QUESTION 9
MAPS

The Applicant has chosen to update key project exhibits to reflect new and updated information and to note the removal of the City of New Smyrna Beach from the ADA Application.

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL (LETTER DATED JANUARY 17, 2008)

1. Please include a CD with a PDF format copy of the ADA and Response documents, including the most recently updated maps for the RPC.

A CD with a PDF copy of the complete Restoration RAI #3 will be submitted to the ECFRPC as part of the RAI response.

2. GIS Requirements for DRI ADA Submittals

Please depict the phasing within Map H or as an additional map and send the shapefiles that correspond.

A revised Map H, Master Development Plan is included showing the two development areas. Table 10-2, Phased Development Program (Revised) shows the phasing of the development program. Map H will not be submitted as a phased document. Suffice it to say, development will begin from Indian River Boulevard on the south and progress north with infrastructure improvements.

EMS SCIENTISTS, ENGINEERS, PLANNERS, INC. (LETTER DATED JANUARY 14, 2008)

Response to "Transect Maps – G-1" on Page 9-2

To date the applicant has not provided sufficient data to adequately determine potential listed species impacts. Specifically, the items below need to be addressed.

According to the applicant's letter to Steve Lau on June 30, 2006, the applicant proposed "to conduct 15% surveys for gopher tortoises, random pedestrian transects throughout all cover types on site to determine the presence of other listed species...". No quantifiable information was submitted that demonstrates that 15% coverage has been achieved nor do the transects in Map G-1 appear to show sufficient coverage. Provide quantifiable information that demonstrates that the gopher tortoise survey has met the coverage goal of 15% or more. Re-consider performing an aerial wildlife survey to more adequately survey forested wetlands as described in Section B., FFWCC Wildlife Methodology Guidelines for Application for Development Approval.

A census of gopher tortoises was conducted over potential gopher tortoise habitats on the project site. This resulted in a 15% census covering 383 acres. With the modification of the DRI boundaries, excluding New Smyrna Beach, the gopher tortoise transect coverage is 16%, based on a survey of 340 acres. The current development plan would provide for relocation of gopher tortoises to areas preserved and restored on the western side of the project site. A 100% census will be conducted within the development area and relocation of all identified gopher tortoises will be accomplished in accordance

with an approved FWC relocation permit (see Map G1, Wildlife Census Map (Revised) for location of gopher tortoise transects).
Map G1, Wildlife Census Map (Revised) shows the location and extent of the numerous transects and sampling stations used to survey for presence of wildlife and Rugel's pawpaw on the project site and to collect qualitative data for wetlands. Numerous pedestrian and vehicle surveys conducted for nearly two years on the project site have covered many miles and the majority of the property. These surveys have been performed by experienced biologists, and with Audubon Society representatives, in search of rookeries, raptor nests, listed plant and sign of listed and other wildlife species. The referenced guidelines provide for sampling forested wetlands "…by either spot, aerial, or pedestrian surveys…" The pedestrian and spot survey methods were used to conduct a thorough investigation of the project site.

Also in the letter to Steve Lau, the applicant proposed for Rugel's pawpaw surveys "a series of transects covering 50% of the site where Immokalee sand occurs" and "....flowering-season pedestrian survey in appropriate soil types to ascertain the presence of Rugel's pawpaw". Demonstrate that 50% coverage of Immokalee sand was obtained when surveying for Rugel's pawpaw (i.e. transect length and width, visibility, number of staff). Greater coverage of other suitable soils appears warranted for a species with so few known populations and such a limited geographic distribution.

Dr. Eliane Norman, retired botany professor from Stetson University in Deland and a recognized authority with Rugel's pawpaw, was retained to further investigate presence of Rugel's pawpaw on the project site as a supplement to earlier surveys. Dr. Norman indicated, during an investigation of the site on April 3, 2008, that Rugel's pawpaw would potentially occur within open, better-drained, disturbed situations on soil types where Rugel's pawpaw has been recorded (see 2nd sufficiency response), especially non-hydric Immokalee sands, and frequently in association with other pawpaw species of the genus *Asimina*. Consequently, Dr. Norman, Dr. Michael Dennis, and Mr. Rob Bittner concentrated their investigation on April 3 on surveying representative areas of suitable soil type with openings exposing bare or sparsely vegetated soils. These areas included the FPL powerline, roadways, and a clearcut in the southeastern part of the Restoration property where open areas with low vegetation occur on Immokalee sand and other soil types known to support Rugel's pawpaw. No Rugel's pawpaw was found on the current project site. Two small areas of Rugel's pawpaw were found northeast of the project site in a non-hydric transition area between Immokalee sand and Smyrna fine sand immediately adjacent to a maintenance road in the FPL mowed powerline ROW.

The area in which the Rugel's pawpaw plant occurs is located well outside of the development footprint proposed in this application and will not be adversely affected by the project. Dr. Norman has indicated that surveys of the majority of the project site where suitable soils occur would likely not result in locating any existing populations due to the thick vegetative cover. Rugel's pawpaw is not typically found in areas that are shaded, too damp, left undisturbed for extended periods of time, or where the ground cover is too tall and/or dense. These conditions describe the vast majority of the project site, which is covered in pine plantations or wetlands with the exception of the aforementioned areas that were surveyed. Dr. Norman indicated that opening the tree canopy and disturbing the ground would be actions that would promote the growth of Rugel's pawpaw in areas where unobserved plants may occur, or seed and root stock are still viable in the soil layer. It is anticipated that restoration and management measures proposed in the SMMP will enhance habitat conditions for Rugel's pawpaw over time on the project site where suitable soils and any relic populations may occur.

Response to "Wetland Map - F2" on Page 9-3
On Map H, it appears additional wetland acreages may be impacted, specifically related to connectivity on the golf course from green to tee and due to underestimating the wetland lines that have not be completely reviewed by the St. Johns River Water Management District. Show any wetland impacts that may occur as a result of golf course development and any other portion of the development after the final wetland jurisdiction determination.

Please see the revised development plan shown on Map H, Master Development Plan (Revised) and Map F4, Wetland Impact Analysis (Revised). The referenced golf course has been removed from the proposed development plan, and the majority of the development has been shifted to the east side of the project site adjacent to I-95, with the exception of a 225-acre Conservation Hamlet area in the west-central portion of the property. The "hamlet" will be constructed almost totally on uplands. Map F4, Wetland Impact Analysis (Revised) identifies the current location and extent of wetlands that will be impacted by the western and eastern development footprints. Map F4, Wetland Impact Analysis (Revised) will be revised as may be necessary following the final wetland jurisdiction determination; however, all the wetlands within the eastern development tract have been inspected.

CITY OF EDGEWATER (LETTER DATED JANUARY 11, 2008)

Provide verification from the Florida Fish and Wildlife Conservation Commission that the proposed wildlife methodologies are acceptable.

The Florida Fish and Wildlife Conservation Commission was provided the proposed wildlife methodologies, but has chosen not to respond formally to our request for review of wildlife methodologies, nor have they elected to formally respond to this application. Hence, we cannot provide you with the agency's verification; however, we have coordinated with the FWC on specific species and issues, including the black bear. We have held discussions with the FWC about bear management on the site relative to habitat management and human-bear interactions.