

QUESTION 13 – WETLANDS

See State Comprehensive Plan (Chapter 187, F.S.)

GOAL (8); POLICY (6)
GOAL (10); POLICIES (1),(7),(8)
GOAL (16); POLICY (2)

A. If there are wetlands on the site, discuss and specify the following:

- 1. Acreage and percentage of property which is currently wetlands. These wetlands should be shown on Map F, Vegetation Associations and identified by individual reference numbers.(There numbers should be utilized in responding to the other sub-questions.)**

The property contains approximately 13 acres of wetlands, which cover 8.6 percent of the total site, as shown on Map F. The acreage and extent of the wetlands reflect recently delineated (March 21-23 and June 10 2005), and surveyed wetland lines. All on-site wetlands have been defined pursuant to the current delineation methodologies of the U.S. Army Corps of Engineers (Corps) and the South Florida Water Management District (SFWMD). The limits of jurisdictional wetlands were field verified by the SFWMD, Broward County Environmental Protection Department (EPD) and the Town of Davie on April 15, 2005. Mr. Kent Edwards of the Broward County EPD conducted an additional site visit with Langan on June 10, 2005. The visit was conducted to verify the jurisdictional areas after there had been several inches of rainfall. The wetland acreage depicted on Map D/F reflect the changes made during the June 10, 2005 site visit. The wetland delineation is currently being reviewed by the Broward County EPD.

The wetlands have been identified by vegetative composition consistent with the Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT, 1999). All of the wetlands on the property are Depression Marshes, FLUCFS 641. These areas are all low quality wetlands representing a slightly depressional community within the pasture area. These wetland areas are predominantly isolated or are small in size and dominated by non-natural vegetative assemblages.

2. Historic hydro periods and seasonal water elevations of on-site wetlands.

Very few of the onsite wetlands have standing water or provide indicators of seasonal high water.

3. Acreage and location of wetlands which are to be preserved in their natural or existing state, including proposed hydro periods, seasonal water elevations and methods for preservation.

There are no wetlands to be preserved on the property.

4. Acreage and location of areas to be enhanced, including proposed hydro periods, seasonal water elevations and methods of enhancement.

There are no wetlands to be enhanced on the property.

5. Actions taken to minimize or mitigate impacts on wetland areas, including maintaining the hydro period and providing buffers.

The project will be subject to the concepts of avoidance, minimization, enhancement (restoration) and mitigation as a part of the sequencing process for project evaluation. The wetland impacts and mitigation required will be evaluated using Unified Mitigation Assessment Method (UMAM) as a part of the regulatory approval process. The South Florida Water Management District (SFWMD) will not include impacts to isolated wetlands less than 0.5 acre in size in determining the mitigation required (Sec. 4.2.2.1 of the Basis of Review of Environmental Resource Permits, SFWMD). Section 27 of the Broward County Code does not have a companion provision. Hence, even though the UMAM methodology will be the same, the acreage of mitigation needed will be different between SFWMD and Broward County. This acreage determination will be finalized during the Environmental Resource Permit Process (ERP) with SFWMD and, the Wetland License process with Broward County.

6. Acreage and location of wetlands which will be disturbed or altered, including a discussion of the specific alterations and disturbances.

The project will result in the loss of 13.1 acres of low grade jurisdictional wetlands. These impacts are necessary to achieve the overall project goals. Impacts will result from the construction of roads and fill activity necessary for the proposed mixed-use development.

7. Precautions to be taken during construction to protect wetland areas.

The project will result in the loss of all the on-site wetlands; therefore no precautions are being proposed to protect wetlands during construction.

8. If available, provide jurisdictional determinations.

As previously discussed the limits of jurisdictional wetlands have been delineated and surveyed. Field review was conducted with the SFWMD, Broward County EPD and the Town of Davie on April 15, 2005. An additional site visit was conducted with Broward County EPD on June 10, 2005. The wetland delineation is currently being reviewed by Broward County EPD.

B. Provide any proposed plans (conceptual or specific) for created or enhance wetland areas, including littoral lake slopes, buffers, vegetative species to be planted, etc.

Plans for wetland mitigation will be developed during the permitting process, after impacts to jurisdictional areas are defined. Potential mitigations opportunities within the drainage basin, watershed and the mitigation bank service areas are being evaluated and will be a priority. This will be further refined prior to the regulatory permitting approval process.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

South Florida Ecological Services Office
1339 20th Street
Vero Beach, Florida 32960

March 10, 2005



RECEIVED

MAR 16 2005

Leigh R. Kerr, AICP
Leigh Robinson Kerr and Associates, Incorporated
808 East Las Olas Boulevard, Suite 104
Fort Lauderdale, Florida 33301

Kerr & Associates, Inc.

Service Log No.: 4-1-05-PL-10707
Date Received: January 20, 2005
Project: The Commons
County: Broward

Dear Ms. Kerr:

Thank you for your letter dated January 17, 2005, in which you requested the Fish and Wildlife Service's (Service) technical assistance on the above referenced project.

PROJECT DESCRIPTION

The Davie Commons Holdings, Ltd. proposes to construct a mixed-use development on approximately 152 acres. The project site is located in the Town of Davie, east of and abutting Interstate 75 (I-75) at the Arvida Parkway Interchange, Section 22, Township 50 South, Range 40 East, Broward County, Florida.

THREATENED AND ENDANGERED SPECIES

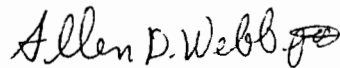
The Service has reviewed its Geographic Information System (GIS) database for recorded locations of federally listed threatened and endangered species on or adjacent to the project site. The GIS database is a compilation of data received from several sources. Our records indicate the proposed project occurs within the core foraging area (CFA) (within 18.6 miles) of an active nesting colony of the endangered wood stork (*Mycteria Americana*). The threatened eastern indigo snake (*Drymarchon corais couperi*) may also occur in the project area. No other federally listed species were identified on or adjacent to the project site. The Service has not conducted a site inspection to verify species occurrence or validate the GIS results. However, we assume listed species occur in suitable ecological communities and recommend site surveys to determine the presence or absence of listed species. Ecological communities suitable for listed species can be found in the species accounts in the *South Florida Multi-Species Recovery Plan*. This document is available on the internet at <http://verobeach.fws.gov/Programs/Recovery/esvb-recovery.html>.

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We have also provided, for your consideration, two additional computer links: (1) <http://verobeach.fws.gov/Programs/Permits/Section7.html> and (2) <http://migratorybirds.fws.gov/>. The first link provides a table of species by county in south Florida that are protected as either threatened or endangered under the Endangered Species Act of 1973, as amended (ESA) (87 Stat. 884; 16 U.S.C. 1531 *et seq.*). The table does not include State-listed species. Please contact the Florida Fish and Wildlife Conservation Commission at 561-625-5122 to identify potential State-listed species occurring in the vicinity of your project. The second link provides information on species the Service is required to protect and conserve under authorities other than the ESA, such as the Fish and Wildlife Coordination Act of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*) and the Migratory Bird Treaty Act (40 Stat. 755; 16 U.S.C. 701 *et seq.*).

Thank you for the opportunity to comment. If you have questions, please contact Jack Culpepper at 772-562-3909, extension 336.

Sincerely yours,



James J. Slack
Field Supervisor
South Florida Ecological Services Office

cc:

DEP, West Palm Beach, Florida
EPA, West Palm Beach, Florida
FWC, Vero Beach, Florida

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May 16, 2005

Gisele Colbert
E Langan
7900 Miami Lakes Drive West, Suite 102
Miami Lakes, FL 33016

Dear Ms. Colbert:

This letter is in response to your request for listed species occurrence records and critical habitats for your project (The Commons 6103401) located in Broward County County, Florida. No records from the Florida Fish and Wildlife Conservation Commission- database were located within the project area.

Please note that our database does not necessarily contain records of all listed species that may occur in a given area. Our data is limited to sites that we surveyed or sites that others have surveyed and provided us with their data. Also, data on certain species, such as gopher tortoises, are not entered into our database on a site-specific basis. **Therefore, one should not assume that an absence of occurrences in our database indicates that species of significance do not occur in the area.**

The Florida Natural Areas Inventory (FNAI) maintains a separate database of listed plant and wildlife species, please contact FNAI directly for specific information on the location of element occurrences within the project area. Because FNAI is funded to provide information to public agencies only, you may be required to pay a fee for this information. County-wide listed species information can be located at their website (<http://www.fnai.org>).

Please credit the Florida Fish and Wildlife Conservation Commission in any publication or presentation of these data. If you have any questions or further requests, please contact me at (850) 488-6661 or gisrequests@myfwc.com.

Sincerely,

A handwritten signature in black ink that reads "Christina Williams".

Christina Williams

cw
ENV 8-7/8
2005.1146

Enclosures