



February 4, 2026

Elizabeth Workman Principal Planner  
Zoning Section  
Lee County Department of Community Development  
1500 Monroe St  
Fort Myers, FL 33901

Re: Armeda Property Insufficiency Letter #2  
Record Number: DCI2025-00019

Dear Ms. Workman,

Listed below are specific responses to each comment received dated December 12, 2025, for the above referenced project. The following items are resubmitted based on Staff review.

1. Revised Master Concept Plan
2. Revised Legal Description and Sketch
3. Revised Schedule of Deviations and Justifications
4. Revised Narrative of Request
5. Revised Indigenous Habitat Management Plan
6. Impact and Preserve Overlay Map
7. Revised Stormwater Narrative
8. Conceptual Stormwater Routing Exhibit
9. Revised Characterization of Ground and Surface Water Resources Report
10. Revised Preliminary Density Calculations
11. Existing Recorded Access Easements
  - Instrument No. 2006000331133 - Existing 25' easement
  - Instrument No. 2006000076569 - Existing 30' easement
12. Proposed Conditions

#### **Development Services Review – Allyson Hall**

1. Please provide a Letter of No Objection from the local fire department (Bayshore Fire District) and emergency services in reference to Deviation (7) from LDC Section 10-296(k)(1).

**RESPONSE:**     **The MCP has been revised to reflect a secondary emergency only stabilized access onto Nickel Trail within TerraWalk in the northwest corner of the project. The applicant will continue to work with the adjacent property owner and will provide a letter of no objection from the Bayshore Fire District prior to finding of sufficiency.**

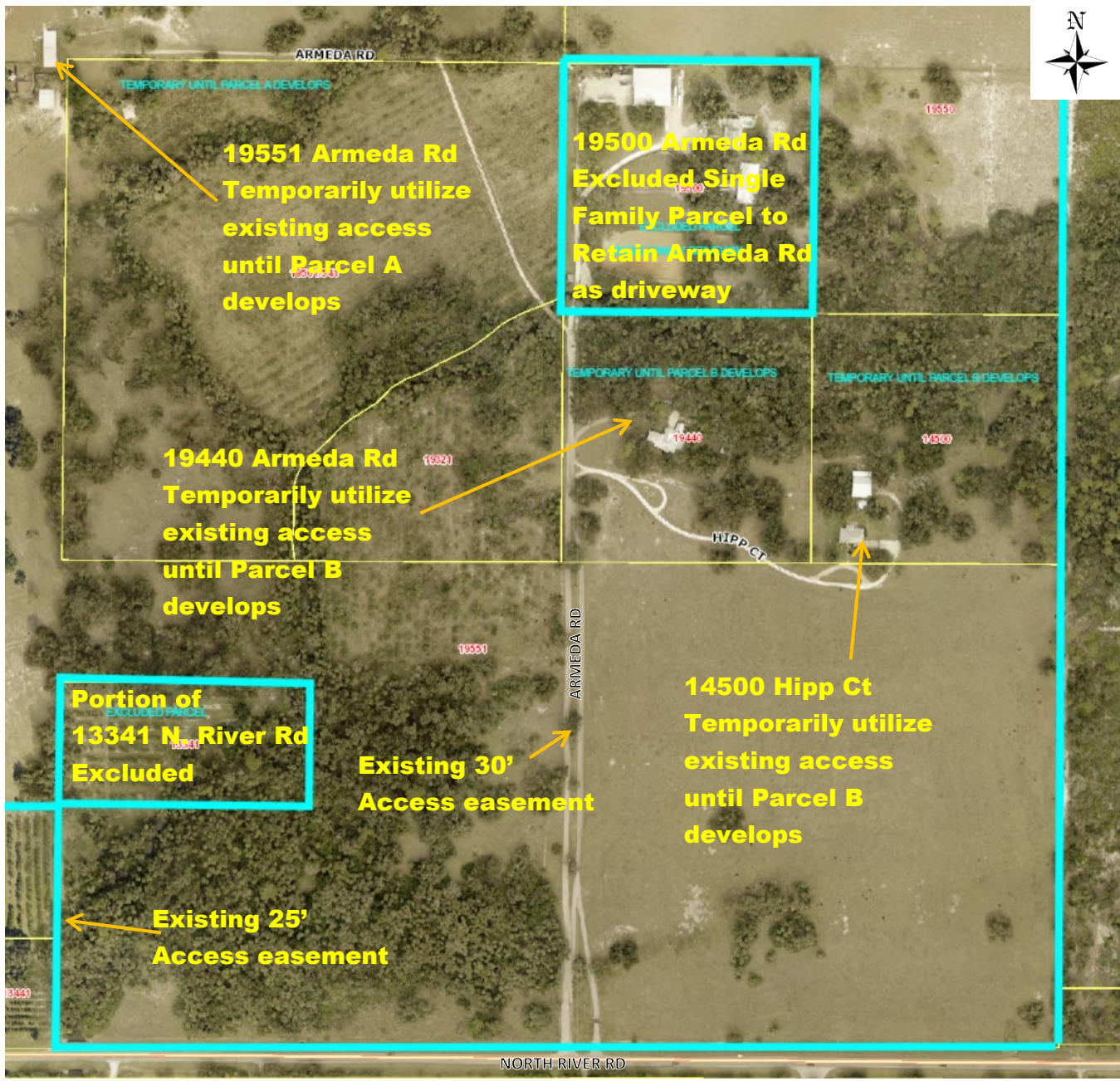
2. INFORMATIONAL COMMENT: The proposed MCP and Boundary Survey depict an existing 30' ingress egress easement, Armeda Rd (to remain), along the western side of Parcel B. If the site under separate ownership utilizing this easement were to serve anything more than (1) single-family home, the minimum right-of-way width pursuant to LDC Section 10-296, Table 2 is 40'. This road must also meet or exceed the standards in LDC Section 10-296 for a non-urban local street.

**RESPONSE:** The 30-foot ingress/egress easement will serve only one (1) external single-family residence located at 19500 Armada Rd after buildout of this project. The applicant has included three deviations (No. 9 from LDC Section 10-291(2), No 10. from LDC Section 10-296(e)3.e.5, and No. 11 from LDC Section 10-296(b)) to allow Armada Rd to remain without improvements while it temporarily continues to also serve the existing on site uses it does today (2 single-family residences and farm) since it will ultimately function as a single-family driveway upon buildout. See graphic on following page, revised Master Concept Plan (MCP) and revised Schedule of Deviations and Justifications for reference.

**DOT Review – John Podczerwinsky**

1. The applicant's response indicates that a 30' ingress/egress easement (Armada Rd) will be retained as a driveway serving a single family residence, but there seem to be at least three occupied homes served by this existing road.
  - a. One property is excepted from the project boundary, and would remain served by Armada Road (STRAP 08432600000060010; 19500 Armada Rd).

**RESPONSE:** The 30' ingress/egress easement (Armada Rd) currently serves 2 single-family residences within proposed Parcel B, the farm structures on Parcel A, and the single-family parcel excepted from the project located at 19500 Armada Rd. A review of Lee County Property Appraiser records verified there are no tangible accounts associated with the single-family parcel excepted from the project. Upon buildout, Armada Rd will be retained within its existing 30' ingress/egress easement to serve as a single-family residential driveway to one residential lot external to the site located at 19500 Armada Rd. See graphic on following page, revised MCP and revised Schedule of Deviations & Justifications. Deviations 9, 10 and 11 have been added to request that Armada Road remain in its existing condition while serving the existing sites until buildout.



- b. Three properties are not excluded from the proposed DCI: 19440 Armada Rd., 14500 HIPP CT, and 19501/541 Armada Rd. These properties appear to be captured in a proposed Preserve designation related generally to Parcel B.

**RESPONSE:** 19440 Armada Road and 14500 Hipp Court properties will remain until development of Parcel B where these structures will be removed. The structure on 19501/541 Armada Road is not habitable and is only farm access. Only one residential lot will have access to Armada Road upon buildout (19500 Armada Road) that is excluded from the project boundary.

2. The applicant's access spacing deviation request also indicates that Armada Rd may serve multiple properties.

In order to prevent causing non-compliance with either the zoning design standards, or County LDC design standards, please clarify the following:

- a. Will Armada Road serve one single family parcel, a commercial use, or multiple single family homes?

**RESPONSE:** The portion of Armada Road that is to remain will serve three single-family homes (two within the project boundary) until such time as Parcel B is developed. Upon buildout of Parcel B, it will serve one residential parcel located at 19500 Armada Road which is not included in the project boundary. Armada Road also provides access to the farm structures on Parcel A until such time as Parcel A is developed. Please see attached revised MCP and requested deviations 9, 10 and 11 to allow Armada Road to remain in its current configuration since it will ultimately function as a single-family driveway at buildout of the project.

- b. As it is included within the proposed zoning boundary, is Armada Road ingress/egress easement to be subject to, or excepted from, the proposed zoning requirements?

Note: 30' local roads width may be inadequate to sufficiently meet County design standards in LDC Sec. 10-296 or the RPD's typical roadway section.

**RESPONSE:** The Armada Road ingress/egress easement will not be changed with this zoning request. Deviations 9, 10 and 11 are included to allow Armada Road to remain in its existing configuration since at buildout, it will serve as a single-family driveway to the excluded parcel located at 19500 Armada Road.

- c. Some D Factors for State Road count stations are incorrectly stated. All instances showing 0.528 should be revised to 0.55 per the current FDOT count station data.

**RESPONSE:** Please see the latest Traffic Impact Statement dated November 19, 2025. Table 2A, Table 4A, and Table 6A all indicate D Factors for State Road count at 0.55.

3. Demonstrate the ingress/egress easement recording instruments for Armada Rd and the easement +/- 729' west of the westerly site access serving the other AG-2 parcel.

**RESPONSE:** Please see attached recording instruments for Armada Road easement and the easement located 729' ± west of the proposed westerly site access.

### **Environmental Review – Paige Carroll**

1. Please revise second to last paragraph on page 11 of the IHMP to state the correct LDC Section regarding invasive exotics. It should be 10-420(h).



**RESPONSE:** The specified reference to the LDC in the attached IHMP has been corrected.

2. Please provide soil amendments, grading, and vegetation at each grade level (site conditions) to comply with Lee Plan Policy 123.2.17. Each segment (wetland, upland, etc.) does provide restoration plantings but also must provide the grade, soil types, and soil amendments for areas used towards the density incentive. Please revise IHMP and soil survey map.

**RESPONSE:** Additional information regarding soils has been added to the IHMP. Regrading is not proposed as part of the restoration activities. Based on historic aerials and soils information from the NRCS, and prior to being converted to agriculture, the restoration areas consisted of similar community types to those being proposed.

3. The resubmittal stated that the method of exotic removal to be treat in place and teepee and log cabin. Please clarify if mechanical means will be utilized within preserves and clarify how stacking methods won't increase the fuel for prescribed burns.

**RESPONSE:** No mechanical removal is proposed or necessary as the majority of the exotics present in the preserves are herbaceous (primarily Caesarweed in the uplands and water hyacinth in the wetlands). Given the lack of woody exotics within the preserves, it is anticipated that the alternative methods of disposal outlined in the IHMP will not need to be utilized. However, the applicant would like to retain those options should they be appropriate in the future. Large bishopwood located in the forested wetlands may be treated in place due to the potential hazard, both to the surrounding vegetation and the contractor, from trying to remove them.

4. Please clarify response to comment number 23 and 27 states "compensating storage/ created wetlands". MCP shows these areas as open space, not created wetland. Please revise MCP and Indigenous Habitat Management Plan.

**RESPONSE:** While not included in the indigenous habitat preserve areas nor within the SFWMD mitigation areas since the ultimate design of these compensating storage areas are unknown at this time as to how much water will be held. Exotic vegetation will be treated within the proposed compensating storage areas should at the time of development order it be determined that they will be wetland creation area.

5. The response provided for the surface water management plan regarding the compensated storage is stating they will be created wetlands, however, the Environmental consultant IHMP does not include created wetlands. Please clarify and consistent through documents.

**RESPONSE:** While not included in the indigenous habitat preserve areas nor within the SFWMD mitigation areas since the ultimate design of these compensating storage areas are unknown at this time as to how much water will be held. Exotic vegetation will be treated within the proposed compensating storage

**areas should at the time of development order it be determined that they will be wetland creation area.**

6. The Protected Species Assessment FLUCCS map and Indigenous Habitat Management Monitoring Plan Map which includes FLUCCS code and acreages are inconsistent. Please clarify that wetlands are not being impacted by creating rare and unique uplands. Also show and call out where impacts are and the acreage.

**RESPONSE:** No wetlands are being impacted to create upland habitats. The only jurisdictional features being impacted are upland cut agricultural ditches which will be returned to their historic surrounding upland grade. Please see the attached Impact and Preserve Overlay Maps.

7. Please provide a document that demonstrates how the applicant will be controlling the hydroperiods and stormwater to show flow patterns of surface water within the site.

**RESPONSE:** Please see attached revised Stormwater Narrative and Conceptual Stormwater Routing Exhibit. The initial control elevations have been established based on field-verified seasonal high-water markers placed in several locations on the site, and the stormwater system proposed as part of the project steps down with the natural grade of the site (north to south, west to east) to allow for a natural passage of flows to the creek. An interconnected pond routing model will be provided which will show a net reduction in overall discharge/runoff rate as well as highlighting the maintenance (or net improvement) of the existing hydroperiods in the post-development condition. The hydraulic capacities of all proposed stormwater conveyance and control elements will also be assessed.

8. The narrative outlines the improvement of wetland hydroperiods within the on-site preserves. The applicant proposes preserving approximately 49 acres of wetlands. Please provide a comparison between the current hydroperiods and the expected conditions after development. Additionally, explain how the preserved areas will be created, restored, or enhanced to improve hydroperiods and support habitats for protected species. This is a repeat comment due to the response. The response referred to Section 3.0 Characterization of Ground and Surface Water Resources Document which is regarding irrigation. Please revise and provide information on pre and post hydroperiods.

**RESPONSE:** Please see attached revised Stormwater Narrative, Conceptual Stormwater Routing Exhibit, and Indigenous Habitat Management Plan. The initial control elevations have been established based on field-verified seasonal high-water markers placed in several locations on the site, and the stormwater system proposed as part of the project steps down with the natural grade of the site (north to south, west to east) to allow for a natural passage of flows to the creek. An interconnected pond routing model will be provided which will show a net reduction in overall discharge/runoff rate as well as highlighting the maintenance (or net improvement) of the existing hydroperiods in the post-development condition. The hydraulic capacities of all proposed stormwater conveyance and control elements will also be assessed.

9. Please provide separate hatching for existing driveways or easements accessing the excluding parcels. These areas can't be included in open space calculations.

**RESPONSE:** Please see revised Master Concept Plan. Separate hatching for existing driveways / easements access to the excluded parcels has been added and these areas are not included in the open space calculations.

10. Please depict where the remaining 10% of required open space on open space exhibit.

**RESPONSE:** As discussed at the meeting with staff on January 22, 2026, Lee Plan Policy 123.2.17 requires, "...a, a minimum of 60% open space is required, of which 50% must be indigenous preserve..." There is no 10% of required open space required.

11. Please provide cross sections for areas intersecting wetlands, flow ways, and restoration/preservation zones. While Sheet 3 of the MCP includes typical roadway cross section, please provide a map indicating where each will be applied. Additionally, please label the cross sections according to each specific scenario.

**RESPONSE:** Please see the latest revised Master Concept Plan with cross sections.

12. Please note indigenous open space minimum dimensions to comply with LDC Section 10-415 (c). Minimum dimensions for indigenous open space are 40 feet in width and 10 feet for open space.

**RESPONSE:** Please see note 7 on the revised MCP. All indigenous open space and open space areas meet the minimum dimensions.

### **Zoning Review – Elizabeth Workman**

1. The compensatory storage areas are being proposed within the Upland Restoration Planting Area and surrounded by Trout Creek. The narrative and the hydrological narrative state that the compensatory storage areas will be Created Wetlands. Revise environmental, hydrological and narrative documents, including all maps, to include details of the Created Wetland areas. Clarify how the compensatory storage fits into the overall surface and groundwater design to benefit the habitat for wildlife.

**RESPONSE:** While not included in the indigenous habitat preserve areas nor within the SFWMD mitigation areas since the ultimate design of these compensating storage areas are unknown at this time as to how much water will be held. Exotic vegetation will be treated within the proposed compensating storage areas should at the time of development order it be determined that they will be wetland creation area. See attached revised Stormwater Narrative and Indigenous Habitat Management Plan.

2. It is unclear if the compensatory storage area (Wetland Creation) will utilize the density incentives. Provide clarification of the preservation, restoration, and creation areas that are utilizing the density incentives.

**RESPONSE:** The compensatory storage areas will not utilize the density incentives. See revised MCP which depicts the areas utilizing the density incentives and the areas ineligible for density incentives. Please see attached revised IHMP, MCP and Impact and Preserve Overlay Maps. The compensatory storage areas are not included in the indigenous habitat preserve areas nor within the SFWMD mitigation areas since the ultimate design of these compensating storage areas are unknown at this time as to how much water will be held. Exotic vegetation will be treated within the proposed compensating storage areas should at the time of development order it be determined that they will be wetland creation area.

3. As previously stated, provide the public information documents.

**RESPONSE:** So Noted. Two Public Information Meetings are to be held and all documents will be provided following completion.

4. Deviation #1 is being requested to provide one access per residential pod. Staff does not support this deviation due to the public health and safety of the future residents. The applicant is proposing roads that cross Trout Creek and FEMA floodways that present hazards internally if the road was impacted. Staff suggests eliminating the eastern residential pod and preserve, restore, or create indigenous areas. Redesign the western residential pod to cluster/varying lots size to move density to the west and provide two access points.

**RESPONSE:** Deviation 1 and the MCP have been revised to allow one access and an emergency only stabilized access is shown to Nickel Trail within TerraWalk in the northwest corner for Parcel A as the Applicant continues to work with the adjacent property owner. One access is still proposed for the much smaller Parcel B. Please see attached revised MCP and revised Schedule of Deviations and Justifications.

5. It is still unclear why lakes that are surrounded by residential development need a 4:1 lake bank slope. The justification focuses on the indigenous which some lakes abut, however Deviation #3 applies to all lakes. Revise.

**RESPONSE:** Please see attached revised Schedule of Deviations and Justifications and lake cross sections. Clustered developments are encouraged in the Lee Plan for the Northeast Lee County and North Olga Community Planning Areas and the reduced slope helps to facilitate the compact development footprint to create more open space preservation areas and wildlife habitat. An increase of 5% above the required littoral plantings will be provided. The alternative is based on sound engineering practices along with the TRM to stabilize the bank.



6. Staff requires a letter from the Fire Marshall for Deviation #1 and #7.

**RESPONSE:**     **The Applicant will continue to work with the adjacent property owner and will provide the letter from the Fire Department prior to finding of sufficiency.**

7. Provide details in the form of cross section and separate narratives regarding the bridge impacts to the wetlands, flowways, preservation, restoration, and creation. Provide how much of an impact the supporting structure proposed to impact the natural areas will impede flow. This deviation will require multiple cross section to support the deviation and coincide with the one access per Deviation #1. They are tied together.

**RESPONSE:**     **Please see attached revised MCP. The applicant will provide additional details or conditions to establish the minimization of impacts to the maximum extent possible.**

**Natural Resources Reviewer – Nicholas DeFilippo**

1. Please revise Table 1 within the Ground and Surface Water Resources Report to indicate a Quarterly Sampling Frequency to align with the sampling frequency outlined in “6.3 Surface Water Quality Monitoring” section of the Report.

**RESPONSE:**     **Table 1 within the Ground and Surface Water Resources Report has been revised to indicate a Quarterly Sampling Frequency.**

2. Please revise the Ground and Surface Water Resources Report to include the following Surface Water Quality Laboratory Parameters:
- Total Nitrogen
  - Nitrite + Nitrate as Nitrogen (NOX)
  - Nitrite
  - Nitrate
  - Total Phosphorus
  - Chloride
  - Total Dissolved Solids
  - Copper
  - Zinc
  - Lead
  - E. coli
  - Total Hardness
  - Biological Oxygen Demand

**RESPONSE:**     **Table 1 has been updated to include all parameters required by County staff.**

3. Who is the responsible maintenance entity for the compensation storage areas depicted on the MCP? How will the maintenance entity access these areas depicted on the MCP? How will the maintenance entity access these areas? Please indicate access easement on the MCP as they have potential to impact restoration areas.

**RESPONSE:** Please see attached revised Stormwater Narrative. The maintenance entity will be either a CDD, POA or HOA. The MCP has been revised to relocate the compensatory storage areas and demonstrates the 20' access easements which are excluded from the restoration areas.

4. Please revise the Water Quality Monitoring to indicate that the "After five years of meeting/exceeding State surface water quality standards, the Developer may amend water quality monitoring and reporting after written request, review, and approval by Division of Natural Resources."

**RESPONSE:** The Characterization of Ground and Surface Water Resources has been updated to include the statement that "After five years of meeting / exceeding State surface water quality standards, the Developer may amend water quality monitoring and reporting after written request, review and approval by Division of Natural Resources."

5. Please provide a cross section at the proposed Trout Creek bridge crossing location demonstrating how County will be able to access the drainage and access easements.

**RESPONSE:** The County will be able to access the drainage and access easement through the lake maintenance easement. A cross section for the proposed Trout Creek bridge crossing has been included in the Master Concept Plan exhibit package.

6. Please provide at a 20ft drainage and access easement along Trout Creek. The width and winding nature of the Creek in this location will not allow maintenance vehicles to navigate within the proposed 10ft drainage and access easement.

**RESPONSE:** Please see attached revised MCP and revised Schedule of Deviations and Justifications. A 20-ft drainage and access easement has been provided along one side of Trout Creek.

7. Please revise the "6.4 Groundwater Level Monitoring" section of the Ground and Surface Water Report to indicate that the Sandstone Aquifer monitoring wells will be equipped with electronic water level transducers programmed to record data every six hours.

**RESPONSE:** Section 6.4 of The Characterization of Ground and Surface Water Resources report has been updated to indicate that the Sandstone Aquifer monitoring wells will be equipped with electronic water level transducers programmed to record data every six hours.

8. The only proposed access to Development Pod A requires a bridge to be constructed over Trout Creek. Will the bridge be designed to accommodate construction equipment? Will the bridge receive

a CC prior to commencement of construction within the remainder of Pod A? How will the developer access Pod A during construction? Staff is asking because of potential impacts to FEMA Floodway.

**RESPONSE:** The bridge will be designed to accommodate construction equipment. The bridge will not receive CC prior to commencement, but will be constructed to accommodate construction equipment prior to commencement of construction within the remainder of Pod A. The Applicant proposes the following condition: Construction may not commence northwest of Trout Creek until a temporary Certification of Completion is provided demonstrating compliance with design criteria to accommodate construction equipment.

#### **Planning Review – Katherine Burgess**

1. The Armeda RPD must stay consistent with the proposed CPA, as changes to the CPA may necessitate changes to the rezone. Planning may add additional comments to the RPD as the CPA progresses.

**RESPONSE:** So Noted.

2. Planning will not find the proposed RPD sufficient until the CPA has been found sufficient.

**RESPONSE:** So Noted.

Thank you in advance for your consideration of the above information. Please contact me directly at [pmurray@rviplanning.com](mailto:pmurray@rviplanning.com) if you have any questions or require additional information.

Sincerely,

**Patrick Murray, AICP**  
Project Manager





# ARMEDA PROPERTY RPD

## Narrative of Request

DCI2025-00019 – Revised February 2026

### Introduction/Request

The applicant, Forestar (USA) Real Estate Group Inc., requests to rezone the subject 561.63± acres from Agricultural (AG-2) to Residential Planned Development (RPD) to allow for the development of a clustered residential community containing a maximum of 737 single-family dwelling units, private, on-site recreation facilities and supportive infrastructure while providing for significant environmental, storm water and water quality enhancements. The maximum building height is 35 feet. The site will connect to centralized water and sewer services.

The Armeda Property is 561.63± acres consisting of seven parcels located east and west of Armeda Road on the north side of North River Road slightly under a mile east of its intersection with Babcock Ranch Road/SR 31. The Property lies within the North Olga Community Plan Area of the Northeast Lee County Community Plan Area. The property is zoned Agricultural (AG-2) and is used for agricultural pasture/grazing purposes.



Figure 1. Subject Property

There is a concurrent Comprehensive Plan Map amendment under concurrent review associated with this application to change the future land use (FLU) map designation (Lee Plan Map 1-A) from Density Reduction Groundwater Resources (DR/GR) to Rural FLU and add the property to the Lee County Utilities, Future Water Service Areas Map (Map 4A) and Future Sewer Service Areas Map (Map 4B).

The request proposes to utilize "Rare and Unique" (as defined in the Lee Plan) and other habitat incentives in the Lee Plan's Conservation and Coastal Management Element Policy 123.2.17, in addition to the base density allowed on the property to achieve the proposed density of 1.31± du/ac.

The following summarizes benefits that will be accomplished by approval of this application:

1. Provide a connection between adjacent preserves that will continue the environmental preservation and enhanced drainage ways that will be improved by reduced runoff rate and reduced nutrient runoff.
2. Amendment will result in clustered development as encouraged in this area as demonstrated by the proposed Master Concept Plan with the concurrent residential planned development application.
3. Provide Wetland Protection and Enhancements including exotic removal and maintenance and restoration areas.
4. 268± acres (47% of property) placed into conservation easement including portions of Trout Creek flow-way.
5. 200± acre onsite wildlife corridor connection to portions of Trout Creek located on adjacent preservation lands on Babcock Ranch MPD that connect to Telegraph Creek and Bob Janes Preserves to the east (see Figure 2 on following page and Indigenous Habitat Management Plan Figure 1. Trout Creek Wildlife Corridor Map).
6. Connection to adjacent preservation lands to north, south, east and west
7. Wildlife management and co-existence plans
8. Minimum 60% open space (336± acres)
9. Preserve 48± acres of wetlands
10. Surface and Ground Water Monitoring
11. Remove potential for up to 53 private septic tanks and wells
12. Removal of cattle grazing will significantly reduce onsite nutrient generation adjacent to the Trout Creek flow-way
13. Additional 50% water quality treatment
14. Reduced rate of run-off and associated nutrient loads
15. Stormwater enhancements
16. Green infrastructure
17. Connection to privately funded expansion of water and sewer to the area by others (as encouraged/anticipated by existing Lee Plan policies)
18. Minimum 30 foot tract setback and 40 foot perimeter principal building setback
19. Provision for payment in lieu of multi-use path along North River Road since it will be located along the south side
20. Protect existing groundwater levels and improve existing wetland hydroperiods in onsite preserve areas
21. Provide Rare and Unique Upland habitat preservation (38± acres) and restoration (142± acres)
22. Preservation to maximum extent possible of historic flow-way associated with Trout Creek and associated wetlands



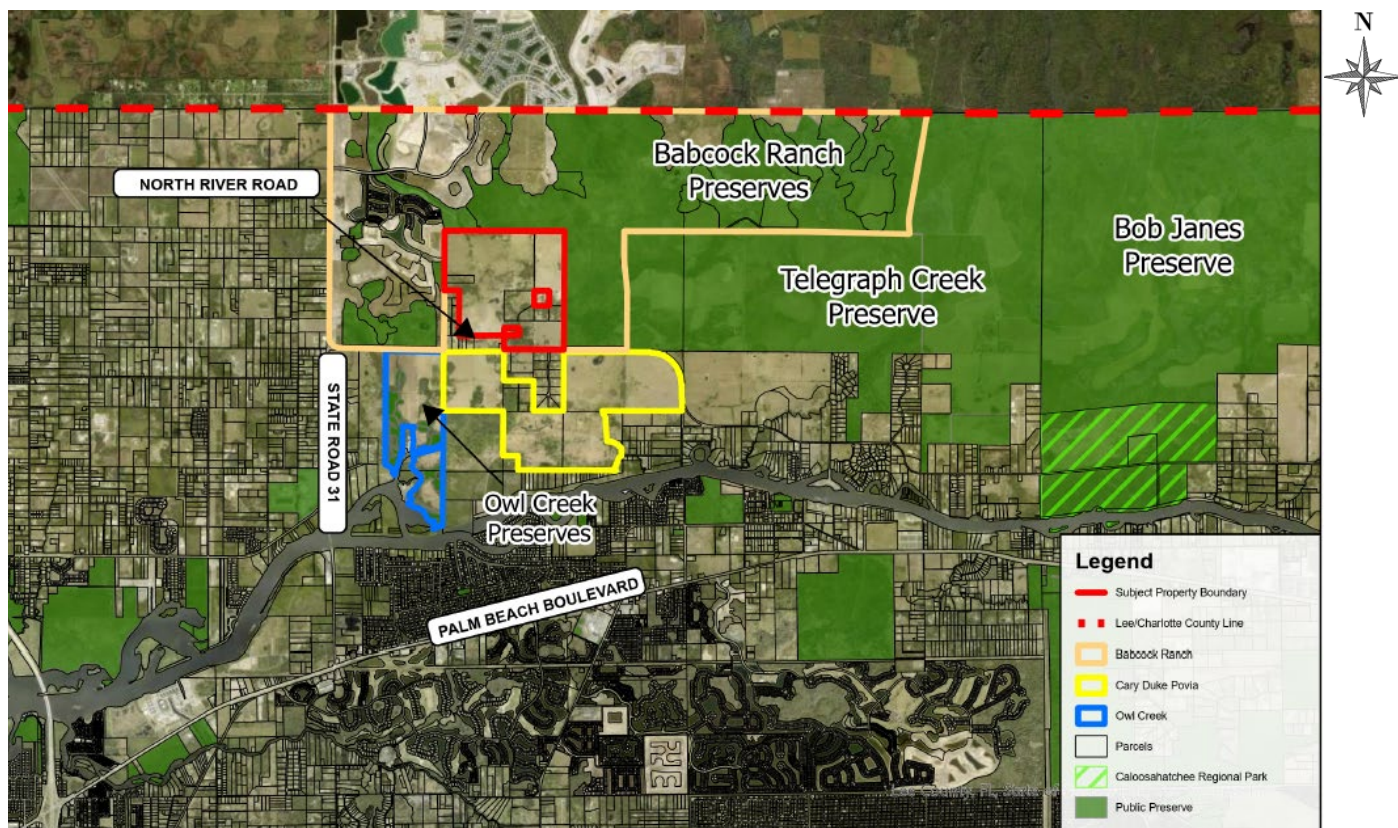


Figure 2. Adjacent Private and Public Preserves

## Background

### *Subject Property*

The Armeda property is located in an evolving and transitional area that has been establishing clustered developments while providing extensive wetland, upland and rare and unique upland, and flow-way preservation areas with environmental stewardship while proactively and appropriately planning for future growth within the area consistent with the Northeast Lee County and North Olga Community Planning areas. The properties to the west, north and east were redesignated from DR/GR to New Community FLU to facilitate the Babcock Ranch Mixed Use Planned Development which is approved for 2,078 dwelling units, 250 hotel rooms and 1,170,000 square feet of commercial and retail uses. Ordinance 23-03 was adopted for the Greenwell SR 31 future land use amendment which redesignated approximately 265 acres along Babcock Ranch Road/SR 31 south of its intersection with North River Road from Rural and Wetlands to Outlying Suburban future land use category which transitioned a future non-urban area to a future suburban area, tripling the allowable density.

The property is the last large contiguous land assemblage under common ownership in the area. This project demonstrates compatibility with Northeast Lee County Community Plan Objective 27.1 and Policy 27.1.1 and North Olga Community Plan Policy 29.1.1, allowing for significant wetland and rare and unique habitat restoration and preservation including natural waterways. This is achieved by clustering the residential development with large open spaces and protecting natural resources.

The Armeda property consists of existing grazing lands, two single-family homes, and natural areas, including portions of Trout Creek. Based on a review of historic aerial photography, the property had largely been converted to agricultural uses prior to 1953. Additional clearing and conversion to pasture occurred between 1953 and 1979.

#### *West*

The property immediately adjacent to the west of the northern ½ of the property is within the New Community FLU category, zoned Mixed Use Planned Development (MPD) and consists of the Babcock Ranch community. The zoning on the property was recently amended by zoning resolution Z-25-004 which increased the number of dwelling units, reduced the number of hotel units, and increased on-site wetland and upland preservation areas. The MPD approval allows for 2,078 dwelling units, 250 hotel rooms and 1,170,000 square feet of commercial and retail uses. The common property line is has residential development abutting the northern portion and private preservation areas along the southern portion as identified on the MCP.

The property immediately adjacent to the west of the southern ½ of the property is within the DR/GR FLU category, zoned AG-2, and developed with large lot single-family residential with agricultural uses along Turkey Run Lane.

#### *North*

Property to the north is within the New Community FLU category, zoned Mixed Use Planned Development (MPD) and consists of Babcock Ranch private preservation areas.

#### *East*

The properties adjacent to the east are also within the New Community FLU category, zoned Mixed Use Planned Development (MPD) and consists of Babcock Ranch private preservation areas.

#### *South*

Properties adjacent to the south along the western portion of the subject property are within the DR/GR FLU category with the western 3 parcels zoned Mobile Home Residential District (MH-1) and developed with large lot single-family residential. To the east of these lots is also within the DR/GR FLU category, zoned AG-2 and developed with large lot single family and agricultural uses. These parcels are under the same ownership as the western excluded parcel shown in Figure 1 that is also within the DR/GR, zoned AG-2 and developed with agricultural uses consisting of an orange grove.

Adjacent to the south along the eastern portion of the subject property, identified as Parcel B on the MCP, is North River Road, a 2-lane county maintained arterial roadway then property within the Rural FLU category, zoned AG-2 and developed with large lot single-family homes. The intersection of Serenoa Court is across North River Road centered on subject Parcel B's frontage.

### *Southwest*

To the southwest of the subject property is the northwest portion of Cary Duke Povia RPD, 788.96± acres approved by zoning resolution Z-24-024 which allows up to 1,099 dwelling units consisting of single-family and two-family attached dwellings and amenities. This development utilized the same density incentives provided in Policy 123.2.17 which resulted in 420.2 acres of indigenous open space including 328.72 acres of preserved, restored or created rare and unique upland habitat.

West of this area is Owl Creek RPD, 342.68± acres approved by zoning resolution Z-22-022 which allows up to 380 dwelling units consisting of single-family and two-family attached dwellings, a 96-multi-slip docking facility and amenities. This development also used the same density incentives provided in Policy 123.2.17 which resulted in 168.41 acres of indigenous open space and 1.62 acres of upland restoration including 56.24 acres of preserved or restored rare and unique upland habitat.

### *Excluded Parcels*

There are two parcels shown in Figure 1 that are within the overall boundary that are not included in the application. The western excluded parcel identified in Figure 1 is within the DR/GR FLU category, zoned AG-2 and is developed with an existing agricultural operation. The eastern excluded parcel identified in Figure 1 is within the DR/GR FLU, zoned AG-2 and developed with a single-family residence accessed from Armeda Road within a 30-foot easement.

## **Land Development Code Analysis**

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.1 as follows:

### *a. Complies with the Lee Plan;*

The request complies with the Lee Plan as demonstrated in analysis beginning on page 7.

### *b. Meets this Code and other applicable County regulations or qualifies for deviations;*

The proposed RPD is in compliance with the Lee Plan, the Land Development Code and any other applicable County regulations or qualifies for deviations.

### *c. Is compatible with existing and planned uses in the surrounding area;*

The proposed rezoning is compatible with existing and planned uses in the surrounding area. The project's residential uses will be clustered inside the property with enhanced setbacks to adjacent uses and properties. The project's open spaces and preservation areas complement and enhance adjacent existing public and private preserve areas. The site proposes a minimum of 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The provided property development regulations require a minimum perimeter setback of 50 feet adjacent to large lot residential, agricultural uses and North River Road and 30 feet for tracts/40 feet for principal structures abutting all other areas. Although single-family does not require buffers for the private preserves, agricultural and

single-family uses surrounding the site, the proposed Master Concept Plan (MCP) proposes preservation areas which will be supplemented if necessary to ensure minimum 30-foot Type "F" buffer containing 10 trees per 100 linear feet and a double-staggered hedge row are provided adjacent to large lot residential or agricultural areas, except where abutting Trout Creek or natural waterway buffer. Minimum 50-foot wide preservation areas are provided along North River Road, exceeding the 25-foot buffer requirement found in LDC Section 33-1673, therefore a deviation is requested to allow these areas to serve as the natural buffer, thereby preserving the rural character in its existing state as intended by this section of the LDC. Supplemental plantings will be provided at the time of DO review, if for any reason the existing vegetation does not meet or exceed the LDC's planting requirements. There are two parcels shown in Figure 1 that are within the overall boundary that are not included in the application. The western excluded parcel is an existing agricultural operation, and the eastern excluded parcel is an existing single-family residence accessed from Armeda Road. Armeda Road will remain as a residential driveway within the existing 30-foot ingress and egress easement and the site will be surrounded by the proposed preservation areas conditioned to meet the Type "F" buffer as described. The northwest corner of the site where the secondary emergency access connection is proposed will provide a 30-foot Type "F" buffer or a 15-foot Type "C" buffer.

*d. Will provide access sufficient to support the proposed development intensity;*

Please see the Traffic Impact Statement submitted with the application. This analysis demonstrates that the roadway links analyzed will not be adversely impacted as a result of the rezoning request. All roadway segments analyzed will maintain the minimum recommended Level of Service. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic generated by the request.

*e. The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;*

Please see Traffic Impact Statement provided with the application. The expected impacts will be addressed by existing County regulations by payment of impact fees.

*f. Will not adversely affect environmentally critical or sensitive areas and natural resources; and*

The proposed rezoning will not adversely affect environmentally critical or sensitive areas and will provide further enhancements. The submitted environmental reports demonstrate the existing condition and location of environmentally sensitive areas of the site. The site has been significantly impacted from decades of agricultural use. Portions of Trout Creek and its associated wetlands and flow-way bifurcate the property and will be preserved to the maximum extent possible. Minimal impacts limited to providing access to the northwestern development area will be mitigated with compensating storage. The onsite preserves along Trout Creek will provide further enhancements



upstream of the Cary Duke Povia RPD and Owl Creek RPD preserves south of North River Road proximate to the Caloosahatchee River which implement and further the County's long-term goals of protecting groundwater and improving surface water management in northern Lee County. The proposed MCP provides significant preservation, creation and restoration of uplands, including rare and unique uplands, and wetland preservation. The Lee Plan requires 60% open space with 50% indigenous which is met as demonstrated on the Master Concept Plan. The MCP provides the required minimum 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek and associated flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat.

*g. Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.*

Although the subject property is not located within a Future Urban area, it will be served by adequate urban services. Letters of service availability from Lee County Utilities for water and sewer, Lee County EMS, Lee County Sheriff's Office, Lee Tran, The School District of Lee County and Lee County Solid Waste are included with this application and indicate adequate services will be provided. Lee County EMS has indicated that there is one ambulance located 5.3 miles from the proposed project location and a second 5.6 miles away and that EMS service availability for the location provided is adequate at this time. Lee County Sheriff's Office will provide law enforcement services from their 1<sup>st</sup> Precinct office in North Fort Myers.

*2. Planned Development Rezonings. The Hearing Examiner must also find:*

*a) The proposed use or mix of uses is appropriate at the proposed location;*

*b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.*

*c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:*

*1) Enhances the achievement of the objectives of the planned development; and*

*2) Protects the public health, safety and welfare.*

The proposed single-family residential and associated uses proposed are appropriate at the subject location. The applicant will work with staff to establish proposed conditions that will require the proposed development to be consistent with the proposed Master Concept Plan and will include several stringent requirements that provide sufficient safeguards to the public interest and are reasonable related to any potential impacts on the public's interest expected from the proposed development and result in a high-quality clustered development providing for significant environmental, storm water and ground water enhancements as part of development of the clustered residential development. The requested deviations enhance the achievement of the objectives of the planned development and protect the public health, safety and welfare.



## Comprehensive Plan Consistency Analysis

The following is an analysis of the RPD's consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

### FUTURE LAND USE

***POLICY 1.4.1: The Rural future land use category are areas that are to remain predominantly rural – that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. Natural resource extraction may be permitted in accordance with Policy 10.1.4. These areas are not to be programmed to receive urban-type capital improvements, and they can anticipate a continued level of public services below that of the urban areas. Maximum density in the Rural future land use category is one dwelling unit per acre (1 du/acre). See Policy 123.2.17 for a potential density incentive resulting from preservation and/or restoration of Rare and Unique Upland Habitat.***

***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 subject property is within the Rural FLU category, pending approval of the concurrent future land use map amendment. The request is limited to a low residential density at 1.31± du/acre which is consistent with a base density of 1 du/acre, including preserved wetlands pursuant to Table 1(a) Note 8, and additional dwelling units generated through the preservation, restoration, and creation of rare and unique uplands, as incentivized by Policy 123.2.17. Minimal impacted wetlands utilize a density calculation of 1 du/20 acres. The proposed density of 1.31± du/acre is consistent with a base density of 1 du/acre and additional density incentive dwelling units generated through the proposed rare and unique upland preserves. The attached preliminary density calculations identify how dwelling units are generated in more detail. Therefore, the proposed clustered RPD with single-family and associated uses and proposed density are consistent with Policies 1.4.1 and 1.5.1.

***POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:***

- 1. For each Planning District the County will maintain a parcel based database of existing land use.***
- 2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No***

***development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning District.***

- 3. When updating the Lee Plan's planning horizon, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted.***

Lee Plan Policy 1.6.5 establishes the Planning Communities Map and Acreage Allocation Table 1(b). The Rural FLU has 2,230 acres allocated for residential development within the Northeast Lee County Planning Community with 1,838 acres existing. There are 392 acres remaining to be developed as residential which accommodates the subject request which includes 151± acres of residential area. The requested rezoning is consistent with Policy 1.6.5.

## **GROWTH MANAGEMENT**

***OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are bypassed in favor of development more distant from services and existing communities.***

The Armeda Property is located in a transitioning area as evidenced by changes to the Lee Plan for New Community FLU and the shift of 265 acres from future non-urban to future suburban area and tripling allowable density at southeast intersection of Babcock Ranch Road/SR 31 and North River Road, the incentivized clustered Owl Creek RPD and Cary Duke Povia RPD development approvals which included privately funded utility expansion to the area, minimizing the public cost of services. The proposed MCP promotes a contiguous and compact growth pattern by providing additional preservation areas connecting to the approved Babcock Ranch MPD to the west, north and east and the Owl Creek RPD and Cary Duke Povia RPD approvals proximate to the Caloosahatchee River to the south, extending the conservation of land and natural resources required in the North Olga Community Plan. The proposed project does not constitute urban sprawl which is defined in the Lee Plan Glossary as "The uncontrolled, premature, or untimely expansion and spreading out of urban levels of density or intensity into outlying non-urban areas." The subject property represents the last large, contiguous land assemblage under common ownership in this portion of the County. This creates an opportunity to provide a clustered development pattern consistent with the Lee Plan's goals for sustainable growth and environmental protection. The RPD will be conditioned to be consistent with the proposed MCP which provides a minimum 60 percent open space and compact development footprint to ensure compliance with the North Olga Community Plan and compliance with the goals, objectives policies, and standards of the Lee Plan. The proposed RPD is consistent with Objective 2.1

**OBJECTIVE 2.2: DEVELOPMENT TIMING.** *Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and § 163.3180, Fla. Stat. and the concurrency requirements in the LDC.*

**POLICY 2.2.1:** *Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.*

The proposed RPD will be served by adequate public facilities. Letters of service availability from Lee County Utilities for water and sewer, Lee County EMS, Lee County Sheriff's Office, Lee Tran, The School District of Lee County and Lee County Solid Waste are included with this application and indicate adequate services will be provided. Lee County EMS has indicated that there is one ambulance located 5.3 miles from the proposed project location and a second 5.6 miles away and that EMS service availability for the location provided is adequate at this time. Lee County Sheriff's Office will provide law enforcement services from their 1<sup>st</sup> Precinct office in North Fort Myers. The subject property is contiguous to developed or developing properties in the Northeast Lee County community, representing compact and contiguous development patterns. The proposed RPD will be conditioned to be consistent with the proposed MCP and property development regulations requiring setbacks, preservation areas and buffers ensuring compatibility with surrounding land uses. The connection to public water and sewer facilities will prevent additional private wells and septic systems providing a significant benefit to water quality and natural resource areas in North Olga along portions of Trout Creek and proximate to the Caloosahatchee River and will provide less drawdown on the groundwater resources providing further protections to the public health, safety, and welfare. The proposed RPD is consistent with Objective 2.2 and Policy 2.2.1.

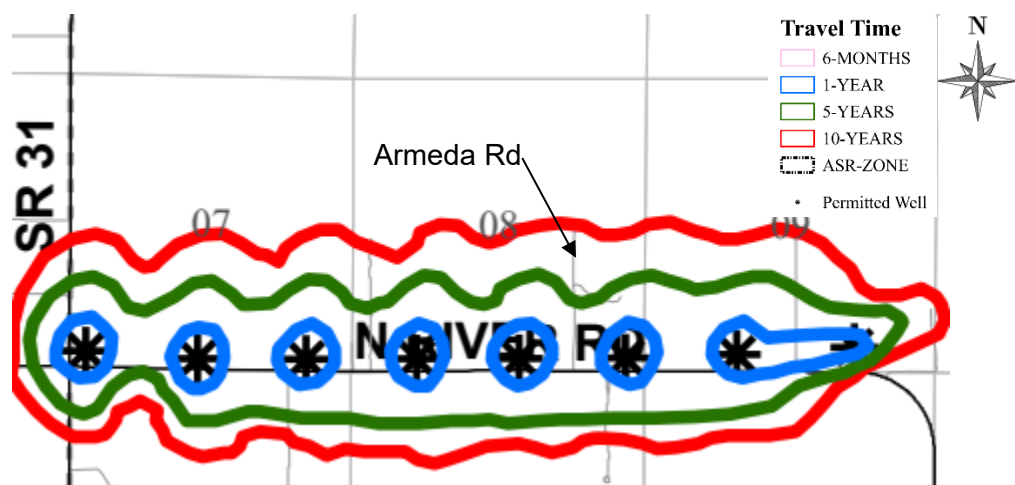


Figure 3. Wellfield Protection Zones

**OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS.** *Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.*

**STANDARD 4.1.1: WATER.**

**1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a “community” water system as that is defined by Fla. Admin. Code R. 62-550).**

Although the request proposes a density below 2.5 dwelling units per acre, the applicant proposes a condition of approval requiring connection to a public water system, consistent with Policy 123.2.17.3, facilitating benefits to the natural resources in the area. The proposed community design provides for a compact form of development which provides significant preservation, creation and restoration of rare and unique uplands, and wetland preservation while also removing the potential for up to 53 private wells providing less drawdown on the groundwater resources in the area which has portions of the property within the 1-year, 5-year, and 10-year protection zones identified in Lee County’s Wellfield Protection Ordinance as shown in Figure 3.

**3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.**

A letter of availability is provided from Lee County Utilities identifying the facility’s capacity for the development of projected water and sewer demand.

**4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.**

Privately funded waterline extensions by others and if required for this development will be designed to meet minimum fire flows and provide adequate domestic service water flows as required by the Florida Administrative Code.

**6. If a development lies outside any service area as described above, the developer may:**

- **request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;**
- **establish a community water system for the development; or**
- **develop at an intensity that does not require a community water system.**

The concurrent Comprehensive Plan Map amendment with this application includes a request to add the property to the Lee County Utilities, Future Water Service Areas Map (Map 4A). Although the request proposes a density below 2.5 dwelling units per acre, the applicant proposes a condition of approval requiring connection to a public water system, consistent with Policy 123.2.17.3, facilitating benefits to the natural resources in the area. The request is consistent with Standard 4.1.1.

**STANDARD 4.1.2: SEWER.**

***1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.***

Although the request proposes a density below 2.5 dwelling units per acre, the applicant proposes a condition of approval requiring connection to a public sanitary sewer system, consistent with Policy 123.2.17.3, facilitating benefits to the natural resources in the area. The proposed community design provides for a compact form of development which provides significant preservation and restoration of rare and unique uplands and wetland preservation and restoration while also removing the potential for up to 53 private septic systems providing further protection to surface and ground water quality and natural resource areas along portions of Trout Creek and proximate to the Caloosahatchee River. Portions of the property within the 1-year, 5-year, and 10-year protection zones identified in Lee County's Wellfield Protection Ordinance as shown in Figure 3.

***5. If a development lies outside any service area as described above, the developer may:***

- ***request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;***
- ***establish a self-provided sanitary sewer system for the development;***
- ***develop at an intensity that does not require sanitary sewer service; or***
- ***if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.***

The concurrent Comprehensive Plan Map amendment with this application includes a request to add the property to the Lee County Utilities, Future Sewer Service Areas Map (Map 4B). Although the request proposes a density below 2.5 dwelling units per acre, the applicant proposes a condition of approval requiring connection to a public water system, consistent with Policy 123.2.17.3, facilitating benefits to the natural resources in the area. The request is consistent with Standard 4.1.2.

**STANDARD 4.1.4: ENVIRONMENTAL FACTORS.**

***1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District (SFWMD),***



- or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.*
- 2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.*
  - 3. Ensure development minimizes the need for expansion and construction of street and utility improvements.*

Please refer to the submitted environmental reports demonstrating the existing condition and location of environmentally sensitive areas of the site. The site has been significantly impacted from decades of agricultural use. Approval of the requested RPD will include conditions of approval requiring consistency with the proposed MCP which provides significant preservation and restoration of rare and unique uplands and wetland preservation and restoration. The MCP provides a clustered development that is well integrated, properly oriented and functionally related to the natural features of the site. Street and utility improvements are minimized to the maximum extent possible, connecting to privately funded utilities extended to the area by others. The MCP demonstrates 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of the Trout Creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The request is consistent with Standard 4.1.4.

***GOAL 5: RESIDENTIAL LAND USES. To accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.***

***OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.***

***POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments except if located within the Mixed Use Overlay.***

***POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a Planned Development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no***

***adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.***

The Armeda Property is located outside of the Coastal High Hazard Area and has previously been disturbed by decades of agricultural use. The applicant will work with staff to establish proposed conditions that will require the RPD to be consistent with the proposed Master Concept Plan and will include stringent development criteria ensuring the adjusted site design and clustered density development with environmental and water quality enhancements. Conditions will also require 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The property development regulations require a minimum perimeter setback of 50 feet adjacent to large lot residential, agricultural uses and North River Road and 30 feet for tracts/40 feet for principal structures abutting all other areas. Although single-family does not require buffers for the private preserves, agricultural and single-family uses surrounding the site, conditions will require preservation areas which will be supplemented if necessary to ensure minimum 30-foot Type "F" buffer containing 10 trees per 100 linear feet and a double-staggered hedge row are provided adjacent to large lot residential and agricultural areas. Minimum 50-foot wide preservation areas will be provided along North River Road, exceeding the 25-foot buffer requirement. Please refer to the submitted Schedule of Deviations and Justifications for further detail. There are two parcels shown in Figures 1 that are within the overall boundary that are not included in the application. The western excluded parcel is an existing agricultural operation, and the eastern excluded parcel is an existing single-family residence accessed from Armeda Road. Armeda Road will remain as a single-family driveway within the existing 30-foot ingress and egress easement and the site will be surrounded by the proposed preservation areas conditioned to meet the Type "F" buffer as described. The northwest corner of the site where the secondary emergency access connection is proposed will provide a 30-foot Type "F" buffer or a 15-foot Type "C" buffer. The request will be consistent with Goal 5, Objective 5.1, Policies 5.1.1 and 5.1.5.

***POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design.***

The request is consistent with Policies 5.1.6 as it is a clustered single-family development. The RPD will be conditioned to be consistent with the proposed MCP which demonstrates a clustered development requiring a minimum of 60% open space, extensive preservation areas and onsite private recreation area. These areas are appropriate for the density and design and are functionally related to all dwelling units. No multi-family residential is proposed for the site.

## COMMUNITY PLANNING

**GOAL 27: NORTHEAST LEE COUNTY COMMUNITY PLAN.** *Maintain, enhance, and support the heritage and rural character, natural resources, and agricultural lands. Alva and North Olga will work cooperatively toward this goal through the objectives and policies that follow, and through their individual community plans.*

**27.1: AGRICULTURAL AND RURAL CHARACTER.** *Maintain and enhance the viability of the existing and evolving commercial agricultural operations, preserve open space, and retain the rural character of Northeast Lee County. For the purposes of this objective, rural character is defined as those characteristics that convey a sense of rural lifestyle such as large lots or clustered development, ample views of wooded areas, open spaces, and river fronts, working farms and productive agricultural uses, and the protection of environmentally sensitive lands.*

**POLICY 27.1.1:** *Support the agricultural and rural character within Northeast Lee County by encouraging continued commercial agricultural operations and encourage new development to be clustered to conserve large areas of open lands.*

**POLICY 27.1.5:** *In all discretionary actions, consider the effect on Northeast Lee County's commercial agricultural operations and rural character.*

**POLICY 27.1.6:** *Coordinate planning activities in the Alva and North Olga Community Plan area boundaries to maintain and enhance the rural character, natural resources, agriculture, and connectivity of Northeast Lee County.*

**POLICY 27.1.8:** *The owner or agent of a rezoning or special exception request within the Northeast Lee County Community Plan area must conduct two public information meetings, in accordance with Policies 17.3.3 and 17.3.4, prior to the application being found sufficient. One meeting must be held within the Alva Community Plan area boundary and the other in the North Olga Community Plan area boundary.*

As the last large contiguous land assemblage under common ownership in the area, the proposed MCP preserves large open space areas and retains the rural character by providing clustered development with ample views of wooded areas, open spaces and creek fronts, while balancing the removal of agricultural grazing lands and the enhancement and protection of environmentally sensitive lands, water quality and connectivity. With the residential uses clustered towards the interior of the site, the plan can provide enhanced setbacks and buffers to minimize impact on natural resources and adjacent properties. Open space and preservation areas are designed to complement and enhance adjacent existing and planned preserves. Portions of Trout Creek and its associated

wetlands and flow-way bifurcate the property and will be preserved to the maximum extent possible. Minimal impacts limited to providing access to the northwestern development area will be mitigated with compensating storage as demonstrated on the MCP. The onsite preserves along Trout Creek will provide further enhancements upstream of the Cary Duke Povia RPD and Owl Creek RPD preserves south of North River Road proximate to the Caloosahatchee River which implement and further the County's long-term goals of protecting groundwater and improving surface water management in northern Lee County.

The RPD conditions of approval will require consistency with the proposed MCP requiring these enhancements. Removal of cattle grazing will significantly reduce onsite nutrient generation adjacent to the Trout Creek flow-way. The MCP also requires 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. Without the proposed MPD, the site could be developed with 53 dwelling units without requiring open lands to be preserved. The applicant will schedule the two required Public Information Meetings within Alva and North Olga Community Planning Areas after receiving initial review comments on this application from staff. The requested RPD is consistent with Goal 27, Objective 27.1 and Policies 27.1.1, 27.1.5, 27.1.6 and 27.1.8.

***OBJECTIVE 27.2: RURAL PLANNING TOOLBOX. To develop and further the use of a rural toolbox of incentives, programs, and regulations that enhance and maintain Northeast Lee County's sense of place and provide for the long-term preservation of large tracts of contiguous natural resource and open space areas, while providing the regulatory flexibility needed to support commercial agricultural operations.***

Objective 27.2 and its attendant polices direct Lee County to work with Alva and North Olga to develop and use a rural planning toolbox of incentives, programs and regulations that enhance and maintain the sense of place and provide for long-term preservation of contiguous natural resource and open space areas. The applicant will work with staff to establish proposed conditions of approval that require the RPD to provide long-term preservation areas placed into a conservation easement and consistency with the proposed MCP. The proposed MCP requires 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. Policy 123.2.17 was originally approved by Ordinance 22-25 to provide additional incentives within the North Olga Community Plan area that provided rural planning tools which would result in increased preservation areas and conservation easements. This Policy was then relocated to the current Policy by Ordinance 22-29 to allow the incentive to apply to Rural areas countywide. Approval of the RPD will result in the preservation of natural assets such as facilitating the restoration and connection of portions of the Trout Creek Wildlife Corridors and flow-ways to adjacent preservation areas.

***OBJECTIVE 27.3: NATURAL RESOURCES. To enhance, preserve and protect the physical integrity, ecological standards, and rural character of Northeast Lee County***

***by focusing on: water basins; native vegetation; wildlife habitat and resources; and areas designated for long-term conservation.***

***POLICY 27.3.2: Identify, maintain, and enhance appropriate public access to Northeast Lee County's public lands and surface waters, balanced with new and ongoing efforts to protect and enhance the community's water quality and natural resources.***

Portions of Trout Creek and its associated wetlands and flow-way bifurcate the subject property and will be preserved to the maximum extent possible. These preserves will connect to the Cary Duke Povia RPD and Owl Creek RPD preserves south of North River Road proximate to the Caloosahatchee River. Although there are existing agricultural uses of cattle grazing on site, the applicant proposes a condition of approval that requires connection to public water and sewer and will require consistency with the MCP which preserves large open space areas and clustered development with ample views of wooded areas, open spaces and creek fronts, while balancing the removal of agricultural grazing lands and the enhancement and protection of environmentally sensitive lands, flow-ways and water resources. Removal of cattle grazing will significantly reduce onsite nutrient generation adjacent to the Trout Creek flow-way. The applicant will work with staff to provide conditions of approval including requiring a conservation easement and consistency with the proposed MCP which provides preservation and restoration of habitats including native vegetation in the form of rare and unique upland habitat and long-term conservation resulting in 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The request is consistent with Objective 27.3 and Policy 27.3.2 by balancing efforts to protect and enhance the community's water quality.

***OBJECTIVE 27.4: CONNECTIVITY. Enhance and maintain high levels of connectivity across the Northeast Lee County Planning Community.***

***POLICY 27.4.1: Work to preserve the rural character and scenic qualities of North River Road, and support multiple modes of travel for residents, businesses, visitors, and commercial agriculture within Northeast Lee County. Implementation of this policy will not impact the function or operation of agricultural lands within the Planning Community for the purposes of scenic preservation.***

***POLICY 27.4.2: Plan and implement alternatives to roadways (e.g., greenways, blueways, equestrian trails, and other pedestrian pathways) within Northeast Lee County connecting people to public lands, recreation areas, public facilities, and the rural mixed use villages.***



***POLICY 27.4.3: Proactively plan for wildlife connections within Northeast Lee County that support habitat needs of native animals on public lands and waters.***

***POLICY 27.4.4: Evaluate funding opportunities and feasibility of creating a multipurpose path to run the entire length of North River Road.***

The proposed RPD will be conditioned to be consistent with the MCP and property development regulations which require buffering with preservation areas and 50-foot setbacks along North River Road. The onsite preservation areas will provide wildlife connection to portions of Trout Creek located on adjacent preservation lands on Babcock Ranch MPD that connect to Telegraph Creek and Bob Janes Preserves to the east as shown on Figure 2. A condition is proposed for provision for payment in lieu of multi-use path along North River Road since it will be located along the south side. The request is consistent with Objective 27.4 and Policies 27.4.1, 27.4.2, 27.4.3 and 27.4.4.

***GOAL 29: NORTH OLGA COMMUNITY PLAN. Promote and support the unique rural character, heritage, economy, quality of life, and natural resources in the North Olga Community Plan area.***

***OBJECTIVE 29.1: COMMUNITY CHARACTER. To establish comprehensive plan policies, land development regulations, and other planning and development tools to manage future community development in a manner that protects and enhances the rural character and aesthetic appearance of the North Olga Community Plan area, while supporting the continued viability of commercial agricultural businesses.***

***POLICY 29.1.1: Protect the community's rural aesthetic qualities, preserve the natural and historic resources, and support a diverse rural economy by promoting compact or clustered development areas that maintain large, contiguous tracts of open space, while supporting commercial agricultural businesses.***

The proposed RPD is utilizing the planning and development tools in the form of incentives for the protection and enhancement of natural resources including wetlands, flow-ways and rare and unique upland habitat provided in Policy 123.2.17 which were originally established specifically for the North Olga Community Plan area. The request protects and enhances the rural character and aesthetic qualities of the area, preserves and enhances natural resources and promotes clustered development areas that preserves large, contiguous tracts of open space and preservation areas. The applicant will work with staff to provide conditions of approval including requiring a conservation easement and compliance with the MCP which provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. Although there are existing agricultural uses of cattle grazing on site, the RPD proposes to preserve large open space areas by proposing clustered development as demonstrated on the proposed MCP, balancing efforts to protect and enhance the community's water quality. Removal of cattle grazing will significantly reduce onsite nutrient

generation adjacent to the Trout Creek flow-way. The request will also remove the potential for up to 53 private septic tanks and wells on the site. The requested RPD is consistent with Goal 29, Objective 29.1 and Policy 29.1.1.

***OBJECTIVE 29.2: RESIDENTIAL LAND USES. Protect and enhance the rural character of the North Olga Community by evaluating residential development proposals for consistency with the community's rural character and sense of community. Rural character is defined as those characteristics that convey the rural lifestyle such as: large lots or clustered development, ample view of wooded areas, open spaces, and river fronts, working farms, productive agricultural uses, and the protection of environmentally sensitive lands.***

***POLICY 29.2.1: Proposed planned developments will be encouraged to provide a mix of unit types and flexible lot sizes to allow for clustering, affordability, preservation of open space, natural assets, and diversity of choice within the community.***

***POLICY 29.2.2: Proposed residential development adjacent to an existing large lot residential area or commercial agriculture business will provide appropriate separation, such as a minimum lot size of one unit per acre for lots abutting the perimeter of property line(s). For the purposes of this policy, large lot residential uses are defined as those residential uses with lot sizes equal to or greater than one acre.***

***POLICY 29.2.3: Encourage proposed planned developments to provide community gardens to allow for social, recreational and education activities for the residents of the planned development.***

The proposed MCP demonstrates a clustered development with ample views of wooded areas, open spaces and creek fronts and will allow for the enhancement of environmentally sensitive lands including the Trout Creek flow-way, wetlands and rare and unique upland habitat. The applicant will work with staff to provide conditions of approval including requiring a conservation easement and compliance with the MCP and property development regulations. The RPD provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The property development regulations require a minimum perimeter setback of 50 feet adjacent to large lot residential, agricultural uses and North River Road and 30 feet for tracts/40 feet for principal structures abutting all other areas. Although single-family does not require buffers for the uses surrounding the site, the MCP provides preservation areas which will be supplemented if necessary to ensure minimum 30-foot Type "F" buffer containing 10 trees per 100 linear feet and a double-staggered hedge row are provided adjacent to large lot residential and agricultural uses which provides appropriate separation without providing one acre lot sizes. Community gardens are included in the schedule of uses. The RPD is consistent with Objective 29.2 and Policies 29.2.1, 29.2.2 and 29.2.3.

***OBJECTIVE 29.7: CONSERVATION. Preserve, protect, and, where possible, enhance the physical integrity, rural character, ecological values, and natural beauty of the North Olga Community Plan area, focusing upon the Caloosahatchee River, native vegetation, wildlife resources, and areas designated for long-term conservation.***

***POLICY 29.7.2: Encourage future development to maintain on-site native vegetation communities.***

***POLICY 29.7.3: Proposed planned developments will consider the incorporation of "Firewise" principles in site design, including building orientation, access management, landscaping type and placement. For the purposes of this policy, Firewise principles are those guidelines developed by the National Fire Protection Association to mitigate the risk of wildland fire to homes in the wildland/urban interface.***

The site has been significantly impacted from decades of agricultural use. The proposed MCP provides significant preservation and restoration of rare and unique uplands and wetland preservation and restoration. Removal of cattle grazing will significantly reduce onsite nutrient generation adjacent to the Trout Creek flow-way. The applicant will work with staff to provide conditions of approval including requiring a conservation easement and consistency with the MCP. The MCP provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The onsite preserves along Trout Creek will provide further enhancements upstream of the Cary Duke Povia RPD and Owl Creek RPD preserves south of North River Road proximate to the Caloosahatchee River which implement and further the County's long-term goals of protecting groundwater and improving surface water management in northern Lee County. The request also removes the potential for up to 53 private septic tanks and wells. The property development regulations require minimum 30-foot setbacks for indigenous plant communities subject to fire. The RPD is consistent with Objective 29.7 and Policies 29.7.2 and 29.7.3.

## **COMMUNITY FACILITIES AND SERVICES**

***OBJECTIVE 60.1: SURFACE WATER. Develop a surface water management program that is multi-objective in scope, geographically based on basin boundaries, and incorporates the requirements of applicable adopted Basin Management Action Plans.***

***POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater.***

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

A surface water management system is proposed which will provide water quality treatment before discharging into Trout Creek. The proposed MCP provides significant preservation areas which will maintain the existing flow-ways and associated habitats to the maximum extent practicable. The significant benefits to surface and ground water have been outlined throughout the narrative. Please refer to the submitted Conceptual Surface Water Management Plan. The RPD is consistent with Objective 60.1 and Policies 60.1.1 and 60.1.2.

***OBJECTIVE 60.4: INCORPORATION OF NATURAL SYSTEMS INTO THE SURFACE WATER MANAGEMENT SYSTEM: Incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief.***

***POLICY 60.4.2: The County encourages new developments to design their surface water management system to incorporate existing wetland systems.***

The proposed MCP incorporates preservation of portions of Trout Creek and associated floodway and wetlands to the maximum extent practicable. The preserved and restored wetlands, uplands and rare and unique uplands provide for improved water quality and wildlife habitat. The request is consistent with Objective 60.4 and Policy 60.4.2.

***OBJECTIVE 61.3 GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.***

***POLICY 61.3.3 Keep floodways as unobstructed as possible.***

The property includes a portion of the Trout Creek floodway, as shown on the proposed MCP. The proposed site is designed to minimize impact to the maximum extent practicable and allow for unobstructed development adjacent to the Trout Creek floodway through strategic design. The floodway will be enhanced by the removal of exotic vegetation which assists with keeping the floodway as unobstructed as possible. Further, 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. Any potential additional mitigation is to be addressed during the Environmental Resource Permit phase. The request is consistent with Objective 61.3 and Policy 61.3.3.

**CONSERVATION AND COASTAL MANAGEMENT**

***POLICY 123.1.5: Encourage private restoration of natural habitats to support connectivity between public and private conservation and preservation efforts.***

***POLICY 123.2.4: Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.***

***POLICY 123.2.8: Promote the long-term maintenance of natural systems through such instruments as conservation easements, transfer of development rights, restrictive zoning, public acquisition, and appropriate other means.***

***POLICY 123.2.10: Require that development adjacent to aquatic and other nature preserves, wildlife refuges, and recreation areas be designed to protect the natural character and public investment in these areas.***

***POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts, to the maximum extent possible, through conservation and/or site design.***

The site has been significantly impacted from decades of agricultural use. The proposed MCP provides significant preservation and restoration of rare and unique uplands, and wetland preservation and restoration. The applicant will work with staff to provide conditions of approval including requiring a conservation easement and consistency with the MCP. The MCP represents clustered single-family residential dwellings to provide a design that considers the natural character of the adjacent natural preserves and recreation areas. This plan provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The onsite preservation areas will provide wildlife connection to portions of Trout Creek located on adjacent preservation lands on Babcock Ranch MPD that connect to Telegraph Creek and Bob Janes Preserves to the east as shown on Figure 2. The RPD is consistent with Policies 123.1.5, 123.2.4, 123.2.8, 123.2.10 and 123.2.15.

***POLICY 123.2.17: As an incentive to preserve, enhance, and restore indigenous Rare and Unique upland habitat, on land within the Rural future land use category, one (1) additional dwelling unit may be created for each one (1) acre of created, preserved and/or restored indigenous Rare and Unique upland habitat if approved and developed as a unified Planned Development that meets all the following criteria:***

- 1. Development must be a minimum of 10 acres.***
- 2. Development must have direct access to an arterial road.***
- 3. Development must provide connection to public water and sewer services.***
- 4. Development is clustered so as to maintain large, contiguous tracts of open space and protect environmentally sensitive areas. To comply with this criteria, a minimum of 60% open space is required, of which 50% must be indigenous preserve. The indigenous preserve may consist of created or restored wetlands, flowways/creeks, or Rare and Unique upland habitats. Management and monitoring of the indigenous preserve must be in compliance with the indigenous management plan required by the LDC. Monitoring timelines will be***



*extended as needed to assure success criteria established in the indigenous management plan is achieved for at least five consecutive years.*

5. *Creation, preservation, and/or restoration of indigenous Rare and Unique upland habitats, as defined, must meet the following:*
  - a. *The area of the Rare and Unique upland habitats must comply with the minimum dimensions required for indigenous open space areas set forth in the LDC.*
  - b. *The land where creation and/or restoration of indigenous Rare and Unique upland habitats will occur must contain the soil(s) needed to support the establishment and success of the indigenous Rare and Unique upland habitats.*
  - c. *Habitats impacted by logging, drainage, and/or exotic infestation may not count towards the density incentive unless restored to standards established in an approved site-specific ecological restoration plan. The ecological restoration plan must include, at a minimum, a replanting plan, habitat restoration plan, success criteria, and long-term monitoring and maintenance criteria.*
  - d. *A Conservation Easement, to be dedicated to the appropriate maintenance entity that provides Lee County or some other public agency, acceptable to Lee County, with third party enforcement rights must be recorded for areas used towards the density incentive. All Conservation Easements required as part of the Planned Development must be recorded within 5 years from first development order approval.*

The MCP provides preservation and restoration of rare and unique uplands as incentivized by Policy 123.2.17. The subject property exceeds the minimum 10 acres, has direct access to North River Road which is an arterial roadway. The applicant will work with staff to provide conditions of approval including requiring connection to public water and sewer as described throughout this narrative, requiring a conservation easement and consistency with the MCP. The MCP provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. Although only 50% or 168.49± acres of indigenous preserve would be required, conditions of approval will require 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of preserved or restored wetlands, 8± acres of preserved surface waters, 180± acres of preserved or restored rare and unique upland habitat, and 34± acres of upland restoration. The conditions will also ensure that management and monitoring of the preserve will be provided consistent with this Policy and the LDC. The proposed rare and unique uplands meet the minimum dimensions required for indigenous open space areas and contain soils needed to support establishment and success. The RPD is consistent with Policy 123.2.7.

***POLICY 124.1.2: The County's wetlands protection regulations will be consistent with the following:***

1. ***The County will not undertake an independent review at the development order stage of the impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD dredge and fill permit or exemption.***

The proposed Development is designed to minimize wetland impacts. As outlined in the base density calculations table, impacted wetlands account for only 5.41± acres of the 561.63-acre site (1% of the site). Environmental Resource Permit will be obtained.

2. ***No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.***

A condition is proposed which requires that construction may not commence until an ERP is obtained to authorize any impacts to wetlands proposed by the MCP.

3. ***Lee County will incorporate the terms and conditions of state permits into County permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.***

Development of the site will comply with all local, state, and federal requirements. It is understood that any violation of the terms and conditions is to be prosecuted through code enforcement procedures.

4. ***Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.***

The proposed MCP demonstrates the clustering of development and the use of reduced lot sizes to allow for the minimization of adverse impacts on wetlands. As a result, wetland impacts have been minimized to the maximum extent practicable in accordance with this policy.

5. ***Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.***

Any potential mitigation will be addressed by the Environmental Resource Permit.

6. ***The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Nonresidential uses on wetlands that have been***

***impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category***

The proposed development calculates allowable density based on 1 du/ac for uplands and preserved wetlands and as mentioned above and throughout the application, a calculation of 1 du/20 acres in all wetlands proposed to be impacted in accordance with Table 1(a).

***POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.***

The application documents include a Groundwater and Surface Water Resource report that outlines the monitoring plan. The monitoring includes surface water quality samples to be collected in accordance with Chapter 62-160, Florida Administrative code and the FDEP's Standard Operating Procedures DEP-SOP-001/01 FQ 100 Field Quality Control Requirements. The request is consistent with Policy 125.1.4.

***POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.***

The applicant will work with staff to establish conditions of approval including the requirement to connect to potable water and sewer, eliminating the potential for 53 private wells and septic systems on the subject property and will require groundwater and surface water monitoring. Removal of cattle grazing will significantly reduce onsite nutrient generation adjacent to the Trout Creek flow-way. Conditions will also require a conservation easement and consistency with the MCP which provides 60 percent/336± acres of open space of which 268± acres will be placed into a conservation easement including portions of Trout creek flow-way. The conservation easement will include 48± acres of wetlands and 180± acres of preserved and restored rare and unique upland habitat. The subject property is included in the 1-year, 5-year, and 10-year protection zones identified in Lee County's Wellfield Protection Ordinance as shown in Figure 3 on page 10. Water quality and groundwater recharge are essential to ensure adequate groundwater levels in this area which has residential and agricultural properties in the area that utilize private wells. Connecting to central water will provide less drawdown on the groundwater resources in this area of the county, which will help protect the County's wellfields and the private systems in the area. The Lee Plan contains numerous provisions intended to protect groundwater levels and quality, including, but not limited to, Goals 63 and 126, Objectives 63.2 and 126.1, and Policy 126.4. Additionally, the subject property is immediately adjacent to Trout Creek which flows south to the Caloosahatchee River. Placement of septic tanks in proximity to surface water bodies such as these has been shown to degrade water quality if not properly maintained. The Lee Plan contains numerous provisions intended to protect or enhance surface water quality. As discussed throughout this report, approval of the request will result in improvements to surface and ground water quality. The requested RPD is consistent with Policy 125.1.2.

***POLICY 125.1.8: The County will continue its program of plugging improperly constructed wells which are detrimental to groundwater resources.***

Please see attached Characterization of Ground and Surface Water Resources Report. There is a single Sandstone Aquifer irrigation well that supplied water to the citrus crops that will be canceled upon approval of this project and closed and abandoned prior to commencement of construction. While the existing well is permitted, the request furthers Policy 125.1.8.

***POLICY 126.1.1: Natural water system features which are essential for retention, detention, purification, runoff, recharge, and maintenance of stream flows and groundwater levels shall be identified, protected, and managed.***

The Property includes a portion of the Trout Creek floodway and associated wetlands and uplands, the limits of which is shown on the proposed MCP. Only minimal impacts are proposed to provide the bridge road crossing. The request will result in these critical areas being enhanced with exotic vegetation removal. The Surface Water Management System will be designed to maintain existing off-site flows. The request is consistent with Policy 126.1.1.

***POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.***

The development's proposed stormwater management system will provide water quality and water quantity improvements. The system will be designed so that a sufficient flow of water to retain the existing hydroperiods is maintained to the greatest extent possible. The attached Stormwater Narrative demonstrates that existing off-site flows will be maintained. This document outlines SFWMD's new Water quality Rules, and Stormwater Management systems are to be designed to provide the required level of pollutant load reductions. The application documents include a Groundwater and Surface Water Resource report that outlines the surface and groundwater monitoring plan. The request is consistent with Policy 126.1.4.

## **CONCLUSIONS**

The rezoning request is consistent with and in furtherance of the intent of the Lee Plan and the LDC as discussed in this analysis. The Armeda Property RPD represents an opportunity to utilize the established incentivizes which result in the preservation of significant on-site natural resources such as Trout Creek and associated wetlands and flow-way and rare and unique upland habitat on the property by providing a clustered development.

In conclusion, the requested rezoning from Agricultural (AG-2) to the Armeda Property RPD is in compliance with the Lee Plan, the Land Development Code with approval of the requested deviations, and other applicable codes and regulations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; efficiently uses and will be served by existing urban services, defined in the Lee

Plan. The proposed use or mix of uses is appropriate at the proposed location; proposed conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development. The requested deviations enhance the achievement of the objectives of the planned development and protect the public health, safety and welfare. For these reasons, the applicant respectfully submits that the requested rezoning to RPD should be approved.





# ARMEDA PROPERTY RPD

## Schedule of Deviations and Justifications

DCI2025-00019 – Revised February 2026

**Deviation (1) from LDC §10-291(3) which requires residential developments of more than five acres to provide more than one means of ingress and egress for the development, to allow one access point and a secondary emergency only access point for Parcel A and one access point to Parcel B.**

**JUSTIFICATION:** The RPD will include a total of two (2) access points from North River Road. The western-most pod (Parcel A) consisting of approximately 493 acres and 648± units will only have one (1) point of ingress/egress from North River Road and a secondary emergency only stabilized access point to Nickel Trail within TerraWalk adjacent to the northwest corner of the project. This connection point will be designed with a breakaway wall/Knox Box and stabilized sod to blend with the buffers, while still providing continuous access in the event of an emergency. This emergency access is shown on the MCP and the Applicant will continue to work with the adjacent property owner. The eastern pod (Parcel B) comprises 69+/-acres and only 89± units with only one (1) point of ingress/egress from North River Road which will adequately serve the development. These pods are not proposed to interconnect due to high quality indigenous vegetation areas that intervene the development pods. Parcels A and B are bifurcated by Armada Road's existing 30-foot easement. Existing Armada Road will temporarily continue to provide access to the existing residential units onsite in Parcel B and the farming operations on Parcel A, as well as the excluded single-family parcel until the site is developed. Once the site is developed, Armada Rd will serve as a single-family driveway to the excluded single-family parcel.

The proposed access points are located to maximize preservation and restoration areas along North River Road to uphold the rural character of the corridor. Additionally, the property's limited frontage along North River Road makes additional access points difficult to impossible to accomplish and would create additional deviations for arterial roadway connection separation requirements from other existing driveways.

All access points to North River Road are proposed to be gated and will be required to meet the LDC requirements for the gates. The gate operators will be fitted with EVAC radio systems typical to gated communities and the emergency gate will have a Knox lock attached for first responders to gain access.

The purpose and intent of the Planned Development Districts is to further implement the goals, objectives and policies of the Lee Plan while providing some degree of flexibility in planning and designing developments. Approval of this deviation request will not negatively impact the public health, safety, or welfare as the proposed access points will provide adequate ingress and egress to the Property. The requested deviation enhances the achievement of the objectives of the planned development.

**Deviation (2) from LDC Section 33-1673, which requires new developments with frontage on North River Road to provide a 25-foot-wide right-of-way buffer, planted with native canopy trees, such as Live Oaks and Laurel Oaks, with a minimum height of 14-feet and spaced 25-feet on center; to allow for preservation of “Rare and Unique” uplands along the North River Road frontage where proposed preserve areas abut the right-of-way in Parcel A and exclusion of buffer requirement where Trout Creek and associated natural waterway buffer overlap.**

**JUSTIFICATION:** The MCP demonstrates a mix of native wetland and Rare and Unique Upland Habitat preserve and restoration areas along the portion of the Parcel A boundary that abuts North River Road.

These preserve areas maintain a minimum 50-foot width along the roadway and contains substantial native vegetation, thereby exceeding the 25-foot minimum width of the required North River Road right-of-way buffer.

The proposed native preservation areas will serve as a natural buffer between the roadway and future development within the Parcel A boundary and Parcel B will provide the 25-foot buffer per LDC as part of the rare and unique restoration, thereby preserving the rural character as intended by this section of the LDC. The indigenous habitat management plan will include existing trees or be planted with native canopy trees, such as Live Oaks and Laurel Oaks, with a minimum height of 14-feet and spaced 25-feet on center and will meet or exceed the LDC's planting requirements.

Therefore, the proposed deviation will serve as an enhancement to the project, and to the North Olga community by maintaining the rural character along the roadway. The deviation will continue to protect public health, safety and welfare.

In addition, the request meets the variance criteria set forth in LDC Section 34-145, as required by Lee Plan Policy 29.1.4 as follows:

- a. The property has inherent exceptional conditions, namely the existing native vegetation along portions of the North River Road right-of-way that can provide a mature and natural buffer more consistent with the intent of the Lee Plan, LDC and North Olga Community Plan, when compared to a planted buffer.
- b. These exceptional conditions are not the result of actions of the property owner taken subsequent to the adoption of the ordinance.
- c. The variance requested is the minimum variance that will allow for the native vegetation to be maintained and serve as the required perimeter buffer.
- d. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare and will uphold the community's desire to maintain a heavily vegetated and natural viewshed of the property from abutting roadways.
- e. The variance is consistent with the Lee Plan, and upholds the various Goals, Objectives and Policies that direct developments to preserve native vegetation and incorporate existing native vegetation into the project design.

**Deviation (3) from LDC Section 10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1 slope.**

**JUSTIFICATION:** The Applicant is requesting approval of this deviation in order to accommodate the clustered development, ample views of wooded areas, open spaces, and river fronts, and the protection of environmentally sensitive lands, wildlife connections, encouraged in the Lee Plan Goal 27: Northeast Lee County Community Plan. Compact or clustered development areas that maintain large, contiguous tracts of open space, ample view of wooded areas and river fronts, native vegetation, wildlife resources, and areas designated for long-term conservation are also encouraged in Lee Plan Goal 29: North Olga Community Plan. The requested deviation for the planned stormwater management lake areas on the property will better facilitate the compact development by allowing less area for lakes to allow more area for preservation and wildlife connections. The property preserves to the maximum extent possible on-site wetlands, uplands and the Trout Creek floodway.

As a result, the 4:1 lake bank slope is necessary to accommodate the appropriate lake depth specified in the LDC within the spatial constraints of the subject property. The proposed 4:1 lake bank slope will allow the project to provide for stormwater management lakes on the property in the most efficient manner possible.

A 4:1 lake bank slope has been proven to function as intended by the LDC through appropriate construction standards and lake maintenance measures. Turf reinforcement mats and enhanced herbaceous plantings (5% increase in the number of plants required by code) are proposed to mitigate lake bank erosion in accordance with the slope protection measures set forth in LDC Section 10-329(d)(4). The MCP cross sections also demonstrate lake banks will comply with the littoral shelf code requirements in LDC section 10-418.

This design standard has been successfully implemented throughout Lee County and is accepted by the South Florida Water Management District. Therefore, the requested deviation will continue to protect the public health, safety, and welfare, and will uphold the intent of the LDC. The requested deviation enhances the achievement of the objectives of the planned development.

**Deviation (4) seeks relief from Lee County Land Development Code (LDC) Section 34-2191(5), which allows encroachments into required setbacks for equipment pads of up to 3 feet into a side, rear or waterbody setback, to allow for equipment pads encroachments of up to 4.5 feet into side setbacks.**

**JUSTIFICATION:** The Applicant is requesting approval of this deviation to allow additional design flexibility in the creation of a compact form of development throughout the community. The proposed development seeks to minimize space required for residential development and maximize preserve areas to the greatest degree possible. To advance this goal, the applicant is proposing to encroach an additional 1.5 feet into the side yard setback.

The proposed development will utilize grade level pads only and will not use raised platforms for equipment pads. This code section is intended to apply to raised platforms only. The proposed deviation ensures that setback requirements for these ground level pads is clear and implemented consistently.

These design standards have been successfully implemented in other Lee County Communities and are consistent with the current implementation of this code section. Therefore, approval of this deviation request will not negatively impact the public health, safety, or welfare as the proposed conditions will uphold the intent of the LDC.

**Deviation (5) seeking relief from Lee County Land Development Code (LDC) Section 10-285(a), is WITHDRAWN as it is not necessary.**

**Deviation (6) seeks relief from Lee County Land Development Code (LDC) Section 10-328(a), which requires a 20-foot-wide easement on one side of a watercourse, drainageway, canal, IDD easement, lake, pond or stream, and a 20-foot-wide easement on both sides for canals, lakes, or flow-ways greater than 50 feet wide for maintenance purposes; to allow a 20-foot-wide easement on one side of Trout Creek.**

***JUSTIFICATION:*** The Applicant is seeking approval for a deviation that would allow the 20-foot drainage easement along one side of Trout creek regardless of the width in the northern and southern portions. The easement is provided along both sides where possible north and south of the proposed spine road. This deviation is requested to align with LDC Section 10-416, which prioritizes the retention of native existing vegetation within the 50-foot natural waterway buffer. Additionally, the deviation would support the restoration and preservation of Rare and Unique Upland areas throughout the property, including locations near Trout Creek.

The proposed MCP includes a 20-foot-wide easement at the southern portion of Trout Creek to ensure adequate access and maintenance capabilities. The proposed deviation has been approved throughout the nearby development, and the 20-foot-wide easement on one side has been deemed sufficient to accommodate maintenance activities directly adjacent to the creek. Therefore, approval of this deviation request will not negatively impact the public health, safety, or welfare, as the proposed conditions will uphold the intent of the LDC.

**Deviation (7) seeks relief from Lee County Land Development Code Section 10-296(k)(1), which requires dead-end streets to provide a circular turnaround to allow a dead-end street as shown in the northwest portion of the site on the MCP.**

***JUSTIFICATION:*** The Applicant is requesting approval for a deviation to allow a dead-end street in a specific area of the site. This dead-end, located in the northwest section,

is less than 150-feet long and replaces the need for a cul-de-sac, providing access to about two lots within this part of the development. According to NFPA standards, a turnaround is not required for access to these lots. The short street serves only two units and ensures sufficient access for both residents and emergency vehicles. This dead end street will also end as the emergency only stabilized secondary access for the project.

The requested deviation is internal to the site, supports the goals of the planned development, and will not adversely affect the public health, safety, or welfare of neighboring communities.

**Deviation (8) seeks relief from Lee County Land Development Code Section 10-416(9)(b) from retaining existing native vegetation within the buffer area to allow for the crossing of the natural waterway buffer along Trout Creek.**

**JUSTIFICATION:** The site design has a minimal impact on the natural waterway buffer area along a section of Trout Creek that requires a bridge crossing to provide access for the clustered development in Pod A. Beyond serving the residential portion of the site, the proposed bridge is essential for safer emergency vehicle access and improved pedestrian connectivity, thereby increasing overall safety.

Due to the bifurcation of Trout Creek, the proposed site design enables the development to enhance, restore, and preserve wetlands, uplands, and surface waters, helping to re-establish functional wetland and upland ecosystems. The requested deviation furthers the objectives of the planned development and supports the overarching goal to protect public health, safety, and welfare.

**Deviation (9) seeks relief from Lee County Land Development Code Section 10-291(2) that requires that all development have access to a public or private street designed and constructed to meet the standards of that section, and that any necessary off-site street improvements extend from the project access point to a County or privately maintained street meeting those standards; to allow Armada Rd to remain in its existing condition since it will serve as a single-family driveway at buildout.**

**JUSTIFICATION:** The portion of Armada Road that is to remain will serve three single-family homes (two within the Parcel B project boundary and one excluded parcel) and the existing farming operation on Parcel A until such time as Parcel B is developed. Upon build-out of Parcel B, Armada Road will ultimately function as a single-family driveway serving one external lot located at 19500 Armada Road. The request is for Armada Road to remain in its existing condition while serving the existing site until build-out occurs.

From a health, safety, and welfare perspective, the existing roadway condition is adequate to accommodate the low-volume traffic associated with the existing single-family residential and farming uses. Traffic generated by the proposed development will



not utilize Armada Road, as access to the project will be provided from North River Road at each residential Parcel A to the west and Parcel B to the east. As a result, the Armada Road will not be subjected to increased intensity or frequency of use that would require upgrades to County roadway standards. Upon buildout, Armada Rd will remain as a single-family driveway within its existing 30-foot access easement to service the excluded single-family parcel. The requested deviation furthers the objectives of the planned development and supports the overarching goal to protect public health, safety, and welfare.

**Deviation (10) seeks relief from Lee County Land Development Code Section 10-296(e)3.e.5 which requires non-urban local streets to meet certain design standards; to allow Armada Rd to remain in its existing condition since it will serve as a single-family driveway at buildout.**

**JUSTIFICATION:** The portion of Armada Road that is to remain will serve three single-family homes (two within the Parcel B project boundary and one excluded parcel) and the existing farming operation on Parcel A until such time as Parcel B is developed. Upon build-out of Parcel B, Armada Road will ultimately function as a single-family driveway serving one external lot located at 19500 Armada Road. The request is for Armada Road to remain in its existing condition while serving the existing site until build-out occurs.

From a health, safety, and welfare perspective, the existing roadway condition is adequate to accommodate the low-volume traffic associated with the existing single-family residential and farming uses. Traffic generated by the proposed development will not utilize Armada Road, as access to the project will be provided from North River Road at each residential Parcel A to the west and Parcel B to the east. As a result, the Armada Road will not be subjected to increased intensity or frequency of use that would require upgrades to County roadway standards. Upon buildout, Armada Rd will remain as a single-family driveway within its existing 30-foot access easement to service the excluded single-family parcel. The requested deviation furthers the objectives of the planned development and supports the overarching goal to protect public health, safety, and welfare.

**Deviation (10a) seeks relief from Lee County Land Development Code Section 10-296(e)3.e.5 which requires non-urban local streets to meet certain design standards including closed drainage and 6-foot planting strips; to allow proposed internal privately maintained rights-of-way to be closed drainage with 2-foot planting strip.**

**JUSTIFICATION:** The Applicant is requesting approval of this deviation in order to accommodate the clustered development, ample views of wooded areas, open spaces, and river fronts, and the protection of environmentally sensitive lands, wildlife connections, encouraged in the Lee Plan Goal 27: Northeast Lee County Community Plan. Compact or clustered development areas that maintain large, contiguous tracts of open space, ample view of wooded areas and river fronts, native vegetation, wildlife resources,

and areas designated for long-term conservation are also encouraged in Lee Plan Goal 29: North Olga Community Plan. The requested deviation for the closed drainage internal private right-of-way section will better facilitate the compact development by allowing less area for development to allow more area for preservation and wildlife connections. The property preserves to the maximum extent possible on-site wetlands, uplands and the Trout Creek floodway.

The provided 2-foot planting strip provides adequate separation. The closed drainage system will allow all stormwater collected on site to be conveyed to a network of curbs, gutters, inlets, and pipes that will ensure all runoff will pass through the lakes on site or other stormwater treatment best management practices before ultimately discharging, meaning no runoff will pass through the system untreated. Therefore, the requested deviation will continue to protect the public health, safety, and welfare, and will uphold the intent of the LDC. The requested deviation enhances the achievement of the objectives of the planned development.

**Deviation (11) seeks relief from Lee County Land Development Code Section 10-296(b) Table 2 which requires a minimum right-of-way width for privately maintained local roads of 40 feet; to allow Armada Rd's 30' access easement to remain in its current configuration since it will serve as a single-family driveway at buildout.**

**JUSTIFICATION:** The portion of Armada Road that is to remain will serve three single-family homes (two within the Parcel B project boundary and one excluded parcel) and the existing farming operation on Parcel A until such time as Parcel B is developed. Upon build-out of Parcel B, Armada Road will ultimately function as a single-family driveway serving one external lot located at 19500 Armada Road. The request is for Armada Road to remain in its existing condition while serving the existing site until build-out occurs.

From a health, safety, and welfare perspective, the existing roadway condition is adequate to accommodate the low-volume traffic associated with the existing single-family residential and farming uses. Traffic generated by the proposed development will not utilize Armada Road, as access to the project will be provided from North River Road at each residential Parcel A to the west and Parcel B to the east. As a result, the Armada Road will not be subjected to increased intensity or frequency of use that would require upgrades to County roadway standards. Upon buildout, Armada Rd will remain as a single-family driveway within its existing 30-foot access easement to service the excluded single-family parcel. The requested deviation furthers the objectives of the planned development and supports the overarching goal to protect public health, safety, and welfare.



# ARMEDA PROPERTY RPD

## Applicant Proposed Conditions

DCI2025-00019

1. Compensatory Storage

Developer must depict the compensatory storage area on development order plans and provide calculations that quantify the compensatory storage area's flood storage volume.

2. Bridge Crossing

Construction may not commence northwest of Trout Creek until a temporary Certification of Completion is provided demonstrating compliance with design criteria to accommodate construction equipment.

3. State and Federal Permits

Generally. County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if applicant fails to obtain requisite approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Applicant must obtain applicable state/federal permits prior to commencing development.

State Wetland Permits. Developer may not commence construction on development impacting wetlands until issuance of required state permits. Development activity must comply with state wetland permits and applicable local development permits.

If the State does not approve wetland impacts or if State wetland permits are not consistent with proposed wetland impacts reflected in County development permits, then Developer must amend County development permit approvals to be consistent with state wetland permits and applicable Lee Plan and LDC regulations regarding development within wetlands. This may affect permissible density on the property.

**From:** [Rodriguez, Anthony](#)  
**To:** [Patrick Murray](#); [Workman, Elizabeth](#)  
**Cc:** [Stacy Hewitt](#); [Kleinmann, Ohdet H](#)  
**Subject:** RE: Armeda Property - DCI2025-00019  
**Date:** Tuesday, January 6, 2026 7:40:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

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Patrick:

Sure thing. I've updated the record in Accela to approve this extension. The original resubmittal deadline of 1/11/2026 has been extended for 30 days. Your new submittal deadline is now Tuesday, 2/10/2026.

Take care,

Anthony



**Anthony R. Rodriguez, AICP, CPM | Zoning Manager**

Department of Community Development

1500 Monroe Street, Fort Myers, FL 33901

**office:** (239) 533-8786

**email:** [arodriguez4@leegov.com](mailto:arodriguez4@leegov.com)

**web:** [www.leegov.com](http://www.leegov.com)



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Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

---

**From:** Patrick Murray <[pmurray@rviplanning.com](mailto:pmurray@rviplanning.com)>



DESCRIPTION  
OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST,  
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE N 00°22'31" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 8 FOR 50.00 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 78 (NORTH RIVER ROAD - 100 FEET WIDE) AND THE **POINT OF BEGINNING**; THENCE N 89°29'28" W ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 2,554.41 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET; THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 00°34'52" FOR 116.75 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 8; THENCE N 00°25'09" E ALONG SAID WEST LINE FOR 613.68 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S 89°32'35" E ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 FOR 667.65 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 00°24'31" E FOR 331.85 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF THE SECTION 8; THENCE N 89°34'09" W ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 FOR 667.59 FEET NORTHWEST CORNER OF SAID FRACTION; THENCE S 00°25'09" W ALONG THE WEST LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 FOR 331.54 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION, ALSO BEING SAID NORTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8; THENCE S 89°34'55" W FOR 1,998.85 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8; THENCE N 00°23'44" E FOR 2,014.35 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8; THENCE N 89°41'56" W ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 8 FOR 666.49 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION, SAID POINT LYING ON THE SOUTH LINE BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1 SUBDIVISION, AS RECORDED IN INSTRUMENT NUMBER 2022000234859, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE N 00°23'16" E ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 8 AND SAID SOUTH LINE FOR 2,648.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S 89°50'47" E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 8 AND SAID SOUTH LINE FOR 2,667.42 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S 89°52'00" E ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 AND SAID SOUTH LINE FOR 2,666.70 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S 00°21'56" W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 8 AND SAID SOUTH LINE FOR 2,663.13 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S 00°22'31" W ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 8 AND SAID SOUTH LINE FOR 2,612.02 FEET TO THE **POINT OF BEGINNING**.

**LESS AND EXCEPT**

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE N 00°22'31" E ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 8 FOR 2662.02 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N 89°41'56" W ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 8 FOR 667.29 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 8 AND THE POINT OF BEGINNING; THENCE S 00°23'12" W ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 FOR 664.90 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE N 89°38'49" W ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 8 FOR 667.42 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE N 00°23'54" E ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER OF SECTION 8

**SHEET 1 OF 3**



FOR 664.30 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE S 89°41'56" E ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 8 FOR 667.29 FEET TO THE POINT OF BEGINNING.

SUBJECT PARCEL CONTAINS: 561.63 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 (CORS), WHEREIN THE NORTH RIGHT-OF-WAY LINE OF NORTH RIVER ROAD (COUNTY ROAD 78) BEARS N 89°29'28" W. THE SCALE FACTOR IS 0.999944648.

DESCRIPTION PREPARED: 09-08-2025.

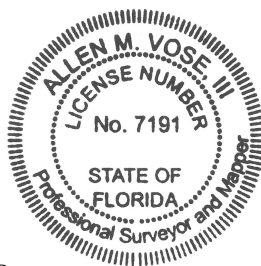
Digitally signed

by Allen M Vose

III

Date: 2026.01.14

12:38:03 -05'00'



ALLEN M. VOSE III, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER

FLORIDA CERTIFICATION NO. 7191

DATE SIGNED 01-14-2026

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S:\Atwell\Jobs\24xx\24006566 - Armeda Family Trust\Surveying\Descriptions\24006566 ARMEDA BNDY SKT.dwg



**ATWELL**

866.850.4200 [www.atwell.com](http://www.atwell.com)  
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(239) 939-5490 - LB# 7832



1" = 1,000'

NOTE: ALL ADJACENT TRACTS AND EASEMENTS SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE A PART OF BABCOCK RANCH COMMUNITY LEE COUNTY PHASE 1, RECORDED IN INSTRUMENT NUMBER 2022000234859, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

# SKETCH OF DESCRIPTION

OF  
A TRACT OR PARCEL OF LAND LYING IN  
SECTION 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST,  
LEE COUNTY, FLORIDA

## LINE TABLE

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | N 00°22'31" E | 50.00'   |
| L2   | N 00°25'09" E | 613.68'  |
| L3   | S 89°32'35" E | 667.65'  |
| L4   | N 00°24'31" E | 331.85'  |
| L5   | N 89°34'09" W | 667.59'  |
| L6   | S 00°25'09" W | 331.54'  |
| L7   | N 89°41'56" W | 666.49'  |
| L8   | N 89°41'56" W | 667.29'  |
| L9   | S 00°23'12" W | 664.90'  |
| L10  | N 89°38'49" W | 667.42'  |
| L11  | N 00°23'54" E | 664.30'  |
| L12  | S 89°41'56" E | 667.29'  |

## CURVE TABLE

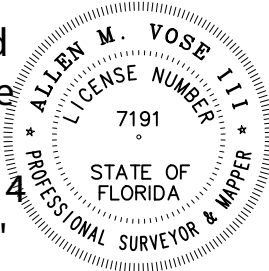
| CURVE | RADIUS    | DELTA     | ARC     | CHORD   | CHORD BEARING |
|-------|-----------|-----------|---------|---------|---------------|
| C1    | 11509.16' | 00°34'52" | 116.75' | 116.75' | N 89°46'54" W |

SEE SHEETS 1 AND 2 OF 3 FOR COMPLETE  
METES AND BOUNDS DESCRIPTION

**THIS SKETCH OF DESCRIPTION  
IS NOT A BOUNDARY SURVEY**

Digitally signed  
by Allen M Vose  
III

Date: 2026.01.14  
12:38:25 -05'00'



ALLEN M. VOSE III, PSM  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATION NO. 7191  
- DATE SIGNED: 01-14-2026  
- THIS SKETCH OF DESCRIPTION IS NOT VALID  
WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF  
A FLORIDA LICENSED SURVEYOR AND MAPPER.

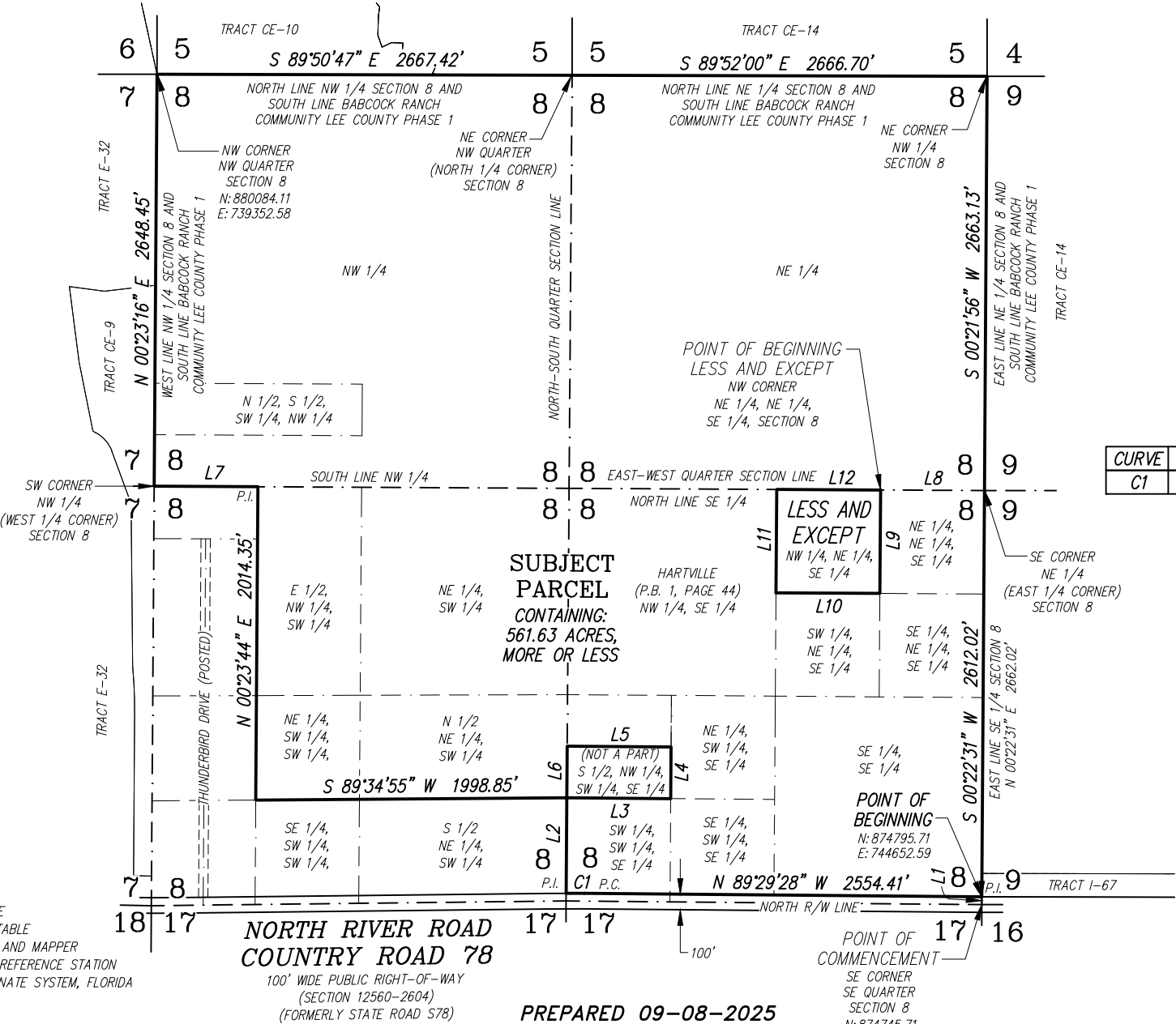
## NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.
- 2.) BEARINGS, DISTANCES AND COORDINATES, UNLESS OTHERWISE NOTED, ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 (CORS), WHEREIN THE NORTH RIGHT-OF-WAY LINE OF NORTH RIVER ROAD (COUNTY ROAD 78) BEARS N 89°29'28" W. THE SCALE FACTOR IS 0.999944648.
- 3.) ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.

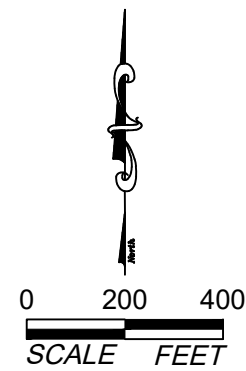
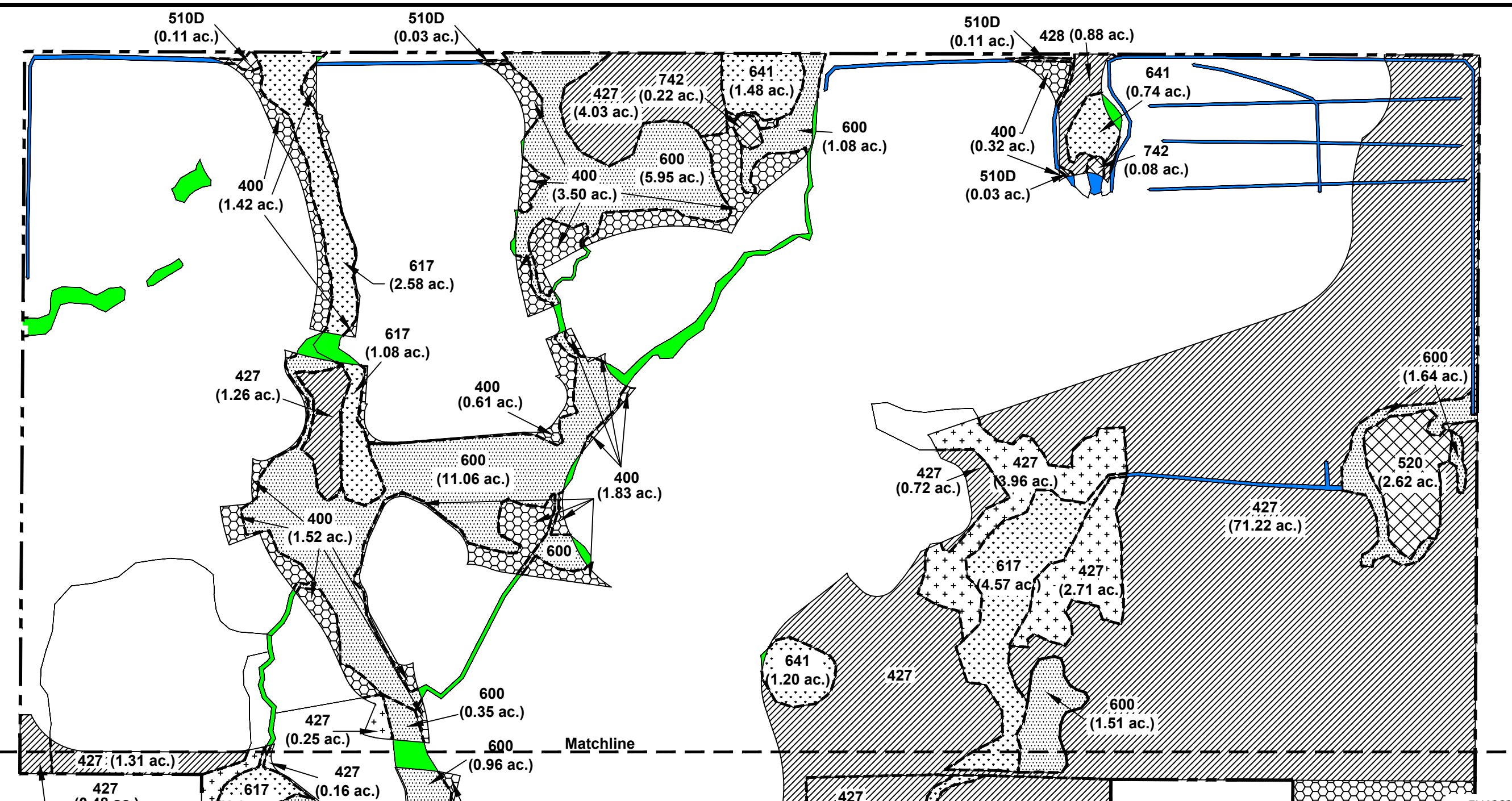
## LEGEND:

P.B. INDICATES PLAT BOOK  
R/W INDICATES RIGHT-OF-WAY  
P.C. INDICATES POINT OF CURVATURE  
P.I. INDICATES POINT OF INTERSECTION  
L1 INDICATES LINE DATA: SEE LINE TABLE  
C1 INDICATES CURVE DATE: SEE CURVE TABLE  
P.S.M. INDICATES PROFESSIONAL SURVEYORS AND MAPPER  
CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION  
N: 874795.71 INDICATES THE "STATE PLANE COORDINATE SYSTEM, FLORIDA  
E: 744652.59 ZONE WEST, NAD 83/2011 (CORS)

S: \ATWELL\JOBS\24XX\24006566 - ARMEDA FAMILY TRUST\SURVEYING\DESCRIPTIONS\24006566 ARMEDA BNDY LGL.DOC  
S: \ATWELL\JOBS\24XX\24006566 - ARMEDA FAMILY TRUST\SURVEYING\DESCRIPTIONS\24006566 ARMEDA BNDY SKT.DWG



PREPARED 09-08-2025  
REVISED 01-14-2026  
SHEET 3 OF 3



SECTION: 8  
TOWNSHIP: 43 S  
RANGE: 26 E

-  Wetland Preservation (24.00 ac.)
-  Upland Restoration (31.56 ac.)
-  Rare & Unique Upland Preservation (38.50 ac.)
-  Lee County Access and Drainage Easement Outside of Preserves (3.32 ac.)
-  Wetland Restoration (24.65 ac.)
-  Rare & Unique Upland Restoration (141.93 ac.)
-  Preserved Surface Waters (7.69 ac.)

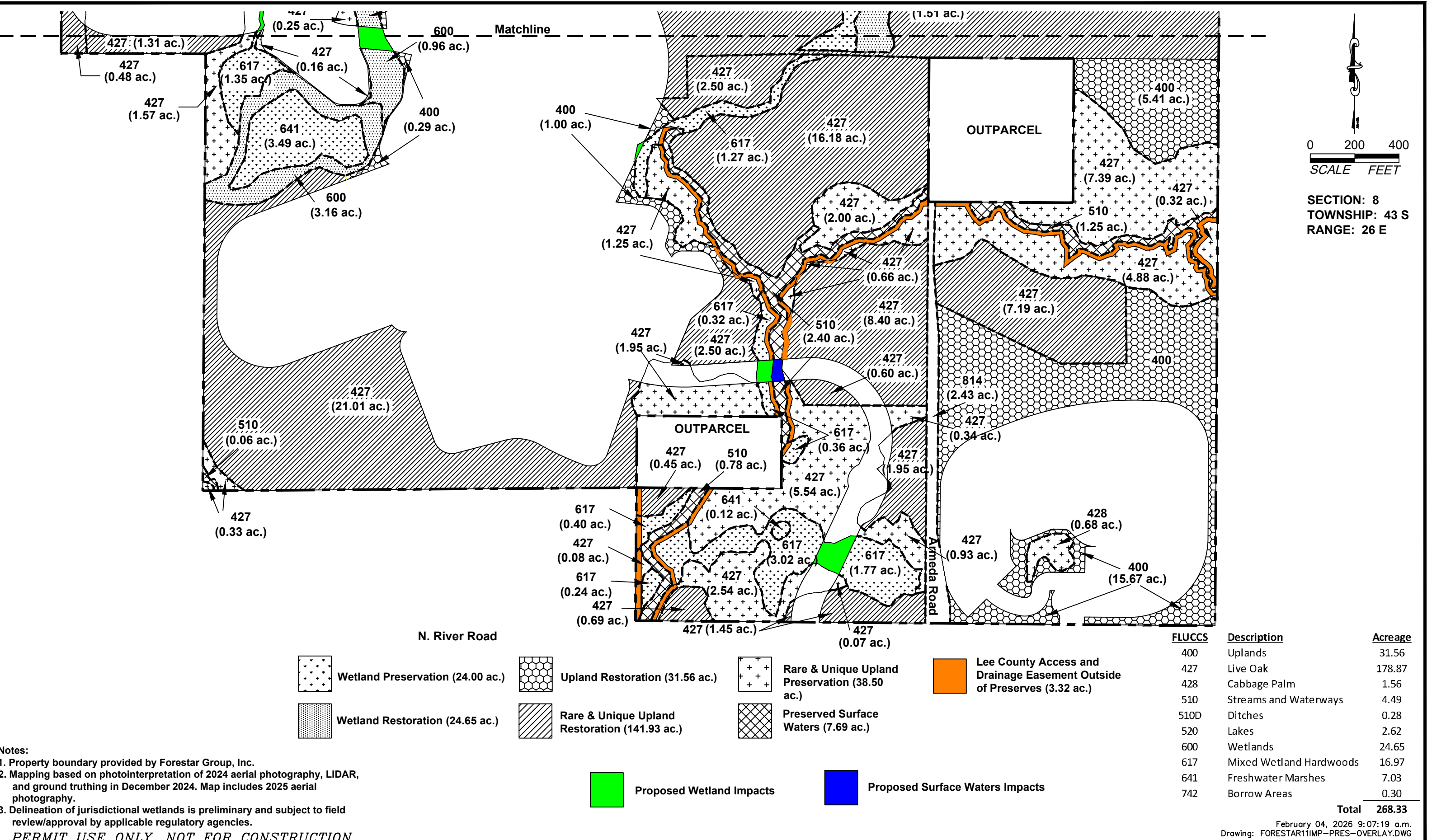
-  Proposed Wetland Impacts
-  Proposed Surface Waters Impacts

Notes:  
1. Property boundary provided by Forestar Group, Inc.  
2. Mapping based on photointerpretation of 2024 aerial photography, LIDAR, and ground truthing in December 2024. Map includes 2025 aerial photography.  
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

| FLUCCS | Description             | Acreage |
|--------|-------------------------|---------|
| 400    | Uplands                 | 31.56   |
| 427    | Live Oak                | 178.87  |
| 428    | Cabbage Palm            | 1.56    |
| 510    | Streams and Waterways   | 4.49    |
| 510D   | Ditches                 | 0.28    |
| 520    | Lakes                   | 2.62    |
| 600    | Wetlands                | 24.65   |
| 617    | Mixed Wetland Hardwoods | 16.97   |
| 641    | Freshwater Marshes      | 7.03    |
| 742    | Borrow Areas            | 0.30    |
| Total  |                         | 268.33  |

PERMIT USE ONLY, NOT FOR CONSTRUCTION

February 04, 2026 9:07:19 a.m.  
Drawing: FORESTAR11IMP-PRES-OVERLAY.DWG



Notes:  
1. Property boundary provided by Forestar Group, Inc.  
2. Mapping based on photointerpretation of 2024 aerial photography, LIDAR, and ground truthing in December 2024. Map includes 2025 aerial photography.  
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

February 04, 2026 9:07:19 a.m.  
Drawing: FORESTAR11IMP-PRES-OVERLAY.DWG

# **Armeda Property**

Sections 8, Township 43 South, Range 26 East  
Lee County, Florida

## **Indigenous Habitat Management Plan**

**December 2025**  
**Revised January 2026**

Prepared for:

**Forestar Group, Inc.**  
**4042 Park Oaks Boulevard**  
**Tampa, FL 33610**

Prepared by:

**Atwell**  
**4470 Camino Real Way, Suite 101**  
**Fort Myers, FL 33966**  
**(239) 334-3680**



## Introduction

The applicant proposes to construct a residential community at this location. This will include home sites, roads, a surface water management system, and 268.33± acres of upland, wetland, and surface water preserves.

The goal of the wetland mitigation plan is to enhance or restore and preserve 268.33± acres of wetlands, uplands, and surface waters to meet Lee County Land Development Code Chapter 10-415 and to mitigate for impacts to wetlands and wildlife habitat. Exotics (as defined by the Florida Exotic Pest Plant Council's List of Invasive Species, Categories 1 and 2), which are present within the proposed preserves, will be removed to re-establish functional wetland and upland ecosystems.

The Armeda Property has the potential to provide a significant corridor for wildlife as it is located along the northern extents of Trout Creek and is adjacent to the southern portions of the Babcock Ranch preserve areas. The preservation areas will become part of a contiguous wetland and upland corridor and flowway along Trout (Figure 1). The Trout Creek Wildlife Corridor connects the subject parcel to Babcock Ranch and Lee County (Telegraph Creek Preserve) Conservation Lands. Unfortunately, the current land use practices within the property and exotic vegetation infestation significantly diminish wildlife utilization. The indigenous habitat management plan (IHMP) provides an avenue for the enhancement and preservation of this important piece of land.

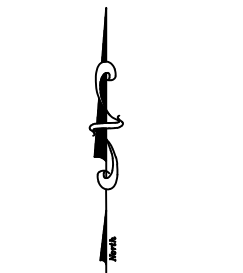
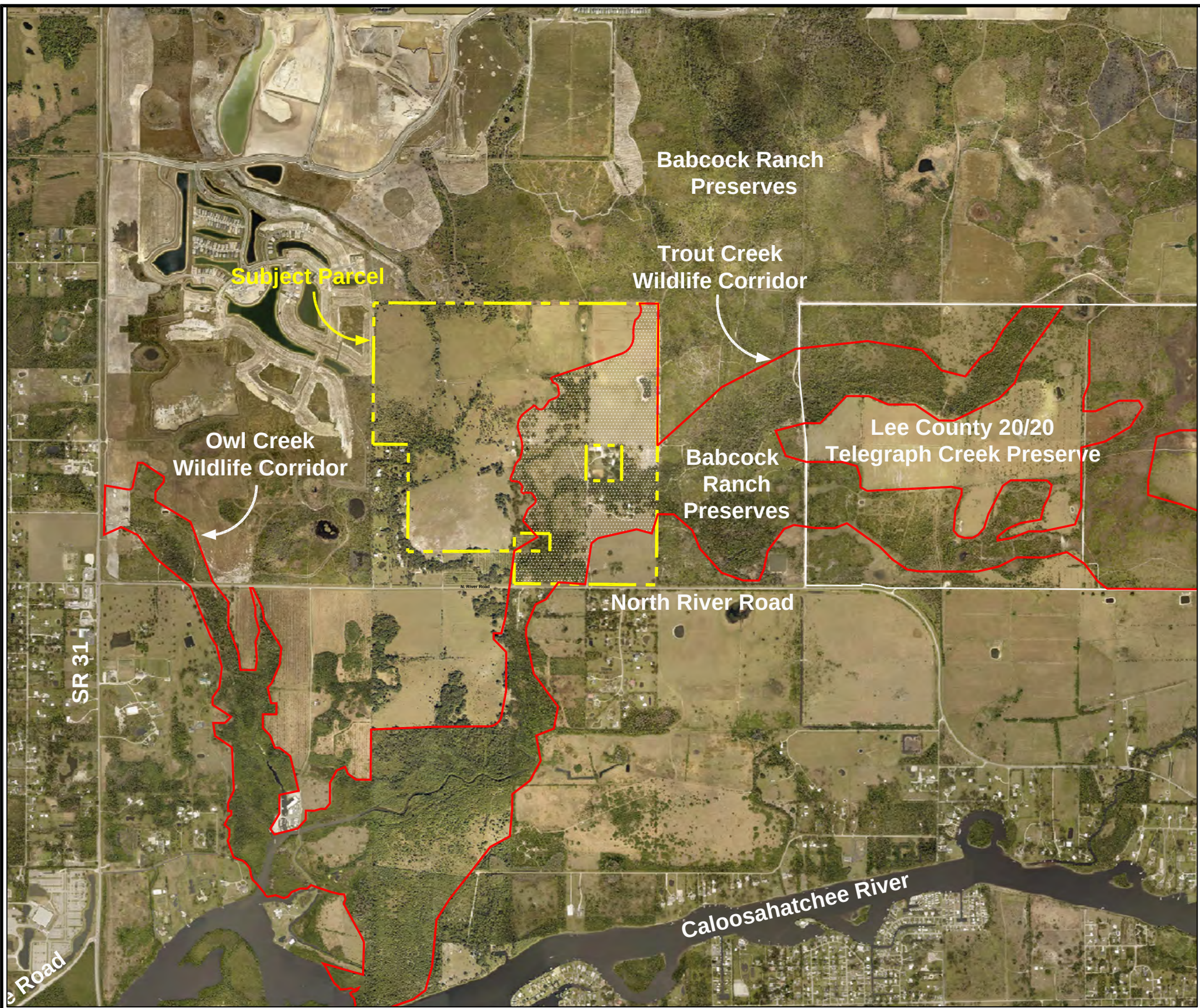
The wetland preservation and restoration areas consist of forested and herbaceous habitats that contain moderate densities of exotics. The site development plan was designed to preserve almost all of the wetlands throughout the site which are adjacent to Trout Creek. The proposed activities in the wetland mitigation area, which include the elimination of the exotic species seed source and supplemental planting as needed, will result in a net improvement for the wetland plant communities onsite.

The upland restoration, rare and unique upland preservation, and rare and unique upland restoration areas consist of pasture and forested habitats that contain moderate densities of exotics. The site development plan was designed to preserve almost all of the forested uplands throughout the site which are adjacent to Trout Creek. The proposed activities in the upland areas which include the elimination of the exotic species seed source and supplemental planting as appropriate will result in a net improvement for the upland plant communities onsite.

Rare and unique upland habitats are defined per the Lee Plan as follows:

**RARE AND UNIQUE UPLAND HABITATS (RU)** High-quality native upland habitats categorized as "mature" due to the absence of severe impacts caused by logging, drainage, and exotic infestation. These habitat types include those classified as sand





0 1000 2000  
SCALE FEET

SECTION: 8  
TOWNSHIP: 43 S  
RANGE: 26 E



Proposed Onsite Wildlife Corridor (±200 ac.)

Notes:  
1. Property boundary provided by Forestar Group, Inc.  
2. Mapping based on photointerpretation of 2024 aerial photography, LIDAR, and ground truthing in December 2024. Map includes 2025 aerial photography.  
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.  
**PERMIT USE ONLY, NOT FOR CONSTRUCTION**

November 21, 2025 9:46:30 a.m.  
Drawing: FORESTAR11FLOODWAY.DWG

Figure 1. Trout Creek Wildlife Corridor Map

Armeda Property





scrub (320); coastal scrub (322); those pine flatwoods (411) which can be categorized as "mature" due to the absence of severe impacts caused by logging, drainage, and exotic infestation; slash pine/midstory oak (412); tropical hardwood (426); live oak hammock (427); and, cabbage palm hammock (428). The numbered references are to the Florida Land Use Cover and Forms Classification System (FLUCFCS) Level III (Florida Department of Transportation, 1985).

The Lee County Coastal Study (1988) includes definitions of oak hammocks and cabbage palm hammocks as follows:

Oak hammocks occupy 86 acres or 0.4% of the study area's lands. Oak hammocks are usually small in size and were once scattered throughout the study area. Usually located on a topographic rise, they are often associated with archeological features as are tropical hardwoods. This community is usually dominated by large live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), water oak (*Quercus nigra*), cabbage palm (*Sabal palmetto*), blue beech (*Carpinus caroliniana*), dahoon (*Ilex cassine*), myrsine (*Myrsine quianensis*), marlberry (*Ardisia escallonioides*), wild coffee (*Psychotria nervosa sulzneri*), and a number of ferns and epiphytes. Listed species found in these areas include the gopher tortoise (*Gopherus polyphemus* -SSC) and the eastern indigo snake (*Drymarchon corais couperi* -T). Listed flora found in oak hammocks include golden polypody fern (*Phlebodium aureum* - T), hand or adder's tongue fern (*Ophioglossum palmatum* - E), *Tillandsia valenzuela* (T), *setacea* (T), *paucifolia* (T), *flexuosa* (T), shoestring fern (*Vittaria lineata* - T), and butterfly orchid (*Encyclia tampensis*- T).

Cabbage palm hammocks occupy 1,000 acres or 5.1 % of the study area's lands. This upland to mesic habitat is often difficult to distinguish from the oak hammock where oaks are the dominant canopy. Cabbage palms, oaks (*Quercus* spp.) and slash pine are usually equally dominant in the well-developed canopy of the cabbage palm hammock. The hammock floor may be wet or dry but always open and vegetated by ferns and grasses. Listed fauna of this habitat include the eastern indigo snake (*Drymarchon corais couperi* - T). Listed flora include golden polypody fern (*Phlebodium aureum* - T) and hand or adder's fern (*Ophioglossum palmatum* - E). This habitat is found most extensively on Cayo Costa and North Captive Island, the Deep Lagoon watershed and the area between the Coconut and Imperial River watersheds.

## **Preservation and Restoration Area Plans**

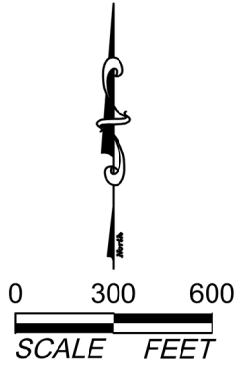
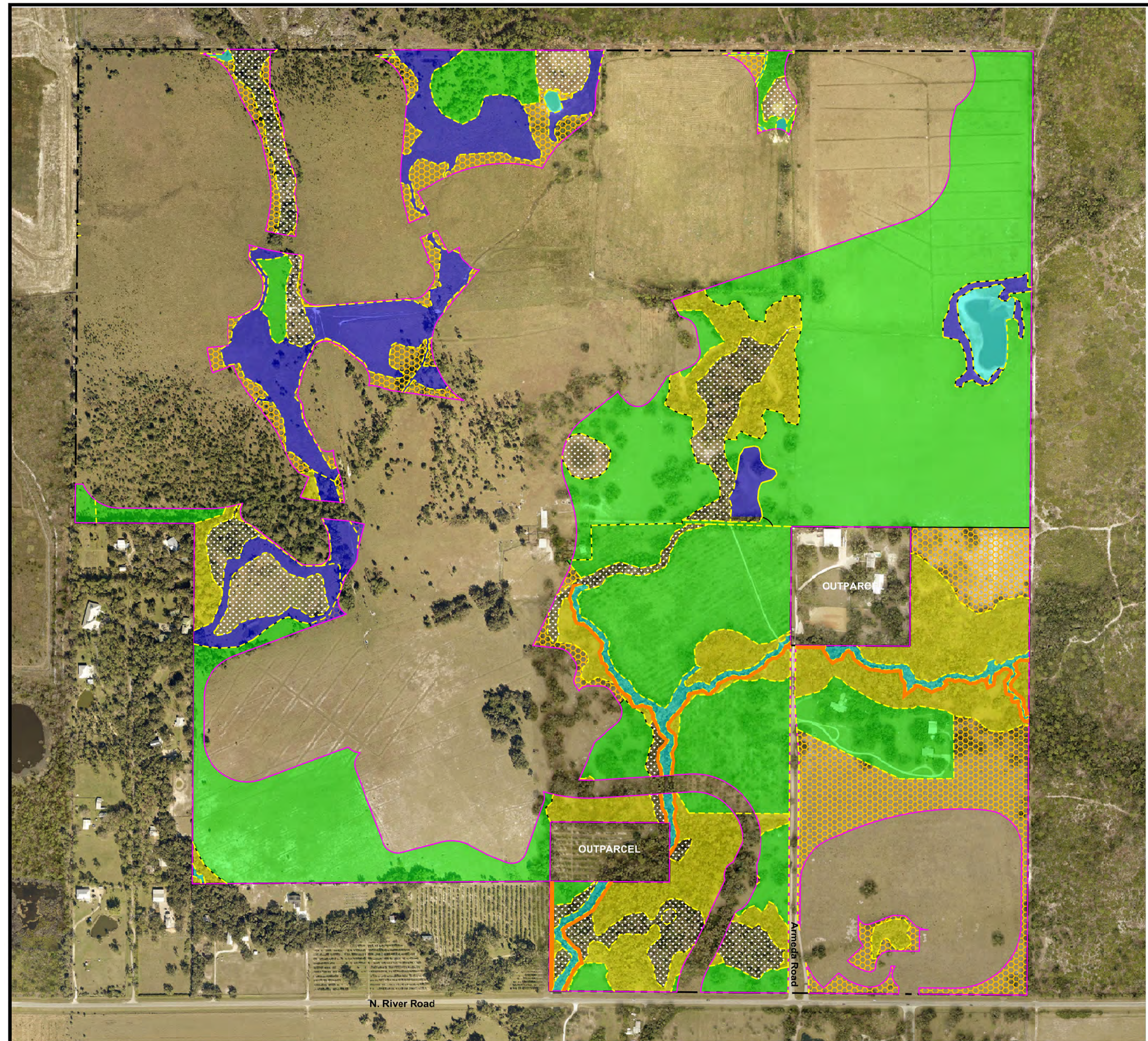
### Wetland Preservation

Approximately 24.00 acres of wetlands will be preserved as shown on the Enhancement and Preservation Map and Indigenous Habitat Management Monitoring Plan Map (Figures 2 and 3). Exotic vegetation will be treated and/or removed per the Initial Exotic Vegetation Treatment section below.

### Wetland Restoration

A total of 24.65 acres of wetlands infested with exotic vegetation will be restored as shown on the Enhancement and Preservation Map, Indigenous Habitat Management Monitoring





SECTION: 8  
TOWNSHIP: 43 S  
RANGE: 26 E

- Wetland Preservation (24.00 ac.)
- Wetland Restoration (24.65 ac.)
- Upland Restoration (31.56 ac.)
- Rare & Unique Upland Restoration (141.93 ac.)
- Rare & Unique Upland Preservation (38.50 ac.)
- Preserved Surface Waters (7.69 ac.)
- Lee County Access and Drainage Easement Outside of Preserves (3.32 ac.)

- Notes:
- 1. Property boundary provided by Forestar Group, Inc.
  - 2. Mapping based on photointerpretation of 2024 aerial photography, LIDAR, and ground truthing in December 2024. Map includes 2025 aerial photography.
  - 3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

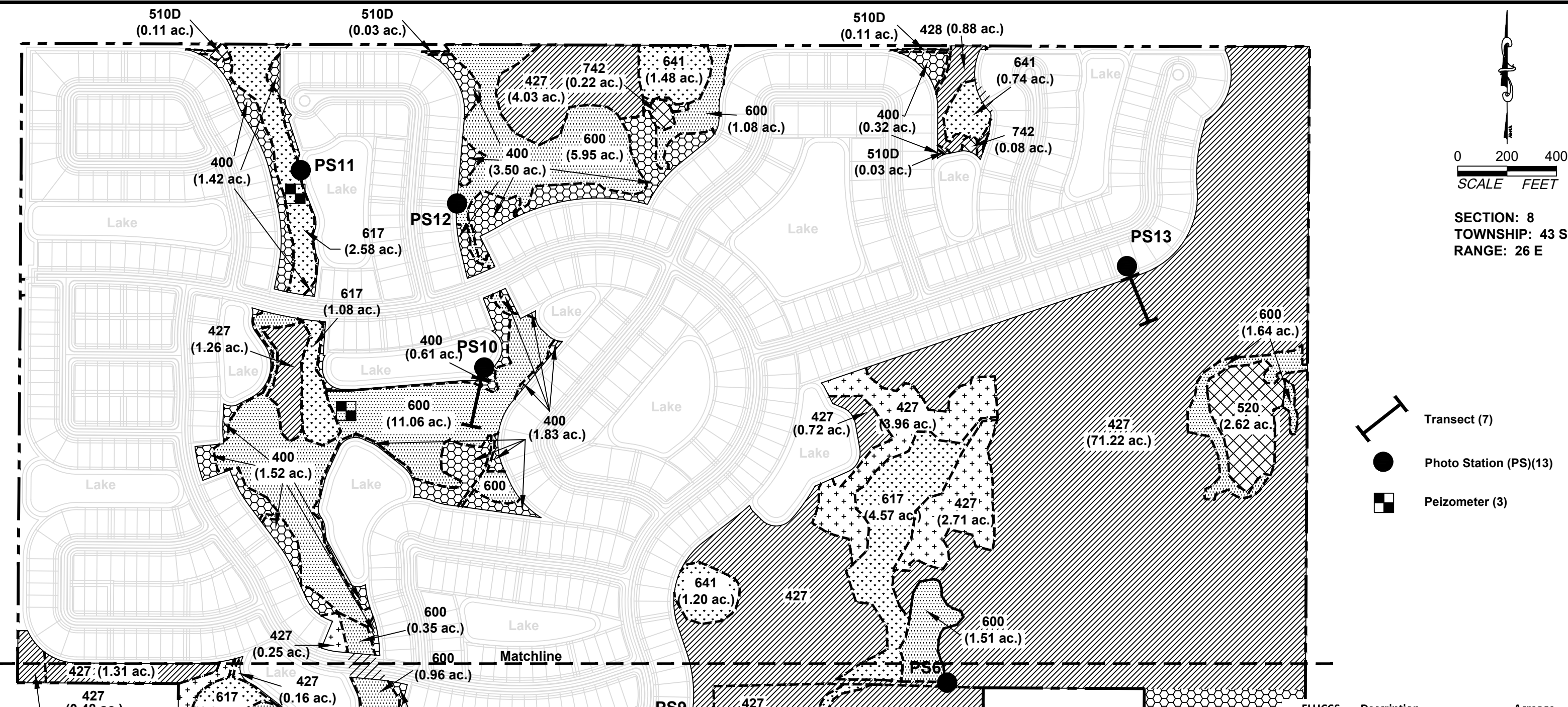
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Figure 2. Enhancement & Preservation Map

Armeda Property







Notes:  
1. Property boundary provided by Forestar Group, Inc.  
2. Mapping based on photointerpretation of 2024 aerial photography, LIDAR, and ground truthing in December 2024. Map includes 2025 aerial photography.  
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

| FLUCCS | Description             | Acreage |
|--------|-------------------------|---------|
| 400    | Uplands                 | 31.56   |
| 427    | Live Oak                | 178.87  |
| 428    | Cabbage Palm            | 1.56    |
| 510    | Streams and Waterways   | 4.49    |
| 510D   | Ditches                 | 0.28    |
| 520    | Lakes                   | 2.62    |
| 600    | Wetlands                | 24.65   |
| 617    | Mixed Wetland Hardwoods | 16.97   |
| 641    | Freshwater Marshes      | 7.03    |
| 742    | Borrow Areas            | 0.30    |
| Total  |                         | 268.33  |

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Figure 3. Indigenous Habitat Management Monitoring Plan Map - Sheet 1

Armeda Property



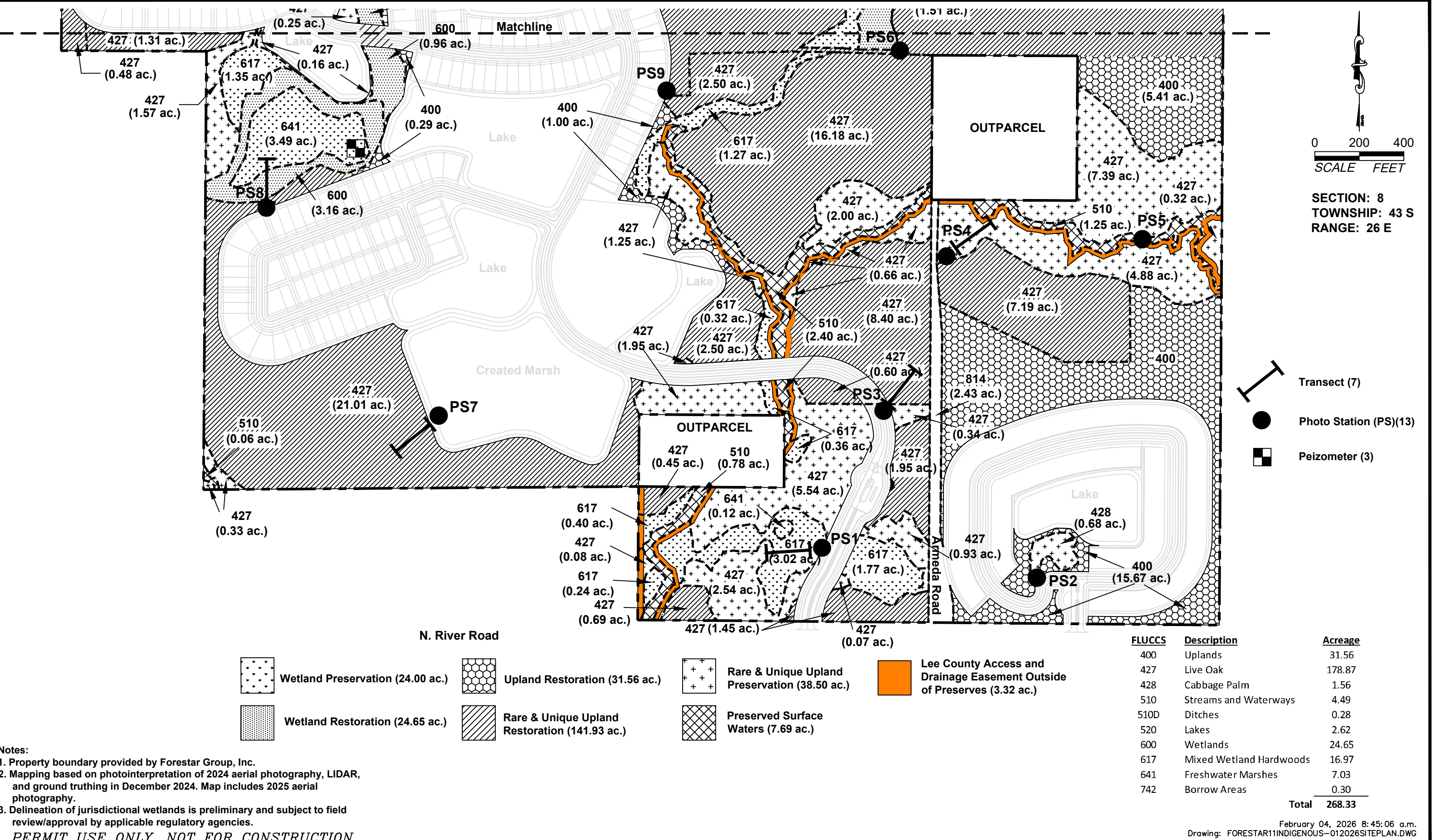


Figure 3. Indigenous Habitat Management Monitoring Plan Map - Sheet 2

Armada Property





Plan Map, Exotic Treatment Map, and Restoration Area Planting Map (Figures 2 - 5). Exotic vegetation will be treated and/or removed per the Initial Exotic Vegetation Treatment section below. The restoration areas will then be planted with native ground cover as listed in the Wetland Restoration Planting Table (Table 1). The final species list will be based upon site specific conditions and on plant material availability at the time of planting. Herbaceous plants will be planted in the restoration area shown on the attached Restoration Planting Plan Map (Figure 4).

Table 1. \*Wetland Restoration Planting Table

| Botanical Name               | Common Name       | Minimum Size/Container | Maximum Spacing | Quantity |
|------------------------------|-------------------|------------------------|-----------------|----------|
| <i>Spartina bakeri</i>       | Cordgrass         | Liner                  | 5 Feet Centers  | 8,959    |
| <i>Sagittaria</i> sp.        | Arrowhead         | Liner                  | 5 Feet Centers  | 8,959    |
| <i>Pontederia cordata</i>    | Pickernelweed     | Liner                  | 5 Feet Centers  | 8,959    |
| <i>Tripsacum dactyloides</i> | Fakahatchee grass | Liner                  | 5 Feet Centers  | 8,959    |
| <i>Eleocharis</i> sp.        | Spikerush         | Liner                  | 5 Feet Centers  | 8,959    |

\*Additional plant species may be included in the planting table prior to development order approval

#### Upland Restoration

Approximately 31.56 acres of uplands will be restored as shown on the Enhancement and Preservation Map, Indigenous Habitat Management Monitoring Plan Map, Exotic Treatment Map, and Restoration Area Planting Map (Figures 2 - 5). Exotic vegetation will be treated and/or removed per the Initial Exotic Vegetation Treatment section below. The upland restoration area will then be planted with native ground cover species as listed in the Upland Restoration Planting Table (Table 2). The final species list will be based upon site specific conditions and on plant material availability at the time of planting.

Table 2. \*Upland Restoration Planting Table

| Botanical Name               | Common Name  | Minimum Size/Container | Maximum Spacing | Quantity |
|------------------------------|--------------|------------------------|-----------------|----------|
| <i>Serenoa repens</i>        | Saw Palmetto | Liner                  | 5 Feet Centers  | 10,998   |
| <i>Muhlenbergia</i> sp.      | Muhley Grass | Liner                  | 5 Feet Centers  | 10,998   |
| <i>Andropogon virginicus</i> | Broom Sedge  | Liner                  | 5 Feet Centers  | 10,998   |
| <i>Aristida beyrichiana</i>  | Wiregrass    | Liner                  | 5 Feet Centers  | 10,998   |
| <i>Spartina bakeri</i>       | Cordgrass    | Liner                  | 5 Feet Centers  | 10,998   |

\*Additional plant species may be included in the planting table prior to development order approval

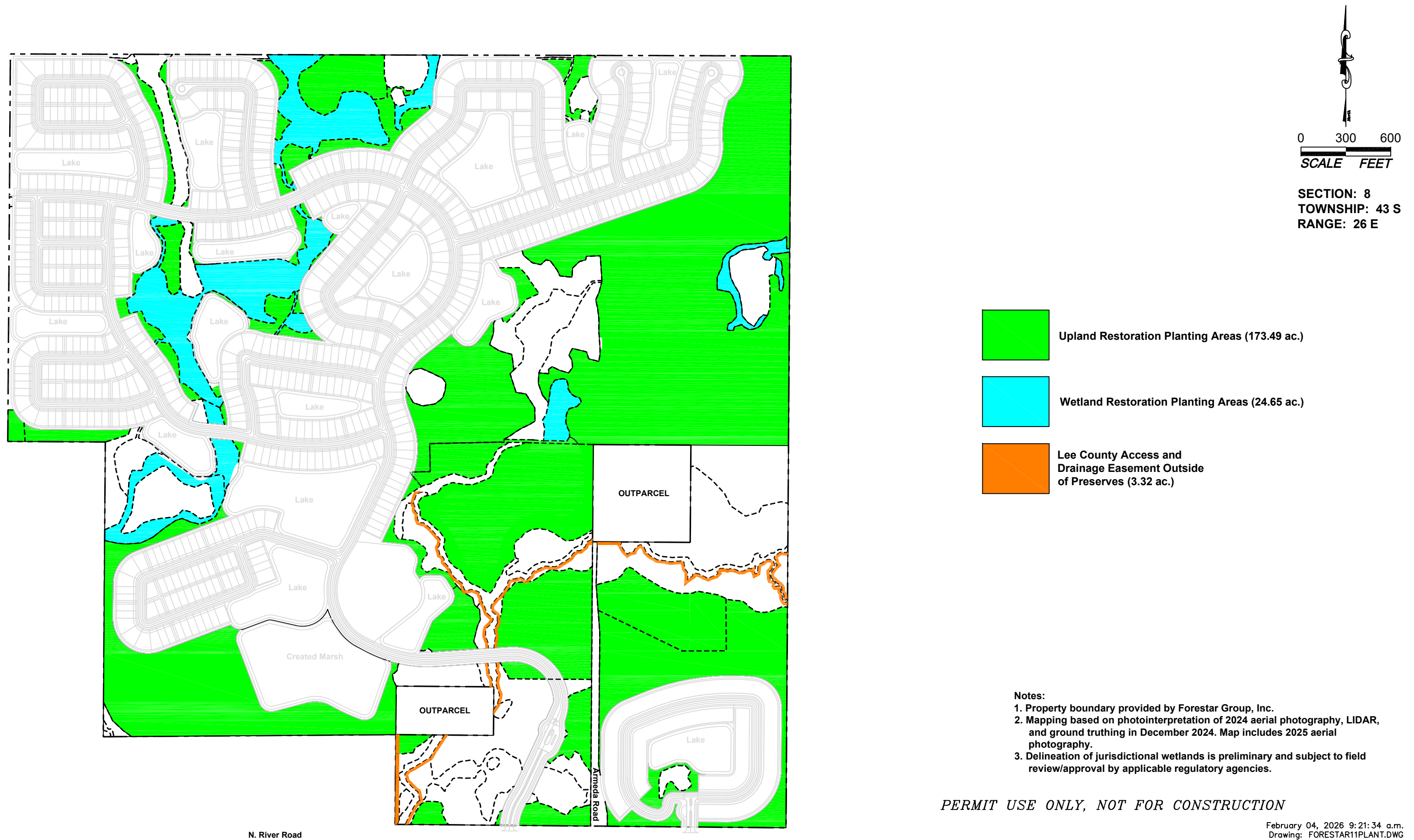


Figure 4. Restoration Areas Planting Plan Map

Armeda Property

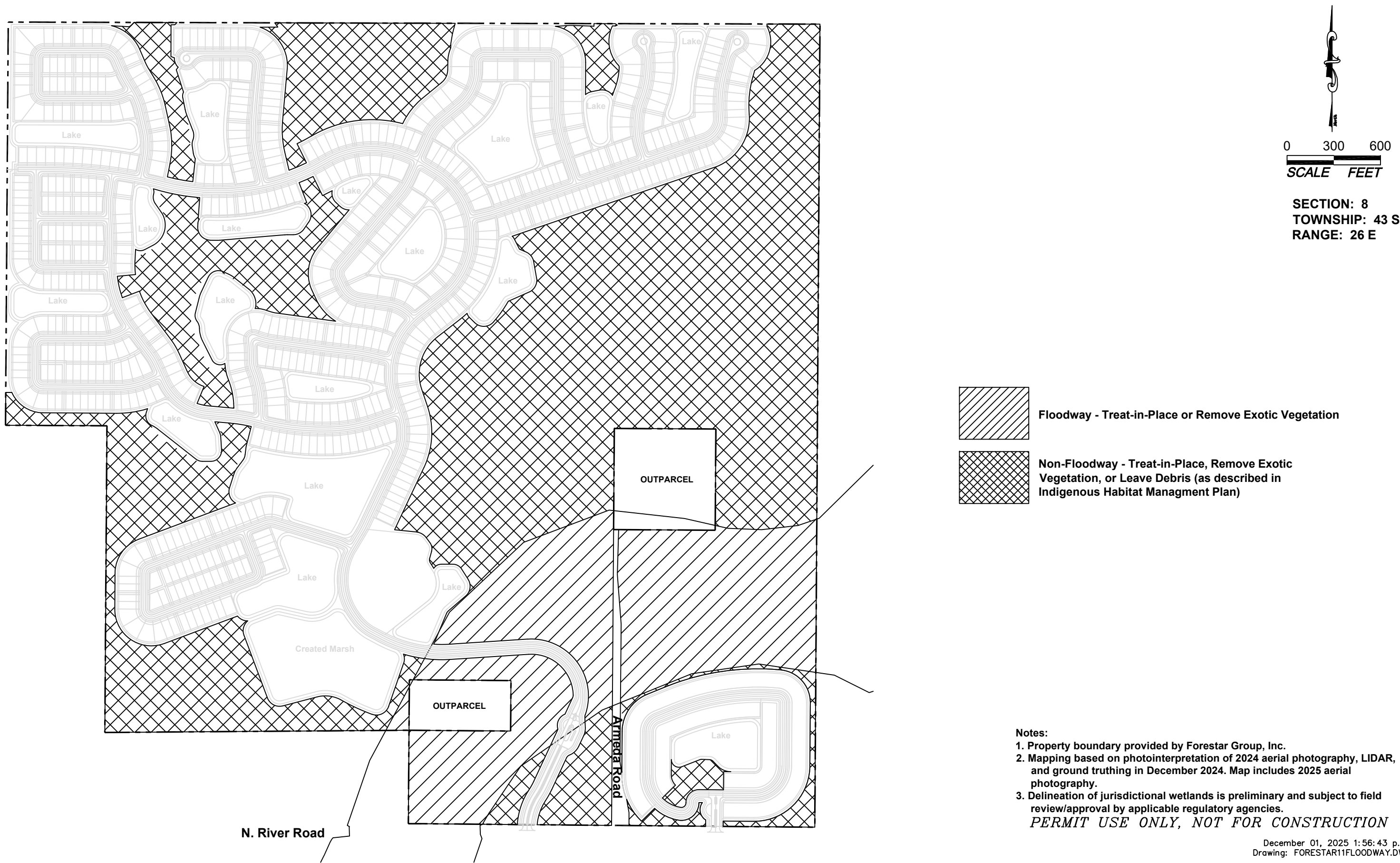


Figure 5. Exotic Vegetation Treatment Map

Armada Property



**Rare and Unique Upland Preservation**

Approximately 38.50 acres of rare and unique uplands will be preserved as shown on the Enhancement and Preservation Map and Indigenous Habitat Management Plan Map (Figures 2 and 3). Exotic vegetation will be treated and/or removed per the Initial Exotic Vegetation Treatment section below.

**Rare and Unique Upland Restoration**

Approximately 141.93 acres of existing upland pastures and disturbed exotic vegetation infested uplands will be restored to live oak and cabbage palm hammocks (FLUCCS Codes 427 and 428) which are Rare and Unique Uplands per the definition in the Lee Plan as shown on the Enhancement and Preservation Map, Indigenous Habitat Management Monitoring Plan Map, Exotic Treatment Map, and Restoration Area Planting Map (Figures 2 - 5).

The existing soils should support the restoration of oak hammocks as these communities were present in these locations historically and the Natural Resource Conservation Service (NRCS) Ecological Site Names layer confirms that appropriate soils are present. Appendix A includes the NRCS soils information as well as a map which depicts the ecological communities supported by the onsite soil types overlayed with the proposed upland and wetland restoration areas. If any of the planting areas have compacted soils, the soil area around each planting will be loosened. This may be accomplished by hand or mechanical means. Exotic vegetation will be treated and/or removed per the Initial Exotic Vegetation Treatment section below. The restoration area will then be planted with native ground cover and trees, as listed in the Rare and Unique Upland Restoration Planting Table (Table 3). The final species list will be based upon site specific conditions and on plant material availability at the time of planting. Cabbage palms from the development footprint may be relocated and used for the restoration planting plan below.

Table 3. \*Rare and Unique Upland Restoration Planting Table

| <b>Botanical Name</b>     | <b>Common Name</b> | <b>Minimum Size/Container</b> | <b>Maximum Spacing</b> | <b>Quantity</b> |
|---------------------------|--------------------|-------------------------------|------------------------|-----------------|
| <b>Trees</b>              |                    |                               |                        |                 |
| <i>Quercus virginiana</i> | Live Oak           | 6' tall/BR                    | 18 Feet Centers        | 3,300           |
| <i>Quercus laurifolia</i> | Laurel Oak         | 6' tall/BR                    | 18 Feet Centers        | 1,745           |
| <i>Sabal palmetto</i>     | Cabbage Palm       | 6' tall/FG                    | 18 Feet Centers        | 1,745           |
| <b>Shrubs</b>             |                    |                               |                        |                 |
| <i>Rapanea punctata</i>   | Myrsine            | 1 Gallon                      | 18 Feet Centers        | 3,816           |
| <i>Myrica cerifera</i>    | Wax Myrtle         | 1 Gallon                      | 18 Feet Centers        | 3,816           |
| <i>Psychotria nervosa</i> | Wild Coffee        | 1 Gallon                      | 18 Feet Centers        | 3,816           |



|                              |                 |          |                 |        |
|------------------------------|-----------------|----------|-----------------|--------|
| <i>Eugenia foetida</i>       | Spanish Stopper | 1 Gallon | 18 Feet Centers | 3,816  |
| <i>Callicarpa americana</i>  | Beauty Berry    | 1 Gallon | 18 Feet Centers | 3,816  |
| <b>Ground Cover</b>          |                 |          |                 |        |
| <i>Serenoa repens</i>        | Saw Palmetto    | Liner    | 8 Feet Centers  | 19,320 |
| <i>Muhlenbergia</i> sp.      | Muhley Grass    | Liner    | 8 Feet Centers  | 19,320 |
| <i>Andropogon virginicus</i> | Broom Sedge     | Liner    | 8 Feet Centers  | 19,320 |
| <i>Aristida beyrichiana</i>  | Wiregrass       | Liner    | 8 Feet Centers  | 19,320 |
| <i>Spartina bakeri</i>       | Cordgrass       | Liner    | 8 Feet Centers  | 19,320 |

\*Additional plant species may be included in the planting table prior to development order approval

At the time of development order, areas within the provided 50' natural waterway buffer must meet the requirement of six native canopy trees and 50 native shrubs per 100 linear feet at a 1:1 credit ratio. If supplemental trees or shrubs are required to meet the required buffer plantings, trees must comply with LDC Section 10-420 and be a minimum 10' in height and shrubs must be a minimum 24" in height at time of planting.

At the time of development order, the area along North River Road must contain native canopy trees a minimum of 14' in height spaced approximately 25 feet on center per LDC Section 33-1673.

At the time of development order, the areas surrounding the outparcels that are not abutting natural waterway or natural waterway buffers must meet the Type F Buffer requirement of 10 trees per 100 linear feet and double staggered hedge row (calculated at 3' on center spacing) at a 1:1 credit ratio. If supplemental trees or shrubs are required to meet the required buffer plantings, trees must comply with LDC Section 10-420 and be a minimum of 10' in height and shrubs must be a minimum 48" in height at time of planting.

#### Surface Water Preservation

Approximately 7.69 acres of other surface waters will be preserved as shown on the Enhancement and Preservation Map and Indigenous Habitat Management Plan Map (Figures 2 and 3).

#### Initial Exotic Vegetation Treatment

All exotic and nuisance species (defined per LDC Sec. 10-420(h) and Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within the upland and wetland preservation areas will be treated as shown on the Exotic Vegetation Treatment Map (Figure 5). A vegetation removal permit associated with the development order is required for the initial exotic vegetation treatment.

Exotic vegetation control will be accomplished by chain saw or machete. Woody exotic vegetation will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. Treatment will occur immediately following cutting to ensure maximal uptake of the herbicide. The woody exotic vegetation will be removed from the preserves unless the damage to native woody vegetation caused by the removal process is determined to be excessive. As the majority of the exotics present are herbaceous (e.g. Caesarweed), no mechanical exotic treatment is proposed.

In areas where physical removal is determined to be impracticable, the following methods will be implemented. Large trees (greater than four-inch diameter at breast height (DBH)) may be girdled and killed in place with a stump specific herbicide suitable for aquatic application. The four-inch DBH and smaller trees and shrubs will be cut just above natural grade and the stump treated with an appropriate herbicide suitable for aquatic application. The resulting vegetative material will be disposed of by one or more of the following methods: 1) cut into four to six foot sections and stacked on the ground with alternating layers of trees at right angles to each other (log cabin) with the stacks no higher than 5± feet and spaced a minimum of 100± feet apart, 2) cut and placed into piles (tee-pee) with piles spaced a minimum of 100± feet apart, 3) where exotic density is less than 25 percent the exotics may be cut into two to four foot sections and scattered on the ground, and 4) woody exotic vegetation may be removed from the preserves.

Existing fallen dead trees (native and exotic) will remain in place and allowed to decompose. If non-woody exotics, such as torpedo grass and paragrass, are present within the preserve they will be treated by a foliar application of an appropriate herbicide suitable for aquatic application.

Herbicides will be used in strict accordance with label directions by trained applicators. An appropriately licensed herbicide applicator will supervise the crew. A marker dye will be added to the spray solution to help visualize where the solution is being applied. Care will be taken to reduce damage to non-target native species to the maximum extent practical. Access for the initial exotic vegetation treatment will be via the existing farm fields.

No cut debris will be placed within the FEMA floodways of Trout Creek as shown on the Exotic Vegetation Treatment Map (Figure 5). Exotic vegetation in the floodways will either be cut and removed or treated in-place as described above.

### Barricading

Prior to commencement of construction activities, the mitigation areas will be staked in the field and the required erosion control barriers installed. These barriers will be inspected by County staff prior to commencement of construction activities. The operation of construction equipment, storage of equipment, and stockpiling of fill and construction material will be prohibited within the preservation areas. The staking identifying the limits of the preservation area will be maintained for the duration of adjacent construction activities.

### Schedule

The wetland preservation must be within a recorded conservation easement and the rare and unique upland preservation and restoration areas must be completed prior to the Certificate of Compliance for the infrastructure.

### Conservation Easement

A Conservation Easement will be recorded and placed over the upland, wetland, and surface waters preservation areas totaling 268.33. Signs demarking the preservation areas will be posted at 100 foot intervals along the outer edge of all preservation areas.

### Access and Drainage Easement

Access and Drainage Easements will be recorded and placed over 3.32 acres along Trout Creek. These areas are not part of the indigenous preserves, but exotics will be treated in these areas as described above.

### Ecological Performance Standards

To meet the objective of this plan, the following performance standards will apply to the onsite wetland and upland preservation and restoration areas:

1. At least 80 percent cover by appropriate wetland species (i.e. facultative wet or obligate) within the wetlands and the restored littoral marsh and 80 percent coverage by appropriate upland species in the upland preservation and restoration areas.
2. The conservation easement areas are free of exotics immediately following maintenance treatment events. All exotic and nuisance species (defined as Category I and II species on the Florida Exotic Pest Plant Council's List of Invasive Species) within these wetlands will be treated. The nuisance species dog fennel (*Eupatorium capillifolium*), Caesar weed (*Urena lobata*), primrose willow (*Ludwigia peruviana*), grape vine (*Vitis* sp.), and cattail (*Typha* spp.) as well as exotic species shall total less than five percent combined between maintenance events.
3. Monitoring of the preserve areas shall be conducted for a minimum of 5 years with annual reports submitted to the County. After the initial restoration plantings described above, if native wetland, transitional, and upland species (do not achieve 80% coverage within the initial two years of the monitoring program (obligate and facultative wet species exceed facultative species in wetland areas), native species shall be planted in accordance with the maintenance program. At the end of the monitoring program the entire mitigation area shall contain an 80% survival rate of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.
4. The preserve areas shall be maintained in perpetuity to ensure coverage by native desirable vegetation and the target habitat types and success criteria are maintained as specified in the permit.
5. The preserve areas shall be managed such that exotic/nuisance vegetation species do not dominate any one section of areas within the preserves.

These performance standards will be achieved by the end of the five-year monitoring period.

#### Long Term Management

The applicant and/or the homeowners association will be responsible for the long-term maintenance of the onsite preservation areas. Vegetation removal permits are required for ongoing management activities associated with this approved Indigenous Habitat Management Plan that is preserve area specific for the type of management that is being requested.

#### Adaptive Management

If during monitoring of the onsite preservation area, areas do not appear to be trending toward meeting the above ecological performance standards, the methods for treating exotic vegetation will be re-evaluated.

### **Maintenance**

A routine maintenance program will be initiated upon the completion of the initial exotic treatment and native plant installation. A vegetation removal permit will be required for preserve maintenance. For the first two years following the initial treatment, the preservation areas will be inspected twice a year (late spring and fall) and all exotic and/or nuisance species will be treated. During these inspections the preservation areas will be qualitatively evaluated, potential problems (if any) identified, and corrective actions recommended. After the second year, inspections and treatments will be conducted annually during the dry season. The property owner will be responsible for long term management of the preserves.

Pruning and trimming activities will not be performed in the preserve, however invasive exotic vegetation may have to be treated within planting areas. The frequency of maintenance will be based on how successful the new plantings are and the extent to which nuisance pest species enter into the newly planted area. Semi-annual monitoring will be conducted in each newly planted area for one year to carefully evaluate these parameters. Herbicide maintenance will be conducted semi-annually during the first year following implementation of the pest control program and at least annually thereafter, in accordance with LDC 10-420(h).

If monitoring events reveal severe deer grazing or disturbance from wild hogs, the affected planting area will be temporarily isolated with a fence to keep out larger animals until the plantings are well established. Once success criteria are achieved, all temporary fencing will be removed from the preserve.

Newly planted areas will be included in the invasive pest control program. The herbicide maintenance areas shall expand to control exotic and nuisance species as necessary where native vegetation is being established. Periodic management of the planting areas is required to ensure that the plants will survive and thrive. This will guarantee success and allow desirable indigenous species an opportunity to recruit into the planting areas.



As part of ongoing management of the site, the owner or his designee shall treat and/or remove exotic species (per LDC Sec. 10-420(h) and nuisance species as necessary at least semiannually for one year and annually thereafter. Nuisance species shall mean those species of flora whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, the designated use of the waters under consideration, as defined in rules 62-312.310(8) and 62-302.200(14), F.A.C.. Invasive exotic species include at a minimum the species listed in LDC Sec. 10-420(h).

## **Protected Species**

### **Gopher Tortoise**

Twenty potentially occupied gopher tortoise burrows were found in the southern pastures. Based on 80 percent survey coverage, it is estimated that twenty-five potentially occupied gopher tortoise burrows occur within this general area. Using the FWC standard burrow occupancy correction factor of 0.5 gopher tortoises per burrow, it is estimated that thirteen gopher tortoises are present. No signs of gopher tortoises were observed elsewhere on-site.

### **American Alligator**

An American alligator was observed in the north cattle pond. No evidence of nesting by alligators was observed.

### **Florida Bonneted Bat**

The U.S. Fish and Wildlife Service (FWS) listed the Florida bonneted bat (*Eumops floridanus*) as endangered in November 2013. The project is located within the Florida Bonneted Bat Consultation and Assumed Presence areas but is not within a Critical Habitat area. Numerous dead trees containing potential cavities entrances were observed throughout the site. The vast majority of these trees consist of pine tree snags in advanced stages of decay. These potential cavity entrances are primarily less than approximately two inches in diameter. Many of the potential cavities are likely very shallow and do not penetrate the heartwood of the snag. No evidence of bat utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed. No live trees with cavities were observed on-site but several structures are present.

### **Sandhill Crane and Wading Birds**

Two sandhill cranes were observed in the northwest pasture and two were observed in the southeast pasture. Little blue herons were observed in the north cattle pond and in the central freshwater marsh. A tricolored heron was observed in an agricultural ditch along the eastern property boundary. No nesting was observed.

### **Audubon's Crested Caracara**

Two adult caracara were observed perching in a slash pine located near the southeast corner of the property. This tree is located on the adjacent property to the east. In addition,

during the 2024 – 2025 Audubon's Crested Caracara Nesting Season, a confirmed nest tree was located within a cabbage palm (FLUCCS 428DE1) onsite.

### **Other Listed Species**

No other species listed by either the FWS or the FWC were observed on the site during the protected species survey or during other site visits. There is the potential for periodic opportunistic foraging by other listed and non-listed species of wading birds within the ditches, cattle pond, and marshes. In addition to the site inspections, a search of the FWC species database revealed no additional known protected species within or immediately adjacent to the project limits.

The wood stork (*Mycteria americana*) is listed as threatened by the FWC and the FWS. Although no wood storks were observed they may forage in the wetlands and ditches. Nesting has not been documented onsite, nor do wood storks appear there in the most recent FWC listed species occurrence database. Wood stork colony locations provided by FWC show two colonies within a 25-mile radius of the property. The closest colony location is approximately 4.5 miles to the southwest of the subject parcel.

The property is not located within the primary and secondary zones of the 2007 Florida Panther Focus Area but is within the 2003 Panther Consultation Area identified by the FWS. The Florida panther (*Felis concolor coryi*) is listed as endangered by both the FWS and FWC. There is one FWC telemetry points located approximately 1.5 miles northeast of the subject property. This point was recorded in 2000 and is located within the Babcock Ranch development.

### **Protected Species Management Plans**

Several measures have been taken to reduce potential impact to wildlife. Adverse impacts to wildlife including listed wildlife are not anticipated as a result of the proposed residential project. All agricultural activities will cease in the Preserve Areas once construction commences, with human disturbance in those areas limited to activities consistent with the conservation easement.

#### Gopher Tortoise Management Plan

Prior to the initiation of development activities, a gopher tortoise burrow survey of the development footprint will be conducted in accordance with current FWC guidelines. If the survey determines there are ten or fewer potentially occupied gopher tortoise burrows that will be impacted by development activities, the landowner will obtain a 10 or Fewer Burrows permit from the FWC and relocate the gopher tortoises to an upland preserve in the southwest portion of the site. In the event there are more than ten potentially occupied gopher tortoise burrows that will be impacted by development activities, the landowner will obtain a Conservation permit from the FWC and relocate the gopher tortoises to the FWC approved off-site recipient site as specified by the FWC permit. Lee County Environmental Sciences will be provided a copy of the FWC gopher tortoise permit prior to excavation of the burrows.

With the exception of potentially occupied gopher tortoise burrows located within 25 feet of the development footprint, all gopher tortoise burrows within the upland preserves will remain undisturbed. The management of the upland preserves are anticipated to improve the quality of gopher tortoise habitat within those preserves.

#### Florida Bonneted Bat

Numerous snags with potential roost cavities were observed within the proposed development footprint of the site. No evidence of bat utilization was observed. The proposed project will result in the preservation and restoration of suitable FBB habitat. The vast majority of on-site wetlands will be restored and preserved. These areas could serve as foraging and roosting habitat to FBBs. The applicant also agrees to the following Best Management Practices outlined in the 2024 Florida Bonneted Bat Consultation Guidelines:

- **D1.** While substantial areas of pasture cannot be retained onsite, 24.00± acres of onsite preserves consisting primarily of herbaceous and forested wetlands will be enhanced via exotic vegetation removal and supplemental plantings. An additional 24.65 acres of wetland pasture and 31.56 acres of upland pasture will be restored to native herbaceous habitats.
- **D2.** Over 35 acres of lakes will be created onsite and will contain littoral shelves which are required by Lee County. These shelves will be planted with appropriate native herbaceous vegetation.
- **D3.** The applicant agrees to the lighting practices outlined in the 2024 Florida Bonneted Bat Consultation Guidelines.
- **D4.** Structures will be designed to avoid or minimize gaps both during and after construction.
- **D5.** The widespread use of insecticides and pesticides will be discouraged.
- **D7.** All snags located within the preserve areas will be retained unless they pose a risk to property or persons.

#### Wading Bird Management Plan

Wood storks were not found during wildlife surveys of the property and no nesting activities were observed. Suitable foraging habitat occurs throughout the property. Additionally, the property occurs within 18.6 miles of two known wood stork colonies. Based on the FWS "Effect Determination Key", dated November 9, 2007 (Service Consultation Code 41420-2007-I-0964), the proposed project may affect the wood stork. Formal consultation for the wood stork is anticipated to be required by the FWS. On behalf of the applicant, at the appropriate time, we will be coordinating with FWS to develop a wood stork mitigation plan which will effectively offset any potential impacts to foraging habitat of this federally listed species. Additionally, it is expected that existing foraging habitat for the wood stork will be enhanced by the removal and maintenance of

invasive exotic plants and protected by implementation of the wetland enhancement and preservation plan and reclamation plan. The proposed littoral shelves will also benefit the wood stork by adding a significant amount of foraging area.

Existing wading bird foraging habitat will be enhanced through removal and maintenance of exotic invasive plants. The proposed site conditions will result in a total of over 49 acres of preserved and restored wetlands. Implementation of the proposed wetland preservation plan would ensure that any potential temporary impacts to these species would be offset. This plan would meet applicable requirements of South Florida Water Management District and Lee County as well as the FWS and FWC.

The enhancement of the property will ultimately provide increased acreage of higher quality habitat for wading birds in preservation areas and restoration areas. Additionally, protection provided by the wetland preservation plan will provide long-term viability for wading birds.

#### Florida Sandhill Crane Management Plan

Florida sandhill cranes have been observed onsite but no nesting has been observed onsite. A total of 7.03 acres of existing foraging habitat (FLUCCS 641) for the sandhill crane will be restored through removal and maintenance of invasive exotic plants. In addition, 24.65 acres of hydric pasture will be restored to herbaceous wetland. Implementation of the proposed Indigenous Habitat Management Plan would assure that any impacts to the foraging pattern of this species are offset.

#### American Alligator Management Plan

Several American alligators were observed in the north-central wetland. The property includes numerous open water features which provide refuge for this species. No alligator nests were found on the property during protected species survey or other site visits. If the proposed project is approved, the wetland enhancement and restoration in the Indigenous Habitat Management Plan will ultimately provide increased acreage of higher quality habitat for the alligator. The proposed site conditions will result in large areas of enhanced wetlands and open water features.

Alligators will commonly move from water body to water body in response to factors such as season, disturbances, food supply, etc. In the event that an alligator is present within the limits of construction at the time of site clearing, work within the immediate vicinity of the alligator will be halted and the animal will be allowed to move out of harm's way. Once the American alligator has moved work can be restarted. The protection provided by implementation of the Indigenous Habitat Management Plan will provide long-term viability for the American alligator onsite.

#### Audubon's Crested Caracara Management Plan

As noted above, an Audubon's crested caracara nest was identified during a 2024-2025 nesting survey. The nest was not observed during the listed species survey. To minimize the potential of impacts to nesting habitat, the cabbage palms located in the proposed development areas will be relocated to the rare and unique upland restoration area and



appropriate preservation areas prior to construction activity initiation, if feasible. The proposed Indigenous Habitat Management Plan includes the preservation and restoration of over 200 acres of uplands. The implementation of this Indigenous Habitat Management Plan will provide long-term viability for Audubon's crested caracara and will assure that any impacts to this species are offset.

#### Florida Panther and Florida Black Bear Management Plan

No Florida panthers or black bears or their signs were observed during the wildlife survey of the property or during numerous other site visits. The project is not in the FWS Florida panther Primary or Secondary Zones, and the nearest FWC telemetry point is 1.5 miles to the northeast, was recorded in 2000, and is within the Babcock Ranch development. It is expected that existing forage and prey habitat for the Florida panther and black bear will be enhanced through removal and maintenance of invasive exotic plants and protected by implementation of this IHMP.

The preservation and restoration of uplands, wetlands, and open water areas will link the surrounding conservation lands, restoring a link that has been disrupted by agricultural activities and exotic vegetation infestation. Please see the Armeda Property Wildlife Corridor Map (Figure 1).

#### Wildlife Habitat Area Corridors

A wildlife corridor totaling 200± acres will be established as part of the proposed Indigenous Habitat Management Plan. Please see Figures 1 and 2. The Trout Creek corridor currently consists of active pasture and exotic vegetation invaded uplands and wetlands. These areas will be enhanced and preserved as described above. The Rare and Unique Upland restoration areas will be planted as described above and shown in the Restoration Area Planting Plan Map (Figure 2).

Prior to the Certificate of Compliance for the infrastructure, the wetland and upland preserve areas, which include the onsite wildlife corridors, will be placed under a Conservation Easement.

### **Human Coexistence with Wildlife Plan**

Homeowners will receive a brochure describing the purpose and function of the preserves (Exhibit A). Additionally, the following Human Coexistence with Wildlife Plan will be incorporated into the project's Homeowners Association documents.

#### American Alligator

Signs will be posted on the subject property adjacent to the water management lakes and bodies of water advising residents that feeding or harassing the American alligators is punishable by state law. An educational brochure, such as the attached "A Guide to Living with Alligators" prepared by the FWC (Exhibit A), will be provided to residents. Residents, commercial tenants, and property maintenance staff will be instructed to contact the FWC for assistance in the event a nuisance alligator is present within the lakes.

### Florida Black Bear

An educational brochure, such as the attached "A Guide to Living in Bear County" (Exhibit A) prepared by the FWC, will be provided to residents and commercial tenants. Residents will be instructed to contact the FWC for assistance in the event a nuisance black bear is present on-site.

### Florida Panther

An educational brochure, such as the attached "A Guide to Living with Florida Panthers" (Exhibit A) prepared by the FWC, will be provided to residents and commercial tenants. This brochure provides advice for residents on how to keep their family and pets safe and suggestions on how to handle encounters with panthers.

## **Monitoring Plan**

The proposed monitoring of the preserve areas will consist of baseline monitoring, time-zero monitoring, and annual monitoring of vegetation. The baseline monitoring documents the pre-exotic removal conditions within the preserve areas. The time-zero report will document the conditions immediately following exotic removal and planting. The annual reports will document the extent of success of the project and, if needed, identify specific actions to be taken to improve conditions within the preserve areas. Sampling stations and methodology of data collection will remain the same for all monitoring events.

The owner or his designee shall also monitor and record water elevations at monitoring wells within the undeveloped wetland areas to provide reasonable assurance to the agencies that no significant hydrologic impacts to wetlands occur as a result of the proposed activities. This information will be provided in the annual monitoring reports.

An important component of the monitoring reports will be the before and after pictures. All monitoring reports will include panoramic photographs from photo stations as shown on Figure 3.

The results of monitoring events within the preserve areas will be reported as stated in this plan. Specific maintenance requirements will be explained in the monitoring report(s). Monitoring reports will describe if/where herbicide treatment is necessary to control nuisance species. The report will also explain if/where plantings need to be replaced or if new plantings should be added to a specific area to improve diversity or percent coverage.

The time-zero monitoring report will be provided prior to certification of compliance. Vegetation removal permits are required for ongoing management activities associated with this approved Indigenous Habitat Management Plan that is preserve area specific for the type of management that is being requested. This report will include the date the planting activity was completed and color photographs to provide an accurate representation of the specific area. The photographs shall be taken from fixed reference points described in the baseline monitoring report and shown on a scaled plan view. A

table depicting numbers, spacing, and sizes of each species planted will also be provided. Subsequent annual monitoring reports will be submitted to requesting agencies within thirty (30) days after each monitoring event. The monitoring reports will include a general qualitative and quantitative characterization of the areas. Any pertinent climatological conditions preceding the monitoring event will be described. Qualitative parameters may include estimates of percent bare ground, percent desirable species, percent undesirable species (nuisance and exotic), notations regarding faunal presence and use, and an overall numerical ranking (1-lowest, 10-highest) of the conditions of the system. This numerical ranking is done annually, preferably by the same evaluators, and takes into consideration all parameters of the qualitative assessment. The monitoring will be completed by September of every year (toward the end of the growing season) and an annual report submitted to the reviewing agencies by the end of October. All data collected and analyzed will be included in the report.

#### Vegetation Monitoring

The vegetation within the uplands and wetlands will be monitored using seven (7) 100 feet long and 20 feet wide transects (Figure 3). The approximate percent cover of plants occurring in the ground cover, midstory, and canopy will be recorded along the transect. Ground cover species include woody vegetation less than three feet in height and all non-woody plants. Midstory vegetation consists of all woody plants greater than three feet in height and less than four inches DBH. Canopy species consist of woody vegetation greater than four inches DBH. Bare ground and open canopy will also be recorded in this manner. The resulting data will be used to calculate percent cover of the three strata.

#### Wildlife Monitoring

Regular observations of fish and wildlife will be made during all monitoring events by qualified ecologists. This will consist of recording evidence and signs of wildlife (i.e., direct sighting, vocalization, nests, tracks, droppings, etc.).

#### Photographic Documentation

Permanent fixed-point photograph stations will be established in each of the monitored areas thereby providing physical documentation of the condition and appearance of an area, as well as any changes taking place. Panoramic photographs will accompany vegetation data in each report. Locations of photo stations will remain the same throughout the duration of the monitoring program.

#### Report

The methodology and results of each monitoring event will be documented in an annual monitoring report. Data will typically be collected towards the end of the growing season (September - October) and submitted to the agencies with 90± days of data collection.

### **Method and Frequency of Pruning and Trimming**

No pruning or thinning of native vegetation within the indigenous vegetation preserves is proposed at this time. In the event that trimming becomes necessary to meet the ecological goals of this management plan, the trimming will be accomplished by hand

using chainsaws or machetes and will be restricted to no more than 25 percent of an area during any particular one-year interval. Cut vegetation will remain on-site.

The Lee County Division of Environmental Sciences will be notified prior to any preserve maintenance (other than routine annual exotic maintenance events).

### **Garbage Management**

All garbage will be removed from the preserves prior to the issuance of the Certificate of Compliance for any part of the development. The preserves will be surveyed for garbage semi-annually.

### **Proposed Work Schedule**

The invasive exotic and nuisance plant control program will commence after approval of this project's development order. The initial exotic treatment will be initiated during the first dry season following issuance of all required federal, state, and local authorizations. It is anticipated that the initial treatment will be completed in less than three months. The supplemental plantings will be initiated within approximately two months of the completion of the initial exotic removal, weather permitting.

The estimated work schedule provided below (Table 3) is based on the above considerations and the anticipated issuance of all authorization by December 2026.

Table 4. Estimated Work Schedule

| <b>Date</b>          | <b>Activity</b>                                   |
|----------------------|---------------------------------------------------|
| January 2027         | Record Conservation Easements                     |
| January 2027         | Baseline Monitoring                               |
| January - March 2027 | Initial Exotic Treatment                          |
| April/May 2027       | Install Supplemental Plantings                    |
| July 2027            | Time Zero Monitoring                              |
| July 2028            | First Annual Monitoring                           |
| July 2029            | Second Annual Monitoring                          |
| July 2030            | Third Annual Monitoring                           |
| July 2031            | Fourth Annual Monitoring                          |
| July 2032            | Fifth Annual Monitoring and Final Site Inspection |



## **Exhibit A**

### **NRCS Web Soil Survey Ecological Site Name Map and Soils and Preserves Overlay Map**

## NRCS Ecological Site Name

| Map unit symbol                    | Map unit name                                                      | Rating                                                                       | Acres in AOI | Percent of AOI |
|------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------|--------------|----------------|
| 6                                  | Brynwood fine sand, wet, 0 to 2 percent slopes                     | Sandy Flatwoods and Hammocks                                                 | 55.5         | 9.7%           |
| 12                                 | Felda fine sand, 0 to 2 percent slopes                             | Sandy over Loamy Flatwoods and Hammocks                                      | 45.5         | 8.0%           |
| 13                                 | Cypress Lake fine sand, 0 to 2 percent slopes                      | Sandy over Loamy Flatwoods and Hammocks                                      | 22.2         | 3.9%           |
| 26                                 | Pineda-Pineda, wet, fine sand, 0 to 2 percent slopes               | Sandy over Loamy Freshwater Isolated Marshes and Swamps                      | 14.0         | 2.5%           |
| 33                                 | Oldsmar sand, 0 to 2 percent slopes                                | Sandy Flatwoods and Hammocks                                                 | 185.4        | 32.4%          |
| 34                                 | Malabar fine sand, 0 to 2 percent slopes                           | Sandy Freshwater Isolated Marshes and Swamps                                 | 11.2         | 2.0%           |
| 45                                 | Copeland fine sandy loam, frequently ponded, 0 to 1 percent slopes | Loamy and Clayey Freshwater Isolated Marshes and Swamps                      | 13.3         | 2.3%           |
| 55                                 | Cocoa fine sand, 0 to 2 percent slopes                             | Sandy over Loamy Flatwoods and Hammocks on Rises and Knolls of Mesic Uplands | 167.1        | 29.2%          |
| 63                                 | Malabar fine sand, high, 0 to 2 percent slopes                     | Sandy Flatwoods and Hammocks                                                 | 55.9         | 9.8%           |
| 99                                 | Water                                                              |                                                                              | 1.7          | 0.3%           |
| <b>Totals for Area of Interest</b> |                                                                    |                                                                              | <b>571.9</b> | <b>100.0%</b>  |

## Description

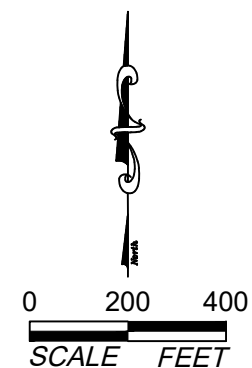
An "ecological site ID" is the symbol assigned to a specific ecological site. An "ecological site" is the product of all the environmental factors responsible for its development. It has characteristic soils that have developed over time; a characteristic hydrology, particularly infiltration and runoff, that has developed over time; and a characteristic plant community (kind and amount of vegetation). The vegetation, soils, and hydrology are all interrelated. Each is influenced by the others and influences the development of the others. For example, the hydrology of the site is influenced by development of the soil and plant community. The plant community on an ecological site is typified by an association of species that differs from that of other ecological sites in the kind and/or proportion of species or in total production. Descriptions of ecological sites are provided in the Field Office Technical Guide, which is available in local offices of the Natural Resources Conservation Service.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Lower



**SECTION: 8**  
**TOWNSHIP: 43 S**  
**RANGE: 26 E**

| FLUCCS | Description             | Acreage |
|--------|-------------------------|---------|
| 400    | Uplands                 | 31.56   |
| 427    | Live Oak                | 178.87  |
| 428    | Cabbage Palm            | 1.56    |
| 510    | Streams and Waterways   | 4.49    |
| 510D   | Ditches                 | 0.28    |
| 520    | Lakes                   | 2.62    |
| 600    | Wetlands                | 24.65   |
| 617    | Mixed Wetland Hardwoods | 16.97   |
| 641    | Freshwater Marshes      | 7.03    |
| 742    | Borrow Areas            | 0.30    |

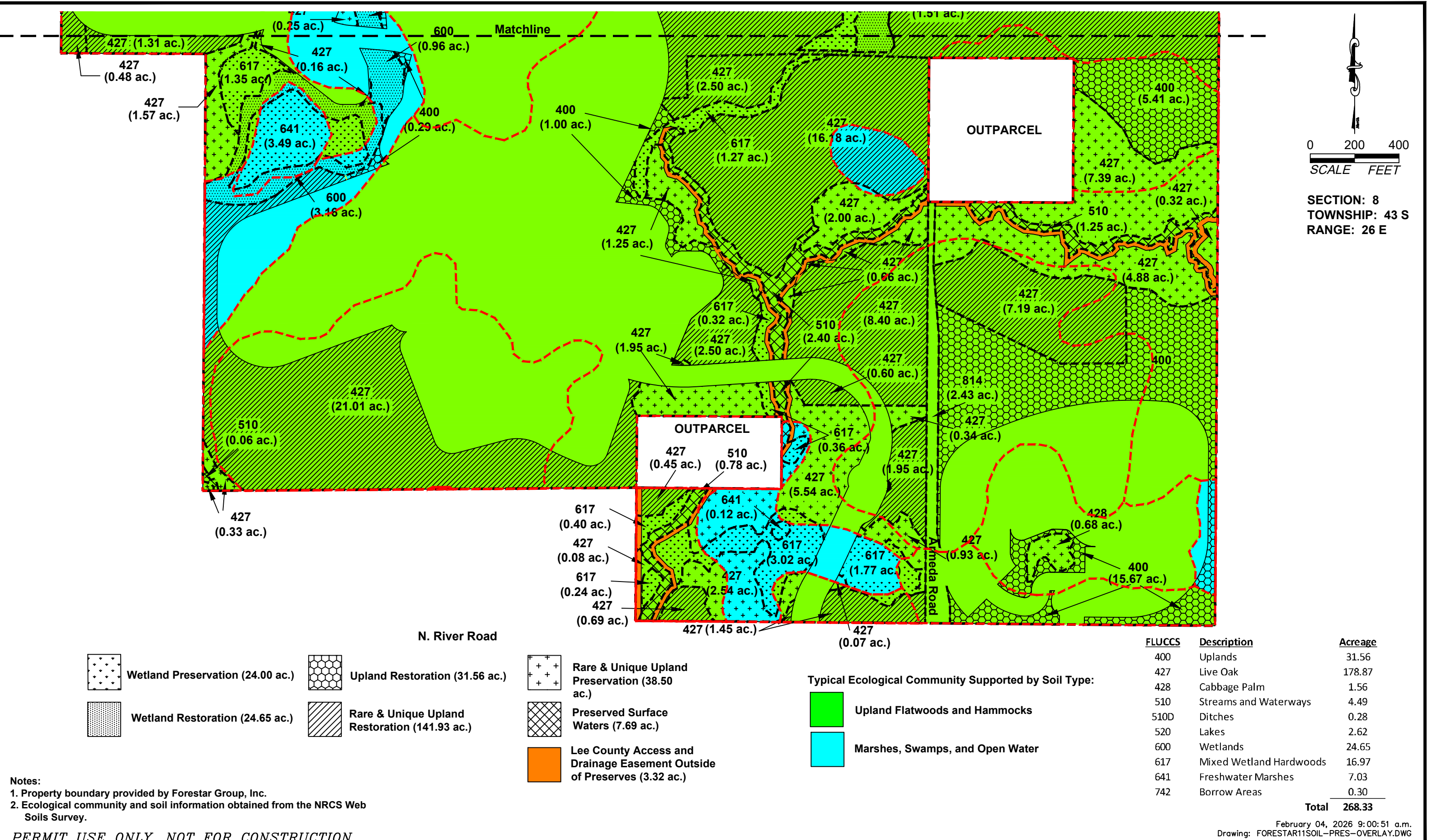
**Notes:**

1. Property boundary provided by Forestar Group, Inc.
2. Ecological community and soil information obtained from the NRCS Web Soils Survey.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

February 04, 2026 9:00:51 a.m.  
Drawing: FORESTAR11SOIL-PRES-OVERLAY.DWG





## **Exhibit B**

### **Sample Brochure**

**A Guide to Living with Alligators**

**A Guide to Living in Bear County**

**A Guide to Living with Florida Panthers**

## Example Preserve Educational Brochure

# Armeda Property

## Indigenous Preserve Areas

In order to enhance and maintain indigenous habitats and associated native wildlife, preserve areas have been established within the Armeda Property. The goal of the indigenous vegetation preserves is to enhance the existing wetlands and uplands via exotic control. Preserve areas shall be maintained in a natural state through the treatment of exotic vegetation and periodic maintenance. These areas can be identified by signs which denote them as "Preserve Areas". Please do not disturb these areas or plant any vegetation within their confines.

In order to improve the value of the uplands on-site, existing exotic dominated lands will be cleared of nonnative species and planted with a variety of native upland species including laurel oak (*Quercus laurifolia*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), saw palmetto (*Serenoa repens*), and wax myrtle (*Myrica cerifera*). These uplands will provide habitat for a variety of bird species including the blue jay (*Cyanocitta cristata*), eastern phoebe (*Sayornis phoebe*), gray catbird (*Dumetella carolinensis*), white-eyed vireo (*Vireo griseus*), and various woodpeckers. Small mammals may also utilize these areas.



The forested wetland preserve areas consist primarily of mixed wetland hardwoods that have been invaded by exotics. Native species occurring in these areas includes laurel oak (*Quercus laurifolia*), slash pine (*Pinus elliotii*), cabbage palm, pond apple (*Annona glabra*), and pop ash (*Fraxinus caroliniana*). These areas provide a natural conveyance of surface waters and habitat to a variety of animals. Wildlife that may utilize these areas includes small animals such as the tree frog (*Hyla* spp.), pig frog (*Rana grylio*), and various snakes.

A variety of birds including the red-shouldered hawk (*Buteo lineatus*), northern mockingbird, northern cardinal (*Cardinalis cardinalis*), bluegray gnatcatcher (*Polioptila caerulea*), and various warblers commonly occur within the forested wetland at various times of the year. Mammals such as the raccoon (*Procyon lotor*) and rabbit (*Sylvilagus floridanus*) may also be present in the wetland.

Portions of Trout Creek are present within the preserve areas adjacent to the forested uplands and wetlands. These waterways are maintained to provide surface water flow through the property and wildlife habitat. The dumping of debris into these waterways is strictly forbidden.

The wetlands and uplands on-site have become invaded by problematic invasive exotic plants, primarily Brazilian pepper (*Schinus terebinthifolius*). When exotics dominate native habitats, the naturally occurring flora (plants) and fauna (animals) become displaced. Other functions, such as water filtration and conveyance, can also be altered. Therefore, in order to improve the native habitats being preserved and to comply with State and County requirements, the exotics will be treated. Regular maintenance events will be undertaken to prevent the re-colonization of the preserves by exotics.

Once the exotics are treated in the wetlands, habitat will be present on-site for a variety of state and federally protected wading birds including the little blue heron (*Egretta caerulea*), roseate spoonbill (*Ajaia ajaja*), tricolored heron (*Egretta tricolor*), and wood stork (*Mycteria americana*). These birds typically forage in freshwater wetlands throughout southwest Florida. The others wading birds mentioned stalk their prey which are usually small fish, insects, and amphibians. Please do not feed, harm, or harass any wildlife.



■ 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.



Janice Plain

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



MyFWC.com/Alligator



Tim Donovan, FWC

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

# 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](http://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.





Mitt Fox

## Discouraging bears from visiting your home

Properly storing or securing residential garbage and other attractants is a proven method of discouraging bears and preventing bear conflicts around homes, farms and neighborhoods. The following items attract bears and should be protected by an electric fence, wildlife resistant container, or stored in a secure place, such as a garage or sturdy shed:

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

**Funds from the “Conserve Wildlife” license plate help support efforts to reduce human-bear conflicts. Buy one today at your local tax collector’s office or online at [BuyAPlate.com](http://BuyAPlate.com).**

## Secure common bear attractants

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

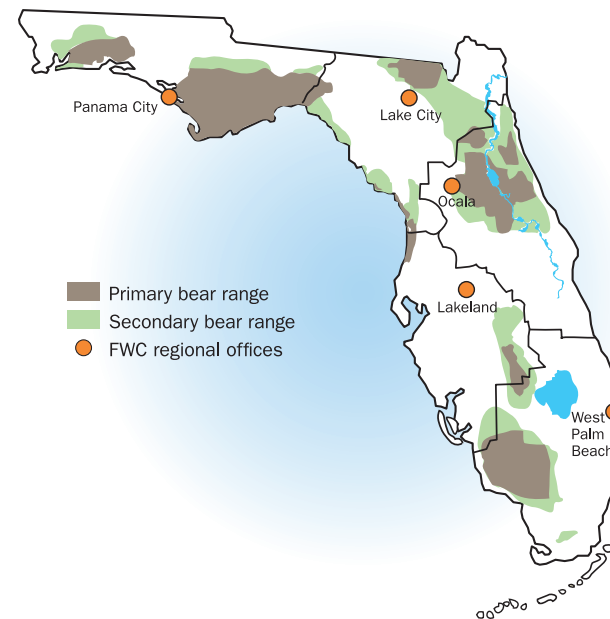
Learn more about black bears with the Florida Black Bear Curriculum Guide. The guide is designed to educate teachers and students in 3rd to 8th grade and offers a comprehensive series of lessons on Florida’s black bear.

To get tips on how to secure bear attractants, watch videos about bears or how to install electric fencing, and learn more about bear-resistant containers, visit [MyFWC.com/Bear](http://MyFWC.com/Bear).



Rick Sinnott

## Bear range in Florida



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

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

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

Follow us on:



Cover photo by Ashley Hockenberry



Florida Fish and Wildlife  
Conservation Commission  
[MyFWC.com](http://MyFWC.com)

printed on recycled paper

# A guide to living in bear country



Florida Fish and Wildlife  
Conservation Commission  
[MyFWC.com](http://MyFWC.com)





Ashley Hockenberry

### If you live in Florida, you should know

Florida black bear populations have been recovering from historically low numbers in most areas of the state. At the same time, the human population is rapidly expanding in and around bear range. As a result, bears and humans are encountering each other more than ever.

Calls to the Florida Fish and Wildlife Conservation Commission (FWC) about human-bear encounters have increased from 1,000 in 2001 to over 4,000 in 2010. The most common calls refer to bears in yards and getting into garbage.

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

While feeding bears is illegal in Florida, bears are still often fed by humans, either intentionally or unintentionally. When black bears have access to pet food, garbage, birdseed, livestock feed or other human-provided items, they quickly learn to associate people with food. Bears that have become

too comfortable around people are more likely to be killed, either by vehicle collisions, illegal shooting, or as a result of bear management actions.

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

### If a bear comes into your yard

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

- Do not intentionally feed or attract bears. If a bear is eating something on your property, take note of what it is and secure it after the bear has left the area.



Charles Towne



Ashley Hockenberry

- Never approach or surprise a bear. Keep as much distance between you and the bear as possible.
- Make sure you are in a secure area and the bear has a clear escape route to leave the area - then yell, bang pots and pans, or use an air horn to scare the bear away.
- Do not turn your back, play dead or run from a black bear. Back away slowly into a house, car or building.
- Report any bear threatening the safety of humans, pets or livestock, or causing property damage to the FWC (see back panel).
- Warning! It is illegal to injure or kill black bears under Florida state law. If you are found guilty, you could face fines and/or jail time.

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

### Did you know?

Black bears are shy animals and generally not aggressive towards people. When a bear stands on its hind legs, it is merely trying to get a better view, rather than acting in a threatening way. Black bears may huff, snap their jaws, swat the ground or "bluff charge" when cornered, threatened or caught stealing food. Stand your ground and then slowly back away. Always respect bears – they are large and powerful wild animals and can act unpredictably. Bears used to getting food from humans may lose their natural fear of people and are more likely to damage property or become a safety threat.

### The bear facts

Black bears are the only species of bear in Florida and once roamed the entire state.

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

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





## 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](http://MyFWC.com/Panther)

# A guide to living with Florida Panthers



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**[MyFWC.com/Panther](http://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](http://edis.ifas.ufl.edu/UW137).
- Appropriate fencing will make your yard or play area uninviting to prey animals such as deer.

6. Consider other deterrents

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

7. Hike or bike with a friend

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

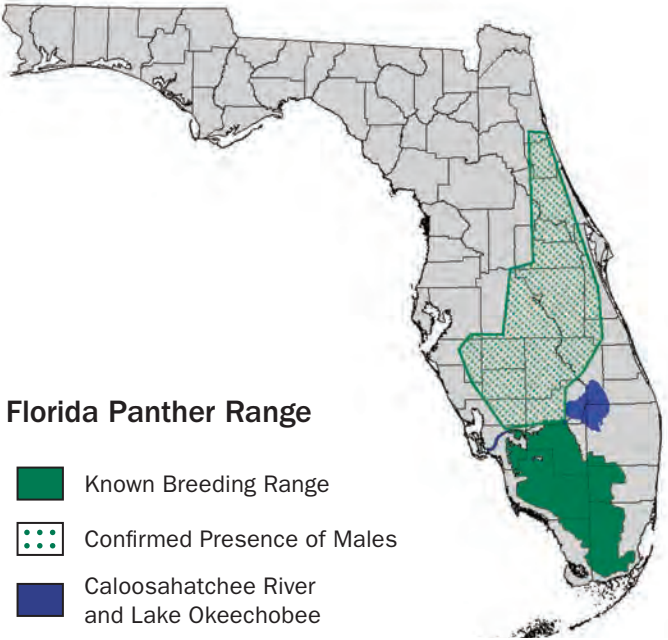
Florida panther facts

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



FWC panther team

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



Florida Panther Range



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.

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# Armeda

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## Conceptual Surface Water Management Plan

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February 2026

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Prepared By:



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Prepared For:



9001 Daniels Parkway, Suite 101  
Fort Myers, FL 33912

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## General Project Information & Permitting

The Armada project is located at 19551 Armada Road, situated in Alva, Lee County, Florida. The Property lies north of N River Road, generally between Turkey Run Lane and Armada Road, approximately 1.55 miles east of SR 31. The property is comprised of several parcels totaling approximately 561.6± acres.

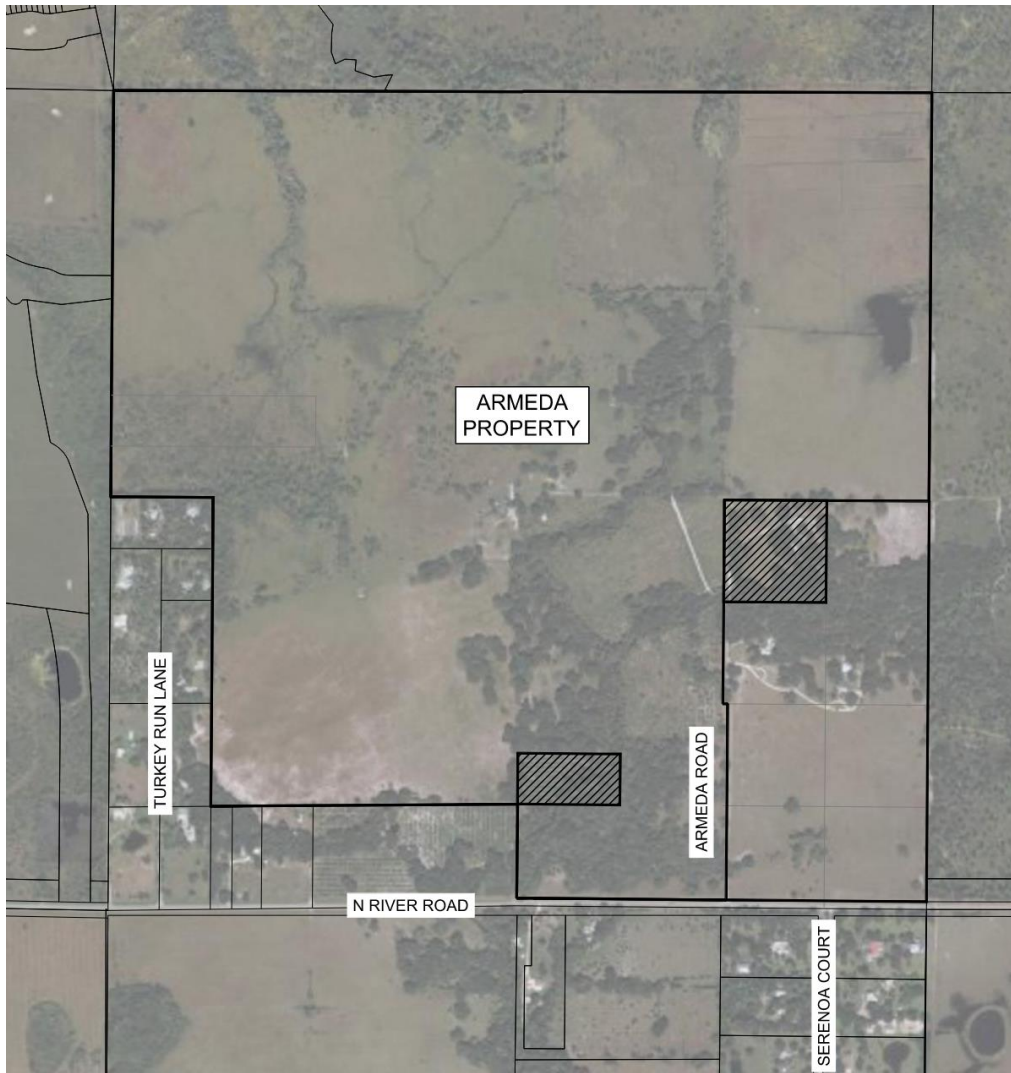


Figure 1 - Vicinity Map

Forestar Group intends to develop the Property into a residential community consisting of approximately 737 single-family lots, complemented by private amenities and associated site infrastructure.

The project is not currently permitted with the South Florida Water Management District (SFWMD), but an Environmental Resource Permit (ERP) will be obtained prior to construction.

## Existing Conditions

The Armeda property is currently undeveloped and, based on a review of historic aerial photography, the property had largely been converted to agricultural uses prior to 1953. Additional clearing and conversion to pasture occurred between 1953 and 1979.

The surrounding area is largely undeveloped but the land to the North, East, and West are primarily preserved lands associated with the Babcock Ranch Development project, with scattered single-family homes also present.

## Existing Topography

A topographic survey was performed by Atwell for the Project, which found that the Armeda property generally slopes gently to the southeast – from the high point in the northwestern corner of the site to the low point located in the FEMA regulatory floodway containing Trout Creek.

Existing ground cover is primarily native grasses with scattered bunches of trees and vegetation present on site. Also present are several isolated other surface waters.

## Existing Drainage

The Armeda property lies within the Trout Creek watershed. Trout Creek crosses the southeastern corner of the site, conveying flows southward beneath North River Road through existing box culverts before continuing toward the Caloosahatchee River system.

Surface water drains along the natural topography toward Trout Creek and surrounding low-lying areas.

## Offsite Runoff

Offsite runoff originating to the northwest enters the property through preserve areas within the Babcock Ranch MPD. These flows move through on-site preserve corridors and wetlands, then continue southeast to ultimately join Trout Creek. As part of the Project, these offsite flows will be evaluated and quantified to confirm the proposed development can accommodate them while preserving historic drainage patterns and conditions.



## **Proposed Surface Water Management System**

As part of the Project, a surface water management (SWM) system is proposed, which will provide water quality treatment before runoff is ultimately discharged into Trout Creek. The Project provides significant preservation areas which will maintain the existing flow-ways and associated habitats to the maximum extent practicable, providing significant benefits to surface and ground water.

The SWM system will consist of a system of curbs, gutters, inlets, and underground piping that collect runoff and direct flows into interconnected on-site lakes. These lakes will provide the required storage, water quality treatment, and attenuation prior to discharge. The lakes will be provided with littoral plantings, further enhancing the water quality benefits provided by the system. Additionally, on-site wetlands are to be incorporated into the overall design and function of the SWM system. Stormwater will be released at a controlled rate into the adjacent floodway (Trout Creek), which serves as the ultimate receiving water.

The SWM system will be designed in accordance with the SFWMD Applicant's Handbook (including SFWMD's new Water Quality Rules) and an Environmental Resource Permit (ERP) will be obtained prior to construction.

The SWM system will be operated and maintained by a Community Development District (CDD) or Homeowners' Association (HOA), to be determined prior to permit approval.

## **Site Layout and Hydrology**

The site plan layout is based on the site's topography and hydrology, with Trout Creek serving as significant natural conveyance features. The proposed development is designed to minimize encroachment into these creek corridors and adjacent wetlands, while maintaining (or improving) historic flow patterns and hydroperiods, as well as limiting or avoiding adverse impacts to upstream and downstream properties.

## **Stormwater Management Methodology**

The site plan has been designed to safely convey all on-site runoff (as well as a substantial portion of off-site runoff originating from the Babcock parcels to the north and west) through the site without adversely affecting downstream infrastructure, including Trout Creek. Stormwater generated within the site will be collected and conveyed via a system of curbs, gutters, inlets, and underground piping. All runoff will be routed through a network of on-site lakes and/or other stormwater treatment best management practices (BMPs) prior to discharge, ensuring that no stormwater exits the site without treatment.

As part of the site design, a comprehensive engineering analysis of the surface water management system will be performed. This analysis will evaluate, among other factors, storm stages associated with the 25-year and 100-year storm events, including critical elevations such as minimum roadway elevations and finished floor elevations. The initial control elevations have been established based on field-verified seasonal high-water markers placed in several locations on the site, and the stormwater system proposed as part of the project steps down with the natural grade of the site (north to south, west to east) to allow for a natural passage of flows to the creek. An interconnected pond routing model will be provided which will show a net reduction in overall discharge/runoff rate as well as highlighting the maintenance (or net improvement) of the existing hydroperiods in the post-development condition. The hydraulic capacities of all proposed stormwater conveyance and control elements will also be assessed.

For analytical purposes, the site has been divided into twelve (12) basins to facilitate detailed evaluation of stormwater treatment within each drainage area. While treatment is assessed at the sub-basin level, the surface water management system is modeled holistically using Bentley StormCAD for pipe sizing, as well as Streamline StormWise software for analysis of interconnected pond routing, and maintenance of existing site flow patterns.

### Water Quality & Nutrient Loading

In accordance with the SFWMD's new Water Quality Rules, the SWM system will be designed to provide the required level of pollutant load reduction. In addition, a nutrient loading analysis will be conducted via BMPTrains software to demonstrate compliance with water quality treatment requirements (nitrogen and phosphorous).

### Floodplain and FEMA Designations

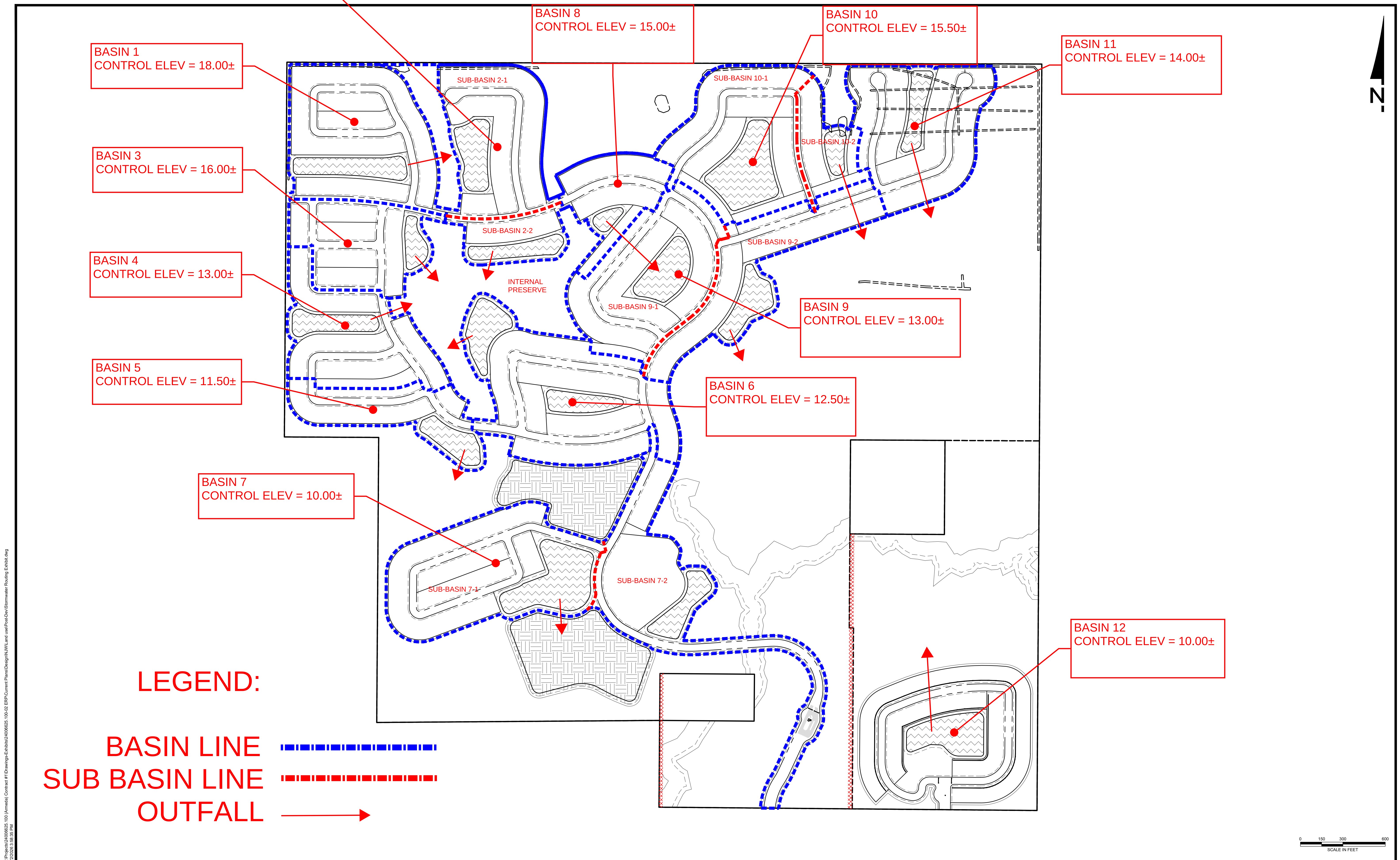
#### Floodplain

The Armeda site is located within multiple FEMA-designated flood zones, including Zone X, Zone AE, and mapped regulatory floodway areas (per FEMA FIRM panels 12071C0318G and 12071C0301G).

Due to the Project's proximity to Trout Creek and its associated floodplain, a floodplain compensating storage analysis will be conducted to ensure that the proposed improvements do not adversely impact the existing floodplain or adjacent properties. The analysis will utilize the effective FEMA data and elevations applicable to the site. If necessary, compensating storage will be provided (areas for compensating storage have been designated on the Master Concept Plan).

#### Regulatory Floodway

A FEMA-designated floodway containing Trout Creek traverses the southeastern corner of the Project. The Project and its SWM system are designed to minimize impact to the Trout Creek floodway to the maximum extent practicable. In addition to the floodplain compensating storage analysis, hydraulic and hydrologic studies will be necessary to assess potential impacts to Trout Creek and determine feasible mitigation strategies.



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## CHARACTERIZATION OF GROUND AND SURFACE WATER RESOURCES

Armeda Residential Development

Lee County, Florida

January 2026



1953 aerial photograph, obtained from the University of Florida Digital Collection



Ground and Surface Water Resources  
Armeda Residential Development - Lee County, Florida

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## EXECUTIVE SUMMARY

The proposed Armeda Residential Development encompasses approximately 562 acres located north of State Highway 78 (North River Road) and about five miles east of Interstate 75 in Lee County, Florida. The property lies within the Northeast Lee County Density Reduction/Groundwater Resource (DR/GR) area and is currently zoned AG-2 (Agricultural). The project proposes to convert the site from predominantly agricultural use to residential development. Because of this land use change and the site's location within the DR/GR, an evaluation of groundwater and surface water resources is required, including measures to protect local water levels and maintain or improve water quality.

The property is situated north of the Caloosahatchee River within the Trout Creek watershed, identified as Water Body Identification (WBID) No. 3240G. The Trout Creek watershed encompasses approximately 16,273 acres, of which the project area represents roughly 3.5 percent. The Florida Department of Environmental Protection (FDEP) has classified Trout Creek as impaired for fecal coliform bacteria. According to FDEP's March 2010 Total Maximum Daily Load (TMDL) report, agricultural land uses account for about 41 percent of the watershed. Elevated fecal coliform concentrations are often associated with stormwater runoff from areas where livestock are present or have direct access to surface waters and tributaries. Additional sources may include birds, aquatic fauna, and other wildlife.

A significant hydrologic feature of the site is Trout Creek, which bisects the southeastern section of the property. The Armeda property generally drains toward this feature, with land surface elevations ranging from approximately 19 feet NAVD88 in the northwestern portion of the site (farthest from Trout Creek) to approximately 6 feet NAVD88 in the southeast, adjacent to Trout Creek. Trout Creek flows beneath North River Road to the south, where it ultimately discharges to the Caloosahatchee River.

A review of Florida Land Use and Cover Classification System (FLUCCS) data produced by the FDEP indicates that most of the property is classified as improved pasture and used for livestock grazing. The remainder of the property consists of freshwater marshes, wetland hardwoods and upland hardwoods, pursuant to the FLUCCS map submitted with the application. In addition, an approximately 25-acre parcel in the southeastern portion of the site has historically been used for citrus cultivation, which has since become fallow.

A single Sandstone Aquifer irrigation well supplied water to the citrus crops and is still authorized for use under Water Use Permit No. 36-07306-W, included as **Attachment 1**. Historical aerial imagery indicates that citrus cultivation has occurred onsite continuously since the early 1940s. In addition to citrus, row crop farming appears to have periodically taken place in the northeastern portion of the site. Please note that Water Use Permit No. 36-07306-W is proposed to be canceled upon approval of the Armeda residential development. The cancellation of this citrus irrigation permit will result in a groundwater savings of 23.52 million gallons (or 64,438 gallons per day) on an annual basis, which accounts for an offset of approximately 33 percent of the proposed landscape irrigation quantities.

According to Natural Resources Conservation Service (NRCS) data, the predominant soil type on the site, covering approximately 45 percent of the property, is Oldsmar sand, a fine-grained, poorly drained soil formed from sandy and loamy marine deposits. The seasonal high water table for this soil type typically occurs about 18 inches below the land surface, with local variations related to changes in surface elevation. Given the property's inclusion of Trout Creek, much of the southeastern portion of the site lies within Federal Emergency Management Agency (FEMA) Flood Zone A, and the Trout Creek stream channel itself is designated as a Regulatory Floodway.

The development proposes numerous stormwater lakes ranging in size from approximately 0.5 acres to 4.4 acres. In total, the stormwater lakes will occupy approximately 37 acres, or about 7 percent of the site. Proposed stormwater outfalls for the lakes will generally follow the existing land surface gradient toward Trout Creek, in accordance with Lee Plan Goal 60. The number of proposed stormwater lakes, i.e., wet detention areas, will increase overall recharge potential to the underlying aquifers and help improve water resource conditions within the DR/GR, consistent with Lee Plan Goal 27.3.

To provide further assurance that DR/GR water resources will be protected, the Applicant proposes collecting baseline surface water quality samples from Trout Creek near the point where it exits the property at North River Road. Samples are proposed to be analyzed for nutrients, a select group of metals, and fecal coliform bacteria. In addition, groundwater levels within the Sandstone Aquifer are proposed to be monitored daily at two locations, on the eastern and western sides of the property, prior to operation of the development's irrigation system. These monitor wells will help ensure that existing groundwater conditions are maintained and that adjacent legal users are protected. The Applicant proposes to initiate both surface water quality and groundwater level monitoring following construction completion of the stormwater management system and to continue collecting data during both wet and dry seasons (semiannually) for a period of five years. These efforts demonstrate the project's consistency with Lee Plan Goal 27.

Following completion of the stormwater lakes, the development's landscape irrigation system will be installed and proposed to be supplied primarily by captured stormwater, with seasonal augmentation from groundwater withdrawn from the Sandstone Aquifer. Irrigation volumes will be regulated by the South Florida Water Management District (SFWMD) and managed through a central control system that prevents individual residents from modifying irrigation scheduling or duration. The use of surface water from the stormwater management lakes will substantially reduce groundwater demand during periods of adequate rainfall (i.e., post-rainy season) and is expected to help maintain surface water quality while preserving natural surface water flow gradients, consistent with the goals and policies of the Lee Plan. All irrigation quantities (ground and surface water) are proposed to be metered.

## 1.0 INTRODUCTION

As shown in **Figure 1**, the subject property is located in the northeastern section of Lee County, north of the Caloosahatchee River, and occupies nearly all of the Northeast Lee County DR/GR designated area. This portion of the DR/GR is unique in that it encompasses only about one square mile and is completely isolated from the much larger Southeast Lee County DR/GR. Despite its isolation, the conceptual site plan must still demonstrate increased protection of, and potential enhancement to, existing water resource conditions.

Consistent with existing drainage patterns, the proposed residential development's stormwater runoff is proposed to be routed toward Trout Creek and eventually to the Caloosahatchee River, in accordance with Lee Plan Policy 61.1.4. As shown in **Figure 2**, the development's design incorporates multiple stormwater lakes that are intended to mimic the existing flow directions and gradients of both stormwater runoff and groundwater, in accordance with Lee County Land Development Code (LDC) Section 34-373(b)(1).

In addition, the development's large open spaces and preservation of natural wetland features along Trout Creek help integrate the project with the surrounding rural landscape, as required by Lee Plan Policy 27.4.1. The site plan's preservation areas also serve to protect native plant communities and hydrologic features associated with Trout Creek. Collectively, the stormwater management design and preserve areas help maintain the existing seasonal range in water table elevations, consistent with Lee Plan Policy 126.1.4.

## 2.0 PROPERTY SETTING

In its predevelopment state, the subject property was predominantly characterized by open rangeland interspersed with remnant pine flatwoods and intermittent drainage tributaries bordered by shallow freshwater wetlands, as shown in the 1940s aerial image provided as **Figure 3**. However, similar to other properties in northern Lee County, agricultural operations on the Armeda property had already begun and were initially comprised of citrus cultivation. These and other farming activities necessitated the construction of drainage ditches that altered the naturally occurring surface water flow patterns and lowered shallow groundwater levels. By 1953, farming activities had expanded, and additional areas of the property were converted to improved pasture, as shown in **Figure 4**.

As farming expanded, so did the drainage features on the site, as evidenced by the grid-like pattern of parallel farm ditches in the northeastern and southwestern portions of the property, visible in LiDAR imagery, included as **Figure 5**. Enhanced drainage of agricultural areas in South Florida is common practice, as it expedites the removal of excess stormwater and enables cultivation of crops that are vulnerable to oversaturated soils. Improved drainage also promotes the growth of pasture grasses, which can outcompete native plant species. Cattle grazing further contributes to this gradual transition in vegetation composition. All of these factors modified and eventually degraded the historic hydrology of the site.



Farm-field drainage ditches associated with agricultural activities also reduce water table elevations and subsequently lower recharge potential to the underlying aquifers. Depending on ditch configuration and maintenance, they can also produce adverse impacts on nearby environmental features (e.g., wetlands) by redirecting runoff and shortening hydroperiods. These types of hydrologic alterations, combined with decades of cattle grazing, favor the establishment of exotic and nuisance plant species, which further degrade natural flow regimes and surface water quality.

The FEMA National Flood Hazard Map indicates that a small portion of the southeastern section of the Armeda property lies within Flood Zone X (0.2 percent annual chance of flooding). Larger areas are designated as Flood Zone AE (1 percent annual chance of flooding), and areas along the Trout Creek stream channel are classified as a Regulatory Floodway, as shown in **Figure 6**. Due to the availability of surface water, these same areas have been frequented by cattle, further increasing fecal coliform loading. The resulting site conditions, evident in recent (2025) aerial imagery provided as **Figure 7**, contrast sharply with the earlier aerial imagery from the 1940s and 1953.

A review of FLUCCS data produced by the FDEP, illustrated in **Figure 8**, indicates that most of the property is classified as improved pasture and used for livestock grazing. The remainder of the property consists of freshwater marshes, wetland hardwoods and upland hardwoods. In addition, an approximately 25-acre parcel in the southeastern portion of the site has historically been used for citrus cultivation.

### 3.0 PROPOSED IRRIGATION SUPPLIES

Three principal aquifer systems underlie the subject property: (1) the unconfined Water Table Aquifer, (2) the confined Intermediate Aquifer System (IAS), which includes the Sandstone, Mid-Hawthorn, and Lower Hawthorn Aquifers, and (3) the confined Upper Floridan Aquifer System (UFAS). In northeast Lee County, groundwater quality declines rapidly with depth, and suitable water supplies are generally found at depths no greater than 300 feet below land surface (bls). At greater depths, groundwater becomes highly mineralized, saline, and typically artesian. Consequently, groundwater withdrawals for irrigation are generally limited to depths shallower than 300 feet bls, excluding the lower IAS and UFAS as viable irrigation sources.

Suitable water quality for agricultural or residential irrigation is available from both the Water Table Aquifer and the Sandstone Aquifer. Based on Water Use Permit No. 36-07306-W for the historic citrus grove, shown in **Figure 9**, the Sandstone Aquifer alone is capable of providing adequate irrigation supplies. However, to safeguard the Sandstone Aquifer, the Applicant proposes conjunctive use of surface water from the development's numerous stormwater wet-detention lakes. This approach prevents overuse of the Sandstone Aquifer and helps protect surrounding legal users who may also utilize the same aquifer for drinking water.

The Sandstone Aquifer underlies the Water Table Aquifer and is comprised predominantly of clastic sediments, including sandy limestone, cemented sands (sandstone), sandy dolomite, and calcareous sands. Due to the occurrence of low-permeability sediments separating the Sandstone Aquifer from the overlying Water Table Aquifer, the potential for groundwater withdrawals from the Sandstone Aquifer to cause adverse drawdown in the Water Table Aquifer is considered remote. The

proposed Sandstone Aquifer irrigation wells are intentionally located away from the property boundary to prevent potential interference with existing legal users.

To quantify irrigation demands for the Armeda development, the Blaney-Criddle Irrigation Allocation Calculator, developed by the SFWMD, was used to determine both annual and maximum month (dry season) demands for approximately 55.68 acres of turfgrass. In accordance with Lee Plan Policy 28.5.5, Florida Friendly landscaping will be implemented to the greatest extent practicable to reduce overall irrigation requirements.

As shown in **Attachment 2**, the modified Blaney-Criddle-derived annual and maximum month allocations are estimated at 71.51 million gallons per year (approximately 195,920 gallons per day) and 9.61 million gallons per month (approximately 310,000 gallons per day), respectively. To meet irrigation demands while minimizing impacts on groundwater systems, the development will utilize seven of the proposed stormwater lakes as primary irrigation sources. Groundwater from the Sandstone Aquifer will serve only as a backup supply for lake augmentation during the dry season. As shown on **Figure 10**, seven surface water irrigation pumps are proposed, each paired with a backup Sandstone Aquifer well for residential irrigation.

Irrigation volumes will be regulated by a centrally controlled system, preventing individual residents from modifying the timing or duration of irrigation events. The use of surface water from the stormwater lakes significantly reduces groundwater withdrawals when adequate water supplies are available (i.e., post-rainy season) and is anticipated to help maintain existing groundwater levels both on and off the property. Maintaining the site's hydrologic characteristics while conserving water resources is consistent with Lee Plan goals and policies. Coupled with the proposed management practices, this approach provides a proactive framework to safeguard and enhance water resource protection.

#### **4.0 GROUNDWATER FLOW MODELING FOR THE MAXIMUM MONTH IRRIGATION ALLOCATION**

To demonstrate that the proposed use of the Sandstone Aquifer for supplemental irrigation will not cause adverse impacts to surrounding existing legal users, a single-layer groundwater flow model representing the Sandstone Aquifer was developed using AquiferWin32 to evaluate potential drawdown impacts resulting from the proposed maximum monthly groundwater withdrawals.

The analytical groundwater modeling scenario includes a single stress period, representing transient/future hydrologic conditions, and was run for 90 days with no recharge to simulate the maximum monthly irrigation allocation for the three driest months of the year (March, April, and May). The Hantush and Jacob (1955) leaky aquifer solution was applied in this modeling scenario.

The results of the 90-day maximum monthly modeling scenario for the Sandstone Aquifer are shown in **Figure 11**. The greatest predicted drawdown associated with the requested maximum monthly allocation is approximately 1.1 feet, occurring within the property boundary at the proposed well nodes. As also shown in **Figure 11**, no drawdown greater than 1.0 foot is predicted outside the project boundary. Therefore, the potential for harm to existing legal users as a result of the requested allocation is considered de minimis.

To further protect existing legal users, a groundwater monitoring plan is proposed, including two dedicated Sandstone Aquifer monitor wells, as shown in **Figure 12**.

## **5.0 ENHANCED LAKE MANAGEMENT PRACTICES**

In order to protect water resources, the following management practices are proposed for the Armeda residential development's stormwater lakes. It is important to note that, as the Armeda residential development evolves, the Best Management Practices (BMPs) proposed to protect water resources must also evolve. The following management actions provide a framework of ground and surface water protection measures that will not only safeguard but help to sustain water resource conditions. Please note that no motorized boats will be allowed on any of the project's stormwater management lakes.

### **5.1 WATER RESOURCES BEST MANAGEMENT PRACTICES**

As the project progresses from predominately a "construction phase" to "partial construction" and then ultimately to a "post-construction" phase, the BMPs must change to sustain the water resource protection measures. Construction of the proposed stormwater management system will occur relatively quickly. However, it is important that proper management practices be maintained to safeguard the water resources through the long-term operational phase.

#### **5.1.1 CONSTRUCTION PHASE BMPs**

During construction of the proposed stormwater management system, 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 the Enhanced Lake Management BMPs in perpetuity.

##### **Specific Construction Phase BMPs**

1. The site's general contractor shall be responsible for assuring that each contractor or subcontractor evaluates the work area before construction is started to determine if site conditions may pose 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 any regulated substances in violation of the Lee County Land Development Code Section 14-477 [Stormwater Pollution Prevention Plan (SWP3) criteria. Strict compliance is mandatory.
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 the 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 at (239) 533-8811 and the FDEP South District Office at (239) 344-5600.
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.

### **5.1.2 POST-CONSTRUCTION PHASE BMPS**

After the Lee County Certificate of Compliance or the SFWMD Stormwater Management System Certification is completed, the primary focus of the Enhanced Lake Management BMPs will be to maintain the stormwater management system lakes, since all runoff will be routed to these features for treatment. It is also anticipated that the Developer will establish an entity that will be responsible for the maintenance of all aspects of the stormwater management system, including the lake and associated stormwater system conveyance and control components, in perpetuity. At a minimum, the operation and maintenance of all stormwater management systems and water quality testing will require compliance with the terms and conditions contained herein.

## **5.2 LAKE MAINTENANCE**

Proper maintenance of stormwater wet detention areas is essential in Florida to ensure long-term water quality protection and flood control. These systems are designed to capture and treat runoff by allowing suspended solids, nutrients, and other pollutants to settle before the water is discharged downstream. Without regular upkeep, such as managing vegetation, removing accumulated sediment, and maintaining control structures, detention ponds can lose storage capacity and treatment efficiency, leading to degraded water quality and increased flood risk. Routine maintenance of these areas helps preserve the ecological function of these systems and supports compliance with state and local water management regulations.

### **5.2.1 GENERAL PROVISIONS**

The proposed residential development wet detention lakes will not be constructed to a depth greater than 20 feet below the lake's normal pool water level. Proper lake maintenance is an integral aspect of the BMPs since stormwater runoff is directed to this feature for treatment and attenuation. The proposed stormwater management lakes will be excavated near to the upper contact of the Water Table Aquifer. As an added protection to underlying groundwater resources, the excavation of the stormwater lakes will not penetrate underlying clays or limestone, whichever is encountered first. Several stormwater management system lakes are proposed for water quality sampling four times per year

Surface water irrigation pump stations are proposed to "re-pump" groundwater supplies and detained stormwater (surface water) for the irrigation of the development. The recycling of surface



water quantities is expected to help maintain 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 provided below.

### 5.2.2 STORMWATER LAKE DEPTH

As shown in **Figure 2**, there are several stormwater detention lakes, all of which 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 detention deep lakes will not exceed a maximum water depth of 20 feet and will not penetrate any continuous impervious layer of soil or rock.
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 **Attachment 3**.
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.
4. The deep lake management techniques, including operation of the destratification system, will be maintained for the life of the lake 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.

### 5.2.3 NUISANCE AND EXOTIC VEGETATION CONTROL

The controlling entity 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.

### 5.2.4 NUISANCE AND EXOTIC VEGETATION CONTROL BMPs

The stormwater 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 lake. Herbicides and/or algacides 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.

### 5.2.5 LITTORAL VEGETATION PRESERVATION

Littoral zone vegetation is required to be installed and maintained. The littoral zone provides habitat for wading birds, fish and aquatic invertebrates. Littoral vegetation also helps stabilize the lake

shoreline and helps prevent erosion.

#### **5.2.6 LITTORAL VEGETATION PRESERVATION BMPS**

Littoral plants that die will be replaced in accordance with Lee County Land Development Code requirements. The presence of littoral plants in the lake is desirable and may also help to improve the water quality. The spread of littoral plants will be encouraged throughout the designated littoral areas. Mechanical trimming, mowing 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.

#### **5.2.7 FERTILIZER APPLICATION**

Strict adherence will be maintained with Lee County's Fertilizer Ordinance No. 08-08. Any person(s) applying fertilizers must have received a limited certification in compliance with Florida Statute (F.S.) 482.1562 prior to application of any and all fertilizers. Additionally, fertilizer content and application rate(s) must be in compliance with Lee County's Fertilizer Ordinance. In addition, guidelines of the Golf Course Superintendents Association of America (GCSAA) and the regarding fertilization BMPs will be followed.

#### **5.2.8 FERTILIZER APPLICATION BMPS**

All professional landscape businesses must register with Lee County prior to performing landscape fertilization services within unincorporated Lee County. At least one (1) employee of a firm employed to perform landscape fertilization services 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 onsite while fertilizers are applied. A registration decal provided by the division must be displayed on all company vehicles.

### **5.3 EROSION PROTECTION AND LAKE BANK MAINTENANCE**

Lake banks are generally susceptible to erosion due to overland flow of stormwater runoff, wave action, and the natural seasonal fluctuation of water levels. Accordingly, lake banks are designed to minimize this potential for erosion.

#### **5.3.1 EROSION PROTECTION AND LAKE BANK BMPS**

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. Where excessive erosion occurs, repair of the lake banks and/or enhancement of stabilization measures may be necessary.

### **5.4 PESTICIDE, HERBICIDE AND/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. The following BMPs are part of an Integrated Pest, Disease, and Herbicide Program.

#### **5.4.1 INTEGRATED PESTICIDE, HERBICIDE, ALGAECIDE OR FUNGICIDE APPLICATION BMPS**

The application of pesticides, herbicides and/or fungicides will only be performed by certified contractors. The use of any chemical product in a manner that will allow airborne or waterborne entry of such products into the surface water management system is prohibited. This requirement shall not apply to the chemical agents used 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. 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 strongly discouraged.

#### **5.4.2 OPERATION AND MAINTENANCE OF THE STORMWATER MANAGEMENT SYSTEM**

The Homeowners Association (HOA) and/or Community Development District (CDD) will be responsible for the perpetual removal of all nuisance and exotic vegetation from the stormwater management system, in accordance with Lee Plan Policy 61.3.6. Lakes will be inspected annually, and any prohibited vegetation will be removed using hand-clearing or appropriate chemical treatment. Only aquatic-approved compounds will be utilized in the stormwater management system lakes. Herbicides and algaecides will be applied exclusively by a licensed professional applicator in compliance with Lee County requirements and the manufacturer's specifications. All applicable local, state, and federal guidelines will also be followed.

Strict adherence to Lee County's Fertilizer Ordinance will be maintained for all irrigated areas. Individual lot owners will be prohibited from applying fertilizer. Anyone applying fertilizer must possess a limited certification in compliance with Florida Statute 482.1562 prior to application. Fertilizer content and application rates must comply with the Lee County Fertilizer Ordinance. Frequent water quality testing is proposed to verify that nutrient levels do not exceed state standards.

All applications of pesticides, herbicides, and fungicides on residential lots and common areas will be performed by a licensed professional applicator, in accordance with Lee County requirements, manufacturer specifications, and all applicable local, state, and federal guidelines. These compounds will be applied only in response to a specific problem and in the recommended manner and amount. Broad, preventative application of pesticides, herbicides, or fungicides on residential lots will be prohibited.

#### **5.5 WELLFIELD PROTECTION**

As shown in Lee Plan Map 4-C (depicting iso-travel times of 6-months, 1 year, 5-years and 10-years), there are proposed public supply wells located immediately south of the Armeda Property along North River Road which are part of the North Lee County Public Supply Wellfield.

A review of the Water Use Permit, No. 36-00152-W, for this facility indicates that in February 2024, these proposed production wells were relocated to the east on land owned by Lee County near the Telegraph Creek Preserve. The proposed production wells are to be constructed into the Lower

Hawthorn Aquifer which is separated from the Sandstone Aquifer by hundreds of feet of confining unit sediments. A copy of the Water Use Permit Modification is provided as **Attachment 4**. Therefore, based on the recent permit modification, there are no wellfield protection zones south the proposed development, and Lee Plan Map 4-C should be updated.

## 6.0 SURFACE WATER AND GROUNDWATER MONITORING

### 6.1 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 100 Field Quality Control Requirements. Surface water quality sampling will be performed four (4) times per year (March, June, September, and December). Groundwater levels will be recorded by a dedicated data logger and referenced to a surveyed elevation (NAVD88).

### 6.2 SURFACE WATER MONITORING GOALS

The purpose of the surface water monitoring program is to assure stormwater discharges from the subject property 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, before discharging surface water from the stormwater management system.

Additionally, monitoring the lakes will verify the efficacy of the BMP's described above and ensure the lake's overall health. Please note that if there is no flow observed from the stormwater management system lake outfalls at the time of sample collection, the "no -flow" condition will be noted, and no surface water sample will be taken. If flow has occurred in the last 30 days, a sample shall be collected just upstream of the control structure to represent the discharged water.

### 6.3 SURFACE WATER QUALITY MONITORING

As shown in **Figure 13** four (4) lakes are proposed for water quality after construction completion in addition to the Trout Creek location chosen for the baseline sample. All surface water sampling locations shown on **Figure 13** (SW-1 through SW-5) will then be sampled four times per year (March, June, September, and December) in accordance with Chapter 62-160, F.A.C. Surface water quality grab samples will be collected per FDEP SOP protocol and analyzed by a National Environmental Laboratories Accreditation Conference (NELAC/TNI)-certified laboratory. The surface water quality parameters to be tested, as well as the laboratory's Accuracy, Precision, and Minimum Method Detection Limit (MDL), are summarized in **Table 1**. 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 (DO), pH, Specific Conductance, Temperature, and Turbidity

**Lab Parameters** – Biological Oxygen Demand, Chloride, Copper, E.coli, Hardness, Lead, Nitrate, Nitrite, Nitrite+Nitrate as Nitrogen, Total Dissolved Solids, Total Phosphorus, Total Nitrogen, and Zinc



Quarterly surface water quality monitoring shall be continued for a minimum of five (5) years after operational completion of the stormwater management system. After five (5) years of meeting/exceeding State surface water quality standards, the Developer may amend water quality monitoring and reporting after written request, review, and approval by the Lee County Division of Natural Resources. All surface water quality data will be supplied to Lee County as described below.

#### 6.4 GROUNDWATER LEVEL MONITORING

Groundwater level monitoring is a critical component of resource management in the DR/GR, particularly for verifying the protection of the Sandstone Aquifer. As a key source of potable and irrigation water within the region, the Sandstone Aquifer must be safeguarded against over-withdrawal and potential degradation. Monitoring groundwater levels allows for the detection of trends in aquifer groundwater levels to evaluate potential constraints on withdrawals. Groundwater level monitoring will be added to the request for the new Water Use Permit necessary to operate the proposed lawn and landscape irrigation system.

The Sandstone Aquifer will be monitored via two (2) monitor wells (MW-1 and MW-2) as shown on **Figure 12**. The two (2) monitor wells are proposed to record water levels every six (6) hours through the use of a transducer, which will be downloaded and reported monthly. All water level data will be supplied to Lee County as described below.

#### 6.5 WATER QUALITY AND WATER LEVEL DATA REPORTING AND ANALYSIS

Surface and groundwater data will be submitted to Lee County Natural Resources Department staff in an approved electronic format within 30 days of receiving the water quality results from the contract laboratory. The submittal will include all field notes and field and laboratory water quality results, as well as all previously collected water quality data (i.e. the period of record). 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. Water levels will be provided in tabular and graphical forms.

By April 1 of each year, a Water Resource Summary Report for the preceding calendar year shall be supplied to Lee County Natural Resources staff that summarizes the surface and groundwater monitoring results for the Armeda residential development. The results will include a summary table that lists all the field and laboratory parameters for surface water, consistent with requirements of F.A.C. 62-160. Laboratory parameter concentrations that fall below the PQL for that parameter will be reported with no value; however, a value qualifier of "I" (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 **Table 1** 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 above the MDL. Any reported concentrations above the MDL will be clearly identified as well as remedial actions that were used to timely reduce that particular analyte's concentration. Details regarding remedial actions are provided in the Remedial Actions Section (**Section 7**).

## 7.0 REMEDIAL ACTIONS

In the unforeseen event that any significant surface water impacts (as defined below) are identified as a result of a hydrocarbon spill or pesticide/herbicide application at the property, the Developer or designee will notify the Director of the 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,” 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 web page located at:

<https://floridadep.gov/dle/oer/content/reportable-incident>

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 may consist of additional temporary monitor wells installed for short-term temporal monitoring of potential subsurface impacts and to evaluate the horizontal and vertical distribution of the impacted area. Based on the findings of the initial phase, if necessary, a comprehensive assessment may be required.

## 8.0 CONCLUSIONS

Proper maintenance of stormwater detention areas is critical in southwest Florida due to the state’s high rainfall, flat topography, and naturally high groundwater levels. Detention areas are designed to capture and temporarily store stormwater runoff, allowing sediments and pollutants to settle before water is released to downstream systems or aquifers. Regular inspection, sediment removal, and vegetation management ensure that these systems continue to function effectively, preventing flooding, minimizing nutrient and contaminant loading to surface waters, and protecting both aquatic ecosystems and potable groundwater resources.

In addition, well-maintained stormwater facilities help sustain natural hydrologic patterns, support the recharge of underlying aquifers such as the Sandstone Aquifer, and ensure compliance with local, state, and federal water quality regulations, including the Lee County Comprehensive Plan and relevant FDEP and SFWMD requirements.

**Table 1 - Surface Water Quality Analytes and Proposed Schedule for Sampling**

| <b>Field Parameters</b>      |       |                     |                         |        |                    |
|------------------------------|-------|---------------------|-------------------------|--------|--------------------|
| Parameter                    | Units | Precision<br>(%RPD) | Accuracy<br>(%Recovery) | MDL    | Sampling Frequency |
| Depth of Water               | Feet  | 0.01                | NA                      | NA     | Quarterly          |
| Dissolved Oxygen             | mg/L  | FT 1000-1           | FT 1000-1               | NA     | Quarterly          |
| pH                           | SU    | FT 1000-1           | FT 1000-1               | NA     | Quarterly          |
| Specific Conductance         | µS/cm | FT 1000-1           | FT 1000-1               | NA     | Quarterly          |
| Temperature                  | Deg C | FT 1000-1           | FT 1000-1               | NA     | Quarterly          |
| Turbidity                    | NTU   | FT 1000-1           | FT 1000-1               | NA     | Quarterly          |
| <b>Laboratory Parameters</b> |       |                     |                         |        |                    |
| Biological Oxygen Demand     | mg/L  | *28                 | 84.6-115                | 1      | Quarterly          |
| Chloride                     | mg/L  | *5                  | 90-110                  | 0.353  | Quarterly          |
| Copper                       | ug/L  | *10                 | 70-130                  | 0.346  | Quarterly          |
| E.coli                       | mg/L  | *15                 | 90-110                  | 10     | Quarterly          |
| Hardness, Total              | mg/L  | *5                  | 90-110                  | NA     | Quarterly          |
| Lead                         | ug/L  | *10                 | 70-130                  | 0.67   | Quarterly          |
| Nitrate                      | mg/L  | *5                  | 90-110                  | 0.02   | Quarterly          |
| Nitrite                      | mg/L  | *5                  | 90-110                  | 0.02   | Quarterly          |
| Nitrite + Nitrate            | mg/L  | *5                  | 90-110                  | 0.004  | Quarterly          |
| Total Dissolved Solids       | mg/L  | *10                 | 85-110                  | 7.26   | Quarterly          |
| Total Phosphorus             | mg/L  | *10                 | 90-110                  | 0.008  | Quarterly          |
| Total Nitrogen               | mg/L  | CALC                | CALC                    | CALC   | Quarterly          |
| Zinc                         | mg/L  | *10                 | 70-130                  | 0.0014 | Quarterly          |

\*Value represents percent (%) relative standard deviation (RSD).

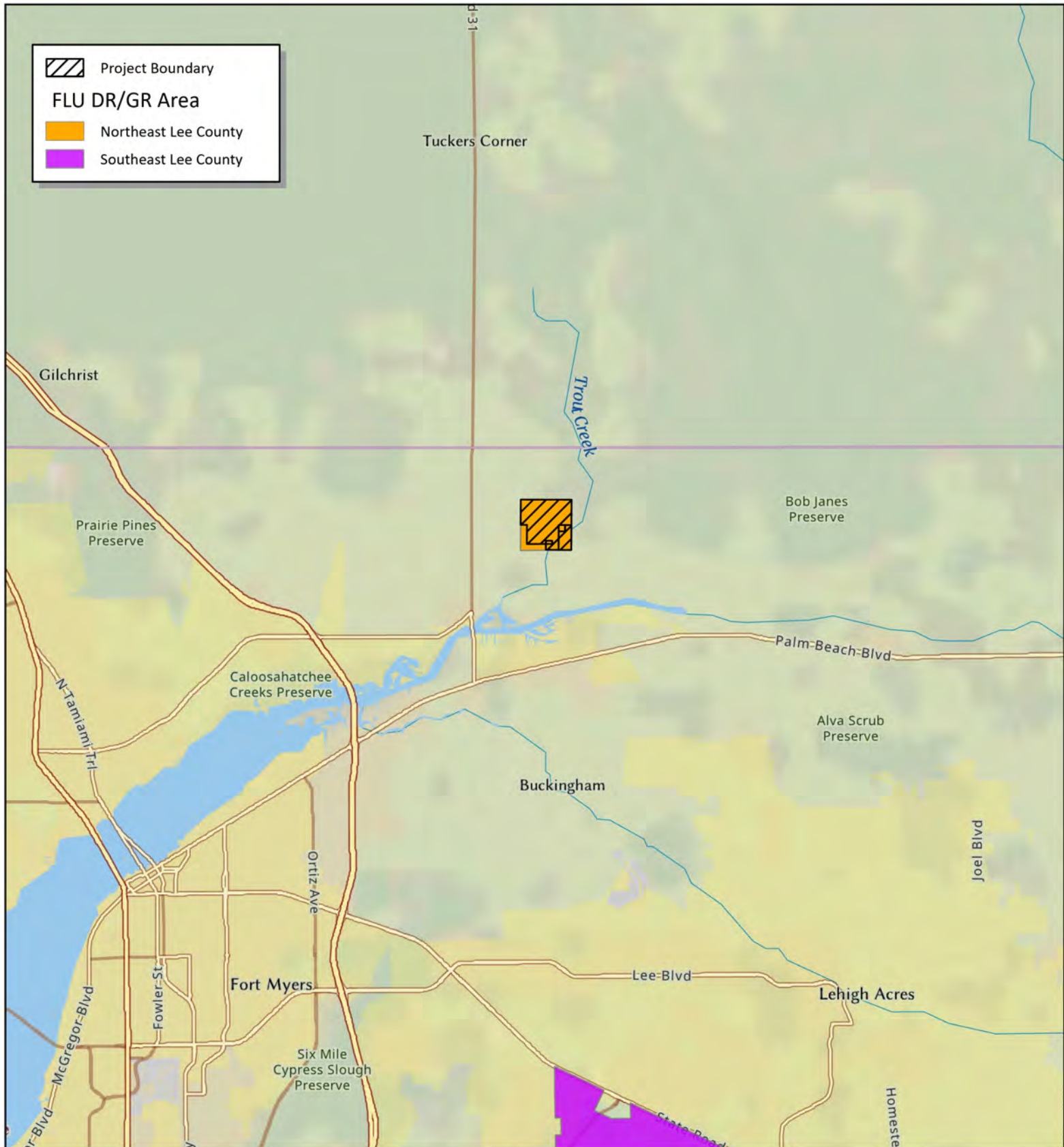
\*\*All values within the table above were supplied by Benchmark Enviroanalytical Laboratory and are specific to the water quality laboratory that performs the analyses.



**FIGURES**

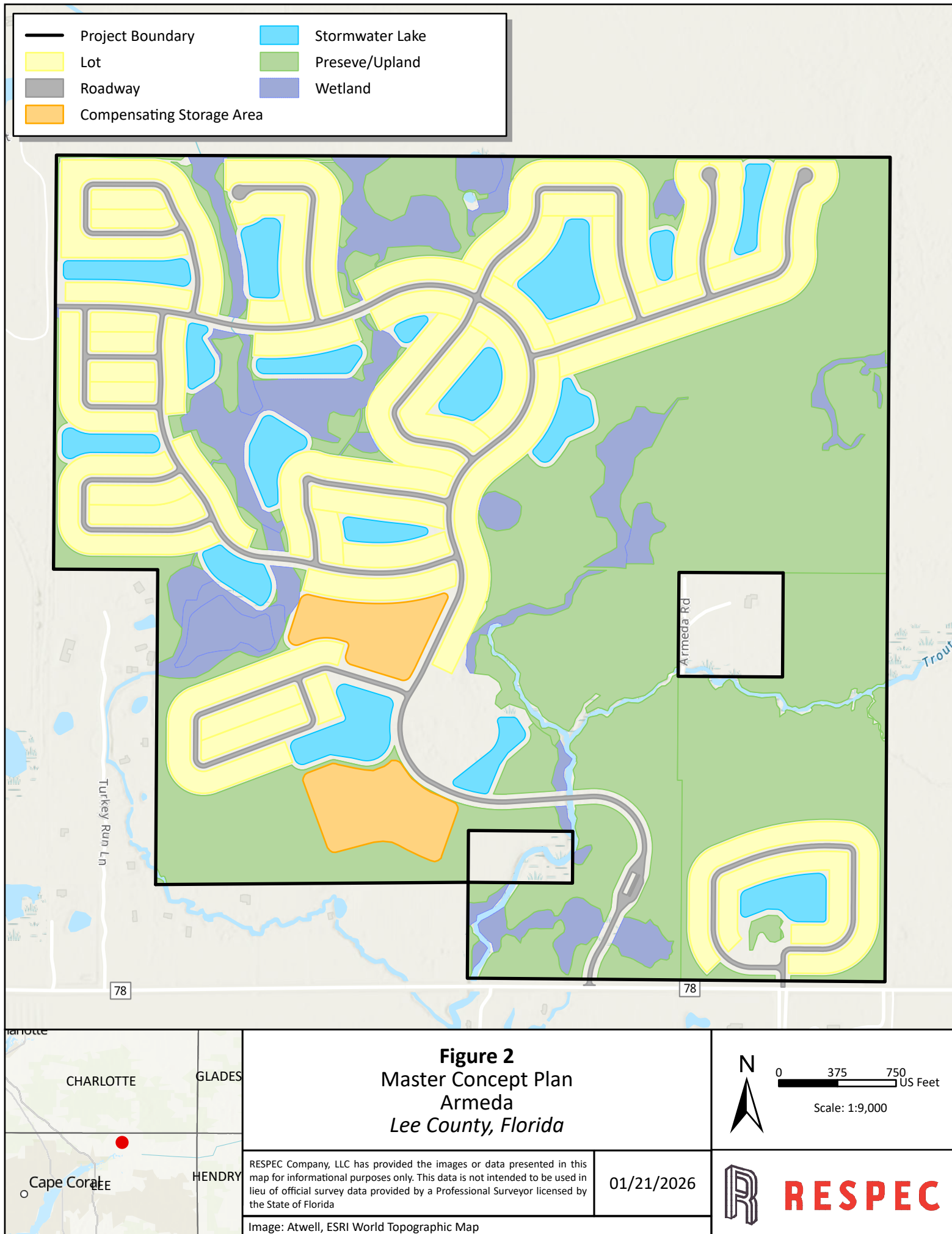




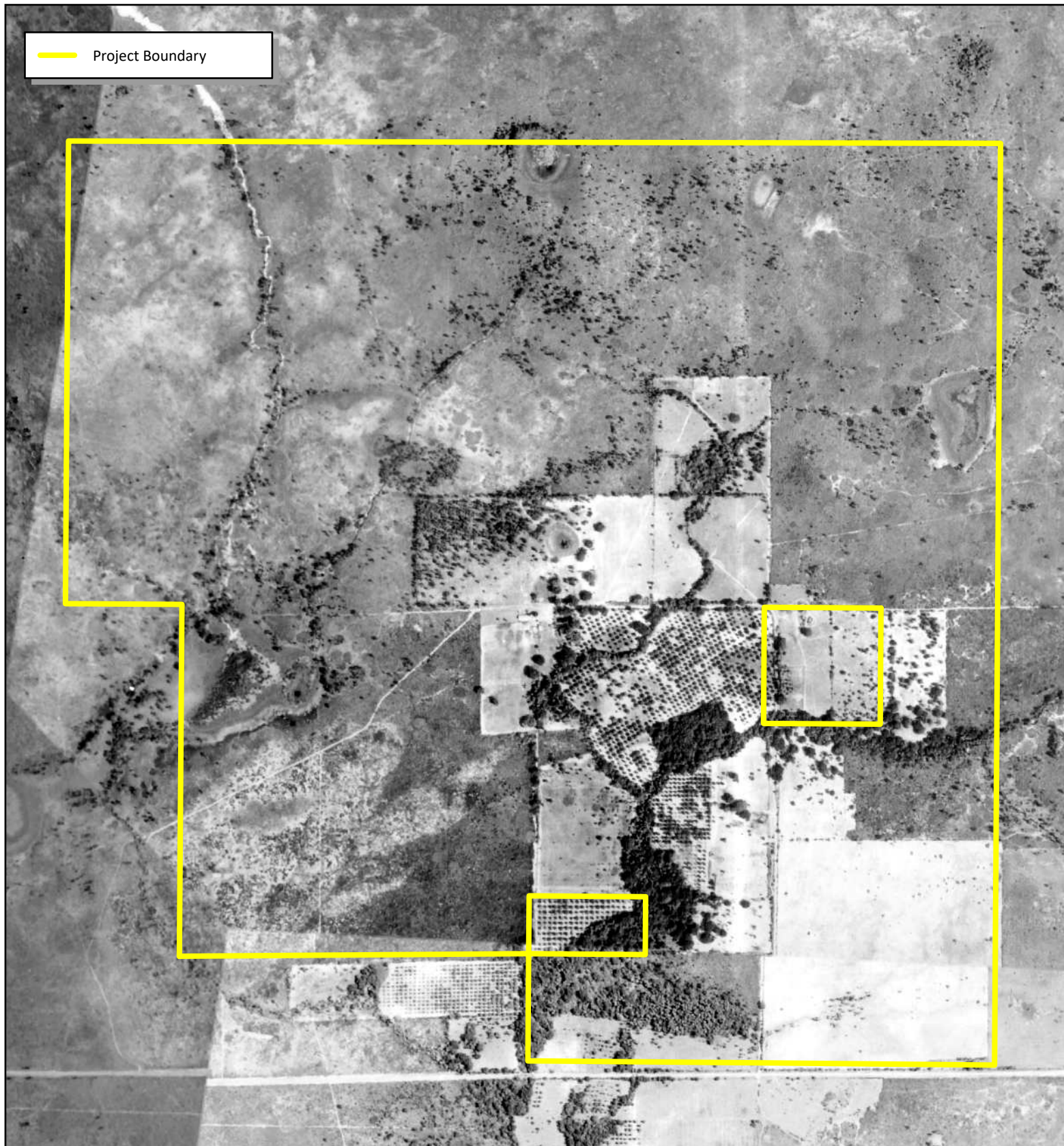


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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Figure 1</b><br><b>General Location</b><br><b>Armeda</b><br><i>Lee County, Florida</i>                                                                                                                                                                                         |            |
| RESPEC Company, LLC has provided the images or data presented in this map for informational purposes only. This data is not intended to be used in lieu of official survey data provided by a Professional Surveyor licensed by the State of Florida<br>Image: ESRI World Imagery | 10/10/2025 |

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**Figure 3**  
1940s Historic Imagery  
Armeda  
Lee County, Florida



0 375 750 Feet  
Scale: 1:9,000

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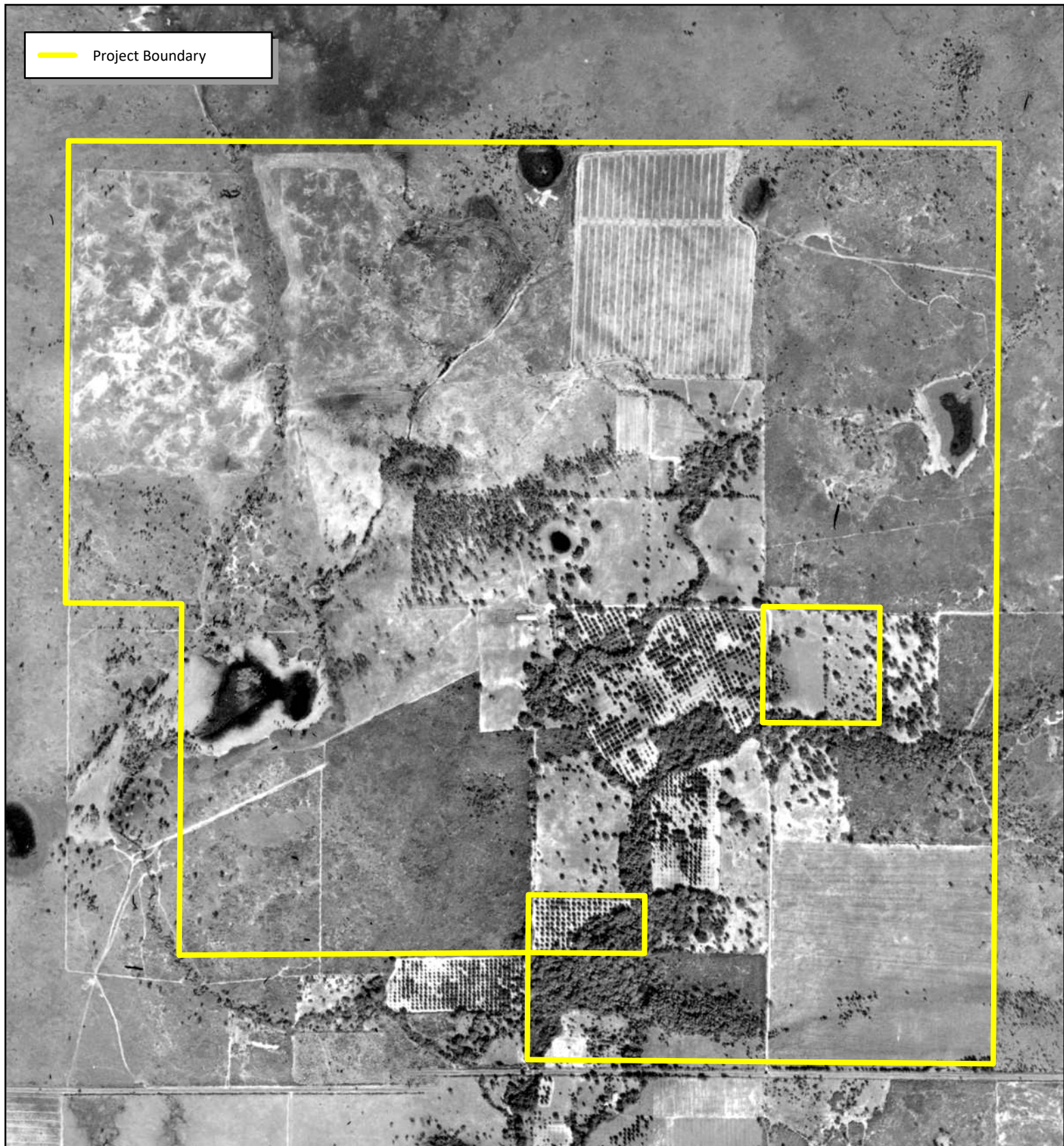
10/7/2025

Image: Florida Department of Environmental Protection



**RESPEC**

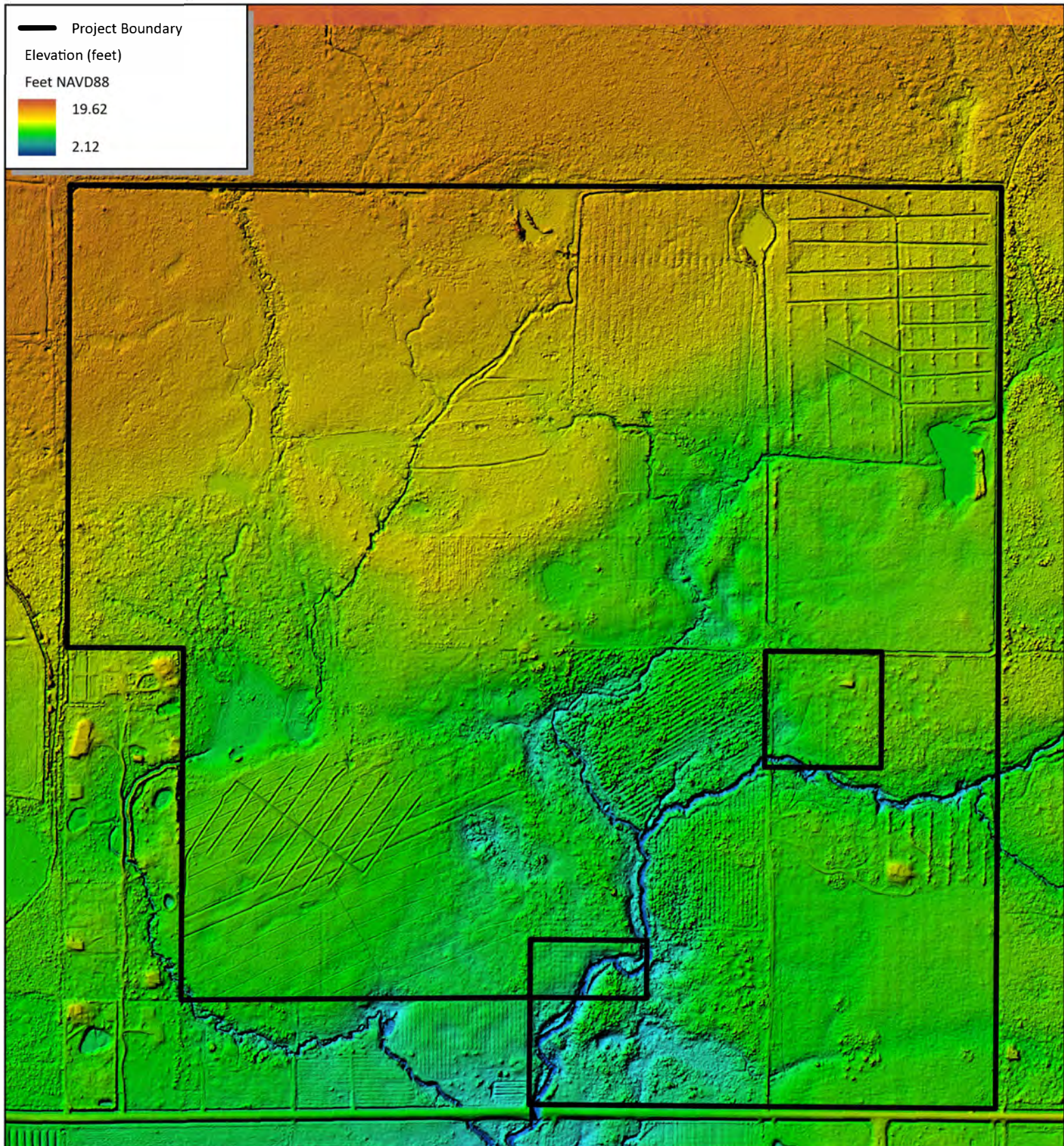




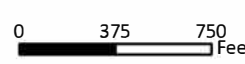
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| <p><b>Figure 4</b><br/>1953 Historic Imagery<br/>Armeda<br/>Lee County, Florida</p>                                                                                                                                                                         |                  |
| <p>RESPEC Company, LLC has provided the images or data presented in this map for informational purposes only. This data is not intended to be used in lieu of official survey data provided by a Professional Surveyor licensed by the State of Florida</p> | <p>10/7/2025</p> |
| <p>Image: Florida Department of Environmental Protection</p>                                                                                                                                                                                                |                  |

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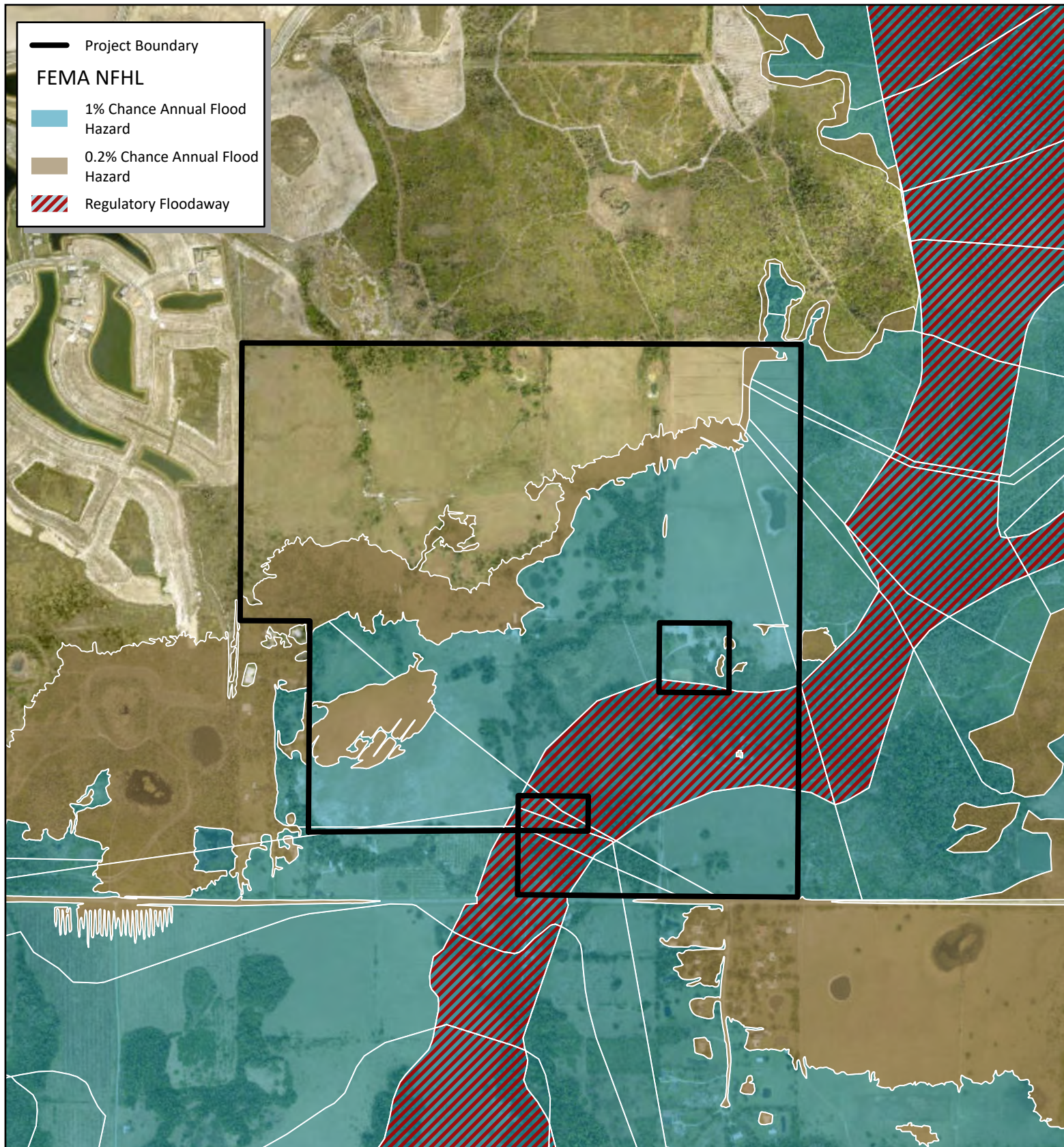




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| <p align="center"><b>Figure 5</b><br/>                 LiDAR Imagery<br/>                 Armeda<br/>                 Lee County, Florida</p>                                                                                                               |                                 |
| <p>RESPEC Company, LLC has provided the images or data presented in this map for informational purposes only. This data is not intended to be used in lieu of official survey data provided by a Professional Surveyor licensed by the State of Florida</p> | <p align="center">10/8/2025</p> |
| <p>Image: Lee County 1M DEM (NAVD 88)</p>                                                                                                                                                                                                                   |                                 |

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| <p align="center">  </p>                                                                                                                                            |





**Figure 6**  
**FEMA Flood Zones**  
**Armeda**  
**Lee County, Florida**



0 375 750 1,500 Feet  
Scale: 1:15,000

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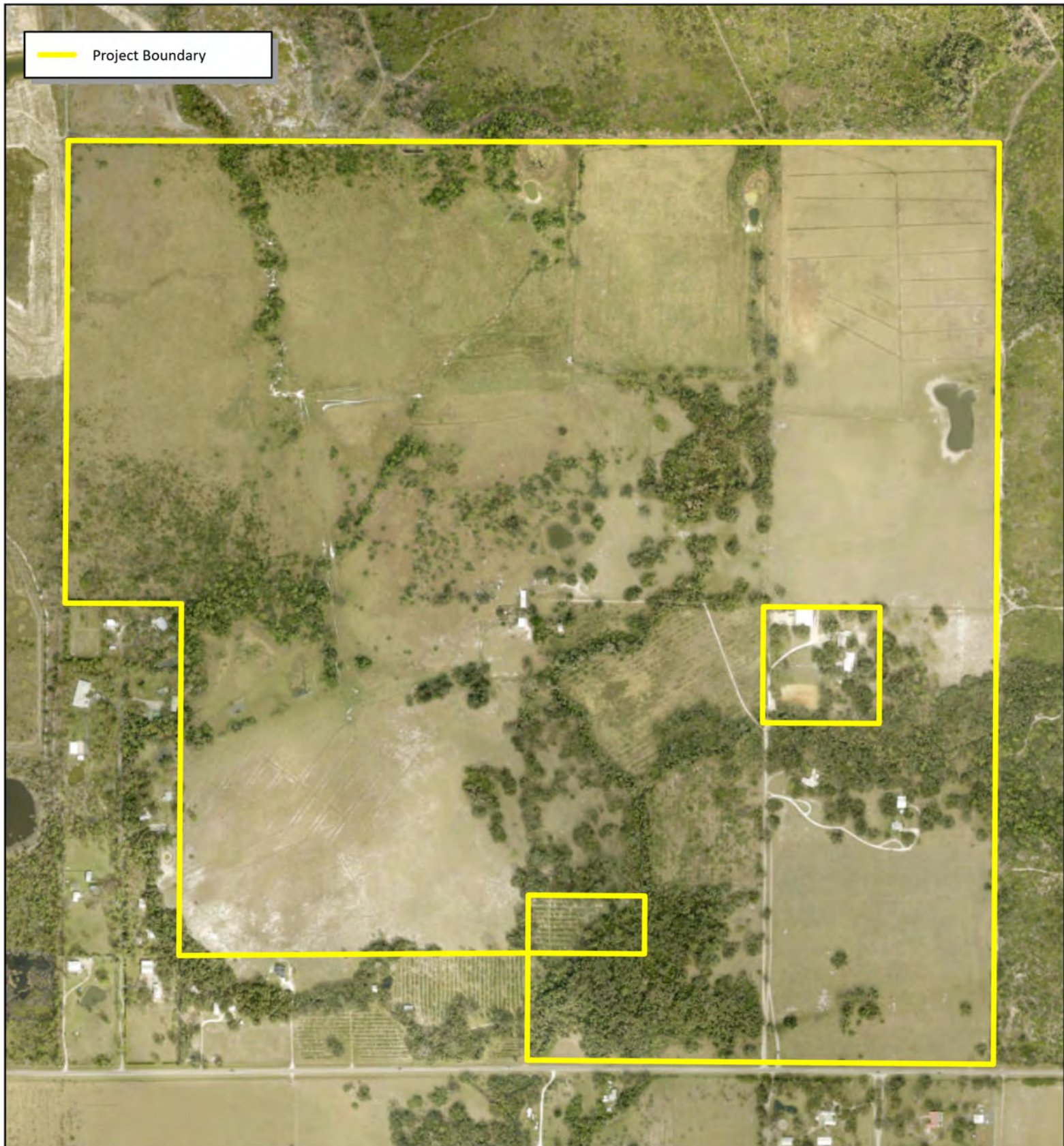
10/7/2025



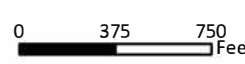
**RESPEC**

Image: ESRI World Imagery, FEMA

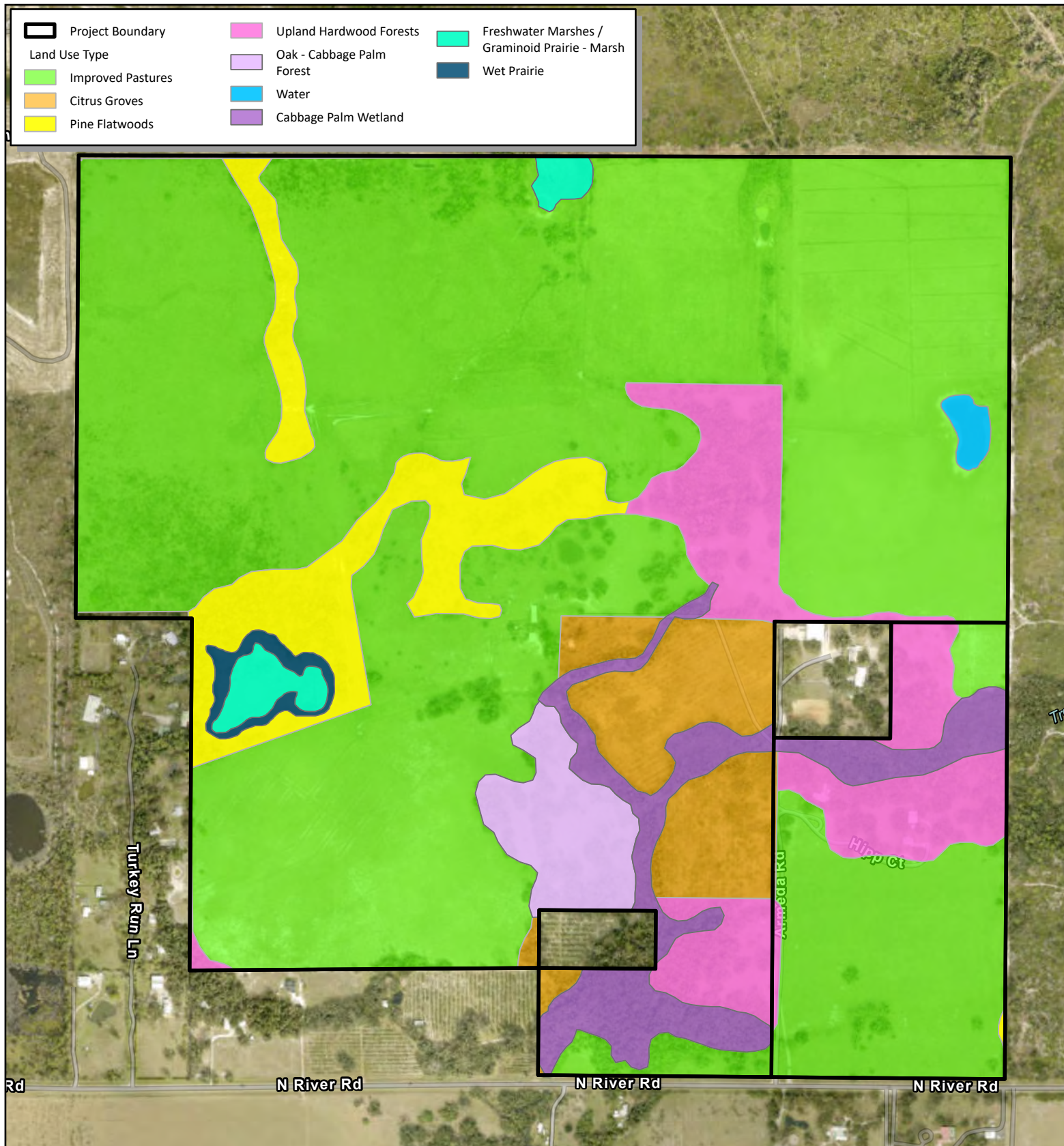




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| <b>Figure 7</b><br><b>2025 Aerial Imagery</b><br><b>Armeda</b><br><b>Lee County, Florida</b>                                                                                                                                                         |           |
| RESPEC Company, LLC has provided the images or data presented in this map for informational purposes only. This data is not intended to be used in lieu of official survey data provided by a Professional Surveyor licensed by the State of Florida | 10/7/2025 |
| Image: ESRI World Imagery                                                                                                                                                                                                                            |           |

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|       | <b>RESPEC</b>                                                                                                             |





**Figure 8**

**Existing Land Use**

**Armeda**

**Lee County, Florida**

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Image: Florida Department of Environmental Protection

10/7/2025

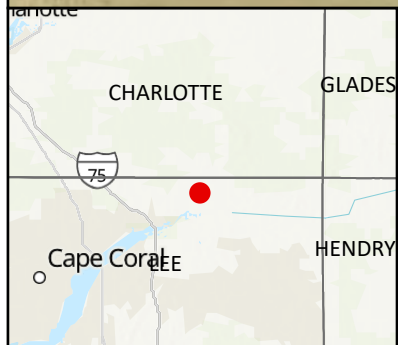
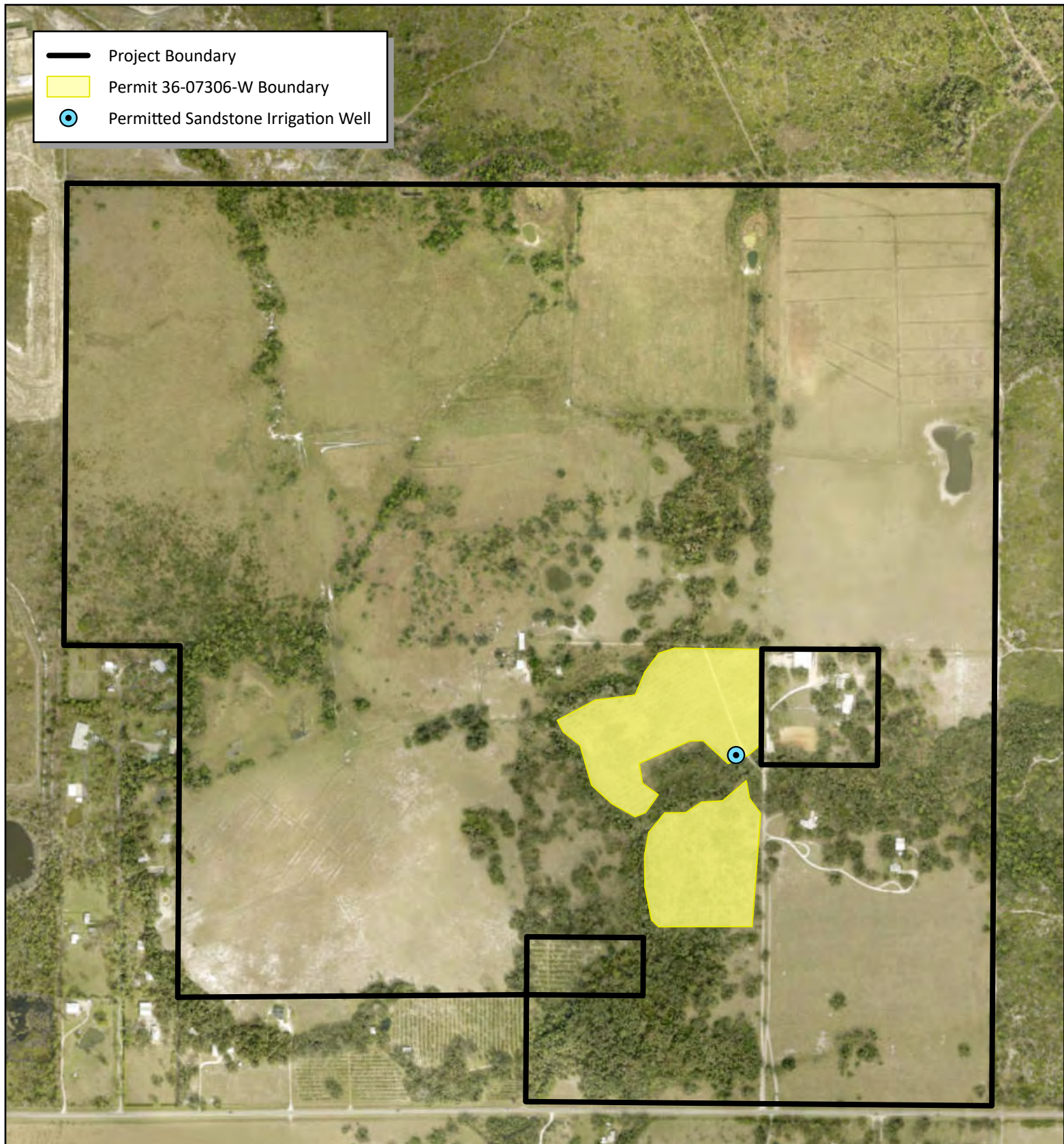
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0 375 750 Feet

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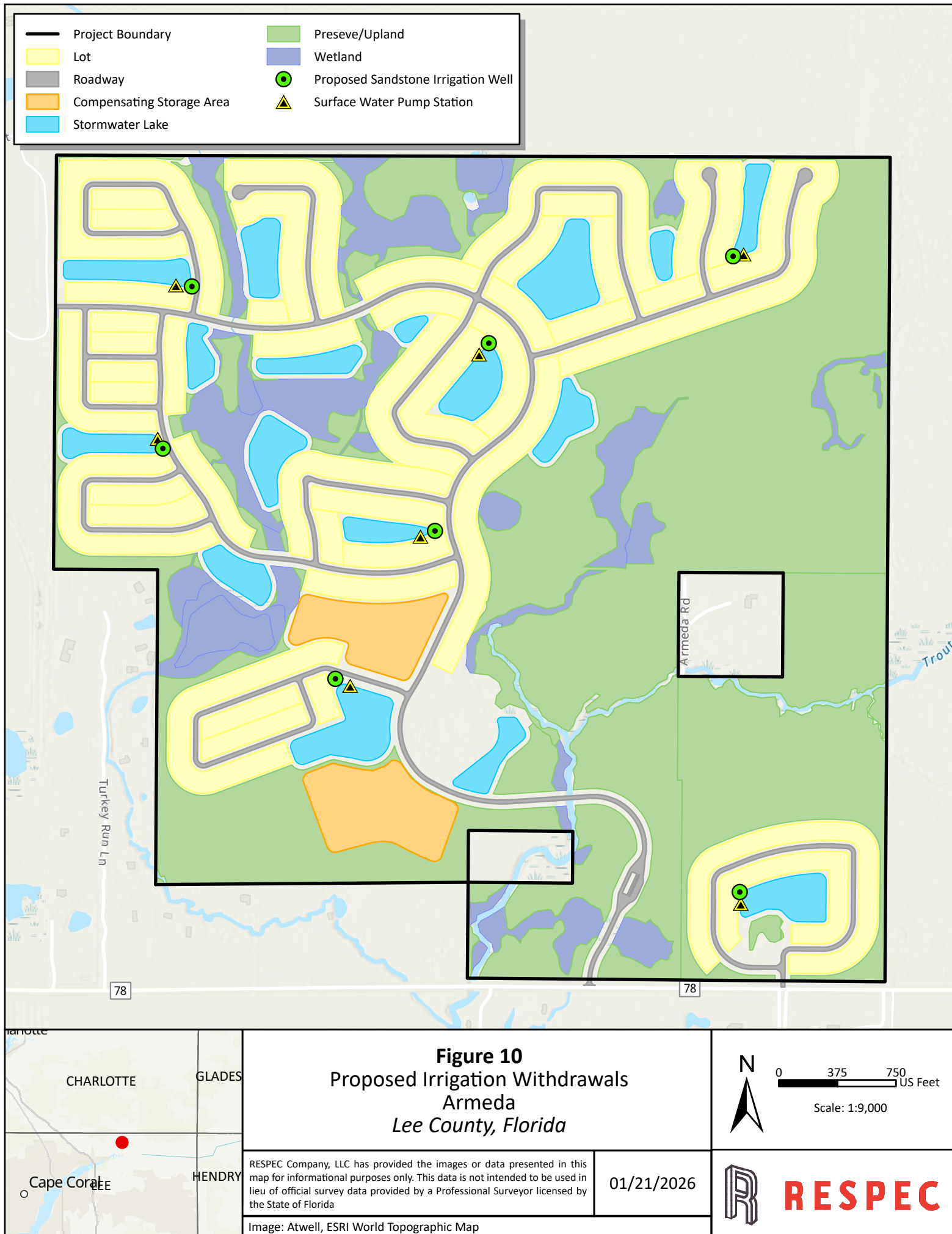
RESPEC



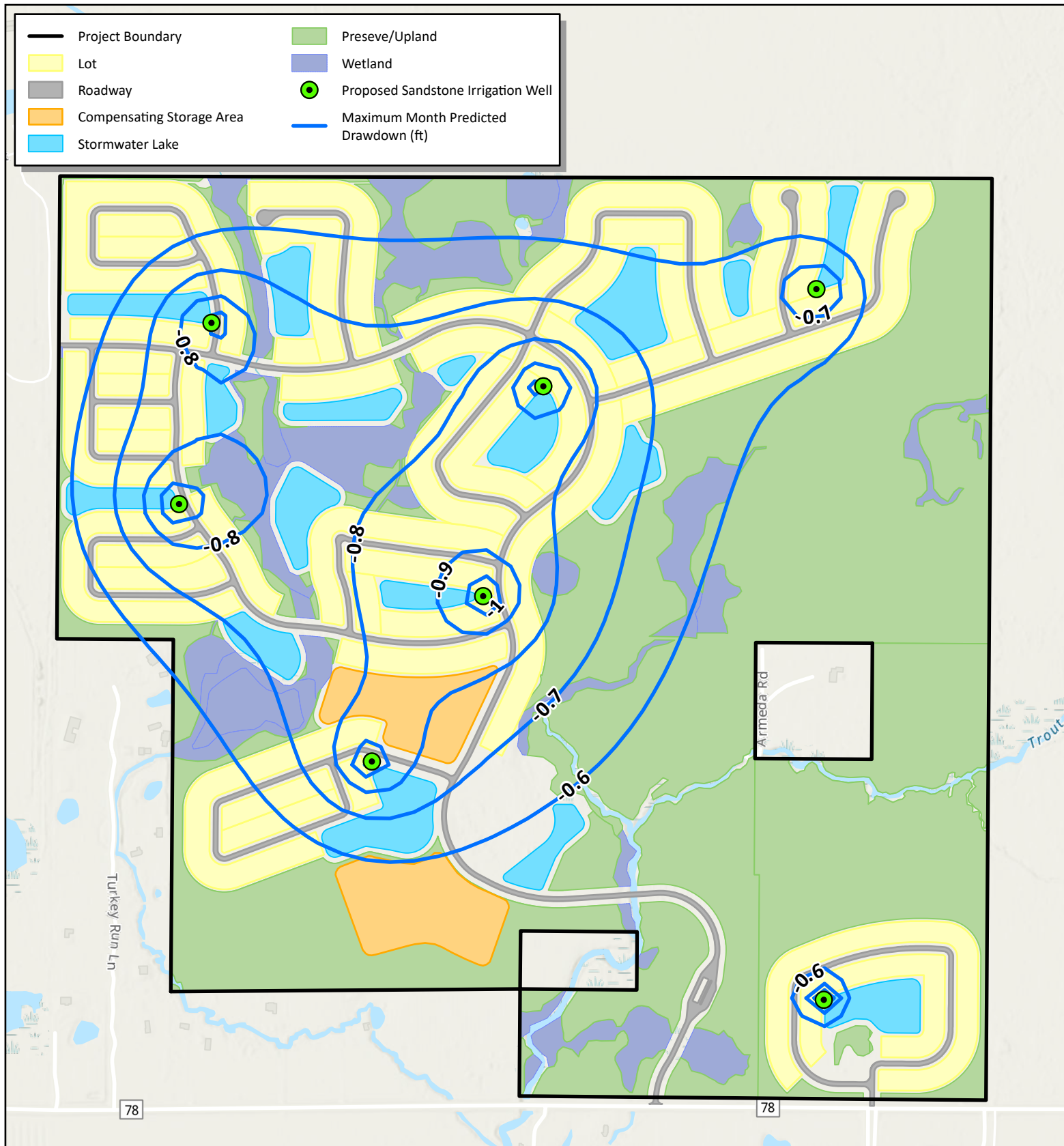


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| <p><b>Figure 9</b></p> <p><b>SFWMD Permit No. 36-07306-W</b></p> <p><b>Armeda</b></p> <p><b>Lee County, Florida</b></p>                                                                                                                                     |                  |
| <p>RESPEC Company, LLC has provided the images or data presented in this map for informational purposes only. This data is not intended to be used in lieu of official survey data provided by a Professional Surveyor licensed by the State of Florida</p> | <p>10/7/2025</p> |
| <p>Image: ESRI World Imagery, SFWMD</p>                                                                                                                                                                                                                     |                  |

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**Figure 11**  
Maximum Month Groundwater Modeling Scenario  
Predicted Sandstone Aquifer Drawdown  
Lee County, Florida

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Image: Atwell, ESRI World Topographic Map

01/21/2026



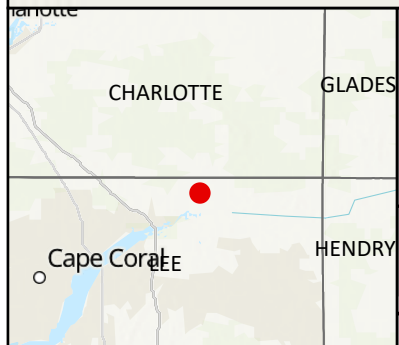
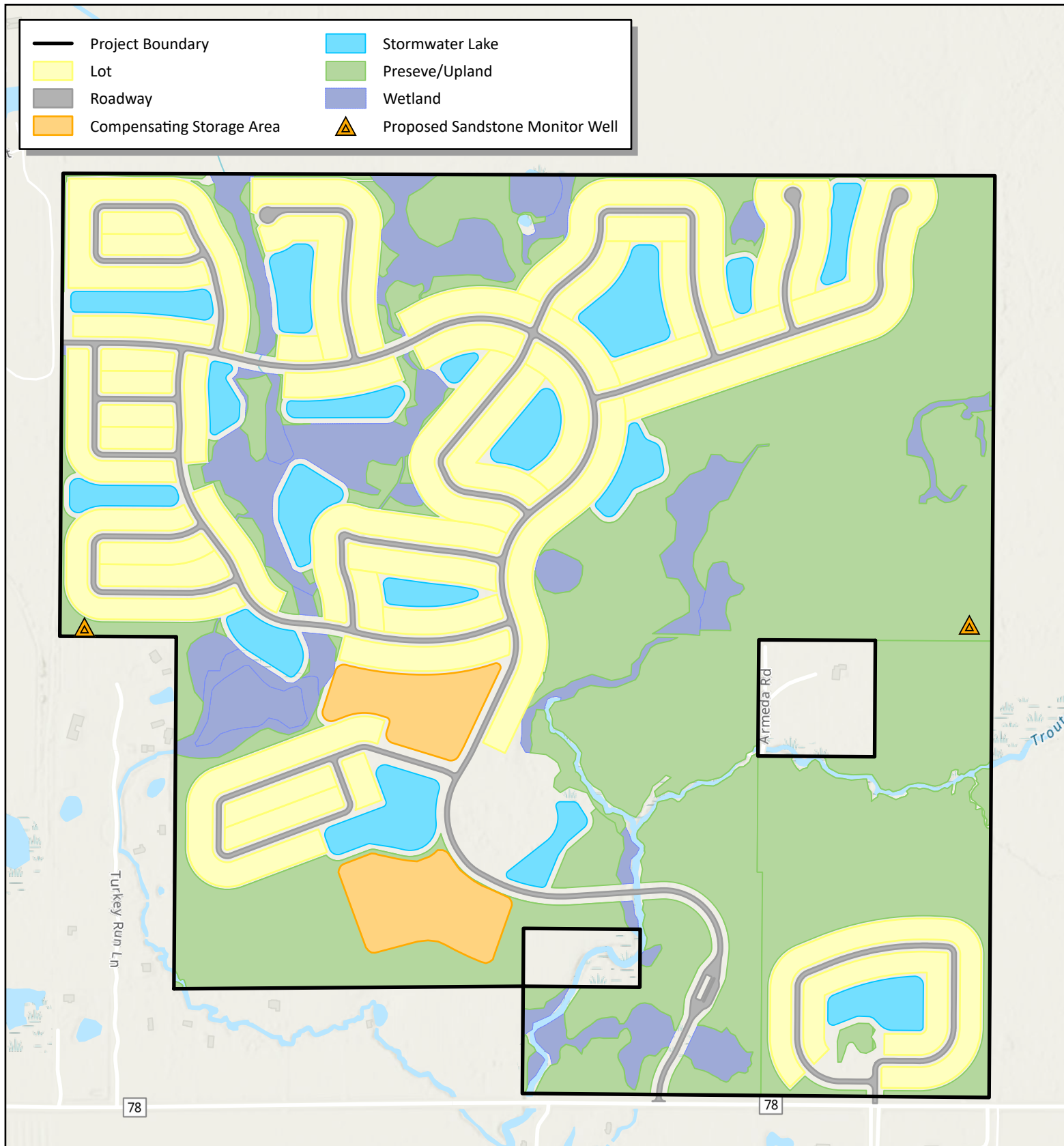
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Scale: 1:9,000



**RESPEC**





**Figure 12**  
**Proposed Sandstone Aquifer Monitor Wells**  
**Armeda**  
*Lee County, Florida*

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Image: Atwell, ESRI World Topographic Map

01/21/2026

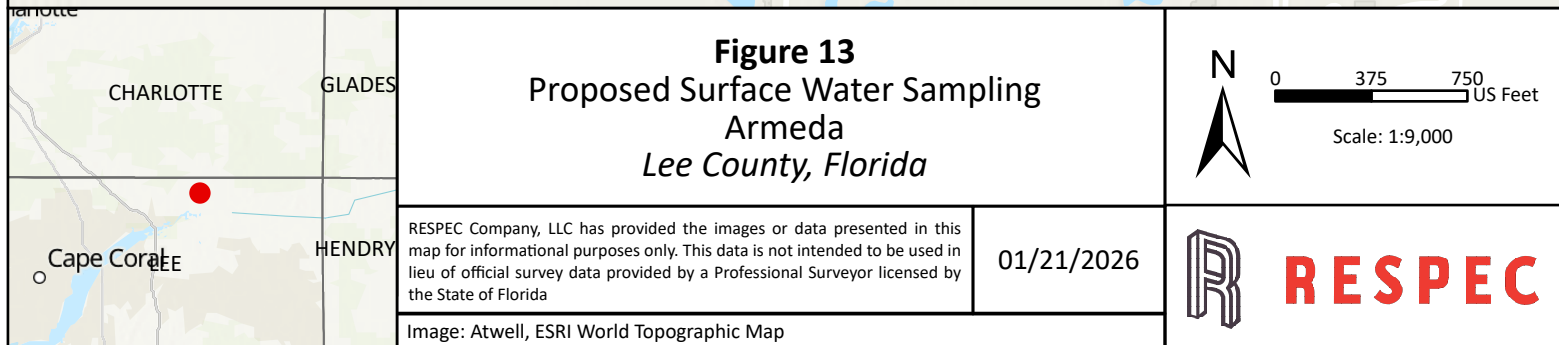
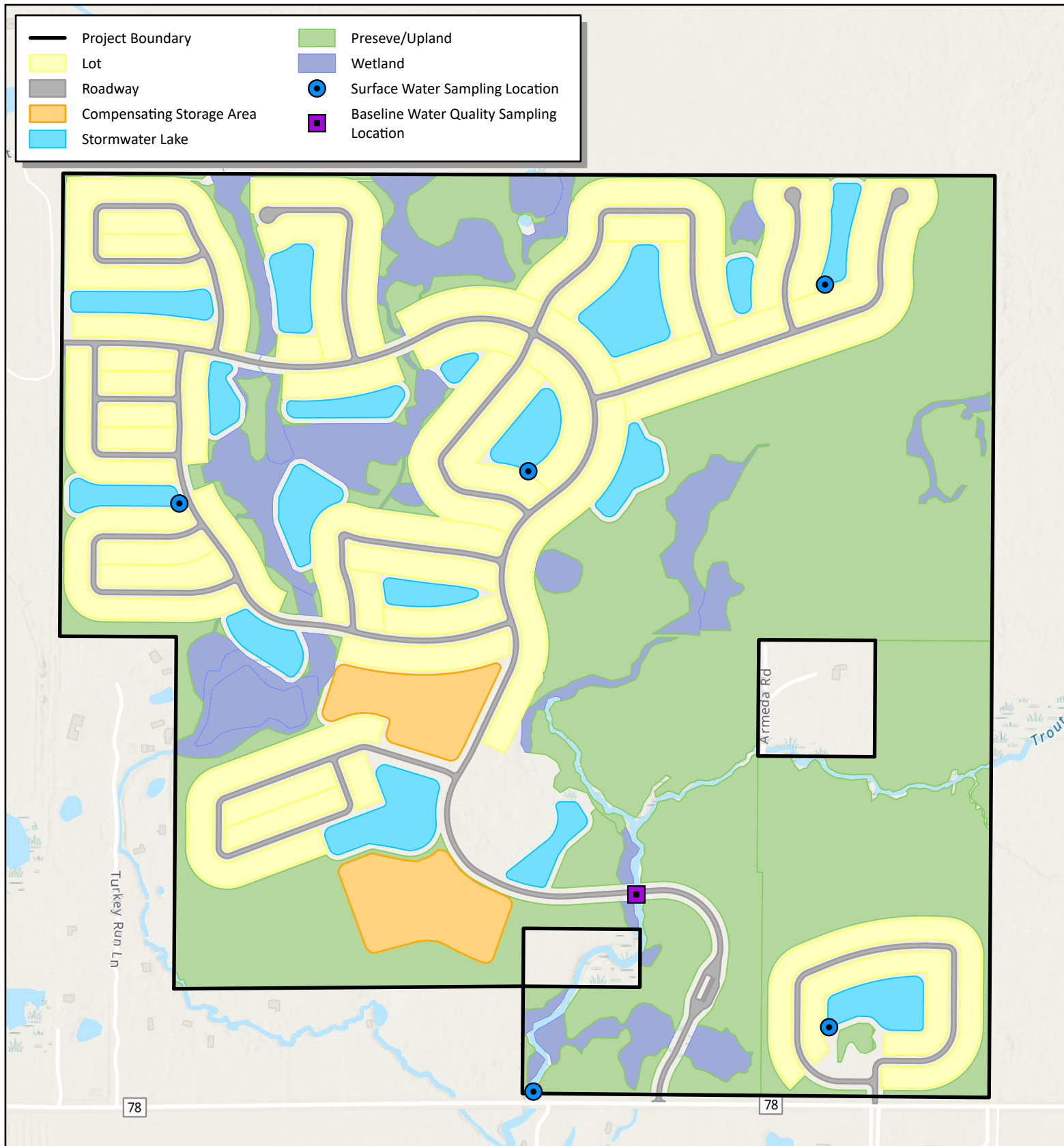


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**RESPEC**





# **ATTACHMENT 1 EXISTING AGRICULTURAL WUP NO. 36-07306-W**





**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE INDIVIDUAL PERMIT****APPLICATION NO:** 150423-3**PERMIT NUMBER:** 36-07306-W**DATE ISSUED:** May 21, 2015**EXPIRATION DATE:** May 21, 2035**PERMITTEE:** ARMEDA FAMILY, L L C  
19440 ARMEDA ROAD  
ALVA, FL 33920**PROJECT NAME:** ARMEDA FAMILY**PROJECT LOCATION:** Lee County, S8/T43S/R26E**PROJECT DESCRIPTION/AUTHORIZING:**

Authorizing: The use of groundwater from the Sandstone aquifer for agricultural irrigation of 25 acres of citrus using a micro-sprinkler irrigation system with an annual allocation of 23.52 million gallons.

This is to notify you of South Florida Water Management District's (District) agency action concerning Permit Application Number 150423-3, received April 23, 2015. This action is taken pursuant to Chapter 373, Part II, Florida Statutes (F.S.), Rule 40E-1.603 and Chapter 40E-2, Florida Administrative Code (F.A.C). Based on the information provided, District rules have been adhered to and a Water Use Individual Permit is in effect for this project subject to:

1. Not receiving a filed request for an administrative hearing pursuant to Section 120.57 and Section 120.569 (F.S.), or request a judicial review pursuant Section 120.68, F.S.; and
2. The attached 22 permit conditions.
3. The attached 6 exhibits.

By acceptance and utilization of the water authorized under this permit, the Permittee agrees to hold and save the District and its successors harmless from any and all damages, claims or liabilities that may arise by reason of the construction, maintenance or use of activities authorized by this permit. Should you object to the permit, please refer to the attached "Notice of Rights" that addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Should you wish to object to the proposed agency action or file a petition or request, please provide written objections, petitions, requests and/or waivers to the District, attention of Office of the District Clerk, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680.

**CERTIFICATION OF SERVICE**

I HEREBY CERTIFY THAT this written notice has been mailed or electronically transmitted to the Permittee (and the persons listed in the attached distribution list) this 21st day of May, 2015, in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website ([my.sfwmd.gov/ePermitting](http://my.sfwmd.gov/ePermitting)).

BY:

A handwritten signature in blue ink that reads "Maria Clemente".

Maria C. Clemente, P.E.  
Bureau Chief  
Water Use Bureau

**SPECIAL PERMIT CONDITIONS**

1. This permit is issued to:  
Armeda Family, LLC  
19440 Armeda Road  
Alva, FL 33920

2. This permit shall expire on May 21, 2035.

3. Use classification is:  
  
Agricultural Irrigation

4. Source classification is:  
  
Groundwater from:  
Sandstone Aquifer

5. Allocation:

Total annual allocation is 23.52 million gallons (MG). (64,438 GPD)

Total maximum monthly allocation is 4.32 million gallons (MG).

These allocations represent the amount of water required to meet the water demands as a result of a rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1-in-10 year drought event. Compliance with the annual allocation is based on the quantity withdrawn over a 12-month time period. Compliance with the maximum monthly allocation is based on the greatest quantity withdrawn in any single month. The annual allocation expressed in GPD or MGD is for informational purposes only.

If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

1. All other conditions of the permit are met; and

2. The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Withdrawal facilities:

Groundwater - Existing:

1 - 8" X 80' X 200 GPM Well Cased To 70 Feet

7. The Permittee shall submit all data as required by the implementation schedule for each of the permit conditions to: SFWMD at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting), or Regulatory Support, MSC 9611, P.O. Box 24680, West Palm Beach, FL 33416-4680.
8. The Permittee must submit the appropriate application form incorporated by reference in Rule 40E-2.101, F.A.C., to the District prior to the permit expiration date in order to continue the use of water.
9. The Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapter 40E-3, F.A.C.
10. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapter 40E-3, F.A.C.
11. If reclaimed water becomes available prior to the expiration date of this permit, the Permittee shall apply for a modification of the water use permit to reflect that portion of the allocation which is to be provided for by reclaimed water. The permittee is required to request a permit modification when an agreement has been executed between both parties, the transmission lines are constructed to the project site, and the necessary on-site modifications and authorizations are obtained.



1. All water uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance.

The Permittee shall immediately notify the District in writing of any previously submitted material information that is later discovered to be inaccurate.

2. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
3. The Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit a new or modified lease showing that it continues to have legal control or documentation showing a transfer in control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40E-1.6107, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
4. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order. The Permittee is advised that during a water shortage, pumpage, water levels, and water quality data shall be collected and submitted as required by District orders issued pursuant to Chapter 40E-21, F.A.C.
5. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
6. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
7. A. The Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that Section 373.239, F.S., and Rule 40E-2.331, F.A.C., are applicable to permit modifications.

B. The Permittee shall notify the District in writing 30 days prior to any changes to the project that

could potentially alter the reasonable demand reflected in the permitted allocation. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, large users agreements, or water treatment method. Permittee will be required to apply for a modification of the permit for any changes in permitted allocation.

8. If any condition of the permit is violated, the permit shall be subject to review and modification, enforcement action, or revocation pursuant to Chapter 373, F.S.
9. The Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the Permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1-in-10 year drought event that results in the:

A. Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or

B. Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.

10. The Permittee shall mitigate harm to the natural resources caused by the Permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the Permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:

A. Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,

B. Reduction in water levels that harm the hydroperiod of wetlands,

C. Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,

D. Harmful movement of contaminants in violation of state water quality standards, or

E. Harm to the natural system including damage to habitat for rare or endangered species.

11. The Permittee shall mitigate harm to existing off-site land uses caused by the Permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the Permittee to modify withdrawal rates or mitigate the harm. Harm as determined through reference to the conditions for permit issuance, includes:

A. Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)

B. Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or,

C. Land collapse or subsidence caused by reduction in water levels associated with consumptive use.



### **NOTICE OF RIGHTS**

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

#### **RIGHT TO REQUEST ADMINISTRATIVE HEARING**

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which does or may affect their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

#### **Filing Instructions**

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery, or e-mail. **Filings by facsimile will not be accepted after October 1, 2014.** A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the District Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. **Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office.** An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the District Clerk's Office at [clerk@sfwmd.gov](mailto:clerk@sfwmd.gov). The filing date for a document transmitted by electronic mail shall be the date the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

**Initiation of an Administrative Hearing**

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency decision.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the SFWMD takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

**Mediation**

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

**RIGHT TO SEEK JUDICIAL REVIEW**

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the District Clerk within 30 days of rendering of the final SFWMD action.

**Last Date for Agency Action:**

July 22, 2015

**WATER USE STAFF REPORT**

**Application Number:** 150423-3  
**Permit Number:** 36-07306-W  
**Project Name:** ARMEDA FAMILY  
**Water Use Permit Status:** RENEWAL  
**Location:** LEE COUNTY, S8/T43S/R26E  
**Applicant's Name and Address:** ARMEDA FAMILY, L L C  
 19440 ARMEDA ROAD  
 ALVA, FL 33920  
**Water Use Classification:** Agricultural  
**Total Serviced Acreage:** 25 ( 25 acres of citrus )

**Sources:**

Groundwater from: Sandstone Aquifer

**Authorized Allocation:**

Annual Allocation: 23.5 Million Gallons (MG)

Maximum Monthly Allocation: 4.3 Million Gallons (MG)

**Existing Withdrawal Facilities - Groundwater**

Source: Sandstone Aquifer

1 - 8" X 80' X 200 GPM Well Cased to 70 Feet

| <b><u>Rated Capacity Source</u></b> | <b><u>Status Code</u></b> | <b><u>GPM</u></b> | <b><u>MGM</u></b> | <b><u>MGY</u></b> |
|-------------------------------------|---------------------------|-------------------|-------------------|-------------------|
| Sandstone Aquifer                   | E                         | 200               | 8.8               | 105               |
| <b>Totals:</b>                      |                           | <b>200</b>        | <b>8.8</b>        | <b>105</b>        |

**PURPOSE**

The purpose of this application is to renew a water use permit for agricultural irrigation of 25 acres of citrus using a micro-sprinkler irrigation system. Withdrawals are from the Sandstone aquifer via one existing withdrawal facility.

**PROJECT DESCRIPTION**

Armeda Family, LLC (Project) is an existing citrus grove located on Armeda Road in Lee County, Florida on the north side of North River Road (County Road 78) approximately 1.5 miles east of State Road 31 (Exhibits 1 and 2). The source of water for the Project is



**PROJECT DESCRIPTION (CONTINUED)**

an existing Sandstone aquifer well. The well location is shown on Exhibit 3 and well details are shown in Exhibit 4.

**Permit History:**

The Armeda family began growing citrus on the property in the 1960s and the grove encompassed approximately 500 acres. By 2010, the existing grove had been reduced to 25 acres due to citrus greening. The water use permit was originally issued in July 2010 (Application 100224-11) for agricultural irrigation of 25 acres of citrus using the Sandstone aquifer with an allocation of 4.3 million gallons per month (MGM) and 24.9 million gallons per year (MGY). Water use was reported between December 2010 and May 2012 and ranged from approximately 0.0 to 0.8 MGM. This application seeks to renew the existing water use permit with a small decrease in allocation from 24.94 to 23.52 million gallons a year due to updated rainfall station data.

**PROJECTED WATER USE DEMANDS**

The annual and maximum monthly allocations for citrus irrigation are calculated using the Modified Blaney Criddle method as described in Section 2.3.2 of the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District, (AH). Using this method, the total Project demands were calculated as 4.32 MGM and 23.52 MGY. Calculations of the supplemental irrigation requirements are detailed in Exhibit 5.

**WATER RESOURCE IMPACT EVALUATION****Water Resource Availability****Sandstone Aquifer**

The land surface elevation at the Project is approximately 10 feet National Geodetic Vertical Datum (NGVD). The top of the Sandstone aquifer in the Project area is approximately 95 feet below ground surface or approximately -85 feet NGVD. United States Geological Survey well L-1975 located approximately 1.5 miles southeast of the Project has a water level record since 1975 and the lowest recorded potentiometric surface of the Sandstone aquifer is 4.1 feet NGVD in April 2012. Therefore, there is a minimum of 90 feet of water above the top of the aquifer and 70 feet of water above the maximum developable limit (MDL). Based on the previous water use permit, the Project has withdrawn water from the Sandstone aquifer since 1965 with no observed or reported adverse impacts to the resource. Therefore, the potential for harm to the resource due to the withdrawal of the recommended allocation is considered minimal.

**Existing Legal Users****Sandstone Aquifer**

The nearest existing legal user of the Sandstone aquifer is Trout Creek Grove (Water Use Permit 36-02399-W) which is located approximately 0.5 mile southwest of the Project. The Project has utilized the Sandstone aquifer for irrigation water supply since the 1960s without reported or identified harm to existing legal users. Therefore, the potential for harm to occur to existing legal users due to the withdrawal of the

**WATER RESOURCE IMPACT EVALUATION (CONTINUED)**

recommended allocation is minimal.

**Existing Off Site Land Uses****Sandstone Aquifer**

The surrounding land is primarily agricultural. The Sandstone aquifer is hydraulically separated from the Water Table aquifer by approximately 65 feet of confining material. Therefore, pursuant to Section 3.6.2 of the AH, the use is not expected to result in significant reduction in water levels on the property of an existing offsite land use to the extent that the designed function of a water body and related surface water management improvements are damaged (not including aesthetic values), damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use, or land collapse or subsidence caused by reduction in water levels associated with consumptive use.

**Migration of Saline Water****Sandstone Aquifer**

The nearest surface source of saline water is the Caloosahatchee River, which is located approximately 1.7 miles south of the Project. According to the most recent chloride data (2013) provided by Blackburn Groves (Water Use Permit 36-00594-W), located 1.0 mile southwest of the Project, the chloride concentration in the Sandstone aquifer is around 175 milligrams per liter (mg/L). The Project has historically utilized the Sandstone aquifer for irrigation without identified saline intrusion. Therefore, the potential for saline water migration or intrusion due to the withdrawal of the recommended allocation is considered minimal.

**Wetland Environments****Sandstone Aquifer**

The Project site includes 25 acres of citrus trees with one connected cabbage palm Category 2 wetland. The Sandstone aquifer is hydraulically separated from the Water Table aquifer by approximately 65 feet of confining material. This Project has historically withdrawn from the Sandstone aquifer with no reported or identified harm to wetlands. Therefore, the potential adverse impacts to wetlands due to the withdrawal of the recommended allocation are minimal.

**Sources of Pollution****Sandstone Aquifer**

There are no known sources of pollution in the Sandstone aquifer within one mile of the Project. Therefore, the potential for movement of contaminants, if present, from known pollution sources as a result of the withdrawal of the recommended allocation is considered minimal.

**ADDITIONAL INFORMATION****Regional Issues****Restricted Allocation Areas or Maximum Developable Limits**

This Project does not occur or draw from water from an area with a Restricted Allocation. The Sandstone aquifer has a MDL of 20 feet above the uppermost strata of the aquifer. Section 3.9.3 of the AH states that the water level in the aquifer shall not drop below the MDL during a 1-in-10 drought condition. As stated in the Water Resource Availability section of this staff report, withdrawal of the recommended allocation for this water use permit does not impact the MDL for the Sandstone aquifer in the vicinity of the Project.

**Project Site Issues****Legal Control and Land Use**

Information supplied by Armeda Family, LLC (Owner) and records from the Florida Division of Corporations demonstrate that the Permittee maintains legal control over the Project site. All withdrawal facilities are located within the Project site. The water allocation requested for agricultural irrigation is compatible with the land use categories at this site (Section 2.1 of the AH).

**Water Use Accounting**

Pursuant to Section 4.1.1 of the AH, Permittees with an average daily allocation less than 100,000 gallons per day are not required to monitor and report withdrawal quantities.

**Potential Use of Reclaimed Water**

The Permittee has provided documentation from Lee County Utilities that indicates reclaimed water is not available to the Project at this time. If reclaimed water becomes available prior to the expiration date of this permit, the Permittee shall apply for a modification of the water use permit to reflect that portion of the allocation which is to be provided for by reclaimed water. The permittee is required to request a permit modification when an agreement has been executed between both parties, the transmission lines are constructed to the project site, and the necessary on-site modifications and authorizations are obtained. (Special Condition 11).

**Permit Duration**

The Project is renewing its water use permit and has historically used the source listed in this permit since 1965. The source of water for this Project is the Sandstone aquifer. Pursuant to Section 1.5.1 of the AH, staff recommends a water use permit duration of 20 years.

**ENVIRONMENTAL RESOURCE PERMIT STATUS:**

Not Applicable

**RIGHT OF WAY PERMIT STATUS:**

Not Applicable



**RECOMMENDATIONS**

**Project Name:** ARMEDA FAMILY

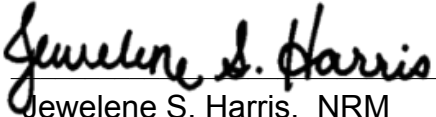
**Application Number:** 150423-3

**Permit Number:** 36-07306-W

**RECOMMENDATION**

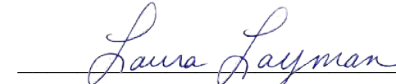
Authorizing: The use of ground water from the Sandstone aquifer for agricultural irrigation of 25 acres of citrus using a micro-sprinkler irrigation system with an annual allocation of 23.52 million gallons.

**STAFF EVALUATION****REVIEWER:**

  
Jewelene S. Harris, NRM

  
Toby Schwetje, WU

**SUPERVISOR:**

  
Laura Layman, NRM

  
Brad D. Cook, P.G., WU

**CONSULTING HYDROGEOLOGIST:**

  
Stephanie Lancaster, P.G.

**Date:** 5/21/15

**SPECIAL PERMIT CONDITIONS**

1. This permit is issued to:  
Armeda Family, LLC  
19440 Armeda Road  
Alva, FL 33920

2. This permit shall expire 20 years from final action date.

3. Use classification is:

Agricultural Irrigation

4. Source classification is:

Groundwater from:  
Sandstone Aquifer

5. Allocation:

Total annual allocation is 23.52 million gallons (MG). (64,438 GPD)

Total maximum monthly allocation is 4.32 million gallons (MG).

These allocations represent the amount of water required to meet the water demands as a result of a rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1-in-10 year drought event. Compliance with the annual allocation is based on the quantity withdrawn over a 12-month time period. Compliance with the maximum monthly allocation is based on the greatest quantity withdrawn in any single month. The annual allocation expressed in GPD or MGD is for informational purposes only.

If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

1. All other conditions of the permit are met; and

2. The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Withdrawal facilities:

Groundwater - Existing:

**SPECIAL PERMIT CONDITIONS**

1 - 8" X 80' X 200 GPM Well Cased To 70 Feet

7. The Permittee shall submit all data as required by the implementation schedule for each of the permit conditions to: SFWMD at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting), or Regulatory Support, MSC 9611, P.O. Box 24680, West Palm Beach, FL 33416-4680.
8. The Permittee must submit the appropriate application form incorporated by reference in Rule 40E-2.101, F.A.C., to the District prior to the permit expiration date in order to continue the use of water.
9. The Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapter 40E-3, F.A.C.
10. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapter 40E-3, F.A.C.
11. If reclaimed water becomes available prior to the expiration date of this permit, the Permittee shall apply for a modification of the water use permit to reflect that portion of the allocation which is to be provided for by reclaimed water. The permittee is required to request a permit modification when an agreement has been executed between both parties, the transmission lines are constructed to the project site, and the necessary on-site modifications and authorizations are obtained.



**STANDARD PERMIT CONDITIONS**

1. All water uses authorized by this permit shall be implemented as conditioned by this permit, including any documents incorporated by reference in a permit condition. The District may revoke this permit, in whole or in part, or take enforcement action, pursuant to Section 373.136 or 373.243, F.S., unless a permit modification has been obtained to address the noncompliance.

The Permittee shall immediately notify the District in writing of any previously submitted material information that is later discovered to be inaccurate.

2. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
3. The Permittee shall notify the District in writing within 30 days of any sale, transfer, or conveyance of ownership or any other loss of permitted legal control of the Project and/or related facilities from which the permitted consumptive use is made. Where Permittee's control of the land subject to the permit was demonstrated through a lease, the Permittee must either submit a new or modified lease showing that it continues to have legal control or documentation showing a transfer in control of the permitted system/project to the new landowner or new lessee. All transfers of ownership are subject to the requirements of Rule 40E-1.6107, F.A.C. Alternatively, the Permittee may surrender the consumptive use permit to the District, thereby relinquishing the right to conduct any activities under the permit.
4. Nothing in this permit should be construed to limit the authority of the District to declare a water shortage and issue orders pursuant to Chapter 373, F.S. In the event of a declared water shortage, the Permittee must adhere to the water shortage restrictions, as specified by the District. The Permittee is advised that during a water shortage, reports shall be submitted as required by District rule or order. The Permittee is advised that during a water shortage, pumpage, water levels, and water quality data shall be collected and submitted as required by District orders issued pursuant to Chapter 40E-21, F.A.C.
5. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
6. With advance notice to the Permittee, District staff with proper identification shall have permission to enter, inspect, observe, collect samples, and take measurements of permitted facilities to determine compliance with the permit conditions and permitted plans and specifications. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.

7. A. The Permittee may seek modification of any term of an unexpired permit. The Permittee is advised that Section 373.239, F.S., and Rule 40E-2.331, F.A.C., are applicable to permit modifications.

B. The Permittee shall notify the District in writing 30 days prior to any changes to the project that could potentially alter the reasonable demand reflected in the permitted allocation. Such changes include, but are not limited to, change in irrigated acreage, crop type, irrigation system, large users agreements, or water treatment method. Permittee will be required to apply for a modification of the permit for any changes in permitted allocation.

8. If any condition of the permit is violated, the permit shall be subject to review and modification, enforcement action, or revocation pursuant to Chapter 373, F.S.
9. The Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the Permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1-in-10 year drought event that results in the:

A. Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or

B. Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.

10. The Permittee shall mitigate harm to the natural resources caused by the Permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the Permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:

A. Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,

B. Reduction in water levels that harm the hydroperiod of wetlands,

C. Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,

D. Harmful movement of contaminants in violation of state water quality standards, or

E. Harm to the natural system including damage to habitat for rare or endangered species.

11. The Permittee shall mitigate harm to existing off-site land uses caused by the Permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the Permittee to modify withdrawal rates or mitigate the harm. Harm as determined through reference to the conditions for permit issuance, includes:

A. Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)

B. Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or,

C. Land collapse or subsidence caused by reduction in water levels associated with consumptive use.



R 21

R 22

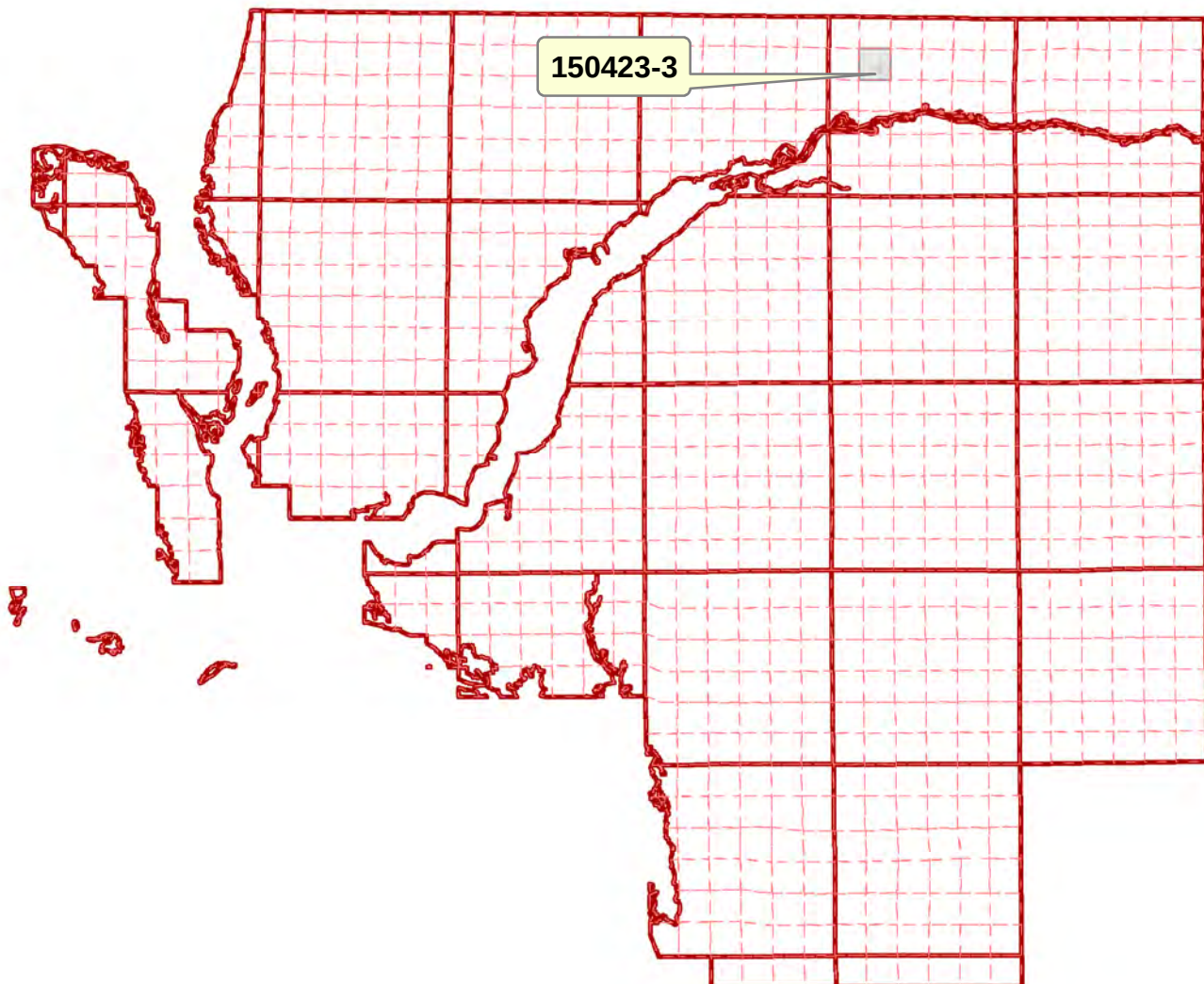
R 23

R 24

R 25

R 26

R 27



T 43

T 44

T 45

T 46

T 47

T 48



## LEE COUNTY, FLORIDA

Application No: 150423-3

Permit No: 36-07306-W

Sec 8 / Twp 43 / Rge 26

Project Name: ARMEDA FAMILY

0 5 10  
Miles

N

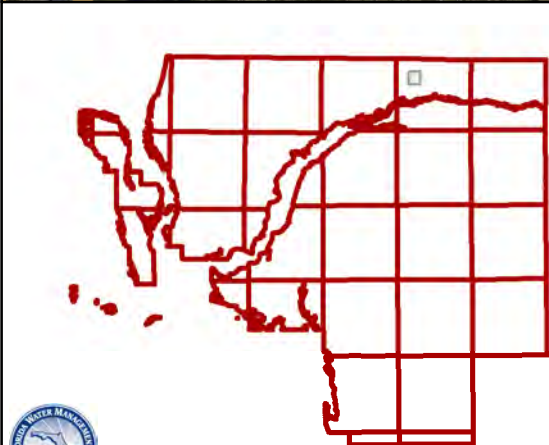
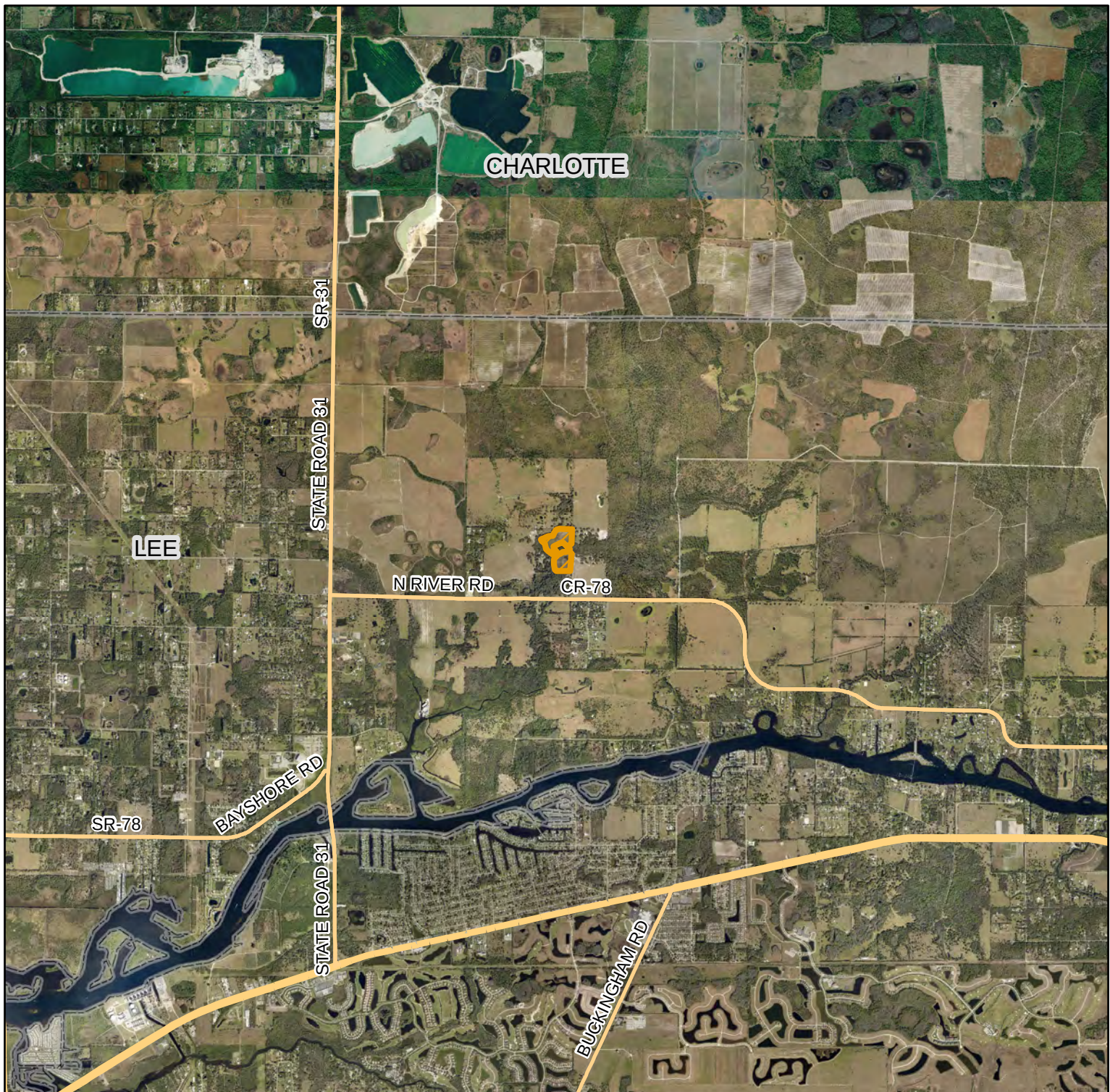


Map Date: 2015-04-27



Exhibit No: 1





LEE COUNTY, FLORIDA

Legend

 Application

Application No: 150423-3

Sec 8 / Twp 43 / Rge 26

Project Name: ARMEDA FAMILY

N



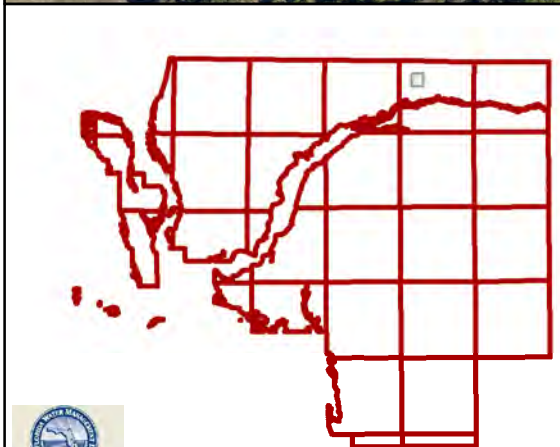
Map Date: 2015-04-27

Permit No: 36-07306-W

0 0.5 1 2  
Miles

Exhibit No: 2





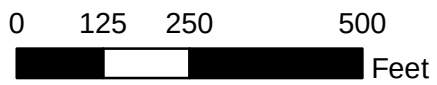
LEE COUNTY, FLORIDA

 Application WELL

Application No: 150423-3

Sec 8 / Twp 43 / Rge 26

Project Name: ARMEDA FAMILY

0 125 250 500  
 Feet

N



Map Date: 2015-04-27

Permit No: 36-07306-W

Exhibit No: 3



**TABLE - A**  
**Description Of Wells.**

**Application Number: 150423-3**

|                           |                   |
|---------------------------|-------------------|
| Well ID                   | 254459            |
| Name                      | Well 1            |
| Map Designator            | Well 1            |
| FLUWID Number             |                   |
| Well Field                |                   |
| Existing/Proposed         | E                 |
| Well Diameter(Inches)     | 8                 |
| Total Depth(feet)         | 80                |
| Cased Depth(feet)         | 70                |
| Facility Elev. (ft. NGVD) |                   |
| Screened Interval         |                   |
| From                      |                   |
| To                        |                   |
| Pumped Or Flowing         | P                 |
| Pump Type                 | Centrifugal       |
| Pump Int. Elev.           |                   |
| Feet (NGVD)               |                   |
| Feet (BLS)                | 0                 |
| Pump Capacity(GPM)        | 200               |
| Year Drilled              |                   |
| Planar Location           |                   |
| Source                    | REVIEWER          |
| Feet East                 | 416834            |
| Feet North                | 877404            |
| Accounting Method         | Flow Meter        |
| Use Status                | Primary           |
| Water Use Type            | Irrigation        |
| Aquifer                   | Sandstone Aquifer |



**APPLICATION NUMBER: 150423-3**

**RAINFALL STATION:** Ft. Myers  
**IRRIGATION SYSTEM:** Micro-Sprinkler  
**PARCEL ACREAGE:** 25  
**LAND USE:** Agricultural

**CROP:** Citrus  
**SOIL TYPE:** 0.8  
**PARCEL NAME:** ARMEDA FAMILY LLC  
**IRR. MULTIPLIER:** 1.18

|                     | JAN  | FEB  | MAR  | APR  | MAY  | JUN  | JUL  | AUG  | SEP  | OCT  | NOV  | DEC  | TOTAL |
|---------------------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| MEAN RAINFALL       | 1.90 | 2.00 | 1.50 | 1.90 | 4.10 | 9.40 | 8.70 | 8.60 | 8.40 | 3.50 | 1.50 | 1.50 | 53.00 |
| EVAPOTRANSPIRATION  | 2.39 | 2.48 | 3.44 | 4.21 | 5.39 | 5.87 | 6.21 | 6.02 | 5.22 | 4.24 | 3.07 | 2.50 | 51.04 |
| AVG. EFFECTIVE RAIN | 0.91 | 0.96 | 0.78 | 1.01 | 2.13 | 4.45 | 4.25 | 4.17 | 3.91 | 1.74 | 0.76 | 0.74 | 25.81 |
| DROUGHT RAINFALL    | 0.77 | 0.81 | 0.65 | 0.85 | 1.79 | 3.74 | 3.57 | 3.50 | 3.28 | 1.46 | 0.64 | 0.62 | 21.68 |
| AVERAGE IRRIGATION  | 1.48 | 1.52 | 2.66 | 3.20 | 3.26 | 1.42 | 1.96 | 1.85 | 1.31 | 2.50 | 2.31 | 1.76 | 25.23 |
| DROUGHT IRRIGATION  | 1.62 | 1.67 | 2.79 | 3.36 | 3.60 | 2.13 | 2.64 | 2.52 | 1.94 | 2.78 | 2.43 | 1.88 | 29.36 |

**ANNUAL SUPPLEMENTAL CROP REQUIREMENT:** 29.36 INCHES

**ANNUAL SUPPLEMENTAL CROP WATER USE:**

29.36 IN X 25 AC X 1.18 X 0.02715 MG/AC-IN = 23.52MG

**MAXIMUM MONTHLY SUPPLEMENTAL CROP REQUIREMENT:** 5.39 INCHES

**MAXIMUM MONTHLY SUPPLEMENTAL CROP WATER USE:**

5.39 IN X 25 AC X 1.18 X 0.02715 MG/AC-IN = 4.32MG

**TOTAL ANNUAL DEMAND:** 23.52 MG

**TOTAL MAXIMUM MONTHLY DEMAND:** 4.32MG

## STAFF REPORT DISTRIBUTION LIST

### ADDRESSES

Armeda Family, L L C  
19440 Armeda Road  
Alva FL 33920  
bcook@sfwmd.gov

Application No:150423-3

Exhibit No:6



# **ATTACHMENT 2 BLANEY-CRIDDLE IRRIGATION DEMANDS**





## Calculations of Irrigation Requirements

(1-in-10)

|                           |            |         |                              |
|---------------------------|------------|---------|------------------------------|
| <b>Rainfall Station:</b>  | Ft. Myers  | 1-in-10 | <b>Crop No.:</b> 1           |
| <b>Irrigation System:</b> | Sprinkler  |         | <b>Parcel Name:</b>          |
| <b>Irrigated Acreage:</b> | 55.68      |         | <b>Crop No. in Parcel:</b> 1 |
| <b>Crop:</b>              | Turf Grass |         |                              |
| <b>Soil Type:</b>         | 0.80       |         |                              |
| <b>Multiplier</b>         | 1.30       |         |                              |
| <b>Efficiency</b>         | 0.77       |         |                              |

| Calculations                               | Jan  | Feb  | Mar  | Apr  | May  | Jun  | Jul  | Aug  | Sep  | Oct  | Nov  | Dec  | Total |
|--------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| <b>Average Rainfall (inches)</b>           | 1.90 | 2.00 | 1.50 | 1.90 | 4.10 | 9.40 | 8.70 | 8.60 | 8.40 | 3.50 | 1.50 | 1.50 | 53.00 |
| <b>Evapotranspiration (inches)</b>         | 1.86 | 2.14 | 3.70 | 5.11 | 6.83 | 7.60 | 8.05 | 7.72 | 6.48 | 4.92 | 3.07 | 2.15 | 59.63 |
| <b>Average Effective Rainfall (inches)</b> | 0.88 | 0.94 | 0.79 | 1.06 | 2.31 | 4.91 | 4.71 | 4.58 | 4.19 | 1.81 | 0.76 | 0.72 | 27.66 |
| <b>1-in-10 Effective Rainfall (inches)</b> | 0.74 | 0.79 | 0.66 | 0.89 | 1.94 | 4.12 | 3.96 | 3.85 | 3.52 | 1.52 | 0.64 | 0.61 | 23.24 |
| <b>Average Irrigation (inches)</b>         | 0.98 | 1.20 | 2.91 | 4.05 | 4.52 | 2.69 | 3.34 | 3.14 | 2.29 | 3.11 | 2.31 | 1.43 | 31.97 |
| <b>1-in-10 Irrigation (inches)</b>         | 1.12 | 1.35 | 3.04 | 4.22 | 4.89 | 3.48 | 4.09 | 3.87 | 2.96 | 3.40 | 2.43 | 1.54 | 36.39 |

**1-in-10 Annual Supplemental Crop Requirement = 36.39 inches**

**Annual Supplemental Crop Water Use:**

$$36.39 \text{ inches} \times 55.68 \text{ Acres} \times 1.3 \times 0.02715 \text{ MG/AC-IN} = 71.51 \text{ MG}$$

**1-in-10 Maximum Monthly Supplemental Crop Requirement = 4.89 inches**

**Maximum Monthly Supplemental Crop Water Use:**

$$4.89 \text{ inches} \times 55.68 \text{ Acres} \times 1.3 \times 0.02715 \text{ MG/AC-IN} = 9.61 \text{ MG}$$

### Notes:

Evapotranspiration was calculated using a modified Blaney-Criddle method.

Average effective rainfall is the amount that is useful to crops in an average year

Drought rainfall is the rainfall minimum representative of a 1-in-10 year drought

Drought effective rainfall is the amount that is useful to crops in a 1-in-10 year drought event.

Average irrigation is the net amount that should be required for maximum yields during an average year.

Drought irrigation is the net amount that should be required for maximum yields during a 1-in-10 year drought.

**EXHIBIT**



# **ATTACHMENT 3 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

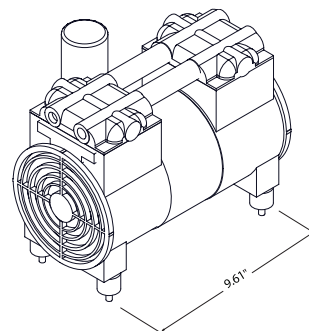
- ◆ High pumping rate easily penetrates stratification layers
- ◆ Circulates entire water column
- ◆ Increases oxygen levels throughout water column
- ◆ Promotes beneficial bacteria growth
- ◆ Prevents low oxygen fish kills
- ◆ Reduces nutrient levels and associated algae growth
- ◆ Oxidizes/reduces 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: AIR3XL2™ LAKE AERATION SYSTEM

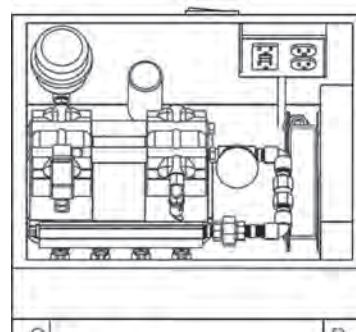
## BROOKWOOD™ COMPRESSOR

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

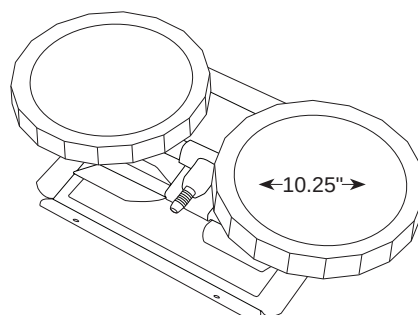
Enclosure comes equipped with cam lock for security, fully gasketed and constructed of aluminum with gray electrostatically-bonded powder coating to provide Limited Lifetime warranty against cabinet rust and corrosion. Enclosure furnished with stamped ventilation grills to insure forced air circulation 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 quieter operation.



19.25" W x 12.25" L x 17" H

## AIRSTATION XL2™ ASSEMBLY

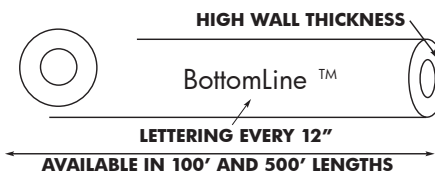
Diffuser station consists of two self-cleaning, 9" diameter, flexible membrane diffusers of EPDM compound with 100% rebound memory, each producing millions of fine 500 to 3000 micron bubbles – the majority 500 to 1000 microns. Each diffuser station base unit is made of powder-coated stainless steel and 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.



14.375" W x 18.625" L x 8.375" H

## 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](mailto:info@vertexwaterfeatures.com)

[www.vertexwaterfeatures.com](http://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.

©Vertex Water Features rev.051116



# **ATTACHMENT 4**

## **LEE COUNTY**

### **WUP NO.36-00152-W**





# SOUTH FLORIDA WATER MANAGEMENT DISTRICT

## WATER USE LETTER MODIFICATION

**APPLICATION NUMBER:** 240105-8

**PERMIT NUMBER:** 36-00152-W

**DATE ISSUED:** February 9, 2024

**EXPIRATION DATE:** August 26, 2040

**PERMITTEE:** LEE COUNTY UTILITIES  
1500 MONROE STREET, THIRD FLOOR  
FORT MYERS, FL 33902

**PROJECT NAME:** NORTH LEE COUNTY PWS

**PROJECT LOCATION:** LEE COUNTY, SS1-4, 9-11, 15, 16, 21/T44S/R24E  
SS14-16, 19-22, 25-31/T44S/R25E  
SS3-5, 8-11, 14-16, 22-29, 33-36/T43S/R24E

District staff has reviewed the information submitted in support of the referenced application for permit modification(s) and determined that the proposed activities are in compliance with the previous permit and the appropriate provisions of Rule 40E-2.331 (4)(a), Florida Administrative Code. The permit modification(s) include the following:

The purpose of this letter modification is to relocate five of the permitted proposed production wells (PW-37, PW-38, PW-39, PW-40 and PW-41) approximately 0.5 mile to 1 mile east of the original locations, as shown in Exhibit 1. Additionally, the Permittee is requesting to remove from the permit one of the monitoring wells (TW-7). Monitoring well TW-7 is located within the right-of-way of North River Road and will be plugged and abandoned due to the proposed road widening. The proposed locations of the production wells are on parcels owned by Lee County along North River Road and Telegraph Creek Preserve. No changes to the construction details for the proposed Lower Hawthorn aquifer (LHA) production wells are requested. The project well locations are shown in Exhibit 1 and their construction details are shown in Exhibit 2.

In support of this letter modification, the Permittee provided results of the groundwater flow and solute transport model utilized in the previous permit (Application 200604-15). Model results (Exhibit 3) show that the drawdown due to withdrawals from the new locations of the production wells is expected to provide a slight improvement to the combined feedwater to the North Lee County Reverse Osmosis Water Treatment Plant, because the proposed production wells will be installed in an area with better water quality (lower chloride concentration) in the LHA. A hydrograph of the historic chloride concentrations for the project's wellfield is provided in Exhibit 4. The model predicts an estimated chloride concentration of approximately 1,514 milligrams per liter (mg/L) for 2041 due to the relocation of the proposed production wells versus 1,526 mg/L for the currently permitted wellfield without the relocation of the five proposed production wells. The LHA area near the proposed relocation wells will be monitored by an existing monitoring well (TW-14, installed in 2022) located in the easternmost portion of the wellfield (Exhibit 1). More precise predictions will be provided by solute transport model results after completion of the construction of the proposed production wells. No other changes to the permit are requested.



This permit remains subject to the 29 Limiting Conditions and all other terms of the permit authorization as previously issued.

A handwritten signature in blue ink, reading "Brad D. Cook", is written over a horizontal line.

Brad D. Cook, P.G.  
Section Leader  
Water Use Bureau

**SPECIAL PERMIT CONDITIONS**

1. This permit is issued to:

Lee County Utilities  
1500 Monroe Street, Third Floor  
Fort Myers, FL 33902

2. This permit shall expire on August 26, 2040.

3. Use classification is:

Public Water Supply

4. Source classification is:

Groundwater from:  
Lower Hawthorn Aquifer

5. Allocation:

Total annual allocation is 5,667.50 million gallons (MG). (15.53 MGD)

Total maximum monthly allocation is 587.30 million gallons (MG).

These allocations represent the amount of water required to meet the water demands as a result of a rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1-in-10 year drought event. Compliance with the annual allocation is based on the quantity withdrawn over a 12-month time period. Compliance with the maximum monthly allocation is based on the greatest quantity withdrawn in any single month. The annual allocation expressed in GPD or MGD is for informational purposes only.

If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

1. All other conditions of the permit are met; and
2. The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Withdrawal facilities:

Groundwater - Proposed:

21 - 17" X 700' X 700 GPM Wells Cased To 500 Feet

Groundwater - Existing:

1 - 17" X 653' X 780 GPM Well Cased To 451 Feet  
1 - 17" X 700' X 725 GPM Well Cased To 500 Feet  
1 - 16" X 803' X 700 GPM Well Cased To 597 Feet  
1 - 14" X 747' X 700 GPM Well Cased To 538 Feet  
1 - 17" X 592' X 800 GPM Well Cased To 441 Feet  
1 - 14" X 639' X 0 GPM Well Cased To 541 Feet  
1 - 14" X 800' X 700 GPM Well Cased To 572 Feet  
1 - 17" X 670' X 550 GPM Well Cased To 500 Feet  
1 - 16" X 500' X 700 GPM Well Cased To 418 Feet  
1 - 17" X 637' X 700 GPM Well Cased To 500 Feet  
1 - 16" X 734' X 725 GPM Well Cased To 530 Feet  
1 - 14" X 700' X .001 GPM Well Cased To 590 Feet  
1 - 16" X 667' X 700 GPM Well Cased To 542 Feet  
1 - 17" X 642' X 0 GPM Well Cased To 540 Feet  
1 - 17" X 600' X 700 GPM Well Cased To 470 Feet  
1 - 16" X 489' X 725 GPM Well Cased To 457 Feet  
1 - 16" X 748' X 725 GPM Well Cased To 538 Feet  
1 - 17" X 700' X 700 GPM Well Cased To 478 Feet  
1 - 16" X 700' X 700 GPM Well Cased To 513 Feet  
1 - 17" X 700' X 700 GPM Well Cased To 493 Feet

7. The Permittee shall submit all data as required by the implementation schedule for each of the permit conditions to: SFWMD at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting), or Regulatory Support, 3301 Gun Club Road, West Palm Beach, FL 33406.
8. The Permittee must submit the appropriate application form incorporated by reference in Rule 40E-2.101, F.A.C., to the District prior to the permit expiration date in order to continue the use of water.
9. The Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapter 40E-3, F.A.C.



10. Prior to any withdrawals at the project, the Permittee shall provide the results of the calibration testing of the identified water accounting method(s) and equip all existing and proposed withdrawal facilities with approved water use accounting method(s) pursuant to Subsection 4.1.1 of the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District.
11. Every five years from the date of last calibration, the Permittee shall submit re-calibration data for each withdrawal facility.
12. Monthly withdrawals for each withdrawal facility shall be reported to the District quarterly. The water accounting method and means of calibration shall be stated on each report.
13. The Permittee shall notify the District within 30 days of any change in service area boundary that results in a change in demand that affects its permitted allocation. The allocation shall be modified to effectuate such change.
14. The Permittee shall maintain an accurate flow meter at the intake of the water treatment plant for the purpose of measuring daily inflow of water.
15. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapter 40E-3, F.A.C.
16. The Standard Water Conservation Plan described in Subsection 2.3.2.F.1.a of the Applicant's Handbook for Water Use Permits within the South Florida Water Management District and Exhibit 13 (Application 200604-15) must continue being implemented.
17. The Permittee shall submit to the District an updated "Summary of Groundwater (Well) Facilities" table ("Section IV - Sources of Water", Water Use Permit Application Form 1379) within 90 days of completion of the proposed wells identifying the actual total and cased depths, pump manufacturer and model numbers, pump types, intake depths and type of meters.

18. The Permittee shall notify the District within 30 days of entering into an inter-local agreement, contract, or other similar instrument to deliver or receive water outside of its service area or to serve a demand not identified to determine the allocation described in this permit. A copy of such agreement shall be provided to the District. The monthly volume of water delivered and/or received via each inter-local agreement, contract, or other similar instrument shall be submitted to the District at the same reporting frequency as the withdrawals for each withdrawal facility required in this permit.
19. The Permittee shall implement the wellfield operating plan submitted in support of the permit application, as described in the District staff report. Details of the wellfield operation plan are shown on Exhibit 12 (Application 200604-15).
20. The Permittee shall determine unaccounted-for distribution system losses (for the entire distribution system) on a monthly basis, including the way these losses are calculated. Reports shall be submitted to the District on a yearly basis and are due by April 30th of each year.

If unaccounted-for distribution system losses are greater than 10 percent for any given year, the Permittee shall submit to the District for approval, a formal leak detection program that meets the requirements of Subsection 4.1.2 of the Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District, to address the reduction of such water loss.

21. The Permittee shall maintain an accurate flow meter at the point of discharge from the treatment plant for the purpose of measuring the daily flow of water.
22. Entities that control, either directly or indirectly, a wastewater treatment plant and/or reuse distribution system, and which have determined pursuant to Section 403.064, F.S., that use of reclaimed water is feasible, must provide the District with annual updates of the following information: (A) the status of distribution system construction, including location and capacity of lines; (B) a summary of uncommitted supplies for the next year; (C) copies of any new or amended local mandatory reclaimed water reuse zone ordinances; and (D) a list of end-users who have contracted to receive reclaimed water and the agreed upon quantity of water to be delivered.  
Reports shall be submitted to the District annually and are due by April 30th of each year.

23. If a proposed well location is different from a location specified in the application, the Permittee shall submit to the District an evaluation of the impact of pumpage from the proposed well location on adjacent existing legal uses, pollution sources, environmental features, the saline water interface, and water bodies one month prior to all new well construction. The Permittee is advised the proposed well locations and resulting impacts must be in compliance with all permitting criteria and performance standards in effect at that time.
24. The Permittee shall submit to the District an updated "Summary of Groundwater (Well) or Surface Water (Pump or Culvert) Facilities" table ("Section IV - Sources of Water", Water Use Permit Application Form 1379) at least 30 days prior to a change in any facility status (e.g. installation, relocation, abandonment) to include all specifications of the well, pump or culvert (e.g. actual total and cased depths, pump manufacturer and model numbers, pump types, intake depths and type of meters, culvert type, length, cross-section, diameter, height, width, invert elevation, control device, and water use accounting method).
25. The Permittee shall implement the following saline water intrusion monitoring program:  
Water samples from all production and monitoring wells shall be analyzed monthly for dissolved chloride concentration and the results shall be submitted to the District on quarterly basis.
26. The Permittee shall continue to submit monitoring data in accordance with the approved water level monitoring program for this project.  
The Permittee shall continue monthly water level monitoring in each production and monitor well and submit data to the District on a quarterly basis.
27. Pursuant to Section 373.236(4), F.S., every ten years from the date of permit issuance, the Permittee shall submit a water use compliance report for review and approval by District Staff to SFWMD at [www.sfwmd.gov/ePermitting](http://www.sfwmd.gov/ePermitting), or Regulatory Support, 3301 Gun Club Road, West Palm Beach, FL 33406.
28. Thirty (30) days prior to installation of any of the proposed wells located outside the current service area, the Permittee shall provide to the District ownership or lease documentation proving the Permittee has legal control of the well site.
29. The Permittee shall provide a quarterly report that identifies the number of days

Olga plant was shut down, the reason for the shut down and monthly amount of water supplied by North Lee County WTP (to be submitted to the District on the quarterly basis).





EXHIBIT 1- AERIAL PHOTO SHOWING LOCATION OF NORTH LEE COUNTY WELLFIELD AND PROPOSED MODIFICATION.



**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 142438                         | 142439                         | 142440                         | 142450                         | 142441                         | 142442                         |
| <b>Name</b>                            | PW-1                           | PW-2                           | PW-3                           | PW-4                           | PW-5                           | PW-6                           |
| <b>Map Designator</b>                  | PW-1                           | PW-2                           | PW-3                           | PW-4                           | PW-5                           | PW-6                           |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | E                              | E                              | E                              | E                              | E                              | A                              |
| <b>Well Diameter(Inches)</b>           | 17                             | 17                             | 17                             | 17                             | 17                             | 17                             |
| <b>Total Depth(feet)</b>               | 637                            | 700                            | 592                            | 653                            | 670                            | 700                            |
| <b>Cased Depth(feet)</b>               | 500                            | 493                            | 441                            | 451                            | 500                            | 475                            |
| <b>Facility Elev. (ft. NGVD)</b>       | 25                             | 25                             | 25                             | 25                             | 25                             | 25                             |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Submersible                    | Submersible                    | Turbine                        | Submersible                    | Submersible                    | None                           |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> | -95                            | -95                            | -95                            | -95                            | -95                            |                                |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            |                                |
| <b>Pump Capacity(GPM)</b>              | 700                            | 700                            | 800                            | 780                            | 550                            | 0                              |
| <b>Year Drilled</b>                    | 2003                           | 2003                           | 2002                           | 2002                           | 2002                           | 2003                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 398380                         | 398396                         | 398305                         | 397297                         | 397311                         | 397333                         |
| <b>Feet North</b>                      | 872896                         | 872249                         | 871294                         | 870522                         | 871368                         | 871842                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | None                           |
| <b>Use Status</b>                      | Standby                        | Primary                        | Primary                        | Primary                        | Standby                        | Abandoned                      |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                          |                                |                                |                                |                                |                                |                                |
|------------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                           | 142449                         | 142443                         | 142545                         | 142546                         | 142547                         | 142548                         |
| <b>Name</b>                              | PW-7                           | PW-8                           | MW-2 (PW-9)                    | PW-10                          | PW-11                          | PW-12                          |
| <b>Map Designator</b>                    | PW-7                           | PW-8                           | MW-2 (PW-9)                    | PW-10                          | PW-11                          | PW-12                          |
| <b>FLUWID Number</b>                     |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                        |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>                 | E                              | E                              | E                              | E                              | E                              | E                              |
| <b>Well Diameter(Inches)</b>             | 17                             | 17                             | 14                             | 14                             | 16                             | 16                             |
| <b>Total Depth(feet)</b>                 | 700                            | 600                            | 639                            | 747                            | 748                            | 734                            |
| <b>Cased Depth(feet)</b>                 | 478                            | 470                            | 541                            | 538                            | 538                            | 530                            |
| <b>Facility Elev. (ft. NGVD)</b>         | 25                             | 25                             | 16.5                           | 17                             | 16                             | 21                             |
| <b>Screened Interval<br/>From<br/>To</b> |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>                 | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                         | Submersible                    | Turbine                        | None                           | Submersible                    | Turbine                        | Turbine                        |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b>   | -115                           | -95                            |                                | -103                           | -104                           | -99                            |
| <b>Feet (BLS)</b>                        | 140                            | 120                            |                                | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>                | 700                            | 700                            | 0                              | 700                            | 725                            | 725                            |
| <b>Year Drilled</b>                      | 2002                           | 2003                           | 2008                           | 2008                           | 2010                           | 2012                           |
| <b>Planar Location<br/>Source</b>        | APPLICANT                      | APPLICANT                      | APPLICANT                      | DIGITIZED                      | APPLICANT                      | DIGITIZED                      |
| <b>Feet East</b>                         | 397301                         | 397670                         | 395477                         | 393675                         | 391822                         | 389254                         |
| <b>Feet North</b>                        | 872914                         | 871043                         | 870587                         | 870272                         | 870317                         | 870363                         |
| <b>Accounting Method</b>                 | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                        | Primary                        | Primary                        | Primary                        | Standby                        | Primary                        | Primary                        |
| <b>Water Use Type</b>                    | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Monitor<br>Public Water Supply | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                           | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 142637                         | 142638                         | 142639                         | 142640                         | 220604                         | 220605                         |
| <b>Name</b>                            | PW-13A                         | PW-14                          | PW-15                          | PW-16A                         | PW-17A                         | PW-18A                         |
| <b>Map Designator</b>                  | PW-13A                         | PW-14                          | PW-15                          | PW-16A                         | PW-17A                         | PW-18A                         |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | E                              | E                              | E                              | E                              | E                              | E                              |
| <b>Well Diameter(Inches)</b>           | 16                             | 16                             | 16                             | 16                             | 16                             | 14                             |
| <b>Total Depth(feet)</b>               | 489                            | 700                            | 803                            | 667                            | 500                            | 800                            |
| <b>Cased Depth(feet)</b>               | 457                            | 513                            | 597                            | 542                            | 418                            | 572                            |
| <b>Facility Elev. (ft. NGVD)</b>       | 21                             | 21                             | 20                             | 13                             | 8                              | 12                             |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Submersible                    |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> | -99                            | -99                            | -100                           | -107                           | -112                           | -108                           |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>              | 725                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Year Drilled</b>                    | 2011                           | 2012                           | 2011                           | 2010                           | 2010                           | 2009                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 386308                         | 384970                         | 383325                         | 393596                         | 393268                         | 392563                         |
| <b>Feet North</b>                      | 871026                         | 870455                         | 871313                         | 868045                         | 866240                         | 868941                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                      | Standby                        | Standby                        | Primary                        | Standby                        | Primary                        | Primary                        |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |



**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 262850                         | 262851                         | 262852                         | 262853                         | 262854                         | 262855                         |
| <b>Name</b>                            | PW-19                          | PW-20                          | PW-21                          | PW-22                          | PW-23                          | PW-24                          |
| <b>Map Designator</b>                  | PW-19                          | PW-20                          | PW-21                          | PW-22                          | PW-23                          | PW-24                          |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | E                              | P                              | P                              | E                              | P                              | P                              |
| <b>Well Diameter(Inches)</b>           | 14                             | 17                             | 17                             | 17                             | 17                             | 17                             |
| <b>Total Depth(feet)</b>               | 700                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Cased Depth(feet)</b>               | 590                            | 500                            | 500                            | 500                            | 500                            | 500                            |
| <b>Facility Elev. (ft. NGVD)</b>       | 25                             |                                |                                |                                |                                |                                |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> | -95                            |                                |                                |                                |                                |                                |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>              | .001                           | 700                            | 700                            | 725                            | 700                            | 700                            |
| <b>Year Drilled</b>                    | 2015                           | 2021                           | 2021                           | 2021                           | 2022                           | 2022                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 382404                         | 378774                         | 378514                         | 377065                         | 378972                         | 381084                         |
| <b>Feet North</b>                      | 872654                         | 876821                         | 879065                         | 880756                         | 881126                         | 880971                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                      | Standby                        | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 262856                         | 285295                         | 285296                         | 285297                         | 285298                         | 285299                         |
| <b>Name</b>                            | PW-25                          | PW-26                          | PW-27                          | PW-28                          | PW-29                          | PW-30                          |
| <b>Map Designator</b>                  | PW-25                          | PW-26                          | PW-27                          | PW-28                          | PW-29                          | PW-30                          |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Well Diameter(Inches)</b>           | 17                             | 17                             | 17                             | 17                             | 17                             | 17                             |
| <b>Total Depth(feet)</b>               | 700                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Cased Depth(feet)</b>               | 500                            | 500                            | 500                            | 500                            | 500                            | 500                            |
| <b>Facility Elev. (ft. NGVD)</b>       |                                |                                |                                |                                |                                |                                |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> |                                |                                |                                |                                |                                |                                |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>              | 700                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Year Drilled</b>                    | 2022                           | 2023                           | 2023                           | 2023                           | 2023                           | 2023                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 383120                         | 384210                         | 384195                         | 388914                         | 388988                         | 388758                         |
| <b>Feet North</b>                      | 880911                         | 882100                         | 883614                         | 880949                         | 879979                         | 878867                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                      | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 285300                         | 285301                         | 285302                         | 285303                         | 285304                         | 285305                         |
| <b>Name</b>                            | PW-31                          | PW-32                          | PW-33                          | PW-34                          | PW-35                          | PW-36                          |
| <b>Map Designator</b>                  | PW-31                          | PW-32                          | PW-33                          | PW-34                          | PW-35                          | PW-36                          |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Well Diameter(Inches)</b>           | 17                             | 17                             | 17                             | 17                             | 17                             | 17                             |
| <b>Total Depth(feet)</b>               | 700                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Cased Depth(feet)</b>               | 500                            | 500                            | 500                            | 500                            | 500                            | 500                            |
| <b>Facility Elev. (ft. NGVD)</b>       |                                |                                |                                |                                |                                |                                |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> |                                |                                |                                |                                |                                |                                |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>              | 700                            | 700                            | 700                            | 700                            | 700                            | 700                            |
| <b>Year Drilled</b>                    | 2023                           | 2023                           | 2026                           | 2026                           | 2028                           | 2028                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 390470                         | 392455                         | 394106                         | 408102                         | 410138                         | 412116                         |
| <b>Feet North</b>                      | 880782                         | 880804                         | 880743                         | 875791                         | 875131                         | 875608                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                      | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                                |                                |                                |                                |                                |                                |
|----------------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| <b>Well ID</b>                         | 285306                         | 285307                         | 285308                         | 285309                         | 285310                         | 262857                         |
| <b>Name</b>                            | PW-37                          | PW-38                          | PW-39                          | PW-40                          | PW-41                          | PW-42 (ASR)                    |
| <b>Map Designator</b>                  | PW-37                          | PW-38                          | PW-39                          | PW-40                          | PW-41                          | PW-42 (ASR)                    |
| <b>FLUWID Number</b>                   |                                |                                |                                |                                |                                |                                |
| <b>Well Field</b>                      |                                |                                |                                |                                |                                |                                |
| <b>Existing/Proposed</b>               | P                              | P                              | P                              | P                              | P                              | E                              |
| <b>Well Diameter(Inches)</b>           | 17                             | 17                             | 17                             | 17                             | 17                             | 17                             |
| <b>Total Depth(feet)</b>               | 700                            | 700                            | 700                            | 700                            | 700                            | 642                            |
| <b>Cased Depth(feet)</b>               | 500                            | 500                            | 500                            | 500                            | 500                            | 540                            |
| <b>Facility Elev. (ft. NGVD)</b>       |                                |                                |                                |                                |                                |                                |
| <b>Screened Interval<br/>From</b>      |                                |                                |                                |                                |                                |                                |
| <b>To</b>                              |                                |                                |                                |                                |                                |                                |
| <b>Pumped Or Flowing</b>               | P                              | P                              | P                              | P                              | P                              | P                              |
| <b>Pump Type</b>                       | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        | Turbine                        |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> |                                |                                |                                |                                |                                |                                |
| <b>Feet (BLS)</b>                      | 120                            | 120                            | 120                            | 120                            | 120                            | 120                            |
| <b>Pump Capacity(GPM)</b>              | 700                            | 700                            | 700                            | 700                            | 700                            | 0                              |
| <b>Year Drilled</b>                    | 2028                           | 2032                           | 2032                           | 2034                           | 2034                           | 1999                           |
| <b>Planar Location</b>                 |                                |                                |                                |                                |                                |                                |
| <b>Source</b>                          | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      | APPLICANT                      |
| <b>Feet East</b>                       | 421259                         | 421388                         | 422694                         | 424385                         | 423352                         | 382564                         |
| <b>Feet North</b>                      | 875648                         | 877806                         | 877201                         | 877297                         | 875147                         | 865467                         |
| <b>Accounting Method</b>               | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     | Flow Meter                     |
| <b>Use Status</b>                      | Primary                        | Primary                        | Primary                        | Primary                        | Primary                        | Standby                        |
| <b>Water Use Type</b>                  | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor | Public Water Supply<br>Monitor |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      | Lower Hawthorn<br>Aquifer      |



**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                        |                           |                           |                           |                           |                           |                           |
|----------------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| <b>Well ID</b>                         | 142805                    | 285312                    | 285314                    | 262846                    | 285315                    | 285316                    |
| <b>Name</b>                            | MW-1                      | TW-1                      | TW-2                      | TW-4                      | TW-6                      | TW-7                      |
| <b>Map Designator</b>                  | MW-1                      | TW-1                      | TW-2                      | TW-4                      | TW-6                      | TW-7                      |
| <b>FLUWID Number</b>                   |                           |                           |                           |                           |                           |                           |
| <b>Well Field</b>                      |                           |                           |                           |                           |                           |                           |
| <b>Existing/Proposed</b>               | E                         | E                         | E                         | E                         | E                         | E                         |
| <b>Well Diameter(Inches)</b>           | 8                         | 8                         | 8                         | 8                         | 8                         | 8                         |
| <b>Total Depth(feet)</b>               | 612                       | 750                       | 776                       | 624                       | 725                       | 750                       |
| <b>Cased Depth(feet)</b>               | 537                       | 478                       | 461                       | 414                       | 538                       | 528                       |
| <b>Facility Elev. (ft. NGVD)</b>       | 26                        | 26                        | 26                        | 25                        | 25                        | 25                        |
| <b>Screened Interval<br/>From</b>      |                           |                           |                           |                           |                           |                           |
| <b>To</b>                              |                           |                           |                           |                           |                           |                           |
| <b>Pumped Or Flowing</b>               | F                         | F                         | F                         | F                         | F                         | F                         |
| <b>Pump Type</b>                       | None                      | None                      | None                      | None                      | None                      | None                      |
| <b>Pump Int. Elev.<br/>Feet (NGVD)</b> |                           |                           |                           |                           |                           |                           |
| <b>Feet (BLS)</b>                      |                           |                           |                           |                           |                           |                           |
| <b>Pump Capacity(GPM)</b>              | 0                         | 0                         | 0                         | 0                         | 0                         | 0                         |
| <b>Year Drilled</b>                    | 2002                      | 2018                      | 2018                      | 2019                      | 2019                      | 2019                      |
| <b>Planar Location</b>                 |                           |                           |                           |                           |                           |                           |
| <b>Source</b>                          | APPLICANT                 | APPLICANT                 | APPLICANT                 | APPLICANT                 | APPLICANT                 | APPLICANT                 |
| <b>Feet East</b>                       | 397309                    | 382141                    | 378730                    | 394429                    | 422600                    | 408003                    |
| <b>Feet North</b>                      | 872419                    | 875860                    | 876141                    | 881320                    | 875282                    | 875629                    |
| <b>Accounting Method</b>               | None                      | None                      | None                      | None                      | None                      | None                      |
| <b>Use Status</b>                      | Monitor                   | Monitor                   | Monitor                   | Monitor                   | Monitor                   | Monitor                   |
| <b>Water Use Type</b>                  | Monitor                   | Monitor                   | Monitor                   | Monitor                   | Monitor                   | Monitor                   |
| <b>Aquifer</b>                         | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer |

**TABLE - A**  
**Description Of Wells.**

**Application Number: 240105-8**

|                                  |                           |                           |
|----------------------------------|---------------------------|---------------------------|
| <b>Well ID</b>                   | 285317                    | 295146                    |
| <b>Name</b>                      | TW-10                     | TW-14                     |
| <b>Map Designator</b>            | TW-10                     | TW-14                     |
| <b>FLUWID Number</b>             |                           |                           |
| <b>Well Field</b>                |                           |                           |
| <b>Existing/Proposed</b>         | E                         | E                         |
| <b>Well Diameter(Inches)</b>     | 8                         | 8                         |
| <b>Total Depth(feet)</b>         | 810                       | 792                       |
| <b>Cased Depth(feet)</b>         | 542                       | 587                       |
| <b>Facility Elev. (ft. NGVD)</b> | 25                        |                           |
| <b>Screened Interval</b>         |                           |                           |
| <b>From</b>                      |                           |                           |
| <b>To</b>                        |                           |                           |
| <b>Pumped Or Flowing</b>         | F                         |                           |
| <b>Pump Type</b>                 | None                      | None                      |
| <b>Pump Int. Elev.</b>           |                           |                           |
| <b>Feet (NGVD)</b>               |                           |                           |
| <b>Feet (BLS)</b>                |                           |                           |
| <b>Pump Capacity(GPM)</b>        | 0                         | 0                         |
| <b>Year Drilled</b>              | 2019                      | 2022                      |
| <b>Planar Location</b>           |                           |                           |
| <b>Source</b>                    | APPLICANT                 | APPLICANT                 |
| <b>Feet East</b>                 | 388786                    | 426156                    |
| <b>Feet North</b>                | 880945                    | 877690                    |
| <b>Accounting Method</b>         | None                      | None                      |
| <b>Use Status</b>                | Monitor                   | Monitor                   |
| <b>Water Use Type</b>            | Monitor                   | Monitor                   |
| <b>Aquifer</b>                   | Lower Hawthorn<br>Aquifer | Lower Hawthorn<br>Aquifer |

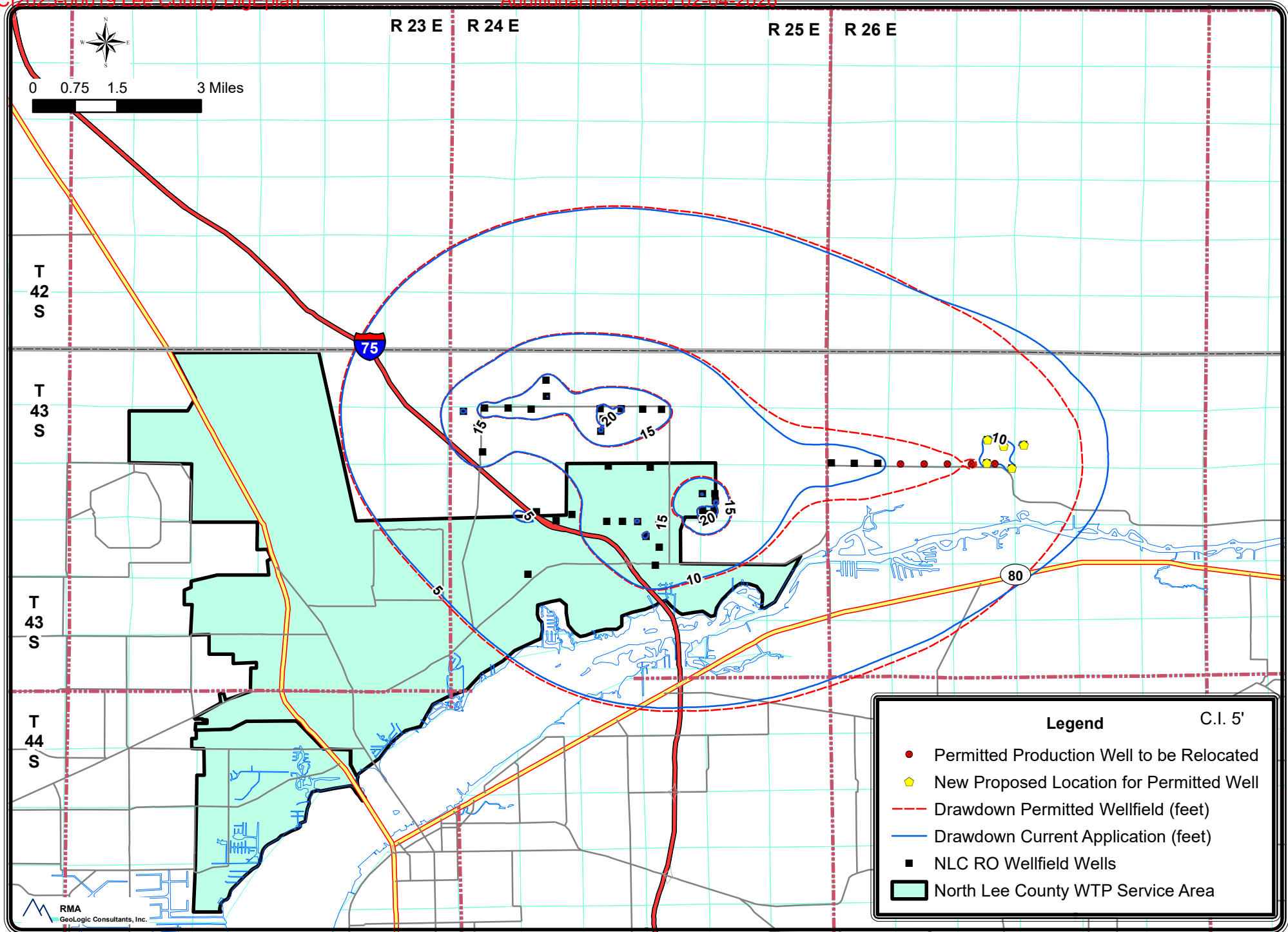


EXHIBIT 3- INDIVIDUAL POTENTIOMETRIC WATER LEVEL DRAWDOWN CONTOUR MAP BY THE END OF MAY IN THE UPPER FLORIDAN AQUIFER DUE TO THE PERMITTED MAXIMUM DAILY QUANTITY (19.3 MGD) WITHDRAWAL FROM THE NORTH LEE COUNTY WELLFIELD.

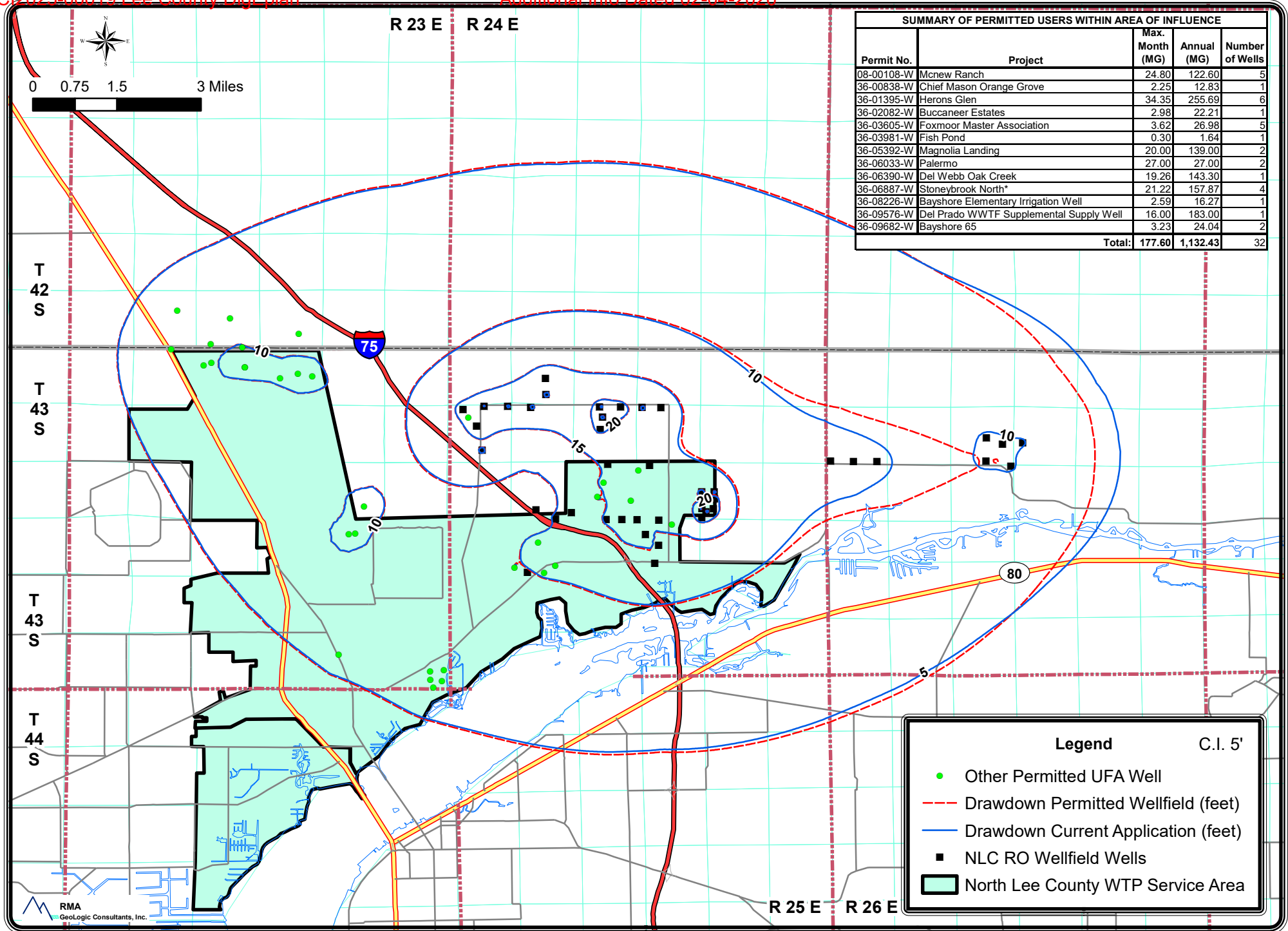
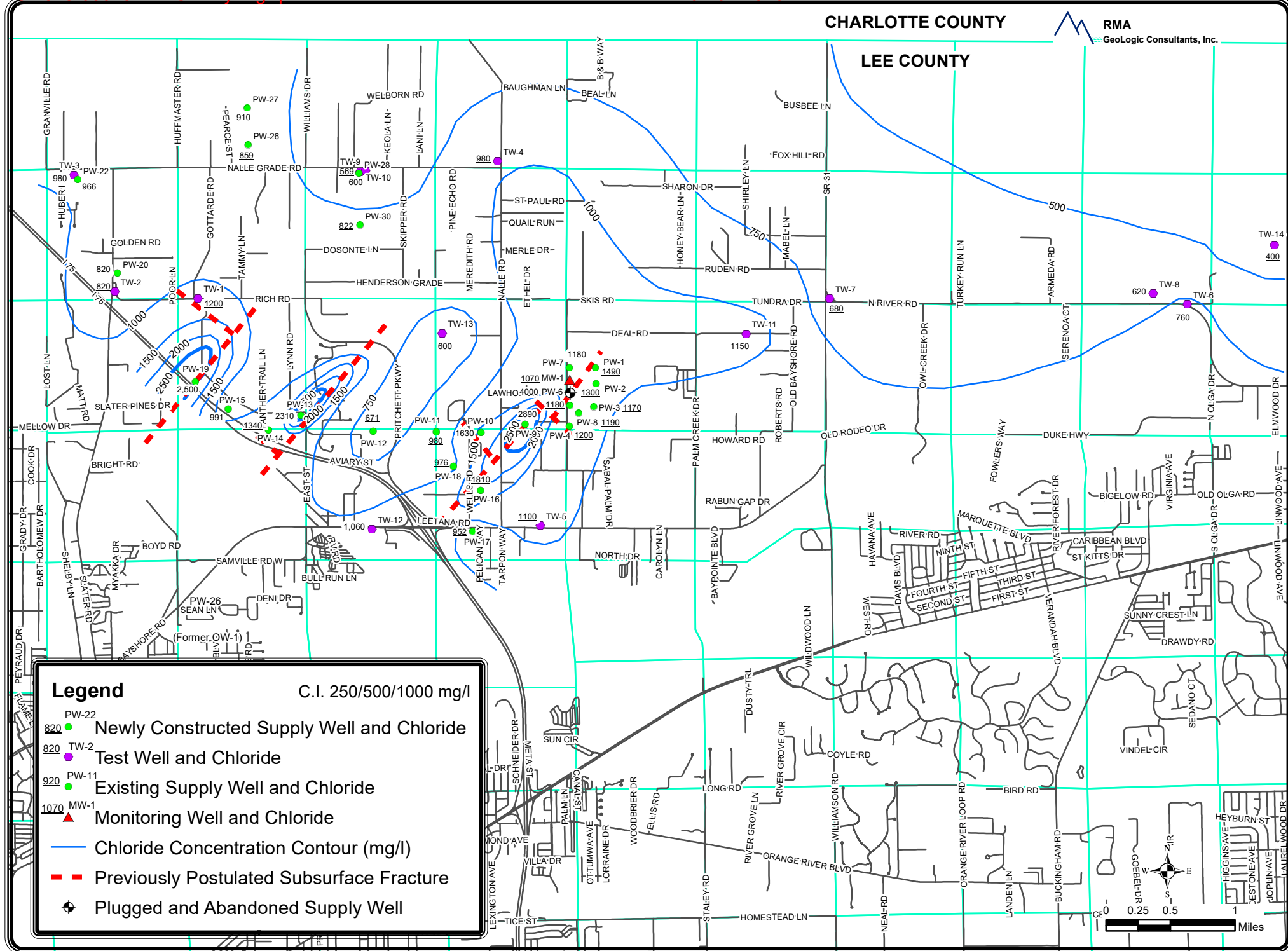


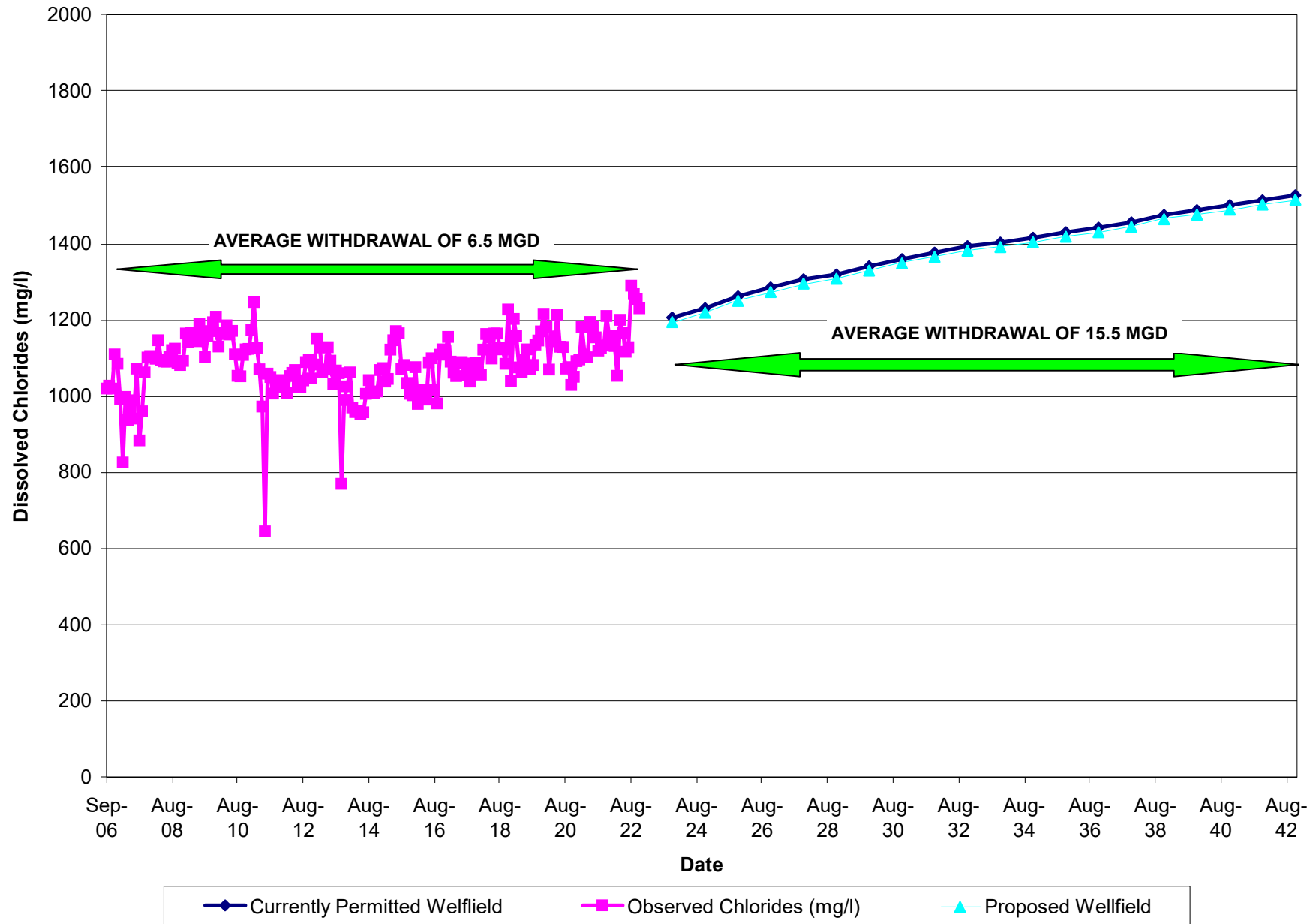
EXHIBIT 3 - CUMULATIVE POTENTIOMETRIC WATER LEVEL DRAWDOWN CONTOUR MAP BY THE END OF MAY IN THE UPPER FLORIDAN AQUIFER DUE TO THE PERMITTED MAXIMUM DAILY QUANTITY (19.3 MGD) WITHDRAWAL FROM THE NORTH LEE COUNTY WELLFIELD AND PERMITTED ALLOCATIONS FROM NEARBY UFA USERS.





**EXHIBIT 4 - CHLORIDE CONTOUR MAP FOR THE NORTH LEE COUNTY WELDFIELD UPDATED WITH DATA FROM THE TEST WELLS AND NEWLY CONSTRUCTED SUPPLY WELLS.**

**FIGURE 6- PLOT OF PROJECTED CHLORIDE CONCENTRATIONS FOR THE NEXT 20 YEARS FOR THE COMBINED PRODUCED GROUNDWATER FROM THE NORTH LEE COUNTY WELLFIELD (AVERAGE WITHDRAWAL RATE OF 15.5 MGD).**



## Requirement by Permit Condition Report

**App No:** 240105-8

**Permit No:** 36-00152-W

**Project Name:** NORTH LEE COUNTY PWS

| <b>Permit Condition No:</b> 11 |                                         | <b>Permit Condition Code:</b> <u>WUSTD021-2</u> |                  |                 |  |
|--------------------------------|-----------------------------------------|-------------------------------------------------|------------------|-----------------|--|
| <b>Facility Name</b>           | <b>Requirement Name</b>                 | <b>Col Freq</b>                                 | <b>Sub Freq</b>  | <b>Due Date</b> |  |
| WELL - PW-1                    | Calibration report for WELL PW-1        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-2                    | Calibration report for WELL PW-2        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-3                    | Calibration report for WELL PW-3        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-5                    | Calibration report for WELL PW-5        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-8                    | Calibration report for WELL PW-8        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-7                    | Calibration report for WELL PW-7        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-4                    | Calibration report for WELL PW-4        | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - MW-2 (PW-9)             | Calibration report for WELL MW-2 (PW-9) | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-10                   | Calibration report for WELL PW-10       | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-11                   | Calibration report for WELL PW-11       | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-12                   | Calibration report for WELL PW-12       | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-13A                  | Calibration report for WELL PW-13A      | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-14                   | Calibration report for WELL PW-14       | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-15                   | Calibration report for WELL PW-15       | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-16A                  | Calibration report for WELL PW-16A      | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-17A                  | Calibration report for WELL PW-17A      | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-18A                  | Calibration report for WELL PW-18A      | Every Five Years                                | Every Five Years | 31-MAR-2027     |  |
| WELL - PW-19                   | Calibration report for WELL PW-19       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-20                   | Calibration report for WELL PW-20       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-21                   | Calibration report for WELL PW-21       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-22                   | Calibration report for WELL PW-22       | Every Five Years                                | Every Five Years | 30-APR-2027     |  |
| WELL - PW-23                   | Calibration report for WELL PW-23       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-24                   | Calibration report for WELL PW-24       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-25                   | Calibration report for WELL PW-25       | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-42 (ASR)             | Calibration report for WELL PW-42 (ASR) | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |
| WELL - PW-26                   | Calibration report for WELL PW-         | Every Five Years                                | Every Five Years | 31-OCT-2024     |  |

### Requirement by Permit Condition Report

| Facility Name | Requirement Name                  | Col Freq         | Sub Freq         | Due Date    |
|---------------|-----------------------------------|------------------|------------------|-------------|
|               | 26                                |                  |                  |             |
| WELL - PW-27  | Calibration report for WELL PW-27 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-28  | Calibration report for WELL PW-28 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-29  | Calibration report for WELL PW-29 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-30  | Calibration report for WELL PW-30 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-31  | Calibration report for WELL PW-31 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-32  | Calibration report for WELL PW-32 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-33  | Calibration report for WELL PW-33 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-34  | Calibration report for WELL PW-34 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-35  | Calibration report for WELL PW-35 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-36  | Calibration report for WELL PW-36 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-37  | Calibration report for WELL PW-37 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-38  | Calibration report for WELL PW-38 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-39  | Calibration report for WELL PW-39 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-40  | Calibration report for WELL PW-40 | Every Five Years | Every Five Years | 31-OCT-2024 |
| WELL - PW-41  | Calibration report for WELL PW-41 | Every Five Years | Every Five Years | 31-OCT-2024 |

Permit Condition No: 12

Permit Condition Code: WUSTD022-2

| Facility Name      | Requirement Name                        | Col Freq | Sub Freq  | Due Date    |
|--------------------|-----------------------------------------|----------|-----------|-------------|
| WELL - PW-1        | Monthly withdrawal for WELL PW-1        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-2        | Monthly withdrawal for WELL PW-2        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-3        | Monthly withdrawal for WELL PW-3        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-5        | Monthly withdrawal for WELL PW-5        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-8        | Monthly withdrawal for WELL PW-8        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-7        | Monthly withdrawal for WELL PW-7        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-4        | Monthly withdrawal for WELL PW-4        | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - MW-2 (PW-9) | Monthly withdrawal for WELL MW-2 (PW-9) | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-10       | Monthly withdrawal for WELL PW-10       | Monthly  | Quarterly | 31-MAR-2027 |



### Requirement by Permit Condition Report

| Facility Name      | Requirement Name                        | Col Freq | Sub Freq  | Due Date    |
|--------------------|-----------------------------------------|----------|-----------|-------------|
| WELL - PW-11       | Monthly withdrawal for WELL PW-11       | Monthly  | Quarterly | 30-APR-2027 |
| WELL - PW-12       | Monthly withdrawal for WELL PW-12       | Monthly  | Quarterly | 30-APR-2027 |
| WELL - PW-13A      | Monthly withdrawal for WELL PW-13A      | Monthly  | Quarterly | 30-APR-2027 |
| WELL - PW-14       | Monthly withdrawal for WELL PW-14       | Monthly  | Quarterly | 30-APR-2027 |
| WELL - PW-15       | Monthly withdrawal for WELL PW-15       | Monthly  | Quarterly | 30-APR-2027 |
| WELL - PW-16A      | Monthly withdrawal for WELL PW-16A      | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-17A      | Monthly withdrawal for WELL PW-17A      | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-18A      | Monthly withdrawal for WELL PW-18A      | Monthly  | Quarterly | 31-MAR-2027 |
| WELL - PW-19       | Monthly withdrawal for WELL PW-19       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-20       | Monthly withdrawal for WELL PW-20       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-21       | Monthly withdrawal for WELL PW-21       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-22       | Monthly withdrawal for WELL PW-22       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-23       | Monthly withdrawal for WELL PW-23       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-24       | Monthly withdrawal for WELL PW-24       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-25       | Monthly withdrawal for WELL PW-25       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-42 (ASR) | Monthly withdrawal for WELL PW-42 (ASR) | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-26       | Monthly withdrawal for WELL PW-26       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-27       | Monthly withdrawal for WELL PW-27       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-28       | Monthly withdrawal for WELL PW-28       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-29       | Monthly withdrawal for WELL PW-29       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-30       | Monthly withdrawal for WELL PW-30       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-31       | Monthly withdrawal for WELL PW-31       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-32       | Monthly withdrawal for WELL PW-32       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-33       | Monthly withdrawal for WELL PW-33       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-34       | Monthly withdrawal for WELL PW-34       | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-35       | Monthly withdrawal for WELL             | Monthly  | Quarterly | 31-OCT-2024 |

## Requirement by Permit Condition Report

| Facility Name | Requirement Name                  | Col Freq | Sub Freq  | Due Date    |
|---------------|-----------------------------------|----------|-----------|-------------|
|               | PW-35                             |          |           |             |
| WELL - PW-36  | Monthly withdrawal for WELL PW-36 | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-37  | Monthly withdrawal for WELL PW-37 | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-38  | Monthly withdrawal for WELL PW-38 | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-39  | Monthly withdrawal for WELL PW-39 | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-40  | Monthly withdrawal for WELL PW-40 | Monthly  | Quarterly | 31-OCT-2024 |
| WELL - PW-41  | Monthly withdrawal for WELL PW-41 | Monthly  | Quarterly | 31-OCT-2024 |

Permit Condition No: 17

Permit Condition Code: WUWC004-1

| Facility Name | Requirement Name         | Col Freq      | Sub Freq      | Due Date    |
|---------------|--------------------------|---------------|---------------|-------------|
| WELL - PW-19  | Table "A" for Well PW-19 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-20  | Table "A" for Well PW-20 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-21  | Table "A" for Well PW-21 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-23  | Table "A" for Well PW-23 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-24  | Table "A" for Well PW-24 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-25  | Table "A" for Well PW-25 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-26  | Table "A" for Well PW-26 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-27  | Table "A" for Well PW-27 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-28  | Table "A" for Well PW-28 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-29  | Table "A" for Well PW-29 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-30  | Table "A" for Well PW-30 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-31  | Table "A" for Well PW-31 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-32  | Table "A" for Well PW-32 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-33  | Table "A" for Well PW-33 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-34  | Table "A" for Well PW-34 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-35  | Table "A" for Well PW-35 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-36  | Table "A" for Well PW-36 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-37  | Table "A" for Well PW-37 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-38  | Table "A" for Well PW-38 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-39  | Table "A" for Well PW-39 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-40  | Table "A" for Well PW-40 | One time Only | One time Only | 01-MAY-2024 |
| WELL - PW-41  | Table "A" for Well PW-41 | One time Only | One time Only | 01-MAY-2024 |

Permit Condition No: 18

Permit Condition Code: WUPWS009-1

| Facility Name | Requirement Name               | Col Freq | Sub Freq  | Due Date    |
|---------------|--------------------------------|----------|-----------|-------------|
| PERMIT        | Bulk water delivered to PERMIT | Monthly  | Quarterly | 30-APR-2024 |

Permit Condition No: 20

Permit Condition Code: WUPWS003-1

| Facility Name | Requirement Name                                           | Col Freq | Sub Freq | Due Date    |
|---------------|------------------------------------------------------------|----------|----------|-------------|
| PERMIT        | Unaccounted for Water Loss Report for NORTH LEE COUNTY PWS | Monthly  | Yearly   | 30-APR-2024 |

Permit Condition No: 22

Permit Condition Code: WURWF007-2

| Facility Name | Requirement Name | Col Freq | Sub Freq | Due Date |
|---------------|------------------|----------|----------|----------|
|---------------|------------------|----------|----------|----------|

## Requirement by Permit Condition Report

| Facility Name                  | Requirement Name                                     | Col Freq          | Sub Freq  | Due Date    |
|--------------------------------|------------------------------------------------------|-------------------|-----------|-------------|
| PERMIT                         | Reuse Information Update for<br>NORTH LEE COUNTY PWS | Yearly            | Yearly    | 30-APR-2024 |
| <b>Permit Condition No:</b> 25 | <b>Permit Condition Code:</b>                        | <u>WUSLT001-2</u> |           |             |
| Facility Name                  | Requirement Name                                     | Col Freq          | Sub Freq  | Due Date    |
| WELL - PW-1                    | Chloride for WELL PW-1                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-2                    | Chloride for WELL PW-2                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-3                    | Chloride for WELL PW-3                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-4                    | Chloride for WELL PW-4                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-5                    | Chloride for WELL PW-5                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-7                    | Chloride for WELL PW-7                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-8                    | Chloride for WELL PW-8                               | Monthly           | Quarterly | 30-APR-2024 |
| WELL - MW-2 (PW-9)             | Chloride for WELL MW-2 (PW-9)                        | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-10                   | Chloride for WELL PW-10                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-11                   | Chloride for WELL PW-11                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-12                   | Chloride for WELL PW-12                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-13A                  | Chloride for WELL PW-13A                             | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-14                   | Chloride for WELL PW-14                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-15                   | Chloride for WELL PW-15                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-16A                  | Chloride for WELL PW-16A                             | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-17A                  | Chloride for WELL PW-17A                             | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-18A                  | Chloride for WELL PW-18A                             | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-19                   | Chloride for WELL PW-19                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-20                   | Chloride for WELL PW-20                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-21                   | Chloride for WELL PW-21                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-22                   | Chloride for WELL PW-22                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-23                   | Chloride for WELL PW-23                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-24                   | Chloride for WELL PW-24                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-25                   | Chloride for WELL PW-25                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-26                   | Chloride for WELL PW-26                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-27                   | Chloride for WELL PW-27                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-28                   | Chloride for WELL PW-28                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-29                   | Chloride for WELL PW-29                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-30                   | Chloride for WELL PW-30                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-31                   | Chloride for WELL PW-31                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-32                   | Chloride for WELL PW-32                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-33                   | Chloride for WELL PW-33                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-34                   | Chloride for WELL PW-34                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-35                   | Chloride for WELL PW-35                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-36                   | Chloride for WELL PW-36                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-37                   | Chloride for WELL PW-37                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-38                   | Chloride for WELL PW-38                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-39                   | Chloride for WELL PW-39                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-40                   | Chloride for WELL PW-40                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-41                   | Chloride for WELL PW-41                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - PW-42 (ASR)             | Chloride for WELL PW-42                              | Monthly           | Quarterly | 30-APR-2024 |
| WELL - MW-1                    | Chloride for WELL MW-1                               | Monthly           | Quarterly | 30-APR-2024 |

## Requirement by Permit Condition Report

| Facility Name | Requirement Name        | Col Freq | Sub Freq  | Due Date    |
|---------------|-------------------------|----------|-----------|-------------|
| WELL - TW-1   | Chloride for WELL TW-1  | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-2   | Chloride for WELL TW-2  | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-4   | Chloride for WELL TW-4  | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-6   | Chloride for WELL TW-6  | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-7   | Chloride for WELL TW-7  | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-10  | Chloride for WELL TW-10 | Monthly  | Quarterly | 30-APR-2024 |
| WELL - TW-14  | Chloride for WELL TW-14 | Monthly  | Quarterly | 30-APR-2024 |

**Permit Condition No:** 26

**Permit Condition Code:**

WUWLM001-4

| Facility Name      | Requirement Name                 | Col Freq | Sub Freq  | Due Date    |
|--------------------|----------------------------------|----------|-----------|-------------|
| WELL - PW-1        | Water Level for Well PW-1        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-2        | Water Level for Well PW-2        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-3        | Water Level for Well PW-3        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-4        | Water Level for Well PW-4        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-5        | Water Level for Well PW-5        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-7        | Water Level for Well PW-7        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-8        | Water Level for Well PW-8        | Monthly  | Quarterly | 30-APR-2024 |
| WELL - MW-2 (PW-9) | Water Level for Well MW-2 (PW-9) | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-10       | Water Level for Well PW-10       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-11       | Water Level for Well PW-11       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-12       | Water Level for Well PW-12       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-13A      | Water Level for Well PW-13A      | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-14       | Water Level for Well PW-14       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-15       | Water Level for Well PW-15       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-16A      | Water Level for Well PW-16A      | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-17A      | Water Level for Well PW-17A      | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-18A      | Water Level for Well PW-18A      | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-19       | Water Level for Well PW-19       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-20       | Water Level for Well PW-20       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-21       | Water Level for Well PW-21       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-22       | Water Level for Well PW-22       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-23       | Water Level for Well PW-23       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-24       | Water Level for Well PW-24       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-25       | Water Level for Well PW-25       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-26       | Water Level for Well PW-26       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-27       | Water Level for Well PW-27       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-28       | Water Level for Well PW-28       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-29       | Water Level for Well PW-29       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-30       | Water Level for Well PW-30       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-31       | Water Level for Well PW-31       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-32       | Water Level for Well PW-32       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-33       | Water Level for Well PW-33       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-34       | Water Level for Well PW-34       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-35       | Water Level for Well PW-35       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-36       | Water Level for Well PW-36       | Monthly  | Quarterly | 30-APR-2024 |
| WELL - PW-37       | Water Level for Well PW-37       | Monthly  | Quarterly | 30-APR-2024 |



### Requirement by Permit Condition Report

| Facility Name                  | Requirement Name                                                      | Col Freq        | Sub Freq        | Due Date    |
|--------------------------------|-----------------------------------------------------------------------|-----------------|-----------------|-------------|
| WELL - PW-38                   | Water Level for Well PW-38                                            | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - PW-39                   | Water Level for Well PW-39                                            | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - PW-40                   | Water Level for Well PW-40                                            | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - PW-41                   | Water Level for Well PW-41                                            | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - PW-42 (ASR)             | Water Level for Well PW-42 (ASR)                                      | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-1                    | Water Level for Well TW-1                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - MW-1                    | Water Level for Well MW-1                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-2                    | Water Level for Well TW-2                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-4                    | Water Level for Well TW-4                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-6                    | Water Level for Well TW-6                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-7                    | Water Level for Well TW-7                                             | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-10                   | Water Level for Well TW-10                                            | Monthly         | Quarterly       | 30-APR-2024 |
| WELL - TW-14                   | Water Level for Well TW-14                                            | Monthly         | Quarterly       | 30-APR-2024 |
| <b>Permit Condition No:</b> 27 | <b>Permit Condition Code:</b> <u>WUCOMP010-1</u>                      |                 |                 |             |
| Facility Name                  | Requirement Name                                                      | Col Freq        | Sub Freq        | Due Date    |
| PERMIT                         | Ten Year Water Use Compliance Report for NORTH LEE COUNTY PWS         | Every Ten Years | Every Ten Years | 30-APR-2034 |
| <b>Permit Condition No:</b> 29 | <b>Permit Condition Code:</b> <u>WUZZUD001-2</u>                      |                 |                 |             |
| Facility Name                  | Requirement Name                                                      | Col Freq        | Sub Freq        | Due Date    |
| PERMIT                         | Quarterly Report for Olga WTP shut-down and deliveries                | Monthly         | Quarterly       | 30-APR-2024 |
| PERMIT                         | Monthly Withdrawals (Quarterly Report) Delivered to Olga Service Area | Monthly         | Quarterly       | 30-APR-2024 |

**STAFF REPORT DISTRIBUTION LIST**

NORTH LEE COUNTY PWS

**Application No:** 240105-8

**Permit No:** 36-00152-W

**INTERNAL DISTRIBUTION**

X N. Maska

**EXTERNAL DISTRIBUTION**

- X Permittee - Lee County Utilities
- X Agent - R M A Geologic Consultants

**GOVERNMENT AGENCIES**

- X Div of Recreation and Park - District 4

Exhibit No:6

**PRELIMINARY**

### Base Density

### Rare & Unique Upland Habitat Incentive Density (Lee Plan Policy 123.2.17)

### Maximum Allowable Dwelling Units

| FLU Category                                   | Max Standard Density<br>(Lee Plan Table 1(a)) | Parcel A                                        |         | Parcel B |        | Total   |         |
|------------------------------------------------|-----------------------------------------------|-------------------------------------------------|---------|----------|--------|---------|---------|
|                                                |                                               | Acres                                           | Units   | Acres    | Units  | Acres   | Units   |
| Rural                                          | 1                                             | 438.65±                                         | 438.65± | 68.92±   | 68.92± | 507.57± | 507.57± |
| Wetlands                                       | See Below                                     |                                                 |         |          |        |         |         |
| Restored Wetlands                              | 1                                             | 24.65±                                          | 24.65±  | 0.00±    | 0.00±  | 24.65±  | 24.65±  |
| Preserved & Enhanced Wetlands                  | 1                                             | 24.00±                                          | 24.00±  | 0.00±    | 0.00±  | 24.00±  | 24.00±  |
| Impacted Wetlands                              | 0.05                                          | 5.41±                                           | 0.27±   | 0.00±    | 0.00±  | 5.41±   | 0.27±   |
| Rare & Unique Habitat Incentives               | 1                                             | 0.00±                                           | 159.97± | 0.00±    | 20.46± | 0.00±   | 180.43± |
| Total Project Maximum Allowable Dwelling Units |                                               | 492.71±                                         | 647.54± | 68.92±   | 89.38± | 561.63± | 736.92± |
|                                                |                                               | Total Density Proposed (Dwelling Units) 736.92± |         |          |        |         |         |

Prepared By and Return to:  
Craig R. Hersch  
SHEPPARD, BRETT, STEWART, HERSCH & KINSEY, P.A.  
Attorneys at Law  
9100 College Pointe Court  
Fort Myers, Florida 33919

(WITHOUT TITLE EXAMINATION)

### WARRANTY DEED

③ THIS WARRANTY DEED, made this 16<sup>th</sup> day of August, 2006, between SUZANNE ARMEDA, Trustee U/T/D 8/26/93, f/b/o Suzanne Armada, joined by her husband, NICK ARMEDA, whose mailing address is: 19440 Armada Road, Alva, Florida 33920, as Grantor, and MICHAEL LEE HIPP and RONI ARMEDA HIPP, husband and wife; whose mailing address is: 18037 East Brandon Court, Hammond, LA 70403, as Grantees,

ix WITNESSETH, that the Grantors, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD & VALUABLE CONSIDERATION-----to them in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the Grantee, his heirs and assigns forever, the following described land, situate, lying and being in the County of Lee, State of Florida, to-wit:

See Schedule "A" attached hereto and made a part hereof by reference.

SUBJECT to taxes for the calendar year 2006, and easements, restrictions and reservations of record, if any.

This is not now and never has been the homestead property of the Grantor, whose address is 19440 Armada Road, Alva, Florida 33920.

Property Appraiser's Parcel Identification Number: 08-43-26-00-00006.0000.

And the Grantors do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.



IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered  
in Our Presence:

Jay Cary  
Witness Signature  
JAY CARY  
Printed Name of Witness

Robin Whidden  
Witness Signature  
ROBIN WHIDDEN  
Printed Name of Witness

Suzanne Armada  
Suzanne Armada, Trustee, U/T/D 8/26/93  
f/b/o Suzanne Armada

Nick Armada  
Nick Armada

STATE OF FLORIDA

COUNTY OF LEE

Execution of the foregoing instrument was acknowledged before me this 16<sup>th</sup> day of AUGUST, 2006, by **SUZANNE ARMADA Trustee, U/T/D 8/26/93, joined by her husband, NICK ARMADA**, who are ☒ personally known to me or who have ( ) produced as identification.



**ROBIN WHIDDEN**  
MY COMMISSION # DD 440069  
EXPIRES: July 27, 2009  
Bonded Thru Budget Notary Services

Robin Whidden  
Signature of Notary Public  
ROBIN WHIDDEN  
Printed Name of Notary Public  
DD 440069

(SEAL)

Commission Number:

Commission Exp. Date:

SCHEDULE "A"

LEGAL DESCRIPTION  
OF A PARCEL LYING IN  
SECTION 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST,  
LEE COUNTY, FLORIDA

A TRACT OF LAND LYING THE STATE OF FLORIDA, COUNTY OF LEE, IN SECTION 08, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE N.00°22'32"E. ALONG THE EAST LINE OF SAID SECTION 8 FOR A DISTANCE OF 1,330.93 FEET TO THE POINT OF BEGINNING; THENCE N.89°35'20"W. LEAVING SAID SECTION LINE FOR A DISTANCE OF 667.55; THENCE N.00°23'11"E. FOR A DISTANCE OF 664.85 FEET; THENCE S.89°38'30"E. FOR A DISTANCE OF 667.42 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 8; THENCE S.00°22'32"W. ALONG SAID SECTION LINE FOR A DISTANCE OF 665.47 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 10.16 ACRES, MORE OR LESS.

PARCEL IS GRANTED A 25 FOOT INGRESS/EGRESS EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8; THENCE N.00°22'32"E. ALONG THE EAST LINE OF SAID SECTION 8 FOR A DISTANCE OF 1,330.93 FEET; THENCE N.89°35'20"W. LEAVING SAID SECTION LINE FOR A DISTANCE OF 667.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.89°35'20"W. FOR A DISTANCE OF 1,977.65 FEET; THENCE S.00°25'08"W. FOR A DISTANCE OF 1,276.44 FEET TO THE NORTH RIGHT OF WAY OF NORTH RIVER ROAD (SR 78) AND THE BEGINNING OF A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 11,509.16 FEET, A CHORD BEARING OF S.89°59'33"W. AND A CHORD DISTANCE OF 25.00 FEET; THENCE ALONG SAID RIGHT OF WAY AND CURVE THROUGH A CENTRAL ANGLE OF 00°07'28" FOR AN ARC DISTANCE OF 25.00 FEET; THENCE N.00°24'54"E. LEAVING SAID RIGHT OF WAY A DISTANCE OF 1,301.62 FEET; THENCE S.89°35'20"E. FOR A DISTANCE OF 2,002.63 FEET; THENCE S.00°23'11"W. FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE EAST LINE OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 26 EAST AS BEARING S.00°22'32"W.

Return to (enclose self-addressed stamped envelope)

Name: THOMAS E. MOOREY, ATTORNEY AT LAW  
SUITE 105  
Address: 1430 ROYAL PALM SQUARE BLVD.  
FORT MYERS, FLORIDA 33919

This Instrument Prepared by:

THOMAS E. MOOREY, ESQ. ✓  
Attorney At Law  
1430 Royal Palm Sq. Blvd. Suite 105  
Fort Myers, Florida 33919  
Property Appraisers Parcel Identification (Folio) Number(s):  
08-43-26-00-00006.0000  
Grantee(s) S.S. #1(s):

WARRANTY DEED  
INDIVID. TO INDIVID.

CHARLIE GREEN LEE CLERK FORM 01

97 APR -4 PM 4:09

4143601

OR2809 PG1760

Documentary Tax Pd. \$ .70  
Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By: C. Keller Deputy Clerk

THIS DEED PREPARED WITHOUT BENEFIT OF TITLE EXAMINATION  
**This Warranty Deed** Made the 4<sup>th</sup> day of APRIL A.D. 19 97 by  
SUZANNE ARMEDA, Trustee U/T/D 8/26/93, F/B/O SUZANNE ARMEDA, with full power \*  
hereinafter called the grantor, to  
LATT ARMEDA and DEANA E. ARMEDA, husband and wife,  
whose post office address is 5996 Poetry Court, North Fort Myers, Florida 33903

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

**Witnesseth:** That the grantor, for and in consideration of the sum of \$TEN AND 00/100- and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Lee County, State of Florida, viz:

The Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 8, Township 43 South, Range 26 East, Lee County, Florida, TOGETHER with an easement for ingress and egress over the West thirty feet of the Southeast one-quarter of the Southeast one-quarter and Northeast one-quarter of the Southeast one-quarter of Section 8, Township 43 South, Range 26 East, Lee County, Florida

\* and authority either to protect, conserve and to sell, or to lease, or to encumber or otherwise to manage and dispose of the real property described herein.

**Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.**

**To Have and to Hold, the same in fee simple forever.**

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 19 96.

**In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.**

Signed, sealed and delivered in the presence of:

Signature Thomas E. Moorey  
Printed Signature  
Signature Barbara M Dodson  
Printed Signature  
Signature BARBARA M DODSON  
Printed Signature

Signature Suzanne Armada U.S.  
Signature SUZANNE ARMEDA, Trustee U/T/D  
8/26/93, F/B/O SUZANNE ARMEDA  
Printed Signature  
19440 Armada Road, Alva, Florida 33920  
Post Office Address

Signature  
Printed Signature  
Signature  
Printed Signature

Signature U.S.  
Printed Signature  
Post Office Address

STATE OF FLORIDA  
COUNTY OF LEE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared SUZANNE ARMEDA, Trustee U/T/D 8/26/93, F/B/O SUZANNE ARMEDA, personally known to me or who has produced \*\* to me known to be the person described in and who executed the foregoing instrument and she acknowledged before me that she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 4<sup>th</sup> day of April, A.D. 19 97.  
\*\* ALABAMA DRIVER'S LICENSE as identification, Barbara M Dodson

SEAL

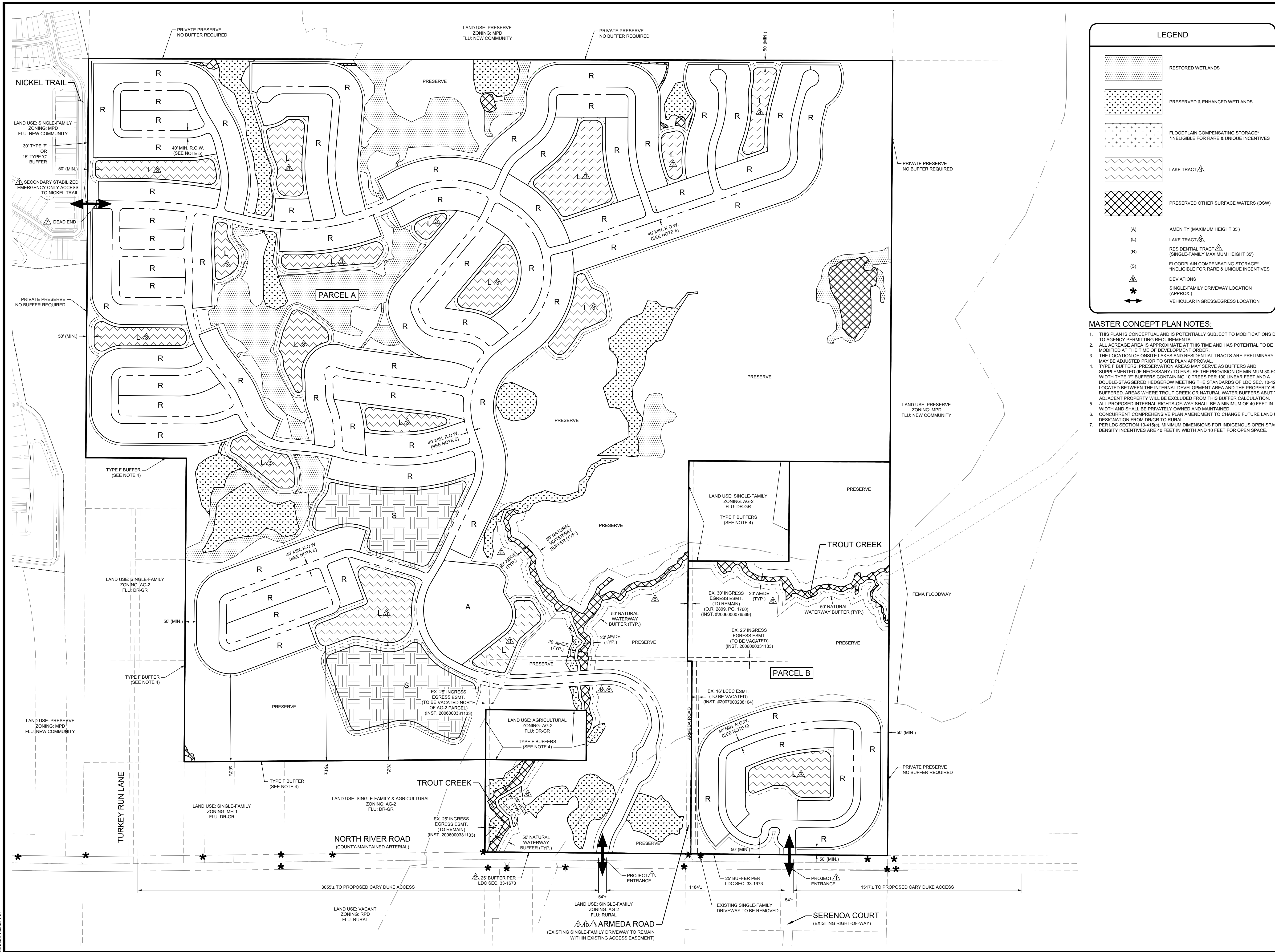
OFFICIAL NOTARY SEAL  
BARBARA M DODSON  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC-04015  
MY COMMISSION EXPIRES 12/31/2005

Notary Signature  
Signature BARBARA M. DODSON  
Printed Notary Signature  
My Commission Expires

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: C. KELLER, D.C.



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**LEGEND**

|     |                                                                              |
|-----|------------------------------------------------------------------------------|
|     | RESTORED WETLANDS                                                            |
|     | PRESERVED & ENHANCED WETLANDS                                                |
|     | FLOODPLAIN COMPENSATING STORAGE*<br>*INELIGIBLE FOR RARE & UNIQUE INCENTIVES |
|     | LAKE TRACT                                                                   |
|     | PRESERVED OTHER SURFACE WATERS (OSW)                                         |
| (A) | AMENITY (MAXIMUM HEIGHT 35')                                                 |
| (L) | LAKE TRACT                                                                   |
| (R) | RESIDENTIAL TRACT (SINGLE-FAMILY MAXIMUM HEIGHT 35')                         |
| (S) | FLOODPLAIN COMPENSATING STORAGE*<br>*INELIGIBLE FOR RARE & UNIQUE INCENTIVES |
|     | DEVIATIONS                                                                   |
|     | SINGLE-FAMILY DRIVEWAY LOCATION (APPROX.)                                    |
|     | VEHICULAR INGRESS/EGRESS LOCATION                                            |

- MASTER CONCEPT PLAN NOTES:**
1. THIS PLAN IS CONCEPTUAL AND IS POTENTIALLY SUBJECT TO MODIFICATIONS DUE TO AGENCY PERMITTING REQUIREMENTS.
  2. ALL ACREAGE AREA IS APPROXIMATE AT THIS TIME AND HAS POTENTIAL TO BE MODIFIED AT THE TIME OF DEVELOPMENT ORDER.
  3. THE LOCATION OF ONSITE LAKES AND RESIDENTIAL TRACTS ARE PRELIMINARY AND MAY BE ADJUSTED PRIOR TO SITE PLAN APPROVAL.
  4. TYPE F BUFFERS: PRESERVATION AREAS MAY SERVE AS BUFFERS AND SUPPLEMENTED (IF NECESSARY) TO ENSURE THE PROVISION OF MINIMUM 30-FOOT WIDTH TYPE F BUFFERS CONTAINING 10 TREES PER 100 LINEAR FEET AND A DOUBLE-STAGGERED HEDGEROW MEETING THE STANDARDS OF LOC SEC. 10-420 LOCATED BETWEEN THE INTERNAL DEVELOPMENT AREA AND THE PROPERTY BEING BUFFERED. AREAS WHERE TROUT CREEK OR NATURAL WATER BUFFERS ADJUT THE ADJACENT PROPERTY WILL BE EXCLUDED FROM THIS BUFFER CALCULATION.
  5. ALL PROPOSED INTERNAL RIGHTS-OF-WAY SHALL BE A MINIMUM OF 40 FEET IN WIDTH AND SHALL BE PRIVATELY OWNED AND MAINTAINED.
  6. CONCURRENT COMPREHENSIVE PLAN AMENDMENT TO CHANGE FUTURE LAND USE DESIGNATION FROM DRGR TO RURAL.
  7. PER LOC SECTION 10-415(6), MINIMUM DIMENSIONS FOR INDIGENOUS OPEN SPACE DENSITY INCENTIVES ARE 40 FEET IN WIDTH AND 10 FEET FOR OPEN SPACE.

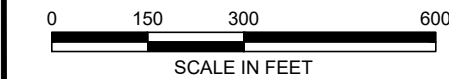
MASTER CONCEPT PLAN

# ARMEDA PROPERTY RPD

CLIENT: FORESTAR (USA) REAL ESTATE GROUP INC.

MASTER CONCEPT PLAN

| PLAN REVISIONS |                                 |
|----------------|---------------------------------|
| NO.            | DESCRIPTION                     |
| 1              | 11/06/2025 SUFFICIENCY RESPONSE |
| 2              | 02/02/2026 SUFFICIENCY RESPONSE |

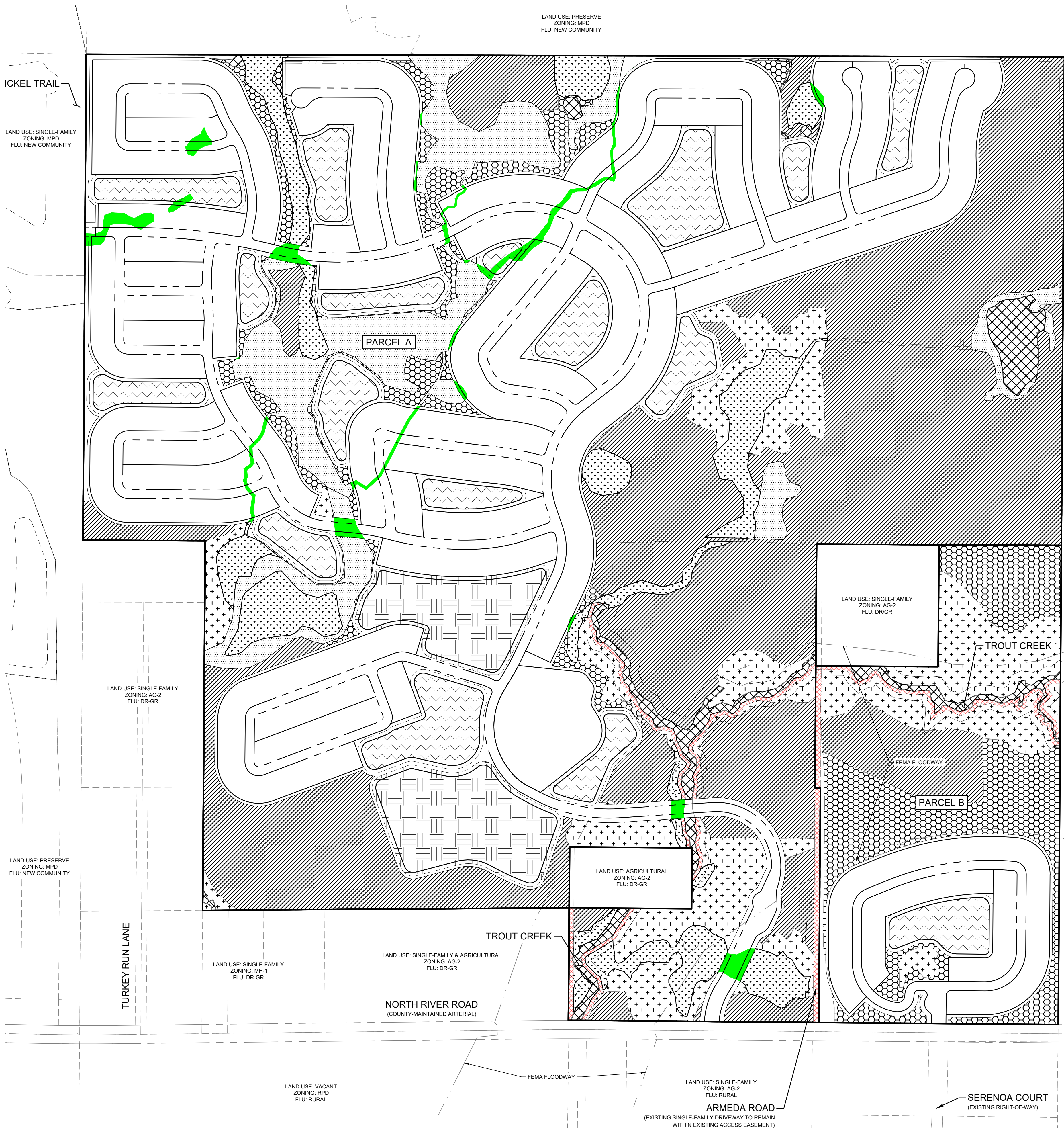


SET NUMBER: 2400625.100-01  
SHEET: 1





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| LEGEND |                                                                                                                                             |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------|
|        | LAKE AREA<br>PARCEL A: 32.46± AC<br>PARCEL B: 2.94± AC<br>TOTAL: 35.40± AC                                                                  |
|        | COMPENSATING STORAGE AREAS<br>PARCEL A: 20.03± AC<br>PARCEL B: 0.00± AC<br>TOTAL: 20.03± AC                                                 |
|        | RESTORED WETLAND AREAS<br>PARCEL A: 24.65± AC<br>PARCEL B: 0.00± AC<br>TOTAL: 24.65± AC                                                     |
|        | PRESERVED & ENHANCED WETLAND AREAS<br>PARCEL A: 24.00± AC<br>PARCEL B: 0.00± AC<br>TOTAL: 24.00± AC                                         |
|        | IMPACTED WETLANDS<br>PARCEL A: 5.41± AC<br>PARCEL B: 0.00± AC<br>TOTAL: 5.41± AC                                                            |
|        | PRESERVED OTHER SURFACE WATERS (OSW)<br>PARCEL A: 6.44± AC<br>PARCEL B: 1.25± AC<br>TOTAL: 7.69± AC                                         |
|        | RESTORED UPLAND PRESERVE AREAS<br>PARCEL A: 10.49± AC<br>PARCEL B: 21.07± AC<br>TOTAL: 31.56± AC<br>INELIGIBLE FOR RARE & UNIQUE INCENTIVES |
|        | RARE & UNIQUE UPLAND PRESERVATION<br>PARCEL A: 25.23± AC<br>PARCEL B: 13.27± AC<br>TOTAL: 38.50± AC                                         |
|        | RARE & UNIQUE UPLAND RESTORATION<br>PARCEL A: 134.74± AC<br>PARCEL B: 7.19± AC<br>TOTAL: 141.93± AC                                         |
|        | EXISTING EASEMENTS TO REMAIN<br>INELIGIBLE FOR RARE & UNIQUE INCENTIVES                                                                     |

OPEN SPACE CALCULATIONS

| Open Space                                   | Parcel A (AC) | Parcel B (AC) | Total (AC) | Notes                           |
|----------------------------------------------|---------------|---------------|------------|---------------------------------|
| Total Site Area                              | 492.71±       | 68.92±        | 561.63±    |                                 |
| Required Min. Open Space                     | 295.63±       | 41.35±        | 336.98±    | 60% of Total Site Area          |
| Required Min. Total Indigenous Preserve Area | 147.81±       | 20.68±        | 168.49±    | 50% of Required Min. Open Space |

| Provided Indigenous Open Space      | Parcel A (AC) | Parcel B (AC) | Total (AC) | Notes |
|-------------------------------------|---------------|---------------|------------|-------|
| Restored Wetlands                   | 24.65±        | 0.00±         | 24.65±     |       |
| Preserved & Enhanced Wetlands       | 24.00±        | 0.00±         | 24.00±     |       |
| Rare & Unique Upland Preservation   | 25.23±        | 13.27±        | 38.50±     |       |
| Rare & Unique Upland Restoration    | 134.74±       | 7.19±         | 141.93±    |       |
| Indigenous Open Space Area Provided | 208.62±       | 20.46±        | 229.08±    |       |

| Provided Open Space (Minimum 60%)   | Parcel A (AC) | Parcel B (AC) | Total (AC) | Notes             |
|-------------------------------------|---------------|---------------|------------|-------------------|
| Indigenous Open Space Area Provided | 208.62±       | 20.46±        | 229.08±    |                   |
| Lake Area Provided*                 | 32.46±        | 2.94±         | 35.40±     |                   |
| Compensating Storage Areas          | 20.03±        | 0.00±         | 20.03±     |                   |
| Other Open Space Areas              | 34.52±        | 24.50±        | 59.02±     |                   |
| LMEs                                | 10.45±        | 0.75±         | 11.20±     |                   |
| Restored Upland Preserve Areas      | 10.49±        | 21.07±        | 31.56±     |                   |
| Preserved Other Surface Waters      | 6.44±         | 1.25±         | 7.69±      |                   |
| Buffers & Misc. Open Space          | 7.14±         | 1.43±         | 8.57±      |                   |
| Open Space Area Provided (Minimum)  | 295.63±       | 47.90±        | 343.53±    | Minimum 336.98 AC |

\*Note: Maximum of 25% of Required Min. Open Space may consist of lakes.

| *Lake Area Maximum | Parcel A (AC) | Parcel B (AC) | Total (AC) | Notes                           |
|--------------------|---------------|---------------|------------|---------------------------------|
| Lake Area Maximum  | 73.91±        | 10.34±        | 84.24±     | 25% of Required Min. Open Space |
| Lake Area Provided | 32.46±        | 2.94±         | 35.40±     |                                 |

- NOTES:
- AREAS APPROXIMATE AND MAY BE ADJUSTED AT TIME OF DEVELOPMENT ORDER AS LONG AS MINIMUM REQUIRED IS PROVIDED WITH DENSITY SUBJECT TO RARE AND UNIQUE INCENTIVES.
  - PER LDC SECTION 10-415(e), MINIMUM DIMENSIONS FOR INDIGENOUS OPEN SPACE DENSITY INCENTIVES ARE 10 FEET IN WIDTH AND 10 FEET FOR OPEN SPACE.
  - EASEMENT AREAS ARE NOT ELIGIBLE FOR RARE AND UNIQUE INCENTIVES AND ARE NOT CONSIDERED OPEN SPACE.

DENSITY CALCULATIONS

| Base Density                  |                                            | Parcel A |         | Parcel B |        | Total   |         |
|-------------------------------|--------------------------------------------|----------|---------|----------|--------|---------|---------|
| FLU Category                  | Max Standard Density (Lee Plan Table 1(a)) | Acres    | Units   | Acres    | Units  | Acres   | Units   |
| Rural                         | 1                                          | 438.65±  | 438.65± | 68.92±   | 68.92± | 507.57± | 507.57± |
| Wetlands                      | See Below                                  |          |         |          |        |         |         |
| Restored Wetlands             | 1                                          | 24.65±   | 24.65±  | 0.00±    | 0.00±  | 24.65±  | 24.65±  |
| Preserved & Enhanced Wetlands | 1                                          | 24.00±   | 24.00±  | 0.00±    | 0.00±  | 24.00±  | 24.00±  |
| Impacted Wetlands             | 0.05                                       | 5.41±    | 0.27±   | 0.00±    | 0.00±  | 5.41±   | 0.27±   |
| Base Density Subtotal         |                                            | 492.71±  | 487.57± | 68.92±   | 68.92± | 561.63± | 556.49± |

Rare & Unique Upland Habitat Incentive Density (Lee Plan Policy 123.2.17)

| Rare & Unique Habitat Incentive Areas    | Max Standard Density (Lee Plan Table 1(a)) | Parcel A |         | Parcel B |        | Total   |         |
|------------------------------------------|--------------------------------------------|----------|---------|----------|--------|---------|---------|
|                                          |                                            | Acres    | Units   | Acres    | Units  | Acres   | Units   |
| Rare & Unique Upland Preservation        | 1                                          | 25.23±   | 25.23±  | 13.27±   | 13.27± | 38.50±  | 38.50±  |
| Rare & Unique Upland Restoration         | 1                                          | 134.74±  | 134.74± | 7.19±    | 7.19±  | 141.93± | 141.93± |
| Rare & Unique Habitat Incentive Subtotal |                                            | 159.97±  | 159.97± | 20.46±   | 20.46± | 180.43± | 180.43± |

Maximum Allowable Dwelling Units

| FLU Category                                   | Max Standard Density (Lee Plan Table 1(a)) | Parcel A |                                         | Parcel B |         | Total   |         |
|------------------------------------------------|--------------------------------------------|----------|-----------------------------------------|----------|---------|---------|---------|
|                                                |                                            | Acres    | Units                                   | Acres    | Units   | Acres   | Units   |
| Rural                                          | 1                                          | 438.65±  | 438.65±                                 | 68.92±   | 68.92±  | 507.57± | 507.57± |
| Wetlands                                       | See Below                                  |          |                                         |          |         |         |         |
| Restored Wetlands                              | 1                                          | 24.65±   | 24.65±                                  | 0.00±    | 0.00±   | 24.65±  | 24.65±  |
| Preserved & Enhanced Wetlands                  | 1                                          | 24.00±   | 24.00±                                  | 0.00±    | 0.00±   | 24.00±  | 24.00±  |
| Impacted Wetlands                              | 0.05                                       | 5.41±    | 0.27±                                   | 0.00±    | 0.00±   | 5.41±   | 0.27±   |
| Rare & Unique Habitat Incentives               | 1                                          | 0.00±    | 159.97±                                 | 0.00±    | 20.46±  | 0.00±   | 180.43± |
| Total Project Maximum Allowable Dwelling Units |                                            | 492.71±  | 647.54±                                 | 68.92±   | 89.38±  | 561.63± | 736.92± |
|                                                |                                            |          | Total Density Proposed (Dwelling Units) |          | 736.92± |         |         |

MASTER CONCEPT PLAN

ARMEDA PROPERTY RPD

CLIENT: FORESTAR (USA) REAL ESTATE GROUP INC.

DENSITY & CONCEPTUAL OPEN SPACE EXHIBIT



| PLAN REVISIONS              |                                 | SCALE IN FEET |             |
|-----------------------------|---------------------------------|---------------|-------------|
| 1                           | 11/16/2025 SUFFICIENCY RESPONSE | 0             | 150 300 600 |
| 2                           | 02/02/2026 SUFFICIENCY RESPONSE |               |             |
| SET NUMBER: 24006625.100-01 |                                 | SHEET: 2      |             |





CLIENT: FORESTAR (USA) REAL ESTATE GROUP INC.

## CROSS SECTION MAP

0 150 300 600  
SCALE IN FEET

|         |   |
|---------|---|
| SHEET : | 3 |
|---------|---|



