



FLORIDA DEPARTMENT OF Environmental Protection

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Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

July 22, 2024

Robert McDowell
9598 Shelburne Cir
Port Charlotte, FL 33981
remc72@hotmail.com

Re: Warning Letter
Site No. 337974 / Project No. 418829
Complaint No. 41067
Interceptor Lagoon, Class III Waters
Unnamed Wetlands, Class III Waters
Parcel No. 412126103010
Charlotte County – SLERC

Dear Mr. McDowell:

A complaint inspection was conducted at the above referenced site on May 17, 2024. During this inspection, possible violations of Section 373.430(1), Florida Statutes (F.S.), and Rule 62-330.020(2), Florida Administrative Code (F.A.C.) were observed.

During the inspection, Florida Department of Environmental Protection (department) personnel noted the following activity conducted without a permit from the department:

- Approximately 17,779 square feet of unauthorized impacts to wetlands via placement of fill.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121, Florida Statutes.

Please contact Xenia Alonso at (239) 344-5701 or by email Xenia.Alonso@floridadep.gov, within **15 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Robert McDowell
Site No. 337974 / Project No. 418829
Warning Letter
Page 2 of 2

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Sweigert".

Elizabeth Sweigert
Director of District Management
South District Office
Florida Department of Environmental Protection

Enclosures: Inspection Report
62-340, F.A.C. Data Forms (Test Points 1-3)
Test Points 1-3 Photo Logs

cc: Environmental Control Committee, Waterview POA, eccwaterview@gmail.com



Florida Department of Environmental Protection
 SOUTH DISTRICT COMPLIANCE ASSURANCE PROGRAM
 ERP Inspection Report

ALL HIGHLIGHTED FIELDS INDICATE UPDATES FOLLOWING THE 7/10/2024 FILE REVIEW

Inspection Date: 5/17/2024

Inspector: Xenia Alonso

Persons present during inspection:
 Kelly Dino

File Review: 7/10/2024

File Reviewer: Xenia Alonso

Compliance Status: In Compliance

Minor Non-Compliance

Significant Non-Compliance

Inspection Type:

Complaint

Compliance

Enforcement

Other:

Complaint No. 41067

Site No. 337974

Project: 417902 (Waterview POA)
 418829 (Robert McDowell)

Owner of Property 1: Waterview Property Owners Association, Inc

Contact: P.O. Box 298, Placida, FL 33946 -
eccwaterview@gmail.com

Owner of Property 2: Robert McDowell

Contact: 9598 Shelburne Cir, Port Charlotte, FL 33981
 (563) 920-4257 - remc72@hotmail.com

Activity/Site Location: Section of Parcel ID 412126103010 (Property 1) adjacent to 9598 Shelburne Cir, Port Charlotte, FL 33981 – Parcel ID 412123355012 (Property 2)

Waterbody: Interceptor Lagoon / Unnamed Wetlands

Class: I II III IV V

Shellfish Harvesting: Approved Conditionally Approved
 Conditionally Restricted Prohibited

Outstanding Florida Waters (OFW): Yes No

State Lands: Yes No

Aquatic Preserve: Yes No

Aquatic Preserve Name: N/A

SSL Lease Inspection Completed: N/A

Site History

The above-referenced site is a section of Parcel No. 412126103010 owned by Waterview Property Owners Association, Inc. (Property 1) adjacent to 9598 Shelburne Cir, Port Charlotte, FL 33981 – Parcel ID 412123355012 (Property 2), which is owned by Robert McDowell. This area is now referred to as the “Greenbelt section”.

9/13/2015: Jeffrey Fisher of Comdivers Marine & Salvage Corp, on behalf of the homeowner at the time, used the Florida Department of Environmental Protection (department) electronic Self Certification process to certify compliance with the terms and conditions for an exempt dock (Self Certification file No. 0337974-001 EE) at a private, single-family residence.

4/14/2021: John Sturm of Florida Marine Works, LLC, on behalf of Robert McDowell, used the department’s electronic Self Certification process to certify compliance with the terms and conditions for an exempt dock general modification (Self Certification file No. 0402169-001 EE) at a private, single-family residence.

11/30/2023: The department received a complaint (No. 41067) regarding fill in wetlands and riprap on the Greenbelt section adjacent to Property 2.

5/17/2024: Department staff conducted a compliance inspection in reference to complaint No. 41067. The following department staff were present during the inspection: Xenia Alonso and Kelly Dino.

6/10/2024: The department issued a Warning Letter to Waterview Property Owners Association, Inc. regarding 17,779 square feet of wetland impacts via placement of fill.

6/24/2024: The department received documentation from Waterview Property Owners Association, Inc. showing Robert McDowell had conducted the observed non-compliance and was notified of potential violations by the association. The documents can be found here:

[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=23.1467032.1\]&\[profile=Discovery_Combpliance](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=23.1467032.1]&[profile=Discovery_Combpliance)

Inspection Findings

During the inspection, department staff observed the Greenbelt section adjacent to Property 2 had been cleared and sodded. Department staff also observed boulders along the shoreline and a dock with a covered boatlift.

Wetlands

Pursuant to Chapter 62-340, F.A.C. the Greenbelt section adjacent to Property 2 was determined to contain wetlands. Pursuant Chapter 62-340, F.A.C. Property 2 was determined to be uplands. This determination was made using reasonable scientific judgement, conducting a review of historical aerial maps of this area, on site visual inspection, ground truthing, and the altered site methodology described in Chapter 62-340.300(3), F.A.C. Wetland delineations pertaining to potentially non-compliant activities do not consider the alterations as they exist but rather what they were immediately before the non-compliant activities took place. Thus, the information used for the wetland delineation was collected from three test points (“Test Point 1”, “Test Point 2”, and “Test Point 3”) and utilized in a forensic manner.

Test Point 1 is a location where the vegetation was undisturbed, and the ground surface was left at original grade. Test Point 1 met the wetland definition, and D test requirements for wetlands under the guidelines provided by Chapter 62-340, F.A.C. Test Point 2 is a location that was cleared of vegetation and sodded. Immediately prior to impacts, Test Point 2 would have met the wetland definition, and D test as referenced by Test Point 1. Test Point 3 is a location within a historically filled area (pre-1994) and was found to be uplands under the guidelines provided by Chapter 62-340, F.A.C. Additional information on how this delineation was made is attached. The approximate location where the Test Points were taken is shown in Figure 6 below.

Per aerial review, the first wetland impacts occurred sometime between 1/23/2013 and 2/17/2014 (Figures 2-3). On site observations included approximately 17,779 square feet (0.41 acres) of unauthorized impacts to wetlands via clearing of vegetation, placement of sod, and a brick pathway (Figure 7). Additionally, department staff observed boulders along the shoreline (Photos 3-4).

The dredge and fill activities on the Greenbelt section adjacent to Property 2 occurred entirely in wetlands and therefore requires an Environmental Resource Permit prior to activity commencement pursuant to 62-330.020, F.A.C. Record of an Environmental Resource Permit for the activities observed on the Greenbelt section could not be located in the department’s files.

Dock

During the inspection, department staff observed a dock with a covered boatlift. The overwater surface area of the dock and the covered boatlift combined was measured to be approximately 847 square feet. Per aerial review, the dock is located 65 feet from the neighboring dock.

Construction of a dock with an overwater area of 1,000 square feet or less, with a minimum distance of 65 feet from another dock, is exempt from the need to obtain an ERP permit under Chapter 62-330.051(5)(b), F.A.C. and 403.813(1)(b), F.S. Therefore, the dock is considered exempt.

Resource Assessment

FLUCCS/FNAI Community Type(s):	Hydric Hammock
Wetlands/Other Surface Waters (OSW) Present:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other Resources Present:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," identify: <i>submerged aquatic vegetation</i>
Resource Impacts:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Area of Authorized Impacts (ft ²):	0
Area of Unauthorized Impacts (ft ²):	17,779 square feet (0.41 acres)

DOCK

Dock Over-Water Area (sq. ft.):	847 sq ft
Number of Slips:	1 Covered 0 Uncovered
Unauthorized Structures:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA

Recommendations for Corrective Action

For Waterview Property Owners Association, Inc. and Robert McDowell:

- 1. Cease any further unauthorized activities, construction, and discharge of fill materials in wetlands; and**
- 2. Enter into a Consent Order with the department to resolve the unauthorized wetland dredge and fill on the Greenbelt section adjacent to Property 2; and**
- 3. Obtain the appropriate regulatory authorization from the department for any future construction in wetlands, pursuant to Chapter 62-330, F.A.C.**

Statute/Rule Reference(s)

Chapter 62-330, F.A.C.

Chapter 62-340, F.A.C.

Section 373.430, Florida Statutes (F.S.)

Links to Additional Documentation and/or Resources

Florida Statutes: <http://www.leg.state.fl.us/STATUTES/>

Florida Administrative Code: <https://www.flrules.org/>

Mangrove Trimming and Preservation Act: https://floridadep.gov/sites/default/files/mtpa96_0.pdf



Xenia Alonso, Environmental Specialist III

7/10/2024

Date



Qiara Perez, Environmental Manager

7/16/2024

Date

Site Inspection Figures

Inspection Date: 5/17/2024

Inspector: Xenia Alonso



Figure 1: Aerial photograph dated 12/20/1985 showing the historically filled area. Property 2 location shown by red arrow. Source: Florida Department of Transportation.



Figure 2: Aerial photograph dated 1/23/2013. The Greenbelt section is outlined in yellow, and Property 2 is outlined in white. Source: Google Earth.



Figure 3: Aerial photograph dated 2/17/2014 showing first impacts to wetlands via clearing of vegetation. The Greenbelt section is outlined in yellow, and Property 2 is outlined in white. Source: Google Earth.

Site Inspection Figures

Inspection Date: 5/17/2024

Inspector: Xenia Alonso



Figure 4: Aerial photograph dated 1/5/2021 showing further impacts to wetlands via clearing and placement of sod. A dock with a boatlift can also be observed. The Greenbelt section is outlined in yellow, and Property 2 is outlined in white. Source: Google Earth.



Figure 5: 2024 aerial photograph showing impacts to wetlands via clearing, sodding, and a brick pathway to the dock. The Greenbelt section is outlined in red, and Property 2 is outlined in yellow. Source: Charlotte County Property Appraiser.

Site Inspection Figures

Inspection Date: 5/17/2024

Inspector: Xenia Alonso



Figure 6: Aerial photography dated 1/23/2013 showing the approximate location of the test points taken. The Greenbelt section adjacent to Property 2 was determined to contain wetlands (blue). Property 2 was determined to be uplands (brown).



Figure 7: 2023 Aerial photograph showing the unauthorized fill in wetlands (red).

Site Inspection Photos

Inspection Date: 5/17/2024

Inspector: Xenia Alonso



Photo 1: Facing East, view of sod and brick pathway on wetlands.



Photo 2: Facing West, view of sod and brick pathway on wetlands.



Photo 3: Facing South, view of boulders along the shoreline.



Photo 4: Facing North, view of boulders along the shoreline and dock.



Photo 5: Facing East, view of dock and covered canopy.



Photo 6: Facing Southeast, view of dock and covered canopy.

Site Inspection Photos

Inspection Date: 5/17/2024

Inspector: Xenia Alonso



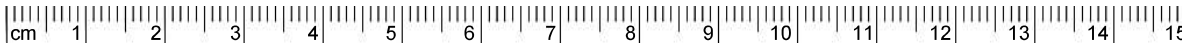
Photo 7: View of boulders along the shoreline. Note presence of submerged aquatic vegetation.



Photo 8: View of submerged aquatic vegetation on site.



Photo 9: Facing North, view of impacted wetlands via placement of sod. Unimpacted wetlands can be observed in the background.



§ denotes the Rule, subsection, paragraph, or subparagraph referenced from Ch. 62-340, F.A.C.

Chapter 62-340, F.A.C. Data Form

1. Date: 5/17/2024 2. Staff Present: Xenia Alonso, Kelly Dino 3. Form recorder(s): XA
 4. County: Charlotte 5. Site Name: 9598 Shelburne Cir Tracking #: _____
 6. Point ID: Test Point 1 GPS Coordinates: 26.88781N -82.18653W
 7. Distances and bearings from fixed objects (if no GPS): _____
 8. Current condition of described point: Authorized or legal condition Unauthorized or illegal condition
 9. Work type: Identification Delineation
 Point status: Wetland Non-Wetland Surface Water Upland

10. Vegetative Stratum §62-340.400: Using §62-340.400, F.A.C. with reasonable scientific judgment, select the appropriate vegetative stratum. (Do not include FAC species when determining 10% minimum areal extent.)
 Canopy (Min. 10% areal extent) Subcanopy (Min. 10% areal extent) Groundcover (No min. areal extent)
 Vegetation Absent (*skip to #14*) Evaluation Impossible (*skip to #14*) **Why?** min. areal extent not met in higher strata

11. Plant List §62-340.200(2),(6),(16), §62-340.400, §62-340.450, F.A.C.: Areal extent estimator: XA
As is under current conditions, without considering RSJ¹ or the legality of any alterations:

Select and identify plants in an area just large enough to represent and classify the plant community at the described point. Do not extend into different communities or hydrologic conditions.

1. Record the scientific name (binomial) and status of each plant species necessary to identify/delineate and classify the plant community in the selected area.
2. Record the percent areal extent in the canopy, subcanopy, and groundcover columns for each species.
3. For each species present in the **stratum selected in #10**, transfer the numbers from only that stratum's column into the appropriate status columns.

#	Binomial of Observed Species	Status	Canopy	Subcanopy	Groundcover	Upland	Facultative	Fac. Wet	Obligate
1.	Schinus terebinthifolius	F	40						
2.	Myrica cerifera	F		8					
3.	Serenoa repens	U			40	40			
4.	Melaleuca quinquenervia	F	15						
5.	Myrsine guianensis	F	3						
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
Percent areal extent totals for the stratum selected in question 10						40	0	0	0

12. In the stratum selected in #10: What is the % areal extent of Obligate plants? 0
 What is the % areal extent of Upland plants? 40
 Is the areal extent of Obligate plants greater than that of Upland plants? Yes No

13. In the stratum selected in #10: What is the total % areal extent of Obligate & Facultative Wet plants combined? 0
 What is the total % areal extent of Obligate, Facultative Wet, & Upland plants combined? 40
 What is the percentage of OBL + FACW in relation to all plants, excluding FAC? ($\frac{OBL+FACW}{OBL+FACW+UPL}$) 0.0%

Point ID/Location: 26.88781N -82.18653W Soil describer: XA

14. LRR/MLRA U Textures: Peat, Mucky Peat, Muck, Mucky Mineral (S or F), Sand, Fine, Marl

15. Is a soil profile evaluation possible? Yes No If no, why? (If No, skip to #18)

16. Soil Description: As is under current conditions, without considering RSJ¹ or the legality of any alterations
Soil surface, or 0 inch depth for purposes of Chapter 62-340, F.A.C. is the muck or mineral surface (whether natural or fill)

Horizon	beginning to ending Depth (inches)	Matrix Texture	moist condition Matrix Hue Value/ Chroma	for sandy matrix horizons w/ value ≤ 3: % Organic Coating	- Describe soil features: DA (areas darker than matrix), LA (areas lighter than matrix), RC (redox concentrations): Record in moist condition hue value/chroma; % volume in horizon; boundaries (sharp/clear/diffuse); shape (rounded/linear/angular). - OB (organic bodies): Record texture (muck or mucky mineral), % volume in horizon. - H₂S (hydrogen sulfide odor): Indicate shallowest depth where detected - Note if horizon is Physically Mixed (PM) , Nonsoil (any material not listed in "Textures" above), or Fill and describe.
1	+1.5-0	Peat			
2	0-4.5	Muck	10YR 2/1	90%	muck at surface
3	4.5-8.5	Sand	10YR 3/1	80%	LA: 10YR 4/2, rounded, diffuse, 20%
4					
5					
6					

17. Hydric Soil Field Indicators: If present, check all Hydric Soil Field Indicators satisfied and specify their beginning and ending depths

<input checked="" type="checkbox"/> All Texture	<input checked="" type="checkbox"/> Sandy Texture	<input checked="" type="checkbox"/> Fine Texture	Indicator Present	Begin Depth	End Depth
<input type="checkbox"/> (A1) Histosol*	<input type="checkbox"/> (S4) Sandy Gleyed Matrix*	<input type="checkbox"/> (F2) Loamy Gleyed Matrix*	1. A8	0	4.5
<input type="checkbox"/> (A2) Histic Epipedon*	<input type="checkbox"/> (S5) Sandy Redox	<input type="checkbox"/> (F3) Depleted Matrix	2. S6	4.5	8.5
<input type="checkbox"/> (A3) Black Histic*	<input checked="" type="checkbox"/> (S6) Stripped Matrix	<input type="checkbox"/> (F6) Redox Dark Surface	3. S7	0	8.5
<input type="checkbox"/> (A4) Hydrogen Sulfide*	<input checked="" type="checkbox"/> (S7) Dark Surface	<input type="checkbox"/> (F7) Depleted Dark Surface	4.		
<input type="checkbox"/> (A5) Stratified Layers*	<input type="checkbox"/> (S8) Polyvalue Below Surface	<input type="checkbox"/> (F8) Redox Depression	5.		
<input type="checkbox"/> (A6) Organic Bodies	<input type="checkbox"/> (S9) Thin Dark Surface	<input type="checkbox"/> (F10) Marl	6.		
<input type="checkbox"/> (A7) 5cm Mucky Mineral*	<input type="checkbox"/> (S12) Barrier Islands 1cm Muck	<input type="checkbox"/> (F12) Iron-Manganese Masses			
<input checked="" type="checkbox"/> (A8) Muck Presence*		<input type="checkbox"/> (F13) Umbric Surface			
<input type="checkbox"/> (A9) 1cm Muck*		<input type="checkbox"/> (F22) Very Shallow Dark Surface			
<input type="checkbox"/> (A11) Depleted Below Dark Surface	* = Stand-alone D Test - both hydric soil and hydrologic indicator		To combine layers/indicators to meet thickness requirements, see NRCS Hydric Soils Technical Note 4.		
<input type="checkbox"/> (A12) Thick Dark Surface					

18. Excluding organic horizons, is any nonsoil horizon present at or within the uppermost 12 inches of the ground surface?
 Yes (e.g. bedrock, rock outcrop, limestone fill, gravel, etc) No Soil profile or site inaccessible

19. Is one or more hydric soil field indicators present? Yes No Inconclusive (e.g., evaluation to 12+ inches impeded by disturbance, water, nonsoil, no site access, etc.)
If no or inconclusive, is the soil hydric as determined by other NRCS methods?
 Yes ← Which method(s)? No Inconclusive ← Why?
(e.g., hydric soil definition, HSTS², indicator present at drier elevation, indicator would be present but for disturbance)

20. Is the depth of the soil profile 20 inches or greater from the soil surface? Yes No
If no, depth of soil profile is: 8.5 inches Why? heavy texture
(e.g., root refusal, nonsoil, water table, loose sand, heavy texture, compaction, weather conditions, inspection interrupted)

21. Observed height or depth of standing water from soil surface: _____ inches Above Below Not Observed

22. Hydrologic Indicators: As is under current conditions, without considering RSJ¹ or the legality of any alterations

Hydrologic Indicators per §62-340.500, F.A.C. (and as applied to §62-340.600, F.A.C.)	Present at or near point	Predicted during normal high water or wet season♦	Within 100 ft waterward of point (not for upland points)	1. Describe the type of all checked indicators. 2. Approximate the distance and compass direction of indicators within 100 ft of the point. 3. For water level indicators (potential indicators denoted by *) note the height from ground surface at the point as well as waterward (with distance from point). ♦ Only for indicators not present due to dry season/drought
(1) Algal mats*				
(2) Aquatic mosses or liverworts*				
(3) Aquatic plants*				
(4) Aufwuchs*				
(5) Drift lines and rafted debris*				
(6) Elevated lichen lines*				
(7) Evidence of aquatic fauna				
(8) Hydrologic data*	✓			(A8) Muck Presence from 0"-4.5"
(9) Morphological plant adaptations*				
(10) Secondary flow channels				
(11) Sediment deposition*				
(12) Tussocks or hummocks*				
(13) Water marks*				

Highest water level indicator height at point: 0 inches Above Ground Surface No Water Level Indicators
 Above Soil Surface N/A (described point is Upland)

23. Is one or more hydrologic indicator(s) listed in §62-340.500, F.A.C. present or predicted with normal high water or wet season conditions at the described point? Yes No Evaluation Impossible ← Why?

24. Delineation by Wetland Definition §62-340.300(1), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Has a wetland boundary been delineated at the described point? Yes No (If No, skip to #25)
 b) If yes to 24a, can the boundary be easily delineated using the definition of wetlands? Yes No

25. A & B Test Wetland Criteria §62-340.300(2)(a),(b), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Is the areal extent of Obligate plants in the stratum selected in #10 greater than the areal extent of all Upland plants in that stratum? (See #12) Yes No Vegetation Absent (skip to #25f) Evaluation Impossible (skip to #26a)
 b) Is the areal extent of Obligate and/or Facultative Wet plants in the stratum selected in #10 equal to or greater than 80% of all the plants in that stratum, excluding Facultative plants? (See #13) Yes No
 c) Is the soil hydric as identified using standard NRCS definitions and practices? (see #19)
 Yes No Indeterminable with current conditions ← Why? _____
 d) Is the substrate composed of riverwash, nonsoil (see #18), rock outcrop-soil complex, or is the substrate located within an artificially created wetland area? Yes No If yes, which condition is present? _____
 e) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No
 f) Are the A Test criteria met per §62-340.300(2)(a), F.A.C. at the described point? Yes No
 (Note: If yes to 25a and yes to either 25c, 25d, or 25e, A Test criteria are met)
 g) Are the B Test criteria met per §62-340.300(2)(b), F.A.C. at the described point? Yes No
 (Note: If yes to 25b and yes to either 25c, 25d, or 25e, B Test criteria are met)
 h) Are there any **alterations or conditions** affecting reliable application of the A or B Test such that the Altered Sites Test is more appropriate? Yes No

26. C Test Wetland Criteria §62-340.300(2)(c), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Per §62-340.300(2)(c), F.A.C. is the described point Pine Flatwoods or Improved Pasture, or does it have drained soils? Yes No If yes, select which of the following are met, then skip to #26d

Pine Flatwoods Improved Pasture Drained Soils

Pine Flatwoods must have flat terrain, a monotypic or mixed canopy of long leaf pine or slash pine, and a ground cover dominated by saw palmetto with other species that are NOT obligate or facultative wet. Improved Pasture means areas where the dominant native plant community has been replaced with planted or natural recruitment of herbaceous species which are NOT obligate or facultative wet species and which have been actively maintained for livestock through mechanical means or grazing.

Drained Soils are those in which permanent alterations, excluding mechanical pumping, preclude the formation of hydric soils.

b) Are the soils at the described point saline sands (salt flats-tidal flats), or have they been field verified by NRCS's Keys to Soil Taxonomy (4th ed. 1990) as Umbraqualfs, Sulfaquents, Hydraquents, Humaquepts, Histosols (except Folists), Argiaquolls, or Umbraquults? Yes No

c) Do the soils at the described point have a NRCS hydric soil field indicator (see #17), and is the point located within a map unit named or designated by the NRCS as frequently flooded, depressional, or water?

Map Unit: Mattlacha gravelly fine sand-Urban land complex, 0 to 2 percent slopes Yes No Inconclusive ← Why? (skip to #27a)

d) Are the C Test criteria met per §62-340.300(2)(c), F.A.C. at the described point? Yes No (Note: If no to 26a and yes to either 26b or 26c, C Test criteria are met)

e) Are there any alterations or conditions affecting reliable application of the C Test such that the Altered Sites Test is more appropriate? Yes No

27. D Test Wetland Criteria §62-340.300(2)(d), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Is the soil hydric as verified by a NRCS hydric soil field indicator? (See #17)

Yes No (skip to #27d) Inconclusive ← Why? (skip to #28)

b) Does any NRCS hydric soil field indicator begin at the soil surface or are any of the following indicators present: A1, A2, A3, A4, A5, A7, A8, A9, S4, F2? Yes No (If yes, then hydrologic indicator §62-340.500(8) or (11) is met)

c) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No

d) Are the D Test criteria met per §62-340.300(2)(d), F.A.C. at the described point? Yes No (Note: If yes to 27a and yes to either 27b or 27c, D Test criteria may be met)

e) Are there any alterations or conditions affecting reliable application of the D Test such that the Altered Sites Test is more appropriate? Yes No

28. Altered Sites Tests §62-340.300(3), F.A.C. (Legal/Authorized or Illegal/Unauthorized)

For purposes of Chapter 62-340, F.A.C. altered refers to any natural or man-induced condition(s) which masks or eliminates reliable expression of wetland indicators (i.e. hydrophytic vegetation, hydric soils, and hydrologic indicators). Unaltered or normal does not require a natural condition, only an expression of wetland indicators that is sufficient to reliably identify or delineate the wetland using the criteria in §62-340.300, F.A.C.

Are alterations affecting normal wetland condition? Yes No (skip to #32) Evaluation Impossible (skip to #32)

29. Authorized or Legally Altered Vegetation and Soils Test Criteria §62-340.300(3)(a), F.A.C.

a) Are there authorized or legal alterations affecting reliable expression of vegetation at the described point? Yes No If yes, how?

b) Are there authorized or legal alterations affecting reliable soil evaluation at the described point? Yes No If yes, how? (If no to both 29a and 29b, skip to #30)

c) If yes to 29a or 29b, which criteria tests are affected by the legal alterations?

A Test B Test C Test D Test

d) Using the most reliable available information and reasonable scientific judgment, would the types of evidence and characteristics contemplated in §62-340.300, F.A.C. identify or delineate the described point as a wetland with cessation of the legal altering activities? Yes No If no, why? (If no, skip to #30)

e) If yes to 29d, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of legal altering activities? Plants Soils Hydrologic indicators

f) If yes to 29d, which tests would be passed with cessation of legal altering activities?

Wetland Definition A Test B Test C Test D Test

Why?

30. Authorized or Legally Altered Hydrology Test Criteria §62-340.300(3)(b), F.A.C.

- a) Has wetland hydrology of the area been **legally** drained or lowered? Yes No (If no, skip to #31)
If yes, how? _____
- b) Has wetland hydrology been **legally** eliminated at the described point? Yes No (If no, skip to #31)
- c) If yes to 30b, using reasonable scientific judgment or §62-340.550, F.A.C., have dredging or filling activities authorized by **Part IV** of Chapter 373, F.S. **permanently eliminated** wetland hydrology at the described point such that the wetland definition cannot be met? Yes (point is upland) No (If yes, skip to #31)
*Chapter 373, F.S. Part II activities (e.g., water use permits) or other temporary hydrologic alterations (e.g., surface water pumps, drought) do **not** apply to this or any other Ch. 62-340, F.A.C. determinations.*
- d) If no to 30c, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of temporary hydrologic drainage? Plants Soils Hydrologic indicators
- e) If no to 30c, Which tests would be passed with cessation of temporary hydrologic alterations?
 Wetland Definition A Test B Test C Test D Test
Why? _____

31. Unauthorized or Illegally Altered Sites Test Criteria §62-340.300(3)(c), F.A.C.

If the altering activity is a violation of regulatory requirements, then application of §62-340.300(3)(c), F.A.C. and all provisions of Chapter 62-340, F.A.C. are utilized to identify or delineate the wetland in a forensic manner.

This identification or delineation reflects the condition immediately prior to the unauthorized alteration.

- a) Have any **unauthorized** alterations affected the normal wetland condition at the described point? Yes No
If yes, how? _____ (If no, skip to #32)
- b) If yes to 31a, which criteria tests are affected by the unauthorized alterations?
 A Test B Test C Test D Test
- c) With reasonable scientific judgment is the described point a wetland, or would it have been a wetland immediately prior to the unauthorized alteration? Yes No If no, why? _____ (If no, skip to #32)
- d) If yes to 31c, what §62-340.300, F.A.C. evidence is present now and/or was present immediately prior to the unauthorized alteration? Plants Soils Hydrologic indicators
- e) If yes to 31c, which tests would be passed immediately prior to the unauthorized alteration?
 Wetland Definition A Test B Test C Test D Test
Why? _____

32. Wetland and Other Surface Water Summary §62-340.600(2)(a-e), F.A.C.:

Given **normal** expression, **cessation** of **authorized** alterations, or **immediately prior** to any **unauthorized** alterations:

- a) With **reasonable scientific judgment** is the described point a wetland as defined in §62-340.200(19), F.A.C. and located by Ch. 62-340, F.A.C.? Yes No If yes, which criteria identified or delineated the wetland?
 Wetland Definition A Test B Test C Test D Test
If summary answers differ from answers in 25f, 25g, 26d, or 27d, why? _____
- b) Is the described point located at or within the Mean High Water Line of a tidal water body?
 Yes No MHWL Unknown
- c) Is the described point located at or within the Ordinary High Water Line of a non-tidal natural water body or natural watercourse? Yes No
- d) Is the described point located at or within the top of the bank of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes of 1 foot vertical to 4 feet horizontal or steeper, excluding spoil banks when the canals and ditches have resulted from excavation into the ground? Yes No
- e) Is the described point located at or within the Seasonal High Water Line of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes flatter than 1 foot vertical to 4 feet horizontal or an artificial water body created by diking or impoundment above the ground? Yes No

33. Connection or Isolation of Wetland per Applicant's Handbook Vol.1 Section 2.0

If the described point is a wetland, does it have a connection via wetlands or other surface waters, or is it wholly surrounded by uplands and therefore isolated? Connected Isolated N/A (Point is not wetland)

Point ID/Location: 26.88781N -82.18653W

34. Photographs and/or videos: Soil profile with Data Form, Soil profile close-up, Cross section(s) at 6" depth for sandy textures and/or critical depths for fine textures, Hydric soil indicators, Water table or inundation depth, Four cardinal directions of plant strata present, Hydrologic indicators (with scale as necessary), Critical plant ID (optional)

#	Memory Card # / Metadata	Description, compass direction (if applicable)	Taken By
1.		see Test Point 1 photo log	XA
2.			
3.			
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Notes:

Helpful Definitions for Applying Ch 62-340, F.A.C.

¹**RSJ** stands for Reasonable Scientific Judgment where used throughout this Data Form (See *The Florida Wetlands Delineation Manual* pg. 2 & 12)

²**HSTS** stands for Hydric Soils Technical Standard (See NRCS Hydric Soils Technical Note 11)

Definition from §62.340.200(19) Florida Administrative Code

"Wetlands," as defined in subsection 373.019(17), F.S., means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

Definition from §373.019(19) Florida Statutes

"Surface water" means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

Definition from §373.019(14) Florida Statutes

"Other watercourse" means any canal, ditch, or other artificial watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted.

Definition from §62.340.200(15) Florida Administrative Code

"Seasonal High Water" means the elevation to which the ground and surface water can be expected to rise due to a normal wet season.

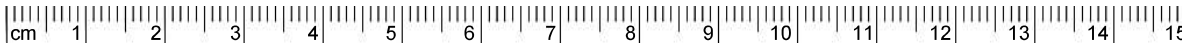
From The Florida Wetlands Delineation Manual pg. 37

Ordinary high water is that point on the slope or bank where the surface water from the water body ceases to exert a dominant influence on the character of the surrounding vegetation and soils. The OHWL frequently encompasses areas dominated by non-listed vegetation and non-hydric soils. When the OHWL is not at a wetland edge, the general view of the area may present an "upland" appearance.

Definition from §403.803(14) Florida Statutes

"Swale" means a manmade trench which:

- (a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;
- (b) Contains contiguous areas of standing or flowing water only following a rainfall event;
- (c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
- (d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.



§ denotes the Rule, subsection, paragraph, or subparagraph referenced from Ch. 62-340, F.A.C.

Chapter 62-340, F.A.C. Data Form

1. Date: 5/17/2024 2. Staff Present: Xenia Alonso, Kelly Dino 3. Form recorder(s): XA
 4. County: Charlotte 5. Site Name: 9598 Shelburne Cir Tracking #: _____
 6. Point ID: Test Point 2 GPS Coordinates: 26.88772N -82.18660W
 7. Distances and bearings from fixed objects (if no GPS): _____
 8. Current condition of described point: Authorized or legal condition Unauthorized or illegal condition
 9. Work type: Identification Delineation
 Point status: Wetland Non-Wetland Surface Water Upland

10. Vegetative Stratum §62-340.400: Using §62-340.400, F.A.C. with reasonable scientific judgment, select the appropriate vegetative stratum. (Do not include FAC species when determining 10% minimum areal extent.)
 Canopy (Min. 10% areal extent) Subcanopy (Min. 10% areal extent) Groundcover (No min. areal extent)
 Vegetation Absent (*skip to #14*) Evaluation Impossible (*skip to #14*) **Why?** only available stratum due to alteration

11. Plant List §62-340.200(2),(6),(16), §62-340.400, §62-340.450, F.A.C.: Areal extent estimator: XA
As is under current conditions, without considering RSJ¹ or the legality of any alterations:

Select and identify plants in an area just large enough to represent and classify the plant community at the described point. Do not extend into different communities or hydrologic conditions.

1. Record the scientific name (binomial) and status of each plant species necessary to identify/delineate and classify the plant community in the selected area.
 2. Record the percent areal extent in the canopy, subcanopy, and groundcover columns for each species.
 3. For each species present in the **stratum selected in #10**, transfer the numbers from only that stratum's column into the appropriate status columns.

#	Binomial of Observed Species	Status	Canopy	Subcanopy	Groundcover	Upland	Facultative	Fac. Wet	Obligate
1.	Stenotaphrum secundatum	U			100	100			
2.									
3.									
4.									
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
Percent areal extent totals for the stratum selected in question 10						100	0	0	0

12. In the stratum selected in #10: What is the % areal extent of Obligate plants? 0
 What is the % areal extent of Upland plants? 100
 Is the areal extent of Obligate plants greater than that of Upland plants? Yes No

13. In the stratum selected in #10: What is the total % areal extent of Obligate & Facultative Wet plants combined? 0
 What is the total % areal extent of Obligate, Facultative Wet, & Upland plants combined? 100
 What is the percentage of OBL + FACW in relation to all plants, excluding FAC? ($\frac{OBL+FACW}{OBL+FACW+UPL}$) 0.0%

Point ID/Location: Test Point 2 / 26.88772N -82.18660W Soil describer: XA

14. LRR/MLRA U Textures: Peat, Mucky Peat, Muck, Mucky Mineral (S or F), Sand, Fine, Marl

15. Is a soil profile evaluation possible? Yes No If no, why? fill/sod (If No, skip to #18)

16. Soil Description: As is under current conditions, without considering RSJ¹ or the legality of any alterations
Soil surface, or 0 inch depth for purposes of Chapter 62-340, F.A.C. is the muck or mineral surface (whether natural or fill)

Horizon	beginning to ending Depth (inches)	Matrix Texture	moist condition Matrix Hue Value/ Chroma	for sandy matrix horizons w/ value ≤ 3: % Organic Coating	- Describe soil features: DA (areas darker than matrix), LA (areas lighter than matrix), RC (redox concentrations): Record in moist condition hue value/chroma; % volume in horizon; boundaries (sharp/clear/diffuse); shape (rounded/linear/angular). - OB (organic bodies): Record texture (muck or mucky mineral), % volume in horizon. - H₂S (hydrogen sulfide odor): Indicate shallowest depth where detected - Note if horizon is Physically Mixed (PM) , Nonsoil (any material not listed in "Textures" above), or Fill and describe.
1					
2					
3					
4					
5					
6					

17. Hydric Soil Field Indicators: If present, check all Hydric Soil Field Indicators satisfied and specify their beginning and ending depths

<input checked="" type="checkbox"/> All Texture	<input checked="" type="checkbox"/> Sandy Texture	<input checked="" type="checkbox"/> Fine Texture	Indicator Present	Begin Depth	End Depth
<input type="checkbox"/> (A1) Histosol*	<input type="checkbox"/> (S4) Sandy Gleyed Matrix*	<input type="checkbox"/> (F2) Loamy Gleyed Matrix*	1.		
<input type="checkbox"/> (A2) Histic Epipedon*	<input type="checkbox"/> (S5) Sandy Redox	<input type="checkbox"/> (F3) Depleted Matrix	2.		
<input type="checkbox"/> (A3) Black Histic*	<input type="checkbox"/> (S6) Stripped Matrix	<input type="checkbox"/> (F6) Redox Dark Surface	3.		
<input type="checkbox"/> (A4) Hydrogen Sulfide*	<input type="checkbox"/> (S7) Dark Surface	<input type="checkbox"/> (F7) Depleted Dark Surface	4.		
<input type="checkbox"/> (A5) Stratified Layers*	<input type="checkbox"/> (S8) Polyvalue Below Surface	<input type="checkbox"/> (F8) Redox Depression	5.		
<input type="checkbox"/> (A6) Organic Bodies	<input type="checkbox"/> (S9) Thin Dark Surface	<input type="checkbox"/> (F10) Marl	6.		
<input type="checkbox"/> (A7) 5cm Mucky Mineral*	<input type="checkbox"/> (S12) Barrier Islands 1cm Muck	<input type="checkbox"/> (F12) Iron-Manganese Masses			
<input type="checkbox"/> (A8) Muck Presence*		<input type="checkbox"/> (F13) Umbric Surface			
<input type="checkbox"/> (A9) 1cm Muck*		<input type="checkbox"/> (F22) Very Shallow Dark Surface			
<input type="checkbox"/> (A11) Depleted Below Dark Surface	* = Stand-alone D Test - both hydric soil and hydrologic indicator		To combine layers/indicators to meet thickness requirements, see NRCS Hydric Soils Technical Note 4.		
<input type="checkbox"/> (A12) Thick Dark Surface					

18. Excluding organic horizons, is any nonsoil horizon present at or within the uppermost 12 inches of the ground surface?
 Yes (e.g. bedrock, rock outcrop, limestone fill, gravel, etc) No Soil profile or site inaccessible

19. Is one or more hydric soil field indicators present? Yes No Inconclusive (e.g., evaluation to 12+ inches impeded by disturbance, water, nonsoil, no site access, etc.)
If no or inconclusive, is the soil hydric as determined by other NRCS methods?
 Yes ← Which method(s)? _____ No Inconclusive ← Why? fill/sod _____
(e.g., hydric soil definition, HSTS², indicator present at drier elevation, indicator would be present but for disturbance)

20. Is the depth of the soil profile 20 inches or greater from the soil surface? Yes No
If no, depth of soil profile is: 0 inches Why? fill/sod _____
(e.g., root refusal, nonsoil, water table, loose sand, heavy texture, compaction, weather conditions, inspection interrupted)

21. Observed height or depth of standing water from soil surface: _____ inches Above Below Not Observed

22. Hydrologic Indicators: *As is under current conditions, without considering RSJ¹ or the legality of any alterations*

Hydrologic Indicators per §62-340.500, F.A.C. (and as applied to §62-340.600, F.A.C.)	Present at or near point	Predicted during normal high water or wet season♦	Within 100 ft waterward of point (not for upland points)	1. Describe the type of all checked indicators. 2. Approximate the distance and compass direction of indicators within 100 ft of the point. 3. For water level indicators (potential indicators denoted by *) note the height from ground surface at the point as well as waterward (with distance from point). ♦ Only for indicators not present due to dry season/drought
(1) Algal mats*				
(2) Aquatic mosses or liverworts*				
(3) Aquatic plants*				
(4) Aufwuchs*				
(5) Drift lines and rafted debris*				
(6) Elevated lichen lines*				
(7) Evidence of aquatic fauna				
(8) Hydrologic data*				
(9) Morphological plant adaptations*				
(10) Secondary flow channels				
(11) Sediment deposition*				
(12) Tussocks or hummocks*				
(13) Water marks*				

Highest water level indicator height at point: _____ inches Above Ground Surface No Water Level Indicators
 Above Soil Surface N/A (described point is Upland)

23. Is one or more hydrologic indicator(s) listed in §62-340.500, F.A.C. present or predicted with normal high water or wet season conditions at the described point? Yes No Evaluation Impossible ← Why?

24. Delineation by Wetland Definition §62-340.300(1), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Has a wetland boundary been delineated at the described point? Yes No (If No, skip to #25)
- b) If yes to 24a, can the boundary be easily delineated using the definition of wetlands? Yes No

25. A & B Test Wetland Criteria §62-340.300(2)(a),(b), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Is the areal extent of Obligate plants in the stratum selected in #10 greater than the areal extent of all Upland plants in that stratum? (See #12) Yes No Vegetation Absent (skip to #25f) Evaluation Impossible (skip to #26a)
- b) Is the areal extent of Obligate and/or Facultative Wet plants in the stratum selected in #10 equal to or greater than 80% of all the plants in that stratum, excluding Facultative plants? (See #13) Yes No
- c) Is the soil hydric as identified using standard NRCS definitions and practices? (see #19)
 Yes No Indeterminable with current conditions ← Why? fill/sod _____
- d) Is the substrate composed of riverwash, nonsoil (see #18), rock outcrop-soil complex, or is the substrate located within an artificially created wetland area? Yes No If yes, which condition is present? _____
- e) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No
- f) Are the A Test criteria met per §62-340.300(2)(a), F.A.C. at the described point? Yes No
(Note: If yes to 25a and yes to either 25c, 25d, or 25e, A Test criteria are met)
- g) Are the B Test criteria met per §62-340.300(2)(b), F.A.C. at the described point? Yes No
(Note: If yes to 25b and yes to either 25c, 25d, or 25e, B Test criteria are met)
- h) Are there any **alterations or conditions** affecting reliable application of the A or B Test such that the Altered Sites Test is more appropriate? Yes No

26. C Test Wetland Criteria §62-340.300(2)(c), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Per §62-340.300(2)(c), F.A.C. is the described point Pine Flatwoods or Improved Pasture, or does it have drained soils? Yes No If yes, select which of the following are met, then skip to #26d

Pine Flatwoods Improved Pasture Drained Soils

Pine Flatwoods must have flat terrain, a monotypic or mixed canopy of long leaf pine or slash pine, and a ground cover dominated by saw palmetto with other species that are NOT obligate or facultative wet. Improved Pasture means areas where the dominant native plant community has been replaced with planted or natural recruitment of herbaceous species which are NOT obligate or facultative wet species and which have been actively maintained for livestock through mechanical means or grazing.

Drained Soils are those in which permanent alterations, excluding mechanical pumping, preclude the formation of hydric soils.

b) Are the soils at the described point saline sands (salt flats-tidal flats), or have they been field verified by NRCS's Keys to Soil Taxonomy (4th ed. 1990) as Umbraqualfs, Sulfaquents, Hydraquents, Humaquepts, Histosols (except Folists), Argiaquolls, or Umbraquults? Yes No

c) Do the soils at the described point have a NRCS hydric soil field indicator (see #17), and is the point located within a map unit named or designated by the NRCS as frequently flooded, depressional, or water?

Map Unit: Mattlacha gravelly fine sand-Urban land complex, 0 to 2 percent slopes Yes No Inconclusive ← Why? (skip to #27a)

d) Are the C Test criteria met per §62-340.300(2)(c), F.A.C. at the described point? Yes No (Note: If no to 26a and yes to either 26b or 26c, C Test criteria are met)

e) Are there any alterations or conditions affecting reliable application of the C Test such that the Altered Sites Test is more appropriate? Yes No

27. D Test Wetland Criteria §62-340.300(2)(d), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Is the soil hydric as verified by a NRCS hydric soil field indicator? (See #17)

Yes No (skip to #27d) Inconclusive ← Why? fill/sod (skip to #28)

b) Does any NRCS hydric soil field indicator begin at the soil surface or are any of the following indicators present: A1, A2, A3, A4, A5, A7, A8, A9, S4, F2? Yes No (If yes, then hydrologic indicator §62-340.500(8) or (11) is met)

c) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No

d) Are the D Test criteria met per §62-340.300(2)(d), F.A.C. at the described point? Yes No (Note: If yes to 27a and yes to either 27b or 27c, D Test criteria may be met)

e) Are there any alterations or conditions affecting reliable application of the D Test such that the Altered Sites Test is more appropriate? Yes No

28. Altered Sites Tests §62-340.300(3), F.A.C. (Legal/Authorized or Illegal/Unauthorized)

For purposes of Chapter 62-340, F.A.C. altered refers to any natural or man-induced condition(s) which masks or eliminates reliable expression of wetland indicators (i.e. hydrophytic vegetation, hydric soils, and hydrologic indicators). Unaltered or normal does not require a natural condition, only an expression of wetland indicators that is sufficient to reliably identify or delineate the wetland using the criteria in §62-340.300, F.A.C.

Are alterations affecting normal wetland condition? Yes No (skip to #32) Evaluation Impossible (skip to #32)

29. Authorized or Legally Altered Vegetation and Soils Test Criteria §62-340.300(3)(a), F.A.C.

a) Are there authorized or legal alterations affecting reliable expression of vegetation at the described point? Yes No If yes, how?

b) Are there authorized or legal alterations affecting reliable soil evaluation at the described point? Yes No If yes, how? (If no to both 29a and 29b, skip to #30)

c) If yes to 29a or 29b, which criteria tests are affected by the legal alterations?

A Test B Test C Test D Test

d) Using the most reliable available information and reasonable scientific judgment, would the types of evidence and characteristics contemplated in §62-340.300, F.A.C. identify or delineate the described point as a wetland with cessation of the legal altering activities? Yes No If no, why? (If no, skip to #30)

e) If yes to 29d, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of legal altering activities? Plants Soils Hydrologic indicators

f) If yes to 29d, which tests would be passed with cessation of legal altering activities?

Wetland Definition A Test B Test C Test D Test

Why?

Point ID/Location: Test Point 2 / 26.88772N -82.18660W

30. Authorized or Legally Altered Hydrology Test Criteria §62-340.300(3)(b), F.A.C.

- a) Has wetland hydrology of the area been **legally** drained or lowered? Yes No (If no, skip to #31)
If yes, how? _____
- b) Has wetland hydrology been **legally** eliminated at the described point? Yes No (If no, skip to #31)
- c) If yes to 30b, using reasonable scientific judgment or §62-340.550, F.A.C., have dredging or filling activities authorized by **Part IV** of Chapter 373, F.S. **permanently eliminated** wetland hydrology at the described point such that the wetland definition cannot be met? Yes (point is upland) No (If yes, skip to #31)
*Chapter 373, F.S. Part II activities (e.g., water use permits) or other temporary hydrologic alterations (e.g., surface water pumps, drought) do **not** apply to this or any other Ch. 62-340, F.A.C. determinations.*
- d) If no to 30c, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of temporary hydrologic drainage? Plants Soils Hydrologic indicators
- e) If no to 30c, Which tests would be passed with cessation of temporary hydrologic alterations?
 Wetland Definition A Test B Test C Test D Test
Why? _____

31. Unauthorized or Illegally Altered Sites Test Criteria §62-340.300(3)(c), F.A.C.

If the altering activity is a violation of regulatory requirements, then application of §62-340.300(3)(c), F.A.C. and all provisions of Chapter 62-340, F.A.C. are utilized to identify or delineate the wetland in a forensic manner.

This identification or delineation reflects the condition immediately prior to the unauthorized alteration.

- a) Have any **unauthorized** alterations affected the normal wetland condition at the described point? Yes No
If yes, how? area has been cleared of vegetation, fill, and sodded (If no, skip to #32)
- b) If yes to 31a, which criteria tests are affected by the unauthorized alterations?
 A Test B Test C Test D Test
- c) With reasonable scientific judgment is the described point a wetland, or would it have been a wetland immediately prior to the unauthorized alteration? Yes No If no, why? _____ (If no, skip to #32)
- d) If yes to 31c, what §62-340.300, F.A.C. evidence is present now and/or was present immediately prior to the unauthorized alteration? Plants Soils Hydrologic indicators
- e) If yes to 31c, which tests would be passed immediately prior to the unauthorized alteration?
 Wetland Definition A Test B Test C Test D Test
Why? Test Point 1 is a reference point taken within the same vegetative community that was present at Test Point 2 prior to alteration

32. Wetland and Other Surface Water Summary §62-340.600(2)(a-e), F.A.C.:

Given **normal** expression, **cessation** of **authorized** alterations, or **immediately prior** to any **unauthorized** alterations:

- a) With **reasonable scientific judgment** is the described point a wetland as defined in §62-340.200(19), F.A.C. and located by Ch. 62-340, F.A.C.? Yes No If yes, which criteria identified or delineated the wetland?
 Wetland Definition A Test B Test C Test D Test
If summary answers differ from answers in 25f, 25g, 26d, or 27d, why? area has been cleared, fill, and sodded
- b) Is the described point located at or within the Mean High Water Line of a tidal water body?
 Yes No MHWL Unknown
- c) Is the described point located at or within the Ordinary High Water Line of a non-tidal natural water body or natural watercourse? Yes No
- d) Is the described point located at or within the top of the bank of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes of 1 foot vertical to 4 feet horizontal or steeper, excluding spoil banks when the canals and ditches have resulted from excavation into the ground? Yes No
- e) Is the described point located at or within the Seasonal High Water Line of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes flatter than 1 foot vertical to 4 feet horizontal or an artificial water body created by diking or impoundment above the ground? Yes No

33. Connection or Isolation of Wetland per Applicant's Handbook Vol.1 Section 2.0

If the described point is a wetland, does it have a connection via wetlands or other surface waters, or is it wholly surrounded by uplands and therefore isolated? Connected Isolated N/A (Point is not wetland)

Point ID/Location: Test Point 2 / 26.88772N -82.18660W

34. Photographs and/or videos: Soil profile with Data Form, Soil profile close-up, Cross section(s) at 6" depth for sandy textures and/or critical depths for fine textures, Hydric soil indicators, Water table or inundation depth, Four cardinal directions of plant strata present, Hydrologic indicators (with scale as necessary), Critical plant ID (optional)

#	Memory Card # / Metadata	Description, compass direction (if applicable)	Taken By
1.		see Test Point 2 photo log	XA
2.			
3.			
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Notes:

Helpful Definitions for Applying Ch 62-340, F.A.C.

¹**RSJ** stands for Reasonable Scientific Judgment where used throughout this Data Form (See *The Florida Wetlands Delineation Manual* pg. 2 & 12)

²**HSTS** stands for Hydric Soils Technical Standard (See NRCS Hydric Soils Technical Note 11)

Definition from §62.340.200(19) Florida Administrative Code

"Wetlands," as defined in subsection 373.019(17), F.S., means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

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"Surface water" means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

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From The Florida Wetlands Delineation Manual pg. 37

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"Swale" means a manmade trench which:

- (a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;
- (b) Contains contiguous areas of standing or flowing water only following a rainfall event;
- (c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
- (d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

Chapter 62-340, F.A.C. Data Form

1. Date: 5/17/2024 2. Staff Present: Xenia Alonso, Kelly Dino 3. Form recorder(s): XA
 4. County: Charlotte 5. Site Name: 9598 Shelburne Cir Tracking #: _____
 6. Point ID: Test Point 3 GPS Coordinates: 26.88803N -82.18702W
 7. Distances and bearings from fixed objects (if no GPS): _____
 8. Current condition of described point: Authorized or legal condition Unauthorized or illegal condition
 9. Work type: Identification Delineation
 Point status: Wetland Non-Wetland Surface Water Upland

10. Vegetative Stratum §62-340.400: Using §62-340.400, F.A.C. with reasonable scientific judgment, select the appropriate vegetative stratum. (Do not include FAC species when determining 10% minimum areal extent.)
 Canopy (Min. 10% areal extent) Subcanopy (Min. 10% areal extent) Groundcover (No min. areal extent)
 Vegetation Absent (*skip to #14*) Evaluation Impossible (*skip to #14*) **Why?** most indicative of hydrologic condition

11. Plant List §62-340.200(2),(6),(16), §62-340.400, §62-340.450, F.A.C.: Areal extent estimator: XA
As is under current conditions, without considering RSJ¹ or the legality of any alterations:

Select and identify plants in an area just large enough to represent and classify the plant community at the described point. Do not extend into different communities or hydrologic conditions.

- | | | |
|---|--|--|
| 1. Record the scientific name (binomial) and status of <u>each</u> plant species necessary to identify/delineate and classify the plant community in the selected area. | 2. Record the percent areal extent in the canopy, subcanopy, and groundcover columns for each species. | 3. For each species present in the stratum selected in #10 , transfer the numbers from <u>only that stratum's column</u> into the appropriate status columns. |
|---|--|--|

#	Binomial of Observed Species	Status	Canopy	Subcanopy	Groundcover	Upland	Facultative	Fac. Wet	Obligate
1.	Schinus terebinthifolius	F	50		5		50		
2.	Pinus elliottii	U	30	1	3	30			
3.	Eustachys petraea	F			10				
4.	Andropogon virginicus	F			5				
5.									
6.									
7.									
8.									
9.									
10.									
11.									
12.									
13.									
14.									
15.									
16.									
17.									
18.									
19.									
20.									
Percent areal extent totals for the stratum selected in question 10						30	50	0	0

12. In the stratum selected in #10: What is the % areal extent of Obligate plants? 0
 What is the % areal extent of Upland plants? 30
 Is the areal extent of Obligate plants greater than that of Upland plants? Yes No

13. In the stratum selected in #10: What is the total % areal extent of Obligate & Facultative Wet plants combined? 0
 What is the total % areal extent of Obligate, Facultative Wet, & Upland plants combined? 30
 What is the percentage of OBL + FACW in relation to all plants, excluding FAC? ($\frac{OBL+FACW}{OBL+FACW+UPL}$) 0.0%

Point ID/Location: Test Point 3 / 26.88803N -82.18702W Soil describer: XA

14. LRR/MLRA U Textures: Peat, Mucky Peat, Muck, Mucky Mineral (S or F), Sand, Fine, Marl

15. Is a soil profile evaluation possible? Yes No If no, why? compacted fill (If No, skip to #18)

16. Soil Description: As is under current conditions, without considering RSJ¹ or the legality of any alterations
Soil surface, or 0 inch depth for purposes of Chapter 62-340, F.A.C. is the muck or mineral surface (whether natural or fill)

Horizon	beginning to ending Depth (inches)	Matrix Texture	moist condition Matrix Hue Value/ Chroma	for sandy matrix horizons w/ value ≤ 3: % Organic Coating	- Describe soil features: DA (areas darker than matrix), LA (areas lighter than matrix), RC (redox concentrations): Record in moist condition hue value/chroma; % volume in horizon; boundaries (sharp/clear/diffuse); shape (rounded/linear/angular). - OB (organic bodies): Record texture (muck or mucky mineral), % volume in horizon. - H₂S (hydrogen sulfide odor): Indicate shallowest depth where detected - Note if horizon is Physically Mixed (PM) , Nonsoil (any material not listed in "Textures" above), or Fill and describe.
1					
2					
3					
4					
5					
6					

17. Hydric Soil Field Indicators: If present, check all Hydric Soil Field Indicators satisfied and specify their beginning and ending depths

<input checked="" type="checkbox"/> All Texture	<input checked="" type="checkbox"/> Sandy Texture	<input checked="" type="checkbox"/> Fine Texture	Indicator Present	Begin Depth	End Depth
<input type="checkbox"/> (A1) Histosol*	<input type="checkbox"/> (S4) Sandy Gleyed Matrix*	<input type="checkbox"/> (F2) Loamy Gleyed Matrix*	1.		
<input type="checkbox"/> (A2) Histic Epipedon*	<input type="checkbox"/> (S5) Sandy Redox	<input type="checkbox"/> (F3) Depleted Matrix	2.		
<input type="checkbox"/> (A3) Black Histic*	<input type="checkbox"/> (S6) Stripped Matrix	<input type="checkbox"/> (F6) Redox Dark Surface	3.		
<input type="checkbox"/> (A4) Hydrogen Sulfide*	<input type="checkbox"/> (S7) Dark Surface	<input type="checkbox"/> (F7) Depleted Dark Surface	4.		
<input type="checkbox"/> (A5) Stratified Layers*	<input type="checkbox"/> (S8) Polyvalue Below Surface	<input type="checkbox"/> (F8) Redox Depression	5.		
<input type="checkbox"/> (A6) Organic Bodies	<input type="checkbox"/> (S9) Thin Dark Surface	<input type="checkbox"/> (F10) Marl	6.		
<input type="checkbox"/> (A7) 5cm Mucky Mineral*	<input type="checkbox"/> (S12) Barrier Islands 1cm Muck	<input type="checkbox"/> (F12) Iron-Manganese Masses			
<input type="checkbox"/> (A8) Muck Presence*		<input type="checkbox"/> (F13) Umbric Surface			
<input type="checkbox"/> (A9) 1cm Muck*		<input type="checkbox"/> (F22) Very Shallow Dark Surface			
<input type="checkbox"/> (A11) Depleted Below Dark Surface	* = Stand-alone D Test - both hydric soil and hydrologic indicator		To combine layers/indicators to meet thickness requirements, see NRCS Hydric Soils Technical Note 4.		
<input type="checkbox"/> (A12) Thick Dark Surface					

18. Excluding organic horizons, is any nonsoil horizon present at or within the uppermost 12 inches of the ground surface?
 Yes (e.g. bedrock, rock outcrop, limestone fill, gravel, etc) No Soil profile or site inaccessible

19. Is one or more hydric soil field indicators present? Yes No Inconclusive (e.g., evaluation to 12+ inches impeded by disturbance, water, nonsoil, no site access, etc.)
If no or inconclusive, is the soil hydric as determined by other NRCS methods?
 Yes ← Which method(s)? _____ No Inconclusive ← Why? compacted fill
(e.g., hydric soil definition, HSTS², indicator present at drier elevation, indicator would be present but for disturbance)

20. Is the depth of the soil profile 20 inches or greater from the soil surface? Yes No
If no, depth of soil profile is: _____ inches Why? compacted fill
(e.g., root refusal, nonsoil, water table, loose sand, heavy texture, compaction, weather conditions, inspection interrupted)

21. Observed height or depth of standing water from soil surface: _____ inches Above Below Not Observed

22. Hydrologic Indicators: As is under current conditions, without considering RSJ¹ or the legality of any alterations

Hydrologic Indicators per §62-340.500, F.A.C. (and as applied to §62-340.600, F.A.C.)	Present at or near point	Predicted during normal high water or wet season♦	Within 100 ft waterward of point (not for upland points)	1. Describe the type of all checked indicators. 2. Approximate the distance and compass direction of indicators within 100 ft of the point. 3. For water level indicators (potential indicators denoted by *) note the height from ground surface at the point as well as waterward (with distance from point). ♦ Only for indicators not present due to dry season/drought
(1) Algal mats*				
(2) Aquatic mosses or liverworts*				
(3) Aquatic plants*				
(4) Aufwuchs*				
(5) Drift lines and rafted debris*				
(6) Elevated lichen lines*				
(7) Evidence of aquatic fauna				
(8) Hydrologic data*				
(9) Morphological plant adaptations*				
(10) Secondary flow channels				
(11) Sediment deposition*				
(12) Tussocks or hummocks*				
(13) Water marks*				

Highest water level indicator height at point: _____ inches Above Ground Surface No Water Level Indicators
 Above Soil Surface N/A (described point is Upland)

23. Is one or more hydrologic indicator(s) listed in §62-340.500, F.A.C. present or predicted with normal high water or wet season conditions at the described point? Yes No Evaluation Impossible ← Why?

24. Delineation by Wetland Definition §62-340.300(1), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Has a wetland boundary been delineated at the described point? Yes No (If No, skip to #25)
- b) If yes to 24a, can the boundary be easily delineated using the definition of wetlands? Yes No

25. A & B Test Wetland Criteria §62-340.300(2)(a),(b), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

- a) Is the areal extent of Obligate plants in the stratum selected in #10 greater than the areal extent of all Upland plants in that stratum? (See #12) Yes No Vegetation Absent (skip to #25f) Evaluation Impossible (skip to #26a)
- b) Is the areal extent of Obligate and/or Facultative Wet plants in the stratum selected in #10 equal to or greater than 80% of all the plants in that stratum, excluding Facultative plants? (See #13) Yes No
- c) Is the soil hydric as identified using standard NRCS definitions and practices? (see #19)
 Yes No Indeterminable with current conditions ← Why? compacted fill
- d) Is the substrate composed of riverwash, nonsoil (see #18), rock outcrop-soil complex, or is the substrate located within an artificially created wetland area? Yes No If yes, which condition is present? _____
- e) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No
- f) Are the A Test criteria met per §62-340.300(2)(a), F.A.C. at the described point? Yes No
 (Note: If yes to 25a and yes to either 25c, 25d, or 25e, A Test criteria are met)
- g) Are the B Test criteria met per §62-340.300(2)(b), F.A.C. at the described point? Yes No
 (Note: If yes to 25b and yes to either 25c, 25d, or 25e, B Test criteria are met)
- h) Are there any **alterations or conditions** affecting reliable application of the A or B Test such that the Altered Sites Test is more appropriate? Yes No

26. C Test Wetland Criteria §62-340.300(2)(c), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Per §62-340.300(2)(c), F.A.C. is the described point Pine Flatwoods or Improved Pasture, or does it have drained soils? Yes No If yes, select which of the following are met, then skip to #26d

Pine Flatwoods Improved Pasture Drained Soils

Pine Flatwoods must have flat terrain, a monotypic or mixed canopy of long leaf pine or slash pine, and a ground cover dominated by saw palmetto with other species that are NOT obligate or facultative wet. Improved Pasture means areas where the dominant native plant community has been replaced with planted or natural recruitment of herbaceous species which are NOT obligate or facultative wet species and which have been actively maintained for livestock through mechanical means or grazing.

Drained Soils are those in which permanent alterations, excluding mechanical pumping, preclude the formation of hydric soils.

b) Are the soils at the described point saline sands (salt flats-tidal flats), or have they been field verified by NRCS's Keys to Soil Taxonomy (4th ed. 1990) as Umbraqualfs, Sulfaquents, Hydraquents, Humaquepts, Histosols (except Folists), Argiaquolls, or Umbraquults? Yes No

c) Do the soils at the described point have a NRCS hydric soil field indicator (see #17), and is the point located within a map unit named or designated by the NRCS as frequently flooded, depressional, or water?

Map Unit: Mattlacha gravelly fine sand-Urban land complex, 0 to 2 percent slopes Yes No Inconclusive ← Why? fill compaction (skip to #27a)

d) Are the C Test criteria met per §62-340.300(2)(c), F.A.C. at the described point? Yes No (Note: If no to 26a and yes to either 26b or 26c, C Test criteria are met)

e) Are there any alterations or conditions affecting reliable application of the C Test such that the Altered Sites Test is more appropriate? Yes No

27. D Test Wetland Criteria §62-340.300(2)(d), F.A.C.

As is under current conditions, without considering RSJ¹ or the legality of any alterations:

a) Is the soil hydric as verified by a NRCS hydric soil field indicator? (See #17)

Yes No (skip to #27d) Inconclusive ← Why? compacted fill (skip to #28)

b) Does any NRCS hydric soil field indicator begin at the soil surface or are any of the following indicators present: A1, A2, A3, A4, A5, A7, A8, A9, S4, F2? Yes No (If yes, then hydrologic indicator §62-340.500(8) or (11) is met)

c) Is one or more of the hydrologic indicators in §62-340.500, F.A.C. present at the described point? (See #23) Yes No

d) Are the D Test criteria met per §62-340.300(2)(d), F.A.C. at the described point? Yes No (Note: If yes to 27a and yes to either 27b or 27c, D Test criteria may be met)

e) Are there any alterations or conditions affecting reliable application of the D Test such that the Altered Sites Test is more appropriate? Yes No

28. Altered Sites Tests §62-340.300(3), F.A.C. (Legal/Authorized or Illegal/Unauthorized)

For purposes of Chapter 62-340, F.A.C. altered refers to any natural or man-induced condition(s) which masks or eliminates reliable expression of wetland indicators (i.e. hydrophytic vegetation, hydric soils, and hydrologic indicators). Unaltered or normal does not require a natural condition, only an expression of wetland indicators that is sufficient to reliably identify or delineate the wetland using the criteria in §62-340.300, F.A.C.

Are alterations affecting normal wetland condition? Yes No (skip to #32) Evaluation Impossible (skip to #32)

29. Authorized or Legally Altered Vegetation and Soils Test Criteria §62-340.300(3)(a), F.A.C.

a) Are there authorized or legal alterations affecting reliable expression of vegetation at the described point? Yes No If yes, how? _____

b) Are there authorized or legal alterations affecting reliable soil evaluation at the described point? Yes No If yes, how? _____ (If no to both 29a and 29b, skip to #30)

c) If yes to 29a or 29b, which criteria tests are affected by the legal alterations?

A Test B Test C Test D Test

d) Using the most reliable available information and reasonable scientific judgment, would the types of evidence and characteristics contemplated in §62-340.300, F.A.C. identify or delineate the described point as a wetland with cessation of the legal altering activities? Yes No If no, why? _____ (If no, skip to #30)

e) If yes to 29d, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of legal altering activities? Plants Soils Hydrologic indicators

f) If yes to 29d, which tests would be passed with cessation of legal altering activities?

Wetland Definition A Test B Test C Test D Test

Why? _____

Point ID/Location: Test Point 3 / 26.88803N -82.18702W

30. Authorized or Legally Altered Hydrology Test Criteria §62-340.300(3)(b), F.A.C.

- a) Has wetland hydrology of the area been **legally** drained or lowered? Yes No (If no, skip to #31)
If yes, how? _____
- b) Has wetland hydrology been **legally** eliminated at the described point? Yes No (If no, skip to #31)
- c) If yes to 30b, using reasonable scientific judgment or §62-340.550, F.A.C., have dredging or filling activities authorized by **Part IV** of Chapter 373, F.S. **permanently eliminated** wetland hydrology at the described point such that the wetland definition cannot be met? Yes (point is upland) No (If yes, skip to #31)
*Chapter 373, F.S. Part II activities (e.g., water use permits) or other temporary hydrologic alterations (e.g., surface water pumps, drought) do **not** apply to this or any other Ch. 62-340, F.A.C. determinations.*
- d) If no to 30c, what §62-340.300, F.A.C. evidence is present now and/or will be present in the future with cessation of temporary hydrologic drainage? Plants Soils Hydrologic indicators
- e) If no to 30c, Which tests would be passed with cessation of temporary hydrologic alterations?
 Wetland Definition A Test B Test C Test D Test
Why? _____

31. Unauthorized or Illegally Altered Sites Test Criteria §62-340.300(3)(c), F.A.C.

If the altering activity is a violation of regulatory requirements, then application of §62-340.300(3)(c), F.A.C. and all provisions of Chapter 62-340, F.A.C. are utilized to identify or delineate the wetland in a forensic manner.

This identification or delineation reflects the condition immediately prior to the unauthorized alteration.

- a) Have any **unauthorized** alterations affected the normal wetland condition at the described point? Yes No
If yes, how? _____ (If no, skip to #32)
- b) If yes to 31a, which criteria tests are affected by the unauthorized alterations?
 A Test B Test C Test D Test
- c) With reasonable scientific judgment is the described point a wetland, or would it have been a wetland immediately prior to the unauthorized alteration? Yes No If no, why? _____ (If no, skip to #32)
- d) If yes to 31c, what §62-340.300, F.A.C. evidence is present now and/or was present immediately prior to the unauthorized alteration? Plants Soils Hydrologic indicators
- e) If yes to 31c, which tests would be passed immediately prior to the unauthorized alteration?
 Wetland Definition A Test B Test C Test D Test
Why? _____

32. Wetland and Other Surface Water Summary §62-340.600(2)(a-e), F.A.C.:

Given **normal** expression, **cessation** of **authorized** alterations, or **immediately prior** to any **unauthorized** alterations:

- a) With **reasonable scientific judgment** is the described point a wetland as defined in §62-340.200(19), F.A.C. and located by Ch. 62-340, F.A.C.? Yes No If yes, which criteria identified or delineated the wetland?
 Wetland Definition A Test B Test C Test D Test
If summary answers differ from answers in 25f, 25g, 26d, or 27d, why? _____
- b) Is the described point located at or within the Mean High Water Line of a tidal water body?
 Yes No MHWL Unknown
- c) Is the described point located at or within the Ordinary High Water Line of a non-tidal natural water body or natural watercourse? Yes No
- d) Is the described point located at or within the top of the bank of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes of 1 foot vertical to 4 feet horizontal or steeper, excluding spoil banks when the canals and ditches have resulted from excavation into the ground? Yes No
- e) Is the described point located at or within the Seasonal High Water Line of an artificial lake, borrow pit, canal, ditch, or other type of artificial water body or watercourse with side slopes flatter than 1 foot vertical to 4 feet horizontal or an artificial water body created by diking or impoundment above the ground? Yes No

33. Connection or Isolation of Wetland per Applicant's Handbook Vol.1 Section 2.0

If the described point is a wetland, does it have a connection via wetlands or other surface waters, or is it wholly surrounded by uplands and therefore isolated? Connected Isolated N/A (Point is not wetland)

Point ID/Location: Test Point 3 / 26.88803N -82.18702W

34. Photographs and/or videos: Soil profile with Data Form, Soil profile close-up, Cross section(s) at 6" depth for sandy textures and/or critical depths for fine textures, Hydric soil indicators, Water table or inundation depth, Four cardinal directions of plant strata present, Hydrologic indicators (with scale as necessary), Critical plant ID (optional)

#	Memory Card # / Metadata	Description, compass direction (if applicable)	Taken By
1.		see Test Point 3 photo log	XA
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			

Notes:

Helpful Definitions for Applying Ch 62-340, F.A.C.

¹**RSJ** stands for Reasonable Scientific Judgment where used throughout this Data Form (See *The Florida Wetlands Delineation Manual* pg. 2 & 12)

²**HSTS** stands for Hydric Soils Technical Standard (See NRCS Hydric Soils Technical Note 11)

Definition from §62.340.200(19) Florida Administrative Code

“Wetlands,” as defined in subsection 373.019(17), F.S., means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

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“Surface water” means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

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“Swale” means a manmade trench which:

- (a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;
- (b) Contains contiguous areas of standing or flowing water only following a rainfall event;
- (c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
- (d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

Test Point 1 Photo Log – Greenbelt section adjacent to 9598 Shelburne Cir, Port Charlotte
(All photos were taken by Xenia Alonso on 5/17/2024)



Photo 1: Test Point 1 facing North.



Photo 2: Test Point 1 facing East.



Photo 3: Test Point 1 facing South.



Photo 4: Test Point 1 facing West.



Photo 4: Soil profile taken at Test Point 1.



Photo 5: View of peat, 1.5 inches above soil surface.



Photo 6: View of sample taken from the soil surface. Sample identified to have muck texture following the Ten Rub Fiber Test and confirmed via the Sand Content Test (see Photos 8-9).



Photo 7: View of Ten Rub Fiber Test, showing less than 17% of fibers left.

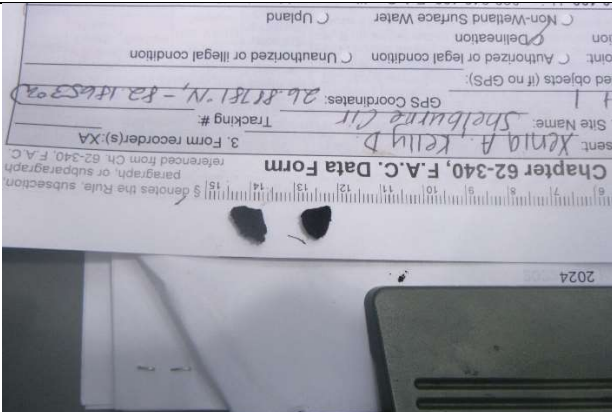


Photo 8: View of comparable sized soil samples from the soil surface.

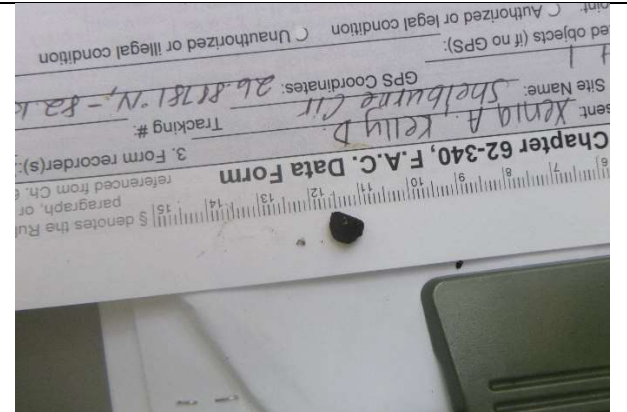


Photo 9: Less than 5% of sand content remaining compared to the original soil sample from the soil surface following the Sand Content Test methodology in 62-340, F.A.C.



Photo 10: Cross-section of soil profile at 1 inch below the soil surface.



Photo 11: Cross-section of soil profile at 5 inches below the soil surface.

Test Point 2 Photo Log – Greenbelt section adjacent to 9598 Shelburne Cir, Port Charlotte
(All photos were taken by Xenia Alonso on 5/17/2024)



Photo 1: Test Point 2 facing North.



Photo 2: Test Point 2 facing East.



Photo 3: Test Point 2 facing South.



Photo 4: Test Point 2 facing West.



Photo 5: View of sod at Test Point 2.

Test Point 3 Photo Log – Greenbelt section adjacent to 9598 Shelburne Cir, Port Charlotte
(All photos were taken by Xenia Alonso on 5/17/2024)



Photo 1: Test Point 3 facing North.



Photo 2: Test Point 3 facing East.



Photo 3: Test Point 3 facing South.



Photo 4: Test Point 3 facing West.



Photo 5: Compacted fill at Test Point 3.