



July 21, 2022

Bobby Luthra
Blue Sky Capital Group, LLC
103 Commerce St.
Lake Mary, FL 32746

Proj: Number 2 Road - Lake County, Florida
Parcel ID(s): 27-20-25-0002-000-00200, 27-20-25-0002-000-03200,
27-20-25-0003-000-03100, and 28-20-25-0001-000-00100
Sections 27 and 28, Township 20 South, Range 25 East
(BTC File #372-81)

Re: Environmental Assessment Report

Dear Mr. Luthra:

During June and July of 2022, Bio-Tech Consulting, Inc. (BTC) conducted an environmental assessment of the approximately 40.17-acre Number 2 Road; which is composed of four (4) separate parcels. The subject property exists along Number 2 Road on the southern portion of the site and is located west of Little Lake Harris; located within Sections 27 and 28, Township 20 South, Range 25 East, Lake County, Florida (**Figures 1, 2 & 3**). This environmental assessment includes the following elements:

- review of soil types mapped within the site boundaries;
- evaluation of land use types/vegetative communities present;
- field review for occurrence of protected flora and fauna, and
- permitting summary.

SOILS

According to the Soil Survey of Lake County, Florida, prepared by the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), ten (10) soil types exist within the subject site (**Figure 4**). These soil types include the following:

Orlando: Main Office
3025 East South Street
Orlando, FL 32803

Vero Beach Office
4445 N A1A
Suite 221
Vero Beach, FL 32963

Jacksonville Office
1157 Beach Boulevard
Jacksonville Beach, FL 32250

Tampa Office
6011 Benjamin Road
Suite 101 B
Tampa, FL 33634

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

Aquatic & Land
Management Operations
3825 Rouse Road
Orlando, FL 32817

407.894.5969
877.894.5969
407.894.5970 fax

- **Sparr sand, 0 to 5 percent slopes (#1)**
- **Candler sand, 0 to 5 percent slopes (#8)**
- **Arents (#17)**
- **Myakka-Myakka, wet, sands, 0 to 2 percent slopes (#28)**
- **Lochloosa sand (#30)**
- **Oklawaha muck (#32)**
- **Placid sand, frequently ponded, 0 to 2 percent slopes (#38)**
- **Placid and Myakka sands, depressionals (#40)**
- **Swamp (#44)**
- **Tavares sand, 0 to 5 percent slopes (#45)**

The following presents a brief description of each of the soil types mapped for the subject property:

Sparr sand, 0 to 5 percent slopes (#1) consists of very deep, somewhat poorly drained, moderately slowly to slowly permeable soils on uplands of the coastal plain. They formed in thick beds of sandy and loamy marine sediments. Somewhat poorly drained; slow to moderately slow permeability in the subsoil. The water table is at depths of 20 to 40 inches for periods of 1 to 4 months. The water table is usually perched on the surface of the loamy layers but the loamy layers can also be saturated.

Candler sand, 0 to 5 percent slopes (#8) is a nearly level to gently sloping, excessively drained soil found on the rolling uplands of Florida's central ridge. The surface layer of this soil type generally consists of dark gray sand about 7 inches thick. The water table for this soil type is at a depth of more than 120 inches. Permeability is very rapid throughout the profile of this soil type.

Arents (#17) are deeply disturbed soils consisting of loamy soil material that has been mixed, reworked and leveled or shaped by earth-moving equipment. These units are mostly 12 to 60 inches thick. The water table for this soil type is at a depth of 30 to 60 inches except in low-lying areas, where it is at a depth of 10 to 30 inches, and in a few dry areas, where it is at a depth of more than 60 inches.

Myakka-Myakka, wet, sands, 0 to 2 percent slopes (#28) is a nearly level, poorly drained hydric soil that has a layer stained by organic material at a depth of less than 30 inches. The water table is normally at a depth of 10-40 inches during extended dry seasons. The surface and subsurface layers and the layer at a depth of 56 to 85 inches have rapid permeability, low water available water capacity, and very low natural fertility.

Lochloosa sand (#30) is a nearly level to gently sloping, somewhat poorly drained soil that has a loamy subsoil. This soil is mainly found on the upland ridge and to a lesser extent on the

flatwoods on knolls and ridges. Typically, the surface layer of this soil type is very dark gray sand about 7 inches thick. The water table for this soil type is at a depth of 40 to 60 inches for about 6 months and is below 60 inches during the rest of the year. Permeability of this soil type is rapid to a depth of about 33 inches and moderate below.

Oklawaha muck (#32) is a nearly level, very deep, very poorly drained fibrous soils found on floodplains, freshwater marshes, and depressions. The surface layer of these soil types generally consists of very dark brown unrubbed and rubbed muck, sapric material about 9 inches thick. The water table for this soil type is normally at the surface, and the soils are covered shallow water except during extended dry periods, when the water table falls to a depth of about 6 inches. Permeability of this soil type is slow. Slopes are less than 2%.

Placid sand, frequently ponded, 0 to 2 percent slopes (#38) is a nearly level, very poorly drained soil in low wet areas on the upland ridge and in the flatwoods. The surface layer of this soil type consists of sand about 18 inches thick. The upper 12 inches is black and the lower 6 inches is very dark gray mottled with very dark grayish brown and dark grayish brown. The water table for this soil type is at the surface for the most of the year. During extended dry periods it is within a depth of 15 inches. Shallow water covers many areas for 4 to 6 months in wet seasons. Permeability of this soil type is rapid throughout.

Placid and Myakka fine sands, depressional (#40) are very poorly drained hydric soils found in depressions mostly on the flatwoods. The surface layer of this soil type generally consists of black fine sand about 18 inches thick. Placid soil is ponded for at least 6 months during most years. Permeability of this soil type is rapid.

Swamp (#44) consists of level, very poorly drained mineral and organic soils that have not been classified because excess water and dense vegetation make a detailed investigation impractical. The Swamp mapping unit coincides with broad drainageways, broad, poorly defined streams, large depressions having no outlets, and large bay heads. The associated soils are flooded with water year round except during prolonged periods of drought. The associated land cover consists of dense wetland forests comprised of wetland hardwoods, cypress, black pines, cabbage palms, shrubs, vines, and grasses. This land cover provides shelter and some browse for cattle and wildlife. Establishing adequate water control and removing the dense vegetation to prepare these soils for cultivated crops or pasture are not feasible.

Tavares sand, 0 to 5 percent slopes (#45) is a nearly level to gently sloping soil, moderately well drained soil. It has a very dark grayish-brown sandy surface layer approximately 7 inches thick. Below this layer are 4 levels of sand beginning at 7 inches, 25 inches, 34 inches, and 61 inches. The water table for this soil type is at a depth of 40 to 60 inches for more than 6 months out of the year and below 60 inches during dry periods. This soil type is rapidly permeable

throughout.

The Florida Association of Environmental Soil Scientists (FAESS) considers the main components and inclusions present within the Myakka-Myakka, wet, sands, 0 to 2 percent slopes (#28), Oklawaha muck (#32), Placid sand, frequently ponded, 0 to 2 percent slopes (#38), Placid and Myakka fine sands, depressional (#40), and Swamp (#44) soil types to be hydric. This information can be found in the Hydric Soils of Florida Handbook, Fourth Edition (March, 2007).

LAND USE TYPES/VEGETATIVE COMMUNITIES

The subject site currently supports six (6) land use types/vegetative communities (Figure 5). These land use types/vegetative communities were identified utilizing the Florida Land Use, Cover and Forms Classification System, Level III (FLUCFCS, FDOT, January 1999). The on-site upland land use type/vegetative community is classified as Improved Pastures (211), Hardwood – Conifer Mixed (434), and Pine Plantation (441). The wetland/surface water land use types/vegetative communities are classified as Reservoirs less than 10 acres (534), Wetland Forested Mixed (630) and Vegetated Non-Forested Wetlands (640). The following provides a brief description of the on-site land use types/vegetative communities:

Uplands:

211 Improved Pastures

The center of the subject site consists of lands that were previously used as pasturelands, which is most consistent with the Improved Pastures (211) FLUCFCS classification. Vegetation observed within this land use type includes bahiagrass (*Paspalum notatum*), dog fennel (*Eupatorium capillifolium*), and scattered cabbage palm (*Sabal palmetto*). Vegetative species identified within the outer edge of this community includes slash pine (*Pinus ellottii*), camphor tree (*Cinnamomum camphora*), laurel oak (*Quercus laurifolia*), winged sumac (*Rhus copallinum*), loblolly bay (*Gordonia lasianthus*), saw palmetto (*Serenoa repens*), fetterbush (*Lyonia lucida*), rusty lyonia (*Lyonia ferruginea*), blackberry (*Rubus* sp.), Ceaserweed (*Urena lobata*), ragweed (*Ambrosia artemisiifolia*), muscadine grapevine (*Vitis rotundifolia*), greenbrier (*Smilax* sp.), and passionflower (*Passiflora incarnata*).

434 Hardwood – Conifer Mixed

The eastern and western portions of the subject site consist of lands which are most consistent with the Hardwood – Conifer Mixed (434) FLUCFCS classification. Vegetation observed within this land use type includes live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), slash pine (*Pinus elliottii*), American beauty berry (*Callicarpa americana*), Caesarweed (*Urena lobata*), greenbrier (*Smilax* spp.), dogfennel (*Eupatorium capillifolium*), ragweed (*Ambrosia artemisiifolia*), rosary pea (*Abrus precatorius*), prickly ashes (*Zanthoxylum* spp.), prickly pear (*Opuntia humifusa*), muscadine grapevine (*Vitis rotundifolia*), Pokeweed (*Phytolacca americana*), partridge pea (*Chamaecrista fasciculata*), and coral bean (*Erythrina herbacea*)

441 Pine Plantations

The eastern and southeastern portions of the subject site consist of an inactive pine plantation which is most consistent with the Pine Plantation (441) FLUCFCS classification. Vegetation observed within this land use type includes slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), American beauty berry (*Callicarpa americana*), ragweed (*Ambrosia artemisiifolia*), dogfennel (*Eupatorium capillifolium*), partridge pea (*Chamaecrista fasciculata*), muscadine grapevine (*Vitis rotundifolia*), greenbrier (*Smilax* spp.), pokeweed (*Phytolacca americana*), Caesarweed (*Urena lobata*), citrus (*Citrus* sp.), rosary pea (*Abrus precatorius*), bahiagrass (*Paspalum notatum*), rose natalgrass (*Melinis repens*), and lantana (*Lantana camara*).

Wetlands and Surface Waters:

534 Reservoirs less than 10 acres

There is an excavated stormwater pond within the northeastern portion of the site that is most consistent with the Reservoirs less than 10 acres (534) FLUCFCS classification. Vegetation observed within this land use type includes sawgrass (*Cladium mariscoides*), pickerel weed (*Pontederia cordata*), elderberry (*Sambucus nigra*), primrosewillow (*Ludwigia* sp.), Carolina willow (*Salix caroliniana*), blackberry (*Rubus* sp.), bahiagrass (*Paspalum notatum*), rose natalgrass (*Melinis repens*), and lantana (*Lantana camara*).

630 Wetland Forested Mixed

The western portion of the site consists of wetlands which are consistent with the Wetland Forested Mixed (630) FLUCFCS classification. Vegetation observed within this land use type includes water oak (*Quercus nigra*), red maple (*Acer rubrum*), scattered cypress (*Taxodium*

ascendens), swamp bay (*Persea palustris*), loblolly bay (*Gordonia lasianthus*), fetterbush (*Lyonia lucida*), common buttonbush (*Cephalanthus occidentalis*), dahoon holly (*Ilex cassine*), red root (*Lachnanthes caroliniana*), blackberry (*Rubus* sp.), netted chain fern (*Woodwardia areolata*), cinnamon fern (*Osmundastrum cinnamomeum*), greenbrier (*Smilax* sp.), netted chain fern (*Woodwardia areolata*), greenbrier (*Smilax* sp.), muscadine grapevine (*Vitis rotundifolia*).

640 Vegetated Non-Forested Wetlands

There are wetlands within the central, southern, and western portions of the site that are most consistent with the Vegetated Non-Forested Wetlands (640) FLUCFCS classification. Vegetation observed within this land use type includes sawgrass (*Cladium mariscoides*), pickerel weed (*Pontederia cordata*), elderberry (*Sambucus nigra*), primrosewillow (*Ludwigia* sp.), and Carolina willow (*Salix caroliniana*)

PROTECTED SPECIES

Using methodologies outlined in the Florida’s Fragile Wildlife (Wood, 2001) and Florida Fish and Wildlife Conservation Commission’s (FFWCC) Gopher Tortoise Permitting Guidelines (April 2008 - revised July 2021); a cursory assessment for “listed” floral and faunal species was conducted at the subject property on June 28 and July 7, 2022. This assessment included both direct observations and indirect evidence, such as tracks, burrows, tree markings and birdcalls that indicated the presence of species observed. The assessment focused on species that are “listed” by the FFWCC’s Official Lists - Florida’s Endangered Species, Threatened Species and Species of Special Concern (revised June 2021) that have the potential to occur in Lake County (See attached Table 1).

One (1) species identified is listed as “commercially exploited” by the FDACS. The harvesting of this species, cinnamon fern (*Osmundastrum cinnamomeum*), for commercial gain is prohibited. The FDACS protection of listed plant species centers around preventing the illegal collection, transport and sale of “listed” plants. The FDACS only issue permits for collection purposes and neither regulates nor prohibits the destruction of state-listed flora species as a result of development activities.

Reptiles and Amphibians

brown anole (*Anolis sagrei*)

green anole (*Anolis caroliniana*)

gopher tortoise (*Gopherus polyphemus*)

six-lined racerunner (*Cnemidophorus sexlineatus sexlineatus*)

Birds

Anhinga (*Anhinga anhinga*)
Belted Kingfisher (*Ceryle alcyon*)
Black Vulture (*Coragyps atratus*)
Blue Jay (*Cyanocitta cristata*)
Great Blue Heron (*Ardea herodias*)
Mourning Dove (*Zenaida macroura*)
Northern Mockingbird (*Mimus polyglottos*)
Northern Cardinal (*Cardinalis cardinalis*)
Red-shouldered Hawk (*Buteo lineatus*)

Mammals

eastern cottontail (*Sylvilagus floridanus*)
eastern gray squirrel (*Sciurus carolinensis*)
coyote (*Canis latrans*)
nine-banded armadillo (*Dasypus novemcinctus*)
raccoon (*Procyon lotor*)
Virginia opossum (*Didelphis virginiana*)

One (1) of the above wildlife species, the gopher tortoise (*Gopherus polyphemus*), is identified in the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (revised June 2021). The following provides a brief description of these and additional wildlife species as they relate to the development of the site.

Gopher Tortoise (Gopherus polyphemus) *State Listed as "Threatened" by FFWCC*

Numerous gopher tortoise burrows (*Gopherus polyphemus*) have been identified within the on-site upland areas. Currently the gopher tortoise is classified as a "Category 2 Candidate Species" by the U.S. Fish and Wildlife Service (USFWS), and as of September 2007, is now classified as "Threatened" by FFWCC, and as "Threatened" by FCREPA. The basis of the "Threatened" classification by the FFWCC for the gopher tortoise is due to habitat loss and destruction of burrows. Gopher tortoises are commonly found in areas with well-drained soils associated with xeric pine-oak hammock, scrub, pine flatwoods, pastures and abandoned citrus groves. Several other protected species known to occur in Lake County have a possibility of occurring in this area, as they are gopher tortoise commensal species. However, none of these species were observed during the survey conducted.

The FFWCC provides three (3) options for developers that have gopher tortoises on their property. These options include: 1) avoidance (i.e., 25-foot distance from construction), 2)

preservation of habitat, and 3) off-site relocation. As such, permitting through FFWCC prior to any construction activities will be required.

The subject site was surveyed for the existence of gopher tortoises through the use of pedestrian transects. The survey covered approximately 100% of the suitable habitat present within the subject site boundaries. Thirty (30) active/inactive gopher tortoise burrows were observed and recorded using a handheld GPS (Figure 6a). Based on the tortoise population that exists and the expected development plan for the property, off-site relocation will be required through FFWCC within the areas proposed for development. This number is based on the factored occupation rate of 0.614 (Auffenburg-Franz). Therefore, for the purpose of estimating costs associated with the subject site, as many as nineteen (19) gopher tortoises are estimated to occupy these burrows.

If relocation efforts cannot be completed within 90 days of a formal gopher tortoise survey, FFWCC requires an additional survey to be conducted.

Bald Eagle (*Haliaeetus leucocephalus*)

State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)

In August of 2007, the US Fish and Wildlife Service (USFWS) removed the Bald Eagle from the list of federally endangered and threatened species. Additionally, the Bald Eagle was removed from FFWCC's imperiled species list in April of 2008. Although the Bald Eagle is no longer protected under the Endangered Species Act, it is still protected under the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and FFWCC's Bald Eagle rule (Florida Administrative Code 68A-16.002 Bald Eagle (*Haliaeetus leucocephalus*)).

In May of 2007, the USFWS issued the National Bald Eagle Management Guidelines. In April of 2008, the FFWCC adopted a new Bald Eagle Management Plan that was written to closely follow the federal guidelines. In November of 2017, the FFWCC issued "A Species Action Plan for the Bald Eagle" in response to the sunset of the 2008 Bald Eagle Management Plan. Under the USFWS's management plans, buffer zones are recommended based on the nature and magnitude of the project or activity. The recommended protective buffer zone is 660 feet or less from the nest tree, depending on what activities or structures are already near the nest. As provided within the above referenced Species Action Plan, the USFWS is the regulating body responsible for issuing permits for Bald Eagles. In 2017, the need to obtain a State permit (FFWCC) for the take of Bald Eagles or their nests in Florida was eliminated following revisions to Rule 68A-16.002, F.A.C. A USFWS Bald Eagle "Non-Purposeful Take Permit" is not needed for any activity occurring outside of the 660-foot buffer zone. No activities are permitted within 330 feet of a nest without a USFWS permit.

In addition to the on-site evaluation for listed species, BTC conducted a review of FFWCC's database and Audubon's Eagle Watch program database for recorded Bald Eagle nests within the surrounding 660 feet of the subject site. This review revealed that there are no Bald Eagle nests through the 2020-2021 nesting season, within 660 feet of the project site boundaries (Figure 6b). Thus, no developmental constraints are expected with respect to Bald Eagle nests.

USFWS CONSULTATION AREAS

The U.S. Fish and Wildlife Service has established "consultation areas" for certain listed species (Figure 7). Generally, these consultation areas only become an issue if USFWS consultation is required, which is usually associated with permitting through the U.S. Army Corps of Engineers. The reader should be aware that species presence and need for additional review are often determined to be unnecessary early in the permit review process due to lack of appropriate habitat or other conditions. However, the USFWS makes the final determination.

Consultation areas are typically very regional in size, often spanning multiple counties where the species in question are known to exist. Consultation areas by themselves do not indicate the presence of a listed species. They only indicate an area where there is a potential for a listed species to occur and that additional review might be necessary. Such review might include the need for species-specific surveys using established methodologies that have been approved by the USFWS.

The following paragraphs include a list of the USFWS Consultation Areas associated with the subject property. Also included, is a brief description of the respective species habitat and potential for additional review:

Sand Skink (Neoseps reynoldsi)

Federally Listed as "Threatened" by USFWS

The subject site falls within the Sand Skink Consultation Area for the United States Fish and Wildlife Service (USFWS). The sand skink is listed as "Threatened" by the USFWS. The sand skink exists in areas vegetated with sand pine (*Pinus clausa*) - rosemary (*Ceratiola ericoides*) scrub or a long leaf pine (*Pinus palustris*) - turkey oak (*Quercus laevis*) association. Habitat destruction is the primary threat to this species' survival. Citrus groves, residential, commercial and recreational facilities have depleted the xeric upland habitat of the sand skink. All properties within the limits of this consultation area that are located at elevations greater than 80' and contain suitable (moderate-to-well drained) soils are believed by USFWS to be areas of potential sand skink habitat.

A formal sand skink survey has been completed (2022) for the subject site. While no skinks were observed on the site, a formal report detailing the negative results of this survey will be provided in a separate report. Any impacts to occupied sand skink habitat will require the issuance of an Incidental Take permit through the USFWS and mitigation to off-set the habitat loss.

Florida Scrub-Jay (*Aphelocoma coerulescens*)
Federally Listed as “Threatened” by USFWS

Currently the Florida Scrub-Jay is listed as threatened by the USFWS. Florida Scrub-jays are largely restricted to scattered, often small and isolated patches of sand pine scrub, xeric oak, scrubby flatwoods, and scrubby coastal stands in peninsular Florida (Woolfenden 1978a, Fitzpatrick et al. 1991). They avoid wetlands and forests, including canopied sand pine stands. Optimal Scrub-jay habitat is dominated by shrubby scrub, live oaks, myrtle oaks, or scrub oaks from 1 to 3 m (3 to 10 ft.) tall, covering 50% to 90 % of the area; bare ground or sparse vegetation less than 15 cm (6 in) tall covering 10% to 50% of the area; and scattered trees with no more than 20% canopy cover (Fitzpatrick et al. 1991).

No Scrub-jays were observed on the subject site during the cursory survey conducted by BTC. As no suitable habitat exists within the limits of the site, it is not anticipated that a formal survey would be required by the USFWS or another agency to determine if any Florida Scrub-Jays utilize any portions of the site.

Everglade Snail Kite (*Rostrhamus sociabilis*)
Federally Listed as “Endangered” by USFWS

The subject site falls within the USFWS Consultation Area for the Everglade Snail Kite. Currently the Everglade Snail Kite is listed as “Endangered” by the USFWS. Everglade Snail Kites are similar in size to Red-shouldered Hawks. All Everglade Snail Kites have deep red eyes and a white rump patch. Males are slate gray, and females and juveniles vary in amounts of white, light brown, and dark brown, but the females always have white on their chin. Everglade Snail Kites vocalize mainly during courtship and nesting. They may occur in nearly all of the wetlands of central and southern Florida. They regularly occur in lake shallows along the shores and islands of many major lakes, including Lakes Okeechobee, Kissimmee, Tohopekaliga (Toho) and East Toho. They also regularly occur in the expansive marshes of southern Florida such as Water Conservation Areas 1, 2, and 3, Everglades National Park, the upper St. John’s River marshes and Grassy Waters Preserve.

No Everglade Snail Kites were observed on the site during the cursory wildlife survey conducted by BTC. As no suitable habitat exists within the limits of the site, it is not anticipated that a

formal survey would be required by the USFWS or another agency to determine if any Everglade Snail Kites utilize any portions of the site.

ENVIRONMENTAL CONSTRAINTS

The onsite wetlands and surface waters on the site are in the process of being delineated by BTC in accordance with local, state and federal guidelines utilizing pink “Bio-Tech Consulting” flagging tape (Figure 8). Once flagging is complete, an updated map will be submitted for review. All wetland/surface water flag locations will need to be approved by the appropriate regulatory agencies during the permitting process. The site resides in the Southern Ocklawaha River drainage basin (Figure 9).

St. Johns River Water Management District (SJRWMD)

There is a SJRWMD Environmental Resource Permit (ERP), Permit #19298-4, associated with the lake in the northeastern portion of the site. This ERP approved the excavation and enhancement of the wetland areas within the above mentioned lake associated with the adjoining Mission Inn Resort single-family subdivision on November 10, 2000. This permit expired on November 10, 2005. Since this permit has expired and there are no other ERP’s associated with the subject site, a new ERP application will be required through the SJRWMD to authorize construction and operation of a stormwater management system for the site in association with the proposed project and for all wetland/surface water impacts in association with the proposed project. Impacts to the project’s wetland and/or other surface water communities would be permissible by SJRWMD as long as the issues of elimination and reduction of wetland impacts have been addressed and as long as the mitigation offered is sufficient to offset the functional losses incurred via the proposed impacts. Coordination with the Division of Historical Resources (DHR) and the FFWCC will be necessary as part of the ERP process.

Florida Department of Environmental Protection (FDEP)

State 404 Program

In December of 2020, the Florida Department of Environmental Protection (FDEP) assumed federal permitting authority for all wetland and surface water resources under Section 404 of the Clean Water Act (CWA). While the ERP and State 404 Programs are joint ERP applications, the State 404 Program is a separate program from the existing ERP Program described above. For those project’s whose wetland and surface water resources are associated with tidal waters or traditional navigable waters, under Section 10 of the Rivers and Harbors Act, the US Army Corps of Engineers (USACE) will retain federal permitting authority and a separate Application will need to be submitted to the USACE. These “retained” resources also include wetlands

and/or other surface waters that fall within the 300-foot guide line established from the ordinary high-water mark or mean high tide line of the retained waters.

FDEP currently considers all wetland and/or surface water resources to be federally jurisdictional unless the applicant provides documentation proving otherwise under the current Navigable Waters Protection Rule (NWPR). Impacts to the project's wetland and other surface water communities should be permittable by FDEP as long as the issues of elimination and reduction of wetland impacts have been addressed and as long as the mitigation offered is sufficient to offset the functional losses incurred by the proposed impacts. In addition, regulated activities proposed in waters assumed by the State 404 Program are still required to meet all standards mandated under the CWA Section 404(b)(1) guidelines, this includes alternate site analysis. Coordination with the USFWS will be necessary as part of the Section 404 permitting process through FDEP.

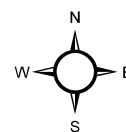
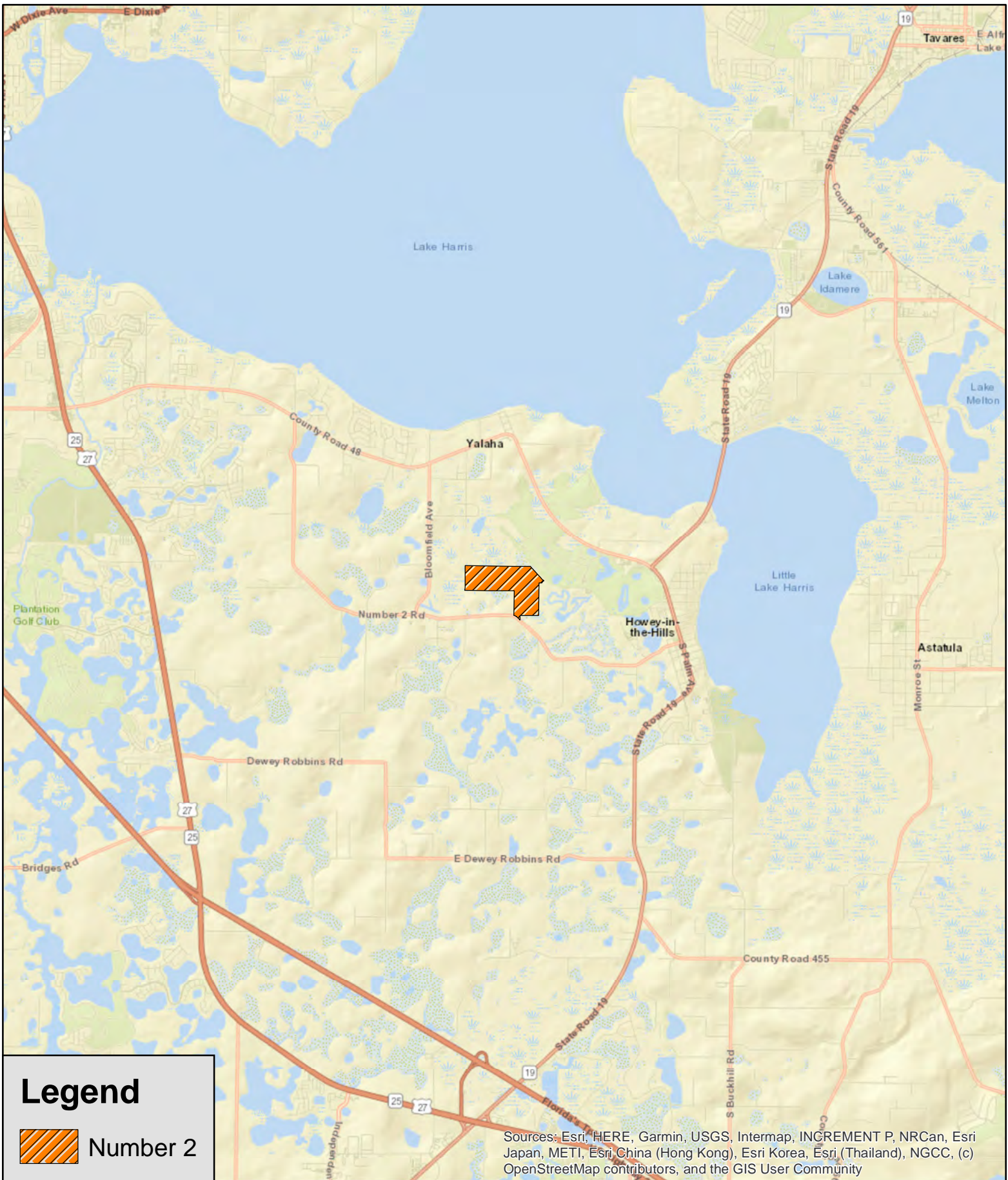
The environmental limitations described in this document are based on observations and technical information available on the date of the on-site evaluation. This report is for general planning purposes only. The limits of any on-site wetlands/surface waters can only be determined and verified through field delineation and/or on-site review by the pertinent regulatory agencies. The wildlife surveys conducted within the subject property boundaries do not preclude the potential for any listed species, as noted on Table 1 (attached), currently or in the future.

Should you have any questions or require any additional information, please do not hesitate to contact our office at (407) 894-5969. Thank you.

Regards,

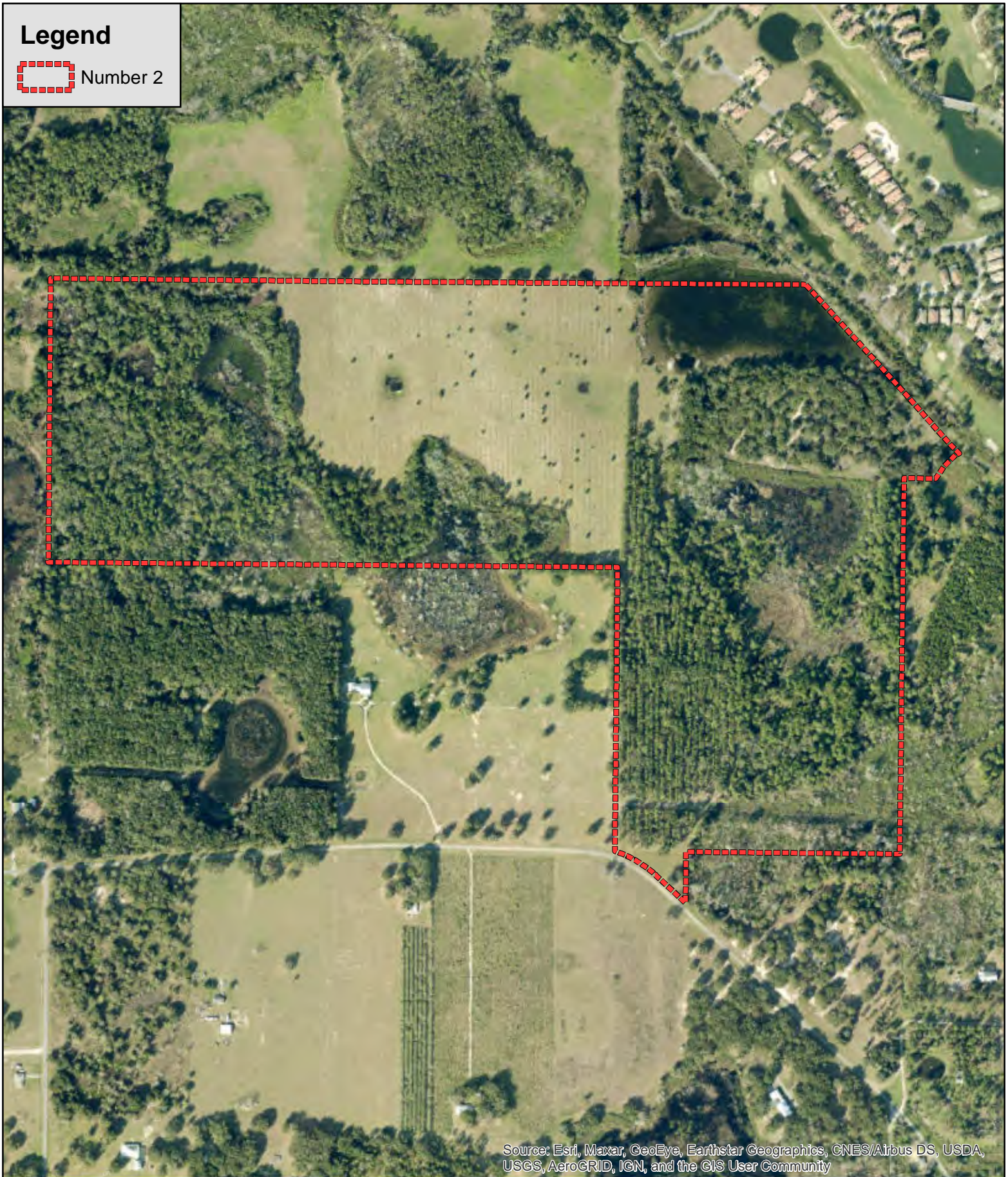
Mark Ausley
Director

Attachments

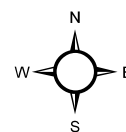


Legend

 Number 2




Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



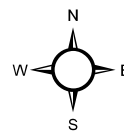


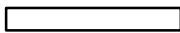
Legend

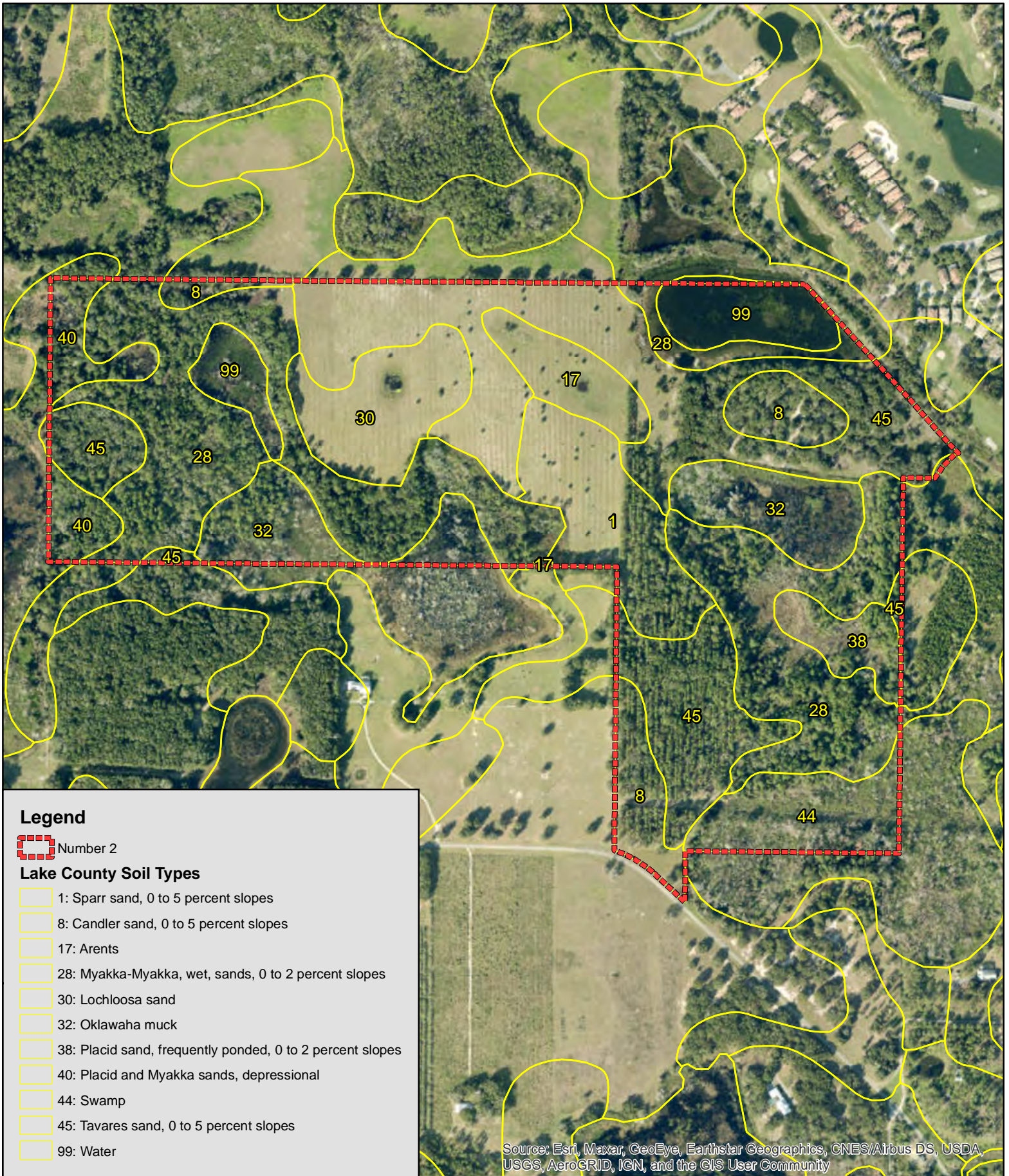
 Number 2

Bio-Tech Consulting Inc.
 Environmental and Permitting Services
 3025 E. South Street Orlando, FL 32803
 Ph: 407-894-5969 Fax: 407-894-5970
 www.bio-techconsulting.com


Number 2 Road
 Lake County, Florida
 Figure 3
 USGS Topographic Map














525
 Feet
 Project #: 372-18
 Produced By: RAB
 Date: 7/15/2022

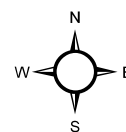


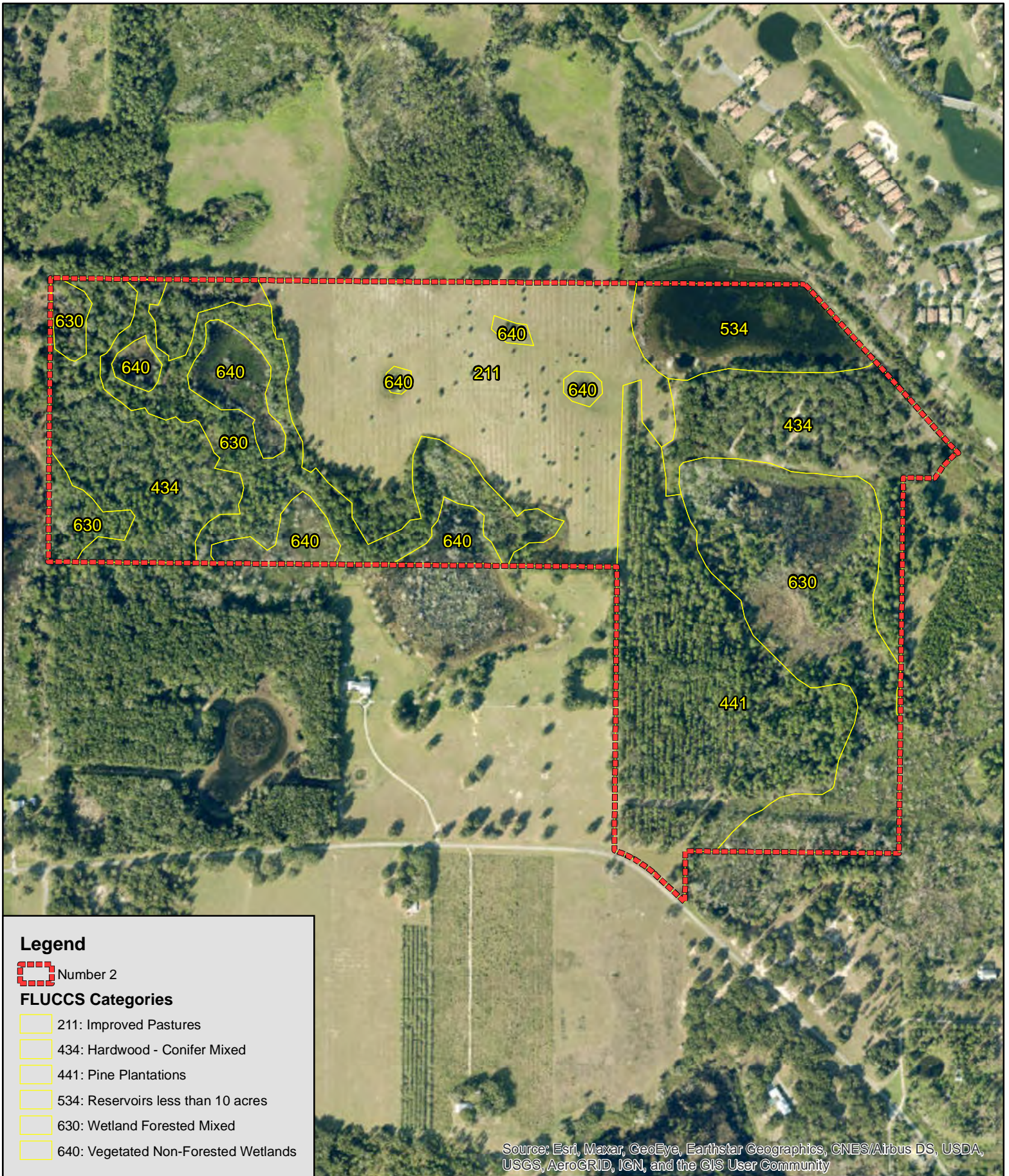
Legend

 Number 2


Lake County Soil Types

-  1: Sparr sand, 0 to 5 percent slopes
-  8: Candler sand, 0 to 5 percent slopes
-  17: Arents
-  28: Myakka-Myakka, wet, sands, 0 to 2 percent slopes
-  30: Lochloosa sand
-  32: Oklawaha muck
-  38: Placid sand, frequently ponded, 0 to 2 percent slopes
-  40: Placid and Myakka sands, depressional
-  44: Swamp
-  45: Tavares sand, 0 to 5 percent slopes
-  99: Water





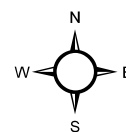
Legend

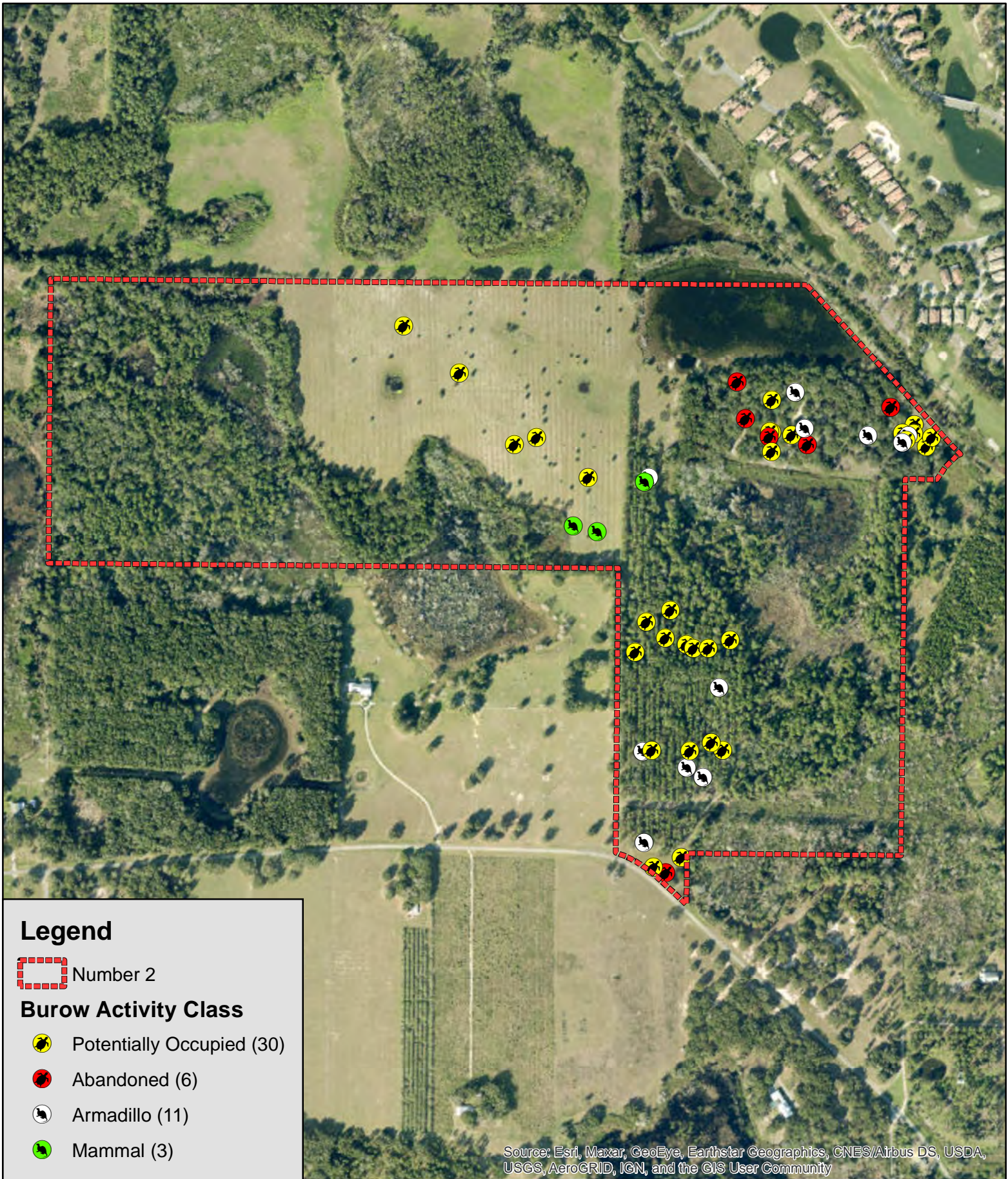
 Number 2

FLUCCS Categories


-  211: Improved Pastures
-  434: Hardwood - Conifer Mixed
-  441: Pine Plantations
-  534: Reservoirs less than 10 acres
-  630: Wetland Forested Mixed
-  640: Vegetated Non-Forested Wetlands

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community








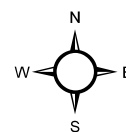
Legend

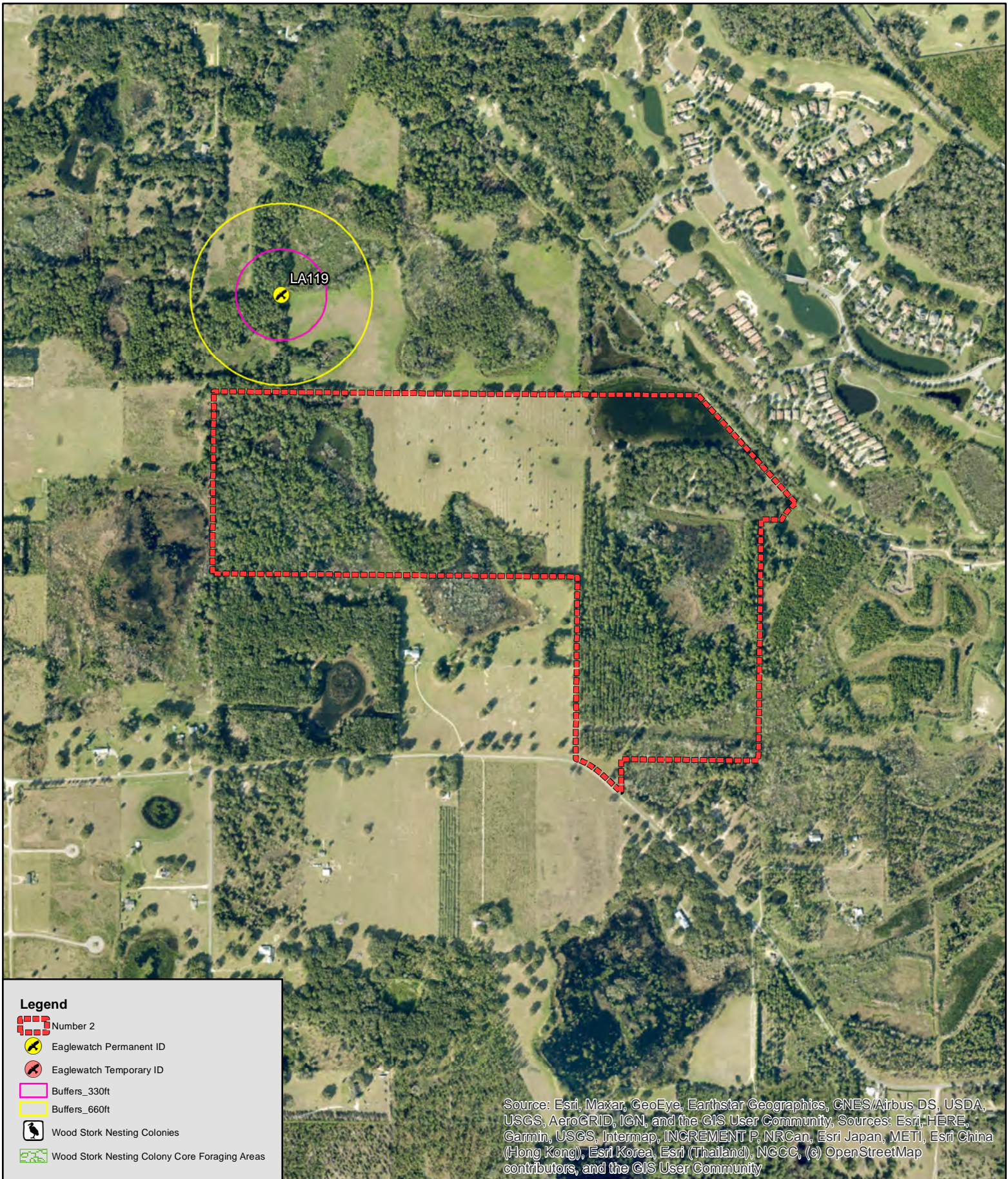
 Number 2

Burow Activity Class

-  Potentially Occupied (30)
-  Abandoned (6)
-  Armadillo (11)
-  Mammal (3)

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



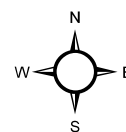


Legend

-  Number 2
-  Eaglewatch Permanent ID
-  Eaglewatch Temporary ID
-  Buffers_330ft
-  Buffers_660ft
-  Wood Stork Nesting Colonies
-  Wood Stork Nesting Colony Core Foraging Areas

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Number 2 Road
 Lake County, Florida
 Figure 6b
 Wildlife Proximity Map

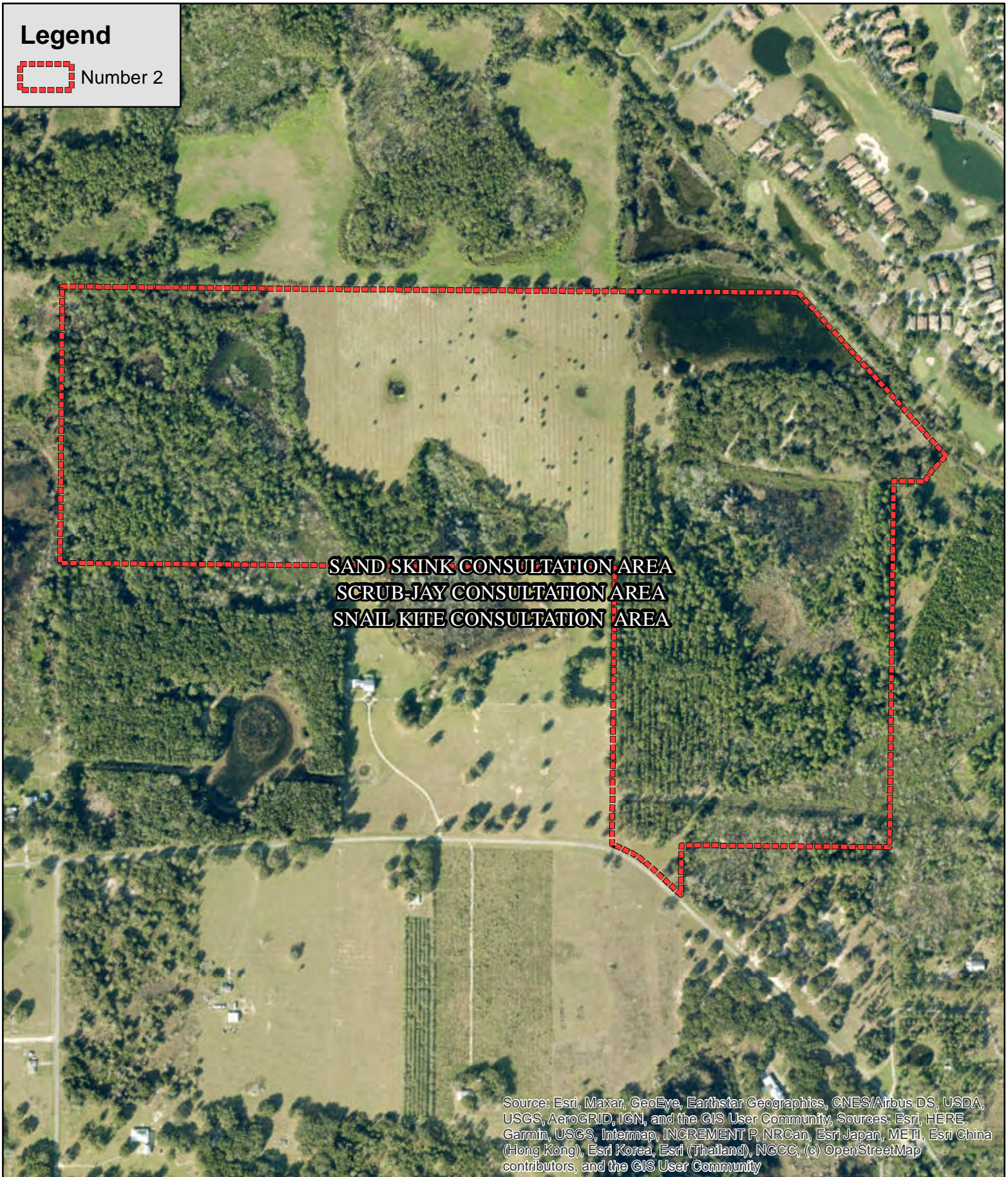


1,000
 Feet

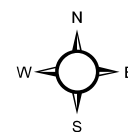
Project #: 372-18
 Produced By: RAB
 Date: 6/19/2022

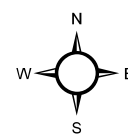
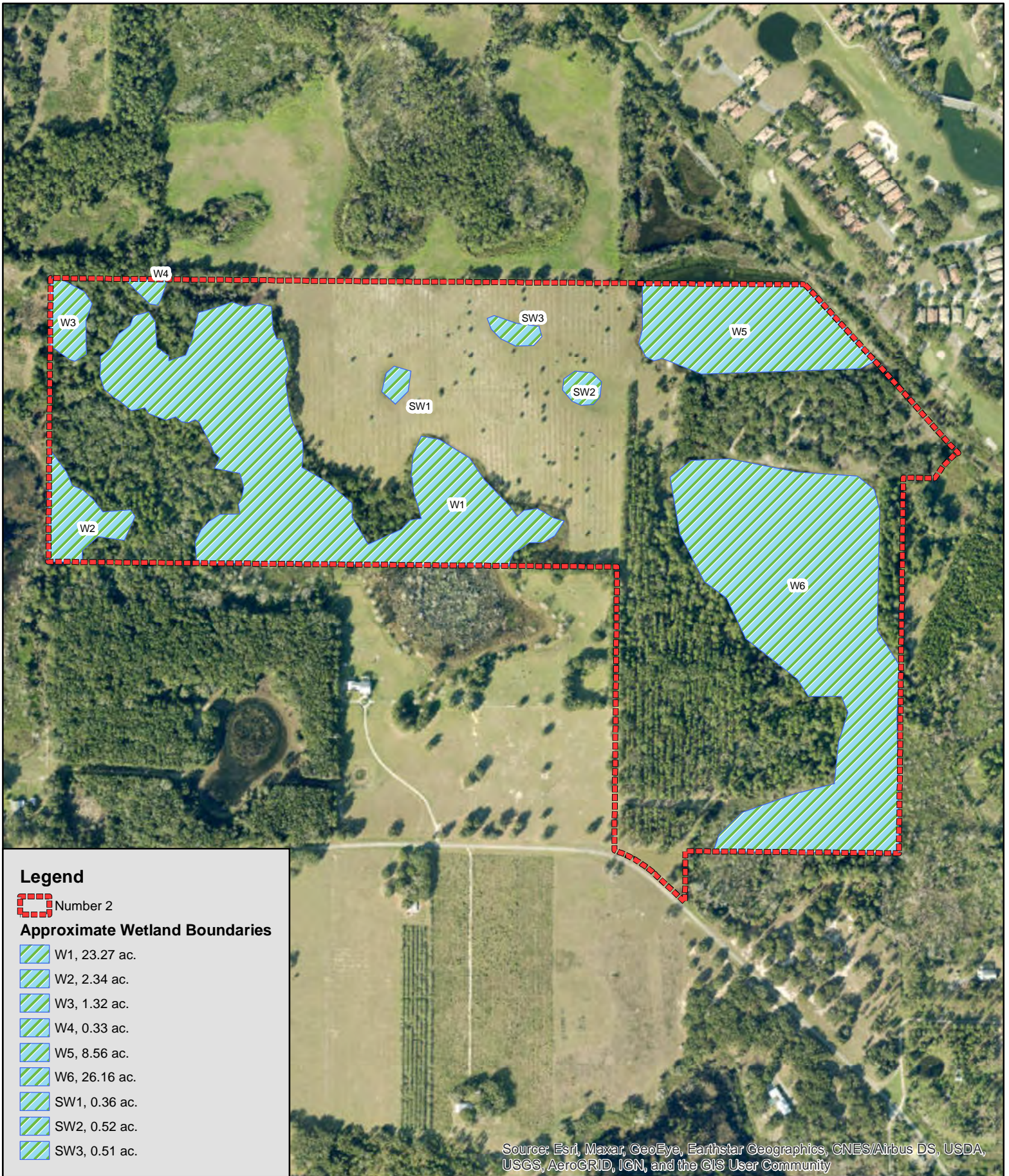
Legend

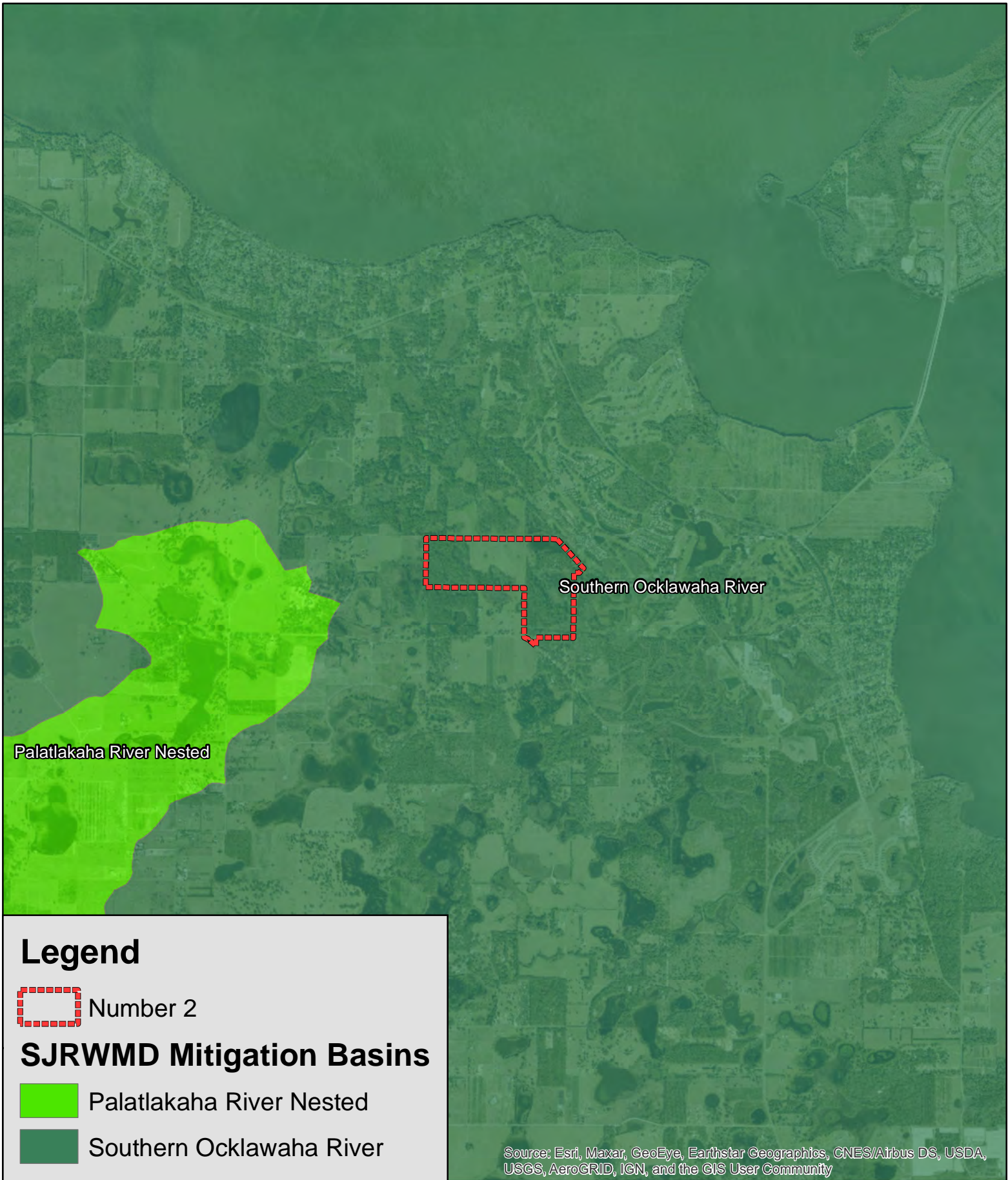
 Number 2



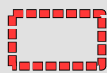
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community






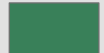


Legend

 Number 2

SJRWMD Mitigation Basins

 Palatlahaha River Nested

 Southern Ocklawaha River

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

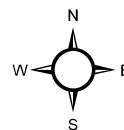


Table 1 :		Potentially Occuring Listed Wildlife and Plant Species in Lake County, Florida	
Scientific Name	Common Name	Federal Status	State Status
<u>FISH</u>			
<i>Pteronotropis welaka</i>	Bluenose Shiner	N	ST
<u>REPTILES</u>			
<i>Alligator mississippiensis</i>	American Alligator	SAT	FT(S/A)
<i>Drymarchon corais couperi</i>	Eastern Indigo Snake	LT	FT
<i>Gopherus polyphemus</i>	Gopher Tortoise	C	ST
<i>Lampropeltis extenuata</i>	Short-Tailed Snake	N	ST
<i>Pituophis melanoleucus mugitus</i>	Florida Pine Snake	N	ST
<i>Plestiodon reynoldsi</i>	Sand Skink	LT	FT
<u>BIRDS</u>			
<i>Antigone canadensis pratensis</i>	Florida Sandhill Crane	N	ST
<i>Aphelocoma coerulescens</i>	Florida Scrub-Jay	LT	FT
<i>Athene cunicularia floridana</i>	Florida Burrowing Owl	N	ST
<i>Egretta caerulea</i>	Little Blue Heron	N	ST
<i>Egretta tricolor</i>	Tricolored Heron	N	ST
<i>Falco sparverius paulus</i>	Southeastern American kestrel	N	ST
<i>Grus americana</i>	Whooping Crane	XN	FXN
<i>Mycteria americana</i>	Wood Stork	LT	FT
<i>Picoides borealis</i>	Red-Cockaded Woodpecker	LE	FE
<u>MAMMALS</u>			
<i>Trichechus manatus</i>	West Indian Manatee	LT	FT
<u>VASCULAR PLANTS</u>			
<i>Bonamia grandiflora</i>	Florida bonamia	LT	E
<i>Carex chapmanii</i>	Chapman's Sedge	N	T
<i>Centrosema arenicola</i>	Sand Butterfly Pea	N	E
<i>Chionanthus pygmaeus</i>	pygmy fringe tree	LE	E
<i>Clitoria fragrans</i>	scrub pigeon-wing	LT	E
<i>Coelorachis tuberculosa</i>	Piedmont Jointgrass	N	T
<i>Coeleataenia abscissa</i>	Cutthroat Grass	N	E
<i>Cucurbita okeechobeensis</i>	Okeechobee Gourd	LE	E
<i>Eriogonum longifolium</i> var <i>gnaphalifolium</i>	Scrub Buckwheat	LT	E
<i>Hartwrightia floridana</i>	Hartwrightia	N	T
<i>Hasteola robertiorum</i>	Florida Hasteola	N	E
<i>Illicium parviflorum</i>	Star Anise	N	E
<i>Justicia cooleyi</i>	Cooley's Water-Willow	LE	E
<i>Lechea cernua</i>	Nodding Pinweed	N	T
<i>Matelea floridana</i>	Florida Spiny-Pod	N	E
<i>Monotropa hypopithys</i>	Pinesap	N	E
<i>Najas filifolia</i>	Narrowleaf Naiad	N	T
<i>Nemastylis floridana</i>	Celestial Lily	N	E
<i>Nolina brittoniana</i>	Britton's Beargrass	LE	E
<i>Paronychia chartacea</i> ssp <i>chartacea</i>	Paper-Like Nailwort	LT	E
<i>Pecluma plumula</i>	Plume Polypody	N	E
<i>Pecluma ptilota</i> var. <i>bourgeauana</i>	Comb Polypody	N	E
<i>Polygala lewtonii</i>	Lewton's Polygala	LE	E
<i>Polygonella myriophylla</i>	Small's Jointweed	LE	E
<i>Prunus geniculata</i>	Scrub Plum	LE	E

<i>Pteroglossaspis ecristata</i>	Giant Orchid	N	T
<i>Salix floridana</i>	Florida Willow	N	E
<i>Sideroxylon alachuense</i>	Silver Buckthorn	N	E
<i>Stylisma abdita</i>	Scrub Stylisma	N	E
<i>Vicia ocalensis</i>	Ocala Vetch	N	E
<i>Warea amplexifolia</i>	Clasping Warea	LE	E
<i>Warea carteri</i>	Carter's Warea	LE	E

FEDERAL LEGAL STATUS

LE-Endangered: species in danger of extinction throughout all or a significant portion of its range.

LT-Threatened: species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.

SAT-Endangered due to similarity of appearance to a species which is federally listed such that enforcement personnel have difficulty in attempting to differentiate between the listed and unlisted species.

C-Candidate species for which federal listing agencies have sufficient information on biological vulnerability and threats to support proposing to list the species as Endangered or Threatened.

XN-Non-essential experimental population.

N-Not currently listed, nor currently being considered for listing as Endangered or Threatened.

STATE LEGAL STATUS - ANIMALS

FE- Listed as Endangered Species at the Federal level by the U. S. Fish and Wildlife Service

FT- Listed as Threatened Species at the Federal level by the U. S. Fish and Wildlife Service

FXN- Federal listed as an experimental population in Florida

FT(S/A)- Federal Threatened due to similarity of appearance

ST- State population listed as Threatened by the FFWCC. Defined as a species, subspecies, or isolated population which is acutely vulnerable to environmental alteration, declining in number at a rapid rate, or whose range or habitat is decreasing in area at a rapid rate and as a consequence is destined or very likely to become an endangered species within the foreseeable future.

SSC-Listed as Species of Special Concern by the FFWCC. Defined as a population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species. (SSC* for Pandion haliaetus (Osprey) indicates that this status applies in Monroe county only.)

N-Not currently listed, nor currently being considered for listing.

** *State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)*

STATE LEGAL STATUS - PLANTS

E-Endangered: species of plants native to Florida that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue; includes all species determined to be endangered or threatened pursuant to the U.S. Endangered Species Act.

T-Threatened: species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in number as to cause them to be Endangered.

N-Not currently listed, nor currently being considered for listing.