



Florida Fish and Wildlife Conservation Commission

Commissioners

Rodney Barreto
Chairman
Coral Gables

Steven Hudson
Vice Chairman
Fort Lauderdale

Gary Lester
Oxford

Albert Maury
Coral Gables

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Office of the
Executive Director
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jessica Crawford
Chief of Staff

850-487-3796
850-921-5786 FAX

*Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.*

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: 850-488-4676

Hearing/speech-impaired:
800-955-8771 (T)
800 955-8770 (V)

MyFWC.com

October 4, 2022

Brett Harrington
Sarasota County Planning Services
1600 Ringling Boulevard, 1st Floor
Sarasota, FL 34236
bharring@scgov.net

Re: Sarasota County 22-06ESR (CPA 2022-B, Lakewood Ranch Southeast Village Transition Zone), Comprehensive Plan Amendment

Dear Mr. Harrington:

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the above-referenced comprehensive plan amendment package and provides the following comments and recommendations for consideration in accordance with Chapter 163.3184, Florida Statutes. While there are no objections to the amendment, the following technical assistance information is provided to assist the Department of Economic Opportunity, the County, and any applicants during the amendment review and future project planning.

Project Description

Sarasota County transmitted this privately initiated comprehensive plan amendment that will amend the Sarasota 2050 Resource Management Area (RMA) Chapter to create a new "Village Transition Zone (VTZ)" RMA and apply this newly created VTZ RMA designation to approximately 4,120 acres of property known as Lakewood Ranch Southeast in Sarasota County. This would change the current RMA designation of Lakewood Ranch Southeast from "Hamlet" and "Greenway" to "Village Transition Zone" and "Greenway" and increase the allowable maximum dwelling units from 1,644 units to 5,000 units. Lakewood Ranch Southeast is located on the north side of Fruitville Road, approximately 0.5 miles east of the intersection with Cowpen Lane. The dominant land covers on the project site consist of 1,840.0 acres of improved pasture, 1,228.2 acres of row crops, 466.8 acres of marshes, 119.7 acres of wet prairie, 114.1 acres of mixed wetland hardwoods, 88.3 acres of mixed hardwood-coniferous swamps, 71.3 acres of mesic flatwoods, 52.9 acres of rural open, 50.2 acres of shrub and brushland, 22.9 acres of transportation, 10.1 acres of vineyard and nurseries, 9.2 acres of cypress, 9 acres of mixed hardwood-coniferous, 8 acres of low structure density, 7 acres of mixed scrub-shrub wetland, and 5.9 acres of floating/emergent aquatic vegetation.

Potentially Affected Resources

A wildlife assessment was not provided with the amendment documentation. FWC staff conducted a geographic information system (GIS) analysis of the project area and found that the project area is located near, within, or adjacent to:

- One or more wood stork (*Mycteria americana*, Federally Threatened [FT]) nesting colony core foraging areas (CFA) in Sarasota County and Manatee County. CFAs located in Sarasota County constitute an 18.6-mile radius around the nesting colony. CFAs located in Manatee County constitute a 15-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) Consultation Areas for the following federally listed species:

- Florida bonneted bat (*Eumops floridanus*, Federally Endangered [FE]),
- Florida grasshopper sparrow (*Ammodramus savannarum floridanus*, FE),
- Florida scrub-jay (*Aphelocoma coerulescens*, FT), and
- Audubon's crested caracara (*Polyborus plancus audubonii*, FT)
- Potential habitat for the following federally and state-listed species:
 - Eastern indigo snake (*Drymarchon corais couperi*, FT),
 - Gopher tortoise (*Gopherus polyphemus*, State Threatened [ST]),
 - Florida pine snake (*Pituophis melanoleucus mugitus*, ST),
 - Florida sandhill crane (*Antigone canadensis pratensis*, ST),
 - Southeastern American kestrel (*Falco sparverius paulus*, ST),
 - Little blue heron (*Egretta caerulea*, ST),
 - Tricolored heron (*Egretta tricolor*, ST),
 - Florida burrowing owl (*Athene cunicularia floridana*, ST), and
 - Least tern (*Sternula antillarum*, ST)
- Existing Conservation Lands:
 - Heritage Ranch Conservation Easement
 - Heritage Ranch Section 12 Gopher Tortoise Recipient Sites
 - Gum Slough TNC Conservation Easement
 - The Concession Preserve

Comments and Recommendations

Wildlife Surveys

To better identify potential project impacts to listed species of fish and wildlife, FWC staff recommends that species-specific surveys be conducted prior to any clearing or construction. Species-specific surveys are time sensitive and are best conducted by wildlife biologists with recent documented experience for that species. Species-specific survey protocols approved by the USFWS and the FWC are provided in the *Florida Wildlife Conservation Guide* at (<https://myfwc.com/conservation/value/fwccg/>) or in the *FWC Species Conservation Measures and Permitting Guidelines* available at (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>).

Gopher Tortoise

The site is adjacent to the Heritage Ranch Conservation Easement where there are three monitored Gopher Tortoise Recipient Sites. Based on the Development Concept Plan provided with the amendment documentation, there is a significant open space buffer planned between the boundary of the easement where the recipient sites are located and most of the planned development; however, the northwest portion of planned development is directly adjacent to the Recipient Sites boundary. If gopher tortoises are observed onsite, FWC staff recommends that the applicant contact FWC staff identified at the close of this letter to discuss avoidance and minimization options.

Additionally, the overall Lakewood Ranch Southeast property may have potential habitat for the gopher tortoise. The applicant should refer to the FWC's *Gopher Tortoise Permitting Guidelines* (Revised July 2020) (<http://www.myfwc.com/license/wildlife/gopher-tortoise-permits/>) for survey methodology and permitting guidance prior to any development activity. Survey methodologies require a burrow survey covering a minimum of 15 percent of potential gopher tortoise habitat to be impacted by development activities including staging areas (refer to Appendix 4 in the *Gopher Tortoise Permitting Guidelines* for additional information).

Specifically, the permitting guidelines include methods for avoiding impacts (such as preservation of occupied habitat) as well as options and state requirements for minimizing, mitigating, and permitting potential impacts of the proposed activities. Any commensal species observed during burrow excavation should be handled in accordance with Appendix 9 of the *Guidelines*.

Florida Pine Snake

Suitable habitat for Florida pine snakes may occur onsite. Florida pine snakes are naturally secretive in nature and can spend up to 80 percent of their time in underground refuges like stump holes, gopher tortoise burrows, and the burrows of nine-banded armadillos and mice. This species is often associated with southeastern pocket gophers (*Geomys pinetis*); however, they can persist and thrive in areas without this species. Florida pine snakes are active from March through October but show the greatest activity in May, June, July, and October when they move more frequently and travel farther distances. Florida pine snakes are sensitive to habitat fragmentation and often negatively impacted by roadways. Additional information can be found in the *Species Conservation Measures and Permitting Guidelines for the Florida Pine Snake* (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>). It would also contribute to FWC's research efforts if sightings could be reported to the staff member at the close of this letter, preferably with a photograph and GPS coordinates.

Florida Sandhill Crane

The site may provide foraging habitat for Florida sandhill crane, and the littoral zone of the open wetlands onsite may provide potential nesting habitat for this species. FWC staff recommends that surveys for nesting Florida sandhill cranes be conducted prior to construction activities and during the December through August breeding season. If construction occurs over several years, it may be necessary to conduct surveys each year as Florida sandhill cranes do not nest in the same location every year. If active nests are identified onsite, the *Species Conservation Measures and Permitting Guidelines for the Florida Sandhill Crane* (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>) recommend that the nest site be buffered by 400 feet to avoid disturbance by human activities. Additional information and guidance for conducting Florida sandhill crane surveys can be found in the *Guidelines*.

Southeastern American Kestrel

Suitable habitat for southeastern American kestrels may be found within the proposed project area. FWC staff recommends that kestrel surveys be conducted from April to August within kestrel suitable foraging habitat according to the methodology outlined in FWC's *Species Conservation Measures and Permitting Guidelines for the Southeastern American Kestrel* (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>). Surveys from May to July are ideal to avoid confusion with the migratory subspecies of American kestrel (*Falco sparverius sparverius*). Surveys may be completed outside of the April to August survey season when necessary, with any kestrels observed assumed to be southeastern American kestrels. Surveys are valid until the beginning of the following breeding season (March). If surveys encounter active nest cavities, FWC staff recommends avoiding project activities within 150 meters (490 feet) of the nest during the breeding season (March through July) to avoid disturbance. In areas of suitable kestrel habitat, the *Guidelines* also recommend retaining snags whenever possible. If southeastern American kestrels are present and less than 124 acres of suitable foraging habitat will remain after project activities, Appendix A in the *Guidelines* should be consulted to determine if Significant Habitat Modification will occur.

Wading Birds

The potential exists for wading bird nesting activity in the inundated forested wetlands on the project site. FWC staff recommends that specific surveys be conducted during their breeding season, which extends from March through August. Additional information and guidance for conducting surveys can be found in the *Species Conservation Measures and Permitting Guidelines for Little Blue Heron, Reddish Egret, Roseate Spoonbill, Tricolored Heron* (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>). If there is evidence of nesting during this period, FWC staff recommends that any wading bird nest sites be buffered by 100 meters (330 feet) to avoid disturbance by human activities.

Florida Burrowing Owl

Suitable habitat for Florida burrowing owls may be found on the project site. Burrowing owls typically occupy areas with short groundcover like agricultural fields and prairies. FWC staff recommends the applicant survey the property for burrowing owls prior to construction activities to ensure that no burrowing owl burrows occur onsite. Additional information and guidance for conducting burrowing owl surveys can be found in the *Species Conservation Measures and Permitting Guidelines for the Florida Burrowing Owl* (<https://myfwc.com/wildlifehabitats/wildlife/species-guidelines/>). If burrowing owls are observed onsite, FWC staff recommends that the applicant contact FWC staff identified at the close of this letter to discuss avoidance, minimization, and permitting options.

Stormwater Ponds

The Development Concept Plan depicts the proposed construction of stormwater ponds throughout the site. The creation of the stormwater ponds could provide potential wildlife habitat as well as a recreational area for fishing and wildlife viewing. Stormwater ponds can be managed for both fish production and wildlife habitat, including wading birds and waterfowl. Stormwater ponds with complex edges, peninsulas, and islands can increase habitat variability for fish and wildlife. Adding native wetland plants along the edge of the stormwater ponds native wetland plants could provide a vegetated littoral fringe which could possibly provide foraging or nesting areas for several wading bird species and spawning habitat for fish which would enhance future recreational fishing opportunities for the community. FWC staff recommend a commitment to long-term maintenance and development of a plan for managing exotic invasive plant species that can significantly degrade habitat values and impact ponds, wetlands and nearby natural areas. The *Florida Wildlife Conservation Guide* provides more information on this topic with suggested guidelines for construction and management of stormwater ponds (<http://myfwc.com/conservation/you- conserve/recreation/pond-management/>).

Wetland Buffers

The ecotone between a wetland and the adjacent upland habitats is important to be delineated as a wetland buffer. Often a wetland buffer is focused on water quality as required by a local government or state water management district. However, buffers that protect water quality may not be sufficient in size to protect wetland-dependent wildlife or aquatic species. For example, nesting wading birds may require a set-back distance from pedestrian activities to prevent the adults from flushing from the nest. Some amphibians and invertebrates may breed and develop in water then move miles away from water into upland habitats to forage and burrow. Therefore, when planning for wetland buffers, considerations for wetland-dependent wildlife species' home ranges and movement patterns should be considered.

Ecological Corridors

Data from the Florida Natural Areas Inventory's (FNAI) Conservation Needs Assessment indicates that portions of Lakewood Ranch Southeast fall within a priority 5 ranked area of the Florida Ecological Greenways Network database. This database identifies the most important ecological corridors and intact landscapes across Florida for the protection of the state's native wildlife, ecosystem services, and ecological resiliency. Severance or reduction of ecological corridors could constitute a significant adverse impact to important state wildlife resources through habitat fragmentation, isolation of existing wildlife populations, and hinderance of genetic exchange. FWC staff is available to provide technical assistance which may minimize adverse impacts to designated ecological corridors as projects within Lakewood Ranch Southeast are being planned.

Wildlife Crossings

FWC recommends that wildlife crossings be considered in land use planning when significant areas of productive green space, including wetland and upland forests or small streams or riparian zones, are crossed by major roads. The overall purpose and need for crossings are to maintain habitat connectivity within natural landscape linkages within the Lakewood Ranch Southeast, avoid habitat degradation, reduce wildlife roadkills, and increase public safety. Factors to consider when planning wildlife crossings include the total extent of habitat, type of natural systems crossed by the roadway, wildlife species that will potentially utilize the crossing, and an understanding and control of nearby or adjacent planned land uses. There are numerous wildlife crossing designs which are suitable for target mammals, amphibians, and reptile species, including some designs that provide for both aquatic and terrestrial species movement as well as habitat and hydrological connectivity. Structure types may include bridges, box culverts, and large drainage pipes which can be designed and constructed at appropriate locations. Fencing erected along the outside right-of-way is also needed to exclude animals from the roadway and funnel and encourage them to use the structure. Signage for wildlife crossings and lower speed limits are also useful in the area of heavy animal use near crossing structures. While there are numerous resources to designing wildlife crossings, examples and guidelines for various wildlife crossings in Florida can be obtained from The Florida Department of Transportation at (https://fdotwww.blob.core.windows.net/sitefinity/docs/defaultsource/environment/pubs/wildlifecrossingguidelines_2018revisions.pdf?sfvrsn=e84b7844_0).

Habitat Management

Lakewood Ranch Southeast may also benefit from a Wildlife and Habitat Management Plan (WHMP). Developments of this size with large conservation areas or ecological corridors can provide a framework for habitat management activities that will ensure these areas continue to provide habitat for fish and wildlife resources. A WHMP can include a list of state and federally listed species which may occur on the site and suggests actions to minimize, avoid, and mitigate impacts to those species. Similar plans also include information on proposed maintenance activities such as prescribed fire, invasive plant management, or methods to address nuisance and exotic animal species. FWC staff is available to assist in the development of a management plan that includes these details so that conservation areas and open space may continue to provide habitat for fish and wildlife resources.

Invasive Species Management

Feral hogs are opportunistic foragers that are often responsible for nest depredation of wild turkey and other ground-nesting birds, as well gopher tortoise eggs and hatchlings. Soils disturbed by hog rooting decreases the diversity of native ground cover plants while favoring undesirable and

invasive plant species. Hunting and trapping of feral hogs throughout the year is recommended for keeping populations in check and for reducing competition with native wildlife.

Many of the non-native plants listed as invasive by the Florida Invasive Species Council have little value or long-term benefit for wildlife. An integrated vegetation management plan that includes the use of herbicides, mechanical treatments, and fire is recommended to guide management of invasive exotic plant species. Restoration activities such as mechanical thinning may threaten newly established restoration communities or adjacent natural systems and conservation lands by providing opportunities for invasion by non-native plants. To reduce the potential for negative effects of invasive plants within Lakewood Ranch Southeast and to adjacent properties, FWC staff recommends decontamination of equipment before performing management activities on the landscape and development of a vegetation management plan addressing invasive plant control, groundcover restoration/management, and potential species information. FWC staff recommends that an early detection, rapid assessment, and rapid response (EDRR) approach to controlling exotic species be developed, and FWC's invasive plant resources at (<http://myfwc.com/wildlifehabitats/invasive-plants/>) may assist in developing this plan. EDRR increases the likelihood that localized invasive populations will be found, contained, and eradicated before they become widely established, avoiding the need for costly long-term control efforts.

Smoke Shed

The residential development is proposed within a smoke shed (periodically smoke-filled corridor) that originates from use of prescribed fire as a management tool at Heritage Ranch Conservation Easement and other nearby conservation lands. Prescribed fire is required to maintain many of the natural upland communities that exist on these conservation areas. Natural resource management staff and land managers on these conservation lands will continue to use prescribed burning to sustain existing communities and reduce fuel loads that may otherwise lead to catastrophic wildfires that not only affect wildlife but threaten human life and property. FWC staff recommends that the applicant include provisions in any homeowners' association or covenant documents that inform future residents that prescribed burning is an acceptable practice for natural resource management and that the area is within a "smoke corridor" or smoke shed. Developers of lands within two miles of native habitat managed by fire may wish to consider Florida Forest Service recommendations at (<https://www.fdacs.gov/Forest-Wildfire/For-Communities/Firewise-USA>) to create Fire-Wise communities.

Federal Species

This site may also contain habitat suitable for the federally listed species identified above. FWC staff recommends coordination with USFWS South Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species. The USFWS South Florida ESO can be contacted at (772) 562-3909.

FWC staff appreciates the opportunity to provide input on this project. For specific technical questions regarding the content of this letter, please contact Cori Calyniuk at (850) 556-5948 or by email at Cori.Calyniuk@MyFWC.com. All other inquiries may be sent to ConservationPlanningServices@MyFWC.com.

Sincerely,



Robert Irving, Land Use Planning Program Administrator
Office of Conservation Planning Services

ri/cc

Sarasota County 22-06ESR_51044_10042022

cc: Ray Eubanks, Florida Department of Economic Opportunity,
DCPexternalagencycomments@deo.myflorida.com
Katie LaBarr, Stantec Consulting Services Inc., katie.labarr@stantec.com