

October 21, 2015
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Y16-802-SB / ADDENDUM #1
DESIGN SERVICES FOR PARCEL J COMMUNITY PARK

Proposal Due Date: November 3, 2015 at 2:00 P.M.

This addendum is hereby incorporated into the bid documents of the project referenced above. The following items are clarifications, corrections, additions, deletions and/or revisions to and shall take precedence over the original documents. Underlining indicates additions, deletions are indicated by ~~strikethrough~~.

A. The Proposal Due Date remains November 3, 2015 at 2:00 P.M.

B. The following are responses/clarifications to questions:

1. **Question** – On Form C page 3 #4 should this read Landscape Architect?

Response – Yes. See attached revised Form C page 3.

2. **Question** - Please provide the criteria for awarding the location points.

Response – Points are awarded as follows:

5 Points

90-100% of the total dollar amount of all work will be performed by prime consultant and sub-consultants with staff permanently assigned to their firm's offices located in Orange and/or Seminole Counties.

4 Points

90-100% of the total dollar amount of all work will be performed by prime consultant and sub-consultants with staff permanently assigned to their firm's offices located in the following counties, either singularly or in combination: Orange, Seminole, Lake, Volusia, Brevard, Osceola and Polk.

NOTE: This is exclusive of the percentages that warrant 5 points for work in Orange and/or Seminole as described above.

3 Points

80-89% of the total dollar amount of all work will be performed by prime consultant and sub-consultants with staff permanently assigned to their firm's offices located in Orange and/or the following counties: Seminole, Lake, Volusia, Brevard, Osceola and Polk.

2 Points

50-79% of the total dollar amount of all work will be performed by prime consultant and sub-consultants with staff permanently assigned to their firm's offices located in Orange and/or the following counties: Seminole, Lake, Volusia, Brevard, Osceola and Polk.

1 Point

The total dollar amount of all work to be performed by prime consultant and sub-consultants does not fall within the categories stated above, but 50% of the work will be performed by prime consultant and sub-consultants with staff permanently assigned to their firm's offices located in the State of Florida.

0 Points

Work to be performed does not fall within any of the categories listed above.

NOTE: Responses will require additional considerations to be addressed per the additional forms included in the RFP.

3. Question: Does the County intend to enforce the 7 acre project size for Landscape Architecture Consultants? The size seems arbitrary given the fact that much smaller projects can contain all of the listed amenities. The physical size of the project does not correlate with its complexity or demonstrate the Landscape Architects ability to provide design services. For example, our firm has completed no less than two dozen park projects ranging from \$2 to \$10 million in construction costs, containing all of the listed amenities but none were over 7 acres in size. Please confirm if this will be a major limiting factor in the overall scoring as it seems it will exclude many talented firms from competing on this project.

Response – The requirement has been changed for the Project Landscape Architect only. See attached similar project description for the Project Landscape Architect.

4. Question: Please advise where the existing utilities are located.

Response: Utilities Piping page #855B, and page #855C and associated legend(s) are attached to this addendum.

C. The following information is provided:

- 1. Addition:** Boundary and Topographic Survey for Parcel J Community Park field dated September 16, 2015 is attached. This survey also includes the wetlands lines as flagged by Yvonne Froscher.
- 2. Addition:** Preliminary environmental assessment prepared by Yvonne Froscher dated October 20, 2015 is attached.

D. All other terms and conditions of the RFP remain the same.

The Proposer shall acknowledge receipt of this addendum by completing the applicable section in the solicitation or by completion of the acknowledgement information on the addendum. Either form of acknowledgement must be completed and returned not later than the date and time for receipt of the proposal.

Receipt acknowledged by:

Authorized Signature

Date Signed

Title

Name of Firm

LOCATION (continued)

3. Current domicile of Project Landscape Architect.

Name of Project Landscape Architect _____

City & County _____

State _____

4. Will Project Landscape Architect relocate to an Orange County address to facilitate contract performance? (Check appropriate line)

No _____

Not Applicable _____

If Project Landscape Architect will not relocate, explain how the Project Landscape Architect will manage the project and maintain close communication with the County.

Yes _____

Not Applicable _____

If yes, please explain when relocation will occur in relationship to contract award.

**REVISED
FORM C**

B. SIMILAR PROJECTS – LANDSCAPE ARCHITECT

“Similar Projects,” for the purpose of this Request for Proposal, is defined as a project that included landscape architect services for the design and construction of a new public recreational facility or park ~~of at least 7 acres of development~~ that has a primary recreational function successfully completed within the last 12 years that included the following elements:

1. A project that has a primary recreational function and includes at least **four** of the following amenities:
 - 1) Regulated sports fields such as: soccer fields, lacrosse fields, football fields, baseball fields or softball fields
 - 2) Regulated sports courts such as: tennis courts, volleyball courts, pickleball courts, basketball courts or shuffleboard courts
 - 3) Playgrounds or outdoor exercise stations
 - 4) Walking trails, running track, skate park or dog park
 - 5) Boardwalk, fishing pier, canoe launch or kayak launch
 - 6) Restroom, concession facilities or park maintenance building
 - 7) Picnic pavilions or shade structures
 - 8) Paved parking area and stormwater retention

NOTE:

***One** of the similar projects may be an institutional project such as a school or hospital or a commercial recreational facility or park that includes at least **four** of the amenities listed in Element No. 1 above. ~~The institutional project or commercial recreational facility or park must have consisted of at least 7 acres.~~*

2. Design services with the production of Landscape Construction Documents compliant with codes and sufficient for bidding.
3. Provided Contract Administration services during construction.
4. Generated punchlist for Landscape Items.

PROJECT SCORING:

The Consultant shall submit three (3) similar projects for the proposed Landscape Architect. Please use forms E-1 through E-3 for submittal of the Landscape Architect's similar projects.

In order to receive consideration for a half point for a similar project, elements 3 and 4 are required. In order to receive consideration for a full point, all four elements (1, 2, 3 and 4) are required. Failure to demonstrate elements 3 or 4 shall result in that project receiving no points.

The elements must have been successfully completed and the project must have been certified substantially complete prior to the date of submission for this RFP. "Substantially Complete" is defined as completion to the point where the Owner may use the project for its intended purpose.

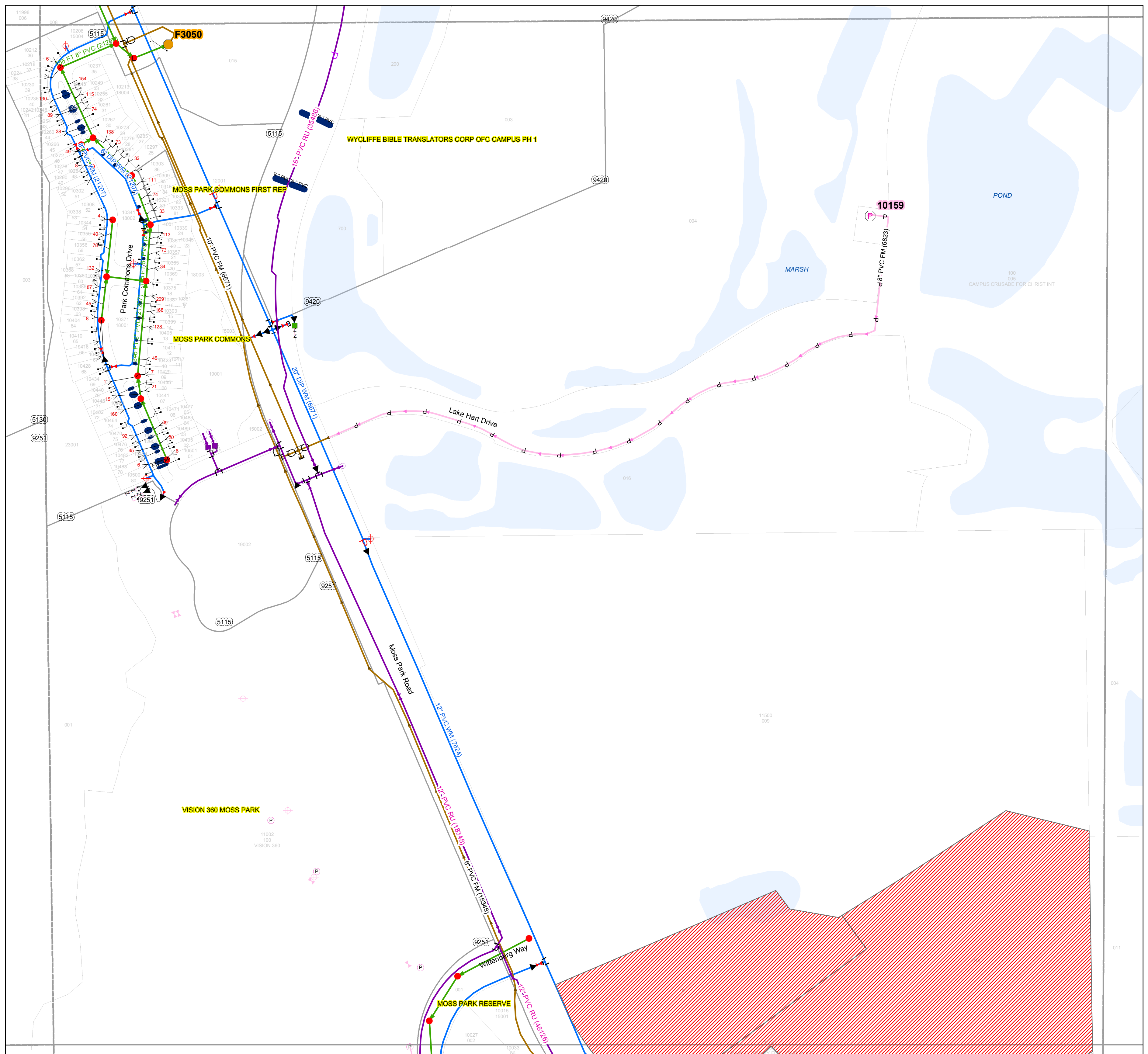
For each similar project the Landscape Architect must have been the primary point of contact for all communications and decision-making.

In order to receive consideration as a similar project, each project shall fully meet the project descriptions above. Failure to meet these requirements will result in the project not being considered as a similar project and receiving a score of zero for that project. The Landscape Architect can either have been the Prime Consultant on the similar project, or have been a sub-consultant.

The Proposer shall ensure that the basic description of the similar project, including all required performance requirements and/or dimensions are *identified* and that the elements are adequately explained in the text. The description shall document how the particular element was performed in conjunction with the overall project. The mere listing of elements without specific details in the body of the description will negatively impact the scoring for the project.

Failure to identify the specific performance requirements and/or dimensions of the project to ensure it meets the similar project description shall negatively impact that project's score.

Note: *Determination of a project as similar shall be at the sole discretion of the County.*



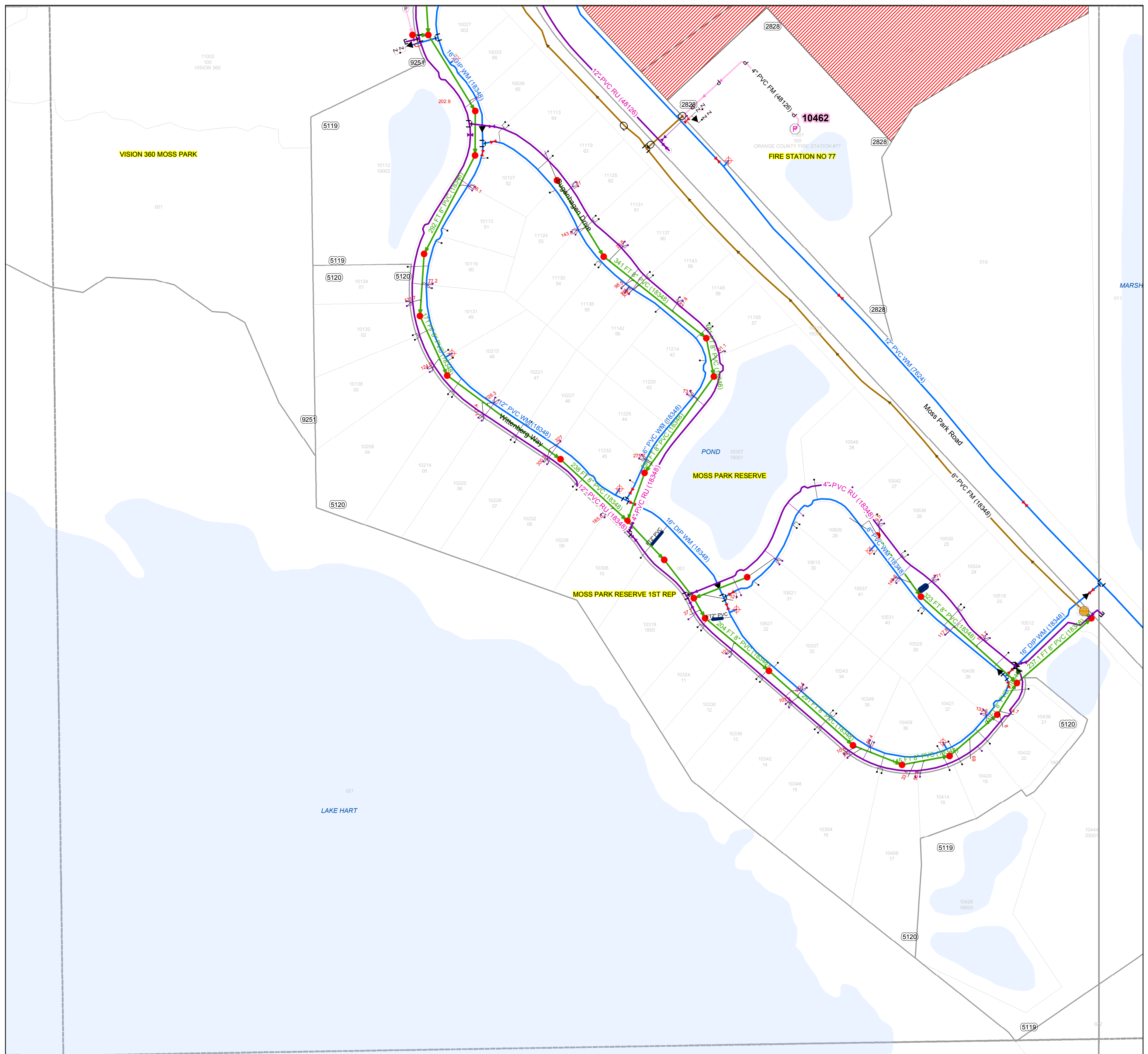
NO	SUBDIVISION NAME	BOOK/PAGE NOTES	NO	SUBDIVISION NAME	BOOK/PAGE NOTES
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09-24-31-SE-D 849D	10-24-31-SW-C 850C	10-24-31-SE-D 850D
16-24-31-NE-A 856A	15-24-31-NW-B 855B	15-24-31-NE-A 855A
16-24-31-SE-D 856D	15-24-31-SW-C 855C	15-24-31-SE-D 855D

Notes	
DATE	REVISION
10/13/2015	Plotted

Section	Township	Range	1/4 Section
15	24	31	NW
ORANGE COUNTY, FLORIDA GEOGRAPHIC INFORMATION SYSTEM UTILITIES DEPARTMENT RAYMOND E. HANSON, UTILITIES DIRECTOR UTILITIES PIPING			
The exact location of Utilities is Not Guaranteed for Further Information, Phone Orange County Utilities for Field Verification.			Page Number
			855B

SCALE 1" = 50'



NO SUBDIVISION NAME BOOK/PAGE NOTES NO SUBDIVISION NAME BOOK/PAGE NOTES

16-24-31-NE-A 856A	15-24-31-NW-B 855B	15-24-31-NE-A 855A
16-24-31-SE-D 856D	15-24-31-SW-C 855C	15-24-31-SE-D 855D
21-24-31-NE-A 861A	22-24-31-NW-B 862B	22-24-31-NE-A 862A

SCALE 1" = 150'

Notes	
DATE	REVISION
10/13/2015	Plotted

Section	Township	Range	1/4 Section
15	24	31	SW
ORANGE COUNTY, FLORIDA GEOGRAPHIC INFORMATION SYSTEM UTILITIES DEPARTMENT RAYMOND E. HANSON, UTILITIES DIRECTOR UTILITIES PIPING			
The exact location of Utilities is Not Guaranteed for Further Information, Phone Orange County Utilities for Field Verification.			Page Number 855C

WATER LEGEND

Water Fitting

- <all other values>

Subtype

- ⌋ Cap
- ~ Continuation
- ⊠ Cross
- ▲ Reducer
- ⌈ Saddle
- Swab Access
- H Sleeve
- ⌈ Tee

Water Meter

- <all other values>

Subtype, LifecycleStatus

- Irrigation - Active
- Flow - Active
- Master - Active
- Potable Water Jumpers
- ◆ Water Interconnects

Water Line Valve

Type, Status

- Blowoff - In Service
- Butterfly - In Service
- ✕ Gate - In Service

Water Control Valve

Type, Status

- AirRelease - In Service
- Offset AirRelease - In Service
- Combination - In Service
- Backflow Prevention - In Service
- Pump Out - In Service

Type, Status

- Line Stop - In Service

Water Supply Wells - WSF - EST

Type

- ElevatedStorageTank
- ProductionWell
- PumpStation
- Water Supply Facility

Water Pressurized Main

Status

- Active
- ~~TBA~~ - - To Be Abandoned
- ~~TBR~~ - - To Be Removed
- Raw Water
- Water Service Line

Water Casing

- <all other values>

Status

- Active


Water Fitting - Not In Service

Type


- ⌋ Cap
- ~ Continuation
- ⊠ Cross
- ▲ Reducer
- ⌈ Saddle
- Swab Access
- ⌈ Tapping Sleeve
- ⌈ Tee

WATER LEGEND

Water Hydrant




 <all other values>

Status



 Hydrant - In Service

Water Meter - Not In Service

Subtype





-  Flow
-  Irrigation
-  Master

Type

-  Line Stop
-  Water.Hydrant - Not In Service









Water Supply Wells - WSF - EST - Not In Service

Type

-  ElevatedStorageTank
-  ProductionWell
-  PumpStation
-  Water Supply Facility

Water Pressurized Main - Not In Service

Status

-  Abandoned In Place
-  Approved/Conformed
-  DRY Dryline
-  Future CIP/Proposed
-  Removed
-  Raw Water
-  Water.ServiceLine - Not In Service
-  Water Casing - Not In Service

WASTEWATER LEGEND

- Sewer Meter

Sewer Fitting

Type

- ⌋ Cap
- ~ Continuation
- ⌋ Cross
- ▲ Reducer
- ⌋ Saddle
- Swab Access
- ⌋ Tapping Sleeve
- ⌋ Tee
- ⌋ Wye

Sewer Line Valves

Type

- ◀ Gate
- ⊕ Plug

Sewer Control Valves

Type

- AirRelease
- Backflow Prevention
- Combination
- Offset AirRelease

Subtype, LifecycleStatus

- Line Stop - Pressurized
- Sewer CleanOut

Sewer Manhole

TV Data, Lining

- No TV
- No TV, Lining
- TV
- TV, Lining

Sewer Fitting - Not In Service

Type

- ⌋ Cap
- ~ Continuation
- ⌋ Cross
- ▲ Reducer
- ⌋ Saddle
- Swab Access
- ⌋ Tapping Sleeve
- ⌋ Tee
- ⌋ Wye
- ✕ Wastewater Aerial Crossings - Not In Service
- Line Stop - Not in Service
- Sewer CleanOut - Not In Service
- sewer.LateralLine - Not In Service

Sewer Manhole - Not In Service

- <all other values>

Status

- Approved/Conformed
- Dryline
- Abandoned In Place

Sewer Structure - Not In Service





Type

- Ⓞ Grease Interceptor
- Ⓞ Oil Separator
- Ⓞ Pump Station
- Ⓞ Water Reclamation Facility

WASTEWATER LEGEND






Sewer Structure

Type

-  Grease Interceptor
-  Oil Separator
-  Pump Station
-  Water Reclamation Facility

Sewer GravityMain

TV Data

-  No
-  Yes
-  Sewer Pressurized Main
-  Leachate Pressurized Main
-  Sewer Casing










Sewer GravityMain - Not In Service

Status

-  Abandoned In Place (Grouted)
-  Approved/Conformed
-  Dryline
-  Future CIP, Proposed
-  No Field Verification
-  Pipe Bursting
-  Removed

Sewer Pressurized Main - Not In Service

Status

-  Abandoned In Place (Grouted)
-  Approved/Conformed
-  Dryline
-  Future CIP, Proposed
-  No Field Verification
-  Pipe Bursting
-  Removed
-  Leachate Pressurized Main - Not In Service
-  Sewer Casing - Not In Service

REUSE LEGEND

Reuse Fitting

- <all other values>

Type

- ⌋ Cap
- ~ Continuation
- Cross
- ▲ Reducer
- ⌋ Saddle
- Swab Access
- ⌋ Tapping Sleeve
- ⌋ Tee
- ⌋ Wye

Reuse Structure

Type

- Pump Station; Booster Pump Station
- PS GroundTank
- Monitoring Well

Reuse Line Valves

Type

- Butterfly
- ✕ Gate
- Blowoff

Reuse Control Valves

Type

- Air Release
- Backflow Prevention
- Combination
- Flow Controller
- Offset Air Release
- Pressure
- Pump Out
- Potable Water Jumpers
- ◆ Reclaimed Water Interconnects

Reuse Fitting - Not In Service

- <all other values>

Type

- ⌋ Cap
- ~ Continuation
- Cross
- ▲ Reducer
- ⌋ Saddle
- Swab Access
- ⌋ Tapping Sleeve
- ⌋ Tee
- ⌋ Wye

Reuse Structure - Not In Service

Type

- Pump Station; Booster Pump Station
- PS GroundTank
- Monitoring Well

Reuse Meter - Not In Service

Type

- Flow
- Master
- Wholesale

Reuse Pressurized Main - Not In Service

Status

- Abandoned in Place
- Approved Construction Plans
- DRY — Dryline
- Future
- Proposed
- Removed

REUSE LEGEND

Reuse Meter

Type

- Flow
- Master
- Wholesale

Reuse Pressurized Main

Status

- Active
- Pipe Bursting

Status

- In Service

Status

- In Service

Reuse ServiceLine - Not In Service

Status

- Not In Service
- Approved Construction Plans
- Future CIP
- Proposed

Reuse Casing - Not In Service

Status

- Approved Construction Plans
- Abandoned in Place; Removed
- Dryline
- Future
- Proposed

PRIVATE WATER LEGEND

Private Water Control Valve

Subtype

- AirRelease
- z Check Valve
- $\frac{z}{z}$ Double Check Valve
- $\frac{z}{z}$ RPZ - Reduced Pressure Backflow Preventer

Private Water Fitting

Subtype

- ⌋ Cap
- ~ Continuation
- ⌋ Cross
- ▲ Reducer
- ⌋ Tee
- ⊕ Private Water Hydrant

Private Water Line Valve

Subtype

- ✕ Gate
- BlowOff
- Double Detector Check

Private Water Meter

<all other values>

Subtype

- Master
- Flow
- Irrigation
- Private Water Pressurized Main
- Private Water Service Line

PRIVATE WASTEWATER LEGEND

Private WW Control Valve

Subtype

- Combination
- AirRelease Valve
- Private WW Clean Out

Private WW Fitting

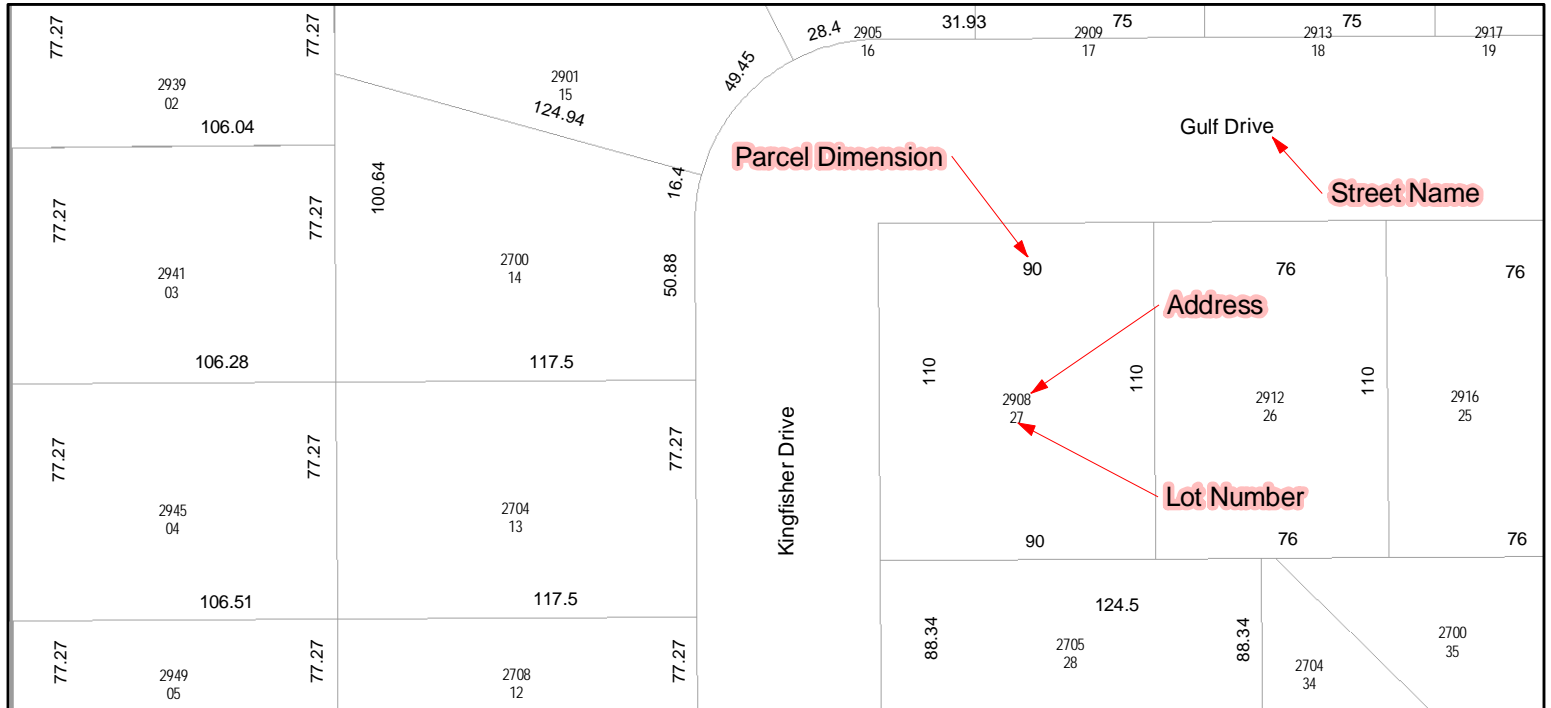
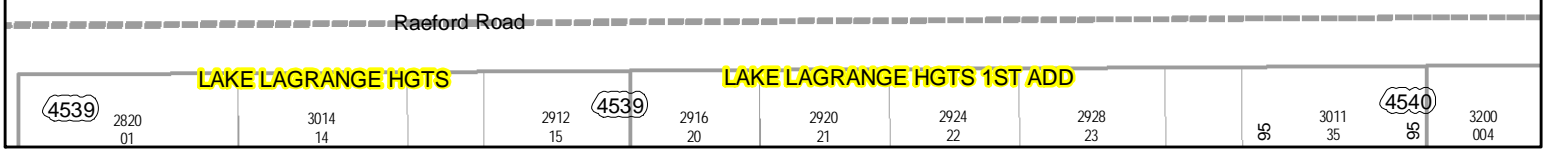
Subtype

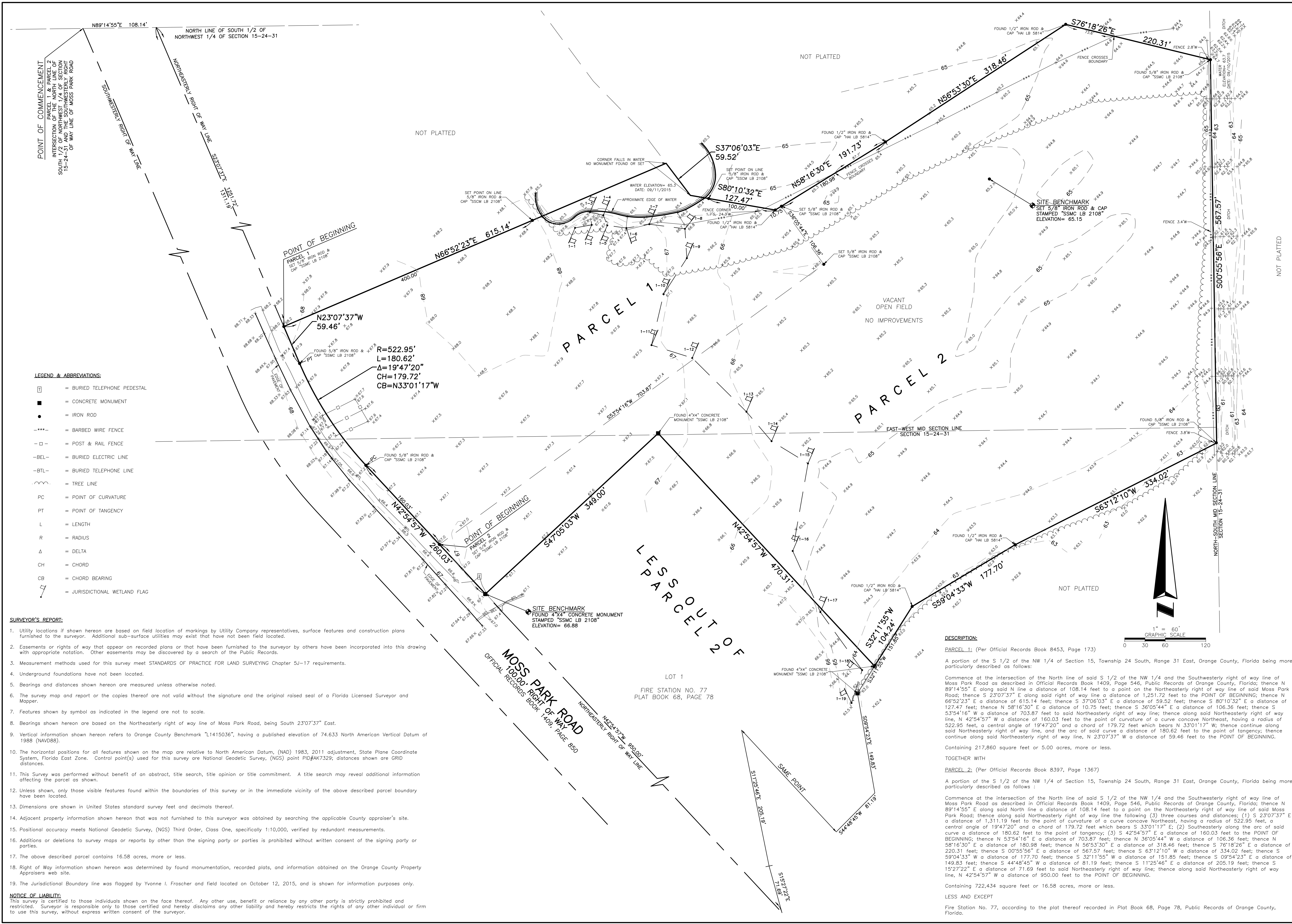
- ⊔ Cap
- ~ Continuation
- ⊔ Cross
- ▲ Reducer
- ⊔ Tee
- ⊔ Wye
- Ⓟ Private Manhole
- Ⓟ Private Pump Station
- Private Gravitymain

Private WW Line Valve

Subtype

- ✕ Gate Valve
- Ⓟ Plug Valve
- Private WW Lateral Lines
- ▶ P Private Force Main





Tom Webb
 Tom Webb
 Registered Land Surveyor
 License No. 2791

SOUTHERN SURVEYING AND MAPPING CORPORATION
 6500 All American Boulevard
 Orlando, Florida 32810-4350
 (407) 292-1590 Certification Number LRP108
 e-mail: info@southsternsurveying.com

BY	REVISION	REVISION DATE

Project: **Boundary & Topographic Survey Parcel J Community Park**

Field Date: September 16, 2015 Scale: 1" = 60' Drawn By: REJ

Orange County Board of County Commissioners

DRAWING NUMBER
47373417
SHEET NUMBER
1 OF 1

Yvonne I. Froscher
Environmental Consultant

**PRELIMINARY ENVIRONMENTAL ASSESSMENT
PARCEL J COMMUNITY PARK
ORANGE COUNTY, FLORIDA**


PREPARED FOR:

**Southeastern Surveying and Mapping
6500 All American Blvd.
Orlando, Florida 32810-4350**

and

Orange County, Florida

PREPARED BY:


Yvonne I. Froscher

October 20, 2015

**PRELIMINARY ENVIRONMENTAL ASSESSMENT
 PARCEL J COMMUNITY PARK
 ORANGE COUNTY, FLORIDA**

October 20, 2015

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FIGURES

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APPENDICES

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**PRELIMINARY ENVIRONMENTAL ASSESSMENT
PARCEL J COMMUNITY PARK
ORANGE COUNTY, FLORIDA**

October 20, 2015

INTRODUCTION

The Parcel J Community Park parcel is a 16.58-acre undeveloped site comprised primarily of upland and wetland fields of opportunistic species. The site abuts the eastern right-of-way of Moss Park Road and is located in a portion of Section 15, Township 24 South, Range 31 East in Orange County, Florida as approximately shown on Figure 1: Vicinity Map.

Yvonne I. Froscher has been retained to summarize existing environmental conditions and to summarize wetland agency regulation. Figure 2: Natural Features Map is an aerial photograph (2012) overlain with soil types according to the Natural Resource Conservation Service (NRCS, Version 10, Sep 21, 2014), Federal Emergency Management Agency (FEMA) flood hazard areas, and approximate land use boundaries according to the Florida Land Use, Cover and Forms Classification System (FDOT, 1999).

HABITATS/LAND USE

The site was characterized by cover of wetland and upland fields, a small marsh, and pine forest. Topographic elevations on the Southeastern Surveying survey range from approximately 63.0 at the southeastern corner of the site to elevation 68.3 within the western portion of the parcel. Following are descriptions of the land uses as they were observed during various 2015 inspection dates including September 22, September 28, October 7, and October 11.

Pine Flatwoods (411)

Pine Flatwoods (411 on Figure 2: Natural Features Map) comprised only a small upland area of young slash pine (*Pinus elliottii*) with very sparse understory and ground cover.

Live Oak (427)

Live Oak (427 on Figure 2: Natural Features Map) was a tiny area containing two extremely large live oak (*Quercus virginiana*). A dilapidated, high wooden fence is the only structural remnant of the historic pasture land use within Parcel J besides unmaintained barbed wire fencing in scattered areas. Muscadine (*Vitis rotundifolia* var. *munsonia*) covered the fence and the unmowed area within the fence supported a dense cover of muscadine and beggarticks (*Bidens alba*).

Hydric Pine Flatwoods (625)

Hydric Pine Flatwoods (designation 625 on Figure 2: Natural Features Map) occurred along the northern edge of the western portion of Parcel J Community Park site. Mapped soils are depressional. Canopy species included young slash pine (*Pinus elliottii*) interspersed with widely scattered water oak. Shrub layer was sparsely occurring wax myrtle (*Myrica cerifera*). Maidencane (*Panicum hemitomon*), warty panicgrass (*Panicum verrucosum*), spadeleaf (*Centella asiatica*), carpetgrass (*Axonopus fissifolius*), Virginia chain fern (*Woodwardia virginica*), camphorweed (*Pluchea camphorata*), dogfennel (*Eupatorium capillifolium*), sand cordgrass (*Spartina bakeri*), Carolina redroot (*Lachnanthes caroliniana*), and scattered Andropogon were observed.

Freshwater Marshes (641A)

Freshwater Marshes (designation 641A on Figure 2: Natural Features Map) appears as a pond on some historic aerials, however at the time of the 2015 site inspections the area appeared as a marsh with emergent vegetation. Spoil mounds and band of open water at the periphery suggested the marsh was rim ditched. The marsh depression was characterized by a cover of Cuban bulrush (*Scirpus cubensis*) with many other species interspersed. These included maidencane (*Panicum hemitomon*), manyflower marshpennywort (*Hydrocotyle umbellata*), broomsedge bluestem (*Andropogon virginicus*), soft rush (*Juncus effusus*), a Nymphaeaceae, a yelloweyed grass (*Xyris* sp.), pinebarren goldenrod (*Solidago fistulosa*), alligatorweed (*Alternanthera philoxeroides*), Carolina willow (*Salix caroliniana*), and red maple (*Acer rubrum*) saplings. At the periphery were wax myrtle (*Myrica cerifera*), blue maidencane (*Amphicarpum muhlenbergianum*), Virginia chain fern (*Woodwardia virginica*), a couple species of Ludwigia, and swamp bay (*Persea palustris*).

Freshwater Marshes (641B)—Historically cleared area with hydric soils

Freshwater Marshes (designation 641B on Figure 2: Natural Features Map) included most of the eastern portion of the parcel. Two types of areas were included—one type recruited with diverse cover of opportunistic native vegetation, the other a graded and mowed area of primarily carpetgrass (*Axonopus fissifolius*) interspersed with bahiagrass. Soils in these areas were mucky textured and mapped with muck and depressional soils by Natural Resource Conservation Service. Species observed within the diversely vegetated areas included climbing hempvine (*Mikania scandens*), purple bluestem (*Andropogon glomeratus* var. *glaucopsis*), and broomsedge bluestem (*Andropogon virginicus*), carpetgrass (*Axonopus fissifolius*), blue maidencane (*Amphicarpum muhlenbergianum*), maidencane (*Panicum hemitomon*), Virginia chain fern (*Woodwardia virginica*), camphorweed (*Pluchea camphorata*), a fennel (*Eupatorium leptophyllum?*), fireweed (*Erechtites hieraciifolius*), pale meadowbeauty (*Rhexia mariana*), wax myrtle (*Myrica cerifera*), pinebarren goldenrod (*Solidago fistulosa*), yerba de jicotea (*Ludwigia erecta*), pinebarren flatsedge (*Cyperus retrorsus*), Southern beaksedge (*Rhynchospora microcarpa*), prostrate false buttonweed (*Spermacoce prostrata*), zarzabacoa comun (*Desmodium incanum*), coastalplain St. John's-wort (*Hypericum hypericoides*), Leconte's flatsedge (*Cyperus lecontei*), grassleaf rush (*Juncus marginatus*), needlepod rush (*Juncus scirpoides*), bunched beaksedge (*Rhynchospora microcephala*), a spikerush (*Eleocharis* sp.), sawtooth blackberry (*Rubus argutus*), muscadine (*Vitis rotundifolia* var. *munsonia*), Carolina redroot (*Lachnanthes caroliniana*), and rustweed (*Polypremum procumbens*). Slash pine (*Pinus elliotii*) and red maple (*Acer rubrum*) saplings were apparent mostly at the westernmost end of the site.

Rural Land in Transition without Positive Indicators of Intended Activity (741)

Rural Land in Transition (designation 741 on Figure 2: Natural Features Map) occupied an upland area within the western portion of the site abutting Moss Park Road. Several species dominated this area including broomsedge bluestem (*Andropogon virginicus*), coastal lovegrass (*Eragrostis virginica*), and Southern sandspur (*Cenchrus echinatus*). Other species observed included capeweed (*Phyla nodiflora*), Canadian horseweed (*Conyza canadensis* var. *canadensis*), tall elephantsfoot (*Elephantopus elatus*), blackroot (*Pterocaulon pycnostachyum*), rhodesgrass (*Chloris gayana*), narrowleaf silkgrass (*Pityopsis graminifolia*), hairawn muhly (*Muhlenbergia capillaris*), dogfennel (*Eupatorium capillifolium*), slender flattop goldenrod (*Euthamia caroliniana*), sensitive pea (*Chamaecrista nictitans*), and widely scattered bushy bluestem (*Andropogon glomeratus*).

SOILS

Soils mapped by the U.S. Natural Resource Conservation Service (NRCS) and within the project site include Basinger fine sand, depressional; Hontoon muck; St. Johns fine sand; Samsula muck; and Smyrna-Smyrna, wet, fine sand. Survey Area Data is from NRCS Version 10, Sep 21, 2014.

Basinger fine sand, depressional, 0-1% slopes (number 3 on Figure 2: Natural Features Map) is a very poorly drained, frequently ponded soil association. (NRCS, *Web Soil Survey*, Sep 21, 2014) All components and minor components are typically hydric due to a water table near or above the ground surface during the growing season. (*Hydric Soils of Florida Handbook, 4th Edition, 2007*)

Hontoon muck (number 19 on Figure 2: Natural Features Map) is a very poorly drained soil type and is frequently ponded, even when drained. Flood plains and depressions on marine terraces are the landscape positions of this herbaceous, organic soil. (NRCS, *Web Soil Survey*, Sep 21, 2014)

St. Johns fine sand (number 37 on Figure 2: Natural Features Map) is a poorly drained soil which is typically neither flooded nor ponded. The water table is typically 6 to 12 inches below the ground surface. These fine sands, in Orange County, can contain up to 30 percent hydric components. Flats on marine terraces are their typical location in the landscape. (NRCS, *Web Soil Survey*, Sep 21, 2014)

Samsula muck (number 40 on Figure 2: Natural Features Map) is described by NRCS as very poorly drained and frequently ponded. Depressions on marine terraces are typical positions of this soil type. Even drained Samsula soils are typically ponded frequently. (NRCS, *Web Soil Survey*, Sep 21, 2014)

Symrna-Symrna wet fine sand, 0-2% slopes (number 44 on Figure 2: Natural Features Map) is a poorly drained soil with a seasonal high water table typically ranging from 6 to 18 inches below the ground surface. Formation of these strongly acidic sands is on flats of marine terraces supporting mesic or hydric lowlands. In Orange County, 23 percent of this soil type contains hydric Symrna and hydric minor components. (NRCS, *Web Soil Survey*, Sep 21, 2014)

AGENCY REGULATION OF WETLANDS

U.S. ARMY CORPS OF ENGINEERS

Jurisdiction

The U.S. Army Corps of Engineers (USACE) regulates dredging and filling in wetlands and surface waters under the authority of the Federal Water Pollution Act of 1977 and the River and Harbors Act of 1899. Wetlands are defined by the USACE as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” The USACE uses a three-parameter methodology for delineation of wetland boundaries. Hydric vegetative species, hydric soil characteristics, and certain hydrologic characteristics are used to assess limits of water of the United States.

A January 9, 2001, U.S. Supreme Court decision has effected USACE jurisdiction in isolated wetlands. In 1977 the USACE expanded its definition of “waters of the United States” to include “isolated wetlands and lakes, intermittent streams, prairie potholes, and other waters that are not part of a tributary system to interstate waters or to navigable waters of the United States...” (33 CFR §323.2(a)(5) (1978) Further, the USACE in 1986 issued the Migratory Bird Rule under which the agency claimed that §404(a) of the Clean Water Act extended federal jurisdiction over areas utilized by migratory birds. The Supreme Court noted a previous decision where the expanded definition of the term “navigable” to include nonnavigable wetlands adjacent to open waters was upheld.

The Supreme Court was asked, specifically, to decide whether provisions of §404(a) extended into abandoned sand and gravel pits which contained no “wetlands” or areas which supported “vegetation typically adapted for life in saturated soil conditions,” but which were utilized by many species of migratory birds. The Court decided that the USACE had no §404(a) jurisdiction in the abandoned pits and that, therefore, the Migratory Bird Rule was irrelevant. The Court further concluded that 1) the “Migratory Bird Rule is not fairly supported by the Clean Water Act, 2) that the text of the statute does not allow the USACE to extend jurisdiction to “ponds that are not adjacent to open waters.”

Under the “waters of the United States” definition, “wetlands adjacent to waters [of the United States] (other than waters that are themselves wetlands)” are included under USACE jurisdiction. “Adjacent” means “bordering, contiguous, or **neighboring**. Wetlands separated from other waters of the United States by manmade dikes or barriers, natural river berms, beach dunes and the like are **adjacent** wetlands.” (Federal Register Volume 51, No 219, 33 CFR 328.3 Definitions.) Under this definition, the USACE still claims jurisdiction within many wetlands that appear hydrologically isolated regardless of the Supreme Court decision related to the Migratory Bird Rule.

Additionally, in “Questions and Answers for *Rapanos and Carabell* Decision” (USACE, 2007), the USACE was asked, “What is a ‘navigable water?’” The response was, “‘A traditional navigable water’ includes all of the ‘navigable waters of the United States,’ defined in 33CFR § 329, and by numerous decisions of the Federal courts, plus all other waters that are navigable-in-fact.”

IMPORTANT NOTE: The Environmental Protection Agency (EPA) has proposed changes to the Clean Water Act to clarify protection of wetlands and streams. Regulatory clarification has been requested by numerous interests following the complexities resulting from the Supreme Court decisions discussed above. The proposed changes were submitted in March 2014 and a formal comment period is open until November 14, 2014.

Types of Permits

“Letters of permission” (LOP) will be issued for certain very minor activities in wetlands; otherwise, the type of permit required for development in wetlands regulated by the USACE depends on the type and significance of the proposed wetland impact. General permits cover a clearly specified category of projects having no significant environmental impact. General permits are of three types:

- Regional permits incorporate a list of activities and conditions published by the District Engineer.
- Nationwide permits incorporate a list of specific activities (with associated conditions) approved by the Department of the Army on a nationwide basis and which have minimal individual and cumulative adverse environmental impact.
- Programmatic permits may be issued to avoid duplication of an existing state, local, or other federal agency program providing for natural resource protection.

Whether an activity is covered by a general permit can be confirmed by the District Engineer or by reviewing the appropriate portion of the Federal Register. The prospective permittee should be aware that preconstruction notification (PCN) or a post-construction report to the District Engineer is required for certain nationwide permit activities. Notification for any activity that results in the loss of greater than one-half (1/2) acre will be forwarded by the USACE to the following agencies to initiate interagency coordination:

- The U.S. Fish and Wildlife Service/National Marine Fisheries Service regarding the presence of any Federally listed endangered or threatened species or critical habitat effected by the proposed project.
- The State Historic Preservation Office regarding the presence of any historic resources in the project area that may be affected by the proposed project.
- The Environmental Protection Agency.
- The state natural resource or water quality agency.

Important to note is that water quality certification, pursuant to Section 401 of the Clean Water Act, and coastal zone management consistency concurrence (where applicable) are required prior to the issuance of nationwide permits authorizing activities that may potentially result in discharge to waters of the United States. The State of Florida (Florida Department of Environmental Protection or water management district) reviews each of the proposed activities prior to issuing or waiving either the certification or consistency concurrence. (Nationwide Permit General Conditions-Condition 21. Water Quality and Condition 22. Coastal Zone Management) Additionally, “No activity is authorized under any nationwide permit which may effect a listed species or critical habitat unless a Section 7 Consultation addressing the effects of the proposed activity has been completed.” (Nationwide Permit General Conditions-Condition 17. Endangered Species)

“Final Notice of Issuance and Modification of Nationwide Permits” published March 12, 2007, in the Federal Register describes types of activity-specific nationwide permits and includes conditions (requirements) which apply to each specific activity and general conditions which apply to all nationwide permits collectively. Most nationwide permits do not authorize impacts greater than one-half (1/2) acre.

As a general condition for Nationwide Permits, mitigation at a minimum 1:1 ratio (one acre of compensation per one acre of impact) will be required for all wetland impacts greater than 1/10 acre a PCN is required. On a case-by-case basis, mitigation may be deemed necessary for impacts less than 1/10 acre. Since the USACE has determined that restoration of wetlands has a greater likelihood of success and that no uplands need to be impacted, restoration of wetlands is preferred by the agency. Restoration, creation, enhancement, preservation, purchase of mitigation bank

credits, and in-lieu fee arrangements will be considered. (See further discussion of mitigation banks under the water management district section of this report.) Preservation is to be used in only certain circumstances to prevent a threat to or a decline of aquatic resources. Preservation is defined as the “protection of ecologically important wetlands or other aquatic resources in perpetuity” and may include uplands adjacent to wetlands. The USACE may impose a twenty-five to fifty-foot (25’ to 50’) “riparian area” of native vegetation adjacent to streams or other open waters. Required “riparian areas” may be wider “to address documented water quality concerns” and will be considered mitigation. (Nationwide Permit General Conditions-Condition 20. Mitigation)

For certain nationwide permits, where the proposed activity involves filling within the 100-year floodplain, the PCN must include documentation that the activity complies with FEMA-approved local floodplain requirements. (Nationwide Permit General Conditions-Condition 10)

For impacts considered significant by the USACE, an “individual permit” is required. Public notice is required during the application for this type of permit. Also, as the significance of the impact increases, so does the requirement for compensatory mitigation for wetland impacts.

Site Specific Comments: The on-site wetlands are within the regulatory jurisdiction of the USACOE. A permit from the agency would be required for unavoidable proposed impacts over one tenth acre. Jurisdictional limits will be agency evaluated at the time of permitting.

The project is within the Core Foraging Areas of a known wood stork colony in Orange County (See Appendix A: Wood Stork Colonies). The USACOE can impose mitigation according to the September 2008 “Wood Stork Key” developed by the Jacksonville Ecological Services Field Office. The purpose of the key is to improve consistency during permit application review. If impacts occurred to more than one half acre of wood stork foraging habitat, wood stork mitigation for that impact would be required. At the time of the site inspections, no wood storks were observed nor were nests apparent; but because the project is within a Core Foraging Area of a documented colony, mitigation requirements would apply. Mitigation required for wetland impacts may apply toward wood stork mitigation, if wetland mitigation is wood stork habitat.

Special flood hazard areas (Zone X) are present on the site and shown on Figure 2: Natural Features Map. (See Appendix B: FIRM 12095C0380F)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT/FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Jurisdiction

The Florida Department of Environmental Protection (FDEP) and South Florida Water Management District (SFWMD), both state agencies, regulate impacts to wetlands. Each regulates specific activities based on an operating agreement between them. FDEP, with guidance from each water management district, is charged with rule making to provide the legal framework for environmental permitting for itself and for the five water management districts within the State of Florida.

FDEP and the water management districts define wetlands as “areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils.” A criterion for delineation of wetlands became effective on July 1, 1994, and incorporates assessment of vegetative species, soils, and hydrologic characteristics as outlined in Chapter 62-340 (F.A.C.).

Permit Types

Effective October 1, 2013, rules developed by FDEP in conjunction with the five water management districts “will achieve a more consistent, effective, and streamlined approach to implement the ERP program.” FDEP has amended Chapter 62-330, F.A.C., to comprehensively integrate the ERP procedures and criteria contained in Chapters 40B-1, 40B-4, 40B-400, 40C-1, 40C-4, 40C-40, 40C-41, 40C-42, 40C-44, 40C-400, 40D-1, 40D-4, 40D-40, 40D-400, 40E-1, 40E-4, 40E-40, 40E-400, 62-4, 62-113, 62-312, 62-342, 62-343, and 62-346, F.A.C., and the Applicant’s Handbooks and Basis of Review of each WMD. Two Applicant’s Handbooks for each water management district now provide guidance to the public—Volume I

is the same for all districts and includes general processing and evaluation procedures. Volume II is specific to each particular water management district and includes regional standards and design practices as well as specific special basin requirements.

The type of permit required for a proposed wetland or surface water impact depends on the scope of the project and the extent of proposed wetland impacts. Chapter 62-330.051 lists activities which are exempt from permitting. Specific thresholds and requirements are associated with most of these activities. General Permits may be issued for other specific activities, anticipated to have minimal impacts and which usually do not require mitigation. General Permits (Chapter 62-330.405 through 62-330.635, F.A.C.) must be applied for and must meet activity-specific criteria as well as general conditions (Chapter 62.330.405). In addition, a "10/2" general permit applies for projects in uplands having less than two acres of impervious surface. This permit does require submittal of an electronic self-certification attesting to compliance with the general permit.

Activities which are not exempt or exceed thresholds for general permits must be permitted under an individual permit. Wetland impacts proposed within an application for an individual permit will likely require mitigation.

Mitigation

When mitigation is required, direct wetland impacts must be compensated for. In addition, with the exception of certain artificial water bodies, the SJRWMD will consider "secondary impacts"--adverse impacts to water quality, wetland functions, and upland habitat for aquatic and wetland dependent listed species as well as historic and archaeological resources. If undisturbed buffers with a minimum width of fifteen feet (15') and an average width of 25' are provided abutting on-site wetlands, secondary impacts to **habitat functions** of wetlands associated with adjacent upland activities will not be considered adverse.

Cumulative impacts will also be considered through the ERP process. These are impacts are related to other off-site activities regulated under part IV, Chapter 373 which are constructed, approved or under review and adversely effect water quality and wetland functions. How these activities along with any proposed activity will collectively affect water quality and wetland function will be considered by the agency.

February 1, 2004, the Uniform Mitigation Assessment Method (UMAM) was adopted whereby specific criteria are outlined for a) conducting a qualitative characterization and quantitative assessment of proposed impact and mitigation areas, b) assessing ecological value of mitigation preservation, c) assessing mitigation for time lag (length of time required for creation, enhancement, or restoration to be equivalent to impacted wetland) and risk (likelihood that the mitigation area will be successful in perpetuity), and d) assessing the functional gain or loss for impact and mitigation areas. Numerical values will be assigned based on the assessed characteristics and then used in a formula to determine the specific amount of a particular type of mitigation (preservation, creation, enhancement, or restoration) required for a particular impact. For most wetland impacts, the new method will supercede the ratio method previously used by the agency. Note: Chapter 62-345-Uniform Wetland Mitigation Assessment Method is currently undergoing revision.

In some areas of Florida, mitigation banks are permitted and have credits released by the permitting agencies. The mitigation bank managers then can sell mitigation credits to compensate for wetland impacts. One mitigation credit is equivalent to "the ecological value gained by the successful creation of one acre of wetland." In certain areas where mitigation banks have been approved prior to UMAM and will be used for mitigation, mitigation may still be determined using ratios or other wetland assessment methods. With the exception of certain artificial water bodies, the ratios of mitigation recommended for impacts to freshwater marshes ranges from one and one half (1.5) to five (5) acres of wetland creation or restoration to one (1) acre of impact. The amount of mitigation recommended for impacts to forested wetlands range two (2) to five (5) acres of wetland creation or restoration to one (1) acre of impact.

NOTE: Per an April 8, 2013, e-notice from Mark Brandenburg, "Deputy Secretary Jeff Littlejohn has authorized Florida Department of Environmental Protection staff from the Submerged Lands and Environmental Resources Coordination Program to initiate rule development to amend the Uniform

Mitigation Assessment Method (UMAM), Chapter 62-345, Florida Administrative Code (F.A.C.). The Department envisions development of a revised UMAM rule that provides more consistency, can be more efficiently applied, and is appropriate for all of Florida's diverse ecological communities." No rule more current than the 2007 version is currently in place.

Site Specific Comments: The project is located in the Lake Hart Basin—a sub-basin of the Kissimmee River Drainage Basin. The wetlands are within the regulatory jurisdiction of FDEP and SFWMD. Wetland boundaries have been identified, surveyed, and informally approved by Susan Elfers (SFWMD) on October 7, 2015.

Mitigation will be required for unavoidable impacts proposed to wetlands and for secondary impacts to wetlands resulting from not maintaining 25-foot buffers adjacent to wetlands. Permitted mitigation banks in Orange County include Split Oak Mitigation Bank owned by Orange County, East Central Florida Regional Mitigation Bank, and Reedy Creek Mitigation Bank. Split Oak Mitigation Bank no longer has credits available. Since Parcel J Community Park site is not within the service area of East Central Florida Regional Mitigation Bank use of that bank is not likely.

Reedy Creek Mitigation Bank has both state and federal credits available. State credits are assessed under UMAM and federal credits under Modified Wetland Rapid Assessment Procedure (MRAP). The cost (10/2015 telecon with Victoria Colangelo of Mitigation Marketing) for combined state and federal credits is currently \$145,000 per credit with partial credits available. Reedy Creek Mitigation Bank has no herbaceous credits remaining.

Hatchineha Ranch Mitigation Bank in Osceola County also includes Parcel J Community Park site within its service area. The bank currently has only UMAM assessed state credits available at \$125,000 per credit and required federal credits could be purchased from Florida Mitigation Bank (Shingle Creek Basin) at \$20,000 per credit. This bank, too, is located in Osceola County and includes the site in its service area. Only a few herbaceous credits remain at Hatchineha Ranch Mitigation Bank; however, Ms. Colangelo suggested that the agencies may accept forested mitigation for herbaceous impacts when no herbaceous credits are available. Agency confirmation is required to confirm whether both the water management district and the USACE would accept that option even though like-for-like mitigation is typically required.

ORANGE COUNTY

Wetland Conservation Areas

Orange County, by the authority of Orange County Code, "Article X. Wetland Conservation Areas", has established the following procedures for the regulations of wetlands, called Conservation Areas:

- Identification and classification of potential county wetlands;
- Measurement of "significance and viability" of county wetlands; and
- Evaluation of compensation and mitigation programs in conjunction with development activities related to wetlands.

The line demarcating the wetland boundary between uplands and potential Conservation Areas is established by assessment of vegetative species, soils, and hydrologic characteristics as outlined in Chapter 62-340 (F.A.C.). Orange County then classifies Conservation Areas into one of three categories based on their size, hydrologic relationship to other surface water bodies, and habitat suitability.

Class I Conservation Areas include those wetland areas which (1) have a hydrological connection to natural surface water bodies, (2) comprise lake littoral zones, (3) are isolated and are forty acres or larger (≥ 40 acres), or (4) provide critical habitat for federal and/or state listed threatened or endangered species. "Manmade ditches or canals constructed through uplands that connect previously isolated wetlands to natural surface water bodies shall not be considered as a hydrological connection. Artificial or manmade canals constructed in historical natural drainage ways shall be considered as a hydrological connection".

According to Orange County, listed threatened or endangered species, related to the Class I Conservation Areas, are those species designated as listed by the State (pursuant to F.S. 581.185 and F.A.C. 39-27.003 and 39-27.004) or the U.S. Fish and Wildlife Service.

Class II Conservation Areas are isolated wetlands or formerly isolated wetlands which by way of man's activities have been directly connected to other surface water drainage; and are greater than, or equal to five (≥ 5) acres in size.

Class III Conservation Areas are those wetlands that do not otherwise qualify as Class I or II Conservation Areas. This includes wetlands that are less than five acres in size.

Compensation for impacts to Conservation Areas, if required, may include wetland creation, wetland enhancement, wetland restoration, or compensation to Orange County. Habitat compensation or mitigation is required for impacts to Class I Conservation Areas; though the County only allows impacts when (1) no other feasible or practical alternative exists or (2) when there is an overriding public benefit. Unless contrary to the public interest, mitigation is presumed to be allowed for Class II Conservation Areas. Mitigation shall be allowed for Class III areas. Mitigation ratios for Class I Conservation Areas are determined on a case-by-case basis. For Class II Conservation Areas, recommended mitigation ratios are 1.5:1 for freshwater marshes and wet prairies, 2:1 for cypress wetlands, and 2.5:1 for hydric hammocks, bayheads or mixed hardwood swamps. Recommended Class III Conservation Area mitigation ratios are 1:1. "For off-site, unlike, or other mitigation proposals, ratios shall be determined on a case by case basis."

According to the Orange County Comprehensive Policy Plan, Conservation Element, Policy 1.4.6, "Off-site mitigation for wetland impacts will be considered only when the mitigation site is located within Orange County; this includes wetland and upland preservation and enhancement and creation of wetlands. The Board of County Commissioners may approve out of County mitigation areas on a case by case basis; this includes mitigation banks, which benefit the County's wetland resources."

In addition, Orange County requires that a monitoring and maintenance program be developed for all mitigation projects. "The length and complexity of monitoring will depend upon the type of mitigation approved, but will not be less than one (1) year and an eighty-five (85) percent coverage rate of all planted areas."

IMPORTANT NOTE: The Orange County Environmental Streamlining Task Force (ESTF) has reviewed county and state environmental regulations and has prepared recommendations to be presented on July 10, 2012, to the Board of County Commissioners (BCC). Those recommendations, if approved by the BCC, may effect Article X of Chapter 15: 1) The BCC would no longer require a public hearing for Class I wetland impacts. 2) The current classification system would be replaced with the Unified Mitigation Assessment Methodology for assigning a functional value to wetlands. 3) A draft Unified Natural Resources Ordinance would be drafted within six months. 4) Phased ERP delegation to the County would occur to support a staff proposal.

Site Specific Comments: Though the ESTF recommendations have been developed to streamline the permitting process, no changes to rules and classifications have yet been adopted. The wetlands on the parcel are Orange County Conservation Areas. The classification of the Conservation Areas will be formally determined by Orange County's Environmental Protection Division. Parcel J Community Park site wetlands are likely Class I wetlands based on 1) mapped hydric soils which appear to connect to Lake Hart to the south.

AGENCY REGULATION OF SPECIES AND/OR HABITAT

Particular species are regulated by some agencies and monitored and listed by other organizations. The U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC) are the primary regulatory agencies in Florida. Local jurisdictions may also have ordinances related to federal and state listed species, but, typically, these are just further reassurances that protected

species occurrences will be addressed during the permitting of a development project. Presence of species is usually referred by the local jurisdiction to the USFWS and/or FFWCC. Surveys for species may not include ephemeral or seasonal occurrences.

Site Specific Comments: Site inspections were conducted on various 2015 dates including September 22, September 28, October 7, and October 11. The October 11 site inspection was at dusk. Species observed included Southern black racer (*Coluber constrictor priapus*), Southern leopard frog (*Rana sphenoccephala*), mourning dove (*Zenaida macroura*), Carolina wren (*Thryothorus ludovicianus*), and white-tailed deer (*Odocoileus virginianus*) were observed. Red-shouldered hawk (*Buteo lineatus*) were observed overhead. Three sandhill crane (*Grus canadensis*) were observed on the lawn of the adjacent fire station site, so foraging within the mowed area of lawn on Parcel J is likely. At the southeastern corner of the site, disturbed soils suggested presence of wild hog (*Sus scrofa*).

Biodiversity Matrix Query Results (Florida Natural Areas Inventory) for the matrix unit including Parcel J is attached as Appendix C. None of the floral species were observed. No preferred habitat is present for snail kite, fox squirrel, red-cockaded woodpecker, Florida scrub jay, Florida burrowing owl, Carolina gopher frog (no gopher tortoise burrows observed), Florida mouse, Florida black bear, or blue-tailed mole skink. Certain floral species may not be observable at the time of the site inspection due to seasonal ephemeral occurrence.

U.S. FISH AND WILDLIFE SERVICE

The U.S. Fish & Wildlife Service (USFWS) regulates federally protected species through the Endangered Species Act of 1973. This act prohibits the harassing, harming, pursuing, hunting, shooting, wounding, killing, trapping, capturing or collecting, or attempting to engage in any such conduct (collectively defined as "taking"), or possessing, selling, delivering, carrying, transporting or shipping any endangered species of fish or wildlife. The list of Endangered and Threatened Wildlife and Plants is designated in 50 CFR 17.11 and 17.12. An "endangered" species is one that is threatened with extinction throughout all or a significant portion of its range. A species listed as "threatened" is likely to become endangered in the foreseeable future.

The Endangered Species Act also prohibits removing of any endangered plant from areas under federal jurisdiction. This includes the removal of any listed plant in violation of state law, as well. Other acts enforced by the USFWS are the Bald Eagle Protection Act (16 U.S.C. 668-668d), and the Migratory Bird Treaty Act (16 U.S.C. 703-711). These two acts give additional protection to bald eagles and any migratory bird (list designated in 50 CFR 10), respectively.

Site Specific Comments: No flora or fauna listed under the Endangered Species Act were observed in the vicinity. No eagles or their nests were observed on the site. Though no longer listed by the USFWS or FFWCC as endangered or threatened, the species along with many avian species is protected by the Migratory Bird Act. The eagle is also protected by the Bald Eagle Protection Act.

In an internet search of FWC Eagle Nest Data, documented eagle nest OR081 as the closest to the Parcel J Community Park site. The nest was last observed active in 2014 and was active. At approximately 2.65 miles northwesterly of the site, the nest site is well outside a 660-foot management/protection zone of the SFWMD permitting framework.

No Eastern indigo snake (*Drymarchon corai couperi*) were observed, but can occur in many habitats. During construction, USFWS guidelines apply as outlined in Appendix D: Standard Protection Measures for the Eastern Indigo Snake.

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

The Wildlife Code of the State of Florida (Chapter 68A-27, F.A.C.) amended November 8, 2011, provides for protection of state and federal listed species. Lists of these protected species are provided in Rules 68A-27.003 and 68A-27.005. Species are classified based on abundance and population trends for the species and its habitat. Under the Florida Endangered and Threatened Species Act of 1977, "the Legislature

recognizes that the State of Florida harbors a wide diversity of fish and wildlife and that it is the policy of this state to conserve and wisely manage these resources, with particular attention to those species defined by the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, or the United States Department of Interior, or successor agencies, as being endangered or threatened. As Florida has more endangered and threatened species than any other continental state, it is the intent of the Legislature to provide for research and management to conserve and protect these species as a natural resource.” The FFWCC classifications are defined as:

Federally –designated endangered and threatened species as designated by the United States Department of the Interior or Commerce under the Endangered Species Act. Species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida are classified as endangered or threatened by the Florida Fish and Wildlife Conservation Commission (FFWCC) by virtue of their status under the Endangered Species Act. Florida rule also states, “No person shall take, possess, or sell any of the endangered or threatened species included in this subsection, or parts thereof or their nests or eggs except as allowed by specific federal or state permit or authorization.”

State-designated threatened species are those species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida and are classified and threatened by FFWCC as determined in accordance with the rule. The rule also states, “No person shall take, possess, or sell any threatened species included in this subsection or parts thereof or their nests or eggs except as authorized by Commission rule or by permit from the Commission.”

Certain species are still listed by FFWCC as “species of special concern.” Management plans are being developed for these species which are also being assessed for potential listing as threatened. For these species, presently, the rule states “No person shall take, possess, transport, or sell any species of special concern included in this subsection or parts thereof or their nests or eggs except as authorized by permit from the executive director, permits being issued upon reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species. For purposes of this section, the definition of the word take in Rule 68A-1.004, F.A.C., applies.” The term “take” shall include “taking, attempting to take, pursuing, hunting, molesting, capturing, or killing any wildlife or freshwater fish, or their nests or eggs by any means whether or not such actions result in obtaining possession of such wildlife or freshwater fish or their nests or eggs.”

Site Specific Comments: No plants listed by the USFWS were observed.

Transects were traversed over upland portions of the site and no gopher tortoise burrows were observed. None were expected to inhabit the site due to the seasonal high water table.

Florida sandhill crane (*Grus canadensis pratensis*) was observed in the mowed area adjacent to the fire station, so they likely forage with the mowed area within the eastern portion of the site. The marsh is not the preferred nesting habitat for the cranes.

Little blue heron (*Egretta caerulea*), white ibis (*Eudocimus albus*), snowy egret (*Egretta thula*), tricolored heron (*Egretta tricolor*), and wood stork (*Mycteria americana*) may utilize the peripheral marsh areas for foraging, though none of these species were observed. The rim ditch may be too deep for prime foraging and the central area was very densely vegetated. The closest waterbird rookery is located approximately two miles southeast of Parcel J on Lake Mary Jane. (See Site Specific Comments under U.S. Army Corps of Engineers regarding wood stork habitat).

As conditions of SJRWMD/FDEP General Permits are provisions that state:

- **All in-water activities, including vessel operation, must be shutdown if a listed species comes within 50 feet of the work area. Activities shall not resume until the animal(s) has moved beyond a 50-foot radius of the in-water work, or until 30 minutes elapses since the last sighting within 50 feet. Animals must not be herded away or harassed into leaving. All on-site project personnel are responsible for observing water-related activities for the presence of listed species.**
- **Any listed species that is killed or injured by work associated with activities performed shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1(888)404-3922 and ImperiledSpecies@myFWC.com.**

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Through the Preservation of Native Flora of Florida Act (Title XXXV, Sections 581.185), the Florida Department of Agriculture and Consumer Services (FDA) has authority to regulate species listed in the Regulated Plant Index (Chapter 5B-40.0055, F.A.C.). This index classifies plant species as endangered, threatened or commercially exploited. For plants listed as endangered, permission is required from the property owner or legal representative to destroy or harvest these plants on private land of another or on any public land. Permits issued for plants listed on the federal Endangered Species List under the federal Endangered Species Act of 1973, as amended, must be consistent with federal standards. For plants listed as threatened, permission is required from the landowner or legal representative to destroy or harvest the plants on private land of another or on any public land. For plants listed as commercially exploited, it is unlawful to destroy or collect more than two plants from the private land of another or from any public land without the permission of the landowner or legal representative.

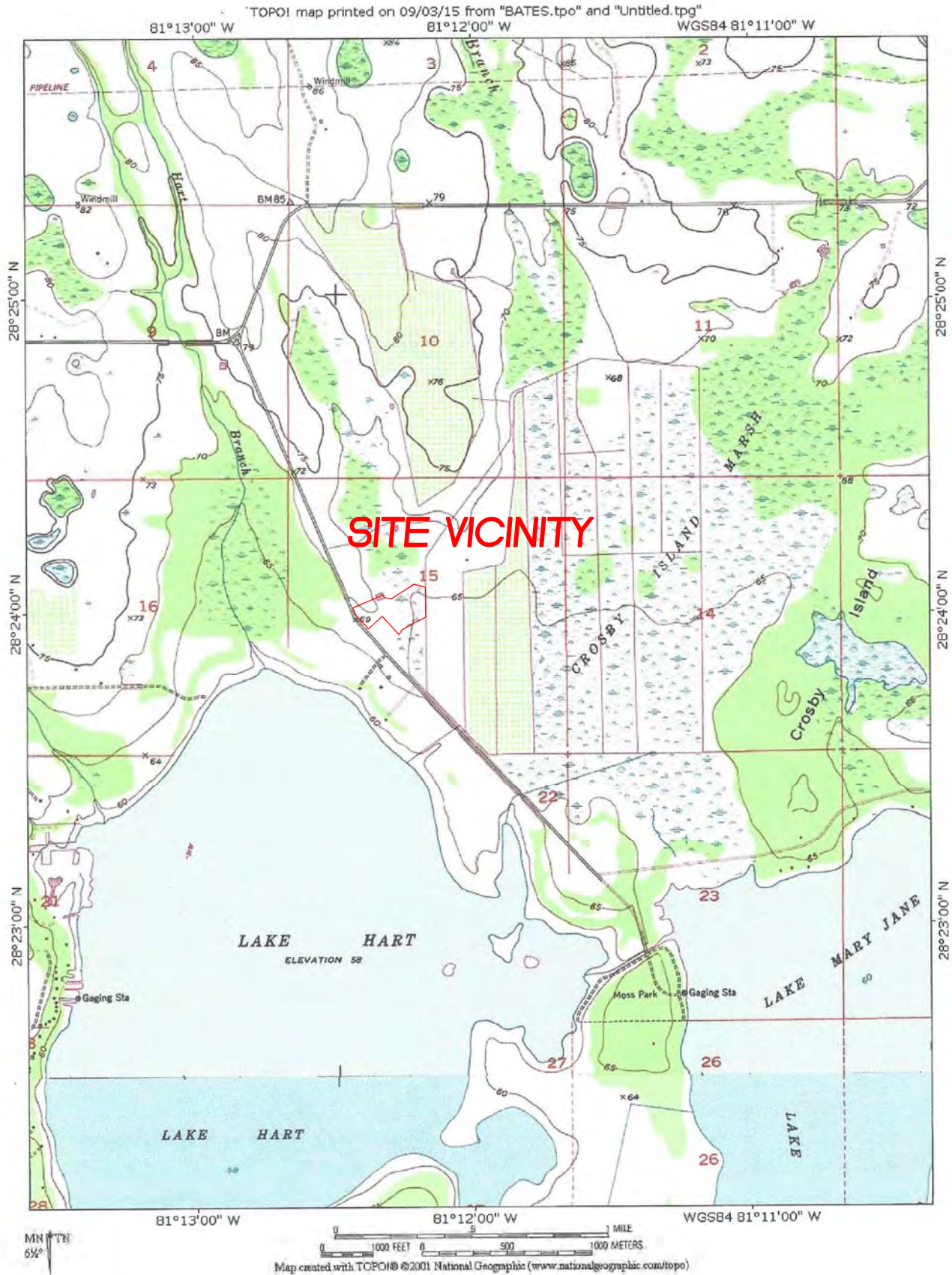
Exemptions include:

- Plants that were legally imported from another country;
- Selling of plants listed on the Regulated Plant Index by licensed, certified nurserymen who grow from seeds or by vegetative propagation to preserve and encourage the propagation of these native plants.
- Agricultural, silvicultural, fire control or mining assessment activities;
- Landowners and their agents clearing regulated plants from canals, ditches, survey lines, building sites, or roads or other rights-of-way on their own land; and
- **Public agencies as well as public or privately owned utilities when providing services to the public.**

The primary focus of the law (**except for species listed by the USFWS**), as is evident by the exemptions, is to protect our less abundant native species from excessive collection and commercial exploitation.

Site Specific Comments: No vegetative species listed by the FDA were observed.

FIGURES



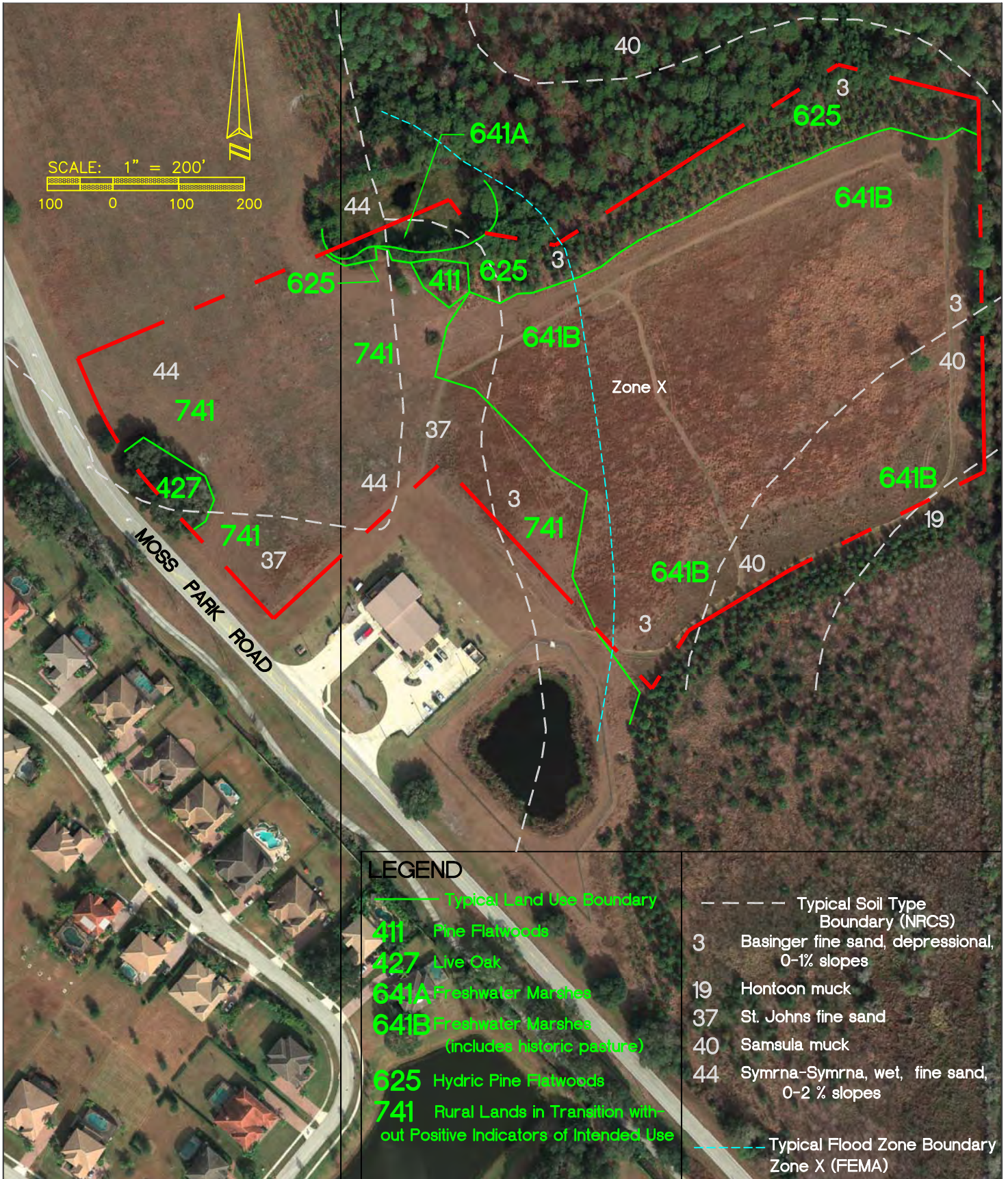
PARCEL J COMMUNITY PARK
ORANGE COUNTY, FLORIDA

Base Map Source: National Geographic Topo 2001

Yvonne J. Froscher

FIGURE 1: VICINITY MAP

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Winter Springs, Florida 32719-5305
Telephone: 407-327-2020 FAX: 407-327-1718



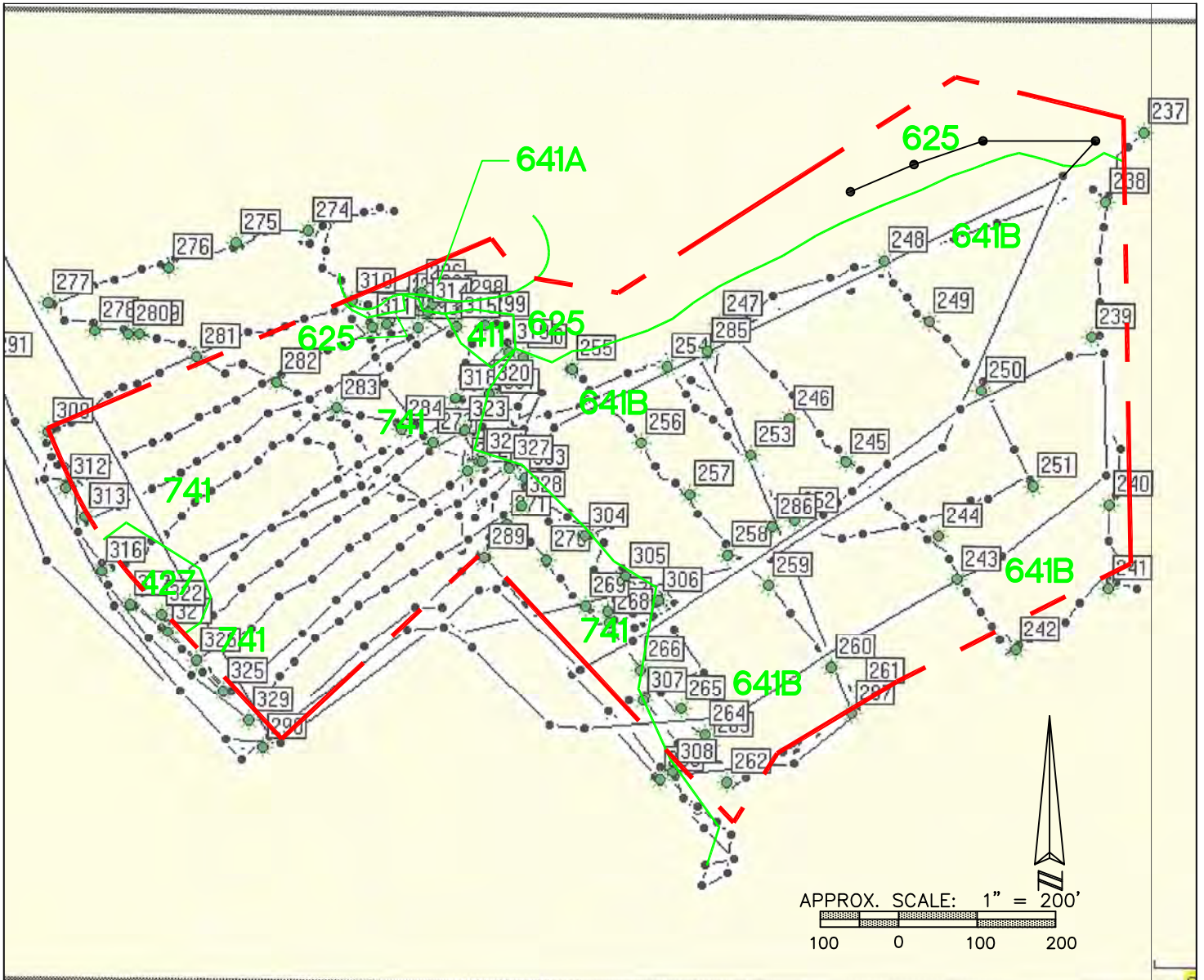
PARCEL J COMMUNITY PARK
ORANGE COUNTY, FLORIDA

Base Map Source: FDOT 2012 APLUS aerial photograph

Yvonne J. Froscher

Environmental Consultant
P.O. Box 195305
Winter Springs, Florida 32719-5305
Telephone: 407-327-2020 FAX: 407-327-1718

FIGURE 2: NATURAL FEATURES MAP



LEGEND	
	Typical Land Use Boundary
411	Pine Flatwoods
427	Live Oak
641A	Freshwater Marshes
641B	Freshwater Marshes (includes historic pasture)
625	Hydric Pine Flatwoods
741	Rural Lands in Transition without Positive Indicators of Intended Use

	PEDESTRIAN TRANSECTS
--	-----------------------------

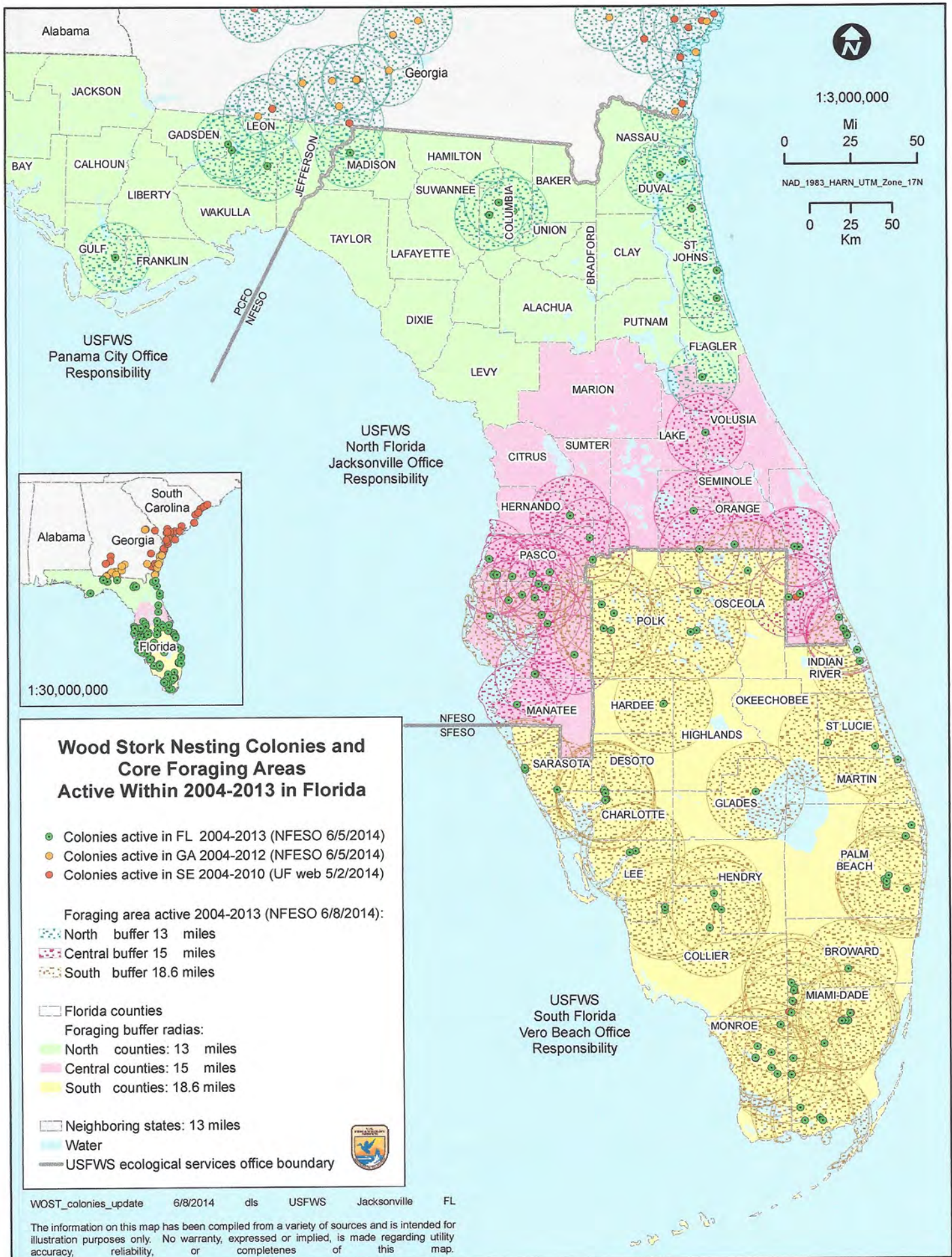
PARCEL J COMMUNITY PARK
ORANGE COUNTY, FLORIDA

Source: GARMIN HANDHELD GPS, EXCEPT IN 625

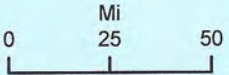
Yvonne J. Froscher
Environmental Consultant
P.O. Box 195305
Winter Springs, Florida 32719-5305
Telephone: 407-327-2020 FAX: 407-327-1718

FIGURE 3: PEDESTRIAN TRANSECTS

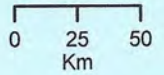
Appendix A: Wood Stork Colonies



1:3,000,000



NAD_1983_HARN_UTM_Zone_17N



USFWS
Panama City Office
Responsibility

USFWS
North Florida
Jacksonville Office
Responsibility

USFWS
South Florida
Vero Beach Office
Responsibility



1:3,000,000

Wood Stork Nesting Colonies and Active Core Foraging Areas Within 2004-2013 in Florida

- Colonies active in FL 2004-2013 (NFESO 6/5/2014)
- Colonies active in GA 2004-2012 (NFESO 6/5/2014)
- Colonies active in SE 2004-2010 (UF web 5/2/2014)

Foraging area active 2004-2013 (NFESO 6/8/2014):

- ▨ North buffer 13 miles
- ▨ Central buffer 15 miles
- ▨ South buffer 18.6 miles

- ▭ Florida counties
- Foraging buffer radii:
- ▨ North counties: 13 miles
- ▨ Central counties: 15 miles
- ▨ South counties: 18.6 miles

- ▨ Neighboring states: 13 miles
- ▨ Water

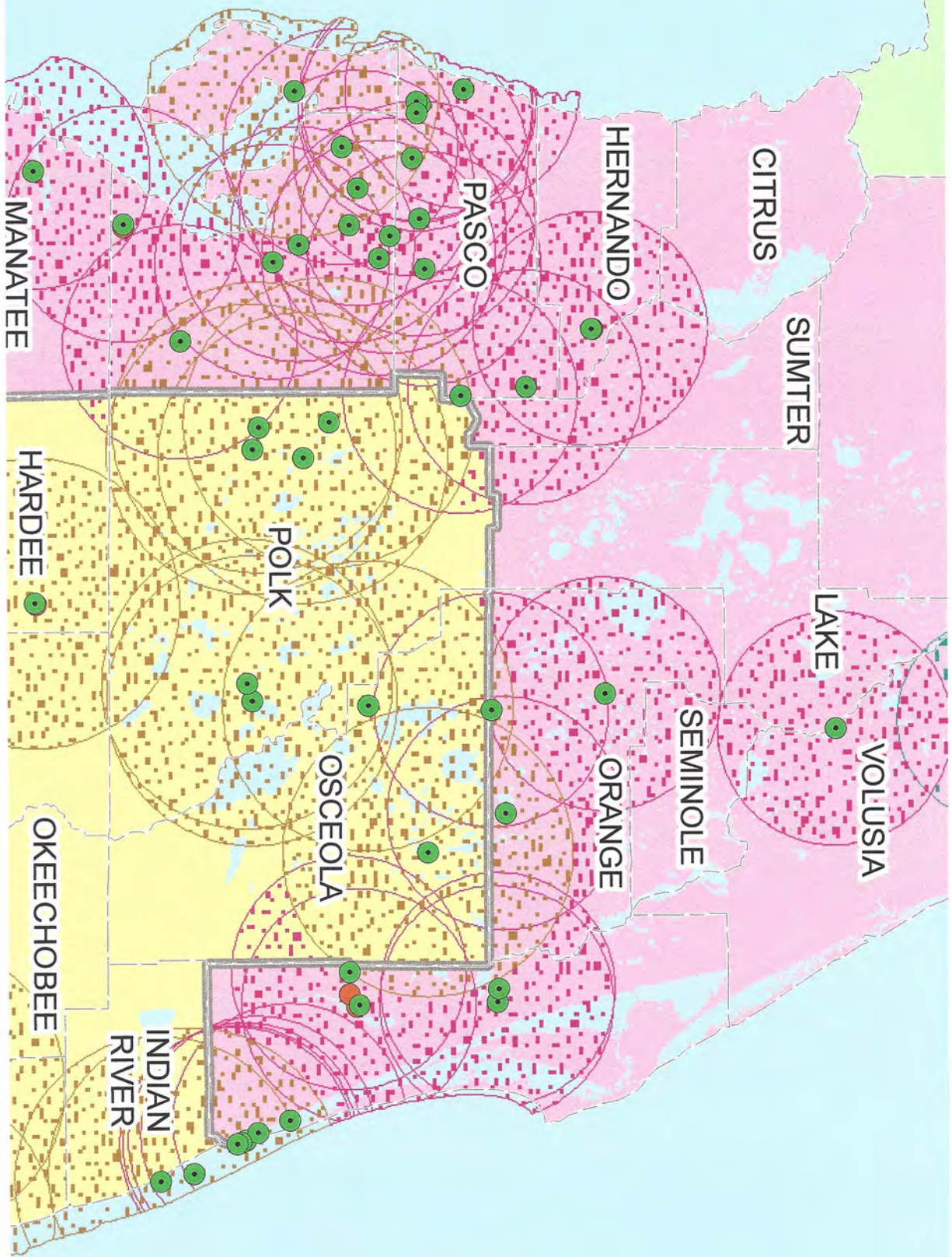
— USFWS ecological services office boundary



WOST_colonies_update 6/8/2014 dis USFWS Jacksonville FL

The information on this map has been compiled from a variety of sources and is intended for illustration purposes only. No warranty, expressed or implied, is made regarding utility accuracy, reliability, or completeness of this map.

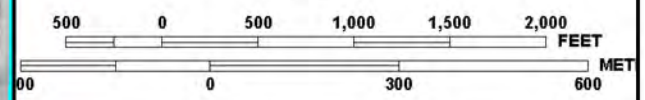
VS
orida
e Office
ibility



Appendix B: FIRM 12095C0465F



MAP SCALE 1" = 1000'



PANEL 0465F

FIRM
FLOOD INSURANCE RATE MAP
ORANGE COUNTY,
FLORIDA
AND INCORPORATED AREAS

PANEL 465 OF 750
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ORANGE COUNTY	120179	0465	F
ORLANDO, CITY OF	120186	0465	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
12095C0465F



MAP REVISED
SEPTEMBER 25, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

LEGEND



SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Area of special flood hazard formerly protected from the 1% annual chance flood event by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



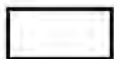
FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



OTHER FLOOD AREAS

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



OTHER AREAS

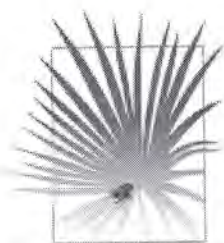
- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

MAP REPOSITORIES
Refer to Map Repositories list on Map Index

EFFECTIVE DATE OF COUNTYWIDE
FLOOD INSURANCE RATE MAP
DECEMBER 6, 2000

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Appendix C: Biodiversity Matrix Query Results



1018 Thomasville Road
Suite 200-C
Tallahassee, FL 32303
850-224-8207
850-681-9364 fax
www.fnai.org

FLORIDA
Natural Areas
INVENTORY

Florida Natural Areas Inventory

Biodiversity Matrix Query Results

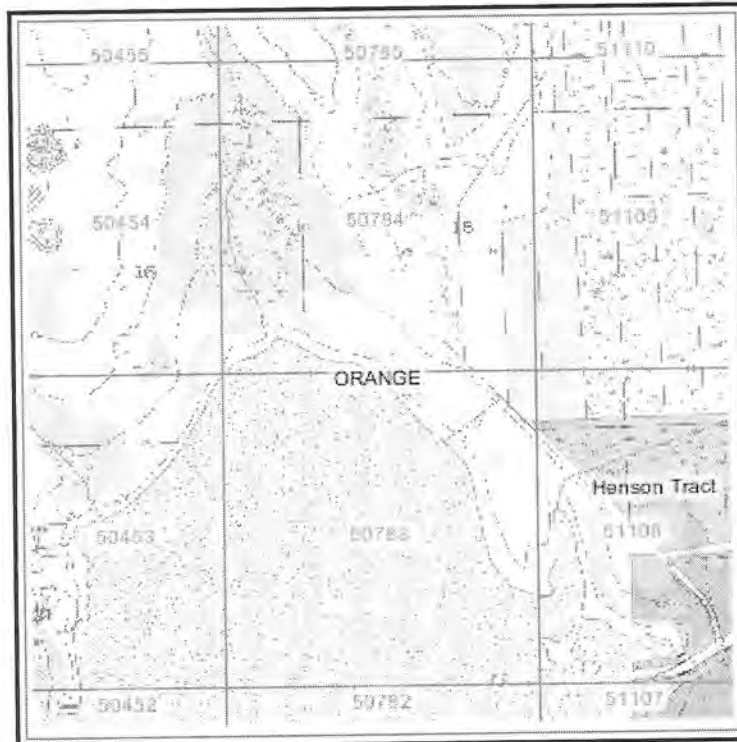
UNOFFICIAL REPORT

Created 10/20/2015

(Contact the FNAI Data Services Coordinator at 850.224.8207 for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 1 Matrix Unit: 50784



Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; *or*
2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 50784

0 Documented Elements Found

0 Documented-Historic Elements Found

3 Likely Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Mesic flatwoods</i>	G4	S4	N	N
<i>Mycteria americana</i> Wood Stork	G4	S2	LE	FE
<i>Scrub</i>	G2	S2	N	N

Matrix Unit ID: 50784

41 Potential Elements for Matrix Unit 50784

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
<i>Andropogon arctatus</i> Pine-woods Bluestem	G3	S3	N	LT
<i>Aphelocoma coerulescens</i> Florida Scrub-Jay	G2	S2	LT	FT
<i>Athene cunicularia floridana</i> Florida Burrowing Owl	G4T3	S3	N	SSC
<i>Bonamia grandiflora</i> Florida Bonamia	G3	S3	LT	LE
<i>Calamintha ashei</i> Ashe's Savory	G3	S3	N	LT
<i>Calopogon multiflorus</i> Many-flowered Grass-pink	G2G3	S2S3	N	LE
<i>Carex chapmanii</i> Chapman's Sedge	G3	S3	N	LT
<i>Centrosema arenicola</i> Sand Butterfly Pea	G2Q	S2	N	LE
<i>Conradina brevifolia</i> Short-leaved Rosemary	G2Q	S2	LE	LE
<i>Corynorhinus rafinesquii</i> Rafinesque's Big-eared Bat	G3G4	S2	N	N
<i>Deeringothamnus pulchellus</i> Beautiful Pawpaw	G1	S1	LE	LE
<i>Drymarchon couperi</i> Eastern Indigo Snake	G3	S3	LT	FT
<i>Eriogonum longifolium</i> var. <i>anaphalifolium</i> Scrub Buckwheat	G4T3	S3	LT	LE
<i>Gopherus polyphemus</i> Gopher Tortoise	G3	S3	C	ST
<i>Grus canadensis pratensis</i> Florida Sandhill Crane	G5T2T3	S2S3	N	ST
<i>Gymnopogon chapmanianus</i> Chapman's Skeletongrass	G3	S3	N	N
<i>Hartwrightia floridana</i> Hartwrightia	G2	S2	N	LT
<i>Illicium parviflorum</i> Star Anise	G2	S2	N	LE
<i>Lechea cernua</i> Nodding Pinweed	G3	S3	N	LT
<i>Lithobates capito</i> Carolina Gopher Frog	G3	S3	N	SSC
<i>Lupinus aridorum</i> Scrub Lupine	G1	S1	LE	LE
<i>Mustela frenata peninsulæ</i> Florida Long-tailed Weasel	G5T3	S3	N	N
<i>Nemastylis floridana</i> Celestial Lily	G2	S2	N	LE
<i>Neofiber alleni</i> Round-tailed Muskrat	G3	S3	N	N
<i>Nolina atopocarpa</i> Florida Beargrass	G3	S3	N	LT
<i>Nolina brittoniana</i> Britton's Beargrass	G3	S3	LE	LE
<i>Panicum abscissum</i> Cutthroat Grass	G3	S3	N	LE
<i>Peucaea aestivalis</i> Bachman's Sparrow	G3	S3	N	N

<i>Picoides borealis</i> Red-cockaded Woodpecker	G3	S2	LE	FE
<i>Pituophis melanoleucus muaitus</i> Florida Pine Snake	G4T3	S3	N	SSC
<i>Platanthera integra</i> Yellow Fringeless Orchid	G3G4	S3	N	LE
<i>Plestiodon egregius lividus</i> Blue-tailed Mole Skink	G5T2	S2	LT	FT
<i>Podomys floridanus</i> Florida Mouse	G3	S3	N	SSC
<i>Polygala lewtonii</i> Lewton's Polygala	G2G3	S2S3	LE	LE
<i>Pteroglossaspis ecristata</i> Giant Orchid	G2G3	S2	N	LT
<i>Rostrhamus sociabilis plumbeus</i> Snail Kite	G4G5T2	S2	LE	FE
<i>Salix floridana</i> Florida Willow	G2	S2	N	LE
<i>Schizachyrium niveum</i> Scrub Bluestem	G1G2	S1S2	N	LE
<i>Sciurus niger shermani</i> Sherman's Fox Squirrel	G5T3	S3	N	SSC
<i>Ursus americanus floridanus</i> Florida Black Bear	G5T2	S2	N	N
<i>Warea carteri</i> Carter's Warea	G3	S3	LE	LE

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.

Appendix D: Standard Protection Measures for the Eastern Indigo Snake

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 habitat types throughout Florida. Although they have a preference for uplands, they also utilize some wetlands

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.