RVi

January 7, 2026

Ms. Kate Burgess, AICP
Principal Planner
Lee County Department of Community Development
Planning
1500 Monroe Street
Fort Myers, FL 33901

RE: Amenity Improvement Amendment
CPA2025-00012 – Resubmittal 01

Dear Ms. Burgess,

It is my pleasure to submit to you the following attached revised documents related to the Comprehensive Plan Text Amendment request for the above referenced project. Please see the following responses in **bold** to your comments received on December 11, 2025.

1) Stipulation of Settlement Agreement Under Section 70.001, Florida Statutes recorded in Instrument Number 2022000208255
2) Revised Lee Plan Analysis
3) Revised Proposed Text Amendments
4) Public Information Meeting Summary

PLANNING COMMENTS

1. Since this application references the settlement agreement and MPD rezone, provide the zoning resolution and/or settlement agreement that includes the exhibits and stipulations referenced in this application.

   RESPONSE: Please see attached Agreement to Stipulation of Settlement Agreement Under Section 70.001, Florida Statutes recorded in Instrument Number 2022000208255 of the Public Records of Lee County, Florida which contains the exhibits and stipulations referenced in the application.

2. The introduction and background in the Lee Plan Analysis provide some information on the history of Private Recreation Facilities in SE Lee, but do not adequately address how this particular request came into being. Provide a narrative or legal history on the background of the property impacted by this amendment and why this amendment is necessary.

   RESPONSE: Please see revised Lee Plan Analysis which provides additional narrative regarding the legal history on the background of the property impacted by this amendment and why this amendment is necessary.

3. The proposed text amendment language includes language proposed by another CPA. For clarity of the request, only include language proposed in this CPA.

RESPONSE: Please see revised Proposed Text Amendments.

4. The application cannot be found sufficient until the Public Input meeting, as required by Objective 17.3, has been completed. Provide a summary of the public information meeting per the requirements of Policy 17.3.4.

   RESPONSE: Please see attached Public Information Meeting Summary.

Thank you in advance for your consideration of the above information. If you have any further questions, please do not hesitate to contact me directly at (239) 770-2527 or shewitt@rviplanning.com.

Sincerely,

RVi Planning + Landscape Architecture

Stacy Ellis Hewitt, AICP
Planning Director

Kevin C. Karnes, Lee County Clerk of Circuit Court
INSTR. # 2022000208255, Doc Type AGR, Pages 263, Recorded 6/22/2022 at 4:58 PM, Deputy Clerk ACRUZ
Rec Fees: $2,237.00

AGREEMENT PURSUANT TO STIPULATION OF SETTLEMENT UNDER SECTION 70.001, FLORIDA STATUTES

THIS AGREEMENT PURSUANT TO STIPULATION OF SETTLEMENT UNDER SECTION 70.001, FLORIDA STATUTES (hereinafter, "Agreement") is entered into this 22nd day of June 2022, by and between:

LEE COUNTY, a political subdivision and charter county of the State of Florida (hereinafter "County"), having its principal office at 2115 Second Street, Fort Myers, FL 33901; and

CORKSCREW GROVE LIMITED PARTNERSHIP, a Delaware limited partnership (hereinafter, "CGLP" or "Developer"), whose address for purposes of this Agreement is 3602 Colonial Court, Fort Myers, FL 33913.

WHEREAS, CGLP and CGLP's represented parties owns approximately 6,674.56 +/- acres of land located in Lee County, said property being legally described in **Exhibit "A"** attached hereto (hereinafter, "the Property"); and

WHEREAS, after CGLP acquired the Property they continued to process a pending application with the County for a rezoning to the Industrial Planned Development (IPD) district in order to mine a portion of the Property for limerock extraction purposes; and

WHEREAS, the County denied the IPD rezoning request on November 6, 2019; and

WHEREAS, CGLP filed a claim with the County and a Complaint in Circuit Court against the County (Case No. 19-CA-008183, 20th Judicial Circuit) under the Bert J. Harris Private Property Rights Protection Act ("the Act"), Section 70.001, Fla. Stat., alleging that the denial of the IPD rezoning and other regulatory restrictions adopted by the County have placed an inordinate burden on the use of the Property, entitling CGLP to compensation under the Act; and

WHEREAS, the Act allows the parties to a dispute under the Act to enter into agreements in order to settle claims filed thereunder, and expressly provides that such agreements may modify or contravene applicable ordinances, rules, regulations, and statutes, subject to the requirements of Section 70.001(4)(d), Florida Statutes; and

WHEREAS, Lee County has adopted Land Development Code (LDC) Section 2-450 to implement Section 70.001(4)(d), Florida Statutes, and expressly allows the Board of County Commissioners to waive any or all procedural requirements contained in otherwise applicable codes and ordinances, and to directly exercise all authority otherwise delegated to the Lee County Hearing Examiner, the County Manager, or any other division or agency of the County; and

WHEREAS, the County and CGLP have identified and agreed upon such alternate uses for the Property, and the parties desire to enter into this Agreement in order to implement their understanding; and

WHEREAS, the County owns Property that is adjacent to the proposed Project as shown on the attached **Exhibit "B"** (hereinafter "County Property"); and

WHEREAS, as an aid to resolution of the dispute between the Litigation Parties, CAM7-SUB, LLC ("CAM") and the County agree, after closing of the purchase of the Property between CGLP and CAM, to swap similar property located within the Project boundaries for the County Property; and

WHEREAS, CGLP, in consideration of the covenants and conditions contained herein, has also agreed to convey to the County CGLP's rights and interests in excavation and mining on the Property to preclude any future mining permit requests on the Property; and

WHEREAS, the County and CGLP have entered into that certain Stipulation of Settlement dated April 19, 2022, agreeing to resolve all claims associated with CGLP's litigation and Bert Harris claim ; and

WHEREAS, this Agreement was reviewed in a public hearing before the Lee County Hearing Examiner on May 17, 2022, and in two public hearings before the Board of County Commissioners of Lee County on June 7, 2022, and June 22, 2022, at which time public comment was taken and duly considered; and

WHEREAS, the Stipulation of Settlement will be reviewed by the Circuit Court pursuant to Section 70.001(4)(d)2., Florida Statutes, at which time a hearing will be held before the Circuit Court for the presentation of public comment on the Stipulation of Settlement and this Agreement;

NOW, THEREFORE, in consideration of the covenants and conditions contained herein and of the benefits to accrue to each Party, the County and CGLP agree as follows:

1. Recitals. The foregoing recitations are true and correct and are incorporated herein by reference. All exhibits to this Agreement are deemed a part hereof.

2. Property Subject to this Agreement. The Property described on the attached **Exhibit "A"** is subject to this Agreement. The terms "Property", "Project" Development, and Proposed Development are used interchangeably in this Agreement. The Proposed Development boundaries may be modified in accordance with subsection 11(B) below.

3. Ownership. CGLP represents that it is the fee owner or designated agent of the Property or otherwise authorized to lawfully enter into this Agreement.

4. Proposed Development of the Property. The County agrees that CGLP or its successors and assigns, will have the right to develop the Property as set forth in this Agreement. The Proposed Development of the Property will comply with the following:

A. Development will be generally consistent with the Master Concept Plan ("MCP") attached as **Exhibit "C"**, and will comply with the Schedule of Uses attached as **Exhibit "D",** the Conditions shown on attached **Exhibit "E"**, the Property Development Regulations shown on attached **Exhibit "F",** the Restoration Phasing Plan shown on **Exhibit "G",**

B. Upon the Effective Date of this Agreement, the Property will be designated and treated as a Mixed-use Planned Development ("MPD") as shown on the MCP. Upon compliance with the terms of this Agreement and the requirements of the LDC, local development orders and other development permits for development of the Property will be issued by the County as provided under the LDC and other applicable regulations except where superseded by the terms of this agreement and the documents attached hereto and made a part hereof.

5. Consistency with Lee County Comprehensive Plan. The parties acknowledge that certain aspects of the development approved pursuant to this Agreement would require a plan amendment to the County's Comprehensive Plan ("Plan") adopted pursuant to Chapter 163, Florida Statutes. Accordingly, approval of the development without a plan amendment will contravene the application of Sections 163.3184 and 163.3194(1)(a), Florida Statutes (the "Contravened Statutes"). Pursuant to Section 70.001(4)(d)2., Florida Statutes, the parties will file an action in circuit court to ensure that the

relief granted by this Agreement protects the public interest served by the Contravened Statutes and is the appropriate relief necessary to prevent the County's regulations from inordinately burdening the Property.

6. Public Facilities. Potable water, sanitary sewer, solid waste service, surface water management and fire/EMS services necessary to serve the Proposed Development are either adequate and existing or will be adequate or mitigated for at the time of development order for the Proposed Development or any portion thereof, subject to the following:

A. Transportation and fire/EMS services will be mitigated by Developer as provided in paragraphs 8.A and 8.C. below.

B. Potable water service is presently adequate at the existing plants or will be available for the Proposed Development. Based on the proposed Project and agreed upon analysis, the required offsite potable water system infrastructure, upgrades, or improvements will be funded by the Developer. The anticipated infrastructure improvements needed to serve the Project consists of the utility extensions identified and depicted in **Exhibit "P"** which shall include a water tank and booster pump(s). Ensuring the adequacy of the existing and proposed improvements to serve the Project will be the responsibility of the Developer.

The Developer will pay 50% of the standard hook-up and connection fees charged by the County at the time of phased construction plan submittal and the balance at the time the potable water infrastructure has been turned over to the County as a Developer Contributed asset and put into service per each phase of individual development orders. The Developer or assign will pay standard meter fees charged by the County at the time the water meters are requested.

Any extension or upsizing of the potable water main, water tank and/or pump desired by the County to meet future County offsite demands will be designed, permitted, and constructed by Developer in accordance with the following:

(i) The Developer will notify the County in writing or by email at least sixty (60) days in advance of commencing engineering design work for the potable water mains, water tank and/or pump improvements for the Project.

(ii) Within thirty (30) days of receipt of Developer's written or electronic email notice, the County may request, by writing or email, the Developer to upsize the potable water mains, water tank and/or pump improvements to a capacity or size identified by the County.

(iii) The County agrees to reimburse Developer for all incremental costs of design, permitting, financing, bond issuance, overhead, and construction of the potable water mains, water tank and/or pump improvements and infrastructure attributable to the requested upsizing. Such reimbursement to be due within sixty (60) days from County inspection and final acceptance of the transmission line and infrastructure.

C. To facilitate the construction of necessary infrastructure the Parties agree as follows:

1. Sanitary sewer service is not currently available for the Proposed Development.

2. The Developer will be responsible for needed sanitary sewer offsite utility infrastructure improvements to serve the Development, per attached Exhibit K.

3. The County is designing and planning to construct a minimum 10 MGD wastewater facility on Alico Road ("SEWRF"), which once completed will provide sufficient capacity for the Proposed Development.

4. By June 1, 2029, the County is obligated to design, permit, and complete construction of Phase 1 of SEWRF to accept offsite wastewater from the Proposed Development.

5. Phase 1 must be designed and built to provide adequate capacity to serve a minimum of 5,000 residential units and 200,000 square feet of commercial development for the Proposed Development.

6. The County shall provide CGLP or its assigns with written notice no later than August 31, 2025, if the SEWRF construction design plans have not been submitted to the Florida Department of Environmental Protection (FDEP) for review, and written notice shall be provided to CGLP or its assigns on June 15, 2026, if a permit for construction of the SEWRF hasn't been obtained from the FDEP.

7. The sanitary sewer improvements and corresponding minimum capacities set forth herein to accommodate the Proposed Development are in addition to any needed capacity for existing or other proposed developments that the County intends to serve with SEWRF.

8. The Developer shall pay 50% of the Proposed Development's sewer LCU connection fees equal to $13,300,000.00, based on 10,000 units at a cost of $2,660.00 per each unit and 50% of the approximate required connection fees for commercial development at the later of (i) the first development order for vertical construction, (ii) August 31, 2025, or (iii) the submittal date of the design plans (together hereinafter referred to as "Connection Fees.") The remaining 50% balance of the Project sewer LCU fee shall be paid at the time the infrastructure is put into service per each phase of development, consistent with current County policies.

9. If less than 10,000 residential units and 700,000 square feet of commercial space are designed within the Proposed Development then any over payment of the initial 50% pre-payment of Connection Fees shall be credited toward the required remaining balance of 50% of the required Connection Fees.

10. Once the initial 50% of the Connection Fees have been paid, the County hereby guarantees the necessary sanitary sewer capacity to serve the 10,000 residential units and accompanying commercial developments within the Project utilizing the capacities of SEWRF and Three Oaks WWTP as needed.

11. The Parties hereby agree and acknowledge that construction of Phase 1 of SEWRF will only be required to accommodate 5,000 units and 200,000 square feet of commercial development for the Proposed Development (in addition to other existing and proposed developments). Once the Connection Fees have been paid, the capacity for the remaining 5,000 units and remaining commercial square footage will be provided for through the construction of future phase(s) of the SEWRF. The future phases of the SEWRF necessary to provide capacity for the remaining portions of the Proposed Development, not accommodated within Phase 1, must be constructed and operational no later than December 31, 2033.

12. Once the SEWRF is completed, the Proposed Development will connect to it through infrastructure installed by the Developer at the Developer's expense and through infrastructure installed third parties or the County.

13. In the event construction of the Proposed Development is delayed or the real estate market reduces overall demand, CGLP and the County may agree in writing to extend the deadlines for construction of the SEWRF identified above.

14. In the event the County is unable to construct the initial or subsequent phases of the SEWRF in accordance with the terms provided herein, the Developer may construct temporary sanitary sewer facilities needed to serve the Proposed Development. Once the temporary facilities are constructed, the County agrees to operate and maintain those temporary facilities at the County's cost until such time as the relative phase(s) of the SEWRF is completed.

15. In the event the County is prevented, hindered or delayed directly or indirectly by fire, flood, earthquake, elements of nature or acts of God, acts of war, terrorism, riots, civil disorders, rebellions or revolutions, or any other similar cause beyond the reasonable control of the County (each a "Force Majeure Event"), and such non-performance, hindrance or delay could not have been prevented by reasonable precautions, then the County shall be excused for such non-performance, hindrance or delay, as applicable, of completion of the SEWRF affected by the Force Majeure Event for as long as the Force Majeure Event continues and, except as otherwise provided in this Section, the County continues to use its reasonable efforts to recommence performance whenever and to whatever extent possible without delay to include securing the necessary permitting from State and Federal agencies.

16. Until such time as Phase 1 of SEWRF is completed, the County shall allow a sewer consumptive use rate of 200GPD to determine the sewer capacity available in the existing Pinewoods Master Pump Station and pipes that feed it with the additional calculated capacity to be used by the Proposed Development.

17. The County shall allow a sewer consumptive use rate of 200GPD compared to a design rate of 250GPD to determine the sewer capacity available in the SEWRF and pipes that feed it with the additional calculated capacity to be used by the Proposed Development until the Proposed Development's 10,000 residential units and commercial square footage are accommodated.

18. Based on the Proposed Development and agreed upon analysis, the required offsite wastewater system infrastructure, upgrades, or improvements funded by the Developer are anticipated to consist of the utility extensions identified and depicted in **Exhibit "K".** Ensuring the adequacy of the existing and proposed improvements to serve the Proposed Development other than those set forth herein, will be the responsibility of the Developer. Any improvements not contemplated within Exhibit "K" that are needed to serve the development will be the responsibility of the Developer except that the County and Developer recognize that Exhibit "K" contemplates the sewer installation in front of the FFD property has been constructed and the sewer installed on Alico Road from Corkscrew Road to the SEWRF has been installed by the County as part of the SEWRF construction.

19. In the event a force main is not installed from the FFD development along Corkscrew Road to Alico Road or the force main on Alico Road from Corkscrew Road to the SEWRF, as assumed within Exhibit "K", then the Developer will be responsible for constructing the necessary improvements. If the Developer constructs the sewer force main on Corkscrew Road from the FFD development to Alico Road, Alico Road from Corkscrew Road to the

SEWRF, or other offsite infrastructure not contemplated in Exhibit "K" and needed to serve the Proposed Development, then the County will reimburse the Developer for the full cost of the sewer installed from Corkscrew Road to the SEWRF along with a proportionate share of the design, permitting, construction including infrastructure, maintenance of traffic, landscape restoration and a proportionate share of the financing cost for those improvements. The County and the Developer will enter into a Rebateable Agreement to reimburse the Developer for the other additional infrastructure improvements.

20. To expedite the Proposed Development, and at the Developer's discretion, a temporary connection to the existing Verdana Village Pod 2 master pump station and/or construction of a package WWTP built on the Project may be constructed until such time as the County SEWRF is in operation. The construction of the discretionary improvements for the Project may be completed in phases.

21. Any sewer extension or upsizing of the sanitary sewer infrastructure or facilities requested by the County to meet future county offsite demands, and agreed to be performed by the Developer, will be designed, permitted, and constructed by Developer in accordance with the following:

(i) The Developer will notify the County in writing or electronically by email at least sixty (60) days in advance of commencing engineering design work for the sanitary sewer infrastructure and facility improvements.

(ii) Within thirty (30) days of receipt of Developer's notice, the County may request in writing the Developer to upsize the Proposed Development's sanitary sewer infrastructure and facilities in writing or electronically by email to a size and capacity identified by the County.

(iii) The County agrees to reimburse Developer for all incremental costs of design, permitting, financing, bond issuance, overhead, and construction of the sanitary sewer infrastructure and facility improvements attributable to the requested upsizing. Such reimbursement to be due to the Developer within sixty (60) days after inspection and acceptance of the requested upsizing improvements by the County which will not be unreasonably withheld or delayed.

D. Solid waste service will be provided by a franchised hauler.

E. Subject to the requirements of paragraph 8.B. below, surface water management will be provided in accordance with permits to be issued by the South Florida Water Management District.

7. Development Permits Needed for Proposed Development. CGLP, or its successor in ownership, must obtain all State and Federal permits necessary to allow development in accordance with this Agreement, subject to paragraph 19 below. CGLP must submit and obtain all development orders and development permits from Lee County necessary, and Lee County must review and approve those submittals to allow development subject to, consistent with, and in accordance with this Agreement.

8. Development Limitations, Commitments and Obligations. For and in consideration of the benefits received pursuant to this Agreement, CGLP agrees to the following limitations, commitments and obligations in order to mitigate the impacts of the Proposed Development:

A. Developer will construct an internal public spine road from Corkscrew Road to State Route 82 and provide for a Project Proportionate Share payment of $2,000.00 per residential unit which payment shall be due at issuance of each residential building permit. In addition:

(i) The cost of construction of the spine road, including but not limited to, road landscaping, signage, and lighting, will be borne by the Developer;

(ii) The spine road will be constructed in phases to County specifications for a collector road;

(iii) Impact fee credits will be issued for Corkscrew Road right of way dedicated to the County adjacent to the Project;

(iv) The Project will pay impact fees at the rate in effect at the time of issuance of building permits;

(v) Once built to County standards the spine road will be dedicated to the County and the County will take over the future maintenance of the Spine Road which transfer, and maintenance responsibility will be assumed by the County upon acceptance of the dedication to the county for ownership and maintenance on the record plat. Any landscaping, lighting, and signage that is above County "core-level" shall be maintained by the Project homeowner association, community development district, or independent special district.

B. Environmental Enhancements. Environmental enhancements to the Property will occur in accordance with the Conditions of Development attached as **Exhibit "E"** and the Restoration Phasing plan attached hereto as **Exhibit "G".**

C. The building permit applicant will pay Fire and EMS Impact Fees in accordance with the Fire/EMS Impact Fee Ordinances.

9. Applicable Land Use Regulations. The Proposed Development within the Property shall be subject to the County's land development regulations governing development as of the Effective Date of this Agreement for the duration of this Agreement except as superseded by this agreement and the attached Exhibits. Unless otherwise requested and agreed to by CGLP or assigns, the County may not apply subsequently adopted Land Use regulations and policies to the Proposed Development. Any County initiated Lee Plan Amendments that apply to the Property must be consistent with this Agreement and the attached Exhibits for the duration of this Agreement.

10. Duration of Agreement. This Agreement shall remain in full force and effect until buildout of the Proposed Development, unless terminated earlier as provided in Paragraph 11 of this Agreement. For purposes of this Agreement, buildout shall occur upon the earlier of (a) issuance of certificates of occupancy for all development authorized herein, or (b) recording in the Public Records of Lee County of a declaration by CGLP or its assigns, that it has completed development under this Agreement and transmittal of same to the County. Notwithstanding anything in the LDC to the contrary, the MCP, Schedule of Uses, Conditions of Development, Property Development Regulations, Restoration Phasing Plan, and Development Authorization Form attached hereto as Exhibits "C," "D," "E," "F," "G" and "H" respectively, will remain valid for the duration of this Agreement.

11. Amendment and Termination. This Agreement will terminate only upon mutual consent of the parties, in writing, executed with the same formalities as this Agreement or upon recording of a Notice of Termination by either Party pursuant to paragraph 21 below.

A. Amendments to the density or intensity of the Proposed Development can only be approved through mutual agreement of the parties. All other changes may be reviewed and approved administratively through the same processes and criteria identified for planned developments in LDC Chapters 10 and 34. If the proposed amendment does not meet the criteria for administrative approval, the amendment must be approved through the public hearing process under the same processes and criteria identified for planned developments in LDC Chapters 10 and 34 in accordance with the procedures in place at the time of application.

B. Amendments to the Proposed Development boundaries and associated Master Concept Plan may be approved through issuance of an Administrative Amendment subject to the following:

i. The property is adjacent to the Proposed Development boundaries and under common ownership of the Developer;
ii. The reduction of the Property boundaries will not reduce the overall required open space or conservation areas. Reductions of the Property boundaries that include a corresponding addition of property to replace the open space or conservation areas being removed by the reduction may be approved;
iii. Property that is removed from the Proposed Development boundaries is subject to the development parameters, including density and intensity permitted under the Lee Plan and Land Development Code as it existed without the Development Agreement and Stipulation of Settlement.
iv. The addition of property to the Proposed Development boundaries will be subject to the same development limitations as though the property was included in this Development Agreement.

12. Relinquishment of Claims by CGLP. Upon entry of an Order of Dismissal by the Circuit Court in that certain case styled *CGLP Land Co., Inc. v. Lee County, 20th Judicial Circuit Case No. 19-CA-008183.*

A. CGLP agrees to relinquish to the County all of CGLP's rights and interests in mining on the Property through a restrictive covenant on the Property that will ensure that future owners and successors have no rights or interests in mining the Property for limerock or other sedimentary minerals. Provided, however, that nothing contained herein shall preclude excavation in connection with the Proposed Development of the Property including, but not necessarily limited to, excavation for water retention, fill, utilities, infrastructure, structures, and other related purposes. The foregoing restrictive covenant will not prohibit exploration or production of oil or natural gas on or under the Property, will not create oil, gas or mineral rights in the County, and shall not be deemed to prohibit the sale and removal of excess fill material created by the approved development of the Property in accordance with LDC Chapter 10. The restrictive covenant shall be recorded in the Public Records of Lee County.

B. CGLP agrees to waive, relinquish, and release forever its claim for damages for an "as applied" taking and pursuant to that certain claim letter filed with the County by CGLP dated September 11, 2020, pursuant to the Act, for actions arising out of the County's denial of its IPD zoning request on November 6, 2019; provided, however, that nothing contained herein shall constitute a waiver or relinquishment of any claim for damages or any other relief whatsoever arising against the County from or out of this Agreement, or for any subsequent property rights violation arising after the date of this Agreement that is not directly related to the County's denial of said IPD zoning request.

13. Credit Against Proportionate Share Payment. For and in consideration of CGLP's conveyance to the County of all of CGLP's rights and interests in the mining of limerock and other sedimentary minerals on the Property as provided in Paragraph 12 above, CGLP will receive proportionate share credits from the County in the amount of $2,400,000.00 that may be used by CGLP, or its assigns, towards the proportionate share payments charged by the County under paragraph 8 of

this Agreement. CGLP may transfer or assign all or part of this credit to a third party only for use in conjunction with development of the Property. No building permits for development utilizing this credit will be issued by the County unless the permit applicant provides to the County a notarized form executed by CGLP or its assigns identifying the number of dwelling units or square footage of non-residential development authorized by CGLP or its assigns to be built. The Development Authorization form will be in substantially the same format as the form attached hereto as **Exhibit "J."** The County will not issue building permits for any development that exceeds the amount of development authorized by CGLP or its assigns.

14. Notices. All notices required or permitted under this Agreement shall be in writing and shall be mailed by certified mail, return receipt requested to the following addresses, or to such other person or address as any Party may designate from time to time and after Property sale in writing:

If to CGLP: Corkscrew Grove Limited Partnership
3602 Colonial Court
Fort Myers, FL 33913
Attn: Mitch Hutchcraft

With a copy to: Moore Bowman & Reese, P.A.
551 N. Cattlemen Road,
Suite 100
Sarasota, Florida 34232
Attn: S. William Moore, Esquire

If to the County: Lee County
2115 Second Street
Fort Myers, FL 33901
Attn: County Manager

With a copy to: Lee County
2115 Second Street
Fort Myers, FL 33901
Attn: Lee County Attorney

15. Remedies. Any material breach of this Agreement may be enforced by either Party as against the other by appropriate action in law or equity filed in a court of competent jurisdiction, including but not limited to an action for specific performance; provided, however, no such action may be brought until the defaulting Party has been given notice and ninety (90) days in which to cure the default to the satisfaction of the non-defaulting party. Notwithstanding the foregoing, violations of the Master Concept Plan, Schedule of Uses, Conditions of Development and Deviations, Property Development Regulations, and Restoration Phasing, attached hereto as Exhibits B, C, D, E, and F, respectively, may also be enforced by the County through appropriate code enforcement actions.

16. Governing Law; Venue. This Agreement shall be construed and interpreted according to the laws of the State of Florida, and venue with respect to any litigation between the Parties related to this Agreement shall be exclusively in Lee County, Florida.

17. Severability. If any part, term, or provision of this Agreement is held to be illegal, void, or unenforceable, the remaining portions or provisions of this Agreement shall not be affected or impaired, each remaining provision shall remain in full force and effect, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

18. Entire Agreement. This Agreement embodies the whole agreement of the Parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations, or agreements, either verbal or written, regarding the Proposed Development of the Property between the Parties.

19. Conflict of Laws. If state or federal laws are enacted subsequent to the execution of this Agreement which are applicable to and preclude either Party's compliance with the terms of this Agreement, this Agreement shall be modified as necessary to comply with the relevant state or federal laws, in a manner that most closely reflects the intent of this Agreement.

20. Covenants Running with the Land; Assignment of Obligations by CGLP. The obligations imposed and entitlements created pursuant to this Agreement shall run with and bind the Property as covenants running with the land, and this Agreement shall be binding upon and enforceable by and against the Parties hereto, their personal representatives, heirs, successors, grantees, and assigns after notice to the County. All or any of the obligations of CGLP may be assigned to one or more successor developers, property owners associations or to one or more community development districts established under Chapter 190, Fla. Stat., and CGLP shall thereafter be relieved of all obligations so assigned.

21. Effective Date. This Agreement will become effective (the "Effective Date") upon full execution by both Parties and recording of the Agreement in the Public Records of Lee County pursuant to paragraph 22 below; provided, however, that none of the rights or obligations contained herein will become effective as to either Party until issuance of the Order of Dismissal by the Circuit Court pursuant to paragraph 12 above. In the event an Order of Dismissal is not entered within eighteen (18) months of the Effective Date of this Agreement, then either Party may terminate this Agreement by recording a Notice of Termination in the Public Records of Lee County, whereupon this Agreement will be considered null and void.

22. Recording of Agreement. This Agreement will be recorded by the County at the County's expense in the Public Records of Lee County within fourteen (14) days of approval by the Lee County Board of County Commissioners. In the event this Agreement is terminated as provided herein, the Parties will execute and CGLP will record a Notice of Termination in the Public Records of Lee County within twenty (20) days of such termination.

23. Findings Under Section 70.001(4)(d)1., Florida Statutes. Pursuant to Section 70.001(4)(d)1., Florida Statutes, the County finds that, to the extent that this Agreement has the effect of a modification, variance, or a special exception to the application of a rule, regulation, or ordinance as it would otherwise apply to the Property, the relief granted herein and the obligations and mitigation to be provided by CGLP pursuant to this Agreement, adequately protect the public interest served by the rules, regulations or ordinances at issue and is the appropriate relief necessary to prevent the County's regulatory efforts from inordinately burdening the Property.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year written below.

WITNESSES:

Print Name: Michael D. Jacus

Print Name Daniel DeLisi

CORKSCREW GROVE LIMITED PARTNERSHIP, a Delaware limited partnership

By: _____

Name: MITCHELL A. HUTCHCRAFT

Title: VICE PRESIDENT

STATE OF FLORIDA
COUNTY OF LEE

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization this 22 day of JUNE, 2022, by MITCHEL HUTCHCRAFT, as Vice President of Corkscrew Grove Limited Partnership, a Delaware limited partnership, who is [X] personally known to me or [ ] who produced _____ as identification.

_____
Notary Public Signature

My Commission Expires:

Raymond J. Blacksmith
Type/Print Notary Public Name

Commission No.: GG232954

Notary Public State of Florida
Raymond J Blacksmith
My Commission GG 232954
Expires 10/09/2022

ATTEST:
KEVIN KARNES, CLERK

By: Melissa Butler
Deputy Clerk

Melissa Butler
Print Name

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By:
Cecil L. Pendergrass, Chair

Date: 6-22-22

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

County Attorney's Office

SEAL
BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Exhibits:

A. Legal Description of the Property
B. County Land Swap Property Exhibit
C. Master Concept Plan
D. Schedule of Uses
E. Conditions of Development and Deviations
F. Property Development Regulations
G. Restoration Phasing Plan
H. Development Authorization Form
I. Protective Species Survey
J. Human/Wildlife Coexistence Plan and Protective Species Management Plan
K. Offsite Sewer Analysis
L. Indigenous Preservation, Restoration, and Management Plan
M. Existing Agricultural Areas
N. Enhanced Lake Management Plan
O. Hydrological Restoration Plan
P. Offsite Potable Water Analysis

EXHIBIT A

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION
Parcel in
Section 35, Township 45 South, Range 27 East
and Sections 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 and 36,
Township 46 South, Range 27 East,
Lee County, Florida

A tract or parcel of land lying in Section 35, Township 45 South, Range 27 East and Sections 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 and 36, Township 46 South, Range 27 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

PARCEL 1:

Beginning at the Southwest corner of said Section 35 run N00°42'20"W along the West line of said Section 35 for 4,913.47 feet to an intersection with the Southwesterly right of way line of State Road 82 (F.D.O.T. right of way Section No. 1207-101) (200 feet wide right of way); thence run S74°24'28"E along said Southwesterly right of way line for 5,474.38 feet to an intersection with the East line of said Section 35; thence run S01°27'49"E for 3,347.79 feet to the Northeast corner of said Section 2; thence run S00°37'24"E along the East line of said Section 2 for 4,496.97 feet; thence run S88°14'39"W for 2,954.70 feet; thence run S00°38'17"E for 1,000.18 feet; thence run N89°34'20"E for 89.85 feet; thence run S00°42'50"E for 1,075.98 feet to an intersection with the North line of the West Half (W 1/2) of said Section 11; thence run N88°06'17"E along said North line for 218.81 feet to the Northeast corner of said Fraction; thence run S00°11'24"E along the East line of said Fraction for 5,325.44 feet to Southeast corner of said Fraction; thence run N88°33'37"E along the North line of said Section 14 for 2,623.23 feet to the Northeast corner of said Section 14; thence run S00°02'19"W along the East line of said Section 14 for 5,330.76 feet to the Southeast corner of said Section 14 ; thence run S88°57'32"W along the South line of said Section 14 for 5,217.75 feet to the Southeast corner of said Section 15; thence run S88°56'48"W along the South line of said Section 15 for 5,216.63 feet to the Southwest corner of said Section 15; thence run N00°12'22"W along the West line of said Section 15 for 5,552.99 feet to the Southwest corner of said Section 10; thence run N01°06'50"W along the West line of said Section 10 for 5,068.95 feet to the Southwest corner of said Section 3; thence run N00°58'11"W along the West line of said Section 3 for 6,632.47 feet to the Northwest corner of said Section 3; thence run N89°02'20"E along the North line of said Section 3 for 5,301.06 feet to the POINT OF BEGINNING.
Containing 4,202.62 acres, more or less.

PARCEL 2:

Beginning at the Northwest corner of said Section 24 run N88°48'32"E along the North line of said Section 24 for 5,496.75 feet to an intersection with the West line right of way line of Corkscrew Road, also being the West line of the East 25 feet of said

DESCRIPTION (CONTINUED)

Section 24; thence run S01°20'16"E along said West line for 4,100.52 feet to an intersection with the Northerly right of way line of Corkscrew Road, as described in a deed recorded in Instrument No. 2005000136900, Lee County Records; thence run along said Northerly right of way line the following three (3) courses: S88°39'44"W for 50.00 feet to a point on a non-tangent curve; Southwesterly along an arc of a curve to the right of radius 1,175.00 feet (delta 90°09'17") (chord bearing S44°50'13"W) (chord 1,663.94 feet) for 1,848.86 feet and S00°05'08"E along a radial line for 25.00 feet to an intersection with the North right of way line of said Corkscrew Road, also being North line of the South 50 feet of said Section 24; thence run along said North right of way line the following two (2) courses: S89°54'52"W for 1,393.63 feet and S88°51'37"W for 2,675.85 feet to an intersection with the West line of said Section 24; thence run N03°15'49"W along said West line for 5,255.07 feet to the POINT OF BEGINNING.

Containing 644.59 acres, more or less.

PARCEL 3:

Beginning at the Northwest corner of said Section 26 run N88°51'40"E along the North line of the Northwest Quarter (NW 1/4) of said Section 26 for 2,663.66 feet to the North Quarter corner of said Section 26; thence run N88°54'17"E along the North line of the Northeast Quarter (NE 1/4) of said Section 26 for 2,666.51 feet to the Northwest corner of said Section 25; thence run S01°09'29"E along the West line of the Northwest Quarter (NW 1/4) of said Section 25 for 50.00 feet to an intersection with the South right of way line of Corkscrew Road, also being South line of the North 50 feet of said Section 25; thence run along said South right of way line the following two (2) courses: N88°51'37"E for 2,673.06 feet and N89°54'52"E for 2,671.08 feet to an intersection with the East line of Northeast Quarter (NE 1/4) of said Section 25; thence run S01°11'48"E along said East line for 2,550.74 feet to the East Quarter corner of said Section 25; thence run S01°12'17"E along the East line of Southeast Quarter (SE 1/4) of said Section 25 for 2,650.95 feet to the Northeast corner of said Section 36; thence run S01°11'26"E along the East line of Northeast Quarter (NE 1/4) of said Section 36 for 1,320.34 feet; thence run S89°10'39"W parallel with the North line of said Fraction for 990.98 feet; thence run N01°11'26"W parallel with the East line of said Fraction for 1,320.34 feet to an intersection with the North line of said Fraction; thence run S89°10'39"W along the North line of said Fraction for 1,683.83 feet to the North Quarter corner of said Section 36; thence run S89°09'00"W along the North line of the Northwest Quarter (NW 1/4) of said Section 36 for 2,672.43 feet to the Northeast corner of said Section 35; thence run S88°41'30"W along the North line Northeast Quarter (NE 1/4) of said Section 35 for 150.00 feet to an intersection with the West line of the East 150 feet the Northeast Quarter (NE 1/4) of said Section 35; thence run S01°02'25"E along said West line for 2,605.57 feet to an intersection with the South line of the North Half (N 1/2) of said Section 35; thence run S88°35'54"W along said South line for 5,197.13 feet to the East Quarter corner of said Section 34; thence run S89°18'56"W along the North line of the Southeast Quarter (SE 1/4) of said Section 34 for 662.29 feet to the Northeast corner of the West Half (W 1/2) of the East

DESCRIPTION (CONTINUED)

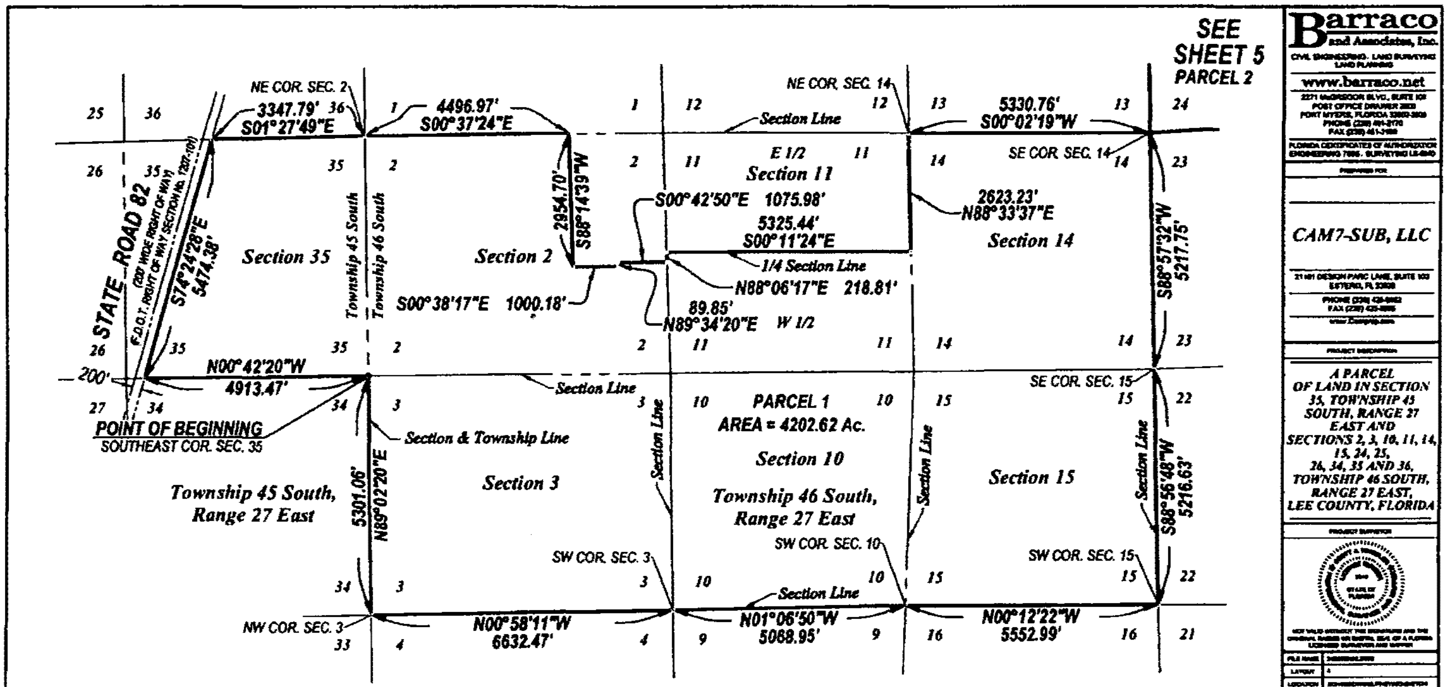
Half (E 1/2) of the Southeast Quarter (SE 1/4) of said Section 34; thence run S00°56'36"E along the East line of said Fraction for 978.73 feet to the Northwest corner of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) said Section 34; thence run N89°21'38"E along the North line of said Fraction for 662.30 feet to the Northeast corner of said Fraction; thence run S00°56'36"E along the East line of said Fraction, also being the East line of the Southeast Quarter (SE ¼) of said Section 34 for 326.43 feet to the Southeast corner of said Fraction; thence run S89°21'38"W along the South line of said Fraction for 662.30 feet to the Southwest corner of said Fraction; thence run S00°56'36"E along the East line of said West Half (W 1/2) of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 34 for 325.25 feet; thence run S89°21'38"W for 1,985.63 feet to an intersection with the West line of said Southeast Quarter (SE 1/4) of Section 34; thence run N00°56'43"W along said West line for 1,628.85 feet to the Center of said Section 34; thence run N00°55'48"W along the West line of the Northeast Quarter (NE 1/4) of said Section 34 for 2,623.36 feet to the North Quarter corner of said Section 34; thence run N89°31'02"E along the North line of the Northeast Quarter (NE 1/4) of said Section 34 for 2,646.41 feet to the Southwest corner of said Section 26; thence run N88°41'30"E along the South line of the Southwest Quarter (SW 1/4) of said Section 26 for 1,335.92 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 26; thence run N01°03'24"W along the East line of said Fraction for 1,321.72 feet to the Northeast corner of said Fraction; thence run S88°43'35"W along the North line of said Fraction for 1,335.09 feet to the Northwest corner of said Fraction and intersection with the West line of said Southwest Quarter (SW 1/4) of Section 26; thence run N01°01'16"W along said West line for 1,322.52 feet to the West Quarter corner of said Section 26; thence run N01°00'42"W W along the West line of the Northwest Quarter (NW 1/4) of said Section 26 for 2,645.28 feet to the POINT OF BEGINNING.

Containing 1,827.35 acres, more or less.

Bearings hereinabove mentioned are based on the North line of said Section 3 to bear N89°02'20"E.

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\24069 - Cam7-Sub, LLC\surveying\descriptions\Sketch\24069SK03.doc


SEE SHEET 5
PARCEL 2
NE COR. SEC. 2
3347.79'
S01°27'49"E
4496.97'
S00°37'24"E
NE COR. SEC. 14
Section Line
5330.76'
S00°02'19"W
E 1/2
Section 11
SE COR. SEC. 14
STATE ROAD 82
(200' WIDE RIGHT OF WAY)
F.D.O.T. RIGHT OF WAY SECTION NO. 12070-2101
S74°24'28"E
5474.38'
Section 35
Township 45 South
Township 46 South
Section 2
2954.70'
S88°14'39"W
S00°42'50"E 1075.98'
5325.44'
S00°11'24"E
2623.23'
N88°33'37"E
Section 14
1/4 Section Line
N88°06'17"E 218.81'
S00°38'17"E 1000.18'
89.85'
N89°34'20"E
W 1/2
S88°57'32"W
5217.75'
200'
N00°42'20"W
4913.47'
Section Line
SE COR. SEC. 15
PARCEL 1
AREA = 4202.62 Ac.
POINT OF BEGINNING
SOUTHEAST COR. SEC. 35
Section & Township Line
Section 10
Section 3
Section 15
Section Line
Township 45 South,
Range 27 East
5301.06'
N89°02'20"E
Township 46 South,
Range 27 East
S88°56'48"W
5216.63'
SW COR. SEC. 3
SW COR. SEC. 10
SW COR. SEC. 15
NW COR. SEC. 3
N00°58'11"W
6632.47'
N01°06'50"W
5088.95'
N00°12'22"W
5552.99'
Barraco and Associates, Inc.
www.barraco.net
CAM7-SUB, LLC
A PARCEL OF LAND IN SECTION 35, TOWNSHIP 45 SOUTH, RANGE 27 EAST AND SECTIONS 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 AND 36, TOWNSHIP 46 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA
SKETCH TO ACCOMPANY DESCRIPTION
4 OF 5

THIS IS NOT A SURVEY

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
4. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
5. (P) - DENOTES PLAT.
6. P.B. - DENOTES PLAT BOOK.
7. PG. - DENOTES PAGE.
8. BEARINGS AS SHOWN ARE BASED ON THE NORTH LINE OF THE OF SECTION 3 TO BEAR N89°02'20"E.
10. DESCRIPTION IS ATTACHED.

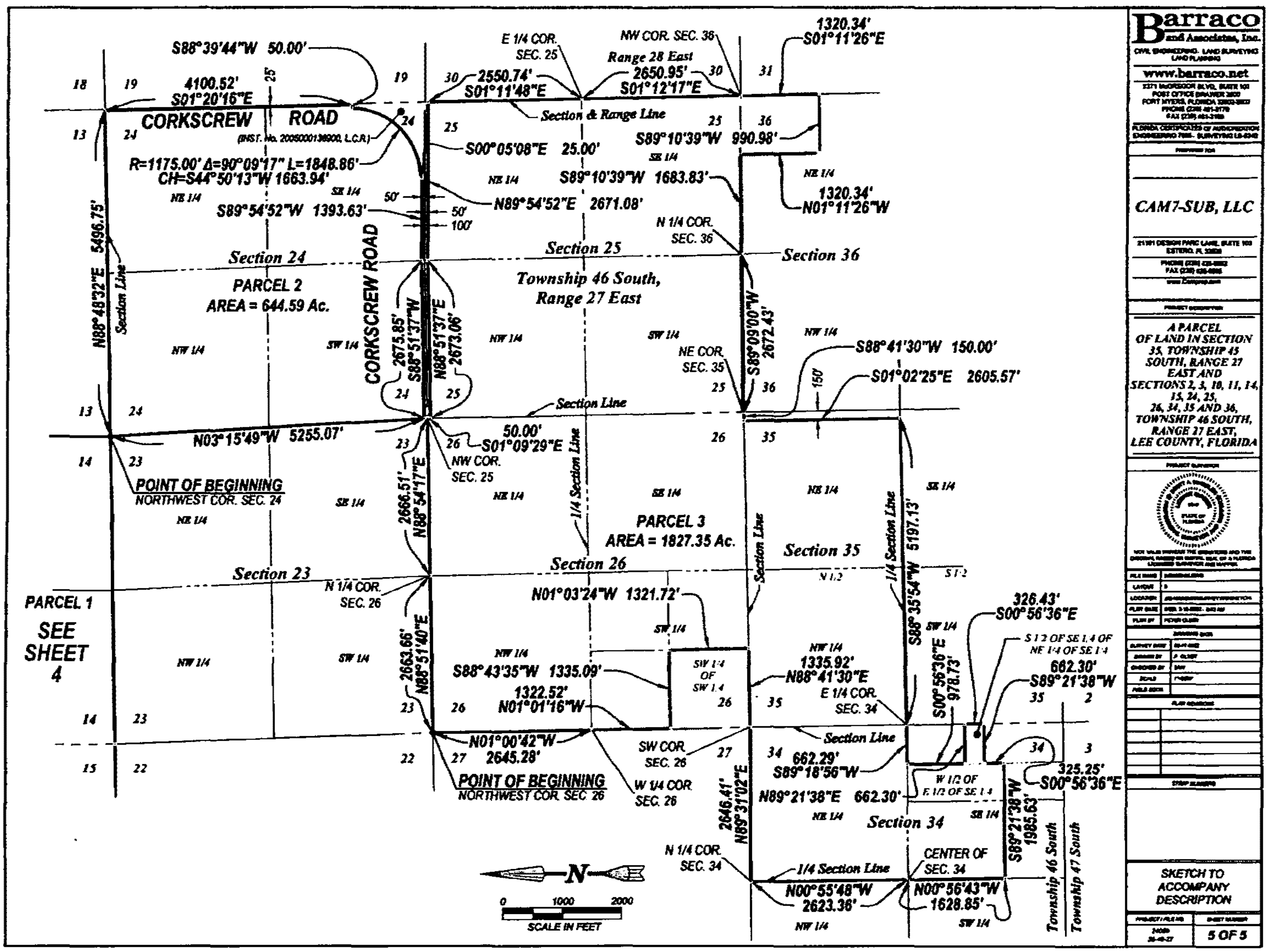
N

0 1500 3000
SCALE IN FEET

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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



S88°39'44"W 50.00'
4100.52'
S01°20'16"E
CORKSCREW ROAD
R=1175.00' Δ=90°09'17" L=1848.86'
CH=S44°50'13"W 1663.94'
S89°54'52"W 1393.63'
N88°48'32"E 5496.75'
Section Line
Section 24
PARCEL 2
AREA = 644.59 Ac.
CORKSCREW ROAD
2675.85'
S88°51'37"W
N88°51'37"E
2673.06'
N03°15'49"W 5255.07'
POINT OF BEGINNING
NORTHWEST COR. SEC. 24
Section 23
PARCEL 1
SEE SHEET 4
E 1/4 COR. SEC. 25
2550.74'
S01°11'48"E
NW COR. SEC. 36
Range 28 East
2650.95'
S01°12'17"E
1320.34'
S01°11'26"E
Section & Range Line
S00°05'08"E 25.00'
S89°10'39"W 990.98'
S89°10'39"W 1683.83'
N89°54'52"E 2671.08'
1320.34'
N01°11'26"W
N 1/4 COR. SEC. 36
Section 25
Section 36
Township 46 South,
Range 27 East
S89°09'00"W 2672.43'
NE COR. SEC. 35
S88°41'30"W 150.00'
S01°02'25"E 2605.57'
Section Line
50.00'
S01°09'29"E
NW COR. SEC. 25
2666.51'
N88°54'17"E
1/4 Section Line
PARCEL 3
AREA = 1827.35 Ac.
Section 26
Section Line
Section 35
1/4 Section Line
5197.13'
S88°35'54"W
N 1/4 COR. SEC. 26
N01°03'24"W 1321.72'
S88°43'35"W 1335.09'
1322.52'
N01°01'16"W
SW 1/4 OF SW 1/4
1335.92'
N88°41'30"E
E 1/4 COR. SEC. 34
2663.66'
N88°51'40"E
N01°00'42"W
2645.28'
POINT OF BEGINNING
NORTHWEST COR. SEC. 26
SW COR. SEC. 26
W 1/4 COR SEC. 26
Section Line
662.29'
S89°18'56"W
N89°21'38"E 662.30'
326.43'
S00°56'36"E
S 1/2 OF SE 1/4 OF NE 1/4 OF SE 1/4
662.30'
S89°21'38"W
S00°56'36"E 978.73'
W 1/2 OF E 1/2 OF SE 1/4
325.25'
S00°56'36"E
S89°21'38"W 1985.63'
Section 34
2646.41'
N89°31'02"E
N 1/4 COR. SEC. 34
1/4 Section Line
CENTER OF SEC. 34
N00°55'48"W
2623.36'
N00°56'43"W
1628.85'
Township 46 South
Township 47 South
N
0 1000 2000
SCALE IN FEET
Barraco and Associates, Inc.
www.barraco.net
CAM7-SUB, LLC
A PARCEL OF LAND IN SECTION 35, TOWNSHIP 45 SOUTH, RANGE 27 EAST AND SECTIONS 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 AND 36, TOWNSHIP 46 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA
SKETCH TO ACCOMPANY DESCRIPTION
5 OF 5

EXHIBIT "B"
LEGAL DESCRIPTION OF COUNTY EXISTING PROPERTY

Parcel 1:
A parcel of land located in Section 23, Township 46 South, Range 27 East, Lee County, Florida, being more particularly described as follows:

Commence at the Southeast corner of Section 23, Township 46 South, Range 27 East, Lee County, Florida; thence run S.89°28'06" W., along the South line of the Southeast quarter of said Section 23, for a distance of 525.38 feet a point 525.00 feet Westerly of, as measured at right angles to, the East line of the Southeast quarter of said Section 23 and the point of beginning of the parcel of land herein described; thence continue S.89°28'06"W., along the South line of the Southeast quarter of said Section 23, for a distance of 2141.32 feet to the South quarter corner of said Section 23; thence run S.89°26'02"W., along the South line of the Southwest quarter of said Section 23, for a distance of 12.65 feet; thence run N.00°34'53"W. for a distance of 1115.00 feet; thence run S.89°26'02"W., parallel with the South line of the Southwest quarter of said Section 23, for a distance of 810.00 feet; thence run N.00°34'53"W. for a distance of 888.90 feet; thence run N.89°11'45"E. for a distance of 1030.45 feet; thence run N.03°17'37"W. for a distance of 3299.20 feet to a point on the North line of said Section 23, said point being located 2798.63 feet Easterly of, as measured along the North line of said section 23, the Northwest corner of said Section 23; thence run N.89°31'47"E., along the North line of said Section 23, for a distance of 1258.65 feet to a point 1160.00 feet Westerly of, as measured along the North line of said Section 23, the Northeast corner of said Section 23; thence run S.02°42'10"E., parallel with the East line of the Northeast quarter of said Section 23, for a distance of 990.00 feet; thence run N.89°31'47"E., parallel with the North line of the Northeast quarter of said Section 23, for a distance of 634.60 feet; thence run S.02°42'10"E., parallel with the East line of said Section 23, for a distance of 4315.46 feet to the point ofbeginning.

Parcel 2:
A parcel of land located in Section 23, Township 46 South, Range 27 East, Lee County, Florida, being more particularly described as follows:

Commence at the Northwest corner of Section 23, Township 46 South, Range 27 East, Lee County Florida; thence run N.89°31'47"E., along the North line of said Section 23, for a distance of 1795.03 feet to the point of beginning of the parcel of land herein described; thence continue N.89°31'47"E., along the North line of said Section 23, for a distance of 1003.60 feet; thence run S.03°17'37"E. for a distance of 3299.20 feet; thence run S.89°11'45"W. for a distance of 1030.45 feet; thence run N.02°49'26"W. for a distance of 3303.99 feet to the point of beginning.

LOCATION	USE
POD 1	RESIDENTIAL WITH AMENITY
POD 2	RESIDENTIAL WITH AMENITY
POD 3	RESIDENTIAL WITH AMENITY
POD 4A	RESIDENTIAL WITH AMENITY OR MASTER AMENITY, COMMERCIAL
POD 4B	RESIDENTIAL WITH AMENITY
POD 5	RESIDENTIAL WITH AMENITY
POD 6	RESIDENTIAL WITH AMENITY OR MASTER AMENITY, COMMERCIAL
POD 7	RESIDENTIAL WITH AMENITY
POD 8	RESIDENTIAL WITH AMENITY
POD 9	RESIDENTIAL WITH AMENITY
POD 10	RESIDENTIAL WITH AMENITY
POD 11A	RESIDENTIAL WITH AMENITY
POD 11B	RESIDENTIAL WITH AMENITY OR COMMERCIAL
POD 12	COMMERCIAL
POD 13	COMMERCIAL
POD 14	COMMERCIAL
POD 15	COMMERCIAL
POD 16	RESIDENTIAL WITH AMENITY, CIVIC, SCHOOLS (COMMERCIAL AND NON-COMMERCIAL)
POD 17	PUBLIC SERVICES
POD 18	COMMUNITY FACILITIES
POD 19	COMMUNITY FACILITIES, RESIDENTIAL WITH AMENITIES, COMMERCIAL

MINIMUM OPEN SPACE REQUIRED @ 61%	4,002.8	AC
OPEN SPACE PROVIDED	4,002.8	AC
MINIMUM RESTORATION REQUIRED @ 50%	3280.2	AC
MINIMUM RESTORATION PROVIDED	3,287.0	AC

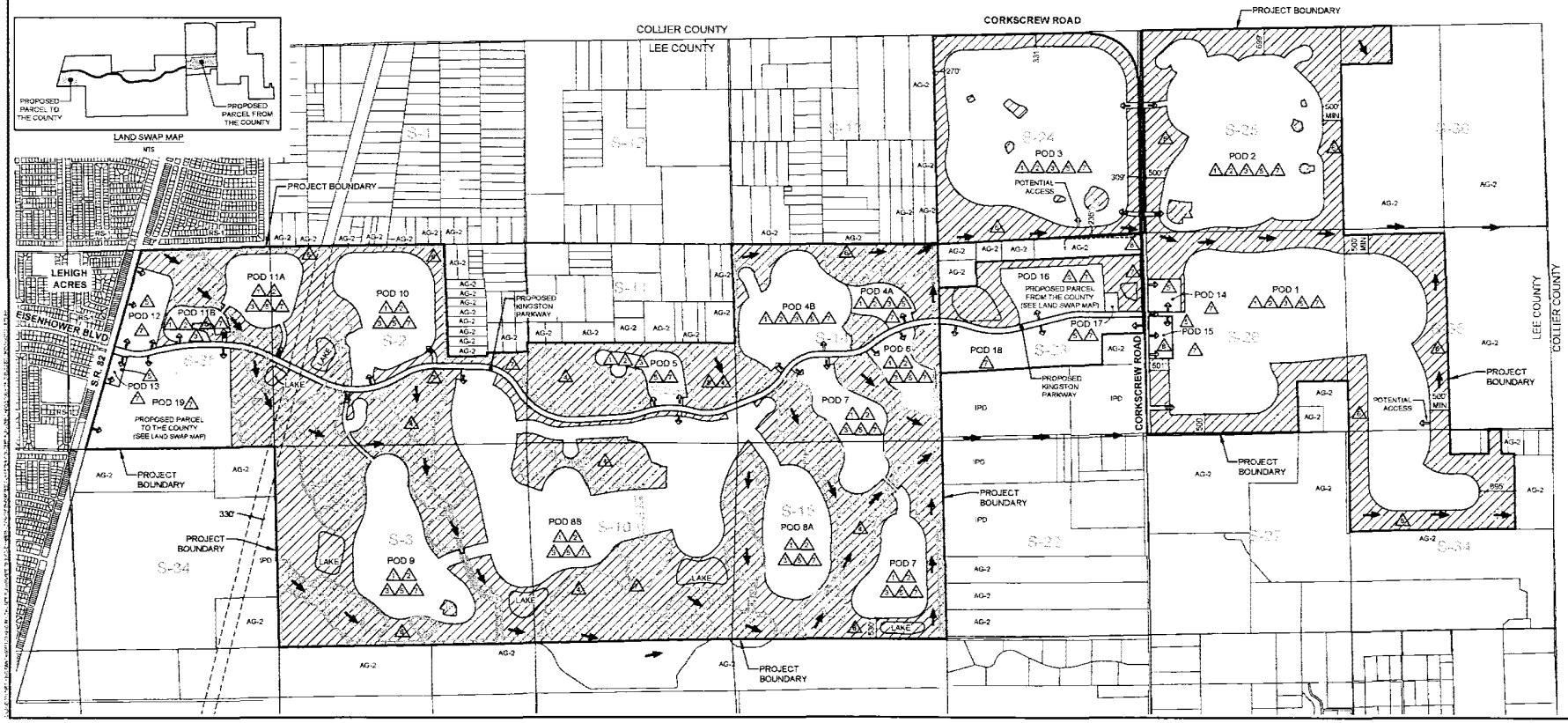
LAND USE SUMMARY	
LAND USE	APPROXIMATE ACRES
DEVELOPMENT PODS *	3,275
RESTORATION AREA	3,287
KINGSTON PKWY/CORKSCREW ROAD R/W	114
TOTAL	6,676

* RESIDENTIAL, COMMERCIAL AND AMENITY AREAS WILL CONTAIN A MINIMUM OF 648 ACRES OF LAKE AND OTHER GREEN SPACE AREA TO BE COUNTED TOWARD THE OPEN SPACE REQUIREMENT.

DEVIATIONS

1. TO ALLOW CONSTRUCTION OF ROADWAYS AS DEPICTED WITHIN THE MCP FOR INTERNAL ROADWAY AREAS.
2. TO ALLOW LAKES WITHIN DEVELOPMENT PODS TO BE EXCAVATED TO A MAXIMUM DEPTH OF 35'.
3. TO ALLOW ADDITIONAL LITTORAL PLANTINGS TO BE PLANTED IN LIEU OF DEEP LAKE TREES.
4. THE GENERAL TREE REQUIREMENT IS MET THROUGH THE USE OF EXISTING ONSITE INDIGENOUS VEGETATION AND FLOW-WAY RESTORATION PLANTS.
5. TO ALLOW FOR A SINGULAR MEANS OF INGRESS AND EGRESS TEMPORARILY DURING PROJECT DEVELOPMENT.
6. TO ALLOW CONSERVATION AND FLOW-WAY AREAS TO ACT AS A VEGETATIVE BUFFER.
7. TO ALLOW WATER MAIN LOOPS LARGER THAN 1,500 LF, AS LONG AS FIRE FLOWS ARE MET.
8. TO ALLOW ACCESS SEPARATION OF LESS THAN 660' ALONG CORKSCREW.

NOTE: DEVIATIONS NOT LIMITED TO THOSE LOCATIONS SHOWN WITHIN THE PLAN BELOW.



J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-8148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM
J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

MASTER CONCEPT PLAN

#	DATE	REVISIONS
		1ST SUBMITTAL (06-20-2022)

PROJECT # 00857-MCP
SHEET 1 of 2

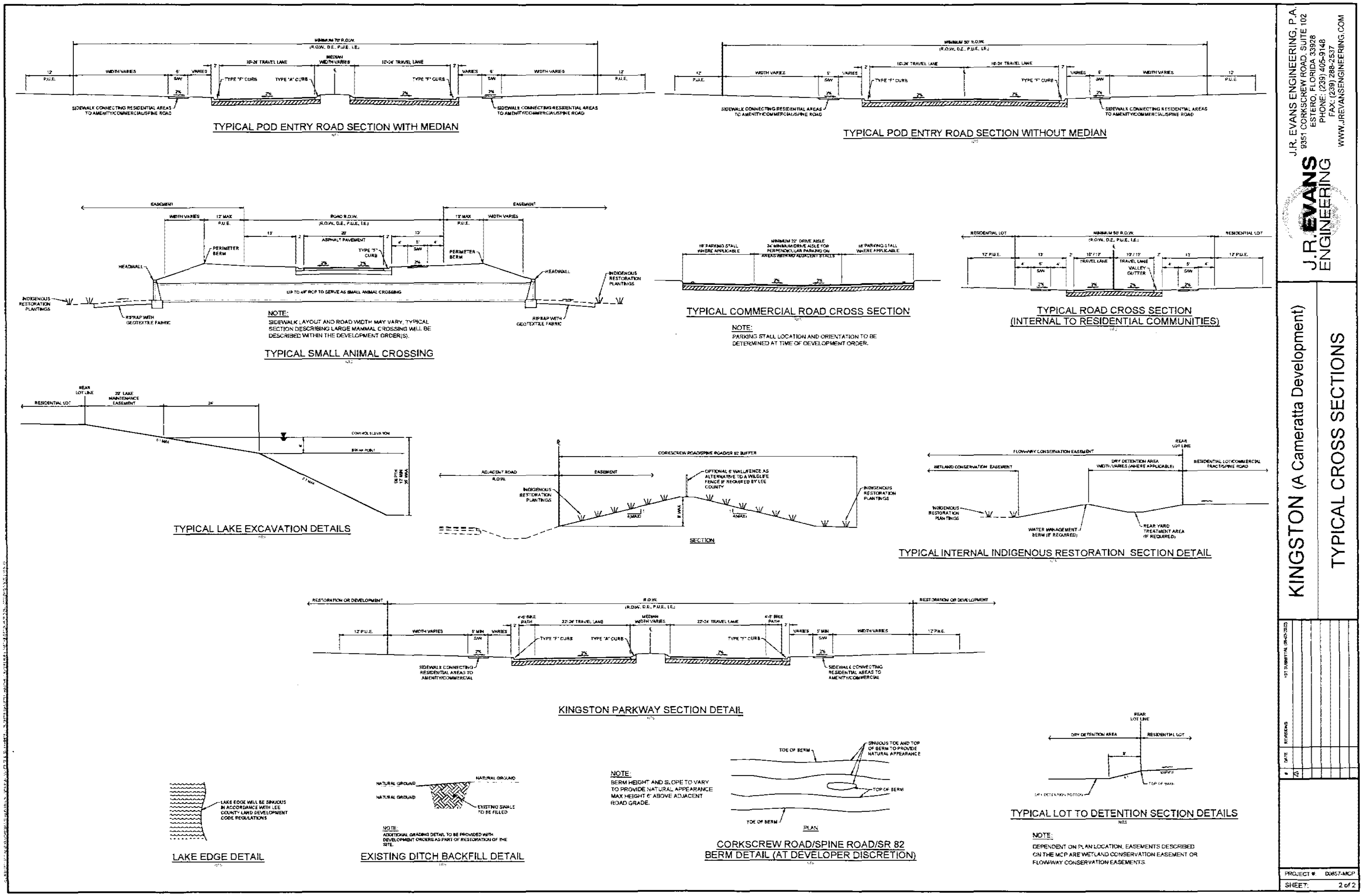

TYPICAL POD ENTRY ROAD SECTION WITH MEDIAN
SIDEWALK CONNECTING RESIDENTIAL AREAS TO AMENITY/COMMERCIAL/SPINE ROAD
TYPICAL POD ENTRY ROAD SECTION WITHOUT MEDIAN
TYPICAL SMALL ANIMAL CROSSING
NOTE:
SIDEWALK LAYOUT AND ROAD WIDTH MAY VARY. TYPICAL SECTION DESCRIBING LARGE MAMMAL CROSSING WILL BE DESCRIBED WITHIN THE DEVELOPMENT ORDER(S).
TYPICAL COMMERCIAL ROAD CROSS SECTION
NOTE:
PARKING STALL LOCATION AND ORIENTATION TO BE DETERMINED AT TIME OF DEVELOPMENT ORDER.
TYPICAL ROAD CROSS SECTION (INTERNAL TO RESIDENTIAL COMMUNITIES)
TYPICAL LAKE EXCAVATION DETAILS
SECTION
TYPICAL INTERNAL INDIGENOUS RESTORATION SECTION DETAIL
KINGSTON PARKWAY SECTION DETAIL
LAKE EDGE DETAIL
NOTE:
ADDITIONAL GRADING DETAIL TO BE PROVIDED WITH DEVELOPMENT ORDERS AS PART OF RESTORATION OF THE SITE.
EXISTING DITCH BACKFILL DETAIL
NOTE:
BERM HEIGHT AND SLOPE TO VARY TO PROVIDE NATURAL APPEARANCE MAX HEIGHT 6' ABOVE ADJACENT ROAD GRADE.
PLAN
CORKSCREW ROAD/SPINE ROAD/SR 82 BERM DETAIL (AT DEVELOPER DISCRETION)
TYPICAL LOT TO DETENTION SECTION DETAILS
NOTE:
DEPENDENT ON PLAN LOCATION, EASEMENTS DESCRIBED ON THE MCP ARE WETLAND CONSERVATION EASEMENT OR FLOWWAY CONSERVATION EASEMENTS.
J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM
J.R. EVANS ENGINEERING
KINGSTON (A Cameratta Development)
TYPICAL CROSS SECTIONS
PROJECT #: D0857-MCP
SHEET: 2 of 2

Exhibit D

Schedule of Uses

Residential Pods (1,2,3,4A,4B,5,6,7,8,9,10,11A,11B,16,19)
Accessory Uses and Structures
Accessory Buildings
Administrative Offices
Agricultural Uses, in compliance with Condition 10
Club, private
Community Gardens
Dwelling Units:
- Single-Family
- Two-Family Attached
- Duplex
- Zero Lot Line
- Townhouses
- Multi-family

Entrance Gate and Gatehouse
Essential Services, including EV Charging Stations
Essential Service Facilities, Groups I and II
Excavation, Water Retention
Fences, Walls
Home Occupation
Model Homes, Model Display Center, Model Display Group, Model Units
Parking Lot, Accessory
Real Estate Sales Office
Recreational Facilities, Personal & Private
Residential Accessory Uses
Signs, in accordance with LDC Chapter 30
Temporary Uses, in compliance with LDC section 34-3044

Amenities within Residential Pods (1,2,3,4A,4B,5,6,7,8,9,10,11A,11B,16,19)
Accessory Uses and Structures
Administrative Offices
Boat Ramps
Boat Rental, non-motorized
Clubs, private
Community Gardens
Consumption on Premises (in conjunction with Private Clubs)
Convenience Food and Beverage Store, excluding fuel pumps
Daycare, child
Entrance gate and gatehouse
Essential Services, including EV Charging Station
Essential Services Facilities, Group I and Group II
Excavation, Water Retention
Fences, walls
Fishing pier
Food and Beverage Service, limited
Food Stores, Group I

General Office
Health Clubs or Spas, as part of the private club
Parking Lot, Accessory, including EV Charging Stations, all levels
Personal Services, Group I and II,
Real Estate Sales Office
Recreational Facilities, Personal, Private on-site
Rental and Leasing Establishments, Group I
Restaurant, Groups I, II, and III (including outdoor seating and service areas)
Signs, in accordance with LDC Chapter 30
Specialty Retail Shops, Groups I and II
Temporary Uses
Any other use deemed similar in nature by the Director

Optional Master Amenity Pods (4A,6)
Accessory Uses and Structures
Administrative Offices
Agricultural Uses, in compliance with Condition 10
Boat Ramps
Boat Rental, non-motorized
Clubs, country, commercial, fraternal, membership organization, and private
Community Gardens
Consumption on Premises (in conjunction with Private Clubs)
Convenience Food and Beverage Store, excluding fuel pumps
Daycare, child
EMS, Fire, or Sheriff's station
Entrance gate and gatehouse
Essential Services, including EV Charging Stations
Essential Services Facilities, Group I and Group II
Excavation, Water Retention
Fences, walls
Food and Beverage Service, limited
Food Stores, Group I
General Office
Health Clubs or Spas, as part of the private club
Hotel (Guest lodging, up to 50 units)
Parking Lot, Accessory, including EV Charging Stations, all levels
Personal Services, Group I and II (limited to Health Clubs or Spas),
Real Estate Sales Office
Recreational Facilities, Personal, Private on-site and Private, Off Site (including but not limited to miniature golf)
Rental and Leasing Establishments, Group I
Restaurant, Groups I, II, and III (including outdoor seating and service areas)
Signs, in accordance with LDC Chapter 30
Specialty Retail, Groups I and II
Temporary Uses
Any other use deemed similar in nature by the Director

Commercial Pods (4A,6,11B,12,13,14,15,16,19)
Accessory Uses and Structures
Administrative Offices
Agricultural Uses, in compliance with Condition 10

Animal Clinic or Kennel (no outdoor runs)
Assisted Living Facility (calculated as density)
ATM (automatic teller machine)
Bait and Tackle Shop
Banks and Financial Institutions, Group I and II
Bar or cocktail lounge
Beer and Wine Sales for off-premise consumption
Building material sales
Business Services, Group I
Car wash (Pods 11B, 12, 13, and 19 only)
Cleaning and Maintenance Services (Pods 11B, 12, 13, and 19 only)
Clothing Stores, General
Clubs, commercial, fraternal and membership
Communication facility, wireless
Computer and Data Processing Services
Contractors and Builders, Group I
Consumption on Premises
Continuing Care Facilities (calculated as density)
Convenience Food and Beverage Store (24 pumps, 24 hours) (Pods 11B, 12, 13, and 19 only)
Cultural Facilities
Daycare, Child and Adult
Department store
Drive-through facility for any permitted use
Drugstore, pharmacy
EMS, Fire or Sheriff's Station
Entrance gates and gatehouses
Essential Services, EV Charging Station
Essential Services Facilities, Group I and Group II
Excavation, Water Retention
Fences, Walls
Food and beverage service, limited
Food and Kindred Products, Group II including accessory tasting room (limited to malt beverages and distilled, rectified and blended liquors)
Food Stores, Group I
Gift and Souvenir Shop
Hardware store
Healthcare Facilities, Group I, II, III, and IV
Health Club and Spa
Hobby, Toy and Game Shops
Hotel/motel
Household and Office Furnishings, Group I, and II
Hybrid Warehouse
Insurance companies
Laundry and Dry Cleaning, Group I (Pods 11B, 12, 13, and 19 only)
Laundry and Dry Cleaning, Group I (Offsite services only in Pods 4A, 6, 14, 15, 16, and 17 only)
Library
Medical Office
Mini-warehouse
Non-Store Retailers, Group I
Package Store
Paint, glass and wallpaper (Pods 11B, 12, 13, and 19 only)
Parcel and Express Services
Parking Lot: Accessory
Personal Services, Groups I, and IV
Pet Services
Pet Shop

Place of Worship
Plant nursery
Real Estate Sales Office
Recreational Facilities, Commercial, Groups I, III, and IV, (excluding Convention or Exhibit Halls)
Religious facilities
Rental or Leasing Establishments, Groups I, II, and III
Repair Shops, Groups I-III (Pods 11B, 12, 13, and 19 only)
Restaurant, fast food
Restaurant, Groups I-IV
Schools, Commercial and Noncommercial
Signs
Specialty Retail Shops, Groups I-IV
Storage, Indoor only
Studios
Temporary Uses
Theater, Indoor
Used Merchandise, Group I (excluding pawn shops)
Variety Store
Warehouse, public, private

Community Facilities Pods (18,19)
Accessory uses and structures
Administrative offices
Cultural facilities (34-622(c)(10))
Entrance gates and gatehouse
Emergency operations center
EMS, fire or sheriff's station
Essential services
Essential service facilities (34-622(c)(13)): Groups I, and II
Excavation: Water retention
Excess spoil removal
Fences, walls
Health care facilities (34-622(c)(20)): Groups I, II, III and IV
Hospice
Housing units for employees only
Library
Maintenance facility (Government)
Parks (34-622(c)(32)): Groups I and II
Parking lot:
- Accessory
- Park-and-ride
- Temporary

Post office
Signs in accordance with chapter 30
Storage: Indoor only
Temporary uses
Transportation services (34-622(c)(53)): Group III

Per Lee County LCC, 34-620, the Director is authorized to determine that uses that are not specifically listed in the uses set forth herein are permitted by right or an administrative amendment based on the placement of similar or complementary uses in the area.

Exhibit E

Conditions of Development and Deviations

CONDITIONS:

1. Master Concept Plan / Development Parameters
Development must be consistent with the Master Concept Plan (MCP) for the Kingston Property, dated May 3, 2022, attached as **Exhibit "C"** to the Agreement, and the conditions below.

a. Development must comply with the Lee County Land Development Code (LDC) in existence as of June 22, 2022 [the effective date of this Agreement]. In light of the conceptual nature of the MCP and the expected duration of the development, deviations from the LDC or other changes to the Conditions of Development, Schedule of Uses or Property Development Regulations that do not increase the height, density or intensity of the development and otherwise meet the criteria of LDC Section 34-380 may be approved administratively by the Zoning Director without a public hearing. The conditions and auxiliary documentation control should there be a conflict between the Conditions, the LDC, and/or the approved MCP.

b. The project is approved for:

1. Residential dwelling units including Assisted Living Facilities and Continuing Care Facilities not to exceed 10,000 units as outlined in the schedule of uses;
2. Amenities, internal to the Project, for use by its residents (no limitation in square footage)
3. 700,000 square feet of commercial floor area, depicted on the MCP, limited to:
    i. 150,000 square feet located on Pods 14 and 15. Any unused square footage can be reallocated to other commercial Pods described in 3(ii) and or 3(iii);
    ii. 50,000 square feet can be located on Pods 4A, 6, 16, and 17. Any unused square footage can be reallocated to other commercial Pods described in 3(iii);;
    iii. 500,000 square feet can be located on Pods 11B, 12, 13, and 19. Any unused square footage can be reallocated to other commercial Pods described in 3(ii);
4. Public facilities; and
5. 240 hotel or other transient lodging units.

c. The Land Use Summary table on the MCP reflects a minimum of 3,287 acres of created, restored, and/or enhanced areas that will be dedicated in a combination of Conservation Easements and Flowway easements and provides a minimum of 50% of the Project's gross land area less tracts to be dedicated to the County. These areas are located and identified on the MCP.

Construction phasing of the development will be subject to the following conditions:

i. Restoration and dedication of conservation and flowway areas shall occur as development orders are issued as depicted on **Exhibit "G".**
ii. Development Pods are not required to be developed sequentially according to the numbers depicted on the Development Summary table on the MCP.

iii. Phasing of the restoration as depicted on the MCP may be adjusted at time of Development Order submittals provided minimum restoration acreages are maintained to support the project:

a. For residential, a minimum restoration acreage based on the GREATER of the following options:

i. The cumulative development pod area (including previous phases) OR

ii. The number of residential dwelling units in the development pod using the following analysis whereas the Project required restoration equals 3,287 acres divided by the total Project density of 10,000 residential units times the number of units, both previously approved and proposed.

b. For commercial or amenity pods, the required acres of restoration shall be equal to the acreage of the pod being developed.

iv. A cumulative development update statement and summary table must be provided with each development order application and shown on the engineered plans containing the following information:

- Cumulative residential dwelling units and intensity of non-residential uses;
- Cumulative development pods (in acres);
- Cumulative open space (in acres); and
- Cumulative conservation and flowway areas (in acres).

v. Restoration areas must be completed within ten (10) years of commencement of restoration of each phase, regardless of the progress of development tied to each phase. If any phased restoration construction is not complete within ten (10) years from that phase restoration start date, work may not commence in future phases until such time as that incomplete restoration phase construction is completed.

2. Uses and Site Development Regulations

a. The Schedule of Uses is set forth in **Exhibit "D"** to the Agreement.

b. The Property Development Regulations are set forth in **Exhibit "F"** to the Agreement

3. Wildlife Crossings

Any wildlife crossings required for the project will be determined by the USFWS and FDEP prior to issuance of the first development order creating residential lots. Any animal crossings required by the USFWS or FDEP will be reviewed and permitted in accordance with the approved locations at time of local development order on a phase-by-phase basis and shall be consistent with the Human/Wildlife Coexistence Plan **Exhibit "J"**.

4. Protected Species Management and Human-Wildlife Coexistence Plan

The Protected Species Surveys **Exhibit "I"** must be updated every five (5) years and Human-/Wildlife Coexistence Plan **Exhibit "J"** must be updated by the Developer, if needed for the presence of new listed species, for approval by the County prior to or concurrent with the first development order application creating residential lots. The Plan and development order plans must address the following:

- Trails: The location of proposed passive trails within the restoration areas must include designated trailheads with signs with information on possible wildlife encounters and appropriate actions when encountering wildlife.

- Signs: Development order plans that include surface water management lakes or conservation areas must depict the location and typical signs for prohibiting the feeding of alligators around the lake and preservation signs that state no dumping. Distance between signs should be approximately 300ft.

- Wildlife Fencing: Must meet recommendations and requirements of the Florida Fish and Wildlife Conservation Commission (FWC) and US Fish and Wildlife Service (FWS); and

- The Development Order plans must be updated to reflect FWC and FWS requirements if permits are issued after approval of the first development order creating residential lots.

- Vegetation Removal permit applications must include a map depicting the work limit area and a species survey for the work limit area. The developer must submit a management plan for protected species within the work limit area identifying protection measures, monitoring, and/or relocation consistent with State and Federal requirements.

- Development Order plans for vertical development that includes commercial and amenity uses and areas must demonstrate use of bear resistant dumpsters and below ground grease traps.

5. Open Space

The total open space acreage shall not be less than 61% of the project's total land area less tracts to be dedicated to the County. The minimum required open space must be achieved at buildout in substantial compliance with the approved MCP. Compliance with the Project's open space addresses the open space requirements of Section 34-414 and 10-415.

6. Platting Restoration Areas

At time of platting, on a phase-by-phase basis, the Developer will plat restoration areas consisting of wetland conservation and flowways into separate tracts and dedicate those tracts to a maintenance entity, which must be either a home owners association ("HOA"), a community development district ("CDD"), an Independent Special District ("ISD"), or a governmental entity acceptable to the County that will accept responsibility for the perpetual maintenance of the restoration conservation and flowway areas in compliance with these conditions. The HOA, CDD, or ISD must be created prior to Certificate of Compliance for the first development order.

7. Conservation and Flowway Easements

The conservation and flowway easements will be dedicated to a maintenance entity that provides third party enforcement rights to the County or other public agency acceptable to the County. The easements will be dedicated in general accordance with the phasing plan attached as **Exhibit "G"** to the Agreement and will be reflected on the phased recorded plats approved by the County for the subject property. Restoration areas located within a Conservation Easement consisting of existing or mitigated wetlands can include exotic vegetation removal and native planting. Restoration areas located within a Flowway Easement can include vegetation removal, grading, lakes, drainage ways, wet and dry detention, surface water treatment, and water storage, water bodies and on/off site wildlife mitigation. The Easements will permit passive trails, kiosks, and pavilions. The combined acreages within the

Conservation Easements and Flowway easements shall satisfy the minimum required restoration acreage for the Project.

8. Indigenous Management Plans
The Indigenous Preservation, Restoration, and Management Plan **Exhibit "L"** must be updated by the Developer for approval by the County prior to or concurrent with the first development order application. The Indigenous Preservation, Restoration, and Management Plan must include the following language:

- At the time of purchase, third-party deed holders must be placed on notice through covenants and deed restrictions that project conservation and flowway areas may be managed with prescribed burns.

- Prior to commencing prescribed burn activity, the HOA, CDD, or ISD must notify residents of the prescribed burn activities and provide general prescribed burn management educational materials.

9. Agricultural Uses:
Existing agricultural areas, as shown on **Exhibit "M"** are allowed to continue on the property and convert to alternative agricultural uses subject to the following:

a. Areas of agricultural uses and field areas in existence and/or authorized by the SFWMD at the time of this Agreement, including all associated irrigation and fertilization, must be discontinued prior to issuance of a vegetation removal permit for the land area subject to the vegetation removal permit. Development orders required for offsite infrastructure construction or a Development Order for onsite infrastructure construction that does not create residential or commercial vertical construction will not require discontinuance of the agricultural use.

b. Prior to issuance of a local development order for vertical development, the developer must submit written proof, subject to approval by the County Attorney's Office, of the following:

1) Termination of bona fide agricultural uses on the land area subject to the development order application/approval for vertical construction. Proof must include a sworn affidavit from the person or entity holding title to the land area that provides:

a) the date agricultural uses are proposed to cease or will cease after harvesting;

b) the legal description of the land area subject to development order approval;

c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are prohibited on the land area and that the owner covenants with the County that they will not allow agricultural uses on the land area until it is rezoned to permit agricultural uses; and

d) that the affidavit constitutes a covenant between the owner and the County binding on the owner, their assignees and successors in interest.

The affidavit must be recorded in the public records of the County at the owner's expense.

2) Proof of termination of the agricultural tax exemption on the land area subject to the development order. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.

10. Native Vegetation
Development order landscape plans must reflect 100% native vegetation for required landscaping within common elements. These planting requirements and a native plant list must be incorporated into the project's covenants and deed restrictions.

11. Transportation

a. Notwithstanding the LDC, internal project roadways must be substantially similar to the cross sections as depicted on the MCP.
b. Roadway turn lane necessity and length at project/pod entrances will be determined at time of local development order review.
c. Signalization:

The cost of signalization including design and construction of the Spine Road intersections with Corkscrew Road, SR 82, and/or a Development Pod shall be borne by the Developer or assigns. Installation of any signalization shall be the earlier of (x) at the Developers discretion; or (y) when found necessary as such intersection meets the Manual on Uniform Traffic Control Devices (MUTCD) traffic signal warrants.

12. Vehicular/Pedestrian Impacts

a. Local Development Order. This approval does not address site-related mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

b. Impact Fees and Proportionate Share Payments. The development must mitigate the traffic impacts of the project and pay a proportionate share of the needed roadway improvements which payment shall be $2,000.00 per residential dwelling unit.

c. Shared Use Path. The developer must provide off-road shared use bike paths/sidewalks in front of each residential lot and along at least one side of every internal project roadway in substantial compliance with the cross sections depicted on the MCP (Exhibit "C").

13. Entrance Gates and Gatehouses
Entrance gates and gatehouses are permitted at development entrances within each development Pod and temporarily on the spine road from Corkscrew Road to State Road 82.

14. Surface Water Monitoring
The Enhanced Lake Management Plan **Exhibit "N"** must be updated by the Developer if needed at the time of Development Order application creating residential lots that include monitoring components of surface water quality as follows:

a. Quality of storm water (surface water) leaving the site at permitted outfalls must be monitored twice during the wet season and once during the dry season if there is water being discharged in the dry season. No discharge means no sample. Constituents sampled will consist of those outlined in **Exhibit "N"**. Reporting must consist of an Electronic Data Deliverable (EDD) in a format approved by the Lee County Department of Natural Resources and submitted biannually.

b. The Developer or HOA/CDD/ISD must annually report the findings of the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan to:

   i. assess water quality data and trend analysis;
   ii. identify potential issues, and if necessary;
   iii. recommend corrective actions to be consistent with existing State water quality standards. .

c. The Developer or HOA/CDD/ISD may amend water quality monitoring and reporting after written request, review, and approval by the Department of Natural Resources.

d. If any development order proposes to discharge into the County's MS4, the Developer will coordinate with Lee County Department of Natural Resources through the development order process to ensure available capacity.

15. Irrigation Wells

Single-Family Irrigation and Domestic Wells are prohibited. Development Order plans must demonstrate irrigation will be provided via a central irrigation system using onsite lakes, reclaimed water (if available), and/or as necessary, existing permitted wells (or replacement wells). The Property Owner Association documents, including Declarations of Covenants, must prohibit the installation of single-family use wells for potable or irrigation water. Landscape irrigation must comply with the Water Conservation Ordinance #17-04, as amended. This does not apply to wells being used for agricultural purposes prior to termination. All agricultural wells will be formally plugged and abandoned by the Developer as agricultural operations cease in conjunction with an approved Development Order.

16. Water and Sewer

All new development must connect to central water and sewer; no new septic systems or potable water wells will be permitted. Existing well and septic systems used for Property caretaker, construction and/or agricultural project manager will be properly abandoned upon the later of termination of agricultural operations or central water and sewer direct availability as determined by the Developer. The development may connect to reclaimed water if available and if the Project has been designed for its use.

17. Maintenance

The Developer and/or the HOA/CDD/ISD must submit a biennial drainage report signed by a licensed Professional Engineer in the State of Florida certifying that the drainage capacities of the flowways or buffer lakes at the completion of the project are consistent with the original design. If the report finds that flowways or buffer lakes require maintenance, then the Developer or HOA/CDD/ISD must submit a remedial plan for review and approval to address measures to conduct maintenance (i.e. re-grading the flowways or berms). Providing the County with a copy of the HOA/CDD/ISD Engineer's Report will satisfy this requirement with the additional requirements above.

18. Hydrological Restoration Plan

a. Flowway Re-establishment. The Developer will re-establish historic surface water flows through the Property consistent with Exhibit "O", within the designated conservation and flowway areas on the MCP. The Developer is responsible for providing stormwater flow through the project site until the property and permits are transferred to a third-party maintenance entity, as required by the South Florida Water Management District Applicant's Handbook for transfer of the permit(s).

b. Hydrological Restoration Plan. The Hydrological Restoration Plan, as conceptually described and depicted in the Hydrological Restoration Narrative **Exhibit "O"** and phased as depicted in **Exhibit "G"** must incorporate the requirements of Policy 33.2.4.2c of the Lee Plan and be submitted by the Developer with the first Development Order application. The Hydrological Restoration Plan must be based on an integrated surface and groundwater model to demonstrate protection of Lee County's natural resources and must include backfill and restoration of manmade ditches on the property if necessary. The Developer must phase backfill work to coincide with project development and not impede flow from agricultural operations. A key feature of the Hydrological Restoration Plan is the re-establishment of the flowways encompassed within the conservation and flowway areas on the MCP, to restore historic flowways and improve regional drainage patterns consistent with Condition 1(c).

The Hydrological Restoration Plan submitted at time of the first Development Order application must include detailed calculations and analyses for proposed flowways and other drainage improvements to estimate hydrologic benefits while ensuring no adverse impacts to adjacent properties.

The calculations/analyses must analyze post-development phases including peak stages, flows, and inundation (durations and frequency) for design storms (25 yr. - 3 day and 100 yr. -3 day) and compare hydrologic conditions for wet and dry seasons.

c. Timing. The Developer must implement the Hydrological Restoration Plan approved by the County coincident with construction of the storm water management system for each phase of development.

19. Landscape Berm

A decorative landscape berm or buffer may be installed along the frontage of Corkscrew Road, State Road 82, and the spine road at the discretion of the Developer. The berm shall be permitted a maximum height of 6 feet as measured from the crown of the higher adjacent pavement. At the Developers discretion a decorative wall or fence may also be installed on top of any landscape berm or buffer along Corkscrew Road, State Road 82, or the spine road provided the wall or fence does not impede drainage or movements of small and large mammals.

20. Development Permits.

Issuance of a county development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the county if the Developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

21. Security and Public Safety Fences

The Developer may install fences or walls to maintain security, public safety, and preservation of conservation and flowway areas, so long as it does not impede pathways identified within the

Hydrological Restoration Plan Narrative (Exhibit "O") and the Human Wildlife Coexistence Management Plan (Exhibit "J") or as deemed necessary by onsite conditions.

22. County Land Swap
Prior to the approval of the first Development Order creating residential lots the Developer will deed to the County Pod 19 and the County will deed to the Developer the County property described in **Exhibit "B"** less Pod 18. This Agreement shall create uses on Pods 18 and 19 as depicted on the MCP and described herein.

23. Letters of Availability
Letters of availability will be provided for the law enforcement, Fire, EMS, and Schools concurrent with each development order application.

24. Excess Spoil Removal
Excavated material may be moved around the Project site without requiring an off-site excess spoil removal plan per LDC 10-329(b) and (c). The movement of excess spoil material within the Exhibit "A" and "B" property is permitted regardless of ownership and will not be deemed the removal of excess spoil material off-site and there will not be a limitation on the amount of excess spoil material plan per LDC 10-329 that can be moved within the Exhibit "A" and "B" property.

25. Offsite Flows
The Development Order must demonstrate an off-site hydraulic connection to help alleviate flooding of the Wildcat Run properties to the east. The hydraulic connection relative to the individual Pods of 4A, 4B, 5, 7, 8A, and 8B must be included, constructed, installed and certified with each individual construction of Pods 4A, 4B, 5, 7, 8A, and 8B. The hydraulic connection(s) must be sized to accommodate up to an allowable 25 yr.-3 day storm event discharge rate of 25 CSM for those properties determined to flow to the connection by field reconnaissance and existing topographical maps.

26. Lake Depth (See Deviation 2)
35' maximum lake excavation depth is only within the residential development pods and subject to compliance with an enhanced deep lake management plan for water quality and groundwater monitoring and all requirements of LDC 10-329(d)(3) (except LDC Section 10-329(d)(3)a.2. requirements regarding native shade trees).

27. Deep Lake Plantings (See Deviation 3)
All lakes with a depth of more than 12 feet measured at control elevation must provide an additional 20% littoral plantings in addition to required littoral plantings in lieu of deep lake trees.

28. Wetlands
No wetlands may be impacted within the commercial pods of the Project.

DEVIATIONS

Street Design and Construction Standards

Deviation 1 grants relief from LDC Section 10-296(e)(3), which requires roadway segments in Lee Plan future non-urban areas to be designed to non-urban design standards, to allow the internal roadways to be designed to the suburban roadway standards of LDC Section 10-296(e)(2).

Maximum Lake Depth

Deviation 2 grants relief from LDC Section 10-329(d) (3)a, which requires lakes to be limited to a 20ft depth to allow for a maximum lake excavation depth not to exceed 35ft or one foot above the confining layer whichever is less. This deviation is subject to **Condition 26**.

Deep Lake Shade Trees

Deviation 3 grants relief from LDC Section 10-329(d)(3)a.2, which requires native shade trees calculated at one tree per 100 feet of lake shoreline measured at control elevation to be installed for all lakes over 12ft in depth, to allow for an additional 20% of littoral plantings from what is required in lieu of native shade trees. This deviation is subject to **Condition 27**.

General Tree Plantings

Deviation 4 grants relief from LDC Section 10-416(a) which requires general tree plantings. The general tree requirement for the Project are met through the use of existing onsite indigenous vegetation and flowway restoration plants. The flowway plants will not be subject to required minimum plant heights per LDC 10-420(c) and (d). Landscaping for parking areas and vehicle use areas must still be provided as required in the LDC.

Ingress/Egress

Deviation 5 grants relief from LDC Section 10-291(3), which requires that residential development of more than five acres and commercial development of more than ten acres provide more than one means of ingress and egress, to allow one ingress/egress per initial construction of a residential or commercial Pod with the remaining access point(s) installed prior to completion of the residential or commercial Pod. The development of any Pod that connects to the spine road shall require the spine road to connect to either Corkscrew Road or State Route 82.

Buffering Adjacent Property

Deviation 6 grants relief from LDC Section 10-416(d)(1), which requires a landscape buffer along the entire perimeter of the proposed development whenever the proposed development abuts a different use, to allow the proposed preservation and restoration areas consistent with **Exhibit "L"** to act as the buffer. This deviation does not apply to development Pods abutting SR 82 which must comply with landscape buffer requirements provided in LDC Section 10-416(d)(1) or Section 10-424, as applicable.

Water Main Installation

Deviation 7 seeks relief from LDC Section 10-384(c)(1), which requires water mains for one- and two-story residential buildings be constructed in an external loop no greater than 1,500 feet, to allow 3,700 feet provided required fire flows are met.

Access Separation

Deviation 8 seeks relief from LDC 10-285, which requires an access separation of 660 feet along principal arterials in Future Non-Urban areas to allow a connection separation distance of 460', as depicted on the MCP.

Exhibit F

Property Development Regulations (in feet)

LOTS WITHIN DEVELOPMENT PODS	Single Family	Zero Lot Line	Two Family Attached	Townhouse	Multi-Family	Res. Pod Amenity Center	Master Amenity Center Pod	Commercial
Minimum Lot Width	35	**35	27	18	100	100	100	100
Minimum Lot Depth	120	120	100	100	100	150	150	150
Minimum Lot Area	4,200	4,200	2,700	1,800	10,000	15,000	15,000	15,000
Maximum Building Height	35	35	35	35	55	55	55	55
Maximum Lot Coverage	65%	65%	70%	70%	65%	60%	60%	60%

MINIMUM SETBACKS	Single Family	Zero Lot Line	Two Family Attached	Townhouse	Multi-Family	Res. Pod Amenity Center	Master Amenity Center	Commercial
Public Street								
Corkscrew Road	100	100	100	100	100	100	N/A	100
Spine Road	100	100	100	100	100	25	25	25
State Route 82	100	100	100	100	100	N/A	N/A	25
Private Street								
Front Yard Setback	25	25	20	20	20	25	25	25
Side and Rear Yard Setbacks								
Side Yard Setback on a Corner Lot	12	12	12	12	12	25	25	25
Side Yard Setback	5	5/0 & 0/5	5/0 & 0/5	5/0 & 0/5	10	10	10	10
Rear Yard Setback Principal Structure	10	10	10	10	10	0	10	10
Rear Yard Setback Accessory Structure	5	5	5	5	5	0	5	10
Rear Yard Setback to a Lake Maintenance Easement								
Principal Structure	10	10	10	10	10	0	0	25
Accessory Structure	0	0	0	0	10	0	0	25

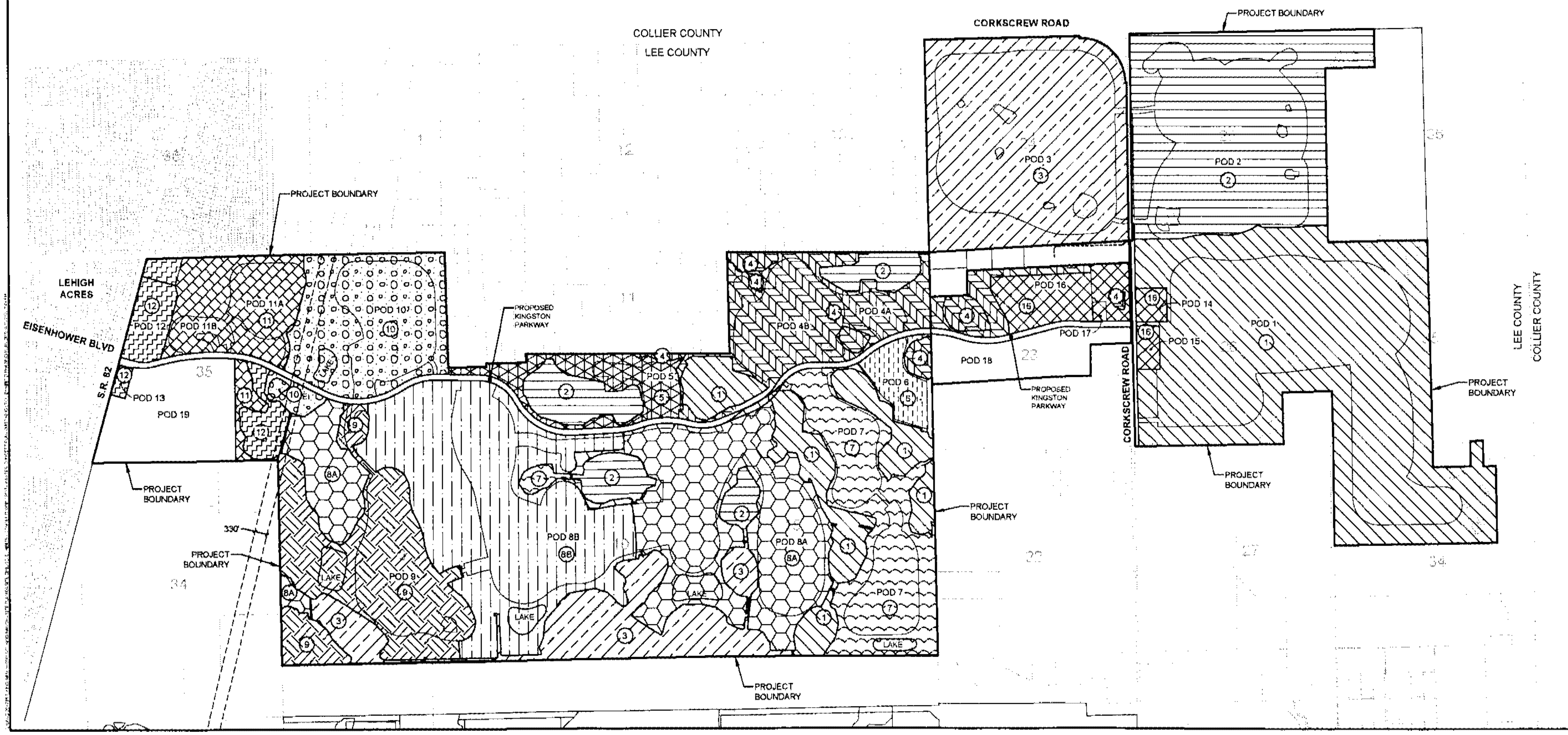
**Setbacks from existing indigenous and flowway areas from principal structures must be provided in compliance with the LDC Section 10-415(b)1.c.

POD	AREA TO BE DEVELOPED (AC) *	RESTORATION AREA (AC) *	INDIVIDUAL RESTORATION %	CUMULATIVE RESTORATION %
POD 1	671.38	733.62	52.21%	52.21%
POD 2	412.25	428.25	50.95%	51.74%
POD 3	452.27	469.11	50.91%	51.50%
POD 4	186.8	180.45	49.14%	51.26%
POD 5	43.35	65.59	60.21%	51.52%
POD 6	50.41	11.66	18.79%	50.97%
POD 7	193.67	153.03	44.14%	50.39%
POD 8-1	318.44	307.36	49.11%	50.22%
POD 8-2	329.47	350.17	51.52%	50.38%
POD 9	197.48	199.42	50.24%	50.37%
POD 10	159.12	175.7	52.48%	50.49%
POD 11	106.88	110.33	50.79%	50.50%
POD 12, 13	58.06	56.58	49.35%	50.48%
POD 14, 15, 16	101.00	44.3	30.49%	50.04%
TOTAL	3,281	3,286	50.04%	50.04%

* NOTE

EXACT ACREAGE AND RESTORATION LOCATION TO BE DETERMINED AT TIME OF DEVELOPMENT ORDER(S), IN ACCORDANCE WITH CONDITION 1(C).

(#) DENOTES PHASE NUMBER



J.R. EVANS ENGINEERING, P.A.
9351 CORKSCREW ROAD, SUITE 102
ESTERO, FLORIDA 33928
PHONE: (239) 405-9148
FAX: (239) 288-2537
WWW.JREVANSENGINEERING.COM

J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

EXHIBIT G PHASING PLAN

PROJECT #: 00857-MCP

SHEET: 1 of 1

EXHIBIT H

Development Authorization Form

AUTHORIZATION TO OBTAIN BUILDING PERMIT WITHIN CGLP/KINGSTON PLANNED DEVELOPMENT

The XYZ Corporation is hereby authorized by Corkscrew Grove Limited Partnership ("CGLP") (or successor developer), to obtain a building permit in [describe lot, tract, or property] of the CGLP/Kingston planned development.

In accordance with the Agreement entered into between CGLP and the County dated _____, 20___, this document is a limited authorization for the following amount of development to be permitted:

_____ dwelling units
_____ sq.ft. of non-residential; type of use:_____

Further, CGLP hereby assigns $_____ in Proportionate Share credits created pursuant to the Agreement. If no amount is provided, no credits have been assigned.

Building permits in excess of the number of dwelling units and/or non-residential square footage identified above or for uses other than identified above are expressly prohibited.

_____
Developer's Authorized Representative

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this _ day of _____ _____, 20___, by _____ as _____ of Corkscrew Grove Limited Partnership, a Delaware Limited Partnership, who is personally known to me or has produced _____ _____ as identification.

_____
Notary Public

(SEAL)

_____
Print Name

_____
Commission Expiration Date

EXHIBIT I

OLD CORKSCREW PLANTATION IPD
LEE COUNTY PROTECTED SPECIES SURVEY

Revised March 2015

Prepared For:

David Douglas Associates, Inc.
1821 Victoria Avenue
Fort Myers, Florida 33901
(239) 337-3330

Prepared By:

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

Project No. 06DAL1616

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INTRODUCTION

This report documents the results of the updated protected species survey (PSS) conducted by Passarella & Associates, Inc. (PAI) on the 4,202.30± acre Old Corkscrew Plantation IPD property (Project). The project was surveyed for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) as required by Lee County Zoning Application No. DCI2011-00007.

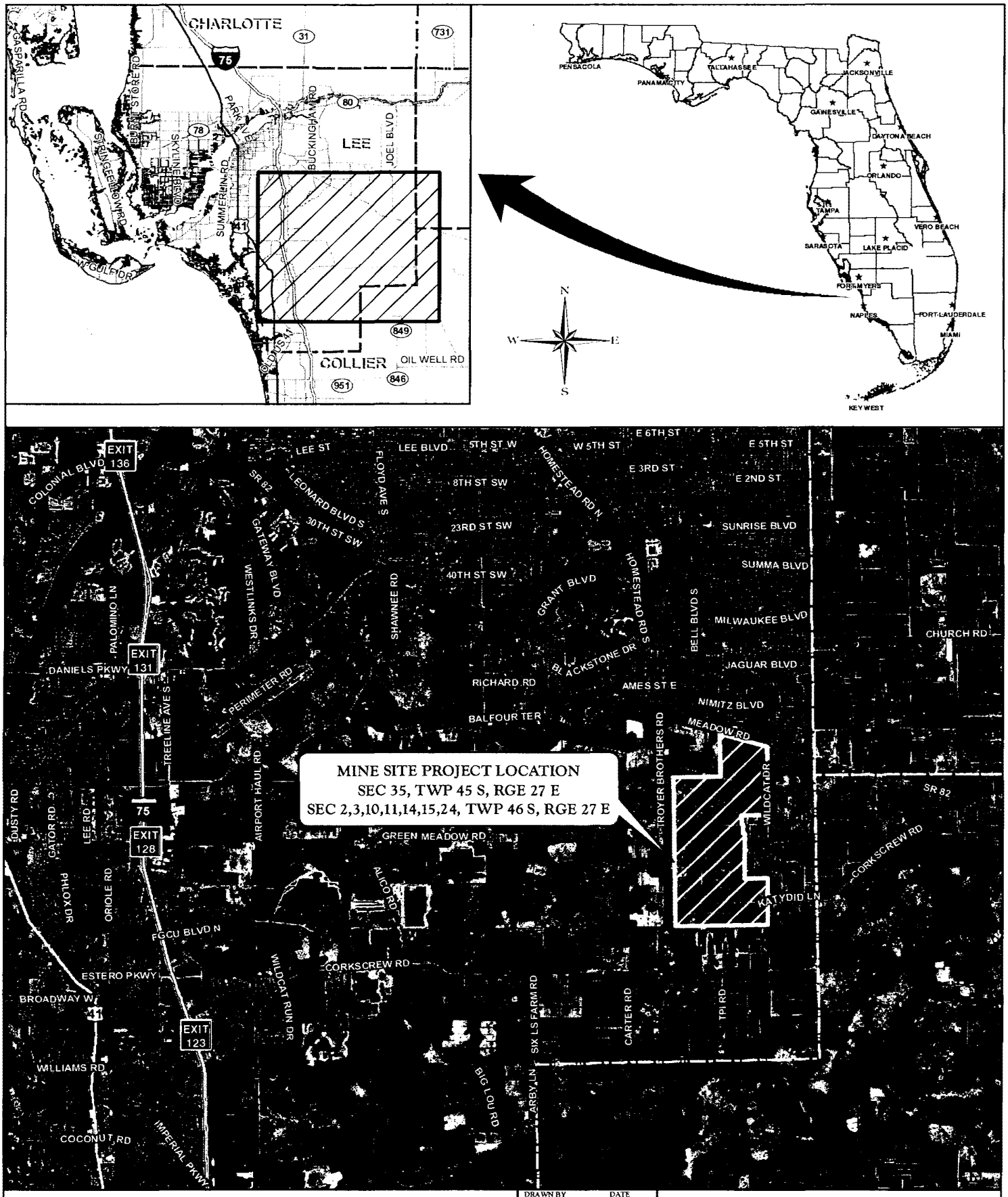
The Project is located in Section 35, Township 45 South, Range 27 East; and Sections 2, 3, 10, 11, 14, 15, and 24; Township 46 South; Range 27 East, Lee County (Figure 1). The majority of the site currently supports an active citrus grove, while the remainder of the site contains native vegetation with varying amounts of disturbance and exotic vegetation (Appendix A). The surrounding land uses include State Road (SR) 82 to the north; undeveloped, county-owned preserve lands and agricultural lands to the west; scattered single-family residences to the east; and agricultural lands and a mining operation to the south of the property. Corkscrew Road is located further south of the property.

A PSS was previously conducted for the Project in 2009. During the previous surveys, 12 Lee County protected species were documented on the Project site. The protected species identified included American alligators (*Alligator mississippiensis*) and one American alligator nest, little blue herons (*Egretta caerulea*), tri-colored herons (*Egretta tricolor*), snowy egrets (*Egretta thula*), wood storks (*Mycteria americana*), Florida sandhill cranes (*Grus canadensis pratenis*), roseate spoonbill (*Ajaia ajaja*), limpkin (*Aramus guarauna*), crested caracara (*Caracara cheriway*), and Big Cypress fox squirrels (*Sciurus niger avicennia*). Two sets of Florida panther (*Puma concolor coryi*) tracks were also observed. In addition, potential Everglade snail kite (*Rostrhamus sociabilis plumbeus*) perch trees were observed in the wetland habitats.

The updated PSS for the Project site was conducted on July 27, 2012; July 15, 16, 18, and 19, 2013; and August 2, 6, 7, 8, 9, 13, and 14, 2013. This report documents the results of the updated PSS.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation mapping for the property was accomplished using 2005 Lee County rectified aerials (Scale: 1" = 300'). Groundtruthing was conducted for the Project site on February 19, 22, 27, and 28, 2007; March 6, 7, and 8, 2007; and December 11, 2007. The vegetation associations and land uses were mapped utilizing 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 hydrological conditions and disturbances. To show levels of exotic invasion (i.e., melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebinthifolius*)), "E" codes were used. AutoCAD Map 3D 2009 software was used to determine the acreage of each mapping area, produce summaries, and generate the final FLUCFCS map. This mapping was updated in March 2009 to reflect the Florida Department of Environmental Protection (FDEP) approved and survey located wetland lines; then again in



J:\2006\06AL\16\GIS\V2015\PSS\Figures\Figure 1 Project Location Map.mxd - 9/25/2013 @ 3:24:07 PM

FIGURE 1. PROJECT LOCATION MAP
OLD CORKSCREW PLANTATION IPD

DRAWN BY	DATE
H.H.	8/22/13
REVIEWED BY	DATE
M.B.	8/22/13
REVISED	DATE

PASSARELLA & ASSOCIATES INC

March 2011 to reflect the U.S. Army Corps of Engineers (COE) approved and survey located wetland lines. The final FDEP and COE FLUCFCS map overlaid on a 2013 Lee County rectified aerial is provided as Appendix A. Table 1 provides a breakdown of the FLUCFCS codes by acreage, while a brief description of each of the FLUCFCS classifications follows. The FLUCFCS map with acreages is provided as Appendix A.

Table 1. FLUCFCS Codes and Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
221	Citrus Grove	2,742.57	65.3
3219 E1	Palmetto Prairie, Disturbed (0-24% Exotics)	1.52	<0.1
3219 E2	Palmetto Prairie, Disturbed (25-49% Exotics)	0.95	<0.1
3219 E3	Palmetto Prairie, Disturbed (50-75% Exotics)	0.83	<0.1
3219 E4	Palmetto Prairie, Disturbed (76-100% Exotics)	0.03	<0.1
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	12.61	0.3
4119 E1**	Pine Flatwoods, Disturbed (0-24% Exotics)	0.09	<0.1
4119 E2	Pine Flatwoods, Disturbed (25-49% Exotics)	0.74	<0.1
4119 E3	Pine Flatwoods, Disturbed (50-75% Exotics)	4.35	0.1
4159 E1	Pine, Disturbed (0-24% Exotics)	13.01	0.3
4221	Brazilian Pepper, Hydric	0.17	<0.1
4241	Melaleuca, Hydric	99.40	2.4
4279 E1	Live Oak, Disturbed (0-24% Exotics)	0.80	<0.1
4279 E1**	Live Oak, Disturbed (0-24% Exotics)	0.05	<0.1
4279 E2	Live Oak, Disturbed (25-49% Exotics)	0.19	<0.1
4281 E1	Cabbage Palm, Hydric (0-24% Exotics)	0.08	<0.1
4289 E1	Cabbage Palm, Disturbed (0-24% Exotics)	0.68	<0.1
4289 E2	Cabbage Palm, Disturbed (25-49% Exotics)	1.10	<0.1
4291 E1	Wax Myrtle/Willow, Hydric (0-24% Exotics)	0.23	<0.1
4291 E2	Wax Myrtle/Willow, Hydric (25-49% Exotics)	0.41	<0.1
4291 E3	Wax Myrtle/Willow, Hydric (50-75% Exotics)	0.29	<0.1
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	7.79	0.2
4349 E1**	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	1.86	<0.1
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	2.13	0.1
4349 E2**	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	0.23	<0.1
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	0.05	<0.1
514	Ditch	134.60	3.2

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
514*	Ditch	18.16	0.4
514***	Ditch	0.97	<0.1
525*	Shallow Pond	0.07	<0.1
6179 E1	Mixed Wetland Hardwoods, Disturbed (0-24% Exotics)	1.85	<0.1
6179 E2	Mixed Wetland Hardwoods, Disturbed (25-49% Exotics)	0.07	<0.1
6179 E3	Mixed Wetland Hardwoods, Disturbed (50-75% Exotics)	0.30	<0.1
6189 E1	Willow, Disturbed (0-24% Exotics)	1.80	<0.1
6189 E3	Willow, Disturbed (50-75% Exotics)	3.48	0.1
6189 E4	Willow, Disturbed (76-100% Exotics)	0.35	<0.1
6215 E2	Cypress, Disturbed and Drained (25-49% Exotics)	0.08	<0.1
6219 E1	Cypress, Disturbed (0-24% Exotics)	455.64	10.8
6219 E2	Cypress, Disturbed (25-49% Exotics)	53.56	1.3
6219 E3	Cypress, Disturbed (50-75% Exotics)	76.78	1.8
6219 E4	Cypress, Disturbed (76-100% Exotics)	17.48	0.4
6245 E1	Cypress/Pine, Disturbed and Drained (0-24% Exotics)	0.14	<0.1
6249 E1	Cypress/Pine/Cabbage Palm, Disturbed (0-24% Exotics)	66.42	1.6
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	19.64	0.5
6249 E3	Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics)	23.43	0.6
6249 E4	Cypress/Pine/Cabbage Palm, Disturbed (76-100% Exotics)	0.14	<0.1
6259 E1	Pine, Hydric, Disturbed (0-24% Exotics)	7.47	0.2
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	1.59	<0.1
6259 E3	Pine, Hydric, Disturbed (50-75% Exotics)	5.84	0.1
6259 E4	Pine, Hydric, Disturbed (76-100% Exotics)	0.08	0.0
6309 E1	Mixed Wetland Forest, Disturbed (0-24% Exotics)	9.63	0.2
6309 E2	Mixed Wetland Forest, Disturbed (25-49% Exotics)	6.00	0.1
6309 E3	Mixed Wetland Forest, Disturbed (50-75% Exotics)	0.85	<0.1
6411 E1	Freshwater Marsh, Sawgrass (0-24% Exotics)	1.11	<0.1
6412 E1	Freshwater Marsh, Cattail (0-24% Exotics)	13.07	0.3
6419 E1	Freshwater Marsh, Disturbed (0-24% Exotics)	100.20	2.4

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
6419 E2	Freshwater Marsh, Disturbed (25-49% Exotics)	2.77	0.1
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	12.53	0.3
6419 E4	Freshwater Marsh, Disturbed (76-100% Exotics)	56.11	1.3
6439 E1	Wet Prairies, Disturbed (0-24% Exotics)	8.10	0.2
6439 E2	Wet Prairies, Disturbed (25-49% Exotics)	0.43	<0.1
6439 E3	Wet Prairies, Disturbed (50-75% Exotics)	0.12	<0.1
6439 E4	Wet Prairies, Disturbed (76-100% Exotics)	24.22	0.6
740	Disturbed Land	31.60	0.8
7401	Disturbed Land, Hydric	15.79	0.4
742	Borrow Area	<0.01	<0.1
742*	Borrow Area	0.23	<0.1
743	Spoil Area	8.38	0.2
747	Berm	118.28	2.8
8146	Dirt Road	5.73	0.1
8321	Electrical Power Transmission Line, Hydric	5.05	0.1
	Total	**4,202.30**	**100.0**

*Denotes FDEP and COE Wetland
**Denotes FDEP other surface water
***Denotes COE Isolated Wetland

Citrus Grove (FLUCFCS Code 221)
This upland habitat type contains active citrus trees in the canopy and sub-canopy. The ground cover contains sod grass (*Poaceae* sp.), Florida tasselflower (*Emilia fosbergii*), beggar-tick (*Bidens alba*), water pennywort (*Hydrocotyle umbellata*), thistle (*Cirsium* sp.), wild balsam apple (*Momordica charantia*), ragweed (*Ambrosia* sp.), lantana (*Lantana camara*), caesarweed (*Urena lobata*), torpedograss (*Panicum repens*), and widely scattered primrose willow (*Ludwigia peruviana*).

Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)
This upland habitat type contains widely scattered melaleuca and scattered slash pine (*Pinus elliottii*) in the canopy. The sub-canopy is dominated by saw palmetto (*Serenoa repens*) and also contains scattered wax myrtle (*Myrica cerifera*). The ground cover is dominated by saw palmetto and also contains widely scattered swamp fern (*Blechnum serrulatum*).

Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)
This disturbed upland habitat type is similar to that of FLUCFCS Code 3219 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)
This disturbed upland habitat type is similar to that of FLUCFCS Code 3219 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Palmetto Prairie, Disturbed (76-100% Exotics) (FLUCFCS Code 3219 E4)
This upland habitat type is similar to that of FLUCFCS Code 3219 E3, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)
This upland habitat type is dominated by slash pine in the canopy and also contains cabbage palm (*Sabal palmetto*) and scattered melaleuca. The sub-canopy contains slash pine, cabbage palm, myrsine (*Rapanea punctata*), scattered wax myrtle, scattered melaleuca, and scattered Brazilian pepper. The ground cover is dominated by saw palmetto and also contains wax myrtle, caesarweed, wiregrass (*Aristida stricta*), blackberry (*Rubus* sp.), ragweed, melaleuca, and Brazilian pepper.

Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)
This upland habitat type is similar to that of FLUCFCS Code 4119 E1, except with higher concentrations of Brazilian pepper and melaleuca in the canopy and sub-canopy.

Pine Flatwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 4119 E3)
This disturbed upland habitat type is similar to that of FLUCFCS Code 4119 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 4159 E1)
This upland habitat type is dominated by slash pine in the canopy. The sub-canopy contains slash pine and scattered Brazilian pepper. The ground cover contains pineland heliotrope (*Heliotropium polyphyllum*), wax myrtle, caesarweed, wiregrass, blackberry, ragweed, melaleuca, and Brazilian pepper.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
This disturbed wetland habitat type is dominated by Brazilian pepper in the canopy and sub-canopy. The ground cover is mostly open.

Melaleuca, Hydric (FLUCFCS Code 4241)
This disturbed wetland habitat type is dominated by melaleuca in the canopy and also contains widely scattered slash pine and bald cypress (*Taxodium distichum*). The sub-canopy is dominated by melaleuca and also contains widely scattered bald cypress and wax myrtle. The ground cover contains wax myrtle, rosy camphorweed (*Pluchea rosea*), and scattered beaksedge (*Rhynchospora microcarpa*).

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)
This upland habitat type is dominated by live oak (*Quercus virginiana*) and laurel oak (*Quercus laurifolia*), and also contains cabbage palm in the canopy. The sub-canopy contains cabbage palm, laurel oak, and wax myrtle. The ground cover contains saw palmetto, cabbage palm, and scattered swamp fern.

Live Oak, Disturbed (25-49% Exotics) (FLUCFCS Code 4279 E2)
This upland habitat type is similar to that of FLUCFCS Code 4279 E1, except with higher concentrations of Brazilian pepper and melaleuca in the canopy and sub-canopy.

Cabbage Palm, Disturbed, Hydric (0-24% Exotics) (FLUCFCS Code 4281 E1)
This wetland habitat type is dominated by cabbage palm in the canopy. The sub-canopy contains cabbage palm and scattered wax myrtle. The ground cover contains beaksedge (*Ryhnchospora* sp.) and swamp fern.

Cabbage Palm, Disturbed (0-24% Exotics) (FLUCFCS Code 4289 E1)
This upland habitat type is dominated by cabbage palm and also contains scattered laurel oak in the canopy. The sub-canopy contains saw palmetto, wax myrtle, cabbage palm, melaleuca, and Brazilian pepper. The ground cover is dominated by saw palmetto and also contains scattered swamp fern.

Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 4289 E2)
This upland habitat type is similar to that of FLUCFCS Code 4289 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Wax Myrtle/Willow, Hydric (0-24% Exotics) (FLUCFCS Code 4291 E1)
This wetland habitat type contains an open canopy. The sub-canopy is dominated by wax myrtle and willow (*Salix caroliniana*) and also contains saltbush (*Baccharis halimifolia*), slash pine, and Brazilian pepper. The ground cover contains bushy bluestem (*Andropogon glomeratus*), broomsedge (*Andropogon virginicus*), gulfdune paspalum (*Paspalum monostachyum*), Asiatic pennywort (*Centella asiatica*), and water pennywort.

Wax Myrtle/Willow, Hydric (25-49% Exotics) (FLUCFCS Code 4291 E2)
This wetland habitat type is similar to that of FLUCFCS Code 4291 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Wax Myrtle/Willow, Hydric (50-75% Exotics) (FLUCFCS Code 4291 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 4291 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
This upland habitat type contains slash pine, cabbage palm, laurel oak, live oak, and scattered melaleuca in the canopy. The sub-canopy contains slash pine, cabbage palm, laurel oak, live oak, and Brazilian pepper. The ground cover is dominated by saw palmetto and also contains cabbage palm, laurel oak, water pennywort, spermacoce (*Spermacoce verticillata*), bahiagrass (*Paspalum notatum*), and scattered swamp fern.

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
This upland habitat type is similar to that of FLUCFCS Code 4349 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
This disturbed upland habitat type is similar to that of FLUCFCS Code 4349 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Ditch (FLUCFCS Code 514)
This other surface water (OSW) has an open canopy. The sub-canopy along the banks and within the ditches contains willow, primrose willow, Brazilian pepper, and wax myrtle. The ground cover contains water spangles (*Salvinia minima*), pickerelweed (*Pontedaria cordata*), maidencane (*Panicum hemitomon*), primrose willow, cattail (*Typha* sp.), and the exotic species torpedograss. The ditches are associated with the citrus groves.

Shallow Pond (FLUCFCS Code 525)
This area contains minimal vegetation.

Mixed Wetland Hardwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 6179 E1)
This wetland habitat type contains laurel oak, swamp bay (*Persea palustris*), cabbage palm, bald cypress, and melaleuca in the canopy. The sub-canopy contains cabbage palm, dahoon holly (*Ilex cassine*), myrsine, and Brazilian pepper. The ground cover contains swamp fern and scattered saw palmetto.

Mixed Wetland Hardwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 6179 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6179 E1, but contains a higher concentration of melaleuca in the canopy and Brazilian pepper in the sub-canopy.

Mixed Wetland Hardwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 6179 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6179 E2, but contains a higher concentration of melaleuca in the canopy and Brazilian pepper in the sub-canopy.

Willow, Disturbed (0-24% Exotics) (FLUCFCS Code 6189 E1)
This wetland habitat type contains an open canopy with scattered willow and red maple (*Acer rubrum*). The sub-canopy is dominated by willow and also contains scattered primrose willow and Brazilian pepper. The ground cover contains maidencane, water pennywort, Asiatic pennywort, and spike rush (*Eleocharis* sp.).

Willow, Disturbed (50-75% Exotics) (FLUCFCS Code 6189 E3)
This disturbed wetland habitat type is dominated by willow in the canopy and also contains scattered melaleuca, bald cypress, cabbage palm, and red maple. The sub-canopy is dominated by willow, wax myrtle, and Brazilian pepper and also contains scattered bald cypress, scattered melaleuca, and scattered red maple. The ground cover contains sawgrass (*Cladium jamaicense*), leather fern (*Acrostichum* sp.), swamp fern, wax myrtle, Brazilian pepper, saltbush, bushy bluestem, water pennywort, shield fern (*Thelypteris* sp.), and scattered fireflag (*Thalia*

geniculata). The invasive exotic vine Old World climbing fern (*Lygodium microphyllum*) has taken over some of the wetlands.

Willow, Disturbed (76-100% Exotics) (FLUCFCS Code 6189 E4)
This disturbed wetland habitat is similar to that of FLUCFCS Code 6189 E3, except with higher concentrations of primrose willow and Brazilian pepper in the sub-canopy.

Cypress, Disturbed and Drained (0-24% Exotics) (FLUCFCS Code 6215 E2)
This disturbed and drained upland habitat contains bald cypress, scattered live oak, and cabbage palm in the canopy. The sub-canopy contains Brazilian pepper and wax myrtle. The ground cover contains caesarweed, Boston fern (*Nephrolepis exaltata*), smutgrass (*Sporobolus indicus*), ragweed, hairy beggar-tick (*Bidens pilosa*), flatsedge (*Cyperus ligularis*), and dog fennel (*Eupatorium capillifolium*). The vine layer contains muscadine grape (*Vitis rotundifolia*).

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)
This wetland habitat type is dominated by bald cypress and also contains scattered melaleuca, scattered laurel oak, scattered red maple, and scattered slash pine in the canopy. The sub-canopy contains bald cypress, cabbage palm, wax myrtle, dahoon holly, pond apple (*Annona glabra*), myrsine, scattered red maple, scattered Brazilian pepper, and scattered melaleuca. The ground cover contains swamp fern, Asiatic pennywort, saltbush, bog-hemp (*Boehmeria cylindrica*), wax myrtle, cabbage palm, rosy camphorweed, coco plum (*Chrysobalanus icaco*), spike rush, maidencane, torpedograss, saw palmetto, panicum (*Panicum* sp.), sawgrass, and widely scattered cattail. The vine layer contains morning glory (*Ipomoea* sp.), climbing hempvine (*Mikania scandens*), greenbrier (*Smilax* sp.), and muscadine grape.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
This wetland habitat is similar to that of FLUCFCS Code 6219 E1, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)
This disturbed wetland habitat is similar to that of FLUCFCS Code 6219 E2, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)
This disturbed wetland habitat type is dominated by bald cypress and melaleuca in the canopy and also contains scattered dahoon holly. The sub-canopy contains bald cypress, melaleuca, Brazilian pepper, and wax myrtle. The ground cover contains swamp fern, water pennywort, wax myrtle, little blue maidencane (*Amphicarpum muhlenbergianum*), Asiatic pennywort, royal fern (*Osmunda regalis*), shield fern, bushy bluestem, Brazilian pepper, rosy camphorweed, maidencane, scattered pickerelweed, and scattered spike rush. The vine layer contains climbing hempvine. The invasive exotic vine Old World climbing fern has taken over the northernmost isolated wetland.

Cypress/Pine, Disturbed and Drained (0-24% Exotics) (FLUCFCS Code 6245 E1)
This disturbed upland habitat type contains slash pine, bald cypress, cabbage palm, and scattered melaleuca in the canopy. The sub-canopy contains slash pine, bald cypress, cabbage palm,

myrsine, scattered melaleuca, and scattered Brazilian pepper. The ground cover contains saw palmetto and swamp fern.

Cypress/Pine/Cabbage Palm, Disturbed (0-24% Exotics) (FLUCFCS Code 6249 E1)
This wetland habitat type contains slash pine, bald cypress, cabbage palm, and scattered melaleuca in the canopy. The sub-canopy contains slash pine, bald cypress, cabbage palm, myrsine, scattered melaleuca, and scattered Brazilian pepper. The ground cover contains swamp fern, Asiatic pennywort, cabbage palm, wiregrass, melaleuca, torpedograss, maidencane, gulfdune paspalum, wax myrtle, beaksedge, corkwood (*Stillingia aquatica*), and widely scattered saw palmetto.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6249 E1, except with higher concentrations of Brazilian pepper and melaleuca in the canopy and sub-canopy, and also contains scattered downy rose myrtle (*Rhodomyrtus tomentosus*) in the sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics) (FLUCFCS Code 6249 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6249 E2 except with higher concentrations of Brazilian pepper, melaleuca, and downy rose myrtle in the sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 6249 E4)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6249 E3 except with higher concentrations of Brazilian pepper, melaleuca, and downy rose myrtle in the sub-canopy.

Pine, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1)
This wetland habitat type is dominated by slash pine and also contains scattered cabbage palm and widely scattered melaleuca. The sub-canopy contains slash pine, wax myrtle, cabbage palm, scattered Brazilian pepper, and widely scattered melaleuca. The ground cover is dominated by wiregrass and also includes torpedograss, ragweed, swamp fern, little blue maidencane, caesarweed, frog fruit (*Phyla nodiflora*), rosy camphorweed, Asiatic pennywort, Brazilian pepper, tickseed (*Coreopsis* sp.), pineland heliotrope, and scattered saw palmetto. The vine layer contains climbing hempvine and muscadine grape.

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E1, but with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 6259 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6259 E2, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Pine, Hydric, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6259 E3, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Mixed Wetland Forest, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)
This wetland habitat type contains red maple, bald cypress, and laurel oak in the canopy. The sub-canopy contains red maple, bald cypress, laurel oak, myrsine, wax myrtle, Brazilian pepper, swamp bay, and cabbage palm. The ground cover includes swamp fern, tickseed, coco plum, red maple, maidencane, fennel (*Foeniculum vulgare*), cinnamon fern (*Osmunda cinnamomea*), rosy camphorweed, and cabbage palm. The vine layer contains muscadine grape and climbing hempvine.

Mixed Wetland Forest, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E1, but with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Mixed Wetland Forest, Disturbed (50-75% Exotics) (FLUCFCS Code 6309 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6309 E2, but with higher concentrations of Brazilian pepper in the sub-canopy.

Freshwater Marsh, Sawgrass (0-24% Exotics) (FLUCFCS Code 6411 E1)
This wetland habitat type contains a predominately open canopy and sub-canopy. The ground cover is dominated by sawgrass.

Freshwater Marsh, Cattail (0-24% Exotics) (FLUCFCS Code 6412 E1)
This disturbed wetland habitat type contains a predominately open canopy and sub-canopy. The ground cover is dominated by cattail.

Freshwater Marsh, Disturbed (0-24% Exotics) (FLUCFCS Code 6419 E1)
This wetland habitat type contains scattered cypress and widely scattered melaleuca in the canopy. The sub-canopy contains scattered cypress, widely scattered willow, cabbage palm, primrose willow, and pond apple. The ground cover contains sawgrass, maidencane, corkwood, swamp fern, shield fern, smartweed (*Polygonum* sp.), spike rush, arrowhead (*Sagittaria lancifolia*), pickerelweed, fireflag, cattail, and the exotic species torpedograss.

Freshwater Marsh, Disturbed (25-49% Exotics) (FLUCFCS Code 6419 E2)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6419 E1, but with widely scattered melaleuca in the canopy, sub-canopy, and higher densities of torpedograss in the ground cover.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6419 E2, but with higher densities of torpedograss in the ground cover.

Freshwater Marsh, Disturbed (75-100% Exotics) (FLUCFCS Code 6419 E4)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6419 E3, but with higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (0-24% Exotics) (FLUCFCS Code 6439 E1)
This wetland habitat type contains widely scattered slash pine and cypress in the canopy. The sub-canopy contains wax myrtle and widely scattered bald cypress. The ground cover contains panicum, wax myrtle, frog fruit, sand cordgrass (*Spartina bakeri*), gulfdune paspalum, corkwood, maidencane, wiregrass, bushy bluestem, rosy camphorweed, and scattered sawgrass.

Wet Prairies, Disturbed (25-49% Exotics) (FLUCFCS Code 6439 E2)
This wetland habitat type contains widely scattered cypress in the canopy. The sub-canopy contains scattered Brazilian pepper, buckthorn (*Sideroxylon reclinatum*), and slash pine. The ground cover contains panicum, rosy camphorweed, rush fuirena (*Fuirena scirpoidea*), frog fruit, and torpedograss.

Wet Prairies, Disturbed (50-75% Exotics) (FLUCFCS Code 6439 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6439 E2, but with widely scattered melaleuca in the canopy and sub-canopy, and higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (76-100% Exotics) (FLUCFCS Code 6439 E4)
This disturbed wetland habitat type contains an open canopy. The sub-canopy contains scattered melaleuca, scattered willow, and scattered wax myrtle. The ground cover is dominated by the exotic species torpedograss and also contains cattail and sawgrass.

Disturbed Land (FLUCFCS Code 740)
This disturbed upland area contains widely scattered slash pine in the canopy. The sub-canopy contains scattered slash pine, Brazilian pepper, and wax myrtle. The ground cover contains sod grass, dog fennel, beggar-tick, crowfoot grass (*Dactyloctenium aegyptium*), balsam apple, bahiagrass, lantana, caesarweed, natalgrass (*Rhynchelytrum repens*), and scattered saw palmetto.

Disturbed Land, Hydric (FLUCFCS Code 7401)
This disturbed wetland area contains scattered slash pine in the canopy. The sub-canopy contains scattered wax myrtle, melaleuca, primrose willow, Brazilian pepper, and bald cypress. The ground cover contains cattail, torpedograss, maidencane, little blue maidencane, Asiatic pennywort, slash pine, and primrose willow. The vine layer contains climbing hempvine.

Borrow Area (FLUCFCS Code 742)
This potential OSW contains minimal vegetation. The borrow area appears to have been created to acquire fill for a berm connecting two adjacent citrus groves.

Spoil Area (FLUCFCS Code 743)
There are several spoil areas throughout the property. Most of the piles appear to have been created when the agricultural ditches were dug out. The canopy and sub-canopy of the spoil contains scattered slash pine and Brazilian pepper. The ground cover contains caesarweed, maidencane, natalgrass, dog fennel, ragweed, and torpedograss.

Berm (FLUCFCS Code 747)
There are maintained berms surrounding the exterior of a majority of the wetland systems. The berms contain an open canopy. The sub-canopy contains scattered Brazilian pepper. The ground cover contains ragweed, Florida tasselflower, natalgrass, lantana, beggar-tick, bahiagrass, caesarweed, and dog fennel.

Dirt Road (FLUCFCS Code 8146)
A dirt road runs in a north-south direction along the northeast portion of the property.

Electrical Power Transmission Line, Hydric (FLUCFCS Code 8321)
There are two sets of power lines that run in a northwest-southeast direction on the northern portion of the property. The land is maintained and contains torpedograss in the ground cover.

SURVEY METHODOLOGY AND DISCUSSION

As outlined in the LDC, surveys for Lee County protected species were based on the presence of specific vegetation associations and habitat types identified on-site. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet or exceed the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Division of Environmental Sciences (DES), these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
221*	Citrus Grove	Crested Caracara (*Caracara cheriway*)
3219 E1 3219 E2 3219 E3 3219 E4	Palmetto Prairie, Disturbed (0-100% Exotics)	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana capito*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Crested Caracara (*Caracara cheriway*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmania (*Burmania flava*)
		Florida Coontie (*Zamia floridana*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
4119 E1 4119 E2 4119 E3	Pine Flatwoods, Disturbed (0-75% Exotics)	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana capito*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Bald Eagle (*Haliaeetus leucocephalus*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Fakahatchee Burmania (*Burmania flava*)
		Satinleaf (*Chrysophyllum oliviforme*)
		Florida Coontie (*Zamia floridana*)
4159 E1*	Pine, Disturbed (0-24% Exotics)	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana capito*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-Cockaded Woodpecker (*Picoides borealis*)
		Bald Eagle (*Haliaeetus leucocephalus*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Fakahatchee Burmania (*Burmania flava*)
		Satinleaf (*Chrysophyllum oliviforme*)
		Florida Coontie (*Zamia floridana*)
4221*	Brazilian Pepper, Hydric	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Frog (*Rana capito*)
4241*	Melaleuca, Hydric	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Frog (*Rana capito*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
4279 E1 4279 E2	Live Oak, Disturbed (0-49% Exotics)	Eastern Indigo Snake (*Drymarchon couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
4279 E1 4279 E2	Live Oak, Disturbed (0-49% Exotics) (Continued)	Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
		Hand Adder's Tongue Fern (*Ophioglossum palmatum*)
		Twisted Air Plant (*Tillandsia flexuous*)
		Eastern Indigo Snake (*Drymarchon couperi*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Crested Caracara (*Caracara cheriway*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
4289 E1 4289 E2	Cabbage Palm, Disturbed (0-49% Exotics)	Eastern Indigo Snake (*Drymarchon couperi*)
		Crested Caracara (*Caracara cheriway*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
4291 E1* 4291 E2* 4291 E3*	Wax Myrtle/Willow, Hydric (0-75% Exotics)	Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
4349 E1 4349 E2 4349 E3	Hardwood/Conifer Mixed, Disturbed (0-75% Exotics)	Florida Panther (*Puma concolor coryi*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
525	Shallow Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Everglades Mink (*Mustela vison evergladensis*)
6179 E1 6179 E2 6179 E3	Mixed Wetland Hardwoods, Disturbed (0-75% Exotics)	Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6189 E1* 6189 E3* 6189 E4*	Willow, Disturbed (0-75% Exotics; 50-100% Exotics)	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Brown Pelican (*Pelecanus occidentalis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Twisted Air Plant (*Tillandsia flexuosa*)
		Prickly Apple (*Cereus gracilis*)
6215 E2	Cypress, Disturbed and Drained (25-49% Exotics)	Gopher Frog (*Rana capito*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Everglades Mink (*Mustela vison evergladensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6219 E1 6219 E2 6219 E3 6219 E4	Cypress, Disturbed (0-100% Exotics)	American Alligator (*Alligator mississippiensis*)
		Gopher Frog (*Rana capito*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
6219 E1 6219 E2 6219 E3 6219 E4	Cypress, Disturbed (0-100% Exotics) (Continued)	Wood Stork (*Mycteria americana*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Everglades Mink (*Mustela vison evergladensis*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6245 E1	Cypress/Pine, Disturbed and Drained (0-24% Exotics)	Gopher Frog (*Rana capito*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6249 E1 6249 E2 6249 E3 6249 E4	Cypress/Pine/Cabbage Palm, Disturbed (0-100% Exotics)	Gopher Frog (*Rana capito*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Everglades Mink (*Mustela vison evergladensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6259 E1 6259 E2 6259 E3 6259 E4	Pine, Hydric, Disturbed (0-100% Exotics)	Gopher Frog (*Rana capito*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Arctic Peregrine Falcon (*Falco peregrinus tundrius*)
		Bald Eagle (*Haliaeetus leucocephalus*)
		Everglades Mink (*Mustela vison evergladensis*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
6309 E1 6309 E2 6309 E3	Mixed Wetland Forest, Disturbed (0-75% Exotics)	American Alligator (*Alligator mississippiensis*)
		Gopher Frog (*Rana capito*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
		Everglades Mink (*Mustela vison evergladensis*)
		Florida Panther (*Puma concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
6411 E1	Freshwater Marsh, Sawgrass (0-24% Exotics)	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
6411 E1	Freshwater Marsh, Sawgrass (0-24% Exotics) (Continued)	Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Wood Stork (*Mycteria americana*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Everglades Mink (*Mustela vison evergladensis*)
6412 E1	Freshwater Marsh, Cattail (0-24% Exotics)	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Wood Stork (*Mycteria americana*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Everglades Mink (*Mustela vison evergladensis*)
6419 E1 6419 E2 6419 E3 6419 E4	Freshwater Marsh, Disturbed (0-100% Exotics)	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Wood Stork (*Mycteria americana*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Everglades Mink (*Mustela vison evergladensis*)
6439 E1 6439 E2 6439 E3 6439 E4	Wet Prairies, Disturbed (0-100% Exotics)	Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Reddish Egret (*Egretta rufescens*)
		Wood Stork (*Mycteria americana*)
		Everglade Snail Kite (*Rostrhamus sociabilis plumbeus*)
		Everglades Mink (*Mustela vison evergladensis*)
740*	Disturbed Land	Gopher Tortoise (*Gopherus polyphemus*)

Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
7401*	Disturbed Land, Hydric	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
742*	Borrow Area	American Alligator (*Alligator mississippiensis*)
743	Spoil Area	Gopher Tortoise (*Gopherus polyphemus*)
747*	Berm	Gopher Tortoise (*Gopherus polyphemus*)
8146*	Dirt Road	N/A
8321*	Electrical Power Transmission Line, Hydric	N/A

N/A = Not Applicable per the LDC
*This habitat was surveyed for the species indicated as a precautionary measure.

The updated PSS for the Project was conducted by PAI on July 27, 2012; July 15, 16, 18, and 19, 2013; and August 2, 6, 7, 8, 9, 13, and 14, 2013. 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 protected species survey included meandering pedestrian transects, per WilsonMiller, Inc. methodology that was previously approved by the county. However, vehicular transects were also used when surveying portions of the grove habitat.

Table 3. Survey Dates and Weather Conditions

Survey Date	Weather Conditions
July 27, 2012	Temperatures in the mid-80s to low 90s, winds WSW 4 mph
July 15, 2013	Temperatures in the low 70s to high 80s, winds E 5 mph
July 16, 2013	Temperatures in the mid-70s to high 80s, winds ENE 9 mph
July 18, 2013	Temperatures in the low 70s to low 80s, winds SE 4 mph
July 19, 2013	Temperatures in the low 70s to high 80s, winds E 5 mph
August 2, 2013	Temperatures in the low 80s to high 90s, winds SW 4 mph
August 6, 2013	Temperatures in the mid-70s to low 90s, winds N 3 mph
August 7, 2013	Temperatures in the low 80s to mid-80s, winds ESE 3 mph
August 8, 2013	Temperatures in the low 70s to low 90s, winds ENE 5 mph
August 9, 2013	Temperatures in the low 70s to low 90s, winds E 6 mph
August 13, 2013	Temperatures in the mid-70s to low 90s, winds NW 5 mph
August 14, 2013	Temperatures in the low 70s to high 80s, winds variable, 2 mph

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type 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
221	Citrus Grove[2]	2,742.57	447,999	200	30
3219 E1 3219 E2 3219 E3 3219 E4	Palmetto Prairie, Disturbed	3.33	1,451	40	80
4119 E1 4119 E2 4119 E3	Pine Flatwoods, Disturbed	17.79	7,749	40	80
4159 E1	Pine, Disturbed[2]	13.01	5,667	40	80
4221	Brazilian Pepper, Hydric[2]	0.17	74	40	80
4241	Melaleuca, Hydric[2]	99.4	43,299	40	80
4279 E1 4279 E2	Live Oak, Disturbed	1.04	453	40	80
4281 E1	Cabbage Palm, Hydric	0.08	35	40	80
4289 E1 4289 E2	Cabbage Palm, Disturbed	1.78	775	40	80
4291 E1 4291 E2 4291 E3	Wax Myrtle/Willow, Hydric[2]	0.93	405	40	80
4349 E1 4349 E2 4349 E3	Hardwood/Conifer Mixed, Disturbed	12.06	5,253	40	80
514	Ditch	153.73	66,965	40	80
525	Shallow Pond	0.07	30	40	80
6179 E1 6179 E2 6179 E3	Mixed Wetland Hardwoods, Disturbed	2.22	967	40	80
6189 E1 6189 E3 6189 E4	Willow, Disturbed[2]	5.63	2,452	40	80
6215 E2	Cypress, Disturbed and Drained	0.08	35	40	80
6219 E1 6219 E2 6219 E3 6219 E4	Cypress, Disturbed	603.46	262,867	40	80
6245 E1	Cypress/Pine, Disturbed and Drained	0.14	61	40	80

Table 4. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)[1]	Percent of Coverage
6249 E1 6249 E2 6249 E3 6249 E4	Cypress/Pine/Cabbage Palm, Disturbed	109.63	47,755	40	80
6259 E1 6259 E2 6259 E3 6259 E4	Pine, Hydric, Disturbed	14.98	6,525	40	80
6309 E1 6309 E2 6309 E3	Mixed Wetland Forest, Disturbed	16.48	7,179	40	80
6411 E1	Freshwater Marsh, Sawgrass	1.11	484	40	80
6412 E1	Freshwater Marsh, Cattail	13.07	5,693	40	80
6419 E1 6419 E2 6419 E3 6419 E4	Freshwater Marsh, Disturbed	171.61	74,753	40	80
6439 E1 6439 E2 6439 E3 6429 E4	Wet Prairies, Disturbed	32.87	14,318	40	80
740	Disturbed Land[2]	31.60	13,765	40	80
7401	Disturbed Land, Hydric[2]	15.79	6,878	40	80
742	Borrow Area[2]	0.23	100	40	80
743	Spoil Area	8.38	3,650	40	80
747	Berm[2]	118.28	51,523	40	80
8146	Dirt Road[2]	5.73	2,496	40	80
8321	Electrical Power Transmission Line, Hydric[2]	5.05	2,200	40	80

[1]Average visibility to one side of transect
[2]Habitat surveyed as a precautionary measure

SURVEY RESULTS

During the updated PSS, a total of six Lee County protected species or their signs (e.g., scratched tree) were documented on the Project site. A copy of the 2013 aerial photograph with survey transects and protected species observations is provided as Appendix B.

The Lee County protected wildlife species documented on the property during the updated PSS included American alligators and one alligator nest, little blue herons, tri-colored herons, snowy egrets, crested caracaras, and Florida black bear (*Ursus americanus floridanus*).

In addition, one white ibis (*Eudocimus albus*) was observed on the property during the Lee County protected species survey. The white ibis is not listed as a Lee County protected species, but is listed as a species of special concern by the Florida Fish and Wildlife Conservation Commission (2013). Squirrel nests were also documented on the site, but no Big Cypress fox squirrels were observed.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for Lee County protected species observed during the protected species survey were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted on August 30, 1989. 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 Abundance Calculations

Protected Species Density:

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

Where n = number of individuals observed
L_1 = Length of transect (feet)
W_1 = Distance of visibility to the right of transect (feet)
W_2 = Distance of visibility to the left of transect (feet)

American Alligator

FLUCFCS Code 514

$= \{2AA/ [66{,}965 \text{ ft.} (40 \text{ ft.} + 40 \text{ ft.})]\} (43{,}560 \text{ ft.}^2/\text{ac})$
$= \{2AA/5{,}357{,}520 \text{ ft.}^2\} (43{,}560 \text{ ft.}^2/\text{ac})$
$= \{3.73 \times 10^{-7}/\text{ft.}^2\} (43{,}560 \text{ ft.}^2/\text{ac})$
= 0.02 AA/Acre

FLUCFCS Code 6219 E4

$= \{1AA/ [7{,}614 \text{ ft.} (40 \text{ ft.} + 40 \text{ ft.})]\} (43{,}560 \text{ ft.}^2/\text{ac})$
$= \{1AA/616{,}080 \text{ ft.}^2\} (43{,}560 \text{ ft.}^2/\text{ac})$
$= \{1.62 \times 10^{-6}/\text{ft.}^2\} (43{,}560 \text{ ft.}^2/\text{ac})$
= 0.07 AA/Acre

Table 5. (Continued)

American Alligator (continued)

FLUCFCS Code 6249 E1

= {2AA/ [28,933 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {2AA/2,321,920 $ft.^2$} (43,560 $ft.^2$/ac)
= {8.61 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.04 AA/Acre

Little Blue Heron

FLUCFCS Code 514

= {1LBHE/ [66,965 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {1LBHE /5,357,520 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.87 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.01 LBHE/Acre

FLUCFCS Code 6419 E1, E4
= {3LBHE/ [68,089 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {3LBHE /5,447,120 $ft.^2$} (43,560 $ft.^2$/ac)
= {5.51 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.02 LBHE/Acre

FLUCFCS Code 6439 E4

= {1LBHE/ [10,550 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {1LBHE /844,000 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.18 x 10^{-6}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.05 LBHE/Acre

Snowy Egret

FLUCFCS Code 514

= {4SNEG/ [66,965 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {4SNEG/5,357,520 $ft.^2$} (43,560 $ft.^2$/ac)
= {7.47 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.03 SNEG/Acre

Table 5. (Continued)

Tri-Colored Heron

FLUCFCS Code 514

= {2TCHE/ [66,965 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {2TCHE/5,357,520 $ft.^2$} (43,560 $ft.^2$/ac)
= {3.73 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.02 TCHE/Acre

FLUCFCS Code 6249 E3

= {1TCHE/ [10,206 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {1TCHE/817,200 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.22 x 10^{-6}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.05 TCHE/Acre

FLUCFCS Code 6439 E4

= {1TCHE/ [10,550 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {1TCHE/844,000 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.18 x 10^{-6}/$ft.^2$} (43,560 $ft.^2$/ac)
= 0.05 TCHE/Acre

Crested Caracara

FLUCFCS Code 221

= {3CRCA/ [447,999 ft. (200 ft. + 200 ft.)]} (43,560 $ft.^2$/ac)
= {3CRCA/26,880,840 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.67 x 10^{-8}/$ft.^2$} (43,560 $ft.^2$/ac)
= <0.01 CRCA/Acre

Florida Black Bear Scratch Tree

FLUCFCS Code 6219 E1, E3

= {2BBST/ [231,922 ft. (40 ft. + 40 ft.)]} (43,560 $ft.^2$/ac)
= {2BBST/18,551,680 $ft.^2$} (43,560 $ft.^2$/ac)
= {1.07 x 10^{-7}/$ft.^2$} (43,560 $ft.^2$/ac)
= <0.01 BBST/Acre

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians					
American Alligator	514	80	X		0.02
	525	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80	X		0.07
	6249 E1*	80	X		0.04
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3	80		X	N/A
	742*	80		X	N/A
Eastern Indigo Snake	3219 E1 3219 E2 3219 E3	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	4221*	80		X	N/A
	4241*	80		X	N/A
	4279 E1 4279 E2	80		X	N/A
	4281 E1	80		X	N/A
	4289 E1 4289 E2	80		X	N/A
Gopher Tortoise	3219 E1 3219 E2 3219 E3	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles and Amphibians (Continued)					
Gopher Tortoise (Continued)	4279 E1 4279 E2	80		X	N/A
	740*	80		X	N/A
	743	80		X	N/A
	747*	80		X	N/A
Gopher Frog	3219 E1 3219 E2 3219 E3	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	4221*	80		X	N/A
	4241*	80		X	N/A
	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3	80		X	N/A
	6245 E1	80		X	N/A
	6249 E1 6249 E2 6249 E3	80		X	N/A
	6259 E1 6259 E2 6259 E3	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
Birds					
Roseate Spoonbill	514	80		X	N/A
	525	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
Limpkin	4291 E1* 4291 E2* 4291 E3*	80		X	N/A
	514	80		X	N/A
	525	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Limpkin (Continued)	6179 E1 6179 E2 6179 E3	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3	80		X	N/A
	6439 E1 6439 E2 6439 E3	80		X	N/A
Little Blue Heron	4281 E1	80		X	N/A
	4291 E1* 4291 E2* 4291 E3*	80		X	N/A
	514	80	X		0.01
	525	80		X	N/A
	6179 E1 6179 E2 6179 E3	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Little Blue Heron (Continued)	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3 6419 E4	80	X		0.02
	6439 E1 6439 E2 6439 E3 6439 E4	80	X		0.05
	7401*	80		X	N/A
Reddish Egret	514	80		X	N/A
	525	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
	6439 E1 6439 E2 6439 E3 6439 E4	80		X	N/A
Snowy Egret	4281 E1	80		X	N/A
	4291 E1* 4291 E2* 4291 E3*	80		X	N/A
	514	80	X		0.03
	525	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Snowy Egret (Continued)	6179 E1 6179 E2 6179 E3	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80		X	N/A
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
	6439 E1 6439 E2 6439 E3 6439 E4	80		X	N/A
	7401*	80		X	N/A
Tri-Colored Heron	4281 E1	80		X	N/A
	4291 E1* 4291 E2* 4291 E3*	80		X	N/A
	514	80	X		0.02
	525	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Tri-Colored Heron (Continued)	6179 E1 6179 E2 6179 E3	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80	X		0.05
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
	6439 E1 6439 E2 6439 E3 6439 E4	80	X		0.05
	7401*	80		X	N/A
Florida Sandhill Crane	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Florida Sandhill Crane (Continued)	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
Wood Stork	221	80		X	N/A
	514	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
	6439 E1 6439 E2 6439 E3 6439 E4	80		X	N/A
	740*	80		X	N/A
	7401*			X	N/A
Brown Pelican	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
Southeastern American Kestrel	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Red-Cockaded Woodpecker	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
Arctic Peregrine Falcon	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80		X	N/A
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
Bald Eagle	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
Crested Caracara	221*	60	X		<0.01
	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	4281 E1	80		X	N/A
	4289 E1 4289 E2	80		X	N/A
Everglade Snail Kite	525	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Birds (Continued)					
Everglade Snail Kite (Continued)	6419 E1 6419 E2 6419 E3 6419 E4	80		X	N/A
	6439 E1 6439 E2 6439 E3	80		X	N/A
Mammals					
Everglades Mink	514	80		X	N/A
	525	80		X	N/A
	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
	6411 E1	80		X	N/A
	6412 E1	80		X	N/A
	6419 E1 6419 E2 6419 E3	80		X	N/A
	6439 E1 6439 E2 6439 E3	80		X	N/A
	740*	80		X	N/A
Big Cypress Fox Squirrel	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	4241*	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals (Continued)					
Big Cypress Fox Squirrel (Continued)	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3 6219 E4	80		X	N/A
	6245 E1	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80		X	N/A
	6259 E1 6259 E2 6259 E3 6259 E4	80		X	N/A
Florida Panther	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	4279 E1 4279 E2	80		X	N/A
	4281 E1	80		X	N/A
	4289 E1 4289 E2	80		X	N/A
	4349 E1 4349 E2 4349 E3	80		X	N/A
	6179 E1 6179 E2 6179 E3	80		X	N/A
	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3	80		X	N/A
	6245 E1	80		X	N/A
	6249 E1 6249 E2 6249 E3	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals (Continued)					
Florida Panther (Continued)	6309 E1 6309 E2 6309 E3	80		X	N/A
Florida Black Bear	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
	4279 E1 4279 E2	80		X	N/A
	4281 E1	80		X	N/A
	4289 E1 4289 E2	80		X	N/A
	6179 E1 6179 E2 6179 E3	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A
	6215 E1 6215 E2	80		X	N/A
	6219 E1 6219 E2 6219 E3	80	X		<0.01
	6245 E1	80		X	N/A
	6249 E1 6249 E2 6249 E3 6249 E4	80		X	N/A
	6309 E1 6309 E2 6309 E3	80		X	N/A
Plants					
Curtis Milkweed	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Plants (Continued)					
Beautiful Pawpaw	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
Fakahatchee Burmania	3219 E1 3219 E2 3219 E3	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
Satinleaf	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
Florida Coontie	3219 E1 3219 E2 3219 E3 3219 E4	80		X	N/A
	4119 E1 4119 E2 4119 E3	80		X	N/A
	4159 E1*	80		X	N/A
Simpson's Stopper	4279 E1 4279 E2	80		X	N/A
	4281 E1	80		X	N/A
	4289 E1 4289 E2	80		X	N/A
Hand Adder's Tongue Fern	4279 E1 4279 E2	80		X	N/A
Twisted Air Plant	4279 E1 4279 E2	80		X	N/A
	6189 E1* 6189 E3* 6189 E4*	80		X	N/A

Table 6. (Continued)

Protected Species	FLUCFCS Code	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Plants (Continued)					
Prickly Apple	6189 E1* 6189 E3* 6189 E4*	80		X	N/A

*This habitat was surveyed for the species indicated as a precautionary measure.

MANAGEMENT PLANS

A Preliminary Indigenous Preserve and Protected Species Management Plan was previously prepared and submitted to the Lee County Department of Environmental Services (DES) for the protected species documented on the Project site. Per Section 10-474 of the Lee County LDC, a final Indigenous Preserve and Protected Species Management Plan will be provided to the Lee County DES prior to the issuance of a Mining Development Order and Mining Operation Permit.

REFERENCES

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

Florida Fish and Wildlife Conservation Commission. 2013. Florida's Endangered Species, Threatened Species, and Species of Special Concern. Official Lists. Florida Fish and Wildlife Conservation Commission. Tallahassee, Florida.

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS MAP

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
411	PINE FLATWOODS	1.68	0.3%
411 1	PINE FLATWOODS (DISTURBED 0-25% EXOTICS)	0.66	0.1%
411 2	PINE FLATWOODS (DISTURBED 25-50% EXOTICS)	0.66	0.1%
411 3	PINE FLATWOODS (DISTURBED 50-75% EXOTICS)	0.66	0.1%
411 4	PINE FLATWOODS (DISTURBED 75-100% EXOTICS)	0.66	0.1%
411 5	PINE FLATWOODS (DISTURBED 0-25% EXOTICS)	1.68	0.3%
411 6	PINE FLATWOODS (DISTURBED 25-50% EXOTICS)	1.68	0.3%
411 7	PINE FLATWOODS (DISTURBED 50-75% EXOTICS)	1.68	0.3%
411 8	PINE FLATWOODS (DISTURBED 75-100% EXOTICS)	1.68	0.3%
411 9	PINE DISTURBED (0-25% EXOTICS)	1.68	0.3%
411 10	PINE DISTURBED (25-50% EXOTICS)	1.68	0.3%
411 11	PINE DISTURBED (50-75% EXOTICS)	1.68	0.3%
411 12	PINE DISTURBED (75-100% EXOTICS)	1.68	0.3%
419	SPOIL AREA (HYDRIC)	0.66	0.1%
422	MELALEUCA (HYDRIC)	0.66	0.1%
422 1	MELALEUCA (HYDRIC) (0-25% EXOTICS)	0.66	0.1%
422 2	MELALEUCA (HYDRIC) (25-50% EXOTICS)	0.66	0.1%
422 3	MELALEUCA (HYDRIC) (50-75% EXOTICS)	0.66	0.1%
422 4	MELALEUCA (HYDRIC) (75-100% EXOTICS)	0.66	0.1%
427	LAUREL OAK (HYDRIC)	0.66	0.1%
427 1	LAUREL OAK (HYDRIC) (0-25% EXOTICS)	0.66	0.1%
427 2	LAUREL OAK (HYDRIC) (25-50% EXOTICS)	0.66	0.1%
427 3	LAUREL OAK (HYDRIC) (50-75% EXOTICS)	0.66	0.1%
427 4	LAUREL OAK (HYDRIC) (75-100% EXOTICS)	0.66	0.1%
428	CABBAGE PALM (HYDRIC)	0.66	0.1%
428 1	CABBAGE PALM (HYDRIC) (0-25% EXOTICS)	0.66	0.1%
428 2	CABBAGE PALM (HYDRIC) (25-50% EXOTICS)	0.66	0.1%
428 3	CABBAGE PALM (HYDRIC) (50-75% EXOTICS)	0.66	0.1%
428 4	CABBAGE PALM (HYDRIC) (75-100% EXOTICS)	0.66	0.1%
434	BAY WILLOW (HYDRIC)	0.66	0.1%
434 1	BAY WILLOW (HYDRIC) (0-25% EXOTICS)	0.66	0.1%
434 2	BAY WILLOW (HYDRIC) (25-50% EXOTICS)	0.66	0.1%
434 3	BAY WILLOW (HYDRIC) (50-75% EXOTICS)	0.66	0.1%
434 4	BAY WILLOW (HYDRIC) (75-100% EXOTICS)	0.66	0.1%
435	HARDWOOD/CONIFER MIXED	1.68	0.3%
435 1	HARDWOOD/CONIFER MIXED (DISTURBED 0-25% EXOTICS)	1.68	0.3%
435 2	HARDWOOD/CONIFER MIXED (DISTURBED 25-50% EXOTICS)	1.68	0.3%
435 3	HARDWOOD/CONIFER MIXED (DISTURBED 50-75% EXOTICS)	1.68	0.3%
435 4	HARDWOOD/CONIFER MIXED (DISTURBED 75-100% EXOTICS)	1.68	0.3%
510	DITCH	0.66	0.1%
510 1	DITCH	0.66	0.1%
511	CANAL/POND	0.66	0.1%
511 1	CANAL/POND	0.66	0.1%
617	MIXED WETLAND HARDWOODS (DISTURBED (0-25% EXOTICS)	0.66	0.1%
617 1	MIXED WETLAND HARDWOODS (DISTURBED (25-50% EXOTICS)	0.66	0.1%
617 2	MIXED WETLAND HARDWOODS (DISTURBED (50-75% EXOTICS)	0.66	0.1%
617 3	MIXED WETLAND HARDWOODS (DISTURBED (75-100% EXOTICS)	0.66	0.1%
621	WILLOW (DISTURBED (0-25% EXOTICS)	0.66	0.1%
621 1	WILLOW (DISTURBED (25-50% EXOTICS)	0.66	0.1%
621 2	WILLOW (DISTURBED (50-75% EXOTICS)	0.66	0.1%
621 3	WILLOW (DISTURBED (75-100% EXOTICS)	0.66	0.1%
625	CYPRESS (DISTURBED (NO DRAINED) (0-25% EXOTICS)	0.66	0.1%
625 1	CYPRESS (DISTURBED (0-25% EXOTICS)	0.66	0.1%
625 2	CYPRESS (DISTURBED (25-50% EXOTICS)	0.66	0.1%
625 3	CYPRESS (DISTURBED (50-75% EXOTICS)	0.66	0.1%
625 4	CYPRESS (DISTURBED (75-100% EXOTICS)	0.66	0.1%
625 5	CYPRESS-PINE-CABBAGE PALM (DISTURBED (0-25% EXOTICS)	0.66	0.1%
625 6	CYPRESS-PINE-CABBAGE PALM (DISTURBED (25-50% EXOTICS)	0.66	0.1%
625 7	CYPRESS-PINE-CABBAGE PALM (DISTURBED (50-75% EXOTICS)	0.66	0.1%
625 8	CYPRESS-PINE-CABBAGE PALM (DISTURBED (75-100% EXOTICS)	0.66	0.1%
641	FRESHWATER MARSH (HYDRIC)	0.66	0.1%
641 1	FRESHWATER MARSH (HYDRIC) (DISTURBED (0-25% EXOTICS)	0.66	0.1%
641 2	FRESHWATER MARSH (HYDRIC) (DISTURBED (25-50% EXOTICS)	0.66	0.1%
641 3	FRESHWATER MARSH (HYDRIC) (DISTURBED (50-75% EXOTICS)	0.66	0.1%
641 4	FRESHWATER MARSH (HYDRIC) (DISTURBED (75-100% EXOTICS)	0.66	0.1%
643	WET PRAIRIE (HYDRIC)	0.66	0.1%
643 1	WET PRAIRIE (HYDRIC) (DISTURBED (0-25% EXOTICS)	0.66	0.1%
643 2	WET PRAIRIE (HYDRIC) (DISTURBED (25-50% EXOTICS)	0.66	0.1%
643 3	WET PRAIRIE (HYDRIC) (DISTURBED (50-75% EXOTICS)	0.66	0.1%
643 4	WET PRAIRIE (HYDRIC) (DISTURBED (75-100% EXOTICS)	0.66	0.1%
740	DISTURBED LAND (HYDRIC)	0.66	0.1%
740 1	DISTURBED LAND (HYDRIC)	0.66	0.1%
742	BOTTOMLAND HARDWOODS	0.66	0.1%
742 1	BOTTOMLAND HARDWOODS	0.66	0.1%
743	BOTTOMLAND HARDWOODS	0.66	0.1%
743 1	BOTTOMLAND HARDWOODS	0.66	0.1%
814	ROAD	0.66	0.1%
814 1	ROAD	0.66	0.1%
814 2	DIRT ROAD	0.66	0.1%
814 3	DIRT ROAD	0.66	0.1%
814 4	ELECTRICAL POWER TRANSMISSION LINE (HYDRIC)	0.66	0.1%
	TOTAL	500.00	100.0%

LEGEND

- FDEP AND COE WETLANDS (1,207.95 AC.±)
- FDEP WETLANDS AND COE ISOLATED WETLANDS (3.95 AC.±)
- FDEP /OTHER SURFACE WATERS AND COE "WATERS OF THE U.S." (17.70 AC.±)
- NSIP /OTHER SURFACE WATERS (1.20 AC.±)
- SURVEYED WETLAND LINE

NOTES

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

PROPERTY BOUNDARY PER DENIS FITZGERALD DRAWING NO. 2015 REVISED DATED AUGUST 21, 2014

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING NC DRAWING NO. 1010-10 DWG DATED FEBRUARY 7, 2020

SURVEY DITCH LINES PER HEITZMAN SURVEYING & MAPPING, LLC DRAWING NO. 07 TIMES TO BE SURVEY LOCATED 2 OF 2 DWG DATED DECEMBER 5, 2006

FDEP WETLAND LINE SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO. FE 36 [illegible] ISSUED AUGUST 28, 2020

COE WETLAND LINE PER JURISDICTIONAL DETERMINATION NO. SAJ-2008-01741 (IP-LBD) ISSUED MARCH 22, 2021

WETLAND LINES ESTIMATED FROM 2013 AERIAL PHOTOGRAPHS AND ARE APPROXIMATE

FLUCFCS LINES ESTIMATED FROM 2013 AERIAL PHOTOGRAPHS AND ARE APPROXIMATE

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

		DESIGNED	DATE
		JLE/EL	12/5/08
		DRAWN BY	DATE
		JF	12/5/08
		DESIGNATION	SCALE

3920 Metropolis Avenue
Suite 200
Fort Myers, Florida 33916
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, LLC

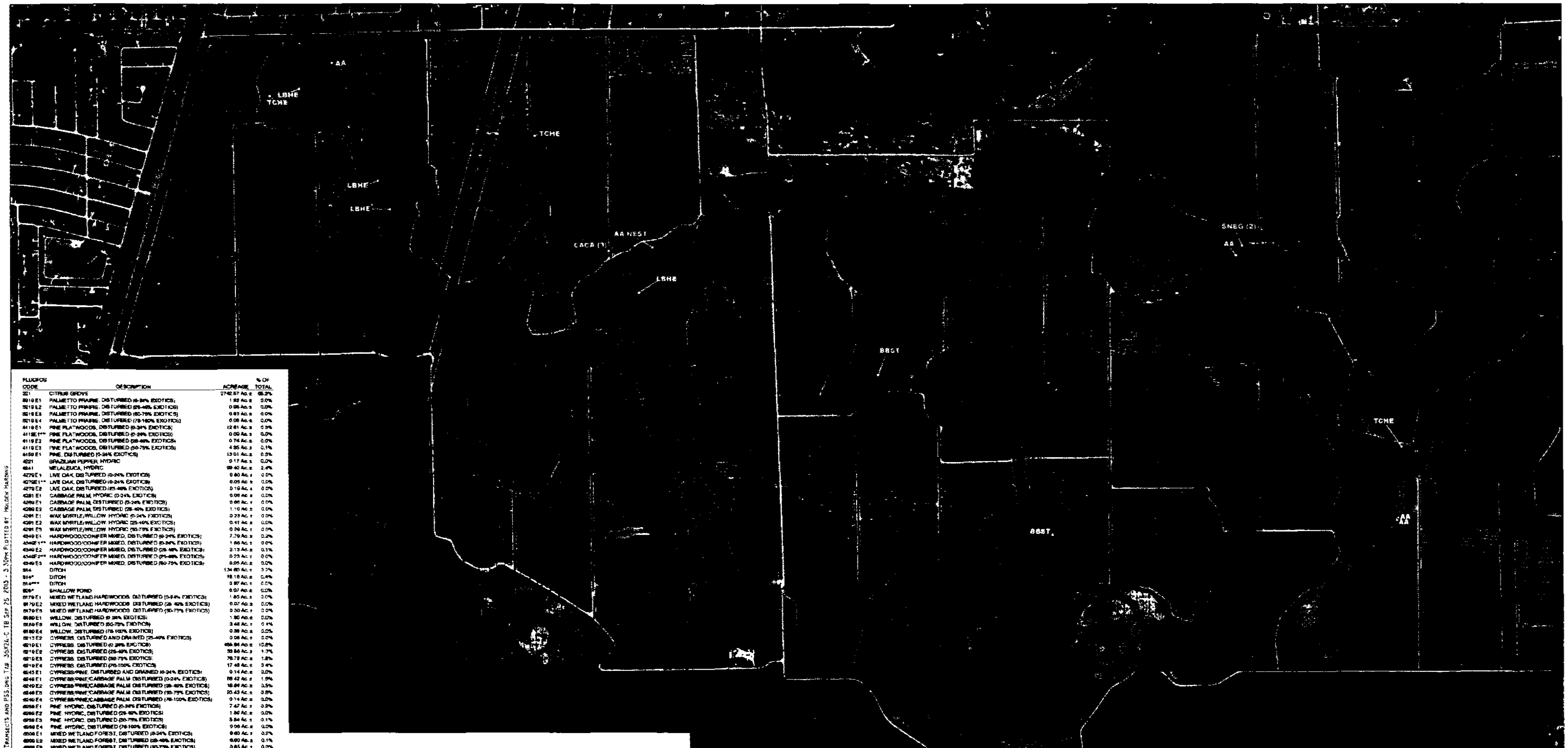
OLD CORKSCREW PLANTATION IPD

AERIAL WITH FLUCFCS AND WETLANDS MAP

SHEET NO.
A-1

APPENDIX B

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



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
221	CITRUS GROVE	2742.57 Ac.±	65.2%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	1.92 Ac.±	0.0%
3219 E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	0.06 Ac.±	0.0%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	0.63 Ac.±	0.0%
3219 E4	PALMETTO PRAIRIE, DISTURBED (76-100% EXOTICS)	0.08 Ac.±	0.0%
4119 E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	12.81 Ac.±	0.3%
4119E1**	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	0.06 Ac.±	0.0%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	0.74 Ac.±	0.0%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	4.85 Ac.±	0.1%
4159 E1	PINE, DISTURBED (0-24% EXOTICS)	13.01 Ac.±	0.3%
4221	BRAZILIAN PEPPER, HYDRIC	0.17 Ac.±	0.0%
4241	MELALEUCA, HYDRIC	99.40 Ac.±	2.4%
4279 E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	0.80 Ac.±	0.0%
4279E1**	LIVE OAK, DISTURBED (0-24% EXOTICS)	0.05 Ac.±	0.0%
4279 E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	0.19 Ac.±	0.0%
4281 E1	CABBAGE PALM, HYDRIC (0-24% EXOTICS)	0.08 Ac.±	0.0%
4289 E1	CABBAGE PALM, DISTURBED (0-24% EXOTICS)	0.66 Ac.±	0.0%
4289 E2	CABBAGE PALM, DISTURBED (25-49% EXOTICS)	1.10 Ac.±	0.0%
4291 E1	WAX MYRTLE/WILLOW, HYDRIC (0-24% EXOTICS)	0.23 Ac.±	0.0%
4291 E2	WAX MYRTLE/WILLOW, HYDRIC (25-49% EXOTICS)	0.41 Ac.±	0.0%
4291 E3	WAX MYRTLE/WILLOW, HYDRIC (50-75% EXOTICS)	0.20 Ac.±	0.0%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	7.79 Ac.±	0.2%
4349E1**	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	1.66 Ac.±	0.0%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	2.13 Ac.±	0.1%
4349E2**	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.23 Ac.±	0.0%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	0.05 Ac.±	0.0%
514	DITCH	134.60 Ac.±	3.2%
514*	DITCH	18.18 Ac.±	0.4%
514***	DITCH	3.87 Ac.±	0.0%
524*	SHALLOW POND	0.07 Ac.±	0.0%
6179 E1	MIXED WETLAND HARDWOODS, DISTURBED (0-24% EXOTICS)	1.65 Ac.±	0.0%
6179 E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.07 Ac.±	0.0%
6179 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	0.30 Ac.±	0.0%
6189 E1	WILLOW, DISTURBED (0-24% EXOTICS)	1.90 Ac.±	0.0%
6189 E3	WILLOW, DISTURBED (50-75% EXOTICS)	3.48 Ac.±	0.1%
6189 E4	WILLOW, DISTURBED (76-100% EXOTICS)	0.36 Ac.±	0.0%
6213 E2	CYPRESS, DISTURBED AND DRAINED (25-49% EXOTICS)	0.08 Ac.±	0.0%
6219 E1	CYPRESS, DISTURBED (0-24% EXOTICS)	456.94 Ac.±	10.8%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	50.86 Ac.±	1.2%
6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	76.78 Ac.±	1.8%
6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	17.48 Ac.±	0.4%
6245 E1	CYPRESS/PINE, DISTURBED AND DRAINED (0-24% EXOTICS)	0.14 Ac.±	0.0%
6249 E1	CYPRESS/PINE/CABBAGE PALM, DISTURBED (0-24% EXOTICS)	66.42 Ac.±	1.6%
6249 E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	18.84 Ac.±	0.5%
6249 E3	CYPRESS/PINE/CABBAGE PALM, DISTURBED (50-75% EXOTICS)	20.43 Ac.±	0.5%
6249 E4	CYPRESS/PINE/CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.74 Ac.±	0.0%
6259 E1	PINE, HYDRIC, DISTURBED (0-24% EXOTICS)	7.47 Ac.±	0.2%
6259 E2	PINE, HYDRIC, DISTURBED (25-49% EXOTICS)	1.86 Ac.±	0.0%
6259 E3	PINE, HYDRIC, DISTURBED (50-75% EXOTICS)	5.84 Ac.±	0.1%
6259 E4	PINE, HYDRIC, DISTURBED (76-100% EXOTICS)	0.06 Ac.±	0.0%
6309 E1	MIXED WETLAND FOREST, DISTURBED (0-24% EXOTICS)	9.60 Ac.±	0.2%
6309 E2	MIXED WETLAND FOREST, DISTURBED (25-49% EXOTICS)	4.80 Ac.±	0.1%
6309 E3	MIXED WETLAND FOREST, DISTURBED (50-75% EXOTICS)	0.65 Ac.±	0.0%
6411 E1	FRESHWATER MARSH, SAWGRASS (0-24% EXOTICS)	1.11 Ac.±	0.0%
6412 E1	FRESHWATER MARSH, CATTAIL (0-24% EXOTICS)	13.07 Ac.±	0.3%
6419 E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	100.20 Ac.±	2.4%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	7.77 Ac.±	0.1%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	12.86 Ac.±	0.3%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	50.11 Ac.±	1.2%
6439 E1	WET PRAIRIES, DISTURBED (0-24% EXOTICS)	8.10 Ac.±	0.2%
6439 E2	WET PRAIRIES, DISTURBED (25-49% EXOTICS)	0.43 Ac.±	0.0%
6439 E3	WET PRAIRIES, DISTURBED (50-75% EXOTICS)	0.12 Ac.±	0.0%
6439 E4	WET PRAIRIES, DISTURBED (76-100% EXOTICS)	34.22 Ac.±	0.8%
740	DISTURBED LAND	31.80 Ac.±	0.8%
7401	DISTURBED LAND, HYDRIC	15.78 Ac.±	0.4%
742	BORROW AREA	<0.01 Ac.±	0.0%
742*	BORROW AREA	0.25 Ac.±	0.0%
743	SPOIL AREA	8.88 Ac.±	0.2%
747	BERM	118.26 Ac.±	2.8%
8146	DIRT ROAD	5.73 Ac.±	0.1%
8321	ELECTRICAL POWER TRANSMISSION LINE, HYDRIC	5.08 Ac.±	0.1%
	TOTAL	4208.80 Ac.±	100.0%

* DENOTES FDEP AND COE WETLAND
** DENOTES FDEP OSW
*** DENOTES COE ISOLATED WETLAND

LEGEND:

- FDEP AND COE WETLANDS (1,097.95 Ac.±)
- FDEP WETLANDS AND COE ISOLATED WETLANDS (13.95 Ac.±)
- FDEP "OTHER SURFACE WATERS" AND COE "WATERS OF THE U.S." (7.76 Ac.±)
- FDEP "OTHER SURFACE WATERS" (129.07 Ac.±)
- SURVEYED WETLAND LINE

AA	AMERICAN ALLIGATOR
BBST	FLORIDA BLACK BEAR SCRATCH TREE
CACA	CARACARA
LBHE	LITTLE BLUE HERON
SNEG	SNOWY EGRET
TCHE	TRI-COLORED HERON
----	SURVEY TRANSECTS

NOTES:

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

PROPERTY BOUNDARY PER DELISI FITZGERALD DRAWING NO. 2015 IPD.DWG DATED AUGUST 2, 2012.

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING,INC DRAWING NO.3370-JD-SR.DWG DATED FEBRUARY 12, 2009.

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08.DWG DATED DECEMEBER 3, 2008.

FDEP WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO.FD-36-0284086-001 ISSUED AUGUST 26, 2009

COE WETLAND LINES PER JURISDICTIONAL VERIFICATION NO. SAJ-2008-01734 (JD-LBD) ISSUED MARCH 22, 2011.

FLUCFCS LINES ESTIMATED FROM 1"=300' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

REVISIONS	DATE		
		DRAWN BY J.I./F.L.	DATE 12/5/08
		DESIGNED BY J.E.	DATE 12/5/08
		REVIEWED BY	DATE

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

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

OLD CORKSCREW PLANTATION IPD

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

DRAWING No. 06DAL1616

SHEET No. APPENDIX B

EXHIBIT I

KINGSTON
LEE COUNTY PROTECTED SPECIES SURVEY

DRAFT

April 2022

Prepared For:

CAM7-Sub, LLC
21101 Design Parc Lane Suite 103
Estero, Florida 33928
(239) 425-8662

Prepared By:

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

Project No. 21CCL3707

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1.0 INTRODUCTION

This report documents the Lee County Protected Species Survey conducted by Passarella & Associates, Inc. (PAI) at Kingston (Project). Protected species were also documented during other fieldwork on the Project site. The protected species survey was conducted to meet the requirements of the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards.

The Project totals 6,676.72± acres and is located in Sections 2, 3, 10, 11, 14, 15, 23-26, 34-36; Township 46 South; Range 27 East; and Sections 34 and 35; Township 45 South; Range 27 East; Lee County. This report is for the southern portion of the Project site which totals 2,664.75± acres and is located in Sections 23-26, and 34-36; Township 46 South; Range 27 East; Lee County (Figure 1). The Lee County Protected Species Survey Report for the northern portion of the Project site, formerly known as Old Corkscrew Plantation IPD, is provided under a separate cover.

The majority of the site currently supports active citrus grove and other agricultural operations, while the remainder of the site contains native vegetation with varying amounts of disturbance and exotic vegetation (Appendix A). The surrounding land uses include single-family home sites to the north; Corkscrew Regional Ecosystem Watershed (CREW) lands to the south; CREW lands, single-family home sites, and a segment of Corkscrew Road to the east; and mining and agricultural uses to the west. Additionally, an east-west segment of Corkscrew Road bisects the property before it turns and heads north.

2.0 LAND USES AND VEGETATION ASSOCIATIONS

Vegetation and land cover mapping for the Project was conducted using a Lee County 2020 rectified aerial (Appendix A). Groundtruthing of the vegetative communities was conducted by PAI in February 2022 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Level III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance and hydrologic conditions. "E" codes were used to identify levels of exotic and invasive vegetation (e.g., Brazilian pepper (*Schinus terebinthifolia*), melaleuca (*Melaleuca quinquenervia*), West Indian marsh grass (*Hymenachne amplexicaulis*), Wright's nutrush (*Scleria lacustris*), and torpedograss (*Panicum repens*)). AutoCAD 3D 2021 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map for the Project (Appendix A). A total of 52 vegetative and land cover types (i.e., FLUCFCS codes) were identified within the Project area. Table 1 provides the breakdown of the FLUCFCS codes by acreage for the Project, and a description of each of the classifications follows.

Table 1. Vegetative and Land Cover Types by FLUCFCS Code

FLUCFCS Code	Description	Acreage	Percent Total
221	Citrus Grove	2,099.36	78.8
224	Abandoned Groves	145.52	5.5
262	Low Pasture, Hydric	13.35	0.5

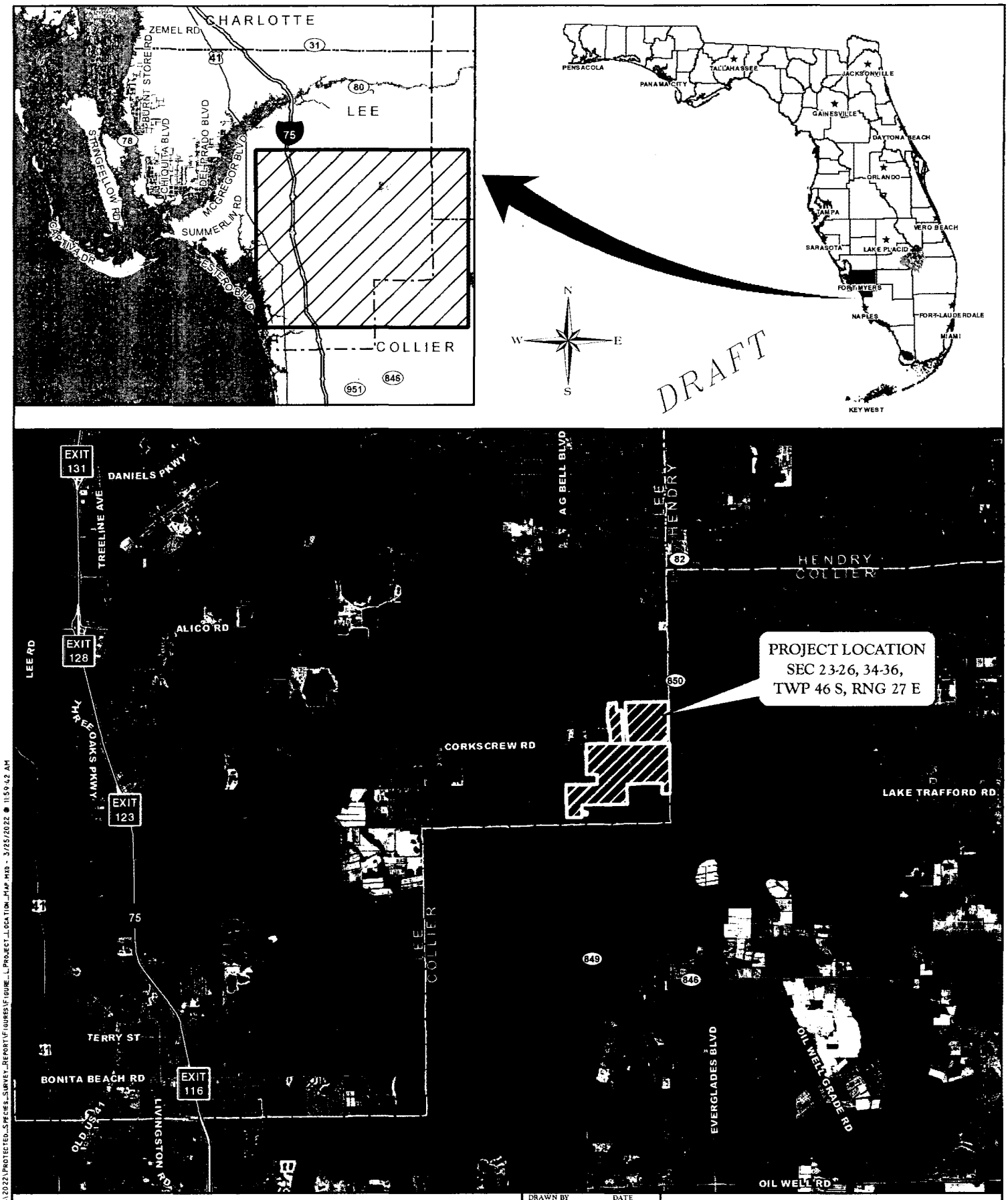


FIGURE 1. PROJECT LOCATION MAP
KINGSTON

DRAWN BY	DATE
T.S.	03/14/22
REVIEWED BY	DATE
S.J.	03/14/22
REVISED	DATE

PASSARELLA & ASSOCIATES, INC.

J:\2021\2CCL570\GIS\2022\PROTECTED_SPECIES_SURVEY_REPORT\FIGURES\FIGURE_1_PROJECT_LOCATION_MAP.MXD - 3/25/2022 @ 11:59:42 AM

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent Total
3219 E1	Palmetto Prairie, Disturbed (0-24% Exotics)	4.98	0.2
3219 E2	Palmetto Prairie, Disturbed (25-49% Exotics)	0.61	<0.1
3219 E3	Palmetto Prairie, Disturbed (50-75% Exotics)	3.07	0.1
4119 E2	Pine Flatwoods, Disturbed (25-49% Exotics)	3.30	0.1
4119 E3	Pine Flatwoods, Disturbed (50-75% Exotics)	18.94	0.7
4119 E4	Pine Flatwoods, Disturbed (76-100% Exotics)	0.81	<0.1
4159 E2	Pine, Disturbed (25-49% Exotics)	0.40	<0.1
4159 E3	Pine, Disturbed (50-75% Exotics)	0.33	<0.1
4159 E4	Pine, Disturbed (76-100% Exotics)	0.24	<0.1
422	Brazilian Pepper	3.69	0.1
4221	Brazilian Pepper, Hydric	1.32	<0.1
4289 E4	Cabbage Palm, Disturbed (76-100% Exotics)	1.74	0.1
4299 E2	Wax Myrtle, Disturbed (25-49% Exotics)	2.05	0.1
4299 E3	Wax Myrtle, Disturbed (50-75% Exotics)	7.81	0.3
4299 E4	Wax Myrtle, Disturbed (76-100% Exotics)	9.33	0.3
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	2.13	0.1
4349 E4	Hardwood/Conifer Mixed, Disturbed (76-100% Exotics)	5.17	0.2
514	Drainage Canal/Ditch	126.12	4.7
514 H	Drainage Canal/Ditch, Hydric	0.25	<0.1
533	Reservoirs (<10 Acres but >100 Acres)	47.96	1.8
6179 E2	Mixed Wetland Hardwoods, Disturbed (25-49% Exotics)	0.74	<0.1
6189 E1	Willow/Pop Ash, Disturbed (0-24% Exotics)	0.28	<0.1
6189 E2	Willow/Pop Ash, Disturbed (25-49% Exotics)	0.25	<0.1
6189 E3	Willow/Pop Ash, Disturbed (50-75% Exotics)	5.29	0.2
6189 E4	Willow/Pop Ash, Disturbed (76-100% Exotics)	11.16	0.4
6215 E1	Cypress, Disturbed and Drained (0-24% Exotics)	0.08	<0.1
6215 E3	Cypress, Disturbed and Drained (50-75% Exotics)	0.07	<0.1
6215 E4	Cypress, Disturbed and Drained (76-100% Exotics)	4.75	0.2
6219 E2	Cypress, Disturbed (25-49% Exotics)	2.11	0.1
6219 E3	Cypress, Disturbed (50-75% Exotics)	17.80	0.7
6219 E4	Cypress, Disturbed (76-100% Exotics)	1.43	0.1
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	1.12	<0.1
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	0.81	<0.1
6259 E3	Pine, Hydric, Disturbed (50-75% Exotics)	0.52	<0.1
6259 E4	Pine, Hydric, Disturbed (76-100% Exotics)	1.07	<0.1
6309 E2	Mixed Wetland Forest, Disturbed (25-49% Exotics)	1.72	0.1
6309 E3	Mixed Wetland Forest, Disturbed (50-75% Exotics)	1.94	0.1
6309 E4	Mixed Wetland Forest, Disturbed (76-100% Exotics)	3.33	0.1
6419 E2	Freshwater Marsh, Disturbed (25-49% Exotics)	0.05	<0.1
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	7.31	0.3
6419 E4	Freshwater Marsh, Disturbed (76-100% Exotics)	1.12	<0.1

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent Total
6439 E1	Wet Prairies, Disturbed (0-24% Exotics)	0.05	<0.1
6439 E3	Wet Prairies, Disturbed (50-75% Exotics)	0.33	<0.1
740	Disturbed Land	51.18	1.9
7401	Disturbed Land, Hydric	10.33	0.4
742	Borrow Area	0.05	<0.1
743	Spoil Area	0.59	<0.1
747	Dikes and Levees (Berm)	40.55	1.5
814	Road	0.24	<0.1
Total		**2,664.75**	**100.0**

Citrus Grove (FLUCFCS Code 221)
This upland agricultural use contains active citrus trees in the canopy and sub-canopy. The ground cover contains sod grass (*Poaceae* sp.), Florida tasselflower (*Emilia fosbergii*), beggar-tick (*Bidens alba*), water pennywort (*Hydrocotyle umbellata*), thistle (*Cirsium* sp.), wild balsam apple (*Momordica charantia*), ragweed (*Ambrosia* sp.), lantana (*Lantana camara*), caesarweed (*Urena lobata*), torpedograss, and widely scattered Peruvian primrose willow (*Ludwigia peruviana*).

Abandoned Groves (FLUCFCS Code 224)
The canopy of this upland agricultural use is comprised of cabbage palm (*Sabal palmetto*). The sub-canopy contains cabbage palm, and Brazilian pepper. The ground cover includes bahiagrass (*Paspalum notatum*), spermacoce (*Spermacoce verticillata*), carpetgrass (*Axonopus* sp.), smutgrass (*Sporobolus indicus*), dog fennel (*Eupatorium capillifolium*), Mexican clover (*Richardia brasiliensis*), common ragweed (*Ambrosia artemisiifolia*), digit grass (*Digitaria* sp.), Bermuda grass (*Cynodon dactylon*), and broomsedge (*Andropogon virginicus).*

Low Pasture, Hydric (FLUCFCS Code 262)
The canopy of this disturbed wetland habitat type contains widely scattered cabbage palm. The sub-canopy is comprised of widely scattered cabbage palm, Brazilian pepper, and wax myrtle (*Morella cerifera*). The ground cover includes torpedograss, spermacoce, water pennywort, fogfruit (*Phyla nodiflora*), dog fennel, and dotted smartweed (*Persicaria punctata*).

Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)
This canopy of this habitat type contains widely scattered melaleuca and scattered slash pine (*Pinus elliottii*). The sub-canopy is dominated by saw palmetto (*Serenoa repens*), staggerbush (*Lyonia fruticose*), gallberry (*Ilex glabra*), and scattered wax myrtle and Brazilian pepper. The ground cover is dominated by saw palmetto, pennyroyal (*Piloblephis rigida*), shiny blueberry (*Vaccinium myrsinites*), and wiregrass (*Aristida stricta*).

Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)
This habitat type is similar to that of FLUCFCS Code 3219 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)
This habitat type is similar to that of FLUCFCS Code 3219 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)
This canopy of this habitat type contains slash pine, cabbage palm, Brazilian pepper, and scattered melaleuca. The sub-canopy contains slash pine, cabbage palm, myrsine (*Myrsine cubana*), scattered wax myrtle, melaleuca, and Brazilian pepper. The ground cover includes saw palmetto, wax myrtle, caesarweed, wiregrass, Old World climbing fern (*Lygodium microphyllum*), blackberry (*Rubus* sp.), ragweed, melaleuca, and Brazilian pepper.

Pine Flatwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 4119 E3)
This habitat type is similar to that of FLUCFCS Code 4119 E2, except with higher concentrations of Brazilian pepper and Old World climbing fern in the sub-canopy.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)
This habitat type is similar to that of FLUCFCS Code 4119 E3, except with higher concentrations of Brazilian pepper and Old World climbing fern in the canopy and sub-canopy.

Pine, Disturbed (25-49% Exotics) (FLUCFCS Code 4159 E2)
The canopy of this habitat type is dominated by slash pine. The sub-canopy contains slash pine and scattered Brazilian pepper. The ground cover contains pineland heliotrope (*Heliotropium polyphyllum*), wax myrtle, caesarweed, wiregrass, blackberry, ragweed, melaleuca, and Brazilian pepper.

Pine, Disturbed (50-75% Exotics) (FLUCFCS Code 4159 E3)
This habitat type is similar to that of FLUCFCS Code 4159 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 4159 E4)
This habitat type is similar to that of FLUCFCS Code 4159 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Brazilian Pepper (FLUCFCS Code 422)
This habitat type is dominated by Brazilian pepper in the canopy and sub-canopy. The ground cover is mostly open.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
This disturbed wetland habitat type is dominated by Brazilian pepper in the canopy and sub-canopy. The ground cover is mostly open.

Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 4289 E4)
The canopy of this habitat type is dominated by cabbage palm, Brazilian pepper, and scattered laurel oak (*Quercus laurifolia*). The sub-canopy contains saw palmetto, wax myrtle, cabbage palm, melaleuca, and Brazilian pepper. The ground cover includes saw palmetto and scattered swamp fern (*Telmatoblechnum serrulatum).*

Wax Myrtle, Disturbed (25-49% Exotics) (FLUCFCS Code 4299 E2)
The canopy of this habitat type contains cabbage palm, Brazilian pepper, and scattered laurel oaks. The sub-canopy contains cabbage palm, Brazilian pepper, wax myrtle, laurel oak, saltbush (*Baccharis halimifolia*), slash pine, and myrsine. The ground cover includes blackberry, caesarweed, fogfruit, cogon grass (*Imperata cylindrica*), broomsedge, and bushy bluestem (*Andropogon glomeratus*).

Wax Myrtle, Disturbed (50-75% Exotics) (FLUCFCS Code 4299 E3)
This habitat type is similar to that of FLUCFCS Code 4299 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Wax Myrtle, Disturbed (76-100% Exotics) (FLUCFCS Code 4299 E4)
This habitat type is similar to that of FLUCFCS Code 4299 E3, except with higher concentrations of Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
The canopy of this habitat type contains slash pine, cabbage palm, laurel oak, live oak (*Quercus virginiana*), and scattered melaleuca. The sub-canopy contains slash pine, cabbage palm, laurel oak, live oak, and Brazilian pepper. The ground cover includes saw palmetto, cabbage palm, laurel oak, water pennywort, spermacoce, bahiagrass, bracken fern (*Pteridium aquilinum*), and scattered swamp fern.

Hardwood/Conifer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
This disturbed upland habitat type is similar to that of FLUCFCS Code 4349 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Drainage Canal/Ditch (FLUCFCS Code 514)
The canopy is open. The sub-canopy along the banks and within the ditches contains Carolina willow (*Salix caroliniana*), Peruvian primrose willow, Brazilian pepper, and wax myrtle. The ground cover contains water spangles (*Salvinia minima*), pickerelweed (*Pontederia cordata*), maidencane (*Panicum hemitomon*), cattail (*Typha* sp.), torpedograss, dotted smartweed, red ludwigia (*Ludwigia repens*), and fogfruit.

Drainage Canal/Ditch, Hydric (FLUCFCS Code 514H)
This land use contains vegetation similar to FLUCFCS Code 514, but is contained within a wetland.

Reservoirs (<10 Acres but >100 Acres) (FLUCFCS Code 533)
This land use type is utilized for water retention.

Mixed Wetland Hardwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 6179 E2)
The canopy of this wetland habitat type contains laurel oak, swamp bay (*Persea palustris*), cabbage palm, bald cypress (*Taxodium distichum*), and melaleuca. The sub-canopy is comprised of cabbage palm, dahoon holly (*Ilex cassine*), myrsine, and Brazilian pepper. The ground cover contains swamp fern and widely scattered saw palmetto.

Willow/Pop Ash, Disturbed (0-24% Exotics) (FLUCFCS Code 6189 E1)
The canopy of this wetland habitat type contains scattered Carolina willow, bald cypress, and red maple (*Acer rubrum*). The sub-canopy is comprised of Carolina willow, bald cypress, and scattered Peruvian primrose willow, melaleuca, pond apple (*Annona glabra*), and Brazilian pepper. The ground cover contains maidencane, sawgrass (*Cladium jamaicense*), leather fern (*Acrostichum* sp.), water pennywort, Asiatic pennywort (*Centella asiatica*), and spikerush (*Eleocharis* sp.), Old World climbing fern, and scattered fireflag (*Thalia geniculata*).

Willow/Pop Ash, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E1, except with higher concentrations of Peruvian primrose willow, and Brazilian pepper in the sub-canopy.

Willow/Pop Ash, Disturbed (50-75% Exotics) (FLUCFCS Code 6189 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E2, except with higher concentrations of Peruvian primrose willow, and Brazilian pepper in the sub-canopy.

Willow/Pop Ash, Disturbed (76-100% Exotics) (FLUCFCS Code 6189 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E3, except with higher concentrations of Peruvian primrose willow and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed and Drained (0-24% Exotics) (FLUCFCS Code 6215 E1)
The canopy of this habitat type contains bald cypress, scattered live oak, and cabbage palm. The sub-canopy contains Brazilian pepper, cabbage palm, and wax myrtle. The ground cover contains caesarweed, Boston fern (*Nephrolepis exaltata*), smutgrass, ragweed, beggar-tick, flatsedge (*Cyperus ligularis*), dog fennel, and muscadine grapevine (*Vitis rotundifolia*).

Cypress, Disturbed and Drained (50-75% Exotics) (FLUCFCS Code 6215 E3)
This habitat type is similar to FLUCFCS Code 6215 E1, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed and Drained (76-100% Exotics) (FLUCFCS Code 6215 E4)
This habitat type is similar to FLUCFCS Code 6215 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)
The canopy of this wetland habitat type is comprised of bald cypress, melaleuca, cabbage palm, strangler fig (*Ficus aurea*), laurel oak, scattered red maple, Brazilian pepper, and scattered slash pine. The sub-canopy contains bald cypress, cabbage palm, wax myrtle, dahoon holly, pond apple, myrsine, scattered red maple, Brazilian pepper, and scattered melaleuca. The ground cover contains swamp fern, Asiatic pennywort, saltbush, bog-hemp (*Boehmeria cylindrica*), wax myrtle, cabbage palm, rosy camphorweed (*Pluchea baccharis*), cocoplum (*Chrysobalanus icaco*), spikerush, pickerelweed, maidencane, torpedograss, saw palmetto, panicum (*Panicum* sp.), sawgrass, widely scattered cattail, morning glory (*Ipomoea* sp.), climbing hempvine (*Mikania scandens*), greenbrier (*Smilax* sp.), and muscadine grapevine.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E1, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E2, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E3, except with higher concentrations of melaleuca, Old World climbing fern, and Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)
The canopy of this wetland habitat type contains slash pine, bald cypress, cabbage palm, and scattered melaleuca. The sub-canopy contains slash pine, bald cypress, cabbage palm, myrsine, scattered melaleuca, and scattered Brazilian pepper. The ground cover contains swamp fern, Asiatic pennywort, cabbage palm, wiregrass, melaleuca, torpedograss, maidencane, gulfdune paspalum (*Paspalum monostachyum*), wax myrtle, beaksedge (*Rhynchospora* sp.), corkwood (*Stillingia aquatica*), and widely scattered saw palmetto.

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)
The canopy of this wetland habitat type is comprised of slash pine, cabbage palm and widely scattered melaleuca. The sub-canopy contains slash pine, wax myrtle, cabbage palm, scattered Brazilian pepper, and widely scattered melaleuca. The ground cover includes wiregrass, torpedograss, ragweed, swamp fern, little blue maidencane (*Amphicarpum muehlenbergianum*), caesarweed, fogfruit, rosy camphorweed, Asiatic pennywort, Brazilian pepper, tickseed (*Coreopsis* sp.), pineland heliotrope, climbing hempvine, muscadine grapevine, and scattered saw palmetto.

Pine, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 6259 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E2, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Pine, Hydric, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E3, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Mixed Wetland Forest, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)
The canopy of this wetland habitat type contains red maple, bald cypress, and laurel oak. The sub-canopy consists of red maple, bald cypress, laurel oak, myrsine, wax myrtle, Brazilian pepper, swamp bay, and cabbage palm. The ground cover includes swamp fern, tickseed, cocoplum, red maple, maidencane, cinnamon fern (*Osmunda cinnamomea*), rosy camphorweed, climbing hempvine, muscadine grapevine, and cabbage palm.

Mixed Wetland Forest, Disturbed (50-75% Exotics) (FLUCFCS Code 6309 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E2, but with higher concentrations of Brazilian pepper in the sub-canopy.

Mixed Wetland Forest, Disturbed (76-100% Exotics) (FLUCFCS Code 6309 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E3, but with higher concentrations of Brazilian pepper in the sub-canopy.

Freshwater Marsh, Disturbed (25-49% Exotics) (FLUCFCS Code 6419 E2)
This wetland habitat type contains scattered cypress and widely scattered melaleuca in the canopy. The sub-canopy contains scattered cypress, widely scattered Carolina willow, cabbage palm, Peruvian primrose willow, and pond apple. The ground cover contains sawgrass, maidencane, corkwood, swamp fern, shield fern (*Thelypteris dentata*), dotted smartweed, spikerush, arrowhead (*Sagittaria lancifolia*), pickerelweed, fireflag, cattail, and torpedograss.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6419 E2, but with higher densities of torpedograss in the ground cover.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6419 E3, but with higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (0-24% Exotics) (FLUCFCS Code 6439 E1)
The canopy of this wetland habitat type contains widely scattered slash pine and cypress. The sub-canopy is comprised of wax myrtle and widely scattered bald cypress. The ground cover contains panicum, wax myrtle, fogfruit, sand cordgrass (*Spartina bakeri*), gulfdune paspalum, corkwood, maidencane, wiregrass, bushy bluestem, rosy camphorweed, and scattered sawgrass.

Wet Prairies, Disturbed (50-75% Exotics) (FLUCFCS Code 6439 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6439 E1, but with melaleuca in the canopy and sub-canopy, and higher densities of torpedograss in the ground cover.

Disturbed Land (FLUCFCS Code 740)
The canopy of this upland habitat type is comprised of scattered slash pine and cabbage palm. The sub-canopy contains scattered slash pine, Brazilian pepper, and wax myrtle. The ground cover contains sod grass, dog fennel, beggar-tick, crowfoot grass (*Dactyloctenium aegyptium*), wild balsam apple, bahiagrass, lantana, caesarweed, rose natalgrass (*Rhynchelytrum repens*), and scattered saw palmetto.

Disturbed Land, Hydric (FLUCFCS Code 7401)
The canopy of this disturbed wetland habitat type includes scattered slash pine, cabbage palm, and Brazilian pepper. The sub-canopy contains scattered wax myrtle, melaleuca, Peruvian primrose willow, Brazilian pepper, and bald cypress. The ground cover contains cattail, torpedograss, maidencane, little blue maidencane, Asiatic pennywort, slash pine, climbing hempvine, spermacoce, water pennywort, dog fennel, and Peruvian primrose willow.

Borrow Area (FLUCFCS Code 742)
This "other surface water" contains minimal vegetation. The borrow area appears to have been created to acquire fill for a berm connecting two adjacent citrus groves.

Spoil Area (FLUCFCS Code 743)
The canopy and sub-canopy of this land use are open. The ground cover contains caesarweed, dog fennel, ragweed, and bahiagrass.

Dikes and Levees (Berm) (FLUCFCS Code 747)
The canopy and sub-canopy of this land use are predominantly open with widely scattered Brazilian pepper. The ground cover contains ragweed, Florida tasselflower, rose natalgrass, lantana, beggar-tick, bahiagrass, caesarweed, and dog fennel.

Road (FLUCFCS Code 814)
This land use type includes unvegetated paved roadways.

3.0 METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types, as outlined in the LDC. The frequency of transects performed in these habitats was designed to meet the 80 percent minimum coverage requirement, per the LDC. Table 2 outlines those protected species that may inhabit or utilize particular vegetation associations according to the LDC.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	Description	Potential Protected Species
221*	Citrus Groves	Gopher tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia floridana*)
		Crested caracara (*Caracara* cheriway)
		Florida sandhill crane (*Grus canadensis pratensis*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Wood stork (*Mycteria americana*)
		Florida panther (*Puma concolor coryi*)
224*	Abandoned Groves	Gopher tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia floridana*)
		Crested caracara (Caracara cheriway)
		Florida sandhill crane (*Grus canadensis pratensis*)
		Florida panther (*Puma concolor coryi*)
262*	Low Pasture, Hydric	American alligator (*Alligator mississippiensis*)
		Florida sandhill crane (*Grus canadensis pratensis*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
262*	Low Pasture, Hydric (Continued)	Reddish egret (*Egretta rufescens*)
		Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Everglades mink (*Mustela vison evergladensis*)
3219 E1 3219 E2 3219 E3	Palmetto Prairie, Disturbed (0-75% Exotics)	Eastern indigo snake (*Drymarchon corais couperi*)
		Gopher frog (*Rana capito*)
		Gopher tortoise (*Gopherus polyphemus*)
		Crested caracara (*Caracara cheriway*)
		Florida sandhill crane (*Grus canadensis pratensis*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Beautiful pawpaw (*Deeringothamnus pulchellus*)
		Curtis milkweed (*Asclepias curtissii*)
		Fakahatchee burmania (*Burmania flava*)
		Florida coontie (*Zamia floridana*)
4119 E2 4119 E3 4119 E4*	Pine Flatwoods, Disturbed (25-100% Exotics)	Eastern indigo snake (*Drymarchon corais couperi*)
		Gopher frog (*Rana capito*)
		Gopher tortoise (*Gopherus polyphemus*)
		Red-cockaded woodpecker (*Picoides borealis*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Beautiful pawpaw (*Deeringothamnus pulchellus*)
		Fakahatchee burmania (*Burmania flava*)
		Florida coontie (*Zamia floridana*)
		Satinleaf (*Chrysophyllum oliviforme*)
4159 E2 4159 E3 4159 E4*	Pine, Disturbed (25-100% Exotics)	Eastern indigo snake (*Drymarchon corais couperi*)
		Gopher frog (*Rana capito*)
		Gopher tortoise (*Gopherus polyphemus*)
		Red-cockaded woodpecker (*Picoides borealis*)
		Southeastern American kestrel (*Falco sparverius paulus*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
4159 E2 4159 E3 4159 E4*	Pine, Disturbed (25-100% Exotics) (Continued)	Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
422*	Brazilian Pepper	Florida black bear (*Ursus americanus floridanus*)
4221*	Brazilian Pepper, Hydric	Florida black bear (*Ursus americanus floridanus*)
4289 E4	Cabbage Palm, Disturbed (76-100% Exotics)	Eastern indigo snake (*Drymarchon corais couperi*)
		Crested caracara (*Caracara cheriway*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Simpson's Stopper (*Myrcianthes fragrans* var. *simpsonii*)
4299 E2 4299 E3 4299 E4*	Wax Myrtle, Disturbed (25-100% Exotics)	Eastern indigo snake (*Drymarchon corais couperi*)
		Gopher frog (*Rana capito*)
		Gopher tortoise (*Gopherus polyphemus*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
4349 E3 4349 E4*	Hardwood/Conifer Mixed, Disturbed (50-100% Exotics)	Gopher frog (*Rana capito*)
		Gopher tortoise (*Gopherus polyphemus*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
514*	Drainage Canal/Ditch	American alligator (*Alligator mississippiensis*)
		Least tern (*Sterna antillarum*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)
		Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
514H*	Drainage Canal/Ditch, Hydric	American alligator (*Alligator mississippiensis*)
		Least tern (*Sterna antillarum*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
514H*	Drainage Canal/Ditch, Hydric (Continued)	Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Everglades mink (*Mustela vison evergladensis*)
533*	Reservoirs (<10 Acres but >100 Acres)	Gopher tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia floridana*)
		Crested caracara (*Caracara cheriway*)
6179 E2	Mixed Wetland Hardwoods, Disturbed (25-49% Exotics)	Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Twisted air plant (*Tillandsia flexuosa*)
6189 E1 6189 E2 6189 E3 6189 E4*	Willow/Pop Ash, Disturbed (0-100% Exotics)	Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
6215 E1 6215 E3 6215 E4*	Cypress, Disturbed and Drained (0-100% Exotics)	Crested caracara (*Caracara cheriway*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Twisted air plant (*Tillandsia flexuosa*)
6219 E2 6219 E3 6219 E4*	Cypress, Disturbed (25-100% Exotics)	American alligator (*Alligator mississippiensis*)
		Gopher frog (*Rana capito*)
		Limpkin (*Aramus guarauna*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
6219 E2 6219 E3 6219 E4*	Cypress, Disturbed (25-100% Exotics) (Continued)	Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Twisted air plant (*Tillandsia flexuosa*)
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	American alligator (*Alligator mississippiensis*)
		Gopher frog (*Rana capito*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Twisted air plant (*Tillandsia flexuosa*)
6259 E2 6259 E3 6259 E4*	Pine, Hydric, Disturbed (25-100% Exotics)	Little blue heron (*Egretta caerulea*)
		Red-cockaded woodpecker (*Picoides borealis*)
		Snowy egret (*Egretta thula*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Tri-colored heron (*Egretta tricolor*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
6309 E2 6309 E3 6309 E4*	Mixed Wetland Forest, Disturbed (25-100% Exotics)	American alligator (*Alligator mississippiensis*)
		Gopher frog (*Rana capito*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
6309 E2 6309 E3 6309 E4*	Mixed Wetland Forest, Disturbed (25-100% Exotics) (Continued)	Everglades mink (*Mustela vison evergladensis*)
		Florida black bear (*Ursus americanus floridanus*)
		Florida panther (*Puma concolor coryi*)
		Twisted air plant (*Tillandsia flexuosa*)
6419 E2 6419 E3 6419 E4*	Freshwater Marsh, Disturbed (25-100% Exotics)	American alligator (*Alligator mississippiensis*)
		Florida sandhill crane (*Grus canadensis pratensis*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)
		Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Everglades mink (*Mustela vison evergladensis*)
6439 E1 6439 E3*	Wet Prairie, Disturbed (0-75% Exotics)	Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)
		Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Everglades mink (*Mustela vison evergladensis*)
740*	Disturbed Land	American alligator (*Alligator mississippiensis*)
		Gopher tortoise (*Gopherus polyphemus*)
		Burrowing owl (*Athene cunicularia floridana*)
7401*	Disturbed Land, Hydric	American alligator (*Alligator mississippiensis*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)
		Snowy egret (*Egretta thula*)
		Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
742*	Borrow Area	American alligator (*Alligator mississippiensis*)
		Least tern (*Sterna antillarum*)
		Limpkin (*Aramus guarauna*)
		Little blue heron (*Egretta caerulea*)
		Reddish egret (*Egretta rufescens*)
		Roseate spoonbill (*Platalea ajaja*)
		Snail kite (*Rostrhamus sociabilis*)
		Snowy egret (*Egretta thula*)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
742*	Borrow Area (Continued)	Tri-colored heron (*Egretta tricolor*)
		Wood stork (*Mycteria americana*)
		Everglades mink (*Mustela vison evergladensis*)
743*	Spoil Area	Gopher tortoise (*Gopherus polyphemus*)
747*	Dikes and Levees (Berm)	Gopher tortoise (*Gopherus polyphemus*)
		Crested caracara (*Caracara cheriway*)
		Wood stork (*Mycteria americana*)
		Big Cypress fox squirrel (*Sciurus niger avicennia*)
814*	Road	N/A

*Habitat surveyed for the species noted, although not required per the LDC.

PAI conducted the protected species survey for six days between February 23 and April 8, 2022. A summary of weather conditions during the protected species survey is provided in Table 3.

Table 3. Summary of Weather Conditions for the Protected Species Survey

Day	Temperature (°Fahrenheit)	Wind (mph)	Cloud Cover (Percent)
February 23, 2022	Low 70s to Mid-80s	6-9 ENE	50-80
February 24, 2022	High 70s to Low 80s	7-9 E	15-35
February 25, 2022	Low 70s to High 80s	6 NE	20-25
March 1, 2022	High 60s to Low 70s	0-8 NNE	75-80
April 6, 2022	Mid-70s to High 70s	10-18 E	30-40
April 8, 2022	High 60s to Mid-70s	8-15 ENE	25-45

The survey utilized meandering pedestrian transects per the WilsonMiller, Inc. methodology. Visibility on the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, total length of transects walked, and percent coverage by habitat type is provided in Table 4. An aerial with approximate locations of walked transects and species locations is provided as Appendix B.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Acres	Transect Length (Feet)	Average Visibility (Feet)**	Percent Coverage
221*	Citrus Grove	2,099.36	731,585	50	80
224*	Abandoned Groves	145.52	50,711	50	80
262*	Low Pasture, Hydric	13.35	5,234	50	90
3219 E1	Palmetto Prairie, Disturbed (0-24% Exotics)	4.98	2,061	50	95

Table 4. (Continued)

FLUCFCS Code	Description	Total Acres	Transect Length (Feet)	Average Visibility (Feet)**	Percent Coverage
3219 E2	Palmetto Prairie, Disturbed (25-49% Exotics)	0.61	299	40	90
3219 E3	Palmetto Prairie, Disturbed (50-75% Exotics)	3.07	1,337	40	80
4119 E2	Pine Flatwoods, Disturbed (25-49% Exotics)	3.30	1,294	50	90
4119 E3	Pine Flatwoods, Disturbed (50-75% Exotics)	18.94	8,250	40	80
4119 E4*	Pine Flatwoods, Disturbed (76-100% Exotics)	0.81	706	20	80
4159 E2	Pine, Disturbed (25-49% Exotics)	0.40	185	40	85
4159 E3	Pine, Disturbed (50-75% Exotics)	0.33	230	25	80
4159 E4*	Pine, Disturbed (76-100% Exotics)	0.24	209	20	80
422*	Brazilian Pepper	3.69	2,143	15	40
4221*	Brazilian Pepper, Hydric	1.32	767	15	40
4289 E4*	Cabbage Palm, Disturbed (76-100% Exotics)	1.74	1,213	25	80
4299 E2	Wax Myrtle, Disturbed (25-49% Exotics)	2.05	949	40	85
4299 E3	Wax Myrtle, Disturbed (50-75% Exotics)	7.81	4,536	30	80
4299 E4*	Wax Myrtle, Disturbed (76-100% Exotics)	9.33	5,419	30	80
4349 E3	Hardwood/Conifer Mixed, Disturbed (50-75% Exotics)	2.13	1,060	35	80
4349 E4*	Hardwood/Conifer Mixed, Disturbed (76-100% Exotics)	5.17	3,003	30	80
514*	Drainage Canal/Ditch	126.12	46,697	50	85
514 H*	Drainage Canal/Ditch, Hydric	0.25	109	40	80
533*	Reservoirs (<10 Acres but >100 Acres)	47.96	23,503	40	90
6179 E2	Mixed Wetland Hardwoods, Disturbed (25-49% Exotics)	0.74	342	40	85
6189 E1	Willow/Pop Ash, Disturbed (0-24% Exotics)	0.28	130	40	85
6189 E2	Willow/Pop Ash, Disturbed (25-49% Exotics)	0.25	116	40	85
6189 E3	Willow/Pop Ash, Disturbed (50-75% Exotics)	5.29	2,634	35	80

Table 4. (Continued)

FLUCFCS Code	Description	Total Acres	Transect Length (Feet)	Average Visibility (Feet)**	Percent Coverage
6189 E4*	Willow/Pop Ash, Disturbed (76-100% Exotics)	11.16	6,482	30	80
6215 E1	Cypress, Disturbed and Drained (0-24% Exotics)	0.08	37	40	85
6215 E3	Cypress, Disturbed and Drained (50-75% Exotics)	0.07	35	35	80
6215 E4*	Cypress, Disturbed and Drained (76-100% Exotics)	4.75	4,138	20	80
6219 E2	Cypress, Disturbed (25-49% Exotics)	2.11	919	45	90
6219 E3	Cypress, Disturbed (50-75% Exotics)	17.80	8,238	40	85
6219 E4*	Cypress, Disturbed (76-100% Exotics)	1.43	712	35	80
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	1.12	829	25	85
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	0.81	353	45	90
6259 E3	Pine, Hydric, Disturbed (50-75% Exotics)	0.52	241	40	85
6259 E4*	Pine, Hydric, Disturbed (76-100% Exotics)	1.07	533	35	80
6309 E2	Mixed Wetland Forest, Disturbed (25-49% Exotics)	1.72	843	40	90
6309 E3	Mixed Wetland Forest, Disturbed (50-75% Exotics)	1.94	1,197	30	85
6309 E4*	Mixed Wetland Forest, Disturbed (76-100% Exotics)	3.33	1,934	30	80
6419 E2	Freshwater Marsh, Disturbed (25-49% Exotics)	0.05	22	45	90
6419 E3	Freshwater Marsh, Disturbed (50-75% Exotics)	7.31	3,383	40	85
6419 E4*	Freshwater Marsh, Disturbed (76-100% Exotics)	1.12	650	30	80
6439 E1	Wet Prairies, Disturbed (0-24% Exotics)	0.05	21	50	95
6439 E3	Wet Prairies, Disturbed (50-75% Exotics)	0.33	204	30	85
740*	Disturbed Land	51.18	23,687	40	85
7401*	Disturbed Land, Hydric	10.33	4,781	40	85
742*	Borrow Area	0.59	273	40	85

Table 4. (Continued)

FLUCFCS Code	Description	Total Acres	Transect Length (Feet)	Average Visibility (Feet)**	Percent Coverage
743*	Spoil Area	1.17	722	30	85
747*	Dikes and Levees (Berm)	40.55	26,495	30	90
814*	Road	0.24	166	30	95

*Habitat surveyed, although not required per the LDC.
**Average visibility to each side of the transect.

4.0 SURVEY RESULTS

A total of eight American alligators (*Alligator mississippiensis*), one gopher tortoise (*Gopherus polyphemus*), four Florida sandhill crane (*Grus canadensis pratensis*), two crested caracara (*Caracara cheriway*), four little blue herons (*Egretta caerulea*), one snowy egret (*Egretta thula*), three wood storks (*Mycteria americana*), one Big Cypress fox squirrel (*Sciurus niger avicennia*), and Florida panther (*Puma concolor coryi*) tracks and scat were observed on the Project site during the protected species survey. The gopher tortoise, Florida sandhill crane, little blue heron, and Big Cypress fox squirrel are listed as threatened by the Florida Fish and Wildlife Conservation Commission (FWCC) (2021). Additionally, the American alligator is listed as threatened by FWCC due to similarity of appearance to the American crocodile (*Crocodylus acutus*). The wood stork and crested caracara are listed as federally threatened by the FWCC and the U.S. Fish and Wildlife Service (USFWS). The Florida panther is listed as federally endangered by the FWCC and the USFWS. The snowy egret is not a state or federal listed species, but it is a Lee County Protected Species. No listed species nests or nesting activity were observed on the Project during the protected species survey. The locations of the American alligators, gopher tortoise, Florida sandhill crane, little blue herons, snowy egrets, wood stork, Big Cypress fox squirrel, and Florida panther tracks and scat are depicted on Appendix B.

5.0 ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for each Lee County protected species documented within each habitat type during the protected species survey and additional fieldwork conducted on the Project site. Separate calculations are provided if more than one of the same protected species is observed within different habitat types. Please note that density estimates are only provided for Lee County protected species.

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 Abundance 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. Conversion only applied when gopher tortoise burrow, not gopher tortoise itself, is documented.

American Alligator (AA)

FLUCFCS Code 221

$= \{2\ AA/[(731{,}585\ ft)\ (50\ ft+50\ ft)]\}\ (43{,}560\ ft^2/ac)$
$= \{2/73{,}158{,}500\ ft^2\}\ (43{,}560\ ft^2/ac)$
$= (2.7 \times 10^{-8}\ ft^2)\ (43{,}560\ ft^2/ac)$
= 0.001 American alligators / acre

FLUCFCS Code 514

$= \{3\ AA/[(46{,}697\ ft)\ (50\ ft+50\ ft)]\}\ (43{,}560\ ft^2/ac)$
$= \{3/4{,}669{,}700\ ft^2\}\ (43{,}560\ ft^2/ac)$
$= (6.0 \times 10^{-7}\ ft^2)\ (43{,}560\ ft^2/ac)$
= 0.03 American alligators / acre

FLUCFCS Code 6189 E4

$= \{1\ AA/[(6{,}482\ ft)\ (30\ ft+30\ ft)]\}\ (43{,}560\ ft^2/ac)$
$= \{1/388{,}920\ ft^2\}\ (43{,}560\ ft^2/ac)$
$= (2.6 \times 10^{-6}\ ft^2)\ (43{,}560\ ft^2/ac)$
= 0.11 American alligators / acre

FLUCFCS Code 740

$= \{2\ AA/[(23{,}687\ ft)\ (40\ ft+40\ ft)]\}\ (43{,}560\ ft^2/ac)$
$= \{2/1{,}894{,}960\ ft^2\}\ (43{,}560\ ft^2/ac)$
$= (1.1 \times 10^{-6}\ ft^2)\ (43{,}560\ ft^2/ac)$
= 0.05 American alligators / acre

Gopher Tortoise (GT) burrow

FLUCFCS Code 3219 E1

$= \{1\ GT(0.5)/[(2{,}061\ ft)\ (50\ ft+50\ ft)]\}\ (43{,}560\ ft^2/ac)$
$= \{0.5/206{,}100\ ft^2\}\ (43{,}560\ ft^2/ac)$
$= (2.4 \times 10^{-6}\ ft^2)\ (43{,}560\ ft^2/ac)$
= 0.1 Gopher tortoise burrows / acre

Table 5. (Continued)

Crested Caracara (CRCA)
FLUCFCS Code 6215 E1
= {1 CRCA/[(37 ft) (40 ft+40 ft)]} (43,560 ft^2/ac)
= {1/2,960 ft^2} (43,560 ft^2/ac)
= (3.4 x 10^{-4} ft^2) (43,560 ft^2/ac)
= 14.7 Crested caracara / acre*

FLUCFCS Code 6215 E3
= {1 CRCA/[(35 ft) (35 ft+35 ft)]} (43,560 ft^2/ac)
= {1/2,450 ft^2} (43,560 ft^2/ac)
= (4.1 x 10^{-4} ft^2) (43,560 ft^2/ac)
= 17.8 Crested caracara / acre*

Florida Sandhill Crane (SACR)
FLUCFCS Code 221
= {4 SACR/[(731,585 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {4/73,158,500 ft^2} (43,560 ft^2/ac)
= (5.5 x 10^{-8} ft^2) (43,560 ft^2/ac)
= 0.002 Sandhill cranes / acre

Little Blue Heron (LBH)
FLUCFCS Code 221
= {3 LBH/[(731,585 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {3/73,158,500 ft^2} (43,560 ft^2/ac)
= (4.1 x 10^{-8} ft^2) (43,560 ft^2/ac)
= 0.002 Little blue herons / acre

FLUCFCS Code 514
= {1 LBH/[(46,697 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {1/4,669,700 ft^2} (43,560 ft^2/ac)
= (2.1 x 10^{-7} ft^2) (43,560 ft^2/ac)
= 0.009 Little blue herons / acre

Snowy Egret (SNEG)
FLUCFCS Code 221
= {1 SNEG/[(731,585 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {1/73,158,500 ft^2} (43,560 ft^2/ac)
= (1.4 x 10^{-8} ft^2) (43,560 ft^2/ac)
= 0.0005 Snowy egret / acre

Table 5. (Continued)

Wood Stork (WOST)
FLUCFCS Code 221
= {2 WOST/[(731,585 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {2/73,158,500 ft^2} (43,560 ft^2/ac)
= (2.7 x 10^{-8} ft^2) (43,560 ft^2/ac)
= 0.001 Wood storks / acre

FLUCFCS Code 747
= {1 WOST/[(26,495 ft) (30 ft+30 ft)]} (43,560 ft^2/ac)
= {1/1,589,700 ft^2} (43,560 ft^2/ac)
= (6.3 x 10^{-7} ft^2) (43,560 ft^2/ac)
= 0.03 Wood storks / acre

Big Cypress Fox Squirrel (BCFS)
FLUCFCS Code 514
= {1 BCFS/[(46,697 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {1/4,669,700 ft^2} (43,560 ft^2/ac)
= (2.1 x 10^{-7} ft^2) (43,560 ft^2/ac)
= 0.009 Big Cypress fox squirrels / acre

Florida Panther Sign (FPS)
FLUCFCS Code 221
= {2 FPS/[(731,585 ft) (50 ft+50 ft)]} (43,560 ft^2/ac)
= {2/73,158,500 ft^2} (43,560 ft^2/ac)
= (2.7 x 10^{-8} ft^2) (43,560 ft^2/ac)
= 0.001 Florida panther sign / acre

*High crested caracara density calculated is due to small size of habitat being utilized.

Table 6. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Amphibians					
Gopher frog (*Lithobates capito*)	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Amphibians (Continued)					
Gopher frog (*Lithobates capito*) (Continued)	4159 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
Reptiles					
American alligator (*Alligator mississippiensis*)	221	80	X		0.001
	262	90		X	
	514	85	X		0.03
	514H	80		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80	X		0.11
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	740	85	X		0.05
	7401	85		X	
	742	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Reptiles (Continued)					
Eastern indigo snake (*Drymarchon corais couperi*)	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	4289 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
Gopher tortoise (burrow) (*Gopherus polyphemus*)	221	80		X	
	224	80		X	
	3219 E1	95	X		0.10
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	533	90		X	
	740	85		X	
	743	85		X	
	747	90		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds					
Burrowing owl (*Athene cunicularia floridana*)	221	80		X	
	224	80		X	
	533	90		X	
	740	85		X	
Crested caracara (*Caracara cheriway*)	221	80		X	
	224	80		X	
	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	85		X	
	4289 E4	80		X	
	533	90		X	
	6215 E1	85	X		14.7
	6215 E3	80	X		17.8
	6215 E4	80		X	
	747	90		X	
Florida sandhill crane (*Grus canadensis pratensis*)	221	80	X		0.002
	224	80		X	
	262	90		X	
	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	6419 E2	90		X	
	6419 E3	80		X	
	6419 E4	80		X	
Least tern (*Sterna antillarum*)	514	85		X	
	514H	80		X	
	742	85		X	
Limpkin (*Aramus guarauna*)	262	90		X	
	514	85		X	
	514H	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Limpkin (*Aramus guarauna*) (Continued)	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	85		X	
	742	85		X	
Little blue heron (*Egretta caerulea*)	221	80	X		0.002
	262	90		X	
	514	85	X		0.009
	514H	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
	6309 E2	90		X	
	6309 E3	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Little blue heron (*Egretta caerulea*) (Continued)	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	80		X	
	7401	85		X	
	742	85		X	
Red-cockaded woodpecker (*Picoides borealis*)	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
Reddish egret (*Egretta rufescens*)	262	90		X	
	514	85		X	
	514H	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	85		X	
	7401	85		X	
Roseate spoonbill (*Platalea ajaja*)	262	90		X	
	514	85		X	
	514H	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
Snail kite (*Rostrhamus sociabilis*)	6439 E3	85		X	
	7401	85		X	
	742	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Snail kite (*Rostrhamus sociabilis*) (Continued)	262	90		X	
	514	85		X	
	514H	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	85		X	
	7401	85		X	
	742	85		X	
Snowy egret (*Egretta thula*)	221	80	X		0.0005
	262	90		X	
	514	85		X	
	514H	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Snowy egret (*Egretta thula*) (Continued)	6439 E3	80		X	
	7401	85		X	
	742	85		X	
Southeastern American kestrel (*Falco sparverius paulus*)	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
	262	90		X	
	514	85		X	
	514H	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Southeastern American kestrel (*Falco sparverius paulus*) (Continued)	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	85		X	
	7401	85		X	
	742	85		X	
Wood stork (*Mycteria americana*)	221	80	X		0.001
	262	90		X	
	514	85		X	
	514H	80		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	7401	85		X	
	742	85		X	
	747	90	X		0.03

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Mammals					
Big Cypress fox squirrel (*Sciurus niger avicennia*)	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	514	85	X		0.009
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	747	90		X	
Everglades mink (*Mustela vison evergladensis*)	262	90		X	
	514	85		X	
	514H	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	
	6189 E3	80		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Mammals (Continued)					
Everglades mink (*Mustela vison evergladensis*) (Continued)	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
	6419 E2	90		X	
	6419 E3	85		X	
	6419 E4	80		X	
	6439 E1	95		X	
	6439 E3	80		X	
	742	85		X	
Florida black bear (*Ursus americanus floridanus*)	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	422	40		X	
	4221	40		X	
	4289 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	6179 E2	85		X	
	6189 E1	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Mammals (Continued)					
Florida black bear (*Ursus americanus floridanus*) (Continued)	6189 E2	85		X	
	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E3	85		X	
	6259 E4	80		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	
Florida panther (sign) (*Puma concolor coryi*)	221	80	X		0.001
	224	80		X	
	3219 E1	95		X	
	3219 E2	90		X	
	3219 E3	80		X	
	4119 E2	90		X	
	4119 E3	80		X	
	4119 E4	80		X	
	4159 E2	85		X	
	4159 E3	80		X	
	4159 E4	80		X	
	4289 E4	80		X	
	4299 E2	85		X	
	4299 E3	80		X	
	4299 E4	80		X	
	4349 E3	80		X	
	4349 E4	80		X	
	6179 E2	85		X	
	6189 E1	85		X	
	6189 E2	85		X	

Table 6. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Mammals (Continued)					
Florida panther (tracks) (*Puma concolor coryi*) (Continued)	6189 E3	80		X	
	6189 E4	80		X	
	6215 E1	85		X	
	6215 E3	80		X	
	6215 E4	80		X	
	6219 E2	90		X	
	6219 E3	85		X	
	6219 E4	80		X	
	6249 E2	85		X	
	6259 E2	90		X	
	6259 E4	80		X	
	6309 E2	90		X	
	6309 E3	85		X	
	6309 E4	80		X	

6.0 MANAGEMENT ACTIVITIES

Prior to the issuance of a development order, a protected species management plan per LDC 10-474 will be prepared and submitted to the Department of Community Development as part of the Lee County review process for the Project. The protected species management plan will outline protection measures for the protected species documented on the Project site.

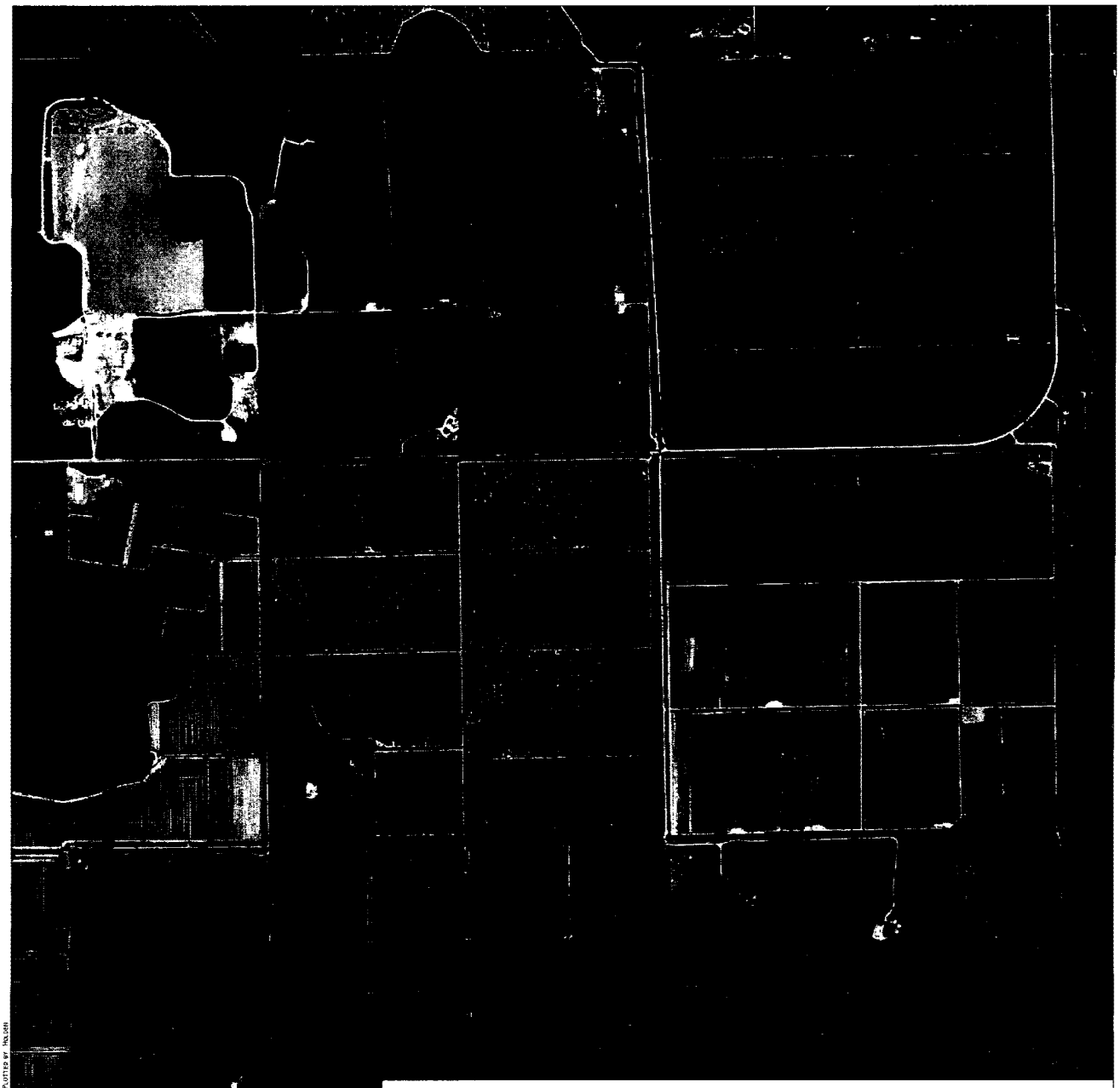
7.0 REFERENCES

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

Florida Fish and Wildlife Conservation Commission. 2021. Florida's Endangered Species, Threatened Species and Species of Special Concern. Official Lists. Florida Fish and Wildlife Conservation Commission. Tallahassee, Florida.

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS MAP



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
221	CITRUS GROVE	2092.35 Ac.±	76.8%
224	ABANDONED GROVES	146.52 Ac.±	5.4%
260	LOW PASTURE, HYDRIC	13.39 Ac.±	0.5%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	4.98 Ac.±	0.2%
3219 E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	0.61 Ac.±	0.0%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	3.07 Ac.±	0.1%
4118 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	3.30 Ac.±	0.1%
4118 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	18.84 Ac.±	0.7%
4118 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	9.61 Ac.±	0.0%
4159 E2	PINE, DISTURBED (25-49% EXOTICS)	0.40 Ac.±	0.0%
4159 E3	PINE, DISTURBED (50-75% EXOTICS)	0.39 Ac.±	0.0%
4159 E4	PINE, DISTURBED (76-100% EXOTICS)	0.24 Ac.±	0.0%
422	BRAZILIAN PEPPER	3.60 Ac.±	0.1%
4221	BRAZILIAN PEPPER, HYDRIC	1.82 Ac.±	0.0%
4289 E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	1.74 Ac.±	0.1%
4289 E2	WAX MYRTLE, DISTURBED (25-49% EXOTICS)	2.65 Ac.±	0.1%
4289 E3	WAX MYRTLE, DISTURBED (50-75% EXOTICS)	7.91 Ac.±	0.3%
4289 E4	WAX MYRTLE, DISTURBED (76-100% EXOTICS)	8.93 Ac.±	0.3%
4340 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	3.13 Ac.±	0.1%
4340 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	5.17 Ac.±	0.2%
514	DRAINAGE CANAL/DITCH	126.13 Ac.±	4.7%
514*	DRAINAGE CANAL/DITCH, HYDRIC	0.28 Ac.±	0.0%
533	RESERVOIRS (<10 ACRES BUT >100 ACRES)	47.99 Ac.±	1.8%
6170 E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.74 Ac.±	0.0%
6189 E1	WILLOW/POP ASH, DISTURBED (0-24% EXOTICS)	0.28 Ac.±	0.0%
6189 E2	WILLOW/POP ASH, DISTURBED (25-49% EXOTICS)	0.28 Ac.±	0.0%
6189 E3	WILLOW/POP ASH, DISTURBED (50-75% EXOTICS)	5.29 Ac.±	0.2%
6189 E4	WILLOW/POP ASH, DISTURBED (76-100% EXOTICS)	11.16 Ac.±	0.4%
6215 E1	CYPRESS, DISTURBED AND DRAINED (0-24% EXOTICS)	0.58 Ac.±	0.0%
6215 E3	CYPRESS, DISTURBED AND DRAINED (50-75% EXOTICS)	0.07 Ac.±	0.0%
6215 E4	CYPRESS, DISTURBED AND DRAINED (76-100% EXOTICS)	4.76 Ac.±	0.2%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	2.11 Ac.±	0.1%
6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	17.80 Ac.±	0.7%
6219 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	1.45 Ac.±	0.1%
6249 E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	1.12 Ac.±	0.0%
6259 E2	PINE, HYDRIC, DISTURBED (25-49% EXOTICS)	0.81 Ac.±	0.0%
6259 E3	PINE, HYDRIC, DISTURBED (50-75% EXOTICS)	0.82 Ac.±	0.0%
6259 E4	PINE, HYDRIC, DISTURBED (76-100% EXOTICS)	1.07 Ac.±	0.0%
6309 E2	MIXED WETLAND FOREST, DISTURBED (25-49% EXOTICS)	1.72 Ac.±	0.1%
6309 E3	MIXED WETLAND FOREST, DISTURBED (50-75% EXOTICS)	1.84 Ac.±	0.1%
6309 E4	MIXED WETLAND FOREST, DISTURBED (76-100% EXOTICS)	2.38 Ac.±	0.1%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	8.06 Ac.±	0.0%
6419 E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	7.31 Ac.±	0.3%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	1.12 Ac.±	0.0%
6430 E1	WET PRAIRIES, DISTURBED (0-24% EXOTICS)	0.02 Ac.±	0.0%
6430 E3	WET PRAIRIES, DISTURBED (50-75% EXOTICS)	0.93 Ac.±	0.0%
740	DISTURBED LAND	51.18 Ac.±	1.9%
7401	DISTURBED LAND, HYDRIC	10.28 Ac.±	0.4%
742	BORROW AREA	0.05 Ac.±	0.0%
748	SPOIL AREA	0.39 Ac.±	0.0%
747	DIKES AND LEVEES (BERM)	40.59 Ac.±	1.5%
814	ROAD	0.24 Ac.±	0.0%
	TOTAL	2884.76 Ac.±	100.0%

* DENOTES "WETLANDS"

LEGEND:

- WETLANDS (83.67 Ac.±)
- "OTHER SURFACE WATERS" (174.13 Ac.±)
- SURVEYED WETLAND LINE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2021.

PROPERTY BOUNDARY PER J.R. EVANS, INC DRAWING NO. 857 KINGSTON MASTER CONCEPT PLAN R.dwg DATED MARCH 7, 2022

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING,INC DRAWING NO.3370-JD-SR DWG DATED FEBRUARY 12, 2009.

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08.DWG DATED DECEMBER 3, 2008

WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO.FD-36-0284086-001 ISSUED AUGUST 26, 2009.

FLUCFCS LINES ESTIMATED FROM 1"=300' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

DRAFT

J:\2021\21CCL3707\PROTECTED SPECIES SURVEY REPORT\APPENDIX A AERIAL WITH FLUCFCS AND WETLANDS.dwg - SOUTH PORTION.dwg TAB: 24-36-C Apr 13, 2022 - 10:56am PLOTTED BY: Holden

DRAWN BY	DATE
H.H./T.S.	03/29/22
DESIGNED BY	DATE
S.J.	03/29/22
REVISED	DATE

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

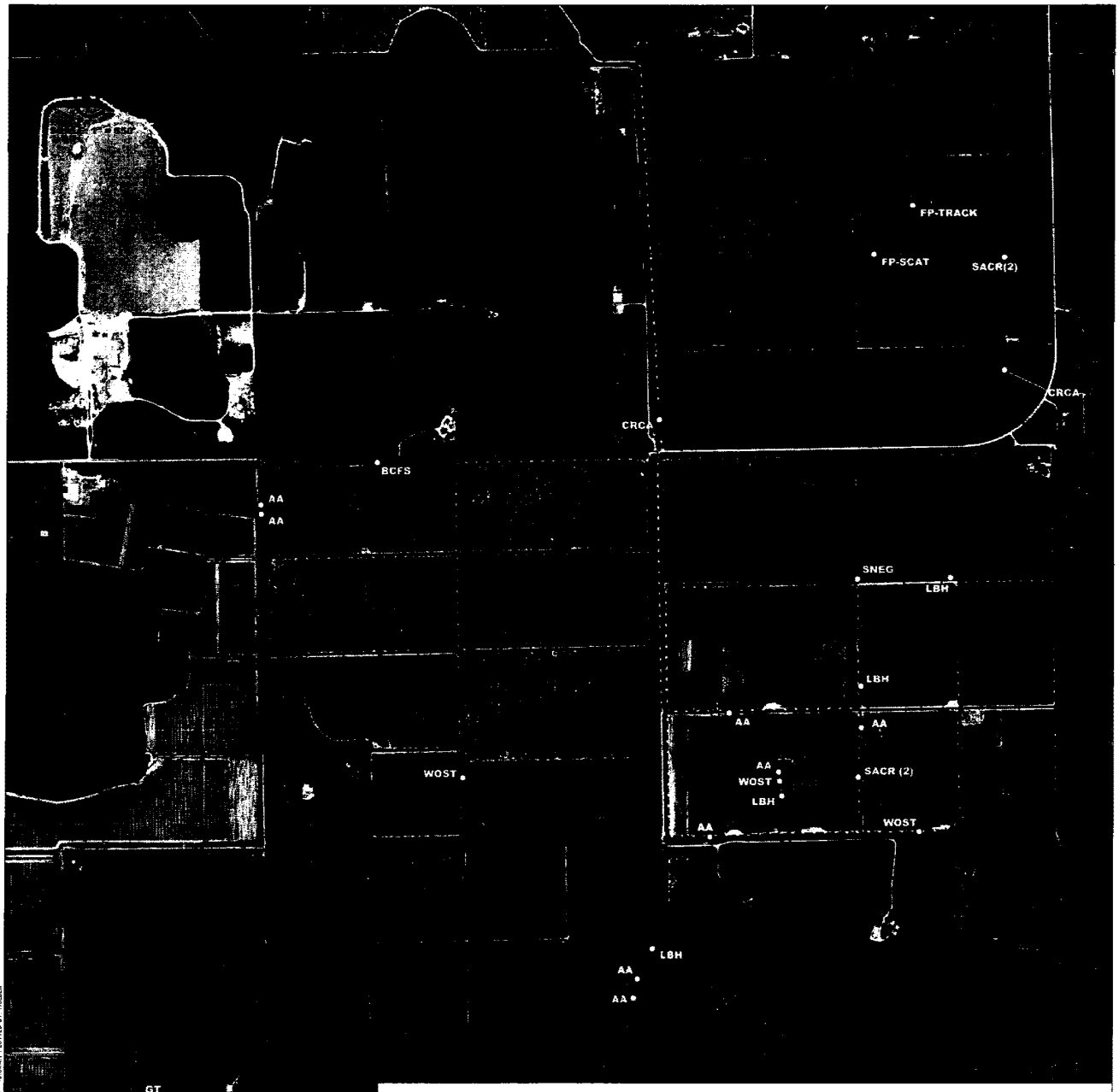
PASSARELLA & ASSOCIATES INC

KINGSTON
AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No.: 21CCL3707
SHEET No.: APPENDIX A

APPENDIX B

AERIAL WITH FLUCFCS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS



LEGEND:

- WETLANDS (83.67 Ac.±)
- "OTHER SURFACE WATERS" (174.13 Ac.±)
- SURVEYED WETLAND LINE
- APPROXIMATE LOCATION OF WALKED TRANSECTS
- AA — AMERICAN ALLIGATOR
- BCFS — BIG CYPRESS FOX SQUIRREL
- CRCA — CRESTED CARACARA
- GT — GOPHER TORTOISE
- LBH — LITTLE BLUE HERON
- SACR — SANDHILL CRANE
- SNEG — SNOWY EGRET
- FP-SCAT — FLORIDA PANTHER SCAT
- WOST — WOOD STORK
- FP-TRACK — FLORIDA PANTHER TRACK

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
211	CITRUS GROVE	2060.39 Ac.±	76.6%
224	ABANDONED GROVES	148.52 Ac.±	5.5%
260	LOW PASTURE, HYDRIC	13.36 Ac.±	0.5%
3219 E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	4.66 Ac.±	0.2%
3219 E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	0.61 Ac.±	0.0%
3219 E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	3.07 Ac.±	0.1%
4119 E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	3.30 Ac.±	0.1%
4119 E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	18.84 Ac.±	0.7%
4119 E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.81 Ac.±	0.0%
4139 E2	PINE, DISTURBED (25-49% EXOTICS)	0.49 Ac.±	0.0%
4139 E3	PINE, DISTURBED (50-75% EXOTICS)	0.39 Ac.±	0.0%
4139 E4	PINE, DISTURBED (76-100% EXOTICS)	0.24 Ac.±	0.0%
422	BRAZILIAN PEPPER	3.89 Ac.±	0.1%
4221	BRAZILIAN PEPPER, HYDRIC	1.32 Ac.±	0.0%
4289 E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	1.74 Ac.±	0.1%
4299 E2	WAX MYRTLE, DISTURBED (25-49% EXOTICS)	2.08 Ac.±	0.1%
4299 E3	WAX MYRTLE, DISTURBED (50-75% EXOTICS)	7.81 Ac.±	0.3%
4299 E4	WAX MYRTLE, DISTURBED (76-100% EXOTICS)	9.33 Ac.±	0.3%
4349 E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	2.13 Ac.±	0.1%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	5.17 Ac.±	0.2%
514	DRAINAGE CANAL/DITCH	126.12 Ac.±	4.7%
514*	DRAINAGE CANAL/DITCH, HYDRIC	0.25 Ac.±	0.0%
530	RESERVOIRS (<10 ACRES BUT > 100 ACRES)	47.98 Ac.±	1.8%
6179 E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.74 Ac.±	0.0%
6189 E1	WILLOW/POP ASH, DISTURBED (0-24% EXOTICS)	0.26 Ac.±	0.0%
6189 E2	WILLOW/POP ASH, DISTURBED (25-49% EXOTICS)	0.25 Ac.±	0.0%
6189 E3	WILLOW/POP ASH, DISTURBED (50-75% EXOTICS)	5.28 Ac.±	0.2%
6189 E4	WILLOW/POP ASH, DISTURBED (76-100% EXOTICS)	11.18 Ac.±	0.4%
6215 E1	CYPRESS, DISTURBED AND DRAINED (0-24% EXOTICS)	0.08 Ac.±	0.0%
6215 E3	CYPRESS, DISTURBED AND DRAINED (50-75% EXOTICS)	0.07 Ac.±	0.0%
6215 E4	CYPRESS, DISTURBED AND DRAINED (76-100% EXOTICS)	4.75 Ac.±	0.2%
6218 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	2.11 Ac.±	0.1%
6218 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	17.80 Ac.±	0.7%
6218 E4	CYPRESS, DISTURBED (76-100% EXOTICS)	1.45 Ac.±	0.1%
6248 E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	1.12 Ac.±	0.0%
6259 E2	PINE, HYDRIC, DISTURBED (25-49% EXOTICS)	0.81 Ac.±	0.0%
6259 E3	PINE, HYDRIC, DISTURBED (50-75% EXOTICS)	0.92 Ac.±	0.0%
6259 E4	PINE, HYDRIC, DISTURBED (76-100% EXOTICS)	1.07 Ac.±	0.0%
6309 E2	MIXED WETLAND FOREST, DISTURBED (25-49% EXOTICS)	1.72 Ac.±	0.1%
6309 E3	MIXED WETLAND FOREST, DISTURBED (50-75% EXOTICS)	1.84 Ac.±	0.1%
6309 E4	MIXED WETLAND FOREST, DISTURBED (76-100% EXOTICS)	3.33 Ac.±	0.1%
6419 E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	0.05 Ac.±	0.0%
6419 E3	FRESHWATER MARSH DISTURBED (50-75% EXOTICS)	7.31 Ac.±	0.3%
6419 E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	1.12 Ac.±	0.0%
6439 E1	WET PRAIRIES, DISTURBED (0-24% EXOTICS)	0.08 Ac.±	0.0%
6439 E3	WET PRAIRIES, DISTURBED (50-75% EXOTICS)	0.33 Ac.±	0.0%
740	DISTURBED LAND	51.16 Ac.±	1.9%
7401	DISTURBED LAND, HYDRIC	10.33 Ac.±	0.4%
742	BORROW AREA	0.05 Ac.±	0.0%
743	SPOIL AREA	0.58 Ac.±	0.0%
747	DIKES AND LEVEES (BERM)	40.56 Ac.±	1.5%
814	ROAD	0.24 Ac.±	0.0%
	TOTAL	2689.75 Ac.±	100.0%

* DENOTES "WETLANDS"

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2021.

PROPERTY BOUNDARY PER J.R. EVANS, INC. DRAWING NO. 857 KINGTON MASTER CONCEPT PLAN R.DWG DATED MARCH 7, 2022.

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING,INC DRAWING NO.3370-JD-SR.DWG DATED FEBRUARY 12, 2009.

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08.DWG DATED DECEMBER 3, 2008.

WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO.FD-36-0284086-001 ISSUED AUGUST 26, 2009.

FLUCFCS LINES ESTIMATED FROM 1"=300' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

DRAFT

J:\2021\21CCL3707\2022\Protected Species Survey Report\Appendix B Aerial with FLUCFCS Transects and Species - South Portion Only2.dwg Tab: 24X36-C Apr 13, 2022 - 10:52am Plotted by: Holden

DRAWN BY	DATE
T.S.	03/29/22
DESIGNED BY	DATE
S.J.	03/29/22
REVISED	DATE
H.H./T.S.	04/11/22

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, INC
Consulting Ecologists

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

DRAWING No.	21CCL3707
SHEET No.	APPENDIX B

EXHIBIT J

KINGSTON
PROTECTED SPECIES MANAGEMENT
AND HUMAN-WILDLIFE COEXISTENCE PLAN

DRAFT

April 2022

Prepared For:

CAM7-Sub, LLC
21101 Design Parc Lane Suite 103
Estero, Florida 33928
(239) 425-8662

Prepared By:

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

Project No. 21CCL3707

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1.0 INTRODUCTION

This report documents the Protected Species Management and Human-Wildlife Coexistence Plan for Kingston (Project). The management plan contained in this report pertains to the Eastern indigo snake (*Drymarchon corais couperi*), gopher tortoise (*Gopherus polyphemus*), American alligator (*Alligator mississippiensis*), crested caracara (*Caracara cheriway*), Florida sandhill crane (*Grus canadensis pratensis*) and listed wading birds, Big Cypress fox squirrel (*Sciurus niger avicennia*), Florida black bear (*Ursus americanus floridanus*), and Florida panther (*Puma concolor coryi*).

The Project totals 6,676.72± acres and is located in Sections 2, 3, 10, 11, 14, 15, 23-26, and 34-36; Townships 46 South; Range 27 East; and Sections 34 and 35; Township 45 South; Range 27 East; Lee County (Appendix A). The surrounding land uses include single-family home sites to the north; Corkscrew Regional Ecosystem Watershed (CREW) lands to the south; CREW lands, single-family home sites, and a segment of Corkscrew Road to the east; and mining and agricultural uses to the west. Additionally, an east-west segment of Corkscrew Road bisects the property before it turns and heads north.

The majority of the site currently supports active citrus grove and other agricultural operations, while the remainder of the site contains native vegetation with varying amounts of disturbance and exotic vegetation. The native wetland habitats include, but are not limited to, cypress, hydric pine, cypress/pine/cabbage palm, mixed wetland forest, freshwater marsh, and wet prairie habitats. Native upland habitats on the Project site include, but are not limited to, palmetto prairie, pine, and pine flatwoods habitat types. As part of the historic agricultural surface water management, an extensive network of ditches, berms, and reservoirs have been constructed on the property which has led to the isolation of native wetland systems within the site.

2.0 LEE COUNTY PROTECTED SPECIES SURVEYS

Passarella & Associates, Inc. (PAI) conducted a Lee County protected species survey (PSS) in July and August 2013 on the northern portion of the Project site, formerly known as Old Corkscrew Plantation IPD. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards. Six Lee County protected species and their signs (e.g., scat, tracks, nests, scratched trees, etc.) were documented during the PSS by PAI. The protected wildlife species observed included American alligator and one alligator nest, little blue heron (*Egretta caerulea*), tri-colored heron (*Egretta tricolor*), snowy egret (*Egretta thula*), crested caracara, and Florida black bear.

Additionally, PAI conducted a Lee County PSS in February, March, and April 2022 on the southern portion of the Project site in accordance with Lee County standards. Eight Lee County protected species and their signs (e.g., scat, tracks, nests, etc.) were documented during the PSS. The protected wildlife species observed included American alligator, gopher tortoise, Florida sandhill crane, little blue heron, snowy egret, wood stork (*Mycteria americana*), Big Cypress fox squirrel, and Florida panther tracks and scat.

Table 1 summarizes the protected species that were documented during the 2013 and 2022 surveys conducted on the Project site.

Table 1. Protected Species Documented on the Project Site

Common Name	Scientific Name	Listing Status	
		FWCC	USFWS
Reptiles			
American alligator	*Alligator mississippiensis*	FT(S/A)	FT(S/A)
Gopher tortoise	*Gopherus polyphemus*	ST	*
Birds			
Crested caracara	*Caracara cheriway*	T	T
Florida sandhill crane	*Grus canadensis pratensis*	ST	-
Little blue heron	*Egretta caerulea*	ST	-
Snowy egret	*Egretta thula*	**	-
Tri-colored heron	*Egretta tricolor*	ST	-
Wood stork	*Mycteria americana*	FT	T
Mammals			
Big Cypress fox squirrel	*Sciurus niger avicennia*	ST	-
Florida black bear	*Ursus americanus floridanus*	**	-
Florida panther (tracks and scat)	*Puma concolor coryi*	FE	E

FWCC – Florida Fish and Wildlife Conservation Commission
USFWS – U.S. Fish and Wildlife Service
E – Endangered
FE – Federally Endangered
FT – Federally Threatened
FT(S/A) – Federally Threatened Due to Similarity of Appearance
ST – State Threatened
T – Threatened
*Currently listed as a candidate species by the USFWS
**Delisted at the state level but protected by an FWCC Management Plan

3.0 CONSERVATION AREAS

The proposed conservation areas total 3,287.23± acres. The conservation areas will be maintained in accordance with the Indigenous Preservation, Restoration, and Management Plan provided under separate cover. The conservation areas will be managed to provide habitat for listed species.

The Project has been designed to minimize impacts to the listed species that have been identified on the property and other listed wildlife species that could potentially utilize the site. The site plan minimizes impacts to existing native vegetation habitats and concentrates development primarily within the existing agricultural lands.

The proposed conservation areas will contain the following elements:

- Preservation and enhancement of 999.07± acres of indigenous wetlands and uplands (existing forested and herbaceous habitats with less than 75 percent exotics);
- Restoration of 373.16± acres of indigenous wetlands, other surface waters (OSW), and uplands vegetation through removal of exotic vegetation (existing forested and herbaceous habitats with greater than 75 percent exotics) and supplemental planting; and
- Restoration of 1,915± acres of wetlands and uplands from farm fields and replanting with native vegetation.
- Open water areas may be incorporated into the restoration from farm fields.

The preservation and enhancement of existing indigenous vegetation and the restoration of extensive areas of farm fields back to indigenous habitats will serve to provide significant regional flow-ways and wildlife corridors within the Project site.

The conservation areas will be managed for listed species based on habitat type and currently listed species utilization. Targeted listed species include the Eastern indigo snake, gopher tortoise, American alligator, crested caracara, Florida sandhill crane and listed wading birds, Big Cypress fox squirrel, Florida black bear, and Florida panther.

The conservation areas will be placed in an easement with inspection, enforcement, and approval rights granted to Lee County, the South Florida Water Management District (SFWMD), and the Florida Department of Environmental Protection. The total preserve area to be placed under a conservation easement is 3,287.23± acres.

4.0 WILDLIFE CROSSINGS

To maintain internal connectivity for wildlife and promote the restoration of historic flow-ways through the property, wildlife crossings will be installed where the proposed internal roads cross the conservation areas. An aerial depicting the proposed location of the wildlife crossings is provided as Appendix B. Two forms of wildlife crossings will be designed to accommodate the passage of both large and small mammals, as well as reptiles and amphibians. Wildlife crossings for large mammals will consist of a box culvert sized up to 6 x 8 feet. Wildlife crossings for small mammals, reptiles, and amphibians will consist of reinforced concrete pipes (RCPs) sized up to 48 inches. The invert of the box culverts and RCPs will be placed at natural grade. A section of low-level chain link fencing will be installed on either side of the crossings to direct wildlife through the crossings.

5.0 PERIMETER BUFFER LAKES AND FENCING

The Project site design includes perimeter fencing between the development and conservation areas. The goal of the fencing is to help deter Florida panther, Florida black bear, and their prey species from entering residential and commercial areas. The fencing will also serve to

accommodate the movement of wildlife among the conservation areas as described in Section 4.0 above.

The wildlife fencing will consist of a six-foot chain link fence which has previously been approved by the Florida Fish and Wildlife Conservation Commission (FWCC) for projects in Southwest Florida. The locations of the proposed fencing are depicted on Appendix B. Further details regarding the location of the fencing will be provided at time of development order.

6.0 COMMERCIAL USES

The Project includes dedicated commercial uses adjacent to Corkscrew Road and State Road 82. To minimize potential human-wildlife interaction, educational brochures provided in this plan will be provided to commercial tenants. Commercial development will be required to minimize wildlife attractants by securing all exterior food and water sources.

Commercial uses, including restaurants, must secure exterior trash containers with locking lids and periodically clean cans to reduce residual odors. Bear-resistant dumpsters will be used in areas where communal garbage is collected. A list of companies obtained from the FWCC that provide bear-resistant garbage containers for commercial use is provided as Appendix C. In consultation with the local waste disposal company, bear-resistant dumpsters will be purchased from one of the listed companies or another company that is able to provide bear-resistant dumpsters which are compatible with local equipment. The bear-resistant dumpsters will be incorporated at the time Lee County's waste collection sub-contractor makes them available for use.

In order to minimize disturbance to wildlife, lighting within the commercial parcel will not directly illuminate the adjacent preserve areas.

7.0 EASTERN INDIGO SNAKE MANAGEMENT PLAN

The Eastern indigo snake has not been documented on-site; however, the following plan outlines the protection guidelines that will be implemented for the Eastern indigo snake during clearing operations for the Project. The plan provides educational material and guidelines for construction personnel to follow in the event they encounter an Eastern indigo snake. The plan has been prepared following the guidelines established by the U.S. Fish and Wildlife Service (USFWS). The Eastern indigo snake is a federally threatened species and is listed by the Endangered Species Act (ESA). It is unlawful for anyone to injure, harm, harass, or kill this species. Persons who knowingly violate provisions of the ESA that afford this species protection may be subject to a fine and/or imprisonment.

7.1 Biology

The Eastern indigo snake is a large, non-poisonous, glossy black snake with smooth iridescent scales. The chin and throat may be rusty or white-blotched. The juvenile snakes are similar to the adults, but may be lighter and exhibit a blotched dorsal pattern. Adults

can grow to lengths over eight feet. The Eastern indigo snake might be confused with the black racer (*Coluber constrictor*), but the black racer exhibits a white or brown throat and is smaller and lighter in build.

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

7.2 Management Plan

The USFWS's Standard Protection Measures for the Eastern Indigo Snake (2013) will be followed prior to and during construction activities. The Standard Protection Measures include the placement of posters at strategic locations on the construction site and along proposed access roads clearly visible to construction staff. The posters include a description and photograph of the Eastern indigo snake, its protection status, and instructions in the event that one is observed. In addition, informational brochures will be provided to all construction staff.

The Project will preserve, enhance, and restore 3,287.23± acres of existing vegetation on-site through the removal of exotic vegetation and supplemental plantings. The preserve areas will be maintained per the Project's Indigenous Preservation, Restoration, and Management Plan and will provide habitat for the Eastern indigo snake.

Problematic encounters between future residents and Eastern indigo snakes are not anticipated. Construction personnel, maintenance staff, and homeowners will be informed that the Eastern indigo snake is a protected species and informational brochures will provided (Appendix D).

8.0 GOPHER TORTOISE MANAGEMENT PLAN

One gopher tortoise was observed during the 2022 PSS. The following plan outlines the management activities that will be implemented for the gopher tortoise prior to the implementation of site clearing. The gopher tortoise is listed as threatened by the FWCC.

8.1 Biology

The gopher tortoise is a large, terrestrial turtle averaging 23 to 28 centimeters (9 to 11 inches) in shell length. Maximum length is around 38 centimeters (15 inches). The gopher tortoise is characterized by stumpy, elephantine hind feet and flattened, shovel-like forelimbs adapted for digging. The tan, brown, or gray carapace (top portion of the shell)

is domed and oblong. The plastron (bottom portion of the shell) is somewhat concave in males. Growth annuli may be conspicuous, particularly in juveniles. Hatchlings are approximately 4.4 centimeters (1.7 inches) in length and are yellowish orange in color.

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

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

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

8.2 Management Plan

Prior to commencement of clearing activities within the development footprint a survey will be conducted to identify gopher tortoises or gopher tortoise burrows. If gopher tortoise burrows are located within the development footprint, the applicant will obtain a permit from the FWCC to relocate gopher tortoise(s) to a protected recipient site prior to initiating construction activities. The recipient site will be approved by the FWCC and managed in perpetuity, consistent with FWCC's Gopher Tortoise Management Plan (2012).

9.0 AMERICAN ALLIGATOR MANAGEMENT PLAN

Eight American alligators and one American alligator nest was observed on-site during the 2022 PSS. The following plan outlines the protection guidelines that will be implemented for the American alligator during clearing operations for the Project. The American alligator is listed as threatened (due to similarity of appearance) by the USFWS and the FWCC.

9.1 Biology

The American alligator is a reptile with an elongated, armored, lizard-like body with a muscular flat tail. Adult alligators are dark with a pale underside while juveniles have bright yellow stripes and blotches. The average size for adults is 8.2 feet for females and 11.2 feet for males. The body weight can reach up to a half ton. American alligators inhabit all counties in the State of Florida and are most common in the major river drainage basins and large lakes in the central and southern portions of the state. They also can be found in marshes, swamps, ponds, drainage canals, phosphate-mine settling ponds, and ditches. Alligators are tolerant of poor water-quality and occasionally inhabit brackish marshes along the coast. A few even venture into saltwater. 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.

9.2 Management Plan

The proposed Project will not impact the alligator. Alligators commonly move from water body to water body in response to factors such as season, disturbances, food supply, etc. The American alligator is listed as a federally threatened species due to similarity of appearance to the American crocodile (*Crocodylus acutus*). Only representatives of the FWCC are authorized to handle nuisance alligators. If an alligator is present within the limits of construction at the time of clearing, work within the immediate vicinity of the alligator will be halted and the animal will be allowed to move out and into safer territory. Once the alligator has moved, work can be restarted. If an active alligator nest is found, it will be temporarily protected with an adequate buffer zone until the hatchlings leave the nest.

Extensive, high quality American alligator habitat will be provided throughout the property through wetland preservation, enhancement, and restoration. This includes the includes exotic vegetation removal within 1,162.96± acres of existing wetlands on the property. These wetlands are predominantly cypress forest, mixed wetland hardwoods, hydric pine forest, and freshwater marshes habitat types. Invasive exotic removal will result in wetland preserves that are more suitable to alligators and their prey species. In addition to the enhancing and restoration of existing wetlands, the Project will restore wetlands from existing farm fields that will benefit the American alligator. The preserve areas will be maintained per the Project's Indigenous Preservation, Restoration, and Management Plan.

To avoid problematic encounters between future residents and American alligators, the FWCC's educational brochure entitled "A Guide to Living with Alligators" (Appendix E) will be provided to homeowners and maintenance staff (see Section 16.2).

10.0 CRESTED CARACARA MANAGEMENT PLAN

Two crested caracara were observed during the 2022 PSS. As such, the following management plan outlines the protection guidelines that will be implemented for the crested caracara prior to clearing activities on the Project and addresses habitat enhancement and restoration on the site. The crested caracara is listed as threatened by the USFWS and the FWCC.

10.1 Biology

The crested caracara is a large, non-migratory raptor that feeds both on prey and carrion and is often found with flocks of turkey vultures (*Cathartes aura*) and black vultures (*Coragyps atratus*). The population of crested caracara found in peninsular Florida is genetically isolated from other populations of crested caracara subspecies found in the Southwestern United States and portions of Central and South America (USFWS 1999). While other subspecies of crested caracara are not listed as threatened or endangered, the crested caracara subspecies found in Florida was listed in July 1987 as threatened under the ESA.

Crested caracaras primarily use open habitats including native prairies; grasslands and cattle pastures with their associated freshwater marshes; and small clumps of cabbage palms (*Sabal palmetto*), live oak (*Quercus* spp.) hammocks, and cypress (*Taxodium* spp.). Cabbage palms in open habitats are of high importance for nesting (Rodgers *et al.* 1996, Morrison 2001). The primary nesting season for the crested caracara is November through April. Egg laying typically occurs December through February. Clutch size is one to three eggs and incubation ranges from 28 to 32 days. Caracara young fledge at age seven to eight weeks, mostly in March and April (Wood 2001).

10.2 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of crested caracara nests. The removal of any caracara nests located within the Project site will be coordinated with USFWS and Lee County Department of Community Development staff prior to initiation of construction activities.

The completed Project will preserve, enhance, and restore 3,287.23± acres of native habitat. The conservation areas will include open freshwater marsh, pine, and other habitat types that will provide potential foraging opportunities for caracaras.

Problematic encounters between future residents and crested caracaras are not anticipated. Should a caracara choose to nest adjacent to the community or close to approved access areas within the preserves, the nest will be left undisturbed. If unanticipated nest disturbance is noted, then an appropriate no-entry buffer zone will be established around the nest with signage until the young fledge.

11.0 WADING BIRD AND FLORIDA SANDHILL CRANE MANAGEMENT PLAN

Florida sandhill cranes and several listed wading bird species, including the little blue heron, tri-colored heron, American wood stork, and snowy egret were observed utilizing the Project site during the 2013 and 2022 PSS. It is anticipated that these birds and others, including limpkin (*Aramus guarauna*), and roseate spoonbill (*Platalea ajaja*) may utilize the wetlands and other native habitats on the property. The following management plan has been prepared for the purpose of addressing the management of potential wading bird and Florida sandhill crane habitat on the site.

11.1 Management Plan

Prior to clearing activities, a qualified ecologist will survey the construction impact area and adjacent habitats for the presence of Florida sandhill crane and listed wading bird nests. If there is evidence of Florida sandhill crane or listed wading bird nesting, the appropriate FWCC-recommended buffer will be provided around the nest site(s) to avoid disturbance by human activities. If Florida sandhill crane or listed wading bird nesting is discovered after construction has begun or if maintaining the buffers is not possible, the applicant will coordinate with the FWCC staff regarding permitting requirements.

The Project proposes preservation and enhancement of wading bird habitat. Foraging areas will be provided through the preservation, enhancement, and restoration of 1,162.96± acres of existing wetlands. Enhancement and restoration of the preserved wetlands through removal of invasive exotic plants and installation of native plantings will result in habitats that are more suitable for wading bird foraging and roosting. In addition to enhancing and restoring existing wetlands, the Project will restore wetland from existing farm field which will benefit Florida sandhill cranes and wading bird species.

Problematic encounters between future residents and Florida sandhill cranes and wading birds are not anticipated. Construction personnel, maintenance staff, and homeowners will be informed that the wading birds are protected species. Additionally, informational pamphlets will be provided to homeowners and maintenance staff (Appendix F) (see Section 16.2).

12.0 BIG CYPRESS FOX SQUIRREL MANAGEMENT PLAN

The Big Cypress fox squirrel was observed utilizing forested and disturbed areas on the Project during the 2022 PSS. The following management plan has been prepared for the purpose of addressing the conservation of Big Cypress fox squirrel habitat on the Project site and outlines the protection guidelines that will be implemented for the Big Cypress fox squirrel prior to, during, and after construction of the Project. The Big Cypress fox squirrel is listed as threatened by the FWCC. There is no federal listing for the Big Cypress fox squirrel in Florida.

12.1 Biology

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

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

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

12.2 Pre-Construction Surveys

A qualified ecologist will be on-site to supervise Big Cypress fox squirrel management and monitoring activities as detailed in this plan. Prior to clearing activities, the preserve areas will be staked in the field and clearly identified with silt fencing or an equivalent barrier. The fencing will be inspected by the preserve manager prior to clearing activities. The operation and storage of construction equipment and the stock-piling of fill and construction material will be prohibited within the fenced preserve areas. The fencing identifying the limits of the preserves will be maintained for the duration of construction activities.

Also, prior to commencement of clearing activities in the development area and removal of exotic trees within the preserve areas, a survey will be conducted by a qualified ecologist to identify potential Big Cypress fox squirrel nests. If potential nests are identified within the clearing limits or within the preserve areas, observations will be conducted to determine if the nests are being utilized by Big Cypress fox squirrels. The FWCC will be notified of nests determined to be utilized by Big Cypress fox squirrels. Active nests will be temporarily protected from clearing by a 125-foot radius undisturbed buffer until juvenile fox squirrels have vacated the nest(s), as confirmed by a qualified ecologist. After completion of nesting and observations documenting that juvenile fox squirrels have

vacated the nest(s), a written request to remove the nest tree(s) will be made to the FWCC. After receipt of the written authorization from the FWCC, the nest tree and buffer can then be cleared.

12.3 Management Plan

Enhancement and restoration of the preserve areas will be conducted as detailed in the Indigenous Preservation, Restoration, and Management Plan. Prescribed fires may be used within the preserved habitats to help maintain an open understory. The preserve areas will provide foraging and nesting habitats for Big Cypress fox squirrels.

Problematic encounters between future residents and Big Cypress fox squirrels are not anticipated. The typical nest location, high within the tree canopy, will ensure against disturbance to fox squirrel nests. Construction personnel, maintenance staff, and homeowners will be informed that the Big Cypress fox squirrel is a protected species.

13.0 FLORIDA BLACK BEAR MANAGEMENT PLAN

Florida black bear sign (i.e., scratch tree) was documented on the Project site during the 2013 PSS. The following habitat management plan has been prepared for the purpose of addressing the conservation of Florida black bear habitat on the Project site. The Florida black bear is not listed by the FWCC or the USFWS. However, the FWCC and the Lee County LDC have specific management activities for this species.

13.1 Biology

The Florida black bear is a subspecies of the American black bear (*Ursus americanus*). The Florida black bear is a solitary animal that inhabits heavily wooded terrain and is most often found in large tracts of swamp forest and undisturbed upland forest. Some of the most important habitat types for the Florida black bear include pine flatwoods, hardwood swamps, cypress swamps, cabbage palm forests, sand pine scrub, and mixed hardwood hammocks. Denning often occurs in remote swamps or thickets with dense vegetation. Adult females breed in alternating years during the months of June and July. In Florida, hibernation may be restricted to females producing cubs. Hibernation most often occurs during the winter months. The diet of Florida black bears is highly variable and includes both plants and animals including saw palmetto berries, honeybees (*Apis* sp.), ants (*Formicidae* sp.), armadillo (*Dasypus novemcinctus*), feral hog (*Sus scrofa*), and white-tailed deer (*Odocoileus virginianus*) (Humphrey 1992).

13.2 Management Plan

In order to deter the potential for interactions between humans and large mammals such as the Florida black bear, perimeter fencing will be utilized between development and the conservation areas to deter large mammals from accessing the development areas.

The preserved, enhanced, and restored habitat within the conservation areas will provide habitat for the Florida black bear and associated prey species. Enhancement activities will provide higher quality habitat for the Florida black bear than what currently exists within the site.

To avoid problematic encounters between future residents and Florida black bears, the FWCC's educational brochure entitled "A Guide to Living in Bear Country" (Appendix G) will be provided to homeowners and maintenance staff (see Section 16.4).

14.0 FLORIDA PANTHER MANAGEMENT PLAN

No Florida panthers were observed on the Project; however, panther tracks and scat were observed during the 2022 PSS. The property is located within both the USFWS's Primary and Secondary Zones for the Florida panther. In addition, FWCC Florida panther telemetry has been recorded on the Project site and adjacent properties. The following habitat management plan has been prepared for the purpose of addressing the conservation of Florida panther habitat on the Project site. The Florida panther is listed as endangered by the FWCC and the USFWS.

14.1 Biology

The Florida panther is a large, long-tailed cat with a great deal of color variation: pale brown or rusty upper parts; dull white or buff-colored under parts; and dark brown or blackish tail tip, back of ears, and sides of the nose. Mature males have an average weight range between 100 to 150 pounds and measure nearly seven feet from nose to tip of the tail. Females are considerably smaller with a weight range of 50 to 100 pounds and measuring about six feet (USFWS 1987). Panthers subsist on a variety of mammalian prey dominated by white-tailed deer, feral hog, and in some areas raccoon (*Procyon lotor*) (Maehr 1988*a*). Existing data on Florida panther reproduction indicates that breeding occurs throughout the year with a peak in the winter/spring period, a gestation period of around 90 to 95 days, litter sizes of one to four kittens, and a breeding cycle of two years for females successfully raising young to dispersal (which occurs around 18 to 24 months) (Belden 1988, Maehr 1988*b*).

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

14.2 Management Plan

In order to deter the potential for interactions between humans and large mammals such as the Florida panther, perimeter fencing will be utilized between the development and conservation areas to deter large mammals from accessing the development areas.

The preserved, enhanced, and restored habitat within the conservation areas will provide habitat and a wildlife corridor for the Florida panther and associated prey species. Enhancement activities will provide higher quality habitat for the Florida panther than what currently exists within the site.

To avoid problematic encounters between future residents and Florida panthers, the educational brochure entitled "A Guide to Living with Florida Panthers" (Appendix H), prepared by the FWCC and the USFWS, will be provided to homeowners and maintenance staff (see Section 16.5).

15.0 PRESCRIBED FIRE

Prescribed burning may be used as a management tool to maintain the native vegetation communities within the conservation areas. Prescribed burns help maintain vegetative communities in their natural state, reduce fuel loads and the danger of wildfire, aid with the eradication and control of exotic and nuisance vegetation species, and improve wildlife habitat. The objectives of prescribed burning in the conservation areas will be to aid in the control of exotic vegetation and woody shrubs (i.e., wax myrtle (*Morella cerifera*) and saltbush (*Baccharis halimifolia*)), and to stimulate the growth and diversity of herbaceous vegetation.

If utilized, the burning frequency for the conservation areas will be two to four years, which is consistent with the natural fire regime for mesic flatwoods, wet flatwoods, and wet prairies described by Florida Natural Areas Inventory (FNAI) in the *Guide to the Natural Communities of Florida* (2010). The edges of the Project's freshwater marshes will be burned when the fire moves through the adjacent pine and prairie habitats. The fire will be allowed to extinguish naturally within the wetter marsh habitats.

Prescribed burning is typically conducted during the winter or early spring when temperatures are reduced, and wind direction is more constant. The initial burn is anticipated to occur during the late winter. Winter burns are preferred to reduce high fuel loads. Growing season burns also may be conducted as conditions allow. Changes in annual weather cycles determine when burn permits will be available, and burns may be conducted only on the day(s) of Florida Forest Service (FFS) permission. Fires will be excluded from planted areas for at least ten years to allow plantings to mature enough to survive fires.

Controlled burns will be conducted only when authorized with a permit by the FFS. In addition, notice will be given to the Estero Fire District. Coordination with CREW and the South Florida Water Management District will occur before burning. Burning will not be conducted if smoke is anticipated to encroach upon Corkscrew Road, State Road 82, or adjacent residences.

Information on prescribed fire will be incorporated into the property owner association or developer's agreement documents (Appendix I).

16.0 HUMAN-WILDLIFE COEXISTENCE PLAN

The following Human-Wildlife Coexistence Plans will be incorporated into the declaration of covenants of the Project's Homeowners Association or Community Development District documents.

16.1 Eastern Indigo Snake

As previously noted, the USFWS's Standard Protection Measures for the Eastern Indigo Snake (2013) will be followed prior to and during construction activities. The USFWS's Standard Protection Measures, including the poster and brochure, can be found at http://www.fws.gov/verobeach/listedspeciesreptiles.html. A copy of the brochure is provided as Appendix C.

16.2 American Alligator

Signs will be posted on the subject property to instruct on-site workers and homeowners not to feed or harass the American alligator. The signs will indicate that the offense is punishable by law. The typical signage is provided as Appendix I. Signs will be spaced a maximum of 300 feet apart. The FWCC's educational brochure entitled "A Guide to Living with Alligators" (Appendix D) will be provided to homeowners and maintenance staff. The brochure can be found at http://myfwc.com/media/152524/Alligator_Brochure.pdf. Construction personnel and homeowners will be instructed that in the event there is a problem with a persistent nuisance alligator, they should contact the FWCC's Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). The FWCC is the only agency empowered to handle nuisance alligators.

16.3 Wading Bird

A wading bird informational brochure entitled "Wading Bird Informational Pamphlet" (Appendix E) will be provided to homeowners and maintenance staff. The brochure provides wading bird information and methods to prevent human-wading bird interactions. In addition, the brochure informs residents of the need to avoid disturbance around a nest(s), should a wading bird nest(s) be identified on the property in the future.

16.4 Florida Black Bear

Residents will be educated about the presence of black bears in their community. FWCC's educational brochure entitled "A Guide to Living in Bear Country" (Appendix F) will be provided to homeowners and maintenance staff. This brochure can be found at http://myfwc.com/wildlifehabitats/managed/bear/brochures/.

16.5 Florida Panther

Residents will be educated about the presence of Florida panthers in their community. The educational brochure entitled "A Guide to Living with Florida Panthers" (Appendix G), prepared by the FWCC and the USFWS, will be provided to homeowners and maintenance staff. This brochure provides safety tips and instructions for panther encounters. The brochure can be found on the FWCC website located at http://myfwc.com/conservation/you-conserve/wildlife/panthers/.

17.0 PRESERVE SIGNAGE AND COMMUNITY EDUCATION PLAN

Signs identifying the conservation areas as a "nature preserve area" will be installed along the boundary of the preserve. The signage will include language stating, "No dumping allowed" (Appendix J). The signs will be spaced a maximum of 300 feet apart, will be no closer than ten feet from residential property lines, and will be limited to a maximum height of four feet and a maximum size of two square feet.

Periodic seminars may be held to further educate the community about the conservation areas, wetland benefits, coexistence with and protection of wildlife, and the benefits of prescribed fire. Community informational and educational brochures, such as those describing the benefits of prescribed fire (Appendix J), may be created and provided as needed to keep residents in compliance with conservation easements, wildlife regulations, etc. Continued education will ensure that the community is well informed regarding the preserves and wildlife coexistence.

18.0 REFERENCES

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Maehr, D.S., E.D. Land, and J.C. Roof. 1991. Social Ecology of Florida Panthers. National Geographic Research & Exploration, 7(4): 414-431.

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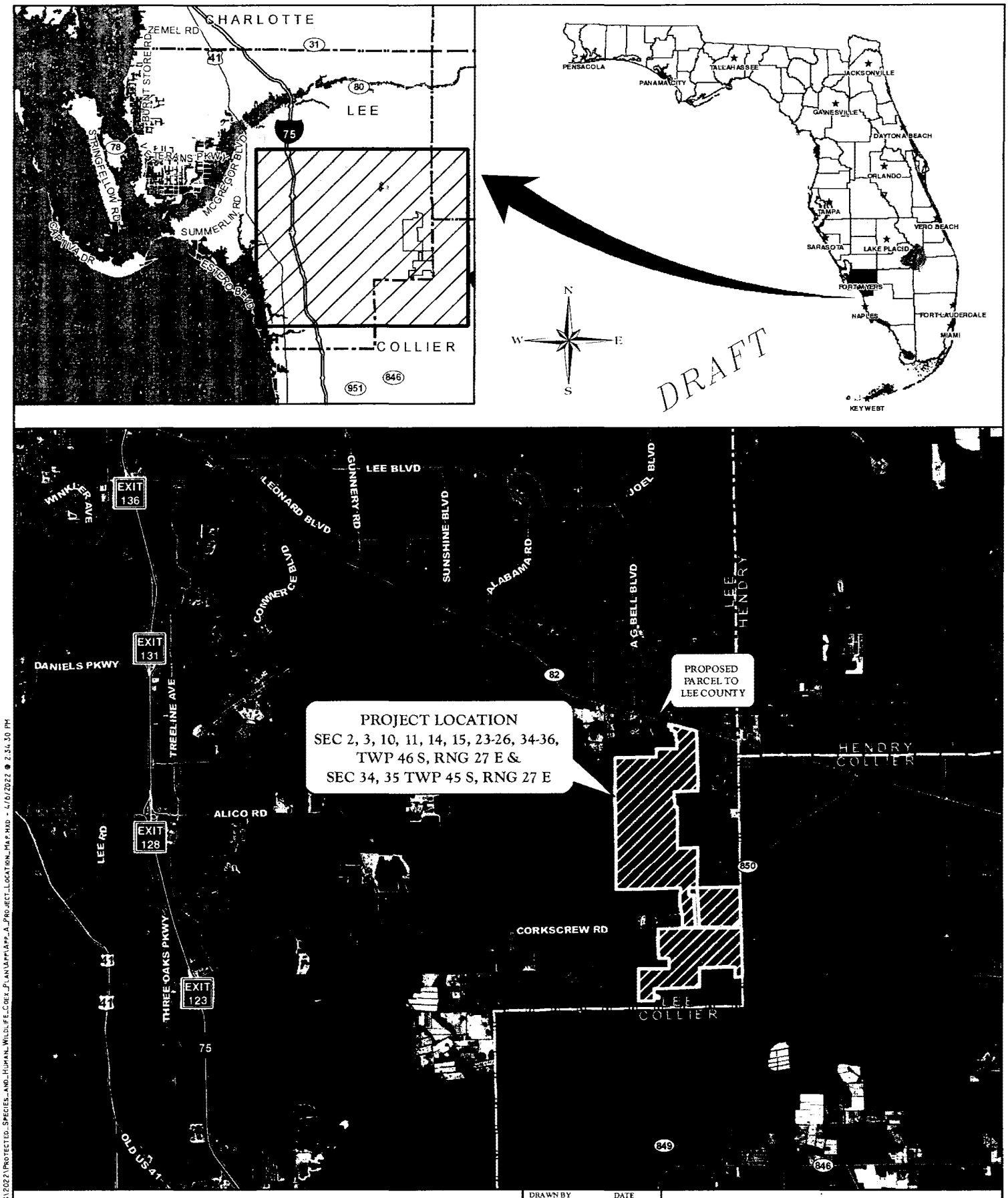
APPENDIX A

PROJECT LOCATION MAP



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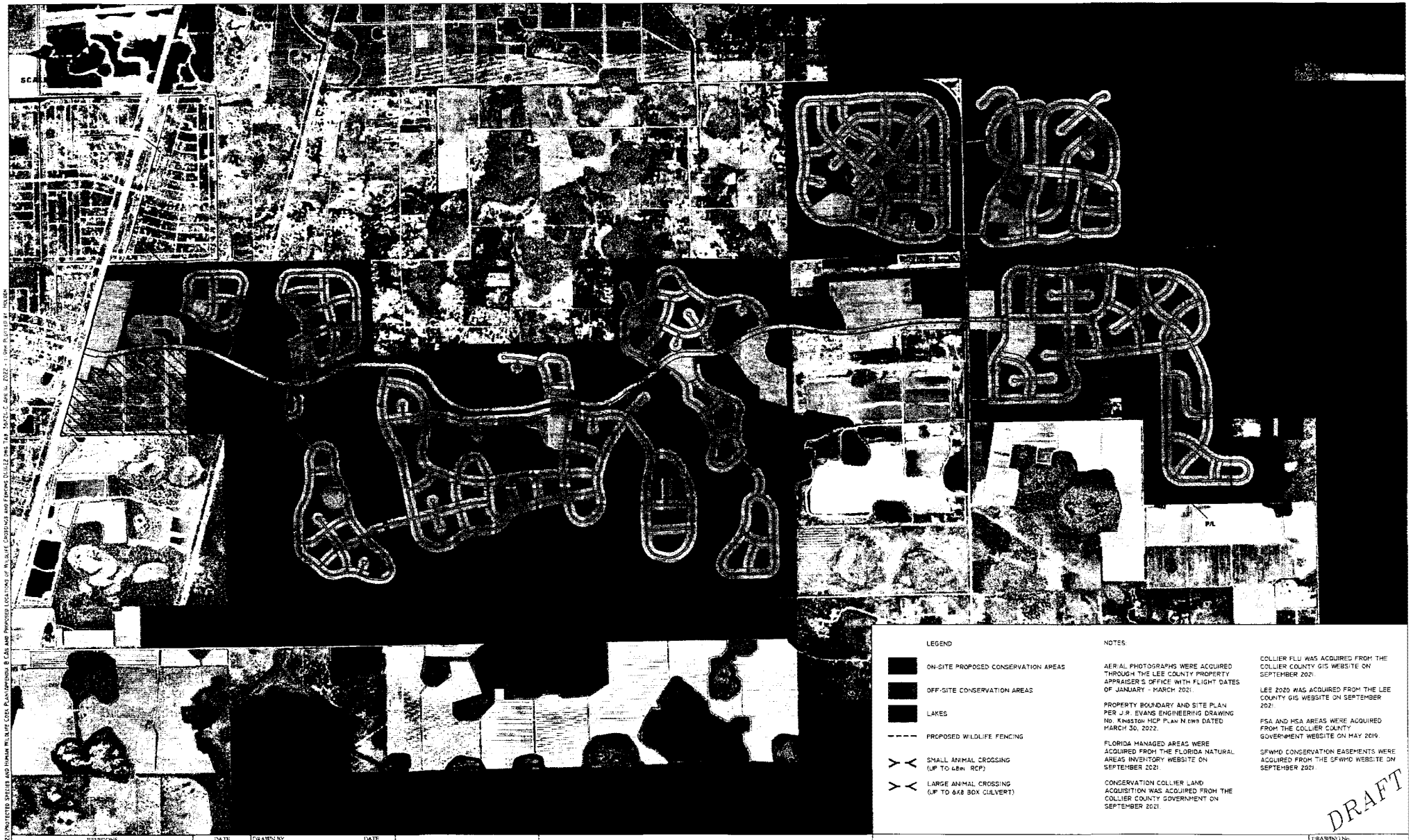
APPENDIX A. PROJECT LOCATION MAP
KINGSTON

DRAWN BY	DATE
H.H.	03/14/22
REVIEWED BY	DATE
S.J.	03/14/22
REVISED	DATE

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

APPENDIX B

AERIAL WITH CONSERVATION AREAS AND PROPOSED LOCATION OF WILDLIFE CROSSINGS AND FENCING PLAN



LEGEND

- ON-SITE PROPOSED CONSERVATION AREAS
- OFF-SITE CONSERVATION AREAS
- LAKES
- PROPOSED WILDLIFE FENCING
- SMALL ANIMAL CROSSING (UP TO 48in RCP)
- LARGE ANIMAL CROSSING (UP TO 6X8 BOX CULVERT)

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2021.

PROPERTY BOUNDARY AND SITE PLAN PER J.R. EVANS ENGINEERING DRAWING NO. KINGSTON MCP PLAN N.DWG DATED MARCH 30, 2022.

FLORIDA MANAGED AREAS WERE ACQUIRED FROM THE FLORIDA NATURAL AREAS INVENTORY WEBSITE ON SEPTEMBER 2021.

CONSERVATION COLLIER LAND ACQUISITION WAS ACQUIRED FROM THE COLLIER COUNTY GOVERNMENT ON SEPTEMBER 2021.

COLLIER FLU WAS ACQUIRED FROM THE COLLIER COUNTY GIS WEBSITE ON SEPTEMBER 2021.

LEE 2020 WAS ACQUIRED FROM THE LEE COUNTY GIS WEBSITE ON SEPTEMBER 2021.

FSA AND HSA AREAS WERE ACQUIRED FROM THE COLLIER COUNTY GOVERNMENT WEBSITE ON MAY 2019.

SFWMD CONSERVATION EASEMENTS WERE ACQUIRED FROM THE SFWMD WEBSITE ON SEPTEMBER 2021.

DRAFT

REVISIONS	DATE

		DATE
DRAWN BY	H.H.	04/04/22
DESIGNED BY	S.J.	04/04/22
REVIEWED BY	S.J.	04/04/22

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES

KINGSTON

AERIAL WITH CONSERVATION AREAS AND PROPOSED LOCATION OF WILDLIFE CROSSING AND FENCING PLAN

DRAWING No.: 21CCL3707

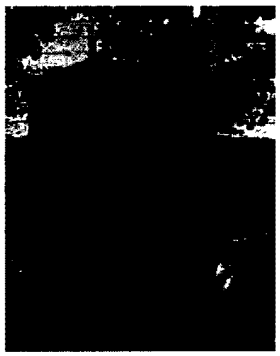
SHEET No.: APPENDIX B

APPENDIX C

BEAR-RESISTANT CONTAINER LIST

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Residential Poly Carts and Cans



BearProofInc
234 S. Golden Dr.
Silt, CO 81652
Ph: (970) 309-2460
Fax: (970) 876-0420
E-mail: Info@BearProofInc.com
Website: http://www.bearproofinc.com/

Metal Roll Away Container
95 gallon

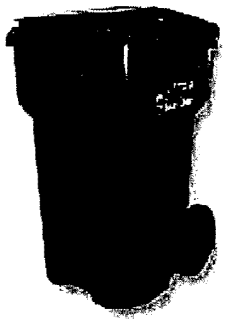
* Metal food and trash lockers also available

Bear Proofing-R-US
(no address available)
Ph: (865) 430-8902
E-mail: akruk@charter.net
Website: http://www.bearproofing-r-us.com/

Residential Street-side Trash Can
96 gallon
*dumpster lids, loaders, and bird feeders also available

Bear Proof Systems, LLC
7855 E. Lark Dr.
Parker, CO 80138
Phone: (303) 840-3390/1-800-944-7973
Fax: (303) 840-3460
E-mail: solidws@comcast.net
Website: http://www.bearproofsystems.com/

Curbside Carts
64 gallon
94 gallon
*Also make various metal containers



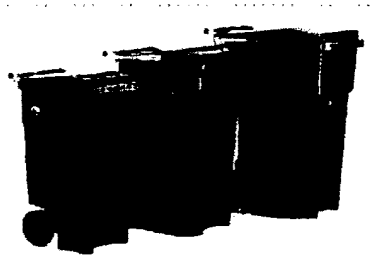
BearSaver – USA Sales

Steve Thompson

Ph: 1-800-851-3887
Fax: 909-605-7780
E-mail: sales@bearsaver.com
Website: http://www.bearsaver.com/

Bear Resistant Residential Poly Carts
Model PC-95
95 gallon (min order 24)
Model PC-65
65 gallon (min order 20)
Model PC-32
32 gallon (min order 20)
*Commercial Yard Dumpsters also available

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS



Cascade Industries
The Learning Community
3400 Innovation Court SE
Grand Rapids, MI 49512-2085
Ph. (616)-975-4800

Fax: (616) 254-4174
E-mail: info@cascadeng.com
http://www.cascadeng.com/markets/waste/index.htm

"Cascade Cart"
35 gallons
64 gallons
96 gallons
Bear Resistant Cascade Cart
96 gallons

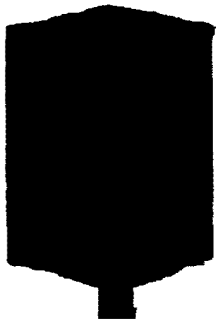
DAWG, Inc.
25 Lassy Court
Terryville, CT 06786
Phone: 1-800-YEL-DAWG (935-3294)
Fax: 1-800-LIL-PAWS (545-7297)
website: www.dawginc.com

Bearicuda Bin
"Critter Can" Model
Mobile Screw Top Model
Mobile Bearicuda Bin
BEARier Bins

Residential Trash Storage Containers

BearGuard Co. Ltd.
P.O. Box 89
Tahoe City, CA. 96145-0089
Phone/Fax (530) 581-2211
E-mail: **sales@BearGuardInfo.com**
Website: http://www.bearguardinfo.com/index.html

Green and Brown Containers
Various sizes



Carson Valley Welding
1046 Mallory Way
Carson City NV. 89701
PH: (775) 884-9353
Cell: (530) 318-1136
Fax: (775) 884-9354
Email:Don@nobearcan.com
Website: http://www.nobearcan.com/index.html

"No Bear Can"
Model B-5030 $999.00
Model B-5036 $1149.00

See also the following companies:
Bear Proof Inc.
Bear Proofing-R-US
Bear Proof Systems

Info. above

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Animal Resistant Dumpsters

Capital Industries, Inc.
5801 Third Avenue South
Seattle WA 98108
Phone: (206) 762-8585/1-800-967-8585
FAX: (206) 762-5455
E-mail: sales@capitalind.com
Website: http://www.capitalind.com/main/

Bear Resistant Metal Containers & Lids
Various designs

Haul-All Equipment Systems
(no address available)
Phone: 1-888-428-5255
Fax: (403) 328-9956
E-mail: solutions@haulall.com
Website: http://www.haulall.com/index.htm

Hyd-A-Way Model
Several options available for garbage disposal and storage

See also the following companies:
Bear Proof Inc.
Bear Proofing-R-US
Bear Proof Systems
BearSaver-USA Sales

Info. above

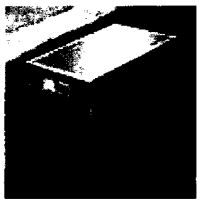
Recreational Storage Containers
Panniers (for cooler storage)

Bear-Aware
(no address available)
Phone: 800-568-8990 / 818-504-3518
Contact Jeff Berns
E-mail: jmberns@bear-aware.comor
Website: http://www.bear-aware.com/

Dry & Ice Panniers
24" Medium Dry
28" Large Dry
28" Slim Dry
24" Medium Ice
28" Large Ice

Outfitters Supply
7373 US Highway 2E
Columbia Falls, MT 59912
Phone: 888-467-2256/ 406-892-3650
Fax: 406-892-4234
E-mail: gopackn@outfitterssupply.com
Website: http://www.outfitterssupply.com/

Pack Panniers

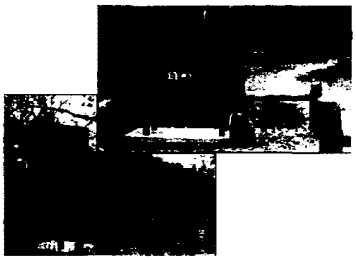


Pack Saddle Shop
3071 West Twin Rd
Moscow Idaho 83843
Phone: 208-882-1791
E-mail: support@packsaddleshop.com
Website:
http://www.packsaddleshop.com/Bearpan.html

Aluminum Panniers
Medium
Large
Sold with and without hardware

BEAR RESISTANT TRASH & RECREATIONAL STORAGE CONTAINERS

Food Storage Lockers



See the following companies:
BearProofInc
BearSaver – USA Sales
Haul-All Equipment Systems (product shown)

Info. above

Ask your local waste service provider if they offer wildlife resistant canisters. For example, Waste Pro Inc. and Waste Management Inc. have offered wildlife resistant containers for both residential and commercial locations. In some areas the Waste Service Provider has retrofitted the existing dumpster to a wildlife resistant design.

APPENDIX D

EASTERN INDIGO SNAKE INFORMATIONAL PAMPHLET

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

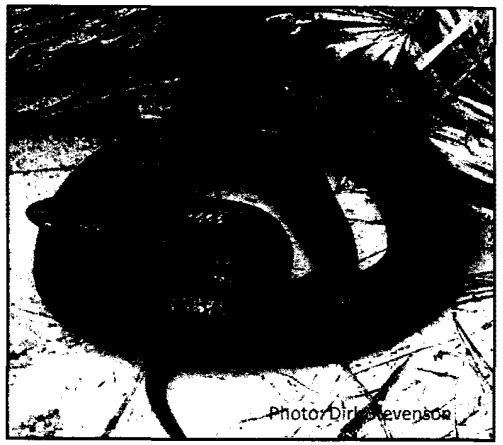
Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

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

August 12, 2013

ATTENTION:

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



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

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

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

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

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

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

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

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

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

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

APPENDIX E

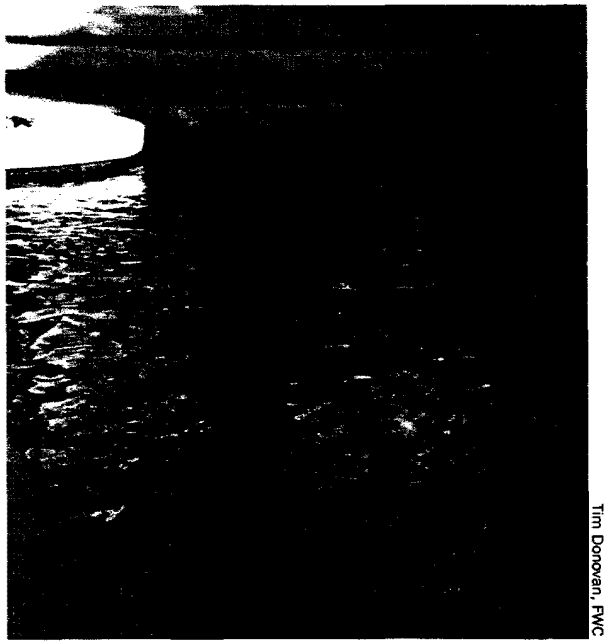
AMERICAN ALLIGATOR INFORMATIONAL PAMPHLET

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

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

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

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



Tim Donovan, FWC

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

Janice Plain

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

MyFWC.com/Alligator

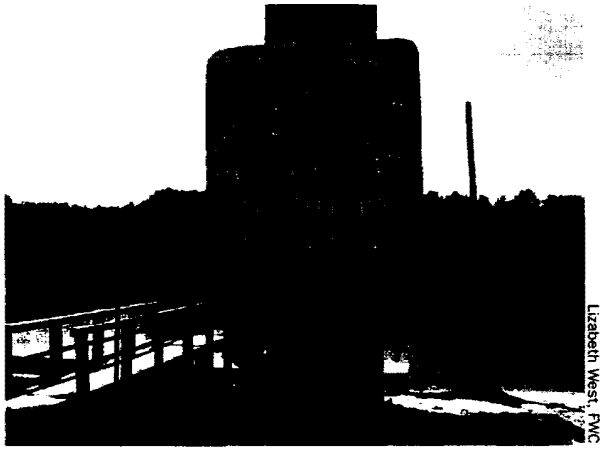
Report Fish & Wildlife Violations
1 888 404 3922

Printed on recycled content. 02/2012

A Guide to Living with **Alligators**

Jamie Feddersen

Florida Fish and Wildlife Conservation Commission
MyFWC.com



Lizabeth West, FWC

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

Living with Alligators

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

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

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

Tim Donovan, FWC

Alligators and People

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

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

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

Safety Tips

■ Generally, alligators less than four feet in length are not large enough to be dangerous unless handled. However, if you encounter any alligator that you believe poses a threat to people, pets or property, call the Nuisance Alligator Hotline at 866-FWC-GATOR (866-392-4286). Please be aware, nuisance alligators are killed, not relocated.

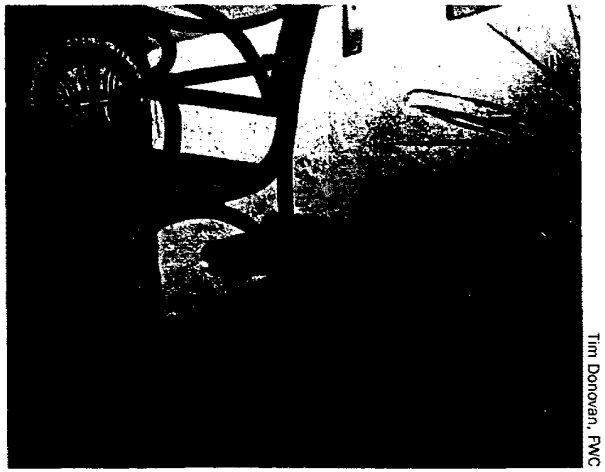
■ Be aware of the possibility of alligators when you are in or near fresh or brackish water. Bites may occur when people do not pay close enough attention to their surroundings when working or recreating near water.

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

■ Alligators are most active between dusk and dawn. Therefore, avoid swimming at night.

■ Dogs and cats are similar in size to the natural prey of alligators. Don't allow pets to swim, exercise or drink in or near waters that may contain alligators. Dogs often attract an alligator's interest, so do not swim with your dog.

■ Leave alligators alone. State law prohibits killing, harassing or possessing alligators. Handling even small alligators can result in injury.



Tim Donovan, FWC

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

APPENDIX F

WADING BIRD INFORMATIONAL PAMPHLET

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

Promptly notify the FWCC 1-888-404-FWCC

Tips for living with wading birds

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

Prepared By:

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

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

WADING BIRD INFORMATIONAL PAMPHLET

KINGSTON

Description:

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

Habitat:

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

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

Protection:

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

If wading birds form a nesting colony on the property in the future, **avoid** activities within 330 feet of the colony during the nesting season (March 1 to August 1).

APPENDIX G

FLORIDA BLACK BEAR INFORMATIONAL PAMPHLET

Eglin AFB

Secure your garbage

- Store garbage in a secure area, such as a sturdy shed or garage, until the morning of pickup, or
- Build a small shed to store trash cans. Be sure there are no gaps along the shed's edges and use screws. If the shed is curbside, call your waste service provider to ensure it will still service your trash cans, or
- Modify your regular trash can to make it bear-resistant by adding hardware. To be successful, the lid must not be flexible and the can must not collapse when you stand on its side. Call your waste service provider to ensure it will service a modified trash can, or
- Request a commercially manufactured bear-resistant trash can from your waste service provider. If they do not provide these cans, you can special order one from a hardware store, but ensure your waste service provider will service it.

Funds from Florida's "Conserve Wildlife" license plate help conserve bears and reduce human-bear conflicts. Buy one today through your local tax collector's office or online at BuyAPlate.com.

Mike Cox

How FWC responds to conflicts

The FWC addresses human-bear conflicts in a variety of ways, including providing technical assistance over the phone, conducting an in-person visit with the resident, using deterrents (such as an electric fence), attempting to scare the bear away, or, in rare cases, attempting to trap the bear.

While most conflicts can be avoided by securing attractants, biologists assess each situation on a case-by-case basis and use FWC policies and guidelines to help decide on the most appropriate response.

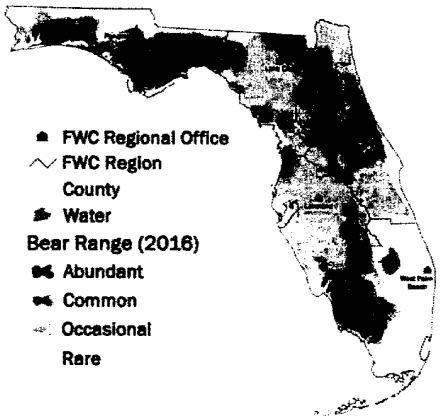
The earlier the FWC is notified, the more response options are available.

The longer a conflict situation continues, the more likely the bear will develop behaviors that present a risk to public safety, such as entering a dwelling, harming a leashed dog or injuring a person.

Once this happens, it is too late to try to change the bear's behavior and it must be humanely killed.

Warning! It is illegal to take, possess, injure, shoot, collect or sell black bears under Florida state law unless authorized by an FWC-issued permit. If you are found guilty, you could face fines and/or jail time.

Where bears live in Florida



If you are experiencing bear conflicts, please contact the nearest FWC regional office. The sooner the FWC knows about bear activity, the more options are available to prevent a bear from becoming a public safety risk.

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

In an emergency or if you suspect illegal activity, call the Wildlife Alert Hotline at 888-404-FWCC (3922).

Follow us on:

Florida Fish and Wildlife Conservation Commission
MyFWC.com/Bear

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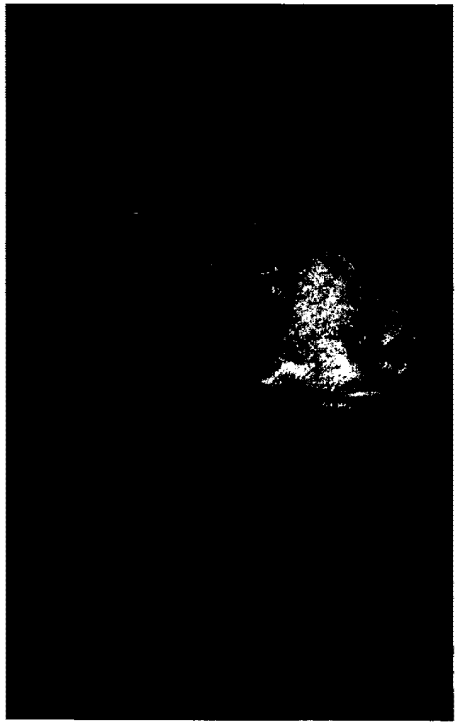
A guide to living in **bear country**



Ashley Hackenberry

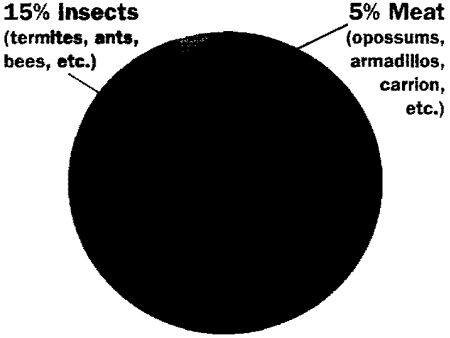
Florida Fish and Wildlife Conservation Commission
MyFWC.com/Bear

Ashley Hockenberry

The bear facts

- Black bears are the only species of bear in Florida.
- Biologists estimate approximately 4,000 black bears roam Florida today, compared to as few as 300 bears in the 1970s.
- Bears can pick up scents from over a mile away: that's seven times better than a bloodhound and the best of any land mammal.
- Adult bears typically weigh between 150 to 400 pounds, with males often twice the size of females.
- Females have their first litter around 3 years of age, with one to three cubs born every other year.
- Breeding occurs from June to August, with cubs born around February 1.
- On average, females range over 15 square miles and males range over 60 square miles.

A bear's diet



Bear behavior and you

Black bears are shy and generally not aggressive. When seen near homes or workplaces, bears are often just passing through. When frightened, bears typically run away or climb a tree. If a bear is in a tree, it is either feeding or trying to escape danger. Keep people and pets away, and the bear will leave on its own, usually after dark.

When a bear stands on its hind legs, it is trying to get a better view or scent. Black bears may huff, snap their jaws, swat the ground or "bluff charge" when cornered, threatened or defending food or young. If this happens, stop, hold your ground and then slowly back away.

Remember bears are large, powerful, wild animals that can act unpredictably and become dangerous. Bears who receive food from people may lose their natural fear of them and are more likely to damage property or become a public safety risk. NEVER feed or attract bears. If a bear is eating something on your property, take note of what it is and secure it after the bear has left the area.

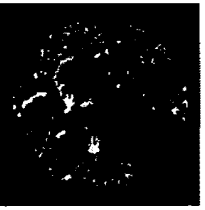
Carry bear spray and learn how to use it properly, paying attention to wind direction, distance to bear (20-30 ft.) and your escape route. Make sure to buy spray designed for use on bears.

Learn all about Florida's bears and being BearWise at *MyFWC.com/BearWise*.

BearWise tips:

- Never approach a bear. Keep as much distance between you and the bear as possible.
- If a bear changes its behavior because you're there, you are too close.
- If you encounter a bear at close range, stand with arms raised, back up slowly and speak to the bear in a calm, assertive voice.
- Do not turn your back, play dead or run from a black bear.
- Make sure you are in a secure area, such as a car or building, and the bear has a clear escape route, then scare the bear away with loud noises, like yelling, blowing a whistle, or using an air or car horn.
- Install a motion-activated device, such as flood lights, a water sprinkler or audio alarm, to scare a bear away from a location when you are not present.
- Report any bear threatening the safety of people, pets or livestock, or causing property damage, to the FWC (see back cover).
- Walk dogs on a non-retractable leash and be aware of your surroundings. Dogs can trigger defensive behaviors from bears.

Encourage your school system to use the *Florida Black Bear Curriculum Guide*. The guide is designed for grades 3 to 8 and is correlated to state education standards.



Avoid attracting bears

Bears do not hang around people if they do not find food. Properly storing or securing garbage and other attractants is a proven method of preventing bear conflicts. However, it takes a community-wide effort to keep bears wild and away from neighborhoods.

- Use electric fencing to protect gardens, garbage, compost piles, beehives, fruit trees and livestock.

John Bailey

- Keep garage doors closed when not in use.
- Feed pets indoors or bring food dishes (even empty ones) inside at night.
- Store pet and livestock feed in bear-resistant containers or inside a secure area.
- Remove or modify bird and wildlife feeders and ensure the ground is free of all feed debris.
- Properly harvest ripe nuts, fruits, and vegetables and remove rotten fruits and vegetables.
- Create an "unwelcome" mat by driving finishing nails, heads up, into a sheet of anchored plywood to keep bears away from a specific area, such as under a window, door or fence.
- Keep outdoor refrigerators and freezers in a secure location or lock up with super-adhesive anchors, like Marine Locks™.
- Clean meat smokers and barbeque grills with a degreasing detergent and store in a secure area. Dispose of food remnants/grease after each use.

A screened-in porch will not keep bears out!

APPENDIX H

FLORIDA PANTHER INFORMATIONAL PAMPHLET

You live in Florida panther country

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

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

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

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

If you see a Florida panther

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

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

Mark Lotz

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

A guide to living with

Florida Panthers

© Lynn Stone

MyFWC.com/Panther

7 ways to live safely in Florida panther country

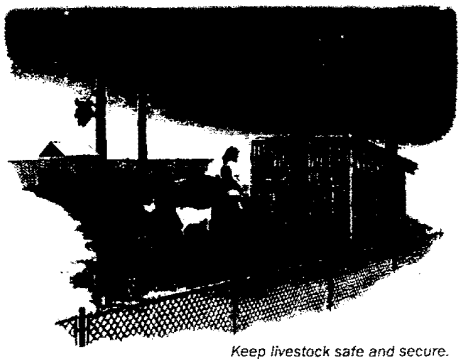
While these guidelines are meant to help you live safely in Florida panther habitat, they also apply to living with more commonly encountered wildlife, including raccoons, snakes, bears and alligators.

1. **Be alert from dusk 'til dawn (and whenever deer are active)**
   Florida panthers primarily are active at night. Exercise more caution at dawn, dusk or dark.

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

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

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



Keep livestock safe and secure.

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

5. **Landscape for safety**
   Remove dense or low-lying vegetation that would provide hiding places for panthers and other predatory animals near your house.
   - Remove plants that deer like to eat.
   - Choose plants that do not attract deer or other panther prey species. For information on plants that deer do not like to eat, visit edis.ifas.ufl.edu/UW137.
   - Appropriate fencing will make your yard or play area uninviting to prey animals such as deer.

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

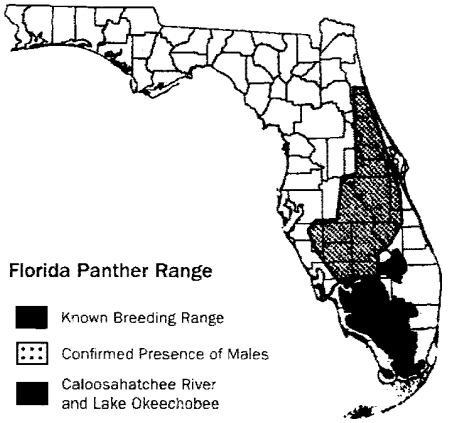
7. **Hike or bike with a friend**
   When recreating outdoors, it's a good practice to let friends or family know your whereabouts and when you expect to return. Better yet, take a friend with you!

Florida panther facts

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

FWC panther team

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



flickr

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

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

APPENDIX I

PRESCRIBED BURNING INFORMATION

Florida Landowner Assistance Program
Practice Standard - Prescribed Burning

Definition

The controlled application of fire in accordance with a written prescription for vegetative fuels under specified environmental conditions while following appropriate precautionary measures that insure that the fire is contained to a predetermined area to improve habitat for resident and migratory wildlife species.

Purposes

This practice may be applied as part of a conservation management system to support one or more of the following purposes:

- To improve habitat for various wildlife species, including imperiled species.
- To control invasive and/or exotic vegetation.
- To control plant diseases affecting native vegatation.
- To reduce wildfire hazards.
- To enhance native ground cover plants and seed production.
- To restore and maintain fire dependent ecological sites.

Conditions Where Practice Applies

This practice may be applied on any private land, where deemed needed, to improve overall wildlife habitat conditions.

Criteria

I. General Criteria Applicable to All Purposes

The method(s) of prescribed burning to improve wildlife habitat structure and composition shall be determined by the assigned biologist conducting the Needs Assessment. Application of the prescribed treatment will be based on the GIS analysis, site examination, and local wildlife species present. The landowner shall obtain all necessary burn authorizations and/or permits before implementation of the practice. Planning and application shall compy with all Federal, State, and local laws, rules, and regulations. The procedure, equipment, and number of trained personnel shall be adequate to accomplish the intended purposes as stated in the burn plan. The expected weather conditions, human and vehicular trafifc that may be impeded by heat or smoke, liability, and safety and health precautions shall be integrated into the timing, location and expected intensity of the burn. Timing of burning will be commensurate with soil and site conditions to maintain site productivity and minimize effects on soil erosion and soil properties. Firebreak construction and maintenance are not included as a cost-shared treatment.

II. Specific Criteria to Improve Wildlife Habitat

The appropriate season of burning, burning technique, burning frequency, and size of burn shall be selected based on the wildlife habitat needs and site limitations. Where practical, prescribed burning shall be planned and applied in a manner that creates a "patchy" mosaic of burned and unburned vegetation.

III. Specific Critera to Control Undesirable Vegetation

Prescribed burns to control brush or other undesirable vegetation shall consider the anticipated seed production and re-sprouting response of the targeted species. The frequency and intensity of the planned burn shall be based on the re-growth of the target species, weighed against wildlife habitat considerations. Prescribed burns planned for areas with known infestations of invasive and/or exotic species shall address anticipated response of those species during and following the prescribed burn. Re-establishment of native vegetation shall be planned for burned areas, where needed, to prevent encroachment of undesirable plants, control soil erosion, and restore historic plant commmunities.

IV. Specific Criteria to Improve Native Plant Production Quantity and/or Quality

Prescribed burns shall be planned to provide optimum benefit to the native plant species of concern. When possible, prescribed burns shall be conducted during periods of adequate soil moisture to encourage desirable plant recovery following the burn. Appropriate protection from livestock, human, and wildlife activities shall be implemented to allow desirable vegetation to recover from the stress of the burn. Burned areas shall be protected until the vegetation has recovered sufficiently to allow use to be restored without damaging the vegetation.

Considerations

Prescribed burns should be cost-effective and efforts to protect any threatened and endangered species, cultural resources, wildlife habitat, water resources, and identified unique natural areas should be considered. Personal safety should also be considered during all prescribed burning activities. Where practical, the season, frequency, duration, and intensity of prescribed burns should mimic the natural occurrence of fire typical of the ecological communty being managed. Consider the use of existing barriers, such as lakes, streams, wetlands, roads, and existing firebreaks in the design and layout of the burn. To minimize smoke related issues, burn frequently under acceptable weather conditions and complete all burns as quickly as practical.

Operation and Maintenance

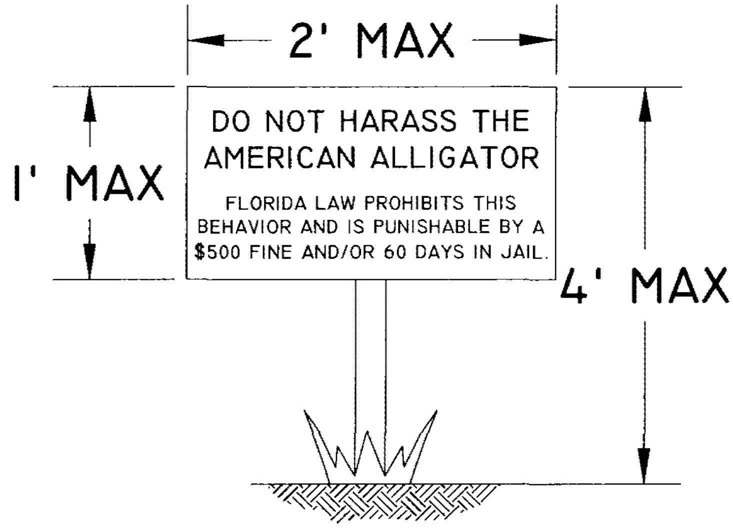
The following actions shall be carried out to insure that this practice functions as intended throughout its expected life: 1) Evaluations to determine if the stated objectives were met and to improve coordination of future burns, 2) Initial evaluations should be conducted within 2 weeks following the burn, 3) Long term evaluations should be conducted during or after the first growing season following the burn.

Items to consider in these evaluations include:

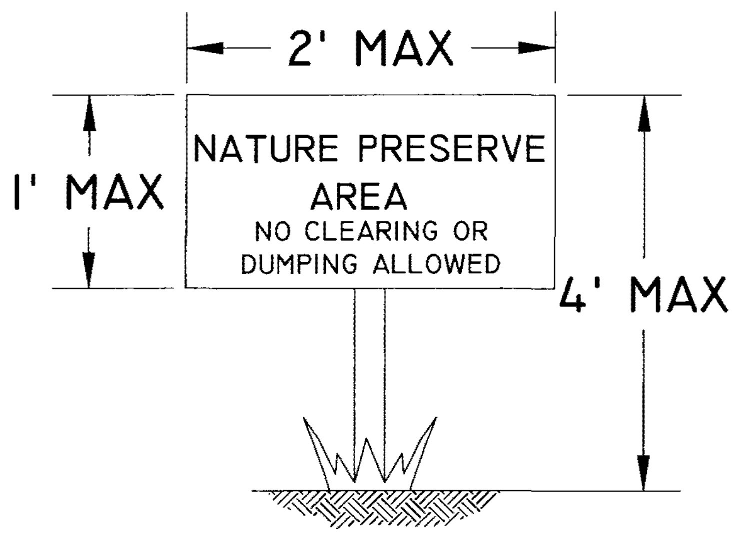
a. Were the pre-burn preparations properly completed?
b. Were the intial objectives met?
c. Was the burn prescription followed?
d. Were deviations from the burn prescription documented?
e. Was the burning technique(s) adequate to meet the planned objectives?
f. Were weather conditions, fire behavior, and smoke dispersion within the planned limits of the prescription?
g. What were the effects on the soil, vegetation, water, and wildlife resources?
h. Did the fire escape the planned area?
i. How could future burns be improved?
j. Were the post-burn activities applied correctly to meet the stated purpose or objective of the burn?

APPENDIX J

AMERICAN ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE



TYPICAL AMERICAN
ALLIGATOR SIGNAGE
N.T.S.



TYPICAL
PRESERVE SIGNAGE
N.T.S.

DRAFT

APPENDIX J. AMERICAN ALLIGATOR MANAGEMENT AND PRESERVE SIGNAGE KINGSTON	DRAWN BY H.H. DATE 03/14/22 REVIEWED BY H.S. DATE 03/14/22 REVISED DATE	Consulting Ecologists PASSARELLA & ASSOCIATES INC

EXHIBIT K
Kingston Offsite Sewer

Scope:

- The Kingston development will require a 16" force main westerly along Corkscrew Road from the development and connect to a 20" force main at the entrance of the FFD development.
- It is anticipated that the FFD development will require a 20" force main from their development westerly along Corkscrew Road to Alico Road where it will connect to a County installed force main
- The County installed force main will then go northerly along Alico Road and connect to the Alico Road Wastewater Treatment Plant SEWRF.

Construction Phasing:
Prior to the completion of the SEWRF the amount of initial Kingston density allowed to utilize the existing County wastewater system shall be 3,930 residential units determined as follows:

- The Kingston Developer will coordinate with the Verdana Village Developer to delay constructing residential homes in the Verdana Village Phase 3 (Pod 2) which is currently approved for 1,219 residential homes.
- The sewer capacity at the Pinewoods Master Pump Station has been analyzed using a consumptive use rate of 200GPD compared to a design calculation of 250GPD which generates additional Pinewoods capacity for 2,711 residential units. This calculation is solely being used to determine the maximum Kingston density allowed to connect to the County existing wastewater facilities until the SEWRF is completed. All Project sewer design and connection fees shall be performed using the consumptive use rate of 250GPD.

Phase 1 Construction Phase:
A force main will be installed from the Kingston development westerly along Corkscrew Road and connect to the Verdana Village Phase 3 (Pod 2) master lift station.

Phase 2 Construction Phase:
A force main will be installed from the Verdana Village development along Corkscrew Road and connect to an existing force main at the FFD development that connects along Corkscrew Road to a force main on Alico Road installed by the County that connects to the SEWRF.

J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

SEWER INFRASTRUCTURE MAP (BUILDOUT)

LEE COUNTY EXHIBIT SEWER (BUILDOUT) 05-02-2022.DWG
May 2, 2022

EXHIBIT L

KINGSTON
INDIGENOUS PRESERVATION, RESTORATION, AND MANAGEMENT PLAN

DRAFT

April 2022

Prepared For:

CAM7-Sub, LLC
21101 Design Parc Lane Suite 103
Estero, Florida 33928
(239) 425-8662

Prepared By:

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

Project No. 21CCL3707

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1.0 INTRODUCTION

The following outlines the Lee County Indigenous Preservation, Restoration, and Management Plan for Kingston (Project) located in Sections 2, 3, 10, 11, 14, 15, 23-26, and 34-36; Township 46 South; Range 27 East; and Section 35; Township 45 South; Range 27 East; Lee County. The Project site totals 6,676.72± acres. As part Lee County's open space requirements, the Project proposes to establish on-site conservation areas totaling 3,287.23± acres. The proposed conservation areas will contain the following elements:

- Preservation and enhancement of 999.07± acres of indigenous wetlands and uplands (existing forested and herbaceous habitats with less than 75 percent exotics);
- Restoration of 373.16± acres of indigenous wetlands, other surface waters (OSW), and uplands vegetation through removal of exotic vegetation (existing forested and herbaceous habitats with greater than 75 percent exotics) and supplemental planting; and
- Restoration of 1,915± acres of wetlands and uplands from farm fields and replanting with native vegetation.
- Open water areas may be incorporated into the wetland restoration from farm fields.

The preservation and enhancement of existing indigenous vegetation and the restoration of extensive areas of farm fields back to indigenous habitats will serve to provide significant regional flow-ways and wildlife corridors within the Project site. The proposed on-site preservation and restoration of indigenous upland and wetland vegetation communities will create significant areas of wildlife habitat that will complement the adjacent Lee County Imperial Marsh Preserve to the west and the Corkscrew Regional Ecosystem Watershed (CREW) to the south. The proposed flow-ways will also serve to re-establish the north to south flow of water through the Project that existed historically.

2.0 EXISTING INDIGENOUS VEGETATION HABITATS

Pursuant to Land Development Code (LDC) Section 10-1, indigenous native vegetation means those plant species that are characteristic of the major plant communities of the County. Native habitats where invasive exotic vegetation has exceeded 75 percent coverage are not considered to be indigenous vegetation.

The Project site includes 1,005.13± acres (combined pre-development wetland and upland acres) of existing indigenous native vegetation. The indigenous areas occur on-site as clustered areas of wetland and upland forest and herbaceous habitats with less than 75 percent coverage by exotics, primarily located within the central and northern portion of the Project site. Smaller, remnant areas of indigenous habitat are located scattered in the southern portion of the Project. The existing indigenous wetland and upland vegetation communities are identified in Appendix A.

The indigenous wetland habitats total 914.21± acres and consist mostly of cypress, hydric pine, cypress/pine/cabbage palm, mixed wetland forest, freshwater marsh, and wet prairie habitats. The indigenous uplands total 90.92± acres and consist mostly of pine flatwoods and disturbed pine

habitat types. The Florida Land Use, Cover and Forms Classification System (FLUCFCS) (Florida Department of Transportation 1999) descriptions of the indigenous wetland and upland habitats proposed for preservation are provided in Appendix B. An aerial with FLUCFCS is attached as Appendix C.

3.0 EXISTING NON-INDIGENOUS VEGETATION

Approximately 5,671.58± acres (combined pre-development wetland and upland acres) of the Project site consist of vegetation communities that do not meet the LDC's definition of indigenous vegetation. The non-indigenous areas are predominantly row crop and citrus grove with associated agricultural operations and ditching and drainage systems. Existing non-indigenous wetlands on the site total 278.60± acres and consist of Brazilian pepper areas, melaleuca areas, disturbed lands, and wetland habitats with greater than 75 percent coverage by exotics, primarily Brazilian pepper (*Schinus terebinthifolia*) and melaleuca (*Melaleuca quinquenervia*). Non-indigenous uplands on the Project site total 5,086.63± acres and consist primarily of row crop and citrus grove along with their associated agricultural operation areas. Non-indigenous areas also include 306.35± acres of agricultural ditching and man-made surface waters (water detention and conveyance). The non-indigenous wetland and upland vegetation communities and surface waters are identified in Appendix A. The FLUCFCS descriptions of the non-indigenous areas on the Project site are provided in Appendix B.

4.0 INDIGENOUS VEGETATION PRESERVATION AND ENHANCEMENT

A total of 999.07± acres (910.22± acres of wetlands and 88.85± acres of uplands) with less than 75 percent existing exotic vegetation will be preserved and enhanced by the removal/treatment of exotic and nuisance vegetation. The locations of the indigenous preservation areas are shown on Appendix D.

4.1 Methods to Remove and Control Exotic and Nuisance Plants

Exotics to be eradicated include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

Table 1. Prohibited Invasive Exotics

Common Name	Scientific Name
Air potato	*Dioscorea alata*
Australian pines	All *Casuarina* species
Bishopwood	*Bischofia javanica*
Brazilian pepper	*Schinus terebinthifolia*
Carrotwood	*Cupaniopsis anacardioides*
Chinese tallow	*Sapium sebiferum*

Table 1. (Continued)

Common Name	Scientific Name
Cork tree	*Thespesia populnea*
Cuban laurel fig	*Ficus microcarpa*
Downy rose-myrtle	*Rhodomyrtus tomentosus*
Earleaf acacia	*Acacia auriculiformis*
Japanese climbing fern	*Lygodium japonicum*
Java plum	*Syzygium cumini*
Melaleuca	*Melaleuca quinquenervia*
Murray red gum	*Eucalyptus camaldulensis*
Old World climbing fern	*Lygodium microphyllum*
Rose apple	*Syzygium jambos*
Rosewood	*Dalbergia sissoo*
Tropical soda apple	*Solanum viarum*
Wedelia	*Wedelia trilobata*
Weeping fig	*Ficus benjamina*
Woman's tongue	*Albizia lebbeck*

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

4.2 Debris Removal

Exotic vegetative debris that is cut will be removed from the indigenous preserve areas. Exotic debris may be stacked in the adjacent farm fields or open land and burned. The preserve areas will be inspected annually for trash/garbage. Any trash/garbage located within the preserve areas will be removed and disposed of by hand.

4.3 Method and Frequency of Pruning and Trimming

Exotic removal within the existing indigenous habitats is scheduled to begin after the applicable permits and approvals have been attained for each phase. After the completion

of the initial exotic removal, semi-annual inspections of the preserves will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted, and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the conservation areas will be conducted a minimum of once every two years to coincide with the Community Development District (CDD) engineer inspection.

Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

5.0 INDIGENOUS VEGETATION RESTORATION

Restoration and re-establishment of indigenous vegetation communities will be conducted in areas with greater than 75 percent coverage by exotic vegetation and in the existing farm fields within the conservation areas. Restoration activities will include 373.16± acres of exotic removal and supplemental plantings in existing habitats and OSWs with greater than 75 percent exotics and 1,915± acres of wetland and upland restoration from existing agricultural lands. The locations of the various types of restoration areas are shown on Appendix D.

5.1 Removal of Exotics and Supplemental Plantings

Approximately 373.16 acres (258.74± acres of wetlands, 2.23± acres of OSWs, and 112.19± acres of uplands) with greater than 75 percent exotics will be enhanced by the removal of exotic species and supplemental plantings of native vegetation. Mechanical equipment may be utilized to assist in the removal of exotic species in these areas. Cut vegetative debris will be removed from these areas in order to allow for successful supplemental plantings. All efforts will be made to preserve native trees when conducting the exotic removal with mechanized equipment. To minimize adverse impacts to the ground surface, machinery that exerts a relatively low impact on the ground surface (i.e., tracked skid steer, feller-buncher) will be utilized within the mechanical removal areas.

Following the removal of exotics, supplemental wetland plantings will be installed in the 258.74± acres of wetland and 2.23± acres of OSW habitats. Wetland plantings will be selected based on the type of native vegetation that occurs in the adjacent or nearby wetland habitats. Tree and ground cover species will be planted according to the specifications in Table 2. A minimum of three tree species and five ground cover species will be planted. The species selected for planting will depend on market availability at the time the plantings are to occur.

Table 2. Supplemental Wetland Plantings[1]

Common Name	Scientific Name	Minimum Height	Container Size	Planting Instruction (On Center)
Trees				
Bald cypress	*Taxodium distichum*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Red maple	*Acer rubrum*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Slash pine	*Pinus elliottii*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Laurel oak	*Quercus laurifolia*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Dahoon holly	*Ilex cassine*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Pop ash	*Fraxinus caroliniana*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Pond apple	*Anona glabra*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Ground Cover				
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 to 8 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	5 to 8 ft.
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	5 to 8 ft.
Muhly grass	*Muhlenbergia capillaris*	12 in.	2 in.	5 to 8 ft.
Sawgrass	*Cladium jamaicense*	12 in.	2 in.	5 to 8 ft.
Blue maidencane	*Amphicarpum muhlenbergianum*	12 in.	2 in.	5 to 8 ft.
Swamp lily	*Crinum americanum*	12 in.	2 in.	5 to 8 ft.
Golden canna	*Canna flaccida*	12 in.	2 in.	5 to 8 ft.
Maidencane	*Panicum hemitomon*	12 in.	2 in.	5 to 8 ft.
Spikerush	*Eleocharis interstincta*	12 in.	2 in.	5 to 8 ft.
Arrowhead	*Sagittaria lancifolia*	12 in.	2 in.	5 to 8 ft.
Pickerelweed	*Pontederia cordata*	12 in.	2 in.	5 to 8 ft.
Alligator flag	*Thalia geniculata*	12 in.	2 in.	5 to 8 ft.
Soft-stem bulrush	*Scirpus validus*	12 in.	2 in.	5 to 8 ft.
Sawgrass	*Cladium jamaicensis*	12 in.	2 in.	5 to 8 ft.

[1]Additional tree and ground cover species may be included in the planting table prior to Development Order approval.
BR - Bare Root

Following the removal of exotic vegetation, supplemental upland plantings will be installed in 112.19± acres of upland habitats. Upland plantings will be selected to replace the type of native vegetation that occurs in the adjacent or nearby upland habitats. Tree plantings will include primarily slash pine (*Pinus elliottii*), although other tree species listed in Table 3 may be utilized. Upland tree and ground cover plantings will be installed according to the specifications listed in Table 3. A minimum of three tree species and five ground cover species will be planted. The species selected for planting will depend on market availability at the time the plantings are to occur.

Table 3. Supplemental Upland Plantings[1]

Common Name	Scientific Name	Minimum Height	Minimum Container Size	Planting Instruction (On Center)
Trees				
Slash pine	*Pinus elliottii*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Cabbage palm	*Sabal palmetto*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Live oak	*Quercus virginiana*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Laurel oak	*Quercus laurifolia*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Dahoon holly	*Ilex cassine*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Ground Cover				
Saw palmetto	*Serenoa repens*	12 in.	1 gal.	15 to 20 ft..
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	5 to 8 ft.
Blue maidencane	*Amphicarpum muhlenbergianum*	12 in.	2 in.	5 to 8 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	5 to 8 ft.
Muhly grass	*Muhlenbergia capillaris*	12 in.	2 in.	5 to 8 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 to 8 ft.
Broomsedge	*Andropogon virginicus*	12 in.	2 in.	5 to 8 ft.
Fakahatchee grass	*Tripsacum dactyloides*	12 in.	2 in.	5 to 8 ft.
Purple lovegrass	*Eragrostis spectabilis*	12 in.	2 in.	5 to 8 ft.

[1]Additional tree and ground cover species may be included in the planting table prior to Development Order approval.
BR - Bare Root

5.2 Wetland and Upland Restoration from Farm Fields

Approximately 1,915± acres of existing farm fields, including agricultural ditches, water detention areas, and berms will be restored to native wetland and upland habitats. Wetland and upland restoration activities will include leveling of row crop fields, removal of citrus trees, backfilling of agricultural ditches and detention systems, regrading to contours necessary for restoration of historic habitat communities, replanting of vegetation to achieve target habitat types, and ongoing maintenance and management.

5.2.1 Wetland Grading and Planting

Stormwater from development areas of the Project will be treated for water quality in stormwater lakes within the stormwater management system for each development area. Following water quality treatment, stormwater will be discharged from treatment lakes into the restoration area at various locations.

Drainage ditches and other components of the agricultural drainage/water management system will be backfilled using material from the existing berms and disturbed areas. Proposed wetland areas will be graded and planted with wetland plantings in Table 4. The species selected for planting will depend on market availability at the time the plantings are to occur. Specifications for plantings size and density (on-center spacing) are also provided in Table 4.

Table 4. Wetland Restoration Plantings[1]

Common Name	Scientific Name	Minimum Height	Container Size	Planting Instruction (On Center)
Trees[2]				
Bald cypress	*Taxodium distichum*	2 to 5 ft.	BR to 3 gal.	30 to 50 ft.
Slash pine	*Pinus elliottii*	2 to 5 ft.	BR to 3 gal.	30 to 50 ft.
Ground Cover Plantings				
Zone 1				
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	5 to 8 ft.
Muhly grass	*Muhlenbergia capillaris*	12 in.	2 in.	5 to 8 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 to 8 ft.
Blue maidencane	*Amphicarpum muhlenbergianum*	12 in.	2 in.	3 to 5 ft.
Sawgrass	*Cladium jamaicense*	12 in.	2 in.	3 to 5 ft
Maidencane	*Panicum hemitomon*	12 in.	2 in.	3 to 5 ft
Zone 2				
Sawgrass	*Cladium jamaicense*	12 in.	2 in.	3 to 5 ft
Maidencane	*Panicum hemitomon*	12 in.	2 in.	3 to 5 ft
Spikerush	*Eleocharis interstincta*	12 in.	2 in.	3 to 5 ft
Golden canna	*Canna flaccida*	12 in.	2 in.	3 to 5 ft
Arrowhead	*Sagittaria lancifolia*	12 in.	2 in.	3 to 5 ft
Pickerelweed	*Pontederia cordata*	12 in.	2 in.	3 to 5 ft
Alligator flag	*Thalia geniculata*	12 in.	2 in.	3 to 5 ft
Soft-stem bulrush	*Scirpus validus*	12 in.	2 in.	3 to 5 ft
Zone 3				
Spikerush	*Eleocharis interstincta*	12 in.	2 in.	3 to 5 ft
Golden canna	*Canna flaccida*	12 in.	2 in.	3 to 5 ft
Arrowhead	*Sagittaria lancifolia*	12 in.	2 in.	3 to 5 ft
Pickerelweed	*Pontederia cordata*	12 in.	2 in.	3 to 5 ft

Table 4. (Continued)

Common Name	Scientific Name	Minimum Height	Container Size	Planting Instruction (On Center)
Zone 3 (Continued)				
Soft-stem bulrush	*Scirpus validus*	12 in.	2 in.	3 to 5 ft
Alligator flag	*Thalia geniculata*	12 in.	2 in.	3 to 5 ft
Spatterdock	*Nuphar luteum*	24 in.	1 gal.	15 ft.
Water lily	*Nymphaea odorata*	24 in.	1 gal.	15 ft.

[1]Additional tree and ground cover species may be included in the planting table prior to Development Order approval.
[2]Wetland tree plantings will be clustered along the edge of the flow-way restoration area as to not preclude open foraging habitat for listed wading bird species.
BR - Bare Root

Slash pine, cypress (*Taxodium* sp.), and ground cover species from Zone 1 in Table 4 will be installed on the higher slope of the restored wetlands where the target habitat is pine-cypress. Zone 2 plantings will be installed on the mid- to lower elevations where the target habitat is freshwater marsh. Zone 3 plantings will be installed in the lowest portions of the graded area. The Zone 3 target habitat type is freshwater marsh, but may contain intermittent areas of open water. A minimum of three ground cover species will be planted per zone.

5.2.2 Upland Grading and Planting

Upland restoration will consist of levelling of row crop fields, removal of citrus trees and removal of berms, and the backfilling of ditches and detention areas. Re-grading will occur to provide appropriate ground elevations for targeted upland plant communities.

Following final grading, tree species and ground cover from Table 5 will be installed. The species selected for planting will depend on the market availability at the time plantings are to occur. Trees may be planted in clusters to provide distinct areas that can be defended from prescribed fire by the installation of disked fire breaks around the perimeter of the clusters. The locations of the tree clusters will be identified based on an analysis of historic aerials and proposed site topography. Trees will be planted in accordance with the specifications listed in Table 5. The goal is to create clusters of primarily open canopy native forest areas, with adequate sunlight for an abundance of ground cover species. Clusters of trees may be pine, hardwoods, or a mix of pine and hardwoods. A variety of tree sizes may be utilized to create a more heterogeneous plant community.

In areas where tree plantings are not clustered, widely scattered trees will be planted randomly in the upland restoration areas. The widely scattered trees will be slash pine and bare root plantings.

Native ground cover plantings will be installed in the upland restoration areas and will include a minimum of four of the species listed in Table 5. No one species will constitute more than 50 percent of the total ground cover plantings. Direct seeding to establish upland ground cover may be used in conjunction with ground cover plantings within the upland restoration areas. The seed source will be obtained from and applied by a professional experienced with direct seeding as a method of upland restoration. The seed source will be harvested from a local area and will include a mixture of regionally-appropriate native graminoid species. The seed source mixture will include a variety of species to optimize ground cover diversity to the maximum extent possible.

Table 5. Upland Restoration Plantings[1]

Common Name	Scientific Name	Minimum Height	Container Size	Planting Instruction (On Center)
Trees				
Slash pine	*Pinus elliottii*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Live oak	*Quercus virginiana*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Laurel oak	*Quercus laurifolia*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Dahoon holly	*Ilex cassine*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Cabbage palm	*Sabal palmetto*	2 to 5 ft.	BR to 3 gal.	15 to 20 ft.
Ground Cover				
Saw palmetto	*Serenoa repens*	12 in.	1 gal.	15 to 20 ft.
Gulfdune paspalum	*Paspalum monostachyum*	12 in.	2 in.	5 to 8 ft.
Wiregrass	*Aristida stricta*	12 in.	2 in.	5 to 8 ft.
Muhlygrass	*Muhlenbergia capillaris*	12 in.	2 in.	5 to 8 ft.
Sand cordgrass	*Spartina bakeri*	12 in.	2 in.	5 to 8 ft.
Fakahatchee grass	*Tripsacum dactyloides*	12 in.	2 in.	5 to 8 ft.
Purple lovegrass	*Eragrostis spectabilis*	12 in.	2 in.	5 to 8 ft.

[1]Additional tree and ground cover species may be included in the planting table prior to Development Order approval.
BR - Bare Root

6.0 PRESERVE ACTIVITY SCHEDULE

Site development will occur in phases. The timing, phasing, and phase boundaries for the implementation of restoration and preserve activities will be provided prior to the issuance of the first development order for the Project.

7.0 SUCCESS CRITERIA

7.1 Indigenous Wetland and Upland Preservation and Enhancement

The following are the success criteria for the indigenous preserve areas:

1) Initial eradication of exotic and nuisance vegetation will be completed; and
2) The preserve areas will be maintained free from exotic vegetation. Exotic vegetation species include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

7.2 Indigenous Wetland and Upland Restoration

The following are the success criteria for the indigenous wetland and upland restoration areas:

1) Initial eradication of exotic and nuisance vegetation will be completed;
2) Supplemental plantings will be completed in the indigenous restoration areas;
3) A minimum 80 percent survival of tree and ground cover plantings after five years; and
4) The preserve areas will be maintained free from exotic vegetation. Exotic vegetation species include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

7.3 Wetland and Upland Restoration from Farm Fields

The following are the success criteria for the wetland and upland restoration from farm field areas:

1) Initial eradication of exotic and nuisance vegetation will be completed;
2) Levelling of row crop fields, removal of citrus trees, removal of berms and spoil areas, backfilling of ditches and borrow areas, and regrading of wetland and upland restoration areas will be completed;
3) Plantings within wetland and upland restoration areas will be completed;
4) A minimum of 80 percent survival of tree and ground cover species after five years;
5) The preserve areas will be maintained free from exotic vegetation. Exotic vegetation species include, but are not limited to, the 21 species of prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

8.0 MAINTENANCE

After the completion of the initial exotic removal, semi-annual inspections of the conservation areas will occur for the first two years. During these inspections, the conservation areas will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted, and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits, inspections of the conservation areas will be conducted annually.

Maintenance will be conducted in perpetuity to ensure that the conservation areas are free of exotic vegetation, including the prohibited invasive exotic species listed in Section 10-420(h) of the LDC (Table 1).

8.1 Prescribed Fire

Prescribed burning will be used as a management tool in the conservation areas to maintain the native vegetation communities. Prescribed burns help maintain vegetative communities in their natural state, reduce fuel loads and the danger of wildfire, aid with the eradication and control of exotic and nuisance vegetation species, and improve wildlife habitat. The objectives of prescribed burning maintenance events will be to aid in the control of exotic vegetation and woody shrubs (i.e., wax myrtle and saltbush), and to stimulate the growth and diversity of herbaceous vegetation.

The burning frequency for the conservation areas will be two to four years, which is consistent with the natural fire regime for mesic flatwoods, wet flatwoods, and wet prairies described by the Florida Natural Areas Inventory (FNAI) *Guide to the Natural Communities of Florida* (2010). The edges of the Project's freshwater marshes will be burned when the fire moves through the adjacent pine and prairie habitats. The fire will be allowed to extinguish naturally within the wetter marsh habitats.

Prescribed burning is typically conducted during the winter or early spring when temperatures are reduced and wind direction is more constant. The initial burn is anticipated to occur during the late winter. Winter burns are preferred to reduce high fuel loads. Growing season burns also may be conducted as conditions allow. Changes in annual weather cycles determine when burn permits will be available and burns may be conducted only on the day(s) of Florida Forest Service permission.

Fire breaks will be installed in strategic locations in order to safely ignite and control prescribed fires. Fire breaks will be co-located with maintenance trails, access roads, easements, fence lines, property boundaries, and natural habitat boundaries. A 12-foot wide fire break will be established directly adjacent to and inside (i.e., the restoration side) of the 6-foot tall wildlife control fence, or other structural wildlife deterrent. Fires will be excluded from the planted tree clusters until such time that the plantings are mature enough to survive fires. Fires will be allowed to extinguish naturally within the wetter preserve areas, such as the marsh habitats.

Controlled burns will be conducted only when authorized with a permit by the Florida Forest Service. In addition, notice will be given to the Estero Fire District. Coordination with CREW and the South Florida Water Management District will occur before burning. Burning will not be conducted if smoke is anticipated to encroach upon Corkscrew Road, State Road 82, or adjacent residences.

9.0 MONITORING REPORTS

Monitoring will be conducted annually for the conservation areas. Annual reports documenting the achievement of the success criteria outlined in Section 7.0 will be submitted to Lee County's Department of Community Development (DCD). Monitoring will typically be conducted during the height of the growing season (August to October) with annual reports submitted by December 31. Adjustment to the monitoring schedule may be made based on environmental conditions.

Five annual monitoring reports for each conservation area phase will be submitted to DCD describing the conditions of the conservation areas. The monitoring reports will include documented exotic and nuisance species, mortality of vegetation, estimated causes of mortality, growth of the vegetation, wildlife observed and other factors that demonstrate the functional health of the conservation areas, and photographs. A brief description of anticipated maintenance work to be conducted over the next year will also be included. Periodic inspections will be conducted by DCD staff to ensure the accuracy of the monitoring reports.

10.0 LONG-TERM MANAGEMENT AND MONITORING

The conservation areas will be placed in a conservation easement granted to Lee County. The conservation easement will prevent the encroachment of future development as well as activities that are incompatible with the goal of sustaining the preserved and restored conservation areas in good ecological health. These areas will be physically managed in accordance with the approved long-term management plan prepared by the Project ecologist and implemented by a CDD or Homeowners' Association (HOA) with the assistance of an appropriately skilled environmental professional.

Responsibility for management of the conservation areas will shift to the CDD or HOA following the completion of enhancement and restoration activities on-site. Prior to completion of the five-year annual monitoring program, a long-term management and monitoring plan will be drafted for DCD review and approval. The plan will then be implemented after completion of the five-year annual monitoring program and achievement of success criteria has been verified by DCD. Long-term management activities within the conservation areas will include periodic surveys of vegetation and wildlife, control of exotic and nuisance plant species, regulating water levels, maintenance of the water control structures and access, and prescribed fires.

Long-term monitoring reports will be provided to DCD biannually (every other year). The long-term monitoring reports will provide ecological data such as water levels, vegetative cover, degree

and location of exotic vegetation cover, and wildlife utilization. This information will guide the active management of the site.

11.0 PRESERVE SIGNAGE AND COMMUNITY EDUCATION PLAN

Signs identifying the preserve as a "nature preserve area" will be installed along the boundary of the conservation areas. The signage will include language stating, "No dumping allowed." The signs will be spaced a maximum of 300 feet apart. The signs will be no closer than ten feet from residential property lines and be limited to a maximum height of four feet and a maximum size of two square feet. A typical preserve sign is attached as Appendix E.

The community will be advised of the benefits of the conservation areas to the surrounding landscape and their residential community. One or more kiosks containing information, maps, wildlife sightings, and community notices may be installed at appropriate locations within the development including the activity center and recreation areas.

Periodic seminars may be held to further educate the community about the conservation areas, wetland benefits, coexistence with and protection of wildlife, and the benefits of prescribed fire. Community informational and educational brochures, such as those describing the benefits of preserve areas, may be created and provided as needed to keep residents in compliance with conservation easements, wildlife regulations, etc. Continued education will ensure that the community is well-informed regarding the preserves and wildlife coexistence.

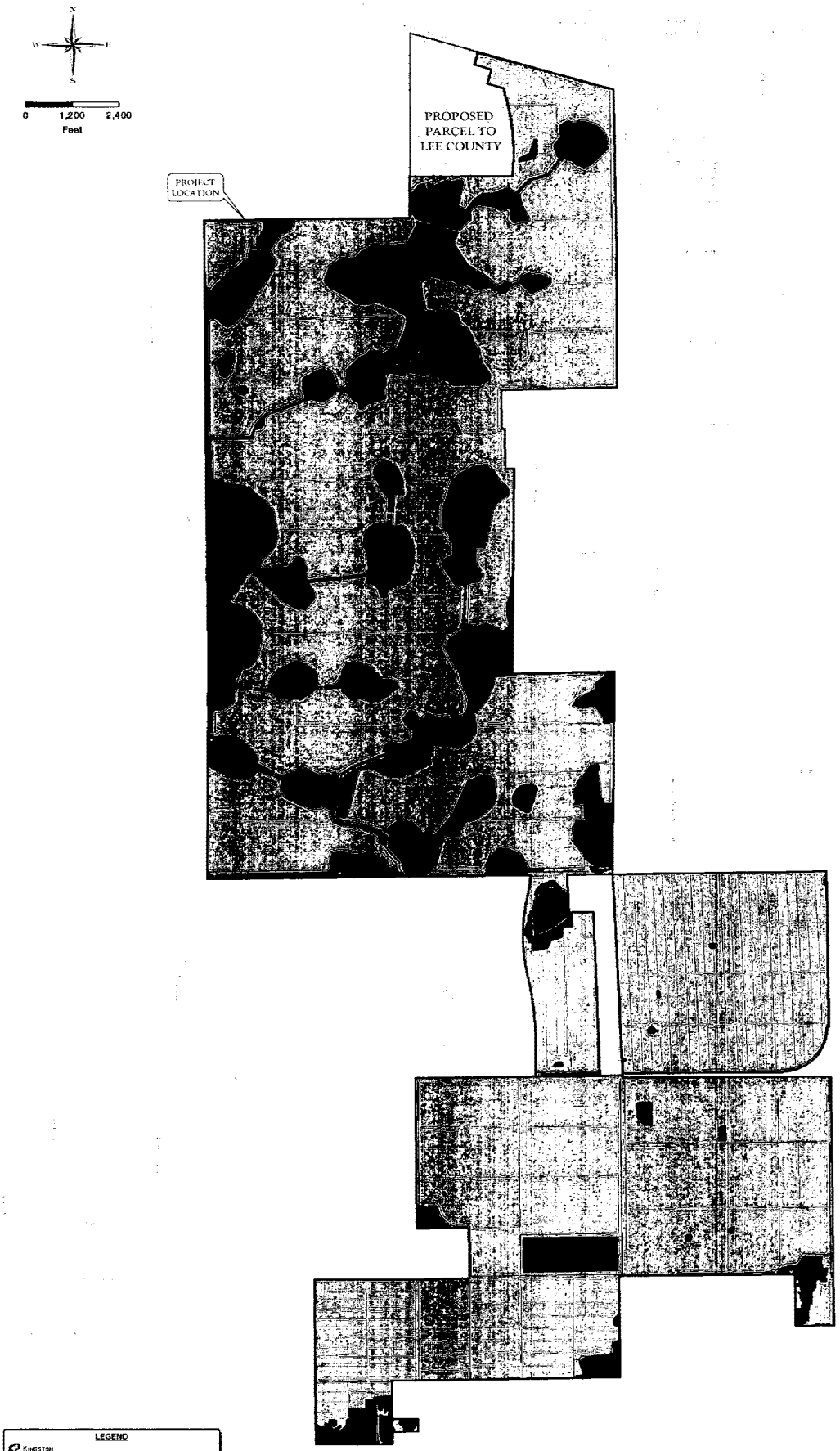
12.0 REFERENCES

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

Florida Natural Areas Inventory. 2010. Guide to the Natural Communities of Florida: 2010 Edition. Florida Natural Areas Inventory, Tallahassee, Florida.

APPENDIX A

INDIGENOUS VEGETATION MAP



LEGEND

- KINGSTON
- INDIGENOUS WETLANDS (914.21 AC.±)
- INDIGENOUS UPLANDS (90.92 AC.±)
- NON-INDIGENOUS WETLANDS (278.60 AC.±)
- NON-INDIGENOUS "OTHER SURFACE WATERS" (306.35 AC.±)
- NON-INDIGENOUS UPLANDS (5,986.63 AC.±)

NOTES

PROPERTY BOUNDARY PER J.R. EVANS ENGINEERING DRAWING NO. 857 KINGSTON MASTER CONCEPT PLAN K.DWG DATED MARCH 7, 2022

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING INC DRAWING NO 3370-JD-SR DWG DATED FEBRUARY 12, 2009

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08 DWG DATED DECEMBER 3, 2008

WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO FD-36-0284086-001 ISSUED AUGUST 26, 2009

FLUCFCS LINES ESTIMATED FROM 7-2007 AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED

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

DRAFT

DRAWN BY	DATE
H.H.	3/21/22
REVIEWED BY	DATE
S.J.	3/21/22
REVISED	DATE

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

PASSARELLA & ASSOCIATES, INC.

KINGSTON
INDIGENOUS VEGETATION MAP

DRAWING NO.: 21ACL3707

SHEET No.: APPENDIX A

APPENDIX B

FLUCFCS DESCRIPTIONS

KINGSTON
FLUCFCS DESCRIPTIONS

I. INDIGENOUS WETLAND HABITATS

Cabbage Palm, Hydric (0-24% Exotics) (FLUCFCS Code 4281 E1)
This canopy of this wetland habitat type is dominated by cabbage palm (*Sabal palmetto*). The sub-canopy contains cabbage palm and scattered wax myrtle (*Morella cerifera*). The ground cover contains beaksedge (*Rhynchospora* sp.) and swamp fern (*Telmatoblechnum serrulatum*).

Wax Myrtle/Willow, Hydric (0-24% Exotics) (FLUCFCS Code 4291 E1)
This wetland habitat type contains an open canopy. The sub-canopy contains wax myrtle, Carolina willow (*Salix caroliniana*), saltbush (*Baccharis halimifolia*), slash pine (*Pinus elliottii*), and Brazilian pepper (*Schinus terebinthifolia*). The ground cover contains bushy bluestem (*Andropogon glomeratus*), broomsedge (*Andropogon virginicus*), gulfdune paspalum (*Paspalum monostachyum*), Asiatic pennywort (*Centella asiatica*), and water pennywort (*Hydrocotyle umbellata*).

Wax Myrtle/Willow, Hydric (25-49% Exotics) (FLUCFCS Code 4291 E2)
This wetland habitat type is similar to that of FLUCFCS Code 4291 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Wax Myrtle/Willow, Hydric (50-75% Exotics) (FLUCFCS Code 4291 E3)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 4291 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Mixed Wetland Hardwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 6179 E1)
The canopy of this wetland habitat type contains laurel oak (*Quercus laurifolia*), swamp bay (*Persea palustris*), cabbage palm, bald cypress (*Taxodium distichum*), and melaleuca (*Melaleuca quinquenervia*). The sub-canopy contains cabbage palm, dahoon holly (*Ilex cassine*), myrsine (*Myrsine cubana*), and Brazilian pepper. The ground cover contains swamp fern and widely scattered saw palmetto (*Serenoa repens*).

Mixed Wetland Hardwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 6179 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6179 E1, but contains a higher concentration of melaleuca in the canopy and Brazilian pepper in the sub-canopy.

Mixed Wetland Hardwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 6179 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6179 E2, but contains a higher concentration of melaleuca in the canopy and Brazilian pepper in the sub-canopy.

Willow/Pop Ash, Disturbed (0-24% Exotics) (FLUCFCS Code 6189 E1)
The canopy of this wetland habitat type contains scattered Carolina willow, bald cypress, and red maple (*Acer rubrum*). The sub-canopy is comprised of Carolina willow, bald cypress, scattered Peruvian primrose willow (*Ludwigia peruviana*), melaleuca, pond apple (*Annona glabra*) and

Brazilian pepper. The ground cover contains maidencane (*Panicum hemitomon*), sawgrass (*Cladium jamaicense*), leather fern (*Acrostichum* sp.), water pennywort, Asiatic pennywort, and spikerush (*Eleocharis* sp.), Old World climbing fern (*Lygodium microphyllum*), and scattered fireflag (*Thalia geniculata*).

Willow/Pop Ash, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E1, except with higher concentrations of Peruvian primrose willow and Brazilian pepper in the sub-canopy.

Willow/Pop Ash, Disturbed (50-75% Exotics) (FLUCFCS Code 6189 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E2, except with higher concentrations of Peruvian primrose willow and Brazilian pepper in the sub-canopy.

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)
The canopy of this wetland habitat type is comprised of bald cypress, melaleuca, cabbage palm, strangler fig (*Ficus aurea*), laurel oak, Brazilian pepper, and scattered slash pine and red maple. The sub-canopy contains bald cypress, cabbage palm, wax myrtle, dahoon holly, pond apple, myrsine, Brazilian pepper, and scattered red maple and melaleuca. The ground cover contains swamp fern, Asiatic pennywort, saltbush, bog-hemp (*Boehmeria cylindrica*), wax myrtle, cabbage palm, rosy camphorweed (*Pluchea baccharis*), cocoplum (*Chrysobalanus icaco*), spikerush, pickerelweed (*Pontederia cordata*), maidencane, torpedograss (*Panicum repens*), saw palmetto, panicum (*Panicum* sp.), sawgrass, widely scattered cattail (*Typha* sp.), morning glory (*Ipomoea* sp.), climbing hempvine (*Mikania scandens*), greenbrier (*Smilax* sp.), and muscadine grapevine (*Vitis rotundifolia*).

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E1, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E2, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (0-24% Exotics) (FLUCFCS Code 6249 E1
The canopy of this wetland habitat type contains slash pine, bald cypress, cabbage palm, and scattered melaleuca. The sub-canopy contains slash pine, bald cypress, cabbage palm, myrsine, scattered melaleuca, and scattered Brazilian pepper. The ground cover contains swamp fern, Asiatic pennywort, cabbage palm, wiregrass (*Aristida stricta*), melaleuca, torpedograss, maidencane, gulfdune paspalum, wax myrtle, beaksedge, corkwood (*Stillingia aquatica*), and widely scattered saw palmetto.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6249 E1, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (50-75% Exotics) (FLUCFCS Code 6249 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6249 E2, except with higher concentrations of melaleuca and Brazilian pepper in the canopy and sub-canopy.

Pine, Hydric, Disturbed (0-24% Exotics) (FLUCFCS Code 6259 E1)
The canopy of this wetland habitat type is comprised of slash pine, cabbage palm and widely scattered melaleuca. The sub-canopy contains slash pine, wax myrtle, cabbage palm, scattered Brazilian pepper, and widely scattered melaleuca. The ground cover includes wiregrass, torpedograss, ragweed (*Ambrosia artemisiifolia*), swamp fern, little blue maidencane (*Amphicarpum muehlenbergianum*), caesarweed (*Urena lobata*), fogfruit (*Phyla nodiflora*), rosy camphorweed, Asiatic pennywort, Brazilian pepper, tickseed (*Coreopsis* sp.), pineland heliotrope (*Heliotropium polyphyllum*), climbing hempvine, muscadine grapevine, and scattered saw palmetto.

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E1, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Pine, Hydric, Disturbed (50-75% Exotics) (FLUCFCS Code 6259 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E2, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Mixed Wetland Forest, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)
The canopy of this wetland habitat type contains red maple, bald cypress, and laurel oak. The sub-canopy consists of red maple, bald cypress, laurel oak, myrsine, wax myrtle, Brazilian pepper, swamp bay, and cabbage palm. The ground cover includes swamp fern, tickseed, cocoplum, red maple, maidencane, cinnamon fern (*Osmunda cinnamomea*), rosy camphorweed, climbing hempvine, muscadine grapevine, and cabbage palm.

Mixed Wetland Forest, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E1, but with higher concentrations of Brazilian pepper in the sub-canopy.

Mixed Wetland Forest, Disturbed (50-75% Exotics) (FLUCFCS Code 6309 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E2, but with higher concentrations of Brazilian pepper in the sub-canopy.

Freshwater Marsh, Sawgrass (0-24% Exotics) (FLUCFCS Code 6411 E1)
This wetland habitat type contains a predominately open canopy and sub-canopy. The ground cover is dominated by sawgrass.

Freshwater Marsh, Cattail (0-24% Exotics) (FLUCFCS Code 6412 E1)
This disturbed wetland habitat type contains a predominately open canopy and sub-canopy. The ground cover is dominated by cattail.

Freshwater Marsh, Disturbed (0-24% Exotics) (FLUCFCS Code 6419 E1)
The canopy of this wetland habitat type contains scattered bald cypress and widely scattered melaleuca. The sub-canopy contains cabbage palm, Peruvian primrose willow, pond apple, scattered bald cypress, and widely scattered Carolina willow. The ground cover contains sawgrass, maidencane, corkwood, swamp fern, shield fern (*Dryopteris ludovicianus*), dotted smartweed (*Persicaria punctata*), spikerush, arrowhead (*Sagittaria lancifolia*), pickerelweed, fireflag, cattail, and torpedograss.

Freshwater Marsh, Disturbed (25-49% Exotics) (FLUCFCS Code 6419 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6419 E1, but with higher densities of torpedograss in the ground cover.

Freshwater Marsh, Disturbed (50-75% Exotics) (FLUCFCS Code 6419 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6419 E2, but with higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (0-24% Exotics) (FLUCFCS Code 6439 E1)
The canopy of this wetland habitat type contains widely scattered slash pine and bald cypress. The sub-canopy is comprised of wax myrtle and widely scattered bald cypress. The ground cover contains panicum, wax myrtle, fogfruit, sand cordgrass (*Spartina bakeri*), gulfdune paspalum, corkwood, maidencane, wiregrass, bushy bluestem, rosy camphorweed, and scattered sawgrass.

Wet Prairies, Disturbed (25-49% Exotics) (FLUCFCS Code 6439 E2)
This wetland habitat type is similar to that of FLUCFCS Code 6439 E1, but with melaleuca in the canopy and sub-canopy, and higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (50-75% Exotics) (FLUCFCS Code 6439 E3)
This wetland habitat type is similar to that of FLUCFCS Code 6439 E2, but with higher densities of melaleuca in the canopy and sub-canopy, and torpedograss in the ground cover.

II. INDIGENOUS UPLAND HABITATS

Palmetto Prairie, Disturbed (0-24% Exotics) (FLUCFCS Code 3219 E1)
The canopy of this upland habitat type contains scattered slash pine and widely scattered melaleuca. The sub-canopy contains saw palmetto, staggerbush (*Lyonia fruticosa*), gallberry (*Ilex glabra*), and scattered wax myrtle and Brazilian pepper. The ground cover includes saw palmetto, pennyroyal (*Piloblephis rigida*), shiny blueberry (*Vaccinium myrsinites*), and wiregrass.

Palmetto Prairie, Disturbed (25-49% Exotics) (FLUCFCS Code 3219 E2)
This upland habitat type is similar to that of FLUCFCS Code 3219 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Palmetto Prairie, Disturbed (50-75% Exotics) (FLUCFCS Code 3219 E3)
This upland habitat type is similar to that of FLUCFCS Code 3219 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)
The canopy of this upland habitat type contains slash pine, cabbage palm, Brazilian pepper, and scattered melaleuca. The sub-canopy contains slash pine, cabbage palm, myrsine, and scattered wax myrtle, melaleuca, and Brazilian pepper. The ground cover includes saw palmetto, wax myrtle, caesarweed, wiregrass, blackberry (*Rubus* sp.), ragweed, Old World climbing fern, melaleuca, and Brazilian pepper.

Pine Flatwoods, Disturbed (25-49% Exotics) (FLUCFCS Code 4119 E2)
This upland habitat type is similar to that of FLUCFCS Code 4119 E1, except with higher concentrations of Brazilian pepper, melaleuca, and Old World climbing fern in the canopy and sub-canopy.

Pine Flatwoods, Disturbed (50-75% Exotics) (FLUCFCS Code 4119 E3)
This upland habitat type is similar to that of FLUCFCS Code 4119 E2, except with higher concentrations of Brazilian pepper, melaleuca, and Old World climbing fern in the canopy and sub-canopy.

Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 4159 E1)
The canopy of this upland habitat type is dominated by slash pine. The sub-canopy contains slash pine and scattered Brazilian pepper. The ground cover contains pineland heliotrope, wax myrtle, caesarweed, wiregrass, blackberry, ragweed, melaleuca, and Brazilian pepper.

Pine, Disturbed (25-49% Exotics) (FLUCFCS Code 4159 E2)
This upland habitat type is similar to that of FLUCFCS Code 4159 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine, Disturbed (50-75% Exotics) (FLUCFCS Code 4159 E3)
This upland habitat type is similar to that of FLUCFCS Code 4159 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)
The canopy of this upland habitat type contains live oak (*Quercus virginiana*), laurel oak, and cabbage palm. The sub-canopy contains cabbage palm, laurel oak, and wax myrtle. The ground cover contains saw palmetto, cabbage palm, and scattered swamp fern.

Live Oak, Disturbed (25-49% Exotics) (FLUCFCS Code 4279 E2)
This upland habitat type is similar to that of FLUCFCS Code 4279 E1, except with higher concentrations of Brazilian pepper and melaleuca in the canopy and sub-canopy.

Cabbage Palm, Disturbed (0-24% Exotics) (FLUCFCS Code 4289 E1)
The canopy of this upland habitat type contains cabbage palm and scattered laurel oak. The sub-canopy contains saw palmetto, wax myrtle, cabbage palm, melaleuca, and Brazilian pepper. The ground cover is dominated by saw palmetto with scattered swamp fern.

Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 4289 E2)
This upland habitat type is similar to that of FLUCFCS Code 4289 E1, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Wax Myrtle, Disturbed (25-49% Exotics) (FLUCFCS Code 4299 E2)
The canopy of this upland habitat type contains cabbage palm, Brazilian pepper, and scattered laurel oak. The sub-canopy contains cabbage palm, Brazilian pepper, wax myrtle, laurel oak, saltbush, slash pine, and myrsine. The ground cover includes blackberry, caesarweed, fogfruit, cogon grass (*Imperata cylindrica*), broomsedge, and bushy bluestem.

Wax Myrtle, Disturbed (50-75% Exotics) (FLUCFCS Code 4299 E3)
This upland habitat type is similar to that of FLUCFCS Code 4299 E2, except with higher concentrations of Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
The canopy of this upland habitat type contains slash pine, cabbage palm, laurel oak, live oak, and scattered melaleuca. The sub-canopy contains slash pine, cabbage palm, laurel oak, live oak, and Brazilian pepper. The ground cover includes saw palmetto, cabbage palm, laurel oak, water pennywort, spermacoce (*Spermacoce verticillata*), bahiagrass (*Paspalum notatum*), bracken fern (*Pteridium aquilinum*), and scattered swamp fern.

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
This upland habitat type is similar to that of FLUCFCS Code 4349 E1, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Hardwood/Conifer Mixed, Disturbed (50-75% Exotics) (FLUCFCS Code 4349 E3)
This upland habitat type is similar to that of FLUCFCS Code 4349 E2, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed and Drained (0-24% Exotics) (FLUCFCS Code 6215 E1)
This disturbed upland habitat type contains bald cypress, cabbage palm, and scattered live oak. The sub-canopy contains Brazilian pepper, cabbage palm, and wax myrtle. The ground cover contains caesarweed, Boston fern (*Nephrolepis exaltata*), smutgrass (*Sporobolus indicus*), ragweed, beggar-tick (*Bidens alba*), flatsedge (*Cyperus ligularis*), dog fennel (*Eupatorium capillifolium*), and muscadine grapevine.

Cypress, Disturbed and Drained (25-49% Exotics) (FLUCFCS Code 6215 E2)
This upland habitat type is similar to that of FLUCFCS Code 6215 E1, except with higher concentrations of Brazilian pepper in the sub-canopy.

Cypress, Disturbed and Drained (50-75% Exotics) (FLUCFCS Code 6215 E3)
This upland habitat type is similar to FLUCFCS Code 6215 E2, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine, Disturbed and Drained (0-24% Exotics) (FLUCFCS Code 6245 E1)
This disturbed upland habitat type contains slash pine, bald cypress, cabbage palm, and scattered melaleuca in the canopy. The sub-canopy contains slash pine, bald cypress, cabbage palm, myrsine, scattered melaleuca, and scattered Brazilian pepper. The ground cover contains saw palmetto and swamp fern.

III. NON-INDIGENOUS WETLAND HABITATS

Low Pasture, Hydric (FLUCFCS Code 262)
The canopy of this disturbed wetland habitat type contains widely scattered cabbage palm. The sub-canopy is comprised of widely scattered cabbage palm, Brazilian pepper, and wax myrtle. The ground cover includes torpedograss, spermacoce, water pennywort, fogfruit, dog fennel, and dotted smartweed.

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
The canopy and sub-canopy of this disturbed wetland habitat type are dominated by Brazilian pepper. The ground cover is mostly open.

Melaleuca, Hydric (FLUCFCS Code 4241)
The canopy of this disturbed wetland habitat type contains melaleuca with widely scattered bald cypress and slash pine. The sub-canopy contains melaleuca and widely scattered bald cypress and wax myrtle. The ground cover contains wax myrtle, rosy camphorweed, and scattered beaksedge (*Rhynchospora microcarpa*).

Drainage Canal/Ditch, Hydric (FLUCFCS Code 514*)
These ditches are interior to a wetland. The sub-canopy along the banks and within the ditches contains Carolina willow, Peruvian primrose willow, Brazilian pepper, and wax myrtle. The ground cover contains water spangles (*Salvinia minima*), maidencane, primrose willow, cattail, and torpedograss. The ditches are associated with the citrus (*Citrus* sp.) groves.

Cattle Pond, Hydric (FLUCFCS Code 525*)
This surface water area is interior to wetlands and contains minimal vegetation.

Willow/Pop Ash, Disturbed (76-100% Exotics) (FLUCFCS Code 6189 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6189 E3, except with higher concentrations of Peruvian primrose willow and Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed (76-100% Exotics) (FLUCFCS Code 6219 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6219 E3, except with higher concentrations of melaleuca, Old World climbing fern, and Brazilian pepper in the canopy and sub-canopy.

Cypress/Pine/Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 6249 E4)
This disturbed wetland habitat type is similar to that of FLUCFCS Code 6249 E3 except with higher concentrations of Brazilian pepper, melaleuca, and downy rose-myrtle (*Rhodomyrtus tomentosa*) in the sub-canopy.

Pine, Hydric, Disturbed (76-100% Exotics) (FLUCFCS Code 6259 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6259 E3, but with higher concentrations of melaleuca in the canopy and sub-canopy.

Mixed Wetland Forest, Disturbed (76-100% Exotics) (FLUCFCS Code 6309 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6309 E3, but with higher concentrations of Brazilian pepper in the sub-canopy.

Freshwater Marsh, Disturbed (76-100% Exotics) (FLUCFCS Code 6419 E4)
This wetland habitat type is similar to that of FLUCFCS Code 6419 E3, but with higher densities of torpedograss in the ground cover.

Wet Prairies, Disturbed (76-100% Exotics) (FLUCFCS Code 6439 E4)
This disturbed wetland habitat type contains an open canopy. The sub-canopy contains scattered melaleuca, scattered willow (*Salix* sp.), and scattered wax myrtle. The ground cover is dominated by the exotic species torpedograss but also contains cattail and sawgrass.

Disturbed Land, Hydric (FLUCFCS Code 7401)
The canopy of this disturbed wetland habitat type includes scattered slash pine, cabbage palm, and Brazilian pepper. The sub-canopy contains melaleuca, Peruvian primrose willow, Brazilian pepper, bald cypress, and scattered wax myrtle. The ground cover contains cattail, torpedograss, maidencane, little blue maidencane, Asiatic pennywort, slash pine, climbing hempvine, spermacoce, water pennywort, dog fennel, and Peruvian primrose willow.

Borrow Area, Hydric (FLUCFCS Code 742*)
The canopy and sub-canopy of this wetland habitat type are open. The ground cover consists of torpedograss, scattered dotted smartweed, and water pennywort.

Electrical Power Transmission Line, Hydric (FLUCFCS Code 8321)
There are two sets of power lines that run in a northwest-southeast direction on the northern portion of the property. The land is maintained and contains torpedograss in the ground cover.

IV. NON-INDIGENOUS UPLAND HABITATS

Citrus Grove (FLUCFCS Code 221)
This upland agricultural use contains active citrus trees in the canopy and sub-canopy. The ground cover contains sod grass (*Poaceae* sp.), Florida tasselflower (*Emilia fosbergii*), beggar-tick, water pennywort, thistle (*Cirsium* sp.), wild balsam apple (*Momordica charantia*), ragweed, lantana (*Lantana camara*), caesarweed, torpedograss, and widely scattered Peruvian primrose willow.

Abandoned Groves (FLUCFCS Code 224)
The canopy of this upland agricultural use is comprised of cabbage palm. The sub-canopy contains cabbage palm and Brazilian pepper. The ground cover includes bahiagrass, spermacoce, carpetgrass (*Axonopus* sp.), smutgrass, dog fennel, Mexican clover (*Richardia brasiliensis*), common ragweed, digit grass (*Digitaria* sp.), bermudagrass (*Cynodon dactylon*), and broomsedge.

Palmetto Prairie, Disturbed (76-100% Exotics) (FLUCFCS Code 3219 E4)
This upland habitat type is similar to that of FLUCFCS Code 3219 E3, except with higher concentrations of Brazilian pepper in the sub-canopy.

Pine Flatwoods, Disturbed (76-100% Exotics) (FLUCFCS Code 4119 E4)
This upland habitat type is similar to that of FLUCFCS Code 4119 E3, except with higher concentrations of Brazilian pepper and Old World climbing fern in the canopy and sub-canopy.

Pine, Disturbed (76-100% Exotics) (FLUCFCS Code 4159 E4)
This upland habitat type is similar to that of FLUCFCS Code 4159 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Brazilian Pepper (FLUCFCS Code 422)
This upland habitat type is dominated by Brazilian pepper in the canopy and sub-canopy. The ground cover is mostly open.

Cabbage Palm, Disturbed (76-100% Exotics) (FLUCFCS Code 4289 E4)
This upland habitat type is similar to that of FLUCFCS Code 4289 E2, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Wax Myrtle, Disturbed (76-100% Exotics) (FLUCFCS Code 4299 E4)
This upland habitat type is similar to that of FLUCFCS Code 4299 E3, except with higher concentrations of Brazilian pepper in the sub-canopy.

Hardwood/Conifer Mixed, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
This upland habitat type is similar to that of FLUCFCS Code 4349 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Cypress, Disturbed and Drained (76-100% Exotics) (FLUCFCS Code 6215 E4)
This upland habitat type is similar to FLUCFCS Code 6215 E3, except with higher concentrations of Brazilian pepper in the canopy and sub-canopy.

Disturbed Land (FLUCFCS Code 740)
The canopy of this disturbed upland habitat type is comprised of scattered slash pine and cabbage palm. The sub-canopy contains scattered slash pine, Brazilian pepper, and wax myrtle. The ground cover contains sod grass, dog fennel, beggar-tick, crowfoot grass (*Dactyloctenium aegyptium*), balsam apple, bahiagrass, lantana, caesarweed, natalgrass (*Rhynchelytrum repens*), and scattered saw palmetto.

Spoil Area (FLUCFCS Code 743)
The canopy and sub-canopy of this land use are open. The ground cover contains caesarweed, dog fennel, ragweed, and bahiagrass.

Dikes and Levees (Berm) (FLUCFCS Code 747)
The canopy and sub-canopy of this land use are predominantly open with widely scattered Brazilian pepper. The ground cover contains ragweed, Florida tasselflower, natalgrass, lantana, beggar-tick, bahiagrass, caesarweed, and dog fennel.

Road (FLUCFCS Code 814)
This land use type includes unvegetated paved roadways.

Unpaved Road (FLUCFCS Code 8146)
This land use consists of an unvegetated dirt road that runs in a north-south direction along the northeast portion of the property.

V. NON-INDIGENOUS OTHER SURFACE WATERS

Pine Flatwoods, Disturbed, OSW (0-24% Exotics) (FLUCFCS Code 4119 E1**)
This land cover type contains vegetation similar to FLUCFCS Code 4119 E1 but is an "other surface water" (OSW).

Live Oak, Disturbed, OSW (0-24% Exotics) (FLUCFCS Code 4279 E1**)
This land cover type contains vegetation similar to FLUCFCS Code 4279 E1 but is an OSW.

Hardwood/Conifer Mixed, Disturbed, OSW (0-24% Exotics) (FLUCFCS Code 4349 E1**)
This land use type contains vegetation similar to FLUCFCS Code 4349 E1 but is an OSW.

Hardwood/Conifer Mixed, Disturbed, OSW (25-49% Exotics) (FLUCFCS Code 4349 E2**)
This land use type is similar to FLUCFCS Code 4349 E1** but high higher concentrations of Brazilian pepper in the sub-canopy.

Drainage Canal/Ditch (FLUCFCS Code 514)
This OSW has an open canopy. The sub-canopy along the banks and within the ditches contains Carolina willow, Peruvian primrose willow, Brazilian pepper, and wax myrtle. The ground cover contains water spangles, pickerelweed, maidencane, Peruvian primrose willow, cattail, torpedograss, dotted smartweed, red ludwigia (*Ludwigia repens*), and fogfruit. The ditches are associated with the citrus groves.

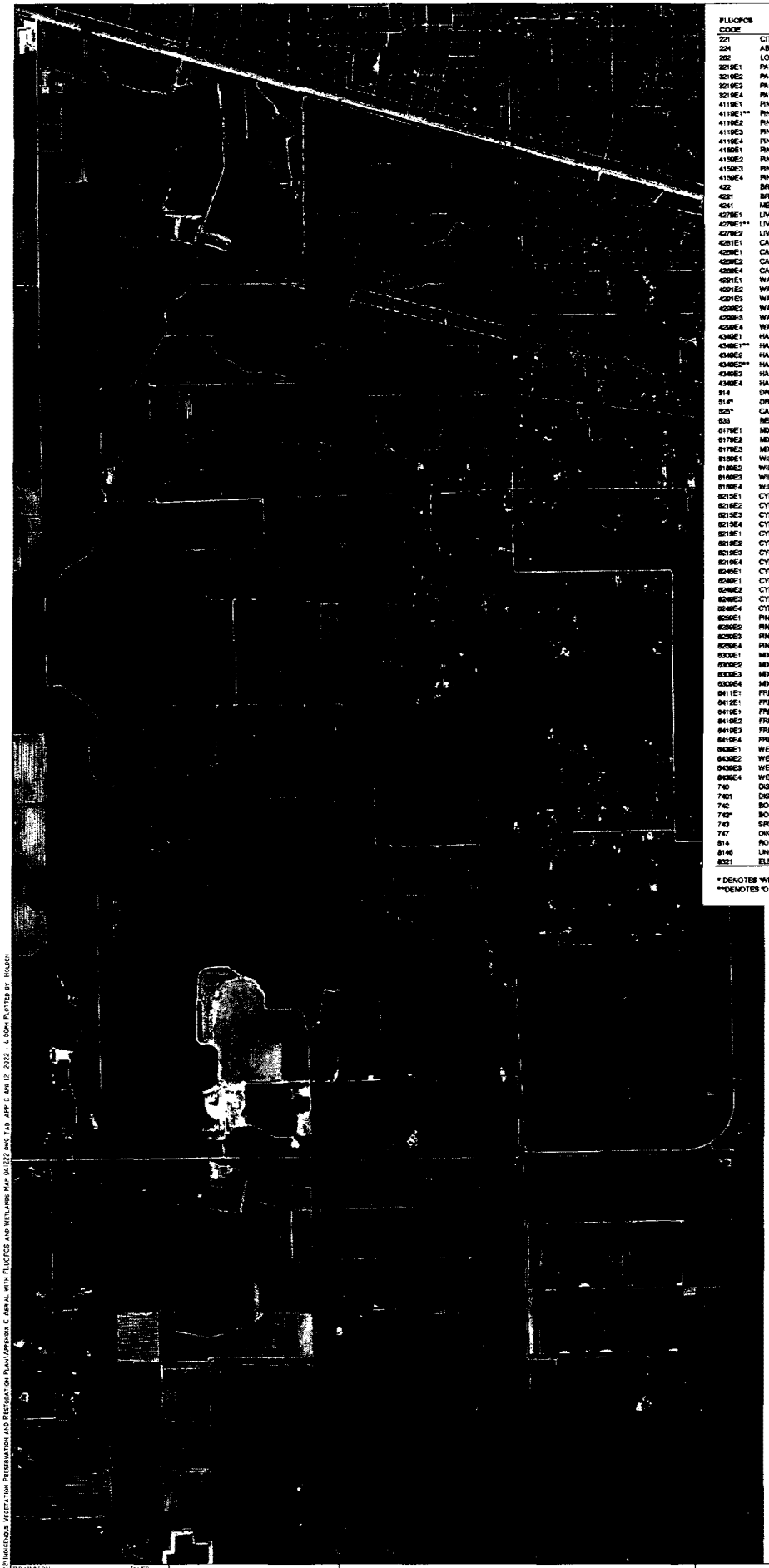
Reservoirs (<10 acres but >100 acres) (FLUCFCS Code 533)
This land use type is utilized for water retention.

Borrow Area (FLUCFCS Code 742)
This OSW contains minimal vegetation. The borrow area appears to have been created to acquire fill for a berm connecting two adjacent citrus groves.

*Denotes Wetlands
**Denotes OSW

APPENDIX C

AERIAL WITH FLUCFCS AND WETLANDS MAP



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
221	CITRUS GROVE	4857.80 Ac.±	69.8%
224	ABANDONED GROVES	145.52 Ac.±	2.2%
262	LOW PASTURE, HYDRIC	13.36 Ac.±	0.2%
3219E1	PALMETTO PRAIRIE, DISTURBED (0-24% EXOTICS)	8.45 Ac.±	0.1%
3219E2	PALMETTO PRAIRIE, DISTURBED (25-49% EXOTICS)	1.56 Ac.±	0.0%
3219E3	PALMETTO PRAIRIE, DISTURBED (50-75% EXOTICS)	3.60 Ac.±	0.1%
3219E4	PALMETTO PRAIRIE, DISTURBED (76-100% EXOTICS)	0.03 Ac.±	0.0%
4119E1	PINE FLATWOODS, DISTURBED (0-24% EXOTICS)	12.61 Ac.±	0.2%
4119E1**	PINE FLATWOODS, DISTURBED, OSW (0-24% EXOTICS)	0.06 Ac.±	0.0%
4119E2	PINE FLATWOODS, DISTURBED (25-49% EXOTICS)	4.03 Ac.±	0.1%
4119E3	PINE FLATWOODS, DISTURBED (50-75% EXOTICS)	23.29 Ac.±	0.3%
4119E4	PINE FLATWOODS, DISTURBED (76-100% EXOTICS)	0.81 Ac.±	0.0%
4159E1	PINE, DISTURBED (0-24% EXOTICS)	13.21 Ac.±	0.2%
4159E2	PINE, DISTURBED (25-49% EXOTICS)	0.40 Ac.±	0.0%
4159E3	PINE, DISTURBED (50-75% EXOTICS)	0.33 Ac.±	0.0%
4159E4	PINE, DISTURBED (76-100% EXOTICS)	0.24 Ac.±	0.0%
422	BRAZILIAN PEPPER	3.68 Ac.±	0.1%
4221	BRAZILIAN PEPPER, HYDRIC	1.49 Ac.±	0.0%
4241	MELALEUCA, HYDRIC	98.34 Ac.±	1.5%
4279E1	LIVE OAK, DISTURBED (0-24% EXOTICS)	0.60 Ac.±	0.0%
4279E1**	LIVE OAK, DISTURBED, OSW (0-24% EXOTICS)	0.05 Ac.±	0.0%
4279E2	LIVE OAK, DISTURBED (25-49% EXOTICS)	0.19 Ac.±	0.0%
4281E1	CABBAGE PALM, HYDRIC (0-24% EXOTICS)	0.08 Ac.±	0.0%
4289E1	CABBAGE PALM, DISTURBED (0-24% EXOTICS)	0.68 Ac.±	0.0%
4289E2	CABBAGE PALM, DISTURBED (25-49% EXOTICS)	1.11 Ac.±	0.0%
4289E4	CABBAGE PALM, DISTURBED (76-100% EXOTICS)	1.74 Ac.±	0.0%
4291E1	WAX MYRTLE/WILLOW, HYDRIC (0-24% EXOTICS)	0.23 Ac.±	0.0%
4291E2	WAX MYRTLE/WILLOW, HYDRIC (25-49% EXOTICS)	0.41 Ac.±	0.0%
4291E3	WAX MYRTLE/WILLOW, HYDRIC (50-75% EXOTICS)	0.29 Ac.±	0.0%
4299E2	WAX MYRTLE, DISTURBED (25-49% EXOTICS)	2.05 Ac.±	0.0%
4299E3	WAX MYRTLE, DISTURBED (50-75% EXOTICS)	7.61 Ac.±	0.1%
4299E4	WAX MYRTLE, DISTURBED (76-100% EXOTICS)	9.33 Ac.±	0.1%
4349E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	7.78 Ac.±	0.1%
4349E1**	HARDWOOD/CONIFER MIXED, DISTURBED, OSW (0-24% EXOTICS)	1.66 Ac.±	0.0%
4349E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	2.11 Ac.±	0.0%
4349E2**	HARDWOOD/CONIFER MIXED, DISTURBED, OSW (25-49% EXOTICS)	0.23 Ac.±	0.0%
4349E3	HARDWOOD/CONIFER MIXED, DISTURBED (50-75% EXOTICS)	2.18 Ac.±	0.0%
4349E4	HARDWOOD/CONIFER MIXED, DISTURBED (75-100% EXOTICS)	5.17 Ac.±	0.1%
514	DRAINAGE CANAL/DITCH	258.11 Ac.±	3.8%
514*	DRAINAGE CANAL/DITCH, HYDRIC	19.20 Ac.±	0.3%
525*	CATTLE POND, HYDRIC	0.07 Ac.±	0.0%
533	RESERVOIRS (<10 ACRES BUT >100 ACRES)	47.96 Ac.±	0.7%
6179E1	MIXED WETLAND HARDWOODS, DISTURBED (0-24% EXOTICS)	1.80 Ac.±	0.0%
6179E2	MIXED WETLAND HARDWOODS, DISTURBED (25-49% EXOTICS)	0.61 Ac.±	0.0%
6179E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	0.30 Ac.±	0.0%
6189E1	WILLOW/POP ASH, DISTURBED (0-24% EXOTICS)	2.08 Ac.±	0.0%
6189E2	WILLOW/POP ASH, DISTURBED (25-49% EXOTICS)	0.28 Ac.±	0.0%
6189E3	WILLOW/POP ASH, DISTURBED (50-75% EXOTICS)	8.77 Ac.±	0.1%
6189E4	WILLOW/POP ASH, DISTURBED (76-100% EXOTICS)	11.51 Ac.±	0.2%
6215E1	CYPRESS, DISTURBED AND DRAINED (0-24% EXOTICS)	0.08 Ac.±	0.0%
6215E2	CYPRESS, DISTURBED AND DRAINED (25-49% EXOTICS)	0.08 Ac.±	0.0%
6215E3	CYPRESS, DISTURBED AND DRAINED (50-75% EXOTICS)	0.07 Ac.±	0.0%
6215E4	CYPRESS, DISTURBED AND DRAINED (76-100% EXOTICS)	4.75 Ac.±	0.1%
6219E1	CYPRESS, DISTURBED (0-24% EXOTICS)	455.56 Ac.±	6.6%
6219E2	CYPRESS, DISTURBED (25-49% EXOTICS)	65.67 Ac.±	0.9%
6219E3	CYPRESS, DISTURBED (50-75% EXOTICS)	94.57 Ac.±	1.4%
6219E4	CYPRESS, DISTURBED (76-100% EXOTICS)	16.17 Ac.±	0.2%
6249E1	CYPRESS/PINE, DISTURBED AND DRAINED (0-24% EXOTICS)	0.14 Ac.±	0.0%
6249E1	CYPRESS/PINE/CABBAGE PALM, DISTURBED (0-24% EXOTICS)	69.60 Ac.±	1.0%
6249E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	20.73 Ac.±	0.3%
6249E3	CYPRESS/PINE/CABBAGE PALM, DISTURBED (50-75% EXOTICS)	23.40 Ac.±	0.4%
6249E4	CYPRESS/PINE/CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.14 Ac.±	0.0%
6259E1	PINE, HYDRIC, DISTURBED (0-24% EXOTICS)	7.47 Ac.±	0.1%
6259E2	PINE, HYDRIC, DISTURBED (25-49% EXOTICS)	2.40 Ac.±	0.0%
6259E3	PINE, HYDRIC, DISTURBED (50-75% EXOTICS)	8.38 Ac.±	0.1%
6259E4	PINE, HYDRIC, DISTURBED (76-100% EXOTICS)	1.18 Ac.±	0.0%
6309E1	MIXED WETLAND FOREST, DISTURBED (0-24% EXOTICS)	9.64 Ac.±	0.1%
6309E2	MIXED WETLAND FOREST, DISTURBED (25-49% EXOTICS)	7.73 Ac.±	0.1%
6309E3	MIXED WETLAND FOREST, DISTURBED (50-75% EXOTICS)	2.79 Ac.±	0.0%
6309E4	MIXED WETLAND FOREST, DISTURBED (76-100% EXOTICS)	3.33 Ac.±	0.0%
6411E1	FRESHWATER MARSH, SAWGRASS (0-24% EXOTICS)	1.11 Ac.±	0.0%
6412E1	FRESHWATER MARSH, CATTAIL (0-24% EXOTICS)	13.07 Ac.±	0.2%
6419E1	FRESHWATER MARSH, DISTURBED (0-24% EXOTICS)	100.21 Ac.±	1.5%
6419E2	FRESHWATER MARSH, DISTURBED (25-49% EXOTICS)	2.02 Ac.±	0.0%
6419E3	FRESHWATER MARSH, DISTURBED (50-75% EXOTICS)	19.83 Ac.±	0.3%
6419E4	FRESHWATER MARSH, DISTURBED (76-100% EXOTICS)	57.24 Ac.±	0.9%
6439E1	WET PRAIRIES, DISTURBED (0-24% EXOTICS)	8.15 Ac.±	0.1%
6439E2	WET PRAIRIES, DISTURBED (25-49% EXOTICS)	0.42 Ac.±	0.0%
6439E3	WET PRAIRIES, DISTURBED (50-75% EXOTICS)	0.48 Ac.±	0.0%
6439E4	WET PRAIRIES, DISTURBED (76-100% EXOTICS)	24.29 Ac.±	0.4%
740	DISTURBED LAND	83.90 Ac.±	1.3%
7401	DISTURBED LAND, HYDRIC	28.11 Ac.±	0.4%
742	BORROW AREA	0.08 Ac.±	0.0%
742*	BORROW AREA, HYDRIC	0.23 Ac.±	0.0%
743	SPOIL AREA	8.96 Ac.±	0.1%
747	DIKES AND LEVEES (BERM)	157.75 Ac.±	2.4%
814	ROAD	0.24 Ac.±	0.0%
8146	UNPAVED ROAD	6.70 Ac.±	0.1%
8321	ELECTRICAL POWER TRANSMISSION LINE, HYDRIC	5.05 Ac.±	0.1%
	TOTAL	6976.72 Ac.±	100.0%

* DENOTES "WETLANDS"
**DENOTES "OTHER SURFACE WATERS"

LEGEND

WETLANDS (1,192.81 Ac.±)

"OTHER SURFACE WATERS" (306.35 Ac.±)

SURVEYED WETLAND LINE

DRAFT

NOTES

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MARCH 2021.

PROPERTY BOUNDARY PER J.P. EVANS, INC. DRAWING NO. 857 KINGSTON MASTER CONCEPT PLAN R.dwg DATED MARCH 7, 2022.

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING,INC DRAWING NO.3370-JD-SR.DWG DATED FEBRUARY 12, 2009.

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08.DWG DATED DECEMBER 3, 2008.

WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO.FD-36-0284085-001 ISSUED AUGUST 26, 2009.

FLUCFCS LINES ESTIMATED FROM 1"=300' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED

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

J:\2021\21CCL3707\2022\HABITAT\VEGETATION PRESERVATION AND RESTORATION PLAN\APPENDIX C AERIAL WITH FLUCFCS AND WETLANDS MAP 04-22.DWG TAB APP C APR 12, 2022 - 4:50PM PLOTTED BY HOLDEN

DRAWN BY	DATE
H.H.	03/22/22
DESIGNED BY	DATE
S.J.	03/22/22
REVISED	DATE
T.S.	03/29/22

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069

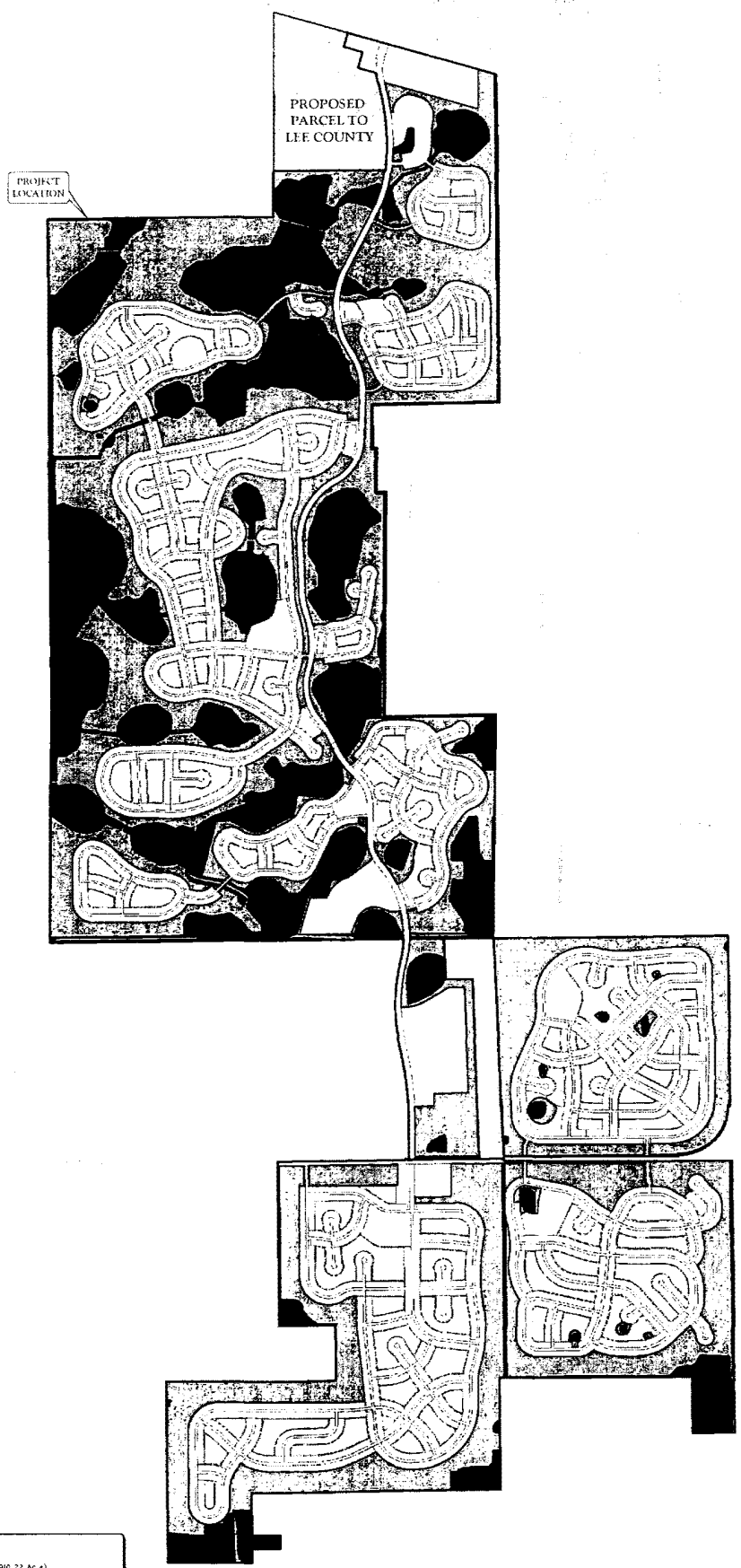
PASSARELLA & ASSOCIATES INC
Consulting Ecologists

KINGSTON
AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No. 21CCL3707
SHEET No. APPENDIX C

APPENDIX D

INDIGENOUS VEGETATION, PRESERVATION, AND RESTORATION PLAN



LEGEND

- KINGSTON
- PRESERVATION OF INDIGENOUS WETLANDS (910.22 AC ±)
- PRESERVATION OF INDIGENOUS UPLANDS (88.65 AC ±)
- RESTORATION OF NON-INDIGENOUS WETLANDS (258.74 AC ±)
- RESTORATION OF NON-INDIGENOUS "OTHER SURFACE WATERS" (2.23 AC ±)
- RESTORATION OF NON-INDIGENOUS UPLANDS (112.19 AC ±)
- RESTORATION OF WETLANDS AND UPLANDS FROM FARM FIELD (1915.00 AC ±)

NOTES:

PROPERTY BOUNDARY AND SITE PLAN PER J.R. EVANS ENGINEERING DRAWING No. KINGSTON MOP PLAN N.DWG DATED MARCH 30, 2022.

WETLAND AND SURVEY DITCH LINES PER BANKS ENGINEERING INC DRAWING NO 3370-JD-SR.DWG DATED FEBRUARY 12, 2009.

SURVEY DITCH LINES PER METRON SURVEYING & MAPPING, LLC DRAWING NO. DITCHES TO BE SURVEY LOCATED 12-03-08.DWG DATED DECEMBER 3, 2008.

WETLAND AND OSW LINES SHOWN PER FDEP FORMAL WETLAND JURISDICTIONAL DETERMINATION NO FD-36-0284086-001 ISSUED AUGUST 26, 2020.

FLUCFCS LINES ESTIMATED FROM 1"=300' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

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

DRAFT

DRAWN BY	DATE
H.H.	04/05/22
REVIEWED BY	DATE
S.J.	04/05/22
REVISED	DATE

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

PASSARELLA & ASSOCIATES, LLC

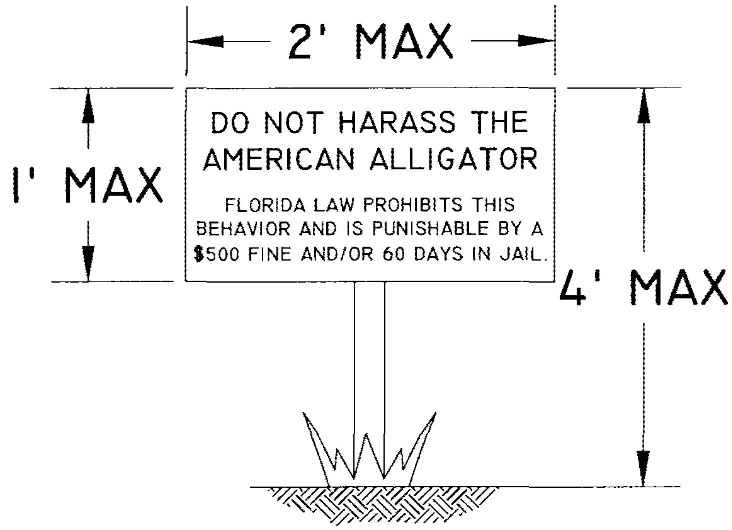
KINGSTON
INDIGENOUS VEGETATION, PRESERVATION, AND RESTORATION PLAN

DRAWING No. 21CCL3707

SHEET No. APPENDIX D

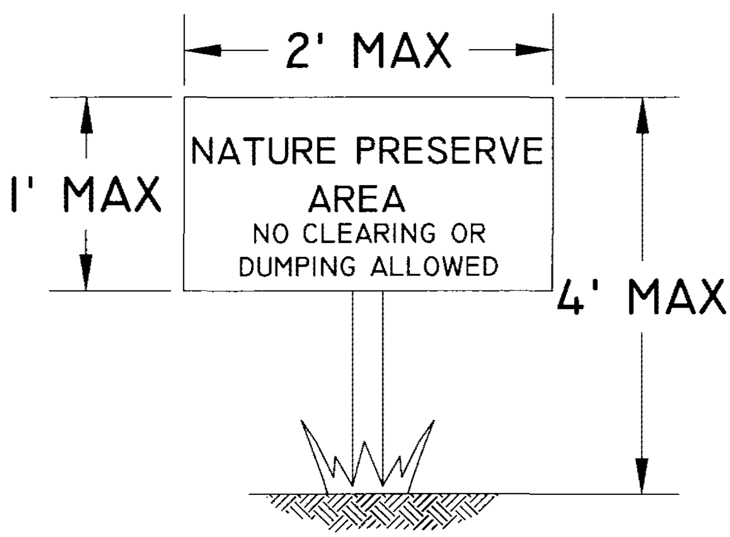
APPENDIX E

TYPICAL PRESERVE SIGNAGE



TYPICAL AMERICAN ALLIGATOR SIGNAGE

N.T.S.



TYPICAL PRESERVE SIGNAGE

N.T.S.

APPENDIX E. TYPICAL PRESERVE SIGNAGE KINGSTON	DRAWN BY H.H. DATE 03/14/22 REVIEWED BY H.S. DATE 03/14/22 REVISED DATE	PASSARELLA & ASSOCIATES INC Consulting Ecologists

EXHIBIT M

BONA FIDE AGRICULTURAL USE AT THE TIME OF ZONING APPLICATION AFFIDAVIT

WHEREAS, Section 34-202(b)(7), Lee County Land Development Code, requires property located in an agricultural zoning district at the time a zoning application is filed to include an existing agricultural use affidavit; and

WHEREAS, the affidavit, pursuant to the Land Development Code, must identify the property in question with specificity, and the affidavit must identify whether or not a bona fide agricultural use is in existence on the property at the time the application was filed.

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned notary public on this 28 day of April, 2022, personally appeared Mitch Hutchcraft, who is personally known to me or who produced a Drivers License as identification and who, after first being duly sworn, deposes and says that:

1. The property that is subject of the zoning application is described more completely on the attached Exhibit "A".

2. That I am the authorized representative of the Corkscrew Grove Limited Partnership that owns or represents the property described in Exhibit "A".

3. The property in question is zoned_AG-2 (Agriculture). Section 34-202(b)(7) does not require an agricultural affidavit for property that is not located in an agricultural district at the time of zoning.

4. The property is in agricultural use. Future agricultural use is permitted under Exhibits "D" and "E" of the Agreement Pursuant to Stipulation of Settlement.

5. The agricultural use of the subject property is a mixture of citrus, sod fields, and row crops.

6. The agricultural activity is occurring within the area identified on the attached Exhibit "B".

7. The affiant intends to continue the existing agricultural activity subsequent to the rezoning.

FURTHER AFFIANT SAYETH NAUGHT.

By: _____
Name: Mitch Hutchcraft

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)

Notary Public State of Florida
Bettina Thompson
My Commission GG 316512
Expires 03/31/2023

_____
Signature of Notary Public

Bettina Thompson
(Print, type of stamp commissioned name of Notary Public)

Commission No. GG 316512

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION
Parcel in
Section 35, Township 45 South, Range 27 East
and Sections 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 and 36,
Township 46 South, Range 27 East,
Lee County, Florida

A tract or parcel of land lying in Section 35, Township 45 South, Range 27 East and Sections 2, 3, 10, 11, 14, 15, 24, 25, 26, 34, 35 and 36, Township 46 South, Range 27 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

PARCEL 1:

Beginning at the Southwest corner of said Section 35 run N00°42'20"W along the West line of said Section 35 for 4,913.47 feet to an intersection with the Southwesterly right of way line of State Road 82 (F.D.O.T. right of way Section No. 1207-101) (200 feet wide right of way); thence run S74°24'28"E along said Southwesterly right of way line for 5,474.38 feet to an intersection with the East line of said Section 35; thence run S01°27'49"E for 3,347.79 feet to the Northeast corner of said Section 2; thence run S00°37'24"E along the East line of said Section 2 for 4,496.97 feet; thence run S88°14'39"W for 2,954.70 feet; thence run S00°38'17"E for 1,000.18 feet; thence run N89°34'20"E for 89.85 feet; thence run S00°42'50"E for 1,075.98 feet to an intersection with the North line of the West Half (W 1/2) of said Section 11; thence run N88°06'17"E along said North line for 218.81 feet to the Northeast corner of said Fraction; thence run S00°11'24"E along the East line of said Fraction for 5,325.44 feet to Southeast corner of said Fraction; thence run N88°33'37"E along the North line of said Section 14 for 2,623.23 feet to the Northeast corner of said Section 14; thence run S00°02'19"W along the East line of said Section 14 for 5,330.76 feet to the Southeast corner of said Section 14 ; thence run S88°57'32"W along the South line of said Section 14 for 5,217.75 feet to the Southeast corner of said Section 15; thence run S88°56'48"W along the South line of said Section 15 for 5,216.63 feet to the Southwest corner of said Section 15; thence run N00°12'22"W along the West line of said Section 15 for 5,552.99 feet to the Southwest corner of said Section 10; thence run N01°06'50"W along the West line of said Section 10 for 5,068.95 feet to the Southwest corner of said Section 3; thence run N00°58'11"W along the West line of said Section 3 for 6,632.47 feet to the Northwest corner of said Section 3; thence run N89°02'20"E along the North line of said Section 3 for 5,301.06 feet to the POINT OF BEGINNING.
Containing 4,202.62 acres, more or less.

PARCEL 2:

Beginning at the Northwest corner of said Section 24 run N88°48'32"E along the North line of said Section 24 for 5,496.75 feet to an intersection with the West line right of way line of Corkscrew Road, also being the West line of the East 25 feet of said

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Phone (239) 461-3170 • Fax (239) 461-3169

EXHIBIT "A"

DESCRIPTION (CONTINUED)

Section 24; thence run S01°20'16"E along said West line for 4,100.52 feet to an intersection with the Northerly right of way line of Corkscrew Road, as described in a deed recorded in Instrument No. 2005000136900, Lee County Records; thence run along said Northerly right of way line the following three (3) courses: S88°39'44"W for 50.00 feet to a point on a non-tangent curve; Southwesterly along an arc of a curve to the right of radius 1,175.00 feet (delta 90°09'17") (chord bearing S44°50'13"W) (chord 1,663.94 feet) for 1,848.86 feet and S00°05'08"E along a radial line for 25.00 feet to an intersection with the North right of way line of said Corkscrew Road, also being North line of the South 50 feet of said Section 24; thence run along said North right of way line the following two (2) courses: S89°54'52"W for 1,393.63 feet and S88°51'37"W for 2,675.85 feet to an intersection with the West line of said Section 24; thence run N03°15'49"W along said West line for 5,255.07 feet to the POINT OF BEGINNING.

Containing 644.59 acres, more or less.

PARCEL 3:

Beginning at the Northwest corner of said Section 26 run N88°51'40"E along the North line of the Northwest Quarter (NW 1/4) of said Section 26 for 2,663.66 feet to the North Quarter corner of said Section 26; thence run N88°54'17"E along the North line of the Northeast Quarter (NE 1/4) of said Section 26 for 2,666.51 feet to the Northwest corner of said Section 25; thence run S01°09'29"E along the West line of the Northwest Quarter (NW 1/4) of said Section 25 for 50.00 feet to an intersection with the South right of way line of Corkscrew Road, also being South line of the North 50 feet of said Section 25; thence run along said South right of way line the following two (2) courses: N88°51'37"E for 2,673.06 feet and N89°54'52"E for 2,671.08 feet to an intersection with the East line of Northeast Quarter (NE 1/4) of said Section 25; thence run S01°11'48"E along said East line for 2,550.74 feet to the East Quarter corner of said Section 25; thence run S01°12'17"E along the East line of Southeast Quarter (SE 1/4) of said Section 25 for 2,650.95 feet to the Northeast corner of said Section 36; thence run S01°11'26"E along the East line of Northeast Quarter (NE 1/4) of said Section 36 for 1,320.34 feet; thence run S89°10'39"W parallel with the North line of said Fraction for 990.98 feet; thence run N01°11'26"W parallel with the East line of said Fraction for 1,320.34 feet to an intersection with the North line of said Fraction; thence run S89°10'39"W along the North line of said Fraction for 1,683.83 feet to the North Quarter corner of said Section 36; thence run S89°09'00"W along the North line of the Northwest Quarter (NW 1/4) of said Section 36 for 2,672.43 feet to the Northeast corner of said Section 35; thence run S88°41'30"W along the North line Northeast Quarter (NE 1/4) of said Section 35 for 150.00 feet to an intersection with the West line of the East 150 feet the Northeast Quarter (NE 1/4) of said Section 35; thence run S01°02'25"E along said West line for 2,605.57 feet to an intersection with the South line of the North Half (N 1/2) of said Section 35; thence run S88°35'54"W along said South line for 5,197.13 feet to the East Quarter corner of said Section 34; thence run S89°18'56"W along the North line of the Southeast Quarter (SE 1/4) of said Section 34 for 662.29 feet to the Northeast corner of the West Half (W 1/2) of the East

DESCRIPTION (CONTINUED)

Half (E 1/2) of the Southeast Quarter (SE 1/4) of said Section 34; thence run S00°56'36"E along the East line of said Fraction for 978.73 feet to the Northwest corner of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) said Section 34; thence run N89°21'38"E along the North line of said Fraction for 662.30 feet to the Northeast corner of said Fraction; thence run S00°56'36"E along the East line of said Fraction, also being the East line of the Southeast Quarter (SE ¼) of said Section 34 for 326.43 feet to the Southeast corner of said Fraction; thence run S89°21'38"W along the South line of said Fraction for 662.30 feet to the Southwest corner of said Fraction; thence run S00°56'36"E along the East line of said West Half (W 1/2) of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 34 for 325.25 feet; thence run S89°21'38"W for 1,985.63 feet to an intersection with the West line of said Southeast Quarter (SE 1/4) of Section 34; thence run N00°56'43"W along said West line for 1,628.85 feet to the Center of said Section 34; thence run N00°55'48"W along the West line of the Northeast Quarter (NE 1/4) of said Section 34 for 2,623.36 feet to the North Quarter corner of said Section 34; thence run N89°31'02"E along the North line of the Northeast Quarter (NE 1/4) of said Section 34 for 2,646.41 feet to the Southwest corner of said Section 26; thence run N88°41'30"E along the South line of the Southwest Quarter (SW 1/4) of said Section 26 for 1,335.92 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 26; thence run N01°03'24"W along the East line of said Fraction for 1,321.72 feet to the Northeast corner of said Fraction; thence run S88°43'35"W along the North line of said Fraction for 1,335.09 feet to the Northwest corner of said Fraction and intersection with the West line of said Southwest Quarter (SW 1/4) of Section 26; thence run N01°01'16"W along said West line for 1,322.52 feet to the West Quarter corner of said Section 26; thence run N01°00'42"W W along the West line of the Northwest Quarter (NW 1/4) of said Section 26 for 2,645.28 feet to the POINT OF BEGINNING.

Containing 1,827.35 acres, more or less.

Bearings hereinabove mentioned are based on the North line of said Section 3 to bear N89°02'20"E.

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

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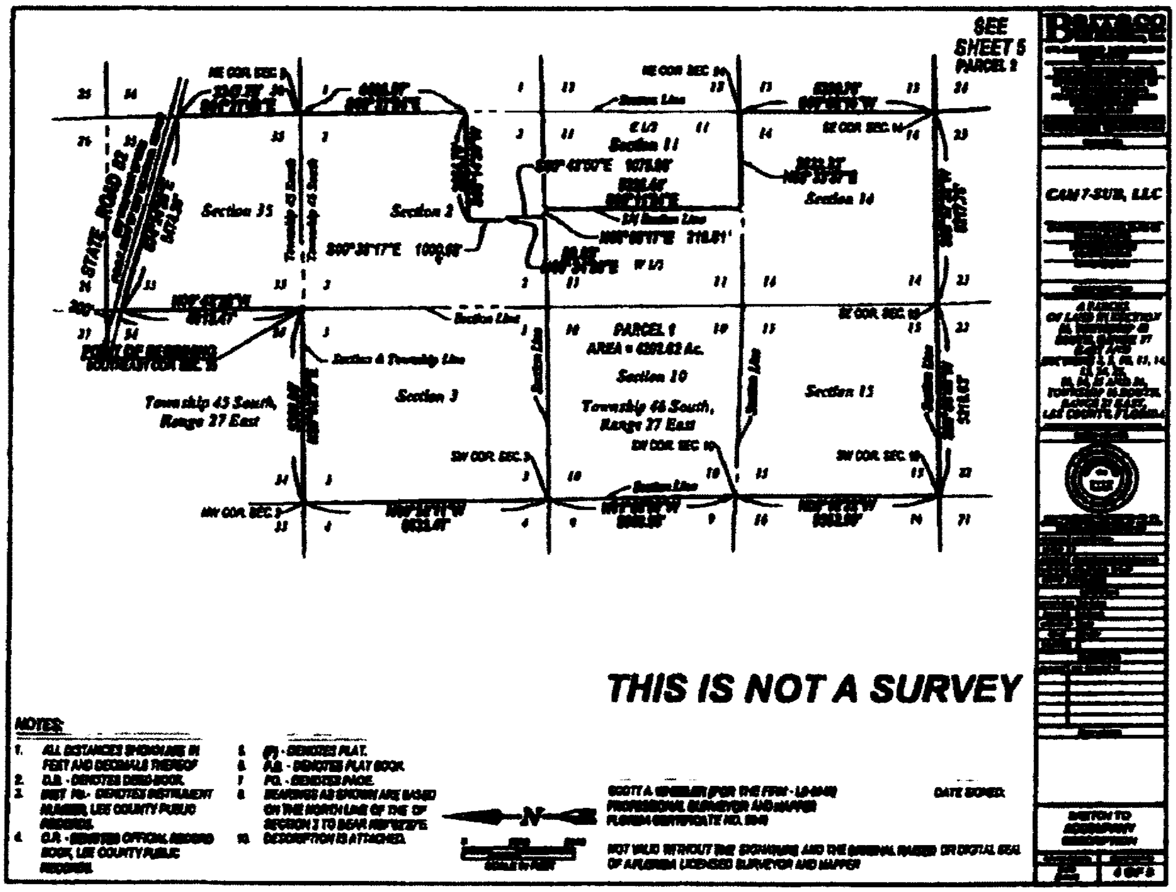
SEE
SHEET 5
PARCEL 2
Section 35
Section 2
Section 11
Section 14
PARCEL 1
Section 3
Section 10
Section 15
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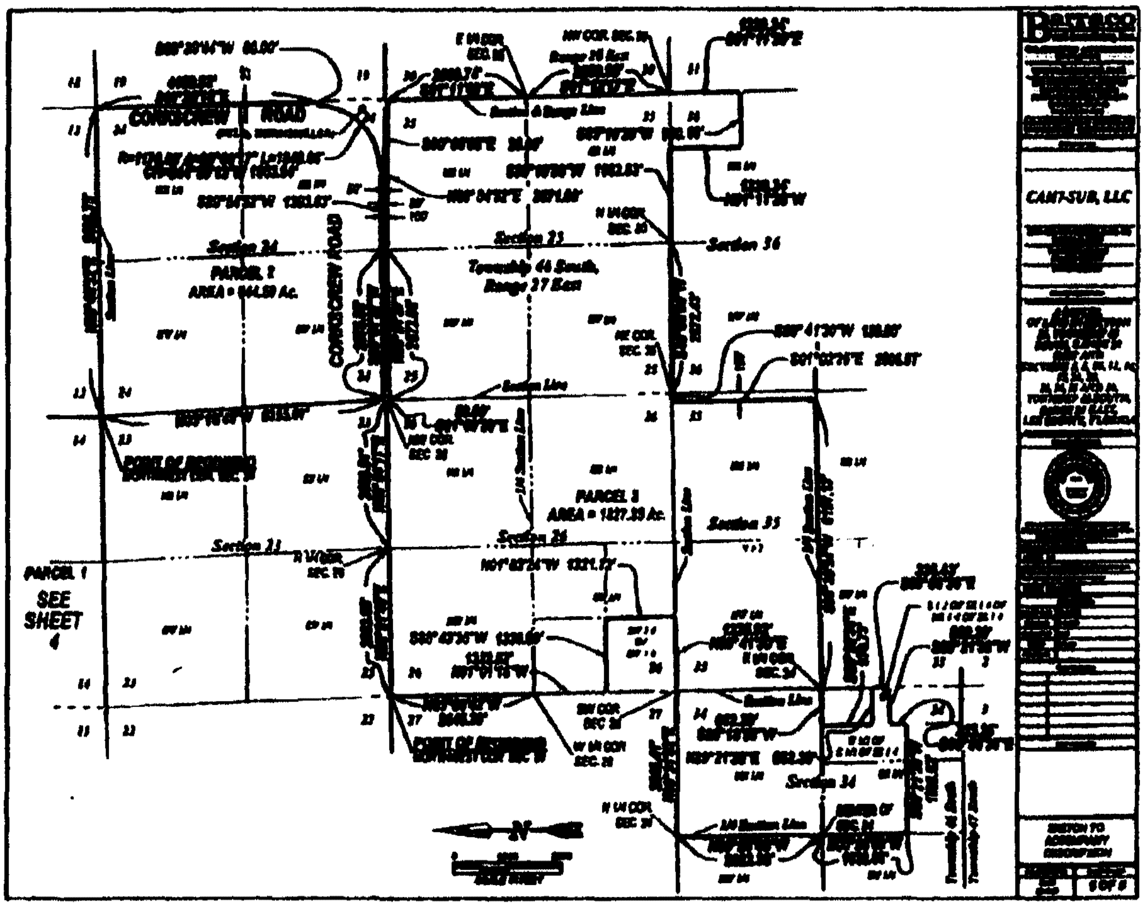
Range 27 East
Township 46 South,
Range 27 East
CAM 7-SUB, LLC
THIS IS NOT A SURVEY
NOTES:

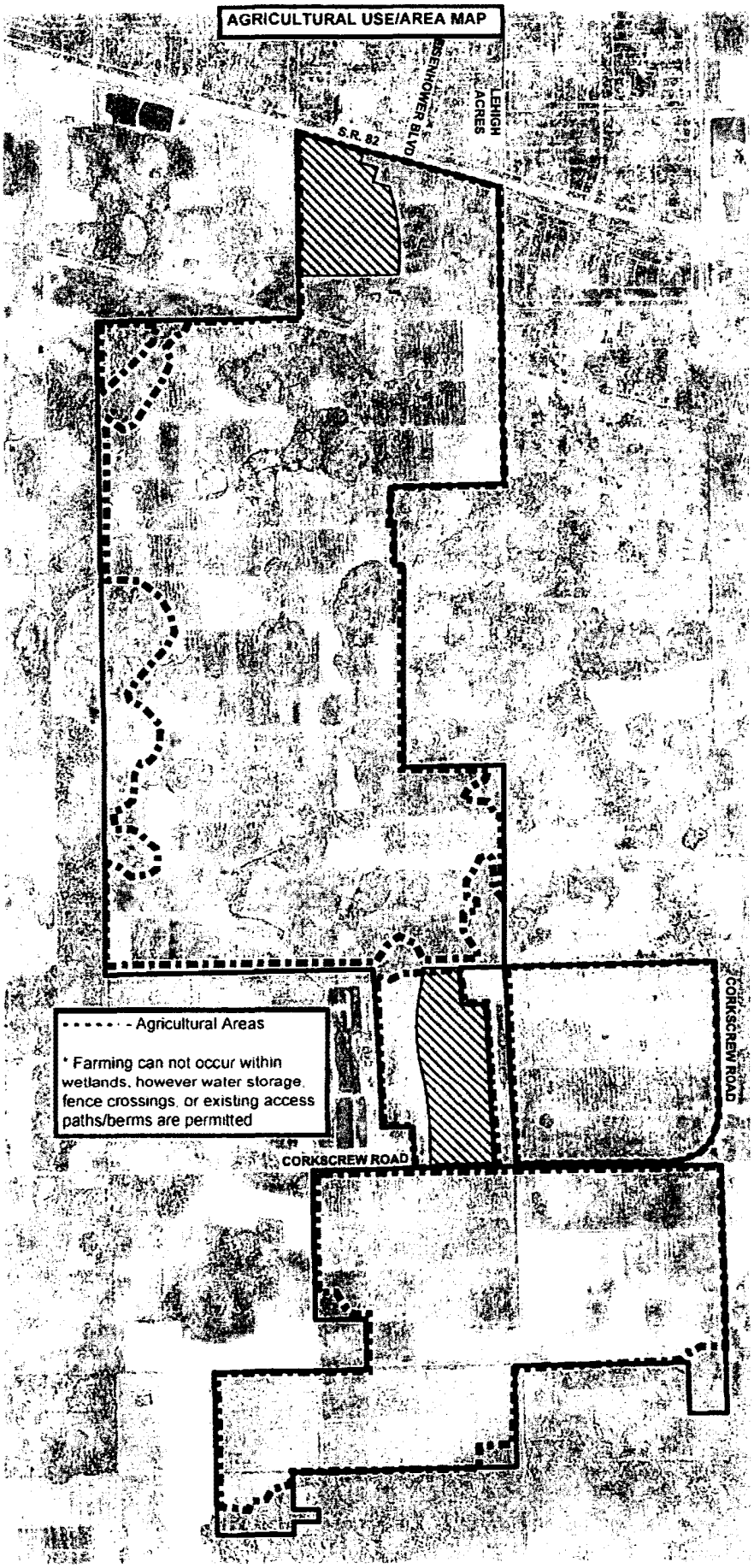
EXHIBIT "B"


CANT-SUB, LLC
Section 36
Section 35
PARCEL 1
SEE SHEET 4

J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

MAP



April 1, 2022

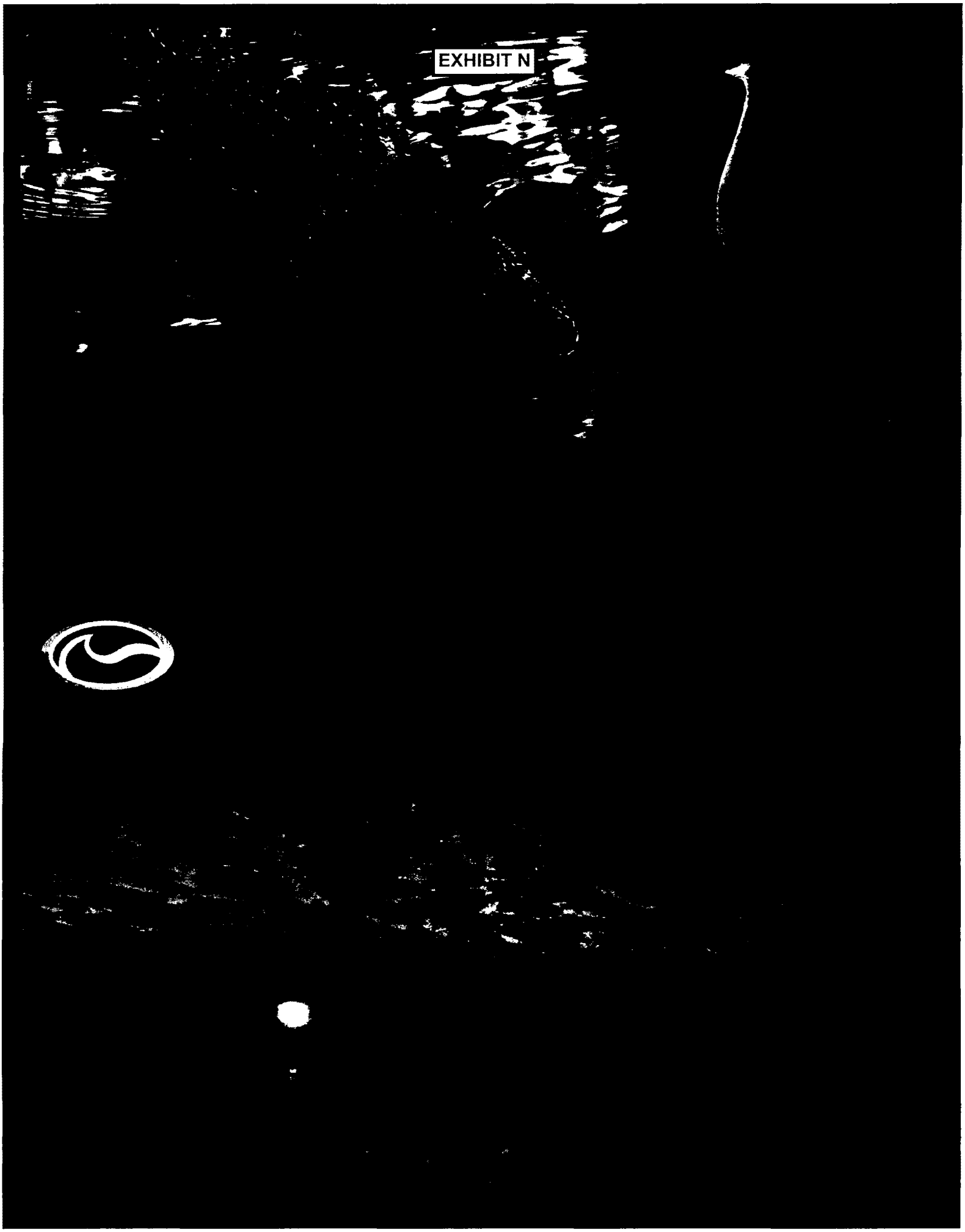


EXHIBIT N

Kingston – Enhanced Lake Management Plan
Table of Contents

Introduction

The proposed Kingston residential development is uniquely distinct from other projects due to its immense decrease in permitted groundwater quantities within Lee County's Density Reduction/Groundwater Resource (DR/GR) area. Currently the site is occupied by intensive agricultural operations that occupy approximately 4,805 acres and are authorized to withdrawal a total of 12.8 million gallons per day (mgd), or 4,680,790,000 gallons on an annual basis. The irrigation demands for the proposed 832 acres of residential lawn and landscape associated with the Kingston development are estimated at 2.9 mgd. The proposed decrease in irrigation demands also includes the elimination of all permitted Sandstone Aquifer withdrawals, totaling approximately 6.1 mgd on an annual average basis or 2,230,080,000 gallons on an annual basis.

In addition, despite the project's proposed use of Water Table Aquifer irrigation supply wells, there is a proposed decrease of approximately 3.8 mgd from the Water Table Aquifer on an annual average basis. Combined, the overall reductions in permitted groundwater quantities total approximately 9.9 mgd. The retirement of permitted quantities of this magnitude represents a highly significant benefit to the water resources of the DR/GR.

The Kingston project encompasses approximately 6,674.56 +/- acres and has a long farming history with sections of the property currently being used for the cultivation of citrus, sod and row crops. In accordance with Lee County's Comprehensive Plan (The Lee Plan), proposed developments within the DR/GR must demonstrate the protection, preservation and enhancement of groundwater resources and environmental (wetland) systems. The Kingston project not only proposes an immense reduction in permitted groundwater quantities that is anticipated to result in significant recovery in groundwater levels, but also includes additional resource protections, culminating in the following Water Resource Benefits to the DR/GR.

Water Resource Benefits

- The total proposed lawn and landscape area within the Kingston development represents a decrease of approximately 3,973 acres (approximately 83 percent reduction) as compared to the existing agricultural areas. The reduced footprint not only decreases irrigation demands, but also significantly reduces applications of fertilizer, pesticides and herbicides, thereby further enhancing water quality within the DR/GR.

- There are currently 67 known irrigation wells onsite that are finished into the Water Table and Sandstone Aquifers. The proposed Kingston development is anticipated to utilize approximately 29 irrigation wells that are exclusively finished into the Water Table Aquifer. The reduction in the number of withdrawal points (reduction of 57 percent) further reduces groundwater impacts and the areal extent of groundwater drawdowns. This reduction further contributes to the recovery of groundwater levels within the DR/GR.

- The Kingston development will utilize both groundwater and captured stormwater for irrigation, whereby groundwater quantities from the Water Table Aquifer are used to supplement surface water irrigation supplies within the project's stormwater management system lakes. If adequate supplies of surface water are stored in the development's wet detention areas, no groundwater augmentation will occur. During droughts or adverse hydrologic conditions, augmentation of lake volumes may be necessary. Once the lakes reach their respective control elevations, wells used for augmentation will be shut down. Irrigation quantities will then be withdrawn from the lakes via surface water pump stations to irrigate lawn and landscaped areas. The conjunctive use of both ground and surface water supplies is anticipated to conserve additional groundwater supplies from the Water Table Aquifer when adequate surface water supplies are available, thereby furthering the project's resource benefits within the DR/GR.

- The project includes a master-controlled irrigation system that will regulate the initiation (i.e., start-up) and overall duration of irrigation events in order to increase irrigation water use efficiency and enhance water conservation (i.e., no individual homeowner will have access to irrigation timers). Evapotranspiration sensors are also proposed for each irrigation pump station and future plans may include an integrated communication system between the controller clocks and the irrigation pump station(s).

- Currently there is little, if any, stormwater attenuation or treatment onsite. Improved surface water quality is anticipated through the creation of numerous interconnected stormwater management system lakes.

- Only professional landscape businesses registered with Lee County will be allowed to perform their services at the Kingston development. Proof of completion of a Lee County-approved Best Management Practices (BMP) training program will be required.

- To further protect the water resources, the Kingston project includes surface water quality monitoring of hydrologically important locations such as outfalls, canals, and other features necessary to document improvements to surface water quality due to the proposed change in land use.

Collectively, these Water Resource Benefits represent a unique benchmark of water resource and environmental protection and, in many cases, exceed the future land use requirements contemplated by Lee County's Comprehensive Plan. For ease of use and understanding, the contents of the Kingston ELMP contain Sections that address key water resource protection elements, with each of the main ELMP Sections in turn having Subsections that provide specificity regarding the management actions necessary to safeguard the water resources. Where applicable, BMPs are provided to highlight specific water resource protection measures.

Section 1. Historic Surface Water Hydrology

To better understand the proposed water resource management actions contained within this ELMP, it is important to provide a basic context of the historic, pre-development surface water flows on the property. The project site gradually slopes to the south, with the highest land surface elevations of approximately 40 feet NAVD located in the northern sections of the property. The lowest land surface elevations are located in the south-central portion of the property at approximately 17 feet NAVD.

Prior to agricultural development, the project site was characterized as open rangeland and pine flatwoods interspersed with wet prairies, marshes and cypress forest. Historic aerial photography indicates a series of shallow depressions forming wetland slough systems, or flow-ways, that transected the property and conveyed surface water downslope. With the advent of agricultural development, the natural flow-ways were backfilled, ditched and drained, resulting in surface water flows being redirected south.

Agricultural development of the site began in the late 1950's and before engineering designs for stormwater management facilities were required. Therefore, the early farming approach to seasonal high-water levels was to drain, and in some cases pump, stormwater away from the farm fields through ditches and canals. The early drainage system used by the farmers also included "rim-ditching" around internal wetlands and sloughs. These ditches were used to control the elevation of surface water within the wetlands and to keep water levels from intruding into the farm fields.

The Kingston project aims to eliminate all wetland rim-ditching and lift pumps in order to help restore wetland system hydroperiods. In addition, the proposed hydrologic restoration of the site includes the reestablishment of historic flow-ways and flow-paths, including the acceptance of off-site stormwater flows. These actions will help restore the property's interaction with surrounding properties and further enhance the hydrology of the region.

Please note that the Kingston property occurs within Water Body Identification (WBID) No. $3259B_1$ and is reported by the Florida Department of Environmental Protection (FDEP) as impaired for iron. Observations of significant iron staining on infrastructure onsite indicates that the groundwater is naturally high in iron. The high historic use of groundwater for irrigation most likely contributes to the iron impairment. Therefore, the reduction in groundwater use as a consequence of the proposed land use change is anticipated to greatly improve groundwater quality and may potentially address the existing impairment to WBID No. $3259B_1$.

Section 2. Water Resources Best Management Practices

As the Kingston project evolves from predominately a "construction phase" to "partial construction" and ultimately to a "post-construction" residential phase, the BMPs must also evolve to maintain water resource protection. Construction of the proposed development may take in excess of 20 years, depending on market conditions. However, the initiation of construction is anticipated to commence prior to the end of 2024. Please note that the property will transition from agriculture to residential development, so while the site is under construction, active farming is proposed to continue in future development areas. At build-out, all farming activities and associated irrigation will be fully terminated.

A. Construction Phase BMPs

During construction of the proposed development, the greatest potential for impacts is associated with increased turbidity and/or potential spills of fuels/oils (hydrocarbons), otherwise known as Volatile Organic Compounds (VOCs) used to power earthmoving equipment, etc. Specific BMPs associated with the construction phase are provided below. The Developer will be responsible for maintaining compliance with all ELMP BMP requirements until such time that control of the development is transitioned to the Homeowner's Association (HOA) and/or Community Development District (CDD).

1. The site's general contractor shall be responsible for assuring that each contractor or subcontractor evaluates the work area before construction is initiated to determine if site conditions may pose particular problems for the safe and secure handling of any regulated substances.

2. If any regulated substances are stored on the construction site during the construction process, they shall be stored in a location and manner which will minimize any possible risk of release to the environment. There will be no intention to use, handle, produce or store regulated substances in violation of the Lee County Land Development Code Section 14-477, Stormwater Pollution Prevention Plan (SWP3) criteria.

3. Each contractor/subcontractor shall familiarize themselves with the manufacturer's safety data sheet supplied with each material containing a regulated substance and shall be familiar with procedures required to contain and clean up any releases of a regulated substance. Any tools or equipment necessary to accomplish the same shall be available in case of an accidental release.

4. In the event of a spill of a regulated substance, the contractor/subcontractor will immediately notify the Developer, who will in turn notify the Lee County Division of Natural Resources Director at (239) 533-8109 and the FDEP South District Office at (239) 344-5600. Additional measures, such as those described in this ELMP's Section 4 (Part A), may also apply.

5. Upon completion of construction, all unused quantities of regulated substances and their containment systems shall be completely removed from the construction site.

6. Proper turbidity abatement measures, as required by the SFWMD, the Florida Stormwater Sedimentation Control Inspector's Manual standards, and the FDEP National Pollutant Discharge Elimination System (NPDES) permit criteria, will be maintained while construction is ongoing or until adequate vegetation or other stabilization measures have been established.

B. Post-Construction Phase BMPs

After the Lee County Certificate of Compliance or the SFWMD stormwater management system certification is completed for a particular phase of the development, the primary focus of the ELMP will be maintaining the stormwater management system lakes since all internal runoff will be routed to these features for treatment. It is also anticipated that the Developer will establish and create an HOA and/or a CDD that will be responsible for the operation and maintenance of all aspects of the stormwater management system including the lakes, associated stormwater conveyance and control components, and the flow-way system in perpetuity. At a minimum, the operation and maintenance of the stormwater management and flow-way systems will require compliance with the terms and conditions contained within this ELMP. Additional details on BMPs, including monitoring of surface water, are provided in Section 3 below.

Section 3. Lake Maintenance

A. General Provisions

Proper lake maintenance is an integral aspect of this ELMP since internal stormwater runoff may be discharged to restoration areas after treatment and attenuation. As an added protection to underlying groundwater resources, the excavation of the lakes will not penetrate any continuous impervious layer of clay or rock. In addition, the groundwater withdrawn from the proposed (new) onsite wells will be used to replenish a subset of stormwater lakes as needed for use in the master irrigation system.

As shown on **Figure 2**, surface water irrigation pumps will "repump" groundwater supplies and retained stormwater (surface water) for the irrigation of the residential development. The recycling of surface water quantities is expected to further improve water quality on the property and maintain high water quality in the lakes. The stormwater lakes must be maintained in perpetuity and the following management actions are proposed. Specific post-construction BMPs are also provided.

B. Deep Lake Management

The Kingston stormwater management lakes are proposed to be deeper than 12 feet in depth. In accordance with Lee County Land Development Code Section 10-329(d) (3), these lakes are therefore designated as "deep lakes" and are subject to specific criteria. Based on Lee County Code, the proposed deep lakes will satisfy the following criteria:

1. The stormwater management deep lakes will not exceed a maximum water depth of 35 feet below land surface and will not penetrate any continuous impervious layer of clay or rock. As required by Lee County Land Development Code Section 10-329, all excavations deeper than 20 feet below land surface will require approval as a planned development rezoning deviation or as a condition of a zoning special exception.
2. A destratification (i.e., aeration) system will be installed in any lake that exceeds a 12-foot water depth. Documentation that the proposed destratification system is adequately sized and designed for each lake deeper than 12 feet will be submitted to Lee County for approval. An example of a deep lake aeration device is provided as **Appendix A**.
3. Native shade trees meeting the specifications of Lee County Land Development Code Section 10-420 will be planted around each deep lake perimeter at approximately one tree per 100 feet of lake shoreline measured at the detention lake's water level control elevation. Trees and other plants may be grouped or clustered together around the lake perimeter. Proposed modifications to these criteria will require approval as a planned development rezoning deviation or as a condition of a zoning special exception.

4. The deep lake management techniques, including operation of the destratification system, will be maintained for the life of the stormwater management system and will be recorded in the development's covenants, in accordance with the County Attorney's Office.

5. A post-construction bathymetric survey verifying each deep lake's finished water depth, sealed by a professional surveyor and mapper, will be submitted to Lee County for approval

C. Nuisance and Exotic Vegetation Control

The HOA and/or CDD will be responsible for the removal (in perpetuity) of all nuisance and exotic vegetation from the stormwater management system as defined by the Lee County Land Development Code.

1. Lakes must be inspected annually and any prohibited vegetation must be removed by the use of hand-clearing or appropriate chemical treatment. Only aquatic- approved compounds may be utilized in the stormwater management system lakes.

2. Herbicides and/or algaecides may only be applied by a licensed professional applicator who meets the requirements of Lee County, and in accordance with manufacturer specifications. All applicable local, state and/or federal guidelines and requirements will also be followed.

D. Littoral Vegetation Preservation

Littoral zone vegetation is required to be installed by the Developer and maintained by the HOA and/or CDD (in perpetuity). Littoral zones provide habitats for wading birds, fish and aquatic invertebrates and also help to stabilize shorelines and reduce lake bank erosion.

1. Littoral plants that die will be replaced in accordance with Lee County Land Development Code requirements. The presence of littoral plants throughout the lakes is desirable and may also help to improve the water quality within the lakes.

2. The spread of littoral plants will be encouraged throughout the designated littoral areas.

3. Mechanical trimming or the use of land-based herbicides on desirable littoral plants is prohibited. Any trimming or removal of vegetation required to promote the survival and viability of littoral vegetation will be performed by hand or by approved aquatic herbicides and methods.

E. Fertilizer Application

Strict adherence will be maintained with Lee County's Fertilizer Ordinance. Individual lot owners are prohibited from applying fertilizer to their lots. Any person(s) applying fertilizers must have received a

limited certification in compliance with Florida Statute 482.1562 prior to application of any and all fertilizers. Additionally, fertilizer content and application rate must be in compliance with Lee County's Fertilizer Ordinance. The Lee County Fertilizer Ordinance No. 08-08 is provided as **Appendix B**.

1. All professional landscape businesses must register with Lee County prior to performing landscape fertilization services within unincorporated Lee County.

2. At least one (1) employee of a firm employed to perform landscape fertilization services must be a Certified Professional Landscaper.

3. Proof of completion of a Lee County-approved BMP training program is proposed to be provided to the Division of Lee County Natural Resources.

4. At least one (1) BMP-trained employee must be onsite while fertilizers are applied. A registration decal provided by the division must be displayed on all company vehicles.

F. Erosion Protection and Lake Bank Maintenance

Lake banks are susceptible to erosion due to overland flow of stormwater runoff, wave action, and the natural seasonal fluctuation of water levels. Accordingly, lake banks within the project are designed to minimize this potential for erosion.

1. Lake banks will be inspected annually to identify areas of erosion. Once identified, the erosion will be repaired and the source of erosion shall be eliminated, if possible.

2. Where excessive erosion occurs, repair of the lake banks and/or enhancement of stabilization measures may be necessary.

3. No motorized boats will be allowed within any of the onsite stormwater management lakes.

G. Lake Education Program

A narrative explaining the benefits of littoral vegetation, lake maintenance and surface and groundwater quality will be made available to residents.

1. Lake experts will be encouraged to attend the HOA and/or CDD meetings annually to discuss the lake system operation and maintenance requirements.

2. Homeowners will be informed that they are prohibited from removing or trimming littoral vegetation.

3. Additionally, the homeowners will be made aware of the extreme importance regarding any introduction of hazardous materials or substances into the lakes.

H. Pesticide, Herbicide or Fungicide Applications

All applications of pesticides, herbicides, algaecides and/or fungicides shall be applied by a licensed professional applicator, meet the requirements of Lee County, be applied in accordance with the manufacturer's specifications, and shall meet all applicable local, state and/or federal guidelines and requirements. Only approved aquatic herbicides may be used to treat the stormwater management system.

1. Homeowners shall be prohibited from applying pesticides, herbicides and/or fungicides to their lots. These activities will only be performed by certified contractors approved by the HOA and/or CDD.

2. The use of any chemical product in a manner that will allow airborne or waterborne entry of such products into the stormwater management system is prohibited. This requirement shall not apply to the use of chemical agents by certified lake management specialists for the control of algae and nuisance vegetation within the stormwater management system lakes. However, application of such agents shall be in compliance with the requirements of Lee County, applied in accordance with the manufacturer's specifications, and meet all applicable local, state and/or federal guidelines and requirements.

3. Pesticides, fungicides and herbicides will be used only in response to a specific problem and in the manner and amount recommended by the manufacturer. Broad application of pesticides, fungicides and herbicides as a preventative measure is prohibited.

I. Underground Fuel Storage Tank Systems

1. In the event that a fuel dispensing and storage system, i.e., gas station, is proposed, the facility must be registered and strictly adhere to the requirements of Chapter 62-761 Florida statutes and meet all FDEP construction and monitoring requirements therein. Proper financial responsibility shall be maintained and be demonstrated to the County and the Department for all storage tank systems. The responsible party must also be able to prove the ability to pay for cleanup of a discharge and cover all liabilities resulting from a discharge of petroleum or petroleum products at the site

Section 4. Corkscrew Wellfield Protection

A. Corkscrew Wellfield Protection

The Kingston development is not located within a Lee County Wellfield Protection Zone and is approximately 0.6 miles east of the outside extent of the 10-year travel time Wellfield Protection Zone, as shown in **Figure 3**. Therefore, measures regarding Wellfield Protection are not applicable to this ELMP. The level of water quality assurance offered by this ELMP offers abundant assurance that, in the unlikely event that degradation of water quality or contamination occurs, ample time exists to initiate remedial measures and safeguard Lee County's nearest production well. Further assurance in regards to protecting water quality within the DR/GR is demonstrated by the proposed surface water quality monitoring described in **Section 5** and shown in **Figure 4**.

Section 5. Surface Water Quality Monitoring Program

A. General Data Quality Objectives

All surface water quality samples will be collected in accordance with Chapter 62-160, Florida Administrative Code (F.A.C.), and the FDEP's Standard Operating Procedures (SOPs) DEP-SOP-001/01 FQ 1000 Field Quality Control Requirements and FDEP-SOP-001/01 FS 2100 Surface Water Sampling. A summary of the proposed surface water sampling schedule is provided in the attached **Table 1**.

B. Surface Water Monitoring Goals

The purpose of the surface water monitoring program is to assure that surface water coming onto, originating within, and leaving the project meet all applicable requirements of the SFWMD Environmental Resource Permit (ERP) program authorized pursuant to Part IV of Chapter 373, F.S. and all applicable requirements of Chapter 62-302, F.A.C., Surface Water Quality Standards. Please note that if there is no flow observed at any of the designated flow-way system monitoring points at the time of sample collection, the "no flow" condition will be noted and no surface water sample will be taken. Additional surface water quality parameters may be required if the FDEP determines that the sub-watershed or FDEP WBID No. $3259B_1$ becomes impaired.

C. Surface Water Quality Monitoring

Surface water quality grab samples will be collected per FDEP protocol and analyzed by a NELAC/TNI-certified laboratory. The surface water quality parameters to be tested are listed below and summarized in the attached **Table 2.** In addition, the attached **Table 2** also includes the laboratory's Accuracy, Precision and minimum Method Detection Limit (MDL). Please note that the Practical Quantitation Limit (PQL) for each parameter varies between laboratories, however the PQL typically equates to four times the MDL.

- **Field Parameters – Depth of Water, Dissolved Oxygen, pH, Temperature, Total Dissolved Solids and Specific Conductivity**
- **Lab Parameters – Total Nitrogen, Nitrate and Nitrite, Ammonium, Ammonia, Total Kjeldahl Nitrogen, Total Phosphorus, Chlorophyll-a, and Ortho-phosphate.**

Surface water quality monitoring shall be continued for a minimum of five (5) years after operational completion of all the stormwater management system components. After five (5) consecutive years of testing, a request for discontinuation or reduction in the monitoring requirements will be proposed to the Lee County Natural Resources Department if it can be demonstrated that the surface water quality is being maintained within applicable State standards.

Section 6. Water Quality Data Reporting and Analysis

Surface water quality data will be submitted to the Lee County Natural Resources Department staff in an approved electronic format within 30 days of receiving results from the contract laboratory if an issue has been detected. Otherwise, data will be submitted annually. The submittal will include all field notes, field and laboratory water quality data results and all previously collected (i.e., period of record) water quality data. The submittals will also include a brief narrative on the most recent sample collection, sample chain of custody, descriptions of any re-testing of erroneous values, and any water quality exceedances.

By **March 1 of each year**, a Water Quality Summary Report for the preceding calendar year shall be supplied to Lee County Natural Resources staff which summarizes the surface water testing results for the development. The results will include a summary table that lists all the field and laboratory parameters for the monitoring locations. Laboratory parameter concentrations that fall below the PQL for that parameter will be reported with no value; however, a value qualifier of "I" (i.e., between the MDL and PQL) or "U" (below the MDL) will be included in the summary table.

All water quality data for the analytes listed in the attached **Table 2** that are detected in concentrations above the laboratory PQL will be reviewed, graphed and statistically analyzed for trends and exceedances above two (2) standard deviations of the mean of all values. Any reported concentrations above the MCL will be clearly identified, as well as remedial actions which were used to timely reduce that particular analyte's concentration.

Section 7. Remedial Actions

In the unforeseen event that any significant surface water impacts are identified as a result of a hydrocarbon spill or pesticide/herbicide application at the subject property, the Developer or designee of the HOA and/or CDD will notify the Director of the Lee County Natural Resources Division within no more than 12 hours (or next business day). If a spill or release "presents an immediate threat to human health and/or the environment" then the FDEP Office of Emergency Response (OER) will be contacted within 24 hours. Guidance outlining the definition of a release as well as reporting procedures is presented in the OER webpage located at:

http://www.dep.state.fl.us/per/reportable incident.htm.

The Developer or their successor(s) will coordinate contamination assessment and remediation efforts with Lee County and will comply with applicable local, state and federal permitting requirements. The initial phase of the remediation plan will consider the actions outlined in **Section 5** and may consist of temporary monitoring wells installed for the short-term temporal monitoring of potential subsurface impacts and to evaluate the horizontal and the vertical distribution of the impacted area. Based on the findings of the initial phase, if necessary, a more comprehensive assessment may be required.

Section 8. In Conclusion

The information and technical requirements in this ELMP are provided to the Developer or designee of the HOA and/or CDD to assist with understanding the importance of a well-maintained and fully-functioning stormwater management system. The stormwater management system lakes within the development are not only required by state law but can also be a source of beauty and enjoyment for the residents while maintaining the value and integrity of the water resources. The Kingston flow-way systems are integral hydrologic features that enhance the project site and promotes increased recharge to the shallow Water Table Aquifer. The overall reductions in permitted groundwater quantities requested as part of the Kingston development total approximately 9.9 mgd. The retirement of permitted quantities of this magnitude represents the single largest benefit to the water resources of the DR/GR.

Therefore, the groundwater resource benefits and the management actions required herein demonstrate an exceptional level of protection, preservation and enhancement of groundwater and surface water resources within the DR/GR.

Table 1

Water Quality Sampling Schedule

Date	Sample Type	Sample Location
January-31	N/A	N/A
February-28	N/A	N/A
March-31	N/A	N/A
April-30	N/A	N/A
May-31	Surface Water	9 locations
June-30	N/A	N/A
July-31	Surface Water	9 locations
August-31	N/A	N/A
September-30	Surface Water	9 locations
October-31	N/A	N/A
November-30	N/A	N/A
December-31	N/A	N/A

*See Figure 4 for surface water quality sampling locations

Table 2

Surface Water Quality Analytes

Field Parameters					
Parameter	**Units**	**Precision (%RPD)**	**Accuracy (%Recovery)**	**MDL**	**Sampling Frequency**
Depth of Water	Feet	0.01	NA	NA	3 times per year
Dissolved Oxygen	mg/L	FT 1000-1	FT 1000-1	NA	3 times per year
pH	SU	FT 1000-1	FT 1000-1	NA	3 times per year
Temperature	Deg C	FT 1000-1	FT 1000-1	NA	3 times per year
Specific Conductivity	µS/cm	FT 1000-1	FT 1000-1	NA	3 times per year
Laboratory Parameters (Nutrients)					
Total Nitrogen	mg/L	CALC	CALC	CALC	3 times per year
Nitrite + Nitrate	mg/L	5	90-110	0.004	3 times per year
Ammonium	mg/L	CALC	CALC	CALC	3 times per year
Ammonia	mg/L	17	90-110	0.008	3 times per year
Total Kjeldahl Nitrogen	mg/L	11	90-110	0.05	3 times per year
Total Phosphorus	mg/L	10	90-110	0.008	3 times per year
Chlorophyll-a	mg/L	20	93-108	0.25	3 times per year
Ortho-phosphate	mg/L	10	88-118	0.002	3 times per year

Notes:

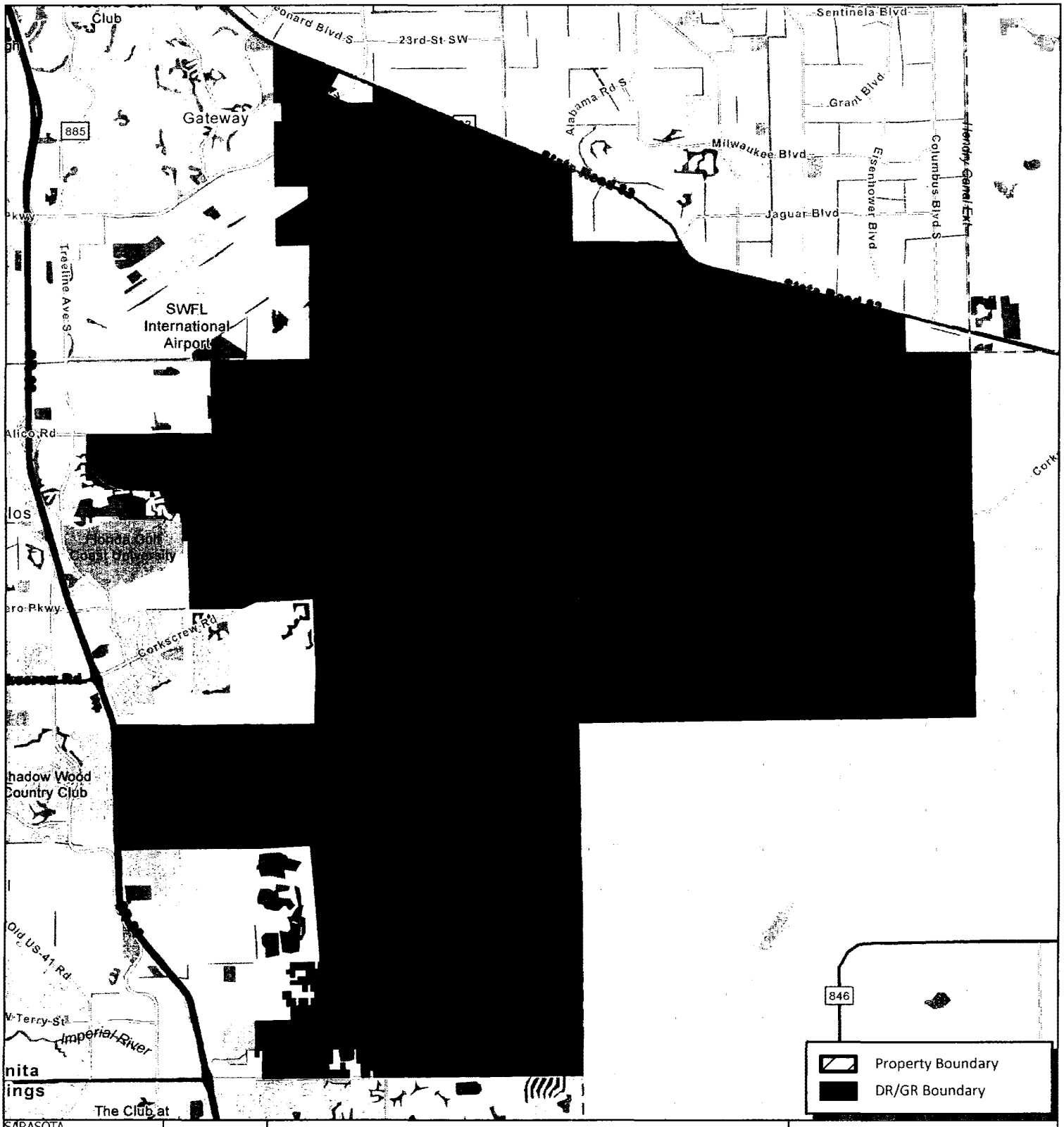


Figure 1

Kingston Property and the DR/GR

Lee County, Florida

N

0 0.6 1.2 2.4 Mi

Scale: 1:140,000

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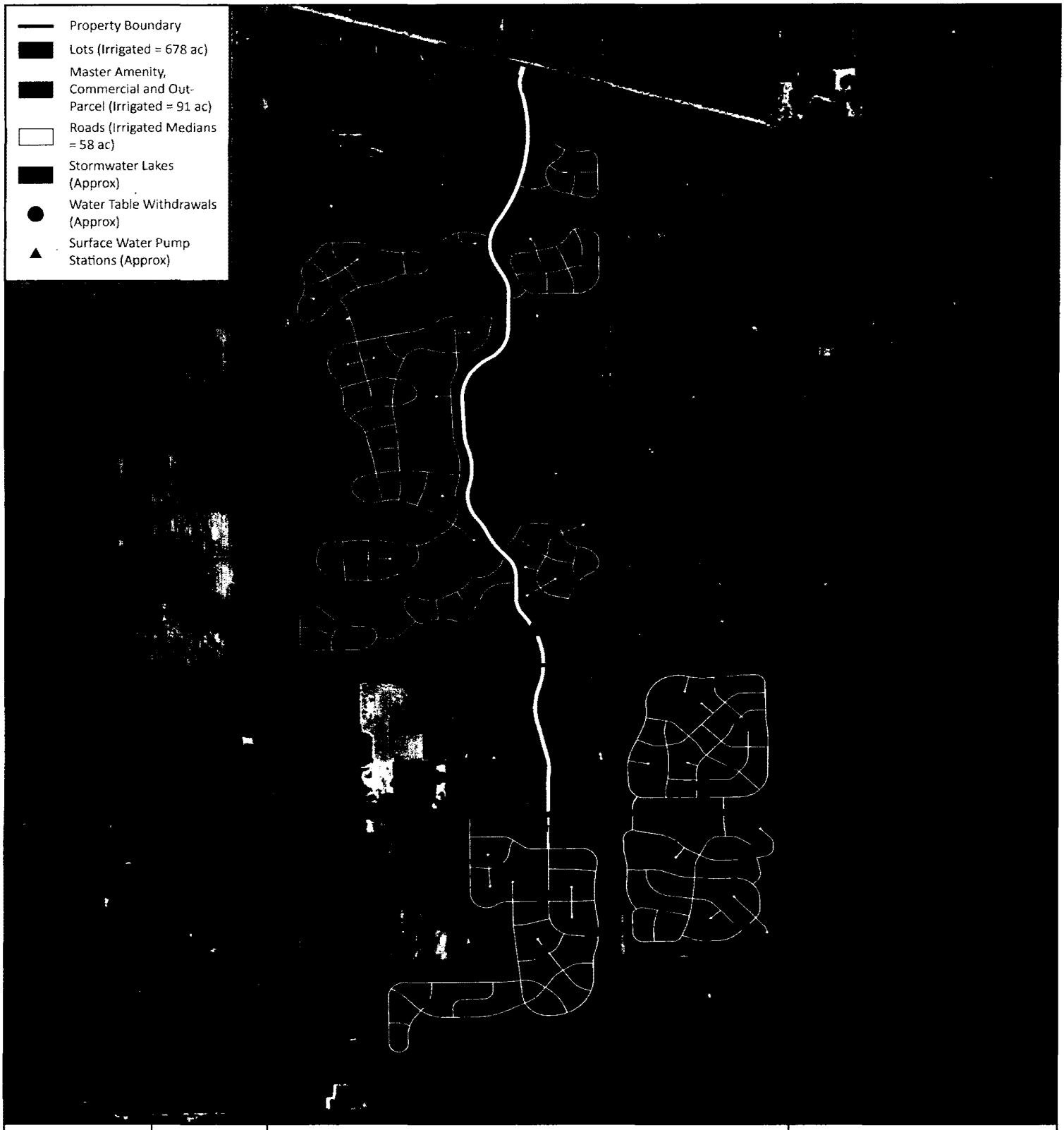
4/12/2022

Image: ESRI World Street Map

Progressive Water Resources

Integrated Water Resource Consultants

a Division of RESPEC Company LLC



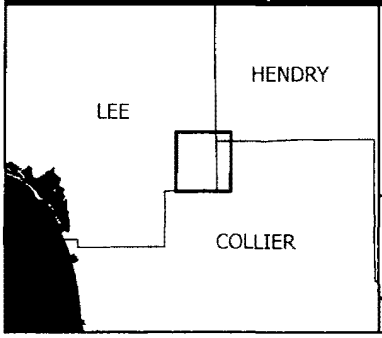


Figure 2
Kingston Conceptual Layout and Withdrawals
Lee County, Florida

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0 0.25 0.5 1 Mi

Scale: 1:55,000

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4/27/2022

Image: ESRI World Imagery

Progressive Water Resources
Integrated Water Resource Consultants
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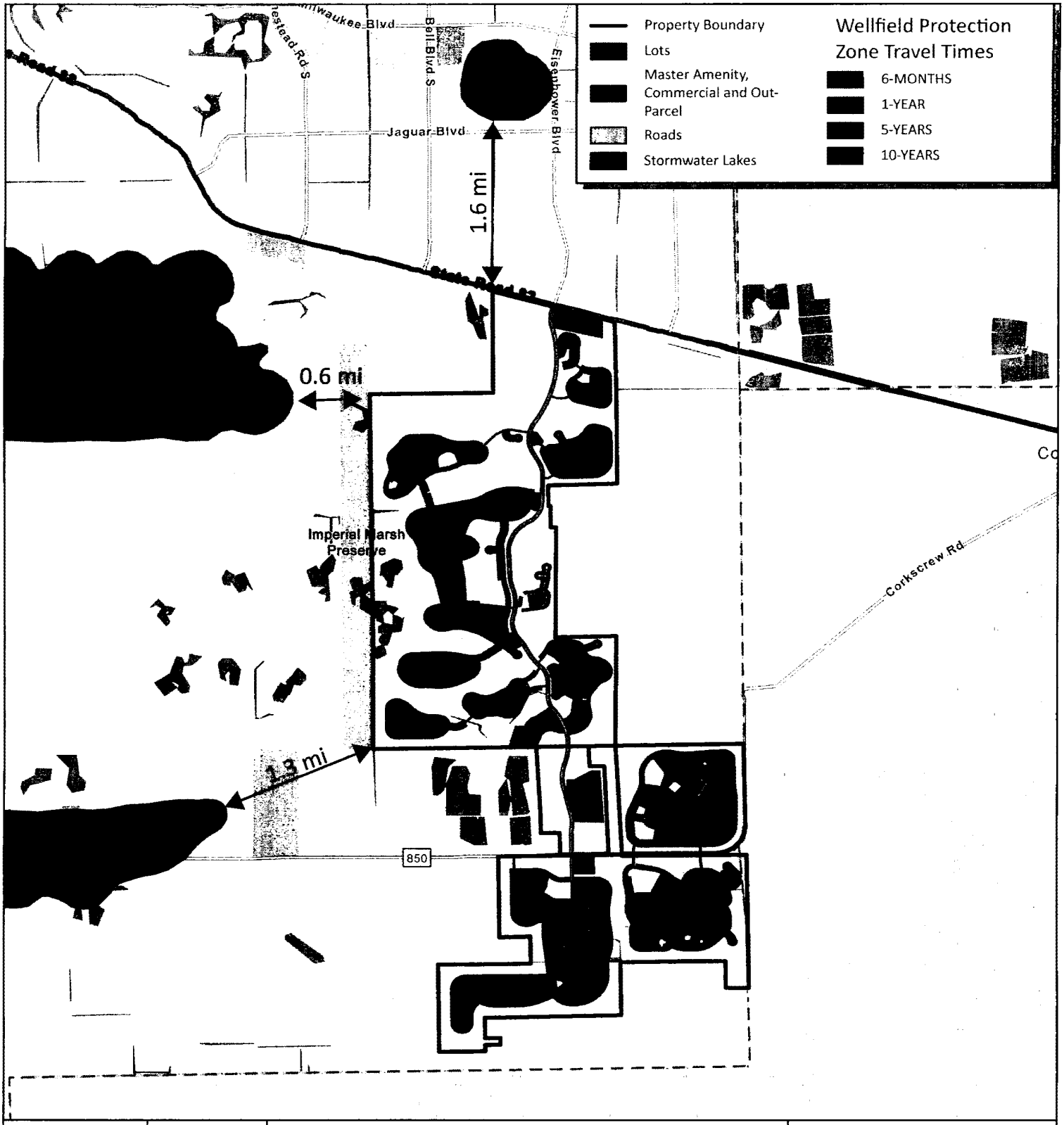

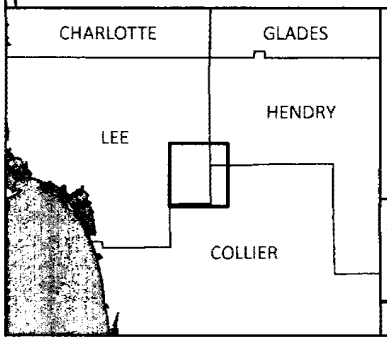

Figure 3
Proximity to Lee County
Wellfield Protection Zones
Lee County, Florida

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Scale: 1:75,000

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Image: ESRI World Street Map

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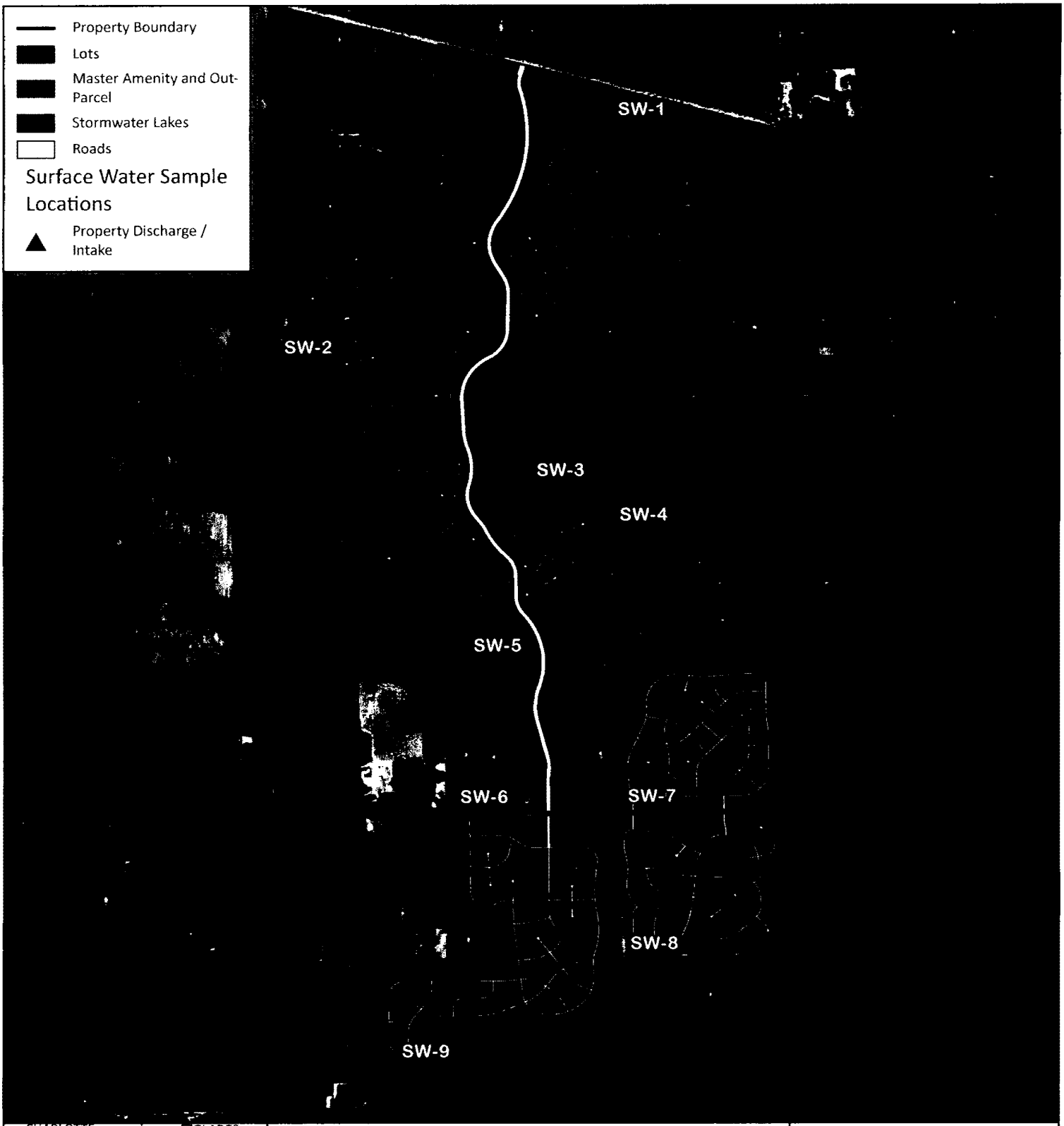

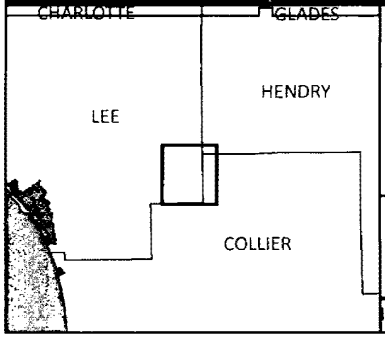

Figure 4
Proposed Surface Water Sampling Locations
Lee County, Florida

N
0 0.25 0.5 1 Mi
Scale: 1:55,000

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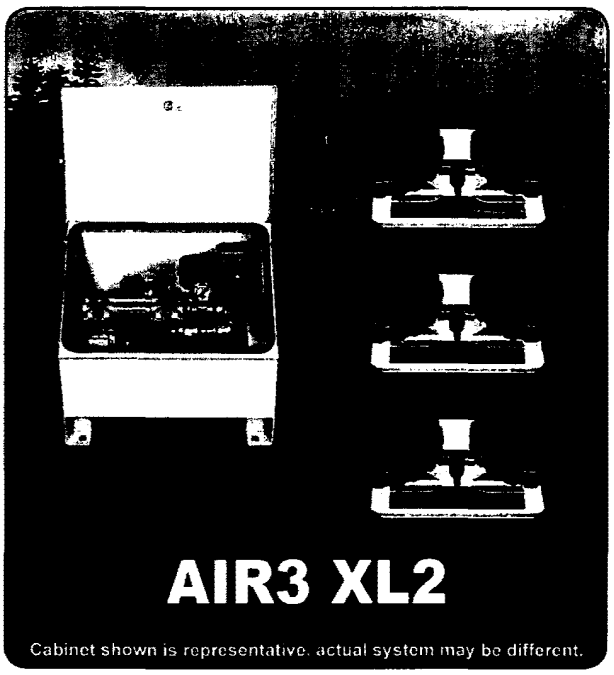
APPENDIX A

Example of Deep Lake Aeration Device

Vertex Water Features
Pond and Lake Aeration
BOTTOM AERATION

With Vertex MicronBubble™ Technology



AIR3 XL2™

The Vertex Air3 XL2™ pond aerator is a super-efficient, affordable and safe system. In a typical pond, an Air3 XL2™ can aerate approximately 3-4 acres depending on shape, slope, oxygen demand and other factors. A 1/2hp (0.37kW) Brookwood™ SafeStart™ compressor, housed in our rustproof aluminum outdoor cabinet, feeds three bottom mounted CoActive AirStations™ utilizing Vertex's MicronBubble™ technology. The rising force of millions of bubbles circulates the entire water column, entraining bottom water up to the surface allowing vital oxygen to be absorbed and poisonous gasses expelled. With no electricity in the water, Vertex's aeration systems are safe for any type of water recreation.

Our systems have a full 3-year Vertex warranty, excluding wearable parts (air filters and compressor maintenance kits) plus a Limited Lifetime warranty against rust and corrosion on the cabinet, 5-year warranty on the AirStations™ and a 15-year warranty on BottomLine™ supply tubing.

FEATURES

AIRSTATIONXL2™

- Total pumping capacity of up to 11,400 GPM
- Six 9" flexible membrane discs with MicronBubble™ technology
- Shallow water Airstation optional for depths lower than 8'
- Self-cleaning, low maintenance
- Powder-coated stainless steel self-sinking base unit designed to prevent sinking into soft bottom sediments
- 5-year "No Questions" warranty

BROOKWOOD™ COMPRESSOR

- 3-year Vertex warranty, excluding wearable parts (air filters and compressor maintenance kits)
- Vertex SafeStart™ Technology
- UL, 115v or 230v, 35 Max PSI
- Thermal overload protection
- 1/2hp (0.37kW): low electrical costs
- 2-3 year extended duty cycle between scheduled maintenance

QUIETAIR™ CABINET

- Class "A" GFCI protection on all 115v circuits
- Powder coated aluminum for a durable attractive finish
- High capacity 290 CFM fan
- Easy access design with cam lock
- Easy plug-in connection to waterside electrical service
- Disconnect switch
- Heavy duty, light weight mounting pad included
- Sound dampening kit optional
- Limited lifetime warranty against rust

BOTTOMLINE™ TUBING

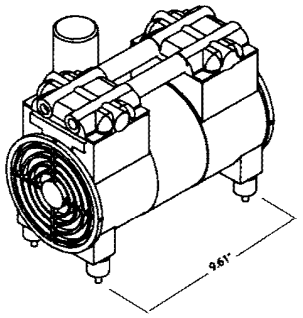
- Over-sized I.D. for high flow
- Self-weighted for easy installation
- Available in 100' and 500' increments
- 15-year Vertex warranty

BENEFITS TO THE LAKE

- High pumping rate easily penetrates stratification layers
- Circulates entire water column
- Increases oxygen levels throughout water column
- Promotes beneficial bacteria growth
- Prevents low oxygen fish kills
- Reduces nutrient levels and associated algae growth
- Oxidizes/reduces bottom muck
- Expands oxygenated habitat for improved fisheries
- Reduces aquatic midge and mosquito insect hatches
- Eliminates foul odors from undesirable dissolved gases
- Safe entry – no electricity in the water
- Extremely energy efficient

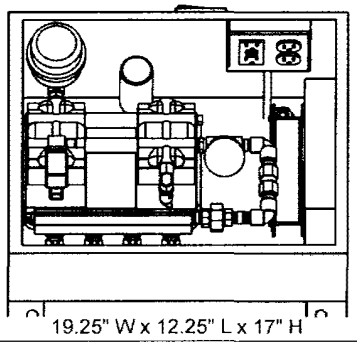
SPECIFICATIONS: AIR3 XL2™ LAKE AERATION SYSTEM

BROOKWOOD™ COMPRESSOR



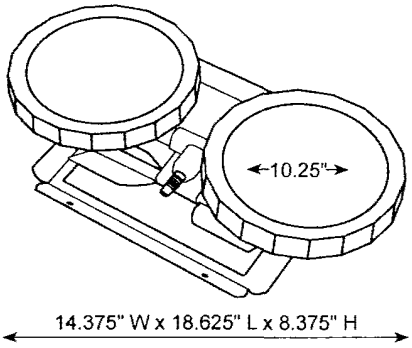
1/2hp (0.37kW), 115v or 230v, Single Phase piston type compressor. Built for continuous 24/7 operation and equipped with Vertex SafeStart™ technology allowing auto restart under maximum rated pressure without motor damage. Super-duty Brookwood™ compressors incorporate upgraded rotors, stators, valve plates, bearings and capacitors and are thermally protected, oil-free, and require no lubrication; just periodic cleaning of included washable air filter. Extended duty cycle is approximately 2 to 3 years for compressor maintenance, about 2 to 3 times the duty cycle of ordinary piston and rotary vane compressors. All Brookwood™ SafeStart™ compressors carry a 3-year Vertex warranty, excluding wearable parts (air filters and compressor maintenance kits).

QUIETAIR™ CABINET



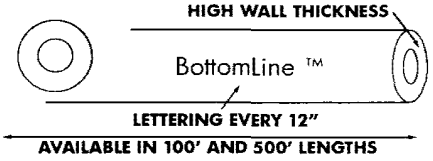
Enclosure comes equipped with cam lock for security, fully gasketed and constructed of aluminum with gray electrostatically-bonded powder coating to provide Limited Lifetime warranty against cabinet rust and corrosion. Enclosure furnished with stamped ventilation grills to insure forced air circulation and an integral cooling fan with thermal protection, producing 290 CFM to guard against excessive compressor operating temperatures. Cabinet provided with HDPE mounting pad. Enclosure comes with class a GFCI protection on both the compressor and fan circuits. Quick disconnect switch included. Side mounted muffler box and additional insulation optional for quiter operation.

AIRSTATION XL2™ ASSEMBLY



Diffuser station consists of two self-cleaning, 9" diameter, flexible membrane diffusers of EPDM compound with 100% rebound memory, each producing millions of fine 500 to 3000 micron bubbles – the majority 500 to 1000 microns. Each diffuser station base unit is made of powder-coated stainless steel and designed to prevent settling into soft bottom sediments. AIRSTATION™ is designed with adjustable diffuser riser to accommodate any site requirements. AirStations are independently tested and verified to provide stated pumping rates. 5-year warranty.

BOTTOMLINE™ SUPPLY TUBING



Self-weighted, direct burial submersible tubing for connection from compressor to diffuser stations. Tubing is flexible PVC composite construction for use with standard PVC solvent weld cement and insert fittings. Tubing has 0.58" I.D. and high wall thickness for long term durability and protection against punctures. Remains flexible in cold temperatures.

Vertex Water Features
Pond and Lake Aeration

(844) 432-4303 • info@vertexwaterfeatures.com
www.vertexwaterfeatures.com

Install all electrical equipment in accordance with Article 682 of the National Electrical Code and all local codes. Vertex Water Features reserves the right to improve and change our designs and/or specifications of our aerators without notice or obligation.

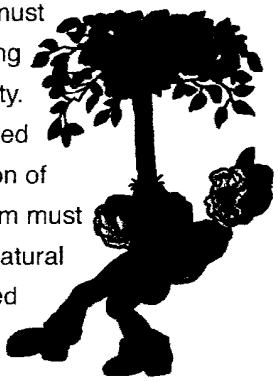
APPENDIX B

Lee County Fertilizer Ordinance No. 08-08

APPLICATION: This ordinance applies to anyone performing lawn care and maintenance on turf and/or landscape plants within unincorporated Lee County as a "professional landscape business" or an "institutional landscaper". This ordinance does not apply to individual homeowners who perform their own landscape maintenance.

EFFECTIVE DATE: This ordinance goes in to effect on May 13, 2009.

REGISTRATION:



- All professional landscape businesses must register with Lee County prior to performing landscaping within unincorporated Lee County. At least one (1) employee must be a Certified Professional Landscaper. Proof of completion of a Lee County approved BMP training program must be provided to the Division of Lee County Natural Resources. At least one (1) BMP trained employee must be on site while fertilizers are applied. A registration decal provided by the division must be displayed on all company vehicles. NOTE: An example of a professional landscape business is any company you hire to perform landscaping at your home.
- All institutional landscapers must follow the same registration guidelines as professional landscape businesses with the exception of displaying a registration decal on company vehicles. NOTE: An example of an institutional landscaper is the in-house landscape maintenance staff at Shadow Wood.

TRAINING & CERTIFICATION:

- Florida Green BMP training & certification can be completed through the Lee County Extension Service. This must be done prior to registration.
- Non-professional landscapers are not required to complete the Florida Green BMP training & certification, but are strongly encouraged to participate in the University of Florida IFAS Florida Yards & Neighborhoods Outreach & Public Education Program. This applies to individual owners of single-family residential units who perform lawn care and maintenance on turf and/or landscape plants.

TIMING OF FERTILIZER APPLICATION: Fertilizers containing Nitrogen (N) and/or Phosphorus (P) may not be applied on turf and/or landscape plants from June 1 through September 30.

FERTILIZER CONTENT/APPLICATION RATE:

- Phosphorus (P) in any fertilizer may not exceed a rate of 0.25 lb. per 1,000 sq. ft. per application.
- Phosphorus (P) in any fertilizer may not exceed a rate of 0.50 lbs. per 1,000 sq. ft. per year.
- All fertilizers applied must contain at least 50% slow release nitrogen (N).
- Nitrogen (N) in any fertilizer may not exceed a rate of 4 lbs. per 1,000 sq. ft. per year.

IMPERVIOUS SURFACES: No fertilizers should be deposited, intentionally or accidentally, on an impervious surface such as a driveway, sidewalk or street.

BUFFER ZONES: No fertilizers shall be applied on turf and/or landscape plants within ten (10) feet of a water body, seawall or wetland. (See Florida DEP chapter 62-340)

MODE OF FERTILIZER APPLICATION: When using a rotary spreader, use of a deflector shield is required to deflect fertilizers away from water bodies, seawalls and wetlands.

LOW MAINTENANCE ZONES (NO MOW): A voluntary six (6) foot low maintenance zone is strongly recommended from any water body, seawall or wetland.

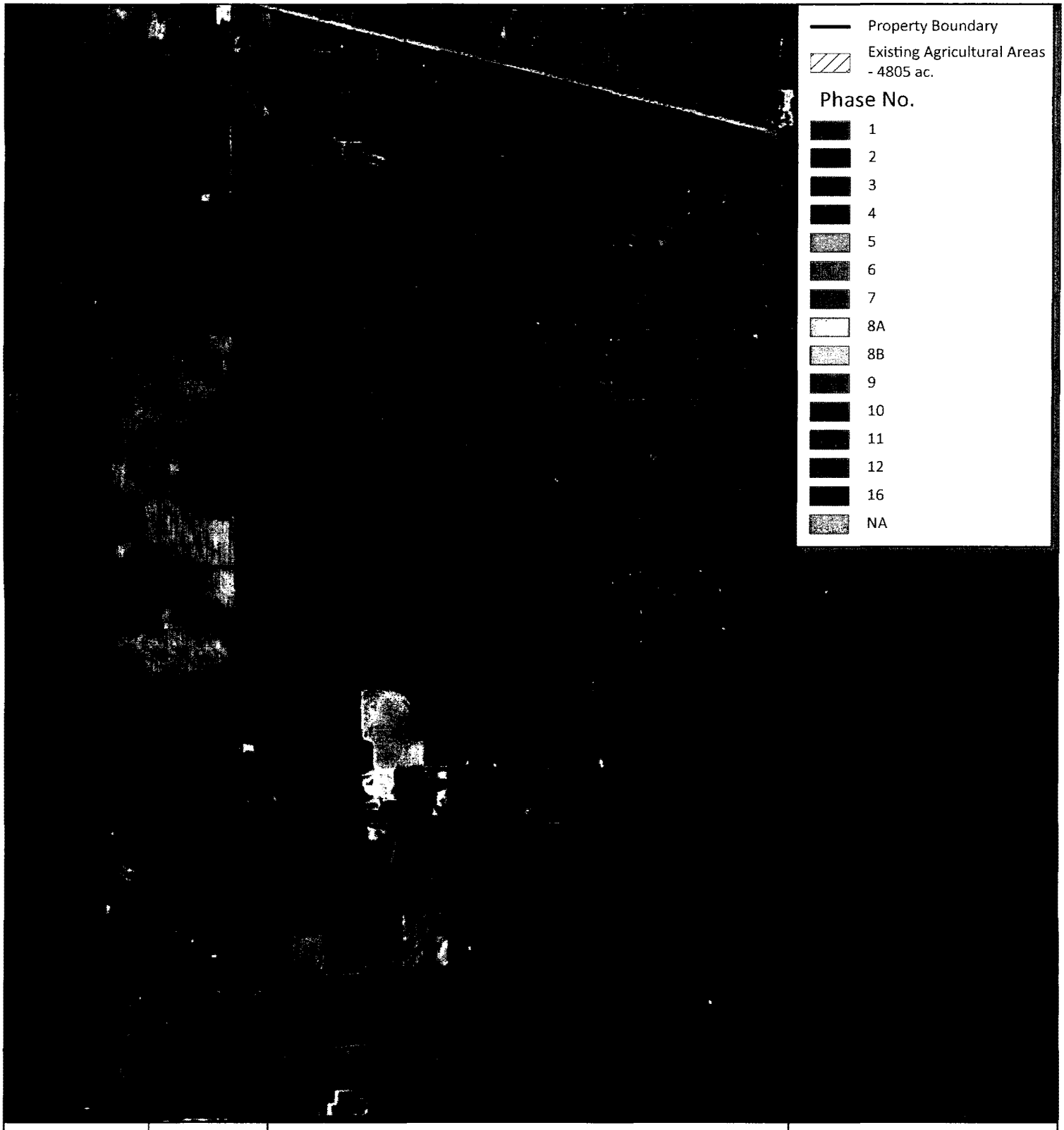
GRASS CLIPPINGS/VEGETATIVE MATERIAL: No grass clippings or vegetative materials shall be deposited into storm drains, ditches, water bodies, roadways or other impervious surfaces.

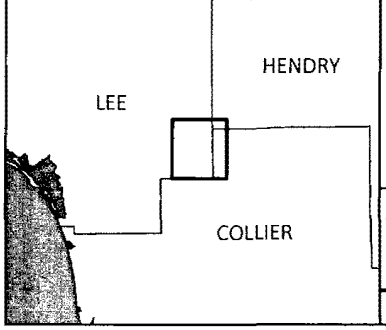
EXEMPTIONS (ordinance does not apply to):

- New landscaping in place for less than sixty (60) days.
- Vegetable gardens as long as they are not within fifteen (15) feet of a water body, seawall or wetland.
- Yard waste, compost or mulches applied to improve the soil.
- Reclaimed water used for irrigation which usually contains high amounts of nitrogen and phosphorus.
- Farm operations.
- Pastures used for grazing livestock.
- Golf courses.
- Specialized turf areas (parks, cemeteries, athletic fields, golf practice areas).

ENFORCEMENT & PENALTIES:

- This ordinance shall be enforced by designated Lee County officials and/or inspectors.
- First violation...$100.00
- Second violation...$250.00
- Third and subsequent violations...$500.00





Kingston - Cameratta
Existing Agricultural Areas
vs. Proposed Phasing
Lee County, Florida

N
0 0.25 0.5 1 Mi
Scale: 1:55,000

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4/29/2022

Image: ESRI World Imagery

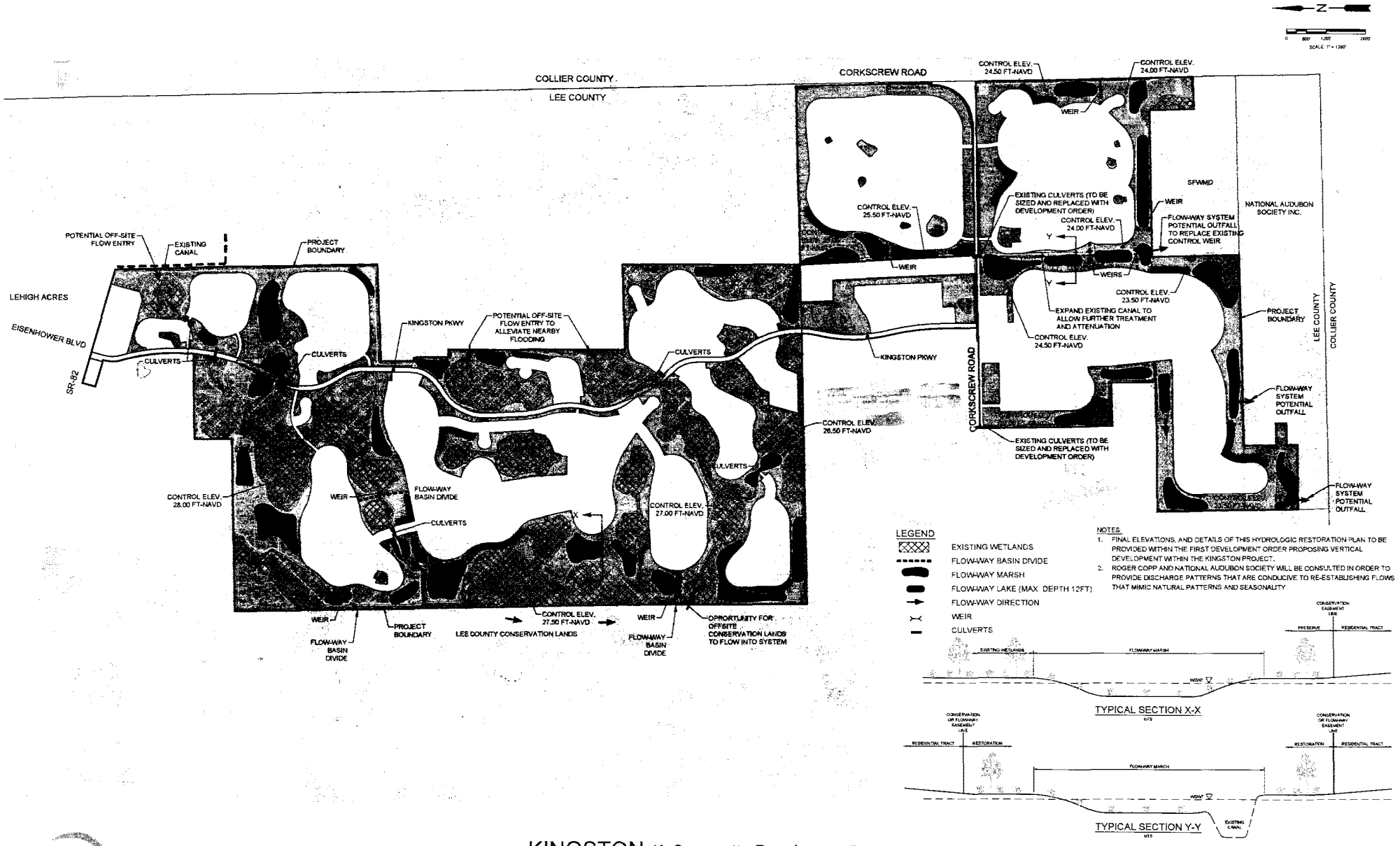
Progressive Water Resources
Integrated Water Resource Consultants
a Division of RESPEC Company LLC

Kingston Development - Cameratta

Existing vs. Proposed Acreage and Irrigation Allocations

APPROXIMATE

Phase No.	Existing Agricultural Acres Removed	Proposed Development Acres	Existing Agricultural Annual Water Use (GPD)	Proposed Development Annual Water Use (Est. GPD)	Est. Net Reduction (GPD)	Est. Net Change (Percent)
1	913.9	142.28	2,308,232	500,658	**1,807,574**	**-78%**
2	536.5	85.8	1,355,035	301,918	**1,053,117**	**-78%**
3	610.4	97.72	1,541,684	343,863	**1,197,821**	**-78%**
4	235.41	66.48	653,766	233,945	**419,821**	**-64%**
5	80.31	11.6	223,030	40,822	**182,208**	**-82%**
6	52.81	27	146,659	95,014	**51,645**	**-35%**
7	279.51	47.08	776,238	165,671	**610,567**	**-79%**
8A	442.51	72.12	1,228,913	253,781	**975,132**	**-79%**
8B	499.71	79.04	1,387,766	278,137	**1,109,629**	**-80%**
9	343.31	44.04	953,420	154,959	**798,461**	**-84%**
10	298.01	35.32	827,615	124,274	**703,341**	**-85%**
11	149.11	28.52	414,098	100,356	**313,742**	**-76%**
12	68.21	12	189,427	42,219	**147,208**	**-78%**
16	30.9	25	78,044	87,973	**-9,929**	**13%**
Spine Road	75.61	58	209,978	204,082	**5,895**	**-3%**
NA	188.8	NA	526,097	0	**526,097**	**-100%**
Total	**4,805**	**832**	**12,820,000**	**2,927,671**	**9,892,329**	**-77%**



J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

HYDROLOGIC RESTORATION PLAN

KINGSTON HYDROLOGIC RESTORATION PLAN.DWG
May 3, 2022

EXHIBIT P
Kingston Offsite Water

Kingston Phase 1 (Kingston density from 0 – 1,200 units):

- The Kingston development will install a 20" watermain westerly along Corkscrew Road from the Kingston development and connect to the existing 16" watermain at the east entrance of Verdana Village.
- The Kingston development will also install the first 250,000-gallon water tank with associated pumps.

Kingston Phase 2 (Kingston density from 1,201 units – 2,700 units):

- The Kingston development will install a booster pump near the east entrance to the Place connecting to the existing 16" watermain.

Installation By Others (Kingston density from 2,701 units – 5,700 units):

- Install a 24" watermain westerly from the FFD development to Alico Road connecting to the existing 24" watermain on Alico Road.

Kingston Phase 3 (Kingston density from 5,701 units – 8,400 units):

- The Kingston development will install a 24" watermain westerly along Corkscrew Road from The Place west entrance and connect to the existing 24" watermain at the FFD Development on Corkscrew Rd.

Kingston Phase 4 (Kingston density from 8,401 units – 10,000 units):

- The Kingston development will install a 20" watermain easterly along Corkscrew Road from The Place west entrance and connect to the booster pump installed in Phase 2.
- The Kingston development will also install an approximate second 250,000-gallon water tank. (Final size TBD)

Note – The specific phases shown above can be interchanged with Kingston unit densities verified by the engineer.

BUILDING A OF DIFFERENCE

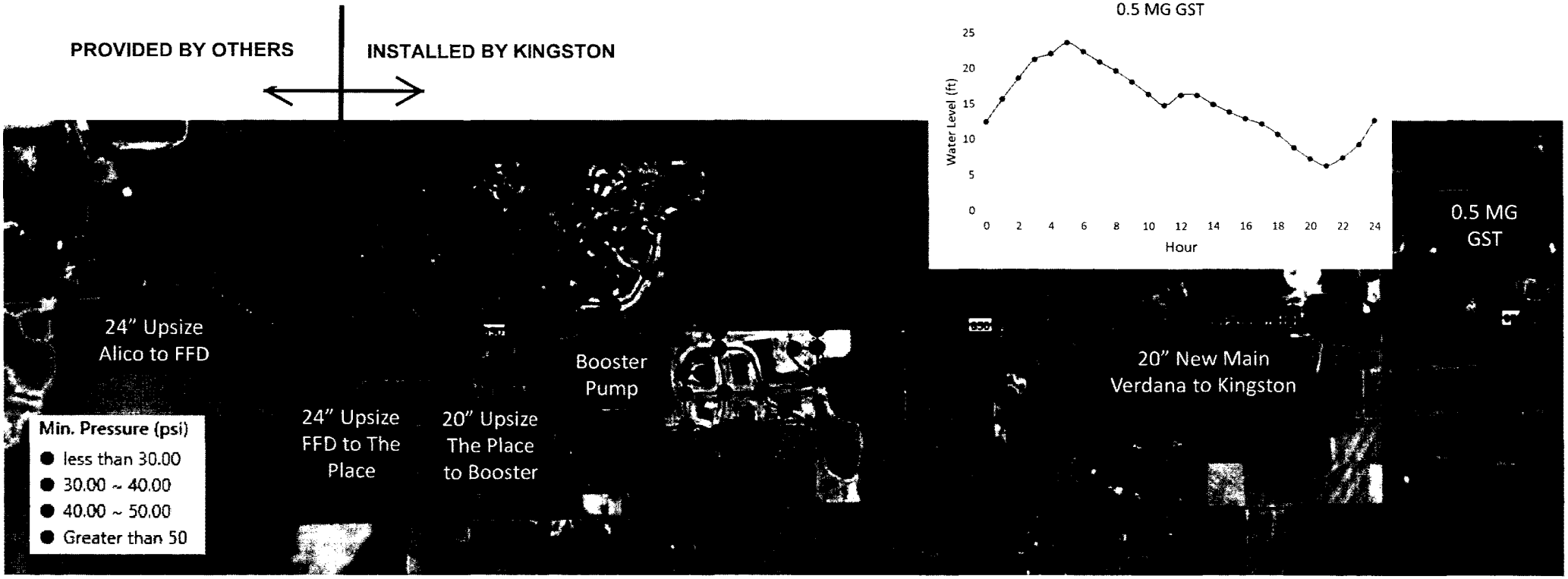
14 April 2022

Kingston Offsite Utility Infrastructure Requirements

BUILDING A WORLD OF DIFFERENCE®

BLACK & VEATCH

MDD Minimum Pressures

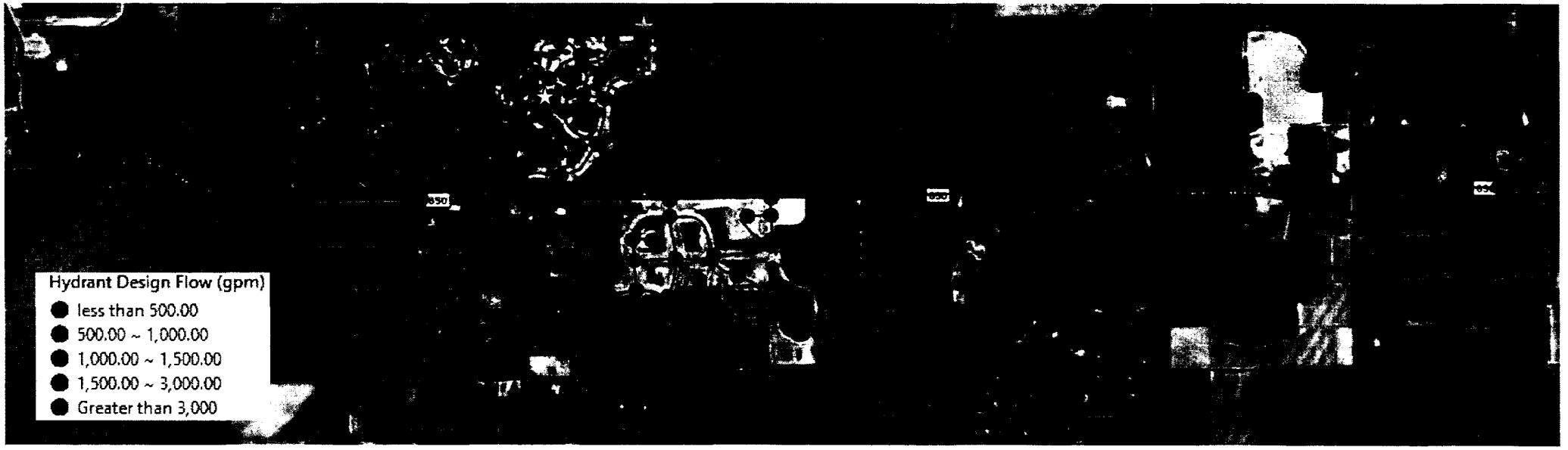


Total Demand = 7.9 mgd

Available Fire Flow at Peak Hour

★ 1,450 gpm

☆ 1,375 gpm, Junction is at a dead end



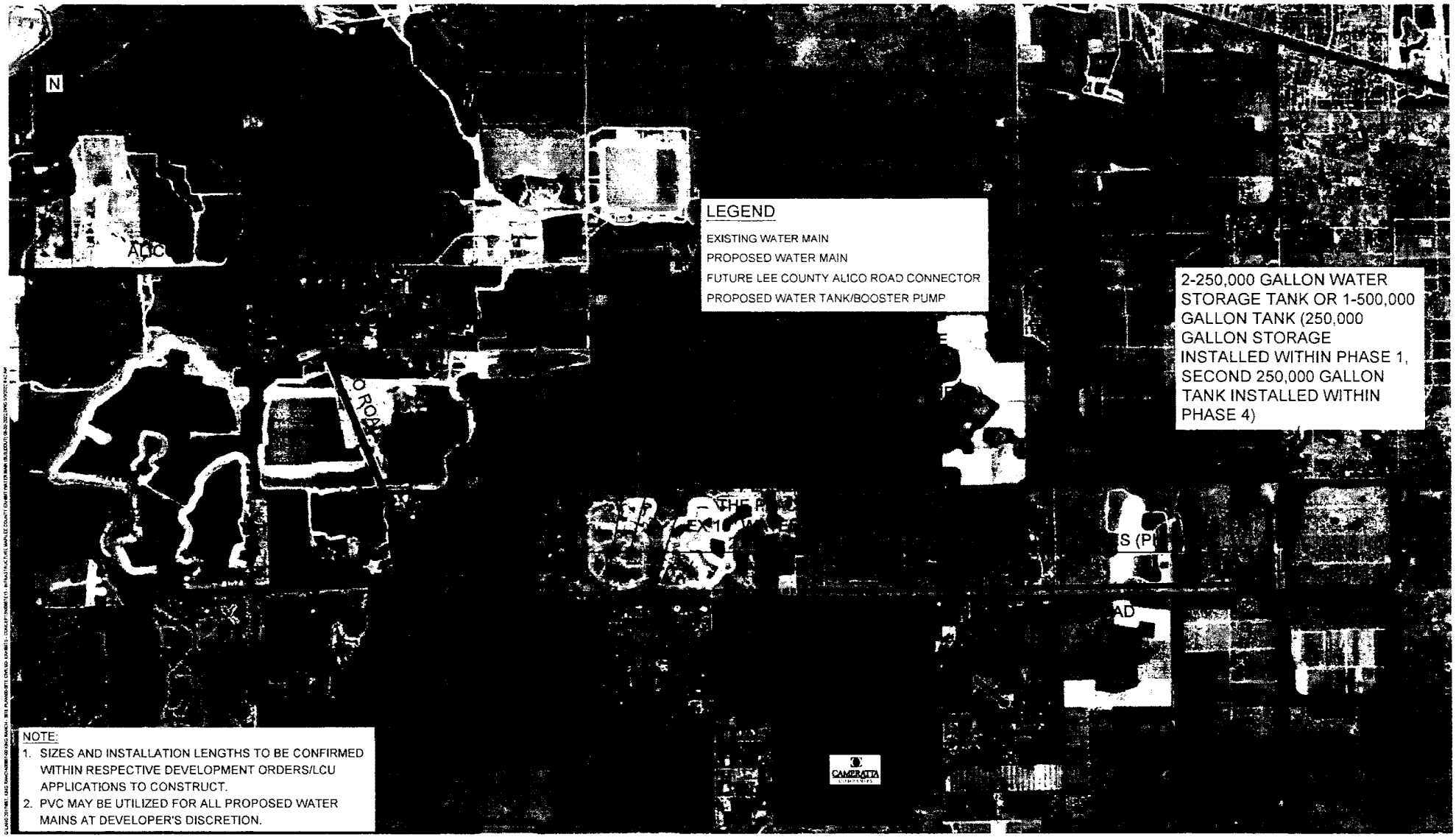
Length of Pipe Required

	From Alico Rd to FFD		From FFD to The Place Western Entrance		From The Place Western Entrance to Booster Pump	From Eastern Verdana Entrance to Kingston Tank	Booster Station
	20" Upsize (ft)	24" Upsize (ft)	20" Upsize (ft)	24" Upsize (ft)	20" Upsize (ft)	20" New (ft)	Required Pumping @ BO
Estimated Pipe Lengths	-	7,514	-	2,591	2,081	18,384	80 ft Head @ 3600 gpm

Year	FFD Units	The Place Units	Verdana Pod 1 Units	Verdana Pod 2 Units	Kingston Units	Booster Pump Flow Required (gpm)	Improvement Alternative 1	Improvement Alternative 2
2023	300	1,325	1,181	-	-	-		
2024	600	1,325	1,181	-	-	-		
2025	900	1,325	1,181	-	300	-		
2026	1,200	1,325	1,181	300	600	-		
2027	1,500	1,325	1,181	600	900	-		
2028	1,800	1,325	1,181	900	1,200	-		
[illegible]						1,123	Booster Pump Required	24" Main Upsize from Alico Rd. to FFD Required
2030	2,400	1,325	1,181	1,219	1,800	1,216		
[illegible]						1,303	24" Main Upsize from Alico Rd. to FFD Required	
2032	3,000	1,325	1,181	1,219	2,400	1,390		
2033	3,300	1,325	1,181	1,219	2,700	1,477		
[illegible]						1,564		Booster Pump Required
2035	3,900	1,325	1,181	1,219	3,300	1,651		
2036	4,200	1,325	1,181	1,219	3,600	1,739		
2037	4,500	1,325	1,181	1,219	3,900	1,826		
2038	4,800	1,325	1,181	1,219	4,200	1,913		
2039	5,100	1,325	1,181	1,219	4,500	2,000		
2040	5,208	1,325	1,181	1,219	4,800	2,087		
2041	5,208	1,325	1,181	1,219	5,100	2,174		
2042	5,208	1,325	1,181	1,219	5,400	2,261		
2043	5,208	1,325	1,181	1,219	5,700	2,348		
[illegible]						2,435	24" Main Upsize from FFD to The Place Required	
2045	5,208	1,325	1,181	1,219	6,300	2,522		
2046	5,208	1,325	1,181	1,219	6,600	2,610		
2047	5,208	1,325	1,181	1,219	6,900	2,697		
2048	5,208	1,325	1,181	1,219	7,200	2,784		
2049	5,208	1,325	1,181	1,219	7,500	2,871		
2050	5,208	1,325	1,181	1,219	7,800	2,958		
2051	5,208	1,325	1,181	1,219	8,100	3,045		
2052	5,208	1,325	1,181	1,219	8,400	3,132		
[illegible]						3,219	20" Main from The Place to Booster Required	
2054	5,208	1,325	1,181	1,219	9,000	3,306		
2055	5,208	1,325	1,181	1,219	9,300	3,393		
2056	5,208	1,325	1,181	1,219	9,600	3,481		
2057	5,208	1,325	1,181	1,219	9,900	3,568		
2058	5,208	1,325	1,181	1,219	10,000	3,597		

Growth Assumptions

- 300 units per year in FFD starting 2023
- 300 units per year in Verdana Pod 2 starting 2026
- 300 units per year in Kingston starting 2025



J.R. EVANS ENGINEERING

KINGSTON (A Cameratta Development)

WATER MAIN INFRASTRUCTURE MAP (BUILDOUT)

LEE COUNTY EXHIBIT WATER MAIN (BUILDOUT) 05-02-2022.DWG
May 2, 2022

Amenity Improvement Amendment
Lee Plan Analysis
Exhibit T6
CPA2025-00012 – Revised December 2025

INTRODUCTION

The proposed text amendments are to address golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.

The requested text amendments only impact the established development pod areas within the MPD by allowing the option to include golf courses and ancillary uses as part of the internal amenities within the previously established development areas. The MPD is located south of SR 82, approximately 1 mile west of the Hendry County line and extends to 2 miles south of Corkscrew Road. The MPD provides for significant environmental enhancements and includes a condition to provide a minimum of 3,287 acres of created, restored, and/or enhanced areas to be dedicated in conservation and flow-way easements which was found to protect the public interest. The established development pods consist of 3,275± acres. The remaining 114± acres consist of road rights-of-way to be dedicated to Lee County.

BACKGROUND

Impacted Property

The property subject to the requested text amendment was part of an application for rezoning to Industrial Planned Development under case number DCI2011-00007. The rezoning request was denied by the Board of County Commissioners on November 6, 2019. The applicant and Lee County entered into a Settlement Agreement in order to facilitate a resolution of litigation pursuant to Section 70.001 (4), Florida Statutes. The Settlement Agreement set forth the general parameters for development of the property and the procedures that would be followed for its consideration and adoption through issuance of a Development Agreement.

Kingston Mixed Use Planned Development (MPD) was approved by Stipulation of Settlement Under Section 70.001, Florida Statutes dated June 22, 2022, as recorded under Instrument #2022000208255. The MPD conditions of approval were found to protect the public interest and appropriate development for the DR/GR. The MPD included Amenities internal to the project for use by its residents with no limitation on square footage. The schedule of uses also included recreational facilities, personal and private on site for amenities within residential pods, including the subject parcels 8A, 8B and 9.

Goal 13

On November 22, 1999, Lee County adopted Ordinance 99-16 which amended the Lee Plan and created Goals, Objectives and Policies (GOP) to establish criteria for development of Private Recreation Facilities within the Density Reduction/Groundwater Resources (DR/GR) future land use category (FLUC). Recreation Facilities: Private was added to the glossary and the Private Recreation Facilities Overlay Map was adopted which identified locations appropriate for development of Private

Recreation Facilities. The current definition from the Lee Plan Glossary is provided below and includes ancillary uses and golf courses.

> *RECREATION FACILITIES: PRIVATE – Includes nature trails, tent camping areas, boardwalks, play areas (as defined in "Park Planning Guidelines, 3rd Edition"), horse stables and riding areas, service areas, administrative areas, ancillary uses, and golf courses (private or public use). The location of public wellheads and Aquifer Storage and Recovery facilities may be located in Private Recreational Facilities.*

On August 5, 2015, Lee County adopted Ordinance 15-13 which amended the Lee Plan and added Policy 33.3.4 establishing the Environmental Enhancement and Preservation Communities Overlay (EEPCO). This overlay established strict review criteria and provided an incentive to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species so that additional densities and accessory commercial uses will be granted if the project is found consistent with and demonstrates through a Planned Development the significant environmental and hydrological requirements.

While these Objectives and Policies provided for appropriate protections for the Southeast Lee County DR/GR, they did not contemplate nor provide a pathway for the impacted property to pursue golf course and ancillary uses since the property already provides adequate protection measures within the MPD conditions of approval.

Subject Request

Although the MPD included amenities internal to the project for use by its residents with no limitation on square footage and the schedule of uses included recreational facilities, personal and private on site for amenities within residential pods, including the subject parcels 8A, 8B and 9, it was discovered that the language within Goal 13 prevented the applicant from moving forward with a golf course within the development. Because of the size of the Kingston project with multiple residential neighborhoods it is essential for the development to offer a variety of non-competing residential home products to be successful such as single family, multi-family, townhome, empty nest, age targeted and golf course. The MPD associated with the proposed text amendment was found to be consistent with the intent of the EEPCO by Lee County staff, Lee County Hearing Examiner, Lee County Board of County Commissioners, and the Court. The EEPCO established a guide within the Lee Plan for development within Southeast Lee County Community Planning Area. It was found that the MPD will provide significant environmental enhancements including restoration of upland and wetland areas, conversion of farm fields to native conservation area, and restoration and enhancement of historic flow ways. The development areas within the MPD have been established and deemed appropriate for development and any golf courses or ancillary uses will be located within these areas resulting in no further impacts.

The text amendment allows for additional amenity options to include golf course and ancillary uses within the MPD which utilizes the planning principle of clustered development. Clustered development is a development arrangement that stresses people living in harmony with nature and locates buildings in concentrated portions of a site, leaving the remainder of the site undeveloped. Typically, this form of development is utilized to protect such things as open space, environmentally sensitive areas and natural resources. The MPD utilizes the planning principle of conservation design or designing with nature. The process of selecting the appropriate preservation and development scenario for the property utilized an analysis of the property's attributes such as property location and location of adjacent uses, soils, topography, previous uses and associated impacts and natural resources. The MPD provides a minimum 61 percent open space and minimum 50 percent restoration.

POPULATION PROJECTIONS

The proposed text amendments will not result in any increased density so it will not affect established Lee County population projections. No changes are necessary to Lee Plan Table 1(b) or the total population capacity of the Lee Plan Future Land Use Map as a result of the proposal.

LEE PLAN CONSISTENCY

The proposed text amendments allow the option for golf course and ancillary uses within the MPD which lies within the Density Reduction Groundwater Resources (DR/GR) and Wetlands future land use categories (FLUC) and the Southeast Lee County Community Planning Area.

> ***POLICY 1.4.5:*** *The Density Reduction/Groundwater Resource (DR/GR) future land use category includes upland areas that provide substantial recharge to aquifers most suitable for future wellfield development. These areas also are the most favorable locations for physical withdrawal of water from those aquifers.*
>
> 1. *New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. The modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation may be utilized, and may be required, to demonstrate this compatibility. Evidence as to historic levels must be submitted as part of the rezoning application and updated, if necessary, as part of the mining development order application.*
>
> 2. *Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a maximum standard density of one dwelling unit per ten acres (1 du/10 acres). See Objectives 33.2 and 33.3 for potential density adjustments resulting from concentration or transfer of development rights.*

3. *Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in Goal 13. No Private Recreational Facilities may occur within the DR/GR land use category without a rezoning to an appropriate Planned Development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 13.*

The proposed text amendments are consistent with Policy 1.4.5. The MPD condition 18.b. provides that the Hydrological Restoration Plan be submitted with the first Development Order and that it must be based on an integrated surface and groundwater model. Private recreation facilities are a permitted land use. The proposed text amendments provide the specific requirements for golf courses and ancillary uses within the MPD which already established development parameters and conditions of approval that were found consistent with the intent of the DR/GR and the Lee Plan's overall objective to restore and maintain natural resources essential to protecting groundwater supplies, water quality, and flooding. The MPD has been found consistent with the intent of the Environmental Enhancement and Preservation Communities overlay (EEPCO) standards by Lee County staff, Lee County Hearing Examiner, Lee County Board of County Commissioners, and the Court. Any golf courses and ancillary uses will be developed within the established development pods.

POLICY 1.5.1: *Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII.*

The proposed text amendments are consistent with Policy 1.5.1. Proposed Policy 13.6.5 provides that the MPD was found to protect the public interest and that golf courses and ancillary uses within the MPD will be subject to the conditions of approval including the Indigenous Preservation, Restoration, and Management Plan and Hydrological Restoration Plan. There are no changes to the existing approved density which was found consistent with the Lee Plan and the EEPCO.

POLICY 1.6.7: *The Agricultural Overlay (Map 1-G) shows existing active and passive agricultural operations in excess of 100 acres located outside of the future urban areas. Since these areas play a vital role in Lee County's economy, they should be protected from the impacts of new developments, and the County should not attempt to alter or curtail agricultural operations on them merely to satisfy the lifestyle expectations of non-urban residents.*

A majority of the property is included on Map 1-G – Agricultural Overlay. This map is non-regulatory in nature. The proposed text amendments will not affect this map and no revision is necessary.

Given the settlement agreement, the property is not going to be long term agricultural so the incentives to retain agricultural would not be applicable.

> ***POLICY 1.6.10*****:** *The Southeast Lee County Residential Overlay (Map 2-D) is described in Objective 33.2. This Overlay affects only Southeast Lee County and identifies five types of land: …*
>
> *3. "Mixed-Use Communities:" Locations where this concentration of development rights from large contiguous tracts within the DR/GR area that can be supplemented by transfer of development rights from non-contiguous tracts in the Southeast DR/GR area. See Objective 33.3 and following policies. …*

The northern portion of the MPD abutting SR 82 is identified as a Mixed-Use Community on Map 2-D. The proposed text amendments will not affect this map and no revision is necessary.

The proposed text amendments are shown in underline text in the following Objectives and Policies.

> ***GOAL 13: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR.*** *To ensure that the development of Private Recreational Facilities in the DR/GR is compatible with the intent of this future land use category, including recharge to aquifers, development of future wellfields and the reduction of density.*
>
> > ***OBJECTIVE 13.1:*** *To ensure that Private Recreation Facilities are located in the most appropriate areas within the DR/GR future land use category.*
> >
> > > ***POLICY 13.1.2:*** *Private Recreational Facilities within the DR/GR land use category will only be allowed, subject to the other requirements of this Goal, in the areas depicted on the Private Recreational Facilities Overlay, Map 1-F, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.*
> >
> > ***POLICY 13.1.3:*** *Private Recreational Facilities are also allowed within the DR/GR land use category in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. limited to golf courses and ancillary uses.*

The proposed text amendments provide the framework to establish that the MPD has already been reviewed and approved with protective conditions consistent with those intended by Goal 13. The MPD has been found consistent with the intent of the DR/GR and the Lee Plan's overall objective to restore and maintain natural resources essential to protecting groundwater supplies, water quality, and flooding. The MPD has been found consistent with the intent of the Environmental Enhancement and Preservation Communities overlay (EEPCO) standards which provide significant environmental and hydrological improvements by Lee County staff, Lee County Hearing Examiner, Lee County Board of County Commissioners, and the Court. The development pods have been established

within the MPD, and any potential golf courses or ancillary uses will be located within these internal areas ensuring that they are in the most appropriate locations. The proposed text amendments are consistent with Goal 13 and Objective 13.1.

> ***OBJECTIVE 13.2: GROWTH MANAGEMENT.*** *Development of Private Recreation Facilities in the DR/GR must be consistent with the growth management principles and practices as provided in the following policies.*
>
> > ***POLICY 13.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT (PRFPD).*** *All Private Recreational Facilities proposed within the DR/GR future land use category must be reviewed as a PRFPD, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.*

The proposed text amendments provide clarification that the MPD is subject to the Settlement Agreement and will not be required to rezone to PRFPD to facilitate golf courses and ancillary uses. The proposed text amendments are consistent with Objective 13.2.

> > ***POLICY 13.2.8:*** *Private Recreational Facilities must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects such as dust, noise, lighting, or odor on surrounding land uses and natural resources.*

The proposed text amendments are consistent with Policy 13.2.8. The MPD already permits unlimited square footage of amenities internal to the project for use by its residents. The MPD conditions provide commitments to address project impacts. Since the golf courses and ancillary uses are internal amenities located within established development areas for use by the residents of the planned development, these amenities do not result in additional project impacts and are adequately addressed by existing conditions and commitments.

Condition 23 of the MPD requires letters of availability for fire protection. Condition 11 provides that the cost of signalization including design and construction of the Spine Road intersections with Corkscrew Road, SR 82, and/or a development pod shall be borne by the developer or assigns. MPD Condition 12 provides that the development must mitigate the traffic impacts and pay a proportionate share of $2,000 per residential dwelling unit to mitigate the traffic impacts of the project which adequately addresses potential golf course and ancillary uses. The MPD approval condition 16 requires connection to central water and sewer. The approved Agreement Pursuant to Stipulation of Settlement Agreement Condition 6.C and Exhibit K ensure that sanitary sewer is provided to the MPD. The approved Agreement Pursuant to Stipulation of Settlement Agreement Condition 6.B and Exhibit P ensure that potable water is provided to the MPD. The MPD was found to protect the public interest, and the Settlement Agreement was found compatible with the surrounding uses. The development pods are clustered internal to the project with large setbacks which further demonstrate no adverse effects on surrounding land uses and natural resources.

> > ***POLICY 13.2.10:*** *Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any*

adjacent, existing agricultural, mining or conservation activities.

POLICY 13.2.11: *Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on and must be compatible with any adjacent publicly owned lands.*

The proposed text amendments are consistent with Policies 13.2.10 and 13.2.11. The MPD was reviewed and evaluated and found to protect the public interest, and the Development Agreement was found compatible with the surrounding uses including existing agricultural, mining, conservation activities, and publicly owned lands. The development pods are clustered internal to the project with large setbacks which further demonstrate no adverse effects on surrounding land uses.

OBJECTIVE 13.3: GENERAL DEVELOPMENT REGULATIONS. *The protection of water quality, quantity, natural resources, and compatibility will be addressed by additional development controls that regulate the permitted uses, parcel size, density, intensity and design of Private Recreational Facilities.*

POLICY 13.3.10: *General development standards for golf courses and ancillary uses within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. will follow the development standards established for this MPD zoning district and are exempt from Policies 13.3.1 through 13.3.9.*

The proposed text amendments are consistent with Objective 13.3 and Policy 13.3.10. The MPD has been reviewed and evaluated and conditioned to ensure it meets the intent of the DR/GR and provides protection of water quality, quantity, natural resources and compatibility. The MPD has established development controls that regulate the permitted uses, property development regulations, intensity and density, and the clustered design.

OBJECTIVE 13.4: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES. *Private Recreational Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the County's existing and future water supply. The location, design and operation of Private Recreational Facilities must maintain or improve the storage and distribution of surface water resources.*

POLICY 13.4.9: *The protection of water quality, quantity, and surface water resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan and the and Hydrological Restoration Plan, and are exempt from Policies 13.4.1 through 13.4.8.*

Proposed Policy 13.4.9 provides clarification that the MPD has been reviewed and conditioned to protect surface and ground water quality as well as maintaining or improving the storage and distribution of surface water resources. The MPD conditions ensure restoration and protection of natural resources and included a projected reduction in existing permitted water withdrawal from the aquifer and a reduction in total nitrogen and total phosphorous. MPD Condition 14 and Exhibit N provide for Surface Water Monitoring and the Enhanced Lake Management Plan. MPD Condition 18 and Exhibit O provide for re-established historic surface water flows through the Property and a Hydrological Restoration Plan. MPD Condition 25 provides for an off-site hydraulic connection to help alleviate flooding of the Wildcat Run properties to the east. The proposed text amendments provide for consistency with Objective 13.4.

> ***OBJECTIVE 13.5: WILDLIFE.*** *The location, design and operation of Private Recreational Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.*
>
> > ***POLICY 13.5.4:*** *The protection of wildlife within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Protected Species Management and Human-Wildlife Coexistence Plan, and are exempt from Policies 13.5.1 through 13.5.3.*

Proposed Policy 13.5.4 provides clarification that the MPD has been reviewed and conditioned to incorporate preservation and management activities that restrict unnecessary loss of wildlife or impact on protected species, species of special concern or threatened or endangered species and that it was found to protect the public interest. MPD Condition 4 and Exhibit J provide a Protected Species Management and Human-Wildlife Coexistence Plan including signage, wildlife fencing. Golf courses and ancillary uses would continue to comply with these conditions. The proposed text amendments provide for consistency with Objective 13.5.

> ***OBJECTIVE 13.6: NATURAL RESOURCES.*** *Private Recreational Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as flow-ways, waterways, wetlands, natural water bodies, and indigenous uplands.*
>
> > ***POLICY 13.6.5:*** *The protection of natural resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including The Indigenous Preservation, Restoration, and Management Plan and Hydrological Restoration Plan, and are exempt from Policies 13.6.1 through 13.6.4.*

Proposed Policy 13.6.5 provides clarification that the MPD has been reviewed and conditioned to minimize environmental impacts and protect, enhance and manage natural resources such as flow-ways, wetlands and indigenous uplands and was found to protect the public interest. MPD Condition 8 and Exhibit L provide for the Indigenous Preservation, Restoration, and Management Plan. MPD Condition 18 and Exhibit O provide for re-established historic surface water flows through the Property and a Hydrological Restoration Plan. MPD Condition 25 provides for an off-site hydraulic connection to help alleviate flooding of the Wildcat Run properties to the east. The proposed text amendments provide for consistency with Objective 13.6.

> ***OBJECTIVE 13.7: MONITORING AND ENFORCEMENT.*** *In order to ensure that Private Recreational Facilities do not degrade the ambient condition of water quality, water quantity, vegetation and wildlife, an ongoing monitoring program must be established by the developer.*
>
> > ***POLICY 13.7.4:*** *The monitoring program within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan, and are exempt from Policies 13.7.1 through 13.7.3.*

Proposed Policy 13.7.4 provides clarification that the MPD has been reviewed and conditioned to protect water quality, water quantity, vegetation and wildlife and was found to protect the public interest. MPD Condition 14 and Exhibit N provide for Surface Water Monitoring and the Enhanced Lake Management Plan. The proposed text amendments provide for consistency with Objective 13.7.

> > ***POLICY 13.8.13:*** *Performance standards within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. were found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district and are exempt from Objective 13.8 and Policies 13.8.1 through 13.8.12.*

Proposed Policy 13.8.13 provides clarification that the MPD is subject to its conditions of approval which were found to protect the public interest and is exempts the MPD from the performance standards of Objective 13.8 and its implementing policies which are not applicable to the MPD since conditions of approval and development standards have been established.

> ***OBJECTIVE 17.2: COMMUNITY PLAN AREAS.*** *To depict the boundaries of community plan areas on the Future Land Use Map (Map 2-A).*

The proposed text amendments will not affect Map 2-A. The MPD is within the Southeast Lee County Community Planning Area. No amendments to this map are required. The required public information meeting summary document has been submitted.

> ***POLICY 33.1.2****: The DR/GR Priority Restoration Strategy consists of seven tiers of land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation areas (see Map 1-D). Within these tiers, density incentives will be utilized as a mechanism to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species; with Tier 1 and Tier 2 being the most incentivized tiers. Lee County may consider amendments to this Overlay based on changes in public ownership, land use, new scientific data, and/or demands on natural resources. This Overlay does not restrict the use of the land.*
>
> ***POLICY 33.1.3****: Pursue acquisition (partial or full interest) of land within the Tier 1 areas in the Priority Restoration Strategy Overlay through direct purchase; partnerships with other government agencies; long-term purchase agreements; right of first refusal contracts; land swaps; or other appropriate means to provide critical connections to conservation lands that serve as the backbone Future Land Use II-103 April 2024 for water resource management and wildlife movement within Southeast Lee County. Tier 2 lands are of equal ecological and water resource importance as Tier 1 but have better potential to remain in productive agricultural use. Tier 3 lands and the southern two miles of Tiers 5, 6, and 7 can provide an important wildlife connection to conservation lands in Collier County and an anticipated regional habitat link to the Okaloacoochee Slough State Forest. Tiers 1, 2, 3, and the southern two miles of Tiers 5, 6, and 7 may qualify for unique development incentives outlined in Objectives 33.2 and 33.3 due to the property's potential for natural resource benefits and/or wildlife connections. Additionally, the County may consider incentives, within all tiers, for private landowners to improve water resources and natural ecosystems.*

The proposed text amendments will not affect Map 1-D as it does not restrict the use of the land. No revision to Map 1-D is necessary. Most of the MPD property is located within the DR/GR Priority Restoration Strategy with portions in Tier 3, and the southern two miles of Tiers 5 and 6. As outlined in Policy 33.1.3, these areas are specifically identified as areas that may qualify for unique development incentives in Objective 33.2, which includes EEPCO, due to the potential for natural resource benefits and/or wildlife connections. The proposed text amendments provide the specific requirements for golf courses and ancillary uses within the MPD which already established development parameters and conditions of approval that were found consistent with the intent of the DR/GR and the Lee Plan's overall objective to restore and maintain natural resources essential to protecting groundwater supplies, water quality, and flooding. The MPD has been found consistent with the intent of the Environmental Enhancement and Preservation Communities overlay (EEPCO) standards by Lee County staff, Lee County Hearing Examiner, Lee County Board of County Commissioners, and the Court. Any golf courses and ancillary uses will be developed within the established development pods and will continue to provide these benefits.

> ***POLICY 33.1.7:*** *Impacts of proposed land disturbances on surface and groundwater resources will be analyzed using integrated surface and groundwater models that utilize site-specific data to assess potential adverse impacts on water resources and natural systems within Southeast Lee County. Lee County Division of Natural Resources will determine if the appropriate model or models are being utilized, and assess the design and outputs of the modeling to ensure protection of Lee County's natural resources.*

The proposed text amendments are consistent with Policy 33.1.7. The MPD condition 18.b. provides that the Hydrological Restoration Plan be submitted with the first Development Order and that it must be based on an integrated surface and groundwater model. The proposed text amendments provide the specific requirements for golf courses and ancillary uses within the MPD which already established development parameters and conditions of approval that were found consistent with the intent of the DR/GR and the Lee Plan's overall objective to restore and maintain natural resources essential to protecting groundwater supplies, water quality, and flooding. The MPD has been found consistent with the intent of the Environmental Enhancement and Preservation Communities overlay (EEPCO) standards by Lee County staff, Lee County Hearing Examiner, Lee County Board of County Commissioners, and the Court. Any golf courses and ancillary uses will be developed within the established development pods.

ADJACENT LOCAL GOVERNMENTS

The proposed text amendments will have no effect on existing adjacent local governments and their comprehensive plans. The closest adjacent local government to the subject property is Collier County to the east.

CONCLUSIONS

The proposed text amendments are consistent with and in furtherance of the intent of the Lee Plan as discussed in this analysis. For these reasons, the applicant respectfully submits that the requested text amendments should be approved.

Proposed Lee Plan Text Amendments for Private Recreational Facilities in DR/GR

The proposed text amendments are to address golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. Proposed revisions shown in red strikethrough/underline.

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

1. New land uses in these areas that require rezoning or a development order must demonstrate compatibility with maintaining surface and groundwater levels at their historic levels utilizing hydrologic modeling, the incorporation of increased storage capacity, and inclusion of green infrastructure. The modeling must also show that no adverse impacts will result to properties located upstream, downstream, as well as adjacent to the site. Offsite mitigation may be utilized, and may be required, to demonstrate this compatibility. Evidence as to historic levels must be submitted as part of the rezoning application and updated, if necessary, as part of the mining development order application.

2. Permitted land uses include agriculture, natural resource extraction and related facilities, conservation uses, public and private recreation facilities, and residential uses at a maximum standard density of one dwelling unit per ten acres (1 du/10 acres). See Objectives 33.2 and 33.3 for potential density adjustments resulting from concentration or transfer of development rights.

3. Private Recreational Facilities may be permitted in accordance with the site locational requirements and design standards, as further defined in Goal 13. No Private Recreational Facilities may occur within the DR/GR land use category without a rezoning to an appropriate Planned Development zoning category, and compliance with the Private Recreation Facilities performance standards, contained in Goal 13.

(Ord. No. 91-19, 94-30, 99-16, 02-02,10-20, 12-24, 15-13, 18-18, 19-13, 20-06)

GOAL 13: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR. To ensure that the development of Private Recreational Facilities in the DR/GR is compatible with the intent of this future land use category, including recharge to aquifers, development of future wellfields and the reduction of density. (Ord. No. 99-16, 18-18)

OBJECTIVE 13.1: To ensure that Private Recreation Facilities are located in the most appropriate areas within the DR/GR future land use category. (Ord. No. 99-16, 18-18)

POLICY 13.1.1: The Private Recreation Facilities Overlay, Map 1-F, shows those locations that are appropriate for the development of Private Recreation Facilities in the DR/GR future land use category. The areas depicted on Map 1-F are consistent with the application of the following

locational criteria:

1. Located outside of those areas designated for public acquisition through Florida Forever, the Corkscrew Regional Ecosystem Water Trust (CREW), the SFWMD's Save Our Rivers Program, and the County's 20/20 Conservation Program;

2. Located in areas characterized as predominantly impacted with agricultural, mining or other permitted uses;

3. Located outside of areas depicted as 100 Year Flood Plains, as illustrated on Map 5-B as amended through June of 1990;

4. Located to minimize impact on "Hot Spots of Biological Resources and Rare Species Occurrence Records," from the Florida Game and Freshwater Fish Commission's, "Closing the Gaps in Florida Wildlife Habitat Conservation System" published in 1994;

5. Located in areas characterized by large lot single or limited ownership patterns; and,

6. Located in areas with direct access to existing roadways.

(Ord. No. 99-16, 18-18, 21-09)

POLICY 13.1.2: Private Recreational Facilities within the DR/GR land use category will only be allowed, subject to the other requirements of this Goal, in the areas depicted on the Private Recreational Facilities Overlay, Map 1-F, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. (Ord. No. 99-16, 18-18)

POLICY 13.1.3: Private Recreational Facilities are also allowed within the DR/GR land use category in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. limited to golf courses and ancillary uses.

OBJECTIVE 13.2: GROWTH MANAGEMENT. Development of Private Recreation Facilities in the DR/GR must be consistent with the growth management principles and practices as provided in the following policies. (Ord. No. 99-16, 18-18)

POLICY 13.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT (PRFPD). All Private Recreational Facilities proposed within the DR/GR future land use category must be reviewed as a PRFPD, except for golf courses and ancillary uses in the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. (Ord. No. 99-16, 18-18, 21-09)

POLICY 13.2.2: Approved PRFPDs will automatically expire, reverting to the original zoning category, if a Lee County development order is not obtained within five years of zoning approval. (Ord. No. 99-16, 18-18)

POLICY 13.2.3: RESIDENTIAL USES PRECLUDED. Residential uses, other than a single bonafide caretaker's residence or a resident manager's unit, or those uses as listed in Policy 13.2.6 are not permitted in conjunction with a PRFPD. Residential density associated with land zoned as PRFPD will be extinguished and cannot be transferred, clustered or otherwise assigned to any property. (Ord. No. 99-16, 10-21, 18-18)

POLICY 13.2.4: Further, the approval of Private Recreational Facilities on any property within the DR/GR will not be considered as justification for approving an amendment to the Future Land Use Map series which would increase residential density in the DR/GR areas. (Ord. No. 99-16, 18-18)

POLICY 13.2.5: The boundaries of the PRFPD may not be designed to allow out parcels or enclaves of residential units to be integrated into the golf course perimeter, except as allowed in Policy 13.2.6. (Ord. No. 99-16, 10-21, 18-18)

POLICY 13.2.6: Time share, fractional ownership units, and Bed and Breakfast establishments may be permitted if the property is designated as a Rural Golf Course Community (see Map 2-D). These uses must be ancillary to or in conjunction with uses within the Private Recreational Facility, including a Golf Training Center or similar facility, and must be located adjacent to, or within 1,000 feet of, the principal use that is being supported. Through the PRFPD process, the applicant must demonstrate that external vehicular trips will be reduced from typical single-family residential units due to the ancillary nature of the use. (Ord. No. 10-43, 18-18, 21-09)

POLICY 13.2.7: Time share, fractional ownership units, or bed and breakfast establishments may only be constructed through transferring density in accordance with the Southeast Lee County TDR Program. Each TDR credit that is eligible to be transferred to a Mixed-Use Community (see Map 2-D) can be redeemed for one timeshare unit, one fractional ownership unit, or two bed and breakfast bedrooms. (Ord. No. 10-43, 17-13, 18-18, 21-09)

POLICY 13.2.8: Private Recreational Facilities must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects such as dust, noise, lighting, or odor on surrounding land uses and natural resources. (Ord. No. 99-16, 10-43, 18-18)

POLICY 13.2.9: COMMERCIAL USES. Commercial uses may be permitted within PRFPDs as provided in Policy 13.3.9 when ancillary or in conjunction with Private Recreation Facilities. (Ord. No. 99-16, 10-43, 18-18, 19-25)

POLICY 13.2.10: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing agricultural, mining or conservation activities. (Ord. No. 99-16, 10-43, 18-18)

POLICY 13.2.11: Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and must be compatible with any adjacent publicly owned lands. (Ord. No. 99-16, 10-43, 18-18)

OBJECTIVE 13.3: GENERAL DEVELOPMENT REGULATIONS. The protection of water quality, quantity, natural resources, and compatibility will be addressed by additional development controls that regulate the permitted uses, parcel size, density, intensity and design of Private Recreational Facilities. (Ord. No. 99-16, 18-18)

POLICY 13.3.1: Private Recreational Facilities will submit a Master Concept Plan at the time of planned development submittal that identifies the general location of proposed uses and structures, play fields and golf course routings. Minor adjustments to this Master Concept Plan may be made administratively at the discretion of the Director. (Ord. No. 99-16, 18-18)

POLICY 13.3.2: Applications for Private Recreational Facilities must include an environmental assessment during the zoning approval process. The assessment must include, at a minimum, an

analysis of the environment, historical and natural resources and a protected species survey as required by LDC, Chapter 10. (Ord. No. 99-16, 18-18)

POLICY 13.3.3: In addition to an environmental assessment, the applicant must demonstrate compatibility with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal. (Ord. No. 99-16, 18-18)

POLICY 13.3.4: The development will incorporate an Integrated Pest Management program for any managed recreational areas. (Ord. No. 99-16, 18-18)

POLICY 13.3.5: Where buildings or impervious development is located within twenty-five feet of the property boundary, a buffer 15 feet wide, with 5 trees per 100 linear feet, and a solid double row hedge must be provided, unless a more restrictive buffer is required during the planned development review. (Ord. No. 99-16, 18-18)

POLICY 13.3.6: No illumination may be used which creates glare on adjacent properties. All exterior lighting will be designed with downward deflectors to eliminate skyward glare. Parking areas, walkways and paths and maintenance areas may be illuminated for security purposes, provided that light poles do not exceed twelve feet in height. (Ord. No. 99-16, 18-18)

POLICY 13.3.7: Native and xeriscape vegetation will be encouraged, such that:

1. 100% of all required trees and 75% of all additional trees must be native.

2. 80% of all required shrubs and 50% of all additional shrubs must be native.

3. A minimum of 70% of all trees and shrubs must be xeriscape varieties.

4. The native and xeriscape requirements do not apply to turf areas.

5. No plant species included in the Florida Exotic Pest Plant Council, 1999 List of Florida's Most Invasive Species, will be planted.

(Ord. No. 99-16, 18-18)

POLICY 13.3.8: The following site requirements, regulating lot size, setbacks and open space must be equaled or exceeded:

1. Principal uses, other than golf courses, and the ancillary uses listed in Policy 13.2.6, permitted under this subdivision must have a minimum lot size of ten acres.

2. Building Setbacks.
   a. 50 feet from an existing right-of-way line or easement.
   b. 75 feet from any private property line under separate ownership and used for residential dwellings.
   c. 50 feet from any adjacent agricultural or mining operation.
   d. Greater setbacks may be required during the public hearing process to address unique site conditions.

3. Setbacks for accessory buildings or structures. All setbacks for accessory buildings or structures must be shown on the Master Concept Plan required as part of the planned development application. No maintenance area or outdoor storage area, irrigation pump or delivery area may be located less than 500 feet from any existing or future residential use, as

measured from the edge of the above-listed area to the property line of the residential use. For purposes of this policy, any property that is 10 acres or less in size and is zoned to permit dwelling units will be considered a future residential property. Properties larger than 10 acres may be considered future residential based on the property's size, the ownership pattern of properties in the surrounding area, and the use, zoning and size of surrounding properties. To allow flexibility, the general area of any accessory buildings, structures and maintenance areas must be shown on the site plan with the appropriate setbacks as noted in this subsection listed as criteria for the final placement of these buildings, structures or facilities.

a. In addition to the other standards outlined in this policy, any maintenance area or outdoor storage area, irrigation pump or delivery area must meet one of the following standards:
   a. be located 500 feet or more from any property line abutting an existing or planned public right-of-way; or
b. provide visual screening around such facilities, that provides complete opacity, so that the facilities are not visible from any public right-of-way; or
c. be located within a structure that meets or exceeds the current Lee County architectural standards for commercial structures.

4. Open Space. A minimum of 85% open space must be provided. However, natural and man-made bodies of water may contribute 100% to achieving the minimum requirements. To the extent possible, pervious paving and parking areas, and buildings elevated above ground level will exceed the 85% open space requirement.

5. Security. All entrances to Private Recreational Facilities must be restricted from public access during non-use hours.

(Ord. No. 99-16, 02-04, 10-21, 18-18)

POLICY 13.3.9: DENSITY/INTENSITY LIMITATIONS. Uses in a PRFPD are subject to the following limitations:

Clubhouse/ Administrative Area	20,000 SF/18 hole golf course
Golf Course Restrooms	Not to exceed two structures per 18 hole golf course, limited to 150 SF per structure
Maintenance Area	Not to exceed 25,000 SF of enclosed or semi-enclosed building area, on a maximum of 5 acres of land per 18 hole golf course
Fractional Ownership/ Time-share Units	• The maximum allowable units will be calculated based on 1 du/10 acres for the entire area of the PRFPD • All timeshare/fractional ownership units must be transferred in accordance with Goal 33
Bed and Breakfast Establishment	• The maximum number of Bed and Breakfast establishments will be limited to 1 per every 18 holes of golf • Bedrooms within a Bed and Breakfast establishment will be limited to a maximum of 7 per unit, with a maximum of two adult occupants per bedroom
Horse Stable	40,000 SF of stable building/10 acres
Camping Restrooms	• 1 toilet per four camp units, clustered in structures not to exceed 500 SF per structure • 1 shower per 4 toilets
Camping Area Office	1,000 SF per campground
Commercial Uses	• Limited to neighborhood commercial development with uses that are in compliance with the Wellfield Protection Ordinance without any exemptions[6] • Total commercial gross floor area for the entire area of the PRFPD may not exceed 100,000 SF, not including clubhouse square footage

(Ord. No. 99-16, 02-02, 10-21, 18-18, 19-25)

[6] No uses that would require the storage of any toxic, hazardous substances as identified in the Wellfield Protection Ordinance or sanitary hazards may be permitted.

POLICY 13.3.10: General development standards for golf courses and ancillary uses within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. will follow the development standards established for this MPD zoning district and are exempt from Policies 13.3.1 through 13.3.9.

OBJECTIVE 13.4: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES. Private Recreational Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the County's existing and future water supply. The location, design and operation of Private Recreational Facilities must maintain or improve the storage and distribution of surface water resources. (Ord. No. 99-16, 18-18)

POLICY 13.4.1: All applications and documentation for the PRFPD rezoning process must be submitted to the Lee County Department of Natural Resources for their formal review and comment. The Department of Natural Resources Director must make a formal finding that the proposed uses will not have negative impacts on present and future water quality and quantity, and will review and approve modeling submitted to support the PRFPD. Applicant modeling efforts must be evaluated and approved by the Lee County Department of Natural Resources and the Lee County Utilities Department. Issues of well locations, easements and wastewater reuse must be evaluated and approved by the Lee County Department of Natural Resources and the Lee County Utilities Department during the PRFPD process. Formal agreements addressing these issues will be entered into prior to the issuance of a development order. Co-location of recreational and public facilities is encouraged. (Ord. No. 99-16, 03-04, 18-18)

POLICY 13.4.2: Applications for Private Recreational Facilities in or near existing and proposed wellfields must be designed to minimize the possibility of contamination of the groundwater during construction and operation. (Ord. No. 99-16, 18-18)

POLICY 13.4.3: Private Recreational Facilities must provide a monitoring program to measure impacts to surface and groundwater quality and quantity (see Objective 13.7). (Ord. No. 99-16, 18-18)

POLICY 13.4.4: As part of a rezoning request for a Private Recreational Facility in the DR/GR area, a pre-development groundwater and surface water analysis must be conducted and submitted to the County. This analysis is intended to establish baseline data for groundwater and surface water monitoring for the project area. The analysis must be designed to identify those nutrients and chemicals which are anticipated to be associated with the project. Prior to the applicant commencing this baseline study, the methodology of the study must be submitted for review, comment, and approval by the County. (Ord. No. 99-16, 18-18)

POLICY 13.4.5: Any Private Recreational Facility located in any wellfield protection zone must meet the requirements/criteria for protection zone 1, unless updated modeling is provided by the applicant and is approved by Lee County Department of Natural Resources and the Lee County Utilities Department. (Ord. No. 99-16, 03-04, 18-18)

POLICY 13.4.6: The surface water management system design must incorporate natural flow-way corridors, cypress heads, natural lakes, and restore impacted natural flow-way corridors.

1. Stormwater run-off must be pre-treated through an acceptable recreated natural system or dry retention and water retention system, prior to discharging the run-off into existing lake or wetland (any aquatic) systems. Included within these systems must be an average 50 foot wide vegetative setback measured from the edge of managed turf to the wetland jurisdictional wetland line or top of bank of natural water bodies.

2. The development must maintain the function and integrity of local and regional flow-ways. Flow-ways are precluded from being primary surface water treatment areas. Applications for Private Recreational Facilities must demonstrate adequate hydraulic capacity without increasing flood levels. Private Recreational Facilities must participate in the implementation of the Lee County Surface Water Management Plan as well as the SFWMD's South Lee County Watershed Plan.

3. The Historic Flow-way Aerial Map depicts the general flow-way paths that exist in the DR/GR area. The lines shown on this map are not regulatory but show the general boundaries of the main conveyances. During the rezoning process, conceptual surface water management plans must be submitted and approved. Prior to the issuance of a development order, proposed Private Recreation Facilities will provide detailed hydrologic and hydraulic analysis demonstrating the limits of flow for various storm events and the developed sites ability to convey these flows. Where an existing flow-way is not well defined or discontinuous, flexibility will be given to allow different alignments within a site.

(Ord. No. 99-16, 18-18)

POLICY 13.4.7: Any Private Recreational Facility proposed within the DR/GR future land use category must cooperate with Lee County and the SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 126.1. Compliance with these policies must be demonstrated during development order approval. (Ord. No. 99-16, 18-18, 21-09)

POLICY 13.4.8: If a proposed Private Recreation Facilities falls within an area identified as an anticipated drawdown zone for existing or future public well development, the project must utilize an alternative water supply such as reuse or withdrawal from a different non-competing aquifer or show that adequate supply is available in excess of that being used for planned public water supply development. (Ord. No. 99-16, 18-18)

POLICY 13.4.9: The protection of water quality, quantity, and surface water resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan and the Hydrological Restoration Plan, and are exempt from Policies 13.4.1 through 13.4.8.

OBJECTIVE 13.5: WILDLIFE. The location, design and operation of Private Recreational Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species. (Ord. No. 99-16, 18-18)

POLICY 13.5.1: The development will not have an adverse impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species. (Ord. No. 99-16, 18-18)

POLICY 13.5.2: All proposed fencing must be designed to permit wide-ranging animals to

traverse the site. (Ord. No. 99-16, 18-18)

POLICY 13.5.3: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition. (Ord. No. 99-16, 18-18)

POLICY 13.5.4: The protection of wildlife within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Protected Species Management and Human-Wildlife Coexistence Plan, and are exempt from Policies 13.5.1 through 13.5.3.

OBJECTIVE 13.6: NATURAL RESOURCES. Private Recreational Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as flow-ways, waterways, wetlands, natural water bodies, and indigenous uplands. (Ord. No. 99-16, 18-18)

POLICY 13.6.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Department of Community Development prior to the approval of a final local development order. Management techniques addressed in the plan must include, but not be limited to the following: exotic pest plant control; removal of any trash and debris; restoration of appropriate hydrology; prescribed fire; native plant restoration, where appropriate; discussion of flora and fauna; enhancement of wildlife habitat; and, retention of dead trees and snags. (Ord. No. 99-16, 18-18)

POLICY 13.6.2: The development will minimize adverse effects on wetlands and riparian areas, and will result in no net reduction in functional wetland acreage as identified by the SFWMD Wetland Rapid Assessment Procedure (WRAP). (Ord. No. 99-16, 18-18)

POLICY 13.6.3: Private Recreational Facilities must be designed to preserve a minimum of 50% of on-site, indigenous native upland habitat. (Ord. No. 99-16, 18-18)

POLICY 13.6.4: The development will incorporate energy and resource conservation devices, such as low flow water fixtures, and natural skylights. (Ord. No. 99-16, 18-18)

POLICY 13.6.5: The protection of natural resources within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including The Indigenous Preservation, Restoration, and Management Plan and Hydrological Restoration Plan, and are exempt from Policies 13.6.1 through 13.6.4.

OBJECTIVE 13.7: MONITORING AND ENFORCEMENT. In order to ensure that Private Recreational Facilities do not degrade the ambient condition of water quality, water quantity, vegetation and wildlife, an ongoing monitoring program must be established by the developer. (Ord. No. 99-16, 18-18)

POLICY 13.7.1: Annual surface water and groundwater monitoring must continue in perpetuity. The monitoring requirements will be established utilizing those nutrients and chemicals that are anticipated to be associated with the proposed project that were identified by the pre-development

groundwater and surface water analysis required by Policy 13.4.4. This surface and groundwater monitoring is to be conducted, at a minimum, on a quarterly basis by a qualified third party. This monitoring data must be submitted to the County as soon as it is available. A summary report of this monitoring effort must be provided annually to Lee County Department of Natural Resources for their review. (Ord. No. 99-16, 18-18)

POLICY 13.7.2: If surface and/or groundwater monitoring shows degradation of water quality the County will notify the property owner that a plan, to correct the identified problem(s), must be submitted. The property owner must submit a plan of action within 30 days after receipt of written notice from the County. The plan must identify actions that will correct the problem(s) within the shortest possible time frame. This plan will be reviewed and must be found to be acceptable by the County. If the plan is not submitted as required, or is found to be unacceptable by the County, the County will require that all activities on the property cease until a plan is submitted and approved. The approved plan must be implemented by the property owner. If the County determines that the approved plan is not being implemented properly, the County can require that all activities on the property cease until the property owner comes back into compliance. (Ord. No. 99-16, 18-18)

POLICY 13.7.3: The approved Private Recreational Facility must submit an annual monitoring report for a period of five years, addressing the interaction between the use and environment. This report must provide a discussion and documentation on the following activities:

1. Construction Monitoring - the applicant will submit annual reports detailing construction activities, permitting, compliance with Audubon International Signature Standards and percent complete.
2. Land Management Activities - including those used on the golf course, as well as natural and preserve areas
3. Wildlife Monitoring - the applicant will provide a discussion of wildlife, wildlife activity, and wildlife management activities.
4. Irrigation Monitoring - the applicant will provide a summary of the monthly irrigation withdrawal and irrigation sources.
5. Mitigation/Vegetation Monitoring - the applicant will provide status reports on the viability of any mitigation and/or landscaping conducted on site.
6. Integrated Pest Management Monitoring - the applicant will provide a discussion on the pest management techniques, and any pest problems that have occurred on the project.

Should adverse impacts in any of the above areas be identified, enforcement and mitigation be provided through the appropriate regulatory agency and enforcement procedures. These procedures will be spelled out during the development order process. If, after five years, no significant adverse impacts are determined, the reporting on these subjects may be terminated. (Ord. No. 99-16, 18- 18)

POLICY 13.7.4: The monitoring program within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. was found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district, including the Surface Water Quality Monitoring Program within the Enhanced Lake Management Plan, and are exempt from Policies 13.7.1 through 13.7.3.

OBJECTIVE 13.8: GOLF COURSE PERFORMANCE STANDARDS. The location, design and operation of golf courses located within the Private Recreational Facilities Overlay will minimize their impacts on natural resources, and incorporate Best Management Practices. A maximum of five 18-hole golf courses, for a total of 90 golf holes, will be permitted. (Ord. No. 99-16, 10-21, 18-18, 21-09)

POLICY 13.8.1: Natural waterways located on the site of a proposed golf course must be left in a natural, unaltered condition. Channelization will not be performed. (Ord. No. 99-16, 18-18)

POLICY 13.8.2: An applicant must demonstrate, prior to the issuance of a local development order, that a golf course is designed to minimize adverse effects to waters and riparian areas through the use of such practices as integrated pest management, adequate stormwater management facilities, vegetated buffers, reduced fertilizer use, etc. The facility must have an adequate water quality management plan, such as a stormwater management facility constructed in uplands to ensure that the recreational facility results in no substantial adverse effect to water quality. (Ord. No. 99-16, 18-18)

POLICY 13.8.3: If a waterway crossing is necessary, then it must be designed to minimize the removal of trees and other shading vegetation. Any crossings of existing natural flow-ways and water bodies must be bridged. Created or restored flow-ways and water bodies may be crossed by bridges or culverts or a combination as approved by Lee County and SFWMD. (Ord. No. 99-16, 18-18)

POLICY 13.8.4: Waterway crossings by cart paths will be constructed of permeable material, no wider than 8-feet, and placed on pilings from edge of floodplain to edge of floodplain. (Ord. No. 99-16, 18-18)

POLICY 13.8.5: A new lake or pond should not be located within an existing natural waterway. Upland ponds must not expose stream channels to an increase in either the rate or duration of floodwater, unless required by SFWMD for regional water management objectives. (Ord. No. 99-16, 18-18)

POLICY 13.8.6: For golf course developments, all fairways, greens, and tees must be elevated above the 25 year flood level, and all greens must utilize underdrains. The effluent from these underdrains must be pre-treated prior to discharge into the balance of the project's water management system. (Ord. No. 99-16, 18-18)

POLICY 13.8.7: Where a golf course is proposed, it must comply with the Best Management Practices for Golf Course Maintenance Departments, prepared by the Florida Department of Environmental Protection, May 1995. (Ord. No. 99-16, 18-18)

POLICY 13.8.8: The owners will employ management strategies in and around any golf course to address the potential for pesticide/chemical pollution of the groundwater and surface water receiving areas. The owners will comply with the goals of the Audubon International Signature Program for Golf Courses. The management practices include:

1. The use of slow release fertilizers and/or carefully managed fertilizer applications.

2. The practice of integrated pest management when seeking to control various pests, such as weeds, insects, and nematodes. The application of pesticides will involve only the purposeful and minimal application of pesticides, aimed only at identified targeted species. The regular widespread application of broad-spectrum pesticides is not acceptable. The management program will minimize, to the extent possible, the use of pesticides, and will include the use

of the USDA-SCS Soil Pesticide Interaction Guide to select pesticides for uses that have a minimum potential for leaching or loss due to runoff depending on site specific soil conditions. Application of pesticides within 100 feet of any CREW, or other adjacent public preserve lands, is prohibited.

3. The coordination of the application of pesticides with the irrigation practices (the timing and application rates of irrigation water) to reduce runoff and the leaching of any applied pesticides and nutrients.

4. The utilization of a golf course manager who is licensed by the State to use restricted pesticides and who will perform the required management functions.

(Ord. No. 99-16, 18-18)

POLICY 13.8.9: Irrigation systems must utilize computerized irrigation based on weather station information, moisture sensing systems to determine existing soil moisture, evapotranspiration rates, and zone control, to ensure water conservation. For Private Recreation Facilities located outside of the depicted Wellfield Protection zones, reuse water, where available, will be utilized for irrigation. Reuse water within Wellfield Protection zones must be in compliance with the Wellfield Protection Ordinance. (Ord. No. 99-16, 18-18)

POLICY 13.8.10: Golf courses must be designed, constructed, managed and certified in accordance with the Audubon International Signature Program. (Ord. No. 99-16, 18-18)

POLICY 13.8.11: It is the landowner(s) responsibility to notify the County within 10 working days if the status of certification from Audubon changes from being in full compliance. Failure to do so could result in penalties up to and including revocation of golf course use if it is deemed that the violation(s) are a possible threat to the environment. If the golf course loses its certification from Audubon, then the property owner must submit a plan of action acceptable to the County that will achieve re-certification in the shortest possible time. The plan must be submitted within 30 days after receipt of written notice from the County. If the plan is not submitted as required, then all activity on the property must cease until a plan is submitted and approved. An approved plan must be implemented in good faith by the property owner. If the County determines that the plan is not being implemented properly, then all activity on the property must cease until the property owner comes back into full compliance. (Ord. No. 99-16, 18-18)

POLICY 13.8.12: GOLF SITE REQUIREMENTS.

1. The minimum number of golf holes is 18. The minimum size for an 18 hole golf course is 150 acres. In no instance may the golf course impacts exceed 150 acres per 18 holes. Allowable uses within the impact area are greens, tees, fairways, clubhouses, maintenance facilities, cart and pedestrian pathways, parking areas, i.e. all associated support uses.

2. 200 acres of indigenous vegetation preserve is required for every 18 holes. The indigenous vegetation preserve requirement may be provided on-site or off-site. On-site preserves must be a minimum of 1-acre in size; minimum 75-foot wide with an average 100-foot width. Indigenous vegetation preserved on site may utilize a two to one (2:1) credit on a sliding scale based on minimum acreage and width criteria to be included in the LDC. However, the indigenous vegetation preserve requirement must be met with a minimum of 100 actual indigenous acres onsite. Indigenous vegetation preservation requirements must be met outside of the 150 acre golf course impact area.

3. All off-site indigenous vegetation preserves must be located within the DR/GR areas. Unless located within or adjacent to existing or designated public acquisition areas, the minimum

parcel size is 50 indigenous acres.

4. The off-site indigenous vegetation preserves must include a management plan that is approved as part of the planned development rezoning. This management plan must include invasive exotic vegetation removal with perpetual management. This does not preclude the transfer of the property to a public entity as long as perpetual maintenance is guaranteed.

5. Additional golf development must be in increments of 9 golf holes. For every additional 9 golf holes, the site area must be increased by 75 acres. Additional golf course impacts are limited to 75 acres per nine holes. The on-site or off-site indigenous preserve area must be increased by 100 acres for each nine holes and is subject to the restrictions above.

(Ord. No. 99-16, 02-02, 18-18)

POLICY 13.8.13: Performance standards within the Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S. were found to protect the public interest. Golf courses and ancillary uses are subject to the conditions of this MPD zoning district and are exempt from Objective 13.8 and Policies 13.8.1 through 13.8.12.

Amenity Improvement Amendment

Planning Communities/Community Plan Area Requirements

CPA2025-00012 – Revised December 2025

The subject property is located within the Southeast Lee County Community Planning Area. Consistent with Policy 17.3.2 through 17.3.4, RVI Planning + Landscape Architecture, Inc. and CAM7-SUB, LLC ("Applicant") conducted a publicly advertised public information meeting for the above referenced Comprehensive Plan Amendment on Thursday, November 19, 2025, at 5:30 p.m. at The Craft Lounge at Verdana Village, 20052 Verdana Village Blvd., Estero, FL 33928.

No attendees came to the meeting, other than the Applicant and Consultant Team. A copy of the affidavit of publication for the legal advertisement is attached as Exhibit "A". The meeting concluded at approximately 5:50 pm.

EXHIBIT "A"

LocaliQ
Florida
GANNETT

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

RVi
28100 Bonita Grande DR
Suite 305
Bonita Springs FL 34135-6219

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

FNP Fort Myers News-Press 11/03/2025
FNP news-press.com 11/03/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 11/03/2025

Legal Clerk

Notary, State of WI, County of Brown

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My commission expires

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NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC INFORMATION MEETING

DATE/TIME: Wednesday, November 19, 2025 at 5:30 PM

ADDRESS: The Craft Lounge at Verdana Village, 20052 Verdana Village Blvd. Estero, FL 33928

In accordance with the requirements of the Southeast Lee County Planning Community requirements of the Lee Plan, a meeting will be held presenting information to the public on the following comprehensive plan amendment request:

Amend Goal 13 and associated Objectives and Policies of the Lee County Lee Plan relating to Private Recreation Facilities in the Density Reduction/Groundwater Resource (DR/GR) to allow for golf course and ancillary uses in Mixed Use Planned Development (MPD) zoning district subject to Settlement Agreement Case No. 22-CA-002743 approved under Sec. 70.001 F.S.

The meeting will be held at 5:30 p.m. on Wednesday, November 19th, 2025, at The Craft Lounge at Verdana Village, 20052 Verdana Village Blvd Estero, FL 33928.

For questions please contact:
RVi Planning + Landscape Architecture, Inc. c/o Stacy Hewitt
(239) 770-2527 OR shewitt@RViPlanning.com
November 3 2025
LSAR0400311