DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

3-201
(1/97)

FEDERAL FISH AND WILDLIFE PERMIT

2. AUTHORITY-STATUTES	
16 USC 1539(a)(1)(B) 16 USC 703-712 REGULATIONS (Attached) 50 CFR §§ 13 & 17, & 21	
3. NUMBER TE-122397-0	
4. RENEWABLE [X] YES [ ] NO	5. MAY COPY [X] YES [ ] NO
6. EFFECTIVE 9/1/2006	7. EXPIRES 9/1/2036

1. PERMITTEE

ACROPOLIS DEVELOPMENT ENTERPRISES, L.L.C.
50 SURF SONG LANE #101
DESTIN, FLORIDA 32550

TELEPHONE: 850/269-2151

8. NAME AND TITLE OF PRINCIPAL OFFICER (If #1 is a business)
RONALD SASSANO, VICE PRESIDENT

9. TYPE OF PERMIT
ENDANGERED SPECIES – INCIDENTAL TAKE

10. LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED
PALAZZO I: APPROXIMATELY 1.29 ACRES OF LAND, CONSISTING OF ONE LOT IN SECTION 6, TOWNSHIP 4 SOUTH, RANGE 32 WEST, PARCEL NUMBER 06-4S-32-2001-000-001, 2002-020-001, 2900-000-000, 16567 PERDIDO KEY DRIVE, ESCAMBIA 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 OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE, AND 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 ITEMS A – X (11 AGES TOTAL).

12. REPORTING REQUIREMENTS

REPORTS WILL BE PROVIDED TO THE U.S. FISH AND WILDLIFE SERVICE OFFICES APPEARING IN CONDITION G OF THIS PERMIT.

ISSUED BY	TITLE	DATE
E. P. Buskirk	DEPUTY REGIONAL DIRECTOR, FWS, SOUTHEAST REGION	8/30/2006

BLOCK 11

E. The Permittee owns a 1.29 acre tract as described in Block 10 above, and proposes to construct a residential real estate development called Palazzo I ("the Project"). The Project is shown on the site plan with the areas that are pertinent to this Permit attached hereto as Appendix A. This Permit authorizes the incidental take of the Perdido Key beach mouse *Peromyscus polionotus trissyllepsis* (PKBM) associated with the construction of the Project and associated infrastructure, and subsequent human habitation of the Project, as conditioned herein and subject to the continued validity of the Permit.

F. The Permittee is an incorporated entity that will develop the Project and establish a condominium association, which will be an incorporated entity pursuant to Chapter 617, Florida Statutes. The association, through its board of directors, will manage the common areas and will represent the individual property owners, who hold title to specific condominium units ("Owners"). The Permittee shall incorporate this Permit and all terms and conditions of this Permit into the declaration of condominium for the Project and shall, prior to the conveyance of any condominium units, ensure the declaration to be recorded in the appropriate real estate records of Escambia County, Florida. Additionally, the Permittee shall, upon, or prior to, conveyance by Permittee of any condominium unit within the Project, deliver to each transferee who acquires title from the Permittee a copy of this Permit. All applicable conditions of this Permit shall run with the land comprising the Project and automatically will be deemed assigned and transferred to each Owner upon conveyance of title. The names and permanent mailing addresses of each unit Owner and a statement that the unit Owner or a principal of any buyer that is an entity is aware of and has agreed to implement all the terms and conditions of the Permit shall be provided to the Fish and Wildlife Service as part of the Annual Report in Condition 11.S. below. The Permittee shall be defined as Acropolis Development Enterprises, L.L.C., until such time as Acropolis Development Enterprises, L.L.C., no longer owns any unit within the Project, and at such time, the Permittee shall be deemed to be the Project condominium owners association.

G. At such time as any Unit Owner shall sell or dispose of all his respective interest in the Project and so long as such Owner is not then in default under this Permit, such Owner shall be automatically released from all obligations, conditions, and liability of this Permit and any purchaser of such Unit shall, upon purchase thereof, become responsible for the future compliance therewith but not for any prior or then existing defaults, violations, or deficiencies.

H. The Pemittee and its authorized agents and assigns are authorized for the following types of take of PKBM incidental to the site demolition, site preparation, development, construction, operation and human occupancy of the Project, subject to compliance with all the terms and conditions of this Permit.

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Harassment, harm, injury, and/or death of PKBM resulting from the loss of 0.29 acre of habitat, including proposed critical habitat on the 1.29-acre Project site for demolition, site preparation, construction, operation and human occupancy of the Project substantially as shown on Appendices A (including the deck and pool, parking, driveway, and one dune walkover) and from indirect impacts due to the development, construction and human occupancy of residential land use at the Project.

I. Within (90) days after the effective date of this Permit and the date on which Permittee receives the fully executed Permit from USFWS, the Permittee shall ensure that the declaration of condominium incorporates this Permit and all terms and conditions of this Permit and shall provide certification of the compliance with this requirement, along with a copy of the said declaration, to the U.S. Fish and Wildlife Service.

J. Within (90) days after the effective date of this Permit, the said declaration of condominium must include a statement of the purposes of protecting PKBM including a brief description and information on the need, intent, and purposes of this Permit, and conservation of PKBM. The declaration shall further stipulate that no changes shall be made that would cause noncompliance with the requirements of this Permit. Dissolution constitutes grounds for suspension or revocation of the Permit and will subject the Permittee to enforcement action.

K. Each Owner shall maintain a copy of the Permit in the residence for use by lessees or others who hold under the Owner.

L. The Permittee shall allow U.S. Fish and Wildlife Service personnel, State of Florida Fish and Wildlife Conservation Commission personnel, Escambia County personnel, or other properly permitted and qualified persons designated by these agencies to enter the Project boundaries at reasonable hours and times for the general purposes specified in Part 50 Code of Federal Regulations §13.21(e)(2).

M. The following measures from the Permittee's HCP, as modified by this Permit, will be put into effect by the Permittee to ensure that the incidental take of PKBM *Peromyscus polionotus trissyllepsis* is minimized and mitigated:

Construction (and site demolition and site preparation)

1. All construction on the beach shall be conducted outside the sea turtle nesting season (May 1 through October 31).

2. A copy of the Permit shall be provided to the general contractor and included in all sub-contracts for the Project. The construction contract documents

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entered into by the Permittee shall include a stipulation that conservation objectives of the Permit shall be communicated to and agreed upon by all sub-contractors.

3. Impacts to PKBM shall be avoided or minimized by: (a) placing sediment barriers and flagging to restrict access and avoid impacts to habitat; (b) storing materials at appropriate staging sites and on previously disturbed areas outside of habitat; (c) keeping the construction site clean and free of debris, keeping trash out of habitats; (d) limiting disturbance from site demolition, site preparation and construction grading by clearly indicating on all construction plans and onsite with silt fence or other barrier fence installation. The foregoing are subject to the provision in paragraph 4 below allowing for temporary disturbance of an area 10 feet outside the Project footprint.

4. Permanent alteration of the Project site shall not exceed 0.49 acre (structure/deck/pool/parking/driveway and walkover) for the Project footprint. An additional 10 feet outside of the 0.49 acre footprint may be temporarily disturbed during site demolition, site preparation, and Project construction. The 10-foot area outside of the footprint will be restored upon completion of the construction.

5. All exterior or interior lighting for the Project shall conform to the specifications outlined in Appendix B – Project Lighting Restrictions for Conservation of Protected Species.

6. All of the Project's components (e.g. condominium footprint, parking area, ingress/egress, and dune walkover) constructed shall conform to the configuration/design plans as specified in Appendix A.

7. All plant species used for dune restoration or landscaping the common areas shall be selected from the indigenous plant list in Appendix C – Species Plant List for Coastal Dune and Beaches in Escambia County, Florida. The dune restoration and landscape plans must be approved by the Service. The landscape design/plan shall be provided to the Service for review no later than 120 days prior to the landscape installation. Any changes to the plant list will be considered upon written request to the Service. Request for changes shall provide information that provides verification that the plant is a coastal native dune plant species in Escambia County, Florida. No installed irrigation system, mulch or landscape fabric will be allowed in the landscaping.

8. Undeveloped areas along the east and west sides of the building shall be maintained post-construction to provide connectivity of PKBM habitat to

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other onsite and off-site habitat including to the north across SR 292. These areas will be a minimum of 10- feet wide as shown on Appendix A and will be planted with native vegetation selected from an indigenous plant list in Appendix C - Species Plant List for Coastal Dune and Beaches in Escambia County, Florida.

9. One dune walkover (size: 226 feet long by 5 to 8 feet wide) shall be constructed for both projects: 1) using top-down techniques; 2) on raised pilings a minimum elevation of 3 feet above grade to allow natural dune growth and formation; 3) with hand rails at least 44 inches high installed on 4 inch centers intended to prevent pedestrians access into dune habitat; and 4) with no lighting on the walkover seaward of the landward toe of the dune. The walkover shall be a common element for the Project and shall be the only method of access provided to and from the beach for the Project.

10. A barrier shall be installed along the east and west property boundaries to prevent access to beach mouse habitat by pedestrians and allow movement of beach mice. All debris/refuse shall be regularly removed from these areas with a minimum of disturbance to the natural vegetation.

11. Sand fence shall be installed seaward of the primary dune to both enhance sand retention and prevent pedestrian access to the dune habitat on the Project. The sand fence shall be installed in a sea turtle compatible configuration Appendix D - Sand Fence Installation Configuration for Sea Turtle Nesting Beaches Northwest Florida.

Monitoring

1. The Permittee shall, at its expense, be responsible for contracting with a qualified consultant to monitor the status of PKBM for three (3) years following first issuance of a certificate of occupancy by Escambia County, Florida for any unit in the Project. The final monitoring design (survey method and schedule) shall be determined by the U.S. Fish and Wildlife Service in coordination with Florida Fish and Wildlife Conservation Commission and the Escambia County based on the best available scientific data. The survey design may include the need to use live capture trapping, tracking tubes or tracking surveys or a combination of methods. The final design and schedule shall be provided to the Permittee by the U.S. Fish and Wildlife Service no later than ninety (90) days after first issuance of a certificate of occupancy. The Permitee shall be responsible for notifying the U.S. Fish and Wildlife Service of the issuance of occupancy.

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2. All house mice captured during monitoring surveys for PKBM shall be humanely euthanized and disposed of properly. Any cotton rats or cotton mice shall be released at capture point.

Operation and Maintenance

1. Cats (including pets) shall be prohibited from the exterior and interior premises of the Project. Dogs are permissible when kept confined inside the condominium units. Dogs may be walked on a 6-foot hand held leash, outside of beach and dune areas. All dog solid waste material must be picked up and disposed of properly by the pet owner/care taker.

2. The Escambia County animal control shall be contacted if free-roaming cats (pet or feral) are observed on the Project premises.

3. Multiple open waste or trash containers shall be prohibited on the exterior Project premises. One (1) exterior trash/refuse receptacle in the pool area and the Project trash dumpster shall be permitted and must be scavenger and rodent proof.

4. Subject to temporary disturbance during construction as allowed by the terms of this Permit, permanent impact to the site shall be limited to the 0.49 acre as indicated in Appendix A; land allowed by this Permit to be disturbed during construction and shall be restored after completion of construction. After Project completion 0.57 acre of PKBM habitat shall be protected, managed, and maintained on the Project site.

5. The use of exterior rodenticides shall be prohibited. Any captured exotic or non-native rodents (house mice, Norway rats, black rats) shall be humanely euthanized and disposed of properly.

6. The Permittee shall comply with the State of Florida marine turtle nesting survey requirements applicable to the Project, including such requirements as pertain to stranded turtle notification and handling. To obtain the marine turtle permit holder contact information the Florida Fish and Wildlife Conservation Commission, Tequesta Field Laboratory at (561) 575-5408 shall be contacted.

7. Educational signs shall be installed on the deck and walkover providing information about the PKBM, sea turtles, shorebirds including piping plover, and habitat conservation. The signs shall be designed to increase awareness of coastal species conservation resulting in beneficial behavior modification

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of residents and guests at the Project. The final design and wording of the signs shall be approved by the U.S. Fish and Wildlife Service. Draft design of the signs shall be provided to the Service within one-hundred and twenty (120) days after the effective date of the permit.

8. All beach chairs and umbrellas or similar items shall be removed from the beach on the Project each night during the sea turtle nesting season from May 1 through October 31.

9. A Conservation Easement with the Florida Fish and Wildlife Conservation Commission as the easement grantee shall be placed on the undeveloped portions of the Project with the exception of a 10-foot access easement associated with the walkover. The boundaries of the Conservation Easement shall be surveyed by a licensed certified land surveyor. The Conservation Easement shall be recorded with the Clerk of Escambia County within 6 months of the completion of the Project (first Owner occupancy). The Permittee shall work with the Florida Fish and Wildlife Conservation Commission to draft the Conservation Easement. A draft copy of the Conservation Easement shall be provided to the U.S. Fish and Wildlife Service for review and approval. A copy of the survey and recorded Conservation Easement shall be provided to the U.S. Fish and Wildlife Service within ninety (90) days after the Conservation Easement is recorded.

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10. As noted in the Permittee's HCP, the Permittee shall contribute a one-time sum of $29,000 to the PKBM Conservation Fund held by Escambia County, Florida or such other entity as is designated by the U.S. Fish and Wildlife Service for such purpose. This contribution shall be provided within ninety (90) days of the date of this Permit issuance. By January 31, of the year following issuance of this Permit and every year following for the life of the Permit a fee of $201.00 per unit (15 units) for a total of $3,015 shall be deposited in the PKBM Conservation Fund. The purpose of the Fund is to implement compensation and mitigation of development impacts on PKBM.

11. Within ninety (90) days of the date of this Permit issuance, the Permittee shall provide the U.S. Fish and Wildlife Service a final site layout that shows the condominium, driveway, parking, deck/pool, and dune walkover. The dimensions as provided in this Permit shall be accurately depicted on the layout. The layout shall be no smaller in scale than 1 inch = 30 feet.

12. The declaration of condominium shall provide that the association's annual budget include assessments for establishing and maintaining an interest bearing account for purposes of funding the three (3) year PKBM monitoring

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requirements set forth elsewhere in this Permit. The declaration of condominium shall identify that this account cannot be dissolved under any circumstances until the monitoring surveys are completed.

13. The declaration of condominium shall further authorize the association to impose special assessments as needed to meet the association's obligation under this Permit as successor Permittee.

N. Because the purpose of the HCP and this Permit is to minimize take of and to gather data on the impacts to PKBM resulting from the Project it is important that any PKBM occupying the Project site not be relocated. Therefore the use of trapping or other methods to capture PKBM prior to the Project construction for purposes of relocation shall be prohibited.

O. The Permittee and the U.S. Fish and Wildlife Service may propose 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 its environmental effects, including its effects on operations under the HCP and on the PKBM. This analysis shall be jointly conducted between the Permittee and the contact office of the U.S. Fish and Wildlife Service in 11.V. The U.S. Fish and Wildlife Service or the Permittee will use reasonable efforts to respond to a proposed modification or amendment within sixty (60) days of receipt of such notice. 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.P and 11.Q, below.

P. The U.S. Fish and Wildlife Service shall not propose or approve minor modification 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 HCP, adverse effects on the environment that are new or significantly different from those analyzed in the HCP, or additional take of PKBM or another federally protected species not analyzed in connection with the original HCP.

Q. 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 CFR §13 and §17.

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R. This Permit shall be deemed administratively amended to identify the condominium association as the Permittee upon conveyance of the last unit held by Acropolis Development Enterprises, L.L.C. Acropolis Development Enterprises, L.L.C., shall give the U.S. Fish and Wildlife Service written confirmation and accompanying legal documents regarding such last conveyance, whereupon Acropolis Development Enterprises, L.L.C., shall be deemed released from further responsibility under this Permit provided Acropolis Development Enterprises, L.L.C., is in compliance with the Permit.

S. The Permittee shall submit an annual report, due by January 31 of each year the Permit is valid, to the U.S. Fish and Wildlife Service offices listed in Condition 11.W. of this Permit. The first report will be due January 31, 2007. The failure to submit this report shall not be deemed a default under the Permit unless such failure was willful or unless Permittee fails to submit such report within sixty (60) days following written notice from the Service that the report is delinquent. The annual report shall address items in Conditions I. through M. The following certification from a responsible company official who supervised or directed the preparation of the report shall be included in the annual report:

> "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 report, the information submitted is true, accurate, and complete."

T. 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 December 10, 2004, (69 FR 71723) and codified at 50 C.F.R. §§ 17.22(b)(5), 17.32(b)(5), 222.22(g).

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 the 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

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changed circumstances arise, the Permittee and the contact office of the U.S. Fish and Wildlife Service shall meet within twenty (20) working days following notice. 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.

U. Upon locating a dead, injured, or sick individual of an endangered or threatened species, initial notification must be made to the Fish and Wildlife Service Law Enforcement Office, Clermont, Florida at 352-429-1037 within 24 hours. Additional notification must be made to the Fish and Wildlife Services Field Office at Panama City, Florida at (850) 769-0552 within 48 hours. Care should be taken in handling sick or injured individuals and in the preservation of specimens in the best possible state for later analysis of cause of death or injury.

V. For purposes of monitoring compliance and administration of the terms and conditions of this Permit, of review and approval of site plans, lighting plans, landscape and dune restoration plans the contact office of the U.S. Fish and Wildlife Service is:

Field Supervisor
U.S. Fish and Wildlife Service
1601 Balboa Avenue
Panama City, Florida 32405
Telephone: (850) 769-0552
Fax: (850) 763-2177

W. Annual reports shall be provided to the following offices of the U.S. Fish and Wildlife Service:

Field Supervisor
U.S. Fish and Wildlife Service
1601 Balboa Avenue
Panama City, Florida 32405
Telephone: (850) 769-0552
Fax: (850) 763-2177

Section 10 Permit Coordinator
U.S. Fish and Wildlife Service
1875 Century Boulevard, Suite 210
Atlanta, Georgia 30345

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Telephone: (404) 679-4144
Fax: (404) 679-7081

X. Any correspondence generated from implementation, modifications, or administration of the Permit shall also be provided to the following office of the U.S. Fish and Wildlife Service:

Section 10 Permit Coordinator
U.S. Fish and Wildlife Service
1875 Century Boulevard, Suite 210
Atlanta, Georgia 30345
Telephone: (404) 679-4144
Fax: (404) 679-7081

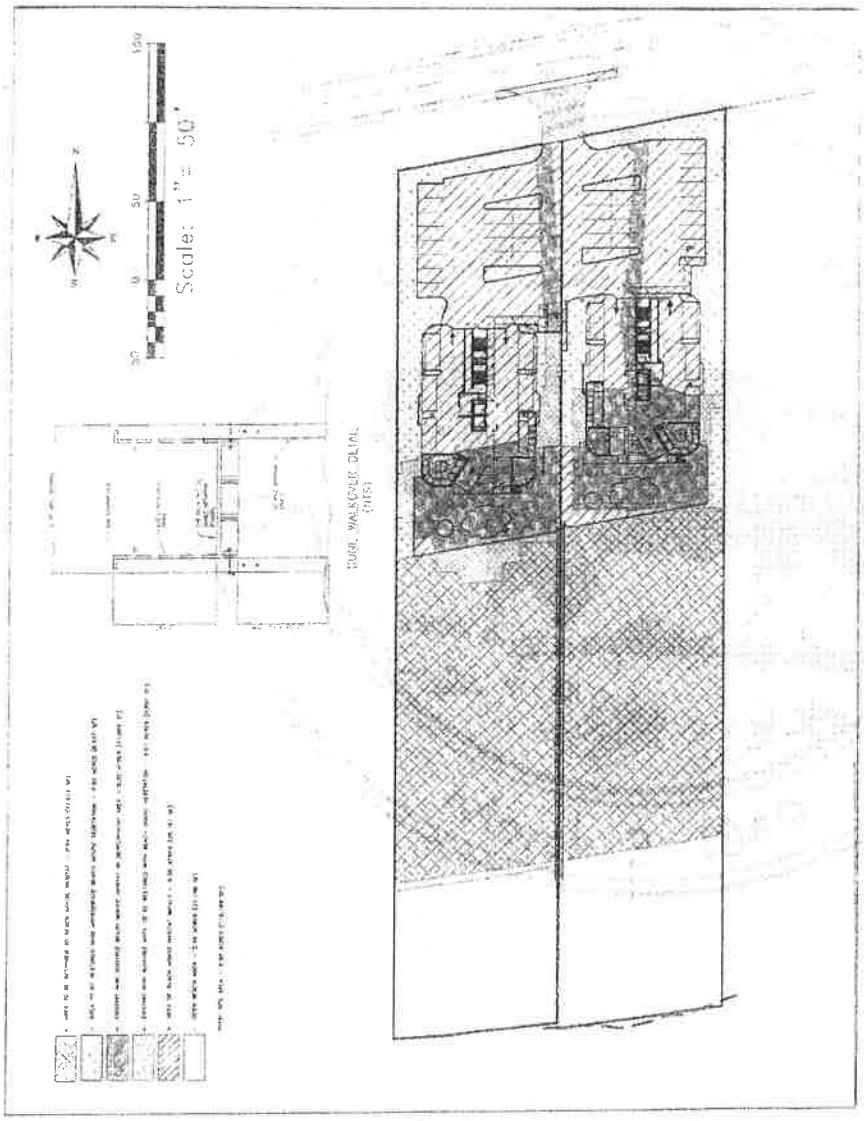
END

RONALD SASSANO
ACROPOLIS DEVELOPMENT ENTERPRISES, L.L.C.
50 SURF SONG LANE #101
DESTIN, FLORIDA 32550

TE122397-0

BLOCK 11 APPENDICES

Appendix A
Palazzo I Design Plans



Palazzo I	Acres
Total PKBM habitat on site	0.86
Permanent impacts	0.29
Temporary impacts	0.10
Unimpacted habitat	0.47
PKBM habitat remaining	0.57
PKBM habitat in conservation easement	0.57
PKBM habitat under deed restriction	0.57

Note: Both Palazzo I & II projects shown

Appendix B
Project Lighting Restrictions for Conservation of Protected Coastal Species

To prevent adverse impacts to nesting and hatchling sea turtles, nocturnal movements of beach mice, and disturbance resting shorebirds, the minimal amount of exterior lighting for human safety and security shall be installed.

1. Lights shall not be placed within the developed footprint such that the light is visible outside the developed area.

2. Lights on dune walkovers or boardwalks shall not be located seaward of the landward toe of the dune (or its equivalent).

3. The light source or any reflective surface of a light fixture shall not be visible from any point beyond the developed footprint. There should be no illumination of any area outside the developed footprint, either through direct illumination, reflective illumination, or cumulative illumination.

4. Exterior wall light fixtures shall be either low pressure sodium lamps or low wattage (i.e., 480 lumens or less) "bug" type bulbs florescent bulbs. The light fixtures should be completely shielded without interior reflective surfaces and directed downward. Lights may also be louvered and/or recessed, with black baffles or without interior reflective surfaces as appropriate.

5. Light fixtures shall be mounted as low as feasible to provide light where it is needed (i.e. patios, balconies, pedestrian paths). This can be accomplished through the use of low bollards, ground level fixtures, or low wall mounts.

6. Lights for purely decorative or accent purposes shall not be visible outside of the developed footprint and shall be limited in number and intensity. Up-lights shall not be used.

7. Roadway lighting shall use shielded low pressure sodium (LPS) lamps. The height and number of fixtures should be kept to a minimum and should be positioned and mounted in a manner such that the point source of light or any reflective surface of the fixture is not visible on the development outside of the developed footprint.

8. Lighting in parking areas shall use shielded low pressure sodium (LPS) lamps, have a height of 20 feet or less and shall not be visible from any point outside the developed footprint. The lighting shall be positioned and shielded such that the point source of light or any reflective surface of the light fixture is not visible outside of the developed area. The light emanating from such fixtures may not directly or indirectly illuminate the area outside of the developed footprint.

Appendix B
Project Lighting Restrictions for Conservation of Protected Species (Page 2)

9. Car and other vehicle parking areas shall be designed or positioned such that vehicular headlights do not cast light outside the developed footprint. Native dune vegetation, and/or other ground-level barriers may be used to meet this objective.

10. Minimal temporary lighting during construction should only be used for security and safety. The lights should be completely shielded and low-mounted. Low pressure sodium lights or low wattage yellow "bug" type bulbs (480 lumens or less) shall be used. The lights should not directly or indirectly illuminate any area outside the construction site.

11. Light fixtures using natural gas as the light source shall not be used for fixtures unless they are fully shielded and the lighting is not visible outside the developed footprint.

12. Tinted glass or window film that meets a transmittance value of 45% or less (inside to outside transmittance) shall be used on all windows and glass doors throughout the development.

13. All ceiling-mounted light fixtures in the interior of the condominium units that could be visible from the outside shall minimize the amount of exposed light bulbs.

References:

Bird, B. L. 2004. Effects of coastal lighting on foraging behavior of beach mice. Conservation Biology 18: 1435-1439.

Bird, B. L. 2002. Effects of predatory risk, vegetation structure, and artificial lighting on the foraging behavior of beach mice. Masters thesis. University of Florida, Gainesville.

Bowers, M.A and H.D. Smith. 1979. Differential habitat utilization by sexes of the deer mouse, *Peromyscus maniculatus*. Ecology, Vol. 60 (5). pp 869-875.

Brillhart, D.B. and D. W. Kauman. 1991. Influence of illumination and surface structure on space use by prairie deer mice (*Peromyscus maniculatus bairdii*). Journal of Mammalogy 72(4):764-768.

Clarke, J.A. 1983. Moonlight's influence on predator/prey interactions between short-eared owls (*Asio flammues*) and deer mice (*Peromyscus maniculatus*). Behavioral Ecology and Sociobiology 13:205-209.

Florida Department of Environmental Protection Chapter 62B-34, General Permit for Activities Seaward of the Coastal Construction Control Line, Chapter 62B-55 Model Lighting Ordinance for Marine Turtle Protection.

Witherington, B.E. and R.E. Martin. 1996. Understanding, assessing, and resolving light-pollution problems on sea turtle nesting beaches. Florida Marine Research Institute Tech. Rep. TR-2. 73 pp.

Appendix C
Species Plant List for Coastal Dune and Beaches in Escambia County, Florida

Scientific Name	Common Name	Height	Container	Primary & Secondary Dune	Inter-dunal	Scrub dune
Trees						
Magnolia grandiflora	Southern Magnolia	60'-90'*	1gTP,3gTP,D			X
Osmanthus americanus	Wild Olive	70'*	1gTP,3gTP,D			X
Pinus clausa	Sand Pine	20'*	1gTP,3gTP,D			X
Pinus elliottii	Slash Pine	80'-100'*	1gTP,3gTP,D			X
Quercus geminata	Sand Live Oak	30'*	1gTP,3gTP,D			X
Quercus myrtifolia	Myrtle Oak	40'*	1gTP,3gTP,D			X
Quercus virginiana maritima	Sand Live Oak	40'-50'*	1gTP,3gTP,D			X
Medium to Large Shrubs & Small Trees						
Callicarpa americana	Beautyberry	5'	1gTP,TB,D			X
Ilex vomitoria	Yaupon Holly	20'	1gTP,TB,D			X
Iva frutescens	Marsh-Elder	11'	1gTP,TB,D		X	
Rhus copallina	Winged Sumac	10' (30')	1gTP,TB,D		X	X
Serenoa repens	Saw Palmetto	10' (30')	1gTP,TB,D			X
Small Shrubs & Ground Covers						
Schizachyrium (formerly maritimum)	Bluestem		LT,TB	X		X
Asclepias humistrata	Sandhill Milkweed		LT,TB			X
Bignonia capreolata	Cross Vine		LT,TB			X
Cakile constricta	Sea Rocket		LT,TB	X		
Ceratiola ericoides	Seaside Rosemary		LT,TB			X
Chryosoma pauciflosculosa	Seaside Goldenrod		LT,TB	X		X
(T) Chrysopsis gossypina cruiseana	Cruise's Golden Aster		LT,TB	X		X
Conradina canescens	Beach Heather		LT,TB	X		X
Cyperus sp.	Sedge		LT,TB		X	
Heterotheca subaxillaris	Aster (Camphor weed)		LT,TB	X		X
Hydrocotyle bonariensis	Pennywort		LT,TB	X	X	X
Ipomoea pes-caprae	Railroad Vine		LT,TB	X		
Ipomoea imperati (formerly stolonifera)	Beach Morning Glory		LT,TB	X		
Licania michauxii	Gopher Apple		LT,TB			X
Panicum amarum	Beach Grass		LT,TB	X	X	
(E) Polygonella macrophylla	Large-leaved Jointweed		LT,TB			X
Tradescantia ohiensis	Spiderwort		LT,TB		X	X
Uniola paniculata	Sea Oats		LT,TB	X		X

BLOCK 11 APPENDICES

The use of installed irrigation, mulch, regardless if artificial or natural material, and landscape fabric is prohibited.

T & E = State of Florida protected plant. Planting is strongly encouraged to help recover the species. Make sure the nursery you purchase the plant from is in the Association of Florida Native Plants; they follow all State regulations to grow and sell protected species.

*Trees living in coastal dunes do not reach "normal heights." They tend to be stunted and "pruned" by the wind, sand, and salt spray. Small specimens should be planted in protected areas such as on the landward side of the dunes.

References:

Moyers, J.E. 1996. Food habits of Gulf coast subspecies of beach mice (*Peromyscus polionotus* spp.). M.S. Thesis, Auburn University, Alabama. 84 pp.

Clewell, A. F. 1993. Guide to the vascular plants of the Florida panhandle. University Presses of Florida, Florida State University Press, Tallahassee, Florida 605 pp.

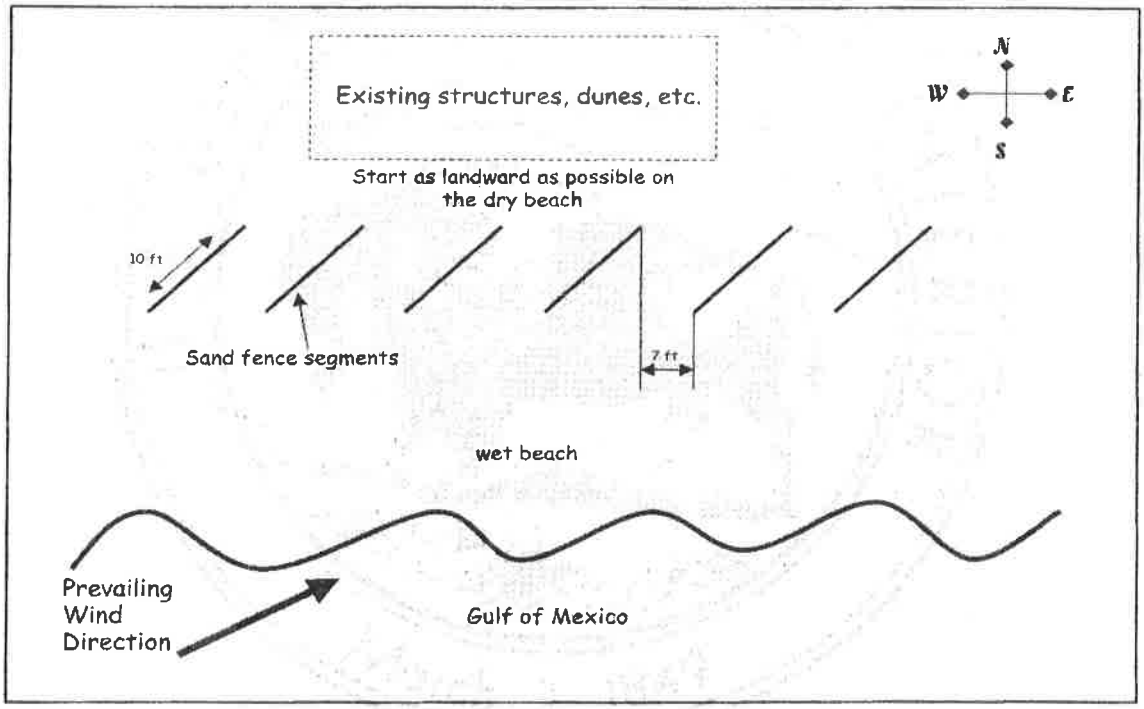
Sneckenberger, S.I. 2001. Factors influencing habitat use by the Alabama beach mouse (*Peromyscus polionotus ammobates*). Master's thesis. Auburn University, Auburn, Alabama.

Wunderlin, R. P., and B. F. Hansen. 2004. *Atlas of Florida Vascular Plants* (http://www.plantatlas.usf.edu/).[S. M. Landry and K. N. Campbell (application development), Florida Center for Community Design and Research.] Institute for Systematic Botany, University of South Florida, Tampa.

Wunderlin, R.P. 1998. Guide to the vascular plants of Florida. University Presses of Florida, Gainesville, Florida 806 pp.

Appendix D
Sand Fence Installation Configuration for Sea Turtle Nesting Beaches Northwest Florida

A maximum of 10 foot-long spurs of parallel fence spaced a minimum of 7 feet apart shall be installed on a northeast-southwest (diagonal) alignment (below schematic).



Florida Department of Environmental Protection. Sand Fencing guidelines.
http://www.dep.state.fl.us/beaches/publications/worddoc/sndfncgl.doc

Florida Department of Environmental Protection. Building Back the Sand Dunes. Brochure.
http://www.dep.state.fl.us/beaches/publications/pdf/bldgbkvw.pdf