

2018 DEC 31 PM 2:10

CAROLYN TIMMANN
CLERK OF CIRCUIT COURT

BY _____

Prepared By:
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA
DEVELOPMENT ORDER**

RESOLUTION NUMBER 18-11.9

**[REGARDING A MAJOR DEVELOPMENT REVISED FINAL SITE PLAN APPROVAL
FOR CIRCLE K US-1 COVE ROAD
WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION]**

WHEREAS, this Board has made the following determinations of fact:

1. Circle K Properties, Inc., submitted an application for revised final site plan approval for the Circle K US-1 Cove Road project, located on lands legally described in Exhibit A, attached hereto.
2. Upon proper notice of hearing this Board held a public meeting on the application on November 13, 2018.
3. At the public hearing, all interested parties were given an opportunity to be heard.
4. Pursuant to Section 10.4.A.1., Land Development Regulations, Martin County, Fla. (2016), a review of this application is not required by the Local Planning Agency (LPA).
6. The revised final site plan for the Circle K US-1 Cove Road project is consistent with the Comprehensive Plan and the Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

A. The revised final site plan, attached hereto as Exhibit B, for the Circle K US-1 Cove Road project, including the request for alternative landscape compliance pursuant to Section 4.667., LDR, Martin County, Fla. (2013), is approved. Development of the Circle K US-1 Cove Road project shall be in accordance with the approved revised final site plan and the Preserve Area Management Plan (PAMP), attached hereto as Exhibit C.

B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

C. No permits for construction or development activity shall be issued until all required documents, plans and fees are received and approved as required by Section 10.9, Land Development Regulations Martin County Code.

D. Failure to submit the required documents, plans and fees as required by Section 10.9, Land Development Regulations, Martin County Code, shall render approval of the revised final site plan for the Circle K US-1 Cove Road project null and void.

E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.32.D, LDR, Martin County Code. Payment of appropriate fees shall be paid at the time of building permit issuance pursuant to Section 5.32.D.4.c.(3) LDR, Martin County Code.

F. All permits for the Circle K US-1 Cove Road project must be obtained within one year of revised final site plan approval, by November 13, 2019. Development of the entire project must be completed within two (2) years of revised final site plan approval, by November 13, 2020. No rights to obtain development orders are herein conveyed beyond the two (2) year reservation period except as permitted in Section 5.32.D.8., LDR, Martin County Code. All remaining impact fees and capital facility charges shall be paid in full within sixty (60) days of an approval of a requested extension pursuant to Section 5.32.D.4.c.(3), LDR, Martin County Code.

G. The Owner is not authorized to haul fill off of the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

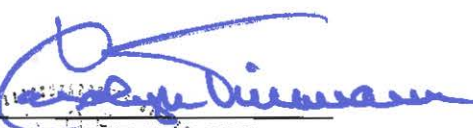
H. No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials.

J. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 13TH DAY OF NOVEMBER, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: 
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: 
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: 
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description
Exhibit B, Revised Final Site Plan
Exhibit C, PAMP

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EXHIBIT A

Legal Description

A PARCEL OF LAND LYING AND BEING ALL OF LOTS 1 THROUGH 21 AND A PORTION OF LOT 22, BLOCK 33, SECTION 2, OF HIBISCUS PARK, SECTION 2 AS RECORDED IN PLAT BOOK 3, PAGE 27 OF THE MARTIN COUNTY FLORIDA PUBLIC RECORDS, SAID LANDS WERE FORMERLY A PORTION OF BLOCK 73 OF ST. LUCIE INLET FARMS SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 98 OF THE PALM BEACH COUNTY PUBLIC RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT AN IRON PIPE AT THE INTERSECTION OF THE CENTERLINE OF THE ROAD BETWEEN BLOCK 73 AND BLOCK 74 (30 FOOT RIGHT OF WAY) AS SHOWN ON THE PLAT OF SAID ST. LUCIE INLET FARMS AND THE COMMON LINE BETWEEN BLOCK 72 AND BLOCK 73, SAID ST. LUCIE INLET FARMS AND ALSO SHOWN ON THE PLAT OF AFORESAID HIBISCUS PARK, SECTION 2, THENCE, BEARING NORTH 66°27'39" EAST ALONG SAID CENTERLINE, A DISTANCE OF 15.00 FEET TO A POINT;

THENCE, LEAVING SAID CENTERLINE, BEARING SOUTH 23°38'49" WEST ALONG THE NORTHERN PROLONGATION OF THE WESTERLY LINE OF BLOCK 32 AND BLOCK 33 AND THEN ALONG SAID WEST LINE, A DISTANCE OF 670.59 FEET TO THE NORTHWESTERLY CORNER OF AFORESAID LOT 1, BLOCK 33 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND;

SAID CORNER ALSO BEING ON THE SOUTH LINE OF AN EXISTING 30 FOOT DRAINAGE RIGHT OF WAY BETWEEN BLOCK 32 AND BLOCK 33, THENCE, BEARING NORTH 66°29'11" EAST ALONG SAID LINE, A DISTANCE OF 146.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 AND THE WESTERLY RIGHT OF WAY LINE OF US HIGHWAY NO 1 (STATE ROAD 5) (A 200 FOOT WIDE RIGHT OF WAY) ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD NO 5, SECTION 89010-2114 AND ALSO ON SAID PLAT OF HIBISCUS PARK, SECTION 2, SAID POINT BEING ON A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 5829.65 FEET, A CENTRAL ANGLE OF 05°43'28", A CHORD LENGTH OF 582.20 FEET BEARING SOUTH 35°28'49" EAST;

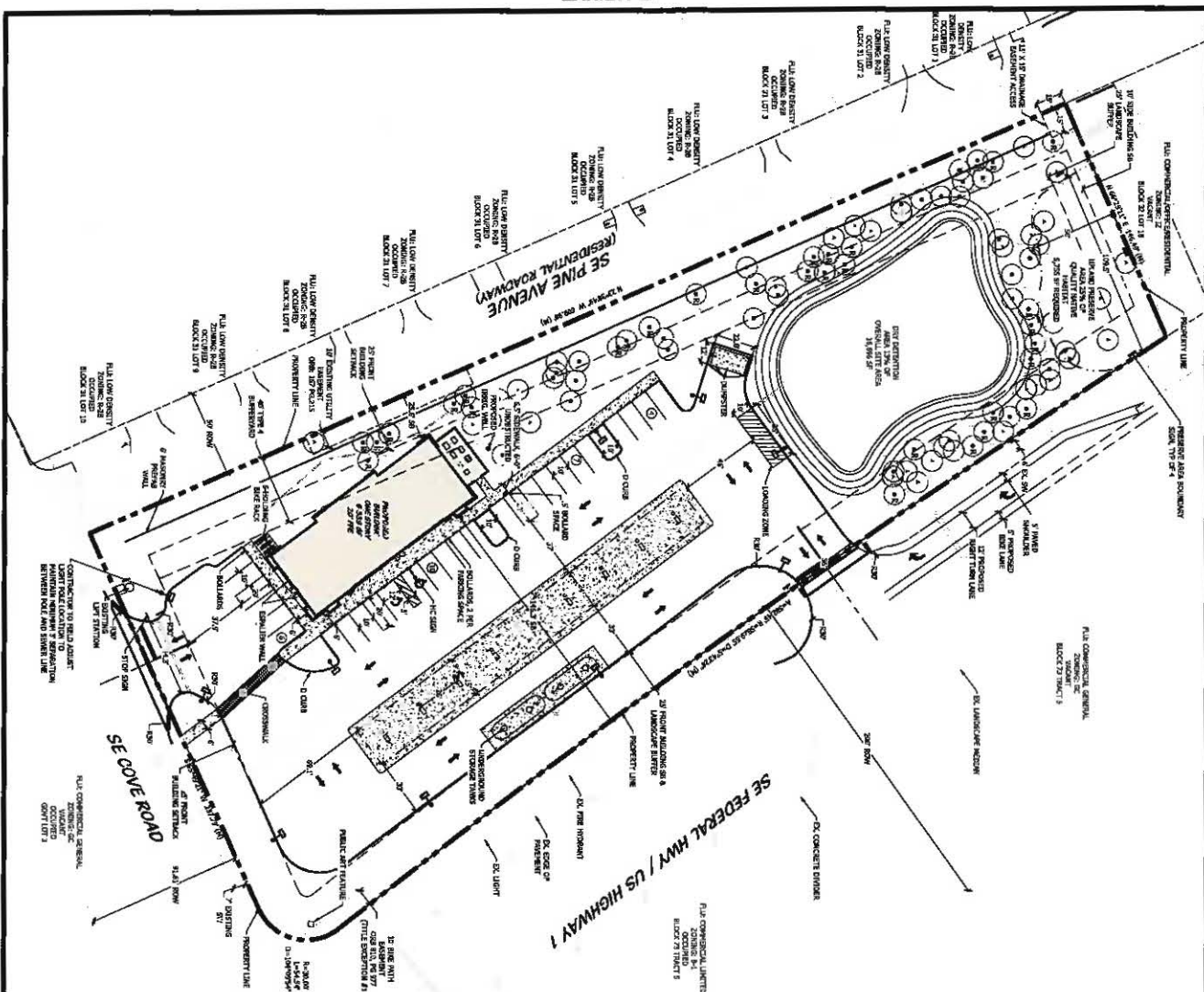
THENCE, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 582.45 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 104°09'54", A CHORD LENGTH OF 474.33 FEET BEARING SOUTH 13°44'24" WEST;

THENCE, ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE AN ARC DISTANCE OF 54.54 FEET TO A POINT LYING ON THE NORTH RIGHT OF WAY OF COVE ROAD (A 91.61 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 810, PAGE 981, MARTIN COUNTY PUBLIC RECORDS AND ALSO ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 89010-2500, LAST DATED 08/28/98;

THENCE, BEARING SOUTH 65°49'21" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 237.79 FEET TO AFORESAID WEST LINE OF BLOCK 33 AND THE EASTERLY RIGHT OF WAY LINE OF PINE AVENUE (A 50 FOOT WIDE RIGHT OF WAY) AS SHOWN ON SAID PLAT OF HIBISCUS PARK, SECTION 2;

THENCE, BEARING NORTH 23°38'49" WEST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 609.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 124,791 SQUARE FEET OR 2.865 ACRES MORE OR LESS AND SUBJECT TO ANY AND ALL RESTRICTIONS, CONDITIONS AND EASEMENTS AS CONTAINED WITHIN THE CHAIN OF TITLE.



LEGAL DESCRIPTION

[illegible]

GENERAL NOTES

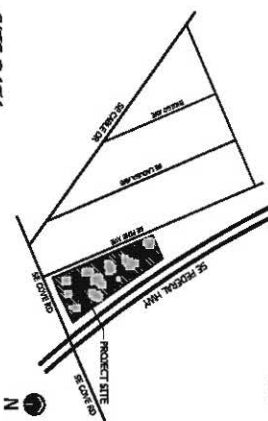
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PROJECT TEAM

[illegible]

LOCATION MAP

21



SITE DATA

ZONING MAPS AND DESIGNATION:
 DATE:
 PCN:
 PROPOSED USE:
 COMMERCIAL GENERAL,
 GENERAL COMMERCIAL (GC)
 NOT IN CMA
 55-30-41-002-015-00200-8
 54-30-41-002-001-00100-6
 54-30-41-002-002-00010-8
 54-30-41-002-002-00010-8
 VEHICLE SERVICE AND MAINTENANCE

BUILDING DATA
MODIFICATION UNIT

BUILDING STORES	1	
MANHATTAN BUILDING CONVEYANCE	60.00%	
MANHATTAN IMPROVEMENTS	60.00%	
PROPOSED MIDTOWN (NY)	37.50%	
PROPOSED MIDTOWN (AND)	24.4%	
SITE AREA	2.66	ACRES
TOTAL SITE AREA	124,791.09	SQ. FT.
SITE AREA CALCULATIONS	SQUARE FEET	ACRES
		PERCENTAGE

IMPEDIMENTS

PROTECTIVE AND SUPPLY	47,290.00	100%
VEHICULAR USE AIDS	47,290.00	100%
WALTS	2,659.00	5.6%
	50,949.00	100%

PAVING CALCULATIONS	REQUIRED	PRODUCED
VEHICLE SERVICE STATION		
1 STATION OVER 1000 CF OF FILL OR AREA	40 (MINIMUM)	36

1 SPACE PER EMPLOYEE

LINE	20	25	2
MANHOLE INCLUDED IN TOTAL			
*PER SECTION 4.03.1, IF REQUIRED LESS THAN 51			
SPACES, PAVING REQUIREMENT CAN DECREASE 20%			

LOADING ZONES

ESTIMATES	REQUIRED	PROVIDED
<p>  </p>	<p>  </p>	<p>  </p>

FRONT (22 FEM)

HEIGHT (SEE CLOW, ROAD)	25'	25.1'
SIDE	30'	30.62'

LEGEND

SECRET

	TYPE	THREAT	PLANNED LIGHT
LA	LAUNCHING MISSILE	UTILITY DISASTERS	
N	NAGAS	CHANGING BATHING	
SA	SAFETY		
OH	OVERVIEW		
MI	PRELIMINARY		

REVISED FINAL

SITE PLAN



Scale: 1" = 30'

North

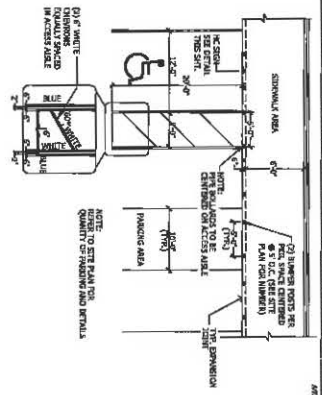
CIRCLE K #1885

Martin County, Florida

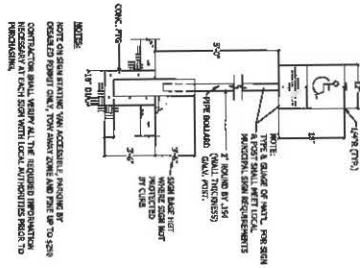
Coteleur & Hearing
Landpage Architects
Land Partners
Environmental Consultants
1804 Connecticut Lane
Suite 1
Jalisco, Florida 32666
904.747.0336 • Fax 747.1317
www.coteleurhearing.com
LH LC-0000238

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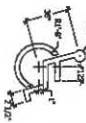
STANDARD AND HANDICAP PARKING DETAIL



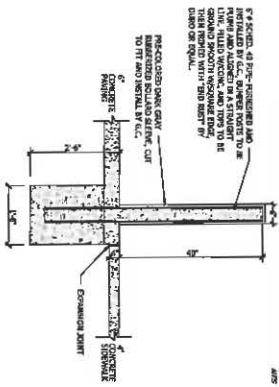
HANDICAP SIGN DETAIL



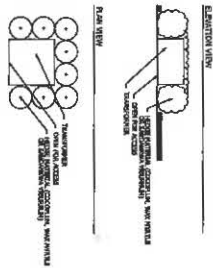
HANDICAP SYMBOL DETAIL



BOLLARD TYPICAL DETAIL



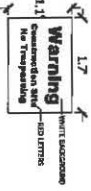
TRANSFORMER DETAIL



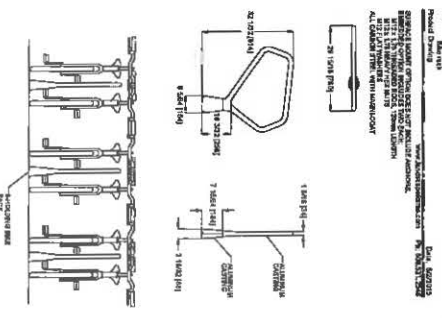
D CURB DETAIL



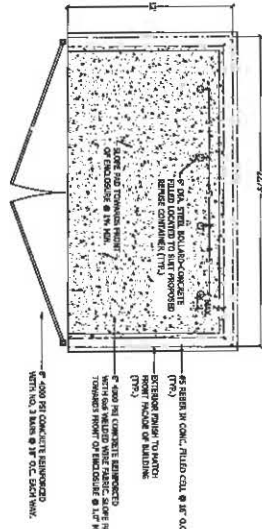
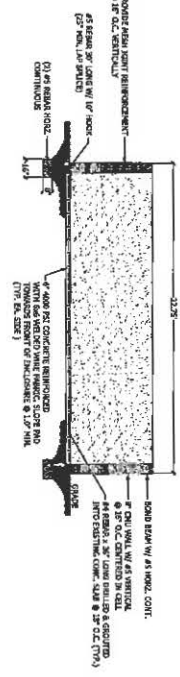
CONSTRUCTION SIGN DETAIL



BIKE RACK DETAIL



DUMPMSTER DETAIL



6' PREFAB WALL



REVISED FINAL SITE DETAILS

CIRCLE K #1885

Martin County, Florida



Codecur & Hearing
Landmark Architects
Environmental Consultants
1804 Commerce Lane
Jupiter, Florida 33459
(888) 747-5356 • Fax (772) 1177
www.codecur.com
LAW LICENSE 00000000



DESIGNED: DTS
DRAWN: LH
APPROVED: DTS
JOB NUMBER: 16-0004
DATE: 09-15-12
REVISIONS: 02-27-12
06-29-12
08-30-12

EXHIBIT C

O.R.Book # _____ and Page # _____

MARTIN COUNTY, FLORIDA

PRESERVE AREA MANAGEMENT PLAN

For:

CIRCLE - K

Martin County

Hanson Grant, Township 38S, and Range 41E

Prepared by:

EW Consultants, Inc.

Approved by/Date: _____

A Preserve Area Management Plan (PAMP) is required of all applicants for development approval on sites which contain wetland or upland preserve areas, pursuant to provisions of Section 4.36.A.1 of the Martin County Land Development Regulations, Martin County Code.

August 2017
Revised February 2018



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ENVIRONMENTAL ASSESSMENT

EA Appendix A

Figure 1: Location Map

Figure 2: Quad Map

Figure 3: Aerial Photograph

Figure 4: FLUCFCS Map

Figure 5a: Previous Impact - 1970 Aerial Photograph

Figure 5b: Previous Impact - 1986 Aerial Photograph

EA Appendix B

USDA Custom Soil Resource Report

EA Appendix C

*South Florida Water Management District –
Informal Wetland Determination letter*

EA Appendix D

Table 1 – Listed fauna

Table 2 – Listed flora

APPENDIX B

Figure 6: Preserve Area Map

Figure 7: Preserve Area Sign Detail

Figure 8: Preserve Area Monitoring Map

Annual Monitoring Report Form

Project Site Plan

EXHIBIT C

1.0 GENERAL

The owner of the lands to be preserved and maintained by this Preserve Area Management Plan (PAMP) and the developer of *CIRCLE-K* successors and assigns, and their environmental consultants and contractors, will implement and comply with all portions of this PAMP.

Compliance with the terms of this PAMP includes submittal of all Monthly Monitoring Reports on PAMP compliance throughout all phases of project construction and submittal of all Annual Monitoring Reports following completion of project construction, pursuant to Section 10.17 of the Martin County Land Development Regulations. The owner of the lands to be preserved/maintained shall have ultimate responsibility for the submittal of all Monthly and Annual Monitoring Reports, according to the format and schedule requirements of Section 10 of this PAMP.

As noted in Section 9 of this PAMP, the Martin County Environmental Planning Administrator shall be notified in writing within thirty (30) days of transfer of ownership of any lands to be preserved/maintained under the terms of this PAMP. Failure to notify shall be considered as non-compliance with the terms of this PAMP.

This PAMP will not be altered or amended by either Martin County or the owner/developer of *CIRCLE-K*, except by an alteration or amendment agreed to by both the Martin County Environmental Planning Administrator and the owner/developer of *CIRCLE-K*. Such alterations and amendments shall be inserted into the PAMP and the final revised document shall be recorded by the Martin County Clerk of Courts. The revised PAMP will be labeled with the appropriate O.R. Book and Page Number. Three copies of the revised document shall be provided to the Martin County Environmental Planning Administrator within thirty (30) days of the Recording date.

2.0 ENVIRONMENTAL ASSESSMENT

The *CIRCLE-K* site is located south of Stuart, in unincorporated Martin County within Hanson Grant, Township 38S, and Range 41E. A Location Map, Quad Map, and 2017 Aerial Photograph are provided in the Appendix as Figures 1, 2, and 3, respectively. The subject property is located at the northwest corner of US-1 and Cove Road.

The Environmental Assessment (EA) appended to this PAMP includes maps and text which depict the site location, soils, habitats, listed species, previous impacts, and any other significant environmental features.

- 2.1 Location – A location map is provided in the attached EA.
- 2.2 Soils – Soil types on the property were classified using the a Soils Report produced using the Web Soil Survey of the United States Department of Agriculture/Natural Resources Conservation Service website application. A copy of the soils report can be found in Appendix B of the EA.
- 2.3 Habitats –Vegetative community classifications were mapped based on the Florida Land Use, Cover and Forms Classification System (FLUCFCS) developed by the Florida Department of Transportation. Field Reconnaissance and aerial photograph interpretation were employed in the mapping effort. No native upland habitats remain on the subject property. The subject property exhibits an existing fuel

EXHIBIT C

service station (Circle-K) over a 0.8 acre-area. The remainder of the site is comprised of 0.5 acres of pine flatwoods, 1.5 acres of disturbed lands, and 0.1 acres of melaleuca-dominated uplands.

A complete description of the land covers and vegetation communities found on the subject property is presented in the attached EA.

2.4 Listed Species Evaluation

The sites exhibits some native pine flatwoods. This habitat is characterized by a pine canopy and a dense saw palmetto understory, typically lacking an herbaceous groundcover. The remainder of the uplands are severely encroached by invasive exotic vegetation. Due to the low quality of the pine flatwood habitats and the absence of wetlands or water bodies on site, and due to the overall urbanized character of the surrounding areas, the potential for wildlife utilization of the site is low. Please refer to the EA provided as an attachment to this PAMP for a detailed evaluation of potential listed species present on site.

Gopher Tortoise

The gopher tortoise, listed as a Threatened species by the State of Florida, may be found foraging and burrowing in low quality pine flatwoods and disturbed areas if sufficient gopher tortoise foraging habitat exists in the vicinity. As gopher tortoises may be present or foraging on the subject property, there is a potential for gopher tortoises to occur on site. While no signs of gopher tortoise activity or presence were observed on the property during surveys conducted to date, a full survey of the site will be required immediately prior to the commencement of construction activities to identify any gopher tortoise burrows or individuals that may be present on the site at that time. Potential impacts will be addressed through a permit application in accordance with Florida Fish and Wildlife Conservation Commission (FWCC) requirements.

2.5 Previous Impacts

Please refer to the EA provided as attachment to this PAMP for a detailed evaluation of previous impacts on site.

Historic aerial photos are presented in Appendix A of the EA as Figure 5 A and B and provide a chronology of past alterations that have taken place on the subject site between 1974 and 1986. A full description and analysis of these changes is provided in the EA, under the "Previous Impact" section.

2.6 Agency Correspondence

A request for a file search will be placed with the Department of State, Florida Division of Historical Resources for the subject property, Florida Fish and Wildlife Conservation Commission (FWCC), and the U.S. Fish and Wildlife Service (USFWS). Copies of the database search response letters will be provided under separate cover to Martin County staff and the results of these searches will be summarized in this section of the PAMP.

The South Florida Water Management District confirmed that there are no wetlands on the property in their informal wetland determination dated July 10, 2017. A copy of the SFWMD informal wetland determination is provided in the Appendix.

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3.0 IDENTIFICATION OF THE PRESERVE AREA

As described above, the subject site is 2.9 +/- acres, exhibits 1.5 acres of exotic vegetation-dominated disturbed lands, 0.5 acres of pine flatwoods, and 0.8 acres of developed areas (fuel service station).

There are no wetlands on site or within 50 feet of the site therefore no wetland buffers are required. 0.125 acres (25% of the 0.5 acres) of native uplands that exist on site will be required to be preserved. Please refer to the Site Plan for the location of the preserve area. Portions of the proposed preserve area may require restoration to native upland habitat through removal of exotic vegetation and replanting with native canopy, understory, and/or ground cover species, as needed.

- 3.1 Site Plan - All Preserve Area(s), right-of-ways and easements are shown on the *CIRCLE-K* Site Plan, a copy of which is included in this PAMP. The Site Plan includes a summary of the following: upland preservation acreage and total acreage of the site.

The Site Plan contains the notation: "PRESERVE AREAS ARE NOT TO BE ALTERED WITHOUT WRITTEN PERMISSION OF THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS."

- 3.2 Legal Recording – Upon final approval, the final *CIRCLE-K* Site Plan will be recorded with the PAMP by the Martin County Clerk of Courts. The Site Plan and the PAMP will be labeled with the appropriate O.R. Book and Page Number and copies of each recorded document will be provided to the Martin County Environmental Planning Administrator within thirty (30) days of the Recording date.

4.0 SURVEYING, MARKING AND BARRICADING REQUIREMENTS

All Preserve Area(s) shown on the Site Plan for *CIRCLE-K* will be surveyed and marked in the field with appropriate survey markers and signage. During the clearing and construction phases of the project, Preserve Area boundaries will be marked by physical barriers. No native plant material will be removed from the Preserve Area to facilitate surveying, fencing or soil boring/sampling without prior permission from the Martin County Environmental Planning Administrator.

- 4.1 Preserve Area Surveying Requirements – The Preserve Area will be surveyed and marked with permanent monuments at each corner and at other sites necessary for locating the boundary of the Preserve Area. These permanent monuments will be installed under the supervision of a Professional Surveyor and Mapper and will be shown on the Site Plan. Map coordinates of the Preserve Area will be provided to the Martin County Environmental Planning Administrator, in a form compatible for use in the County's GIS mapping system.
- 4.2 Preserve Area Boundary Markers and Signs – The preserve Area will be posted with permanent signs and boundary markers. Signs will be at least 11 x 14 inches in size and will be posted in conspicuous locations along the Preserve Area boundary, at a frequency of no less than one sign on each side of the preserve. All boundary markers and signs will be approved by the Martin County Environmental Planning Administrator and they will be in place prior to issuance of a certificate of occupancy for the facilities on the site. Illustrations of the signs and markers to be used for this project are presented on in Figure 6 (Preserve area map) included as in the Appendix of this PAMP.

EXHIBIT C

- 4.3 Barricading Requirements - Prior to clearing, the developer will ensure that the Preserve Area is protected with physical barriers during all clearing and construction activities in accordance with the following guidelines. Barricades will be inspected by County Environmental Division staff prior to proceeding with clearing and earthwork activities on the site. Removal of the barricade materials will be done upon issuance of the final Certificate of Occupancy with authorization from appropriate County staff.

Barricades (not including turbidity screens) will be high-visibility orange safety fence extending from the ground to a height of at least four feet. Barricades will not be attached to vegetation. All barricades and turbidity screens will be upright and maintained intact for the duration of construction.

Where areas are proposed for clearing (i.e. building envelope, utilities, drainage, road right-of-way, etc.) the bright orange barricades and silt fences will be offset at least five (5) feet outside the Preserve Area or placed at the dripline of the canopy trees, whichever is greater. All native vegetation not slated for removal as part of the development plans will be retained in its undisturbed state and will be barricaded at or outside the dripline of the trees. Cut or fill will meet existing grade without encroaching into the Preserve Area.

It is the responsibility of the owner and developer of *CIRCLE-K* to inform all contractors of these Marking and Barricading Requirements. Failure to comply with these Marking and Barricading Requirements will be considered a violation of the Site Plan approval. Further work on the project may be stopped until compliance with the Marking and Barricading Requirements is achieved, and the owner or developer may be required to appear before the Code Enforcement Board.

5.0 USE OF PRESERVE AREA

- 5.1 Activities Allowed In The Preserve Area – Activities allowed in the preserve area are bird watching and nature enjoyment.
- 5.2 Activities Prohibited In The Preserve Area - Activities prohibited in the Preserve Area include: construction or placing of building materials on or above the ground; dumping or placing soil or other substances such as garbage, trash, and cuttings; removal or destruction of native trees, shrubs or other native vegetation; excavation, dredging or removal of soil materials; diking or fencing; vehicular traffic including use by non-motorized vehicles, recreational vehicles and off-road vehicles; permanent irrigation; trimming, pruning, or fertilization; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife conservation and preservation.

No hazardous material other than fuel for refueling on-site heavy equipment will be stored during the construction phases. On-site fuel tanks shall not be located within twenty-five (25) feet of any Preserve Area boundary and shall be removed upon completion of construction work.

Buildings proposed to be located adjacent to the Preserve Area shall be set back a minimum of ten (10) feet to allow for construction and maintenance without encroaching into the Preserve Area. All other structures (e.g. pools, sheds, decks, fences) shall be set back a minimum of five (5) feet from the Preserve Area boundary.

EXHIBIT C

Development activities such as the construction of building pads for associated structures, swales, or culverts for surface water management shall not alter the hydrology of adjacent the Preserve Area. Nor shall any activities increase non-point source pollution in the Preserve Area.

6.0 RESTORATION AND MAINTENANCE ACTIVITIES

Except for approved habitat restoration, and maintenance activities, the Preserve Area will be left undisturbed. All maintenance of the Preserve Area will be in accordance with this PAMP. Maintenance and management activities will be performed by or under the supervision of a qualified environmental professional and must be approved by the Martin County Environmental Planning Administrator. The following restoration and maintenance activities may be allowed within the Preserve Area with prior written approval from the Environmental Planning Administrator: exotic plant removal, re-vegetation or planting native vegetation, and removal of dead, diseased, or safety hazard plant material.

- 6.1 Exotic Vegetation Removal – Exotic vegetation shall be eradicated from the Preserve Area by the least ecologically damaging method available. Such methods include hand pulling, hand spading, cutting with hand or chain saws and in-situ treatment with appropriate herbicides. No debris, including dead plants, plant clippings or wood scraps, shall be disposed of in the Preserve Area. In the event that any dead plant material or exotic vegetation debris is removed from the Preserve Area, it shall be disposed of in a County approved recycling facility.

An initial restoration program will be implemented for the preserve area located on the CIRCLE-K site. The initial restoration will be comprised of invasive nuisance and exotic vegetation eradication from the preserve area. Invasive nuisance and exotic vegetation species commonly encountered on the project site and targeted by this restoration and maintenance program include, but are not limited to melaleuca, Brazilian pepper, earleaf acacia, umbrella tree, and old world climbing fern. In addition, the native wild grape (*Vitis rotundifolia*) is considered nuisance species for the preserve area and will be targeted by the eradication program.

All exotic vegetation as listed by the Florida Exotic Pest Plant Council at the time of the permit issuance and native nuisance vegetation (wild grape) will be eradicated from the preserve area in accordance with the following specifications:

- Eradication will be through herbicide application, hand clearing, and where appropriate, removal of dead material off-site.
- Eradication of woody exotics will through the cutting/treatment of the trunk and/or stump with an appropriately labeled herbicide.
- Eradication of non-woody exotic vegetation will be through application of appropriately labeled herbicide.
- The criterion for acceptance of eradication of nuisance and exotic vegetation will be 100 percent kill immediately after the completion of the eradication activity. If initial eradication efforts do not achieve this criterion, follow up treatment will be conducted.
- Any portion of the preserve area exhibiting nuisance and exotic vegetation coverage of five percent or more will trigger the need for additional exotic vegetation control activities.

Herbicides are required for the treatment of all stumps/trunks of woody vegetation to prevent re-growth, and for eradication of non-woody exotic and nuisance vegetation.

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- All herbicide application activity will be conducted under the supervision of a Florida Department of Agriculture licensed applicator, licensed for application of aquatic herbicides.
- All herbicide applied must include a visible tracer dye in the mix to facilitate observation of treated vegetation.

A maintenance program will be established to prevent return of the exotic and nuisance vegetation. The specifications for this perpetual maintenance program will follow the specification detailed in the eradication of invasive nuisance and exotic vegetation in the above section

- 6.2 Re-vegetation - Any re-vegetation which may be necessary as a result of exotic vegetation removal, habitat creation, or site construction activities shall consist of native plant species representative of the existing native plant community. This will ensure that the Preserve Area maintains an indigenous plant association. Re-vegetation plans shall be submitted to the Martin County Environmental Planning Administrator for approval prior to implementation.

The vegetative success criteria for the restoration areas includes the requirement for 80% percent coverage of desirable vegetation after two years, coverage of exotic vegetation at zero percent immediately following maintenance activities (five percent coverage by exotic vegetation will be considered threshold for additional maintenance), and nuisance vegetation limited to ten percent or less.

If native vegetation has not achieved 80 percent coverage after the two year period, a replanting plan will be submitted to Martin County and supplemental vegetation will be planted in areas that remain below the 80 percent vegetation coverage criteria.

After five years, the preserve area will meet the vegetative success criteria of 100 percent coverage of desirable native vegetation and surface area coverage of invasive nuisance and exotic vegetation limited to five percent or less.

- 6.3 Vegetation Removal - Dead or diseased plant material may be removed from Preserve Area upon approval by the Martin County Environmental Planning Administrator. Re-vegetation may be required for any removed plant material. No debris, including dead plants, plant clippings or wood scraps, shall be disposed of in Preserve Area. In the event that any dead plant material and debris is removed from Preserve Area it shall be disposed of in a County approved recycling facility.
- 6.4 Prescribed Burns - Martin County considers prescribed burns an acceptable habitat management tool. When approved by the Martin County Environmental Planning Administrator, they will be conducted by a certified burn manager who will be responsible for obtaining all appropriate permits from State and local agencies.
- 6.5 Hydrology - Previous or potential drainage impacts will be corrected to the extent technically feasible. Wetlands and water bodies on adjacent properties shall be protected from adverse impacts.

7.0 PROTECTIVE MEASURES FOR LISTED SPECIES

- 7.1 Gopher Tortoises: In Florida, gopher tortoises are protected as Threatened. Under Florida law, no person may take, possess, transport or sell a Listed Species. No Gopher Tortoises or signs thereof have

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been observed on site during preliminary surveys and assessments. A 100% survey of the site will be completed before any clearing activities. No land clearing or construction shall occur until all gopher tortoises which may be impacted are relocated to off-site receiver areas as permitted by the FFWCC. Gopher tortoises inhabiting burrows in areas to be developed will be captured and relocated following guidelines set forth below. Tortoise burrows may be bucket trapped or excavated using a methodology approved by the Florida Fish and Wildlife Conservation Commission and conducted by an Authorized Agent possessing a valid relocation permit. During clearing and grubbing operations, equipment operators will be notified of the potential occurrence of gopher tortoises on site and instructed to observe for roaming and foraging individuals. Should gopher tortoises be seen during the clearing and grubbing, all equipment operations will be stopped and the gopher tortoises will be captured and relocated in accordance with FFWCC permit requirements. Once the tortoise(s) have been safely relocated, equipment operations can resume.

- 7.2 Commensal Species – If necessary, all gopher tortoise relocation efforts will include trapping of protected burrow commensal species. These commensal species include but are not limited to the Florida mouse (*Peromyscus floridana*), gopher frog (*Rana areolata*) and Eastern indigo snake (*Drymarchon corias couperi*).
- 7.3 Relocation of Gopher Tortoises - If gopher tortoise relocation is necessary, the Martin County Environmental Planning Administrator will be notified and will be provided with a copy of the Gopher Tortoise Relocation Permit from the Florida Fish and Wildlife Conservation Commission. All relocations shall be carried out by an FFWCC Authorized Gopher Tortoise Agent licensed for gopher tortoise relocations.

8.0 MISCELLANEOUS PROVISIONS AND RESTRICTIONS

The property owner(s) and developers of CIRCLE-K are responsible for the completion and maintenance of the required improvements specified in this PAMP for a period of two years. A bond for 100 percent of the cost of exotic vegetation removal, replanting, maintenance and monitoring shall be required for a period of two years from the date the planting is completed. The bond and associated paperwork will be required prior to issuance of a Certificate of Occupancy.

9.0 TRANSFER OF RESPONSIBILITIES

The property owner(s) and developers of CIRCLE-K are responsible for implementation of all requirements of this Preserve Area Management Plan until such time as the responsibility is transferred to a successor. The Martin County Environmental Planning Administrator will be notified in writing within thirty (30) days of transfer of ownership of any lands to be preserved under this PAMP. Failure to notify will be considered as non-compliance with the terms of this PAMP. At such time as the owner is preparing to transfer control of the CIRCLE-K to a successor, an environmental professional shall certify, in writing, to the Martin County Environmental Planning Administrator, that the Preserve Area is in full compliance with this PAMP.

The successor will be responsible for maintaining the Preserve Area in its existing natural condition with the periodic removal of invasive exotic vegetation. After transfer of responsibilities, funding for all maintenance and management programs will be the responsibility of all successors.

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10.0 MONITORING, REPORTING AND INSPECTIONS

- 10.1 Monthly Construction Reports – During construction of *CIRCLE-K*, the developer will be responsible for submitting a monthly report on the progress of *CIRCLE-K*, which will address all aspects of the site construction relative to the Preserve Area. Information regarding construction and maintenance of the Preserve Area, such as placement of barriers and signage, removal of exotic vegetation, re-vegetation, prescribed burns, etc. will be described and supported with photographs, where appropriate.
- 10.2 Annual Monitoring Reports – Monitoring and reporting will be conducted annually by a qualified environmental professional for a period of five years from the date of completion of the project. Annual monitoring will be conducted at the end of the wet season (usually by November 30) and a report of the monitoring will be submitted to the Martin County Environmental Planning Administrator within 30 days of the completion of the monitoring.

The Annual Monitoring Reports will document changes in vegetation including encroachment and/or overgrowth of noxious or exotic vegetation. Fixed-point panoramic photos of all Preserve Area will be included in each report. The reports will include recommendations for exotic vegetation removal, re-vegetation, and any additional enhancement activities necessary to maintain the Preserve Area. A timetable for action within 90 days of the report will be prepared and followed.

A copy of the proposed Annual Monitoring Report format is attached to this PAMP as an Appendix. This format may be modified separately from the PAMP, as necessary, upon written approval from the Martin County Environmental Planning Administrator. Please refer to Figure 7 Monitoring Map for the location of the monitoring stations.

Upon request, Martin County Environmental Planning staff may meet with the responsible parties to review the annual monitoring report findings and supply technical assistance and support for stewardship.

The first Annual Monitoring Report due in compliance with this PAMP will be submitted to the Martin County Environmental Planning Administrator within one year of the completion of the remediation activity. Subsequent Annual Monitoring Reports will be due on the same date for the next four years.

After the initial five-year monitoring period, the Preserve Area may be subject to periodic review and, if conditions warrant, will be subject to further monitoring and maintenance to ensure environmental integrity, consistent with the provisions of this Plan.

- 10.3 Inspections – Martin County is authorized to inspect any County regulated site or appurtenance. Duly authorized representatives of Martin County may, at any reasonable time, upon presenting proper identification, enter upon and shall be given access to any premises for the purpose of such inspection.

11.0 ENFORCEMENT

Martin County shall have the right to enforce the provisions of this PAMP through any available administrative or civil proceeding, which may result in penalties. Restoration of habitat and other remedies, such as fines and fees covering staff time, may be required of any person, corporation or other entity found in violation of any of the provisions of this PAMP or of Article 10 of the Martin County Land Development Regulations.

APPENDIX A

ENVIRONMENTAL ASSESSMENT

Including:

EA Appendix A

Figure 1: Location Map

Figure 2: Quad Map

Figure 3: Aerial Photograph

Figure 4: FLUCFCS Map

Figure 5a: Previous Impact - 1974 Aerial Photograph

Figure 5b: Previous Impact - 1986 Aerial Photograph

EA Appendix B

USDA Custom Soil Resource Report

EA Appendix C

South Florida Water Management District – Informal Wetland Determination letter

EA Appendix D

Table 1 – Listed fauna

Table 2 – Listed flora

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CIRCLE K # 18885

ENVIRONMENTAL ASSESSMENT

Prepared For:
Circle K

Prepared By:
EW Consultants, Inc.

September 2016
Revised August 2017
Revised February 2018

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INTRODUCTION

This report provides an environmental assessment of the existing conditions on the 2.9 +/- acre Circle K #1885 Parcel located in unincorporated Martin County. The site is located in the northwest quadrant of the intersection of US Highway 1 and Cove Road. The site is bounded to the south by Cove Road, to the east by US Highway 1, to the north by a drainage ditch, and to the west by Pine Avenue. A Location Map (Figure 1) and a Quadrangle Map (Figure 2) are included in Appendix A of this report.

PROPERTY DESCRIPTION

The northern portion of the subject property is currently undeveloped while the southern portion of the site is currently occupied by a gas station and convenience store. The northern portion of the site exhibits signs of past disturbance. A significant proportion of the property is either dominated by invasive exotic vegetation or invasive exotic vegetation dominates the ground cover and sub-canopy while a canopy of native trees remains. While no structures were observed on site, signs of vagrant campsites and transient human activity are visible. An Aerial Photo Map (Figure 3) is included in Appendix A of this report

SOILS

A Soils Report produced by the United States Department of Agriculture/Natural Resources Conservation Service is provided in Appendix B. The soils report identifies two distinct soil types on-site. The site is predominantly comprised of Waveland and Immokalee fine sands while the southern fringe of the property consists of Lawnwood and Myakka fine sands. These soils are generally poorly drained and typically found in broad open areas of pine flatwoods.

LAND COVER CLASSIFICATIONS

Land use and land cover on the subject property has been classified in accordance with the Florida Land Use, Cover and Forms Classification System (FLUCFCS, January 1999) published by the Florida Department of Transportation. Based on field reconnaissance, the subject property has three distinct land cover types. A description of each land cover type is provided below and a FLUCFCS Map is provided in Appendix A. All acreage figures are estimates based on aerial photo interpretation and field reconnaissance conducted on the site in September 2016 and updated in July 2017.

#141 – Fuel Service Station (0.8+/- acres)

The southern portion of the site is currently a fuel service station, built in the 1980s. This land cover exhibits the typical elements of fuel service station including fueling pumps, awning, paved parking lot, convenience store, and storm water management system.

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#411 - Pine Flatwoods (0.5+/- acres)

A portion of the site exhibits the typical characteristics of pine flatwoods. The vegetative composition of this land cover type is predominantly native with the canopy dominated by slash pine (*Pinus elliottii*) and occasional cabbage palm (*Sabal palmetto*). The sub-canopy is generally dense and dominated by saw palmetto (*Serenoa repens*). The remainder of the sub-canopy and ground cover includes rusty staggerbush (*Lyonia ferruginea*), wax myrtle (*Myrica cerifera*), gallberry (*Ilex glabra*), wild grape (*Vitis rotundifolia*), shrubby false buttonweed (*Spermacoce verticillata*), toothachegrass (*Ctenium aromaticum*), wiregrass (*Aristida* spp.), and greenbriar (*Smilax* spp.).

#424 - Melaleuca (0.1+/- acres)

A small portion of the site exhibits a dominant canopy of melaleuca trees. This non-native upland community exhibits a ground cover comprised of invasive exotic vegetation such as creeping ox-eye, and various herbaceous species such as bluestem and shrubby false buttonweed.

#740 - Disturbed land (1.5+/- acres)

The majority of the site is considered disturbed land, comprised of areas that have been altered by the encroachment of invasive exotic vegetation. This vegetative community may exhibit patches of native vegetation in one stratum (e.g. a canopy of slash pines) however, the sub-canopy and/or ground cover strata are comprised of invasive exotic vegetation and do not reflect any native community.

The canopy ranges from areas of slash pine or laurel oak (*Quercus laurifolia*), to a mix of invasive exotic trees such as Brazilian pepper (*Schinus terebinthifolius*), earleaf acacia (*Acacia auriculiformis*), java plum (*Syzygium cumini*), and umbrella tree (*Schefflera actinophylla*).

The subcanopy is typically invaded by Brazilian pepper (*Schinus terebinthifolius*).

The vegetative ground cover, when present, is also comprised of invasive exotic vegetation such as sword fern (*Nephrolepis* spp.), oyster plant (*Tradescantia spathacea*), caesarweed (*Urena lobata*). Some open areas devoid of canopy include a ruderal herbaceous cover comprised of florida pusley (*Richardia* spp.), bahia grass (*Paspalum notatum*), and finger grass (*Eustachys* spp.).

The pine flatwoods area of approximately 0.5 acres is the only native habitat found on site. The remainder of the land cover types observed on the property are considered non-native uplands.

No wetland or wetland communities were observed on or adjacent to the subject property. The South Florida Water Management District confirmed that there are no wetlands on the property in their informal wetland determination dated July 10, 2017 (See Appendix C).

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WILDLIFE AND LISTED SPECIES

During the course of site surveys, observations were made for the potential presence of wildlife, including listed species, on the site. The entire site was surveyed and the results of this survey are summarized below:

Based on the existing land cover, observations were made for the potential occurrence of gopher tortoises (a state-Threatened species) and possibly their associated commensal burrow dwellers including the eastern indigo snake (*Drymarchon corais couperi*), a state and federally listed Threatened species. The cursory pedestrian survey conducted throughout the site did not reveal the presence of any gopher tortoises or sign thereof such as potentially occupied gopher tortoise burrows, scat, or tracks of gopher tortoises present on the site. The dense sub-canopy, exotic species, and minimal grass cover create conditions that are less than optimal for gopher tortoise habitat. As this species is mobile and other suitable habitat exists to the north of the property, a follow up survey immediately prior to any land clearing is recommended to verify that the current unoccupied status of the property remains at the time of any land development activity.

Small mammal trails and scat were the most frequent and visible signs of wildlife activity within the subject property. Based on the habitat type and existing conditions as well as the urbanized surroundings, no other listed species are expected to be present on site. Table 1 in Appendix D lists protected fauna according to the Florida Fish and Wildlife Conservation Commission, and provides an evaluation of the known presence of or potential for occurrence of such species occurring on-site.

In addition, observations were also made to evaluate the presence or potential presence of endangered flora on the subject property. No endangered flora was identified as present or potentially present on the subject property. Please refer to Table 2 in Appendix D for a list of endangered flora in Florida and a summary evaluation of the potential for occurrence of such species on-site.

PREVIOUS IMPACTS

Historic aerial photographs presented in Appendix A as Figure 5A and B illustrate the past land alterations that have taken place on the subject site and surrounding areas and that resulted in the current land cover and dominance of invasive exotic vegetation lack of native habitat:

The 1974 aerial photograph (Figure 5A) shows the property apparently partially wooded and without any significant land alteration with the exception of a billboard sign located along US Highway 1. There are no buildings on the property. US Highway 1 and Cove Road are visible along the eastern and southern property boundaries. The ditch that runs along the north side of the property is visible on the 1974 aerial. The area adjacent to and west of the subject site is exhibiting numerous signs of residential development with a street pattern and numerous residential housing already visible.

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The 1986 aerial photograph (Figure 5B) shows that the site remains undeveloped with the exception of the billboard sign along US Highway 1. The site appears more densely vegetated thus indicating that no significant vegetation clearing or management has taken place on the property.

The current vegetative conditions of the subject property are consistent with those of sites that have become urban enclaves, where natural fire regimes have been suppressed by roadways and residential development. These surrounding conditions have facilitated the encroachment of a variety of invasive exotic vegetation throughout the site and that have resulted in the disturbed vegetative conditions that currently exist on site.

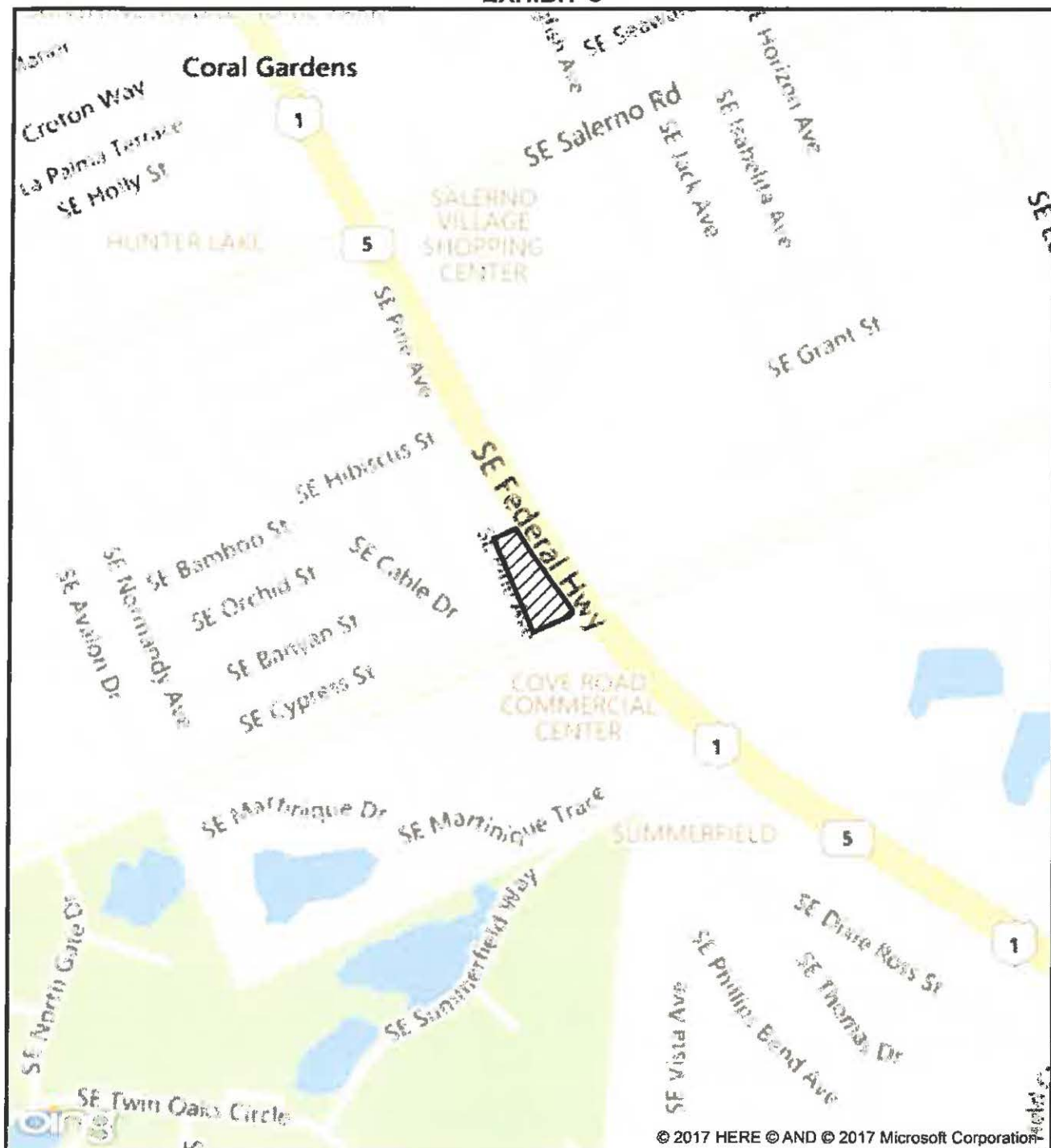
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APPENDIX A

EXHIBIT C



LEGEND

 - SITE (2.9+/- AC)

CIRCLE K PARCEL LOCATION MAP

0 1,000 Feet



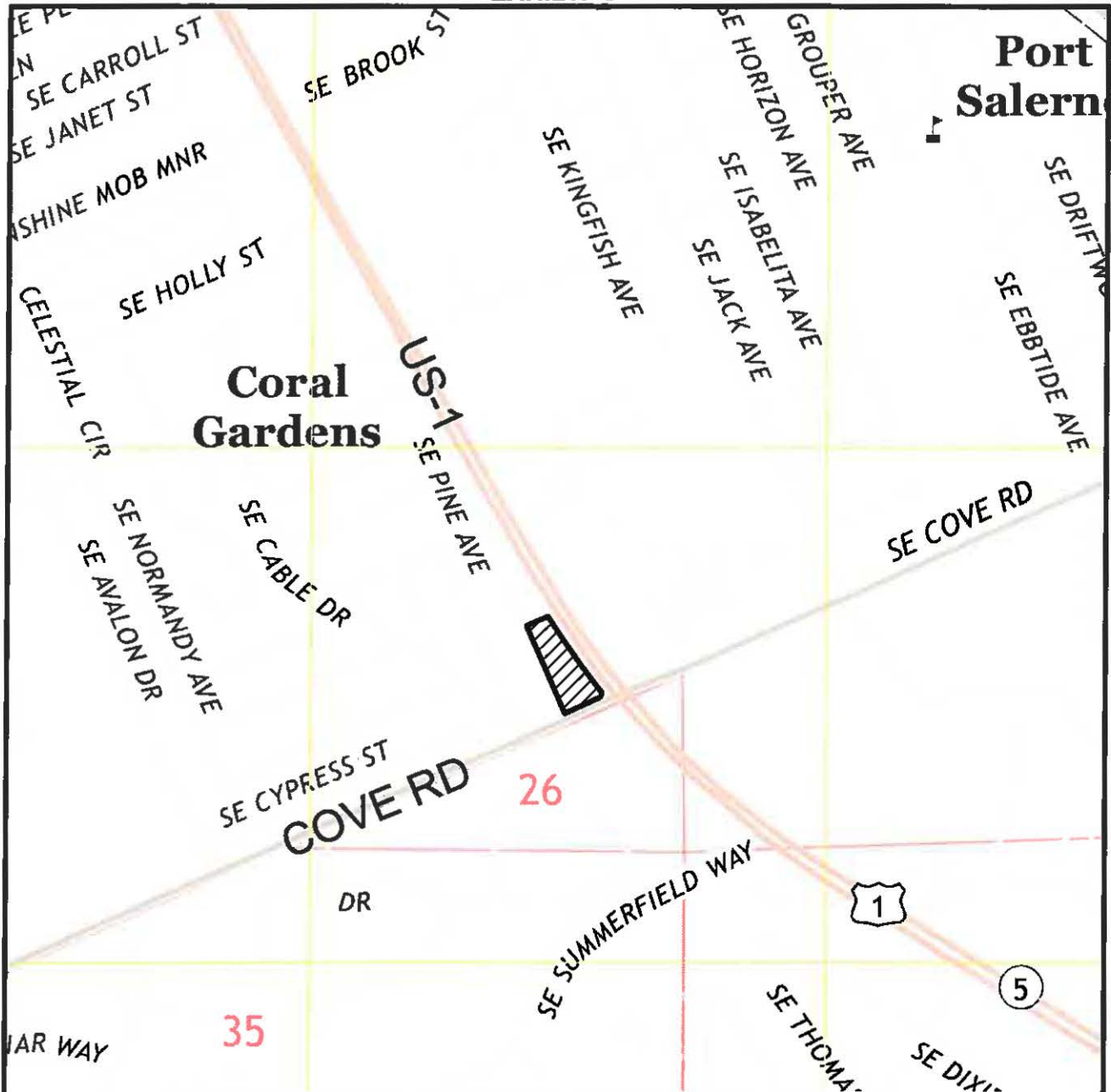
EW CONSULTANTS, INC.

**1000 SE MONTEREY COMMONS BLVD., SUITE 208
STUART, FL 34996
772-287-8771 FAX 772-287-2988
WWW.EWCONSULTANTS.COM**

AUG 2017

FIGURE

1



USGS 2015 QUAD MAP "SAINT LUCIE INLET", HANSON'S GRANT, TOWNSHIP 38 SOUTH, RANGE 41 EAST, STUART, MARTIN COUNTY, FLORIDA, LATITUDE 27°08'05" LONGITUDE -80°12'29"

LEGEND



- SITE (2.9± AC)

CIRCLE K PARCEL

2015 QUAD

0 1000
SCALE IN FEET

CIRCLE K COVE RD.dwg 2015 QUAD

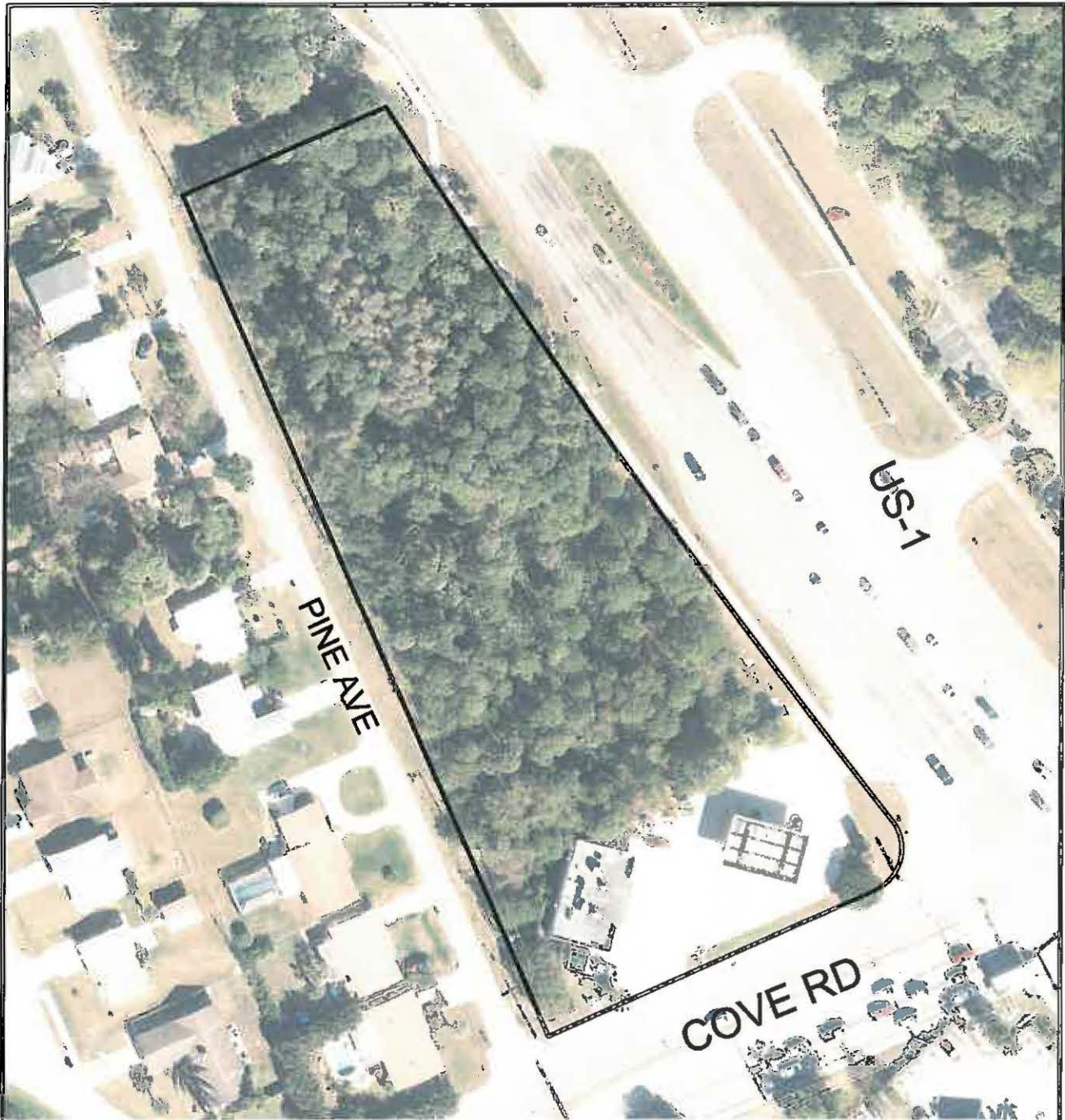


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FIGURE

2



MARTIN COUNTY AERIAL DATED 2017

0 100
SCALE IN FEET

CIRCLE K PARCEL AERIAL

CIRCLE K COVE RD.dwg AERIAL



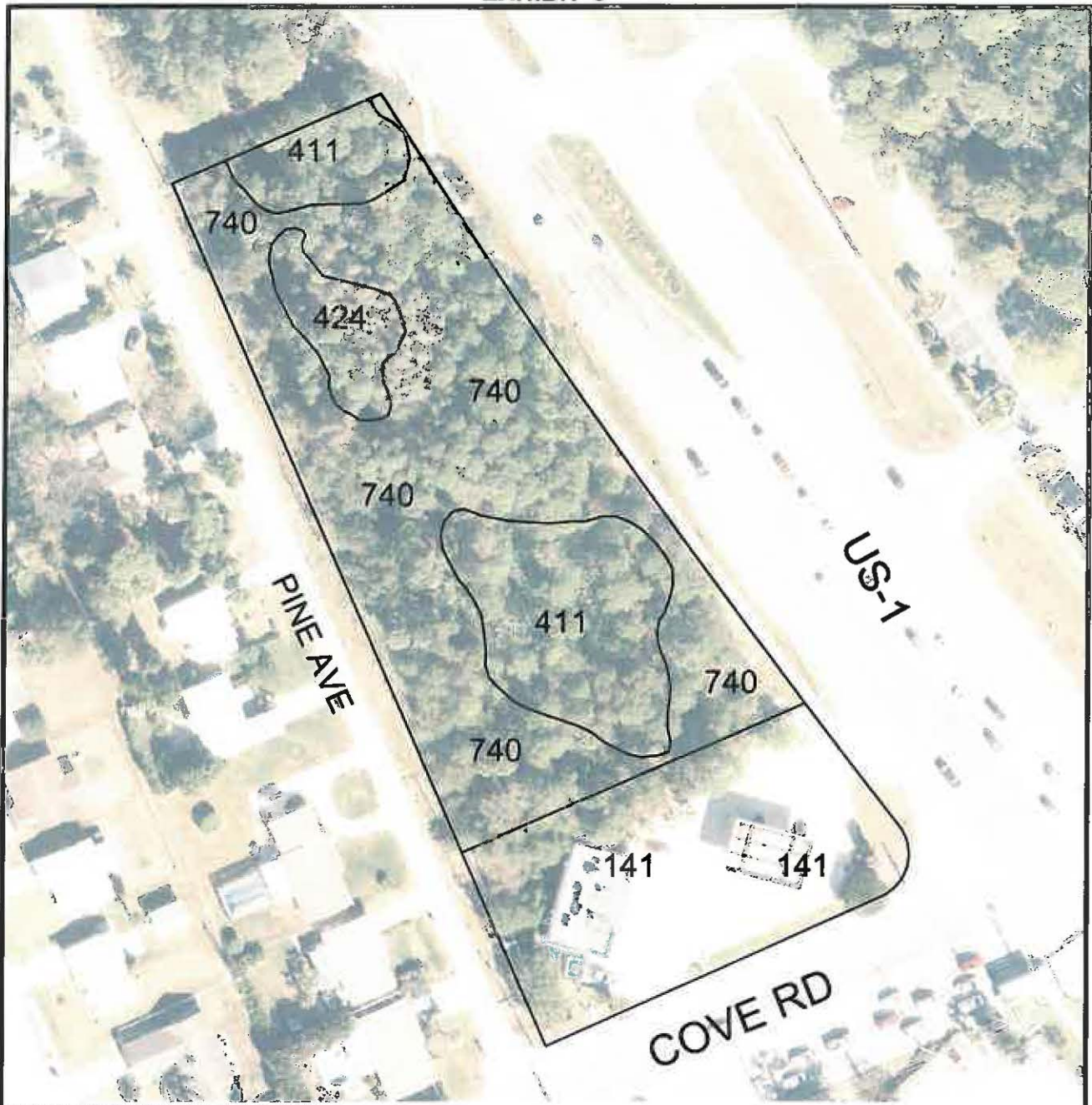
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FIGURE

3

EXHIBIT C



MARTIN COUNTY AERIAL DATED 2017

LEGEND

141 - FUEL SERVICE STATION (0.8±AC)
 411 - PINE FLATWOODS (0.5± AC)
 424 - MELALEUCA (0.1± AC)

740 - DISTURBED LANDS (1.5± AC)
 TOTAL SITE (2.9± AC)

0 100
 SCALE IN FEET

CIRCLE K PARCEL FLUCFCS



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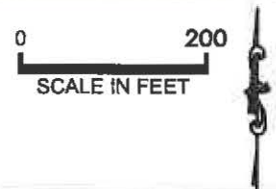
AUG 2017

FIGURE

4



FDOT AERIAL DATED 1974



CIRCLE K PARCEL PREVIOUS IMPACT

1974 AERIAL PHOTOGRAPH

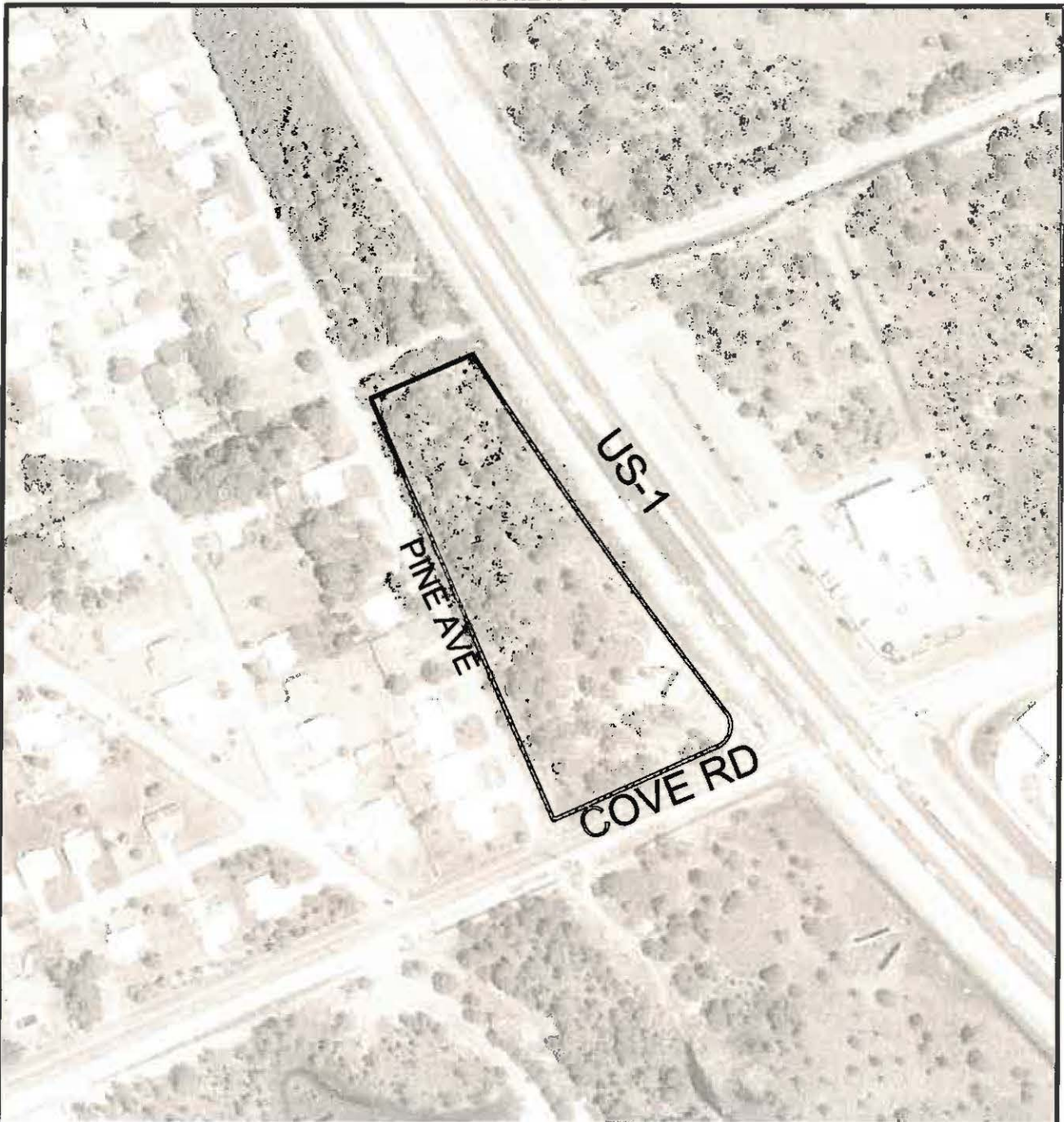


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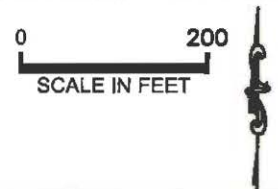
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FIGURE

5A



FDOT AERIAL DATED 1986



CIRCLE K PARCEL PREVIOUS IMPACT

1986 AERIAL PHOTOGRAPH



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FIGURE

5B

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APPENDIX B

EXHIBIT C

Soil Map—Martin County, Florida

(CIRCLE K PARCEL)



EXHIBIT C
Soil Map—Martin County, Florida
(CIRCLE K PARCEL)

MAP LEGEND

Area of Interest (AOI)		Spoil Area
Area of Interest (AOI)		Stony Spot
Soils		Very Stony Spot
Soil Map Unit Polygons		Wet Spot
Soil Map Unit Lines		Other
Soil Map Unit Points		Special Line Features
Special Point Features		
Blowout	Water Features	
Borrow Pit	Streams and Canals	
Clay Spot	Transportation	
Closed Depression	Rails	
Gravel Pit	Interstate Highways	
Gravelly Spot	US Routes	
Landfill	Major Roads	
Lava Flow	Local Roads	
Marsh or swamp	Background	
Mine or Quarry	Aerial Photography	
Miscellaneous Water		
Perennial Water		
Rock Outcrop		
Saline Spot		
Sandy Spot		
Severely Eroded Spot		
Sinkhole		
Slide or Slip		
Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida
Survey Area Data: Version 15, Sep 14, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 14, 2015—May 8, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Martin County, Florida (FL085)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Lawnwood and Myakka fine sands	1.0	36.0%
4	Waveland and Immokalee fine sands	1.8	64.0%
Totals for Area of Interest		2.9	100.0%

EXHIBIT C

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APPENDIX C



EXHIBIT C

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Regulation Division

July 10, 2017

Mr. Ryan Plate
Circle K
12911 N Telecom Parkway
Tampa, FL 33637

**Subject: Circle K Cove Road
Application No. 170630-10
Informal Wetland Determination No. 43-00075-IF
Martin County; Hanson Grant / T 38 S / R 41 E**

Dear Mr. Plate

The District offers the following in response to your request for a determination of wetland boundaries located within the subject property. A site visit was conducted by District staff on July 6, 2017. Based on the site visit, and other site-specific information, this 2.9-acre site does not contain wetlands or other surface waters as defined by Chapter 62-340 Florida Administrative Code (F.A.C.).

This correspondence is an informal wetland determination pursuant to Chapter 373, Florida Statutes. It does not bind the District, its agents or employees, nor does it convey any legal rights, expressed or implied. Persons obtaining this informal wetland determination are not entitled to rely upon it for purposes of compliance with provision of law or District rules. A binding wetland determination may be obtained by petitioning the South Florida Water Management District for a wetland declaratory statement pursuant to F.A.C. Rule 62-340 or by applying for an Environmental Resource permit.

Potentially other areas of the property not jurisdictional under State rules, may be wetlands and/or other waters of the United States under federal rules. Dredging or filling in such areas may require a Department of Army (DA) permit. Receipt of a state or local government permit does not obviate the need to obtain a DA permit prior to commencing work. For more information about the DA Regulatory Program, you may access the Corps'

EXHIBIT C

Mr. Plate
July 10, 2017
Subject: Application No. 170630-10
Page 2

website at: www.saj.usace.army.mil/permit/index.html. You may also contact the local Corps regulatory office for additional information, at one of the following numbers: 561-472-3517, 561-472-3506, or 561-472-3514.

If you have any further questions, please contact me at 863-462-5260 x3007.

Sincerely,



Eve Raymond
Environmental Analyst III
Okeechobee Regulatory Office

WB/er – Attachments (Location Map, Soils Map, FLUCCS Map)

cc: Arnaud Roux EW Consultants
U.S. Army Corps of Engineers Palm Beach Gardens
Shawn McCarthy Martin County Growth Management Department

EXHIBIT C

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APPENDIX D

EXHIBIT C

TABLE 1
POTENTIAL LISTED FAUNA

FWC MAY 2017 OFFICIAL LIST

VERTEBRATES

FISH

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Atlantic sturgeon	<i>Acipenser oxyrinchus</i>	FE	No	No	
Blackmouth shiner	<i>Notropis melanostomus</i>	ST	No	No	
Bluenose shiner	<i>Pteranotrops welaka</i>	ST	No	No	
Crystal darter	<i>Crystallaria asprella</i>	ST	No	No	
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	FT	No	No	
Harlequin darter	<i>Etheostoma histrio</i>	SSC	No	No	
Key silverside	<i>Menidia conchorum</i>	ST	No	No	
Okaloosa darter	<i>Etheostoma okaloosae</i>	FT	No	No	
Saltmarsh topminnow	<i>Fundulus jenkinsi</i>	ST	No	No	
Shortnose sturgeon	<i>Acipenser brevirostrum</i>	FE	No	No	
Smalltooth sawfish	<i>Pristis pectinate</i>	FE	No	Yes	No appropriate habitat found on-site
Southern tessellated darter	<i>Etheostoma olmstedii maculiceps</i>	ST	No	No	

AMPHIBIANS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Florida bog frog	<i>Lithobates okaloosae</i>	ST	No	No	
Frosted flatwoods salamander	<i>Ambystoma cingulatum</i>	FT	No	No	
Georgia blind salamander	<i>Haideotriton wallacei</i>	ST	No	No	
Reticulated flatwoods salamander	<i>Ambystoma bishopi</i>	FE	No	No	

REPTILES

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Alligator snapping turtle	<i>Macrochelys temminckii</i>	SSC	No	Yes	No appropriate habitat found on-site
American alligator	<i>Alligator mississippiensis</i>	FT(S/A)	No	Yes	No appropriate habitat found on-site
American crocodile	<i>Crocodylus acutus</i>	FT	No	No	
Atlantic salt marsh snake	<i>Nerodia clarkii taeniata</i>	FT	No	No	
Barbour's map turtle	<i>Graptemys barbouri</i>	ST	No	No	
Bluetail mole skink	<i>Eumeces egregius lividus</i>	FT	No	No	
Eastern indigo snake	<i>Drymarchon corais couperi</i>	FT	Minimal	Yes	Could occupy existing holes or burrows
Florida brownsnake (1)	<i>Storeria victa</i>	ST	No	No	
Florida Keys mole skink	<i>Eumeces egregius egregius</i>	ST	No	No	
Florida pine snake	<i>Pituophis melanoleucus mugitus</i>	ST	Moderate	Yes	Could use flatwood areas
Gopher tortoise	<i>Gopherus polyphemus</i>	ST	Moderate	Yes	None observed on-site
Green sea turtle	<i>Chelonia mydas</i>	T	No	Yes	No appropriate habitat found on-site
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	FE	No	Yes	No appropriate habitat found on-site
Kemp's ridley sea turtle	<i>Lepidochelys kempi</i>	FE	No	Yes	No appropriate habitat found on-site
Key ringneck snake	<i>Diadophis punctatus acricus</i>	ST	No	No	
Leatherback sea turtle	<i>Dermochelys coriacea</i>	FT	No	Yes	No appropriate habitat found on-site
Loggerhead sea turtle	<i>Caretta caretta</i>	FT	No	Yes	No appropriate habitat found on-site
Rim rock crowned snake	<i>Tantilla colitica</i>	ST	No	No	
Sand skink	<i>Neoseps reynoldsi</i>	FT	No	No	
Short-tailed snake	<i>Stilosoma extenuatum</i>	ST	No	No	

EXHIBIT C

BIRDS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
American oystercatcher	<i>Haematopus palliatus</i>	ST	No	Yes	No appropriate habitat found on-site
Audubon's crested caracara	<i>Polyborus plancus audubonii</i>	FT	No	Yes	No appropriate habitat found on-site
Bachman's wood warbler	<i>Vermivora bachmanii</i>	FE	No	No	
Black skimmer	<i>Rynchops niger</i>	ST	No	Yes	No appropriate habitat found on-site
Cape Sable seaside sparrow	<i>Ammodramus maritimus mirabilis</i>	FE	No	No	
Eskimo curlew	<i>Numenius borealis</i>	FE	No	No	
Everglade snail kite	<i>Rostrhamus sociabilis plumbeus</i>	FE	No	Yes	No appropriate habitat found on-site
Florida burrowing owl	<i>Athene cunicularia</i>	ST	No	Yes	No appropriate habitat found on-site
Florida grasshopper sparrow	<i>Ammodramus savannarum floridanus</i>	FE	No	Yes	No appropriate habitat found on-site
Florida sandhill crane	<i>Grus canadensis pratensis</i>	ST	No	Yes	No appropriate habitat found on-site
Florida scrub-jay	<i>Aphelocoma coerulescens</i>	FT	No	Yes	No appropriate habitat found on-site
Ivory-billed woodpecker	<i>Campephilus principalis</i>	FE	No	No	
Kirtland's wood warbler	<i>Dendroica kirtlandii</i> (<i>Setophaga kirtlandii</i>)	FE	No	No	
Least tern	<i>Sterna antillarum</i>	ST	No	Yes	No appropriate habitat found on-site
Little blue heron	<i>Egretta caerulea</i>	ST	No	Yes	No appropriate habitat found on-site
Marian's marsh wren	<i>Cistothorus palustris marianae</i>	ST	No	No	
Osprey (2)	<i>Pandion haliaetus</i>	SSC	No	No	Monroe County only
Piping plover	<i>Charadrius melodus</i>	FT	No	Yes	No appropriate habitat found on-site
Red-cockaded woodpecker	<i>Picoides borealis</i>	FE	No	Yes	No appropriate habitat found on-site
Reddish egret	<i>Egretta rufescens</i>	ST	No	Yes	No appropriate habitat found on-site
Roseate spoonbill	<i>Platalea ajaja</i>	ST	No	Yes	No appropriate habitat found on-site
Roseate tern	<i>Sterna dougallii dougallii</i>	FT	No	Yes	No appropriate habitat found on-site
Rufa red knot	<i>Calidris canutus rufa</i>	FT	No	Yes	No appropriate habitat found on-site
Scott's seaside sparrow	<i>Ammodramus maritimus peninsulae</i>	ST	No	No	
Snowy plover	<i>Charadrius nivosus</i> (<i>Charadrius alexandrinus</i>)	ST	No	Yes	No appropriate habitat found on-site
Southeastern American kestrel	<i>Falco sparverius paulus</i>	ST	No	Yes	No appropriate habitat found on-site
Tricolored heron	<i>Egretta tricolor</i>	ST	No	Yes	No appropriate habitat found on-site
Wakulla seaside sparrow	<i>Ammodramus maritimus juncicola</i>	ST	No	No	
White-crowned pigeon	<i>Patagioenas leucocephala</i>	ST	No	No	
Whooping crane	<i>Grus americana</i>	FXN	No	Yes	No appropriate habitat found on-site
Worthington's marsh wren	<i>Cistothorus palustris griseus</i>	ST	No	No	
Wood stork	<i>Mycteria americana</i>	FT	No	Yes	No appropriate habitat found on-site

MAMMALS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Anastasia Island beach mouse	<i>Peromyscus polionotus phasma</i>	FE	No	No	
Big Cypress fox squirrel	<i>Sciurus niger avicennia</i>	ST	No	No	
Choctawhatchee beach mouse	<i>Peromyscus polionotus allophrys</i>	FE	No	No	
Everglades mink	<i>Neovison vison evergladensis</i>	ST	No	No	
Finback whale	<i>Balaenoptera physalus</i>	FE	No	Yes	No appropriate habitat found on-site
Florida bonneted (mastiff) bat	<i>Eumops [=glaucinus] floridanus</i>	FE	No	No	
Florida panther	<i>Puma [=Felis] concolor coryi</i>	FE	No	No	
Florida salt marsh vole	<i>Microtus pennsylvanicus dukecampbelli</i>	FE	No	No	
Gray bat	<i>Myotis grisescens</i>	FE	No	No	
Gray wolf	<i>Canis lupus</i>	FE	No	No	
Homosassa shrew	<i>Sorex longirostris eonis</i>	SSC	No	No	
Humpback whale	<i>Megaptera novaeangliae</i>	FE	No	Yes	No appropriate habitat found on-site
Indiana bat	<i>Myotis sodalis</i>	FE	No	No	
Key deer	<i>Odocoileus virginianus clavium</i>	FE	No	No	
Key Largo cotton mouse	<i>Peromyscus gossypinus allapaticola</i>	FE	No	No	
Key Largo woodrat	<i>Neotoma floridana smalli</i>	FE	No	No	
Lower Keys rabbit	<i>Sylvilagus palustris hefneri</i>	FE	No	No	
North Atlantic right whale	<i>Eubalaena glacialis</i>	FE	No	Yes	No appropriate habitat found on-site
Perdido Key beach mouse	<i>Peromyscus polionotus trissyllepsis</i>	FE	No	No	
Red wolf	<i>Canis rufus</i>	FE	No	No	
Rice rat	<i>Oryzomys palustris natator</i>	FE1	No	No	
Sanibel Island rice rat	<i>Oryzomys palustris sanibeli</i>	ST	No	No	
Sei whale	<i>Balaenoptera borealis</i>	FE	No	Yes	No appropriate habitat found on-site
Sherman's fox squirrel	<i>Sciurus niger shermani</i>	SSC	No	Yes	No appropriate habitat found on-site
Sherman's short-tailed shrew	<i>Blarina [=carolinensis] shermani</i>	ST	No	No	
Southeastern beach mouse	<i>Peromyscus polionotus niveiventris</i>	FT	No	Yes	No appropriate habitat found on-site
Sperm whale	<i>Physeter catodon [=macrocephalus]</i>	FE	No	Yes	No appropriate habitat found on-site
St. Andrew beach mouse	<i>Peromyscus polionotus peninsularis</i>	FE	No	No	
West Indian manatee	<i>Trichechus manatus</i> (<i>Trichechus manatus latirostris</i>)	FT	No	Yes	No appropriate habitat found on-site

EXHIBIT C

INVERTEBRATES

CORALS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Boulder star coral	<i>Orbicella franksi</i>	FT	No		No appropriate habitat found on-site
Elkhorn coral	<i>Acropora palmata</i>	FT	No		No appropriate habitat found on-site
Lobed star coral	<i>Orbicella annularis</i>	FT	No		No appropriate habitat found on-site
Mountainous star coral	<i>Orbicella faveolata</i>	FT	No		No appropriate habitat found on-site
Pillar coral	<i>Dendrogyra cylindrus</i>	ST	No		No appropriate habitat found on-site
Rough cactus coral	<i>Mycetophyllia ferox</i>	FT	No		No appropriate habitat found on-site
Staghorn coral	<i>Acropora cervicornis</i>	FT	No		No appropriate habitat found on-site

CRUSTACEANS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Black Creek crayfish (Spotted royal crayfish)	<i>Procambarus pictus</i>	Status	No		No appropriate habitat found on-site
Panama City crayfish	<i>Procambarus econfinae</i>	SSC	No		No appropriate habitat found on-site
Santa Fe Cave crayfish	<i>Procambarus erythropterus</i>	ST	No		No appropriate habitat found on-site
Squirrel Chimney Cave shrimp	<i>Palaemonetes cummingsi</i>	FT	No		No appropriate habitat found on-site

INSECTS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
American burying beetle	<i>Nicrophorus americanus</i>	FE	No	No	
Bartram's scrub-hairstreak	<i>Strymon acisbartrami</i>	FE	No	No	
Cassius blue butterfly	<i>Leptotes cassius theonius</i>	FT(S/A)	No	No	Listed as similar to Miami blue butterfly
Ceraunus blue butterfly	<i>Hemiargus ceraunus antitubastus</i>	FT(S/A)	No	No	Listed as similar to Miami blue butterfly
Florida leafwing butterfly	<i>Anaea troglodyta floridalis</i>	FE	No	No	
Miami blue butterfly	<i>Cyclargus thomasi bethunebakeri</i>	FE	No	No	
Nickerbean blue butterfly	<i>Cyclargus ammon</i>	FT(S/A)	No	No	Listed as similar to Miami blue butterfly
Schaus' swallowtail butterfly	<i>Heracles aristodemus ponceanus</i>	FE	No	No	

MOLLUSKS

Common Name	Scientific Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
Chipola slabshell (mussel)	<i>Elliptio chipolaensis</i>	FT	No		No appropriate habitat found on-site
Choctaw bean	<i>Villosa choctawensis</i>	FE	No		No appropriate habitat found on-site
Fat threeridge (mussel)	<i>Amblema neisleri</i>	FE	No		No appropriate habitat found on-site
Florida treesnail	<i>Liguus fasciatus</i>	FE	No		No appropriate habitat found on-site
Fuzzy pigtoe	<i>Pleurobema strodeanum</i>	FT	No		No appropriate habitat found on-site
Gulf moccasinshell (mussel)	<i>Medionidus penicillatus</i>	FE	No		No appropriate habitat found on-site
Narrow pigtoe	<i>Fusconaia escambia</i>	FT	No		No appropriate habitat found on-site
Ochlockonee moccasinshell (mussel)	<i>Medionidus simpsonianus</i>	FE	No		No appropriate habitat found on-site
Oval pigtoe (mussel)	<i>Pleurobema pyriforme</i>	FE	No		No appropriate habitat found on-site
Purple bankclimber (mussel)	<i>Elliptioideus sloatianus</i>	FT	No		No appropriate habitat found on-site
Round ebonyshell	<i>Fusconaia rotulata</i>	FE	No		No appropriate habitat found on-site
Shinyrayed pocketbook (mussel)	<i>Lampsilis subangulata</i>	FE	No		No appropriate habitat found on-site
Southern kidneyshell	<i>Ptychobranthus jonesi</i>	FE	No		No appropriate habitat found on-site
Southern sandshell	<i>Hamiota australis</i>	FT	No		No appropriate habitat found on-site
Stock Island tree snail	<i>Orthalicus reses</i> [not incl. <i>nesodryas</i>]	FT	No		No appropriate habitat found on-site
Suwannee moccasinshell	<i>Medionidus walker</i>	FT	No		No appropriate habitat found on-site
Tapered pigtoe	<i>Fusconaia burki</i>	FT	No		No appropriate habitat found on-site

KEY TO ABBREVIATIONS AND NOTATIONS

FWC = Florida Fish and Wildlife Conservation Commission

FE = Federally Endangered

FT = Federally Threatened

SE = State Endangered

ST = State Threatened

SSC = Species of Special Concern

FXN = Federal Experimental/ Non-Essential Population

1 - Lower keys population only

2 - Monroe County population only

3 - Other than those found in Baker and Columbia Counties or in Apalachicola National Forest

EXHIBIT C

TABLE 2
POTENTIAL LISTED FLORA

FL DACS 2015

Scientific Name	Common Name	Status	Known or potential occurrence:		
			On site	Martin	Comment
<i>Amorpha crenulata</i>	crenulated lead-plant	endangered	No	No	
<i>Asimina tetramera</i>	four-petal pawpaw	endangered	No	Yes	No appropriate soils/habitat on site
<i>Bonania grandiflora</i>	Florida bonamia	threatened	No	No	
<i>Campanula robiniae</i>	Brooksville bellflower	endangered	No	No	
<i>Cereus eriophorus</i> var. <i>fragrans</i>	fragrant prickly-apple	endangered	No	No	
<i>Chamaesyce deltoidea</i> ssp. <i>deltoidea</i>	deltoid spurge	endangered	No	No	
<i>Chamaesyce garberi</i>	Garber's spurge	threatened	No	No	
<i>Chionanthus pygmaeus</i>	pygmy fringe tree	endangered	No	No	
<i>Chromolaena frustrata</i>	Cape Sable thorough-wort	endangered	No	No	
<i>Chrysopsis floridana</i>	Florida golden aster	endangered	No	No	
<i>Cladonia perforata</i>	Florida perforate cladonia	endangered	No	Yes	Found in Hobe Sound and south
<i>Clitoria fragrans</i>	pigeon wings	threatened	No	No	
<i>Conradina brevifolia</i>	short-leaved rosemary	endangered	No	No	
<i>Conradina etonia</i>	Etonia rosemary	endangered	No	No	
<i>Conradina glabra</i>	Apalachicola rosemary	endangered	No	No	
<i>Consolea corallicola</i>	Florida semaphore cactus	endangered	No	No	
<i>Crotalaria avonensis</i>	Avon Park harebells	endangered	No	No	
<i>Cucurbita okeechobeensis</i> ssp. <i>okeechobeensis</i>	Okeechobee gourd	endangered	No	Yes	No appropriate habitat on-site
<i>Deeringothamnus pulchellus</i>	beautiful pawpaw	endangered	No	No	
<i>Deeringothamnus rugelii</i>	Rugel's pawpaw	endangered	No	No	
<i>Dicerandra christmanii</i>	Garrett's mint	endangered	No	No	
<i>Dicerandra cornutissima</i>	longspurred mint	endangered	No	No	
<i>Dicerandra frutescens</i>	scrub mint	endangered	No	No	
<i>Dicerandra immaculata</i>	Lakela's mint	endangered	No	No	
<i>Eriogonum longifolium</i> var. <i>gnaphalifolium</i>	scrub buckwheat	threatened	No	No	
<i>Eryngium cuneifolium</i>	snakeroot	endangered	No	No	
<i>Euphorbia telephioides</i>	Telephus spurge	threatened	No	No	
<i>Galactia smallii</i>	Small's milkpea	endangered	No	No	
<i>Halophila johnsonii</i>	Johnson's seagrass	threatened	No	Yes	No appropriate habitat on-site
<i>Harperocalis flava</i>	Harper's beauty	endangered	No	No	
<i>Harrisia aboriginum</i>	aboriginal prickly-apple	endangered	No	No	
<i>Hypericum cumulicola</i>	Highlands scrub hypericum	endangered	No	No	
<i>Jacquemontia reclinata</i>	beach jacquemontia	endangered	No	Yes	No appropriate habitat on-site
<i>Justicia cooley</i>	Cooley's water-willow	endangered	No	No	
<i>Liatris ohlingerae</i>	scrub blazing star	endangered	No	No	
<i>Lindera melissifolia</i>	pondberry	endangered	No	No	
<i>Lupinus aridorum</i>	scrub lupine	endangered	No	No	
<i>Macbridea alba</i>	white birds-in-a-nest	threatened	No	No	
<i>Nolina brittoniana</i>	Britton's beargrass	endangered	No	No	
<i>Paronychia chartacea</i>	papery whitlow-wort	threatened	No	No	
<i>Pilosocereus robinii</i>	Key tree-cactus	endangered	No	No	
<i>Pinguicula ionantha</i>	Godfrey's butterwort	threatened	No	No	
<i>Polygala lewtonii</i>	Lewton's polygala	endangered	No	No	
<i>Polygala smallii</i>	tiny polygala	endangered	No	Yes	No appropriate habitat on-site
<i>Polygonella basiramia</i>	wireweed	endangered	No	No	
<i>Polygonella myriophylla</i>	sandlace	endangered	No	No	
<i>Prunus geniculata</i>	scrub plum	endangered	No	No	
<i>Rhododendron chapmanii</i>	Chapman's rhododendron	endangered	No	No	
<i>Ribes echinellum</i>	Miccosukee gooseberry	threatened	No	No	
<i>Schwalbea americana</i>	American chaffseed	endangered	No	No	
<i>Scutellaria floridana</i>	Florida skullcap	threatened	No	No	
<i>Silene polypetala</i>	fringed campion	endangered	No	No	
<i>Spigelia gentianoides</i>	gentian pinkroot	endangered	No	No	
<i>Thalictrum cooley</i>	Cooley's meadowrue	endangered	No	No	
<i>Torreya taxifolia</i>	Florida torreya	endangered	No	No	
<i>Warea amplexifolia</i>	clasping warea	endangered	No	No	
<i>Warea carteri</i>	Carter's warea	endangered	No	No	
<i>Ziziphus celata</i>	scrub ziziphus	endangered	No	No	

APPENDIX B

Figure 6: Preserve Area Map

Figure 7: Preserve Area Monitoring Map

Annual Monitoring Report Form

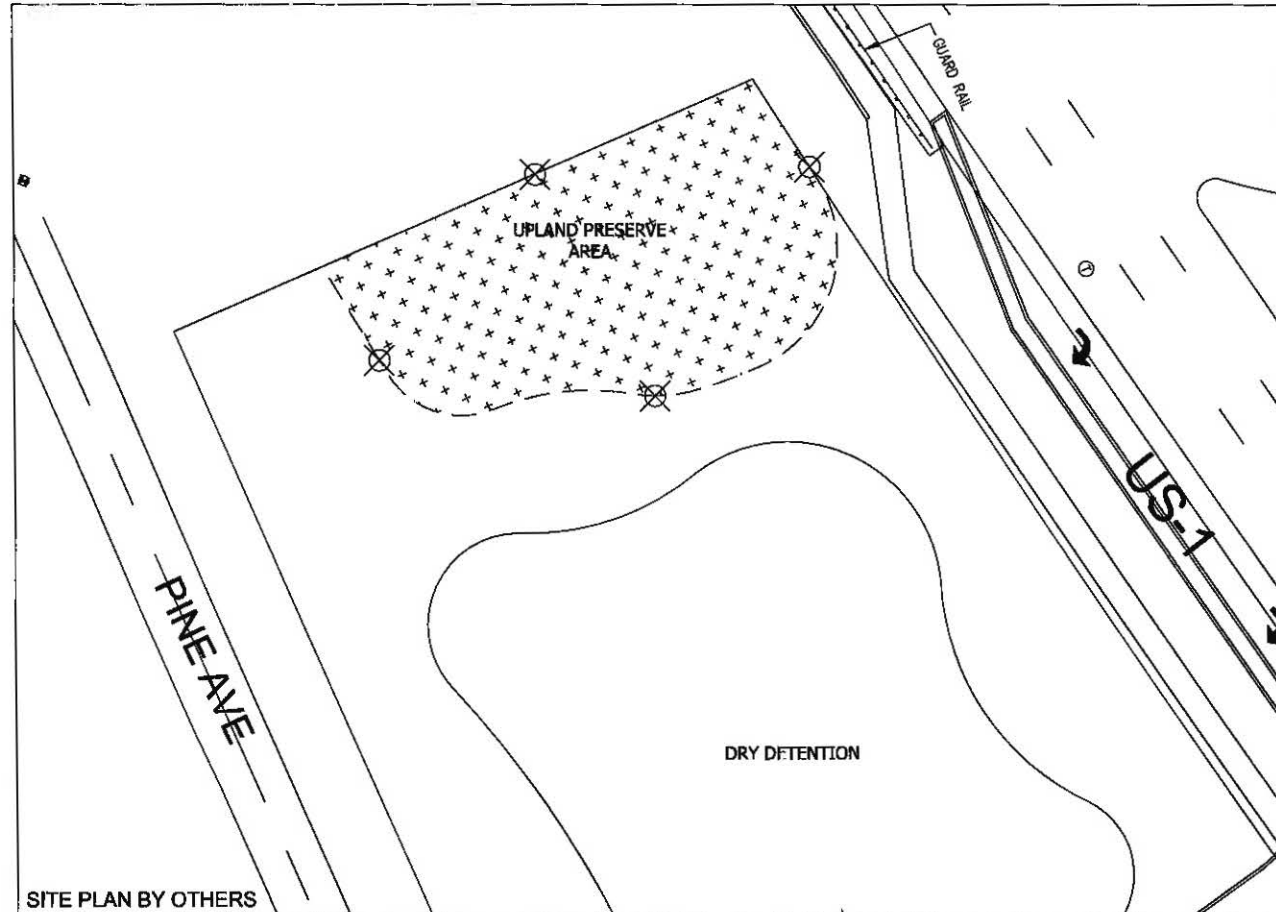
Project Site Plan

EXHIBIT C

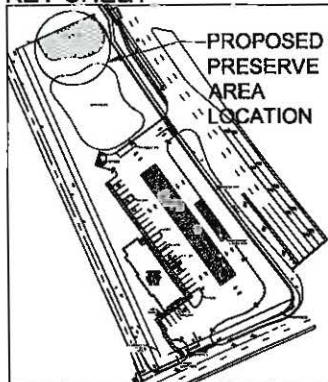
TYPICAL PRESERVE SIGN



PROPOSED PRESERVE AREA

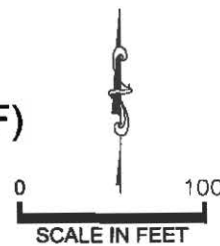


KEY SHEET



LEGEND

- UPLAND PRESERVE AREA (5,755± SF)
- PRESERVE SIGN LOCATION (4)



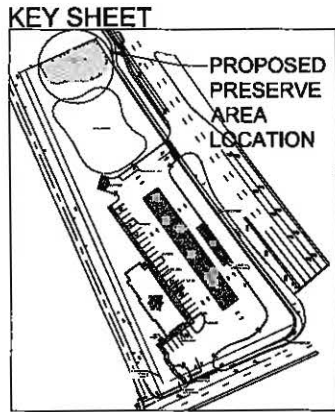
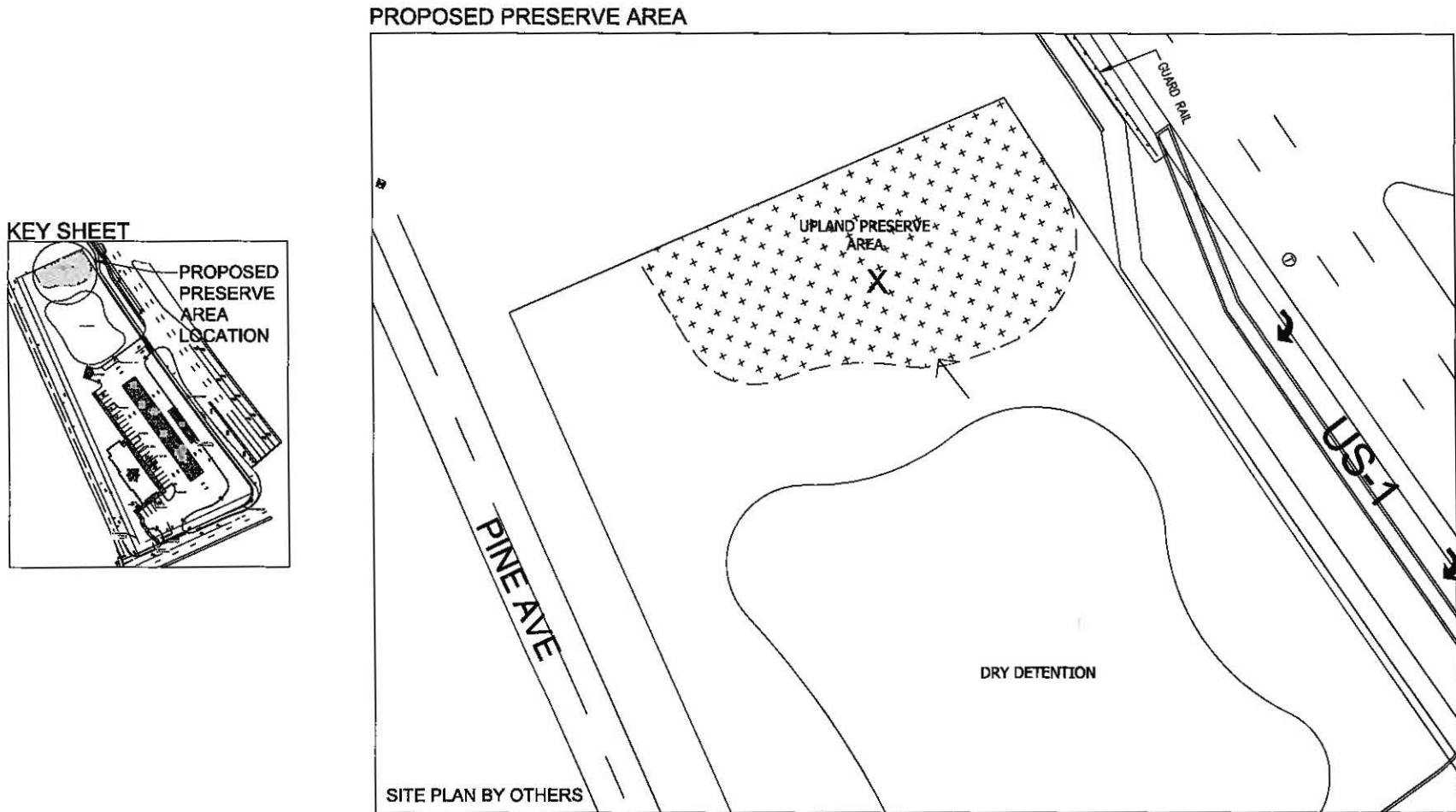
CIRCLE K PARCEL PRESERVE AREA MAP



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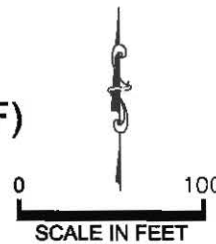
FEB 2018
FIGURE
6

EXHIBIT C



LEGEND

-  - UPLAND PRESERVE AREA (5,755± SF)
- X - MONITORING STATION
-  - PHOTO STATION WITH DIRECTION



CIRCLE K PARCEL PRESERVE AREA MONITORING MAP



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FEB 2018
FIGURE 7

EXHIBIT C

MARTIN COUNTY, FLORIDA

PRESERVE AREA MANAGEMENT PLAN

ANNUAL MONITORING REPORT FOR (Year)

- **Name and address of current owner of Preserve Area;**
- **Location of Preserve Area**
- **Date PAMP approved;**
- **Documentation of vegetation changes, including encroachment of exotic vegetation;**
- **Fixed-point panoramic photos of the Preserve Area;**
- **Synopsis of maintenance activities conducted in compliance with the PAMP requirements such as exotic vegetation removal, re-vegetation, and additional enhancement activities necessary to maintain the Preserve Area;**
- **A timetable for action within 90 days of the report;**
- **A list of all violations of the PAMP; and**
- **Recommendations for remedial actions, with a proposed schedule for the coming year.**

Signature/Date : _____

Typed Name/Title : _____

Company Name (if applicable) : _____