



November 4, 2015

Clay Chandler
Vice President – Development
The Klein Company
1735 Market Street, Suite 4010
Philadelphia, PA 19103

Proj: Dwell Maitland Phase 2 – Orange County, Florida
Section 22, Township 21 South, Range 29 East
(BTC File #278-03)
Re: Threatened and Endangered Species Survey (T&E)

Dear Mr. Chandler:

During November of 2015, Bio-Tech Consulting, Inc. (BTC) conducted a wildlife survey of the approximately 3.27-acre Dwell Maitland Phase 2 site. This site is located at the northeast corner of Summit Park Drive and Maitland Summit Boulevard; within Section 22, Township 21 South, Range 29 East in Orange County, Florida (Figures 1 & 2).

PROTECTED SPECIES

Using methodologies outlined in the Florida's Fragile Wildlife (Wood, 2001); Measuring and Monitoring Biological Diversity Standard Methods for Mammals (Wilson, et al., 1996); and Florida Fish and Wildlife Conservation Commission's (FFWCC) Gopher Tortoise Permitting Guidelines (April 2008 - revised February 2015); an assessment for "listed" floral and faunal species was conducted at the property on November 4, 2015. This assessment included both direct observations and indirect evidence, such as tracks, burrows, tree markings and birdcalls that indicated the presence of species observed (Figure 3).

The assessment focused on species that are "listed" by the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (January 2013) that have the potential to occur in Orange County (Table 1).

Orlando Office
2002 East Robinson St.
Orlando, FL 32803

Vero Beach Office
4445 N. A1A
Suite 221
Vero Beach, FL 32963

Jacksonville Office
2036 Forbes St.
Jacksonville, FL 32204

Tampa Office
6011 Benjamin Rd.
Suite 101 B
Tampa, FL 33634

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

**Aquatic & Land
Management Operations**
3825 Rouse Rd.
Orlando, FL 32817

Native Plant Nursery
DCC Farms
8580 Bunkhouse Rd.
Orlando, FL 32832

407.894.5969
877.894.5969
407.894.5970 fax

The following is a list of those wildlife species identified during the evaluation of the site:

Reptiles and Amphibians

brown anole (*Norops sagrei*)
green anole (*Anolis carolinensis*)

Birds

Mourning Dove (*Zenaida macroura*)
Northern Cardinal (*Cardinalis cardinalis*)
Northern Mockingbird (*Mimus polyglottos*)

Mammals

eastern gray squirrel (*Sciurus carolinensis*)
nine-banded armadillo (*Dasybus novemcinctus*)

None of the above wildlife species are identified in the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (January 2013).

Bald Eagle (*Haliaeetus leucocephalus*)

State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)

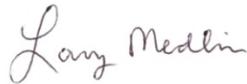
In August of 2007, the US Fish and Wildlife Service (USFWS) removed the Bald Eagle from the list of federally endangered and threatened species. Additionally, the Bald Eagle was removed from FFWCC's imperiled species list in April of 2008. Although the Bald Eagle is no longer protected under the Endangered Species Act, it is still protected under the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and FFWCC's Bald Eagle rule (Florida Administrative Code 68A-16.002 Bald Eagle (*Haliaeetus Leuchocephalus*)).

In May of 2007, the USFWS issued the National Bald Eagle Management Guidelines. In April of 2008, the FFWCC adopted a new Bald Eagle Management Plan that was written to closely follow the federal guidelines. Under FFWCC's new management plans, buffer zones are recommended based on the nature and magnitude of the project or activity. The recommended protective buffer zone is 660 feet or less from the nest tree, depending on what activities or structures are already near the nest. A FFWCC Eagle permit is not needed for any activity occurring outside of the 660-foot buffer zone. No activities are permitted within 330 feet of a nest during the nesting season, October 1 through May 15 or when eagles are present at the nest.

In addition to the on-site evaluation for "listed" species, BTC conducted a review for any FFWCC recorded Bald Eagle nests on or in the vicinity of the site. This review revealed that there are no Bald Eagle nests through the 2013-2014 nesting season, within one mile (1.0) of the project site. Therefore, no issues regarding Bald Eagles are expected.

The environmental limitations described in this document are based on observations and technical information available on the date of the on-site evaluation. This report is for general planning purposes only. The limits of any on-site wetlands/surface waters can only be determined and verified through field delineation and/or on-site review by the pertinent regulatory agencies. The wildlife surveys conducted within the subject property boundaries do not preclude the potential for any listed species, as noted on Table 1 (attached), currently or in the future. Should you have any questions or require any additional information, please do not hesitate to contact our office at (407) 894-5969. Thank you.

Regards,

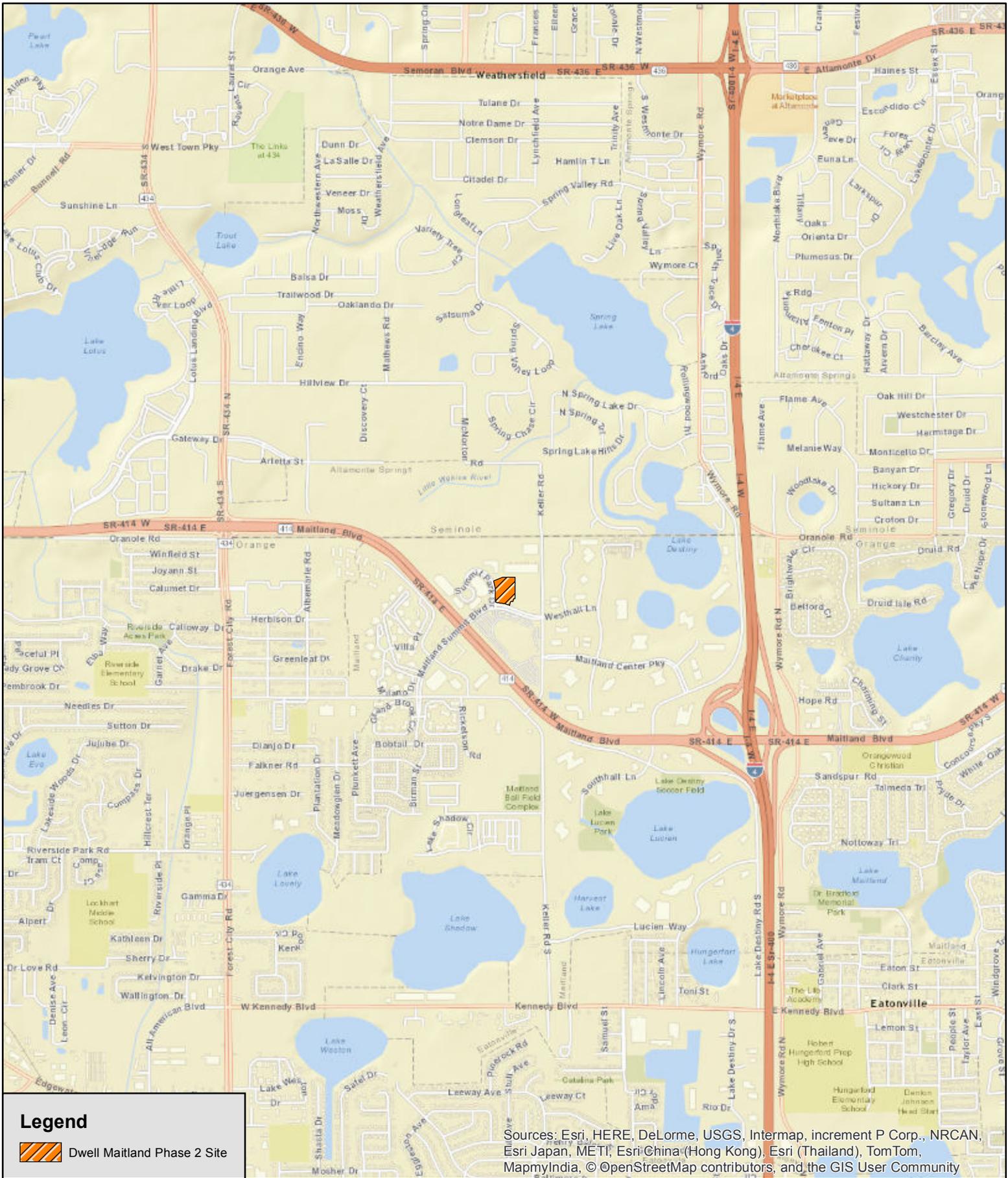


Larry Medlin
Project Manager



John Miklos
President

Attachments

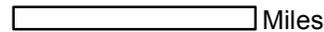


Legend

 Dwell Maitland Phase 2 Site

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

0.5

 Miles

Dwell Maitland Phase 2 Site
 Orange County, Florida
 Figure 1
 Location Map



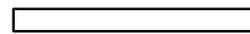
Project #:150-05
 Produced By:LPM
 Date: 11/3/2015



Legend

 Dwell Maitland Phase 2 Site

Dwell Maitland Phase 2 Site
Orange County, Florida
Figure 2
2014 Aerial Photograph

70
 Feet



Project #:150-05
Produced By:LPM
Date: 11/3/2015



Legend

-  Dwell Maitland Phase 2 Site
-  Survey_Tracklog

Dwell Maitland Phase 2 Site
 Orange County, Florida
 Figure 3
 Wildlife Map

70
 Feet



Project #:150-05
 Produced By:LPM
 Date: 11/5/2015

Table 1:		Potentially Occuring Listed Wildlife and Plant Species in Orange County, Florida	
Scientific Name	Common Name	Federal Status	State Status
FISH			
<i>Cyprinodon variegatus hubbsi</i>	Lake Eustis pupfish	N	SSC
AMPHIBIANS			
<i>Lithobates capito</i>	gopher frog	N	SSC
REPTILES			
<i>Alligator mississippiensis</i>	American alligator	SAT	FT(S/A)
<i>Drymarchon corais couperi</i>	eastern indigo snake	LT	FT
<i>Gopherus polyphemus</i>	gopher tortoise	C	FT
<i>Lampropeltis extenuata</i>	short-tailed snake	N	ST
<i>Pituophis melanoleucus mugitus</i>	Florida pine snake	N	SSC
<i>Plestiodon reynoldsi</i>	sand skink	LT	FT
BIRDS			
<i>Aphelocoma coerulescens</i>	Florida scrub-jay	LT	FT
<i>Aramus guarana</i>	limpkin	N	SSC
<i>Athene cunicularia floridana</i>	Florida burrowing owl	N	SSC
<i>Caracara cheriway</i>	Crested Caracara	LT	FT
<i>Egretta caerulea</i>	little blue heron	N	SSC
<i>Egretta thula</i>	snowy egret	N	SSC
<i>Egretta tricolor</i>	tricolored heron	N	SSC
<i>Eudocimus albus</i>	white ibis	N	SSC
<i>Falco sparverius paulus</i>	southeastern American kestrel	N	ST
<i>Grus canadensis pratensis</i>	Florida sandhill crane	N	ST
<i>Haliaeetus leucocephalus</i>	bald eagle	N	**
<i>Mycteria americana</i>	wood stork	LT	FT
<i>Pandion haliaetus</i>	osprey	N	SSC*
<i>Picoides borealis</i>	red-cockaded woodpecker	LE	FE
<i>Platalea ajaja</i>	roseate spoonbill	N	SSC
<i>Sterna antillarum</i>	least tern	N	ST
MAMMALS			
<i>Podomys floridanus</i>	Florida mouse	N	SSC
<i>Sciurus niger shermani</i>	Sherman's fox squirrel	N	SSC
VASCULAR PLANTS			
<i>Bonamia grandiflora</i>	Florida bonamia	LT	E
<i>Calopogon multiflorus</i>	Many-flowered Grass-pink	N	T
<i>Centrosema arenicola</i>	Sand Butterfly Pea	N	E
<i>Chionanthus pygmaeus</i>	Pygmy Fringe Tree	LE	E
<i>Centrosema arenicola</i>	sand butterfly pea	N	N
<i>Coelorachis tuberculosa</i>	piedmont jointgrass	N	N
<i>Deeringothamnus pulchellus</i>	beautiful pawpaw	LE	E
<i>Eriogonum longifolium</i> var <i>gnaphalifolium</i>	scrub buckwheat	LT	E
<i>Helianthus debilis</i> ssp <i>tardiflorus</i>	beach sunflower	N	N
<i>Ilex opaca</i> var <i>arenicola</i>	scrub holly	N	N
<i>Illicium parviflorum</i>	star anise	N	E
<i>Lechea cernua</i>	nodding pinweed	N	T
<i>Lupinus aridorum</i>	scrub lupine	LE	E
<i>Matelea floridana</i>	Florida spiny-pod	N	E
<i>Monotropa hypopithys</i>	pinemap	N	E
<i>Najas filifolia</i>	Narrowleaf Naiad	N	T
<i>Nemastylis floridana</i>	Celestial Lily	N	E
<i>Nolina atopocarpa</i>	Florida beargrass	N	T
<i>Nolina brittoniana</i>	Britton's beargrass	LE	E
<i>Ophioglossum palmatum</i>	hand fern	N	E
<i>Panicum abscissum</i>	cutthroat grass	N	E
<i>Paronychia chartacea</i> ssp <i>chartacea</i>	paper-like nailwort	LT	E
<i>Persea humilis</i>	scrub bay	N	N
<i>Pecluma plumula</i>	Plume Polypody	N	E
<i>Polygonella myriophylla</i>	Small's jointweed	LE	E
<i>Prunus geniculata</i>	scrub plum	LE	E
<i>Pteroglossaspis ecristata</i>	Giant Orchid	N	T
<i>Stylisma abdita</i>	scrub stylisma	N	E
<i>Warea amplexifolia</i>	clasping warea	LE	E
<i>Zephyranthes simpsonii</i>	redmargin lily	N	T

FEDERAL LEGAL STATUS

LE-Endangered: species in danger of extinction throughout all or a significant portion of its range.

LT-Threatened: species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.

SAT-Endangered due to similarity of appearance to a species which is federally listed such that enforcement personnel have difficulty in attempting to differentiate between the listed and unlisted species.

C-Candidate species for which federal listing agencies have sufficient information on biological vulnerability and threats to support proposing to list the species as Endangered or Threatened.

XN-Non-essential experimental population.

N-Not currently listed, nor currently being considered for listing as Endangered or Threatened.

STATE LEGAL STATUS - ANIMALS

FE- Listed as Endangered Species at the Federal level by the U. S. Fish and Wildlife Service

FT- Listed as Threatened Species at the Federal level by the U. S. Fish and Wildlife Service

FXN- Federal listed as an experimental population in Florida

FT(S/A)- Federal Threatened due to similarity of appearance

ST- State population listed as Threatened by the FFWCC. Defined as a species, subspecies, or isolated population which is acutely vulnerable to environmental alteration, declining in number at a rapid rate, or whose range or habitat is decreasing in area at a rapid rate and as a consequence is destined or very likely to become an endangered species within the foreseeable future.

SSC-Listed as Species of Special Concern by the FFWCC. Defined as a population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species. (SSC* for *Pandion haliaetus* (Osprey) indicates that this status applies in Monroe county only.)

N-Not currently listed, nor currently being considered for listing.

*** State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)*

STATE LEGAL STATUS - PLANTS

E-Endangered: species of plants native to Florida that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue; includes all species determined to be endangered or threatened pursuant to the U.S. Endangered Species Act.

T-Threatened: species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in number as to cause them to be Endangered.

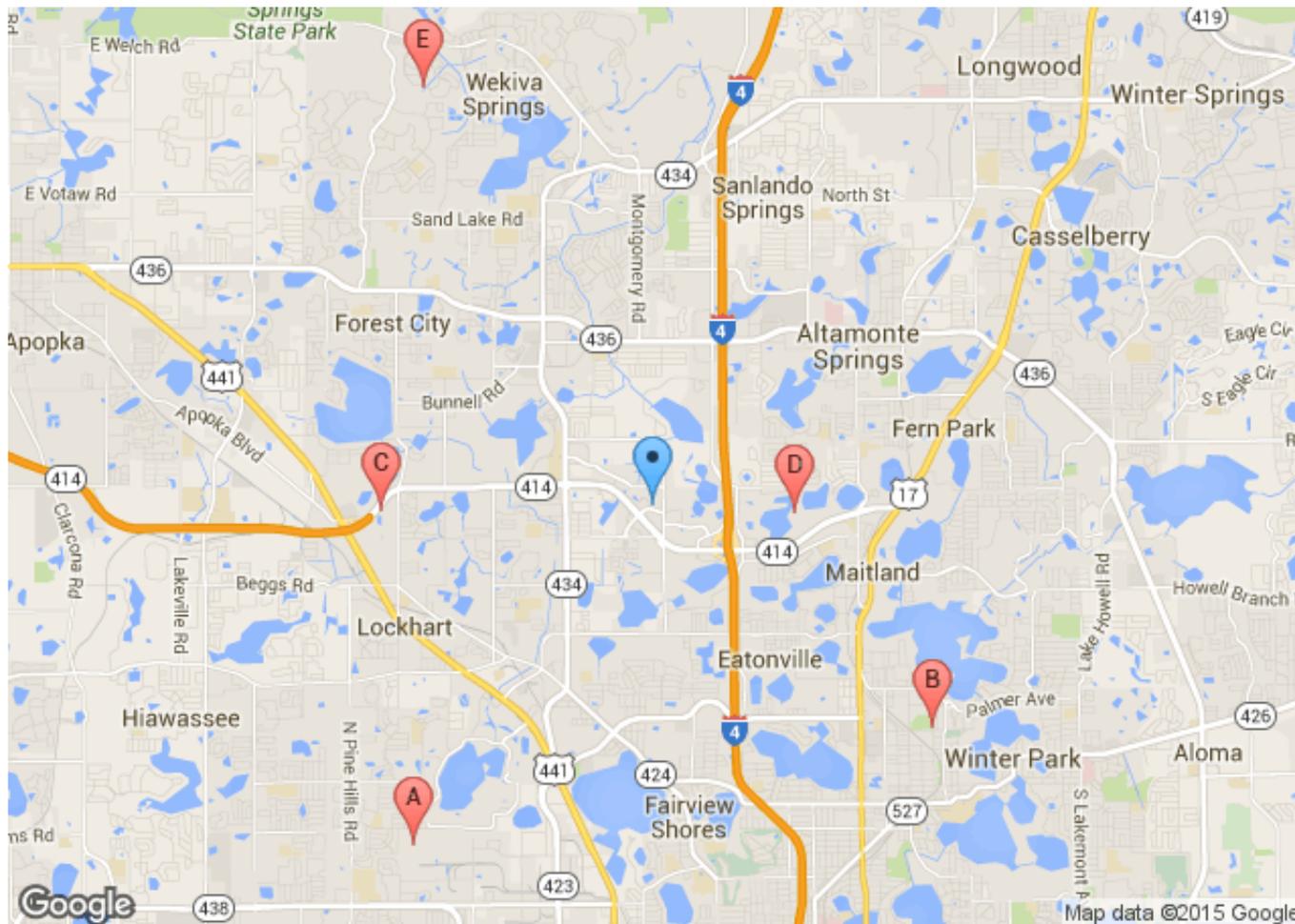
N-Not currently listed, nor currently being considered for listing.

This report was generated using the bald eagle nest locator at <https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx> on 11/4/2015 3:35:18 PM.

Search Entered: Within 5 miles of latitude 28.6377527777778 and longitude -81.4004788888889; All Search Results

5 record(s) were found; 5 record(s) are shown

Bald Eagle Nest Map:



Bald Eagle Nest Data Search Results:

Results per page: ▼

Letter	Nest ID	County	Latitude	Longitude	Township	Range	Section	Gaz Page	Last Known Active	Last Surveyed	Act 10	Act 11	Act 12	Act 13	Act 14	Dist. (Mi)
A	OR021	Orange	28 35.22	81 26.45	22S	29E	08	80	2014	2014	*	Y	*	*	Y	4.27
B	OR023	Orange	28 36.28	81 21.18	22S	30E	06	80	2008	2014	*	-	*	*	-	3.67
C	OR026	Orange	28 38.20	81 26.80	21S	29E	30	80	1993	2014	*	*	*	*	-	2.80
D	OR031	Orange	28 38.19	81 22.59	21S	29E	25	80	2014	2014	Y	Y	*	*	Y	1.46
E	SE027	Seminole	28 41.98	81 26.35	20S	29E	32	80	2014	2014	*	-	*	*	Y	4.88

"Y" denotes an active nest

"N" denotes an inactive nest

"-" denotes an unobserved nest

"U" denotes a nest that was visited but status was undetermined

"*" denotes a nest that was not surveyed