Dear Gentlemen:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

a. The date of commencement of the work,

b. The dates of work suspensions and resumptions of work, if suspended over a week, and

c. The date of final completion.

This information should be mailed to the Special Projects and Enforcement Branch of the Regulatory Division of the Jacksonville District at P.O Box 4970, Jacksonville, Florida 32232-0019. The Special Projects and Enforcement Branch is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

[Signature]

Donald W. Kinard
Chief, Regulatory Division

Enclosures
Copy Furnished:
Mr. Thomas Roehlk (via email: tomroehlk@tupperware.com)
Mr. Stuart Bradow (via email: stubradow@aol.com)
Mr. Mark Fricke (via email: mjf@modica.cc)
Permittees:
Tupperware Services, Inc. C/o Mr. Thomas M. Roehlk
14901 South Orange Blossom Trail Orlando, Florida 32809
Habitat Restoration, Inc. c/o Mr. Stuart Bradow
201 Sheryl Drive Deltona, Florida 32738

Permit No: SAJ-2015-00452 (SP-JSC)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** The permittee is authorized to fill 4.08 acres of waters of the United States for development of a 10.68± acre hotel project, including a 5.55 acre hotel site and 5.13 acre forested upland parcel for stormwater treatment facilities. The work described above is to be completed in accordance with the six attachments, totaling 47 pages, affixed at the end of this permit instrument.

**Project Location:** The 10.68± acre Venezia project would affect waters of the United States associated with the Lake Tohopekaliga watershed (Hydrologic Unit Code 0309010104). The project site is located in the southwest quadrant of South Orange Blossom Trail (OBT) and Osceola Parkway in Section 3, Township 25 South, Range 29 East, Osceola County, Florida.

**Directions to site:** Proceed to the intersection of OBT and West Osceola Parkway; the project site is in the southwest corner of the intersection.

**Approximate Central Coordinates:**
Latitude 28.33645°
Longitude -81.40480°
Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on June 9, 2021. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
Special Conditions:

1. **Reporting Address:** The Permittee shall submit all reports, notifications, documentation and correspondence required by the general and special conditions of this permit to the following address:
   
   a. For standard mail: U.S. Army Corps of Engineers, Regulatory Division, South Branch Enforcement Section, 400 High Point Drive, Suite 600, Cocoa, Florida, 32926.
   
   b. For electronic mail: CESAJ-ComplyDocs@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-00452 (SP-JSC), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

3. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material outside the work area. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas shall be stabilized using sod, degradable mats, barriers, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

4. **Compensatory Mitigation:** The Permittee shall continue to maintain mitigation areas previously constructed in accordance with the approved final compensatory mitigation plan, included as Attachments 3 and 4 and Drawings 7-9 of this permit. To demonstrate mitigation success and achieve Mitigation Release, the Permittee shall ensure the mitigation plan has satisfied the following performance standards:
   
   a. Freshwater marsh vegetation is characterized by a minimum of four species and 80% coverage by appropriate wetland species (i.e., wetland indicator status FACW and/or OBL).
   
   b. Freshwater marsh hydroperiod provides inundation 6-10 months annually during years of normal rainfall.
   
   c. Planted cypress trees have doubled in height and diameter-at-breast height (dbh) since being planted; 80% survival of planted species.
d. Cypress wetland hydroperiod provides inundation 6-8 months annually during years of normal rainfall.

e. Cover of Category I and II invasive exotic plant species, pursuant to the most current list established by the Florida Exotic Pest Plant Council at http://www.fleppc.org, and the nuisance species, dogfennel (Eupatorium capillifolium), Bermudagrass (Cynodon spp.), Bahiagrass (Paspalum notatum), and cattail (Typha spp.) shall total less than 5 percent of each community type.

f. Demonstrate diversity and usage by native wildlife species typical of that found in the target wetland communities.

5. Monitoring and Reporting Timeframes: To document achievement of the performance standards identified in the Compensatory Mitigation Special Condition of this permit, the Permittee shall complete the following:

a. Perform a time-zero monitoring event of the wetland mitigation area(s) within 60 days of completion of the compensatory mitigation construction and implementation activities identified in the Compensatory Mitigation Special Condition of this permit.

b. Submit the time-zero report to the Corps within 60 days of completion of the monitoring event. The report will include at least one paragraph depicting baseline conditions of the mitigation site(s) prior to initiation of the compensatory mitigation objectives and a detailed plan view drawing of all created, enhanced and/or restored mitigation areas.

c. Subsequent to completion of the compensatory mitigation objectives, perform semi-annual monitoring of the wetland mitigation areas for the first 2 years and annual monitoring thereafter for a total of no less than 5 years of monitoring.

d. Submit annual monitoring reports to the Corps within 60 days of completion of the monitoring event. Semi-annual monitoring will be combined into one annual monitoring report.

e. Monitor the mitigation area(s) and submit annual monitoring reports to the Corps until released in accordance with the Mitigation Release Special Condition of this permit.

6. Reporting Format: The Permittee shall submit all monitoring documentation to the Corps on 8½-inch by 11-inch paper, and include the following:

a. Project Overview:
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Department of the Army Permit Number</td>
<td></td>
</tr>
<tr>
<td>(2) Name and contact information of Permittee and consultant</td>
<td></td>
</tr>
<tr>
<td>(3) Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted</td>
<td></td>
</tr>
<tr>
<td>(4) A brief paragraph describing the purpose of the approved project, acreage and type of aquatic resources impacted, and mitigation acreage and type of aquatic resources authorized to compensate for the aquatic impacts.</td>
<td></td>
</tr>
<tr>
<td>(5) Written description of the location, any identifiable landmarks of the compensatory mitigation project including information to locate the site perimeter(s), and coordinates of the mitigation site (expressed as latitude, longitude, UTMs, state plane coordinate system, etc.).</td>
<td></td>
</tr>
<tr>
<td>(6) Dates compensatory mitigation commenced and/or was complete.</td>
<td></td>
</tr>
<tr>
<td>(7) Short statement on whether the performance standards are being met.</td>
<td></td>
</tr>
<tr>
<td>(8) Dates of any recent corrective or maintenance activities conducted since the previous report submission</td>
<td></td>
</tr>
<tr>
<td>(9) Specific recommendations for any additional corrective or remedial actions.</td>
<td></td>
</tr>
<tr>
<td>b. Requirements:</td>
<td>List the monitoring requirements and performance standards, as specified in the approved mitigation plan and special conditions of this permit, and evaluate whether the compensatory mitigation project site is successfully achieving the approved performance standards or trending towards success. A table is a recommended option for comparing the performance standards to the conditions and status of the developing mitigation site.</td>
</tr>
</tbody>
</table>
locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the mitigation plan. In addition, the submitted maps and plans should clearly delineate the mitigation site perimeter(s). Each map or diagram should be formatted to print on a standard 8½-inch x 11-inch piece of paper and include a legend and the location of any photos submitted for review. As-built plans may be included.

e. Conclusions: A general statement shall be included that describes the conditions of the compensatory mitigation project. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee or sponsor, including a timetable, shall be provided. The District Commander will ultimately determine if the mitigation site is successful for a given monitoring period.

7. Conservation Easement: The Permittee shall maintain the conservation easement placed on areas referenced in the Compensatory Mitigation Special Condition. These natural preserve areas will not be disturbed by any dredging, filling, land clearing, agricultural activities, planting, or other construction work whatsoever except as required or authorized by this permit. The Permittee agrees that the only future utilization of the preserved areas in question will be as a purely natural area.

   a. Within 30 days from the date of initiating the authorized work, submit to the Corps a title insurance commitment with the conservation easement document, IN FAVOR OF THE GRANTEE, for the property which is being offered for preservation to show that the Permittee has clear title to the real property and can legally place it under a conservation easement. Any existing liens or encumbrances on the property shall be subordinated to the conservation easement. At the time of recordation of the conservation easement, a title insurance policy shall be provided to the Corps in an amount equal to the current market value of the property.

   b. In the event this permit is transferred, proof of delivery of a copy of the recorded conservation easement to the subsequent Permittee or Permittees shall be submitted to the Corps together with the notification of permit transfer.

   c. The Grantee shall not assign its rights or obligations under this conservation easement except to another organization qualified to hold such interests under the applicable state and federal laws, including §704.06 Florida Statutes, and committed to holding this conservation easement exclusively for conservation purposes. The Corps shall be notified in writing of any intention to reassign the conservation easement to a new grantee and shall approve the selection of the grantee. The new grantee shall accept the assignment in writing and a copy of this acceptance delivered to the Corps. The conservation easement shall then be re-recorded and
indexed in the same manner as any other instrument affecting title to real property and a copy of the recorded conservation easement furnished to the Corps.

8. Remediation: If the compensatory mitigation fails to meet the performance standards within five years of the date of this permit, the compensatory mitigation will be deemed unsuccessful. Within 60 days of notification by the Corps that the compensatory mitigation is unsuccessful, the Permittee shall submit to the Corps an alternate compensatory mitigation proposal sufficient to create the functional lift required under this permit. The alternate compensatory mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland functions associated with the unsuccessful compensatory mitigation activities. The Corps reserves the right to fully evaluate, amend, and approve or reject the alternate compensatory mitigation proposal. Within 120 days of Corps approval, the Permittee will complete the alternate compensatory mitigation proposal.

9. Mitigation Release: The Permittee’s responsibility to complete the required compensatory mitigation, as set forth in the Compensatory Mitigation Special Condition of this permit will not be considered fulfilled until mitigation success has been demonstrated and written verification has been provided by the Corps. A mitigation area which has been released will require no further monitoring or reporting by the Permittee; however the Permittee, Successors and subsequent Transferees remain perpetually responsible to ensure that the mitigation area(s) remain in a condition appropriate to offset the authorized impacts in accordance with General Condition 2 of this permit.

10. As-Builts: Within 60 days of completion of the authorized work or any specific phased improvement of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 5) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

   a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8 1/2-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

   b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-
built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre-and post-construction aerial photographs of the project site, if available.


12. Cultural Resources: No structure or work shall adversely affect impact or disturb properties listed in the National Register of Historic Places (NRHP) or those eligible for inclusion in the NRHP.

a. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

b. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition, if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

c. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human
remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

13. **Fill Material**: The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

14. **Regulatory Agency Changes**: Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee's responsibility to request a modification of this permit from the Cocoa Regulatory Office.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

   ( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

   (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).


2. Limits of this authorization.

   a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

   b. This permit does not grant any property rights or exclusive privileges.

   c. This permit does not authorize any injury to the property or rights of others.
d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures
ordered by this office, and if you fail to comply with such directive, this office may in
certain situations (such as those specified in 33 CFR 209.170) accomplish the
corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the
activity authorized by this permit. Unless there are circumstances requiring either a
prompt completion of the authorized activity or a reevaluation of the public interest
decision, the Corps will normally give favorable consideration to a request for an
extension of this time limit.
Your signature below, as co-permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

12/15/15

(DATE)

Mr. Thomas M. Roehlk, Tupperware Services, Inc.

Responsible for all General and Special Conditions.

(PERMITTEE NAME-PRINTED)

Stuart Bradow, Pres.

12/10/2015

(DATE)

Mr. Stuart Bradow, Habitat Restoration Inc.

Responsible for General Conditions and Special Conditions 4-9 and 14.

(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

(DISTRICT ENGINEER)

Digitally signed by COLLINS,JEFFREY,SCOTT.1259139356
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA,
cn=COLLINS,JEFFREY,SCOTT.1259139356
Date: 2016.06.09 15:51:43 -04'00'
When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

______________________________  ____________________
(TRANSFEREE-SIGNATURE)                     (DATE)

______________________________
(NAME-PRINTED)

______________________________
(ADDRESS)

______________________________
(CITY, STATE, AND ZIP CODE)
Attachments to Department of the Army
Permit Number SAJ-2015-00452 (SP-JSC)

1. PERMIT DRAWINGS: 9 pages.

2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality
permit/certification in accordance with General Condition number 5 on page 3 of
this DA permit. 9 pages.

3. MITIGATION PLAN: Description and Assessment For Mitigation Plan (dated

4. HABITAT MANAGEMENT PLAN: 13 pages.

5. AS-BUILT CERTIFICATION FORM: 2 pages.

6. THE STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO
SNAKE: 4 pages.
Figure 1 - Location Map

Project Area (5.55 ac.)
Offsite Drainage Parcel (5.13 ac.)

Venezia
ERP Application
Figure 1 - Location Map
Section 3, T25S, R29E
Osceola County, Florida

U.S. Army Corps of Engineers
Permit # SAJ-2015-00452
Date: 12/09/2015
Drawings 1 of 9
Attachment 1 of 6
Miles

MODICA & ASSOCIATES
302 Mohawk Road
Clermont, Florida 34715
Phone: (352) 394-2000
Fax: (352) 394-1159
Email: Environmental@Modica.cc
www.ModicaAndAssociates.com
**Venezia**

**ERP Application**

Figure 4 - Land Use Map

Section 3, T25S, R29E

Osceola County, Florida

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**U.S. Army Corps of Engineers**

Permit # SAJ-2015-00452

Date: 12/09/2015

Drawings 2 of 9

Attachment 1 of 6

---

MODICA & ASSOCIATES

302 Mohawk Road

Clermont, Florida 34715

Phone: (352) 394-2000

Fax: (352) 394-1159

Email: Environmental@Modica.cc

www.ModicaAndAssociates.com

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**Source:** Esri, DigitalGlobe, GeoEye, I-Pet, Planet Labs, Kadaster Nederland, CNES/Airbus DS, USDA, U.S. Geological Survey, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, GeoEye, IGP, swisstopo, and the GIS User Community
Venezia
ERP Application
Figure 5 - Wetlands Map
Section 3, T25S, R29E
Osceola County, Florida

Project Area (5.55 ac.)
Offsite Drainage Parcel (5.13 ac.)
Wetlands (4.37 ac.)

U.S. Army Corps of Engineers
 Permit # SAJ-2015-00452
 Date: 12/09/2015
 Drawings 3of 9
 Attachment 1 of 6

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302 Mohawk Road
Clermont, Florida 34715
Phone: (352) 394-2000
Fax: (352) 394-1159
Email: Environmental@Modica.cc
www.ModicaAndAssociates.com
AREA 7 LEGAL DESCRIPTION
QUICKDRAW MITIGATION BANK

P.O.C.
SE Corner 15-27-32
Osceola County

<table>
<thead>
<tr>
<th>Line</th>
<th>Distance</th>
<th>Bearing</th>
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</thead>
<tbody>
<tr>
<td>L1</td>
<td>571.44'</td>
<td>S 89° 57' 05&quot; E</td>
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<tr>
<td>L2</td>
<td>347.11'</td>
<td>N 00° 00' 08&quot; W</td>
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<td>480.00'</td>
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<td>402.45'</td>
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<td>937.09'</td>
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<td>L12</td>
<td>1386.98'</td>
<td>N 89° 56' 09&quot; W</td>
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<td>L13</td>
<td>2639.17'</td>
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U.S. Army Corps of Engineers
Permit # SAJ-2015-00452
Date: 12/09/2015
Drawings 7 of 9
Attachment 1 of 6
AREA 7 CREATED WETLANDS

LEGEND:
Created Forested
Unused Mitigation
Wetlands (23 Acres)

Created Forested
Orchid Bay Mitigation
Wetlands (8 Acres)

Created Marsh
Unused Mitigation
Wetlands (6.5 Acres)

Created Marsh To Be
Improved For Mitigation
Use (8.85 Acres)

Created Aquatic Refuge
(Deeper Area) For
Mitigation Use (3.6 Acres)

From the Created
Wetlands for Venezia:
3.4 Acres Forested
1.0 Acre Herbaceous
1.6 Acre Open Water

("Higher Wetland
Island" Area to Support
More Animals)

Venezia Mitigation
Area

U.S. Army Corps of Engineers
Permit # SAJ-2015-00452
Date: 12/09/2015
Drawings 8 of 9
Attachment 1 of 6
VENEZIA USACOE MITIGATION DESCRIPTION

<table>
<thead>
<tr>
<th>LINE</th>
<th>LENGTH</th>
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<tbody>
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<td>585.09 feet</td>
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<td>L3</td>
<td>437 feet</td>
<td>N 89° 56' 09&quot; W</td>
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<tr>
<td>L4</td>
<td>410 feet</td>
<td>N 29° 55' 42&quot; W</td>
</tr>
<tr>
<td>L5</td>
<td>260 feet</td>
<td>N 09° 10' 02&quot; W</td>
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<td>378 feet</td>
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<td>L8</td>
<td>452 feet</td>
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6.0 ac.

P.O.C. CENTER OF SECTION 23,
427S, R32E, OSCEOLA COUNTY

U.S. Army Corps of Engineers
Permit # SAJ-2015-00452
Date: 12/09/2015
Drawings 9 of 9
Attachment 1 of 6
PERMITTEE: TUPPERWARE SERVICES INC  
14901 S ORANGE BLOSSOM TRAIL  
ORLANDO, FL 32837 

DEERFIELD LAND CORPORATION  
14901 S ORANGE BLOSSOM TRAIL  
ORLANDO, FL 32837 

PROJECT DESCRIPTION: This Environmental Resource Permit Modification authorizes construction and operation of a stormwater management system (SWMS) serving a 7.7 acre commercial development for a project known as Venezia. 

PROJECT LOCATION: OSCEOLA COUNTY,  
SEC 4 TWP 25S RGE 29E  
SEC 3 TWP 25S RGE 29E 

PERMIT DURATION: 
See Special Condition No: 1. 

This is to notify you of the District's agency action for Permit Application No. 150128-7, dated January 28, 2015. This action is taken pursuant to the provisions of Chapter 373, Part IV, Florida Statues (F.S.). 

Based on the information provided, District rules have been adhered to and an Environmental Resource Permit is in effect for this project subject to: 

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing. 
2. the attached 18 General Conditions (See Pages : 2 - 4 of 6), 
3. the attached 12 Special Conditions (See Pages : 5 - 6 of 6) and 
4. the attached 5 Exhibit(s) 

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action. 

CERTIFICATE 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 , 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/permits). 

BY: ________________________________ 
Charles Walter, P.G.  
Regulatory Administrator  
Orlando Service Center
ENVIRONMENTAL RESOURCE PERMIT

CHAPTER 40E-4 (10/95)

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government’s comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2) (a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit, or
2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.415, 373.419, 373.426 F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-86, 4/20/94, 10-3-95
GENERAL CONDITIONS

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized shall subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S. (2012).

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the "State of Florida Erosion and Sediment Control Designer and Reviewer Manual" (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the "Florida Stormwater Erosion and Sedimentation Control Inspector's Manual" (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice" indicating the expected start and completion dates. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
   a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex-"Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit"[Form 62-330.310(3)]; or
   b. For all other activities- "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
   c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
   a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Applicant's Handbook Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
   b. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that
require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
   a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
   b. Convey to the permittee or create in the permittee any interest in real property;
   c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
   d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:
   a. Immediately if any previously submitted information is discovered to be inaccurate; and
   b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other
GENERAL CONDITIONS

uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on **18 June 2020**

2. Operation of the stormwater management system shall be the responsibility of **OSCEOLA CORPORATE CENTER MASTER OWNERS’ ASSOCIATION, INC.**

3. Discharge Facilities:

   1-7.5’ W X .8’ H BROAD CRESTED weir with crest at elev. 87.5’ NAVD 88.
   1-3” dia. CIRCULAR ORIFICE with invert at elev. 85’ NAVD 88.
   10 LF of 2’ dia. REINFORCED CONCRETE PIPE culvert.

   Receiving body: Wetland E
   Control elev: 85 feet NAVD 88.

4. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.

5. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.

6. Minimum building floor elevation: **BASIN: Ponds 204 A/B - 88.29 feet NAVD 88.**

7. Minimum parking lot elevation: **Basin: Ponds 204 A/B - 87.90 feet NAVD 88.**

8. Prior to commencement of construction and in accordance with the work schedule in Exhibit No. 3, the permittee shall submit documentation that 2.18 credits have been deducted from the ledger for Quickdraw Mitigation Bank.

9. Prior to any future construction, the permittee shall apply for and receive a permit modification. As part of the permit application, the applicant for that phase shall provide documentation verifying that the proposed construction is consistent with the design of the master stormwater management system, including the land use and site grading assumptions.

10. This permit does not supersede or delete any requirements for other applications covered in Permit No. 49-00477-S-03 unless otherwise specified herein.

11. Prior to initiating construction activities associated with this Environmental Resource Permit (ERP), the permittee is required to hold a pre-construction meeting with field representatives, consultants, contractors, District Environmental Resource Compliance (ERC) staff, and any other local government entities as necessary.

   The purpose of the pre-construction meeting is to discuss construction methods, sequencing, best management practices, identify work areas, staking and roping of preserves where applicable, and to facilitate coordination and assistance amongst relevant parties.

   To schedule a pre-construction meeting, please contact ERC staff from the Orlando Service Center at (407) 858-6100 or via e-mail at: pre-con@sfwmd.gov. When sending a request for a pre-construction meeting, please include the application number, permit number, and contact name and phone number.
SPECIAL CONDITIONS

12. The following are exhibits to this permit. Exhibits noted as incorporated by reference are available on the District’s ePermitting website (http://my.sfwmd.gov/ePermitting) under this application number.
Exhibit No. 1 Location Map
Exhibit No. 2 Drainage Plans, Pages 1 - 4
Exhibit No. 3 Work Credits, Pages 1 - 5
Exhibit No. 4 Project Site Map, Page 1
Exhibit No. 5 Basin Map Page 1
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. 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.
August 4, 2015

Jeff Collins
U.S. Army Corps of Engineers
400 Highpoint Drive
Suite 600
Cocoa, Florida, 32926

RE: Use of HRI Mitigation Parcel for Offsetting the Wetland Impact Associated with the Property for Venesia USACOE #SAJ-2015-00452(SP-JSC)

MITIGATION DESCRIPTION and ASSESSMENT
For MITIGATION PLAN

An application has been submitted to USACOE to receive approval for creating the above referenced development. During the application assessment, it was determined that 2.18 UMAM mitigation credits would be needed to allow development on this site. As a result, Habitat Restoration, Inc., a central Florida mitigation providing company, is proposing the 2.18 UMAM credits for this project by providing 3.4 acres of created forested wetlands, 1.0 acres of created herbaceous wetlands, and 1.6 acres of open water at its long-term mitigation ranch near Holopaw. These types and sizes for the credits were suggested by USACOE district engineers.

As you may know, our company purchased and began using the “Diamond C” ranch near Holopaw as a regional mitigation site (as suggested by SFWMD and ACOE) beginning back in 1996. Over the following 19 years, HRI provided nearly 40 mitigation parcels for projects all across the “Osceola Plain” portion of the Kissimmee River watershed. At this time, all of these mitigation parcels have been found to be successful by the water management districts.

In 2010, SFWMD suggested that we turn the rest of the ranch into a mitigation bank. This was accomplished in February of the next year (establishing the Quickdraw Mitigation Bank). At the same time, the ACOE decided not to convert our regional mitigation site into a mitigation bank, and we were requested to simply continue to use the remaining land in the same previous mitigation manner. For this reason, we are applying this information to allow us to use a portion of the remaining property (within the Quickdraw Mitigation Bank) to provide the 6 total acres of created wetlands needed to let the referenced client receive approval for their project.

COMPENSATORY MITIGATION DESCRIPTION
In order to assure ourselves that the HRI ranch could continue to be used as a regional mitigation site, we began establishing newly created wetlands within large areas of cattle pastures that had no other option for wetland mitigation use. We received the necessary permits to establish these future mitigation areas by SFWMD and FDEP. In addition, we received a NW41 permit from ACOE to connect the largest created wetland to the nearby federally regulated wetland, leading to Big Bend Swamp and the Kissimmee River. Since then, we successfully created over 70 acres...
of new wetlands (forested, herbaceous, and open water) to have mitigation ready for future projects. Upon issuance of the Quickdraw Mitigation Bank permit, SFWMD verified that our ranch can continue to provide mitigation for the entire Osceola Plain, as previously accepted by SFWMD, FDEP, and ACOE. Therefore, in order to provide the federal mitigation required for this project, we are hereby proposing to simply submit 6 acres of the recently created wetlands from our mitigation ranch.

The use of our suggested wetland for the required mitigation is completely reliable, safe, and productive. Because it is a portion of a 47 acre created wetland in the middle of our ranch, it is surrounded by previous mitigation land and is part of a large and highly efficient wetland that is already being used by a wide diversity and number of native wildlife species. Many of these species (wading birds, ducks, anhingas, eagles, etc.) occupy large zones of habitat, thereby improving the support for many species that are found within the Osceola Plain. In addition, due to the fact that no cattles exist on this ranch any more, and the wetland collects a large amount of storm water before being discharging toward the Kissimmee River, the water quality of this portion of Florida has been improved. Because of its current condition, there is no chance that the 6 acres could fail to meet the requirements of the proposed mitigation need.

CONSIDERATION DISCUSSIONS
According to the current ACOE mitigation requirements, a number of considerations should be assessed to be able to score the sufficiency of non-bank mitigation sites. The following discussions cover these considerations.

**Uncertainty:** Due to the use of the ranch for mitigation over the past 19 years, there is no uncertainty that the proposed portion of the ranch would be unable to provide acceptable mitigation. The fact that this is a portion of a state approved mitigation bank also disposes any uncertainty.

**Temporal Loss:** Due to the fact that the wetland being proposed is already created and it is maturing into continually better conditions, there is no chance of any measurable temporal loss of habitat as the interchange project is established. In actuality, the current support that the created wetland is providing for wildlife is significantly greater than the wetland area which is to be impacted by this client.

**Risk:** Due to the current condition of the proposed mitigation, there is no risk involved. Due to this fact, and the fact (as described above) that there is no temporal loss, the overall approval of the provided mitigation will likely be accomplished in a short time period.

**Size and Ecological Value of Parcel:** As mentioned above, the 6 acres are a portion of a much larger created wetland. As a result, the location, size, and condition of this wetland is providing virtually all the wildlife support seen by any good quality wetland within this portion of Florida. So far, we have located a vast number of plants and animals within this area (see enclosed lists). That, plus the fact that this parcel is surrounded by protected wetlands and uplands, there is additional assurance that it will continue to support the listed species for an unlimited time period.
**Consolidation of Resources:** As mentioned above, the proposed site is in consolidation with a large preserved ranch (over 2,000 acres) and is adjacent to Big Bend Swamp. This, plus the fact that our ranch is managed virtually every day, and has a wide range of equipment to use, makes for a very positive consolidation of resource needs for the site. Our long and wide experience with this type of wetland mitigation is also an important prospect of providing all the consolidation needs. The additional fact that Osceola County is willing to accept this ranch as a perpetual wildlife environment with continual management to maintain it, this provides the most consistent future improvement available for any mitigation land in Florida.

**Scientific /Technical Analysis, Planning and Implementation:** Our corporation staff has over 54 years of experience with wetland analyses, management, creation, and monitoring. This experience has allowed us to support all the wetlands on the ranch (and elsewhere), whether native or created. The methods used to create our wetlands has proven its ability to be successful and become part of Florida’s aquatic resource wildlife support. Some of the most important aspects of this activity involve the depth and size of excavation, the location, amount, and vegetative components of wetland plants and soil (used as a form of “mulch”), the level of the surficial aquifer, and the ability to access the sites in order to allow good maintenance. These items allowed us to create viable wetlands with excellent hydrology. Enclosed are photos of the created wetlands under discussion.

**Timing of Site Identification, Project Specific Planning and Financial Assurances in Advance of Impact or Otherwise:** As described above, the mitigation being provided is already completed in advance of the wetland impacts associated with the interchange project. Financial assurance has created the wetlands, and there is now additional “Long-Term Perpetual” Trust Funding for future management as required by SFWMD when our mitigation bank permit was issued. This Trust Fund shall continue to increase and maintain any future needs.

**Identified High Priority Resource Need on Watershed Scale:** Throughout the Osceola Plain, there are many forested wetlands, but only a small number of them have direct access to open, deeper water that can support aquatic wildlife on year-round time periods (such as for fish, frogs, snails, crustaceans, etc.). The forested created wetland being proposed for mitigation herein is primarily forested, but includes a good coverage of herbaceous aquatic plants and several smaller areas of deeper water (and a connected deep pond) that supports these aquatic wildlife species and plants (including water lilies and bladder warts, etc.). As a result, this wetland is able to continually have all the normal native aquatic wildlife each year, even after severe drought seasons. This provides prey species to predators each and every year, thereby bringing in and supporting large numbers of wildlife, including numerous migratory bird species.

**Achieve Success Soonest:** Success associated with the creation of this wetland is already in place. It has high priority hydrology, dense coverage with a high diversity of native marsh species, and numerous growing cypress trees that were planted on eight to ten foot centers. This, plus the strong use of the area by native wildlife clearly indicates that wetland creation success has occurred. Enclosed are recent photos of the wildlife that were found within this created wetland.
**Practicable and Compatible with Project:** Obviously, the proposed mitigation is being used because it contains an adequate percentage of the wetland types associated by the wetlands to be impacted by the client. The fact that the wetlands being requested for impacts will only occur once the proper permits are issued (by state and federal agencies) implies that their quality is not overwhelming. The created wetland being proposed is within a large, preserved area, and is of such good quality that it will never be allowed for destruction. Therefore, the mitigation being provided is not only compatible, but actually as practical as any mitigation within a state or federal mitigation bank.

**Likelihood to Offset Impact:** As mentioned above, the condition, maturity, and safety of the proposed mitigation site will immediately offset the interchange wetland impact. To an even greater extent, the site is already supporting far more wildlife than the wetlands to be impacted, due to the location of the mitigation within a large, preserved, and improved native environment.

**Environmentally Preferable:** Due to the location, current conditions, and the fact that it is part of a state approved mitigation bank, the site proposed is as good as any parcel that could be provide within the Osceola Plain by a federal mitigation bank. The fact that this wetland was created upon a previously used Bahia grass cattle pasture, its conversion to a good quality wetland and water quality improvement is more preferable than simply enhancing an existing wetland. By increasing the acreage of wetlands in the state of Florida, this proposal is actually better than most forms of aquatic habitat improvement or protection that are provided by the majority of wetland mitigation banks.

**MITIGATION PLAN SELECTION**
As requested by the ACOE rules, the following information covers the selection data.

**Objectives:** The main objective is to provide a fully established and completely reliable mitigation site that offsets the impacts proposed by the client. The location of the mitigation is also to be provided in an area that will never be impacted or degraded by future development. Because of the fact that this is a "new" created wetland mitigation area that is directly connected to federal resources, it has now removed cattle damage, and is now holding water to make it more clean before entering central Florida watersheds. Because the created wetland already contains a huge number of prey species, it supports a large number of animals that move to and from many further areas in Florida, therefore, the fauna that is protected by state and federal agencies will now have a better chance to maintain and improve their populations.

**Site Selection:** The site was chosen because of several factors…. It is completely and successfully created, it is primarily a forested wetland, it is a portion of a state mitigation bank, and its location is within a much larger created wetland area to provide maximum ecology support.

**Site Protection Instrument:** In accordance with the state issued mitigation bank permit, the site is now within a conservation easement as required. If desired, the ACOE may be added to the existing conservation easement (or any other federal easement requirement).
**Baseline Information:** Enclosed is a monitoring report that describes all the baseline conditions of the proposed site. As originally a cleared and mowed cattle pasture (prior to wetland creation), this area did not have any wetland plants nor support of aquatic animals of any kind. Upon creation of the wetland, the monitoring baseline information clearly showed that the hydrology was in good condition, the cypress trees were growing, native herbaceous plants were quickly covering large areas, and aquatic fish, birds, and other wildlife was now using this area. As years went on, the additional monitoring procedures found all conditions improving.

**Determination of Credits:** According to the assessment of the clients project, the amount of federal wetlands being impacted is 4.08 acres. In accordance with previous federal mitigation provisions, HRI agrees with USACOE that 6 acres of created wetlands in an essential area would be fully sufficient to offset the impact. This acreage of mitigation is being provided to assure ACOE that the ranch is more than acceptable than an average federal mitigation bank. As shown in the 3 attached UMAM analysis, the total UMAM scoring shows that it reached 3.32 credits, based on similar scoring agreed upon by SFWMD. Of course, if some small difference is determined by USACOE, the credit amount should still be more than sufficient.

**Mitigation Work Plan:** To create the wetland being proposed for the client, HRI excavated a large area of historically used cattle pasture to depths which would interact with the surficial aquifer to provide optimal ranges of hydrology for the forested and herbaceous wetlands. Various minor alternatives in the depth were created in order to provide a number of "hunting zones" for predatory wildlife throughout the year. The site also includes a portion of a large “connected” deeper aquatic refuge area and is connected to an adjacent federally regulated wetland in order to provide constant aquatic fauna and to make the site federally acceptable for mitigation.

Once the site was excavated, it was filled with good topsoil (up to two feet thick) and “mulched” with approximately 4 inches of wetland soil and beneficial herbaceous plants. Once this was done, 3-gallon and 1-gallon cypress trees (50/50) were planted on 8 to 10-foot centers to convert portions of the marshy areas into created forested wetlands. Throughout the creation activity, nuisance plants were eradicated to prevent the site from losing its potential vegetative ecology. At this point in time, the site only requires occasional maintenance to keep it in good condition. This is the same procedures that were used on other portions of the ranch, and they can be inspected as desired to confirm the mature conditions that will exist as time continues.

**Maintenance Plan:** Enclosed is a Maintenance (Management) Plan that is associated with this site and the entire surrounding mitigation land.

**Performance Standards:** Due to the fact that this is a created wetland, the main goal was to make sure that the site supports the same native flora and fauna as natural, good quality wetlands. In order to even further improve its ability to support native wildlife, the site included areas of deeper, open water in order to give the fauna access to and from the site year-round. The hydrologic conditions associated with the three types of mitigation areas associated with this project are in very good conditions. Unfortunately, I originally (and accidentally) connected the water levels between the forested and herbaceous wetland areas as though they were the same. After finding the most "normal" hydrology graphs of each of these areas, I realized that the
forested area will have the water level go all the way down to its ground level each year for a short period of time. Please look at the two graphs being provided that shows that the water levels are not identical between these two wetland types.

The plant and animal species that have been found in this area have also been placed on graphs, since it was one of our essential elements of creating this wetland. These graphs are also provided now, and as it can be seen, the number of plants and animals that are within this created wetland area are virtually as many as can be expected in central Florida. Of course, any of the non-native species will continually be removed as much as possible. It is likely that because these wetland areas that we created provide many different but natural habitats (due to changes in plant species and different water depths), then the aquatic animal species of all types can find areas to survive.

**Monitoring Requirements:** As mentioned earlier, a (Fourth Year) monitoring report is enclosed for this site. In addition (as required by the SFWMD bank permit), HRI will gather monitoring data twice per year and provide monitoring reports to USACOE each year, until no longer required. If, for any reason there is a situation (such as adaptive management) is needed, this will require additional monitoring reports, which will also be provided to USACOE by HRI. In order to provide monitoring reports, HRI inspects and photographs all areas of the created wetlands by walking both around and through the wetlands. This allows HRI to see the coverage of each plant species, the support of aquatic animals, and the clarity of the water throughout the wetlands. In addition, the depth of the wetlands are inspected at visual posts in order to confirm the normal seasonal hydrology. For every year since these wetlands were created, the hydrology never changes and has been determined to be in excellent condition (see data sheets).

**Long-Term Management Plan:** Our company proposes to continue the management of the site for the perceivable future. The enclosed Management Plan will be the criteria used for this purpose. As previously mentioned, Osceola County will take over management of the ranch to assure that it remains in good condition. At this time they already own and are responsible for maintaining 870 acres of this ranch previously used for mitigation, and they are managing it in excellent condition. By control use of a County, State, or Federal government, there is no better way to assure future assurance that a mitigation area will remain in good condition.

The current amount of the HRI long-term management fund (held by Wells Fargo) is $162,880.00. This fund is established for any impact that could possibly occur on any portion of the 100 acres of Quickdraw Mitigation Bank, including the Venezia mitigation area. Therefore, the amount that this 6 acre Venezia mitigation area can be provided is that full amount (although it will likely need none of this fund). Upon donation of the remainder of the ranch mitigation area to Osceola County, a total fund of $250,000.00 will be provided to them by HRI. Over the past 19 years, HRI has found that the cost of wetland management per year over the 100 acres has been less than $9.00 per acre. Therefore, the fund will easily allow future management of these wetlands, especially since the wetlands continue to increase in natural conditions over time.

**Adaptive Management Plan:** Should there be any unexpected degradation of the site, HRI will propose corrective actions. If the required actions are not part of the existing Management Plan, we will discuss the new activities with the regulatory agencies and include this new criteria into
the plan as desired and agreed upon.

**Financial Assurances:** HRI has established a long-term perpetual Trust Fund in accordance with SFWMD mitigation bank requirements. Not only does this Trust Fund cover the bank site, it also covers all the rest of the ranch mitigation owned by HRI.

**Other Information:** The data enclosed with this application discussion provides a great deal of other information concerning the proposed site. In addition, we strongly encourage ACOE to come and visit the site to see the current location and conditions.

ENVIRONMENTALLY PREFERABLE SELECTION
The use of this site is preferable for many reasons. First, it is actually a portion of a state approved mitigation bank, which requires a great deal of confirmative data and financial reliability. Second, it has already been created, and is in good, productive condition. Third, it is within a large area that surrounds the site with previous mitigation land, which is in no way subject to any negative impact from human activities. Fourth, the site actually creates more acres of wetland for the state of Florida. And fifth, the company providing and managing the site has many years of mitigation experience, specifically in regard to creating and maintaining subtropical wetlands in Central Florida.

SPECIAL CONDITIONS
**Functional Assessment:** The main effort to determine the functionality of the created wetland site has been to observe the flora and fauna utilizing it, and comparing this data to natural, pristine quality wetlands in Central Florida. The results have been astonishingly comparable, with a large population and diversity of common and rare flora and fauna found within both inspected habitats. Of interest is the fact that the proposed mitigation site contains both flora and fauna found in both forested and herbaceous natural wetlands. The existence of sandhill cranes (including some nesting), American and common bitterns, limpkins, wood storks, gallinules, coots, bald eagles, anhingas, little blue herons, great blue herons, otters, alligators, and raccoons are found on a regular basis within the site, showing strong evidence that it is providing ecology that is important to Central Florida.

**Compensatory Mitigation Per Special Conditions:** As previously mentioned, the already completed and successful creation of 6 acres of wetlands that is part of a much larger wetland meets the requirement without any risk or time lag.

**Other Required Mitigation Actions:** No special conditions associated with the client's project would require any federal mitigation actions above or beyond those hereby proposed.

FUNDAMENTAL FEDERAL MITIGATION BANK REQUIREMENTS (SUCCESSFULLY PROVIDED BY THE PROPOSED SITE MITIGATION FOR THE CLIENT)

The following is a listing of these requirements, and a discussion of how the proposed mitigation parcel for the interchange meets these requirements.
**REASONABLE ASSURANCE MUST BE PROVIDED THAT THE PROPOSED MITIGATION:**

1) **Will improve ecological conditions of the regional watershed.**

By increasing the acreage and habitat support of wetlands within the Osceola Plain, the proposed mitigation parcel is adding important ecological conditions that are already supporting a large number of wide ranging wildlife. In terms of water quality, transferring the ranch into a mitigation site with no continuing cattle waste or pasture fertilization, (while creating new wetlands that are providing stormwater treatment with much less rapid water release), the mitigation at the ranch is improving water quality as it meanders into the Kissimmee River. This has an overall effect that helps all the areas of Florida that are associated with the Kissimmee River by reducing adverse activities, including those caused by any other conveyance of water from degraded portions of the regional watersheds leading into the river.

2) **Will provide viable and sustainable ecological and hydrological functions for the proposed mitigation service area.**

All of the historic impacts that have affected the proposed HRI site have been reversed. Once restored, the site has become easier to maintain in the improved conditions. Creation of the wetlands has also created optimal conditions that can be maintained for the foreseeable future.

In addition to improving the ecological conditions of the HRI ranch itself, the proposed parcel is tied to the rest of the Geographic Service Area. Any benefits to wildlife at the ranch is having a “ripple” effect on wildlife in the surrounding Osceola Plain, thanks to the interconnections associated with the Big Bend Swamp, which collects the ranch stormwater and provides a large connective ecology deep within the Plain. All of the associated waterbodies are part of the same regional conveyance of surface water to the upper Kissimmee River.

Because of the proximity of all the above mentioned basins, species such as bald eagles, ospreys, hawks, swallow-tailed kites, owls, sandhill cranes, wood storks, limpkins, bitterns, white ibis, egrets, and other wading birds (all of which have been identified on the HRI site) are able to take advantage of the habitat creation as part of their overall home range within the Geographic Service Area. Additional habitat for rookery species will also become available within the project site. In addition to bird species, this site can also contribute to animals such as indigo snakes, and possibly black bears and Florida Panthers, which also use large home ranges in this region of Florida.

3) **Will be effectively managed in perpetuity.**

The HRI plans call for both short-term and long-term management. As required by SFWMD, HRI is responsible for establishing the bank, implementing the restoration and creation activities, managing, and monitoring the site until and beyond achieving the success criteria. A perpetual conservation easement was recently placed on the property to assure long-term preservation status. The low levels of nuisance, the fact that Osceola County will maintain it in the future, and that a long-term funding has been established, provides further assurance that the site will be
effectively managed throughout the foreseeable future.

4) **Will not destroy areas with high ecological value.**

All of the earthwork and planting necessary to implement the mitigation plan were in areas with poor to very poor ecological value (heavily used cattle pastures with wild hogs). The creation of native canopy (and hydrology) will not adversely affect any ecologically valuable areas.

5) **Will achieve mitigation success.**

The team that was assembled to design and implement this mitigation plan has more experience in this field than virtually any other group of consultants known. The first and foremost goal of the team was to determine the feasibility and constructability of the wetland creation activities. To this end, field inspections, hydrologic analyses, soil analysis, topography, and other forms of information was generated and/or assembled. The data clearly showed that the creation could be achieved. It was only after determining the feasibility of the project that the partners decided to dedicate the land for this purpose. The activities set up for this project were basically identical to previous efforts conducted by the team at other locations. All of those previous efforts have proven successful, and it is now obvious that the current effort is well on its way to full success.

6) **Will be adjacent to lands that will not adversely affect the perpetual viability of the mitigation due to unsuitable land uses or conditions.**

The project site is situated between a wide range of previous mitigation parcels, including the ongoing state approved Quickdraw Mitigation Bank. There are no developable areas adjacent to the site, and the nearest private area is an orange grove well to the south. Due to its location, this mitigation site will never be threatened by new highways or other public work projects.

7) **Will meet the requirements of all other applicable state or federal laws.**

All applicable state and federal laws were adhered to in the establishment of the site. All the previous mitigation proposals at the ranch (many of which were required by ACOE) that were permitted by this team had no difficulty in meeting these criteria, and no such problem is anticipated in this case.

8) **Will be implemented to ensure that any surface water management system constructed, altered, operated, maintained, abandoned, or removed within the mitigation bank will meet the requirements of state and federal law.**

All applicable state and federal laws concerning surface water management have been adhered to on the HRI ranch. Extensive field investigations, discussions, and planning were done to assure that the designs meet the requirements of these laws. It should be noted that no surface water management permits have been issued on this property or in this vicinity, due to the lack of any development. All the created wetlands on the ranch have developed very clear water and aquatic animal support, showing that these new surface water areas are extremely positive for our environment.
9) **Applicant has sufficient legal or equitable interest in the property to assure perpetual protection and management of the land within the mitigation.**

The applicant is the owner of the entire mitigation site. As such, the applicant has protected the project by placing a perpetual conservation easement on the entire site. Due to surrounding locked fencing and signs, it is obvious that no hunting or other non-mitigation use is allowed.

10) **Can meet the financial responsibility requirements prescribed for mitigation.**

The applicant has established the necessary financial assurance to establish the proposed site and the surrounding parcels as a mitigation bank under the state rules. The Trust Fund with Wells Fargo Bank assures that future management will continue as however needed.

**Please let us know if you need any additional information…Thank You**

Information Provided by: **Stuart N. Bradow**
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HABITAT MANAGEMENT PLAN

QUICKDRAW MITIGATION BANK
And
HRI REGIONAL MITIGATION SITE
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1.0 INTRODUCTION

The purpose of this management plan is to provide a basis for the long-term operation and maintenance of the Quickdraw Mitigation Bank and the surrounding mitigation land owned by HRI. All portions of the surrounding HRI site have already been approved for mitigation use by SFWMD and the USACOE. The Quickdraw sites will be treated in the same manners for construction and success achievement as described herein. They will then be placed into long-term management. This plan is intended to serve Quickdraw Mitigation Bank as well as the remaining ranch land still owned by HRI.

1.1 GENERAL DESCRIPTION

The bank site in question has served as a cattle ranch for the past 70+ years. The sites consists of a mixture of historic flatwoods, oak hammock, open rangeland, perimeter canal, native and created forested, herbaceous, and shrubby wetlands, all of which drain to the northwest into Big Bend Swamp. The property is located south of US192 and west of US441 near Holopaw, or roughly 13 miles southeast of the City of St. Cloud, in Osceola County, Florida.

The Quickdraw property lies to the west of the Triple "N" Ranch, which was acquired by the Florida Game and Fresh Water Fish Commission, and west of the Bull Creek Wildlife Management Area. The property lies between the Kissimmee River Basins and the lower St. Johns River Floodplain.

Low-density rural residential neighborhoods ("ranchettes") are situated to the north and east of the property, on both sides of US 441. A large citrus grove is located to the south, and another similar ranching operation is located to the southwest of the site. Big Bend Swamp is a major regional resource that sweeps around the west end of the mitigation property. Adjacent undeveloped lands are similar in environmental characteristics to those found on the Quickdraw property.

The property contains primarily historic agricultural land, with areas of improved and semi-improved pasture, rangeland, remnant flatwoods and scrub, forested sloughs, and wet prairies. The property is fenced and has several access roads and trails throughout. A power line easement transverses the northwestern portion of the site, with another such easement in the eastern section. Areas, which were not subject to intense pasture conversion, remain as remnant forested pine flatwoods typical of this area of Osceola County. Several large forested wetlands are located on the property. These areas are dominated by cypress and contain mixed wetland hardwoods that had been drained to varying degrees by past agricultural practices. Isolated cypress/mixed hardwood domes also exist in a scattered pattern outside of the central sloughs. There are long, wet depressional areas, which were historically wetlands that generally exist adjacent to the forests sloughs and domes. Elimination of the manmade drainage has restored the natural hydroperiods and caused these borderline pastures to convert back to wet prairies and forested wetlands (through previous mitigation projects).
Previous permitted modifications to the ranch have involved the elimination of manmade drainage that has re-established the natural hydrology, based on almost 50 years of data. Some of these changes required structures, and associated existing berms, which were designed for very long-term use, based on soil stability and chemistry, water flows, and intended uses. None of these structures are directly associated with the bank sites themselves, but they will be maintained in perpetuity as part of the overall site. A few patches of exotic or nuisance plant species have been found on the ranch (primarily on the eastern side, which had been historically disturbed to a greater extent than the western side). Eradication procedures were initiated upon purchase of the ranch by HRI, and provided assurance that these species did not become well-established and cause significant maintenance problems. Exotic and nuisance species that have been discovered include: Brazilian pepper trees, downy rose myrtle, tropical soda apple, torpedo grass, cogon grass, bahia grass, cattails, natalgrass, and old world climbing fern.

Perimeter fencing and locked gates will be maintained, with associated "no trespassing" signs to assure that the property is not subject to trespassing or poaching. All internal "cross fencing" has been removed to allow better wildlife movement. A steel building has been constructed at the northern entrance to the property to keep necessary equipment for site inspections, maintenance, and monitoring.

The purpose of this Management Plan is to provide guidelines to improve wetlands, transitional zones, and upland preserve/mitigation areas. The plan addresses several procedures which entail natural vegetation enhancement, recordation of hydroperiods, eradication and control of problem exotic and nuisance species, and continuous maintenance activities designed to encourage native plant communities and control re-growth of undesirable species. These procedures will be implemented in a way which is intended to promote the use and habitation of this land by natural wildlife.

1.2 REGIONAL SIGNIFICANCE

The Big Bend Swamp is located immediately to the northwest of the Quickdraw property. The forested sloughs which meander though the ranch all sheetflow northwestward and eventually drain into Big Bend Swamp. Big Bend Swamp is a major tributary to the Kissimmee River Floodplain. Both the swamp and the ranch itself is recognized by the Game Commission as a “strategic habitat area.” The site serves as an important wildlife corridor connection to the Bull Creek Wildlife Management Area, which in turn provides a corridor to the lower St. Johns River Floodplain. Very few consolidated landmasses this far north have the capability of linking the St. Johns River and the Kissimmee River.

1.3 FAUNA OF QUICKDRAW and SURROUNDING AREAS

A wide range of wildlife has been seen or evidenced using the site. The site hosts habitat for several state and federal listed species. The following is a list of species that have been found to use the Quickdraw mitigation sites and/or other areas of the Ranch:

**BIRDS**

**WETLAND/OPEN WATER DEPENDENT:**
Snail Kites
Bald Eagles
Ospreys
Northern Harriers
Wood Storks
Whooping Cranes*
Sandhill Cranes**
Great Egrets
Great Blue Herons
Tri-Colored Herons
Little Blue Herons
Green Herons
Limpkins
American Bitterns**
Least Bitterns
Marsh Wrens
Cattle Egrets
Snowy Egrets
White Ibis
Glossy Ibis
Black-Crowned Night Herons
Solitary Sandpipers
Belted Kingfishers
Purple Gallinules
Coots
Moorhens
Pied-Billed Grebes
Wood Ducks
Mallard Ducks
Mottled Ducks
Blue-Winged Teals
Ring-Necked Ducks
Hooded Mergansers
Common Snipes
Boat-Tailed Grackles
Anhingas
Cormorants

* Two Whooping Cranes have been seen in created wetlands, one was removed by the Game Commission and died trying to return to the ranch (hit powerline).
** One American Bittern nest and eleven Sandhill Crane nests have been located within the created wetlands.

TERRESTRIAL/MISCELLANEOUS SPECIES:
Sharp-Shinned Hawks
Cooper's Hawks
American Kestrels
Screech Owls
Nighthawks
Caracaras
Red-Shouldered Hawks
Red-Tailed Hawks
Barred Owls
Swallow-Tailed Kites
Wild Turkeys
Bobwhite Quail
Mourning Doves
Whip-Poor-Wills
Red-Headed Woodpeckers
Pileated Woodpeckers
Red-Bellied Woodpeckers
Hairy Woodpeckers
Downy Woodpeckers
Least Flycatchers
Eastern Phoebes
Eastern Kingbirds
Meadowlarks
Loggerhead Shrikes
White-Eyed Vireos
Blue Jays
Florida Scrub Jays*
Crows
Barn Swallows
Sparrows
Carolina Wrens
Robins
Mockingbirds
Cardinals
Brown Thrashers
Killdeer
Warblers
Eastern Towhees
Red-Winged Blackbirds

* Two Scrub Jays were found during a site visit by the ACOE. They appeared to be dependent upon the adjacent owner’s scrub area. Not seen lately.

REPTILES

AQUATIC:
Alligators
Water Mocassins
Brown Water Snakes
Florida Green Water Snakes
Southern Water Snakes
Glossy Crayfish Snakes
Ribbon Snakes
Red-Bellied Water Turtles
Chicken Water Turtles
Mud Turtles
Snapping Turtles
Soft-Shelled Turtles

NON-AQUATIC:
Indigo Snakes
Eastern Diamondback Rattlesnakes
Yellow Rat Snakes
Corn Snakes
Scarlet Snakes
Florida Pine Snakes
Pygmy Rattlesnakes
Coachwhip Snakes
Hognose Snakes
Eastern Black Racers
Eastern Garter Snakes
Ring-Necked Snakes
Rough Green Snakes
Box Turtles
Gopher Tortoises
Green Anoles
Five-Lined Skinks
Ground Skinks
Glass Lizards
**AMPHIBIANS:**
Leopard Frogs
Gopher Frogs
Pig Frogs
Green Treefrogs
Squirrel Treefrogs
Barking Treefrogs
Toads
Lesser Sirens
Amphiumas
**FISH:**
Mosquito Fish
American Flagfish
Least Killifish
Star Killifish
Bluegill
Shellcrackers
Channel Catfish
Largemouth Bass
Warmouth
Chain Pickerel
Blue Spotted Sunfish

**MOLLUSKS and CRUSTACEANS:**
Apple Snails
Crayfish

**MAMMALS:** (Black Bear footprints found just outside the western ranch fencing)
River Otters
Raccoons
Foxes
Bobcats
Coyotes
Cottontail Rabbits
Armadillos
Bats
Fox Squirrels
Gray Squirrels
Cotton Rats
Spotted Skunks
Feral Pigs (Currently being trapped and removed from the property)
White-Tailed Deer

The purpose of this plan will be to increase the desirability of the various habitat types to encourage and improve usage by this wide range of wildlife. Through the proposed habitat improvements in the enhancement and preserve areas, the above species and others with the potential to occur on the site will be able to increase in number, allowing improved population stability throughout the region.

2.0 PRESERVE/MITIGATION AREAS

The entire Quickdraw property is included in this mitigation management plan. The surrounding conservation lands will also be subject to the same, or very similar management techniques. All the chosen land will be placed into conservation easements.

3.0 MANAGEMENT PROGRAM

The purpose of the Management Program is to provide a basis for the long-term management of the mitigation lands.

3.1 GENERAL

The Quickdraw Management Program consists of: 1) Maintenance and monitoring of all conservation areas; 2) Limiting vehicular and domestic animal access; 3) Control of nuisance species for both flora and fauna; 4) Monitoring of flora and fauna to assess and preserve habitat quality and; 5) Provide safe passage for wildlife through the site via natural forests, shrub, and herbaceous cover.

3.1.1 Preserve/Mitigation Area Access

Access will be controlled and authorized vehicular travel will be allowed only along the maintenance "jeep" trails. All other travel will be limited to walking. Authorized special access vehicles (such as fire trucks) will be allowed off the trails for urgent business only. Hunting is prohibited. "No Trespassing" signs have been posted along the perimeter of the site and fences are being maintained to control access and unauthorized hunting. Domestic animals and livestock are prohibited from using any portion of the property that is subject to a conservation easement.

3.1.2 Existing Infrastructure

The only such items consist of a few culverts that control and direct "overflow" toward Big Bend Swamp. All of these structures have been previously permitted, are in place, and are controlling the hydrology as planned. One culvert to the southwest developed a rust leak, and has been repaired with steel-reinforced concrete. One other culvert to the north received a small amount of damage and was also reinforced. None of these structures are within the Quickdraw Mitigation Bank sites, but they will continue to be monitored and maintained as necessary.
3.1.4 Desired Future Conditions

As indicated in the applications previously and currently under review, HRI intends to maximize the floral and faunal productivity and diversity of native species at the ranch. To attain these goals, the activities described in this Management Plan are aimed at assuring that the vegetative communities can and will reach good levels of benefits to wildlife, for feeding, cover, nesting, and any other natural uses. These results are already well underway at the ranch, having experienced a large increase in wildlife and native plant cover since the ranch was purchased back in 1996. As the wetland plant communities mature, they will be able to provide the full range of benefits and hydrologic conditions as a significant conservation area in Central Florida.

3.1.5 Exotic Species Control

Each exotic/nuisance plant that exists on the ranch has certain characteristics that lead to their impact on the habitat conditions and/or the measures needed to control them. A description and discussion concerning each of the known species follows:

*Bahia Grass*-  
The only significant area in which this species dominates the groundcover within Quickdraw is within approximately 50% of the southwest corner site. This upland preservation area will first be allowed to slowly diminish in bahia grass coverage over time, to allow the native wildlife to adapt to the changes. After three years of monitoring the site (and subjecting it to prescribed burns as needed), if additional credits are desired, the area will be herbicided to remove the bahia grass and “seeded” with native groundcover species to re-establish more native conditions in this area.

*Brazilian Pepper Trees*-  
This species has been almost completely eradicated within the previously used mitigation sites at the HRI Ranch. It was not widespread or in high numbers since the ranch was purchased by HRI, but significant efforts were made to hunt down individuals of this species and remove them. The current main location for the remaining Brazilian pepper trees is the outer berm of the large perimeter canal along the east and north portions of the ranch (included in the Quickdraw Mitigation Bank). Upon approval of these sites within the mitigation bank, these trees will be cut off at the base and herbicided with Garlon 4, a very effective means of control for this plant species. The cut trees will be removed from the site and taken to the nearby landfill.

*Cogon Grass*-  
This species is located in several small patches adjacent to (but not within) several of the Quickdraw mitigation sites. They will be treated in order to keep them from infesting Quickdraw or expanding in coverage. Previous treatments have involved the use of herbicides such as “RoundUp” and other similar products. At this point it has been determined that the herbicide known as “Arsenal” is much more effective in eliminating this species. Therefore, the cogon grass will be mowed, raked, and then sprayed with this herbicide to eradicate it from the ranch.
Downy Rose Myrtle-
Similar to Brazilian pepper trees, this species exists primarily within the Quickdraw sites along the outer berm of the east perimeter canal. It will be eradicated in the same manner as Brazilian pepper (cut and sprayed with Garlon 4).

Natalgrass-
This species is similar to bahia grass, except that it is far less dominating. There is no known infestation of this species within the Quickdraw sites. Should it be located, it will be herbicided with "Rodeo" to eradicate it.

Old World Climbing Fern-
This species has only been found in five locations on the ranch. Only two of these areas are within Quickdraw (the wax myrtles to be removed along the eastern side of "Area C" and the outer berm of the north perimeter canal). All the other areas in which it was found have been treated with "Rodeo" and are now virtually absent of this species. The remaining sites will receive the same procedure to eradicate it from "Area C" and the north canal.

Primrose Willow-
This species has been found in scattered locations within the eastern portions of the Ranch. At this time, the only area within Quickdraw where it can be found is within the east and north perimeter canals. This species will be eradicated by "scraping them off" from the canal areas in which they now occur. This has proven to be very effective in other portions of the canal, as they have not re-colonized such areas even after ten years. If any primrose willow manages to begin to recover, they will be sprayed with "Rodeo" to get rid of them.

Torpedo Grass-
This species is widespread throughout central Florida, and can be found in a number of location on the Ranch. In most places it is thinly mixed in with native wetland groundcover, causing no actual negative affect on the fauna. In a few "muck soil" areas, this grass has been able to dominate the soil and create thick "mats" of grass that do detract from the ability of these areas to support a diversity of wildlife. In such places, it has been treated with "Rodeo" and in some cases stripped off the soil, dried, and burned. At present there are no areas within Quickdraw that require anything but occasional spraying with the referenced herbicide. Experience has shown that as this practice continues, the native species can eventually dominate the sites and keep the torpedo grass from increasing in coverage. In some areas, native wetland "mulch" is used to cover areas that were stripped of this plant to assure that the proper species can move in.

Tropical Soda Apple-
This species was found to occupy a small percentage of the wetlands that were historically drained at the Ranch. Upon restoration of the hydrology, these plants "drowned out" of the wetlands. In return, a few such plants were able to colonize small areas within the uplands. These plants were herbicided with a combination of "RoundUP" and "Garlon 4", and the seeded fruit was collected and disposed of. Presently, there are no known areas of this species left on the Ranch. Should any be found in the future, they will be treated in the same manner.
3.1.6 Nuisance Species Control

In addition to the exotic plants, there are wax myrtles and cattails within some of the wetlands on the Ranch. In order to keep them from exceeding the required coverage, the wax myrtles will be cut down and disposed of, while the cattails will be sprayed with appropriate wetland herbicide to reduce their coverage. It is important to note that some cattails should remain on the Ranch, due to the fact that red-winged blackbirds, snail kites, and other species of birds on the ranch need them in order to provide coverage and nesting sites. Many birds also nest and forage on wax myrtles. Therefore, these species will be maintained at no more than 10% total coverage of any polygon. All areas will also be routinely inspected in order to assure that infestations do not begin or re-occur. In addition, overall pedestrian surveys of the bank will be conducted semiannually to identify any new areas of exotic plant colonization. Eradication efforts will be instituted in a timely manner.

3.1.7 Nuisance Feral Hogs

Wild pigs will continue to be eliminated to the greatest extent possible through trapping. Current use of two secretive feeding stations will continue in order to bait any new incoming pigs to areas where they can be eliminated. There is presently one entity that is providing this eradication procedure to remove pigs. There are at least two other entities that have requested to do the same thing.

3.1.8 Prescribed Burns

Portion of the ranch site are “fire dependent” plant communities. This implementation is necessary to assure the continuation and enhancement of the fire-dependent systems. Some areas are not fire dependent (cypress forests and oak hammocks), and can thrive without burns. Removal of exotic vegetation, and mechanical control of excess underbrush (should it be necessary) will be done to assure that the native plant communities are appropriately protected during prescribed burns.

The majority of prescribed burn areas exist on the adjacent property owned by Osceola County. The only area within Quickdraw that can handle a prescribed burn is the SW Corner of the ranch. A few other areas still owned by HRI have uplands that will be subjected to prescribed burns. It is anticipated that these areas will undergo prescribed burns starting within one year of the Quickdraw permit issuance. HRI will coordinate with the County to join in appropriate fire management throughout the ranch. At the present time, the following prescribed burn management summary will be followed for each burn for Quickdraw:

If Osceola County is prepared to provide a prescribed burn at the same appropriate time, we will coordinate with them and include the SW Corner into the burn. If the County is not prepared to conduct a burn, we will create a firebreak around the perimeter of the SW Corner and the oak hammock within the site. HRI will then conduct the burn as governed by the state. A certified burn manager will obtain approval from the Department of Forestry prior to burning. Additional HRI parcels adjacent to the Osceola County lands will be treated in the same manner, with coordinated burning procedures.

The Quickdraw firebreaks will be mowed and disked 10 feet in width, exposing the mineral soil beneath. They will be placed along the boundary of the entire SW Corner
site and just outside of the oak trees within the central oak hammock. They will be maintained throughout the year to assure that they remain open and available for fire equipment passage. The proposed “fire season” will extend from April through August of each year. The attached DOF form illustrates the specific information that will be required for each burn. The remainder of the fire zones within the HRI property will either be cordoned for fire by the existing roads or simply included into the adjacent Osceola County fire zones. Attached is an overall map of the ranch showing the fire zones.

During such burns, HRI will provide at least one tractor and a water tank with pump to control any escaping fire and create new firebreaks if needed. “Backfire” techniques will be used as much as possible. Sufficient helpers will be used to assure that the fire can be controlled.

3.1.4 Environmental Monitoring

The mitigation areas will be monitored semi-annually until the success criteria is achieved. Each year, a monitoring report will be provided to the District for update review. During these assessments, the overall ecological condition of each mitigation area will be evaluated. Plant growth and mortality will be measured to determine if the effects of the hydrology and planting. Wildlife observations will also be made.

Monitoring transects have been established throughout the sites. The standard vegetation sampling methods described below will be used to measure the success of the project over time. Monitoring will continue on a regular basis after the success criteria are met, and any necessary repairs or modification will be reported to the District.

Monitoring of the mitigation area will be for five years or until all success criteria have been satisfied. Monitoring reports will be submitted as follows: one post-construction report (time-zero) and annually thereafter. Semi-annual qualitative data will be gathered for use in the annual monitoring reports. This data will include photographs and narrative concerning the ecological conditions of the entire mitigation area. The annual reports will include the semi-annual qualitative data, photos at monitoring transect points, vegetative transect data and analyses, piezometer data and a discussion of any wildlife usage and/or any other environmentally significant observations. All results will be provided in a format acceptable to the South Florida Water Management District.

Vegetative monitoring will be used to help determine the success of the mitigation. Staff gauges will also be used to quantify the wetland hydrologies. Transects and sampling points have been systematically established according to the project parameters to provide adequate coverage of all proposed mitigation areas. All transects will be located with permanent field markers to ensure that the sampling points remain consistent over time.

Vegetative success, in all of the planted or enhanced areas, will be determined using three methods. First, the existing shrub and groundcover vegetation in the wetlands and uplands will be sampled and percent coverages for each species will be determined. Second, the planted trees will be monitored by calculating percent survival. Third, the growth of the planted trees will be measured to assure that plants are thriving.

Transects will be established through the wetlands and uplands (see Monitoring Plan Views). Along each transect, a series of 1m² quadrat stations (at intervals) will be
established within each cover type and at ecotones to assure adequate coverage of all areas. The absolute areal coverage of the plant species within all quadrats will be observed and averaged for each land type in each transect. The relative percent cover of each species will then be determined for each land type. Vegetative succession can then be expressed as both an absolute coverage and relative coverage for all plant species present. Coverage represented by both planted and native volunteer species will be considered in determining the success of this effort.

To monitor planted trees, a 10' wide belt transect will be established along the appropriate monitoring transects. All trees within the belt transect will be counted and separated into live and dead trees. Percent survival, height and DBH (when they reach 54" in height) can then be calculated to determine the success of the planting effort. The number of planted trees and shrubs in the first post-construction report will carry through all subsequent reports.

Individual listing of all the native plant species that can be found within a mitigation site will be noted in order to provide the overall diversity data. In addition, the sampling will provide summaries of the dominant species and what percentage of the vegetation was OBL, FACW, FAC, or UPL (or open water). If any of the species found were nuisance exotic species, they would be noted separately. Likewise, in rangeland areas, the categories of vegetation coverage will be broken down to: % bahia grass and % native species. Note: Only living vegetation will be included in the analyses, except for within the tree survival rate calculations.

**ADDITION TO SECTION 3.1.5:**

**Torpedo Grass-**
In order to assure that this species will not have a negative impact, the goal will be to restrict this species to no more than 5% of the created wetlands within the Quickdraw Mitigation Bank.

**Cattails-**
This native species has been found in scattered locations throughout the ranch. This species is used beneficially by a number of native faunal species, but under certain circumstances, it has the ability to overtake other native plant species, thereby dominating certain wetlands. In order to assure that this negative impact will not occur within the Quickdraw parcels, cattails will be restricted to 5% (or less) of the created wetlands, using appropriate EPA approved herbicides.
AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Branch at 904-232-3131.

1. Department of the Army Permit Number: SAJ-2015-00452(SP-JSC)

2. Permittee Information:
   
   Name: _____________________________________________
   
   Address: _____________________________________________

3. Project Site Identification (physical location/address):

   _____________________________________________

   _____________________________________________

4. As-Built Certification: I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled, and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

   Signature of Engineer ____________________________
   
   Name (Please type) ______________________________

   (FL, PR, or VI) Reg. Number ________________________
   
   Company Name _________________________________

   City ____________________________ State ______________ ZIP ______________

   (Affix Seal) ________________________________

   Date ______________ Telephone Number ________________

U.S. Army Corps of Engineers
Permit # SAJ-2015-00452 (SP-JSC)
Date: 12/09/2015
Drawing Attachment 5 of 6
Identify any deviations from the approved permit drawings and/or special conditions (attach additional pages if necessary):

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-2-
STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE
U.S. Fish and Wildlife Service
August 12, 2013

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or “approval” from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or “approval” from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see Poster Information section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see Pre-Construction Activities and During Construction Activities sections below).

**POSTER INFORMATION**

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11” x 17” or larger paper and laminated, is attached):

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

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

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

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

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

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

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

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

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

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

North Florida Field Office – (904) 731-3336  
Panama City Field Office – (850) 769-0552  
South Florida Field Office – (772) 562-3909
PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.

2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5” x 11” paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC websites.

3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).

2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.

3. Periodically during construction activities, the applicant’s designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.
ATTENTION:  
THREATENED EASTERN INDIGO SNAKES MAY BE PRESENT ON 
THIS SITE!!!

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

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:
 • Cease clearing activities and immediately notify supervisor or the applicant’s designated agent, and the appropriate USFWS office, with the location information and condition of the snake.
 • Take photographs of the snake, if possible, for identification and documentation purposes.
 • Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:
   North Florida Field Office – (904) 731-3336
   Panama City Field Office – (850) 769-0552
   South Florida Field Office – (772) 562-3909

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

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

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