

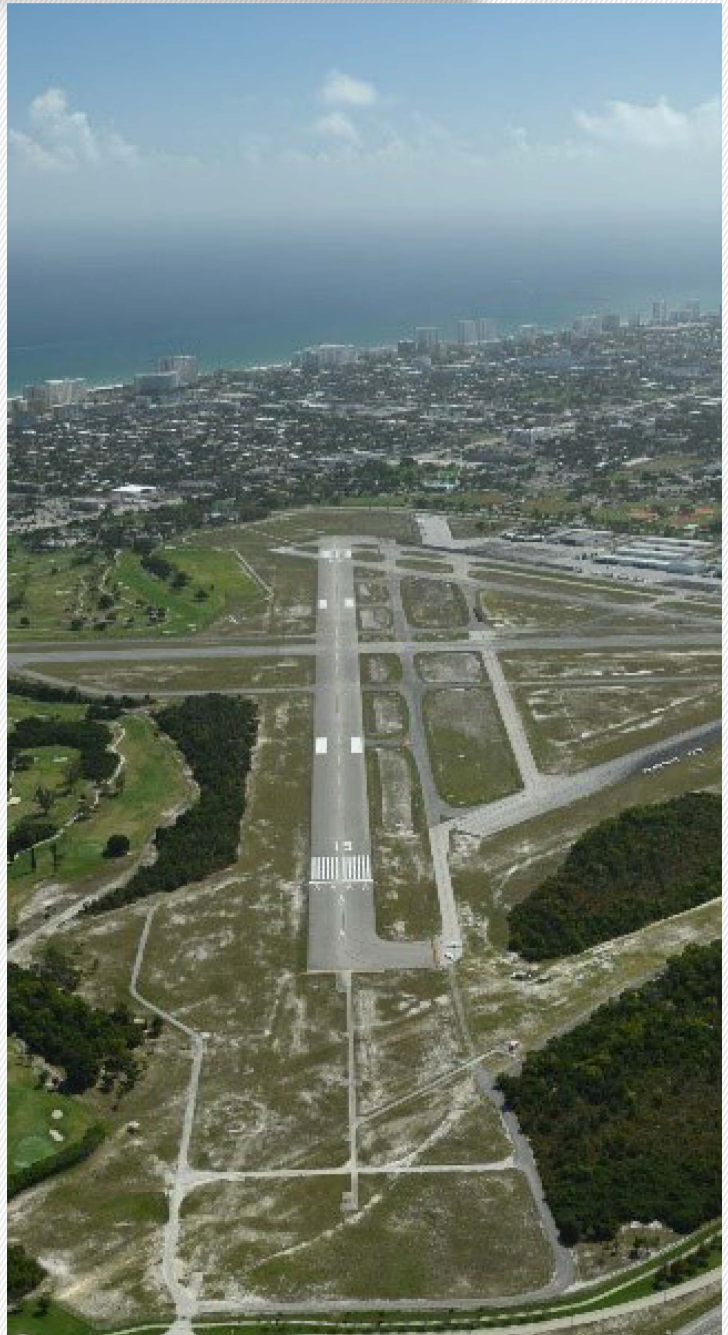
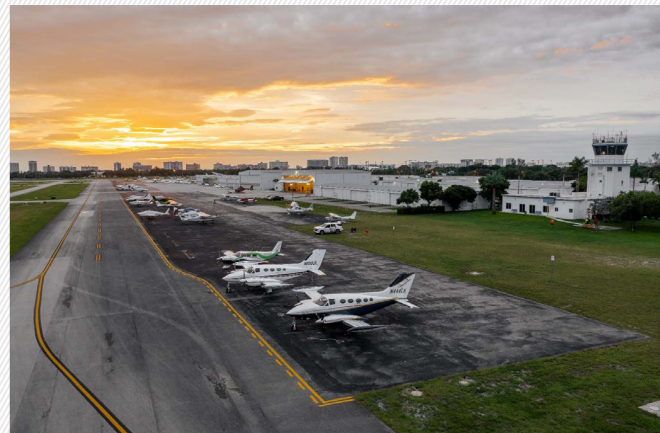
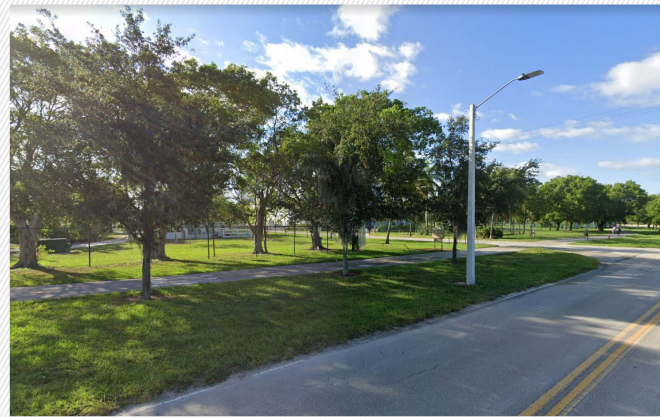
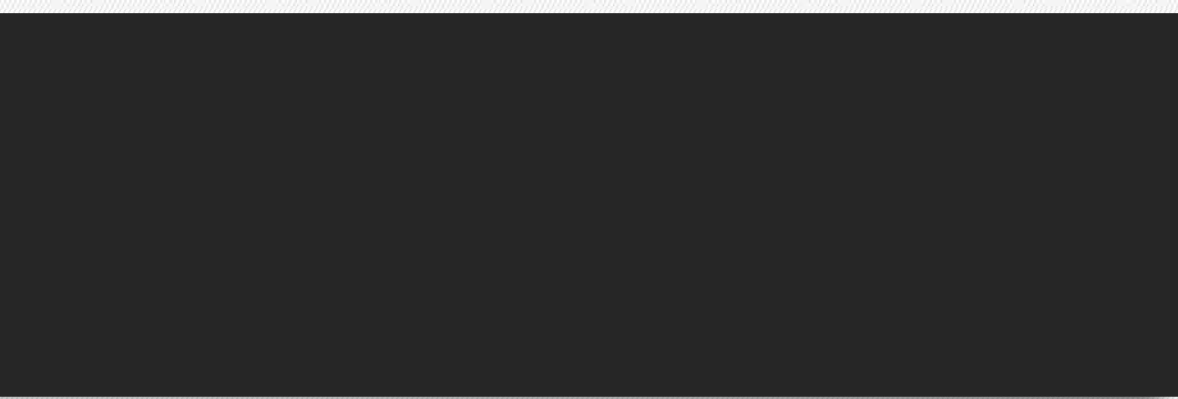


City of Pompano Beach Environmentally Sensitive Lands Map Amendment Application

Pompano Airpark

December, 2023
Prepared by City of Pompano Beach
Department of Development Services





APPENDIX 4
BROWARD COUNTY PLANNING COUNCIL APPLICATION CHECKLIST FOR AMENDMENTS TO THE ENVIRONMENTALLY SENSITIVE LANDS MAP

1. TRANSMITTAL INFORMATION

- A. Letter from applicant, agent or property owner requesting that the Planning Council process an amendment to the Environmentally Sensitive Lands Map of the Broward County Land Use Plan.

Response: The transmittal letter is attached.

- B. Letter from municipal mayor or manager indicating the local government's position on the proposed amendment to be provided no later than 21 days prior to the first Planning Council scheduled public hearing.

Response: The ordinance approved on first reading for the amendment of the ESL map is provided as **Exhibit 1**.

- C. Name, title, address, telephone number and e-mail address of the municipal contact person.

Jean E. Dolan, AICP, CFM	Phone (954)786-4045
Principal Planner	jean.dolan@copbfl.com
City of Pompano Beach	
Development Services Department	
100 W. Atlantic Blvd.	
Pompano Beach, Florida 33060	

2. APPLICANT INFORMATION

- A. Name, title, address, telephone number and e-mail address of the applicant.

Steven Rocco, C.M., ACE
Airpark Manager
City of Pompano Beach
Phone (954)786-4135
Email: steve.rocco@copbfl.com

- B. Name, title, address, telephone number and e-mail address of the agent.

Jean E. Dolan, AICP, CFM	Phone (954)786-4045
Principal Planner	jean.dolan@copbfl.com
City of Pompano Beach	
Development Services Department	
100 W. Atlantic Blvd.	
Pompano Beach, Florida 33060	

- C. Name, title, address, telephone number and e-mail address of the property owner.

Response: The subject property is owned by the City of Pompano Beach.

D. Applicant’s rationale for the amendment.

Airports are usually characterized by large open spaces surrounding the airfield to create an obstruction-free area for aviation operations. This open space, often developed as golf courses or left entirely natural, will attract wildlife. Wildlife attraction can result in serious safety hazards for both the wildlife and the airplanes that can result in both wildlife and human deaths. The FAA has issued Advisory Circular 150-5200-33C that addresses a variety of landscaping concerns. The *2005 Wildlife Hazard Management at Airports Manual*, written jointly by the FAA and USDA specifically states:

“Do not use trees and other landscaping plants for the street side of airports that produce fruits or seeds attractive to birds. Avoid plants that produce fruits and seeds desired by birds. Also avoid the creation of areas of dense cover for roosting, especially by European starlings and blackbirds. Thinning the canopy of trees, or selectively removing trees to increase their spacing, can help eliminate bird roosts that form in trees on airports.”

In 2016-17, the City hired Kimley Horn to prepare a Wildlife Hazard Assessment for the Airpark. This study recommends removing the forested areas from the airfield to prevent wildlife-airplane conflicts and to manage the golf course and surrounding parks in a way that minimizes wildlife attraction.

In 2023, the City again hired Kimley Horn to prepare a Natural Resource Assessment (NRA) of the wooded areas on the airfield proposed to be removed from the County’s Environmentally Sensitive Lands Map available at the following link:

(<http://www.pompanobeachfl.gov/compmap/EnvironmentallySensitiveLands>.)

The resulting NRA is provided herein as **Exhibit 2**.

3. AMENDMENT SITE DESCRIPTION

- A. Concise written description of the general boundaries and gross acreage (as defined by the BCLUP) of the proposed amendment.

Response: All four of the areas designated as LAPCs on the Pompano Airpark are being proposed for removal from that map. The legal descriptions for each is included in Exhibit 3:

Parcel 1: LAPC Map #91 = 11.6 acres

Parcel T (46.4 acres) less Parcel 1 (11.6 Acres) plus southern portion of Parcel 2 (4.9 acres):

LAPC Map #95 = 39.7 Acres

Parcel 3: LAPC Map#93 = 11.4 acres

Parcel 4: LAPC Map #92 = 12.1 acres

Total Acreage = 74.8 acres

- B. Original sealed survey, including legal description.

Response: The legal descriptions are provided in **Exhibit 3**.

- C. Aerial photograph.

Response: An aerial photo is provided as **Exhibit 4**.

D. Recorded plat(s), if applicable.

Response: The subject area is not platted.

EXISTING AND PROPOSED USES

E. Existing use of amendment site and adjacent areas. Provide cross-sections of the existing conditions on the subject site.

Response: The subject sites are wooded areas surrounded by the Pompano Airpark and the Pompano Municipal Golf Course.

F. Proposed use of the amendment site including proposed square footage for each non-residential use and/or dwelling unit count. Provide draft cross-sections of post-development conditions on the subject site.

Response: The proposed use of Parcel 1 is for approximately 207,000 SF of aviation related industrial uses based on 40% lot coverage and one-story buildings. The proposed use of Parcel 2 is approximately 358,000 SF of airplane hangars based on 40% lot coverage and one-story buildings. Parcels 3 and 4 are not yet planned for development, however, they already have a Transportation land use and are designated for aviation-related uses on the FAA approved Airpark Property Map. No specific plans have been drawn for development of any of these parcels to date.

If the amendment site is not developed, please provide the following information:

4. LAPC CATEGORIES

Indicate if the amendment site contains resources or characteristics of Local Areas of Particular Concern (LAPC) as described in the Implementation Requirements and Procedures section of the Broward County Land Use Plan.

A. Marine Resources

Response: The amendment site does not contain a marine resource such as coastal areas of unique, scarce, fragile, or vulnerable natural habitat, physical features and scenic importance, as described in the Implementation Requirements and Procedures section of the Broward County Land Use Plan.

B. Natural Landforms and Features

Response: The amendment site is not characterized as a natural landform as it does not contain a rare geological, hydrological, or physiographical feature, as described in the Implementation Requirements and Procedures section of the Broward County Land Use Plan.

C. Native Vegetative Communities

Response: The amendment site does contain the following ecological community: Scrub Community. A Natural Resources Assessment was completed in June 2023, which included field reconnaissance. This site assessment delineated the project site as sand pine with scrub species also present. However, this vegetative community is not being maintained (lack of fire) and there was a relatively high percentage of exotic vegetation present (Brazilian pepper, earleaf acacia, etc.). Therefore, based on the exotic invasion present, especially within the two

areas located west of Runway 15-33, these areas would likely not qualify as a Local Area of Particular Concern.

The following ecological communities are not present at the site: Beach and Dune Community; Coastal Strand Forest Community; Mangrove Community (Saltwater Swamp); Pine Flatwoods Community; High Hammock Community; Low Hammock Community; Cypress Wetland Community (Freshwater Swamp); Everglades Community (Freshwater Marsh).

C. Wildlife

Response: The amendment site is characterized as a wildlife resource with documented occurrences and known habitat for the gopher tortoise and burrowing owl. Please see attached Natural Resources Assessment that was completed for this site, which describes these type species and their occurrences within or near the amendment site.

D. Economic Resources

Response: Though the Airpark is a significant economic resource both to Pompano and to the Federal aviation system, the areas designated to be removed from the ESL map are not categorized as an economic resource based on the County's definitions related to Local Areas of Particular Concern because these isolated areas do not contain existing ports, marinas, piers, energy resources, and artificial reefs, or areas noted for specific study and research concerning economic development.

E. Cultural Resources

Response: The amendment site is not designated on the National Register of Historic Places. The Florida Master Site File (FMSF) documents a total of four (4) cultural resources within a 0.25-mile buffer of the Airpark, however, the proposed removal of these wooded areas from the Airpark Operational Area would have no impact on these four resources.

5. ENVIRONMENTAL ANALYSIS

- A. An environmental analysis must be provided to determine the proposed amendment's environmental impacts both on-site and to adjacent properties.

Response: Field reconnaissance was conducted on June 21, 2023, to characterize the existing conditions of the property relative to threatened and endangered species and their habitat, ecological communities, land cover and vegetation, wetlands, soils, hydrology, archaeological and historical resources, and floodplains. See Natural Resource Assessment report (NRA) in ***Exhibit 2***.

- B. A proposed mitigation strategy which identifies measures to avoid and/or minimize any potential risks as indicated by the environmental analysis.

Response: As described in the NRA (September, 2023), a 100% gopher tortoise survey and a Florida burrowing owl survey will be completed prior to any clearing or development within the amendment sites. The gopher tortoises and any other wildlife occurring in the subject forested areas to be removed will be relocated with FDEP approved relocation permits.

The City is mitigating the trees being removed from the airfield by planting trees along the perimeter of the airport on NW 10th Street and NW 5th Avenue. The planting along NW 5th Avenue is nearly complete and the enhancement the trees provide to the extremely popular,

5-mile long multipurpose path that surrounds the Airpark has made it even more attractive and pleasant to use.

The City plans additional plantings along NW 10th Street to provide shade and beauty to that segment of the multipurpose path while also screening from view the aviation hangars that have been built on the aviation development parcels on the south end of the Airpark property.

The goal is for the number of quality native and flowering trees along these two frontages to surpass the number of trees to be removed from the Airport Operations Area (AOA) replacing the carbon attenuation benefits while providing trees where they can be enjoyed by the general public rather than in a restricted area. The trees will not be provided in the density required to attract significant wildlife to the perimeter of the Airpark.

- C. Broward County Environmental Resource License – provide information including the permit number and status of any license related to the proposed amendment site.

Response: There are no records of existing license/permits, however, an Environmental Resource License will be filed prior to altering the amendment site, should it be required.

- D. Federal and/or State Environmental Permits – provide information including the permit number and status of any license related to the proposed amendment site.

Response: There are no records of existing license/permits, however, environmental permit applications will be filed prior to altering the amendment site, should it be required.

- E. Surface Water Management Plan – Indicate if a Plan has been approved, or an application submitted to, the South Florida Water Management District (SFWMD).

Response: There are no records of an existing Surface Water Management Plan, however, applicable documentation will be filed prior to altering the amendment site. The Master Drainage Plan for the Air Park is issued under License Number: SWM2012-016-0.

- F. Identify the drainage district and drainage systems serving the amendment site, including any planned drainage improvements, including year, funding sources and other relevant information.

Response: The amendment site is not located within an independent drainage district. It is located within the South Florida Water Management District boundaries.

- G. Identify the management of storm water retention on-site, as well as the extent to which the amendment site provided storm water retention to surrounding properties and how potential run-off will be mitigated throughout the affected area.

Response: The subject areas are not used for stormwater retention for the Airpark. These areas have been identified as uplands. Each development parcel derived from these areas will accommodate their own stormwater management requirements and will have no negative effect on adjacent parcels. The amendment site is included within the Master Drainage Plan (License Number: SWM2012-016-0) issued to the Pompano Air Park.

6. ANALYSIS OF NATURAL AND HISTORIC RESOURCES

Indicate if the site contains, is located adjacent to or has the potential to impact any of the natural and historic resource(s) listed below, and if so, how they will be protected or mitigated.

- A. Wetlands – describe whether the amendment will impact existing wetlands, lakes or aquifer recharge areas. If so, describe what management practices will be used to protect or mitigate the area’s natural features.

Response: Please see attached NRA (September 2023) for more information on land use/land cover. Field reconnaissance was conducted on June 21, 2023. No wetlands were present within the amendment site. Habitats onsite were mapped utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS). A FLUCFCS Map depicting the land uses is included in the NRA as Figure 4. The land use consists of sand pine (413) and open land (190).

After removal of these areas from the ESL map, aquifer recharge will still be provided through the golf course and saltwater intrusion will continue to be mitigated by the City’s reclaimed water program. It is anticipated that eventually the wellfields on the Airpark will be discontinued from use due to unavoidable saltwater intrusion caused by sea level rise.

- B. Soils – describe whether the amendment will require the alteration of soil conditions or topography. If so, describe what management practices will be used to protect or mitigate the area’s natural features.

Response: Please see attached NRA (September 2023) for more information on soil types located within the amendment area. Any potential development or clearing within the amendment area will not require the alteration of soil conditions or topography other than typical construction activity. No special soil conditions exist on-site that would affect the land development activity. A section of the NRCS Soil Survey of Broward County, East Part, Florida (1984) Soils Map is attached as Figure 2 within the NRA. The trees are the primary natural feature of the subject areas. These are being mitigated along the multipurpose path built along the perimeter of the Airpark property.

- C. “Endangered species,” “threatened species,” “species of special concern” or “commercially exploited” as per the Florida Fish and Wildlife Conservation Commission (fauna), the U.S. Fish and Wildlife Service (flora and fauna), or the Florida Department of Agriculture and Consumer Services (fauna). If yes, identify the species and show the habitat location on a map.

Response: Please see attached NRA (September 2023) for more information on listed species. Based on the FNAI report, there are two documented occurrences of listed species and both have suitable habitat within and adjacent to the amendment site: burrowing owl (*Athene cunicularia*) and gopher tortoise (*Gopherus polyphemus*). At the time of the site visit, nine (9) gopher tortoise burrows were observed within the amendment area, and five (5) burrowing owls were observed just south of the amendment area. Other protected species that could occur within the amendment area include the Florida scrub-jay, Florida bonneted bat, and the eastern indigo snake. The attached NRA details suggested steps should the amendment site be developed.

FNAI noted eleven (11) state and four (4) federally listed plants as possibly occurring in this area, with three of them being documented within or near the project site: sand-dune spurge,

large-flowered rosemary, and nodding pinweed. Although none of the listed plant species were observed during field reconnaissance, due to the presence of suitable habitat observed on site for these species, a native plant survey will be completed prior to any construction or tree clearing.

There are no species that are considered commercially exploited within the amendment site.

- D. Tree Canopy and Ground Cover, including plants listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services. If yes, identify the species and show the location on a map.

Response: There is no evidence to date of any plant species listed on the index being located on the amendment site.

- E. Priority Planning Area – indicate whether the amendment is located within a priority planning area. If yes, address Broward County Land Use Plan Policy 2.21.1 regarding sea level rise.

Response: The subject properties are not within a Priority Planning Area.

- F. Flood Zone Area per the Federal Emergency Management Agency’s Flood Insurance Rate Map.

Response: The subject properties are primarily in an X zone on the 2014 FEMA maps and the Airpark was not included in the 2019 FEMA Coastal Study related to the 2019 FEMA map update. Please see Figure 6 within the NRA for a map of the flood zones.

- G. Wellfields – indicate whether the amendment is located within a wellfield protection zone of influence as defined by Broward County Code, Chapter 27, Article 13 “Wellfield Protection.” If so, specify the affected zone and any provisions which will be made to protect the wellfield.

Response: Pompano’s eastern wellfield is on the Airpark and several of the wells are along the perimeter of the subject properties. This is the same condition that occurs and has been accommodated on other development parcels on the Airpark. All land uses will be located in accordance with Chapter 27 to ensure the continued integrity of the wellfield.

- H. Historic sites or districts on the National Register of Historic Places or locally designated historic sites.

Response: Please see attached NRA (September 2023) for more information on historic resources. A review of the records of the Florida Master Site File (FMSF) Florida Department of State, Division of Historical Resources, State Historic Preservation Officer (SHPO), and the Broward County Historical documents a total of four (4) cultural resources within the 0.25-mile buffer area being identified. One resource within the buffer is eligible for listing with the NRHP: Railroad Tracks (Site ID:BD04087). Any impacts to the amendment site will not impact the nearby railroad. Three (3) resources within the research area are listed as not eligible for listing with the NRHP: Pompano Beach Air Park, Runway 15-33, and P.B. Municipal Golf Course.

Additionally, a Cultural Resources Assessment Survey (CRAS) was completed for a portion of the Pompano Air Park in 2009. Portions of the Area of Potential Effect (APE) within the CRAS overlap with the current project area. The CRAS identified only two potentially historic

resources, Runway 15-33 and the Pompano Beach Air Park, however both were determined to be ineligible for listing with the National Register of Historic Places. Therefore, based on the CRAS findings and the current SHPO request conducted in June 2023, this project will not negatively impact any cultural resources.

- I. Archaeological sites listed on the Florida Master Site File.

Response: The FMSF review indicated no archaeological sites within the amendment site and the previously conducted CRAS also indicated no archaeological sites.

- J. Local Parks – indicate if the amendment site is utilized to meet the municipal “community parks” requirement, as defined by the Broward County Land Use Plan. If yes, indicate whether the municipality will continue to meet the “community parks” acreage requirement based on its projected build-out population.

Response: The City had previously categorized 33 acres of this wooded area, referred to as the “arboretum” on the City’s park and open space inventory for purposes of meeting the County’s 3-acre per 1,000 population level of service standard for Community Parks. Even without this completely inaccessible 33 acres, the City is meeting the County’s 3-acres per 1,000 standard.

The City’s level of service standard for parks is 5 acres per 1,000 residents. The City has enough park acreage to meet this standard for the projected population beyond the current planning horizon of 2040 even without the 33 acre arboretum which was never accessible to the public based on it being inside the secured Airport Operations Area (AOA).

- K. Beach Access – indicate if the amendment site fronts the ocean or would impact access to public beaches. If so, describe how public beach access will be addressed.

Response: The Airpark is not adjacent to the beach.

- L. Hurricane Evacuation - indicate if the amendment site is located in a hurricane evacuation zone as identified by the Broward County Emergency Management Division. If yes, provide a hurricane evacuation analysis based on the proposed use of the amendment site, considering the number of permanent and seasonal residential dwelling units requiring evacuation, availability of hurricane shelter spaces, and evacuation routes and clearance times.

Response: The Airpark is not in a hurricane evacuation area.

7. INTERGOVERNMENTAL COORDINATION

Indicate whether the proposed amendment site is adjacent to other local governments.

Response: The Airpark is not adjacent to another local government.

EXHIBIT 1
TRANSMITTAL ORDINANCE

EXHIBIT 2
NATURAL RESOURCE ASSESSMENT (NRA)

NATURAL RESOURCE ASSESSMENT

Environmentally Sensitive
Lands within the
Pompano Air Park
Pompano Beach, Broward County,
Florida

September 2023



CITY OF POMPANO BEACH, FLORIDA

Kimley»Horn

040985205

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1920 Wekiva Way, Suite 200

West Palm Beach, FL 33411

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APPENDICES

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APPENDIX B STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

APPENDIX C SHPO RESOURCES

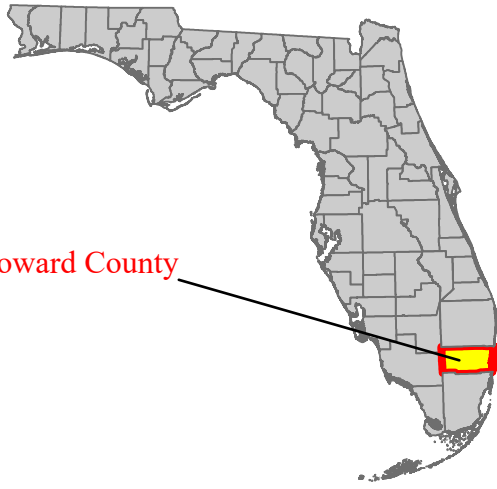
1.0 INTRODUCTION

The following technical memorandum summarizes a review of readily available documentation and the results of field reconnaissance conducted at the project limits. The purpose of this Natural Resource Assessment (NRA) is to characterize the existing conditions of the property relative to threatened and endangered species and their habitat, ecological communities, land cover and vegetation, wetlands, soils, hydrology, archaeological and historical resources, and floodplains.

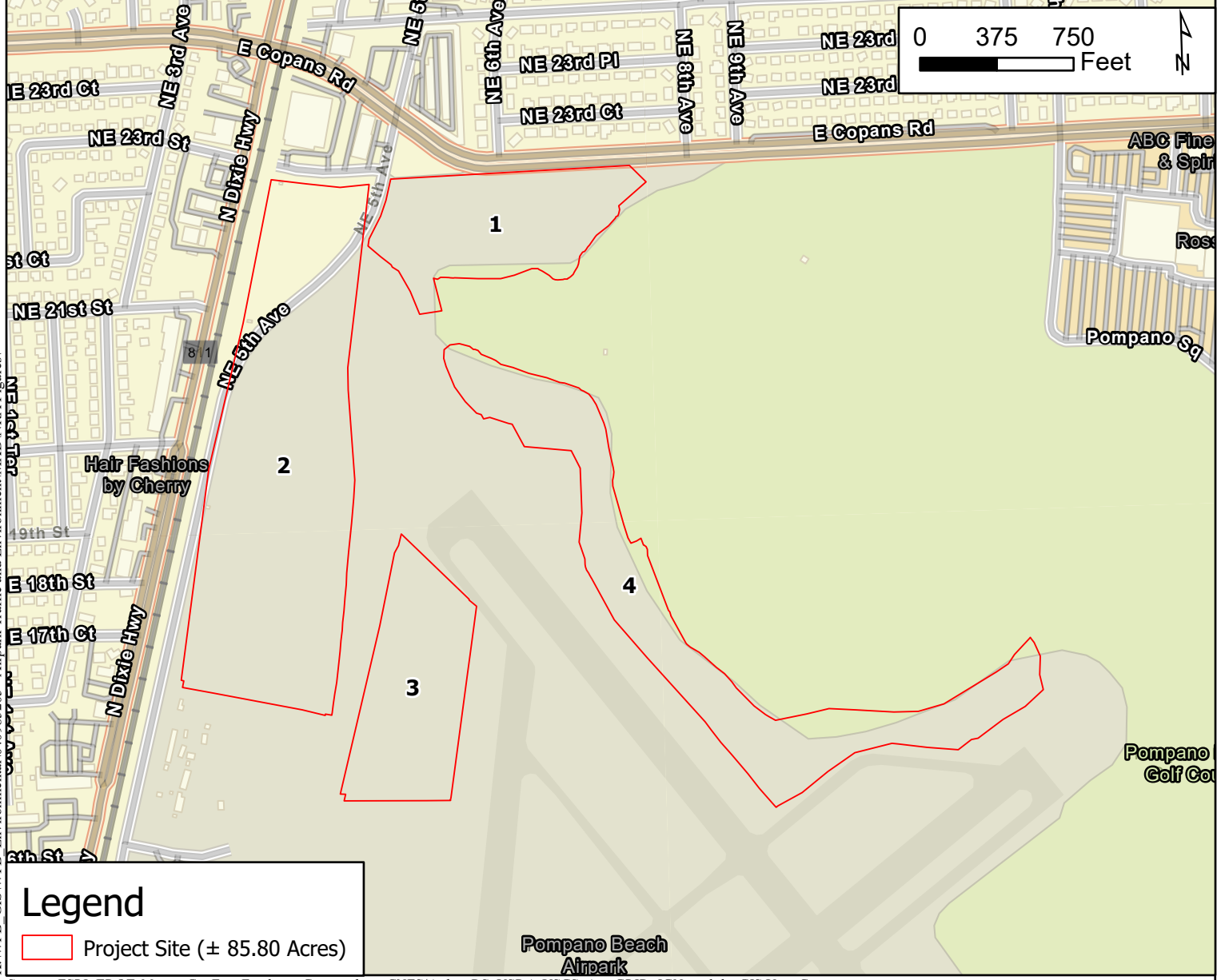
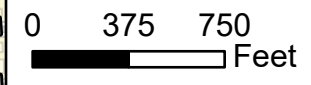
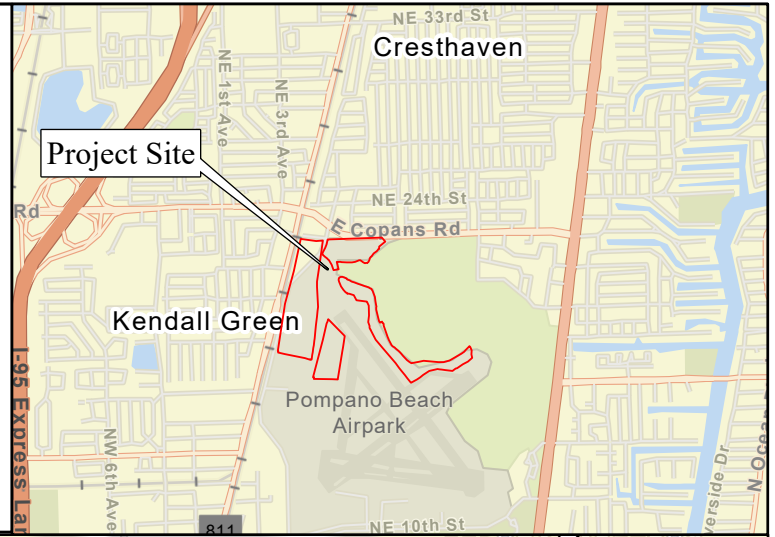
The scope of this assessment included a review of readily available information from public databases as described in [Section 2.0 Methodology](#) and field reconnaissance to evaluate the environmental conditions of the site and future permit requirements if development or modifications to the project limits were to proceed.

The proposed project limits consist of four (4) individual areas designated as Environmentally Sensitive Lands (ESL) within the Pompano Air Park, located south of East Copans Road and east of North Dixie Highway, in Pompano Beach, Broward County, Florida in Section 25 of Township 48 South and Range 42 East. A location map of the project limits is attached as [Figure 1](#). A portion of the U.S. Geological Service (USGS) Quadrangle Map depicting the location of the proposed project limits is attached as [Figure 2](#).

Broward County



Project Site



Legend

Project Site (± 85.80 Acres)

Pompano Beach Airpark

K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\DKRA Figures

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

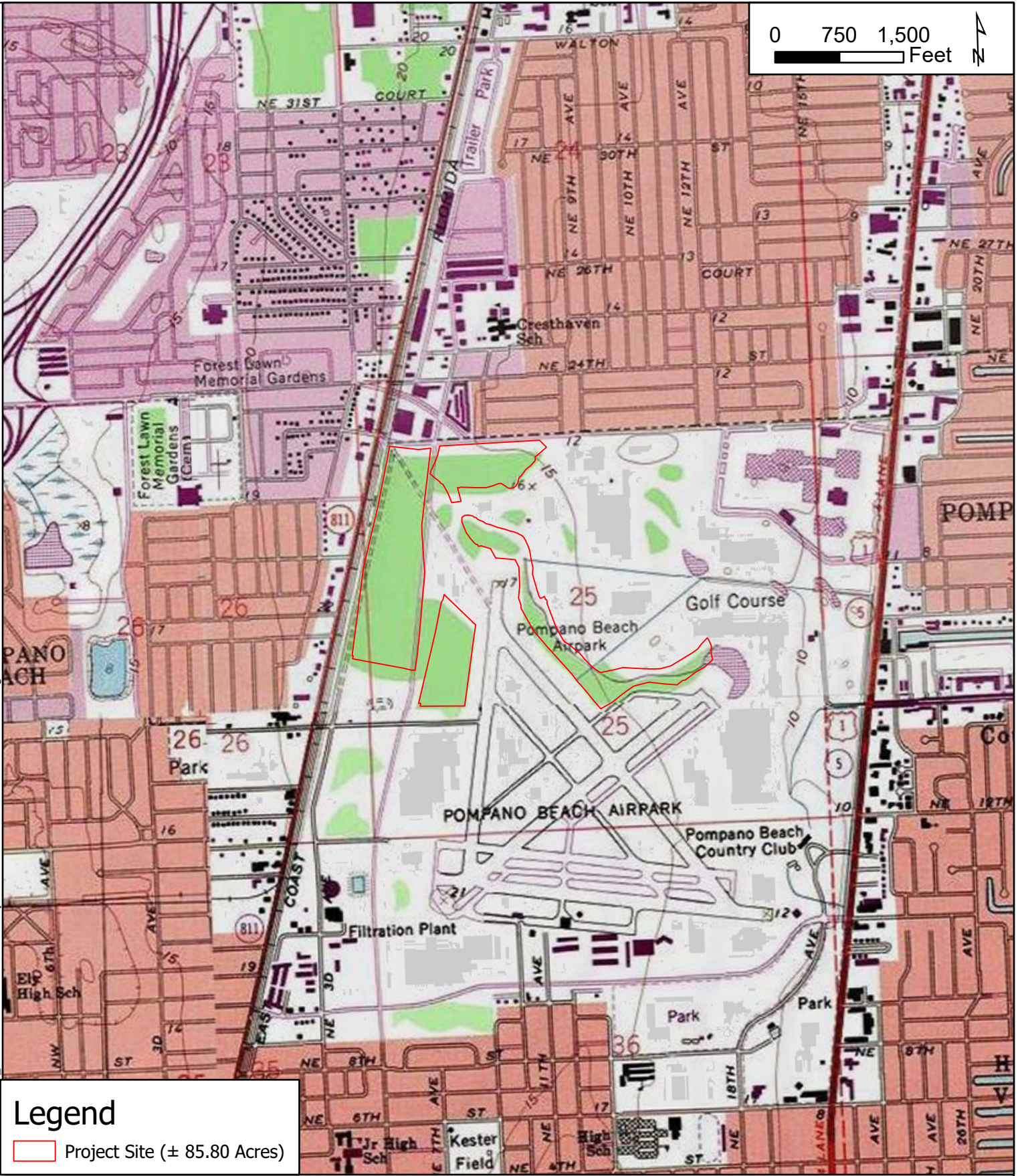
Project Location Map



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West Palm Beach, FL 33411
Phone (561) 845-0665
www.kimley-horn.com

Pompano Air Park
Broward County, Florida

0 750 1,500 Feet



Legend

 Project Site (± 85.80 Acres)

K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\NRA Figures

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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USGS Topographic Map

Pompano Air Park Broward County, Florida

2.0 METHODOLOGY

The methodology for this assessment included a review of the following resources:

- Florida Natural Areas Inventory (FNAI) Biodiversity Matrix (<http://www.fnai.org/biointro.cfm>)
- Various Geographic Information System (GIS) data layers from the U.S. Fish and Wildlife Service (USFWS), U.S. Geological Survey (USGS), Florida Fish and Wildlife Conservation Commission (FWC) [(<http://legacy.myfwc.com/bba/data/default.asp>) and (<https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx>)]
- USFWS IPaC data (<https://ecos.fws.gov/ipac/>)
- U.S. Department of Agriculture (USDA) / Natural Resources Conservation Service (NRCS) Soil Survey of Broward County, Florida (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>)
- USFWS National Wetlands Inventory (NWI) Maps (<http://www.fws.gov/wetlands/Data/mapper.html>)
- South Florida Water Management District Interactive GIS Map
- Florida Department of Environmental Protection (FDEP) MapDirect GIS
- City of Pompano Beach Land Development Code
- Chapter 62-340, Florida Administrative Code (FAC) and the U.S. Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual

Field reconnaissance was conducted on June 21, 2023. Two Kimley-Horn biologists inspected the project limits by walking representative transects, observing the state and conditions of the site itself, and adjacent properties as visible from the project limits.

3.0 EXISTING CONDITIONS

3.1 SOILS

The USDA / NRCS *Soil Survey of Broward County, Florida* maps the entire project limits with the following soils: (22) Paola fine sand, 0 to 8 percent slopes, (23) Paola-Urban land complex, (38) Udorthents-shaped, and (40) Urban land, 0 to 2 percent slopes. A copy of the digital USDA/NRCS soils data is attached as **Figure 3** and details regarding each soil are listed in **Table 1**.

Table 1 – NRCS Soils Identified Within the Subject Property

Soil ID Number ¹	Soil Name	Occurrence	Characteristics	Drainage Class	Groundwater Depth	Hydric, Hydric Inclusions, or Non-hydric ²
22	Paola fine sand, 0 to 8 percent slopes	Low knolls and ridges	Available water capacity is very low in all layers of the soil, permeability is very rapid in all layers. Natural fertility and content of the organic matter are low.	Excessively drained	Below 80 inches	Non-hydric
23	Paola-Urban Land complex	Low knolls and ridges	Available water capacity is very low in all layers of the soil, permeability is very rapid in all layers. Natural fertility and content of the organic matter are low.	Excessively drained	Below 80 inches	Non-hydric
38	Udorthents, shaped	Marine terraces	Permeability is mostly rapid, and available water capacity is generally very low or low. layers. Shaped and contoured primarily for golf courses.	Well drained to excessively drained	Varies, usually below 20 inches	Non-hydric
40	Urban land, 0 to 2 percent slopes	Flatwoods on marine terraces	Natural soil not readily available due to development.	N/A	N/A	Unranked

1: Reference: Soil Survey of Broward County - [Soil survey of Broward County, Florida \(ufl.edu\)](http://soil.survey.of.broward.county.florida.ufl.edu)

2: Reference: Hydric Soils of Florida Handbook, 4th Edition, March 2007



K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\NRA Figures

Legend

- Project Site
- NRCS Soils Description & Hydric Rating**
- 22, PAOLA FINE SAND, 0 TO 8 PERCENT SLOPES, NO
- 23, PAOLA-URBAN LAND COMPLEX, NO
- 38, UDORTHERENTS, SHAPED, NO
- 40, URBAN LAND, UNRANKED
- 99, WATER, UNRANKED

**Pompano Beach
Airpark**

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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NRCS Soils Map

**Pompano Air Park
Broward County, Florida**

1 inch = 600 feet

PROJECT NUMBER: 040985205

JUNE 2023

FIGURE 3

3.2 LAND COVER AND NATURAL COMMUNITIES

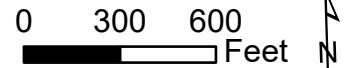
Vegetative communities in the proposed project limits were identified through pedestrian transects and aerial photograph interpretation. Vegetative communities were classified using the *Florida Land Use, Cover, and Forms Classification System* (FLUCFCS, Florida Department of Transportation, 1999). A FLUCFCS map of the study area is attached as [Figure 4](#). A description of the upland land cover included below characterizes dominant vegetation observed along random pedestrian transects and does not represent an all-inclusive vegetative inventory.

FLUCFCS 190 – OPEN LAND (±9.73 AC.)

This land cover is found within Area 3, in the northwestern corner of the Pompano Air Park. Vegetation consists of primarily mowed and maintained grasses, such as bahia grass (*Paspalum notatum*), and partially paved paths for airport accessibility.

FLUCFCS 413 – SAND PINE (±75.9 AC.)

This land cover is found within Areas 1 – 4 along the perimeter of the Pompano Air Park. Vegetation consists of dense canopy and subcanopy species including sand pine (*Pinus clausa*), Australian pine (*Casuarina equisetifolia*), cabbage palm (*Sabal palmetto*), sea grape (*Coccoloba uvifera*), American beautyberry (*Callicarpa americana*), umbrella tree (*Schefflera actinophylla*), mature live oak (*Quercus virginiana*), carrotwood (*Cupaniopsis anacardioides*), Brazilian pepper (*Schinus terebinthifolia*), earleaf acacia (*Acacia auriculiformis*), saw palmetto (*Serenoa repens*), love vine (*Cassytha filiformis*), and muscadine vine (*Vitis rotundifolia*). Field reconnaissance was conducted in June 2023 and confirmed the sand pine land use type with scrub species also present within Areas 1 – 4. However, this vegetative community is not being maintained (lack of fire) and there was a relatively high percentage of exotic vegetation present (Brazilian pepper, earleaf acacia, etc.), especially within Areas 2 and 3 located west of Runway 15-33. Although these areas are currently considered environmentally sensitive lands (ESL), they would likely not qualify as a Local Area of Particular Concern based on the exotic invasion present.



Legend

Project Site (± 85.80 Acres)

Land Use

413: Sand Pine (± 75.9 Acres)

190: Open Land (± 9.73 Acres)

K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\NRA Figures\

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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Land Use (FLUCFCS) Map

**Pompano Air Park
 Broward County, Florida**

1 inch = 600 feet

PROJECT NUMBER: 040985205

JUNE 2023

FIGURE 4

3.3 WILDLIFE UTILIZATION

Wildlife utilization within the project limits included Northern mockingbird (*Mimus polyglottos*), Northern cardinal (*Cardinalis cardinalis*), mourning dove (*Zenaida macroura*), and green iguana (*Iguana iguana*). Additionally, nine (9) gopher tortoise (*Gopherus polyphemus*) burrows were observed throughout Area 4, and five (5) burrowing owls (*Athene cunicularia*) were observed to the south of Area 4.

3.4 THREATENED AND ENDANGERED SPECIES

A listing of species potentially occurring within the project vicinity was reviewed using the databases described in the Section 2.0 Methodology and are as follows:

FNAI – Based on the FNAI report, there are two documented occurrences of listed species, which include FNAI Matrix Units 68924 and 68925. ([Appendix A](#)). The following species are noted within FNAI and have suitable habitat within the project limits: burrowing owl (*Athene cunicularia*) and gopher tortoise (*Gopherus polyphemus*). These species are discussed further below.

FWC – There are no known bald eagle nests or wading bird colonies on or within one mile of the project limits.

USFWS Consultation Areas – The project limits are not within any USFWS Consultation Areas.

USFWS Wood Stork Colonies – The project limits are within the core foraging area (CFA) of two known wood stork colonies: Sawgrass Ford and Wakodahatchee. The CFA for the project limits is defined as 18.6 miles from an active wood stork colony. As there are no wetlands or surface waters within the project limits, there will be no impacts to any suitable foraging habitat or nesting habitat for the wood stork.

USFWS IPaC Data – The IPaC Trust Resources (See [Appendix A – FNAI Report and IPaC Report](#)) include historical data in their reporting, which results in some species findings that do not reflect current on-site conditions. The following species are listed in the data with the potential for suitable habitat within the project limits: Florida scrub-jay (*Aphelocoma coerulescens*), Florida

bonneted bat (*Eumops floridanus*), and the eastern indigo snake (*Drymarchon couperi*). Listed species in the data that do not have suitable habitat on-site include: American crocodile (*Crocodylus acutus*), American alligator (*Alligator mississippiensis*), Florida panther (*Puma concolor coryi*), West Indian manatee (*Trichechus manatus*), southeastern beach mouse (*Peromyscus polionotus niveiventris*), Eastern black rail (*Laterallus jamaicensis ssp. Jamaicensis*), hawksbill sea turtle (*Eretmochelys coriacea*), leatherback sea turtle (*Dermochelys coriacea*), loggerhead sea turtle (*Caretta caretta*), Monarch butterfly (*Danaus plexippus*), Bartram's Hairstreak Butterfly (*Strymon acis bartrami*), and the Miami blue butterfly (*Cyclargus thomasi bethunebakeri*). These species do not have suitable habitat on-site and therefore will not be discussed further. The project limits are not within any USFWS-designated Critical Habitats.

Based on field reconnaissance and database reviews, a listing of the state and federally-listed species potentially occurring within the immediate vicinity of the project limits has been compiled. **Table 2** lists species that may occur and their likelihood of occurrence. The likelihood of occurrence is based on actual observation of the species, signs of the species (burrows, tracks, scat, etc.), observance of suitable habitat, or documented occurrences of the species within various databases.

Table 2 – Potential Listed Species Occurrence					
Common Name		Scientific Name	Status	Comments	Likelihood of Occurrence
Birds	Florida Scrub-Jay	<i>Aphelocoma coerulescens</i>	FT	Observed On-site: No Observed in Proximity: No Habitat present: Marginal Habitat Type: Foraging/Nesting	Low
	Florida Burrowing Owl	<i>Athene cunicularia</i>	ST	Observed On-site: Yes Observed in Proximity: Yes Habitat present: Marginal Habitat Type: Foraging/Roosting	High
Mammals	Florida Bonneted Bat	<i>Eumops floridanus</i>	FE	Observed On-site: No Observed in Proximity: No Habitat present: Marginal Habitat Type: Foraging/Roosting	Medium
Reptiles	Gopher Tortoise	<i>Gopherus polyphemus</i>	ST	Observed On-site: Yes Observed in Proximity: Yes Habitat present: Yes Habitat Type: Burrowing/Foraging	High

	Eastern Indigo Snake	<i>Drymarchon couperi</i>	FT	Observed On-site: No Observed in Proximity: No Habitat present: Marginal Habitat Type: Foraging/Burrowing	Low
<p>¹ Based on <i>Florida's Endangered and Threatened Species</i> updated December 2022 available on http://myfwc.com/wildlifehabitats/imperiled/. Federal Status: E = Endangered; T = Threatened; C = Candidate Species, NL = Not Listed. State Status: FT = Federally Threatened ST= State Threatened.</p>					

Based on the database review and field reconnaissance, the following species could occur on-site or require additional evaluation, survey, or permitting:

FLORIDA SCRUB-JAY

The Florida scrub-jay inhabits fire-dominated, low-growing, oak scrub habitat found on well-drained sandy soils. The site falls within the USFWS consultation area for the Florida scrub-jay and marginal habitat exists on-site within the sand pine land use type. Although no scrub-jays were observed during field reconnaissance, coordination with USFWS is recommended to determine if a scrub jay survey may be required. Surveys can be conducted from March-October with March, July, and October being the best times to survey. Surveys are conducted with the assistance of a scrub-jay vocalization which is broadcast along transects throughout suitable habitat. If scrub-jays are present and occupied habitat will be impacted, a permit may be required from the USFWS as well as mitigation for the impacts.

FLORIDA BURROWING OWL

The Florida burrowing owl burrows into the ground and inhabits high, sparsely vegetated, sandy ground, dry prairie and sandhill habitats. It also uses rural areas like pastures, airports, ball fields, parks, school grounds, university campuses, road rights-of-way, and vacant spaces in residential areas. Five (5) burrowing owls were observed during the field survey just to the south of Area 4, in the southeastern portion of the Pompano Air Park (see **Figure 5 – Listed Species Map**). Prior to any construction or clearing, a survey for the burrowing owl will need to be conducted to determine if any burrows are located within 33 feet from construction/clearing activities. If a burrow is located within 33 feet, an

Incidental Take Permit from FWC will be required to excavate the on-site burrows prior to site development.

FLORIDA BONNETED BAT

The Florida bonneted bat is the largest bat species endemic to Florida. This species only occurs in south Florida (Miami-Dade, Broward, Collier, Hendry, Lee, Charlotte, Glades, Highlands, Desoto, and Polk counties). This species is known to roost in natural tree cavities and tree cavities created by woodpeckers and other species. This project is located within the South Florida Urban Bat Area and therefore, during permitting, further coordination will be required with USFWS to determine the level of surveying required. An acoustic survey may be required.

GOPHER TORTOISE

The gopher tortoise is a burrowing tortoise that inhabits upland habitats with sandy soils such as pine flatwoods, xeric oak hammocks, open sandy pastures, and can often be found in disturbed areas. Marginal burrowing and foraging habitat for the gopher tortoise exists within the project limits. Nine (9) active gopher tortoise burrows were observed during the field survey. A 100% gopher tortoise survey will be required to be completed no more than 90 days prior to any construction or tree clearing due to the known occurrence of burrows within the project areas. Gopher tortoise burrows that cannot be avoided by 25 feet and therefore must be relocated will require a permit from FWC to be relocated prior to site clearing.

EASTERN INDIGO SNAKE

The eastern indigo snake is found within a range of habitats, including pine flatwoods, scrubby flatwoods, high pine, dry prairie, tropical hardwood hammocks, edges of freshwater marshes, agricultural fields, coastal dunes, and human-altered habitats. The snake requires large tracts of land to survive and often winters in burrows of gopher tortoises, armadillos, cotton rats, and land crabs (in coastal areas) and forages in hydric habitats. No individuals were observed during field reconnaissance; however, habitat for the eastern indigo snake does exist on-site. Thus, per the *Eastern Indigo Snake-Effect Determination Key (March 23, 2021)*, with the implementation of the USFWS Standard Protection Measures for the Eastern Indigo Snake ([Appendix B](#)) during site clearing,

impacts on the eastern indigo snake are not anticipated and no further action should be required.




LISTED PLANT SPECIES

The Florida Department of Agriculture and Consumer Service's *Notes on Florida's Threatened and Endangered Plants* and Richard Wunderlin's *Guide to Vascular Plants of Florida* were consulted to assess habitat requirements for listed plant species. FNAI noted eleven (11) state and four (4) federally listed plants as possibly occurring in this area, with three of them being documented within or near the project site: sand-dune spurge, large-flowered rosemary, and nodding pinweed. Although none of the listed plant species were observed during field reconnaissance, due to the presence of suitable habitat observed on site for these species, a native plant survey should be completed prior to any construction or tree clearing.

0 400 800 Feet



Legend

-  Project Site (± 85.80 Acres)
-  Burrowing Owl General Burrow Locations
-  Gopher Tortoise Burrow

K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\NKA Figures\

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Species Observations Map



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**Pompano Air Park
Broward County, Florida**

1 inch = 800 feet

PROJECT NUMBER: 040985205

JUNE 2023

FIGURE 5

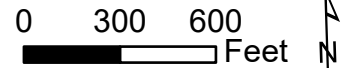
3.5 HISTORIC AND ARCHAEOLOGICAL RESOURCES

Kimley-Horn requested data from the Department of State, State Historic Preservation Officer (SHPO) Division of Historical Resources databases regarding the presence of known historical or archaeological findings on the proposed project limits or in the immediate vicinity to determine if additional studies will be required. The SHPO Division database showed there are four (4) historical resources within 0.25 miles of the site (Pompano Beach Air Park, Runway 15-33, and P.B. Municipal Golf Course); with one resource eligible for listing on the NRHP (Railroad Tracks). The resources are not within the project limits and will not be impacted by project development. A cultural resources map and letter are included in [Appendix C](#).

Additionally, a Cultural Resources Assessment Survey (CRAS) was completed for a portion of the Pompano Air Park in 2009. Portions of the Area of Potential Effect (APE) within the CRAS overlap with the current project area. The CRAS identified only two potentially historic resources, Runway 15-33 and the Pompano Beach Air Park, however both were determined to be ineligible for listing with the National Register of Historic Places. Therefore, based on the CRAS findings and the current SHPO request conducted in June 2023, this project is unlikely to negatively impact any cultural resources.

3.6 FLOODPLAIN

The project limits are primarily located outside of the 100-year floodplain within Flood Zone X: Outside Special Flood Hazard Area. However, portions of the project area exist within flood zone AE: 1% annual chance flood with base flood elevations known and AH: 1% annual chance flood. If impervious areas are proposed within the flood zones, then floodplain compensation is anticipated to be required. A FEMA flood zone map is attached in [Figure 6](#).



Legend

Project Site (± 85.80 Acres)

FEMA Flood Zone

- AE: 1% ANNUAL CHANCE FLOOD HAZARD
- AH: 1% ANNUAL CHANCE FLOOD HAZARD
- X: 0.2% ANNUAL CHANCE FLOOD HAZARD
- X: AREA OF MINIMAL FLOOD HAZARD

Source: ESRI, FDOT, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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FEMA Flood Zone Map

**Pompano Air Park
 Broward County, Florida**

1 inch = 600 feet

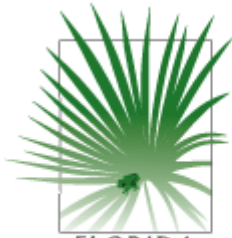
PROJECT NUMBER: 040985205

JUNE 2023

FIGURE 6

K:\WPB_GIS\WPB_Environmental\040985205 - Airpark Traffic and Environment\MXD\NRA Figures\

APPENDIX A
FNAI BIODIVERSITY MATRIX & USFWS IPAC



1018 Thomasville Road
Suite 200-C
Tallahassee, FL 32303
850-224-8207
850-681-9364 fax
www.fnai.org

FLORIDA
Natural Areas
INVENTORY

Florida Natural Areas Inventory

Biodiversity Matrix Query Results

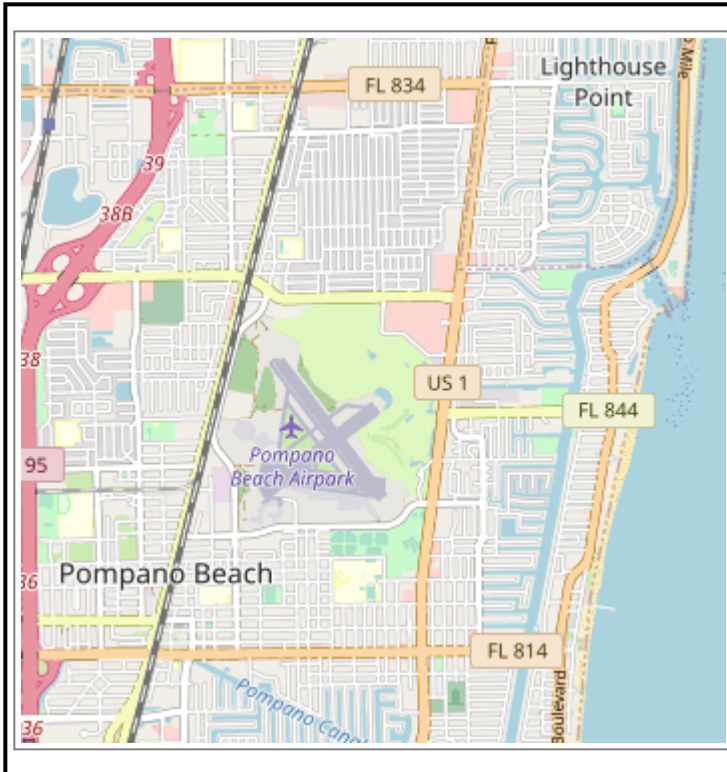
UNOFFICIAL REPORT

Created 6/26/2023

(Contact the FNAI Data Services Coordinator at 850.224.8207 or
kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 4 Matrix Units: 68924 , 68925 , 69058 , 69059



Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; *or*
2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 68924

1 **Documented** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Athene cunicularia floridana Florida Burrowing Owl	G4T3	S3	N	ST

0 **Documented-Historic** Elements Found

1 **Likely** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Scrub	G2	S2	N	N

Matrix Unit ID: 689257 **Documented** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Athene cunicularia floridana Florida Burrowing Owl	G4T3	S3	N	ST
Chamaesyce cumulicola sand-dune spurge	G2	S2	N	E
Conradina grandiflora large-flowered rosemary	G3	S3	N	T
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST
Lechea cernua nodding pinweed	G3	S3	N	T
Sceloporus woodi Florida Scrub Lizard	G2G3	S2S3	N	N
Scrub	G2	S2	N	N

0 **Documented-Historic** Elements Found0 **Likely** Elements Found**Matrix Unit ID: 69058**1 **Documented** Element Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Athene cunicularia floridana Florida Burrowing Owl	G4T3	S3	N	ST

0 **Documented-Historic** Elements Found0 **Likely** Elements Found**Matrix Unit ID: 69059**0 **Documented** Elements Found0 **Documented-Historic** Elements Found0 **Likely** Elements Found**Matrix Unit IDs: 68924 , 68925 , 69058 , 69059**33 **Potential** Elements Common to Any of the 4 Matrix Units

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Aphelocoma coerulescens Florida Scrub-Jay	G2?	S1S2	T	FT
Athene cunicularia floridana Florida Burrowing Owl	G4T3	S3	N	ST
Chamaesyce cumulicola sand-dune spurge	G2	S2	N	E
Cladonia perforata perforate reindeer lichen	G2G3	S2S3	E	E
Coleataenia abscissa cutthroatgrass	G3	S3	N	E
Conradina grandiflora large-flowered rosemary	G3	S3	N	T
Ctenogobius stigmatatus Spottail Goby	G2	S2	N	N
Drymarchon couperi Eastern Indigo Snake	G3	S2?	T	FT

<i>Elytraria caroliniensis</i> var. <i>angustifolia</i> narrow-leaved Carolina scalystem	G4T2	S2	N	N
<i>Eretmochelys imbricata</i> Hawksbill Sea Turtle	G3	S1	E	FE
<i>Eumops floridanus</i> Florida bonneted bat	G1	S1	E	FE
<i>Glandularia maritima</i> coastal vervain	G3	S3	N	E
<i>Gopherus polyphemus</i> Gopher Tortoise	G3	S3	C	ST
<i>Halophila johnsonii</i> Johnson's seagrass	G2Q	S2	T	E
<i>Heterodon simus</i> Southern Hognose Snake	G2	S2S3	N	N
<i>Jacquemontia curtissii</i> pineland jacquemontia	G2	S2	N	T
<i>Jacquemontia reclinata</i> beach jacquemontia	G1	S1	E	E
<i>Lechea cernua</i> nodding pinweed	G3	S3	N	T
<i>Lechea divaricata</i> pine pinweed	G2	S2	N	E
<i>Linum carteri</i> var. <i>smallii</i> Small's flax	G2T2	S2	N	E
<i>Lithobates capito</i> Gopher Frog	G2G3	S3	N	N
<i>Nemastylis floridana</i> celestial lily	G2	S2	N	E
<i>Podomys floridanus</i> Florida Mouse	G3	S3	N	N
<i>Polygala smallii</i> tiny polygala	G1	S1	E	E
<i>Pteroglossaspis ecristata</i> giant orchid	G2G3	S2	N	T
<i>Rallus longirostris scottii</i> Florida Clapper Rail	G5T3?	S3?	N	N
<i>Rivulus marmoratus</i> Mangrove Rivulus	G4G5	S3	SC	N
<i>Roystonea regia</i> Florida royal palm	G2G3	S2	N	E
<i>Sceloporus woodi</i> Florida Scrub Lizard	G2G3	S2S3	N	N
<i>Setophaga discolor paludicola</i> Florida Prairie Warbler	G5T3	S3	N	N
<i>Swietenia mahagoni</i> West Indies mahogany	G3G4	S3	N	T
<i>Trichechus manatus latirostris</i> Florida Manatee	G2G3T2	S2S3	T	N
<i>Trichomanes punctatum</i> ssp. <i>floridanum</i> Florida filmy fern	G4G5T1	S1	E	E

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a [Standard Data Request](#) option for those needing certifiable data.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Florida Ecological Services Field Office
1339 20th Street
Vero Beach, FL 32960-3559
Phone: (772) 562-3909 Fax: (772) 562-4288
Email Address: fw4flesregs@fws.gov

In Reply Refer To:
Project Code: 2023-0097799
Project Name: Pompano Air Park

June 26, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. **Please include your Project Code, listed at the top of this letter, in all subsequent correspondence regarding this project.** Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of

this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Migratory Birds
 - Marine Mammals
 - Wetlands
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Florida Ecological Services Field Office

1339 20th Street

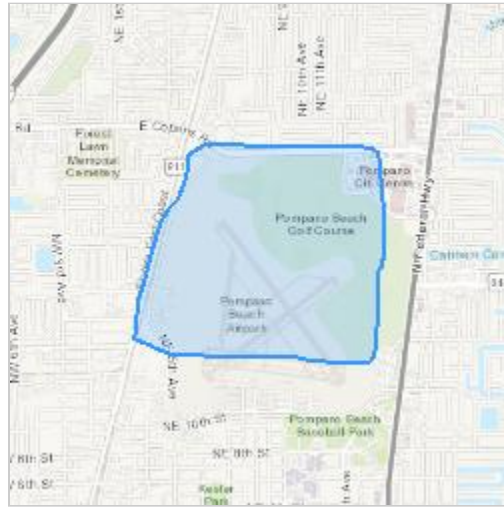
Vero Beach, FL 32960-3559

(772) 562-3909

PROJECT SUMMARY

Project Code: 2023-0097799
Project Name: Pompano Air Park
Project Type: Airport - Maintenance/Modification
Project Description: environmentally sensitive lands
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@26.252142749999997,-80.11189546328504,14z>



Counties: Broward County, Florida

ENDANGERED SPECIES ACT SPECIES

There is a total of 20 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Florida Panther <i>Puma (=Felis) concolor coryi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1763	Endangered
Puma (=mountain Lion) <i>Puma (=Felis) concolor (all subsp. except coryi)</i> Population: FL No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6049	Similarity of Appearance (Threatened)
Southeastern Beach Mouse <i>Peromyscus polionotus niveiventris</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3951	Threatened
West Indian Manatee <i>Trichechus manatus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. <i>This species is also protected by the Marine Mammal Protection Act, and may have additional consultation requirements.</i> Species profile: https://ecos.fws.gov/ecp/species/4469	Threatened

BIRDS

NAME	STATUS
Eastern Black Rail <i>Laterallus jamaicensis ssp. jamaicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10477	Threatened
Florida Scrub-jay <i>Aphelocoma coerulescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6174	Threatened
Wood Stork <i>Mycteria americana</i> Population: AL, FL, GA, MS, NC, SC No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8477 General project design guidelines: https://ipac.ecosphere.fws.gov/project/MYXRZLIK3NESFMYEVFQGRBTFEM/documents/generated/6954.pdf	Threatened

REPTILES

NAME	STATUS
American Alligator <i>Alligator mississippiensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/776	Similarity of Appearance (Threatened)
American Crocodile <i>Crocodylus acutus</i> Population: U.S.A. (FL) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6604	Threatened
Eastern Indigo Snake <i>Drymarchon couperi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/646	Threatened
Green Sea Turtle <i>Chelonia mydas</i> Population: North Atlantic DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6199	Threatened
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3656	Endangered
Leatherback Sea Turtle <i>Dermochelys coriacea</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1493	Endangered
Loggerhead Sea Turtle <i>Caretta caretta</i> Population: Northwest Atlantic Ocean DPS There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1110	Threatened

INSECTS

NAME	STATUS
Bartram's Hairstreak Butterfly <i>Strymon acis bartrami</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4837	Endangered
Florida Leafwing Butterfly <i>Anaea troglodyta floridalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6652	Endangered
Miami Blue Butterfly <i>Cyclargus (=Hemiargus) thomasi bethunebakeri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3797	Endangered
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Beach Jacquemontia <i>Jacquemontia reclinata</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1277	Endangered
Tiny Polygala <i>Polygala smallii</i> Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/996	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Kestrel <i>Falco sparverius paulus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9587	Breeds Apr 1 to Aug 31
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Sep 1 to Jul 31

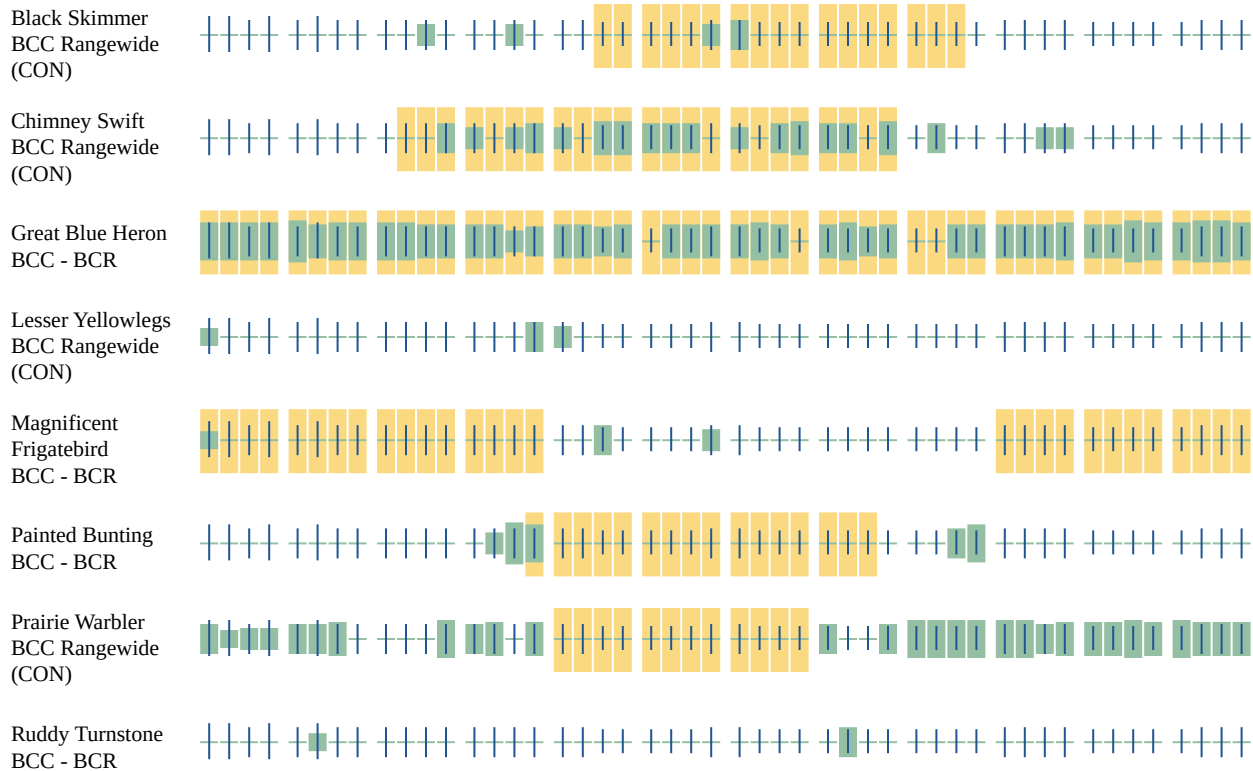
NAME	BREEDING SEASON
Black Skimmer <i>Rynchops niger</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	Breeds May 20 to Sep 15
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Great Blue Heron <i>Ardea herodias occidentalis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Jan 1 to Dec 31
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Magnificent Frigatebird <i>Fregata magnificens</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Oct 1 to Apr 30
Painted Bunting <i>Passerina ciris</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Apr 25 to Aug 15
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

MIGRATORY BIRDS FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
 2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
 3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles)
-

potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

MARINE MAMMALS

Marine mammals are protected under the [Marine Mammal Protection Act](#). Some are also protected under the Endangered Species Act¹ and the Convention on International Trade in Endangered Species of Wild Fauna and Flora².

The responsibilities for the protection, conservation, and management of marine mammals are shared by the U.S. Fish and Wildlife Service [responsible for otters, walruses, polar bears, manatees, and dugongs] and NOAA Fisheries³ [responsible for seals, sea lions, whales, dolphins, and porpoises]. Marine mammals under the responsibility of NOAA Fisheries are **not** shown on this list; for additional information on those species please visit the [Marine Mammals](#) page of the NOAA Fisheries website.

The Marine Mammal Protection Act prohibits the take of marine mammals and further coordination may be necessary for project evaluation. Please contact the U.S. Fish and Wildlife Service Field Office shown.

-
1. The [Endangered Species Act](#) (ESA) of 1973.
 2. The [Convention on International Trade in Endangered Species of Wild Fauna and Flora](#) (CITES) is a treaty to ensure that international trade in plants and animals does not threaten their survival in the wild.
 3. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NAME

West Indian Manatee *Trichechus manatus*

Species profile: <https://ecos.fws.gov/ecp/species/4469>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- [R5UBH](#)

FRESHWATER POND

- [PUBHx](#)
-

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Lisa Celano
Address: 1920 Wekiva Way
Address Line 2: Suite 200
City: West palm beach
State: FL
Zip: 33411
Email: lisa.celano@kimley-horn.com
Phone: 5614047239

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

APPENDIX B
STANDARD PROTECTION MEASURES FOR
THE EASTERN INDIGO SNAKE

STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE U.S. Fish and Wildlife Service

March 23, 2021

The eastern indigo snake protection/education plan (Plan) below has been developed by the U.S. Fish and Wildlife Service (USFWS) in Florida and Georgia for use by applicants and their construction personnel. At least **30 days prior** to any clearing/land alteration activities, the applicant shall notify the appropriate USFWS Field Office via e-mail that the Plan will be implemented as described below (North Florida Field Office: jaxregs@fws.gov; South Florida Field Office: verobeach@fws.gov; Panama City Field Office: panamacity@fws.gov; Georgia Field Office: gaes_assistance@fws.gov). As long as the signatory of the e-mail certifies compliance with the below Plan (including use of the attached poster and brochure), no further written confirmation or approval from the USFWS is needed and the applicant may move forward with the project.

If the applicant decides to use an eastern indigo snake protection/education plan other than the approved Plan below, written confirmation or approval from the USFWS that the plan is adequate must be obtained. At least 30 days prior to any clearing/land alteration activities, the applicant shall submit their unique plan for review and approval. The USFWS will respond via e-mail, typically within 30 days of receiving the plan, either concurring that the plan is adequate or requesting additional information. A concurrence e-mail from the appropriate USFWS Field Office will fulfill approval requirements.

The Plan materials should consist of: 1) a combination of posters and pamphlets (see **Poster Information** section below); and 2) verbal educational instructions to construction personnel by supervisory or management personnel before any clearing/land alteration activities are initiated (see **Pre-Construction Activities** and **During Construction Activities** sections below).

POSTER INFORMATION

Posters with the following information shall be placed at strategic locations on the construction site and along any proposed access roads (a final poster for Plan compliance, to be printed on 11 x 17in or larger paper and laminated, is attached):

DESCRIPTION: The eastern indigo snake is one of the largest non-venomous snakes in North America, with individuals often reaching up to 8 feet in length. They derive their name from the glossy, blue-black color of their scales above and uniformly slate blue below. Frequently, they have orange to coral reddish coloration in the throat area, yet some specimens have been reported to only have cream coloration on the throat.

These snakes are not typically aggressive and will attempt to crawl away when disturbed. Though indigo snakes rarely bite, they should NOT be handled.

SIMILAR SNAKES: The black racer is the only other solid black snake resembling the eastern indigo snake. However, black racers have a white or cream chin, thinner bodies, and WILL BITE if handled.

LIFE HISTORY: The eastern indigo snake occurs in a wide variety of terrestrial habitat types throughout Florida and Georgia. Although they have a preference for uplands, they also utilize some wetlands and agricultural areas and often move seasonally between upland and lowland habitats, particularly in the northern portions of its range (North Florida and Georgia). Eastern indigo snakes will often seek shelter inside gopher tortoise burrows and other below- and above-ground refugia, such as other animal burrows, stumps, roots, and debris piles. Reliance on xeric sandhill habitats throughout the northern portion of the range in northern Florida and Georgia is due to the dependence on gopher tortoise burrows for shelter during winter. Breeding occurs during October through February. Females may lay from 4 - 12 white eggs as early as April through June, with young hatching in late July through October.

PROTECTION UNDER FEDERAL AND STATE LAW: The eastern indigo snake is classified as a Threatened species by both the USFWS and the Florida Fish and Wildlife Conservation Commission. Taking of eastern indigo snakes is prohibited by the Endangered Species Act without a permit is defined by the USFWS as an attempt to kill, harm, harass, pursue, hunt, shoot, wound, trap, capture, collect, or engage in any such conduct. Penalties include a maximum fine of \$25,000 for civil violations and up to \$50,000 and/or imprisonment for criminal offenses, if convicted.

Only individuals currently authorized through an issued Incidental Take Statement in association with a USFWS Biological Opinion, or by a Section 10(a)(1)(A) permit issued by the USFWS, to handle an eastern indigo snake are allowed to do so.

IF YOU SEE A LIVE EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and allow the live eastern indigo snake sufficient time to move away from the site without interference;
- Personnel must NOT attempt to touch or handle snake due to protected status.
- Take photographs of the snake, if possible, for identification and documentation purposes. Â
- Immediately notify supervisor or the applicants designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- If the snake is located in a vicinity where continuation of the clearing or construction activities will cause harm to the snake, the activities must halt until such time that a representative of the USFWS returns the call (within one day) with further guidance as to when activities may resume.

IF YOU SEE A DEAD EASTERN INDIGO SNAKE ON THE SITE:

- Cease clearing activities and immediately notify supervisor or the applicants designated agent, **and** the appropriate USFWS office, with the location information and condition of the snake.
- Take photographs of the snake, if possible, for identification and documentation purposes.
- Thoroughly soak the dead snake in water and then freeze the specimen. The appropriate wildlife agency will retrieve the dead snake.

Telephone numbers of USFWS Florida Field Offices to be contacted if a live or dead eastern indigo snake is encountered:

North Florida Field Office: (904) 731-3336

Panama City Field Office: (850) 769-0552

South Florida Field Office: (772) 562-3909

Georgia Field Office: (706) 613-9493

PRE-CONSTRUCTION ACTIVITIES

1. The applicant or designated agent will post educational posters in the construction office and throughout the construction site, including any access roads. The posters must be clearly visible to all construction staff. A sample poster is attached.
2. Prior to the onset of construction activities, the applicant/designated agent will conduct a meeting with all construction staff (annually for multi-year projects) to discuss identification of the snake, its protected status, what to do if a snake is observed within the project area, and applicable penalties that may be imposed if state and/or federal regulations are violated. An educational brochure including color photographs of the snake will be given to each staff member in attendance and additional copies will be provided to the construction superintendent to make available in the onsite construction office (a final brochure for Plan compliance, to be printed double-sided on 8.5 x 11in paper and then properly folded, is attached). Photos of eastern indigo snakes may be accessed on USFWS and/or FWC or GADNR websites.
3. Construction staff will be informed that in the event that an eastern indigo snake (live or dead) is observed on the project site during construction activities, all such activities are to cease until the established procedures are implemented according to the Plan, which includes notification of the appropriate USFWS Field Office. The contact information for the USFWS is provided on the referenced posters and brochures.

DURING CONSTRUCTION ACTIVITIES

1. During initial site clearing activities, an onsite observer may be utilized to determine whether habitat conditions suggest a reasonable probability of an eastern indigo snake sighting (example: discovery of snake sheds, tracks, lots of refugia and cavities present in the area of clearing activities, and presence of gopher tortoises and burrows).

2. If an eastern indigo snake is discovered during gopher tortoise relocation activities (i.e. burrow excavation), the USFWS shall be contacted within one business day to obtain further guidance which may result in further project consultation.

3. Periodically during construction activities, the applicants designated agent should visit the project area to observe the condition of the posters and Plan materials, and replace them as needed. Construction personnel should be reminded of the instructions (above) as to what is expected if any eastern indigo snakes are seen.

POST CONSTRUCTION ACTIVITIES

Whether or not eastern indigo snakes are observed during construction activities, a monitoring report should be submitted to the appropriate USFWS Field Office within 60 days of project completion. The report can be sent electronically to the appropriate USFWS e-mail address listed on page one of this Plan.

APPENDIX C
SHPO RESOURCES



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com for project review information.

June 16, 2023

Lisa Celano, M.S., Environmental

Kimley-Horn | 1920 Wekiva Way, Suite 200, West Palm Beach, FL 33411

In response to your request on June 16, 2023, the Florida Master Site File lists four resource groups recorded, within a 0.25-mile buffer, around the designated parcel in Broward County, Florida.

When interpreting the results of our search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.**
- **While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.**
- **Federal, state and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

A handwritten signature in black ink that reads "Eman M. Vovsi".

Eman M. Vovsi, Ph.D.

Florida Master Site File

Eman.Vovsi@DOS.MyFlorida.com



AR=0
 SS=0
 CM=0
 RG=4
 BR=0
 Total=4

Cultural Resource Roster

SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
BD04087	RG	Railroad Tracks	Pompano Beach	Linear Resource - 1 Contrib Resources	Eligible	
BD04567	RG	Pompano Beach Air Park	Pompano Beach	Designed Historic Landscape - 3 Contrib Resources	Not Eligible	
BD04568	RG	Runway 15-33	Pompano Beach	Designed Historic Landscape - 3 Contrib Resources	Not Eligible	
BD04648	RG	P.B. Municipal Golf Course	Pompano Beach	Designed Historic Landscape	Insufficient Info	

EXHIBIT 3
LEGAL DESCRIPTIONS

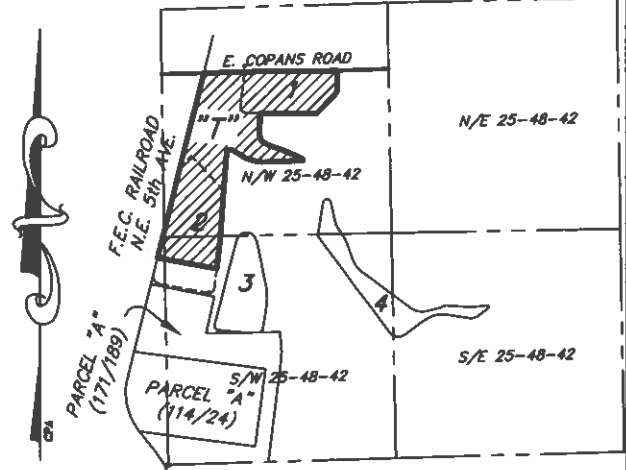


McLAUGHLIN ENGINEERING COMPANY LB 285
A DIVISION OF CONTROL POINT ASSOCIATES, INC. LB 8137



CUTTING EDGE SURVEYING * PLATTING * LAND PLANNING
 1700 N.W. 64th STREET #400, FORT LAUDERDALE, FLORIDA 33309
 PHONE: (954) 763-7611 * EMAIL: JHADDIX@CPASURVEY.COM

SKETCH AND DESCRIPTION
PARCEL "T"
POMPANO BEACH AIR PARK
PAGE 1 OF 2 PAGES



SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of Sections 25 and 26, Township 48 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northwest corner of PARCEL "A", POMPANO BEACH AIR PARK F.B.O. PHASE 1, according to the plat thereof, as recorded in Plat Book 171, Page 189, of the public records of Broward County, Florida;

thence North 14°01'44" East, on the Northerly extension of the West line of said Parcel "A", a distance of 317.57 feet to the Point of Beginning; thence continuing North 14°01'44" East, on said Northerly extension, a distance of 2231.79 feet; thence North 88°24'45" East, on the South right-of-way line of an Access Road, a distance of 873.18 feet to a point on a curve, being a point on the Southerly right-of-way line of East Copans Road; thence Easterly on said curve and South right-of-way line, whose radius point bears North 10°33'24" East, with a radius of 469.20 feet, a central angle of 12°08'39", an arc distance of 99.45 feet to a point of tangency; thence North 88°24'45" East, on the South right-of-way line of East Copans Road (100.50 feet right-of-way), a distance of 595.12 feet; thence South 00°09'55" West, a distance of 204.38 feet to a point of curve; thence Southerly on said curve to the right, with a radius of 125.00 feet, a central angle of 44°51'10", an arc distance of 97.85 feet to a point of tangency; thence South 45°01'06" West, a distance of 302.91 feet; thence North 89°44'23" West, a distance of 653.95 feet; thence South 03°37'49" West, a distance of 237.18 feet; thence South 14°30'44" East, a distance of 84.70 feet; thence South 57°29'25" East, a distance of 88.37 feet; thence South 69°47'01" East, a distance of 191.77 feet; thence South 65°45'45" East, a distance of 257.39 feet to a point of curve; thence Southeasterly and Southwesterly on said curve to the right, with a radius of 10.00 feet, a central angle of 154°43'01", an arc distance of 27.00 feet to a point of tangency; thence South 87°57'16" West, a distance of 437.33 feet to a point of curve; thence Northwesterly on said curve to the right, with a radius of 500.00 feet, a central angle of 34°28'48", an arc distance of 300.89 feet to a point of tangency; thence North 57°33'56" West, a distance of 105.23 feet to a point of curve; thence Northwesterly and Southerly on said curve to the left, with a radius of 50.00 feet, a central angle of 118°23'05", an arc distance of 103.31 feet to a point of tangency; thence South 04°03'00" West, a distance of 976.90 feet; thence South 06°42'02" West, a distance of 373.54 feet; thence North 79°51'35" West, a distance of 727.69 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 2,022,922 square feet or 46.4399 acres more or less.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an appropriate surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the most Northrthly West line of Parcel "A" (171/189), as North 14°01'44" East.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 17th day of October, 2023.

McLAUGHLIN ENGINEERING COMPANY
 A DIVISION OF CONTROL POINT ASSOC. INC.

JERALD A. McLAUGHLIN
 Registered Land Surveyor No. LS5269
 State of Florida.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. 230245

CHECKED BY: _____

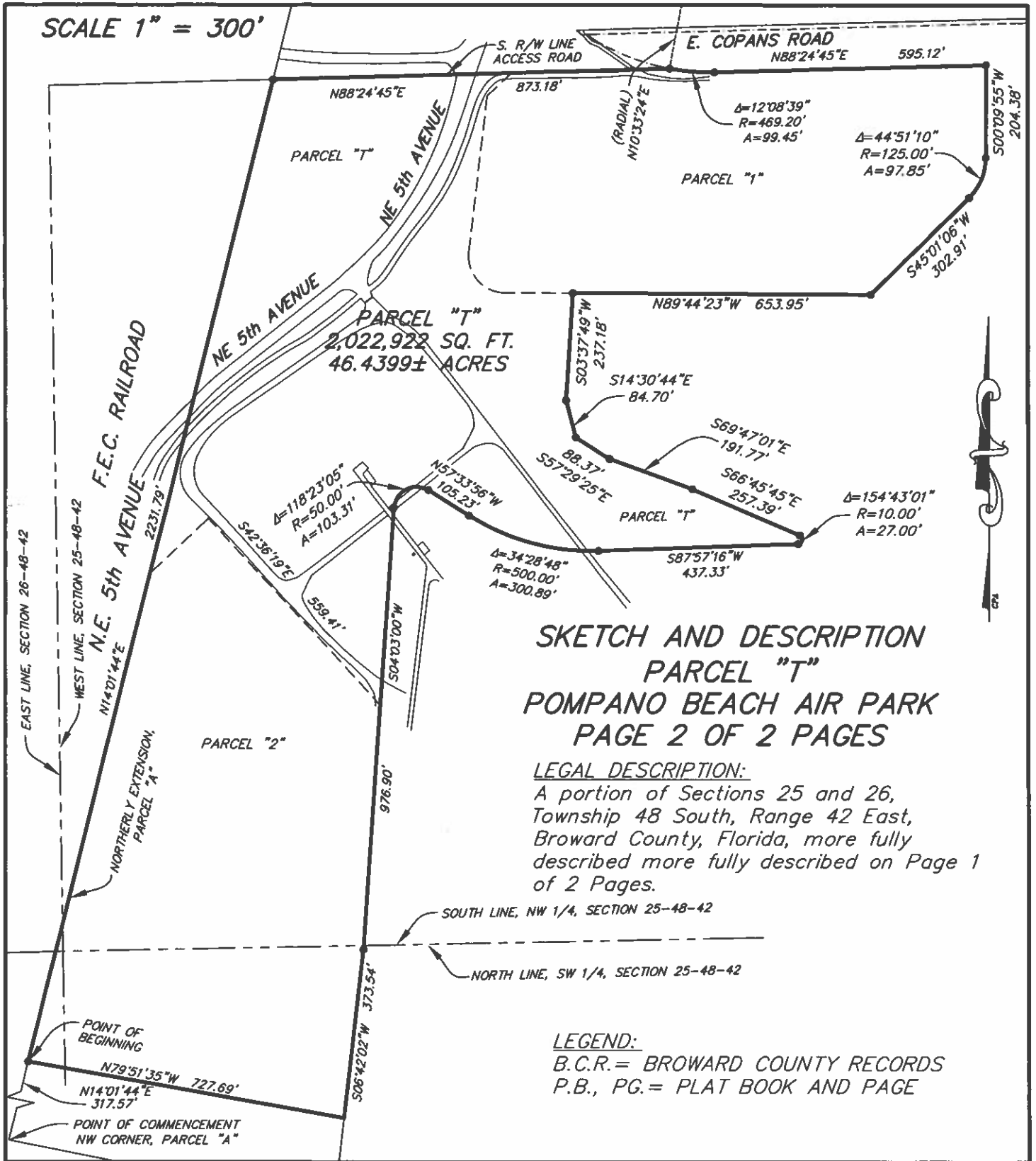


McLAUGHLIN ENGINEERING COMPANY LB 285
 A DIVISION OF CONTROL POINT ASSOCIATES, INC. LB 8137

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 PHONE: (954) 763-7611 * EMAIL: JHADDIX@CPASURVEY.COM



SCALE 1" = 300'

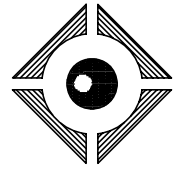


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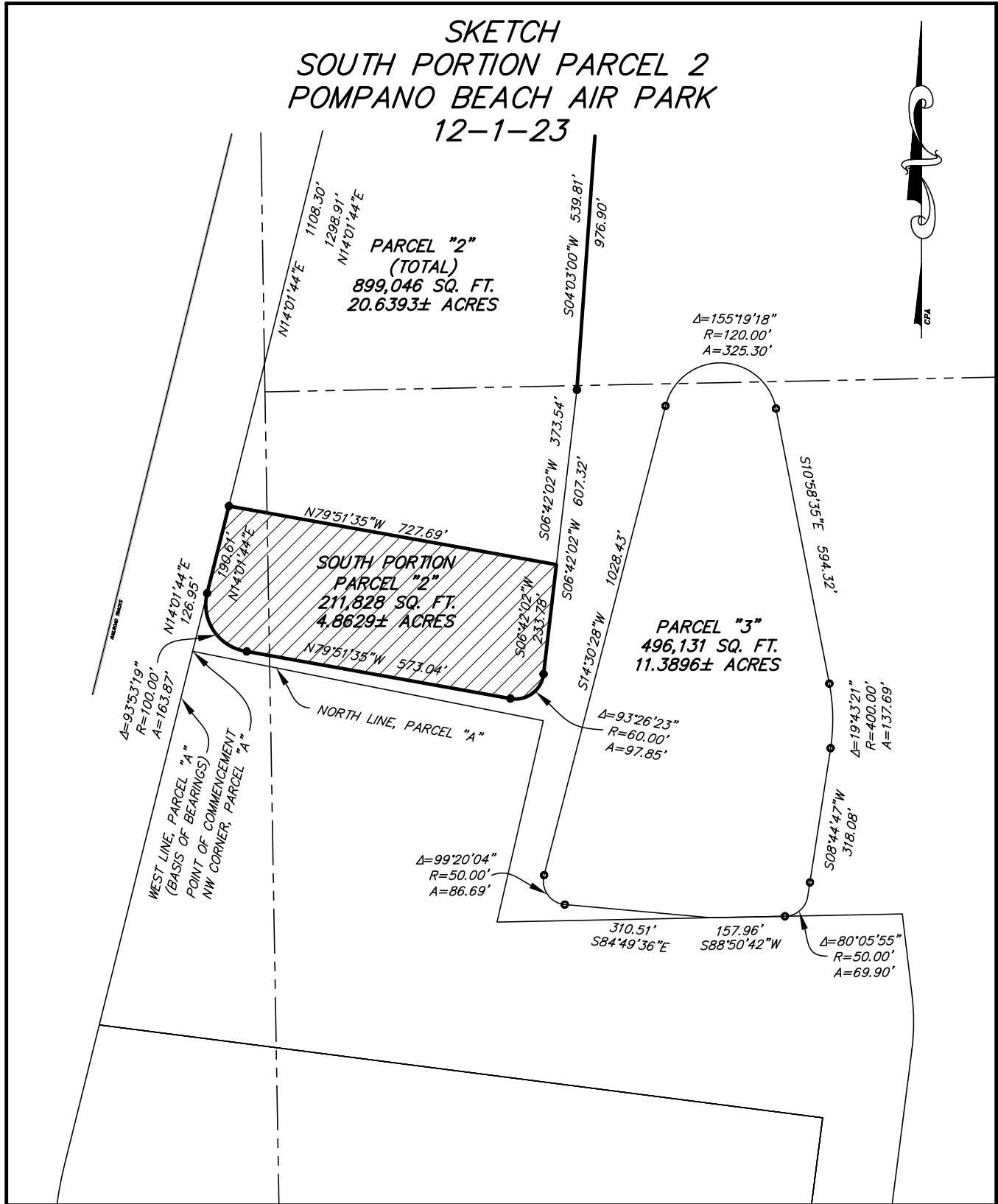
DRAWN BY: JMMjr _____

JOB ORDER NO. 230245 _____

CHECKED BY: _____



SKETCH
SOUTH PORTION PARCEL 2
POMPANO BEACH AIR PARK
12-1-23



FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. 230245

CHECKED BY: _____

C: \JMMjr\2023\230245 (SKETCHES)

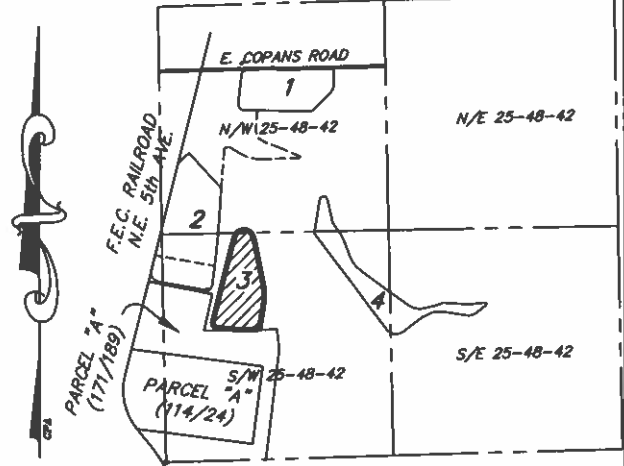


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SKETCH AND DESCRIPTION
PARCEL 3
POMPANO BEACH AIR PARK
PAGE 1 OF 2 PAGES



SITE LAYOUT
NOT TO SCALE

LEGAL DESCRIPTION:

A portion of West one-half (W 1/2) of Section 25, Township 48 South, Range 42 East, Broward County, Florida; AND a portion of the East one-half of Section 26, Township 48 South, Range 42 East, Broward County, Florida more fully described as follows:


Commencing at the Northwest corner of PARCEL "A", POMPANO BEACH AIR PARK F.B.O. PHASE 1, according to the plat thereof, as recorded in Plat Book 171, Page 189, of the public records of Broward County, Florida; thence South 78°47'41" East, on the North line of said Parcel "A" and Easterly extension thereof, a distance of 842.24 feet to the Point of Beginning; thence North 14°30'28" East, a distance of 706.64 feet to a point of curve; thence Northerly, Easterly and Southerly on said curve to the right, with a radius of 120.00 feet, a central angle of 155°19'18", an arc distance of 325.30 feet to a point of tangency; thence South 10°58'35" East, a distance of 594.32 feet to a Point of curve; thence Southerly on said curve to the right, with a radius of 400.00 feet, a central angle of 19°43'21", an arc distance of 137.69 feet to a point of tangency; thence South 08°44'47" West, a distance of 318.08 feet to a point of curve; thence Southerly through Westerly on said curve to the right, with a radius of 50.00 feet, a central angle of 80°05'55", an arc distance of 69.90 feet to a point of tangency; thence South 88°50'42" West, on a North line of said Parcel "A", a distance of 157.96 feet; thence North 84°49'36" West, a distance of 310.51 feet to a point of curve; thence Westerly through Northerly on said curve to the right, with a radius of 50.00 feet, a central angle of 99°20'04", an arc distance of 86.69 feet to a point of tangency; thence North 14°30'28" East, a distance of 321.69 feet to the Point of Beginning.

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 496,131 square feet or 11.3896 acres more or less.

CERTIFICATION

Certified Correct. Dated at Fort Lauderdale, Florida this 17th day of October, 2023.

McLAUGHLIN ENGINEERING COMPANY
 A DIVISION OF CONTROL POINT ASSOC. INC.


 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. LS5269
 State of Florida.

NOTES:

- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
- 2) Legal description prepared by McLaughlin Engineering Co.
- 3) This drawing is not valid unless sealed with an appropriate surveyors seal.
- 4) THIS IS NOT A BOUNDARY SURVEY.
- 5) Bearings shown assume the most Northrly West line of Parcel "A" (171/189), as North 14°01'44" East.

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. 230245

CHECKED BY: _____

C: \JMMjr/2023/230245 (SKETCHES)



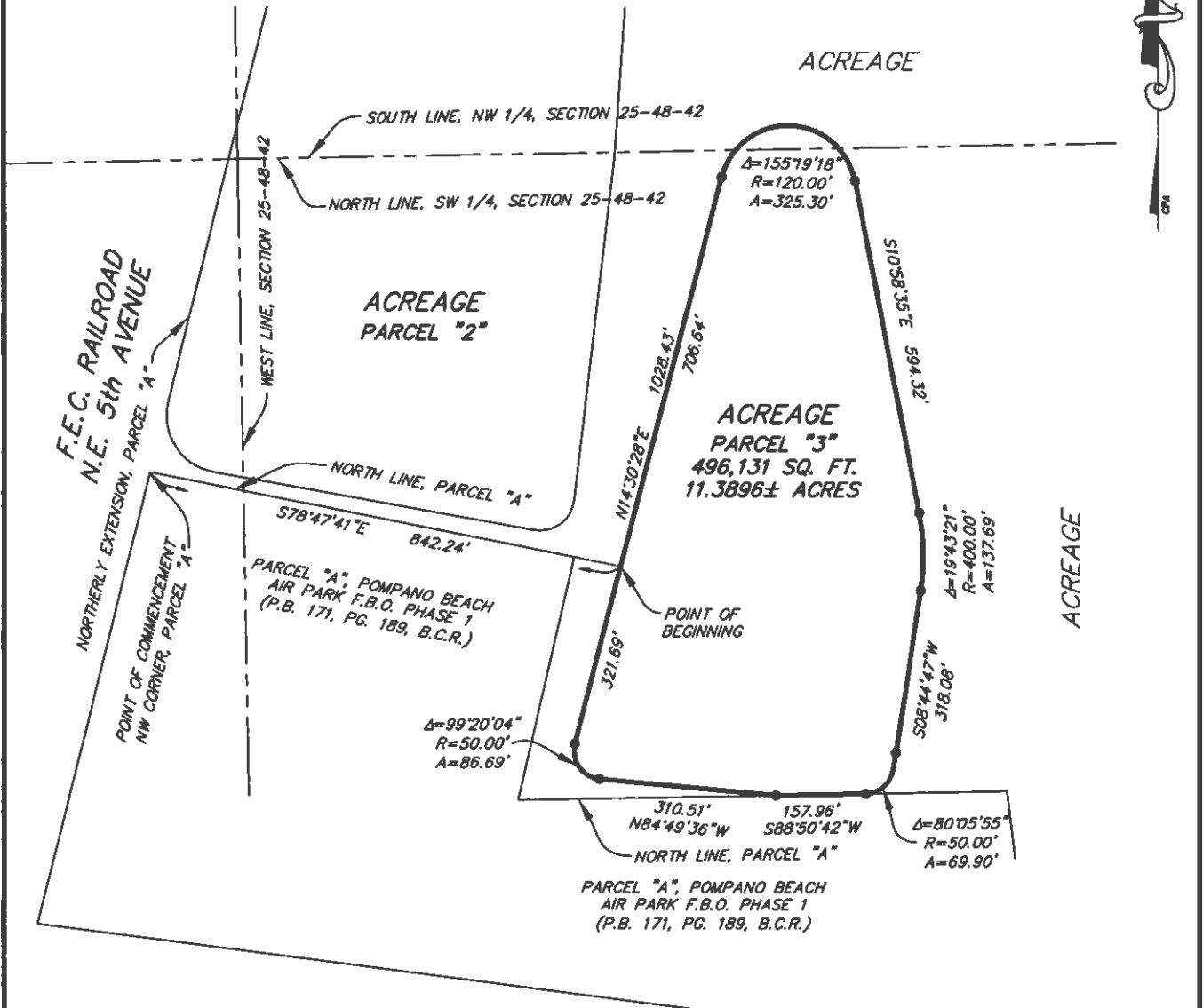
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SCALE 1" = 300'

SKETCH AND DESCRIPTION
PARCEL 3
POMPANO BEACH AIR PARK
PAGE 2 OF 2 PAGES



LEGAL DESCRIPTION:

A portion of West one-half (W 1/2) of Section 25, Township 48 South, Range 42 East, Broward County, Florida, more fully described more fully described on Page 1 of 2 Pages.

LEGEND:

B.C.R. = BROWARD COUNTY RECORDS
 P.B., PG. = PLAT BOOK AND PAGE

FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. 230245

CHECKED BY: _____



McLAUGHLIN ENGINEERING COMPANY LB 285
A DIVISION OF CONTROL POINT ASSOCIATES, INC. LB 8137



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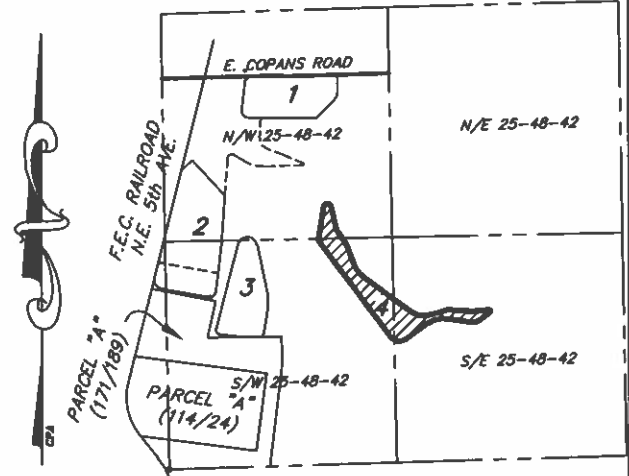
SKETCH AND DESCRIPTION
PARCEL 4
POMPANO BEACH AIR PARK
PAGE 1 OF 2 PAGES

LEGAL DESCRIPTION:

A portion of Section 25, Township 48 South, Range 42 East, Broward County, Florida, more fully described as follows:

Commencing at the Northwest corner of PARCEL "A", POMPANO BEACH AIR PARK F.B.O. PHASE 1, according to the plat thereof, as recorded in Plat Book 171,

Page 189, of the public records of Broward County, Florida; thence South 78°47'41" East, on the North line of said Parcel "A" and Easterly extension thereof, a distance of 2845.20 feet to the Point of Beginning; thence North 36°51'12" West, a distance of 1377.69 feet to a point of curve; thence Northerly on said curve to the right, with a radius of 50.00 feet, a central angle of 45°49'12", an arc distance of 39.99 feet to a point of tangency; thence North 08°57'59" East, a distance of 383.25 feet to a point curve; thence Northerly, Easterly and Southerly on said curve to the right, with a radius of 45.00 feet, a central angle of 157°33'34", an arc distance of 123.75 feet to a point of tangency; thence South 13°28'26" East, a distance of 287.31 feet; thence South 33°15'13" East, a distance of 166.31 feet; thence South 28°10'46" East, a distance of 67.39 feet; thence South 20°38'33" East, a distance of 222.59 feet to a point of curve; thence Southeasterly on said curve to the left, with a radius of 310.00 feet, a central angle of 33°10'22", an arc distance of 179.48 feet to a point of tangency; thence South 53°48'55" East, a distance of 714.27 feet to a point of curve; thence Southerly and Easterly on said curve to the left, with a radius of 200.00 feet, a central angle of 49°45'24", an arc distance of 173.68 feet to a point of tangency; thence North 76°25'41" East, a distance of 162.60 feet; thence North 68°46'11" East, a distance of 81.38 feet; thence South 86°44'23" East, a distance of 297.16 feet; thence 84°35'02" East, a distance of 193.41 feet to a point of curve; thence Easterly and Southerly on said curve to the right, with a radius of 17.00 feet, a central angle of 148°22'47", an arc distance of 44.03 feet to a point of tangency; thence South 52°57'49" West, a distance of 168.36 feet to a point of curve; thence Westerly on said curve to the right, with a radius of 100.00 feet, a central angle of 46°05'11", an arc distance of 80.44 feet to a point of tangency; thence North 80°57'00" West, a distance of 296.68 feet to a point of curve; thence Westerly on said curve to the left, with a radius of 300.00 feet, a central angle of 45°28'57", an arc distance of 238.15 feet to a point of tangency; thence South 53°34'03" West, a distance of 314.64 feet to point of curve; thence Southwesterly and Northwesterly on said curve to the right, with a radius of 125.00 feet, a central angle of 89°34'45", an arc distance of 195.45 feet to a point of tangency; thence North 36°51'12" West, a distance of 13.65 feet to the Point of Beginning.



SITE LAYOUT * NOT TO SCALE

Said lands situate, lying and being in the City of Pompano Beach, Broward County, Florida and containing 525,393 square feet or 12.0614 acres more or less.

Certified Correct. Dated at Fort Lauderdale, Florida this 17th day of October, 2023.

McLAUGHLIN ENGINEERING COMPANY
 A DIVISION OF CONTROL POINT ASSOC. INC.

Jerald A. McLaughlin
 JERALD A. McLAUGHLIN
 Registered Land Surveyor No. LS5269
 State of Florida.

- NOTES:
- 1) This sketch reflects all easements and rights-of-way, as shown on above referenced record plat(s). The subject property was not abstracted for other easements, road reservations or rights-of-way of record by McLaughlin Engineering Company.
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FIELD BOOK NO. _____

DRAWN BY: JMMjr

JOB ORDER NO. 230245

CHECKED BY: _____



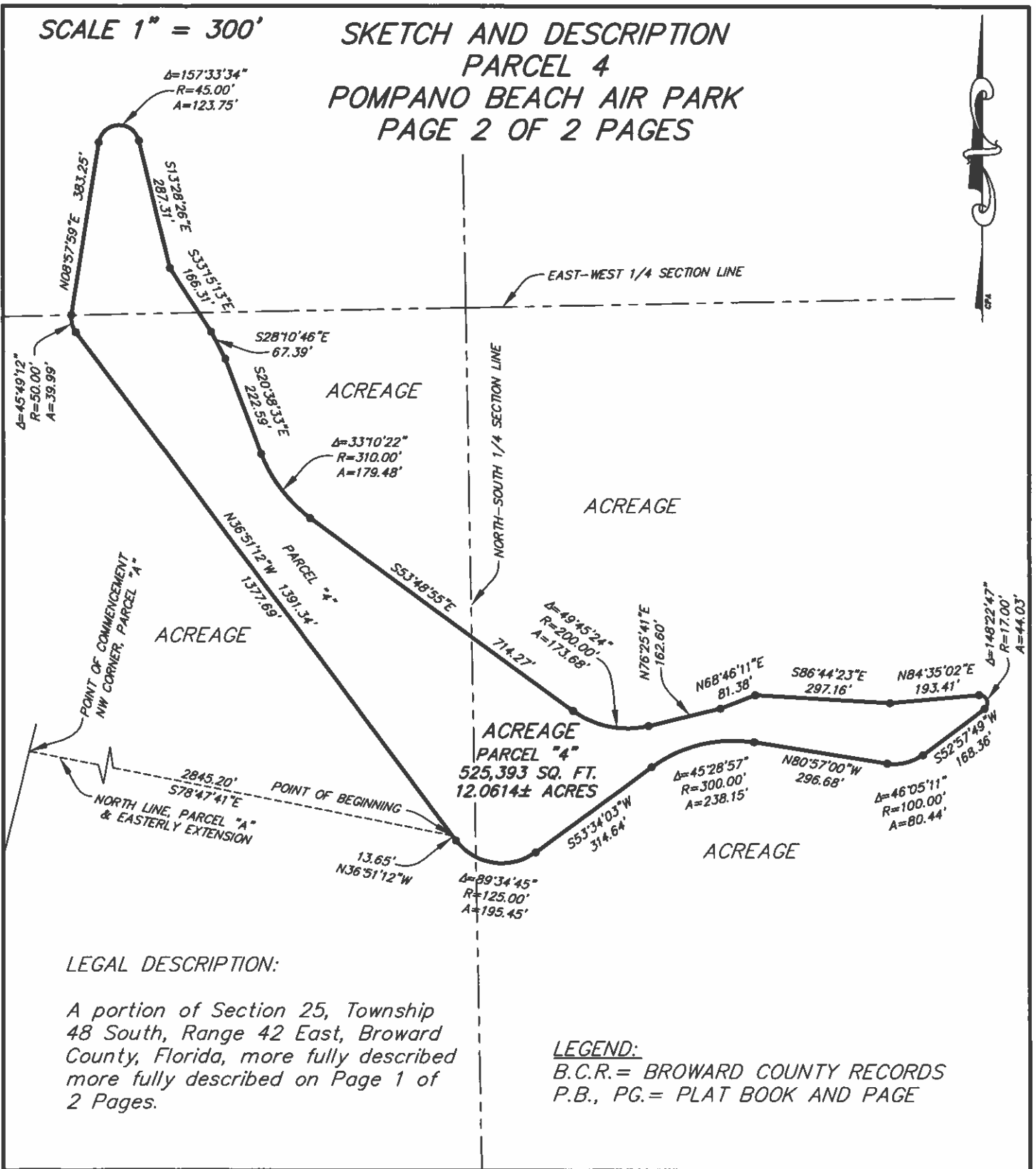
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SCALE 1" = 300'

SKETCH AND DESCRIPTION
PARCEL 4
POMPANO BEACH AIR PARK
PAGE 2 OF 2 PAGES



LEGAL DESCRIPTION:

A portion of Section 25, Township 48 South, Range 42 East, Broward County, Florida, more fully described more fully described on Page 1 of 2 Pages.

LEGEND:

B.C.R. = BROWARD COUNTY RECORDS
 P.B., PG. = PLAT BOOK AND PAGE

FIELD BOOK NO. _____

DRAWN BY: JMMjr

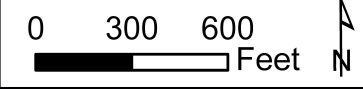
JOB ORDER NO. 230245

CHECKED BY: _____

EXHIBIT 4
AERIAL PHOTOGRAPH



811



NE 3rd Ave

E Copans Rd

NE 5th Ave

NE 6th Ave

NE 23rd Pl

NE 23rd Ct

NE 8th Ave

NE 9th Ave

NE 23rd Pl

NE 23rd Ct

E Copans Rd

E 23rd St

N Dixie Hwy

NE 5th Ave

ir Fashions
by Cherry

Dixie Hwy

Pompano Beach
Airpark