

# **DEPARTMENT OF THE ARMY PERMIT**

Permittee: ST. JOE RESIDENTIAL ACQUISITIONS, INC./ARVIDA CORPORATION

PERMIT No: 199707347(IP-SS)

Issuing Office : U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, mean the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** The permittee is authorized to place fill material over 32.5 acres of waters of the United States (wetlands) to construct a mixed use residential development with a golf course and a commercial/office complex.

The work is to be completed in accordance with the attached plans numbered 199707347(IP-SS) in 5 sheets dated August 9, 1999.

**Project Location:** The project is located in wetlands at adjacent to County Road 4101 (Martin Luther King, Jr. Beltway), Orange Camp Road, Taylor Road, State Road 472, Blue Lake Road, and Interstate 4. The site is located in Sections 22, 23, 24, 25, 26, 34, 35 and 36, Township 17 South, Range 30 East, Deland, Volusia County, Florida. Latitude 28° 15' 23" North, Longitude 81° 15' 33" West

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on **MAY 05 2019**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. Within 60 days of completion of the work authorized and mitigation required, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

2. The following Reasonable and Prudent Measures to minimize the impacts of incidental take are agreed to by the permittee:

**Florida scrub-jays**

a. The applicant should avoid the potential of Florida scrub jays to be injured or killed by heavy equipment. Also avoid the destruction of active scrub-jay nest, with or without eggs.

b. Designation of a 110.7 acre scrub conservation area, containing scrub habitat that will be restored and managed, long term, to provide habitat to two Florida scrub-jay territories.

c. An annual monitoring program should take place on the management area to assess the success of the proposed habitat restoration and management techniques.

d. The on-site conservation area should be placed in a conservation easement and the integrity of the preserve habitat protected.

e. The Service should be notified of any unauthorized take of Florida scrub jays.

**Eastern Indigo Snake**

a. The applicant should avoid the potential of eastern indigo snakes to be injured or killed by heavy equipment. This can be avoided by following the standard protection measure for the indigo snake.

b. Only individuals with permits should attempt to capture the eastern indigo snakes.

c. If eastern indigo is held in captivity it should be released as soon as possible in release sites.

d. Appropriate monitoring should occur.

3. To implement the reasonable and prudent measures noted above, the following terms and conditions are agreed to by the permittee:

**Florida scrub jay**

a(1). No clearing of vegetation within and immediately adjacent to occupied territory on the project site will take place during the Florida scrub-jay nesting season (typically March 1 through June 30), removing the potential to destroy active nests and kill or injure nestling. Scrub jays are also less likely to display territorial/nest defense behavior during the non-nesting season and therefore more likely to stay away from heavy equipment within their territory.

a(2). Mechanical and fire management can take place in the occupied territory during the scrub-jay nesting season, however the management area should be carefully inspected to locate any active nests and protect the nests from any kind of management that may occur to prevent "take" of scrub-jays.

b The scrub management area will be restored and managed long term, through mechanically thinning of the pine canopy by logging operations and clearing groundcover for open spaces. This will be followed by prescribed burn as detailed in the Management plan for the proposed project, submitted by the applicant on December 15, 1999.

c. A comprehensive monitoring program for the scrub management area will be implemented annually for five years to determine the distribution and status of the resident Florida scrub-jay populations and evaluate their responses to the vegetative communities after mechanical and fire management treatments have been applied.

d. The scrub conservation area is to be placed in a conservation easement and be maintained, in long term, as a natural area in perpetuity.



e. If a dead Florida scrub jay is found on the project site, the specimen should be thoroughly soaked in water and frozen, and the applicant should notify the Jacksonville Field Office, U.S. Fish and Wildlife Service immediately at 904-232-2580.

### **Eastern Indigo Snake**

a. An eastern indigo snake protection/education plan shall be developed by the applicant for all construction personnel to follow. The plan shall be provided to the Service for review and approval at least 30 days prior to any cleaning activities. The educational material for the plan may consist of a combination of posters, videos, pamphlets, and lectures (e.g., an observer trained to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur). Informational signs should be posted throughout the construction site and contain the following information.

- a description of the eastern indigo snake, its habits, and protection under Federal Law;
- instructions not to injure, harm, harass or kill this species;
- directions to cease cleaning activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing and,
- telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water, then frozen.

b. Only an individual who has been either authorized by a section 10(a)(1)(A) permit issued the U.S. Fish and Wildlife Service, or designated as an agent of the State of Florida by the Florida Fish and Wildlife conservation Commission for such activities, is permitted to come in contact with or relocate an eastern indigo snake.

c. If necessary, eastern indigo snakes shall be held in captivity only long enough to transport them to a release site; at no time shall two snakes be kept in the same container during transportation.

d. An eastern indigo snake monitoring report must be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:

- any sightings of eastern indigo snakes
- summaries of any relocated snakes if relocation was approved for the project (e.g. locations of where and when they were found and relocated);
- other obligations required by the Florida Fish and Wildlife conservation commission, as stipulated in the permit.

4. The following conservation recommendations to help minimize or avoid adverse effects of the project on the endangered species are agreed to by the permittee:

a. If the scrub management area is to be used for passive recreation (foot trails) signs should be placed at the entrance of the trails to inform and educate the residents of the primary purpose of the scrub management area, to protect the Florida scrub jays and eastern indigo snake. This information should include how human-related disturbances such as domestic pets (particularly cats) and invasive exotic/ornamental vegetation has adverse affects on the scrub jays. Also, signs explaining the fire management and what kind of benefits prescribed fires have on the habitat and in controlling wildfires.

b. If foot trails are to be placed in the scrub management area they should be left in the sandy state not packed with clay or mulched.

5. The attached mitigation plan in 14 sheets is hereby incorporated into and made a part of this permit.

6. The permittee is required to perform mitigation action by Regulatory Specific Conditions number 28 and 29 of permit number 4-127-0369C-ERP, issued by the St. Johns River Water Management District on October 12, 1999.

7. The permittee agrees to provide the Corps of Engineers (Corps) a copy of the recorded easement and any subsequent reports concerning the mitigation and preservation area mentioned in the attached mitigation plan. The easement will be provided to the Corps within 120 days of the issuance date of this permit, which is considered to be the date signed. The easement, as well as all other information and reports submitted with regards to the mitigation area, shall be provided to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019.

8. The permittee agrees that the following uses and/or activities will be prohibited on the preserved lands noted in Special Condition 7.

- Construction or placing buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground. Elevated boardwalks, hiking trails and camping areas will be permitted as long as they do not involve any of the other prohibited uses listed below.
- Dumping or placing soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive material.
- Removing or destroying of trees, shrubs, or other vegetation.
- Excavating, dredging or removing loam, peat, gravel, soil, rocks, or other material substances in such a manner as to affect the surface.
- Surface use, except for purposes that permit the land or water area to remain predominantly in its natural condition.
- Activities that are detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation.
- Acts or uses detrimental to such retention of land or water areas.
- Acts or uses detrimental to the preservation of the structural integrity or the physical appearance of sites or properties of historical, architectural, or cultural significance.
- Uses for hunting or trapping

9. The permittee agrees to avoid impacts to the Victoria park Overseer's House, an historical sites designated as 8VP0131 by the State Historic Preservation Officer.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, and local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.



4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

VICTORIA PARK  
FOR  
ST. JOE / ARVIDA COMPANY, L.P.

KEPLER RD.

INTERSTATE 4

PREVATT AVE.

LAKEVIEW DR.

LAKE HELEN

MAIN ST.

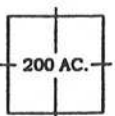
OHIO AVE.

CASSADAGA RD.

HOWLAND BLVD EXT

PROVIDENCE BLVD.

DELTONA



PROJECT VICINITY MAP

Application # 199707347 (IP-SS)

Dated 9-9-99

Sheet 1 of 5

INTERNATIONAL SPEEDWAY BLVD.

KENTUCKY AVE.

WASHINGTON AVE.

PLYMOUTH AVE.

DELAND

MINNESOTA AVE.

U.S. HWY 7/92

STATE HWY 13A

STONE ST.

HAZEN RD.

NEW YORK AVE.

VOORHIS AVE.

EUCLID AVE.

WOODWARD AVE.

FATIO RD.

SPRING GARDEN AVE.

MCGREGOR RD.

ORANGE CAMP RD.

SITE

MINNESOTA AVE.

FRENCH AVE.

GRAVES AVE.

BLUE SPRINGS AVE.

RHODE ISLAND AVE.

ORANGE CITY

WESTSIDE CONNECTOR RD.

STATE RD 472

KENTUCKY AVE.

INTERSTATE 4

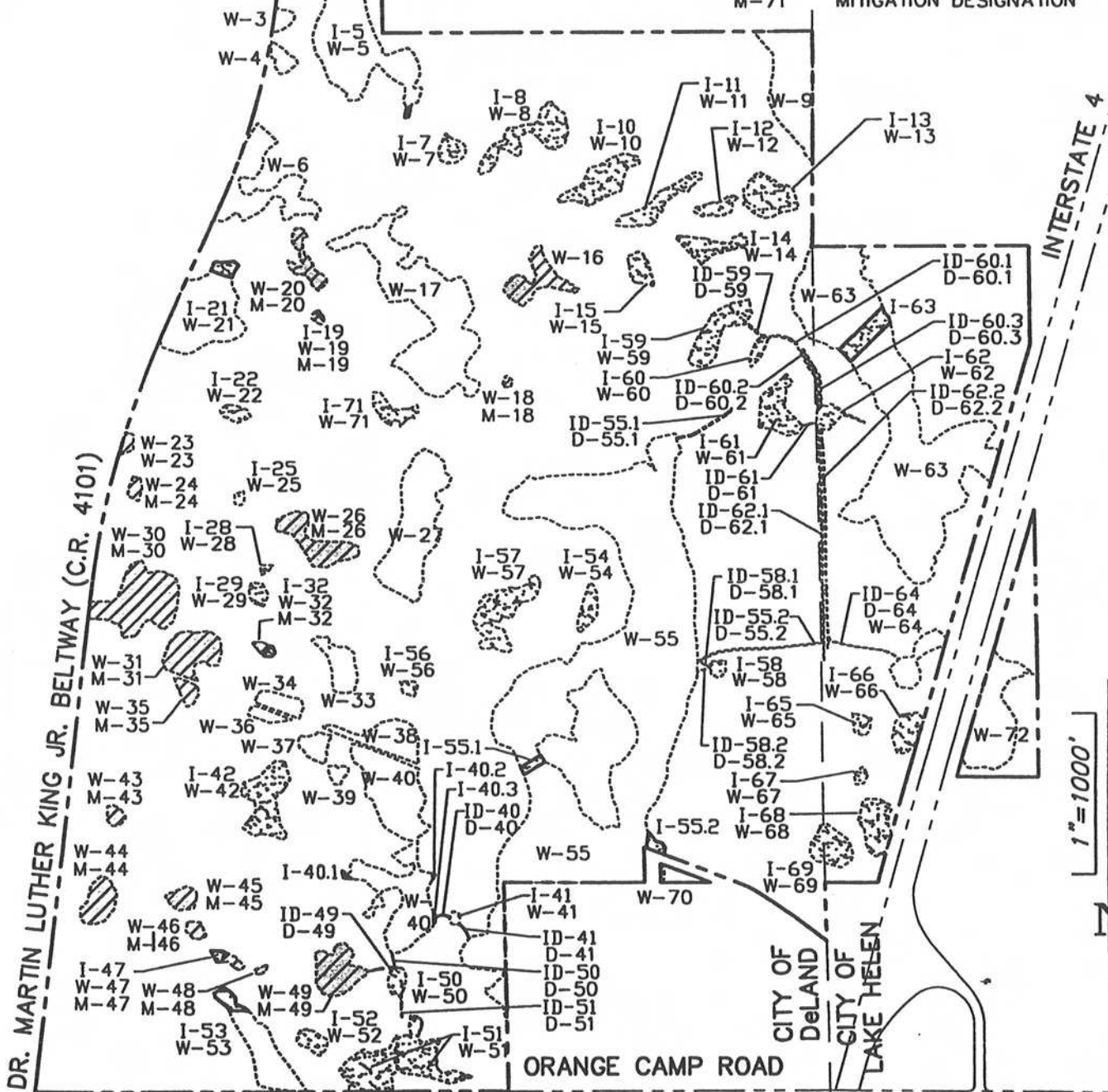
DEBARY





# LEGEND

- SITE BOUNDARY
- [Stippled Area] WETLAND IMPACT
- I-69 IMPACT DESIGNATION
- [Dashed Line] WETLAND PRESERVED
- W-70 WETLAND DESIGNATION
- [Double Dashed Line] DITCH IMPACT
- D-55 DITCH DESIGNATION
- ID-55 IMPACT DITCH DESIGNATION
- [Hatched Area] WETLAND MITIGATION
- M-71 MITIGATION DESIGNATION



**DONALD W. MCINTOSH ASSOCIATES, INC.**  
 ENGINEERS PLANNERS SURVEYORS  
 2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

Application # 199707347(IP-SS)

Dated 9-9-99

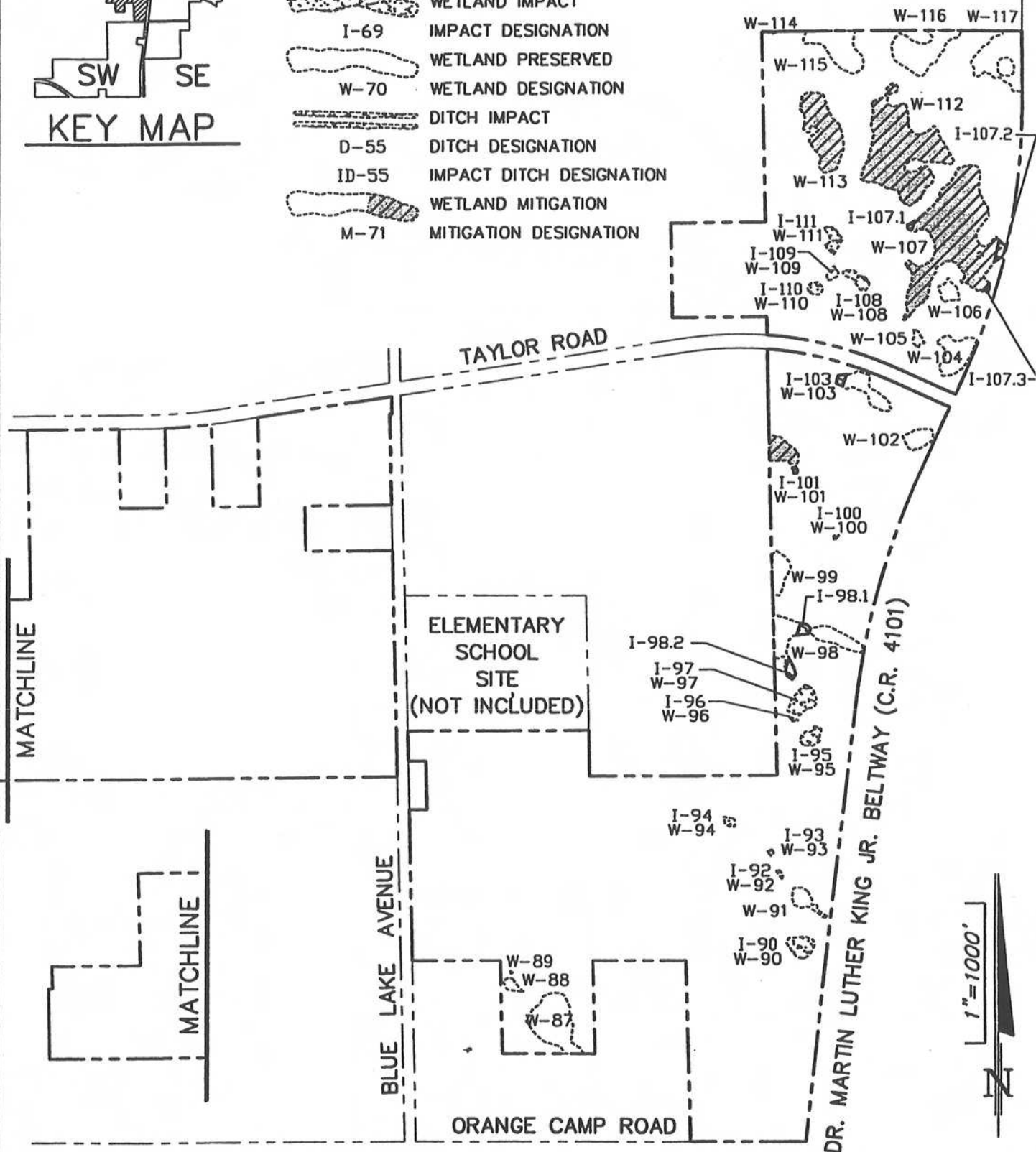
Sheet 2 of 5

DRAWN BY: RSE	DESIGNED BY: SAW	APPROVED BY:	SCALE	FILE NAME
DATE: 6/25/99	DATE: 6/25/99	DATE: 6/25/99	AS SHOWN	VPDFNE1.DWG



# LEGEND

- SITE BOUNDARY
- WETLAND IMPACT
- I-69 IMPACT DESIGNATION
- WETLAND PRESERVED
- W-70 WETLAND DESIGNATION
- DITCH IMPACT
- D-55 DITCH DESIGNATION
- ID-55 IMPACT DITCH DESIGNATION
- WETLAND MITIGATION
- M-71 MITIGATION DESIGNATION



DONALD W. MCINTOSH ASSOCIATES, INC.  
ENGINEERS PLANNERS SUR  
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407)

Application: 199707347 CIP-SS

Dated: 9-9-99

DRAWN BY: RSE	DESIGNED BY: SAW	APPROVED BY:	SCALE	
DATE: 6/25/99	DATE: 6/25/99	DATE: 6/25/99	AS SHOWN	VPI

Sheet 5 of 5

Permittee: St. Joe Residential Acquisitions, Inc.


Permit No.: 199907347(IP-SS)

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
(PERMITTEE)

5/5/00  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
(DISTRICT ENGINEER)  
Joe R. Miller  
Colonel, U.S. Army

5/5/00  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE - SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY, STATE, AND ZIP CODE)

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

\_\_\_\_\_  
(PERMITTEE)

\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

\_\_\_\_\_  
(DISTRICT ENGINEER)

Joe R. Miller  
Colonel, U.S. Army

\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE - SIGNATURE)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(ADDRESS)

\_\_\_\_\_  
(CITY, STATE, AND ZIP CODE)

Permittee: St. Joe Residential Acquisitions, Inc.

Permit No.: 199907347(IP-SS)



## Wetlands

The Site Mitigation and Management Plan (SMMP) includes the preservation of approximately **183 acres** of wetlands, of which several will be enhanced. This equates to approximately **85%** of the on-site wetlands. This preservation will consist of **75.5 acres** of forested wetlands and **107.4 acres** of herbaceous wetlands. These preserved wetlands consist of large forested systems that have remained, for the most part, unaltered and the larger, more pristine, herbaceous wetlands (**Appendix 2, Photo 3 and 4**). These wetlands along with several upland preservation areas will be part of on-site wildlife corridors. The proposed wetland preservation/enhancement reference numbers are listed in **Table 8**. All wetland fill impacts and mitigation area plan view and cross-sections are included under separate cover in **Appendix 4**.

The property owners of the Victoria Park project site have designed a SMMP that articulates mitigation and perpetual management. The plan includes the preservation, enhancement, creation and management of wetlands. The majority of the more ecologically important wetlands will be preserved. These consist of wetlands that are large and not disturbed. Many smaller wetlands, which are disturbed to some degree due to past land management practices will be enhanced as part of the SMMP.

All mitigation will occur with the goal of maximizing the habitat value for both listed and non-listed wildlife and plant species. Development plans include special efforts and set-asides for the listed wildlife species utilizing this property.

Each wetland at the Victoria Park project site was assessed to determine its overall value for mitigation purposes. Wetland value was based on its existing condition, hydrologic connection, uniqueness, location, size, wildlife utilization and presence of, or use by listed plant or wildlife species. Four of the preserved herbaceous wetlands were utilized as nesting habitat for the Florida Sandhill Crane (*Grus canadensis pratensis*) in 1998. This bird is classified as a threatened species by the Florida Fish and Wildlife Conservation Commission (FFWCC). Some additional protected wading birds, such as the Little Blue Heron (*Egretta caerulea*), are also foraging in many of the more intact and vegetatively diverse wetlands.

## Wetland Enhancement

Many of the wetlands have become disturbed due to road and fence construction, invasion of upland pine trees and other undesirable plants, an existing cattle operation, berms associated with an abandoned railroad and drainage ditches. Mitigation in the form of enhancement will occur to approximately **21 wetlands** which total **22 acres** at the Victoria Park Project, especially Wetlands 16, 18, 19, 20, 23, 24, 26, 30, 31, 32, 35, 43, 44, 45, 46, 47, 48, 49, 73, 82 and 86. These wetlands have been altered and are very disturbed.

Enhancement activities include removing cattle, filling drainage ditches, breaching a historical railroad berm to reconnect wetland areas, controlling invasive/exotic plant species such as longleaf pine trees and Carolina willow and establishing upland buffers around each wetland preserve (**Appendix 2, Photo 7 - 14 and Photo 18**). Removal of the cattle will allow native plant species in the over-grazed wet prairie wetlands to flourish and slowly replace carpet grass, an invasive species that currently dominates many of the shallow herbaceous wetland systems on the site. Water quality in many wetlands will also be increased due to the removal of cattle. The enhanced wetlands will be preserved in perpetuity. The wetlands for which enhancement mitigation is planned are listed in **Table 8**.

Mitigation Plan  
In 14 Sheets  
Dated 4/10/2000

Permittees

AKERMAN, SENTERFITT & EIDSON, P.A.

ATTORNEYS AT LAW

CITRUS CENTER  
255 SOUTH ORANGE AVENUE  
POST OFFICE BOX 231  
ORLANDO, FLORIDA 32802-0231  
(407) 843-7860  
TELECOPY (407) 843-6610

August 20, 1998

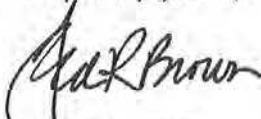
Ed Hill  
Arvida Company  
2250 Lucien Way  
Suite 100  
Maitland, FL 32751

RE: Interlocal Agreement; Victoria Park

Dear Ed,

Enclosed with this letter please find an executed original of the Interlocal Agreement among St. Joe Residential Acquisitions, Inc., Lake Helen and DeLand. I have retained a copy for my file and transmitted one to John Baric. You should retain this original in your file.

Very truly yours,



Ted R. Brown

cc: Wayne Sanborn  
Bill Gardner  
John Baric

AKERMAN, SENTERFITT & EIDSON, P.A.

ATTORNEYS AT LAW

CITRUS CENTER  
255 SOUTH ORANGE AVENUE  
POST OFFICE BOX 231  
ORLANDO, FLORIDA 32802-0231  
(407) 843-7860  
TELECOPY (407) 843-6610

August 20, 1998

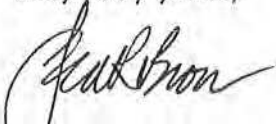
Wayne Sanborn  
City Manager  
City of DeLand  
120 South Florida Avenue  
DeLand, FL 32721-0449

RE: Interlocal Agreement; Victoria Park

Dear Wayne,

Enclosed with this letter please find an executed original of the Interlocal Agreement among St. Joe Residential Acquisitions, Inc., Lake Helen and DeLand. Thank you for your continued assistance in moving this matter forward.

Very truly yours,



Ted R. Brown

cc: Ray Leibensperger  
Ed Hill  
Bill Gardner  
John Baric

AKERMAN, SENTERFITT & EIDSON, P.A.

ATTORNEYS AT LAW

CITRUS CENTER  
255 SOUTH ORANGE AVENUE  
POST OFFICE BOX 231  
ORLANDO, FLORIDA 32802-0231  
(407) 843-7860  
TELECOPY (407) 843-6610

August 20, 1998

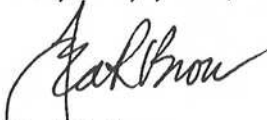
Ray Leibensperger  
City Clerk  
City of Lake Helen  
493 South Lakeview Drive  
Lake Helen, FL 32744

RE: Interlocal Agreement; Victoria Park

Dear Ray,

Enclosed with this letter please find an executed original of the Interlocal Agreement among St. Joe Residential Acquisitions, Inc., Lake Helen and DeLand. Additionally be advised that we will transmit to you within the next several days our thoughts on how to address Comprehensive Plan issues for the City. Thank you for your continued assistance in moving this matter forward.

Very truly yours,



Ted R. Brown

cc: Wayne Sanborn  
Ed Hill  
Bill Gardner  
John Baric

## INTERLOCAL AGREEMENT

This **INTERLOCAL AGREEMENT** (the "Agreement") is made and entered into this 3rd day of August, 1998 by and between the **City of DeLand**, a municipal corporation with offices at 120 S. Florida Avenue, DeLand, FL 32720 ("DeLand"), the **City of Lake Helen**, a municipal corporation with offices at 327 S. Lakeview Drive, Lake Helen, FL 32744 ("Lake Helen") and **St. Joe Residential Acquisitions, Inc.**, a Florida corporation with offices at 1275 Heathrow Lane, Heathrow, Florida 32746 ("Arvida").

### RECITALS

A. Arvida proposes to establish a Development of Regional Impact ("DRI") as defined in Section 380.06 of the Florida Statutes ("F.S.") and Chapter 28-24 of the Florida Administrative Code ("FAC") for the real property described on the attached Exhibit "A" (the "Property").

B. In connection with Arvida's applications for DRI approval for the Property, Arvida also proposes to: (a) amend the Comprehensive Land Use Plans of DeLand, Lake Helen and Volusia County as authorized by Part II, Chapter 163.3171 F.S.; and (b) modify the Land Development Regulations of DeLand and Lake Helen to insure compatibility with the Comprehensive Land Use Plans (as amended) and DRI Development Order. (The DRI Development Order, Comprehensive Land Use Plan amendments and amendments to the Land Development Regulations Arvida seeks from time to time for the Property shall be collectively referred to in this Agreement as the "Land Use Entitlements.").

B. The Property is located partially within the corporate boundaries of Lake Helen and partially within unincorporated Volusia County and is contiguous to the corporate boundaries of the City of DeLand.

C. Arvida proposes to annex that portion of the Property presently located in unincorporated Volusia County (the "Volusia Property") into the city of DeLand.

D. In order to facilitate timely and consistent review of the various submittals necessary to the processing of the Land Use Entitlements, Arvida, DeLand and Lake Helen desire to create a framework for review, processing and scheduling of the Land Use Entitlement process for the Property as a whole. The parties desire to utilize the expertise and resources of DeLand's planning department (including its staff members), while preserving the fundamental statutory rights of both municipalities to vote on the Land Use Entitlements through their respective City Commissions.

**NOW THEREFORE**, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Arvida, DeLand and Lake Helen (by and through their undersigned authorized representatives) agree as follows:

1. **DeLand's Coordination of Approval Process.** The DeLand City Planning Staff under the direction of its Community Planning Director("DeLand Staff") shall be responsible for the review and processing of the Land Use Entitlements for and on behalf of both DeLand and Lake Helen. The duties of the DeLand Staff to be performed under this Agreement include assumption of responsibility (to the extent authorized by applicable law) for all tasks associated with processing the Land Use Entitlements for the Property on behalf of DeLand and Lake Helen, which tasks include, but are not limited to, all procedures required to be followed by the DeLand City Code, the Lake Helen City Code, the Florida Statutes and Florida Administrative Code for processing Arvida's applications for approval (ADA) of the DRI and approval of amendments to the Comprehensive Land Use Plans and Land Development Regulations for DeLand and Lake Helen. Following are examples of the tasks the DeLand Staff will complete on behalf of DeLand and Lake Helen:

a. Receive and process in a timely manner all correspondence and submittals from Arvida, the public, and commenting agencies of government;

b. Coordinate compilation of all materials required for final approval of the Land Use Entitlements by the City Commissions of DeLand and Lake Helen with Arvida's consultants, engineers, attorneys and other agents and employees;

c. Schedule and administer on behalf of DeLand and Lake Helen all public hearings before the respective planning boards and Commissions required for the processing of the Land Use Entitlements, including providing public notice and a forum for public comment throughout the approval process in accordance with applicable statutes, rules and regulations;

d. Make final recommendations to the respective City Commissions for approval, approval with conditions or denial of the Land Use Entitlements (recommendations may be made by DeLand Staff, or by either the City of DeLand Planning Board or the Lake Helen Land Development Regulation Commission depending upon the various stages in the approval process for the Land Use Entitlements); and

e. Perform on behalf of Lake Helen and DeLand any and all other tasks customarily undertaken by the DeLand and/or Lake Helen staff in the normal administration and review of Land Use Entitlements.



f. In all matters in which the DeLand Staff is performing services herein for the City of Lake Helen, DeLand Staff will coordinate with Lake Helen staff and elected officials in the scheduling of any and all public meetings and/or hearings to the end that the same are compatible with and conform to the requirements of the City of Lake Helen Administrative Code.

4. **Public Hearing Procedure.** When required during the approval process for the Land Use Entitlements, DeLand Staff will follow notice and hearing procedures applicable to the DeLand Planning Board for the portion of the Property lying within the city limits of DeLand, and will follow the notice and hearing procedures applicable to the Lake Helen Planning and Land Development Regulation Commission for the portion of the Property lying within the city limits of Lake Helen. Notwithstanding the notice and hearing procedures required by each City, the DeLand Staff will assist both the DeLand Planning Board and the Lake Helen Planning and Land Development Regulation Commission for purposes of providing staff support and expertise for the processing of the Land Use Entitlements for the Property. As such, the DeLand Staff is to serve as a resource to both municipalities for the these purposes, but both the City of DeLand Planning Board, the City of DeLand City Commission, the City of Lake Helen Planning and Land Development Regulation Commission and the City of Lake Helen City Commission shall retain their respective authority to hold public hearings or to otherwise participate in the Land Use Entitlement process for the Property.

5. **Coordination Fee.** In consideration of the services provided in accordance with this Agreement, Arvida shall pay DeLand a "Coordination Fee" in an amount not less than \$5000 and not in excess of \$50,000, it being the intention of the parties that the City of DeLand shall be fully reimbursed for time incurred in performing the tasks contemplated under this Agreement on behalf of the City of Lake Helen. The Coordination Fee is a one-time fee, which the parties will determine upon the submission of appropriate time records to Arvida following completion of the work for the City of Lake Helen in connection with the matters contemplated under this Agreement. This Coordination Fee shall be in addition to any other fees payable by Arvida to DeLand or to Lake Helen as required by applicable law. To the extent DeLand incurs any actual out-of-pocket expenses on behalf of Lake Helen during the approval process (including copying costs, long-distance telephone fees and publication costs for notices required by the Lake Helen Land Development Code which are attributable to the portion of the Property lying within the city limits of Lake Helen etc.), Arvida shall reimburse DeLand for all such costs in addition to the Coordination Fee.

6. **Binding Effect.** This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns, and shall run with the Property and be binding upon any person, firm, corporation or other entity acquiring any interest in the Property. Each party represents to the other that it has undertaken all necessary

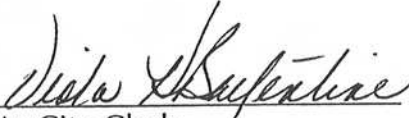
actions to execute this Agreement, and that it has the legal authority to enter into this Agreement and to undertake all obligations imposed on it.

7. **Applicable Law.** This Agreement and the provisions contained herein shall be construed, controlled and interpreted according to the laws of the State of Florida.

8. **Use of Attorney's and Attorney's Fees.** The term "DeLand Staff" shall not include the use of attorney's otherwise employed by the City of DeLand and this Agreement shall not be construed to require the City of Lake Helen to use or rely upon attorney's employed by the City of DeLand. As and to the extent, any party to this Agreement determines to use the services of legal counsel in the administration of any of the undertakings contemplated by this Agreement, each such party shall employ their own separate counsel and shall be responsible for payment of the same.

**IN WITNESS WHEREOF**, the parties hereto have caused these presents to be signed as of the date and year first above written.

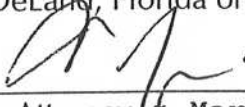
**ATTEST:**

  
As City Clerk  
Viola H. Ballentine

**"DELAND"**

By:   
As Mayor - David C. Rigsby

**APPROVED AS TO FORM AND LEGALITY**  
for use and reliance by the City  
of DeLand, Florida only.

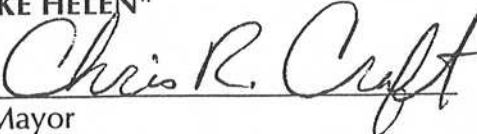
  
City Attorney ~~E~~ Mark Zimmerman  
DeLand, Florida

Aug. 3, 1998

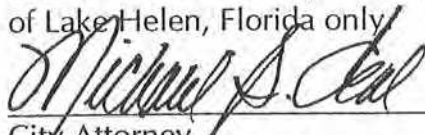
**ATTEST:**

  
As City Clerk

**"LAKE HELEN"**

By:   
As Mayor

APPROVED AS TO FORM AND LEGALITY  
for use and reliance by the City  
of Lake Helen, Florida only

  
\_\_\_\_\_  
City Attorney

Lake Helen, Florida

AUGUST 7, 1998

"ARVIDA"

ST. JOE RESIDENTIAL ACQUISITIONS, INC.,  
a Florida Corporation

By:   
\_\_\_\_\_  
Vice President [Corporate Seal]

Executed on: 8/19/98

## EXHIBIT "A"

### LEGAL DESCRIPTION

A tract of land being a portion of Sections 22, 23, 24, 25, 26, 27, 34, 35 and 36, Township 17 South, Range 30 East, Volusia County, Florida, being more particularly described as follows: Begin at the Northwest corner of the Southwest 1/4 of Section 24; thence South 00 degrees 37 minutes 34 seconds East (S 00°37'34" E), along the West line of the Southwest 1/4 of Section 24 a distance of 1352.92 feet; thence North 89 degrees 58 minutes 44 seconds East (N 89°58'44" E), along the North line of the South one half of the Southwest 1/4 of Section 24 a distance of 2656.18 feet; thence South 00 degrees 11 minutes 32 seconds East (S 00°11'32" E), along the East line of the Southwest 1/4 of Section 24 a distance of 1339.36 feet; thence South 89 degrees 56 minutes 49 seconds East (S 89°56'49" E), along the North line of the Northeast 1/4 of Section 25 a distance of 1358.11 feet; thence South 00 degrees 55 minutes 02 seconds East (S 00°55'02" E), along the East line of the West one half of the Northeast 1/4 of Section 25 a distance of 2684.50 feet; thence South 00 degrees 57 minutes 20 seconds East (S 00°57'20" E), along the East line of the West one half of the Southeast 1/4 of Section 25 a distance of 660.74 feet; thence North 89 degrees 35 minutes 41 seconds West (N 89°35'41" W), along the South line of the North one half of the Northwest 1/4 of the Southeast 1/4 of Section 25 a distance of 829.87 feet; thence South 15 degrees 45 minutes 06 seconds West (S 15°45'06" W), along the West right of way of Interstate No. 4 a distance of 682.54 feet; thence North 89 degrees 27 minutes 50 seconds West (N 89°27'50" W), along the North line of the Southwest 1/4 of the Southeast 1/4 of Section 25 a distance of 329.40 feet; thence North 89 degrees 56 minutes 14 seconds West (N 89°56'14" W), along the South line of the North one half of the Southwest 1/4 of Section 25 a distance of 1988.19 feet; thence South 01 degrees 01 minutes 01 seconds East (S 01°01'01" E), along the West line of the East 3/4 of the South one half of the Southwest 1/4 of Section 25 a distance of 1322.65 feet; thence South 00 degrees 48 minutes 14 seconds East (S 00°48'14" E), along the East line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 36 a distance of 665.73 feet; thence South 89 degrees 57 minutes 09 seconds West (S 89°57'09" W), along the South line of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 36 a distance of 665.05 feet; thence South 00 degrees 34 minutes 11 seconds East (S 00°34'11" E), along the East line of the Northeast 1/4 of Section 35 a distance of 1993.59 feet; thence South 89 degrees 37 minutes 28 seconds West (S 89°37'28" W), along the South line of the Northeast 1/4 of Section 35 a distance of 2592.61 feet; thence South 00 degrees 58 minutes 38 seconds East (S 00°58'38" E), along the East line of the Southwest 1/4 of Section 35 a distance of 2706.16 feet; thence South 89 degrees 55 minutes 14 seconds West (S 89°55'14" W), along the South line of the Southwest 1/4 of Section 35 a distance of 2639.36 feet; thence South 89 degrees 42 minutes 42 seconds West (S 89°42'42" W), along the South line of the Southeast 1/4 of Section 34 a distance of 114.00 feet; thence North 01 degrees 01 minutes 56 seconds West (N 01°01'56" W), along the East line of the West 550 feet of the South 550 feet of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 35 a distance of 550.05 feet; thence South 89 degrees 42 minutes 42 seconds West (S 89°42'42" W), along the North line of the West 550 feet of the South 550 feet of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of Section 35 a distance of 550.05 feet; thence South 01 degrees 01 minutes 56 seconds East (S 01°01'56" E), along the West line of the West 550 feet of the South 550 feet of the Southeast 1/4 of the Southeast 1/4 of

## EXHIBIT "A" - CONTINUED

the Southeast 1/4 of Section 35 a distance of 550.05 feet; thence South 89 degrees 42 minutes 42 seconds West (S 89°42'42" W), along the South line of the Southeast 1/4 of Section 34 a distance of 1992.15 feet; thence South 89 degrees 42 minutes 57 seconds West (S 89°42'57" W), along the South line of the Southwest 1/4 of Section 34 a distance of 2642.67 feet; thence North 00 degrees 37 minutes 44 seconds West (N 00°37'44" W), along the West line of the Southwest 1/4 of Section 34 a distance of 1364.37 feet; thence North 89 degrees 54 minutes 41 seconds East (N 89°54'41" E), along the South line of the Northwest 1/4 of the Southwest 1/4 of Section 34 a distance of 1315.73 feet; thence North 00 degrees 52 minutes 00 seconds West (N 00°52'00" W), along the East line of the Northwest 1/4 of the Southwest 1/4 of Section 34 a distance of 1359.93 feet; thence South 89 degrees 53 minutes 30 seconds East (S 89°53'30" E), along the North line of the Southwest 1/4 of Section 34 a distance of 1310.13 feet; thence South 89 degrees 53 minutes 30 seconds East (S 89°53'30" E), along the South line of the Northeast 1/4 of Section 34 a distance of 2661.16 feet; thence North 01 degrees 28 minutes 19 seconds West (N 01°28'19" W), along the East line of the Northeast 1/4 of Section 34 a distance of 2683.29 feet; thence North 89 degrees 56 minutes 02 seconds East (N 89°56'02" E), along the North line of the Northwest 1/4 of Section 35 a distance of 1997.98 feet; thence North 01 degrees 20 minutes 24 seconds West (N 01°20'24" W), along the East line of the South one half of the West 3/4 of the Southwest 1/4 of Section 26 a distance of 1322.11 feet; thence South 89 degrees 50 minutes 47 seconds West (S 89°50'47" W), along the North line of the Southeast 1/4 of the Southwest 1/4 of Section 26 a distance of 665.00 feet; thence South 01 degrees 17 minutes 51 seconds East (S 01°17'51" E), along the East line of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 26 a distance of 660.53 feet; thence South 89 degrees 53 minutes 24 seconds West (S 89°53'24" W), along the South line of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 26 a distance of 665.49 feet; thence North 01 degrees 15 minutes 19 seconds West (N 01°15'19" W), along the West line of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 26 a distance of 660.02 feet; thence South 89 degrees 50 minutes 47 seconds West (S 89°50'47" W), along the North line of the Southwest 1/4 of the Southwest 1/4 of Section 26 a distance of 665.00 feet; thence North 01 degrees 12 minutes 47 seconds West (N 01°12'47" W), along the West line of the Southwest 1/4 of Section 26 a distance of 1319.00 feet; thence South 89 degrees 25 minutes 24 seconds West (S 89°25'24" W), along the South line of the Northeast 1/4 of Section 27 a distance of 2647.58 feet; thence South 89 degrees 07 minutes 36 seconds West (S 89°07'36" W), along the South line of the Northwest 1/4 of Section 27 a distance of 1317.40 feet; thence North 01 degrees 17 minutes 28 seconds West (N 01°17'28" W), along the West line of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 499.61 feet; thence North 89 degrees 08 minutes 49 seconds East (N 89°08'49" E), along a line 160.6 feet South of the North line of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 30.00 feet; thence North 01 degrees 17 minutes 28 seconds West (N 01°17'28" W), along a line 30 feet East of and parallel to the West line of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 160.60 feet; thence North 89 degrees 08 minutes 49 seconds East (N 89°08'49" E), along the North line of the Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 628.64 feet; thence North 01 degrees 17 minutes 46 seconds West (N 01°17'46" W), along the West line of the Northeast 1/4 of the



## EXHIBIT "A" - CONTINUED

Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 659.98 feet; thence North 89 degrees 10 minutes 03 seconds East (N 89°10'03" E), along the North line of the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 27 a distance of 658.59 feet; thence North 01 degrees 18 minutes 04 seconds West (N 01°18'04" W), along the East line of the Northwest 1/4 of Section 27 a distance of 1235.48 feet; thence North 89 degrees 26 minutes 38 seconds East (N 89°26'38" E), along the South right of way of Taylor Road a distance of 662.88 feet; thence South 01 degrees 16 minutes 45 seconds East (S 01°16'45" E), along the East line of the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 27 a distance of 575.68 feet; thence North 89 degrees 26 minutes 19 seconds East (N 89°26'19" E), along the South line of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 27 a distance of 331.33 feet; thence North 01 degrees 16 minutes 05 seconds West (N 01°16'05" W), along the West line of the East one half of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 27 a distance of 577.02 feet to a point lying on the South right of way of Taylor Road; said point being on a curve concave Northerly; thence from a tangent bearing of North 87 degrees 51 minutes 31 seconds East (N 87° 51' 31" E) run Easterly along a curve having a radius of 3581.24 feet, arc length of 332.17 feet, delta angle of 05 degrees 18 minutes 52 seconds (05°18'52"), a chord bearing of North 85 degrees 12 minutes 06 seconds East (N 85°12'06" E), and a chord length of 332.05 feet; thence departing said right of way run South 01 degrees 15 minutes 25 seconds East (S 01°15'25" E), along the East line of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 27 a distance of 601.55 feet; thence North 89 degrees 26 minutes 19 seconds East (N 89°26'19" E), along the South line of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 27 a distance of 331.33 feet; thence North 01 degrees 14 minutes 46 seconds West (N 01°14'46" W), along the West line of the East one half of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 27 a distance of 647.82 feet; thence North 81 degrees 20 minutes 41 seconds East (N 81°20'41" E), along the South right of way of Taylor Road a distance of 1002.86 feet; thence South 01 degrees 09 minutes 47 seconds East (S 01°09'47" E) along the East line of the Southeast 1/4 of the Southeast 1/4 of Section 22 a distance of 129.52 feet; thence South 01 degrees 12 minutes 47 seconds East (S 01°12'47" E) along the East line of the Northeast 1/4 of Section 27 a distance of 659.50 feet; thence South 89 degrees 26 minutes 19 seconds West (S 89°26'19" W) along the South line of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 27 a distance of 662.66 feet; thence South 01 degrees 14 minutes 06 seconds East (S 01°14'06" E) along the West line of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 27 a distance of 329.78 feet; thence North 89 degrees 26 minutes 10 seconds East (N 89°26'10" E) along the South line of the North one half of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 27 a distance of 662.53 feet; thence South 01 degrees 12 minutes 47 seconds East (S 01°12'47" E) along the East line of the Northeast 1/4 of Section 27 a distance of 1319.00 feet; thence North 89 degrees 43 minutes 40 seconds East (N 89°43' 40" E), along the South line of the North 3/4 of the Southwest 1/4 of the Northwest 1/4 of Section 26 a distance of 1327.50 feet; thence South 01 degrees 17 minutes 52 seconds East (S 01°17'52" E), along the West line of the Southeast 1/4 of the Northwest 1/4 of Section 26 a distance of 330.47 feet; thence North 89 degrees 45 minutes 31 seconds East (N 89°45'31" E), along the South line of the Northwest 1/4 of Section 26 a distance of 1328.00 feet; thence North 01 degrees 22 minutes 55



## EXHIBIT "A" - CONTINUED

seconds West (N 01°22'55" W), along the West line of the Northeast 1/4 of Section 26 a distance of 2649.51 feet; thence North 01 degrees 05 minutes 49 seconds West (N 01°05'49" W), along the West line of the Southeast 1/4 of Section 26 a distance of 676.65 feet; thence South 89 degrees 33 minutes 40 seconds West (S 89°33'40" W), along the South line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 23 a distance of 662.21 feet; thence North 01 degrees 06 minutes 49 seconds West (N 01°06'49" W), along the West line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 23 a distance of 677.21 feet; thence North 89 degrees 36 minutes 36 seconds East (N 89°36'36" E), along the West line of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 23 a distance of 662.41 feet; thence North 01 degrees 05 minutes 49 seconds West (N 01°05'49" W), along the West line of the Southeast 1/4 of Section 23 a distance of 1353.30 feet; thence North 89 degrees 42 minutes 26 seconds East (N 89°42'26" E), along the North line of the Southeast 1/4 of Section 23 a distance of 2675.20 feet to the Northwest corner of the Southwest 1/4 of Section 24 and the **POINT OF BEGINNING**.

Less rights of way of record.

Contains: 1,903.584 (Net) Acres, more or less.  
T97-C89

**Table 8. Wetland Preservation and Enhancement Summary.**

Wetland Number	FLUCFCS Code	Total Size (ac)	Preservation (ac)	Enhancement Activities to occur in wetland (✓)
W1	320	0.29	0.29	
W2	641/411-W	4.08	4.08	
W3	641	0.33	0.33	
W4	641/643	0.41	0.41	
W5	641	7.64	7.61	
W6	643	3.27	3.27	
W9	621	4.08	4.08	
W16	643	1.38	1.38	✓
W17	641/643	8.77	8.77	
W18	643	0.07	0.07	✓
W19	643	0.09	0.07	✓
W20	643	0.72	0.72	✓
W21	641	4.33	4.08	
W23	641	0.20	0.20	✓
W24	641	0.23	0.23	✓
W26	643	1.65	1.65	✓
W27	643	5.06	5.06	
W30	643	3.55	3.55	✓
W31	643	1.76	1.76	✓
W32	643	0.18	0.12	✓
W33	643	1.15	1.15	
W34	643	0.68	0.68	
W35	643	0.37	0.37	✓
W36	643	0.32	0.32	
W37	643	0.60	0.60	
W38	643	1.63	1.63	
W39	643	0.24	0.24	
W40	641/643	7.21	7.18	
W43	643	0.25	0.25	✓
W44	643	1.03	1.03	✓
W45	643	0.47	0.47	✓
W46	643	0.23	0.23	✓
W47	643	0.25	0.10	✓
W48	643	0.06	0.06	✓
W49	643	1.55	1.55	✓
W51	641/643	3.38	0.17	
W53	643	2.42	2.13	
W55	630	43.54	43.19	
W63	621/630/643	21.69	20.82	
W64	641	1.13	1.13	
W70	630	0.37	0.37	
W72	630/643	3.53	3.53	
W73	643	0.55	0.55	✓
W74	641/643	7.69	7.69	
W75	643	0.53	0.53	
W76	643	0.23	0.23	
W82	641	3.54	3.54	✓

Mitigation Plan  
In 14 Sheets  
Dated 4/10/2000

**Table 8 continued.**

W83	643	0.45	0.45	√
W86	641	3.97	3.97	
W87	641/643	2.23	2.23	
W88	643	0.17	0.17	
W89	643	0.01	0.01	
W91	641	0.45	0.45	
W98	643	2.00	1.71	
W99	643	0.68	0.68	
W101	643	0.75	0.73	
W102	643	0.53	0.53	
W103	643	0.92	0.83	
W104	643	1.15	1.15	
W105	643	0.14	0.14	
W106	411-W	0.36	0.36	
W107	411-W/641/643	7.90	7.69	
W112	643	6.12	6.12	
W113	643	2.41	2.41	
W114	643	0.02	0.02	
W115	643	1.62	1.62	
W116	641	1.93	1.93	
W117	411-W	2.18	2.18	
Total		188.7	183	(21 wetlands enhanced)

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## **Wetland Preservation**

Many of the wetlands at the Victoria Park Project have not become as disturbed as those for which enhancement is planned, however the SMMP includes a high degree of maintenance of these wetlands to ensure each wetland remains viable. This includes Wetlands 1, 2, 3, 4, 5, 6, 17, 21, 27, 33, 34, 36, 37, 38, 39, 40, 53, 55, 63, 64, 74, 75, 76, 83, 87, 88, 89, 91, 98, 99, 101, 104, 107, 112, 113, 114, 115 and 116. Approximately 161 acres of these wetlands will be preserved in perpetuity. This preservation will consist of approximately 75.5 acres of forested wetlands and approximately 85.5 acres of herbaceous wetlands. These wetlands consist of the more functional and ecologically sound ecosystems. Although no enhancement mitigation credit is being requested for these wetlands, water quality and plant diversity will be positively affected by the removal of the cattle operation in all areas where cattle currently exist. These wetlands are also listed in Table 8.

Forested wetland preservation will involve Wetlands 9, 55, 63, 70, 72, 106, 107 and 117. The proposed forested preservation acreages and reference numbers are also listed in Table 8. These wetlands consist of large forested systems that have remained, for the most part, unaltered. These wetlands as well as the previously described enhancement and preservation wetlands are very important ecologically. These wetlands along with several upland preservation areas form an extensive corridor for all wildlife on the site. Wetland dependent species will be able to travel throughout the site by using these networks of corridors that will exist on the property.

The following lists the proposed wetland preservation and enhancement mitigation at the Victoria Park Project site:

### **Preservation and Enhancement Mitigation:**

**Wetland 1 (0.29 ac)** will be preserved. This wetland is classified as Shrub Brushland (320) by the Florida Land Use, Forms and Classification System, Level III (FLUCFCS) and is hydrologically connected to W2 and to off-site wetlands via a ditch. This wetland is located along the most northern property boundary and is connected to W2 by a upland-cut ditch. Common plant species observed in this community included shiny lyonia, carpet grass, slender spikerush, broomsedge, St. Johns wort, yellow-eyed grass, little-blue maidencane and redroot.

**Wetland 2 (4.08 ac.)** will be preserved. This wetland is classified as Freshwater Marsh (641) by the FLUCFCS and is just south of W1. Common plant species observed in this wetland included slender spikerush, St. Johns wort, redroot, pickerelweed, carpet grass, maidencane, fragrant water lily, spatterdock, broomsedge, coinwort, little-blue maidencane, yellow-eyed grass and water pennywort. Invasive pines and Carolina willow exist in this wetland as well. This wetland is hydrologically connected to W1 and to off-site wetlands via a ditch. Although no enhancement credit is requested for this wetland, invasive upland pines and undesirable or nuisance species such as Carolina willow will be controlled in this wetland. Water quality will also be improved by removing cattle.

**Wetland 3 (0.33 ac.)** is classified as Freshwater Marsh (641). This small, isolated wetland is just east of Dr. Martin Luther King, Jr. Beltway and is dominated by spatterdock. St. Johns wort, maidencane, fragrant water lily, yellow-eyed grass and water pennywort were also observed. This wetland will be preserved.

**Wetland 4 (0.41 ac.)** is isolated and just east of Dr. Martin Luther King, Jr. Beltway and is classified as Wet Prairie (643). Common plant species observed in this shallow depression

Mitigation Plan  
In 14 Sheets  
Dated 4/10/2000

included slender spikerush, broomsedge, St. Johns wort, little-blue maidencane, coinwort, maidencane, sundew, yellow eyed grass and water pennywort. This wetland will be preserved.

**Wetland 5 (7.61 ac.)** is located near the northern limits of the site, just east of the Martin Luther King Jr. Beltway. This 7.64-acre wetland is classified as Freshwater Marsh (641). Common vegetative species observed in this community included pickerelweed, broomsedge, duck potato, St. Johns wort, maidencane and fragrant water lily. A total of 0.03 acres (0.4% of the wetland) of impacts are planned for this wetland due to lot layout and site configuration. This wetland is isolated and slightly disturbed from the cattle operation on the site (i.e. grazing, dominance of carpet grass). Removal of the cattle operation will enhance the remaining 99.6% of this wetland. The remainder of the wetland will be preserved.

**Wetland 6 (3.27 ac.)** is just south of W5. This isolated wetland is classified as Wet Prairie (643). Common plant species in this wetland included carpet grass, slender spikerush, broomsedge, St. Johns wort, little-blue maidencane and water pennywort. This wetland is also marginally disturbed from the cattle operation and the proximity of Martin Luther King, Jr. Beltway. The preservation and management of this wetland will result in increased water quality and native plant species diversity.

**Wetland 9 (4.08 ac.)** is classified as Cypress (621). This wetland is located in the northeast corner of the property and is dominated by a dense canopy of bald cypress, slash pine and pond pine. Saw palmetto, cinnamon fern, dahoon holly and wax myrtle were also commonly observed in the understory and groundcover. This wetland is hydrologically connected to W63 and to off-site wetlands. This wetland will be preserved.

**Wetland 16 (1.38 ac.)** will be preserved and enhanced. This wetland is classified as Wet Prairie (643) and is located just south of W10. Common plant species in this wetland included carpet grass, broomsedge, slender spikerush, St. Johns wort, little-blue maidencane and water pennywort. Upland pines have also invaded this wetland. Removal of cattle and invading pines will enhance this wetland. Herbaceous plant diversity will increase as well.

**Wetland 17 (8.77 acres)**, which is west of W16 will be preserved. This wetland is comprised of deep areas, Freshwater Marsh (641), that are inundated year-round and shallow areas, Wet Prairie (643), that are rarely inundated. Vegetative species observed in the deeper water areas included fragrant water lily, spatterdock and maidencane. Carpet grass, slender spikerush, St. Johns wort, sundew, little-blue maidencane, swamp daisy, maidencane, coinwort, yellow-eyed grass and water pennywort were common in the shallow areas. This wetland is isolated and in good shape, but has become slightly disturbed due to the cattle operation on the site. Although the developer is not requesting enhancement credit for this wetland, removal of the cattle will increase native plant diversity and water quality.

**Wetland 18 (0.07 ac.)** is just east of W17. This wetland is classified as Wet Prairie (643). This small wetland is dominated by carpet grass. This wetland is isolated and disturbed due to the cattle operation. This wetland will be enhanced and preserved.

**Wetland 19 (0.07 ac.)** is west of W17. This 0.09-acre wetland is classified as Wet Prairie (643) and dominated by carpet grass. The site plan includes a minor impact (0.02 ac) to this wetland due to lot layout, road construction and site configuration. This wetland is isolated and disturbed due to the cattle operation and carpet grass dominance. The preserved portion of W19 will be enhanced once cattle are removed from the site. Water quality and plant species diversity will increase in this wetland.



**Wetland 20 (0.72 ac.)** will be preserved and enhanced due to the removal of cattle. This wetland is classified as Wet Prairie (643) by the FLUCFCS and is located in the northeast quadrant of the site, just north of W19. Carpet grass is very common in this wetland. St. Johns wort, broomsedge, yellow-eyed grass, little-blue maidencane, carpet grass, slender spikerush, coinwort and water pennywort were also observed.

**Wetland 21 (4.08 ac.)** will be mostly preserved. This 4.33-acre isolated wetland is just south of W6 and is just east of the Martin Luther King Jr. Beltway and classified as Freshwater Marsh (641). Common vegetative species observed W21 included St. Johns wort, yellow-eyed grass, little-blue maidencane, water pennywort, coinwort, pickerelweed and fragrant water lily. A total of 0.31 acres (7.2% of the wetland) of impacts are planned for this wetland due to a planned road. This wetland is isolated and disturbed due to the cattle operation and the proximity of the Martin Luther King, Jr. Beltway. The remaining 92.8% of this wetland will be preserved.

**Wetland 23 (0.20 ac.)** will be preserved and enhanced due to the removal of cattle. This isolated wetland is west of W22 and classified as Wet Prairie (643). Yellow-eyed grass, carpet grass and goldenrod were common in this wetland.

**Wetland 24 (0.23 ac.)** will be preserved and enhanced due to the removal of cattle. This isolated wetland is just south of W23 and classified as (Wet Prairie) by the FLUCFCS. St. Johns wort, carpet grass, maidencane, little-blue maidencane, fragrant water lily, broomsedge, coinwort and water pennywort are common in this wetland.

**Wetland 26 (1.65 ac.)** will be preserved and enhanced due to the removal of cattle and removal of invading pine trees. This wetland, which is east of W25 in the northeast quadrant is isolated and classified as Wet Prairie (643). Carpet grass is very common in this wetland. Broomsedge, St. Johns wort, yellow-eyed grass, maidencane, little-blue maidencane, coinwort, slash pine and water pennywort were also observed.

**Wetland 27 (5.06 acres)** will be preserved. This wetland is classified as Wet Prairie (643) and dominated by St. Johns wort. Other common plant species in this wetland included broomsedge, hatpin, beakrush, sundew, maidencane, carpet grass, slender spikerush, little-blue maidencane, yellow-eyed grass and water pennywort. This wetland is isolated and functioning quite well. The SMMP includes enhancing and preserving this wetland. Wetland 27 is in a high cattle-use area and although no enhancement credit is requested for this wetland, removal of cattle will positively affect the water quality of this system.

**Wetland 30 (3.55 ac.)** will be preserved and enhanced due to the removal of cattle. This wetland is just south of W24 and classified as Wet Prairie (643) by the FLUCFCS. Carpet grass dominates this isolated wetland. Other observed plant species included slender spikerush, St. Johns wort, broomsedge, goldenrod, dog fennel, hatpin, sundew, little-blue maidencane and water pennywort. Several Sandhill Cranes were observed foraging in this wetland. The preservation and enhancement of this shallow wetland will provide good foraging habitat for cranes.

**Wetland 31 (1.76 ac.)** will also be preserved and enhanced. This wetland is just east of W30 and classified as Wet Prairie (643) by the FLUCFCS. Carpet grass dominates this isolated wetland as well. Slender spikerush, St. Johns wort, little-blue maidencane, flat-topped goldenrod, coinwort and water pennywort were also observed. A historical railroad berm along W31 will be breached to reconnect this wetland area to W32. This will help to restore the original wetland hydrology of this area. Water quality and native plant diversity and total coverage will be improved in this wetland once cattle are removed.



**Wetland 32 (0.12 ac.)** is just south of W29 and will be partially impacted (0.06 ac.). This 0.18-acre wetland is classified as Wet Prairie (643). Carpet grass dominates this wetland. The site plan includes completely filling a portion of this wetland due to golf course layout and site configuration. This wetland is isolated and disturbed due to the cattle operation and carpet grass dominance. The preserved portion of this wetland will be enhanced.

**Wetland 33 (1.15 ac.)** is east of W32 and will not be impacted. This isolated wetland is classified as Wet Prairie (643). Common plant species observed in this shallow depression included wiregrass, slender spikerush, broomsedge, St. Johns wort, little-blue maidencane, coinwort, maidencane, sundew, yellow eyed grass and water pennywort. Although this wetland appears to be functioning quite well and no enhancement credit is requested, the vegetative diversity and water quality of this system will be positively affected by the removal of cattle from the property.

**Wetland 34 (0.68 ac.)** will not be impacted. This wetland is southwest of W33 and classified as Wet Prairie (643). This isolated wetland is dominated by St. Johns wort. Maidencane, coinwort, carpet grass and yellow-eyed grass were also observed. Although this wetland appears to be functioning quite well and no enhancement credit is requested, the vegetative diversity and water quality of this system will be positively affected by the removal of cattle from the property. A historical railroad berm along W34 will be breached to reconnect this wetland area to W36. This will help to restore the original wetland hydrology of this area.

**Wetland 35 (0.37 ac.)** will be preserved and enhanced due to the removal of cattle. This wetland is classified as Wet Prairie (643) and is isolated. This shallow depression is dominated by carpet grass. Maidencane, coinwort and water pennywort were also observed. Water quality, native plant diversity and total coverage will increase in this wetland.

**Wetland 36 (0.32 ac.)** will be preserved. This wetland is classified as Wet Prairie (643) and is isolated. St. Johns wort, maidencane, pipewort, slender spikerush, coinwort, yellow-eyed grass, broomsedge and water pennywort were common in this wetland. Although no enhancement credit is requested for this wetland, water quality, native plant diversity and total coverage will increase in this wetland.

**Wetland 37 (0.60 ac.)** will be preserved. This wetland is classified as Wet Prairie (643) and is isolated. Maidencane, St. Johns wort, pipewort, slender spikerush, coinwort, yellow-eyed grass, broomsedge and water pennywort were common in this wetland. Although no enhancement credit is requested for this wetland, water quality, native plant diversity and total coverage will increase in this wetland.

**Wetland 38 (1.63 ac.)** will be preserved. This wetland is classified as Wet Prairie (643) and is isolated. St. Johns wort, maidencane, pipewort, slender spikerush, coinwort, yellow-eyed grass, broomsedge and water pennywort were common in this wetland. Although no enhancement credit is requested for this wetland, water quality, native plant diversity and total coverage will increase in this wetland. A historical railroad berm along W38 will be breached to reconnect this wetland area to W40. This will help to restore the original wetland hydrology of this area.

**Wetland 39 (0.24 ac.)** will be preserved. This wetland is classified as Wet Prairie (643) and is isolated. Maidencane, St. Johns wort, pipewort, slender spikerush, coinwort, yellow-eyed grass, broomsedge and water pennywort were common in this wetland. Although no enhancement credit is requested for this wetland, water quality, native plant diversity and total coverage will increase in this wetland.

**Wetland 40 (7.18 acres)** is southeast of W32 and will be mostly preserved. This **7.21-acre** wetland is comprised of a Freshwater Marsh (641) and Wet Prairie (643) cover. Dominant vegetative species observed in the deep-water areas included pickerelweed, maidencane and fragrant water lily. St. Johns wort, pipewort, beakerush, sundew, bacopa, red ludwigia, carpet grass, slender spikerush, little-blue maidencane, hatpin, soft rush, sphagnum moss, yellow-eyed grass, coinwort and water pennywort were common in the shallow areas. Hooded pitcher plant, a listed species was also observed in this wetland. A total of **0.04 acres** of impacts are planned for this wetland due to road construction. This wetland is functioning quite well, but has become slightly disturbed due to the cattle operation on the site. The area of the planned impact is dominated by carpet grass and bahia grass and is quite disturbed. Removal of cattle and invasive pines will enhance this wetland. This wetland is also very important for Sandhill Cranes. Wetland surveys in 1998 detected a crane nest in this wetland.

**Wetland 43 (0.25 ac.)** will be preserved and enhanced due to the removal of cattle from the property. This isolated wetland is classified as Wet Prairie (643) and dominated by carpet grass. This wetland is located within the planned Scrub Jay Preserves and is considered to be Type III Jay habitat by USFWS and FFWCC, which are habitats that are within 1/4 of a mile from uplands used by Scrub Jays.

**Wetland 44 (1.03 ac.)** will be preserved and enhanced. This isolated wetland is classified as Wet Prairie (643) and dominated by carpet grass. Little-blue maidencane, St. Johns wort, water pennywort, coinwort and slender spikerush were also observed. Removal of cattle will increase plant diversity and water quality in this wetland. This wetland is located within the planned Scrub Jay Preserves and is considered to be Type III Jay habitat by USFWS and FFWCC, which are habitats that are within 1/4 of a mile from uplands used by Scrub Jays.

**Wetland 45 (0.47 ac.)** will be preserved and enhanced. This isolated wetland is dominated by carpet grass and also within the Scrub Preserves. Water quality and plant diversity will also improve in this small wetland.

**Wetland 46 (0.23 ac.)** will be preserved and enhanced. This isolated wetland is dominated by carpet grass and also within the Scrub Preserves. Water quality and plant diversity will also improve in this small wetland.

**Wetland 47 (0.10 acres)** is just south of W42. This **0.25-acre** wetland is classified as Wet Prairie (643). Carpet grass dominates this isolated system. Other common plant species in this wetland included slender spikerush, little-blue maidencane, coinwort and water pennywort. The site plan includes impacting **0.10 acres (40.5%)** due to road construction. This wetland is isolated and somewhat disturbed due to the cattle operation. The remaining **0.15 acres** will be preserved and enhanced.

**Wetland 48 (0.06 ac.)** will be preserved and enhanced as a result of removing cattle from the property. This wetland is very small, isolated and dominated by carpet grass.

**Wetland 49 (1.55 ac.)** will be preserved and enhanced. This wetland is very disturbed due to the cattle operation and existing drainage ditches. Dominant plant species are carpet grass and frog's fruit. This wetland will be enhanced by the proposed development plan.

**Wetland 51 (0.17 ac.)** will be partially preserved and enhanced. This **3.38-acre** wetland is very disturbed due to the cattle operation, fill material and drainage ditches. Carpet grass and frog's fruit dominate the areas planned for impact. The preservation area is small, but is the most viable portion of the wetland. St. Johns wort, bacopa water lilies, slender spikerush, yellow-eyed grass and water pennywort dominate the preservation area.

**Wetland 53 (2.13 ac.)** will be mostly preserved. This wetland is SW of W52 and just north of Orange Camp Road. This 2.42-acre wetland is dominated by St. Johns wort and appears to be in good shape. Site plans require 0.29 acres of impacts due to road construction. Other species observed in this wetland included slender spikerush, water pennywort, maidencane and yellow-eyed grass. The remaining 2.13 acres of this wetland will be preserved. Although no enhancement credit is requested, water quality will be improved in this wetland.

**Wetland 55 (43.19 ac.)** will be preserved. This 43.54-acre wetland is the largest wetland community on the Victoria Park site. This wetland is just east of W54 and classified as Wetland Forested Mixed (630). This wetland is dominated by a mixed canopy of loblolly bay, red maple, slash pine and pond pine. Also observed in the canopy was cabbage palm and sweet gum. The understory and groundcover is mostly comprised of dahoon holly, saw palmetto, cinnamon fern and gallberry. Site plans include impacting approximately 0.35 acres of this wetland due to road construction and lot layout. The remaining 99% of this wetland will be preserved. Although no enhancement credit is requested for this wetland, water quality will be improved due to removal of the cattle operation.

**Wetland 63 (20.82 acres)** is just east of W62. This 21.69-acre wetland is classified as Wetland Forested Mixed (630), Cypress (621) and Wet Prairie (643), but mostly consist of forested wetlands. The wetland forested mixed cover is dominated by a mix of loblolly bay, red maple, slash pine and pond pine. Bald cypress dominates the cypress cover. The understory and groundcover in the forested areas are mostly comprised of dahoon holly, wax myrtle, saw palmetto, cinnamon fern and gallberry. A small portion of W63 is comprised of non-forested, wet prairie community, which resulted due to timbering for a powerline. Vegetation observed in this area included carpet grass, slender spikerush, sundew, little-blue maidencane, soft rush, St. Johns wort, pipewort, hatpins, hooded pitcher-plant (*Serracenia minor*), pale-meadow beauty (*Rhexia marianana*), clubmoss (*Lycopodium* spp.) and water pennywort. Site plans include impacting 0.87 acres (4%) of this wetland due to road construction necessary to access a large upland area. The remaining 96% of this wetland will be preserved. Water quality in this wetland will be improved as result of removing cattle from the property. Finally, hooded pitcher plant is a listed plant species and is quite common in the non-forested portion of this preservation area.

**Wetland 64 (1.13 ac.)** is just west of I-4 and will be preserved. This wetland is isolated and classified as Freshwater Marsh (641). Pickerelweed dominates this wetland. This wetland was utilized by nesting cranes in 1998. Removal of the cattle operation will improved water quality in this wetland, as well as prevent cattle from disturbing any future nesting attempts which occurred in 1998.

**Wetland 70 (0.37 ac.)** will be preserved. This wetland is classified as Wetland Forested Mixed (630). Dominant plant species in this community are very similar to those observed in W55 as these areas were part of the same wetland before dirt road was constructed that now separates these areas.

**Wetland 72 (3.53 ac.)** will be preserved. This wetland is east of I-4 and is comprised of Wetland Forested Mixed (630) and Wet Prairie (643) cover. This wetland is connected to drainage ditches along I-4. The forested portions are dominated by the same species observed within W55 and the herbaceous portions are dominated by redroot, broomsedge, chain fern, yellow-eyed grass, maidencane, carpet grass, water pennywort and St. Johns wort.

**Wetland 73 (0.55 ac.)** will be preserved and enhanced. This wetland is classified as Wet Prairie (643) and is just south of Orange Camp Road in the southeast quadrant. This small wetland is isolated and dominated by maidencane, St. Johns wort, coinwort, yellow-eyed grass,

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carpetgrass and broomsedge. Removal of invasive species such as Carolina willow and carpet grass will enhance this wetland.

**Wetland 74 (7.69 ac.)** will be preserved. This wetland, which consist of deep and shallow areas, is located within the southeast quadrant of the property. Maidencane, pickerelweed, broomsedge, sawgrass, water lily, St. Johns wort, little-blue maidencane, wax myrtle, carpet grass, slender spikerush, sand cordgrass, sundew, bacopa, beakrush, red ludwigia, spatterdock, pipewort, carpet grass, water pennywort, coinwort, yellow-eyed grass and a few pond and slash pines were observed in this wetland. This isolated wetland was utilized by nesting Sandhill Cranes in 1998 and is an important component of overall Crane Management Plan.

**Wetland 75 (0.53 ac.)** will be preserved. This isolated wetland is just east of W74 and dominated by many of the same species within W74. This wetland will provide valuable habitat for wildlife such as the Sandhill Crane.

**Wetland 76 (0.23 ac.)** will not be impacted. This isolated wetland extends off-site to the property. This wetland is very similar vegetatively to W75 and will provide additional foraging habitat for cranes.

**Wetland 82 (3.54 ac.)** will be enhanced and preserved. This isolated wetland is located in the southwest quadrant and classified as Freshwater Marsh (641). Common species in this wetland included slender spikerush, water pennywort, maidencane and spatterdock. Little-blue maidencane, coinwort and St. Johns wort were also observed. Water quality and plant diversity will be greatly enhanced due to the removal of cattle from this area. This wetland, which has deep water and shallow areas, will provide substantial habitat for a variety of wildlife species including valuable foraging habitat for Sandhill Cranes.

**Wetland 83 (0.45 ac.)** will be preserved. Maidencane, wax myrtle, redroot, St. Johns wort, broomsedge, water pennywort and slender spikerush were observed in this wetland. This wetland is connected to a roadside ditch along SR 472.

**Wetland 86 (3.97 ac.)** will be preserved and enhanced. This wetland is located in the SW quadrant and is quite disturbed. This wetland is comprised of deep and shallow areas (Freshwater Marsh and Wet Prairie cover). Little-blue maidencane, carpet grass, maidencane, water lilies, coinwort, water pennywort, slender spikerush and St. Johns wort were observed in this wetland. Water quality and plant diversity will be greatly enhanced due to the removal of cattle from this area. This wetland will provide substantial habitat for a variety of wildlife species.

**Wetland 87 (2.23 ac.)** will be preserved. This wetland is comprised of deep areas and shallow areas (Wet Prairie - 643 and Freshwater Marsh - 641). Fragrant water lilies, water shield and spatterdock were common in the deeper areas. Little-blue maidencane, umbrella grass, yellow-eyed grass, carpet grass, sundew, water pennywort, maidencane, St. Johns wort and broomsedge were common in the shallow areas. A Sandhill Crane nest was also observed in this wetland in 1998.

**Wetland 88 (0.17 ac.)** will be preserved. This wetland is dominated by carpet grass and broomsedge. This isolated wetland will provide foraging habitat for cranes, as well as nesting habitat for other species such as wetland-dependent frogs.

**Wetland 89 (0.01 ac.)** will be preserved and is vegetatively similar to W88. Although this wetland is very small, it will provide valuable foraging habitat for cranes, as well as nesting habitat for other wetland-dependent species such as frogs. This wetland is classified as Wet Prairie (643).

**Wetland 91 (0.45 ac.)** will be preserved. This isolated wetland is dominated by fragrant water lily and maidencane. Other species observed included St. Johns wort, broomsedge, coinwort, water pennywort, carpet grass, slender spikerush, slash pine and yellow-eyed grass. This wetland is functioning quite well. All wetland preservation areas will be provided a 25-foot (on average) upland buffer on average to avoid any secondary impacts.

**Wetland 98 (1.71 acres)** is just north of W97. This **2.00-acre** wetland is classified as Wet Prairie (643). Common plant species in this wetland included carpet grass, slender spikerush, St. Johns wort and water pennywort. The site plan includes impacting **0.29 acres** of this wetland due to site configuration and road construction. This wetland is isolated and somewhat disturbed. Site constraints related to road construction require the filling of this wetland. The remaining **1.71 acres** of this wetland will be preserved.

**Wetland 99 (0.68 ac.)** will be preserved. This isolated wetland is classified as Wet Prairie (643) and comprised of St. Johns wort, carpet grass, broomsedge, coinwort, yellow-eyed grass, slender spikerush, water pennywort and a few small pines. The limits of this wetland community extends off-site.

**Wetland 101 (0.73 acres)** is northwest of W100. This **0.75-acre** wetland is classified as Wet Prairie (643) and dominated by carpet grass. Other common plant species in this wetland included slender spikerush, St. Johns wort and water pennywort. The site plan includes impacting **0.02 acres (3%)** of this wetland due to site configuration and lot layout. This wetland is isolated and somewhat disturbed. The planned impact is due to lot-layout. The preserved portion of this wetland will provide valuable habitat for species such as leopard frogs.

**Wetland 102 (0.53 ac.)** is east of W101. This preservation area is classified as Wet Prairie (643). Common plant species in this wetland include St. Johns wort, slender spikerush, maidencane, broomsedge and water pennywort. This wetland is isolated and appears to be functioning quite well.

**Wetland 103 (0.83 acres)** is northwest of W102 and just south of Taylor Road. This **0.92-acre** wetland is classified as Wet Prairie (643) and dominated by carpet grass and broomsedge. Other plant species observed in this wetland included maidencane, slender spikerush, little-blue maidencane and coinwort. The site plan includes impacting **0.09 acres** of this wetland due to road construction. This wetland is isolated and somewhat disturbed. Its proximity to Taylor Rd. lowers the overall habitat value of this wetland. The preserved portion of this wetland will provide valuable habitat for wildlife, particularly small vertebrates such as leopard frogs.

**Wetland 104 (1.15 ac.)** will be preserved. This isolated wetland is classified as Wet Prairie (643) and is dominated by St. Johns wort. Broomsedge, carpet grass, pipewort, maidencane, spikerush, water pennywort, coinwort and yellow-eyed grass were also observed.

**Wetland 105 (0.14 acres)** is just north of Taylor Road. This preservation area is classified as Wet Prairie (643). Common plant species in this wetland include St. Johns wort, carpet grass, spikerush and water pennywort. This wetland appears to be in good condition and functioning well.

**Wetland 106 (0.36 ac.)** will be preserved. This small isolated wetland area is dominated by slash and pond pines with a sparse groundcover. This wetland is classified as pine flatwoods (411-w). Vehicle traffic is also common through this wetland, which will be eliminated once this wetland is placed into a conservation easement. This will allow existing plants and trees to flourish in this area.

**Wetland 107 (7.69 acres)** is just north of W105. This **7.89-acre** isolated wetland is comprised of Pine Flatwoods-Wet (411-W), Freshwater Marsh (641) and Wet Prairie (643), but mostly consist of herbaceous wetlands. The forested portion is dominated a slash pine and pond pine mixed canopy. The understory and groundcover is sparse in the forested areas, but carpet grass, St. Johns wort, broomsedge and pine seedlings were observed. The majority of W107 is comprised of a herbaceous community. Vegetation observed in these areas included St. Johns wort, slender spikerush, sundew, little-blue maidencane, buttonbush, coinwort, carpet grass, and water pennywort in the shallow areas and water lilies, maidencane and pickerelweed in the deeper areas. Site plans include impacting **0.2 acres** of this wetland due to road construction. The remaining 99% of this wetland will be preserved. Invasive pines will also be removed from this wetland.

**Wetland 112 (6.12 ac.)** will be preserved. This isolated wetland is classified as Wet Prairie (643) and isolated. Dominant vegetation in this wetland is very similar to that observed in W107. This wetland and W107 are very valuable as habitat for many species, including potential nesting habitat for Sandhill Cranes. In addition, this wetland and Wetlands 113, 114, 115, 116, 117 and several acres of adjacent uplands will function as a large contiguous preserve area that connects to off-site natural communities. Invasive pines will also be removed from this wetland.

**Wetland 113 (2.41 ac.)** will be preserved. This isolated wetland is comprised of Wet Prairie (643) cover. Common vegetation observed in this wetland included St. Johns wort, slender spikerush, little-blue maidencane, coinwort, carpet grass, broomsedge and scattered pines. Invasive pines will also be removed from this wetland.

**Wetland 114 (0.02 ac.)** will be preserved. The extent of this wetland area is off-site to the north. This small area is connected to a large wetland that exist to the north of the Victoria Park site. Vegetation observed in the on-site portion included carpet grass, yellow-eyed grass and water pennywort. This wetland is classified as Wet Prairie (643).

**Wetland 115 (1.62 acres)** will be preserved. This isolated wetland is classified as Wet Prairie (643) and located along the northern property limits of the quadrant north of Taylor Road and west of the MLK Beltway. Common vegetation in this wetland included St. Johns wort, slender spikerush, little-blue maidencane, coinwort, carpet grass and broomsedge. Portions of this wetland extent off-site to the north.

**Wetland 116 (1.93 ac.)** will be preserved. This isolated wetland is classified as (Freshwater Marsh (641) and located along the northern property limits. Common vegetation in this wetland included St. Johns wort, slender spikerush, little-blue maidencane, yellow-eyed grass, coinwort, carpet grass and broomsedge in shallow areas. A deep-water area also exist, which is dominated by fragrant water lilies, in this wetland. Portions of this wetland extent off-site to the north as well.

**Wetland 117 (2.18 ac.)** will be preserved. This isolated wetland is classified as pine flatwoods (411-w) and also extends off-site. Slash pine and pond pine dominate the canopy of this forested wetland. Plant species observed in the understory and groundcover of this wetland community included dahoon holly, shiny lyonia, St. Johns wort, broomsedge, carpet grass, chain fern, yellow-eyed grass, slender spikerush, water pennywort and redroot.



## **Mitigation Monitoring and Maintenance for Wetlands:**

The areal coverage of vegetation in the created wetland will be monitored semi-annually. The wetland will be monitored for a period of five (5) years. Annual reports will be submitted to the District. Wetland 74 will serve as a "reference wetland" for the created wetland. A quantitative analysis of the vegetative composition of W74 will be conducted (via the quadrat method). These results will function as a benchmark for the created wetland. In addition, the vegetative composition of Wetlands 50, 66 and 77 will be quantified (via the quadrat method) before being impacted. This information will be included in the first annual monitoring report submitted to the SJRWMD, FFWCC, USFWS and the USACOE.

The records of the monitoring events, which will be provided to the District on an annual basis, will include the following:

- 1) The date, exact place and time of sampling or measurements.
- 2) The person responsible for performing the sampling, measurements and analysis.
- 3) The analytical techniques or methods utilized.
- 4) The results of such analyses including:
  - a) Plant species coverage.
  - b) Status of invader species.
  - c) A description of any problems encountered during evaluation and proposed solutions.
  - d) Panoramic photographs of the created wetland.

The applicant will quantify percent cover of the herbaceous species utilizing the quadrat method. Monitoring of the herbaceous material is to include the use of transects (200 feet in length) with 1-meter by 1-meter quadrat stations every 25 feet. The percentage of areal coverage by each plant species in each quadrat of each transect will be documented during each monitoring event. The data collected from each transect is to be summarized and presented (along with the raw data) in each subsequent monitoring report. This information is to be presented as the total areal coverage by each plant species observed in each transect.

The success criteria for the created wetland will be to obtain a percent vegetation coverage equal to, or exceeding 80 percent of the surface area after a period of five (5) years (following construction), with a positive growth trend through this five year (5) time period. The dominant plant species will be similar to the dominant species detected in the reference wetland.

In addition to the vegetative portion of the monitoring to be conducted, wildlife information will be recorded and photographic documentation will be provided. All wildlife utilization will be noted within and around the creation area. Photographic documentation will consist of panoramic photographs obtained at permanent locations at each monitoring transects as well as random locations throughout the created area. These photographs will be taken during each semi-annual monitoring event and included in annual monitoring reports.

Maintenance to be completed as part of the mitigation plan for the created wetland will be conducted on an as-needed basis (i.e. quarterly). All maintenance will consist of hand-removal and, if necessary, herbicide application where the percent coverage of nuisance species exceeds 10%.

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## Wetland Creation

In addition to the described upland preservation, wetland preservation and wetland enhancement, the developers of the Victoria Park project also plan to create 6.8 acres of herbaceous wetlands on-site to further off-set wetland habitat loss. This mitigation will be implemented within 90 days of the issuance of the final environmental permit for the project, which will be long before the majority of the planned wetland impacts actually occur. The following provides a detailed description of the wetland creation area.

The wetland creation area will be adjacent to Wetland 74 in the SE quadrant of the property. This created area will provide ideal habitat for a variety of wildlife species, including Sandhill Cranes which nested in W74 in 1998. This created wetland area will be part of a large green area in the SE quadrant, which is illustrated on the appended Sandhill Crane Map (Appendix 1).

The created wetland will be provided with a transplanted muck layer from Wetlands #50, #66 and #77. The muck will be transferred from these wetlands, once permitted, by scraping the top two (2) feet of these wetland areas with bulldozers and/or front-end loaders and then transporting the material to the created wetland area via truck. The material will then be evenly distributed across the created wetland area to a minimum thickness of 4 plus inches.

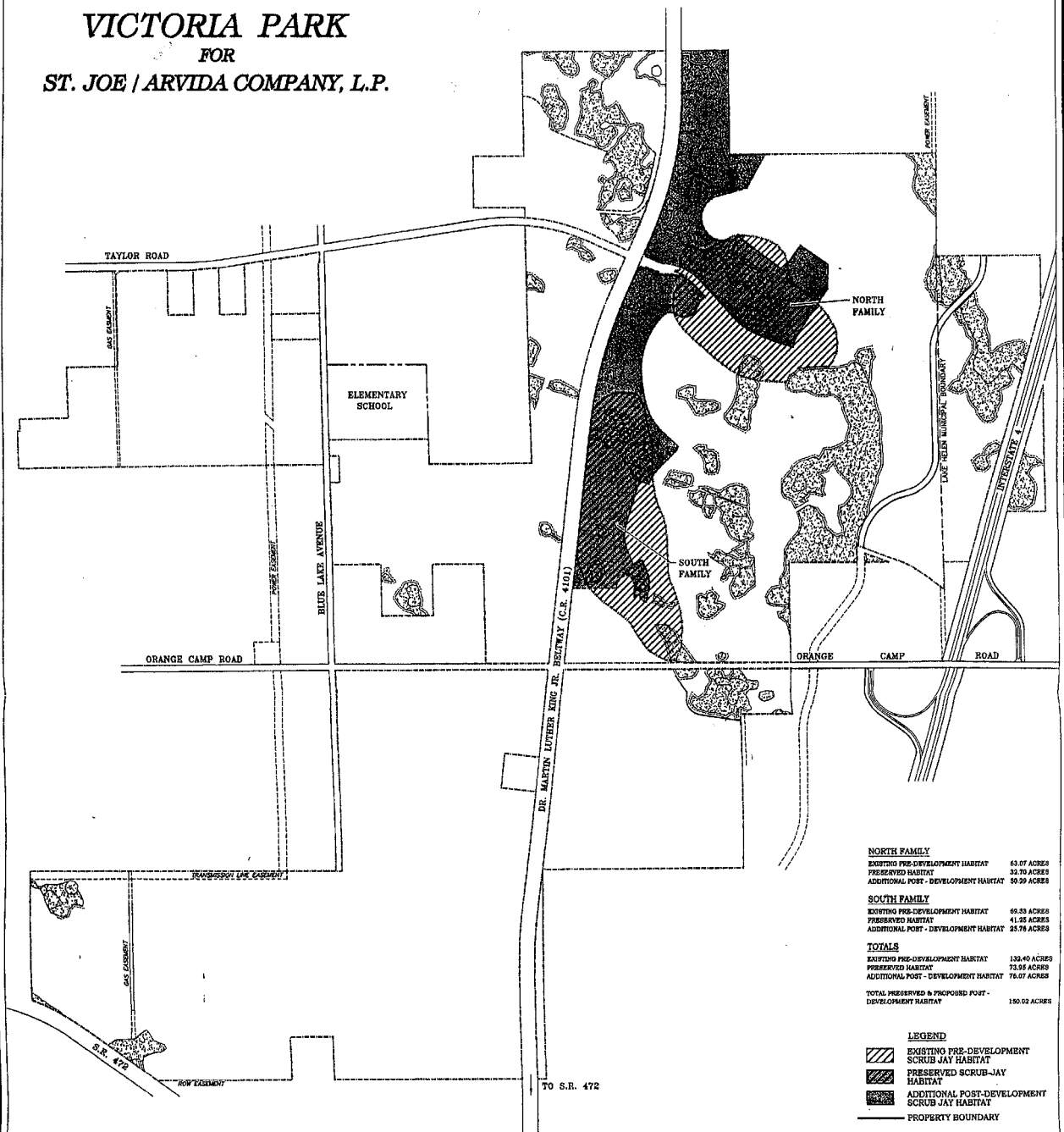
The muck will be removed from the donor sites through the use of bulldozers and/or front-end loaders. The donor wetland areas will be de-watered prior to the removal of organic material. The top two feet of organic material will then be removed and then transported to the created wetland. This will occur concurrent with the grading of the wetland creation area.

St. Joe/Arvida will plant wax myrtle (*Myrica cerifera*) and dahoon holly (*Ilex cassine*) on 10-foot centers along the perimeter of the created wetland area. These native plant species are ideal for the perimeter planting, as each species is very hardy and can be subjected to both dry and saturated soil conditions. In addition, these species will provide a good buffer between the wetlands and the adjacent development. This buffer effect will be especially valuable for an future nesting Florida Sandhill Cranes in the man-made wetland. The planted wax myrtle and dahoon holly will provide substantial habitat for a variety of other wildlife, particularly small avian species.

The created wetland area will be designed with a variable topography and small hummocks or islands. These varying areas of elevation will result in increased plant diversity in the created wetlands and potentially benefit Sandhill Cranes during fluctuating water levels throughout the nesting season.

The created wetland will be provided with a seed source from the transplanted muck obtained from Wetlands 50, 66 and 77 once permitted. The provided seed source will enhance the recruitment of desirable wetland species. Desirable wetland plants observed in Wetlands 50, 66 and 77 included pickerelweed, maidencane, water hyssop, St. Johns wort, slender spikerush, beakrush, soft rush, yellow-eyed grass, bogrush, little-blue maidencane and water pennywort. This seed source and recruitment from adjacent Wetland 74, combined with the varying topography, will ensure substantial plant diversity. We anticipate that the created wetland will be dominated by maidencane (*Panicum hemitomon*), pickerelweed (*Pontederia lancifolia*), St. Johns wort (*Hypericum fasciculatum*), little-blue maidencane (*Amphicarpum muhlenbergianum*), beakrush (*Rhynchospora* spp.) and yellow-eyed grass (*Xyris* spp.). This in combination with the management plan for the created wetland (i.e. control of exotic/native invasive plants) will result in a viable wetland system that is similar to the adjacent Wetland 74, which was utilized by nesting Florida Sandhill Cranes in 1998.

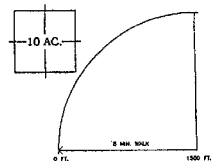
# VICTORIA PARK FOR ST. JOE / ARVIDA COMPANY, L.P.



<b>NORTH FAMILY</b>	
EXISTING PRE-DEVELOPMENT HABITAT	63.07 ACRES
PRESERVED HABITAT	32.70 ACRES
ADDITIONAL POST-DEVELOPMENT HABITAT	59.99 ACRES
<b>SOUTH FAMILY</b>	
EXISTING PRE-DEVELOPMENT HABITAT	69.33 ACRES
PRESERVED HABITAT	41.28 ACRES
ADDITIONAL POST-DEVELOPMENT HABITAT	25.78 ACRES
<b>TOTALS</b>	
EXISTING PRE-DEVELOPMENT HABITAT	132.40 ACRES
PRESERVED HABITAT	73.98 ACRES
ADDITIONAL POST-DEVELOPMENT HABITAT	75.07 ACRES
<b>TOTAL PRESERVED &amp; PROPOSED POST-DEVELOPMENT HABITAT</b>	<b>150.02 ACRES</b>

**LEGEND**

- EXISTING PRE-DEVELOPMENT SCRUB JAY HABITAT
- PRESERVED SCRUB-JAY HABITAT
- ADDITIONAL POST-DEVELOPMENT SCRUB JAY HABITAT
- PROPERTY BOUNDARY



**canin associates**  
Urban & Environmental Planners • Landscape Architects  
800 S. Orange Avenue, Suite 200, Orange, Florida 32667 (407) 422-0000  
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UNIVERSITY MICROFILMS INTERNATIONAL  
ANN ARBOR, MI 48106

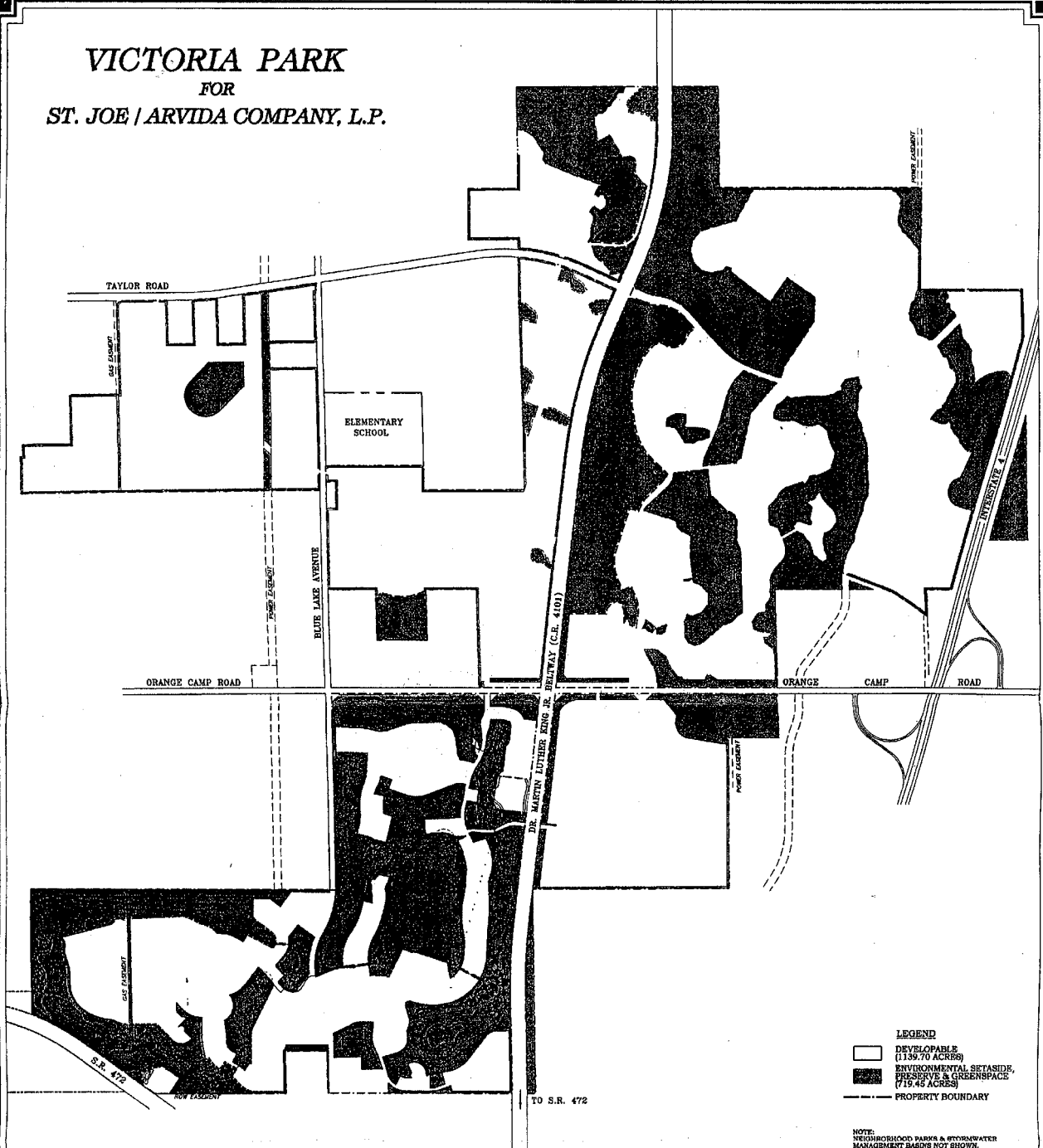
## MAP 11 SCRUB JAY MAP

Consultant / Subconsultant List

Akerman, Senterfitt & Eidson, P.A. • Canin Associates, Planning & Environmental Science • Donald W. McIntosh Associates, Inc.,  
Civil Engineers • Hilburn O. Hillstead, Ph.D., Environmental Consultant • Modica & Associates, Inc. • Parker & Associates •  
Ron Carl, Golf Course Architect • Tinkdepugh Surveying Service, Inc. • Transportation Consulting Group, Inc. (TCG)

THE GORPHER TORTOISE MANAGEMENT PLAN represents a work in progress and shall not be a part of the Victoria Park Development Plan. The plan is provided for information purposes only. It is subject to change without notice. The plan is subject to change without notice to reflect the planning and land engineering studies currently in progress.

**VICTORIA PARK**  
FOR  
**ST. JOE / ARVIDA COMPANY, L.P.**

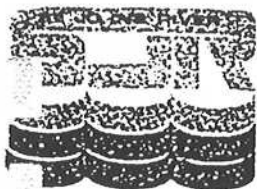


**MAP 7**  
**ENVIRONMENTAL SETASIDE,**  
**PRESERVES & GREENSPACE MAP**

Consultant / Subconsultant List

Akerman, Senterfitt & Eldson, P.A. • Canin Associates, Planning & Environmental Science • Donald W. McIntosh Associates, Inc.,  
Civil Engineers • Hilburn O. Hillestad, PhD., Environmental Consultant • Modica & Associates, Inc. • Parker & Associates •  
Ron Gari, Golf Course Architect • Tindepaugh Surveying Service, Inc. • Transportation Consulting Group, Inc. (TCG)

The ENVIRONMENTAL SETASIDE, PRESERVES & GREENSPACE MAP represents a work in progress and shall not be a part of the Victoria Park Development Order. The map is provided for informational purposes only to reflect the site planning approach. The map shall change to reflect the permitting and land engineering studies currently in progress.



# WATER MANAGEMENT DISTRICT

OCTOBER 12, 1999

ST. JOE RESIDENTIAL ACQUISITIONS, INC.  
C/O AKERMAN, SENTERFITT/TED R BROWN  
255 S. ORANGE AVE.  
ORLANDO, FL 32801

SUBJECT: Management and Storage of Surface Waters Individual  
Permit Number 4-127-0369C-ERP

Dear Sir:

Enclosed is your permit as authorized by the Governing Board of the St. Johns River Water Management District on OCTOBER 12, 1999.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit will be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

*Quen Johnson*

Quen Johnson, Data Control Technician  
Permit Data Services Division

Enclosures: Permit with EN form(s), if applicable  
cc: District Permit File

Henry Dean, Executive Director  
John R. Wehle, Assistant Executive Director

## POST OFFICE BOX 1429

TELEPHONE 904-329-4500

TDD 904-329-4450

FAX (Executive) 329-4125

(Legal) 329-4485

618 E. South Street  
Orlando, Florida 32801  
407-897-4300  
TDD 407-897-5960

7775 Baymeadows Way  
Suite 102  
Jacksonville, Florida 32256  
904-730-6270  
TDD 904-448-7900

## PALATKA, FLORIDA 32178-1429

SUNCOM 904-860-4500

TDD SUNCOM 860-4450

(Permitting) 329-4315

(Administration/Finance) 329-4504

### SERVICE CENTERS

PERMITTING:  
305 East Drive  
Melbourne, Florida 32904  
407-984-4940  
TDD 407-722-5368

OPERATIONS:  
2133 N. 1<sup>st</sup> Street  
Melbourne  
407-752-  
TDD 407-

PERMITS

DWM.

JSW.

JMF

FILE.

C: JIM MODICA  
HILBURN HILLSTADT  
BILL GARDINER

Dan Roach, CHAIRMAN  
FERNANDINA BEACH

William M. Segal  
MAITLAND

Duane Ottenstrofer, TREASURER  
SWITZERLAND

Ometrias D. Long  
APCPHIA

Olis Mason, SECRETARY  
ST AUGUSTINE

Clay Albright  
EAST LAKE WEIR

William Kerr  
MELESCURNE BEACH

Reid Hughes  
DAYTONA BEACH

Keith K. Jennings  
MAITLAND



**ST. JOE RESIDENTIAL ACQUISITIONS, INC.**

**OCTOBER 12, 1999**

**4-127-0369C-ERP**

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activities and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner, which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in Chapter 6 of the Florida Land Development Manual: A Guide To Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.



8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Subsections 7.1.1. through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these Subsections of the Applicants Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.
9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the certification by a registered-professional engineer or other appropriate individual as authorized by law, utilizing As-Built-Certification Form 40C-1.81(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. Statement of completion and certification shall be based on the on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his/her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be certified on the as-built drawings:
  - A. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
  - B. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;

- C. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
  - D. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directors and conveyance of runoff to the treatment system;
  - E. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
  - F. Existing water elevations(s) and the date determined; and
  - G. Elevation and location of benchmark(s) for the survey.
11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition no. 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Subsections 7.1.1. through 7.1.4 of the Applicants Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit become effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to Section 7.1 of the Applicants Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40C-4 or Chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer or ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Section 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to the sale conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. Pursuant to Section 3.4.2(s) of the MSSW Applicant's Handbook, this permit does not authorize any construction, operation, or alteration of the proposed system.
21. This Conceptual Approval permit is valid for twenty years from the date of issuance, provided that construction of the initial phase of the system is permitted and construction undertaken within two years of the issuance of this conceptual approval permit, and provided that all phases of the system are designed and built in accordance with the terms of the conceptual approval permit and that all required permits for subsequent phases are obtained.
22. The surface water management system is conceptually approved pursuant to the information received by the District on July 14, 1999, as amended by the information received by the District on August 24, 1999.
23. Mitigation is conceptually approved for the specific, limited impacts shown on "Mitigation map" by Canin and Associates that was submitted to the District in Response to request for additional information: Exhibit B to the RAI on July 14, 1999.
24. No specific hydrologic impacts have been reviewed or approved under this conceptual application. Future construction permits will be required to provide data to describe and compare the project's impacts on the pre-development hydrologic regime of each on-site wetland, including contributing basins, normal wet season water elevations, duration of inundation, frequency of inundation, and mean annual flood elevations.
25. Beginning December 1999, the permittee must monitor all site wetlands monthly during December through June for presence and use of sandhill crane nests. Monitoring must include at least one aerial survey over all site wetlands to locate nests. Data describing the extent of sampling effort, nest occurrence, nest status and other appropriate information must

be submitted to the District by the following October for each sample season for the life of this permit.

26. Wetland limits established for this project shall remain valid for the life of Formal Wetland Determination #16-127-0062 or for five years after the issuance date of this permit, whichever occurs later, provided physical conditions on the property do not change so as to alter the wetland boundaries during that period. Changes in surface waters or wetland boundaries resulting from work authorized by a permit pursuant to part IV, chapter 373, F.S., will not be considered as altering the boundary for the purposes of this condition. This condition cannot be modified to allow for a longer duration without modifying or extending the Formal Wetland Determination or otherwise without evaluating thoroughly the limits of onsite surface waters and wetlands.
27. Enhancement of uplands and wetlands through effective (and perpetual) land management techniques is an important part of the conceptual mitigation plan that was approved for this project. Subsequent construction permits that require mitigation for wetland impacts shall be required to implement specific land-management measures (e.g., controlled burns, limited vegetation clearing, or other land management activities) and a maintenance schedule prior to undertaking wetland impacts.
28. No controlled burns, vegetation clearing, or other land management activities may occur within the mitigation preserves (as shown on the approved conceptual mitigation plan) without the District's written approval. The permittee must describe specific land management objectives as well as the techniques, equipment, and implementation schedule for accomplishing the objectives. Sufficient maps (to scale) and aerial photographs (with acetate overlays) shall be provided to describe the specific extent of all proposed land management activities. The District shall have 30 days to review and act on the permittee's work scope upon receipt of a land-management activity request.
29. The permittee must submit a written report (three copies) to summarize all land management work that was accomplished for the year. The report must be submitted to the District by September 30 of each year for the duration of this permit.

## AS-BUILT CERTIFICATION BY OWNER

*Submit this form to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Section at 904-232-2907.*

1. Department of the Army Permit Number: \_\_\_\_\_

2. Permittee Information:

Name \_\_\_\_\_

Address \_\_\_\_\_

3. Project Site Identification:

Physical location/address \_\_\_\_\_

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions of the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Please type)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
ZIP

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number