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(850)488-3831 TDD (850)488-9542

September 1, 2006

RECEIVED
SEP 07 2006
PASSARELLA AND ASSOCIATES, INC.

Mr. Kenneth Passarella
Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919

RE: Validity of Gopher Tortoise Incidental Take
Permit LEE-3, Lee County

Dear Mr. Passarella:

Our office has received your written request, dated 28 August 2006, for confirmation that gopher tortoise incidental take permit LEE-3 is still valid, and tortoises within the permitted area can be relocated within the permitted development area out of harms way without obtaining further tortoise permits.

Permit LEE-3 was issued on 24 February 1993 and authorized impacts to tortoises incidental to development activities within a 643-acre portion of the Bonita Bay DRI. This permit also expressly authorized the permittee or its agents to move tortoises within the project area in accordance with the approved Bonita Bay management plan to minimize impacts to tortoises. This permit became effective on September 14, 1994, upon the issuance of a receipt for the monetary mitigation contribution required under condition #1 of the permit. The permit contained no expiration date, and currently remains in effect.

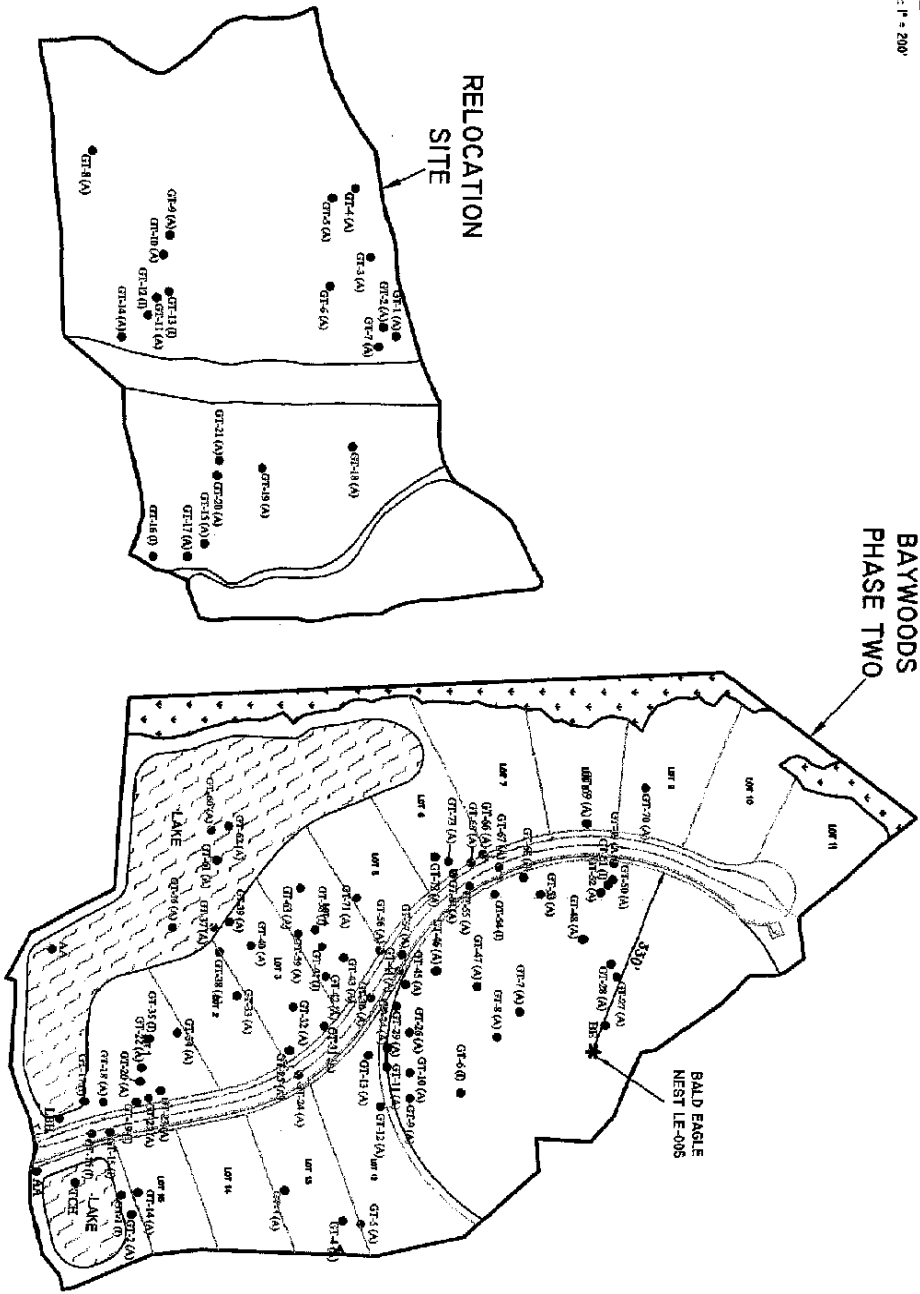
Please contact either Bill Smith at (941)575-5784 or me if you have any questions regarding this correspondence.

Sincerely,

Richard D. McCann
Biological Scientist IV
Division of Habitat and Species Conservation

rdm
ENV 3-2/5
gtlee-3.valid

SCALE: 1" = 200'



DRI 2006-00008

NOV 22 2006

COMMUNITY DEVELOPMENT

- LEGEND
- WETLAND PRESERVE (1.50 AC±)
 - COPPER TORTOISE PRESERVE (4.39 AC±)
 - SURVEYED WETLAND LINE
 - GOPHER TORTOISE BURROW (TP?)
 - (A) ACTIVE
 - (I) INACTIVE
 - * BALD EAGLE NEST
 - AA AMERICAN ALLIGATOR
 - TCH TRICOLOR HERON
 - LBH LITTLE BLUE HERON
 - BE BALD EAGLE

NOTES:

PROPERTY BOUNDARY, SURVEYED WETLAND LINE, BALD EAGLE NEST LOCATION, AND SITE WORKSHEET DOW DATED JUNE 24, 2004.

GOPHER TORTOISE BURROW LOCATIONS SURVEYED AND HAVE NOT BEEN IDENTIFIED.

WETLAND LINES SHOWN PER SPWMD PERMIT NO. 35-00289-S AND IRLSCCE PERMIT NO. 1970306A.

DESIGNED BY	DATE	HORIZONTAL SCALE	VERTICAL SCALE
J.E.	10/4/06	1"=200'	N/A
CHECKED BY	DATE	SCALE	SCALE
K.C.P.	10/4/06	N/A	N/A
DRAWN BY	DATE	SCALE	SCALE
D.B.	10/4/06	20.29/47/25	

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

BAYWOODS PHASE TWO AND RELOCATION SITE
SITE PLAN WITH LISTED SPECIES LOCATIONS
AND GOPHER TORTOISE PRESERVE AREAS

DRAWING NO. 9988P444
SHEET NO. EXHIBIT 3

