

CITY GATE COMMERCE PARK

Environmental Data for PUDA Section 35 / Township 49 S / Range 26 E

Prepared For:



COLLIER COUNTY GROWTH MANAGEMENT
DIVISION
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APPENDICES

APPENDIX A: Native Vegetation Exhibits

APPENDIX B: Staff Qualifications

APPENDIX C: Protected Species Survey

INTRODUCTION

The purpose of this document is to satisfy the Environmental Data requirements (LDC Section 3.08.00) for a PUDR of the City Gate Commerce Park property. This information is in response to the circled items in the PUDR Pre-Application Notes as provided by Davidson Engineering.

PROPERTY LOCATION

The City Gate property is located in the northeastern quadrant of the intersection of Interstate 75 and Collier Boulevard (951), in Section 35, Township 49 South, Range 26 East, in Collier County, Florida (Figures 1 & 2). The PUD is approximately 291.60 acres.

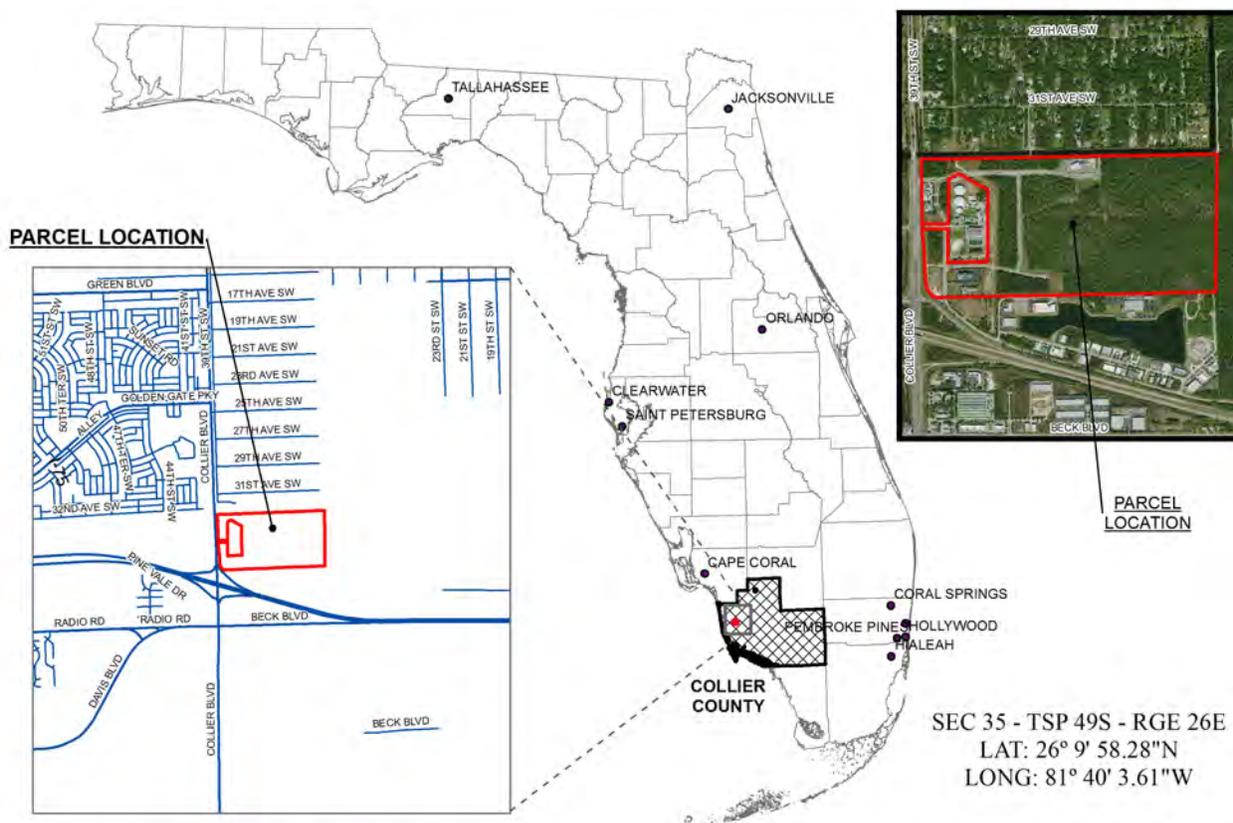


Figure 1. Location Map



Figure #2. 2017 Aerial with City Gate Boundary

PROJECT HISTORY

City Gate has a long history, dating back to 1987. It has acquired all of its environmental permits, including: An Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD), A determination of no wetlands (SWANCC) from the Army Corps of Engineers (ACOE), A biological opinion (BO) and incidental take permit (ITP) from the U.S. Fish & Wildlife Service.

Copies of these documents are being provided as separate PDF's for review. They are titled:

- 1a-SFWMD ERP Permit.pdf
- 1b-SFWMD ERP Permit Exhibits.pdf
- 2-ACOE 5-19-05 SWANCC Determination.pdf
- 3-City Gate USFWS Biological Opinion.pdf
- 4-USFWS Incidental Take Permit-TE145823-0.pdf

Additionally, City Gate has completed all mitigation monitoring requirements for the USFWS & SFWMD. Copies of the 5 annual monitoring reports for the USFWS are being provided as separate PDF's for review. They are titled:

- 5-First Annual Wetland Monitoring Report-USFWS.pdf
- 6-Second Annual Wetland Monitoring Report-USFWS.pdf
- 7-Third Annual Wetland Monitoring Report-USFWS.pdf
- 8-Fourth Annual Wetland Monitoring Report-USFWS.pdf

9-Fifth Annual Wetland Monitoring Report-USFWS.pdf

City Gate's history with Collier County regarding the PUD, native vegetation requirements, and vesting is as follows:

| | |
|-------------------------|---|
| 1987 April | Application for Development Approval (the "ADA"). |
| 1988 December | Board of County Commissioners of Collier County adopts Development of Regional Impact Development Order 88-2 (the "DRI DO") and City Gate Commerce Park PUD Ordinance 88-93, ("CITY GATE PUD" or "PUD"). [The PUD document provides that the PUD Master Plan is the DRI Master Plan – Map (H) from the ADA]. |
| 1989 January | Collier County adopts Comprehensive Growth Management Plan ("Comp. Plan"). |
| 1990 August | Development Order Amendment 90-4 [Settlement of DOAH Case, Red Cockaded Woodpeckers Mitigation & Management Plan]. |
| 1991 | Collier County adopts Land Development Code ("LDC"). |
| 1995 February | Development Order Amendment 95-2 |
| 2000 May | Development Order Amendment 2000-02 |
| 2000 July 28 | BCC and City Gate (Predecessor-in-title) enter into PROPERTY EXCHANGE AND DESIGN / CONSTRUCTION AGREEMENT |
| 2000 August | BCC approves Resolution 2000-242. County to exchange then existing White Lake Blvd. ROW for 80' ROW. |
| 2003 May 15 | Application for Preliminary Subdivision Plat: land west of FPL easement. |
| 2003 July 9 | Citygate Development, LLC and CG II, LLC acquire title to City Gate. |
| 2003 October | Meeting with Southwest Florida Regional Planning Council (SWFRPC) Dan Trescott [DRI Coordinator] and Jim Beever [FWS]. |
| 2004 April 19 | Meeting with County Environmental Staff William Lorenz [Director], Barbara Burgeson [Senior Environmental Specialist] and Kevin Dugan [Environmental Specialist]. |
| 2004 June 18 | City Gate presented outline draft of HCP to SWFRPC, Dan Trescott and Jim Beever. |
| 2004 August | City Gate presented outline draft HCP to County Environmental Staff William Lorenz, Barbara Burgeson and Mac Hatcher [Environmental Specialist]. |
| 2004 August 30 | City Gate meets with County Environmental Staff: William Lorenz, Barbara Burgeson, and Alexandra Sulecki [Conservation Collier]. |
| 2004 December 27 | County Environmental Staff -Laura Roys site visit – Phase One |
| 2005 January 6 | Meeting with County Environmental Staff: William Lorenz, Barbara Burgeson [Senior Environmental Specialist] and Laura Roys |
| 2005 February 9 | Meeting with County Environmental Staff: Barbara Burgeson, Laura Roys, Assistant County Attorney Patrick White & Reps of Utilities. "Staff tells City Gate to avoid current vegetation preserves requirements, get a Vested Rights Determination". |
| 2005 May 12 | Notice that Citygate Development, LLC and CG II, LLC have applied to Collier County pursuant to Section 9.02 of Ordinance 04-41 for a determination that City Gate, as hereafter defined is vested to complete the development as authorized by the existing Development of Regional Impact Development Order 88-2, which incorporates Ordinance 88-93, the City Gate Commerce Park Planned Unit Development. |
| 2005 June 7 | County Attorney's Office Completes Review of City Gate's Application for Vested Rights |
| 2005 July 12 | County Attorney approves City Gate's response: Any change in City Gate's mitigation plan is inconsequential for the VRD. "Vesting means development rights obtained through a previously approved DRI DO are not lost by subsequent changes in the law." "Development" is defined in Section 380.04 [and adopted into Chapter 163 by Section 163.3164(6)] as "any carrying out of building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels." Development involves an intensification of the use of land. Mitigation conditions or management plans for listed species included in a DO, are obviously not "development" provisions; they are the terms and conditions under which development may be carried out. |

- 2005 September 9-19 Collier Environmental Laura Roys reviews and approves "final modifications" to Required Yard Plan, Exhibit to Vested Rights Determination.
- 2005 November 18 County Manager and County Attorney execute Vested Rights Determination for City Gate Development of Regional Impact & PUD ("VRD"). The Required Yard Management Plan ("Required Yard Plan") was an Exhibit to the VRD.
- 2005 November 15 BCC approves Settlement, which incorporates Vested Rights Determination (Recorded 1/13/2006 O.R. Book 3965, Page 2813).
- 2008 March 5 EAC unanimous approval of Phase Two Plat, which presentation included the Required Yard Plan and HCP. "The native vegetation requirements for this project were established through the original DRI process (DRI-DO 88-2). In November 2005, a required yard plan determining the amount and location of native preservation was established through the VRD."
- 2009 July 1 Federal Fish and Wildlife Permit [Endangered Species - Incidental Take] issued to City Gate
- 2009 August 4 Heidi Ashton-Cicko in response to Chris D'Arco's RLS opined: The Vested Rights Determination stated that the Development Order and the PUD were to be used to determine the required native vegetation rather than the LDC provisions adopted in 2003/2004. Section VII Item 5 of Ord. 89-93 provides: "Pine trees having a Diameter to Breast Height (DBH) of 8" [inches] or more, located outside the RCW preserve but within the required yard and buffer areas in the remainder of the site, will be conserved to provide additional RCW forage areas." (Similar language is in DO 90-4 but it refers to 8 ' (feet) which appears to be a typographical error.) Since landscape plans and, preserves are reviewed during the PPL process, staff must review the plans now rather than waiting until time of SDP, to ensure compliance with the native vegetation and landscape requirements.
- 2009 October 9 Susan Istenes – City Gate DCA requires a PUDA [Roads private] [Public Meetings etc.], Planning Council, City Gate must go through the required notice and public hearings or it will be "the end of the world as we know it."
- 2009 October 12 SFWMD issues ERP Modification – Construction and Operation 131.61 acres and conceptual authorization for the remaining project area.
- 2009 October 22 Joe Schmitt – City Gate DCA requires a PUDA [Roads private], since you must change the PUD, there is required notice and public hearings.
- 2009 December 9 Developer Agreement – City Gate is approved by BCC. (O.R. Book 4517, Page 640). County acknowledges 2005 VRD, agrees that Developer Agreement does not diminish the VRD and reaffirms that City Gate is vested.
- 2010 January 13 Third Amendment to the Declaration of Covenants, Conditions, Page 524) which added The Required Yard Plan to the Declaration. [Third Amendment included a provision that if any requirement of the Required Yard Plan derived from the Red Cockaded Woodpecker Management Plan in the PUD and/or DRI Development Order is eliminated or modified by any future amendment to the PUD and/or DRI Development Order, then the corresponding requirement in the Required Yard Plan may be modified in conformance with such amendment].
- 2010 November 9 Ordinance # 2010-42, amends Section VII, entitled Red Cockaded Woodpecker Plan, of the City Gate Commerce Park PUD Document in Ordinance NO 88-93, by deleting it entirely.
- 2010 November 9 Development Order Amendment 2010-01, Resolution 2010-223, amended Development Order 88-02, as amended, specifically the section entitled Vegetation and Wildlife Wetlands and provisions regarding Red Cockaded Woodpeckers.
- 2011 December 2 Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for City Gate – Amended Required Yard Plan (Recorded OR Book 4751, Page 3112) in accordance with the 2010 DOA and PUDA.

2015 June 23

First Amendment to Developer Agreement (Recorded OR Book 5168, Page 3989) County acknowledges 2005 VRD, agrees that Amendment to Developer Agreement does not diminish the VRD and reaffirms that City Gate is vested.

A copy of the 2008 Collier County EAC staff report is being provided as a separate PDF for review. It is titled:

I0-City Gate EAC Staff Report-2008.pdf

ENVIRONMENTAL DATA CHECKLIST

(Numbers match PUDZ-PUDA checklist)

This information is in response to the circled items in the PUDR Pre-Application Notes as provided by Davidson Engineering.

I. Is the project in compliance with the overlays, districts and/or zoning on the subject site and/or the surrounding properties? (CON, ST, PUD, RLSA, RFMU, etc.) (LDC 2.03.05-2.03.08;4.08.00)

Yes, see attached revised PUD document. The original City Gate PUD dates back to Ordinance 88-93. The following describes the uses that surround the City Gate PUD:

NORTH: GOLDEN GATE ESTATES UNIT 28, which was platted in 1964. This Unit contains 53 acres of roads and 46 acres of canals (the Main Golden Gate Canal runs along Unit 28's east and south borders).

WEST: (BISECTING) FPL TRANSMISSION LINE (230 Kilovolt (kV) transmission line) is in a 170 foot wide easement running from north to south across City Gate. This FPL easement was granted in 1977 and almost the entire width of the easement was cleared. The easement encompasses over 12 acres of land.

(OUPARCEL IN CITY GATE) SOUTH COLLIER COUNTY REGIONAL WATER TREATMENT PLANT (SCRWTP) sits on 26.6 acres of land immediately west of the FPL easement. The property was acquired by an eminent domain action in 1981. In 2001, Collier County began to expand the SCRWTP by 8 million gallons to 20 million gallons per day. That expansion project included the construction of 2 production wells on City Gate property near its northern border and a raw water transmission line that brings raw water from production wells further east to SCRWTP. SCRWTP has created more raw water wells in Section 25, about a half mile to a mile northeast of City Gate's northeast property corner

SOUTH: WHITE LAKE CORPORATE PARK is 144 acres, with a 44 acre lake that was originally a burrow pit for I-75. Eight acres have been designated commercial and 77 acres designated for industrial uses. Parker-Hannifin is located immediately south of City Gate with a 130,000 square foot building.

I-75 with Exit 101 and the Alligator Alley Tollbooth

EAST: 308 ACRES OF UNDEVELOPED PROPERTY owned by Collier County. This property is presently zoned agricultural; however, it is shown on the Future Land Use Map as industrial.

COLLIER LANDFILL sits on 320 acres in the east ½ of Section 36 east of City Gate. The land was purchased by the Collier Board of County Commissioners on August 30, 1974. The first solid waste was delivered to the Landfill in December, 1976. The Landfill is currently operated on behalf of the County by Waste Management of Southwest Florida, Inc. (WMI), who was awarded a contract in 1995. The Landfill now receives an average of 400 to 500 trucks per day. All of the landfill traffic enters and exits through City Gate from Collier Boulevard (CR 951).

2. Submit a current aerial photograph (available from the Property Appraiser's office) and clearly delineate the subject site boundary lines. If the site is vegetated, provide FLUCFCS overlay and vegetation inventory identifying upland, wetland and exotic vegetation (Admin. Code Ch. 3 G. I. Application Contents #24).

Native vegetation calculations and requirements were established in 1988 during the original DRI process and re-validated in 2004/2005 as part of a vested rights determination. (Figure 3) details FLUCCS mapping from 2004, as approved by the County at that time. (Figures 4 & 5) show FLUCCS mapping under current conditions.

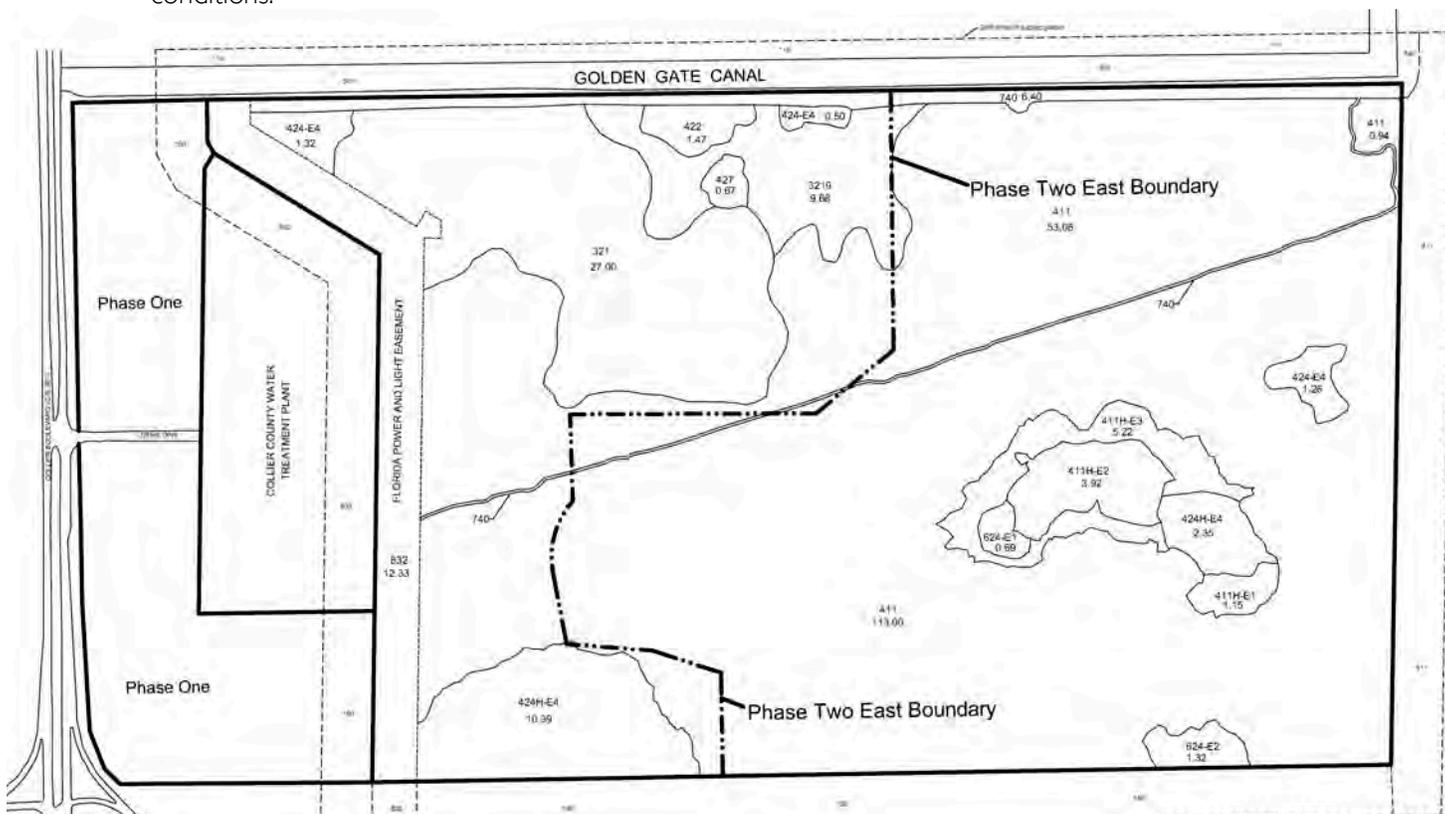


Figure 3. 2004/2005 FLUCCS Mapping

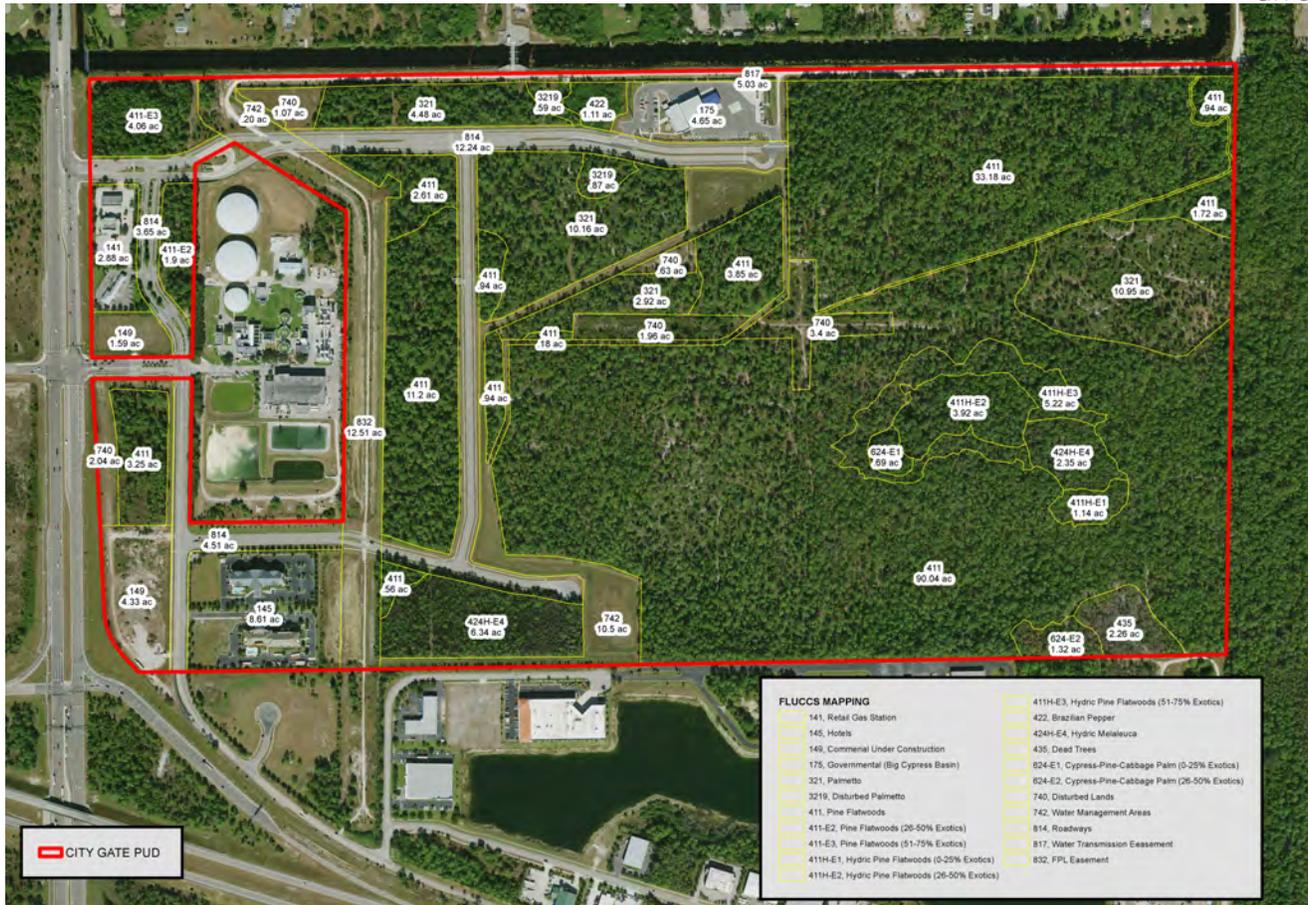


Figure 4. 2017 Aerial with FLUCCS Mapping

Listed below are the FLUCCS communities identified on the site under current conditions. The following community descriptions correspond to the mappings on the FLUCCS map in (Figures 4 & 5). See Florida Land Use, Cover and Forms Classification System (Department of Transportation, Surveying & Mapping Geographic Mapping Section, 1999) for definitions.

FLUCCS 141, Retail Sales and Services (Gas Station), 2.88 Acres

This portion of the property includes a gas station and car wash in City Gate Phase I. It includes the building, driveways, parking lots, and associated structures and facilities.

FLUCCS 145, Tourist Services (Hotels), 8.61 Acres

There are two hotels previously constructed in City Gate Phase I.

FLUCCS 149, Commercial Services Under Construction, 5.92 Acres

A storage facility under construction exists in the southwest corner of City Gate Phase I.

FLUCCS 175, Governmental, 4.65 Acres

There is a South Florida Water Management District building (Big Cypress Basin) along the north-central property line – City Gate Phase 2, lots 5 & 6.

FLUCCS 321, Palmetto Prairies, 28.51 Acres

This community is found mostly in the northwest corner of City Gate Phase 2, just south of City Gate Boulevard North, and along the eastern property boundary. It is dominated by saw palmetto with scattered slash pine in the canopy. Other vegetation present includes pennyroyal, rusty lyonia, southern sumac, and grapevine.

FLUCCS 3219, Disturbed Palmetto, 1.46 Acres

This community is found in the northern region of the property. Mid-story is nearly absent, consisting of occasional saw palmetto. Dominant groundcover is dense grapevine and bracken fern.

FLUCCS 411-E1/E2/E3, Pine Flatwoods (0-75% Exotics), 157.43 Acres

This community makes up the majority of the property. It is dominated by slash pine with a common understory of saw palmetto. Other vegetation present includes buckthorn, beautyberry, grapevine, poison ivy, myrsine, and rusty lyonia. Densities of exotic vegetation, including melaleuca and ear leaf acacia, vary throughout.

FLUCCS 411H-E1/E2/E3, Hydric Pine Flatwoods (0-75% Exotics), 10.28 Acres

This community is found in the east-central portion of the property. Canopy is dominated by slash pine and melaleuca. Other vegetation includes buckthorn, cypress, swamp fern, wax myrtle, scattered grapevine and poison ivy.

FLUCCS 422, Brazilian Pepper, 1.11 Acres

This community is found in a small, isolated occurrence along the north-central property boundary. It is dominated by a dense Brazilian pepper canopy, with little to no understory vegetation.

FLUCCS 424H-E4, Hydric Melaleuca (>75% Exotics), 8.69 Acres

This community is dominated by melaleuca in the canopy. Slash pine and bald cypress are scattered throughout. Other vegetation present includes wiregrass, tickseed, and swamp fern.

FLUCCS 435, Dead Trees, 2.26 Acres

This community is found in the southeast property corner. It is dominated by snags (dead trees) in areas burned by a wildfire. Other vegetation present includes Caesar weed, grapevine, poison ivy, and smilax.

FLUCCS 624-E1/E2, Cypress – Pine – Cabbage Palm (0-50% Exotics), 2.01 Acres

Canopy in this community is dominated by cypress, slash pine and cabbage palm in combinations in which no species achieves dominance. Other vegetation present includes melaleuca, ear leaf acacia, dahoon holly, swamp fern, Caesar weed, grapevine, saw grass, buckthorn, smilax, poison ivy and wax myrtle.

FLUCCS 740, Disturbed Lands, 9.10 Acres

Disturbed lands are those which have been changed primarily from human activities. On the site, these areas consist primarily of berms, trails and previously cleared areas.

FLUCCS 742, Water Management Areas, 10.70 Acres

These consist of water detention areas east of City Gate Boulevard South and at the western end of City Gate Boulevard North. These areas form the temporary water management facilities for City Gate Phase 2.

FLUCCS 814, Roads and Highways, 20.40 Acres

These include City Gate Drive, City Gate Boulevard North and South, and White Lake Boulevard.

FLUCCS 817, Water Transmission Easement, 5.03 Acres

This area forms the northern property line, adjacent to the Golden Gate Canal. It is a utility easement for water lines that run from the Resource Recovery Property (to the NE) back to the South County Regional Water Treatment Plant.

FLUCCS 832, Electrical Power Transmission Lines, 12.51 Acres

This includes the area east of the Water Treatment Plant and consists of a Florida Power and Light (FPL) easement.

The following table is summary of FLUCCS communities and corresponding acreages:

| FLUCCS CODE | DESCRIPTION | ACREAGE |
|-------------|--|---------|
| 141 | Retail Sales and Services (Gas Station) | 2.88 |
| 145 | Tourist Services (Hotels) | 8.61 |
| 149 | Commercial and Services Under Construction | 5.92 |
| 175 | Governmental (SWFWMD) | 4.65 |
| 321 | Palmetto Prairies | 28.51 |
| 3219 | Disturbed Palmetto | 1.46 |
| 411-E1 | Pine Flatwoods (0-25% Exotic Coverage) | 151.47 |
| 411-E2 | Pine Flatwoods (26-50% Exotic Coverage) | 1.9 |
| 411-E3 | Pine Flatwoods (51-75% Exotic Coverage) | 4.06 |
| 411H-E1 | Hydric Pine Flatwoods (0-25% Exotic Coverage) | 1.14 |
| 411H-E2 | Hydric Pine Flatwoods (26-50% Exotic Coverage) | 3.92 |
| 411H-E3 | Hydric Pine Flatwoods (51-75% Exotic Coverage) | 5.22 |
| 422 | Brazilian Pepper | 1.11 |
| 424H-E4 | Hydric Melaleuca (>75% Exotic Coverage) | 8.69 |
| 435 | Dead Trees (Wildfire Area) | 2.26 |
| 624-E1 | Pine-Cypress-Cabbage Palm (0-25% Exotic Coverage) | 0.69 |
| 624-E2 | Pine-Cypress-Cabbage Palm (26-50% Exotic Coverage) | 1.32 |
| 740 | Disturbed Lands | 9.10 |
| 742 | Water Management Areas | 10.7 |
| 814 | Roads and Highways | 20.4 |
| 817 | Water Transmission Easement | 5.03 |
| 832 | Electrical Power Transmission Lines (FPL Easement) | 12.51 |
| | Site Total: | 291.55 |

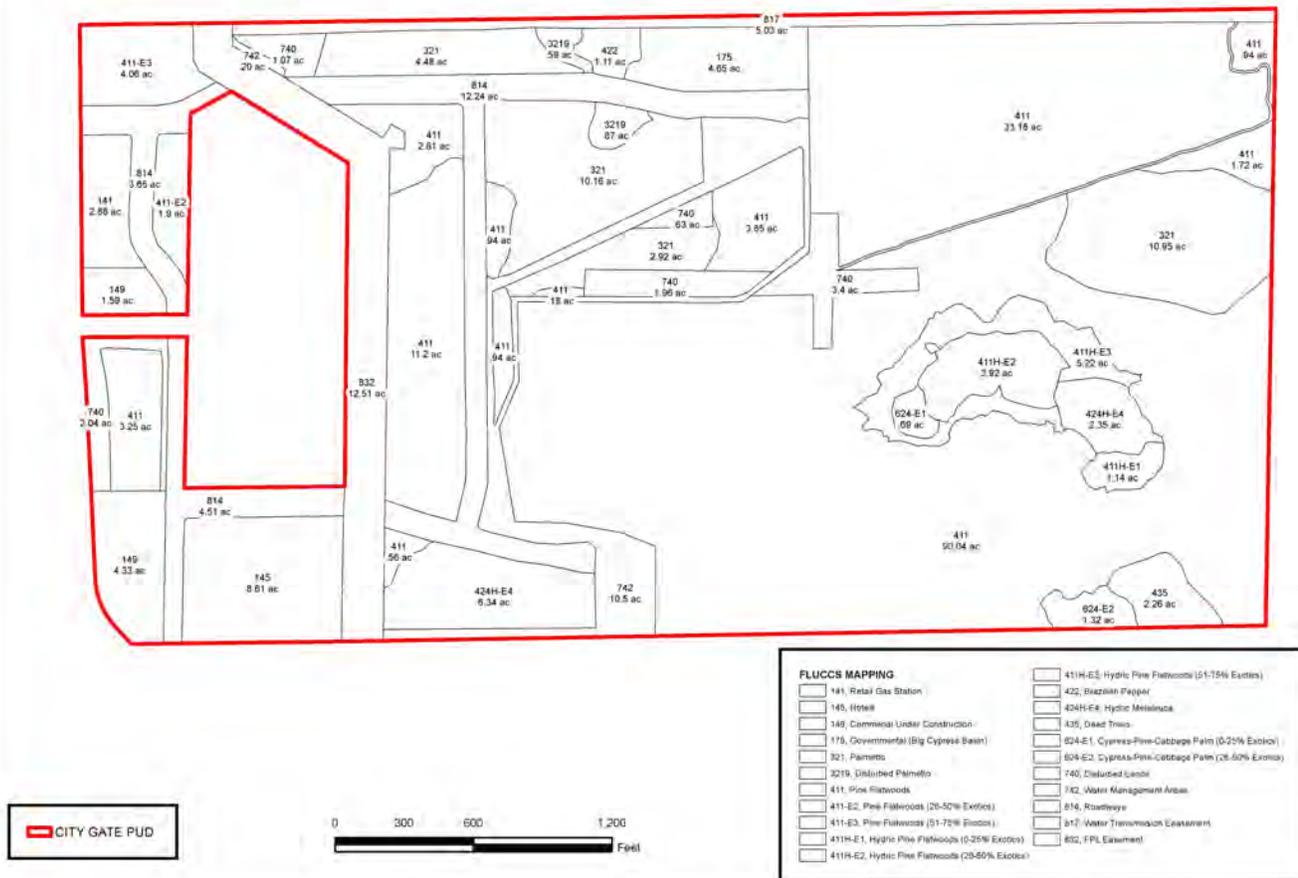


Figure 5. 2017 FLUCCS Mapping

3. Clearly identify the location of all preserves and label each as "Preserve" on all plans. (LDC I.05.07.H.1) Preserve Label- P546

Native vegetation requirements for the City Gate project were established through the original DRI process in 1988 (DRI-DO 88-2). These requirements were further clarified and quantified through the Vested Rights Determination completed on November 18th, 2005. During the course of the Vested Rights Determination process, City Gate worked closely with Collier County environmental staff to develop a "Required Yard Plan" that is meant to govern the amount and location of native vegetation preservation on the City Gate property. One finding of fact in the Vested Rights Determination was that the City Gate Commerce Park Development Order, as amended, was deemed consistent with the Growth Management Plan. More specifically, the Required Yard Plan as approved allows the proposed preserve areas on the property to not be in compliance with the GMP.

As state in the PUD, the provisions for native vegetation retention requirements for this project are set forth in the Required Yard Plan, an exhibit to the Vested Rights Determination (PUD Supplement B); which is an exhibit to the Settlement Agreement and Release (PUD Supplement C), dated January 13, 2006, recorded in OR Book 3965, Page 2,813 et seq. Public Records, Collier County Florida.

4. Provide calculations on site plan showing the appropriate acreage of native vegetation to be retained, the max. amount and ratios permitted to be created on-site or mitigated off-site. Exclude vegetation located

within utility and drainage easements from the preserve calculations (LDC 3.05.07.B-D; 3.05.07.F; 3.05.07.H.1.d-e). **Preserve Calculation - P547**

See discussion above in #3. Based on the Collier County approved 2004\2005 FLUCCS mapping for the PUD, the native vegetation requirement for each phase of City Gate is:

Phase 1: 0.83 acres

Phase 2: 5.15 acres

Phase 3: 24.59 acres

See Appendix A, Native Vegetation Exhibits for a phase\acreage breakdowns and calculations. A copy of the 2004\2005 FLUCCS mapping is also included. It details the portions of the property that were not classified as native vegetation in the approved Environmental Impact Statement (EIS).

6. **Retained preservation areas shall be selected based on the criteria defined in LDC 3.05.07.A.3, include all 3 strata, be in the largest contiguous area possible and shall be interconnected within the site and to adjoining off-site preservation areas or wildlife corridors. (LDC 3.05.07.A.1-4) Preserve Selection-P550**

See discussion above in #3.

7. **Principle structures shall be located a minimum of 25' from the boundary of the preserve boundary. No accessory structures and other site alterations, fill placement, grading, plant alteration or removal, or similar activity shall be permitted within 10' of the boundary unless it can be shown that it will not affect the integrity of the preserve (i.e. stem wall or berm around wetland preserve). Provide cross-sections for each preserve boundary identifying all site alterations within 25'. (LDC 3.05.07.H.3; 6.01.02.C.) Preserve Setback**

See discussion above in #3.

8. **Provide Environmental Data identifying author credentials, consistency determination with the GMPs, off-site preserves, seasonal and historic high water levels, and analysis of water quality. For land previously used for farm fields or golf course, provide soil sampling/groundwater monitoring reports identifying any site contamination. (LDC 3.08.00) Environmental Data Required.**

Please refer to this document and supporting information.
Author credentials are provided in Appendix B.

9. **PUD Document and Master Plan shall state the minimum acreage required to be preserved. (LDC 10.02.13.A.2) Master Plan Contents-P626**

See PUD Document and Master Plan provided by Davidson Engineering.

10. **PUD shall include Preserve Tract section. When listing preserve uses, the following is suggested:**
A. Principal Use: Preserve; B. Accessory Uses: All other uses (list as applicable or refer to the LDC) OR
A. Allowable Uses:
 1. Nature trails and boardwalks that do not reduce the amount of required preserve.
 2. Passive Recreation areas, as per LDC requirements.
 3. Water management as allowed by the LDC.

PUD Commitments and Site Plan notes

Where preserves occur adjacent to development off site and will be used in lieu of landscape buffers, include the following condition in the environmental commitments section of the PUD document or master plan:

Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC sections 4.06.02 and 4.06.05.E.1. Supplemental plantings with native plant material shall be in accordance with LDC section 3.05.07.

Not applicable. See discussion in #3 of Environmental Data Checklist.

11. PUD Document shall identify any listed species found on site and/or describe any unique vegetative features that will be preserved on the site. (LDC 10.02.13.A.2.) Unique Features- P628

Example: A management plan for the entire project shall be submitted in accordance with the requirements and procedures of the LDC for listed species including but not limited to Black Bear, Gopher Tortoise and listed birds.

The management plan shall be submitted prior to development of the first phase of the project.

See Appendix C, Protected Species Survey

Big Cypress Fox Squirrel (*Sciurus niger avicennia*)

A total of eight (8) day beds or potential squirrel nest structures were observed on the City Gate property. Only gray squirrels were observed during the species survey. A management plan for Big Cypress fox squirrels is incorporated into the approved SFWMD permit.

Gopher Tortoise (*Gopherus polyphemus*)

A total of eight (8) gopher tortoise burrows were observed on the property, seven (7) of which are potentially occupied. Gopher tortoise were relocated from the property under an FWC permit in 2009. These new tortoise burrows are likely from waif tortoise that have been dropped off at the site since 2009. Lot purchasers will be required to obtain an offsite relocation permit from FWC for those lots that have tortoise burrows.

Wild Pine (*Tillandsia fasciculata*)

Wild pine were observed in trees throughout the property. Relocation of wild pine is incorporated into the Required Yard plan.

Additional Comments: Environmental Data Checklist

The Environmental Data requirements can be found in LDC Section 3.08.00

1. Provide the EIS fee if PUD or CU.

Fee has been provided as part of the submittal.

2. WHO AND WHAT COMPANY PREPARED THE ENVIRONMENTAL DATA REPORT? Preparation of Environmental Data. Environmental Data Submittal Requirements shall be prepared by an individual with academic credentials and experience in the area of environmental sciences or natural resource management. Academic credentials and experience shall be a bachelor's or higher degree in one of the biological sciences with at least two years of ecological or biological professional experience in the State of Florida. Please include revision dates on resubmittals.

This Environmental Data report was prepared by Earth Tech Environmental, LLC. Ecologists Jeremy Sterk and Jennifer Bobka. See Appendix B, Staff Qualifications.

3. Identify on a current aerial, the location and acreage of all SFWMD jurisdictional wetlands according to the Florida Land Use Cover and Forms Classification System (FLUCFCS) and include this information on the SDP or final plat construction plans. Wetlands must be verified by the South Florida Water Management District (SFWMD) or Florida Department of Environmental Protection (DEP) prior to SDP or final plat construction plans approval. For sites in the RFMU district, provide an assessment in accordance with 3.05.07 F and identify on the FLUCFCS map the location of all high quality wetlands (wetlands having functionality scores of at least 0.65 WRAP or 0.7 UMAM) and their location within the proposed development plan. Sites with high quality wetlands must have their functionality scores verified by the SFWMD or DEP prior to first development order approval. Where functionality scores have not been verified by either the SFWMD or DEP, scores must be reviewed and accepted by County staff, consistent with State regulation.

See (Figure 6). At the time of original permitting, the following SFWMD jurisdictional wetland communities were identified on the property:

FLUCCS 411H-E1/E2/E3, Hydric Pine Flatwoods (0-75% Exotics)

This community is found in the east-central portion of the property. Canopy is dominated by slash pine and melaleuca. Other vegetation includes buckthorn, cypress, swamp fern, wax myrtle, scattered grapevine and poison ivy.

FLUCCS 424H-E4, Hydric Melaleuca (>75% Exotics)

This community is dominated by melaleuca in the canopy. Slash pine and bald cypress are scattered throughout. Other vegetation present includes wiregrass, tickseed, and swamp fern.

FLUCCS 624-E1/E2, Cypress – Pine – Cabbage Palm (0-50% Exotics)

Canopy in this community is dominated by cypress, slash pine and cabbage palm in combinations in which no species achieves dominance. Other vegetation present includes melaleuca, ear leaf acacia, dahoon holly, swamp fern, Caesar weed, grapevine, saw grass, buckthorn, smilax, poison ivy and wax myrtle.

A total of 23.77 acres of wetlands were present on the property at the time of ERP permitting with the SFWMD. The SFWMD environmental resource permit for City Gate was issued in October of 2009. As part of that permit, the SFWMD authorized direct impacts to all but 2.01 acres of jurisdictional wetlands that were present on the property. The 2.01 acres of wetlands, located in City Gate Phase 3, are isolated and made up of a 0.69 acre area in the central portion of the phase and a 1.32 acre area adjacent to the southern property line. The SFWMD considered these remaining wetlands to be secondarily impacted due to isolation by the proposed surrounding development. City Gate has already mitigated for these secondary impacts as part of their approved permit.

Due to the small, isolated nature of these wetlands and the fact that they have already been secondarily impacted, the SFWMD would allow these wetlands to be directly impacted. A permit modification would be required along with a small amount of offsite mitigation at an approved wetland mitigation bank – City Gate or Collier County may pursue this modification in the future. No permits from Federal agencies (ACOE or USFWS) would have to be modified or acquired for this change.

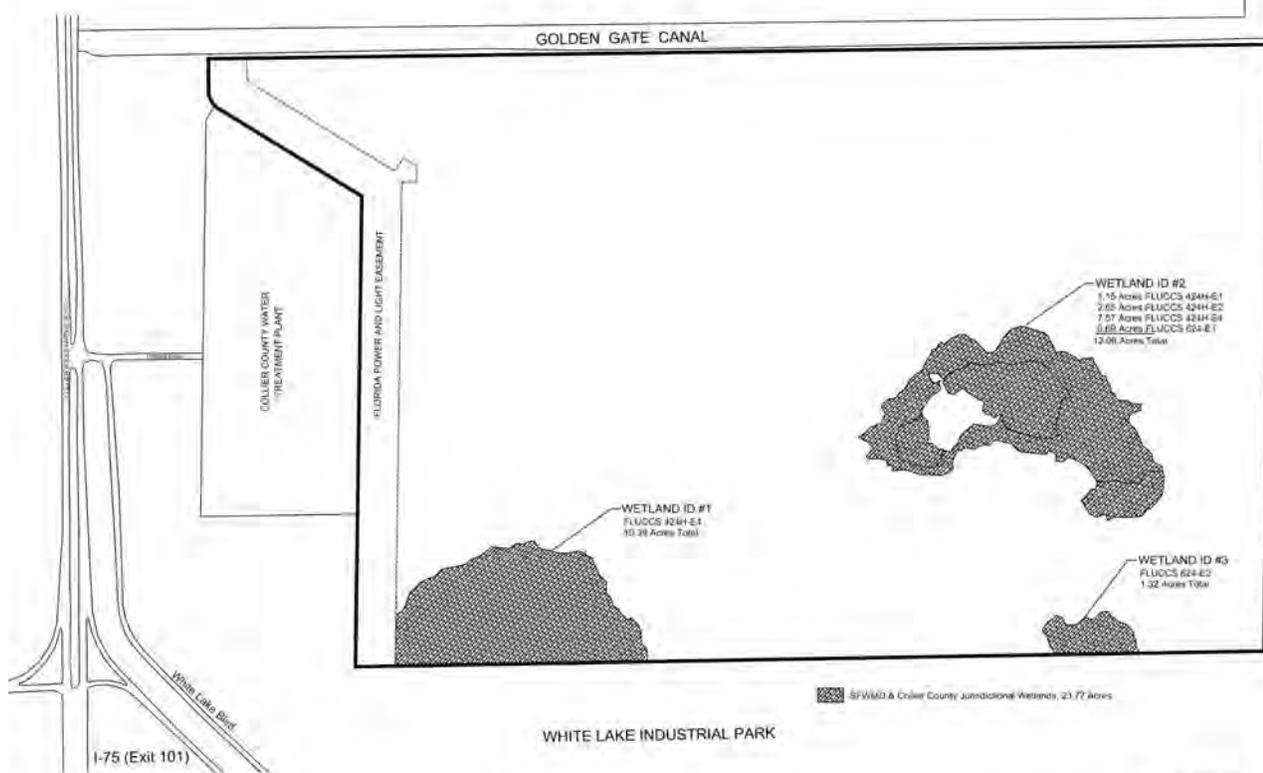


Figure 6. SFWMD Jurisdictional Wetlands.

4. Where treated stormwater is allowed to be directed into preserves, show how the criteria in 3.05.07 H have been met.

Not applicable. No water management will be directed into preserves.

5. Where native vegetation is retained on site, provide a topographic map to a half foot and, where possible, provide elevations within each of the FLUCFCS Codes identified on site. For SDP or final plat construction plans, include this information on the site plans.

Not applicable. See discussion above in #3 of Environmental PUDZ-PUDA checklist.

6. Provide a wildlife survey for the nests of bald eagle and for listed species known to inhabit biological communities similar to those existing on site. The survey shall be conducted in accordance with the guidelines or recommendations of the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S. Fish and Wildlife Service (USFWS). Survey times may be reduced or waived where an initial habitat assessment by the environmental consultant indicates that the likelihood of listed species occurrence is low, as determined by the FFWCC and USFWS. Where an initial habitat assessment by the environmental consultant indicates that the likelihood of listed species occurrence is low, the survey time may be reduced or waived by the County Manager or designee, when the project is not reviewed or technical assistance not provided by the FFWCC and USFWS. Additional survey time may be required if listed species are discovered.

See Appendix C, Protected Species Survey

7. Provide a survey for listed plants identified in 3.04.03.

See Appendix C, Protected Species Survey

8. Identify on a current aerial the acreage, location and community types of all upland and wetland habitats on the project site, according to the Florida Land Use Cover and Forms Classification System (FLUCFCS), and provide a legend for each of the FLUCFCS Codes identified. Aerials and overlay information must be legible at the scale provided. Provide calculations for the acreage of native vegetation required to be retained on-site. Include the above referenced calculations and aerials on the SDP or final plat construction plans. In a separate report, demonstrate how the preserve selection criteria pursuant to 3.05.07 have been met. Where applicable, include in this report an aerial showing the project boundaries along with any undeveloped land, preserves, natural flow ways or other natural land features, located on abutting properties.

See discussion above in #2 & #3 of Environmental PUDZ-PUDA checklist. See (Figures 3, 4, & 5).

10. Provide the results of any Environmental Assessments and/or Audits of the property, along with a narrative of the measures needed to remediate if required by FDEP.

A copy of a recent Phase I Environmental Audit is being provided as a separate PDF for review. It is titled:

I I-City Gate Full Property_Phase I ESA Report.pdf

The report found no REC's and recommends no further action.

13. Identify any Wellfield Risk Management Special Treatment Overlay Zones (WRM-ST) within the project area and provide an analysis for how the project design avoids the most intensive land uses within the most sensitive WRM-STs and will comply with the WRM-ST pursuant to 3.06.00. Include the location of the Wellfield Risk Management Special Treatment Overlay Zones on the SDP or final plat construction plans. For land use applications such as standard and PUD rezones and CUs, provide a separate site plan or zoning map with the project boundary and Wellfield Risk Management Special Treatment Overlay Zones identified.

The very northwest corner of the City Gate Commerce Park property is covered by a ST/WS3 overlay. The approximate west half of the property east of the FPL easement is covered by a ST/WS4 overlay. See Zoning Map attached as Exhibit 21. The City Gate project is not proposing any use in this portion of the property that is prohibited by the WS3 or WS4 Overlays.

15. The County Manager or designee may require additional data or information necessary to evaluate the project's compliance with LDC and GMP requirements. (LDC 10.02.02.A.3 f)

The following to be determined at preapplication meeting:
(Choose those that apply)

- a. Provide overall description of project with respect to environmental and water management issues.

See discussion above in #2, #3, and Project History of Environmental PUDZ-PUDA checklist. See (Figures 3, 4, & 5).

- b. Explain how project is consistent with each of the applicable objective and policies in the CCME of the GMP.

See this document and supporting documents\permits.

- c. Explain how the project meets or exceeds the native vegetation preservation requirement in the CCME and LDC.

See discussion above in #2, #3, and Project History of Environmental PUDZ-PUDA checklist. See (Figures 3, 4, & 5).

- d. Indicate wetlands to be impacted and the effects of the impact to their functions and how the project's design compensates for wetland impacts.

See wetland discussion above #3 and approved SFWMD permit.

- e. Indicate how the project design minimizes impacts to listed species. Describe the measures that are proposed as mitigation for impacts to listed species.

City Gate has been issued a biological opinion (BO) and incidental take permit (ITP) from the U.S. Fish & Wildlife Service. All mitigation outlined in the ITP and BO have been completed; completed monitoring reports are provided for review.

16. PUD zoning and CU petitions. For PUD rezones and CU petitions, applicants shall collate and package applicable Environmental Data Submittal Requirements into a single Environmental Impact Statement (EIS) document, prior to public hearings and after all applicable staff reviews are complete. Copies of the EIS shall be provided to the County Manager or designee prior to public hearings.

Understood. Once the environmental data is finalized, it will be collated into an EIS package.

18. PUD master plan or PPL/SDP site plan notes:

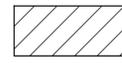
Where preserves occur adjacent to development off site and will be used in lieu of landscape buffers, include the following condition in the environmental commitments section of the PUD document.

Preserves may be used to satisfy the landscape buffer requirements after exotic vegetation removal in accordance with LDC sections 4.06.02 and 4.06.05.E.1. Supplemental plantings with native plant materials shall be in accordance with LDC section 3.05.07.

Not Applicable.

APPENDIX A
NATIVE VEGETATION EXHIBITS

LEGEND

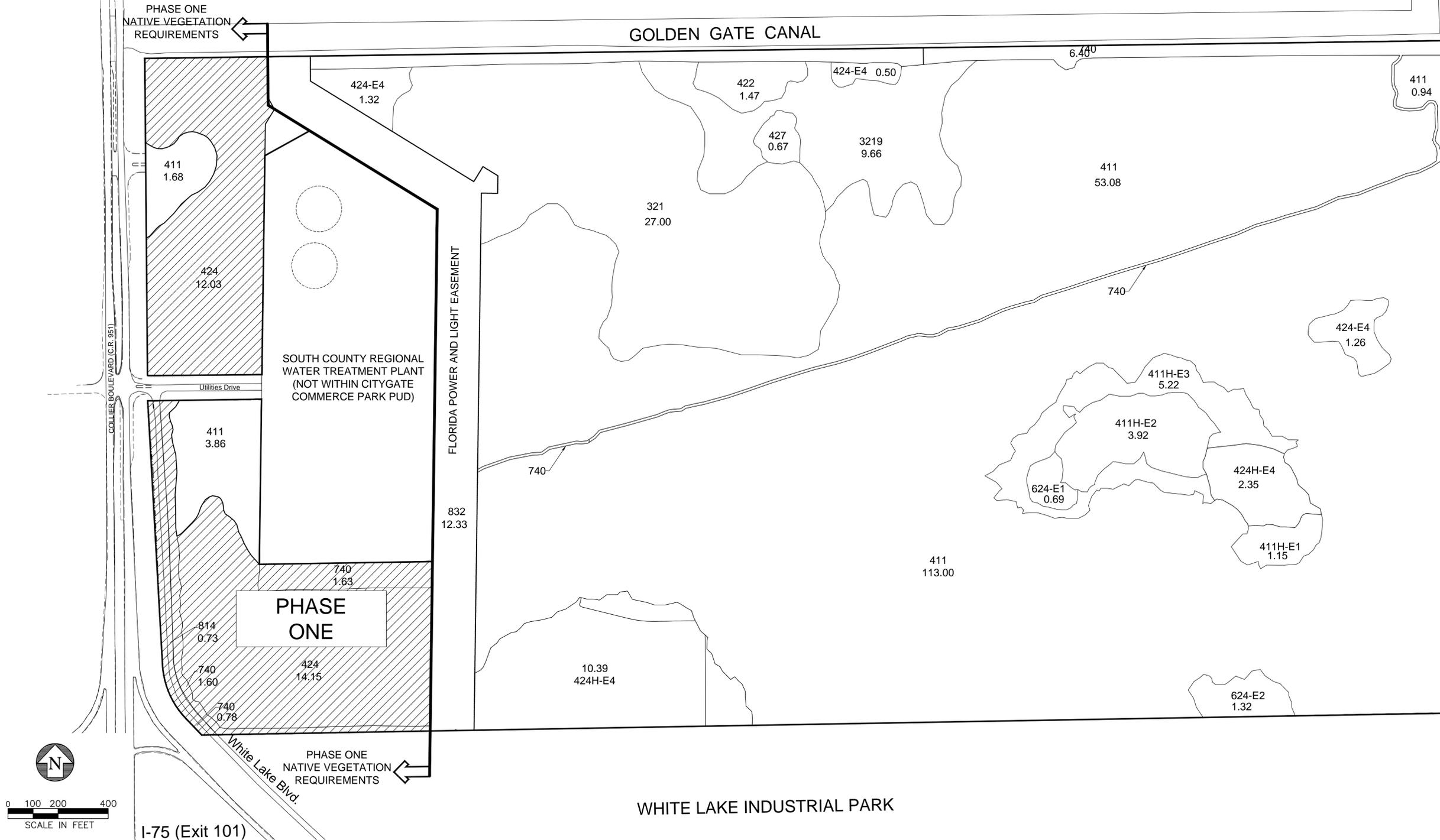
 NON-NATIVE VEGETATION WITHIN PHASE ONE CITY GATE (30.91 AC.)

GENERAL NOTES:

1. TOTAL CITY GATE PUD (291.60 AC.) - PHASE THREE (182.25 AC.) PHASE TWO (72.90 AC.) = PHASE ONE (36.45 AC.)
2. NATIVE VEGETATION CALCULATION BASED ON PREVIOUSLY REVIEWED AND APPROVED 2004 FLUCCS

PHASE ONE NATIVE VEGETATION CALCULATION

TOTAL PHASE ONE ACREAGE = 36.45 AC.
 TOTAL NON-NATIVE VEGETATION = 30.91 AC.
 TOTAL NATIVE VEGETATION = 5.54 AC.
 15% OF NATIVE VEGETATION (LDC 3.05.07.B) = 5.54 AC * 0.15 = 0.83 AC.
 TOTAL REQUIRED NATIVE VEGETATION = 0.83 AC.



| REV. | DATE | DESCRIPTION |
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| | | |
| | | |
| | | |
| | | |

DESIGNED BY: J.A.W.
 DRAWN BY: J.A.W.
 CHECKED BY: J.M.F.
 PROJECT NO.:

CLIENT: **850 NWN, LLC & GG II, LLC**
 159 SOUTH MAIN STREET, SUITE 500
 AKRON, OHIO 44309
 (330) 998-0225

PROJECT: **CITYGATE COMMERCE PARK MPUD**
 SHEET TITLE: **NATIVE VEGETATION REQUIREMENT CITY GATE PHASE ONE**



SHEET NO.: **FIGURE A-1**

Z:\Active Projects\City Gate 07-00008\Engineering\2 - PUDA\DWG\PLANING\2017-11-09-00\City Gate 07-00008 (PHASE 1 - CALG) - jama.watson.dwg Nov. 14, 2017 - 2:03pm

LEGEND

-  NON-NATIVE VEGETATION WITHIN PHASE TWO CITY GATE (27.30 AC.)
-  PHASE TWO LOT LINE

GENERAL NOTES:

1. TOTAL CITY GATE PUD (291.55 AC.) - PHASE THREE (182.20 AC.) - PHASE ONE (36.45 AC.) = PHASE TWO (72.90 AC.)
2. NATIVE VEGETATION CALCULATION BASED ON PREVIOUSLY REVIEWED AND APPROVED 2004 FLUCCS

PHASE TWO NATIVE VEGETATION CALCULATION

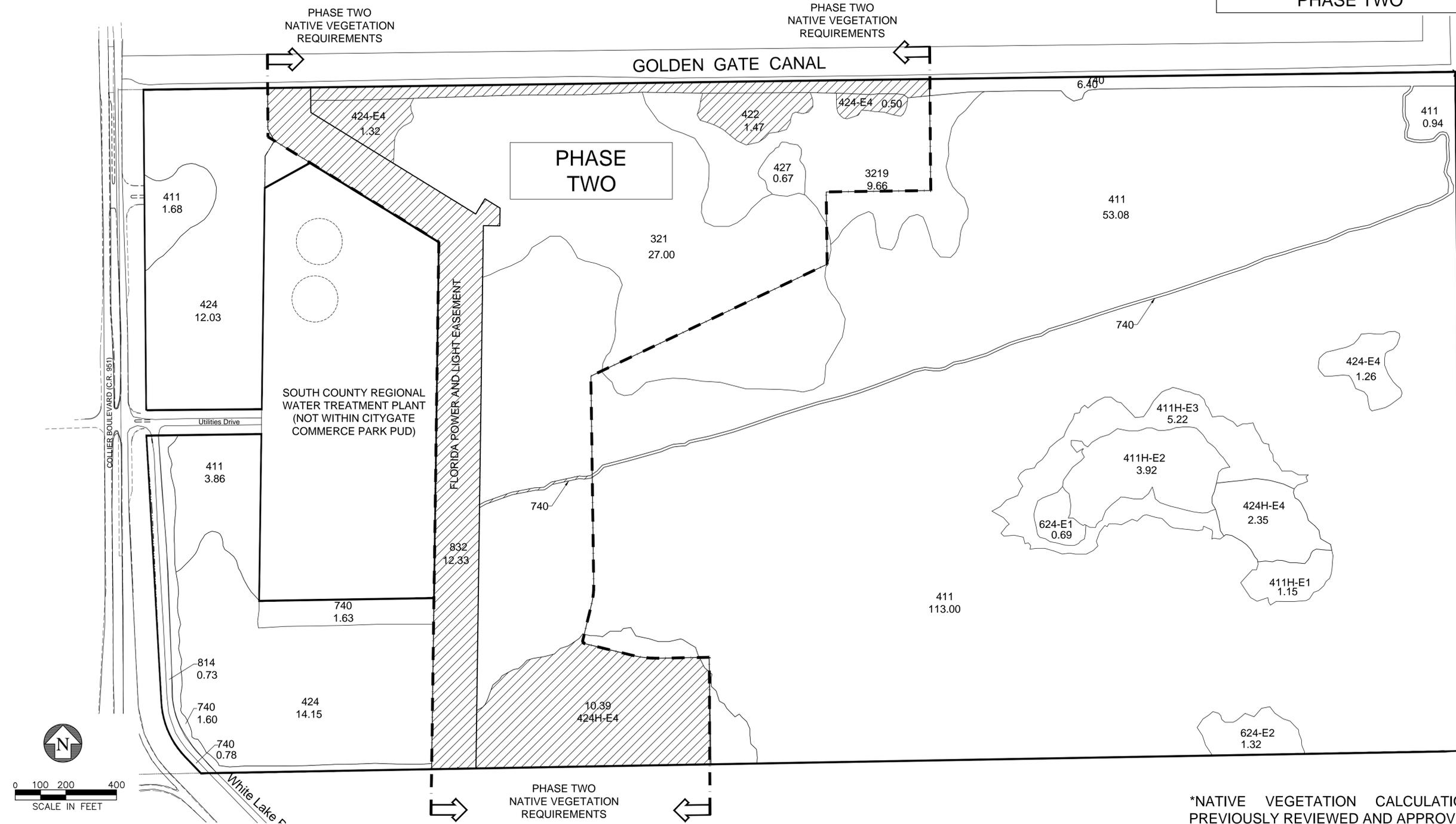
| | | |
|--|---|------------------------------|
| TOTAL PHASE TWO ACREAGE | = | 72.90 AC. |
| TOTAL NON-NATIVE VEGETATION | = | 27.30 AC. |
| TOTAL NATIVE VEGETATION* | = | 45.60 AC. |
| 15% OF NATIVE VEGETATION (LDC 3.05.07.B) | = | 45.60 AC * 0.15 = 6.84 AC. |
| CLEARING CREDIT (OR 4532 PG 524;OR 4751 PG 3112) | = | 1.69 AC. |
| TOTAL REQUIRED NATIVE VEGETATION | = | 6.84 AC - 1.69 AC = 5.15 AC. |

PHASE TWO NATIVE VEGETATION CALCULATION PER ACRE

| | | |
|---|---|--------------------------|
| TOTAL PHASE TWO ACREAGE | = | 72.90 AC. |
| TRACT R OMITTED* | = | 10.88 AC. |
| TOTAL DEVELOPABLE PHASE TWO ACREAGE | = | 62.02 AC. |
| TOTAL REQUIRED NATIVE VEGETATION PER ACRE | = | 5.15 / 62.02 = 0.083 AC. |

*RIGHT OF WAY TRACT

0.083 AC OF NATIVE VEGETATION REQUIRED PER 1 ACRE OF DEVELOPABLE LAND WITHIN PHASE TWO



*NATIVE VEGETATION CALCULATION BASED ON PREVIOUSLY REVIEWED AND APPROVED 2004 FLUCCS

REVISIONS

| REV. | DATE | DESCRIPTION |
|------|------|-------------|
| | | |
| | | |
| | | |

DESIGNED BY: J.A.W.
 DRAWN BY: J.A.W.
 CHECKED BY: J.M.F.
 PROJECT NO.:

CLIENT: CITY GATE DEVELOPMENT LLC, GG II, LLC & 850 NWN, LLC
 159 SOUTH MAIN STREET, SUITE 500
 AKRON, OHIO 44309
 (330) 998-0225

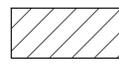
PROJECT: CITY GATE COMMERCE PARK MPUD
 SHEET TITLE: NATIVE VEGETATION REQUIREMENT CITY GATE PHASE TWO

DAVIDSON ENGINEERING
 Naples, Florida 34104
 P: 239-634-0060 F: 239-434-0084
 Company Cert. of Authorization No. 0009496

SHEET NO: EXHIBIT F

Z:\Active Projects\City Gate 07-00000\Engineering\A2 - PUDA\DWG\PLANNING\2017-12-15-15-MAT-LEG-EXHIBITS.dwg (PHASE 2 - 0410) James Woodward Job: 20, 2018 - 3:24pm

LEGEND

-  NON-NATIVE VEGETATION WITHIN PHASE THREE CITY GATE (8.74 AC.)
-  PHASE TWO LOT LINE/ FUTURE PHASE THREE

GENERAL NOTES:

1. TOTAL CITY GATE PUD (291.55 AC.) - PHASE TWO (72.90 AC.) - PHASE ONE (36.45 AC.) = PHASE THREE (182.20 AC.)
2. NATIVE VEGETATION CALCULATION BASED ON PREVIOUSLY REVIEWED AND APPROVED 2004 FLUCCS

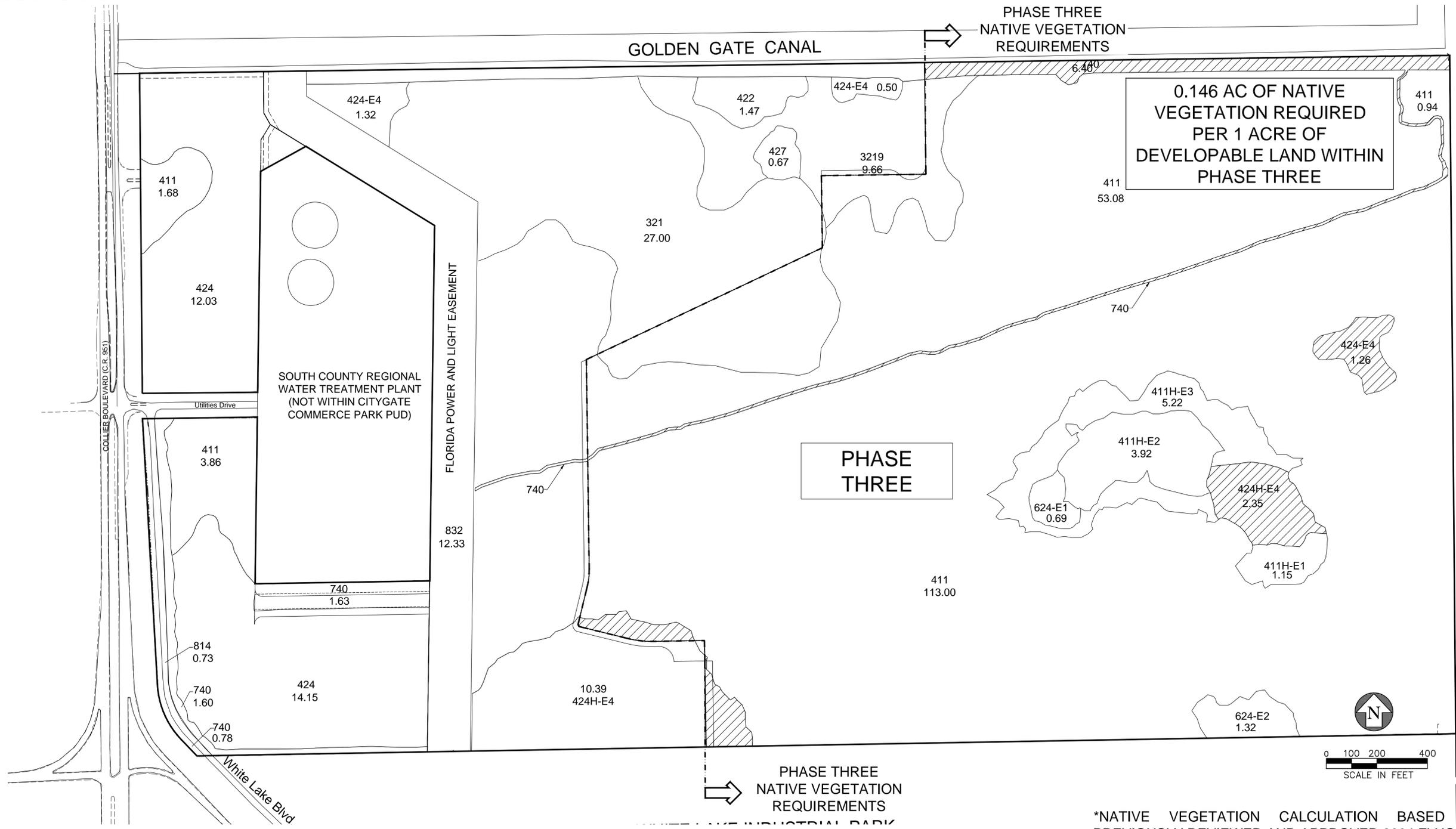
PHASE THREE NATIVE VEGETATION CALCULATION

| | | |
|---|----------|---------------------------------------|
| TOTAL PHASE THREE ACREAGE | = | 182.20 AC. |
| TOTAL NON-NATIVE VEGETATION | = | 8.74 AC. |
| TOTAL NATIVE VEGETATION* | = | 173.46 AC. |
| 15% OF NATIVE VEGETATION (LDC 3.05.07.B) CLEARING CREDIT (OR 4532 PG 524;OR 4751 PG 3112) | = | 173.46 AC * 0.15 = 26.02 AC. |
| | = | 1.43 AC. |
| TOTAL REQUIRED NATIVE VEGETATION | = | 26.02 AC - 1.43 AC = 24.59 AC. |

PHASE TWO NATIVE VEGETATION CALCULATION PER ACRE

| | | |
|---|----------|----------------------------------|
| TOTAL PHASE THREE ACREAGE | = | 182.20 AC. |
| TRACT R AND RL OMITTED* | = | 20.93 AC. |
| TOTAL DEVELOPABLE PHASE THREE ACREAGE | = | 161.27 AC. |
| TOTAL REQUIRED NATIVE 1.0 ACRE CREDIT FOR RL TRACT | = | 1.00 |
| TOTAL REQ. NATIVE VEGETATION WITHIN PHASE THREE LOTS | = | 23.59 |
| TOTAL REQUIRED NATIVE VEGETATION PER ACRE | = | 23.59 /161.27 = 0.146 AC. |

*RIGHT OF WAY AND LAKE/RECREATIONAL TRACT



*NATIVE VEGETATION CALCULATION BASED ON PREVIOUSLY REVIEWED AND APPROVED 2004 FLUCCS

| REV. | DATE | DESCRIPTION |
|------|------|-------------|
| | | |
| | | |

DESIGNED BY: J.A.W.
 DRAWN BY: J.A.W.
 CHECKED BY: J.M.F.
 PROJECT NO.:
 CLIENT: CITY GATE DEVELOPMENT LLC, GG II, LLC & 850 NWN, LLC
 159 SOUTH MAIN STREET, SUITE 500
 AKRON, OHIO 44309
 (330) 998-0225

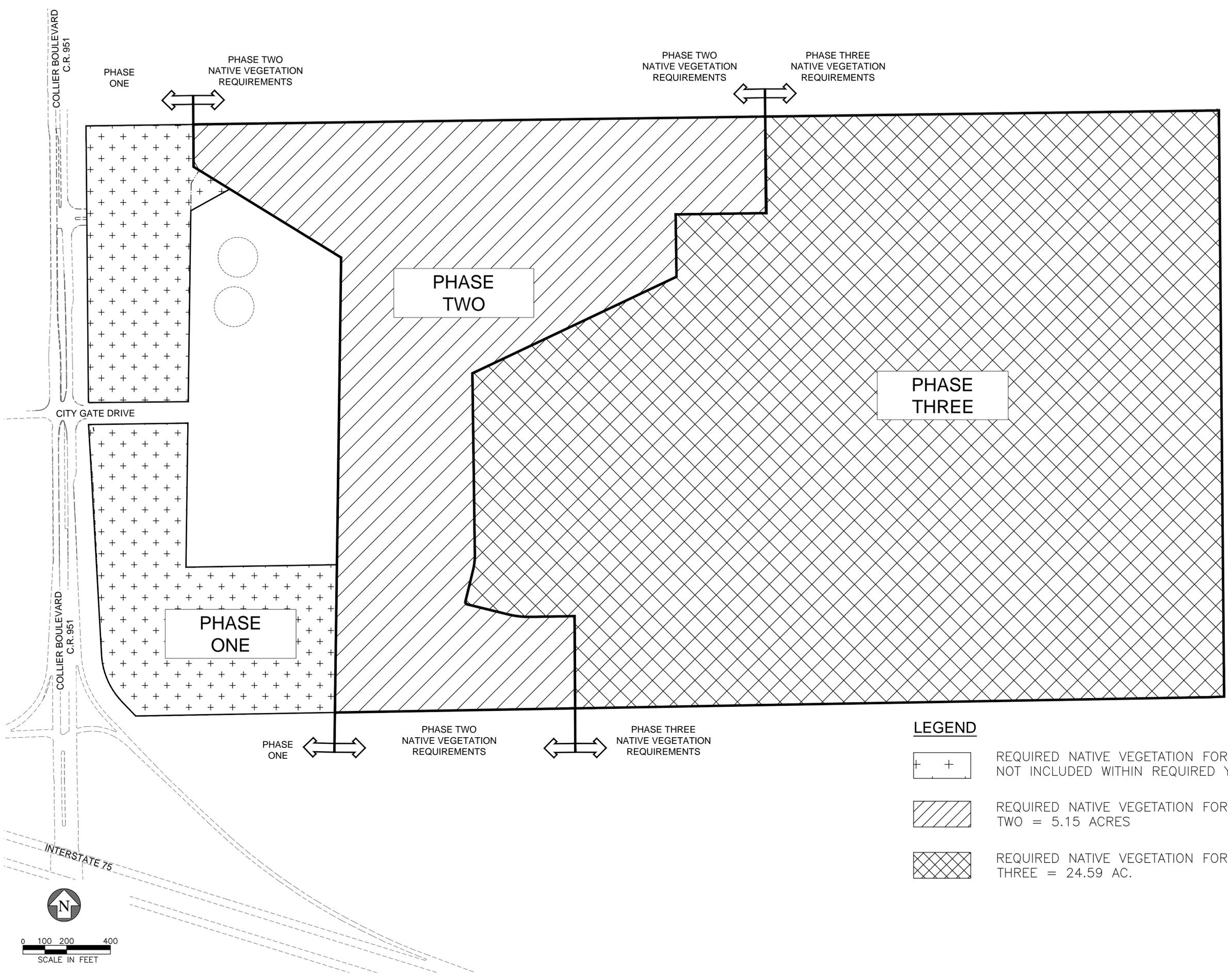
PROJECT: CITY GATE COMMERCE PARK MPUD
 SHEET TITLE: NATIVE VEGETATION REQUIREMENT CITY GATE PHASE THREE



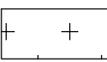
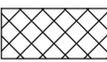
SHEET NO:
EXHIBIT G

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Z:\Active Projects\City Gate 07-0000\Engineering\A2 - PLANS\DWG\PLANNING\2017-12-12 - NAT. VEG. EXHIBITS.dwg (REV. NAT. VEG. PHASE LINE) jenna.woodward Jun 22, 2018 7:24am



LEGEND

-  REQUIRED NATIVE VEGETATION FOR PHASE ONE NOT INCLUDED WITHIN REQUIRED YARD PLAN
-  REQUIRED NATIVE VEGETATION FOR PHASE TWO = 5.15 ACRES
-  REQUIRED NATIVE VEGETATION FOR PHASE THREE = 24.59 AC.

| REV. | DATE | DESCRIPTION |
|------|------|-------------|
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| | | |
| | | |
| | | |

DESIGNED BY: J.A.W.
 DRAWN BY: J.A.W.
 CHECKED BY: J.M.F.
 PROJECT NO.:

CLIENT: CITY GATE DEVELOPMENT LLC,
 GG II, LLC &
 850 NW N, LLC
 159 SOUTH MAIN STREET,
 SUITE 500
 AKRON, OHIO 44309
 (330) 998-0225

PROJECT: CITY GATE COMMERCE PARK MPUD
 SHEET TITLE: NATURAL VEGETATION REQUIREMENTS PHASE EXHIBIT

DAVIDSON ENGINEERING
 Naples, Florida 34104
 P: 239-634-0060 F: 239-434-6084
 Company Cert. of Authorization No. 0009496

SHEET NO:
EXHIBIT E

APPENDIX B
STAFF QUALIFICATIONS

JEREMY STERK, C.E.P.

Partner \ Ecologist

j.sterk@etenviron.com
239.595.4929

Years Experience

22 years

Education/Training

B.S. Aquatic Biology (1994),
St. Cloud State University

Professional Affiliations

Academy of Board Certified
Environmental Professionals
#16992037

Florida Association of
Environmental Professionals

Relevant Experience

Jeremy has been an environmental consultant in Southwest Florida since 1994 and has worked on projects throughout Collier, Lee, Hendry, DeSoto, Glades, and Charlotte counties. His varied experience spans marine, upland, and estuarine habitats and includes extensive work with a wide variety of listed species.

In addition to authoring dozens of habitat and species management plans, in 2007, Jeremy co-authored the first habitat conservation plan (HCP) in the nation to address incidental take issues for both red cockaded woodpeckers (RCW) and Florida panther on the same property.

In 1998, he wrote an ecological assessment computer model for the South Florida Water Management District as part of the South Lee County Watershed Study.

Early in his career, Jeremy was the principal investigator of a field research project in the Bahamas that utilized telemetry tracking to study the swimming speed of sub-adult lemon sharks.

Jeremy's environmental consulting experience includes:

| | |
|--|---|
| Protected Species Surveys | Environmental Resource Permitting (ERP) |
| Listed Species Management Plans | Turbidity Monitoring |
| Vegetation & Habitat Mapping | Wetland & Water Level Monitoring |
| USFWS Section 7 & Section 10 Permitting | Environmental Impact Statements (EIS) |
| Water Use Monitoring & Compliance | Project Management |
| Preserve Management Plans | GIS / GPS Mapping & Exhibits |
| Post Permit Compliance | Phase I Environmental Site Assessments |
| Environmental Land Use Planning | Phase II Environmental Site Assessments |
| Native Vegetation Restoration Plans | Lake Management Plans |
| Incidental Take Permitting | Due Diligence Reports |
| Site and Aerial Photography | Wetland Jurisdictional Determinations |
| USFWS Bald Eagle Monitor | Bonneted Bat Surveys |
| Gopher Tortoise Surveys, Permitting, & Relocations | Mangrove Assessments & Restorations |
| Scrub Jay Surveys | Hard Bottom & Soft Bottom Benthic Surveys |
| Burrowing Owl Surveys | Artificial Reef Deployments |
| Shorebird Surveys | Seagrass Surveys |

Certifications/Credentials

Certified Environmental Professional #1692037, Academy of Board Certified Environmental Professionals

Florida Fish and Wildlife Conservation Commission Authorized Gopher Tortoise Agent – Permit No. GTA-09-00192

Florida Association of Environmental Professionals – member since January 1995; served on the Board of Directors for the Southwest Florida Chapter from (2008 – 2012). Past Secretary, Vice President, & President.

State of Florida Real Estate License (2003 to Present)

Appointed by the Collier County Board of County Commissioners to:

- Conservation Collier Land Acquisition Advisory Committee, Chairman of the Lands Evaluation and Management Subcommittee. (2009 to 2014).
- Collier County Development Services Advisory Committee (DSAC) (2015 to Present).
- FWC Local Rule Review Committee (Manatee Protection Speed Zones) (2016 to Present).

Publications

Sundström, L.F., J. Sterk, & S.H. Gruber. 1998. Effects of a speed-sensing transmitter on the swimming speed of lemon sharks. Bahamas J. Sci. 6 (1): 12-22.



JENNIFER BOBKA
Ecologist

jenniferb@eteflorida.com
239.304.0030

Years' Experience

5 years

Education/Training

Naturalist II & Environmental
Educator
(2012-2016)

Manatee Research Intern
Florida Conservation
Commission
(2013)

AmeriCorps Field Crew Leader
Montana Conservation Corps
(2010)

B.A. Environmental Studies
Montana State University
(2009)

Marine Biology & Coastal
Ecology Study Abroad
Costa Rica
(2007)

Professional Affiliations

Florida Association of
Environmental Professionals

League of Environmental
Educators of Florida

Florida Master Naturalist
Program

Relevant Experience

Ms. Bobka joined Earth Tech Environmental LLC in 2016 as an Ecologist with more than 5 years of private and public sector experience in the environmental field. Her experience includes projects throughout Collier, Lee and Gallatin counties. Her varied experience spans coastal marine, shoreline and estuarine habitats, to upland forests and alpine environments. She has worked with a wide variety of native and invasive plant and wildlife species. She is also an experienced Naturalist and Environmental Educator.

As an Ecologist, Jennifer fulfills duties in environmental consulting, wetland & wildlife monitoring, species surveys, invasive species removal, report writing, GIS mapping, and ERP permitting.

Jennifer's work experience in many fields of ecology includes:

Wetland Delineation
Protected Species Surveys
Listed Species Research & Monitoring
Turbidity Monitoring
Vegetation & Habitat Mapping
Bald Eagle Monitoring
Gopher Tortoise Surveys and Relocation
GIS Mapping
Environmental Resource Permitting (ERP)
Invasive & Exotic Species Removal
Natural Resource Management
Trail Maintenance
Mechanical & Manual Forest Fuel Reduction
Ecological Restoration
Environmental Education

Relevant Certifications/Credentials

Certified Interpretive Guide
Python Responder/Patrol Training
USFS Sawyer

APPENDIX C
PROTECTED SPECIES SURVEY

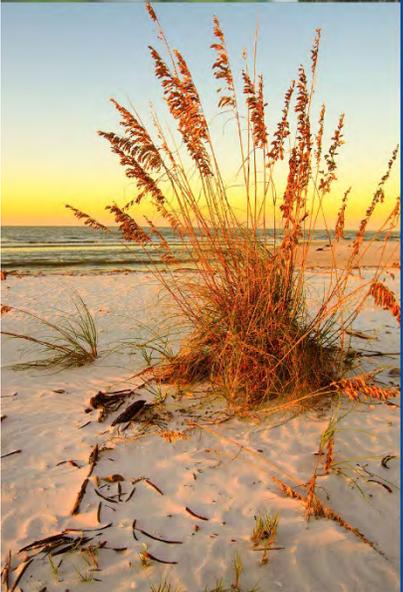


CITY GATE COMMERCE PARK

Protected Species Survey

NAPLES, FLORIDA

APPROXIMATELY 291.55 ACRES



Prepared For:



Collier County Engineering &
Natural Resources Department
2800 North Horseshoe Drive Naples, FL 34104



South Florida Water Management District
(SFWMD)
Lower West Coast Service Center
2301 McGregor Boulevard
Fort Myers, FL 33901



Prepared By:



Earth Tech Environmental, LLC
1455 Rail Head Boulevard, Suite 8
Naples, FL 34110
239.304.0030
www.eteflorida.com

August 1, 2017

INTRODUCTION

The purpose of this report is to provide a search for listed species on the City Gate parcel prior to development of the property and as part of a PUDR application with Collier County. The entire PUD (approximately 291.55 acres) was surveyed for the purposes of this report.

LOCATION

The City Gate property is located east of Collier Boulevard (951), just north of Interstate 75. Specifically, the property is in Section 35, Township 49 South, Range 26 East, in Naples, Florida (Figure 1). The entire PUD is approximately 289.50 acres.

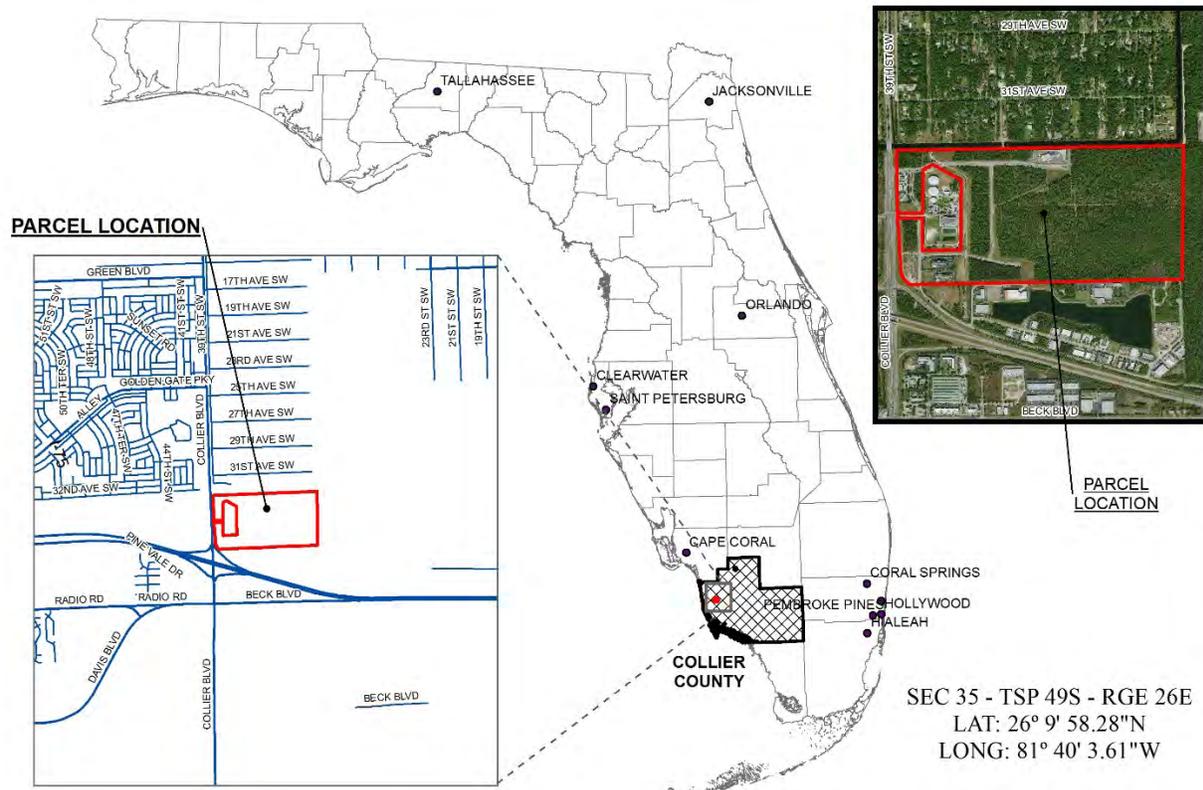


Figure 1. Site Location Map

SPECIES SURVEY MATERIALS & METHODS

The species survey was conducted using a methodology similar to that discussed in the Florida Fish & Wildlife Conservation Commission (FWC) publication "Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated for Large-scale Development in Florida." This methodology is as follows: Existing vegetation communities or land-uses on the subject site are delineated on a recent aerial photograph (Collier County 2017) using the Florida Land Use, Cover and Forms Classification System (FLUCCS). FLUCCS mapping for this property is detailed below in (Figures 2 & 3). The resulting FLUCCS codes are cross-referenced with a list of protected plant and animal species. The lists were obtained from two agency publications:

- ❖ A list of animals and birds was obtained from the FWC publication "Florida's Endangered Species, Threatened Species & Species of Special Concern-Official Lists", Publication Date: October 2016.

- ❖ A list of protected plant species was obtained from the publication “Notes on Florida’s Endangered and Threatened Plants”, Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Entomology, Nematology & Plant Pathology-Botany Section, Contribution 38, 5th Edition (2010).

The result is a composite table that contains the names of the protected species which have the highest probability of occurring in each particular FLUCCS community. See Table 1 of this report for the species list that applies to this property.

In the field, each FLUCCS community is searched for listed species or signs of listed species. This is accomplished using a series of transects throughout each vegetation community. If necessary, transect integrity is maintained using a handheld GPS in track mode.

Signs or sightings of all listed and non-listed species are then recorded. Listed species locations are typically flagged and marked by GPS.

Based on the habitat types found on this parcel of land, particular attention was paid to the presence or absence of fox squirrels, gopher tortoises, and listed plants.

EXISTING SITE CONDITIONS

Temperatures during the fieldwork for this survey were generally in the upper 90’s. Cloud cover varied from absent to overcast with thunderstorms. Approximately 80.5 man-hours were logged on the property during this species survey. Table 3 details the dates and time spent in the field.

The Subject Property has the following surrounding land uses:

| | |
|-------|--|
| West | Collier Boulevard \cleared but vacant land |
| North | Main Golden Gate Canal \ Residential (GGE) |
| South | Industrial (White Lake Industrial Park) |
| East | Vacant land |

Listed below are the FLUCCS communities identified on the site. The following community descriptions correspond to the mappings on the FLUCCS map below. See Florida Land Use, Cover and Forms Classification System (Department of Transportation, Surveying & Mapping Geographic Mapping Section, 1999) for definitions.

FLUCCS 141, Retail Sales and Services (Gas Station), 2.88 Acres

This portion of the property includes a gas station and car wash in City Gate Phase 1. It includes the building, driveways, parking lots, and associated structures and facilities.

FLUCCS 145, Tourist Services (Hotels), 8.61 Acres

There are two hotels previously constructed in City Gate Phase 1.

FLUCCS 149, Commercial Services Under Construction, 5.92 Acres

A storage facility under construction exists in the southwest corner of City Gate Phase 1.

FLUCCS 175, Governmental, 4.65 Acres

There is a South Florida Water Management District building (Big Cypress Basin) along the north-central property line – City Gate Phase 2, lots 5 & 6.

FLUCCS 321, Palmetto Prairies, 28.51 Acres

This community is found mostly in the northwest corner of City Gate Phase 2, just south of City Gate Boulevard North, and along the eastern property boundary. It is dominated by saw palmetto with scattered slash pine in the canopy. Other vegetation present includes pennyroyal, rusty lyonia, southern sumac, and grapevine.

FLUCCS 3219, Disturbed Palmetto, 1.46 Acres

This community is found in the northern region of the property. Mid-story is nearly absent, consisting of occasional saw palmetto. Dominant groundcover is dense grapevine and bracken fern.

FLUCCS 411I-E1/E2/E3, Pine Flatwoods (0-75% Exotics), 157.43 Acres

This community makes up the majority of the property. It is dominated by slash pine with a common understory of saw palmetto. Other vegetation present includes buckthorn, beautyberry, grapevine, poison ivy, myrsine, and rusty lyonia. Densities of exotic vegetation, including melaleuca and ear leaf acacia, vary throughout.

FLUCCS 411H-E1/E2/E3, Hydric Pine Flatwoods (0-75% Exotics), 10.28 Acres

This community is found in the east-central portion of the property. Canopy is dominated by slash pine and melaleuca. Other vegetation includes buckthorn, cypress, swamp fern, wax myrtle, scattered grapevine and poison ivy.

FLUCCS 422, Brazilian Pepper, 1.11 Acres

This community is found in a small, isolated occurrence along the north-central property boundary. It is dominated by a dense Brazilian pepper canopy, with little to no understory vegetation.

FLUCCS 424H-E4, Hydric Melaleuca (>75% Exotics), 8.69 Acres

This community is dominated by melaleuca in the canopy. Slash pine and bald cypress are scattered throughout. Other vegetation present includes wiregrass, tickseed, and swamp fern.

FLUCCS 435, Dead Trees, 2.26 Acres

This community is found in the southeast property corner. It is dominated by snags (dead trees) in areas burned by a wildfire. Other vegetation present includes Caesar weed, grapevine, poison ivy, and smilax.

FLUCCS 624-E1/E2, Cypress – Pine – Cabbage Palm (0-50% Exotics), 2.01 Acres

Canopy in this community is dominated by cypress, slash pine and cabbage palm in combinations in which no species achieves dominance. Other vegetation present includes melaleuca, ear leaf acacia, dahoon holly, swamp fern, Caesar weed, grapevine, saw grass, buckthorn, smilax, poison ivy and wax myrtle.

FLUCCS 740, Disturbed Lands, 9.10 Acres

Disturbed lands are those which have been changed primarily from human activities. On the site, these areas consist primarily of berms, trails and previously cleared areas.

FLUCCS 742, Water Management Areas, 10.70 Acres

These consist of water detention areas east of City Gate Boulevard South and at the western end of City Gate Boulevard North. These areas form the temporary water management facilities for City Gate Phase 2.

FLUCCS 814, Roads and Highways, 20.40 Acres

These include City Gate Drive, City Gate Boulevard North and South, and White Lake Boulevard.

FLUCCS 817, Water Transmission Easement, 5.03 Acres

This area forms the northern property line, adjacent to the Golden Gate Canal. It is a utility easement for water lines that run from the Resource Recovery Property (to the NE) back to the South County Regional Water Treatment Plant.

FLUCCS 832, Electrical Power Transmission Lines, 12.51 Acres

This includes the area east of the Water Treatment Plant and consists of a Florida Power and Light (FPL) easement.

The following table is summary of FLUCCS communities and corresponding acreages:

| FLUCCS CODE | DESCRIPTION | ACREAGE |
|-------------|--|---------|
| 141 | Retail Sales and Services (Gas Station) | 2.88 |
| 145 | Tourist Services (Hotels) | 8.61 |
| 149 | Commercial and Services Under Construction | 5.92 |
| 175 | Governmental (SWFWMD) | 4.65 |
| 321 | Palmetto Prairies | 28.51 |
| 3219 | Disturbed Palmetto | 1.46 |
| 411-E1 | Pine Flatwoods (0-25% Exotic Coverage) | 151.47 |
| 411-E2 | Pine Flatwoods (26-50% Exotic Coverage) | 1.9 |
| 411-E3 | Pine Flatwoods (51-75% Exotic Coverage) | 4.06 |
| 411H-E1 | Hydric Pine Flatwoods (0-25% Exotic Coverage) | 1.14 |
| 411H-E2 | Hydric Pine Flatwoods (26-50% Exotic Coverage) | 3.92 |
| 411H-E3 | Hydric Pine Flatwoods (51-75% Exotic Coverage) | 5.22 |
| 422 | Brazilian Pepper | 1.11 |
| 424H-E4 | Hydric Melaleuca (>75% Exotic Coverage) | 8.69 |
| 435 | Dead Trees (Wildfire Area) | 2.26 |
| 624-E1 | Pine-Cypress-Cabbage Palm (0-25% Exotic Coverage) | 0.69 |
| 624-E2 | Pine-Cypress-Cabbage Palm (26-50% Exotic Coverage) | 1.32 |
| 740 | Disturbed Lands | 9.10 |
| 742 | Water Management Areas | 10.7 |
| 814 | Roads and Highways | 20.4 |
| 817 | Water Transmission Easement | 5.03 |
| 832 | Electrical Power Transmission Lines (FPL Easement) | 12.51 |
| | Site Total: | 291.55 |

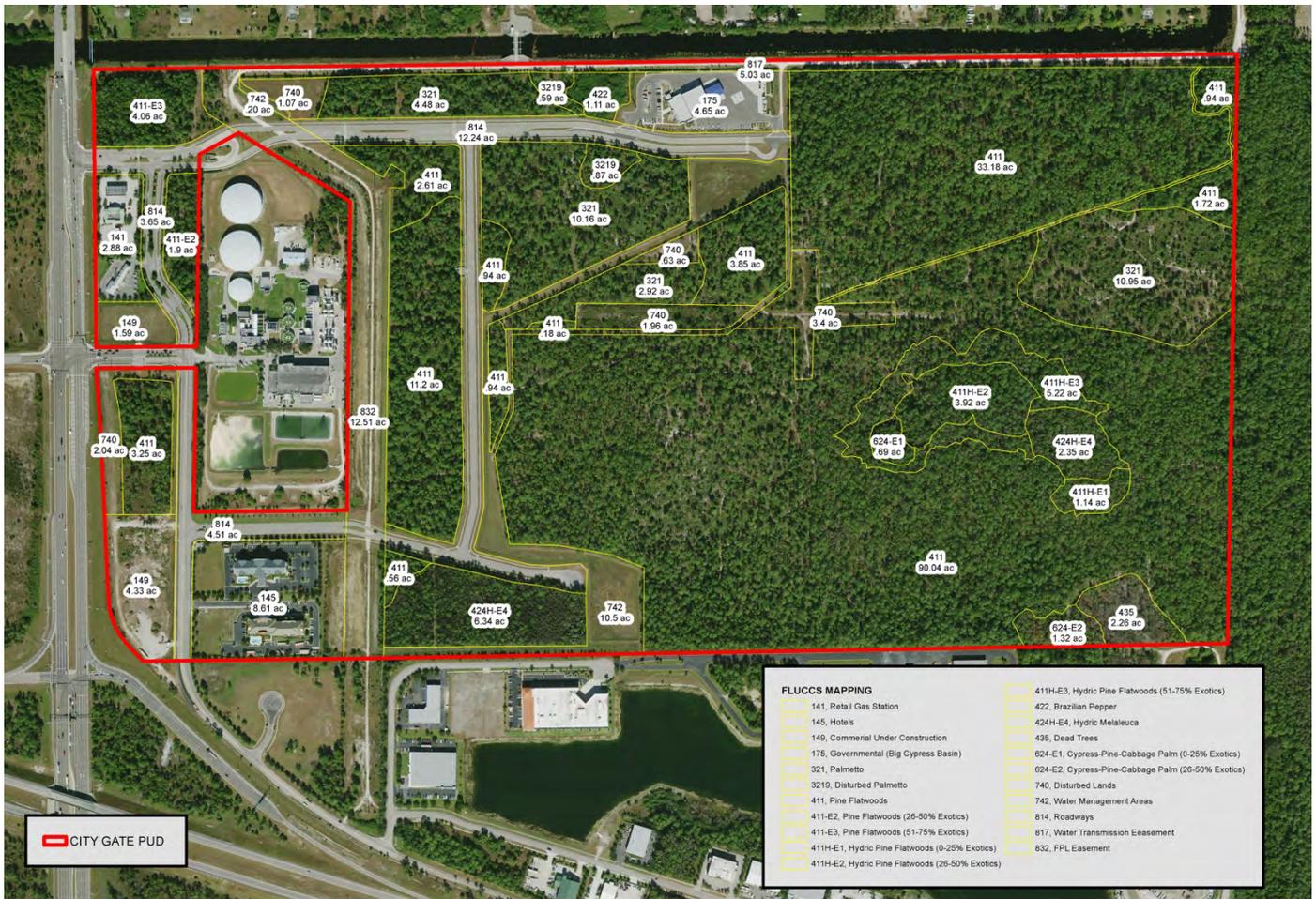


Figure 2. Aerial with FLUCCS Mapping

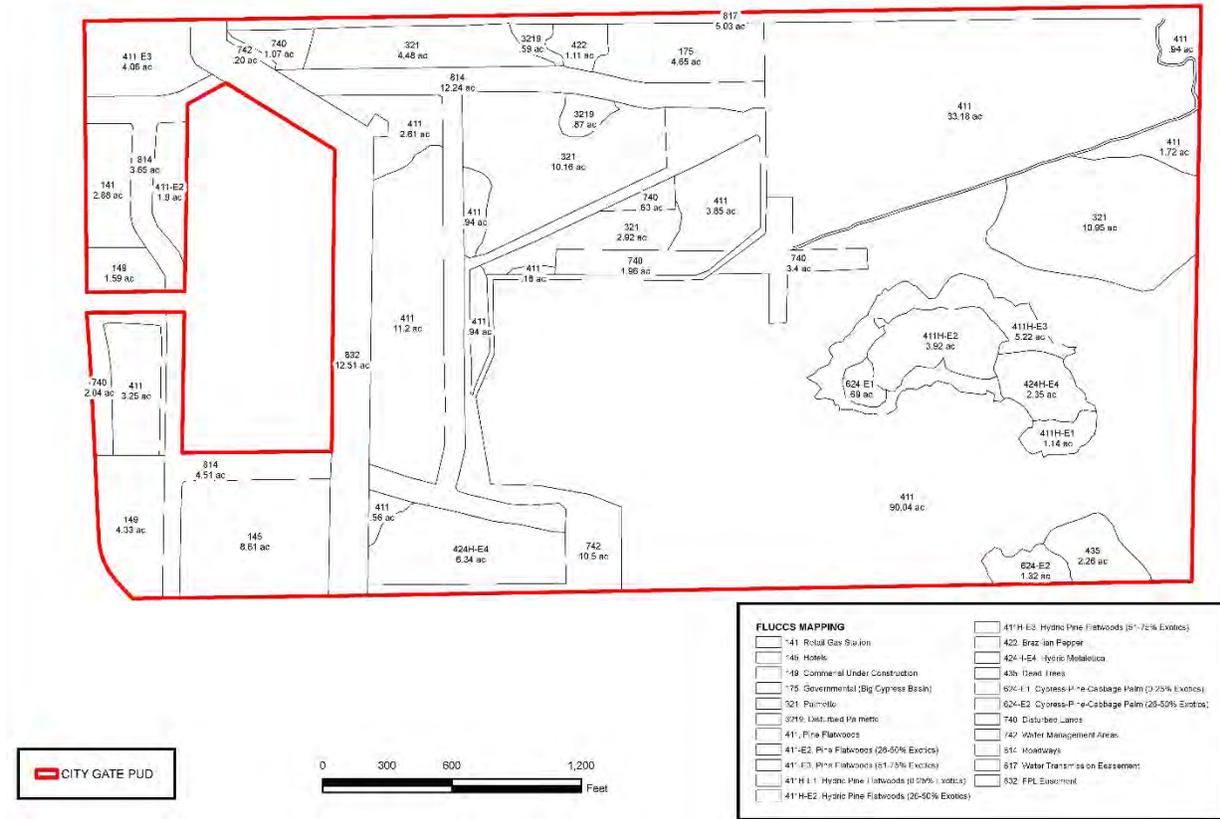


Figure 3. FLUCCS Mapping

RESULTS/DISCUSSION

The various protected species which may occur in the corresponding FLUCCS communities are shown in Table 1 below.

All animal species observed on the subject parcel are detailed in Table 2. Within Table 2, any protected species observed are specifically noted.

See Figure 4 below for results and field observations.

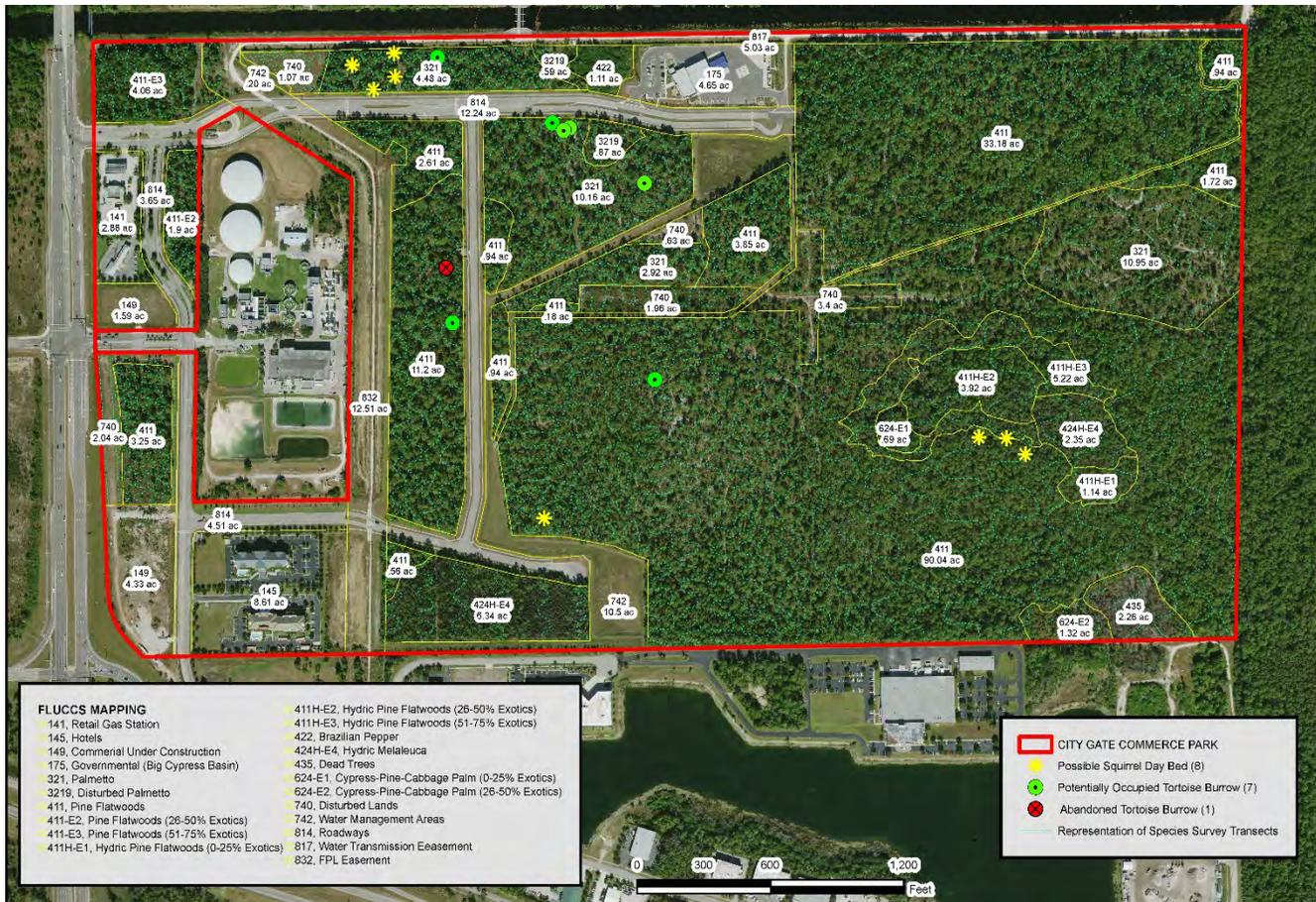


Figure 4. Protected Species Survey Transect Map & Field Results

Below are discussions of each listed species observed on the property:

Big Cypress Fox Squirrel (*Sciurus niger avicennia*)

A total of eight (8) day beds or potential squirrel nest structures were observed on the City Gate property. Only gray squirrels were observed during the species survey.

Gopher Tortoise (*Gopherus polyphemus*)

A total of eight (8) gopher tortoise burrows were observed on the property, seven (7) of which are potentially occupied. Gopher tortoise were relocated from the property under an FWC permit in 2009. These new tortoise burrows are likely from waif tortoise that have been dropped off at the site since 2009. City Gate will be re-authorizing their permit with FWC and relocating the tortoise offsite to an approved recipient site.

Wild Pine (*Tillandsia fasciculata*)

Wild pine were observed in trees throughout the property.

Table I. Protected Species List According to FLUCCS Category

| FLUCCS | Potential Listed Species | Scientific Name | Designated Status | |
|--------|-------------------------------|--|-------------------|--------|
| | | | FWC or FDA | FWS |
| 141 | NONE | - | - | - |
| 145 | NONE | - | - | - |
| 149 | NONE | - | - | - |
| 175 | NONE | - | - | - |
| 321 | Audubon's Crested Caracara | <i>Polyborus plancus audubonii</i> | T | T |
| | Beautiful Pawpaw | <i>Deeringothamnus rugelii var. pulchellus</i> | E | E |
| | Burrowing Owl | <i>Speotyto cunicularia</i> | T | - |
| | Curtis Milkweed | <i>Asclepias curtissii</i> | E | - |
| | Fakahatchee Burmannia | <i>Burmannia flava</i> | E | - |
| | Florida Coontie | <i>Zamia integrifolia</i> | C | - |
| | Florida Sandhill Crane | <i>Grus canadensis pratensis</i> | T | - |
| | Gopher Tortoise | <i>Gopherus polyphemus</i> | T | - |
| | Eastern Indigo Snake | <i>Drymarchon corais couperi</i> | T | T |
| | Southeastern American Kestrel | <i>Falco sparverius paulus</i> | T | - |
| 3219 | Audubon's Crested Caracara | <i>Polyborus plancus audubonii</i> | T | T |
| | Beautiful Pawpaw | <i>Deeringothamnus rugelii var. pulchellus</i> | E | E |
| | Burrowing Owl | <i>Speotyto cunicularia</i> | T | - |
| | Curtis Milkweed | <i>Asclepias curtissii</i> | E | - |
| | Fakahatchee Burmannia | <i>Burmannia flava</i> | E | - |
| | Florida Coontie | <i>Zamia integrifolia</i> | C | - |
| | Florida Sandhill Crane | <i>Grus canadensis pratensis</i> | T | - |
| | Gopher Tortoise | <i>Gopherus polyphemus</i> | T | - |
| | Eastern Indigo Snake | <i>Drymarchon corais couperi</i> | T | T |
| | Southeastern American Kestrel | <i>Falco sparverius paulus</i> | T | - |
| 411 | Beautiful Pawpaw | <i>Deeringothamnus rugelii var. pulchellus</i> | E | E |
| | Big Cypress Fox Squirrel | <i>Sciurus niger avicennia</i> | T | - |
| | Eastern Indigo Snake | <i>Drymarchon corais couperi</i> | T | T |
| | Fakahatchee Burmannia | <i>Burmannia flava</i> | E | - |
| | Florida Coontie | <i>Zamia integrifolia</i> | C | - |
| | Florida Panther | <i>Felis concolor coryi</i> | E | E |
| | Gopher Tortoise | <i>Gopherus polyphemus</i> | T | - |
| | Red-Cockaded Woodpecker | <i>Picoides borealis</i> | E | E |
| | Satinleaf | <i>Chrysophyllum oliviforme</i> | T | - |
| | Southeastern American Kestrel | <i>Falco sparverius paulus</i> | T | - |
| | Twisted Air Plant | <i>Tillandsia flexuosa</i> | T | - |
| 422 | NONE | - | - | - |
| 424 | NONE | - | - | - |
| 435 | Southeastern American Kestrel | <i>Falco sparverius paulus</i> | T | - |
| 624 | American Alligator | <i>Alligator mississippiensis</i> | SSC | T(S/A) |
| | Everglades Mink | <i>Mustela vison evergladensis</i> | T | - |
| | Florida Panther | <i>Felis concolor coryi</i> | E | E |
| | Little Blue Heron | <i>Egretta caerulea</i> | T | - |
| | Tricolored Heron | <i>Egretta tricolor</i> | T | - |
| | Wood Stork | <i>Mycteria americana</i> | T | T |
| 740 | Burrowing Owl | <i>Speotyto cunicularia</i> | T | - |
| | Gopher Tortoise | <i>Gopherus polyphemus</i> | T | - |
| 742 | NONE | - | - | - |
| 814 | NONE | - | - | - |
| 817 | NONE | - | - | - |
| 832 | NONE | - | - | - |

Abbreviations:

Agencies

FWC=Florida Fish and Wildlife Conservation Commission

FDA=Florida Department of Agriculture and Consumer Services

FWS=United States Fish and Wildlife Service

Status

E=Endangered

T=Threatened

T(S/A)=Threatened/Similarity of Appearance

SSC=Species of Special Concern

CE=Commercially Exploited

Table 2. Birds, Mammals, Amphibians, Reptiles, & Plants Observed on the Subject Property**BIRDS**

| Common Name | Scientific Name | Observation Type | Listed? (Y/N) | Status |
|------------------------|-----------------------------------|------------------|---------------|--------|
| Black Vulture | <i>Coragyps atratus</i> | DV | N | - |
| Blue Jay | <i>Cyanocitta cristata</i> | DV | N | - |
| Downy Woodpecker | <i>Picoides pubescens</i> | DV | N | - |
| Mockingbird | <i>Cyanocitta cristata</i> | HV | N | - |
| Northern Cardinal | <i>Cardinalis cardinalis</i> | DV | N | - |
| Pileated Woodpecker | <i>Dryocopus pileatus</i> | DV | N | - |
| Red-Bellied Woodpecker | <i>Melanerpes carolinus</i> | DV | N | - |
| Red-Headed Woodpecker | <i>Melanerpes erythrocephalus</i> | DV | N | - |
| Red-Shouldered Hawk | <i>Buteo lineatus</i> | DV, HV | N | - |
| Red-Tailed Hawk | <i>Buteo jamaicensis</i> | DV | N | - |
| Turkey Vulture | <i>Cathartes aura</i> | DV | N | - |

MAMMALS

| Common Name | Scientific Name | Observation Type | Listed? (Y/N) | Status |
|-----------------------|--------------------------------|------------------|---------------|--------|
| Gray Squirrel | <i>Sciurus niger avicennia</i> | DB, DV, MT, N | N | - |
| Marsh Rabbit | <i>Sylvilagus palustris</i> | DV | N | - |
| Nine-Banded Armadillo | <i>Dasybus novemcinctus</i> | OH | N | - |
| White-Tailed Deer | <i>Odocoileus virginianus</i> | DV, OT | N | - |

REPTILES

| Common Name | Scientific Name | Observation Type | Listed? (Y/N) | Status |
|----------------------|----------------------------------|------------------|---------------|--------|
| Black Racer | <i>Coluber constrictor</i> | DV | N | - |
| Brown Anole | <i>Anolis sagrei</i> | DV | N | - |
| Florida Scrub Lizard | <i>Sceloporus woodi</i> | DV | N | - |
| *Gopher Tortoise | <i>Gopherus polyphemus</i> | DV, OH | Y | T |
| Six-Lined Racerunner | <i>Cnemidophorus sexlineatus</i> | DV | N | - |

AMPHIBIANS

| Common Name | Scientific Name | Observation Type | Listed? (Y/N) | Status |
|-------------------|------------------------|------------------|---------------|--------|
| Squirrel Treefrog | <i>Hyla squirrelia</i> | DV | N | - |

PLANTS

| Common Name | Scientific Name | Observation Type | Listed? (Y/N) | Status |
|-------------|-------------------------------|------------------|---------------|--------|
| *Wild Pine | <i>Tillandsia fasciculata</i> | DV | N | CE |

* = Protected species

Abbreviations:

Observations

C=Cavity

DB=Day Bed

DV=Direct Visual

HV=Heard Vocalization

MT=Marked Tree

N=Nest

OH=Observed Hole\Burrow

OT=Observed Tracks

Status

E=Endangered

T=Threatened

T(S/A)=Threatened/Similarity of Appearance

SSC=Species of Special Concern

CE=Commercially Exploited

Table 3. Field Time Spent on the Subject Property

| Date | Start Time | End Time | Man Hours | No. of Ecologists | Task |
|---------------|------------|----------|-----------|-------------------|----------------|
| July 21, 2017 | 10:00 am | 11:00 am | 3.0 | 3 | Species Survey |
| July 24, 2017 | 10:00 am | 3:00 pm | 10.0 | 2 | Species Survey |
| July 25, 2017 | 10:00 am | 2:30 pm | 13.5 | 3 | Species Survey |
| July 26, 2017 | 9:00 am | 3:00 pm | 30.0 | 5 | Species Survey |
| July 28, 2017 | 9:00 am | 1:00 pm | 24.0 | 6 | Species Survey |
| Total | | | 80.50 | | |