



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
FORT MYERS REGULATORY OFFICE  
1520 ROYAL PALM SQUARE BOULEVARD, SUITE 310  
FORT MYERS, FLORIDA 33919

January 05, 2005

Regulatory Division  
South Permits Branch/West Permits Section  
Fort Myers Regulatory Office  
SAJ-2003-1743(IP-JWS)

Colonial Homes, Inc.  
c/o Scott Clark  
12220 Town Lake Drive, Suite 75  
Fort Myers, Florida 33913

Dear Mr. Clark:

The U.S. Army Corps of Engineers has completed the review and evaluation of your permit application number SAJ-2003-1743(IP-JWS). The project is located north of Mackinaw Avenue, south of Hancock Bridge Parkway, east of Randag Drive, and west of Moody Road, Sections 09, 10, and 15, Township 44 South, Range 24 East, North Fort Myers, Lee County, Florida. Our regulations require that you have an opportunity to review the terms and conditions prior to final signature by the Department of the Army. Enclosed are two unsigned Department of the Army permit instruments (permit).

Please read carefully the Special Conditions beginning on page 3 of the permit. These were developed to apply specifically to your project. Water Quality Certification is also required prior to issuance of a permit. A copy of the State certification for your project has been received. In accordance with General Condition number 5 of the permit, the Water Quality Certification has been attached to the Department of the Army permit.

You are hereby advised that you have certain options available to you in your evaluation of the enclosed permit. These are outlined in the enclosed "Notification of Administrative Appeal Options and Process and Request for Appeal" form. It is very important that you read and understand the options provided. Your signature on the permit means that you accept the permit in its entirety, and waive all rights to appeal the permit, or its terms and conditions.

Both copies must be signed by the applicant in the space provided on the signature page of the permit. In the case of corporations, acceptance must be by an officer of that corporation authorized to sign on behalf of the corporation. The party responsible for assuring the work is done in accordance with the permit terms and conditions must sign the permit.

Please type or print the name and title of the person signing below the signature and the date signed.

SIGN AND RETURN BOTH PERMITS, IN THEIR ENTIRETY, TO THE LETTERHEAD ADDRESS, ALONG WITH A CHECK OR MONEY ORDER FOR \$100.00 MADE PAYABLE TO THE FINANCE AND ACCOUNTING OFFICER, JACKSONVILLE DISTRICT.

Both permits will be signed by the District Engineer and one copy returned to you. It is important to note that the permit is not valid until the District Engineer signs it.

Enclosed is a 2-page customer service survey form. If you have any comments on the service you have received during the evaluation of this application, please return the survey to us along with your signed permits.

Sincerely,

*John R. Hall*  
JRH

John R. Hall  
Chief, Regulatory Division

Enclosures:

Customer Service Survey Form  
Notification of Administrative Appeal Options and Process  
and Request For Appeal  
Original & Duplicate of Unsigned Department of the Army Permit

Approved:

OMB No.: 0710-0012

Expires: 30 September 2001

The Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0710-XXXX), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE ADDRESS. RETURN COMPLETED APPLICATION TO THE ADDRESS SHOWN ON THE APPLICATION INSTRUCTION SHEET.

**CUSTOMER SERVICE SURVEY - REGULATORY PROGRAM  
U.S. ARMY CORPS OF ENGINEERS**

We at the U.S. Army Corps of Engineers Regulatory Branch are committed to improving service to our customers and would like to know how well we have been doing. Who are our customers? You are our *customers* if you submitted a permit application, requested a jurisdictional determination or wetland delineation, or scheduled a pre-application meeting with us. *Other customers* include those of you who receive our Public Notice and/or commented on a particular project or our work in general, because of your interest in the Regulatory Program. To identify how we can better serve you, we need your help. Please take the time to fill out this brief survey and mail it back to us. Your honest opinions will help us determine areas in which we need to improve. For each question, please indicate the level of service you received by marking the appropriate number on a scale from 1-5, with 1 being low (dissatisfied) and 5 being high (very satisfied). If the question does not apply to you, simply mark N/A. Thank you for your time and comments! Response to this survey is VOLUNTARY. If you choose not to respond, it will not affect any

I. FOR APPLICANTS & OTHERS REQUIRING AUTHORIZATIONS	LOW SATISFACTION			HIGH SATISFACTION		
	1	2	3	4	5	NA
1. Do you think you received your Corps permit decision in a reasonable amount of time?						
2. Do you think you received your Corps jurisdictional determination in a reasonable amount of time?						
3. If we recommended/required project changes/modifications to reduce impacts, did we clearly explain the reasons why?						
4. If we recommended/required project changes/modifications to reduce impacts, did the changes seem reasonable to you?						
5. If we denied your permit, did we clearly explain the reasons why?						
6. For enforcement cases, did our office clearly and professionally explain the basis for the enforcement action (e.g., what work we believe you performed without authorization)?						
7. For enforcement cases, did our office include options for resolution?						
<b>II. FOR "OTHER" CUSTOMERS</b>						
1. For permitted actions, was the permit effective in achieving appropriate protection/mitigation for impacts to aquatic resources?						
2. For enforcement actions, did the Corps require appropriate compensation/restoration for impacts to aquatic resources?						
<b>III. FOR APPLICANTS &amp; "OTHER" CUSTOMERS</b>						
1. Did the Corps representative act professionally and treat you with courtesy?						
2. Did the Corps provide sufficient information to allow you to complete an application form, comment on a public notice, or otherwise evaluate our work?						
3. Did we respond to your letters and telephone calls in a reasonable amount of time?						
4. Did the Corps representative answer your questions clearly, giving you accurate information about our Regulatory Program?						
5. What is your OVERALL rating of the level of service provided by the Corps of Engineers Regulatory Program?						

Note: DATA FROM THIS QUESTIONNAIRE WILL BE USED BY THE DISTRICT TO IMPROVE SERVICE. ALSO, INFORMATION WILL BE TABULATED NATIONALLY BY SERVICE AREA. RESPONDENTS WILL NOT BE IDENTIFIED BY NAME OR ORGANIZATION FOR ANY REPORT DERIVED FROM THIS SURVEY.

PLEASE COMPLETE THE FOLLOWING QUESTIONS BY GIVING US  
ANY COMMENTS OR SUGGESTIONS FOR HOW WE CAN IMPROVE.

Please indicate the nature of your business (If applicable, check more than one):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Property developer          | <input type="checkbox"/> Flood/Water Control District | <input type="checkbox"/> Sand & Gravel   |
| <input type="checkbox"/> Public Agency Applicant     | <input type="checkbox"/> Consultant                   | <input type="checkbox"/> Law Office      |
| <input type="checkbox"/> Civic or Trade Organization | <input type="checkbox"/> Farming/Ranching             | <input type="checkbox"/> Silviculture    |
| <input type="checkbox"/> Member of Legislature       | <input type="checkbox"/> Public Agency                | <input type="checkbox"/> Mining          |
| <input type="checkbox"/> Federal/State/Local         | <input type="checkbox"/> Personal/Private Project     | <input type="checkbox"/> Media           |
| <input type="checkbox"/> Conservation Organization   | <input type="checkbox"/> Adjacent Property Owner      | <input type="checkbox"/> Native American |
| <input type="checkbox"/> Other (describe): _____     |   |  |

What Service(s) Did You Seek From the Corps? (If applicable, check more than one):

- |  |  |
|--|--|
| <input type="checkbox"/> General Information                     | <input type="checkbox"/> Jurisdictional/wetland determination          |
| <input type="checkbox"/> Pre-application Consultation            | <input type="checkbox"/> Resolution of violation/non-compliance        |
| <input type="checkbox"/> Nationwide general permit               | <input type="checkbox"/> Regulatory Program presentation               |
| <input type="checkbox"/> Regional or programmatic general permit | <input type="checkbox"/> Commented on Public Notice/permit application |
| <input type="checkbox"/> Standard Individual permit              | <input type="checkbox"/> Other (describe): _____                       |
| <input type="checkbox"/> Letter of Permission                    | _____  |

Which Corps office (District, Division, Headquarters, other) did you deal with? \_\_\_\_\_

Name of person you contacted in our office (optional): \_\_\_\_\_

Do you have any comments or suggestions on the Regulatory Program?

Information about you (optional):

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone (include area code): \_\_\_\_\_

May we contact you? YES ☐ NO ☐

Authorities: The government Performance and Results Act of 1993 and Executive Order (EO) 12862, "Setting Customer Service Standards", dated September 11, 1993. Purpose: To determine the quality of services our customers expect, as well as their satisfaction with USACE's existing services. Information provided on this form will be used in evaluating the performance of the Corps Regulatory Program. Routine Uses: This information may be shared with the Office of Management and Budget, members of Congress, and other federal, state, and local government agencies. Disclosure: Providing requested information is voluntary. Failure to provide this information will not result in an adverse action.

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Colonial Homes, Inc.		File Number: SAJ-2003-1743(IP-JWS)	Date: 05-Jan-2005
Attached is:		See Section below	
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

**SECTION II:** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg.or> or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION**

If you have questions regarding this decision and/or the appeal process you may contact:

Mr. Skip Bergmann (telephone 239-334-1975)  
U.S. Army Corps of Engineers, Jacksonville District  
Fort Myers Regulatory Office  
1520 Royal Palm Square Blvd., Suite 310  
Fort Myers, Florida 33919

If you only have questions regarding the appeal process you may also contact:

Mr. Charles Schnepel (telephone 813-769-7060)  
U.S. Army Corps of Engineers, Jacksonville District  
Tampa Regulatory Office  
10117 Princess Palm Drive, Suite 120  
Tampa, Florida 33610

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

\_\_\_\_\_  
Signature of appellant or agent.

Date:

Telephone number:



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
FORT MYERS REGULATORY OFFICE  
1520 ROYAL PALM SQUARE BOULEVARD, SUITE 310  
FORT MYERS, FLORIDA 33919

January 06, 2005

Regulatory Division  
South Permits Branch/West Permits Section  
Fort Myers Regulatory Office  
SAJ-2003-1743(IP-JWS)

Colonial Homes, Inc.  
c/o Scott Clark  
12220 Town Lake Drive, Suite 75  
Fort Myers, Florida 33913

Dear Mr. Clark:

We are pleased to enclose a Department of the Army permit and a Notice of Authorization for your project. Work may begin in accordance with the terms and conditions of the issued permit. The Notice of Authorization should be displayed at the construction site. The Enforcement Section of the Regulatory Division must be notified of:

- a. The date of commencement of work,
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Regulatory Division, Enforcement Section at P.O. Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available for review if an inspection is performed at the project site.

IT IS NOT LAWFUL TO DEVIATE FROM  
THE APPROVED PLANS ENCLOSED.

Sincerely,

*Marie G. Burns*  
FOR

Marie G. Burns  
Chief, Regulatory Division

Enclosures:

Duplicate Signed Department of the Army Permit  
Notice of Authorization

Copy Furnished (w/copy of Duplicate permit):

CESAJ-RD-PE, Jacksonville (Attn: Teresa Frame)





**This notice of authorization must be conspicuously displayed at the site of work**

Fort Myers Regulatory Office 239-334-1975

United States Army Corps of Engineers

Expiration Date: January 05, 2010

A permit to fill material into 12.90 acres of wetlands, excavate 43,560 cubic yards of material from 2.70 acres of wetlands, discharge 33,396 cubic yards of fill material into 6.90 acres of OSW and excavate 11,293 cubic yards of material from 0.70 acres of OSW for the purpose of constructing a residential development to be known as "Moody River Estates" at the southwest corner of Hancock Bridge Parkway and Moody Road, Sections 09, 10, & 15, Township 44 South, Range 24 East, Lee County, Florida has been issued to Colonial Homes, Inc. on January 05, 2005

Address of Permittee: 12220 Town Lake Drive, Suite 75  
Fort Myers, Florida 33913

**SAJ-2003-1743 (IP-JWS)**

*5 min. 8/ 9-5-05*  
*FOA*

**Robert M. Carpenter**  
**Colonel, U.S. Army**  
**District Engineer**



## DEPARTMENT OF THE ARMY PERMIT



ORIGINAL

**Permittee:** Colonial Homes, Inc.  
c/o Scott Clark  
12220 Town Lake Drive, Suite 75  
Fort Myers, Florida 33913

**Permit No:** SAJ-2003-1743(IP-JWS)

**Issuing Office:** JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
SOUTH PERMITS BRANCH/WEST PERMITS SECTION  
FORT MYERS REGULATORY OFFICE

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** To discharge 62,436 cubic yards of fill material into 12.90 acres of wetlands, excavate 43,560 cubic yards of material from 2.70 acres of wetlands, discharge 33,396 cubic yards of fill material into 6.90 acres of OSW and excavate 11,293 cubic yards of material from 0.70 acres of OSW for the purpose of constructing a residential development to be known as "Moody River Estates". A total of 15.60 acres of jurisdictional wetlands and 7.60 acres of jurisdictional waters will be impacted by this project. The work described above is to be completed in accordance with the 11 pages of drawings and 38 attachments affixed at the end of this permit instrument.

**Project Location:** The project is located north of Mackinaw Avenue, south of Hancock Bridge Parkway, east of Randag Drive, and west of Moody Road, Sections 09, 10, and 15, Township 44 South, Range 24 East, North Fort Myers, Lee County, Florida.

**Directions to site:** Take U.S. 41 north to Hancock Bridge Parkway. Take Hancock Bridge Parkway west to Moody Road. Project is located on southwest corner of Hancock Bridge Parkway and Moody Road.

Permittee: Colonial Homes, Inc.  
Permit No: SAJ-2003-1743(IP-JWS)  
Page 2

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Latitude & Longitude: Latitude: 26°39'14" North  
Longitude: 81°54'18" West

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on January 05, 2010. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. A conditioned water quality certification has been issued for your project by the South Florida Water Management District (SFWMD), under permit number 36-04694-P. You must comply with the special conditions specified in the certification as special conditions to this permit. For

your convenience, a copy of the certifications special conditions are attached.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

2. The applicant shall notify the Corps in writing at least 48 hours prior to commencement of the work authorized by this permit.

3. All persons/contractors involved in this permitted Activity shall be provided copies of this permit in its entirety. A copy shall remain on site at all times during construction.

4. The permittee shall provide as-built drawings of the authorized work, and a completed As-Built Certification Form. The drawings and certification Form are to be submitted within 90 days of the completion of the authorized work, including mitigation, or at the expiration date of the permit, whichever comes first. The drawings and Certification Form must be signed and sealed by a professional engineer registered in the State of Florida. In the event that the completed work deviates from the approved permit drawings and special conditions, the permittee shall describe, on the Certification Form, the deviations between the work authorized by the permit and the work as constructed. A blank form is attached. **Please note that depiction and description of the deviations on the drawings and Certification Form does not necessarily mean that the U.S. Army Corps of Engineers will approve the deviation.**

5. The as-built drawings shall include the following:

- a. Location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed.

- b. Clear indication of any deviations which have been described on the As-Built Certification Form.
- c. The Department of the Army permit number.
- d. Please include pre- and post-construction aerial photographs of the project site, if available.
- e. As-built drawings and Certification Form shall be submitted to:

U.S. Army Corps of Engineers  
Regulatory Division, Enforcement Branch  
Attention: Ms. Teresa Frame  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

- f. A duplicate copy of the as-built drawings and Certification Form shall be submitted to:

U.S. Army Corps of Engineers  
Fort Myers Regulatory Office  
Attention: Mr. Jason Steele  
1520 Royal Palm Sq Blvd, Suite 310  
Fort Myers, Florida 33919

6. Archaeological site 8LL785 shall be preserved, as a green space, by leaving existing vegetation in place at the site. A professional archaeologist shall monitor subsurface disturbance of the site if clearing activities occur within 200 feet of the site's boundaries.

7. This Corps permit does not authorize you to take an endangered species, in particular the Bald Eagle. In order to legally take a listed species, you must have separate authorization under the ESA (e.g., an ESA Section 10 permit, or a BO under ESA Section 7, with "incidental take" provisions with which you must comply). The enclosed FWS BO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that is also specified in the BO. Your authorization under this Corps permit is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take of the attached BO, which terms and conditions are incorporated by

reference in this permit. Failure to comply with the terms and conditions associated with incidental take of the BO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your Corps permit. The FWS is the appropriate authority to determine compliance with the terms and conditions of its BO, and with the ESA. Attached is the U.S. Fish & Wildlife Service (FWS) Biological Opinion (BO) dated October 15, 2004 and amended BO dated December 14, 2004.

8. The applicant shall complete the compensatory mitigation plan. This consists of onsite wetland enhancement/preservation of 24.10 acres, upland enhancement/preservation of 23.80 acres, and open water preservation of 0.40 acres, for a total of 48.30 acres of onsite mitigation.

9. The 47.90 acres of wetland and upland enhancement shall involve the removal and control of invasive exotic vegetation, as defined by the Florida Exotic Pest Plant Council's 2001 List of Invasive Species (Category 1) (<http://www.fleppc.org/>). During the monitoring period, there shall be no invasive exotic vegetation or nuisance plant species of seed bearing size in the mitigation area. Plants over three feet in height are considered to be seed bearing size.

10. The enhancement of the 47.90 acres of onsite wetlands and uplands shall begin no later than 30 days of beginning work on the permitted project and shall be completed no later than 30 days of project completion.

11. The following sequence and reporting requirements shall be followed for the enhancement of the 47.90 acres of wetlands and uplands:

(a) Prior to work within the enhancement areas, the areas shall be photographed and shall be marked to clearly show the pre-enhancement condition of the areas. Photograph locations shall be identified on a permit drawing. The photographs and location drawing shall be submitted to the US Army Corps of Engineers, Attn: Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32236 prior to work within this area.

(b) Within 72 hours of finished wetland and upland enhancement, photographs of the areas shall be taken from the

same locations as required in (a). These photographs shall be combined with the photographs required in (a) and the location map required in (a) and shall be submitted to the US Army Corps of Engineers, Attn: Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32236 within 14 days of the completion of the enhancement.

(c) One year after completing the enhancement work, and each year for two years thereafter, photographs of the areas shall be taken from the same locations as required in (a), so as to clearly show the condition of vegetation and substrate within the enhancement areas. These photographs and a map showing the photograph locations shall be submitted to the US Army Corps of Engineers, Attn: Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32236 within 14 days of their being taken.

(d) The enhanced wetlands and uplands will be monitored every 12 months for three years following the date of initial enhancement to insure that work has met the success criteria.

(e) The enhancement areas shall be considered successful when the following is met:

The vegetative cover, within the wetland enhancement areas, shall be at least 95% coverage continuously for a period of three years with jurisdictional wetland vegetation. Nuisance and exotic species shall be limited to less than 5% of the total vegetative cover within both the wetland and upland enhancement areas.

(f) Annual monitoring reports shall be conducted for a minimum of three years for the enhanced wetlands and uplands and shall continue (if necessary) until the mitigation success criteria is met, as outlined above. The reports shall be submitted every twelve months to the US Army Corps of Engineers, Attn: Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32236 indicating the status of the project. The cover page shall indicate the permit number, project name and the permittee name. The first annual monitoring report shall be submitted twelve months from the date of initial enhancement work, and reports shall continue to be submitted until all work authorized by the permit, including mitigation, has been completed. The report shall include the following information:

- a. Date permitted activity was begun; if work has not begun onsite, please so indicate.
- b. Brief description of extent of work (i.e. dredge, fill, monitoring, mitigation, management, maintenance) completed since the previous report or since the permit was issued. Show on copies of the permit drawings those areas where work has been completed.
- c. Brief description and extent of work (i.e. dredge, fill, monitoring, mitigation, management, maintenance) anticipated in the next twelve months. Indicate on copies of the permit drawings those areas where it is anticipated that work will be done.
- d. The progress of the permitted mitigation program. The reports shall include; photographs taken from the permanent stations, some of which must be in the vegetation sampling areas, a description of problems encountered and solutions undertaken, and anticipated work for the next twelve months.
- e. This report shall include on the first page, just below the title, the certification of the following statement by the individual who supervised preparation of the report: "This report represents a true and accurate description of the activities conducted during the twelve month period covered by this report."

12. All mitigation work shall be performed by or under the direct supervision of an environmental consultant/specialist. The environmental consultant/specialist shall be present at the site during all phases of the mitigation work.

13. The permittee has a continuing obligation to complete the wetland and upland enhancement, to correct any unsuccessful attempts to enhance the wetlands and uplands, and to complete the monitoring and maintenance beyond the expiration date of this permit. If the enhancement areas are not found to be successful 120 days prior to the expiration date of this permit, the permittee shall submit a written report including any proposed remedial measures, if necessary, to be taken to ensure future success.



14. The 48.30 acres of onsite mitigation shall be placed into a perpetual Conservation Easement in favor of the South Florida Water Management District (SFWMD).

15. A copy of the approved/recorded Conservation Easement, accepted by the SFWMD and encompassing 48.30 acres (24.10 acres of wetlands, 23.80 acres of uplands, and 0.40 acres of open water) shall be submitted to the Jacksonville District Office, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019 within 30 days from the date the conservation easement is approved/recorded by the SFWMD.

16. In the event the permit is transferred, proof of delivery of a copy of the recorded conservation easement to the subsequent permittee or permittees must be submitted to the Corps together with the notification of permit transfer.

17. Grantee shall not assign its rights or obligations under this conservation easement except to another organization qualified to hold such interests under the applicable state and federal laws, including §704.06 Florida Statutes, and committed to holding this conservation easement exclusively for conservation purposes. The Corps shall be notified in writing of any intention to reassign the conservation easement to a new grantee and must approve the selection of the grantee. The new grantee must accept the assignment in writing and a copy of this acceptance delivered to the Corps. The conservation easement must then be re-recorded and indexed in the same manner as any other instrument affecting title to real property and a copy of the recorded conservation easement furnished to the Corps.

18. The boundary of the conservation easement shall be permanently posted with 15" X 12" signs, or larger, every 100 feet. The signs shall identify the land as a Conservation Area and reference the Corps permit number SAJ-2003-1743 (IP-JWS). The signs shall be installed no later than 30 days of beginning work on the permitted project. The signs shall be in a visible area and shall be affixed to a permanent structure that cannot be easily removed (i.e. pole, piling, etc.).

19. The applicant shall purchase 7.30 freshwater-herbaceous mitigation credits and 3.80 freshwater-forested mitigation credits from Little Pine Island Mitigation Bank. Proof of purchase shall be provided, within 30 days from the date of this

Permittee: Colonial Homes, Inc.  
Permit No: SAJ-2003-1743(IP-JWS)  
Page 9

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permit, to this office at the letterhead address and our Jacksonville office, Attn: Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32236.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899  
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the

Permittee: Colonial Homes, Inc.  
Permit No: SAJ-2003-1743 (IP-JWS)  
Page 11

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corrective measures by contract or otherwise and bill you for the cost.


6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

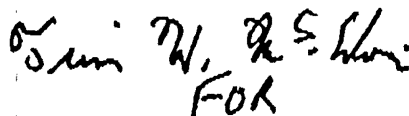
A total of 11 DRAWINGS + 38 pages are affixed behind this signature page.

  
(PERMITTEE)

1-06-05  
(DATE)

  
(PRINT/TYPE WITH TITLE IF APPROPRIATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
(DISTRICT ENGINEER)

Robert M. Carpenter  
Colonel, U.S. Army  
District Engineer

1/6/05  
(DATE)

**Attachments to Department of the Army  
Permit Number SAJ-2003-1743 (IP-JWS)**

1. REQUEST FOR PERMIT TRANSFER: One (1) page.
2. AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER:  
Two (2) pages.
3. SFWMD WATER QUALITY CERTIFICATION SPECIAL  
CONDITIONS: Four (4) pages, Permit No: 36-04694-P.
4. U.S. FISH & WILDLIFE SERVICE BIOLOGICAL OPINION:  
Twenty-Three (23) pages, dated October 15, 2004 and  
Three (3) pages of figures (Figure 2, 3, and 4).
5. U.S. FISH & WILDLIFE SERVICE AMENDED BIOLOGICAL  
OPINION: Three (3) pages, dated December 14, 2004.
6. STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO  
SNAKE: One (1) page, dated "Revised" July 27, 1999.
7. EASTERN INDIGO SNAKE BROCHURE: One (1) page.
8. PERMIT DRAWINGS: Eleven (11) pages, dated January  
05, 2005.

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST  
PERMIT NUMBER: SAJ-2003-1743(IP-JWS)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Fort Myers Regulatory Office, 1520 Royal Palm Square Boulevard, Suite 310, Fort Myers, Florida 33919.

\_\_\_\_\_  
(TRANSFeree - SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME - PRINTED)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(LOT/BLOCK)

\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Permit Number: SAJ-2003-1743(IP-JWS)

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Branch, c/o Teresa Frame, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact Ms. Teresa Frame, of the Enforcement Branch, at 904-232-1677.

Permittee's Name, Address & Telephone Number (Please print or type): \_\_\_\_\_

Location of the Work: \_\_\_\_\_

Deviations from the approved permit drawings (attach additional pages if necessary): \_\_\_\_\_

\_\_\_\_\_  
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I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted above. This determination is based upon onsite observation, scheduled and conducted by me or by a project representative under my direct supervision. I have

enclosed one set of as-built engineering drawings.

\_\_\_\_\_  
Signature of Engineer

\_\_\_\_\_  
Name (Please Type)

\_\_\_\_\_  
Florida Registration Number

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State ZIP

(Affix Seal Above)

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date



# SFWMD

## SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on November 13, 2008.
2. Operation of the surface water management system shall be the responsibility of MOODY RANCH COMMUNITY ASSOC., INC. Within one year of permit issuance or concurrent with the engineering certification of construction completion, whichever comes first, the permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association.
3. Discharge Facilities:
  - Basin: BASIN 2, Structure: STR. 131
    - 1-4.17' W X 2.42' H DROP INLET weir with crest at elev. 4.6' NGVD.
    - 1- ' W X ' H RECTANGULAR weir with crest at elev. ' NGVD.
    - 1-6.17' W X .5' H RECTANGULAR ORIFICE with invert at elev. 4.1' NGVD.
    - 25 LF of 3' dia. REINFORCED CONCRETE PIPE culvert.
    - Receiving body : HANCOCK CREEK
    - Control elev : 4.1 feet NGVD. /4.1 FEET NGVD DRY SEASON.
  - Basin: BASIN 3A, Structure: STR. 153
    - 1-4.17' W X 2.42' H DROP INLET weir with crest at elev. 3.31' NGVD.
    - 1-1.33' W X .61' H RECTANGULAR ORIFICE with invert at elev. 2.7' NGVD.
    - 400 LF of 3' dia. REINFORCED CONCRETE PIPE culvert
    - Receiving body : BASIN 3C
    - Control elev : 2.7 feet NGVD. /2.7 FEET NGVD DRY SEASON.
  - Basin: BASIN 3A, Structure: STR. 171
    - 1-4.17' W X 2.42' H DROP INLET weir with crest at elev. 3.31' NGVD.
    - 1-1.33' W X .61' H RECTANGULAR NOTCH with invert at elev. 2.7' NGVD.
    - 220 LF of 3' dia. REINFORCED CONCRETE PIPE culvert.
    - Receiving body : BASIN 3C
    - Control elev : 2.7 feet NGVD. /2.7 FEET NGVD DRY SEASON.
  - Basin: BASIN 3B, Structure: STR. 155
    - 1-4.17' W X 2.42' H DROP INLET weir with crest at elev. 5.4' NGVD.
    - 1-.83' W X 1.3' H RECTANGULAR ORIFICE with invert at elev. 4.1' NGVD.
    - Receiving body : BASIN 3C
    - Control elev : 4.1 feet NGVD. /4.1 FEET NGVD DRY SEASON.
  - Basin: BASIN 3C
    - 1-.63' W X 2.1' H RECTANGULAR NOTCH with invert at elev. 2.7' NGVD.
    - 260 LF of 2' dia. REINFORCED CONCRETE PIPE culvert.
    - Receiving body : CALOOSAHATCHEE RIVER
    - Control elev : 2.7 feet NGVD. /2.7 FEET NGVD DRY SEASON.
4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.

8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
10. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
11. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
12. Minimum building floor elevation:  
BASIN: BASIN 2 - 7.10 feet NGVD.  
BASIN: BASIN 3A - 8.00 feet NGVD.  
BASIN: BASIN 3B - 8.00 feet NGVD.  
BASIN: BASIN 3C - 8.00 feet NGVD.
13. Minimum road crown elevation: Basin:  
BASIN 2 - 6.10 feet NGVD.  
BASIN 3A - 5.50 feet NGVD.  
BASIN 3B - 5.50 feet NGVD.  
BASIN 3C - 5.40 feet NGVD.
14. Minimum parking lot elevation:  
BASIN 2 - 6.10 feet NGVD.  
BASIN 3A - 5.50 feet NGVD.  
BASIN 3B - 5.50 feet NGVD.  
BASIN 3C - 5.40 feet NGVD.
15. If endangered species, threatened species and/or species of special concern are observed onsite and/or it is determined the project contains suitable habitat for these species, it shall be the permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations and/or necessary permits to avoid impacts to listed species.
16. The upland/wetland buffer preserve areas shall be staked and roped and District environmental staff notified for inspection prior to clearing.
17. A maintenance program shall be implemented for the areas identified in Exhibit No 18 for the preserved wetland/upland areas (45.00 acres) on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity to ensure that the conservation area is maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following a maintenance activity. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas.
18. The District reserves the right to require remedial measures to be taken by the permittee if monitoring or other information demonstrates that adverse impacts to onsite or offsite wetlands, upland conservation areas or buffers, or other surface waters have occurred due to project related activities.

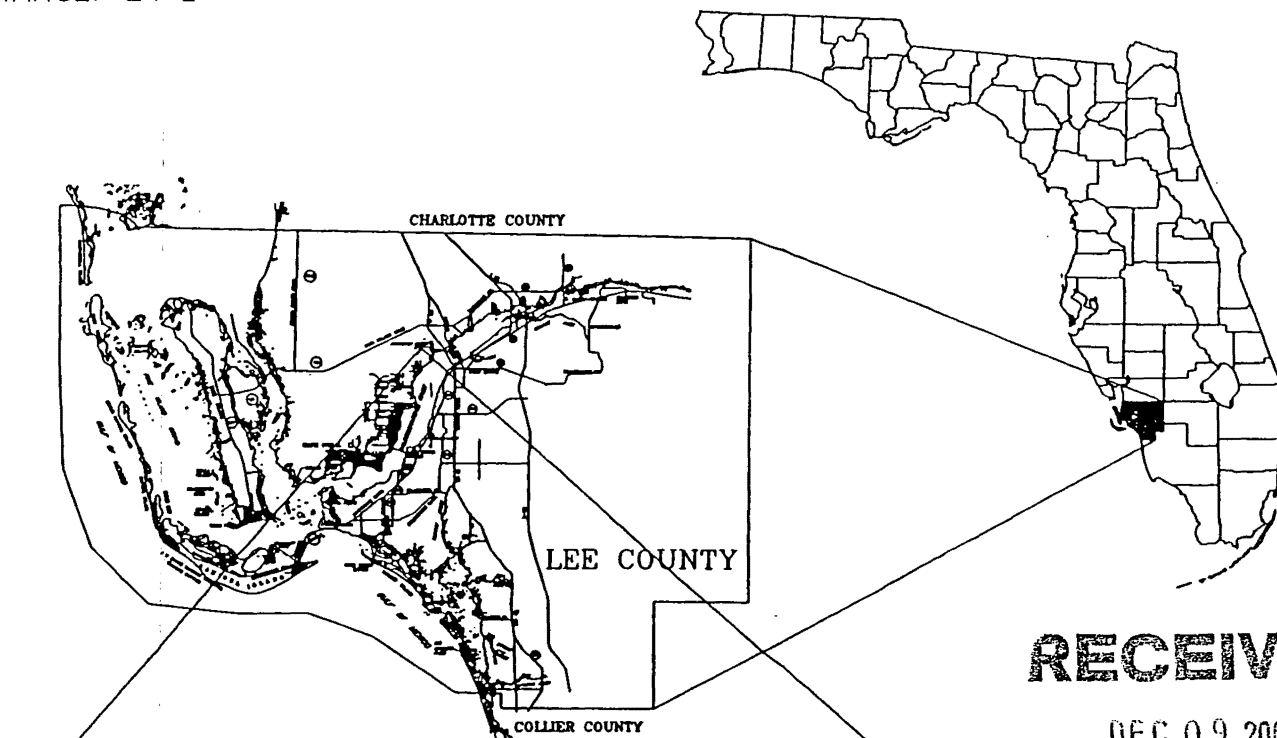
19. The permittee shall be responsible for the successful completion of the mitigation work, including the monitoring and maintenance of the mitigation areas for the duration of the plan. The mitigation area shall not be turned over to the operation entity until the mitigation work is accomplished as permitted and District Environmental Resource Compliance staff has concurred.
20. A monitoring program shall be implemented in accordance with Exhibit 16. The monitoring program shall extend for a period of 3 years with annual reports submitted to District staff. At the end of the first monitoring period the mitigation area shall contain coverage of nuisance and exotic vegetation of less than 5 percent. The less than 5 percent coverage of nuisance and exotic vegetation shall be maintained throughout the monitoring program. At the end of three years the percent coverage of desirable native plant species within the 45 acre wetland/upland preserve areas (Exhibit 15J) shall reach a minimum percent coverage of 80 percent. If native wetland, transitional, and upland species do not achieve an 80% coverage within the initial two years of the monitoring program, a planting plan shall be provided to the District Compliance staff for approval and native species shall be planted in order to achieve the 80 percent coverage. At the end of the three year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation and an 80% coverage of desirable obligate and facultative wetland and species in the wetland areas and 80 percent coverage of upland species in the upland areas.
21. Prior to the commencement of construction resulting in wetland impacts and in accordance with the work schedule in Exhibit 18, the permittee shall submit two certified copies of the recorded conservation easement for the mitigation area and associated buffers. The data should also be supplied in a digital CAD (.dxf) or GIS (ESRI Coverage) format. The files should be in the Florida State Plane coordinate system, East Zone (3601) with a data datum of NAD83, HARN with the map units in feet. This data should reside on a CD or floppy disk and be submitted to the District's Environmental Resource Compliance Division in the service area office where the application was submitted.  
  
The recorded easement shall be in substantial conformance with Exhibits 15A-15J. Any proposed modifications to the approved form must receive prior written consent from the District. The easement must be free of encumbrances or interests in the easement which the District determines are contrary to the intent of the easement. In the event it is later determined that there are encumbrances or interests in the easement which the District determines are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests.
22. The permittee shall comply with the provisions of the eagle management plan approved for the site as shown on Exhibit 17A-17B. In accordance with the plan, potential nuisance activities such as land clearing, blasting, excavation and burning within 500 feet shall be scheduled to avoid the critical periods of the nesting season from October 1 to March 1. No clearing or major grading shall be conducted during the nesting season and all construction activities shall be coordinated with the Florida Fish and Wildlife Conservation Commission.
23. Prior to commencement of construction in wetlands and in accordance with the work schedule in Exhibit No. 18, the permittee shall submit documentation by February 1, 2004 from the Little Pine Island Mitigation Bank that 2.97 of herbaceous freshwater credits have been debited from the ledger of Little Pine Island Mitigation Bank (Exhibit 14A).
24. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibit 15J may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to: construction or placing of buildings on or above the ground; dumping or placing soil or other substances such as trash; removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic vegetation removal; excavation, dredging, or removal of soil materials; diking or fencing; and any

other activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation as specified in Exhibits 15A -15I.

25. The onsite mitigation program shall be implemented/conducted in accordance with the specific conditions of this permit and attached exhibits for the areas depicted in Exhibits 15J and 16. The permittee shall enhance and preserve the 45 acre preserve areas and purchase 2.97 credits from The Little Pine Island Mitigation Bank as specified in the work schedule (Exhibit 18).

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TOWNSHIP: 44 S  
RANGE: 24 E

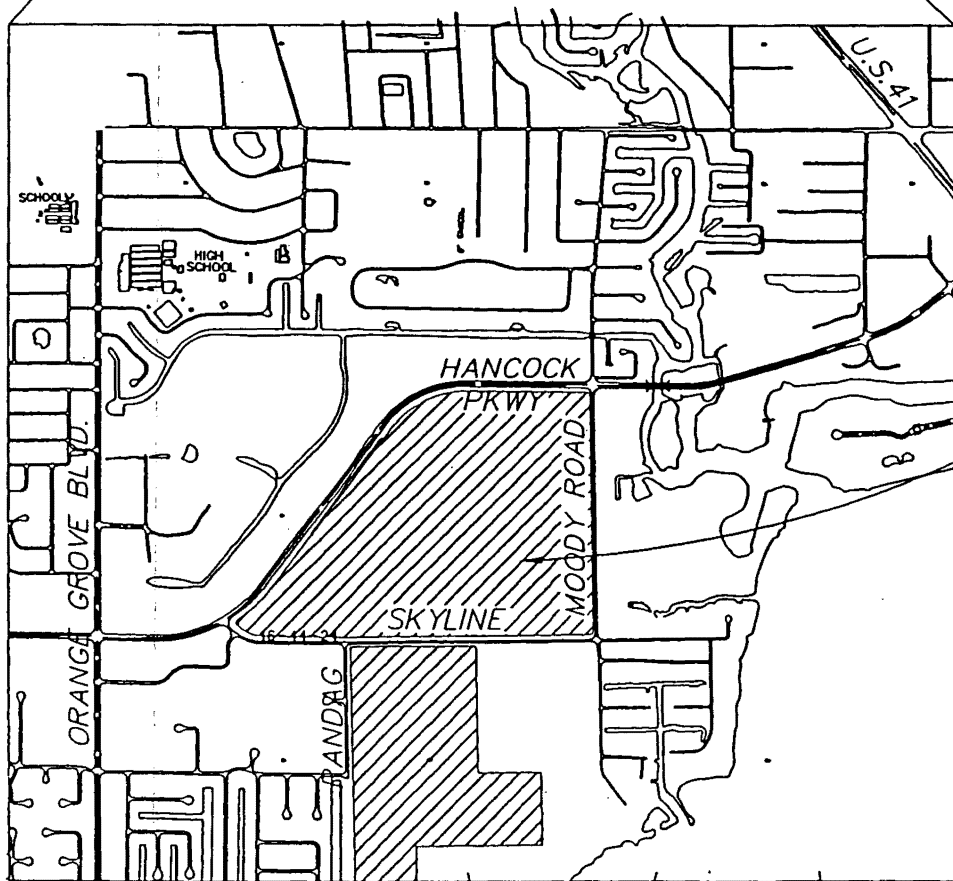
# Project Location Map



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DEC 09 2003

JACKSONVILLE DISTRICT  
OFFICE



*Project Location*

## PERMIT DRAWINGS

Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

Date: 05 January 2005

Page: 1 of 11

*JWS*

*PERMIT USE ONLY,  
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July 15, 2003 3:16:13 p.m.  
Drawing: COL07APROJECT\_LOCATION.DWG (DCS)



W. DEXTER BENDER  
AND ASSOCIATES  
ENVIRONMENTAL & MARINE CONSULTING  
FORT MYERS, FL (941) 334-3680

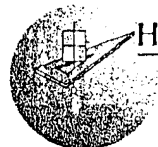
REVISED:

COLONIAL  
HOMES

SHEET



Property Boundary



**HEIDT & ASSOCIATES, INC.**

3800 Colonial Boulevard  
 Suite 200  
 Ft. Myers, FL 33912  
 239.482.7275

File: P:\Moody Ranch\Master Plan\Landplan\GIS-Moody SFWMD-Aerial.WOR - GIS Operator: Mike Neff - Date: 08-30-04

Source: GIS Data compiled by Heidt & Associates, Inc. from data obtained from The Florida Geographic Data Library V. 3.0. and other sources. This data reflects only the accuracy of its source. Metadata is available upon request.

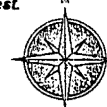
## Moody River Estates Lee County, Florida

Scale: 1" = 1000'

ORIGINAL SUBMITTAL

AUG 31 2004

Aerial Photography - January 2002



APPLICATION NUMBER

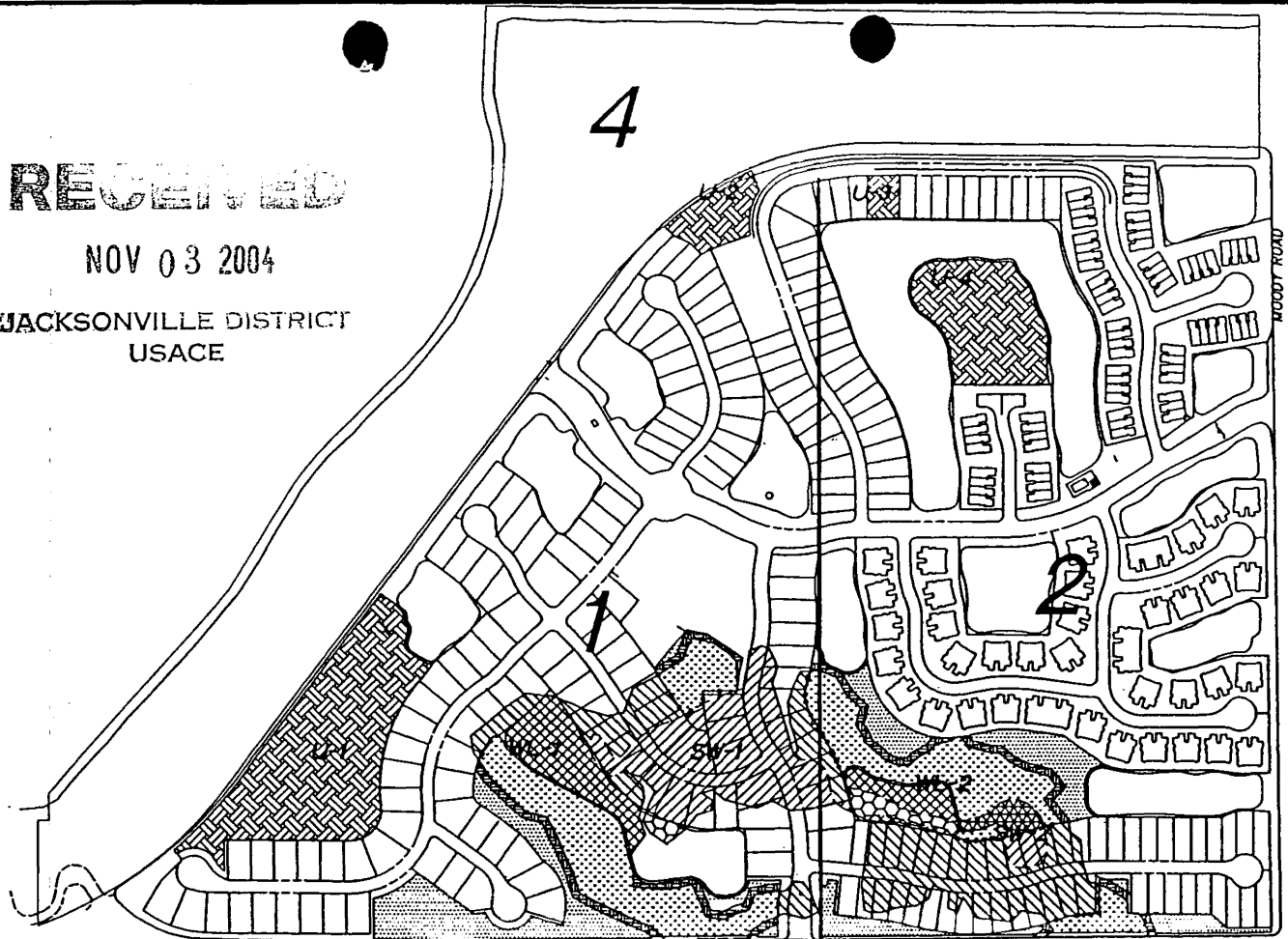
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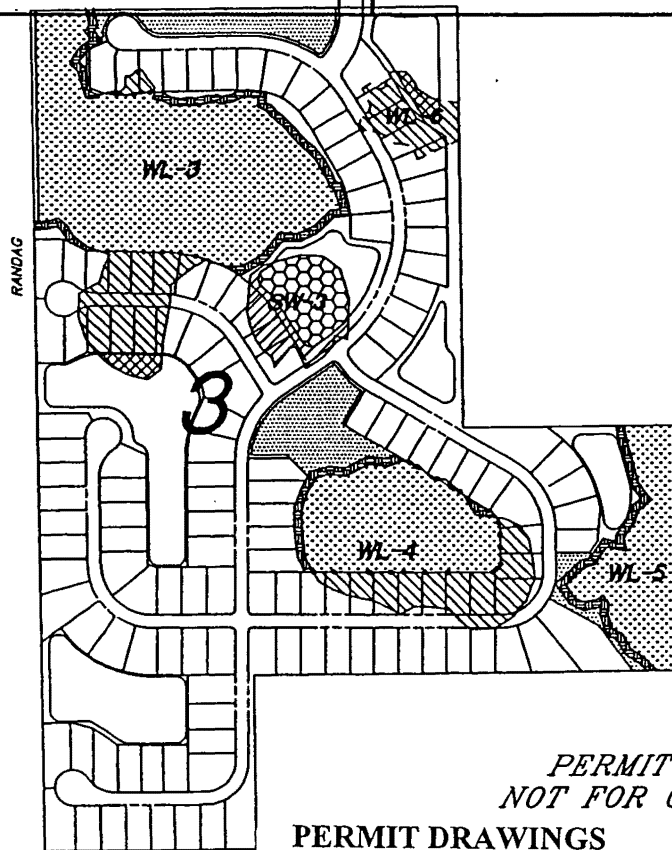
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JACKSONVILLE DISTRICT  
USACE



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- [Pattern] EXPANDED UPLAND BUFFER (9.0 ac.)
- [Pattern] UPLAND PRESERVE (10.9 ac.)
- [Pattern] WETLAND PRESERVE (24.1 ac.)
- [Pattern] WETLAND FILL (12.9 ac.)
- [Pattern] WETLAND EXCAVATE (2.7 ac.)
- [Pattern] OSW PRESERVE (0.4 ac.)
- [Pattern] OSW FILL (6.9 ac.)
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## KEY MAP

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### PERMIT DRAWINGS

Project: Moody River Estates

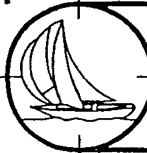
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Date: 05 January 2005

Page: 3 of 11

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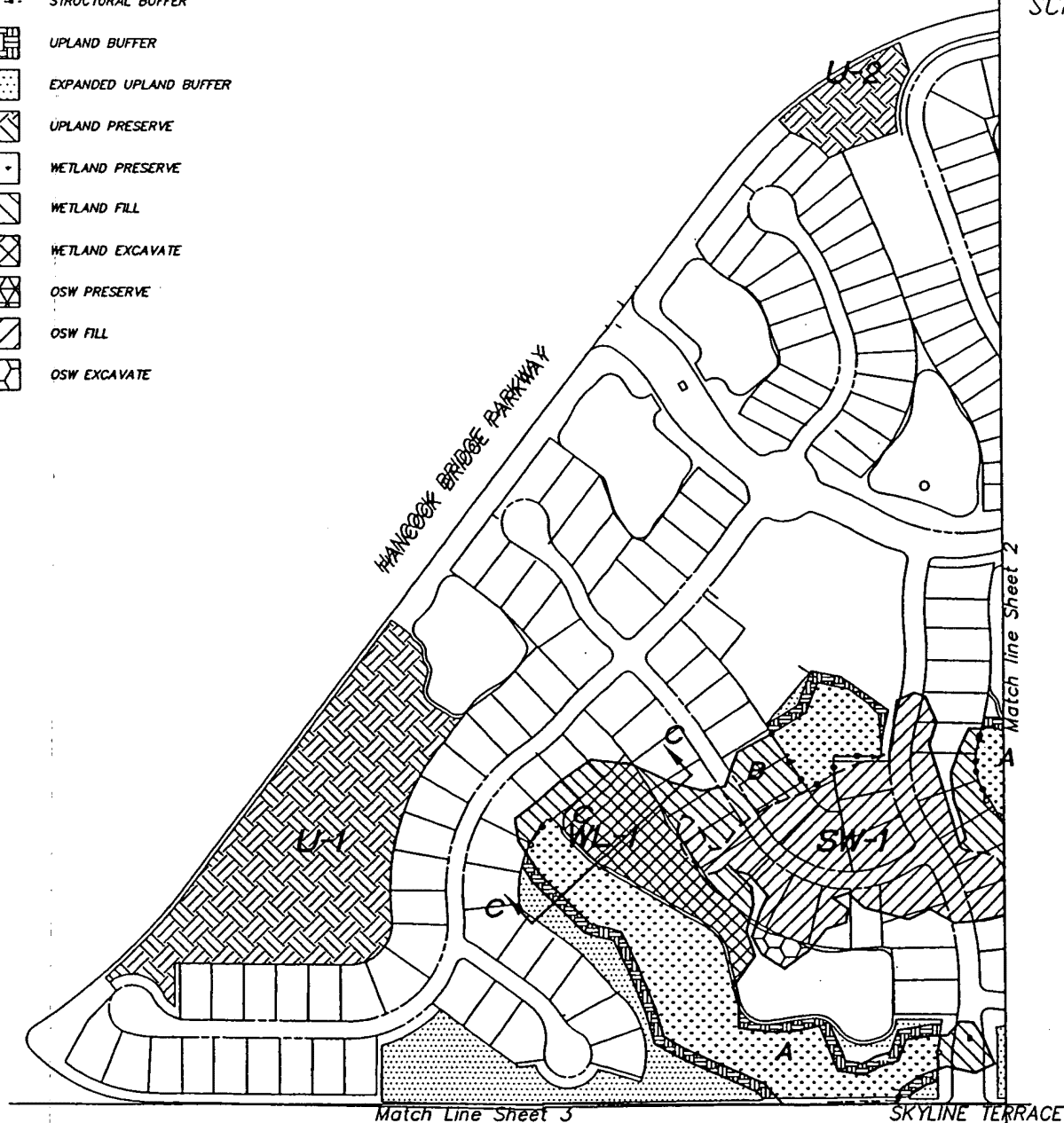
W. DEXTER BENDER  
AND ASSOCIATES  
ENVIRONMENTAL & MARINE CONSULTING  
FORT MYERS, FL 239 334-3680

# SHEET 1 DETAIL



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SCALE FEET

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- UPLAND BUFFER
- EXPANDED UPLAND BUFFER
- UPLAND PRESERVE
- WETLAND PRESERVE
- WETLAND FILL
- WETLAND EXCAVATE
- OSW PRESERVE
- OSW FILL
- OSW EXCAVATE



## PERMIT DRAWINGS

Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

Date: 05 January 2005

Page: 4 of 11

*JWS*

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October 28, 2004 2:02:47 p.m.  
Drawing: COL07COE1.DWG (DCS)



**W. DEXTER BENDER  
AND ASSOCIATES**  
ENVIRONMENTAL & MARINE CONSULTING  
FORT MYERS, FL 239 334-3680

**MOODY RANCH**

SHEET

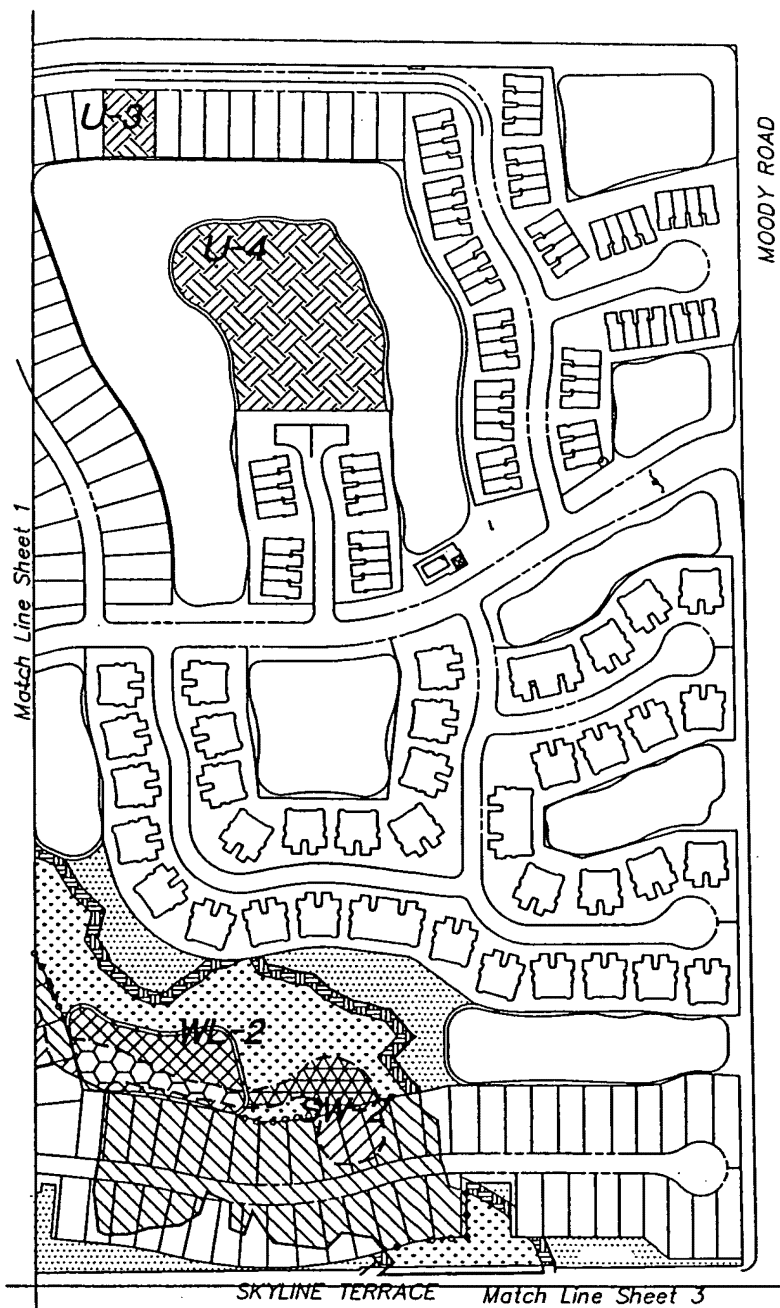


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- EXPANDED UPLAND BUFFER
- UPLAND PRESERVE
- WETLAND PRESERVE
- WETLAND FILL
- WETLAND EXCAVATE
- OSW PRESERVE
- OSW FILL
- OSW EXCAVATE



## PERMIT DRAWINGS

Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

Date: 05 January 2005

Page: 5 of 11

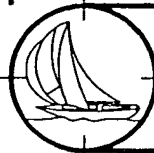
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ER

**AND ASSOCIATES**  
ENVIRONMENTAL & MARINE CONSULTING  
FORT MYERS, FL 239 334-3680

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**MOODY RANCH**

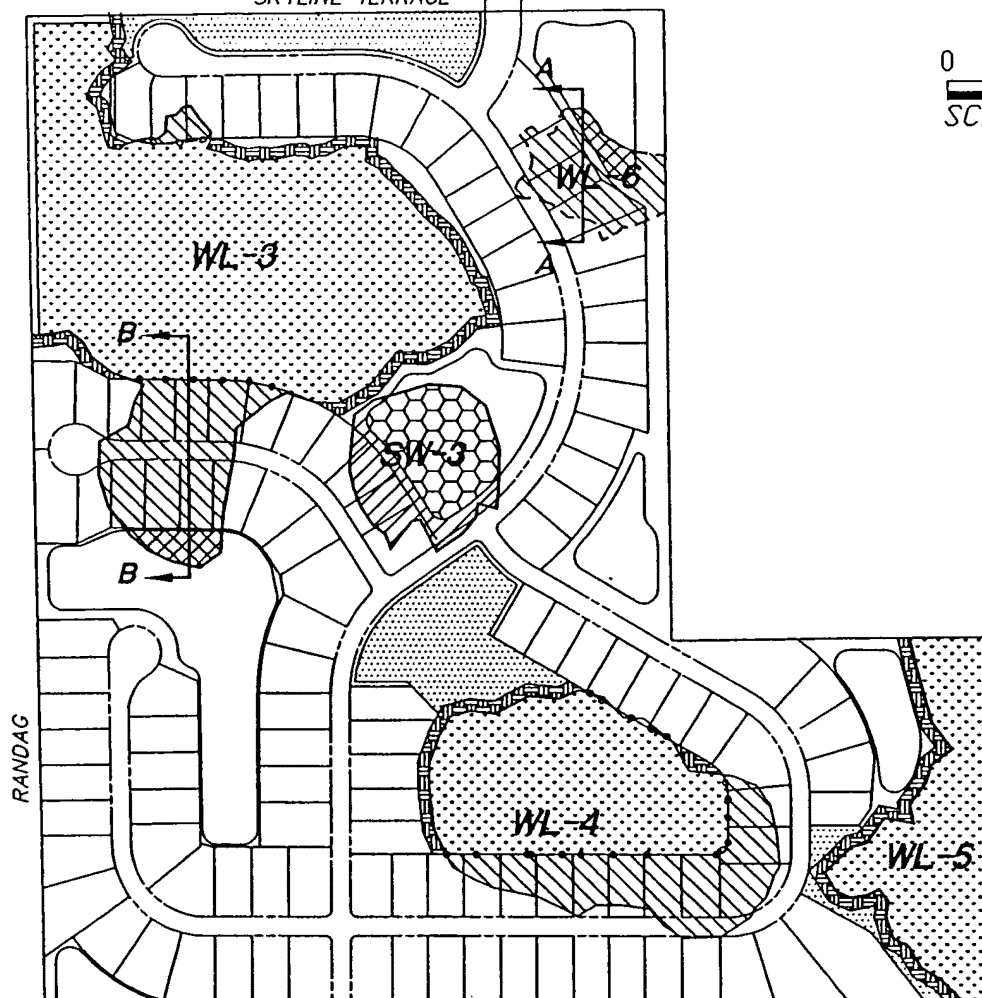
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# ● SHEET 3 DETAIL ●



Match Line Sheet 1 SKYLINE TERRACE Match Line Sheet 2

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SCALE FEET



- STRUCTURAL BUFFER
- [Cross-hatch] UPLAND BUFFER
- [Dotted] EXPANDED UPLAND BUFFER
- [Diagonal lines] UPLAND PRESERVE
- [Dotted] WETLAND PRESERVE
- [Diagonal lines] WETLAND FILL
- [Cross-hatch] WETLAND EXCAVATE
- [Dotted] OSW PRESERVE
- [Diagonal lines] OSW FILL
- [Cross-hatch] OSW EXCAVATE

## PERMIT DRAWINGS

Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

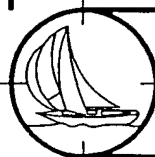
Date: 05 January 2005

Page: 6 of 11

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NOT FOR CONSTRUCTION*

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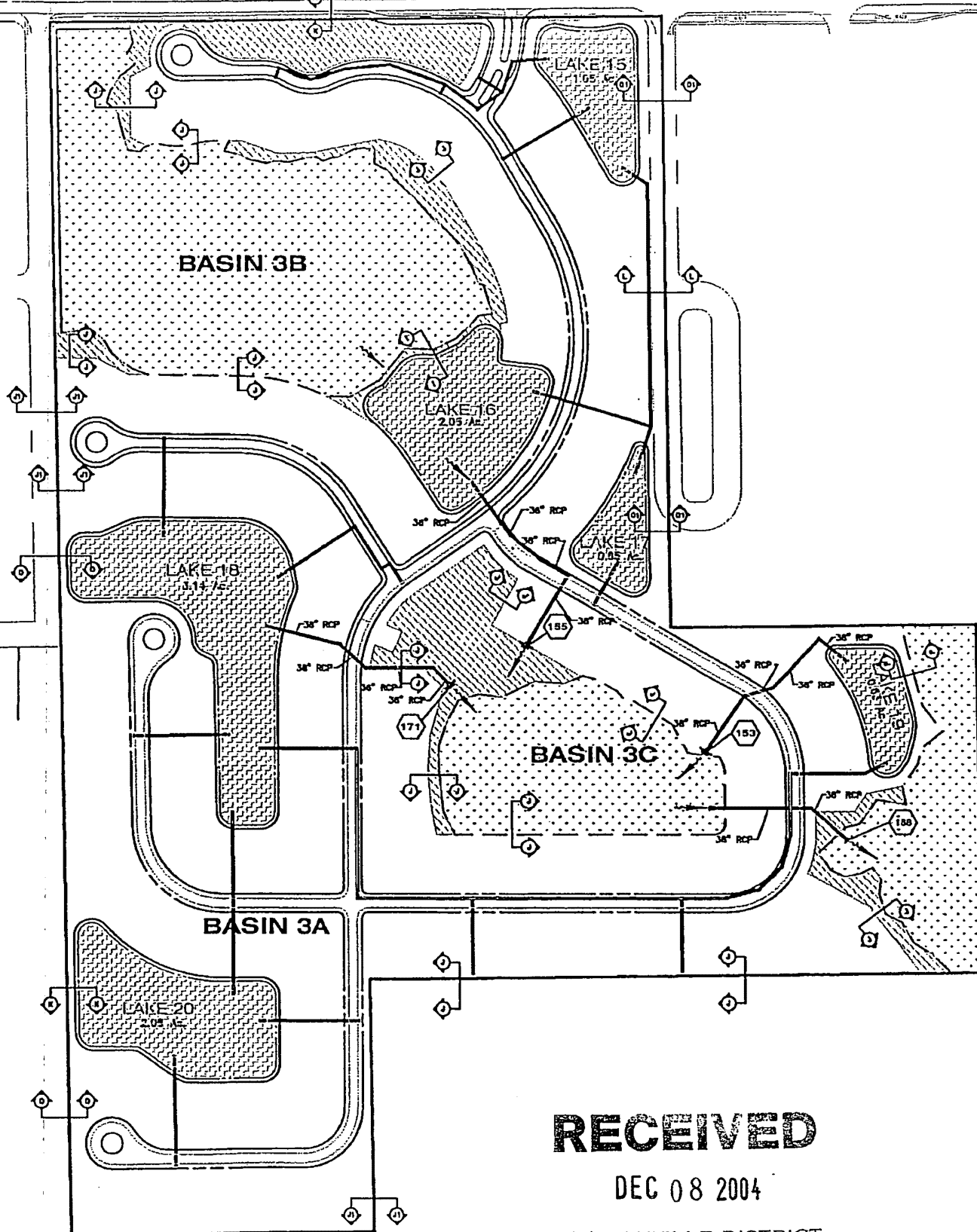


**W. DEXTER BENDER  
AND ASSOCIATES**  
ENVIRONMENTAL & MARINE CONSULTING  
FORT MYERS, FL 239 334-3680

**MOODY RANCH**

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**PERMIT DRAWINGS**

Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

Date: 05 January 2005

Page: 7 of 11

*JWS*

PERMIT DRAWINGS

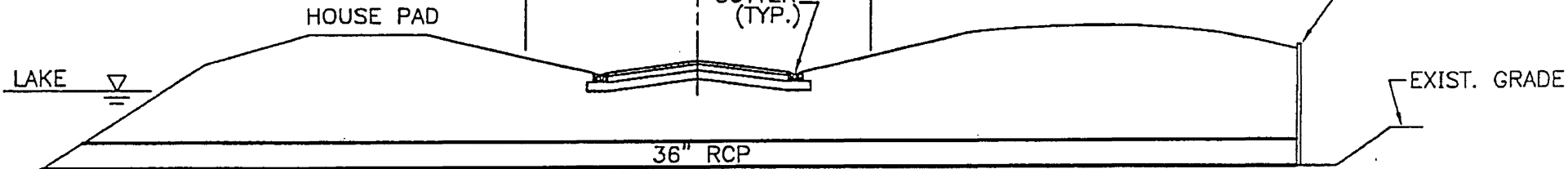
Project: Moody River Estates

File: SAJ-2003-1743(IP-JWS)

Date: 05 January 2005

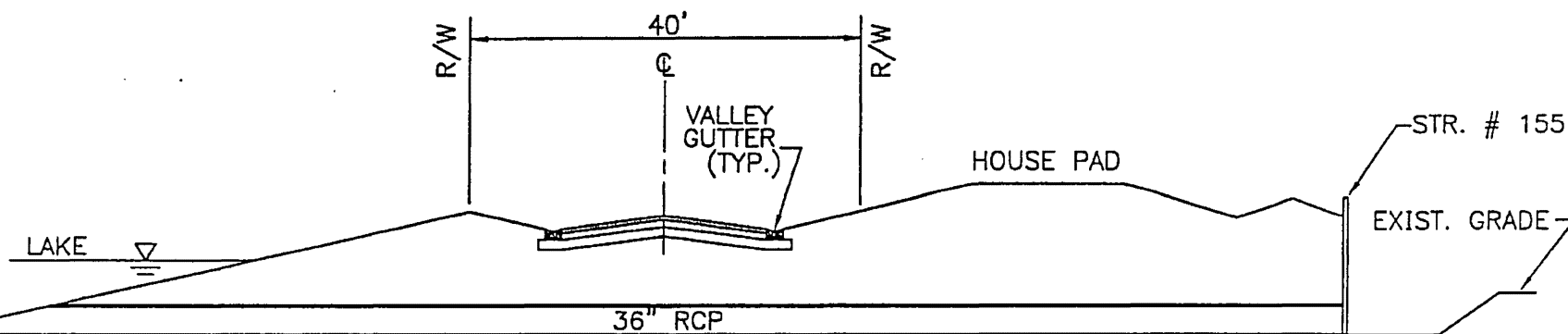
Page: 8 of 11

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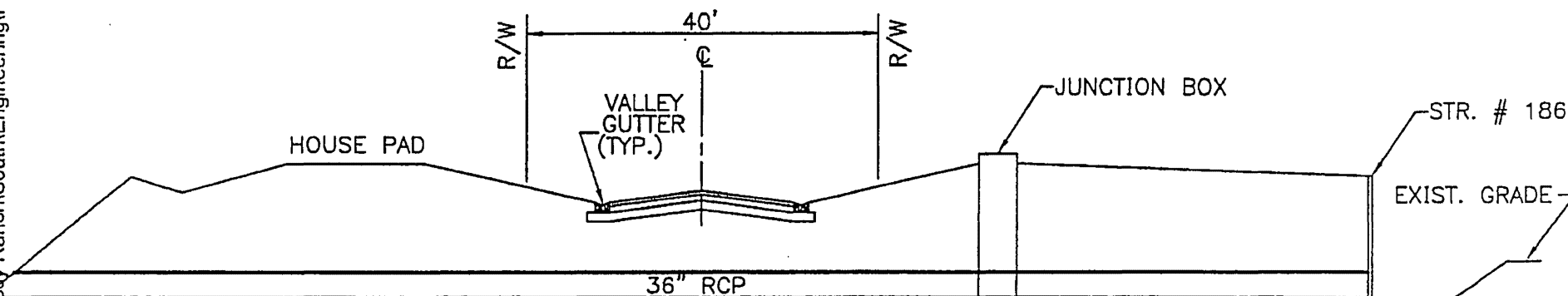
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**186**

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**PERMIT DRAWINGS**

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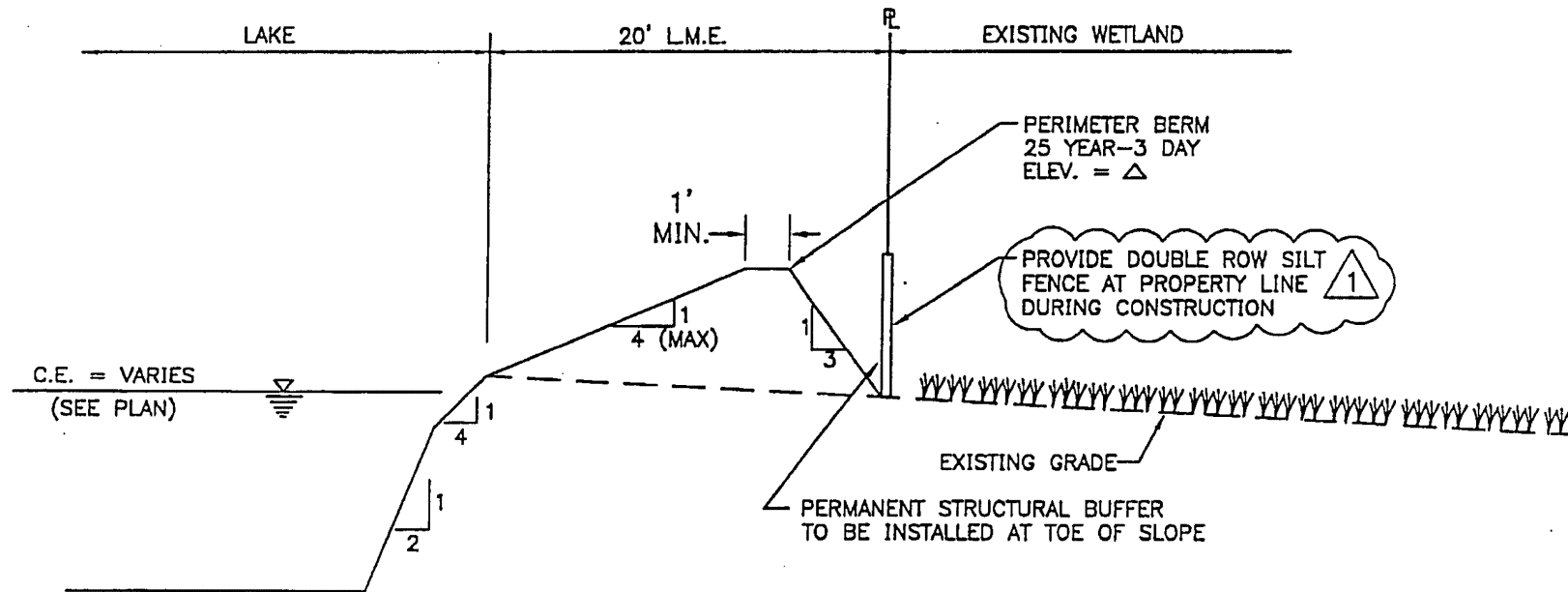
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Date: 05 January 2005

Page: 9 of 11

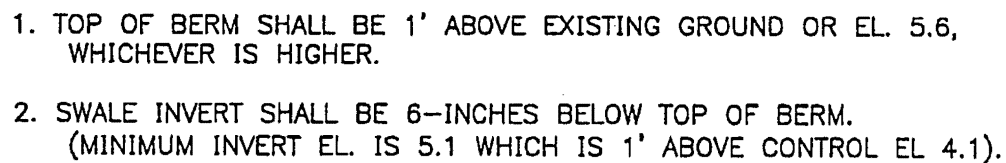
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**SECTION P-P**

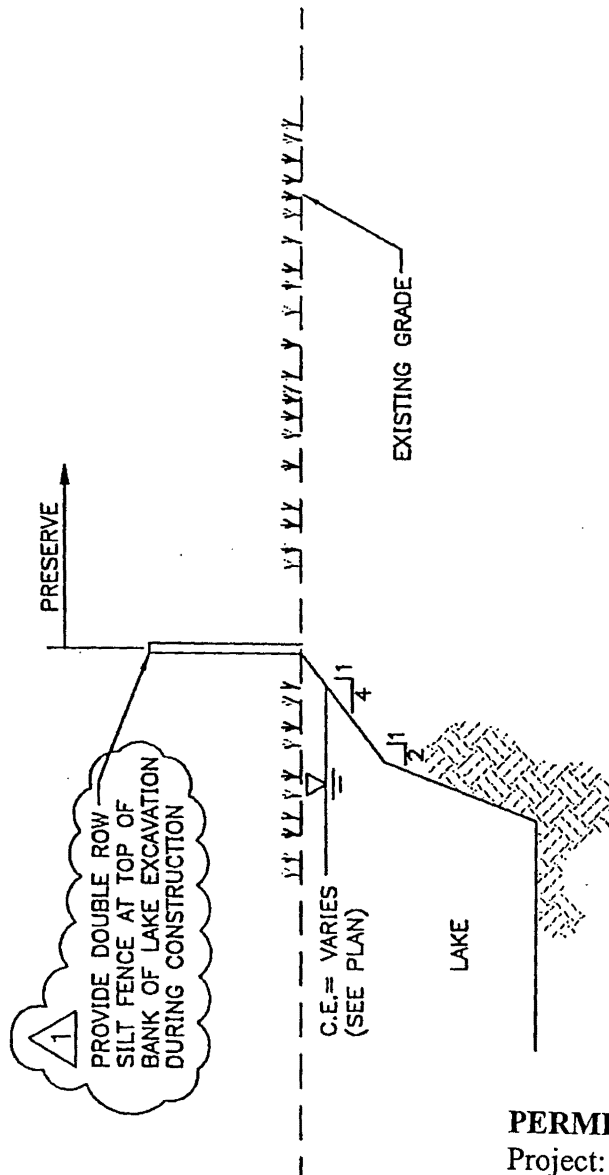
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Page: 10 of 11

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**SECTION I-I**  
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**PERMIT DRAWINGS**  
 Project: Moody River Estates  
 File: SAJ-2003-1743(IP-JWS)  
 Date: 05 January 2005  
 Page: 11 of 11

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