



DEPARTMENT OF THE INTERIOR
 U.S. FISH & WILDLIFE SERVICE
 Ecological Services Permit Office
 1875 Century Boulevard
 Atlanta, GA 30345
 permitsR4ES@fws.gov

2. AUTHORITY-STATUTES
 16 USC 1533(d)

REGULATIONS
 50 CFR 17.32

50 CFR 13

3. NUMBER
TE96859B-0

4. RENEWABLE
 YES
 NO

5. MAY COPY
 YES
 NO

6. EFFECTIVE
 08/12/2016

7. EXPIRES
 08/12/2021

FEDERAL FISH AND WILDLIFE PERMIT

1. PERMITTEE

MATTAMY ORLANDO, LLC
 1900 SUMMIT TOWER BOULEVARD, SUITE 500
 ORLANDO, FL 32810
 U.S.A.

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
 THOMAS MCCARTHY
 VICE PRESIDENT

9. TYPE OF PERMIT
 NATIVE THREATENED SP. HABITAT CONSERVATION PLAN - T
 WILDLIFE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

A 541-acre project site, parcel identification numbers 27-22-26-00-030-0000-500, 34-22-26-00-010-0000-100, and 35-22-26-00-010-0000-600, within Sections 27, 34, 35, and 36, Township 22 South, Range 26 East, Lake County, Florida.

11. CONDITIONS AND AUTHORIZATIONS:

- A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.
- B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.
- C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

Also valid for use by Permittee's authorized agents.

D. Acceptance of this Permit serves as evidence that the Permittee and its authorized agents understand and agree to abide by the terms of this Permit and all sections of Title 50 Code of Federal Regulations, Parts 13 and 17, pertinent to issued permits. Section 11 of the Endangered Species Act of 1973, as amended, provides for civil and criminal penalties for failure to comply with Permit conditions.

BLOCK 11 OF THIS PERMIT CONSISTS OF CONDITIONS A - L (5 PAGES TOTAL).

ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12. REPORTING REQUIREMENTS

Reports will be provided to the U.S. Fish and Wildlife Service office appearing in Condition 11.M of this Permit.

ISSUED BY 	TITLE Field Supervisor, North Florida Ecological Services Office, Jacksonville, Florida	DATE 08/12/2016
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Block 11:

- E. The commercial parcel identified in Block 10 above encompasses 541 acres where the Permittee proposes construction of a residential project and associated infrastructure (Project). Status surveys and biological analysis indicate that 9.67 acres of the Project area occupied habitat for the threatened sand skink (*Plestiodon reynoldsi*) would be permanently eliminated due to Project construction. Another 5.82 acres of occupied sand skink habitat on site will not be impacted. The *Plestiodon reynoldsi* on the Project site comprise the “covered species.”

The Permittee, and any authorized agents, are authorized to take the covered species within the Project area incidental to earth moving, grading, and other land alteration and construction activities necessary to construct the residential project as described in the Permittee’s Habitat Conservation Plan (HCP), and as conditioned herein. This permit does not authorize take of any covered species resulting from unlawful activities.

- F. The Permittee, with reasonable notice, shall permit the contact office of the U.S. Fish and Wildlife Service personnel identified in Condition 11.M, below, or other properly permitted and qualified persons designated by the U.S. Fish and Wildlife Service, to enter the Project area boundaries at reasonable hours and times for the general purposes specified in Title 50 Code of Federal Regulations § 13.21(e)(2).
- G. The Permittee shall implement the following measures to ensure that take of the covered species is minimized and mitigated:
1. Purchase 19.34 mitigation credits within the Hatchineha Ranch Conservation Bank or another approved Service sand skink bank prior to any clearing activities.
 2. Avoidance of clearing activities during the sand skink breeding season.
- H. The Permittee and the U.S. Fish and Wildlife Service agree that modification and amendments to the Permittee’s HCP and this Permit may occur through its effective term. The following procedures shall govern the modification and amendment process:
1. This Permit is based upon the Permittee’s expected compliance with the provisions and commitments established in the submitted HCP and the terms and conditions identified herein. Where a conflict occurs between the HCP and this Permit, the Permit shall control.
 2. Either the Permittee or the U.S. Fish and Wildlife Service may propose

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Block 11:

H. (Continued).

modifications and/or amendments to the HCP or this Permit by providing written notice. Such notice shall include a statement of the reason for the proposed modification and an analysis of the environmental effects of such modification or amendment, including effects on operations under the HCP and on the covered species. This analysis shall be conducted jointly by the Permittee and the contact office of the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service or the Permittee will use best efforts to respond to a proposed modification or amendment within sixty (60) days of receipt of such notice. Provided any such proposed modification or amendment would not result in any of the conditions identified in Condition 11.H.3, below, and absent any objection from the U.S. Fish and Wildlife Service or the Permittee, the proposed modification and/or amendment will be determined as minor and shall become effective upon written approval by the U.S. Fish and Wildlife Service or the Permittee. If, for any reason, a receiving party objects to a proposed amendment or modification, it must be processed in accordance with Condition 11.H.3, below.

3. The U.S. Fish and Wildlife Service will not propose or approve modifications or amendments to the HCP or this Permit if the U.S. Fish and Wildlife Service determines that such modifications would result in operations under the HCP and Permit that are significantly different from those analyzed in connection with the original HCP, that would adversely affect the environment in new or significantly different ways from those analyzed in connection with the original HCP, or that would result in additional take of the covered species not analyzed in connection with the original HCP.
 4. Any amendment or modification shall conform with all applicable legal requirements, including but not limited to the Endangered Species Act, the National Environmental Policy Act, and the U.S. Fish and Wildlife Service's permit regulations at 50 C.F.R. §13 and §17.
- I. This permit also constitutes a Special Purpose Permit under C.F.R. § 21.27 for the take of *Plestiodon reynoldsi* in the amount and/or number and subject to the terms and conditions specified herein.
 - J. The written confirmation required by Condition 11.G.4, above shall include the following certification from a responsible official who supervised or directed the preparation of the report:

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Block 11:

J. (Continued).

Under penalty of law, I certify that, to the best of my knowledge, after appropriate inquiries of all relevant persons involved in the preparation of this written confirmation, the information submitted is true, accurate, and complete.

K. The Permittee and the U.S. Fish and Wildlife Service acknowledge that even with the above detailed provisions for mitigating and/or minimizing impacts to the covered species, changes in circumstances could arise which were not fully anticipated by this permit and which may result in substantial and adverse change in the status of the covered species. The U.S. Fish and Wildlife Service's policy regarding changed and unforeseen circumstances is contained in the final "No Surprises" rule published on February 23, 1998, (63 Fed. Reg. 8859) and codified at 50 C.F.R. Part § 17.

Unforeseen and/or changed circumstances may become apparent either to the Permittee, authorized agents, or to personnel of the U.S. Fish and Wildlife Service. For purposes of implementation of this condition, unforeseen circumstances are defined as changes in circumstances affecting a species or geographic area covered by the HCP that could not reasonably have been anticipated by the HCP developers and the U.S. Fish and Wildlife Service at the time of the HCP's negotiation and development, and that result in a substantial and adverse change in the status of the covered species. Changed circumstances are defined as changes in circumstances affecting a species or geographic area covered by the HCP that can reasonably be anticipated by HCP developers and the U.S. Fish and Wildlife Service, and that can be planned for. Should either unforeseen or changed circumstances arise, the Permittee and the contact office of the U.S. Fish and Wildlife Service identified in Condition 11.M, below, shall meet within twenty (20) working days following notice by either party. The U.S. Fish and Wildlife Service and Permittee shall together agree upon appropriate and reasonable measures for addressing such circumstances, within the rule of applicable law, and the Permittee shall implement appropriate and reasonable measures within an additional thirty (30) working days, unless a longer period of time is agreed to by the U.S. Fish and Wildlife Service.

L. Upon locating a dead, injured, or sick *Plestiodon reynoldsi* or any other threatened or endangered species, initial notification must be made immediately to the U.S. Fish and Wildlife Service Law Enforcement Office, 20501

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Block 11:

L. (Continued).

Independence Boulevard, Groveland, Florida 34736 (353/429-1037).
Notification should also be made, by the next work day, to the contact office of the U.S. Fish and Wildlife Service noted in Condition 11.M. Care should be taken in handling sick, injured, or dead specimens to ensure effective treatment or to preserve biological materials for later analysis. In conjunction with the care of sick or injured threatened or endangered species or preservation of biological materials from a dead animal, the finder should take responsible steps to ensure that the site is not unnecessarily disturbed.

M. For purposes of receiving reports, and monitoring compliance and administration of the terms and conditions of this permit, the contact office of the U.S. Fish and Wildlife Service is:

U.S. Fish and Wildlife Service
7915 Baymeadows Way, Suite 200
Jacksonville, Florida 32256-7517
Telephone: 904/731-3336

END

