

WEST BAY CLUB PROPOSED CONSERVATION EASEMENT AMENDMENT SUMMARY

January 2026

INTRODUCTION

The following is provided as a summary of the lands proposed to be removed from the existing conservation easement and those lands proposed to be added to the conservation easement for West Bay Club (Project). The Project is located in Sections 29, 30, 31, and 32; Township 46 South; Range 25 East; and Sections 5 and 6; Township 47 South; Range 25 East; Lee County (Exhibit 1).

The applicant is seeking to amend the Project's previously recorded conservation easement associated with Lee County Zoning Resolution No. Z-96-005, South Florida Water Management District (SFWMD) Permit No. 36-03098-P, U.S. Army Corps of Engineers (COE) Permit No. 199503099 (IP-SA), and Florida Game and Fresh Water Fish Commission (now known as Florida Fish and Wildlife Service Conservation Commission (Commission)) Incidental Take Permit No. LEE-36. The proposed amendment consists of removing 2.50± acres of conservation area and adding 3.71± acres of conservation areas for a net increase of 1.21± acres to the overall conservation area.

The conservation easement amendment is needed to expand the golf course driving range and short-game areas due to public safety concerns. The driving range was made two-sided and totals less than 250 yards in length, which was adequate over 25 years ago when the course was constructed. Now, with improved technology, improved strength and fitness of golfers, and improved golf balls, a 250-yard tee shot is commonplace. As such, there have been multiple instances of golfers reporting nearly being hit by golf balls driven from the opposite side of the range. Similarly, the short game practice area is wedged into a space containing the cart path to the first tee and the practice putting green. Chip shots, pitches, and sand shots can be erratic at any level, and the Project has experienced countless near misses and some hits in this area. As such, driving range and short-range areas need to be expanded to eliminate an increasingly dangerous situation.

The following details the permit history of the site, the proposed conservation easement amendment, and the protected species survey conducted on the Project site.

PERMITTING HISTORY AND EXISTING CONSERVATION EASEMENT

The SFWMD issued Environmental Resource Permit No. 36-03098-P on February 13, 1997 for the development of a surface water management system to serve an 866.43± acre project containing a 446.78± acre residential and golf course development and a 447.24± acre mitigation area. Additionally, the COE issued permit No. 199503099 (IP-SA) on July 10, 1997, which authorized the impact of 7.63± acres of COE wetlands. The Commission issued gopher tortoise

(*Gopherus polyphemus*) Incidental Take Permit No. LEE-36 for the Project on June 20, 1997. As part of these permits, approximately 359.39 acres were placed under conservation easement.

These conservation areas for the Project consist of nine preserve areas that were placed under conservation easement granted to Lee County (Exhibit 2). For Conservation Areas Nos. 1 through 9 (CA-1 through CA-9), the SFWMD is a third-party beneficiary and has third-party enforcement rights; for CA-5 through CA-9, the COE is a third-party beneficiary and has third-party enforcement rights; and for CA-2, CA-3, and CA-4, the Commission is a third-party beneficiary and has third-party enforcement rights. Additionally, CA-2, CA-3, and CA-4 are designated as gopher tortoise and Curtiss' milkweed (*Asclepias curtissii*) preserve areas.

PROPOSED AMENDMENT

Two areas within CA-2, totaling 2.50± acres, are proposed to be removed from the conservation easement. CA-2 was granted to Lee County with third-party enforcement rights to the SFWMD and the Commission. CA-2 also serves as a designated gopher tortoise and Curtiss' milkweed preserve. The 2.50± acres proposed for removal are composed of upland Palmetto Prairie (Florida Land Use, Cover and Forms Classification System (FLUCFCS) Code 321); Pine Flatwoods (FLUCFCS Code 411); and Upland Scrub/Pine and Hardwoods (FLUCFCS Code 436) (Exhibit 3). No wetlands are located within CA-2.

To offset the loss associated with the removal of these areas, a like-for-like habitat exchange is proposed. Two areas on-site were identified, totaling 3.71± acres, that are composed of Pine Flatwoods and Upland Scrub/Pine and Hardwoods habitat types (Exhibit 4). These areas directly abut the existing CA-3 and CA-4, which are also designated gopher tortoise and Curtiss' milkweed preserve areas. As such, the addition of these 3.71± acres of upland preserve will result in a net increase of 1.21± acres of uplands within a conservation easement.

LISTED SPECIES

Passarella & Associates, Inc. conducted protected species surveys within the two areas to be removed from conservation, as well as the two areas to be added to conservation. The surveys were conducted on November 7 and December 19, 2025. During the species surveys, 22 gopher tortoise burrows were documented between the release and additional parcels. Additionally, multiple Northern needleleaf (*Tillandsia balbisiana*), cardinal airplant (*T. fasciculata*), and giant wild pine (*T. utriculata*) were observed on-site. The gopher tortoise is listed as threatened by the Commission. The cardinal airplant and giant wild pine are listed as endangered by the Florida Department of Agriculture and Consumer Services (FDACS), while the Northern needleleaf is listed as threatened by the FDACS. An aerial with gopher tortoise locations is provided as Exhibit 5.

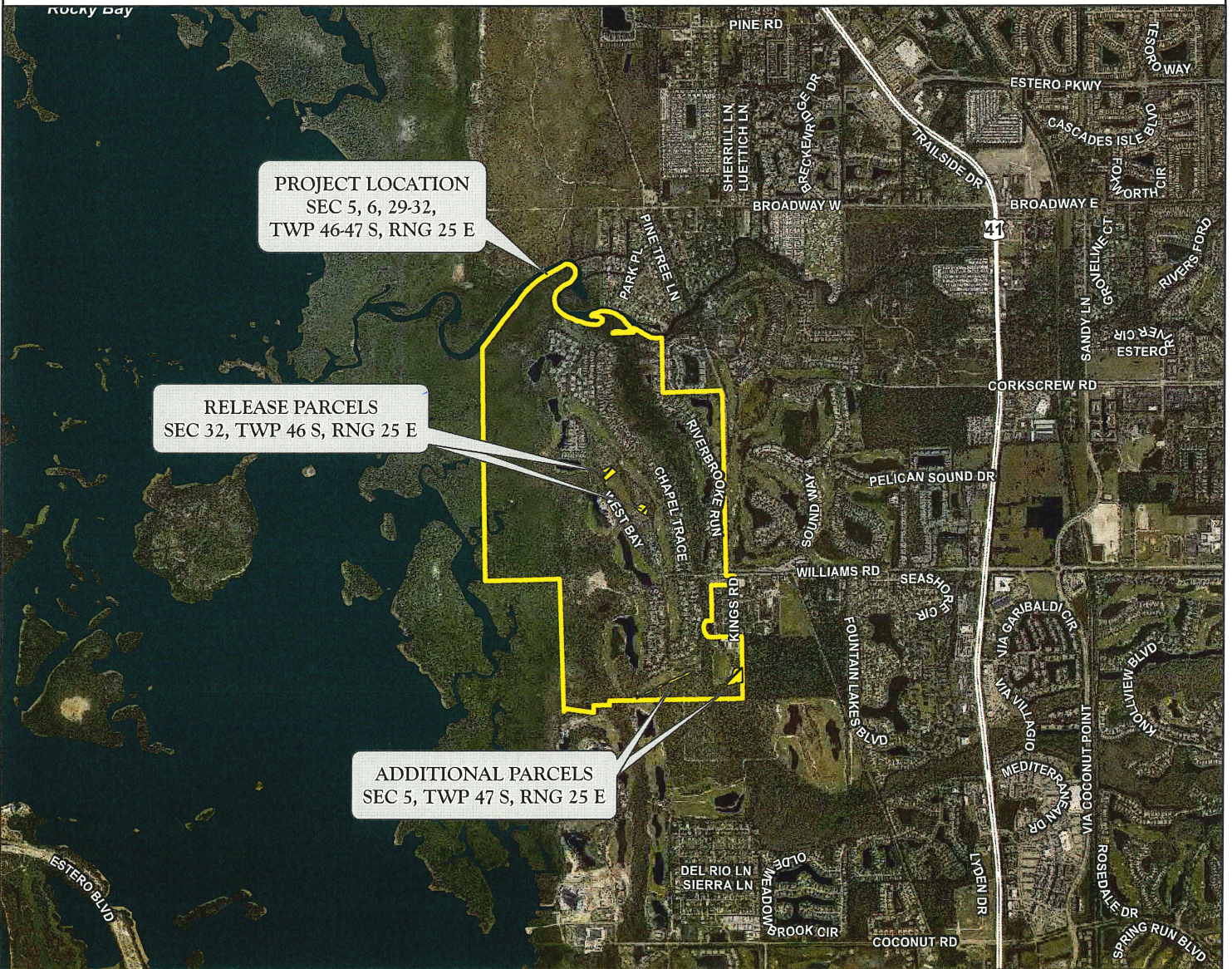
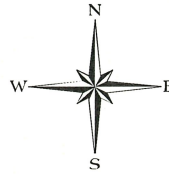
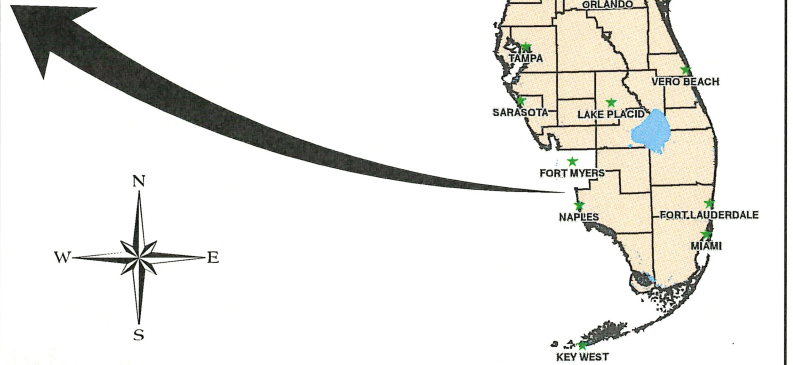
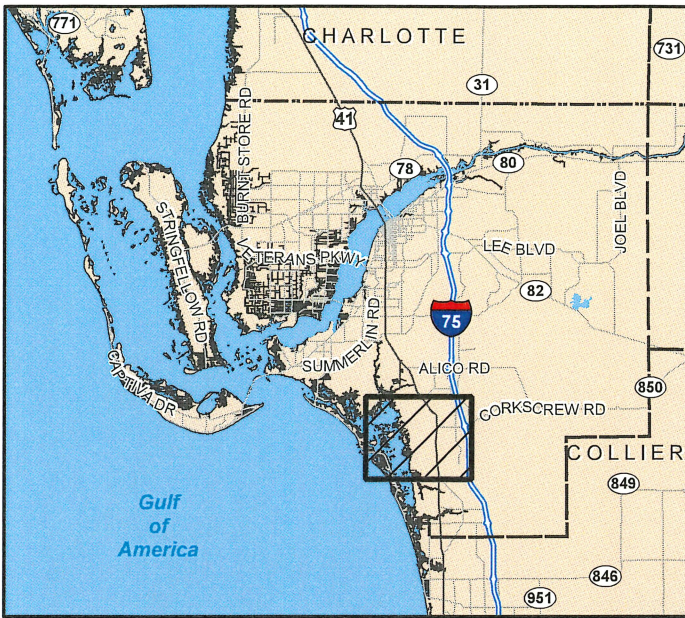


EXHIBIT 1. PROJECT LOCATION MAP
WEST BAY CLUB

DRAWN BY	DATE
C.O.	01/05/26
REVIEWED BY	DATE
B.T.	01/05/26
REVISED	DATE



EXHIBIT 1

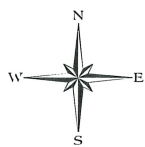
PROJECT LOCATION MAP

EXHIBIT 2

AERIAL WITH CONSERVATION AREAS



LEGEND	
	WEST BAY CLUB
	CONSERVATION AREAS
	GOPHER TORTOISE PRESERVE



0 400 800
Feet

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2025.

SURVEY AREAS PER FRY/STRAKA GLOBAL GOLF COURSE DESIGN DRAWING No. RANGE0212WAERIAL -OUT_V-10.dwg DATED DECEMBER 18, 2025.

CONSERVATION AREAS AND GOPHER TORTOISE PRESERVE PER JOHNSON ENGINEERING DRAWING No. WEST BAY CLUB CONSERVATION.dwg DATED JUNE 20, 2025.

AERIAL PHOTOGRAPH ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2025. ID: 22 241 2418

DRAWN BY	DATE	13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069
C.O.	01/06/25	
REVIEWED BY	DATE	
B.T.	01/06/25	
REVISED	DATE	



**PASSARELLA
& ASSOCIATES**

WEST BAY CLUB
AERIAL WITH CONSERVATION AREAS

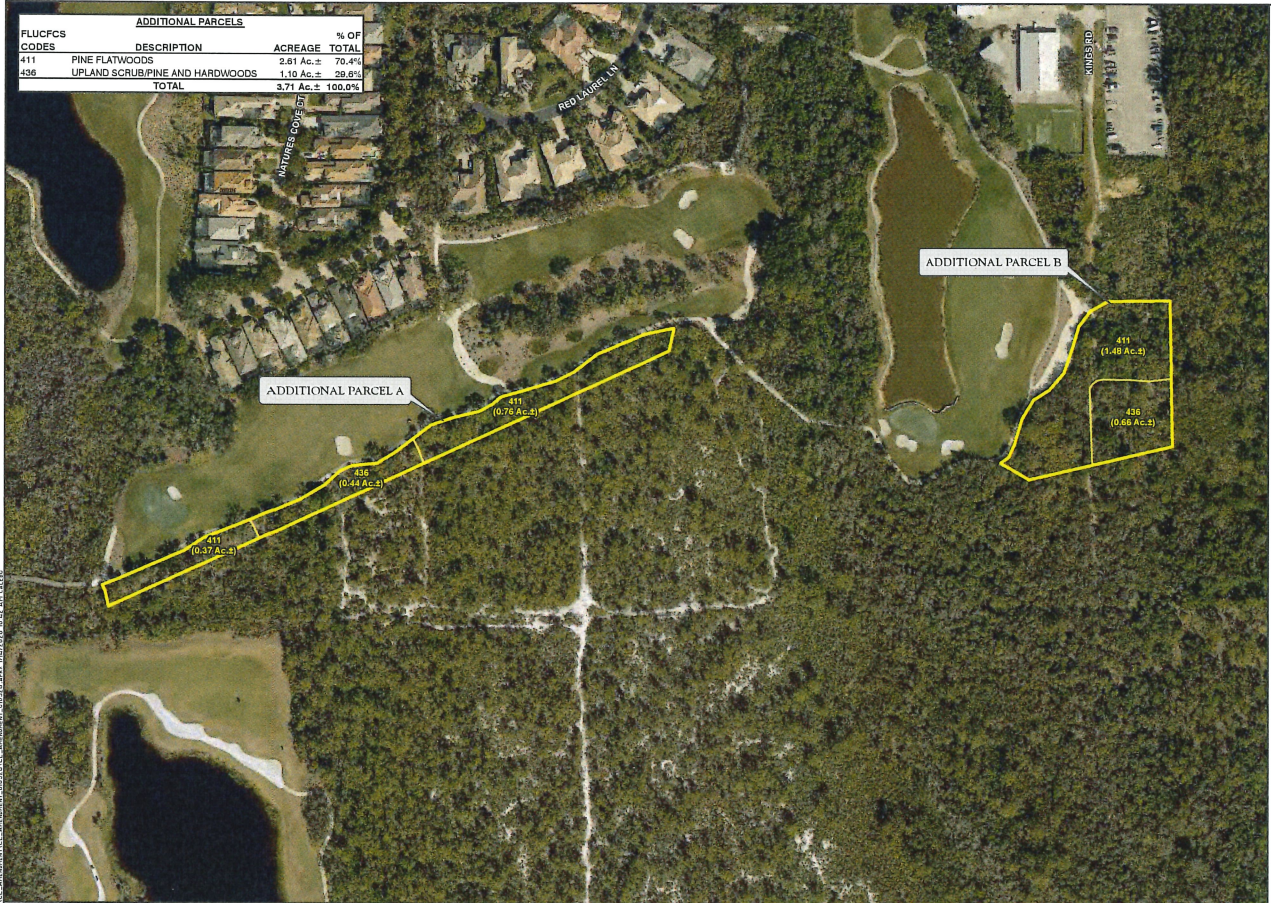
DRAWING No.	25VBC4418
SHEET No.	EXHIBIT 2

EXHIBIT 3

RELEASE PARCELS AERIAL WITH FLUCFCS MAP

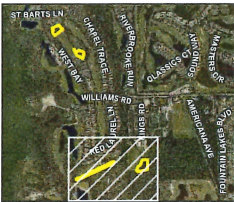
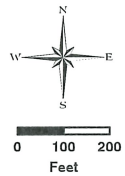
EXHIBIT 4

ADDITIONAL PARCELS AERIAL WITH FLUCFCS MAP



ADDITIONAL PARCELS			
FLUCFCS CODES	DESCRIPTION	ACREAGE	% OF TOTAL
411	PINE FLATWOODS	2.81 Ac.±	70.4%
436	UPLAND SCRUB/PINE AND HARDWOODS	1.10 Ac.±	29.6%
TOTAL		3.71 Ac.±	100.0%

LEGEND	
	ADDITIONAL PARCELS



NOTES

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SURVEY AREAS PER FRV/STRAKA GLOBAL GOLF COURSE DESIGN DRAWING NO. RANGE02OPTION2/AERIAL -OUT-V-10.DWG DATED DECEMBER 18, 2025.

SURVEY AREAS PER FRV/STRAKA GLOBAL GOLF COURSE DESIGN DRAWING NO. RANGE02OPTION2/AERIAL -OUT-V-10.DWG DATED DECEMBER 18, 2025.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS	DATE	DESIGNED BY	DATE	13620 Metropolis Avenue
		H.H. W.C.	12/30/25	Suite 200
		DESIGNED BY	DATE	FT. MEYERS, FL 33912
		B.T.	12/30/25	Phone (239) 274-0067
		REVIEWED BY	DATE	Fax (239) 274-0069
		B.T.	12/30/25	



WEST BAY CLUB
ADDITIONAL PARCELS
AERIAL WITH FLUCFCS MAP

FILE NO.	25WB4418
SHEET NO.	EXHIBIT 4

EXHIBIT 5

AERIAL WITH PROTECTED SPECIES LOCATIONS

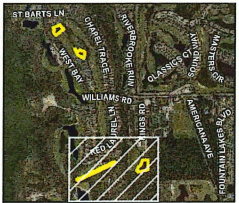
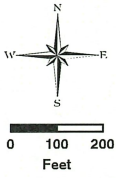


LEGEND

ADDITIONAL PARCELS

PROJECTED SPECIES

- GT - GOPHER TORTOISE BURROW
- TL BAL - NORTHERN NEEDLELEAF
- TL FAS - CARDINAL AIRPLANT
- TL UTR - GIANT WILD PINE



NOTES:

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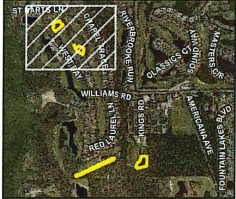
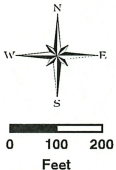
SURVEY AREAS PER FRY/STRAKA GLOBAL GOLF COURSE DESIGN DRAWING NO. RANGE020120AERIAL -OUT-V-10.DWG DATED DECEMBER 18, 2025.

REVISIONS	DATE	DRAWN BY	DATE	13620 Metropolis Avenue	WEST BAY CLUB	DRAWING NO.
		C.O., W.C.	12/30/25	Suite 200	ADDITIONAL PARCELS	25WBC4418
		B.T.	12/30/25	Ft. Myers, FL 33912	AERIAL WITH PROTECTED SPECIES LOCATIONS	SHEET NO.
		B.T.	12/30/25	Phone (239) 274-0067		EXHIBIT 5B
				Fax (239) 274-0069		





LEGEND	
	RELEASE PARCELS
	CONSERVATION AREAS
	GOPHER TORTOISE PRESERVE



NOTES:
 AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY - MARCH 2025.
 SURVEY AREAS PER FRY/STRAKA GLOBAL GOLF COURSE DESIGN DRAWING NO. RANGE012025AERIAL -001-V-10.DWG DATED DECEMBER 18, 2025.

REVISIONS	DATE	DRAWN BY	DATE	13620 Metropolis Avenue
		C.O., W.C.	12/30/25	Suite 200
		DESIGNED BY	DATE	Fe. Myers, FL 33912
		B.T.	12/30/25	Phone (239) 274-0067
		REVIEWED BY	DATE	Fax (239) 274-0069
		B.T.	12/30/25	



WEST BAY CLUB
 AERIAL WITH RELEASE PARCELS

DRAWING NO.	25WBC4418
SHEET NO.	FIGURE 1

