East 98.81 feet;
Thence North 01°02'58" West 91.17 feet;
Thence North 08°09'45" East 90.45 feet;
Thence North 23°28'04" East 26.33 feet;
Thence North 23°28'04" East 20.00 feet;
Thence North 23°21'34" East 33.63 feet;
Thence 107.89 feet along the arc of a circular curve concave southwesterly, having a radius of 55.00 feet, through a central angle of 112°23'46" and being subtended by a chord which bears North 35°29'04" West 91.41 feet;
Thence South 88°19'04" West 12.89 feet;
Thence North 51°50'39" West 86.00 feet;
Thence North 17°36'42" East 54.38 feet;
Thence North 16°58'23" West 18.02 feet;
Thence North 54°54'20" West 49.81 feet;
Thence South 84°42'33" West 92.09 feet;
Thence North 83°32'36" West 64.60 feet;
Thence North 83°29'40" West 43.42 feet;
Thence South 79°52'24" West 94.37 feet;
Thence North 88°57'47" West 74.94 feet;
Thence South 61°33'55" West 42.22 feet;
Thence South 63°45'42" West 84.13 feet;
Thence South 81°20'28" West 86.89 feet;
Thence North 82°10'43" West 39.30 feet;
Thence 42.87 feet along the arc of a circular curve concave southwesterly, having a radius of 504.56 feet, through a central

angle of 04°52'07" and being subtended by a chord which bears North 82°10'43" West 42.86 feet;
Thence 37.11 feet along the arc of a circular curve concave southwesterly, having a radius of 194.59 feet, through a central angle of 10°55'35" and being subtended by a chord which bears North 68°08'07" West 37.05 feet;
Thence 174.81 feet along the arc of a circular curve concave northeasterly, having a radius of 213.20 feet, through a central angle of 46°58'42" and being subtended by a chord which bears North 43°25'26" West 169.95 feet;
Thence 60.01 feet along the arc of a circular curve concave northeasterly, having a radius of 179.36 feet, through a central angle of 19°10'09" and being subtended by a chord which bears North 11°23'17" West 59.73 feet;
Thence North 02°43'37" East 32.07 feet;
Thence 102.64 feet along the arc of a circular curve concave southeasterly, having a radius of 9875.25 feet, through a central angle of 00°35'44" and being subtended by a chord which bears North 19°30'57" East 102.63 feet;
Thence North 34°52'03" East 76.05 feet;
Thence 15.42 feet along the arc of a circular curve concave northwesterly, having a radius of 1600.35 feet, through a central angle of 00°33'08" and being subtended by a chord which bears North 34°52'03" East 15.42 feet;
Thence North 34°52'03" East 51.23 feet;
Thence North 27°46'54" East 78.57 feet;
Thence South 72°20'12" East 97.85 feet;
Thence South 81°21'35" East 47.17 feet;
Thence South 72°41'39" East 76.52 feet;
Thence South 78°47'42" East 78.27 feet;
Thence North 63°39'52" East 67.89 feet;
Thence North 31°10'35" East 52.90 feet;
Thence South 72°32'42" East 56.71 feet;
Thence South 27°41'18" East 72.73 feet;
Thence South 78°25'36" East 187.89 feet;
Thence North 45°25'54" East 102.85 feet;
Thence South 79°36'16" East 158.97 feet;
Thence South 78°42'41" East 107.04 feet;
Thence South 30°10'43" East 58.54 feet;
Thence South 50°41'57" East 61.04 feet;
Thence South 69°25'48" East 121.88 feet;
Thence 3.25 feet along the arc of a circular curve concave southwesterly, having a radius of 16.59 feet, through a central angle of 11°13'24" and being subtended by a chord which bears South 69°24'10" West 3.25 feet;
Thence 73.50 feet along the arc of a circular curve concave northeasterly, having a radius of 117.38 feet, through a central angle of 35°52'39" and being subtended by a chord which bears South 81°43'48" East 72.31 feet;

Thence 194.37 feet along the arc of a circular curve concave northwesterly, having a radius of 227.87 feet, through a central angle of 48°52'23" and being subtended by a chord which bears North 55°53'41" East 188.53 feet;
Thence 117.25 feet along the arc of a circular curve concave northwesterly, having a radius of 2152.18 feet, through a central angle of 03°07'17" and being subtended by a chord which bears North 33°01'08" East 117.24 feet;
Thence 54.47 feet along the arc of a circular curve concave southeasterly, having a radius of 89.14 feet, through a central angle of 35°00'27" and being subtended by a chord which bears North 52°13'40" East 53.62 feet;
Thence North 58°07'02" East 52.12 feet;
Thence North 16°58'50" West 82.31 feet;
Thence North 25°16'11" West 70.31 feet;
Thence North 15°43'12" West 164.03 feet;
Thence North 64°19'19" West 36.14 feet;
Thence North 57°24'55" West 53.06 feet;
Thence North 36°17'16" West 42.41 feet;
Thence North 25°16'06" East 65.68 feet;
Thence North 00°38'30" West 125.38 feet;
Thence North 46°33'31" East 63.40 feet;
Thence South 65°06'50" East 1.59 feet;
Thence North 58°17'48" East 48.33 feet;
Thence North 72°00'15" East 69.46 feet;
Thence North 61°56'47" East 26.70 feet;
Thence North 87°31'50" East 77.45 feet;
Thence North 61°34'39" East 30.74 feet;
Thence North 61°37'57" East 90.41 feet;
Thence 102.63 feet along the arc of a circular curve concave northwesterly, having a radius of 1540.00 feet, through a central angle of 03°49'06" and being subtended by a chord which bears North 87°04'50" East 102.61 feet;
Thence 29.87 feet along the arc of a circular curve concave northwesterly, having a radius of 1540.00 feet, through a central angle of 01°06'41" and being subtended by a chord which bears North 84°36'56" East 29.87 feet;
Thence South 38°34'31" East 20.98 feet;
Thence South 09°33'46" West 77.29 feet;
Thence South 06°31'09" East 47.29 feet;
Thence South 29°42'31" East 45.50 feet;
Thence South 02°17'33" East 90.29 feet;
Thence South 11°21'53" East 68.79 feet;
Thence South 64°36'53" East 134.46 feet;
Thence South 55°20'08" East 78.45 feet;
Thence South 01°00'48" West 64.78 feet;
Thence South 43°32'55" East 18.87 feet;
Thence North 53°53'33" East 99.33 feet;
Thence South 63°15'23" East 65.53 feet;

Thence South 79°57'06" East 27.55 feet;
Thence North 24°27'32" East 54.85 feet;
Thence North 74°46'00" East 59.33 feet;
Thence North 52°58'28" East 89.76 feet;
Thence North 26°19'38" East 48.92 feet;
Thence North 48°11'52" East 107.90 feet;
Thence North 61°08'39" East 58.77 feet;
Thence North 56°11'45" East 58.23 feet;
Thence 229.20 feet along the arc of a circular curve concave southeasterly, having a radius of 650.95 feet, through a central angle of 20°10'26" and being subtended by a chord which bears North 88°11'57" East 228.02 feet;
Thence North 89°28'52" East 176.19 feet;
Thence North 85°58'56" East 73.19 feet;
Thence South 87°14'01" East 77.81 feet;
Thence South 45°39'24" East 86.40 feet;
Thence South 72°13'42" East 79.37 feet;
Thence South 45°09'49" East 80.96 feet;
Thence South 39°42'41" East 92.94 feet;
Thence South 69°13'47" East 70.64 feet;
Thence South 69°02'43" East 126.09 feet;
Thence South 85°53'07" East 43.67 feet;
Thence 37.51 feet along the arc of a circular curve concave northeasterly, having a radius of 2073.87 feet, through a central angle of 01°02'11" and being subtended by a chord which bears South 85°55'55" East 37.51 feet;
Thence 18.52 feet along the arc of a circular curve concave northeasterly, having a radius of 131.41 feet, through a central angle of 08°04'31" and being subtended by a chord which bears South 15°01'53" East 18.51 feet;
Thence 10.54 feet along the arc of a circular curve concave northeasterly, having a radius of 98.95 feet, through a central angle of 06°06'20" and being subtended by a chord which bears South 14°03'18" East 10.54 feet;
Thence South 14°40'38" East 37.26 feet;
Thence North 89°41'00" East 135.78 feet;
Thence South 01°26'15" East 36.39 feet;
Thence South 01°26'15" East 44.16 feet;
Thence South 14°17'50" West 70.81 feet;
Thence South 38°28'24" West 112.13 feet;
Thence South 56°01'13" West 66.78 feet;
Thence South 43°31'21" West 24.60 feet;
Thence South 33°28'05" East 84.31 feet;
Thence South 42°31'58" West 100.37 feet;
Thence South 20°46'22" East 62.75 feet;
Thence North 45°52'44" East 93.27 feet;
Thence South 43°43'52" East 106.28 feet;
Thence South 41°48'34" East 48.04 feet;

Thence South 19°19'23" East 120.13 feet;
Thence South 19°19'23" East 27.20 feet;
Thence South 29°53'23" East 105.07 feet;
Thence South 01°46'45" East 128.83 feet;
Thence South 42°51'02" West 67.22 feet;
Thence South 50°07'59" West 96.36 feet;
Thence South 88°04'29" West 86.63 feet;
Thence South 41°46'09" West 225.00 feet;
Thence South 30°52'45" West 112.58 feet;
Thence South 21°01'21" West 48.08 feet;
Thence South 63°38'19" West 89.17 feet;
Thence South 23°52'12" East 23.64 feet;
Thence South 63°13'10" West 202.74 feet;
Thence North 45°49'23" West 26.62 feet;
Thence North 45°49'23" West 26.89 feet;
Thence North 81°28'11" West 45.51 feet;
Thence South 56°09'54" West 41.84 feet;
Thence South 44°31'05" West 98.50 feet;
Thence South 27°42'22" West 44.03 feet;
Thence South 62°02'54" West 71.15 feet;
Thence South 28°12'39" West 35.95 feet;
Thence South 52°49'22" West 41.53 feet;
Thence 293.46 feet along the arc of a circular curve concave northeasterly, having a radius of 980.00 feet, through a central angle of 17°09'27" and being subtended by a chord which bears North 59°15'48" West 292.37 feet;
Thence 291.26 feet along the arc of a circular curve concave southwesterly, having a radius of 1345.00 feet, through a central angle of 12°24'26" and being subtended by a chord which bears North 56°53'18" West 290.69 feet;
Thence 498.90 feet along the arc of a circular curve concave southwesterly, having a radius of 1045.00 feet, through a central angle of 27°21'15" and being subtended by a chord which bears North 76°46'08" West 494.18 feet the east line of said Section 34 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 113.34 acres more or less.

March 29, 2001

CONSUL-TECH ENGINEERING, INC.

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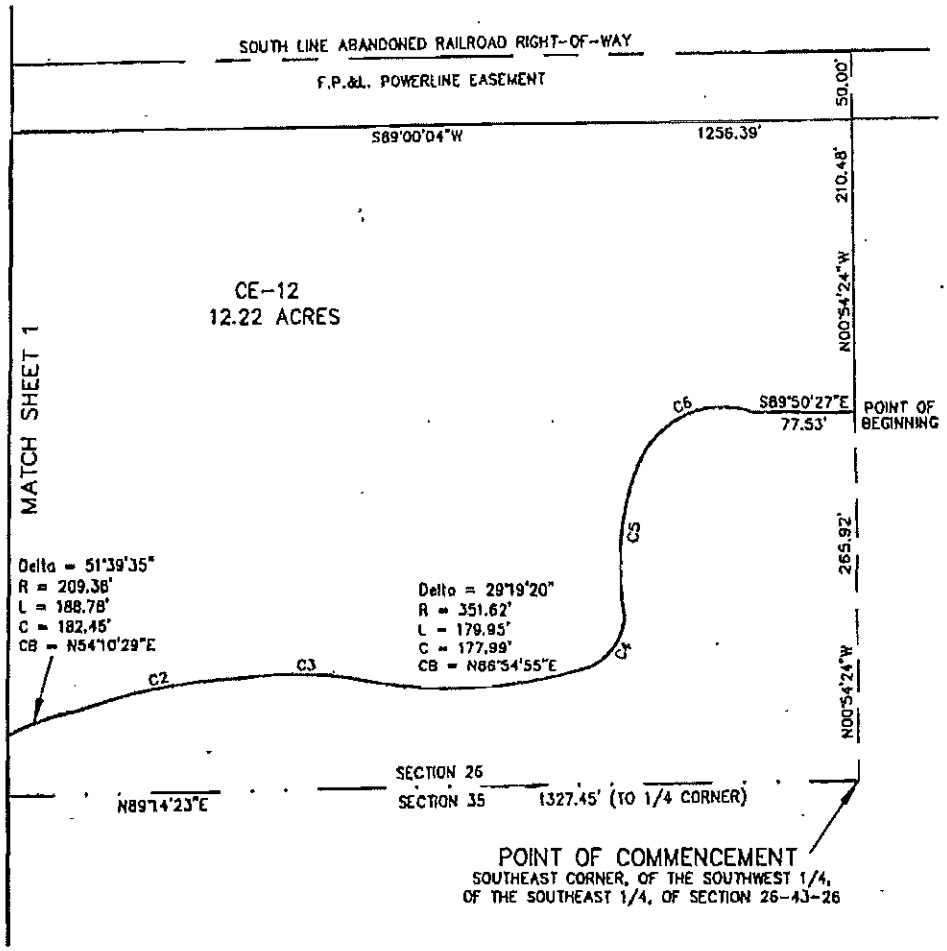
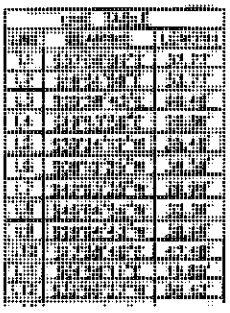


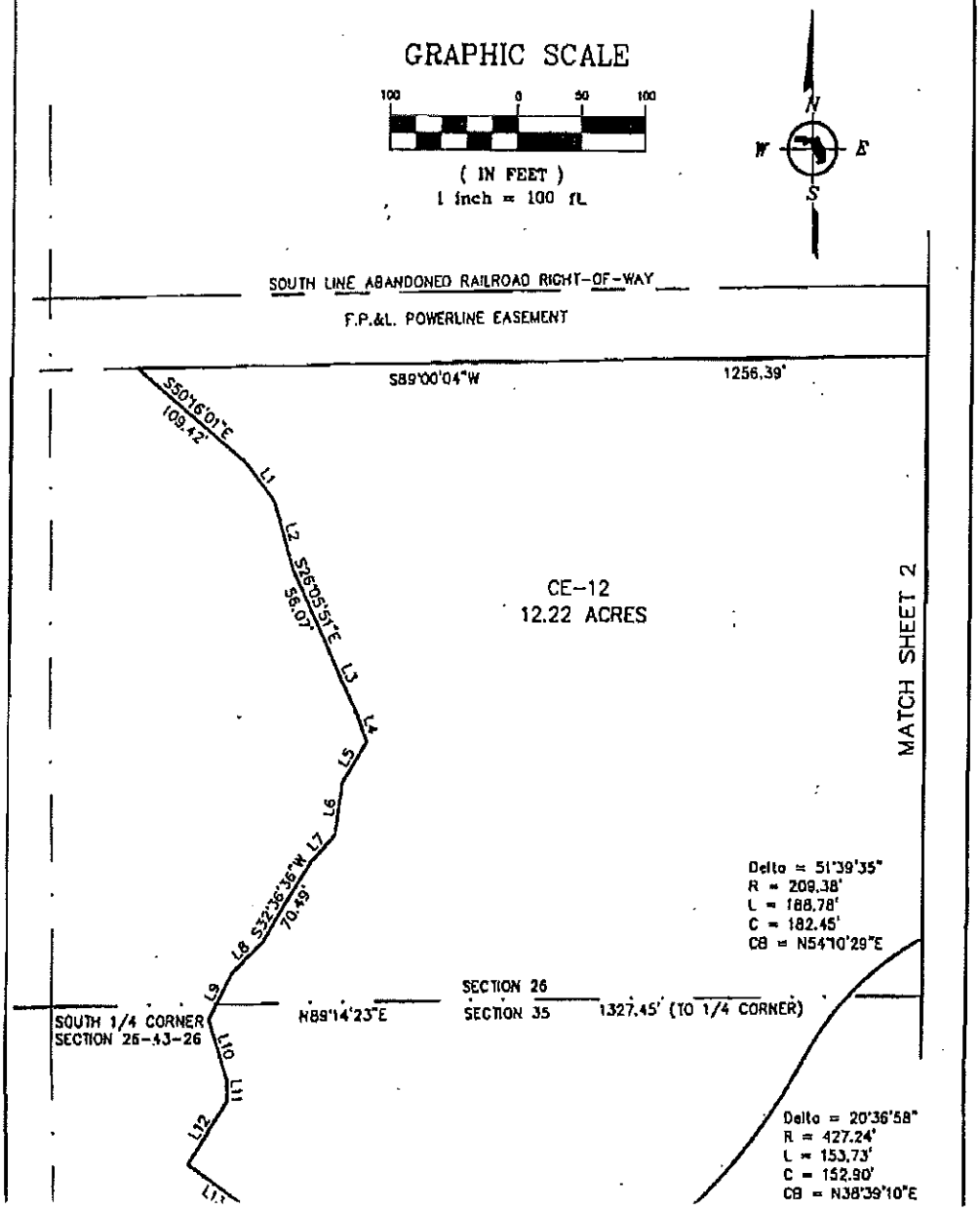


CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	11°19'10"	106.78	21.10	21.06	N54°37'14"E
C2	16°49'46"	436.28	128.15	127.69	N79°09'07"E
C3	19°21'09"	251.03	84.79	84.39	S86°45'39"E
C4	60°56'24"	46.50	49.46	47.16	N35°04'06"E
C5	36°26'54"	180.50	114.82	112.90	N06°42'18"E
C6	79°19'24"	69.41	96.10	88.61	N68°43'56"E

GRAPHIC SCALE

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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DESCRIPTION OF A PORTION OF SECTIONS 26 AND 35
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #12)

Commencing at the southeast corner of the Southwest ¼, of the Southeast ¼, of Section 26, Township 43 South, Range 26 East; Thence North 00°54'24" West 265.92 feet to the Point of Beginning of the easement herein described;

Thence continuing North 00°54'24" West 210.48 feet to the south line of an FPL easement;
Thence along the south line of said FPL easement, South 89°00'04" West 1256.39 feet;
Thence leaving said easement line, South 50°16'01" East 109.42 feet;
Thence South 37°00'02" East 37.77 feet;
Thence South 16°51'58" East 53.77 feet;
Thence South 26°05'51" East 56.07 feet;
Thence South 25°39'43" East 60.48 feet;
Thence South 19°53'50" East 20.86 feet;
Thence South 30°34'12" West 35.40 feet;
Thence South 08°12'25" West 39.59 feet;
Thence South 42°03'35" West 26.99 feet;
Thence South 32°36'36" West 70.49 feet;
Thence South 46°04'54" West 32.36 feet;
Thence South 28°04'43" West 38.68 feet;
Thence South 17°58'40" East 47.48 feet;
Thence South 01°56'11" East 15.85 feet;
Thence South 32°56'27" West 55.42 feet;
Thence South 55°12'05" East 65.72 feet;
Thence South 77°01'20" East 76.75 feet;
Thence North 89°22'32" East 238.05 feet;
Thence 21.10 feet along the arc of a circular curve concave northwesterly, having a radius of 106.78 feet, through a central angle of 11°19'10" and being subtended by a chord which bears North 54°37'14" East 21.06 feet;
Thence 153.73 feet along the arc of a circular curve concave northwesterly, having a radius of 427.24 feet, through a central angle of 20°36'58" and being subtended by a chord which bears North 38°39'10" East 152.90 feet;
Thence 188.78 feet along the arc of a circular curve concave southeasterly, having a radius of 209.38 feet, through a central angle of 51°39'35" and being subtended by a chord which bears North 54°10'29" East 182.45 feet;

Thence 128.15 feet along the arc of a circular curve concave southeasterly, having a radius of 436.28 feet, through a central angle of 16°49'46" and being subtended by a chord which bears North 79°09'07" East 127.69 feet;
Thence 84.79 feet along the arc of a circular curve concave southeasterly, having a radius of 251.03 feet, through a central angle of 19°21'09" and being subtended by a chord which bears South 88°45'39" East 84.39 feet;
Thence 179.95 feet along the arc of a circular curve concave northerly, having a radius of 351.62 feet, through a central angle of 29°19'20" and being subtended by a chord which bears North 86°54'55" East 177.99 feet;
Thence 49.46 feet along the arc of a circular curve concave northwesterly, having a radius of 46.50 feet, through a central angle of 60°56'24" and being subtended by a chord which bears North 35°04'06" East 47.16 feet;
Thence 114.82 feet along the arc of a circular curve concave northeasterly, having a radius of 180.50 feet, through a central angle of 36°26'54" and being subtended by a chord which bears North 06°42'18" East 112.90 feet;
Thence 96.10 feet along the arc of a circular curve concave southeasterly, having a radius of 69.41 feet, through a central angle of 79°19'24" and being subtended by a chord which bears North 68°43'56" East 88.61 feet;
Thence South 89°50'27" East 77.53 feet to the Point of Beginning of the easement herein described;

Subject to easements, restriction, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 12.22 acres more or less.

March 29, 2001

CONSUL-TECH ENGINEERING, INC.
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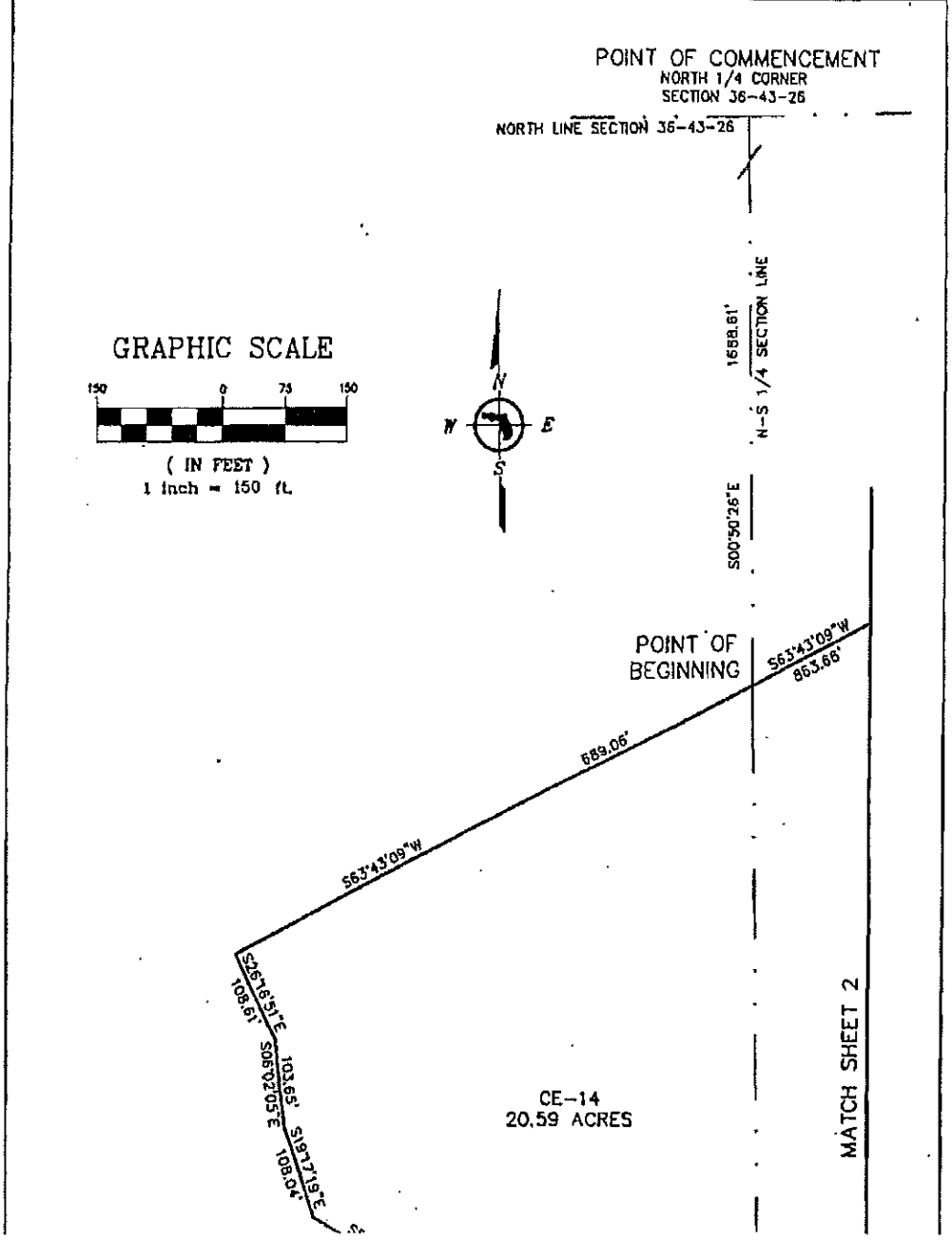
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



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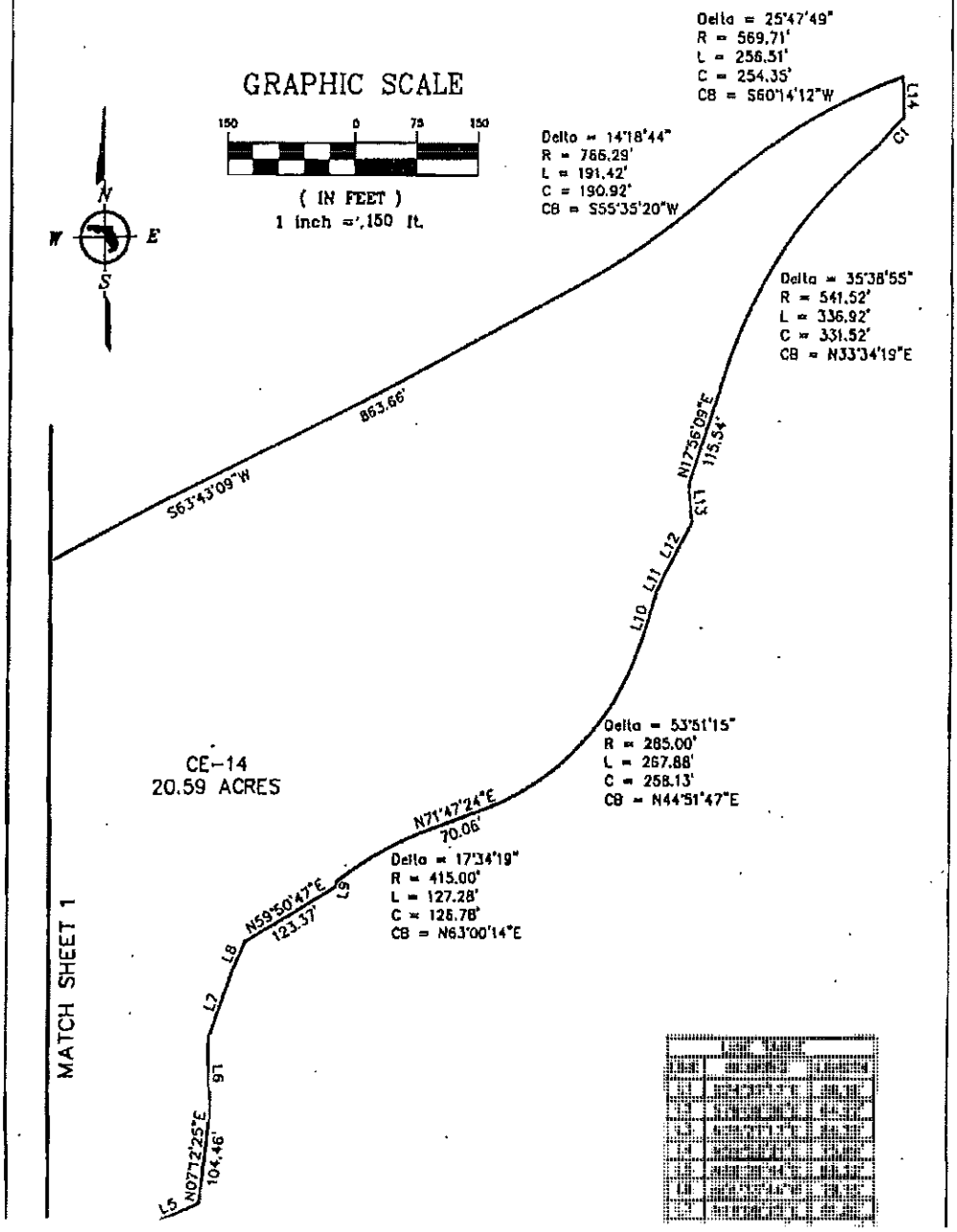

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DESCRIPTION OF A PORTION OF SECTION 36
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #14)

Commencing at the north ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida; Thence along the north-south ¼ section line of said Section 36, South 00°50'26" East 1688.61 feet to the Point of Beginning of the easement herein described;

Thence leaving said north-south ¼ section line, South63°43'09" West 689.06 feet;
Thence South 26°16'51" East 108.61 feet;
Thence South 06°02'05" East 103.65 feet;
Thence South 19°17'19" East 108.04 feet;
Thence South 59°42'18" East 186.24 feet;
Thence North 86°33'20" East 95.24 feet;
Thence North 88°14'30" East 122.16 feet;
Thence South 74°32'17" East 86.16 feet;
Thence South 88°32'44" East 140.39 feet;
Thence South 79°09'06" East 64.22 feet;
Thence North 75°27'17" East 54.79 feet;
Thence North 59°58'21" East 75.99 feet;
Thence North 66°39'44' East 66.32 feet;
Thence North 07°12'25" East 104.46 feet;
Thence North 01°33'44" West 79.15 feet;
Thence North 19°06'25" East 81.26 feet;
Thence North 23°27'18" East 38.04 feet;
Thence North 59°50'47" East 123.37 feet;
Thence North 10°55'02" East 6.12 feet;
Thence 127.28 feet along the arc of a circular curve concave southeasterly, having a radius of 415.00 feet, through a central angle of 17°34'19" and being subtended by a chord which bears North 63°00'14" East 126.78 feet;
Thence North 71°47'24" East 70.06 feet;
Thence 267.88 feet along the arc of a circular curve concave northwesterly, having a radius of 285.00 feet, through a central angle of 53°51'15" and being subtended by a chord which bears North 44°51'47" East 258.13 feet;
Thence North 17°56'09" East 67.47 feet;
Thence North 26°22'53" East 16.63 feet;
Thence North 29°56'44" East 69.42 feet;
Thence North 05°37'45" West 42.24 feet;
Thence North 17°56'09" East 115.54 feet;

Thence 336.92 feet along the arc of a circular curve concave southeasterly, having a radius of 541.52 feet, through a central angle of 35°38'55" and being subtended by a chord which bears North 33°34'19" East 331.52 feet;
Thence 46.98 feet along the arc of a circular curve concave southeasterly, having a radius of 1338.34 feet, through a central angle of 02°00'40" and being subtended by a chord which bears North 44°28'49" East 46.98 feet;
Thence North 01°13'15" West 43.39 feet;
Thence 256.51 feet along the arc of a circular curve concave southeasterly, having a radius of 569.71feet, through a central angle of 25°47'49" and being subtended by a chord which bears South 60°14'21" West 254.35 feet;
Thence 191.42 feet along the arc of a circular curve concave northwesterly, having a radius of 766.29 feet, through a central angle of 14°18'44" and being subtended by a chord which bears South 55°35'20" West 190.92 feet;
Thence South 63°43'09" West 863.66 feet to the north-south ¼ section line of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 20.59 acres more or less.

April 2, 2001

CONSUL-TECH ENGINEERING, INC.
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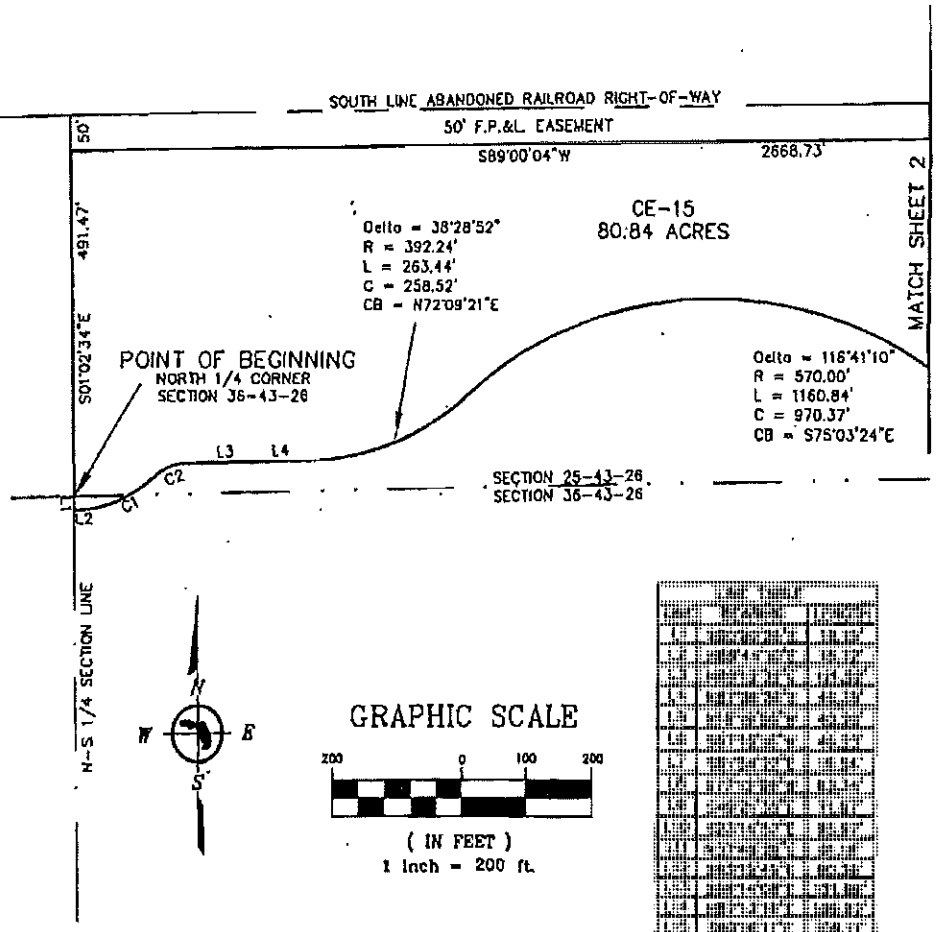
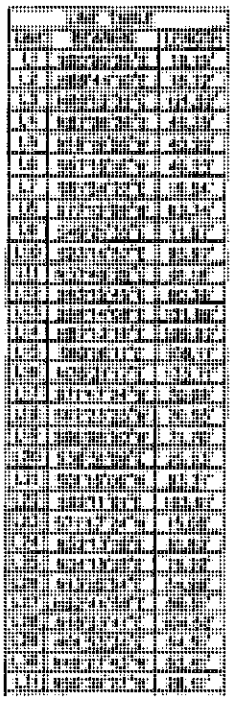
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY



CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	34°04'55"	191.69	114.03	112.35	N65°44'08"E
C2	41°06'40"	74.00	53.10	51.97	N68°39'12"E
C3	19°13'37"	275.00	92.28	91.85	N38°41'53"E
C4	25°19'38"	100.68	44.50	44.14	N10°42'59"E
C5	10°33'56"	255.00	47.02	46.96	N68°23'54"E
C6	58°44'10"	70.00	71.76	68.66	N06°27'21"W
C7	39°15'45"	88.52	60.66	59.48	N03°16'51"E
C8	123°29'09"	70.00	150.87	123.32	N45°23'33"E
C9	89°19'48"	70.00	109.14	98.41	S28°11'58"E
C10	64°23'55"	70.00	78.68	74.60	S48°38'53"W
C11	167°09'39"	70.00	204.23	139.12	S83°51'48"E
C12	78°19'51"	70.00	95.70	88.42	S38°52'52"W



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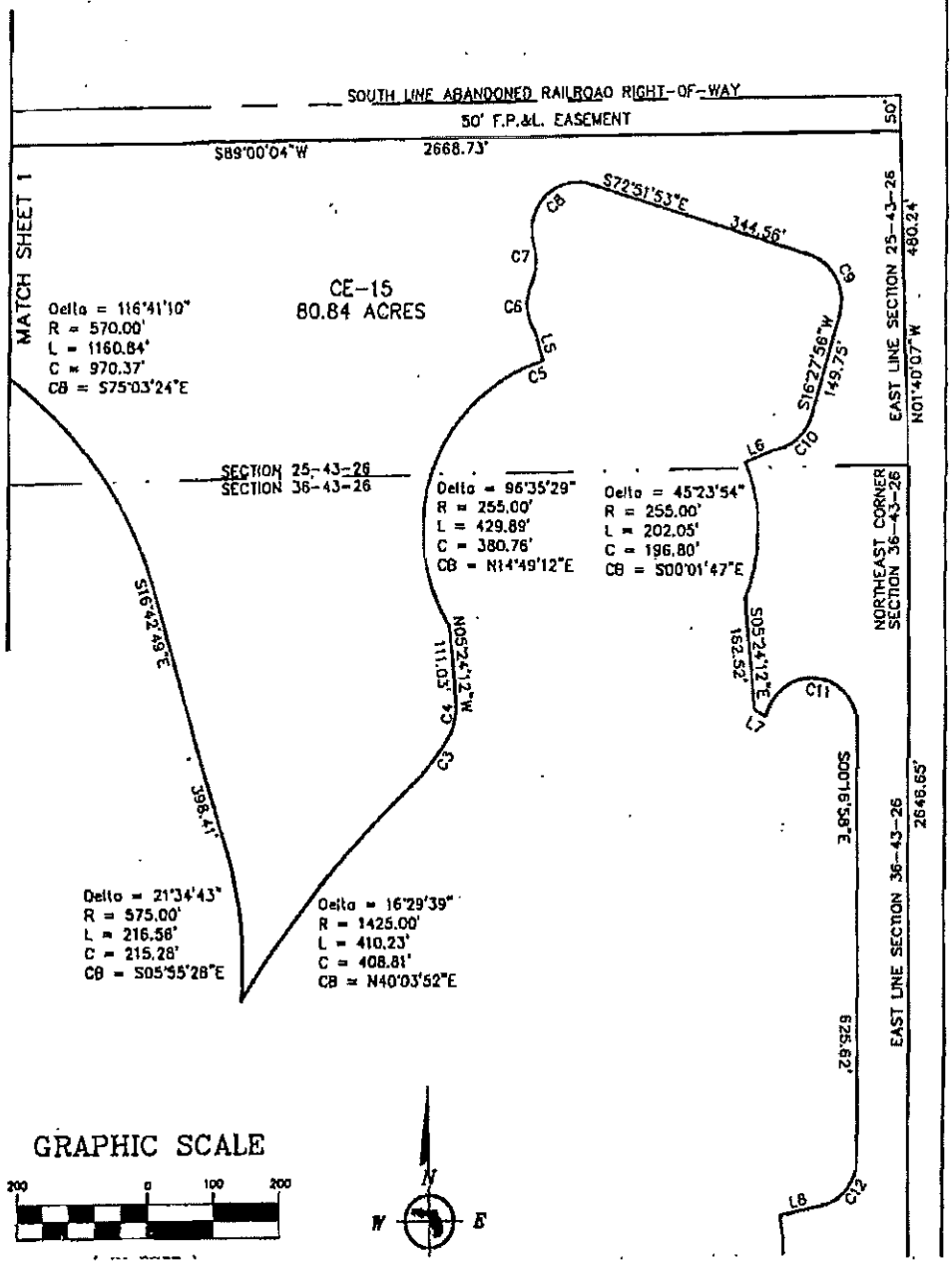

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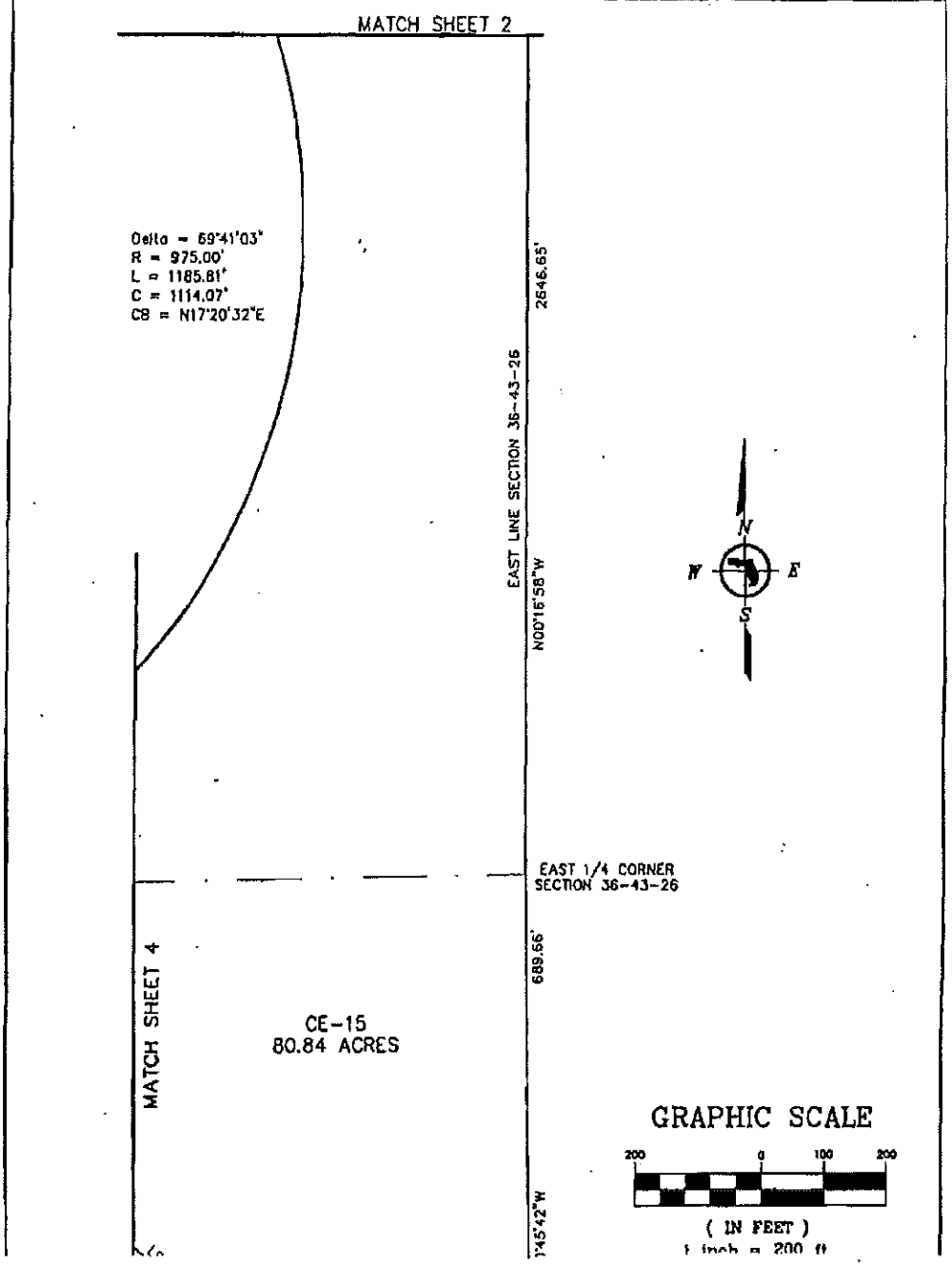

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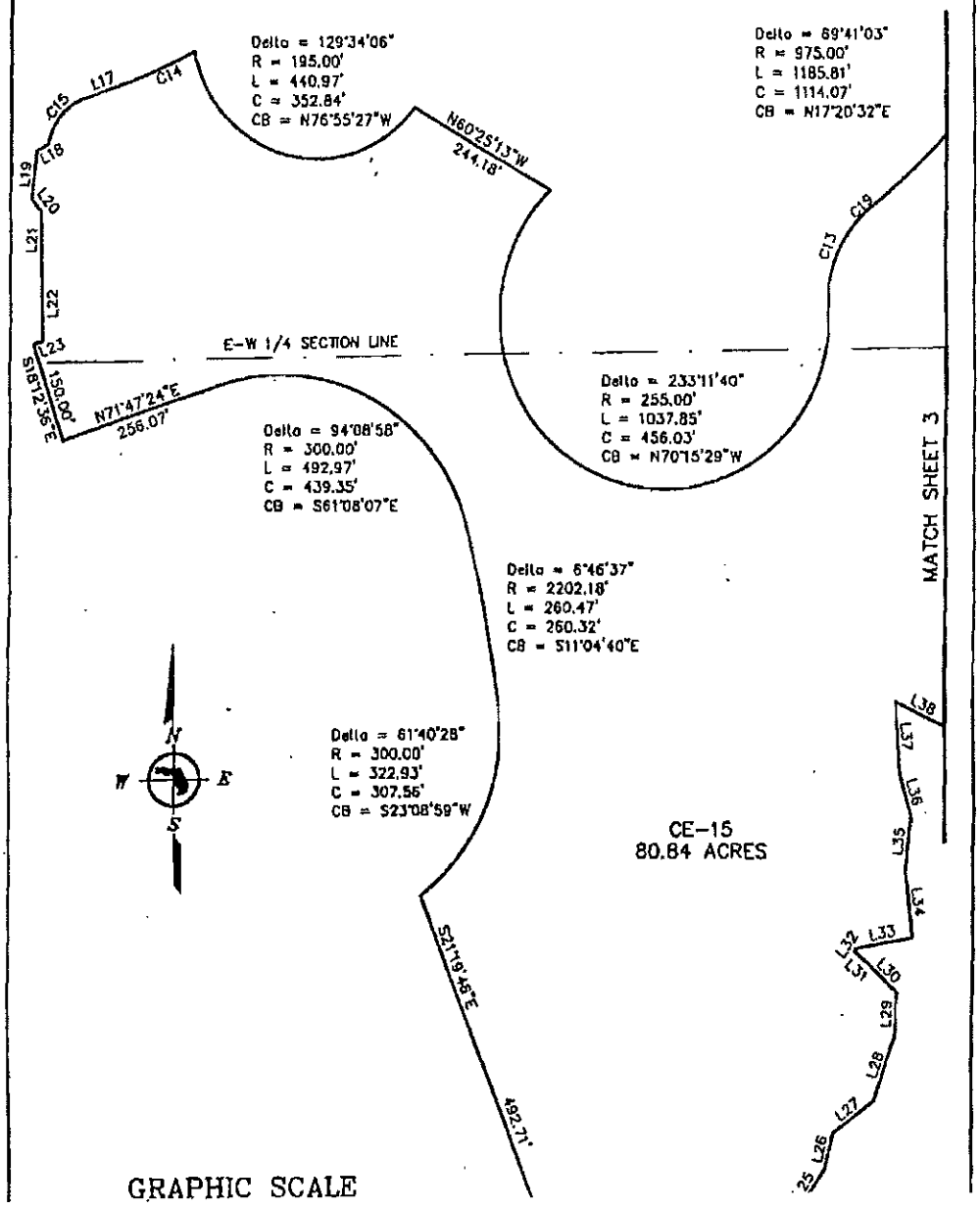

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DESCRIPTION OF A PORTION OF SECTIONS 25 AND 36
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(CONSERVATION EASEMENT #15)

Beginning at the north ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the north-south ¼ section line of said Section 36, South 00°50'26" East 19.15 feet;

Thence leaving said north-south ¼ section line, North 88°44'10" East 18.72 feet;

Thence 114.03 feet along the arc of a circular curve concave northwesterly, having a radius of 191.69 feet, through a central angle of 34°04'55" and being subtended by a chord which bears North 65°44'08" East 112.35 feet;

Thence 53.10 feet along the arc of a circular curve concave southeasterly, having a radius of 74.00 feet, through a central angle of 41°06'40" and being subtended by a chord which bears North 68°39'12" East 51.97 feet;

Thence North 89°12'32" East 121.52 feet;

Thence North 87°06'26" East 46.35 feet;

Thence 263.44 feet along the arc of a circular curve concave northwesterly, having a radius of 392.24 feet, through a central angle of 38°28'52" and being subtended by a chord which bears North 72°09'21" East 258.52 feet;

Thence 1160.84 feet along the arc of a circular curve concave southeasterly, having a radius of 570.00 feet, through a central angle of 116°41'10" and being subtended by a chord which bears South 75°03'24" East 970.37 feet;

Thence South 16°42'49" East 398.41 feet;

Thence 216.56 feet along the arc of a circular curve concave southwesterly, having a radius of 575.00 feet, through a central angle of 21°34'43" and being subtended by a chord which bears South 05°55'28" East 215.28 feet;

Thence 410.23 feet along the arc of a circular curve concave southeasterly, having a radius of 1425.00 feet, through a central angle of 16°29'39" and being subtended by a chord which bears North 40°03'52" East 408.81 feet;

Thence 92.28 feet along the arc of a circular curve concave northwesterly, having a radius of 275.00 feet, through a central angle of 19°13'37" and being subtended by a chord which bears North 38°41'53" East 91.85 feet;

Thence 44.50 feet along the arc of a circular curve concave northwesterly, having a radius of 100.68 feet, through a central

angle of 25°19'38" and being subtended by a chord which bears South 10°42'59" West 44.14 feet;
Thence North 05°24'12" West 111.03 feet;
Thence 429.89 feet along the arc of a circular curve concave northeasterly, having a radius of 255.00 feet, through a central angle of 96°35'29" and being subtended by a chord which bears North 14°49'12" East 380.76 feet;
Thence 47.02 feet along the arc of a circular curve concave southeasterly, having a radius of 255.00 feet, through a central angle of 10°33'56" and being subtended by a chord which bears North 68°23'54" East 46.96 feet;
Thence North 16°19'08" West 40.20 feet;
Thence 71.76 feet along the arc of a circular curve concave northeasterly, having a radius of 70.00 feet, through a central angle of 58°44'10" and being subtended by a chord which bears North 06°27'21" West 68.66 feet;
Thence 60.66 feet along the arc of a circular curve concave northwesterly, having a radius of 88.52 feet, through a central angle of 39°15'45" and being subtended by a chord which bears North 03°16'51" East 59.48 feet;
Thence 150.87 feet along the arc of a circular curve concave southeasterly, having a radius of 70.00 feet, through a central angle of 123°29'09" and being subtended by a chord which bears North 45°23'33" East 123.32 feet;
Thence South 72°51'53" East 344.56 feet;
Thence 109.14 feet along the arc of a circular curve concave southwesterly, having a radius of 70.00 feet, through a central angle of 89°19'48" and being subtended by a chord which bears South 28°11'58" East 98.41 feet;
Thence South 16°27'56" West 149.75 feet;
Thence 78.68 feet along the arc of a circular curve concave northwesterly, having a radius of 70.00 feet, through a central angle of 64°23'55" and being subtended by a chord which bears South 48°39'53" West 74.60 feet;
Thence South 67°16'16" West 46.23 feet;
Thence 202.05 feet along the arc of a circular curve concave southwesterly, having a radius of 255.00 feet, through a central angle of 45°23'54" and being subtended by a chord which bears South 00°01'47" East 196.80 feet;
Thence South 05°24'12" East 162.52 feet;
Thence South 61°54'22" East 19.54 feet;
Thence 204.23 feet along the arc of a circular curve concave southeasterly, having a radius of 70.00 feet, through a central angle of 167°09'39" and being subtended by a chord which bears South 83°51'48" East 139.12 feet;
Thence South 00°16'58" East 625.62 feet;
Thence 95.70 feet along the arc of a circular curve concave northwesterly, having a radius of 70.00 feet, through a central angle of 78°19'51" and being subtended by a chord which bears South 38°52'57" West 88.42 feet;
Thence South 77°12'09" West 63.34 feet;
Thence 403.55 feet along the arc of a circular curve concave northwesterly, having a radius of 255.00 feet, through a central angle of 90°40'28" and being subtended by a chord which bears South 34°33'14" West 362.74 feet;
Thence 1185.81 feet along the arc of a circular curve concave northwesterly, having a radius of 975.00 feet, through a central angle of 69°41'03" and being subtended by a chord which bears South 17°20'32" West 1114.07 feet;

Thence 15.34 feet along the arc of a circular curve concave southeasterly, having a radius of 70.68 feet, through a central angle of 12°26'06" and being subtended by a chord which bears South 49°40'38" West 15.31 feet;
Thence 136.98 feet along the arc of a circular curve concave southeasterly, having a radius of 175.00 feet, through a central angle of 44°50'47" and being subtended by a chord which bears South 24°44'49" West 133.51 feet;
Thence 1037.85 feet along the arc of a circular curve concave northeasterly, having a radius of 255.00 feet, through a central angle of 233°11'40" and being subtended by a chord which bears North 70°15'29" West 456.03 feet;
Thence North 60°25'13" West 244.18 feet;
Thence 440.97 feet along the arc of a circular curve concave northeasterly, having a radius of 195.00 feet, through a central angle of 129°34'06" and being subtended by a chord which bears North 76°55'27" West 352.84 feet;
Thence 110.68 feet along the arc of a circular curve concave southeasterly, having a radius of 615.00feet, through a central angle of 10°18'40" and being subtended by a chord which bears South 66°38'04" West 110.53 feet;
Thence South 71°47'24" West 70.09 feet;
Thence 91.77 feet along the arc of a circular curve concave southeasterly, having a radius of 84.98 feet, through a central angle of 61°52'32" and being subtended by a chord which bears South 40°50'33" West 87.37 feet;
Thence South 62°23'25" West 20.55 feet;
Thence South 06°08'50" West 71.70 feet;
Thence South 38°31'09" East 25.23 feet;
Thence South 01°16'06" West 83.31 feet;
Thence South 02°11'01" East 103.61 feet;
Thence South 71°47'24" West 15.08 feet;
Thence South 18°12'36" East 150.00 feet;
Thence North 71°47'24" East 256.07 feet;
Thence 492.97 feet along the arc of a circular curve concave southwesterly, having a radius of 300.00 feet, through a central angle of 94°08'58" and being subtended by a chord which bears South 61°08'07" East 439.35 feet;
Thence 260.47 feet along the arc of a circular curve concave southwesterly, having a radius of 2202.18 feet, through a central angle of 06°46'37" and being subtended by a chord which bears South 11°04'40" East 260.32 feet;
Thence 322.93 feet along the arc of a circular curve concave northwesterly, having a radius of 300.00 feet, through a central angle of 61°40'28" and being subtended by a chord which bears South 23°08'59" West 307.56 feet;
Thence South 21°19'46" East 492.71 feet;
Thence 131.33 feet along the arc of a circular curve concave southwesterly, having a radius of 1475.00 feet, through a central angle of 05°06'06" and being subtended by a chord which bears South 65°41'35" East 131.29 feet;
Thence 81.59 feet along the arc of a circular curve concave northeasterly, having a radius of 225.00 feet, through a central angle of 20°46'32" and being subtended by a chord which bears South 73°31'48" East 81.14 feet;
Thence 164.79 feet along the arc of a circular curve concave southeasterly, having a radius of 305.00 feet, through a central angle of 30°57'26" and being subtended by a chord which bears North 79°36'16" East 162.80 feet;
Thence North 52°13'18" East 61.93 feet;

Thence North 34°15'15" East 75.22 feet;
Thence North 13°15'54" East 54.90 feet;
Thence North 52°44'59" East 80.51 feet;
Thence North 18°23'41" East 104.52 feet;
Thence North 01°53'04" East 64.51 feet;
Thence North 46°27'43" West 62.41 feet;
Thence North 50°35'27" West 28.41 feet;
Thence North 34°31'23" East 4.26 feet;
Thence North 79°44'51" East 90.57 feet;
Thence North 06°43'58" West 98.03 feet;
Thence North 06°03'15" East 80.24 feet;
Thence North 16°00'22" West 64.80 feet;
Thence North 03°42'31" West 106.11 feet;
Thence South 64°31'32" East 86.09 feet;
Thence South 49°21'35" East 71.67 feet;
Thence South 23°14'57" East 95.97 feet;
Thence North 37°49'26" East 81.18 feet;
Thence South 63°15'45" East 60.36 feet;
Thence South 69°14'08" East 121.66 feet;
Thence North 67°13'16" East 109.52 feet;
Thence South 60°16'11" East 108.11 feet;
Thence North 76°31'17" East 133.71 feet to the east line of said Section 36;
Thence along said east line, North 00°45'42" West 689.66 feet to the east ¼ corner of said Section 36;
Thence continuing along said east line, North 00°16'58" West 2646.65 feet to the northeast corner of said Section 36;
Thence along the east line of Section 25, Township 43 South, Range 26 East, Lee County, Florida, North 01°40'07" West 480.24 feet to the south line of an FPL easement;
Thence along said south line, South 89°00'04" West 2668.73 feet to the north-south ¼ section line of said Section 25;
Thence along said north-south ¼ section line, South 01°02'34" East 491.47 feet to the north ¼ corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easement, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement contains 80.84 acres more or less.

April 2, 2001

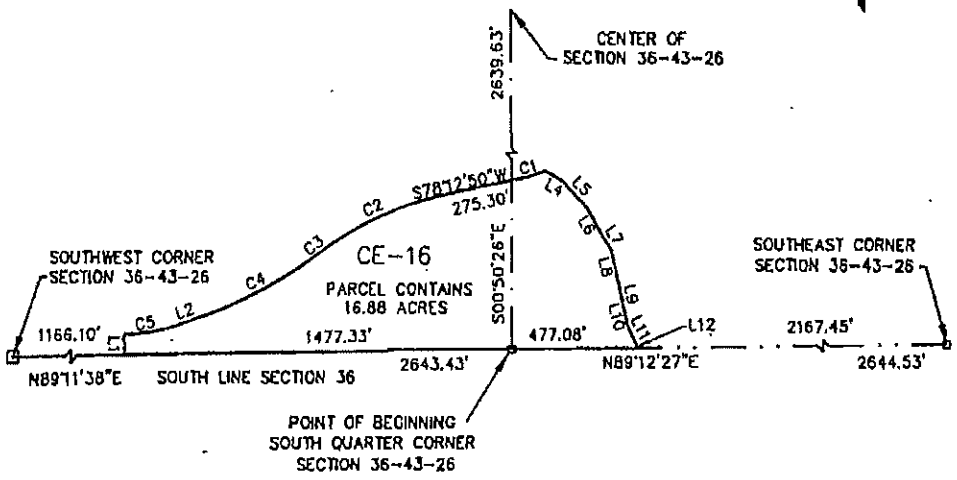
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

500 0 250 500

(IN FEET)
1 inch = 500 ft



CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	8°51'46"	690.00	106.73	106.63	S73°46'57"W
C2	22°43'21"	1335.00	529.44	525.97	S66°51'10"W
C3	12°16'24"	132.56	28.39	28.34	S55°00'04"W
C4	16°51'25"	1665.00	489.86	488.09	S63°25'21"W
C5	17°20'35"	665.00	201.29	200.52	S80°31'21"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	74.07'	S00°48'22"E
L2	86.61'	S71°51'03"W
L4	75.79'	N62°54'19"W
L5	135.53'	N44°49'18"W
L6	109.81'	N30°35'26"W

CONSUL-TECH ENGINEERING, INC.

- Consulting Engineers
- Land Planners
- Land Surveyors
- Transportation Engineers
- Environmental Engineers
- Construction Managers
- GPS & GIS Consultants
- Forensic Engineers
- Aviation Consultants

RESPOND TO:

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E-mail: bonita@consul-t.com

Other Offices

Ft. Pierce
(561) 467-9085
Fax (561) 467-9350
E-mail: pierce@consul-t.com

Jacksonville
(904) 276-3100
Fax (904) 276-3102
E-mail: jackson@consul-t.com

Miami
(305) 599-3141
FAX (305) 599-3143
E-mail: mia@consul-t.com

Corporate/Miramar
(954) 438-4300
Fax (954) 438-1433
E-mail: corp@consul-t.com

Orlando
(407) 843-0094
Fax (407) 423-0085
E-mail: orl@consul-t.com

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE SOUTH 1/2 OF SECTION 36, TOWNSHIP 43 SOUTH, RANGE 26 EAST LEE COUNTY, FLORIDA (CONSERVATION EASEMENT #16)

Beginning at the south ¼ corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence along the south line of said Section 36, North 89°12'27" East 477.08 feet;
Thence North 02°01'36" East 8.34 feet;
Thence North 26°08'25" West 76.11 feet;
Thence North 15°07'29" West 72.43 feet;
Thence North 13°01'34" West 81.71 feet;
Thence North 13°55'14" West 131.16 feet;
Thence North 35°05'33" West 67.72 feet;
Thence North 30°35'26" West 109.81 feet;
Thence North 44°49'18" West 135.53 feet;
Thence North 62°54'19" West 75.79 feet;
Thence 106.73 feet along the arc of a circular curve concave northwesterly, having a radius of 690.00 feet, through a central angle of 08°51'46" and being subtended by a chord which bears South 73°46'57" West 106.63 feet;
Thence South 78°12'50" West 275.30 feet;
Thence 529.44 feet along the arc of a circular curve concave southeasterly, having a radius of 1335.00 feet, through a central angle of 22°43'21" and being subtended by a chord which bears South 66°51'10" West 525.97 feet;
Thence 28.39 feet along the arc of a circular curve concave southeasterly, having a radius of 132.58 feet, through a central angle of 12°32'05" and being subtended by a chord which bears South 55°00'04" West 28.34 feet;
Thence 489.86 feet along the arc of a circular curve concave northwesterly, having a radius of 1665.00 feet, through a central angle of 16°51'25" and being subtended by a chord which bears South 63°25'21" West 488.09 feet;
Thence South 71°51'03" West 86.61 feet;
Thence 201.29 feet along the arc of a circular curve concave northwesterly, having a radius of 665.00 feet, through a central angle of 17°20'35" and being subtended by a chord which bears South 80°31'21" West 200.52 feet;
Thence South 00°48'22" East 74.07 feet to the south line of said Section 36;
Thence along the south line of said Section 36, North 89°11'38" East 1477.33 feet to the south ¼ corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservations of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 16.88 acres more or less.

Date: April 3, 2001

EXHIBIT D

CONSERVATION EASEMENT INSTR # 5262661

INSTR # 5262661
OR BK 03504 PG 3311
RECORDED 10/17/01 04:11 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 35.50
DOC TAX PD(F.S.201.02) 0.70
DEPUTY CLERK K Cartwright

This Instrument Prepared by:
George L. Consoer, Jr., Esq.
Knott, Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street
Fort Myers, FL 33901

CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

THIS DEED OF CONSERVATION EASEMENT is given this 24th day of September, 2001, by FC Hawks Haven, Inc, a Florida corporation, whose address is 5307 Fox Hunt, Wesley Chapel, Florida 33543, ("Grantor") to The Florida Fish and Wildlife Conservation Commission, ("Grantee"), whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901, and Lee County, a Political Subdivision ("Lee County") whose address is P.O. Box 398, Fort Myers, Florida 33902-0398. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH:

WHEREAS, the Grantor is the owner of certain lands situated in Lee County, Florida and more specifically described in composite Exhibit "A" attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of Grantee and District; and

WHEREAS, the Grantor, in consideration of the consents of the Grantor to Permit No. LEE-58 issued by the Grantee on SEPTEMBER 6, 2000 ("Permit") in favor of the Grantor for the incidental take of listed wildlife species, is required to grant and secure the enforcement of a perpetual Conservation Easement as defined in Section 704.06 Florida Statutes (2001), over the Property; and

WHEREAS, District Permit No. 36-04006-P ("Permit") authorizes certain activities which affect surface waters in or of the State of Florida; and

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permits, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes (2001), over the Property, which includes third party enforcement rights for the District and Lee County.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to District and Grantee in issuing the Permits, together with other good and valuable consideration, the adequacy and receipt which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual non-exclusive Conservation Easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

1. It is the purpose of this Conservation Easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife, in accordance with the Habitat Management Plan for the Property (Exhibit "B"), attached hereto and hereby incorporated herein. Those wetland and/or upland areas included in the Conservation Easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to the Grantee and the District by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this Conservation Easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District or Lee County rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the

District, the Grantee, and Lee County.

a. The Grantor may conduct limited land clearing for the purpose of construction of such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District and Grantee for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Property and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the Grantor, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

4. No right to access by the general public to any portion of the Property is conveyed by this Conservation Easement.

5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this Conservation Easement shall be borne by and recoverable against the non-prevailing party in such proceedings.

8. The District and Lee County shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this Conservation Easement shall be at the discretion of Grantee, or the District or Lee County, and any forbearance on behalf of Grantee or the District or Lee County to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or District's or Lee County's rights hereunder.

9. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this Conservation Easement except to another organization determined in advance by the District or Lee County to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the Conservation Easement shall be made unless prior written approval is given by the District and Lee County to the Grantee.

Conservation Easement shall not be affected thereby, as long as the purpose of the Conservation Easement is preserved.

11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

12. The terms, conditions, restrictions and purpose of this Conservation Easement shall be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement and the third party enforcement rights of the South Florida Water Management District and Lee County.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this Conservation Easement, or any release or termination thereof, shall be subject to prior review and written approval by the District and Lee County. The District and Lee County shall be provided no fewer than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District and Lee County or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Conservation Easement and all mortgages and liens have been subordinated to this Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and shall defend the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF Grantor has set its hand on the day and year first above written.

Signed, Sealed and Delivered
in our presence as witnesses:

Janice L. Patsolic
1st Witness
JANICE L. PATSOLIC
Printed Name

Nancy Oas
2nd Witness
Nancy OAS
Printed Name

GRANTOR

FC HAWKS HAVEN, INC.,
a Florida Corporation

By: Robert F. Monchein
Its VICE President
Printed Name: ROBERT F. MONCHEIN

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

On this 24TH day of SEPTEMBER, 2001, before me, the undersigned notary public, personally appeared ROBERT F. MONCHEIN, VICE President of FC Hawks Haven, Inc., who is personally known to me ~~or who has produced~~ _____ ~~as identification.~~

MY COMMISSION EXPIRES:

Janice L. Patsolic
Notary Public
Print Name: ~~JANICE L. PATSOLIC, Notary Public~~

JANICE L. PATSOLIC, Notary Public
STATE OF OHIO
My Commission Expires Jan. 27, 2005
(Recorded in Cuyahoga County)

GRANTEE'S ACCEPTANCE

The Florida Fish and Wildlife Conservation Commission hereby approves the foregoing Conservation Easement and agrees to all of the terms and provisions thereof.

THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

By: Victor J Heller
Its Authorized Representative

Victor J. Heller
Printed Name

Title: Assistant Executive Director

STATE OF FLORIDA)
) ss.
COUNTY OF LEON)

On this 11th day of October, 2001, before me, the undersigned notary public, personally appeared Victor J. Heller, as Authorized Representative of The Florida Fish and Wildlife Conservation Commission, who is personally known to me or who has produced _____ as identification.

MY COMMISSION EXPIRES:
Jimmie C. Bevis
MY COMMISSION # CC702862 EXPIRES
December 28, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

Jimmie C. Bevis
Notary Public
Print Name: JIMMIE C. BEVIS

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
Preston T. Holperton
Commission Attorney

EXHIBIT "A"

Legal description of property

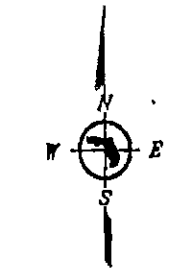
CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Phone (941) 947-0266
BONITA SPRINGS, FL. 34135 Fax (941) 947-1323
CERTIFICATE OF AUTHORIZATION #LB3527

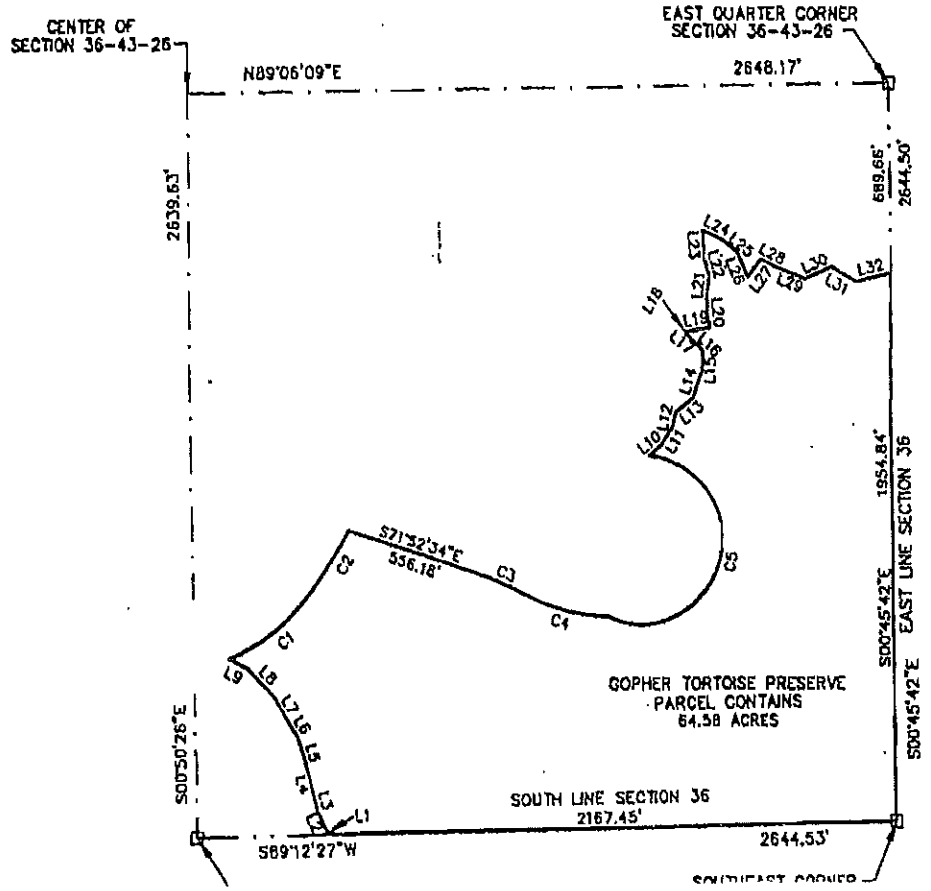
LEGAL DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

GRAPHIC SCALE

500 0 250 500

(IN FEET)
1 inch = 500 ft.





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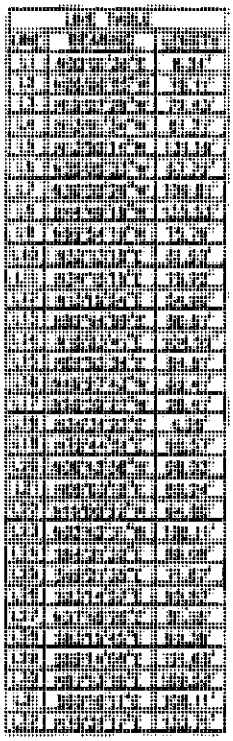

CURVE TABLE					
CURVE	DELTA ANGLE	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	32°36'23"	690.00	392.69	391.63	N52°51'53"E
C2	8°36'51"	1651.75	248.33	248.10	N32°05'47"E
C3	9°44'37"	828.36	141.04	140.87	S67°30'33"E
C4	26°37'21"	769.40	344.07	341.21	S75°51'33"E
C5	199°50'15"	305.00	1063.79	600.88	N15°00'07"E

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Fax (954) 438-1433
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Fax (407) 423-0085
E-mail: orl@consul-t.com

Palm Beach
(561) 540-5092
Fax (561) 540-5095
E-mail: wpalm@consul-t.com

DESCRIPTION OF A PORTION OF THE SOUTHEAST ¼ OF SECTION36, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
(GOPHER TORTOISE PRESERVE)

Beginning at the southeast corner of Section 36, Township 43 South, Range 26 East, Lee County, Florida;

Thence South 89°12'27" West 2167.45 feet;
Thence North 02°01'36" East 8.34 feet;
Thence North 26°08'25" West 76.11 feet;
Thence North 15°07'29" West 72.43 feet;
Thence North 13°01'34" West 81.71 feet;
Thence North 13°55'14" West 131.16 feet;
Thence North 35°05'33" West 67.72 feet;
Thence North 30°35'26" West 109.81 feet;
Thence North 44°49'18" West 135.53 feet;
Thence North 62°54'19" West 75.79 feet;
Thence 397.09 feet along the arc of a circular curve concave northwesterly, having a radius of 690.00 feet, through a central angle of 32°58'23" and being subtended by a chord which bears North 52°51'53" East 391.63 feet;
Thence 248.33 feet along the arc of a circular curve concave northwesterly, having a radius of 1651.75 feet, through a central angle of 08°36'51" and being subtended by a chord which bears North 32°05'47" East 248.10 feet;
Thence South 71°52'34" East 556.18 feet;
Thence 141.04 feet along the arc of a circular curve concave southwesterly, having a radius of 829.36 feet, through a central angle of 09°44'37" and being subtended by a chord which bears South 67°30'33" East 140.87 feet;
Thence 344.07 feet along the arc of a circular curve concave northeasterly, having a radius of 769.40 feet, through a central angle of 25°37'21" and being subtended by a chord which bears South 75°51'33" East 341.21 feet;
Thence 1063.79 feet along the arc of a circular curve concave northwesterly, having a radius of 305.00 feet, through a central angle of 199°50'15" and being subtended by a chord which bears North 15°00'07" East 600.88 feet;
Thence North 52°13'18" East 61.93 feet;
Thence North 34°15'15" East 75.22 feet;
Thence North 13°15'54" East 54.90 feet;
Thence North 52°44'59" East 80.51 feet;
Thence North 18°23'41" East 104.52 feet;
Thence North 01°53'34" East 64.51 feet;
Thence North 46°27'43" West 62.41 feet;

Thence North 50°35'27" West 28.41 feet;
Thence North 34°31'23" East 4.26 feet;
Thence North 79°44'51" East 90.57 feet;
Thence North 06°43'58" West 98.03 feet;
Thence North 06°03'15" East 80.24 feet;
Thence North 16°00'22" West 64.80 feet;
Thence North 03°42'31" West 106.11 feet;
Thence South 64°31'32" East 86.09 feet;
Thence South 49°21'35" East 71.67 feet;
Thence South 23°14'57" East 95.97 feet;
Thence North 37°49'26" East 81.18 feet;
Thence South 63°15'45" East 60.36 feet;
Thence South 69°14'08" East 121.66 feet;
Thence North 67°13'16" East 109.52 feet;
Thence South 60°16'11" East 108.11 feet;
Thence North 76°31'17" East 133.71 feet to the east line of said Section 36;
Thence along the east line of said Section 36, South 00°45'42" East 1954.84 feet to the southeast corner of said Section 36 and the Point of Beginning of the easement herein described;

Subject to easements, restrictions, and reservation of record.
Bearings are based on the south right-of-way line of SR-80 as being North 77°11'07" East.
Easement parcel contains 64.58 acres more or less.

April 3, 2001

EXHIBIT "B"

Habitat Management Plan for the Property

The area within the boundaries of the Conservation Easement shall be managed by the Grantor for the purpose of maintaining or enhancing existing habitat for the benefit of the gopher tortoise (*Gopherus Polyphemus*). The goal of the Management Plan shall be to reduce understory woody and shrubby vegetation and promote the growth of herbaceous groundcover plants suitable for gopher tortoise forage. Management shall consist of:

1) A fuel reduction burn within one (1) year of the date of the Permit.

2) A second controlled burn between the months of May and September, one (1) or two (2) years following the initial fuel reduction burn.

3) Subsequent management shall consist of periodic spring or summer burning at three (3) year intervals and/or annual mowing or bush-hogging during the winter months.

4) Selective falling of mid-story hardwood trees may also be implemented at any time to stimulate the growth of herbaceous groundcover vegetation.

G:\GLC\Hawks Haven\conservation easement fl fish wildlife.wpd

EXHIBIT E

GOPHER TORTOISE INCIDENTAL TAKE PERMIT (#LEE-58)

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679

September 6, 2000

Mr. Frank Stringer
Florida Tampa West, Inc.
5307 Fox Hunt Drive
Wesley Chapel, Florida 33543

Re: Gopher Tortoise Incidental Take Permit
#LEE-58 , Lee County

Dear Mr. Stringer:

Enclosed is permit LEE-58 for the incidental taking of gopher tortoises, their eggs and their burrows within the development boundaries specified. The application for this permit was complete as of September 6, 2000.

Please contact me or Mr. Jim Beever at (941) 575-5765 if you have any questions regarding this permit.

Sincerely,

Brian Barnett, for

Bradley J. Hartman, Director
Office of Environmental Services

BJH/ps
ENV 3-2/5
Enclosure
gtpermit.ltr
cc: Lee County Planning Department
Mr. Joseph Bozzo, Naples Office, FWC
Major Buckhalter, South Region, FWC
Mr. Jim Beever, OES, FWC
Mr. Timothy A. Shaw, Consul-Tech Engineering, Inc.
Ms. Angela Williams, Division of Wildlife, FWC

PERMIT FOR TAKING OF GOPHER TORTOISES AND THEIR BURROWS

Chapter 39-27.002(4) F.A.C.

STATE OF FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Issuance Date: September 6, 2000

Permittee: Florida Tampa West, Inc.
Permittee Address: 5307 Fox Hunt Drive
Wesley Chapel, Florida 33543
Attn: Mr. Frank Stringer

Consultant: Mr. Timothy A. Shaw
Consultant Address: Consul-Tech Engineering, Inc.
324831 Old 41 Road 880
Bonita Springs, Florida 34135

Permit Number: LEE-58

Location of Affected Site: The 1,795-acre Hawks Haven site, including 846.85 acres of gopher tortoise habitat, situated south of SR 80, west of the Hickey Creek Gopher Tortoise Mitigation Park, and east of Buckingham Road in Sections 27, 34, 35, and 36, Township 43S, Range 26E, in eastern Lee County (see attachments 1 and 2).

Permitted Action: The permittee or its agents are authorized to take gopher tortoises, their eggs and their burrows within its development boundaries where such taking is incidental to development activities. The criteria of Rule 39-27.002(4), F.A.C., have been satisfied and the taking, as conditioned below, will not be detrimental to the survival potential of the species.

Provisions/Conditions:

1. The permittee shall protect 63.0 acres of gopher tortoise habitat within the "Gopher Tortoise Preserve Area (UMA) of the Hawks Haven Development" on the attached map (Figure 2), by placing these lands under a perpetual conservation easement (C.E.) granted to and approved by the Florida Fish and Wildlife Conservation Commission (FWC). **The permittee shall provide a copy of the certified as recorded conservation easement to the FWC.** The easement area boundaries shall be marked in the field by the permittee, and these markers shall be maintained for the life of the easement.

2. To provide interim assurance that Condition #1 will be accomplished, the permittee may provide an irrevocable letter of credit (LOC) for $304,650.00 (6,093.00 X 50.0 acres), valid for twelve months from the date of this notice to the Florida Fish and Wildlife Conservation Commission (FWC), Office of Environmental Services (OES), 620 South Meridian Street, Tallahassee, Florida 32399-1600.

3. This permit is effective the date that the permittee has obtained a receipt from the FWC for either the C.E. addressed under Condition #1 or the LOC specified under Condition #2. However, as described in the permit Notice of Rights statement, issuance of the permit may be appealed by a concerned party with 21 days of the permittee's receipt of this notice. If a Petition for Administrative Hearing is timely filed within this prescribed time period, the permittee shall be notified by the FWC. Upon such notification, the permittee shall cease all work authorized by this permit until the petition is resolved.

4. If the permittee fails to provide the FWC-OES Tallahassee office with a certified copy of the approved and recorded conservation easement in conformance with permit condition #1 by 6 August 2001, the FWC shall be entitled to draw upon the entire value of the submitted letter of credit to purchase gopher tortoise habitat. If the permittee successfully implements Condition #1 and provides the required documentation to the FWC-OES Tallahassee office by that date, the FWC shall return the letter of credit to the permittee.

5 The permittee shall have the obligation to manage and maintain the designated preservation areas to provide suitable habitat for the gopher tortoise as specified in an FWC-approved upland preserve management plan, which is incorporated herein by reference.

6. The permittee shall keep written records of the vegetation management activities and provide a copy of said records upon request of the FWC.

7. The conservation area shall have no other designated uses, except as specified in the FWC-approved upland preserve management plan and the conservation easement.

8. This permit does not relieve the permittee from any other "taking" requirements by the U.S. Fish and Wildlife Service (USFWS) or the FWC as to other listed species. Specifically, this permit does not authorize any destruction of scrub jays or scrub jay habitat. Consultation with the USFWS should be sought if this species is present.

9. The permittee or its approved agents are authorized to move tortoises, at their discretion, within the property boundaries to minimize taking. This permit does not authorize the permittee or its agents to possess or move tortoises off the contiguous ownership of the permittee nor to move tortoises into areas previously authorized as a relocation site by a FWC permit. A separate relocation permit from the FWC shall be required for those activities.

10. This permit does not authorize any taking of gopher tortoises beyond that which is a direct result of development activities or the on-site movement of animals addressed in condition #9. Any other form of taking or relocation will require a separate permit from the Executive Director.

11. This permit must be available for inspection at all times while engaged in the permitted activities.

12. This permit is transferrable to subsequent owners of the property.

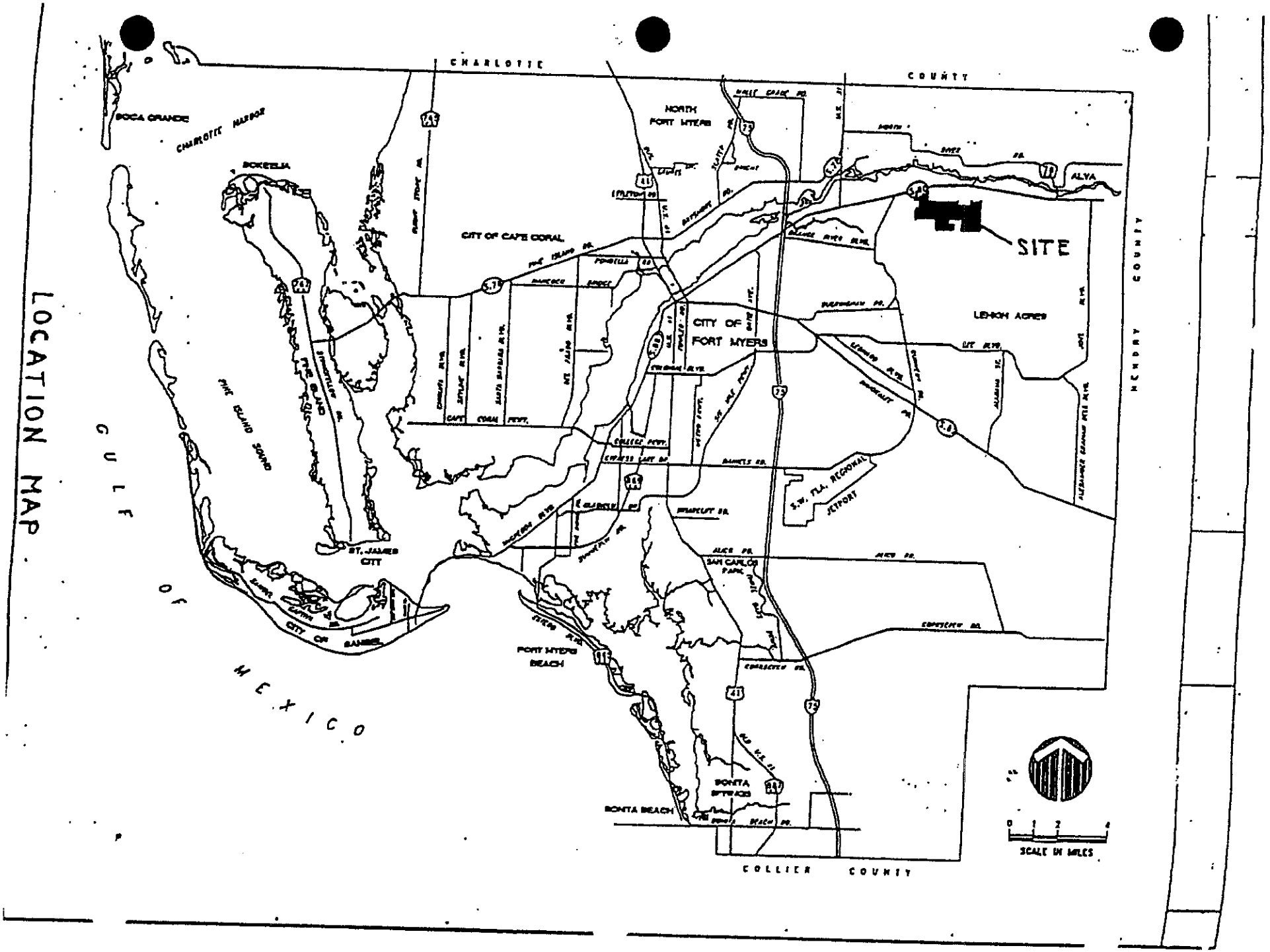
Notice of Rights Statement: In accordance with Rules 28-5.111 and 28-6.008, F.A.C., and Section 120.60, F.S., any party may request a hearing on this matter pursuant to Section 120.57, F.S., by filing a completed Elections of Rights form (copy attached) by certified mail, return receipt requested, with the undersigned within twenty-one (21) days of receipt of this notice. If timely requested and a hearing is granted, the hearing will be conducted under the procedures established by Section 120.57, F.S. A party will be given the opportunity to be represented by counsel or other qualified representative, to take testimony, to call and cross-examine witnesses, and to have subpoenas issued on your behalf.

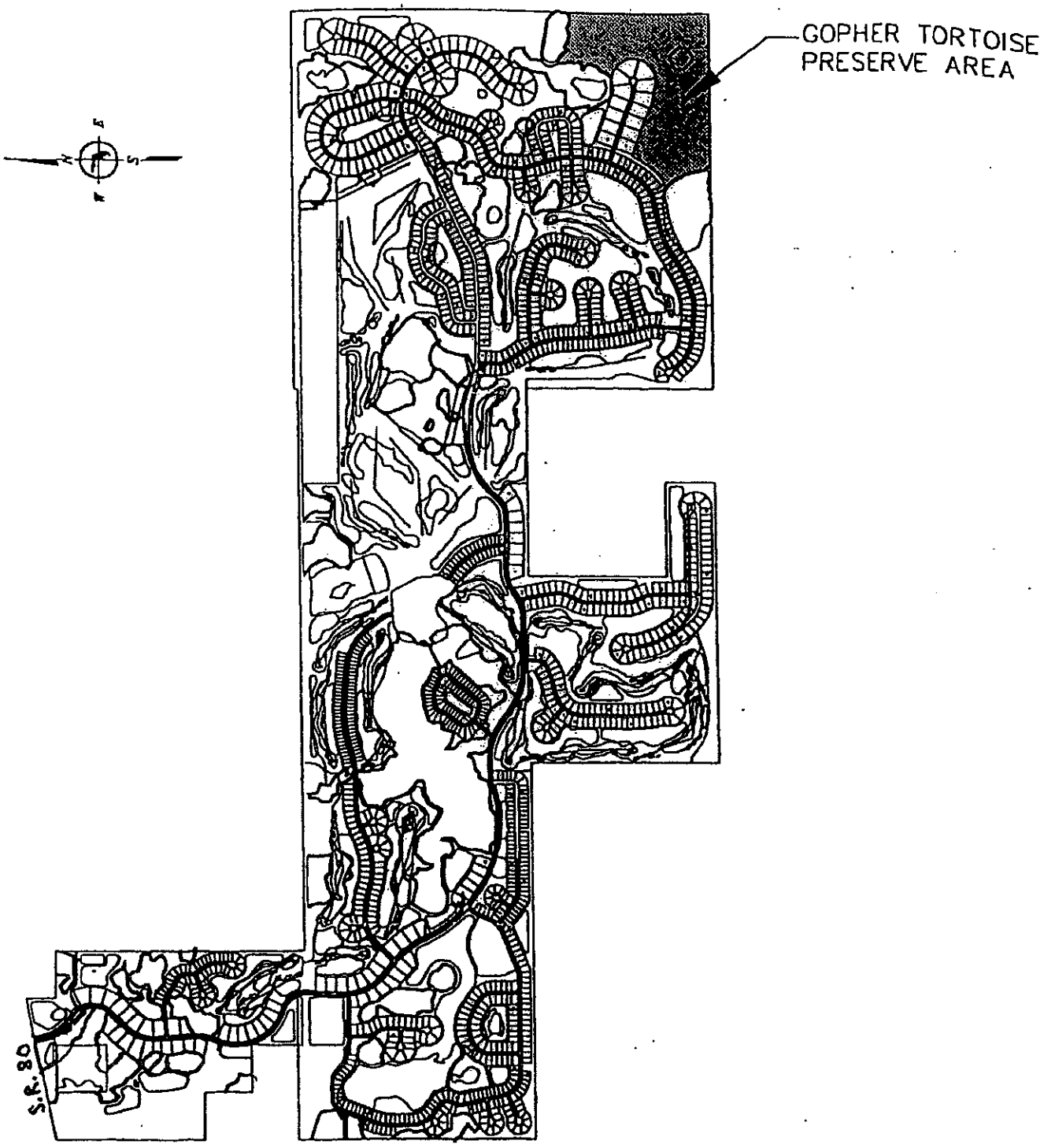
Allan L. Egbert, Ph.D.
Executive Director

By: Brian Bennett

ALE/JWB
ENV 3-2/5
hawkhavu.gtp
Attachments:

1. Location map
2. Project boundaries map
3. Election of Rights form


LOCATION MAP
CHARLOTTE COUNTY
BOCA GRANDE
CHARLOTTE HARBOR
BOKEELIA
NORTH FORT MYERS
ALVA
SITE
CITY OF CAPE CORAL
CITY OF FORT MYERS
LEHIGH ACRES
HENDRY COUNTY
PINE ISLAND SOUND
GULF OF MEXICO
ST. JAMES CITY
CITY OF SANIBEL
FORT MYERS BEACH
SAN CARLOS PARK
S.W. FLA. REGIONAL AIRPORT
BONITA SPRINGS
BONITA BEACH
COLLIER COUNTY
SCALE IN MILES



GOPHER TORTOISE PRESERVE

FOR

HAWK'S HAVEN

LOCATED IN

SECTION 27,34,35,36 TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

CTE

Phone (941) 947-0266
Fax (941) 947-1323
24831 Old 41 Road
BONITA SPRINGS, FL. 34135

EXHIBIT F

AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET

Action to be taken if you observe someone feeding or harassing an American alligator:

Promptly notify the FWCC 1-888-404-FWCC

Action to be taken if you encounter an American alligator over four feet in length that poses a threat to humans or property:

Promptly notify the FWCC 1-866-FWC-GATOR

If it is an emergency call 911.

Note: The presence of an American alligator does not always mean it is a nuisance animal. American alligators that are fed by humans are more likely to become nuisance alligators.

Tips for living with American Alligators

- Be aware that alligator attacks can occur near fresh water.
- Supervise children who are playing around water.
- Observe alligators at a distance. Never approach them.
- Do not allow pets to drink, swim, or play in water that is inhabited by alligators.

*Information regarding the FWCC was acquired from http://myfwc.com/gators/default.htm

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, FL 33919
(239) 274-0067

AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET

RIVER HALL

EXHIBIT G

BURROWING OWL INFORMATIONAL PAMPHLET

Actions to take if a dead burrowing owl is sighted during construction activity:

- Promptly notify the project's qualified biologist:

Passarella and Associates, Inc.
(239) 274-0067

- Seal the remains in an airtight plastic bag and place on ice.

- The qualified biologist will contact the following agency personnel for proper disposal:

Jim Beever
Florida Fish and Wildlife Conservation Commission
Habitat Conservation Scientific Services
Colonial Promenade Burnt Store
3941 Tamiami Trail, Suite 3111
Punta Gorda, FL 33950
Phone: (941) 575-5784
Fax: (941) 575-5862

HOMEOWNERS

What to do if a burrowing owl is sighted near your home:

- Observe the burrowing owls from approximately 50 feet away. Do not harass the burrowing owls or disturb their burrows.

Actions to take if a burrow is excavated:

- Promptly notify the project's qualified biologist:

Passarella and Associates, Inc.
(239) 274-0067

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, FL 33919
(239) 274-0067

BURROWING OWL INFORMATIONAL PAMPHLET

Photo courtesy of the Florida Fish and Wildlife Conservation Commission

RIVER HALL

EXHIBIT H

FLORIDA SCRUB JAY NESTING SEASON SURVEY

RIVER HALL
FLORIDA SCRUB JAY NESTING SEASON SURVEY

May 2006

Prepared For:

Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

Prepared By:

Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067

Project No. 03PEG931

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INTRODUCTION

The following report documents the results of the Florida scrub jay (*Aphelocoma coerulescens*) nesting season survey conducted in March 2006 by Passarella and Associates, Inc. for the River Hall project. The 1,978.70± acre River Hall parcel is located in Sections 25, 26, 27, 34, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). The project's surrounding land uses include Lehigh Acres to the south; State Road 80 to the north; Hickey's Creek Mitigation Park to the east; undeveloped land and the residential development, Hawk's Preserve, to the west.

SURVEY METHODOLOGY

The survey methodology was adapted from the survey guidelines recommended by the Florida Fish and Wildlife Conservation Commission (FWCC) (Fitzpatrick *et al.* 1991) and per the U.S. Fish and Wildlife Service (USFWS) guidelines in the Draft Standard Local Operating Procedures for Endangered Species (SLOPES) (USFWS 2002) for the Florida scrub jay. Also a review of FWCC's records of occurrences for Florida scrub jays was conducted. Determination of presence for Florida scrub jay on the project site was based on systematic field surveys. The survey methodology included an inventory of habitats on the project site and identification of preferred Florida scrub jay habitat types. Recordings of Florida scrub jay territorial calls were played at 29 playback stations at various locations within the project over the course of five mornings. The survey began each day about one hour after sunrise and terminated before midday heat or wind.

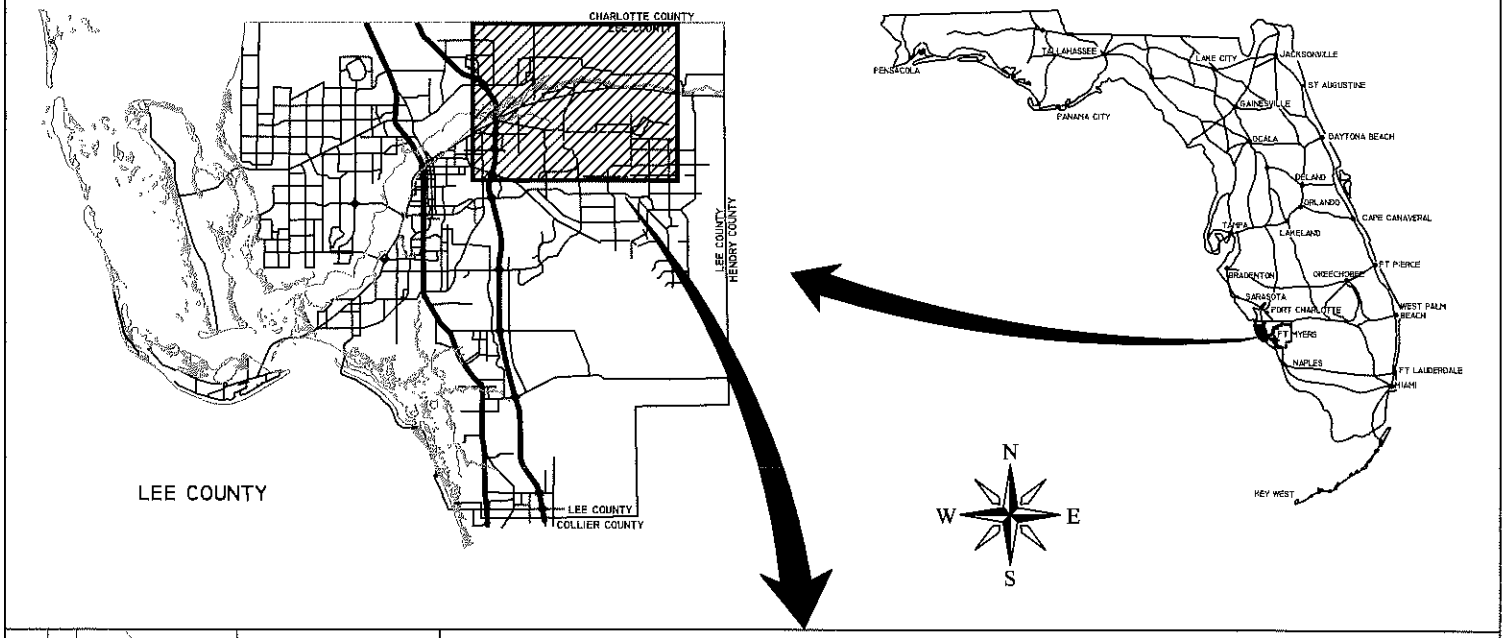
Records of Occurrence

The "Status and Distribution of the Florida Scrub Jay" (Cox 1987), the FWCC database, and "The Hickey's Creek Mitigation Park Florida Scrub Jay Management Plan" (Bowman 2005) were referenced for records of occurrence within or near the project boundary.

Habitat Inventory and Mapping

The project's vegetation associations and land uses were delineated using 2002 rectified (scale 1" = 500') color aerials and on-site field surveys conducted in August 2003. During the vegetation surveys, lines were drawn on the aerial delineating the different vegetation associations on-site. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrologic and exotic species disturbance.

The mapped vegetation associations were reviewed to identify potential habitat types for Florida scrub jays using the type definitions found in Fitzpatrick *et al.* 1991. The three preferred habitat types are:



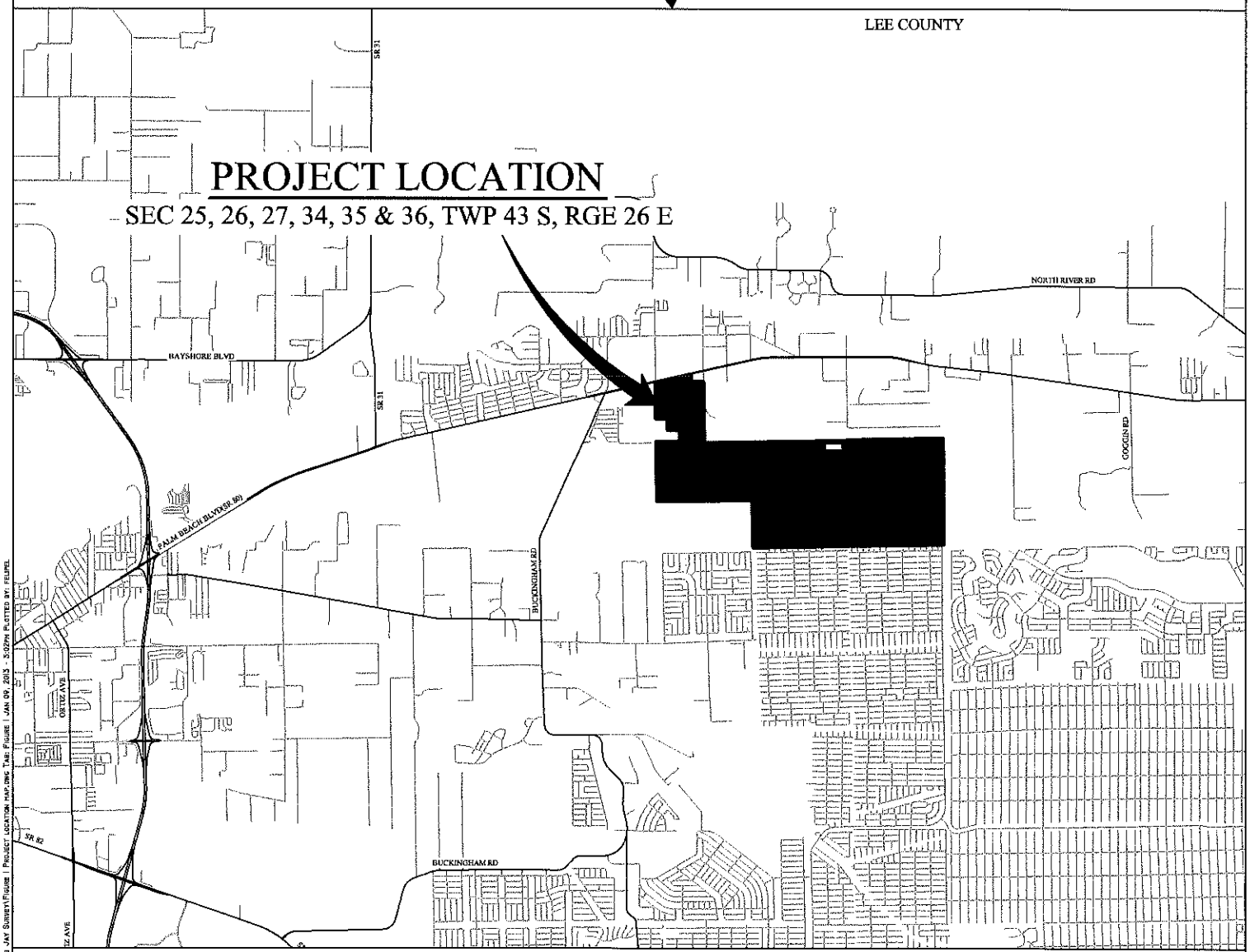


FIGURE 1. PROJECT LOCATION MAP
RIVER HALL

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: P.F. DATE: 9/16/04

J:\2003\03FE0931\2006\Scha JAY Survey\Figure 1 Project Location Mapping Tab\ Figure 1 JAN 09, 2013 - 3:02PM PLOTTED BY: FELIPEL

Type I Habitat - any upland plant community, in which percent cover of the substrate by scrub oak species is 15 percent or more. Scrub oak species include Chapman's oak (*Quercus chapmanii*), sand live oak (*Q. geminata*), scrub oak (*Q. inopina*), myrtle oak (*Q. myrtifolia*), and dwarf live oak (*Q. minima*). Type I habitat may be characterized as xeric oak scrub, scrubby pine flatwoods, scrubby coastal strand, or sand pine scrub.

Type II Habitat - any plant community not meeting the definition of Type I Habitat, in which one or more scrub oak species is greater than zero but less than 15 percent cover. Presence of scrub oaks is a key indicator.

Type lII Habitat - any upland or seasonally dry wetland within one quarter mile of any area designated as Type I or Type II Habitat.

Field Survey

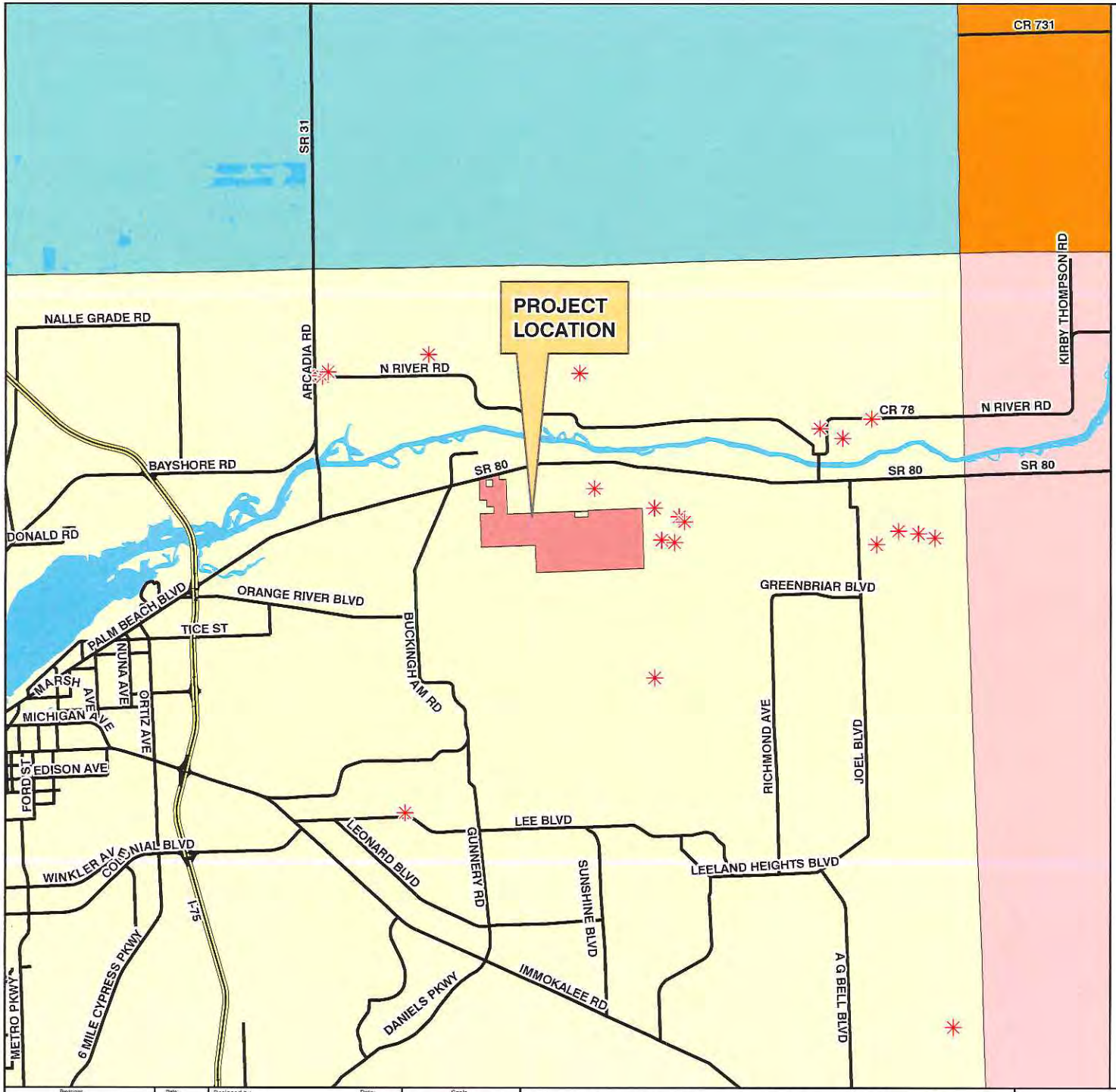
Field surveys were conducted on March 27, 28, 29, 30, and 31, 2006 to identify the presence of Florida scrub jays using high quality CD recordings of Florida scrub jay territorial calls. Twenty nine playback/observation stations were established (Exhibit A). At each playback station, vocalizations were broadcast at full volume for one minute in each cardinal direction using a hand-held Sony CD player. Recorded vocalizations were obtained from the Cornell Laboratory of Ornithology. Data collected for each survey period included start and end time, sunrise time, relative weather conditions, and wildlife observations. Surveys began approximately one hour after sunrise and terminated before midday heat and wind.

SURVEY RESULTS

Records of Occurrence

The "Status and Distribution of the Florida Scrub Jay" (Cox 1987) documents the occurrence of Florida scrub jays near the project site. The occurrence of a historical account by a person referred to only as "Beers" found scrub jay eggs in Alva in 1907. A.H. Howell saw one scrub jay north of the Caloosahatchee River in 1919, and quoted S. Hanson as saying that scrub jays "occur in moderate numbers" in that area. Cox identified eight present reported locations of scrub jays in Lee County. All of the present locations are east of State Road 31. The FWCC database identifies five documented occurrences of the Florida scrub jay on the Hickey's Creek Mitigation Park to the east of the project site (Figure 2). The nearest documented occurrence is approximately a quarter mile east of the Project boundary.

In 1999 Consul-Tech Engineering, Inc. (CTE) performed scrub jay specific surveys on the Project site. The surveys found no Florida scrub jay nesting occurring on site; however, the territorial boundary of two separate families extended onto the subject property. The two families were nesting in Hickey's Creek Mitigation Park located immediately east of the project boundary.



Legend:

- RIVER HALL
- FWCC SCRUB JAY LOCATIONS

COUNTIES

- HENDRY COUNTY
- LEE COUNTY
- CHARLOTTE COUNTY
- GLADES COUNTY

N
W E
S

0 1 2 3 4 5
Miles

NOTES:

COUNTY INFORMATION AND ROADWAY NETWORKS WERE OBTAINED FROM THE FGDL.

SCRUB JAY LOCATIONS WERE OBTAINED FROM THE FWCC AND ARE CURRENT TO 1999.

Revisions	Date

Designed by: A.K.	Date: 4/13/06	Scale: SEE SCALE	
Checked by: E.M.H.	Date: 4/13/06	Category: LISTED SPECIES	
Drawn by: D.B.	Date: 4/13/06	County: SOUTHWEST FLORIDA	

Passarella and Associates, Inc.
Consulting Ecologists
9110 College Pointe Court Fort Myers, FL 33919
Phone: (239)274-0067 Fax: (239)274-0069

RIVER HALL

FWCC DOCUMENTED OCCURRENCES OF FLORIDA SCRUB JAY

Drawing Number: 03PEG931

Exhibit Number: FIGURE 2

The "Hickey's Creek Mitigation Park Florida Scrub Jay Management Plan" (Bowman 2005) was referenced for population information for the Hickey's Creek Mitigation Park property. The following excerpted from the report: "Surveys conducted by staff at Hickey's Creek in 1999, reported six families and a total of 26 birds from within or immediately adjacent to the mitigation park. During surveys conducted during the last week of September 2004, we found only three families and a total of only seven scrub jays on the mitigation park" (Bowman 2005). "It seems likely that the regional populations of scrub jays have declined at a rate proportional to that observed at Hickey's Creek, almost 50 percent over the last four to five years" (Bowman 2005).

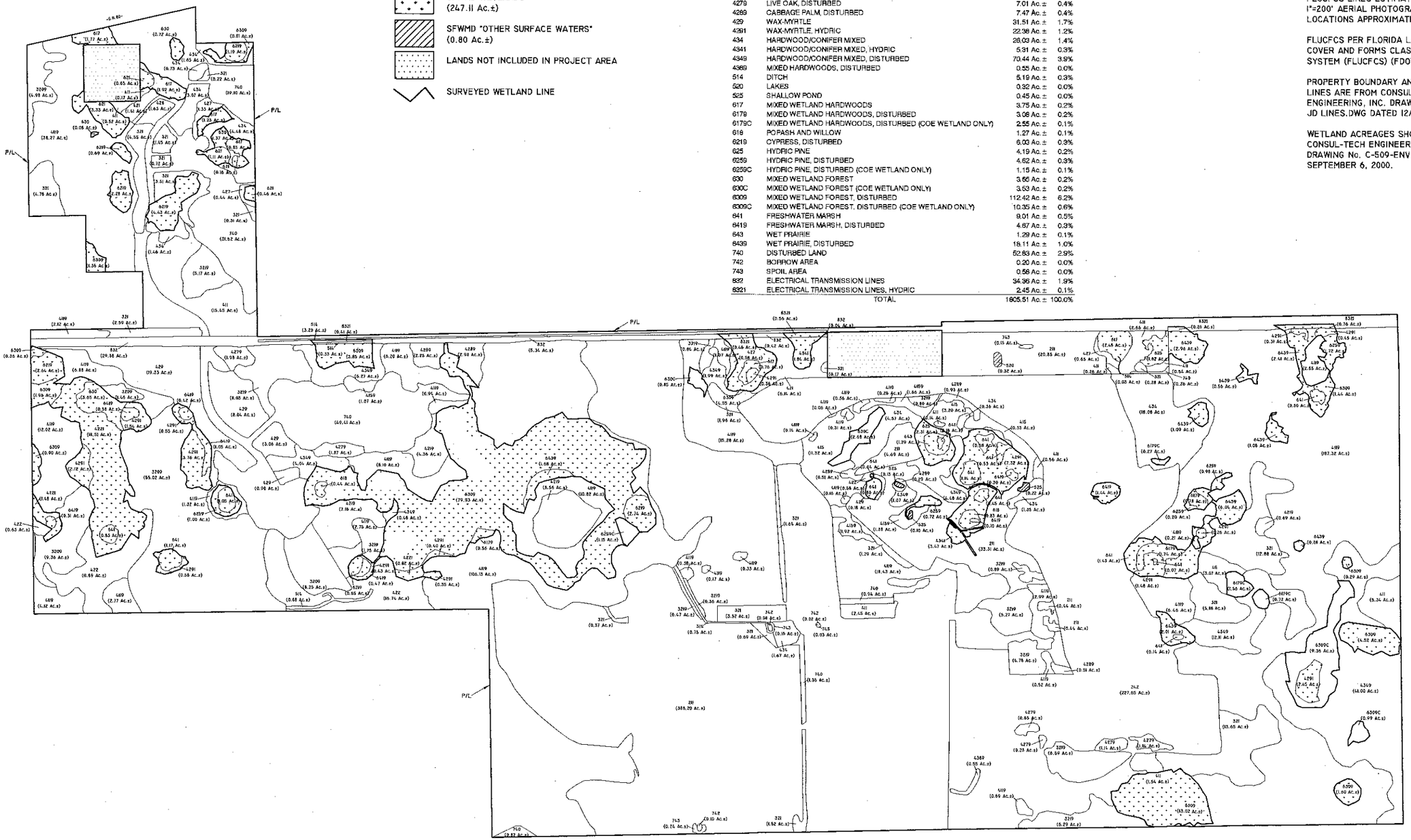
Habitat Inventory and Mapping

The FLUCFCS map for the River Hall property is included as Figure 3. Based on the FLUCFCS and habitat mapping, a total of 12.59± acres of Type I Habitat was identified within the conservation areas. Type I habitat includes Xeric Oak (FLUCFCS Code 421) and Xeric Oak, Disturbed (FLUCFCS Code 4219) (Figure 4). A total of 28.59± acres of Type II Habitat was identified within the conservation areas. Type II habitat includes portions of Palmetto Prairie (FLUCFCS Code 321) and Pine Flatwoods, Disturbed (FLUCFCS Code 4119) (Figure 4). These areas exhibited less than 15 percent cover by one or more scrub oak species including myrtle oak, sand live oak, and Chapman's oak. Approximately 259.76± acres were identified as Type III Habitat (Figure 4). The remaining 1,677.76± acres are not considered suitable habitat for the Florida scrub jay.

Existing Types I and II habitats occurring on site are extensively overgrown and do not appear to provide any suitable habitat at present for Florida scrub jays. These areas are considered marginal Florida scrub jay habitat because; presence of scrub oak is very minimal, the majority of existing oaks are live oak and swamp laurel oak; existing scrub oak species are very overgrown, averaging approximately 20 feet in height; the ground cover is densely covered with saw palmetto lacking herbaceous ground cover and open sandy areas for foraging; dense slash pine canopy exists in some areas; and these habitats are too small and isolated to provide appropriate Florida scrub jay habitat. On site habitat is not suitable for nesting and is marginal for foraging at present. However, existing Types II and III habitats located on the eastern portion of the property could potentially serve as foraging areas for the Florida scrub jays occurring at Hickey's Creek Mitigation Park after habitat management activities have taken place, per the Lee County River Hall Protected Species Management Plan.

Field Survey

Florida scrub jays were not heard or observed on or near the River Hall property during the March 27 through 31, 2006 survey. Weather conditions during the scrub jay survey events are presented in Table 1. Survey conditions generally had clear skies, with winds ranging from 0-15 mph, and temperatures ranging from approximately 51 to 79 degrees Fahrenheit. Playback stations 2, 8, 10, and 18 were only surveyed on March 17, 2006 due to the lack of suitable scrub jay habitat. Playback station 19 was not established. A map showing the approximate location of the playback stations is provided as Exhibit A. Daily observation forms for each playback station are attached as Exhibit B.



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	IMPROVED PASTURE	447.90 Ac.±	24.8%
242	SOD FARM	227.65 Ac.±	12.6%
3209	SHRUB AND BRUSHLAND, DISTURBED	74.09 Ac.±	4.1%
321	PALMETTO PRAIRIE	44.87 Ac.±	2.5%
3219	PALMETTO PRAIRIE, DISTURBED	36.07 Ac.±	2.0%
411	PINE FLATWOODS	16.41 Ac.±	0.9%
4119	PINE FLATWOODS, DISTURBED	402.06 Ac.±	22.3%
415	PINE FLATWOODS, GRAMINOID GROUND COVER	14.85 Ac.±	0.8%
4159	MIXED PINE FLATWOODS, DISTURBED	6.03 Ac.±	0.3%
421	XERIC OAK	6.14 Ac.±	0.3%
4219	XERIC OAK, DISTURBED	20.77 Ac.±	1.2%
422	BRAZILIAN PEPPER	29.84 Ac.±	1.7%
4221	BRAZILIAN PEPPER, HYDRIC	20.81 Ac.±	1.2%
427	LIVE OAK	1.27 Ac.±	0.1%
4279	LIVE OAK, DISTURBED	7.01 Ac.±	0.4%
4289	CABBAGE PALM, DISTURBED	7.47 Ac.±	0.4%
429	WAX-MYRTLE	31.51 Ac.±	1.7%
4291	WAX-MYRTLE, HYDRIC	22.38 Ac.±	1.2%
434	HARDWOOD/CONIFER MIXED	26.03 Ac.±	1.4%
4341	HARDWOOD/CONIFER MIXED, HYDRIC	5.31 Ac.±	0.3%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	70.44 Ac.±	3.9%
4369	MIXED HARDWOODS, DISTURBED	0.55 Ac.±	0.0%
514	DITCH	5.19 Ac.±	0.3%
520	LAKES	0.32 Ac.±	0.0%
525	SHALLOW POND	0.45 Ac.±	0.0%
617	MIXED WETLAND HARDWOODS	3.75 Ac.±	0.2%
6179	MIXED WETLAND HARDWOODS, DISTURBED	3.08 Ac.±	0.2%
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	2.55 Ac.±	0.1%
618	POPASH AND WILLOW	1.27 Ac.±	0.1%
6219	CYPRESS, DISTURBED	6.03 Ac.±	0.3%
625	HYDRIC PINE	4.19 Ac.±	0.2%
6259	HYDRIC PINE, DISTURBED	4.62 Ac.±	0.3%
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	1.15 Ac.±	0.1%
630	MIXED WETLAND FOREST	3.65 Ac.±	0.2%
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)	3.63 Ac.±	0.2%
6309	MIXED WETLAND FOREST, DISTURBED	112.42 Ac.±	6.2%
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	10.35 Ac.±	0.6%
641	FRESHWATER MARSH	9.01 Ac.±	0.5%
6419	FRESHWATER MARSH, DISTURBED	4.67 Ac.±	0.3%
643	WET PRAIRIE	1.29 Ac.±	0.1%
6439	WET PRAIRIE, DISTURBED	18.11 Ac.±	1.0%
740	DISTURBED LAND	52.83 Ac.±	2.9%
742	BORROW AREA	0.20 Ac.±	0.0%
743	SPOIL AREA	0.58 Ac.±	0.0%
832	ELECTRICAL TRANSMISSION LINES	34.36 Ac.±	1.9%
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	2.45 Ac.±	0.1%
	TOTAL	1805.51 Ac.±	100.0%

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/17/06	1"=1200'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/17/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		J.I.	4/17/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL

FLUCFCS AND WETLANDS MAP

DRAWING No.: 03PEG931

SHEET No.: FIGURE 3

FLUCFCS CODE	DESCRIPTIONS	TYPE I	TYPE II	TYPE III	TOTAL
211	IMPROVED PASTURE	-	-	0.02 Ac.±	0.02 Ac.±
242	SOD FARM	-	-	0.38 Ac.±	0.38 Ac.±
321	PALMETTO PRAIRIE	-	9.47 Ac.±	4.47 Ac.±	13.94 Ac.±
3219	PALMETTO PRAIRIE, DISTURBED	-	-	1.21 Ac.±	1.21 Ac.±
411	PINE FLATWOODS	-	-	5.57 Ac.±	5.57 Ac.±
4119	PINE FLATWOODS, DISTURBED	-	19.12 Ac.±	95.31 Ac.±	114.43 Ac.±
421	XERIC OAK	4.02 Ac.±	-	-	4.02 Ac.±
4219	XERIC OAK, DISTURBED	8.57 Ac.±	-	0.12 Ac.±	8.69 Ac.±
427	LIVE OAK	-	-	0.32 Ac.±	0.32 Ac.±
4291	WAX MYRTLE, HYDRIC	-	-	3.22 Ac.±	3.22 Ac.±
4341	HARDWOOD/CONIFER MIXED, HYDRIC	-	-	1.86 Ac.±	1.86 Ac.±
4349	HARDWOOD/CONIFER MIXED, DISTURBED	-	-	44.90 Ac.±	44.90 Ac.±
617	MIXED WETLAND HARDWOODS	-	-	0.76 Ac.±	0.76 Ac.±
6179	MIXED WETLAND HARDWOODS, DISTURBED	-	-	0.56 Ac.±	0.56 Ac.±
6179 C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)	-	-	0.98 Ac.±	0.98 Ac.±
6219	CYPRESS, DISTURBED	-	-	2.74 Ac.±	2.74 Ac.±
6259	HYDRIC PINE, DISTURBED	-	-	0.09 Ac.±	0.09 Ac.±
6259 C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)	-	-	1.15 Ac.±	1.15 Ac.±
6309	MIXED WETLAND FOREST, DISTURBED	-	-	81.39 Ac.±	81.39 Ac.±
6309 C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)	-	-	10.35 Ac.±	10.35 Ac.±
641	FRESWATER MARSH	-	-	0.50 Ac.±	0.50 Ac.±
6439	WET PRAIRIE, DISTURBED	-	-	3.76 Ac.±	5.23 Ac.±
832	ELECTRICAL TRANSMISSION LINES	-	-	0.03 Ac.±	0.03 Ac.±
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC	-	-	0.07 Ac.±	0.07 Ac.±
	TOTAL	12.59 Ac.±	28.59 Ac.±	259.76 Ac.±	300.94 Ac.±

LEGEND:

- LIMITS OF SCRUB JAY TYPE I HABITATS
- LIMITS OF SCRUB JAY TYPE II HABITATS
- LIMITS OF SCRUB JAY TYPE III HABITATS

NOTES:

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

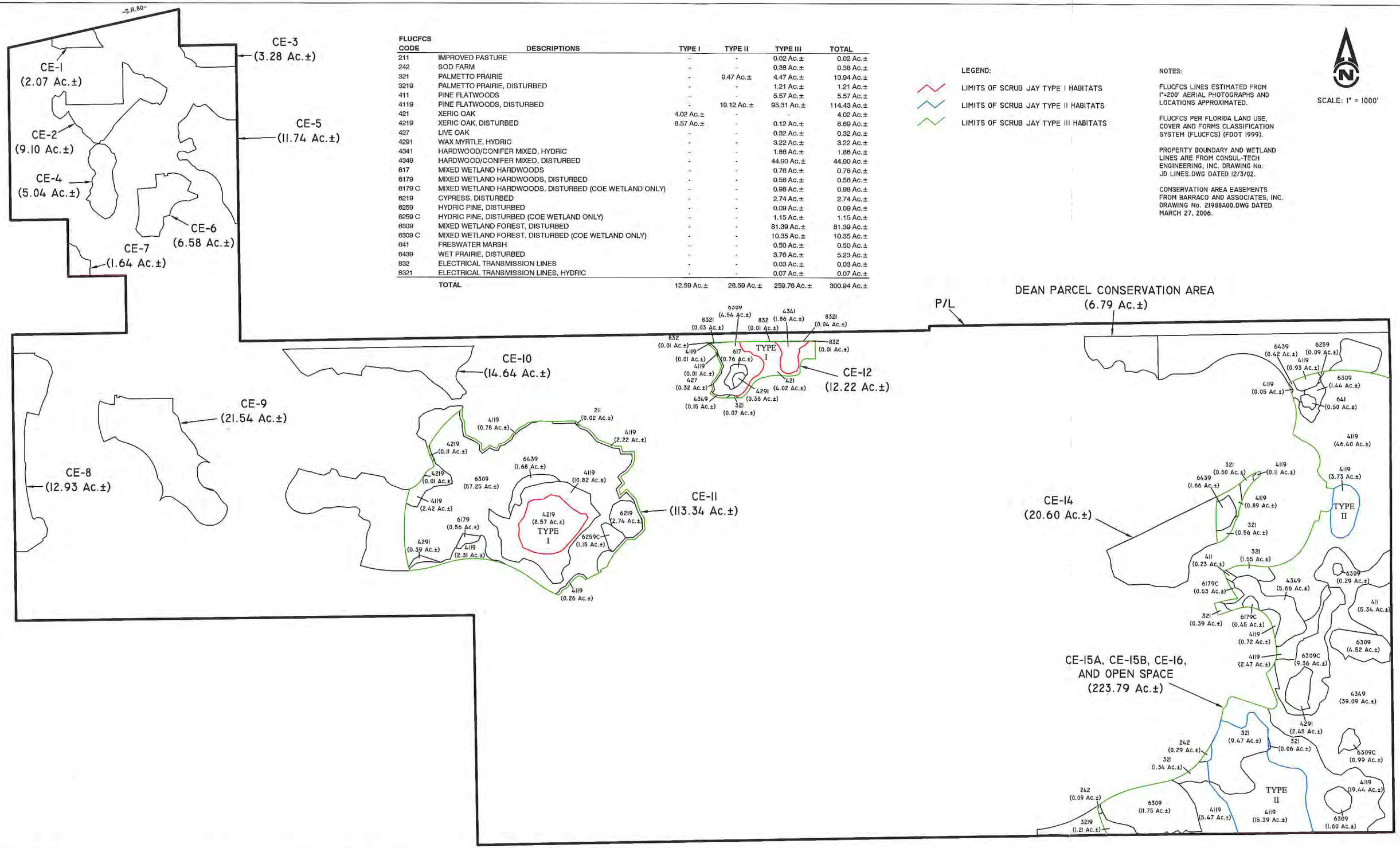
FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

CONSERVATION AREA EASEMENTS FROM BARRACO AND ASSOCIATES, INC. DRAWING No. 21988A00.DWG DATED MARCH 27, 2006.

N

SCALE: 1" = 1000'



REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	5/10/06	1'=1000'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	5/10/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	5/10/06	25,26,27,34,35,36/43/26

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL
FLORIDA SCRUB JAY PREFERRED HABITAT TYPES

DRAWING No.: 03PEG931
SHEET No.: FIGURE 4

Table 1. Weather Conditions

Date	Time	Temperature	Wind
March 27, 2006	0740 – 1030	51 – 69° F	0 – 5 mph
March 28, 2006	0715 – 1030	53 – 74° F	0 – 10 mph
March 29, 2006	0720 – 1000	64 – 75° F	0 – 8 mph
March 30, 2006	0715 – 0935	65 – 77° F	0 – 8 mph
March 31, 2006	0730 – 1000	68 – 79° F	0 – 15 mph

SUMMARY

The FWCC has documented occurrences for the Florida scrub jay on the Hickey's Creek Mitigation Park located to the east of the River Hall property. Habitat mapping for the River Hall property identified 12.59± acres of Type I, 28.59± acres of Type II and 259.76± acres of Type III scrub jay habitat on the property.

Field surveys to identify the presence of Florida scrub jays were conducted on the River Hall parcel on March 27, 28, 29, 30, and 31, 2006. Florida scrub jays were not observed or heard on the project site. It appears the Florida scrub jays documented by CTE in 1999 are no longer utilizing the Project site.

REFERENCES

Bowman, Reed. January 2005. Hickey's Creek Mitigation Park Florida Scrub jay Management Plan.

Cox, J.A. 1987. Status and distribution of the Florida scrub jay. Florida Ornithological Society Special Publication No. 3, 110pp.

Fitzpatrick, J.W., G.E. Woolfenden, and M.T. Kopeny. 1991. Ecology and development-related habitat requirements of the Florida scrub jay (*Aphelocoma coerulescens coerulescens*). Florida Game and Fresh Water Fish Commission, Nongame Wildlife Program Technical Report No. 8. Tallahassee, FL. 49pp.

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

U.S. Fish and Wildlife Service. 2002. Draft Standard Local Operating Procedures for Endangered Species Florida Scrub Jay. South Florida Ecological Services Office.

EXHIBIT A

AERIAL PHOTOGRAPH WITH FLUCFCS MAP AND SCRUB JAY PLAYBACK STATION OVERLAY

SCALE: 1" = 500'

FLUCFCS CODE	DESCRIPTION
211	IMPROVED PASTURE
242	SOD FARM
3209	SHRUB AND BRUSHLAND, DISTURBED
321	PALMETTO PRAIRIE
3219	PALMETTO PRAIRIE, DISTURBED
411	PINE FLATWOODS
4119	PINE FLATWOODS, DISTURBED
415	PINE FLATWOODS, GRAMINOID GROUND COVER
4159	MIXED PINE FLATWOODS, DISTURBED
421	XERIC OAK
4219	XERIC OAK, DISTURBED
422	BRAZILIAN PEPPER
4221	BRAZILIAN PEPPER, HYDRIC
427	LIVE OAK
4279	LIVE OAK, DISTURBED
428	CABBAGE PALM
4289	CABBAGE PALM, DISTURBED
429	WAX-MYRTLE
4291	WAX-MYRTLE, HYDRIC
434	HARDWOOD/CONIFER MIXED
4341	HARDWOOD/CONIFER MIXED, HYDRIC
4349	HARDWOOD/CONIFER MIXED, DISTURBED
4389	MIXED HARDWOODS, DISTURBED
514	DITCH
525	SHALLOW POND
617	MIXED WETLAND HARDWOODS
6179	MIXED WETLAND HARDWOODS, DISTURBED
6179C	MIXED WETLAND HARDWOODS, DISTURBED (COE WETLAND ONLY)
618	POP ASH AND WILLOW
621	CYPRESS
6219	CYPRESS, DISTURBED
625	HYDRIC PINE
6259	HYDRIC PINE, DISTURBED
6259C	HYDRIC PINE, DISTURBED (COE WETLAND ONLY)
630	MIXED WETLAND FOREST
630C	MIXED WETLAND FOREST (COE WETLAND ONLY)
6309	MIXED WETLAND FOREST, DISTURBED
6309C	MIXED WETLAND FOREST, DISTURBED (COE WETLAND ONLY)
641	FRESHWATER MARSH
6419	FRESHWATER MARSH, DISTURBED
643	WET PRAIRIE
6439	WET PRAIRIE, DISTURBED
740	DISTURBED LAND
742	BORROW AREA
743	SPOIL AREA
832	ELECTRICAL TRANSMISSION LINES
8321	ELECTRICAL TRANSMISSION LINES, HYDRIC

LEGEND:

SFWMD WETLANDS

4 SCRUB JAY PLAYBACK STATION (TYP.)

SURVEYED WETLAND LINE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISERS OFFICE WITH A FLIGHT DATE OF JANUARY 2005.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSUL-TECH ENGINEERING, INC. DRAWING No. JD LINES.DWG DATED 12/3/02.

WETLAND ACREAGES SHOWN PER CONSUL-TECH ENGINEERING, INC. DRAWING No. C-509-ENV DATED SEPTEMBER 6, 2000.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.K.	4/13/06	1"=500'
		CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/13/06	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/13/06	25,26,27,34,35,36/43/28

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL
AERIAL PHOTOGRAPH WITH FLUCFCS MAP AND SCRUB JAY PLAYBACK STATION OVERLAY

DRAWING No.: 03PEG931
SHEET No.: EXHIBIT A

J:\2003\03PEG931\2006\SCRUB JAY SURVEY\EXHIBIT A AERIAL PHOTOGRAPH WITH SCRUBJAY PLAYBACK STATION OVERLAY.DWG TAB: EXHIBIT A JAN 09, 2013 - 3:04PM PLOTTED BY: FELIPEL

EXHIBIT B

FLORIDA SCRUB JAY SURVEY FIELD OBSERVATIONS

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 27, 2006

On March 27, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0740 to 1030. Sunrise occurred at 0624. The weather was in the mid 50's with clear skies and 0-3 mph winds from the northeast.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
2	0751	Heard blue jay and mourning dove.
4	0757	Observed northern cardinal. Heard and observed blue-gray gnatcatcher.
6	0806	Heard northern mockingbird. Observed black vulture.
8	0813	No observations.
10	0829	Heard and observed red-shouldered hawk.
12	0900	Heard and observed red-bellied woodpecker, northern cardinal and gray catbird.
14	0910	Heard northern mockingbird and blue jay.
16	0918	Observed gray squirrel. Heard and observed mourning dove.
18	0924	Observed three unknown warblers. Heard and observed northern mockingbird. Heard common grackles.
20	1007	Heard white-eyed vireo.
21	1023	Heard yellow-rumped warbler and Carolina wren.
	1030	End of survey. (No Florida scrub jays heard or observed).

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 27, 2006

On March 27, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by William R. Cox. The survey was conducted from 0740 to 1030. Sunrise occurred at 0624. The weather was sunny and clear with a temperature of 49°F and 0-5 mph winds from the Northeast.

The survey consisted of walking transects across the site. Playback stations were established at nine points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
1	0740	Observed pileated woodpecker, mourning dove, common yellowthroat and northern cardinal. Poor scrub jay habitat-unsuitable. Mostly pine, scattered laurel, live oak and saw palmetto, no open sand.
3	0755	Carolina wren, red-bellied woodpecker. Unsuitable scrub jay habitat.
5	0810	Observed northern cardinal, gopher tortoise burrow and shed southern black racer skin. Unsuitable scrub jay habitat.
7	0820	Observed Carolina wren, red-bellied woodpecker and campers. Too much noise and trash. Unsuitable scrub jay habitat.
9	0835	Observed eastern towhee, yellow-rumped warbler, mourning dove, ground dove, Carolina wren and gopher tortoise burrow. Unsuitable scrub jay habitat.
11	0845	Observed Carolina wren, downy woodpecker, gray catbird, blue-gray gnatcatcher, pine warbler and common yellowthroat. Unsuitable scrub jay habitat.
13	0900	Observed scattered myrtle oaks, palmetto and pine. No open sand areas; Carolina wren. Marginal scrub jay habitat.
15	0920	Observed Carolina wren, fish crow and mourning dove. Unsuitable scrub jay habitat.
17	0932	Observed red-bellied woodpecker, fish crow and Carolina wren. Scattered myrtle, sand live oak, pine and saw palmetto. No open sand. Marginal scrub jay habitat.
	1030	End of survey. No Florida scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 28, 2006

On March 28, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0715 to 1030. Sunrise occurred at 0623. The weather was in the low 60's with clear skies and 1.4 mph winds from the East.

The survey consisted of walking transects across the site. Playback stations were established at twelve points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
21	0720	Heard eastern towhee, blue jay, white-eyed vireo, Carolina wren and gray catbird. Marginal scrub jay habitat present.
22	0726	Heard eastern towhee, northern mockingbird and blue-gray gnatcatcher. Marginal scrub jay habitat present.
23	0732	Heard northern cardinal, common grackle, fish crow and Carolina wren. Marginal scrub jay habitat present.
24	0740	Heard northern cardinal, mourning dove and blue jay. Marginal scrub jay habitat present.
25	0751	Heard northern cardinal and gray catbird. Observed three ground doves. Marginal scrub jay habitat present.
20	0758	Heard eastern towhee and white-eyed vireo. Marginal scrub jay habitat present.
26	0805	Heard Carolina wren, white-eyed vireo and red-bellied woodpecker. Marginal scrub jay habitat present.
27	0814	Heard red-bellied woodpecker, northern cardinal, and blue-gray gnatcatcher. Marginal scrub jay habitat present.
28	0823	Heard eastern towhee, white-eyed vireo and gray catbird. Marginal scrub jay habitat present.
6	0830	Heard American crow and mourning dove. No scrub jay habitat present.

Table 1. (Continued)

Station No.	Time	Observations
4	0835	Heard northern cardinals. Observed black vulture. No scrub jay habitat present.
29	0846	Heard white-eyed vireo, northern cardinal, blue jay and red-bellied woodpecker. Marginal scrub jay habitat present.
	1030	End of survey. No Florida scrub jay were heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 28, 2006

On March 28, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by William R. Cox. The survey was conducted from 0730 to 1030. Sunrise occurred at 0623. The weather was sunny with a temperature of 51°F and 92% humidity. The wind was east-northeast 1.4 mph.

The survey consisted of walking transects across the site. Playback stations were established at ten points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
	0655	On site at 6:55 am; see observations for 03/27/2006 on habitat notes.
1	0730	Observed red-bellied woodpecker, Carolina wren and yellow-rumped warbler.
3	0745	Observed Carolina wren and gopher tortoise burrow.
5	0800	Observed northern bob-white, Carolina wren and white-eyed vireo.
7	0810	Observed northern bob-white and red-bellied woodpecker; two tents remain and found many shotgun shells on ground.
9	0825	Observed blue-gray gnatcatcher, white-eyed vireo and American crow.
11	0840	Observed great crested flycatcher, northern cardinals, American crow, blue jay and downy woodpecker.
12	0850	Observed northern bob-white, northern cardinal and blue jay.
13	0915	Observed northern cardinal, great crested flycatcher and white-eyed vireo.
15	0930	Observed fish crow, Carolina wren and red-bellied woodpecker.
17	0945	Observed white-eyed vireo, Carolina wren, downy woodpecker, red-shouldered hawk and four blue jays chasing each other.
	1030	End of Survey. No scrub jays were heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 29, 2006

On March 29 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0720 to 1000 a.m. Sunrise occurred at 6:22 a.m. The weather was in the high 60's, mostly clear skies and little to no wind.

The survey consisted of walking transects across the site. Playback stations were established at fourteen points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
21	0725	Observed blue-gray gnatcatcher, American crow, northern cardinal, red-bellied woodpecker, white-eyed vireo and gray catbird.
22	0733	Observed gray catbird, northern cardinal, blue jay, red-bellied woodpecker, and Carolina wren.
23	0740	Observed northern cardinal, mourning dove, eastern towhee, gray catbird and northern mockingbird.
29	0746	Observed eastern towhee, white-eyed vireo, blue-gray gnatcatcher and unknown warbler.
25	0755	Observed white-eyed vireo, red-bellied woodpecker, gray catbird, Carolina wren and fish crow.
24	0804	Observed northern cardinal, blue jay, ground doves and downy woodpecker.
20	0814	Observed blue-gray gnatcatcher, mourning doves and belted king fisher.
26	0823	Observed northern cardinal, northern mockingbird and common grackles.
27	0832	Observed gopher tortoise, blue jay, mourning dove and gray catbird.
28	0840	Observed pine warblers, American crow and northern mockingbird.
6	0849	Observed northern cardinals and gray catbird.
4	0854	Observed northern cardinals, red-bellied woodpecker and Carolina wren.

Table 1. (Continued)

Station No.	Time	Observations
3	0907	Observed northern mockingbird and gray catbird.
1	0914	Observed northern mockingbirds, blue jay and blue-gray gnatcatcher.
	1000	End of survey. No Florida scrub jays heard or observed during survey. *See 03/27/2006-03/28/2006 surveys for habitat observations.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 29, 2006

On March 29 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Jennifer Evans. The survey was conducted from 0728 to 1000 a.m. Sunrise occurred at 6:22 a.m. The weather was in the high 60's, mostly clear skies and little to no wind.

The survey consisted of walking transects across the site. Playback stations were established at nine points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0748	Heard northern cardinal and gray catbird.
9	0808	Heard gray catbird and blue-gray gnatcatcher. Observed and heard northern cardinal.
11	0816	Heard northern cardinal.
12	0824	No observations.
13	0830	Heard blue-gray gnatcatcher and northern cardinal.
15	0838	Heard gray catbird and northern cardinal.
17	0844	Heard northern cardinal.
14	0850	Heard blue-gray gnatcatcher and northern cardinal.
16	0900	Heard sand hill cranes east of the canal.
	1000	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 30, 2006

On March 30, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Chris Ryan. The survey was conducted from 0715 to 0935 a.m. Sunrise occurred at 6:21 a.m. The weather was in the mid 60's, calm and clear skies.

The survey consisted of walking transects across the site. Playback stations were established at thirteen points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
27	0723	Heard northern cardinal to the north, gray catbird to the south and Carolina wren to the east. Heard and observed pine warbler to the west.
21	0732	Heard and observed gray catbird to the north, northern cardinal to the northeast, pine warbler to the southeast and red-bellied woodpecker to the southwest.
26	0738	Heard northern cardinal to the east, pine warbler to the north, red-bellied woodpecker to the northeast and Carolina wren to the east.
24	0749	Heard northern cardinal to the northeast, northern mockingbird and gray catbird to the north and Carolina wren to the northwest.
25	0758	Heard red-bellied woodpecker and northern cardinal to the north and downy woodpecker to the east.
23	0806	Heard northern cardinal to the north, gray catbird to the northeast and eastern towhee to the east.
22	0814	Heard pine warbler to the northwest, northern cardinal to the east and blue jay to the north.
28	0829	Heard northern cardinal to the northeast, red-bellied woodpecker to the south and gray catbird to the east.
6	0839	Heard gray catbird to the west, Carolina wren to the northeast, red-bellied woodpecker and blue-gray gnatcatcher to the east.
9	0847	Heard mourning dove to the east and northern cardinal to the north.

Table 1. (Continued)

Station No.	Time	Observations
4	0900	Heard northern cardinal to the northwest.
29	0911	Heard Carolina wren to the south, pine warbler to the east, northern cardinal to the north.
20	0927	Heard blue jay and northern cardinal to the south and unknown duck and pine warbler to the northwest.
	0935	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 30, 2006

On March 30, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Jennifer Evans. The survey was conducted from 0715 to 0920 a.m. Sunrise occurred at 6:21 a.m. The weather was in the mid 60's to low 80's, calm and clear skies with winds up to 3 mph.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0739	Observed pileated woodpecker. Heard and observed gray catbird and blue jay. Heard Carolina wren and northern cardinal.
9	0753	Heard and observed northern cardinal and red-bellied woodpecker. Heard mourning dove and gray catbird.
11	0803	Heard blue jay, northern cardinal, gray catbird, Carolina wren and blue-gray gnatcatcher.
12	0811	Heard blue jay, mourning dove, northern cardinal and Carolina wren. Heard and observed gray catbirds and red-bellied woodpecker. Observed little blue heron flying south along canal.
13	0819	Heard red-bellied woodpecker and northern cardinal.
15	0827	Heard gray catbird and northern cardinal.
17	0835	Heard gray catbird and northern cardinal.
14	0841	No observations; windy.
16	0847	Heard northern cardinal and northern mockingbird. Observed red-shouldered hawk flying.

Table 1. (Continued)

Station No.	Time	Observations
3	0905	Heard northern cardinal; windy.
1	0911	Heard northern cardinal and Carolina wren; windy
	0920	End of survey. No scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 31, 2006

On March 31, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Alicia Kruse. The survey was conducted from 0730 to 1000 a.m. Sunrise occurred at 6:19 a.m. The weather was in the high 60's, mostly clear skies with Southeast winds 1-4 mph.

The survey consisted of walking transects across the site. Playback stations were established at eleven points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
5	0750	Observed red-shouldered hawk, blue-gray gnatcatcher, pine warbler and gray catbird.
9	0803	Observed blue jay, mourning dove, northern cardinal and gray squirrel.
11	0812	Observed mourning doves, red-bellied woodpecker, blue-gray gnatcatcher and northern mockingbird.
12	0821	Observed red-bellied woodpeckers, Carolina wren, fish crow, blue jay and white-eyed vireo.
13	0830	Observed red-shouldered hawk, unknown warbler, and northern cardinal
15	0838	Observed blue-gray gnatcatcher, northern cardinal and blue jays. Wind increasing.
17	0845	Observed gray catbird, northern cardinal and red-bellied woodpecker. Wind increasing.
14	0852	Observed mourning doves and unknown warblers. Wind increasing.
16	0900	Observed gray catbird. Wind increasing
3	0924	Observed red-shouldered hawk. Wind increasing.
1	0930	Observed black racer and northern cardinal. Windy.
	1000	End of survey. No Florida scrub jays heard or observed during survey.

River Hall
Florida Scrub Jay Nesting Season Survey Information
March 31, 2006

On March 31, 2006, the River Hall project was surveyed for Florida scrub jays (*Aphelocoma coerulescens*) by Kim Munkers. The survey was conducted from 0744 to 0934 a.m. Sunrise occurred at 6:19 a.m. The weather was in the high 60's to mid 70's, mostly sunny and clear skies.

The survey consisted of walking transects across the site. Playback stations were established at twelve points along the transects. At each station, a recording of the scrub jay's calls were played for four minutes (one minute in four different directions). The birds and other wildlife that were heard and/or observed at these stations were recorded (Table 1).

Table 1. Florida Scrub Jay Survey Information

Station No.	Time	Observations
26	0744	Heard blue jay and northern cardinal. Observed gray catbird.
24	0750	Heard northern mockingbird and downy woodpecker.
20	0804	Heard downy woodpecker, eastern towhee, red-bellied woodpecker and blue jay.
25	0819	Heard downy woodpecker, Carolina wren and eastern towhee.
29	0830	Heard gray catbird, northern cardinal, blue-gray gnatcatcher and eastern towhee.
23	0842	Heard blue gray gnatcatcher, red-bellied woodpecker, mourning dove and eastern towhee.
22	0850	Heard and observed gray catbird, blue-gray gnatcatcher, unknown warbler and eastern towhee.
21	0858	Heard and observed blue jay and blue-gray gnatcatcher.
27	0910	Heard and observed blue-gray gnatcatcher. Wind increase to >10 mph.
28	0917	Heard eastern towhee.
6	0923	Heard blue-gray gnatcatcher. Observed turkey vulture and eastern towhee.
4	0930	Observed black vulture. Heard red-bellied woodpecker. Helicopter flew low overhead.
	0934	End of survey. No Florida scrub jays heard or observed during survey.