



**PALM BEACH COUNTY
ZONING APPLICATION STAFF REPORT**

ZONING COMMISSION, APRIL 3, 2025

A. Application Summary

I. General

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|--------------------------|---|
| Application Name: | Southland Water Resource, CA-2023-01791 |
| Control Name: | Southland Water Resource (2023-00122) |
| Applicant: | Phillips and Jordan - Matt Edison |
| Owner: | Okeelanta Corporation US Sugar Corporation |
| Agent: | Carlton Fields, P.A. - Joseph Verdone |
| Project Manager: | Imene Haddad, Senior Site Planner |

Title/Request: **Title:** a Class A Conditional Use **Request:** to allow a Type 3B Excavation on 8,611.52 acres

Application Summary: The application proposes a Class A use for a Type 3B Excavation the Agricultural (AP) Zoning District. The proposed excavation operation will generate water storage capacity and extracted materials consisting of sand and limestone that will be processed and hauled via rail.

The proposed method of extraction will include blasting and dragline equipment to excavate a series of lakes/cells covering approximately 6,072 acres. The excavation is proposed with a duration of 13 sub-phases with each sub-phase/cell ranging from 148 acres to 592 acres to create and construct the proposed regional water resource project. The excavation is proposed to proceed at an annual rate of 276 acres a year over a period of 34 years commencing in 2025 with an estimated completion of 2059. The Applicant is also seeking a 10-year completion buffer to account for market conditions for a maximum completion date of 2069. The operation will excavate and process all aggregates on site and hauling of material will be by rail system.

The subject site is currently used for cultivation of crops by the US Sugar Corporation and Okeelanta Corporation and will shift to the water storage project as the excavation progresses. Access to the site will be from US Highway 27 on Okeelanta Road, an existing access easement road in the north of the site.

II. Site Data

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|---------------------------|--|
| Acres: | 8,611.52 acres |
| Location: | South side of an access easement that is approximately one mile south of Okeelanta Road, approx.. 1.3 miles east of Miami Canal Road and 4.2 miles west of US-27 |
| Parcel Control: | Multiple PCNs |
| Future Land Use: | Agricultural Production (AP) |
| Zoning District: | Agricultural Production (AP) |
| Tier: | Glades |
| Utility Service: | PBC Water Utilities |
| Overlay/Study: | N/A |
| Neighborhood Plan: | N/A |
| CCRT Area: | N/A |
| Comm. District: | 6, Commissioner Sara Baxter |

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B and Article 4.B.10., and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

IV. Hearing History

ZONING COMMISSION: *Scheduled for April 3, 2025*

BCC HEARING: *Scheduled April 24, 2025*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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Exhibit A - Future Land Use Map



Exhibit B - Standards Analysis & Findings

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHP) are subject to these Standards, and are subject to 5.G.1.B. 2.e.2.b request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

- a. **Consistency with the Plan** - *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

The Planning Division has provided the staff analysis under this standard. Verbatim language from the Comprehensive Plan is provided in *italics*.

Relevant Comprehensive Plan Definitions (from the Introduction and Administration (I&A) Element of the Plan):

EXCAVATION—The extraction of materials from the earth which are necessary for the construction of a single family dwelling or which are accessory to a single family dwelling, to support bona fide agricultural production operations, or the extraction necessary to implement a final site development plan. (I&A, p. 11)

MINING - The extraction of minerals from the earth; quarrying; developing of mines for the exploration of nonmetallic minerals, except fuels; or other materials primarily for commercial purposes. Off-site disposition of extracted materials for fill purposes will not be considered as mining provided that the quantity of material removed from the site does not exceed 5,000 cubic yards, or involves no more than 10% of the excavated materials, whichever is less. (I&A, p. 18)

RECLAMATION - The filling, backfilling, restructuring, reshaping, and/or revegetation within and around a land excavation or filling area to a safe and aesthetic condition. (I&A, p. 22)

Relevant Comprehensive Plan Policies: The following policies from the Comprehensive Plan are relevant to the request. They outline the criteria by which the application was reviewed for consistency with the plan.

Managed Growth Tier System (MGTS), Service Area, and other Special Planning Areas/Studies/Overlays: The proposed project is located in the County's Glades Tier of the MGTS, and is within the Rural Service Area of the County (refer to Comprehensive Plan Map Series Maps LU 1.1 Managed Growth Tier System, and LU 2.1 Service Areas). The project is not located within any special planning areas, overlays, study areas or neighborhood plans as identified within the Comprehensive Plan (cf. Map LU 3.1 Special Planning Areas).

Per Future Land Use Element (FLUE) **Policy 1.6-e:** *"Within the Glades Tier the Agricultural Production Zoning district is consistent with all future land use designations, excluding Conservation."* (FLUE, p.49) Both the zoning district and future land use designation on the subject parcels are "Agricultural Production" (AP). Per **FLUE Policy 2.2-f**, the Plan establishes consistent non-residential zoning districts with future land use designations as specified in **Table 2.2-f.1 Non Residential Future Land Use-Zoning Consistency**, which indicates that the Agricultural Production future land use designation is consistent with the Agricultural Production zoning district (FLUE, p. 66). Therefore, the future land use designation and zoning districts are consistent.

Per Future Land Use Element Table 2.2-e.1 (FLUE, p. 65), the maximum Floor Area Ratio (FAR) in AP FLU is .10—however, there is no density, and the intensity proposed for the use is minimal compared to the overall site (in terms of building square footage), and therefore consistent with the Plan's intensities of use.

Objective 2.3 in the Future Land Use Element (FLUE) of the County's Comprehensive Plan addresses Mining and Excavation uses (starting on FLUE page 88). The objective and its policies are below, with a Planning Division staff analysis of the application relative to the Objective and policy following each statement.

Objective 2.3 Mining and Excavation

The County shall regulate mining and excavation activities to ensure that such activities are appropriately located to be compatible with surrounding land uses and conducted in a manner that is environmentally sound and does not adversely impact the health of citizens. Also, the County shall ensure that reclamation of disturbed areas shall be appropriate and timely. Compatibility shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.

Planning Staff Analysis: The objective sets forth the specific, measurable, intermediate end that is achievable and marks progress towards a goal—in this case for mining and excavation uses. Generally, compatibility is specifically regulated through the County’s ULDC. However, Planning staff noted that the parcels surrounding the proposed project all feature the AP future land use designation, and are generally used for bona fide agricultural and infrastructure to support such agricultural uses (canals, levees, pumps/drainage control structures, access roads, rail line for the South Central Florida Express, etc.). Further, the lands immediately south of the project area are part of the SFWMD’s A-2 Stormwater Treatment Area and A-2 Reservoir. The nearest known farm residence is over five miles away on US Highway 27, and the project area is located over seven miles away from the municipality of South Bay, and eight miles away from the unincorporated community of Lake Harbor. No negative impacts to the surrounding uses are anticipated as mining and excavation activities have existed in the Glades Tier adjacent to bona fide agriculture for over forty years. Relative to the activities being environmentally sound, and the reclamation of the excavations for the purposes of creating the water resources project, the applicant is also required to obtain relevant approvals from other regulatory authorities. This application includes plans for timing and phasing, as such, it addresses the “appropriate and timely” provision in the objective.

Policy 2.3-a: *Palm Beach County shall continue to implement its Unified Land Development Code (ULDC) to ensure that mining and excavation activities:*

- 1. are conducted in an environmentally sound manner, such as, but not limited to, depth restrictions and impacts on littoral zones, groundwater, distribution of dissolved chlorides or existing and future wellfields and private wells;*
- 2. are performed to protect archeological sites, as defined in the Unified Land Development Code, from destruction until the site has been examined, cataloged and recorded, and the preservation status determined;*
- 3. are located to minimize distances to major transportation facilities to reduce impacts on roadways and residential neighborhoods; and,*
- 4. are limited to transportation routes which are primarily on roadways that are currently operating as major arterials or collectors which can withstand the effects of transporting the volume and weight of the extracted material.*

Planning Staff Analysis: The project complies with Policy 2.3-a as the requirement is for the County to continue to implement the ULDC provisions for mining and excavations. Further, the project was reviewed by the Department of Engineering and Public Works, Environmental Resources Management, and the County Archaeologist as part of the development review process, the County entities that are responsible for reviewing those aspects and assessing potential development impacts, and they determined that it complied with all of the applicable ULDC requirements. Planning Staff noted that motor vehicle and truck access is from US Highway 27, which is a principal arterial in the County, and identified by FDOT as a Strategic Intermodal System Highway Corridor. However, it will access US 27 from a farm road—conditions are proposed that require the farm road to be improved at its lone intersection with the arterial. Additionally, the Applicant has indicated that the property will be served by rail, and that the “excavated FDOT quality aggregate material will be used for construction of the project, and also processed and transported by rail transit system to support public roadway projects.” Although the policy did not contemplate a rail connection to a mining operation for resource removal, it is not inconsistent with this plan provision. Finally, a detailed review of the Applicant’s cultural resource study is included further below in the Consistency with the Plan section of this staff report.

Policy 2.3-b: *The County shall continue to prohibit mining and excavation in the Pleistocene Sand Ridge.*

Planning Staff Analysis: The proposed project location does not affect the “Pleistocene Sand Ridge,” which is located near the County’s coastline along the Atlantic Ocean. Planning Staff noted that this terminology appears to be a dated concept that referred to the coastal ridge just west of and parallel to the Lake Worth lagoon.

Policy 2.3-c: *Mining is prohibited in the following future land use designations, however excavation may be permitted in conjunction with implementation of a site development plan:*

- 1. Residential categories, from Rural Residential 5 to High Residential 18;*
- 2. Agricultural Reserve;*
- 3. Parks and Recreation;*

4. *Institutional and Public Facilities;*
5. *Conservation categories;*
6. *Transportation and Utilities;*
7. *Traditional Town Developments; and,*
8. *Multiple Land Use.*

Policy 2.3-d: *Mining and excavation may be permitted in the following future land use designations subject to the Mining and Excavation regulations of the ULDC:*

1. *Rural Residential, limited to Rural Residential 10 and Rural Residential (20);*
2. *Commercial categories;*
3. *Commercial Recreation;*
4. *Industrial categories;*
5. *Special Agriculture; and*
6. *Agricultural Production.*

Planning Staff Analysis: The project site complies with Policy 2.3-d, as the existing approval is located on and within parcels featuring the Agricultural Production (AP) Future Land Use designation in the Glades Tier of the County's MGTS; conversely it does not violate Policy 2.3-c as the location is not within any of the enumerated future land use designations. Furthermore, the Future Land Use Element Regulation section indicates that in the AP future land use designation that mining is an allowable use, subject to the limitations, and refers back to the policies in FLUE Objective 2.3 (FLUE, p. 136).

Policy 2.3-e: *Mining and excavation activities, as applicable, shall be restricted as follows:*

1. *Within the Residential future land use designations, excavation may be permitted for the development of fill for use on-site or to support the drainage system of the development, provided that only a minimal amount of fill is distributed off-site;*
2. *Within RR-10 and RR-20, mining is permitted subject to compatibility with adjacent existing land uses. Compatibility, as used here, shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density, intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.*
3. *Within the Agricultural Production Future Land Use designation, mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management.*
4. *Within areas zoned Agricultural Residential, excavation may be permitted only for the extraction of fill for use on-site;*
5. *Within areas zoned Special Agriculture, mining may be allowed to remove excavatable material for use as fill off-site.*

Planning Staff Analysis: As indicated in the preceding policy analysis, the project is not located within the enumerated provisions for residential future land use designations (provisions 1 and 2), nor in the Agricultural Residential (AR) or Special Agriculture (SA) zoning districts referenced in provisions 4 and 5 of the policy. Only FLUE Policy 2.3-e.3 applies in this case, and warrants further exploration.

Prior to 2001, mining in the AP had only been allowed for public roadway projects, and excavations that supported agricultural purposes. In 2000, the Comprehensive Ecosystem Restoration Plan (CERP) received Congressional authorization and was signed into law by President Clinton. The purpose of CERP is to recover millions of gallons of water that is otherwise discharged from Lake Okeechobee and the lower east coast, via the canal systems in place, to the estuaries. Conceptually, the recovered water would be redirected to replenish the Everglades ecosystem and other natural areas, and provide water supply for future urban needs and agricultural interests. However, the recovered water requires appropriate treatment and storage before it can be released into the region. One of the concepts explored as part of CERP was incorporating mined areas as surface storage reservoirs, and that certain geologic formation in areas designated as Agricultural Production in the County could have the potential to serve as regional reservoirs. As a result, the Board of County Commissioners amended the Comprehensive Plan to expand allowing the mining use within the AP designation beyond public roadways and agricultural activities, to include CERP-supportive alternatives for water management (Ordinance 2001-044). In the correspondence supporting the County's Comprehensive Plan amendment (dated October 16, 2000), SFWMD staff indicated that:

"The District supports the amendment proposal because under certain conditions mined pits may be a valuable option for environmental restoration, water supply and drainage or flood control in an area with an AP land use designation.

The proposed policy modification provides opportunities for the District to be flexible in resolving regional water management issues. ... The proposed amendment would support regional water management projects if they were located in an area designated AP and found to be feasible for design and construction."

For the next decade, the County was asked to consider multiple mining applications, both expansions of existing mining facilities and new approvals in the EAA. Previously, the County granted a series of comparatively smaller mining approvals in the 1970s, with the most recent prior new EAA mining approval being in 1989 (Palm Beach Aggregates, near Twenty-mile Bend). Each of the new approvals and expansions had to contend with the restrictions in FLUE Policy 2.3-e. By January, 2014, only one new mining operation was approved, with indications that it would be reclaimed to create a water storage reservoir (Stewart Mining). Other existing mining approvals were expanded and successfully indicated that they could comply with the restrictions in the Comprehensive Plan policy. However, three wholly new mining petitions were approved in 2008, but later had their Development Orders revoked after legal challenges were upheld on the basis of inconsistency with the Plan's Policy. Of the three revoked Type 3B Excavation Development Orders, none were for water management projects. This project is the first new application for a Type 3B Excavation since the revocation of the approvals.

After initial review of the application, at the March 13, 2024 DRO meeting, Planning staff verbally asked the consultant team working on the project to examine the policy and explore whether they should seek a Privately Initiated Text Amendment to the Comprehensive Plan to better address the proposal in light of over twenty years of CERP-related projects and the many delays in realizing the intended outcome. The Applicant elected not to petition the Board of County Commissioners to amend the policy. Furthermore, the Applicant submitted an unsigned legal opinion (not on letterhead) in their application materials explaining how the three prior opinions were not applicable to the Southland Water Resources Project.

The Applicant's Justification Statement indicates that the purpose of the project is to "*address the critical need for additional water storage and water quality improvements within the Everglades Agricultural Area (EAA) adjacent to the A-2 Stormwater Treatment Area (STA) and the A-2 Reservoir, assisting with providing needed water to the A-2 STA and STA 5/6, while also addressing statewide aggregate shortages and creating high-paying jobs across the region.*" Planning Staff is aware that the A-2 STA is constructed and is expected to become operational in the near future, while the A-2 Reservoir recently commenced construction with a future completion projected in the next ten years. Based on the adjacency of the A-2 STA and A-2 Reservoir to this project, there is certainly potential for this proposal to provide additional water storage to supply the STA upon connection to the SFWMD system. The Applicant submitted a letter regarding the Southland Water Resource Project from the South Florida Water Management District Executive Director, dated December 31, 2024, which states:

"Based on an initial review of the project and subsequent discussions, the District believes that, at this time, on the identified site, connected to a District canal with the right configuration, the project will likely provide viable alternative technologies for both water management and water treatment for ecosystem restoration complimentary to the EAA Reservoir complex and surrounding infrastructure. With a completed connection to STA 5/6, the project would provide more capacity to maintain those constructed wetlands during the dry season and complement several other concurrent water management projects currently underway."

Planning Staff recognizes that the proposed project is a public-private partnership, conceived of outside of conventional government agency processes and appropriations. It becomes something of a "chicken and egg" sequencing conundrum to complete local and other government permitting requirements. It is clear that the existing policy as written reflects the water management planning practices of nearly 25 years ago. The December 31 SFWMD letter identifies the Southland site as a project that will provide viable alternative technologies for water management and water treatment associated with ecosystem restoration, provided it is connected to the District's canal system. More detailed information is necessary, but the Board of County Commissioners routinely approves Development Orders that authorize future development, and relies upon County Staff to implement the detailed regulations and codes. Further, these Development Orders are conditioned to comply with further site and use specific considerations before the Development Order can be implemented, including obtaining requisite permits from outside agencies. The Applicant has made representations that they will obtain a Florida Department of Environmental Protection (FDEP) Environmental Resource Permit (ERP), post-certification for public hearings. FDEP indicated in correspondence dated February 7, 2025 that "*there are no apparent concerns for the overall application.*" Planning Staff is recommending conditions of approval to ensure the Type 3B Excavation approval is consistent with this Plan policy. These recommended conditions of approval will require a return to the Board of County Commissioners if the FDEP ERP is not obtained after one year, through the status report process outlined in Article 2.E of the ULDC. This

will ensure the Applicant cannot commence the Type 3B Excavation use. There are also requirements proposed in the conditions of approval that require the FDEP ERP to be submitted prior to any commencement of mining operations, and that upon completion of each phase of mining, that the operator of the Type 3B Excavation complied with all applicable permitting requirements, including reclamation. Should the permit be revoked, there is a short window to bring the project into compliance, otherwise it would be scheduled for a status report before the Board of County Commissioners for consideration of revocation of the zoning approval.

Finally, the Applicant has made several representations to Planning staff in the application materials and in meetings that indicate the mined aggregate material will be removed from the site and used for public roadway projects. Although, as of the writing of this staff report, the Applicant has not provided any documentation that the FDOT has any interest in the aggregate, Planning Staff is requiring in the ongoing annual monitoring report that the Applicant provide documentation of orders and receipts from vendors and projects that indicate the mined material is used only for public roadway projects. This is to further ensure that the Plan's FLUE Policy 2.3-e.3 provision that states in part that "mining may be permitted only to support public roadway projects," is met.

Policy 2.3-f: *Mining operations existing and permitted before the adoption of the 1989 Comprehensive Plan shall be exempted from the provisions or requirements of the Plan.*

Planning Staff Analysis: This policy is intended to vest prior mining approvals within the County and not render them as non-conforming uses. There is no prior mining operation approval on this site. Accordingly, the policy does not apply to this application.

Policy 2.3-g: *By 2004 the County shall complete a study of potential alternative uses and implementation strategies following reclamation efforts for large-scale mines and excavations.*

Planning Staff Analysis: Policy 2.3-g is not applicable, as the requirement is for the County (not an individual operator) to conduct a study of potential alternative uses, and strategies for reclamation efforts of large-scale mines and excavations. The County last amended this policy in 1999, and completed a mining study in 2007.

The Plan's **Conservation Element, Goal 3** establishes that: *It is the GOAL of Palm Beach County to protect surface water and groundwater quality and quantity by discouraging activities that would damage or degrade water resources.* (Conservation Element, p. 11-C) The Element's **Objective 3.1** indicates that, *"The County shall preserve and protect both the quality and quantity of the County's water resources so that future development activities are conducted in a manner that, at a minimum, meet state water quality standards."*

Planning Staff Analysis: The Conservation Element's Goal 3 and Objective 3.1 will be furthered through the realization of this project, as the Applicant's Justification Statement indicates the project *"will address the critical need for additional water storage and water quality improvements within the EAA."*

Policy 3.1-a: *The County shall continue to coordinate with the South Florida Water Management District and/or an advisory committee created by the District to assist with implementation of the provisions of the regional water plan to evaluate long-term environmental needs and restrict activities that result in the degradation or over-utilization of potable water resources and assure adequate water supply for: 1) native ecosystems and other lands with significant native vegetation; 2) agriculture; and 3) domestic and industrial needs.* (Conservation Element, p. 11-C)

Planning Staff Analysis: Although this policy addresses coordination between SFWMD and the County regarding long-term planning strategies to implement the regional water plan, there has been ongoing discussions between County Administration and the County's Water Resources Manager with the District in understanding the potential of the proposed project to address and improve the water supply for native ecosystems.

Policy 3.1-p: *The County shall coordinate with South Florida Water Management District (SFWMD) and, the United States Army Corps of Engineers (USACE), and other local, state, tribal and federal entities on development and implementation of the Comprehensive Everglades Restoration Plan (CERP), and other related ecosystem restoration initiatives in South Florida. Accordingly, the County's Water Supply Work Plan shall include an assessment of current and water needs and sources for the associated planning period considering the SFWMD's regional water supply plan approved pursuant to s. 373.0361.* (Conservation Element, p. 14-C).

Planning Staff Analysis: The proposed project furthers and is consistent with this policy as it contributes to CERP and other ecosystem restoration initiatives in South Florida.

Cultural Resource Assessment

Article 9.A.1.B.3 of the ULDC indicates that all applications for a Type 3 Excavation are subject to review by the County Archaeologist (within the Planning Division), and must apply for a Certificate to Dig prior to the issuance of a Development Order per Art. 9.A.3.C.1. The Applicant submitted a Cultural Resources Assessment Survey (CRAS) for the Southlands Water Storage Parcels, in southwestern Palm Beach County, prepared by Archaeological Consultants, Inc. (ACI), which was dated September 2023. The CRAS examined the site, located east of the Miami Canal, west of US Highway 27, and nine miles south of Lake Okeechobee. The purpose of the CRAS is to locate and identify whether any cultural resources (the collective term for archaeological and historical resources) are present on the parcels or the area of potential effect (APE) of the site, and if any cultural resources are identified, to determine the potential significance in terms of eligibility for the National Register of Historic Places (NRHP).

ACI conducted standard background research of prior studies, databases, and other archival information relative to cultural resources in the area, before commencing a field investigation and survey of the parcels in July 2023. Given the scarcity of previously known cultural resources in the area and the nature of the undertaking, ACI, limited the APE to the footprint of the property. The historical/architectural background research revealed no previously recorded sites, but the field survey resulted in nine (9) newly identified historic linear resources within the APE. These linear resources consisted of four (4) earthen canals, four (4) drainage ditches, and a segment of the Okeelanta Railroad spur line that traverses through a portion of the project. These linear resources are understood to date *circa* 1945-1963, and ACI determined they do not appear to be eligible for listing in the NRHP. Planning staff concurs with this evaluation of the nine historic resources, and can further determine that they would not satisfy the requirements for listing in the County Register of Historic Places, given that the County Register standards are based on the NRHP criteria. ACI staff completed Florida Master Site File (FMSF) forms for the nine resources, complete with documentation and included them in the report, which was also submitted to the Florida Department of State Division of Historical Resources, who maintains the FMSF.

The archaeological field investigation consisted of a surface reconnaissance and excavation of 290 shovel test pits (STP), with 191 concentrated in “Zones of Archaeological Potential” (ZAP). These ZAP were, prior to the introduction of modern drainage and agriculture into the Everglades Agricultural Area, “tree islands” within the Everglades—the highest ground projecting above the water levels of the Everglades, which feature upland habitat and suitable for temporary habitation and resource extraction by Indigenous populations. No previously-identified sites were located prior to the field investigation/survey, no archaeological resources were identified in excavating the 290 STP, nor were there any recovered from the surface reconnaissance. However, staff noted that the CRAS report indicated that many of the sugar cane fields were inundated with water at the time of survey and shovel tests were terminated early due to water intrusion. Furthermore, in the description of the stratigraphy of the STP, it indicates that at a depth of 25-30 cm below the surface, was encountered a layer of “gray clay or limestone substratum” and the tests were terminated at this point.

US National Park Service’s Southeast Archaeological Center (SEAC) archaeologist, Margo Schwadron, previously conducted investigations on tree islands in the Everglades. SEAC noted that the presence of a buried, hardened, mineralized carbonate soil layer within the tree islands of the Everglades, and termed this mineralized carbonate as “calcrete.” Calcrete is defined by the Miriam Webster Dictionary as “a limestone formed by the cementation of soil, sand, gravel, shells, by calcium carbonate deposited by evaporation, or by the escape of carbon dioxide from vadose water.” Up until Schwadron’s discovery, encountering calcrete was regarded by archaeologists as the hardpan, or bedrock, and archaeological investigations terminated at that point. This calcrete layer generally coincides with dates ranging from 2,500-2,000 years before the present day (BP). Additionally, it was believed that archaeological deposits found closest to the calcrete were the earliest known habitations in South Florida (comprising the Pre-Glades and Glades Periods), and there was no prior habitation in the interior of South Florida. However, Schwadron’s SEAC investigation used concrete saws to cut through the calcrete, and examined the calcrete and the soils below it. The absence of artefacts within the calcrete suggest that the tree islands were not occupied during that time. However, beneath the calcrete layer was well-preserved organic soil, sediment, and archaeological deposits. Radiocarbon dates were obtained from materials both above and below the calcrete layer, and it was determined that the calcrete formed somewhere between 4,400-2,700 BP. Thus, the artefacts found beneath the calcrete date from the Late Archaic Period (5,000-3,000 BP), and the interior Everglades were occupied by Indigenous people far earlier than previously understood. Schwadron’s paradigm altering article, “Everglades Tree Islands Prehistory: Archaeological Evidence for Regional Holocene Variability and Early Human Settlement,” can be found in *Antiquity*, Vol. 80, No. 310 (December 2006). The County Archaeologist recently employed a concrete saw to break through the calcrete layers found beneath tree islands on County-owned natural areas maintained by Environmental Resources Management (ERM). ERM and the County Archaeologist intend to continue such testing to assess the potential for Late Archaic Period sites in the County to further the collective understanding of pre-history and environmental and ecological conditions over time.

A cursory review of the Geotechnical Data Report by WIRX Engineering, Inc., yields that many of the borings reveal several layers of limestone or lime rock separated by a sandy layer/clayey sandy layer/silty organics layer. This suggests there is the *potential* to find archaeological deposits beneath the initial limestone or lime rock layers. Given that the ACI study did not examine flooded sugar cane fields, and that STPs were terminated upon first encountering calcrete, Planning staff cannot conclude that there are not older deposits below the areas tested. Accordingly, Planning staff recommends that further archaeological investigations be done on the previously identified ZAPs to include SEAC methodology as set forth by Schwadron, sawing through the calcrete layer, followed by further archaeological testing to sterile subsoil. Planning Staff is recommending conditions of approval to fulfill the certificate to dig requirements.

Planning Conditions: Conditions have been included in Exhibit C to ensure that the request as presented will be consistent with the Comprehensive Plan.

- b. Consistency with the Code** - *The proposed use is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The Zoning Division has provided the analysis under this standard.

The proposed Type 3B Excavation project would allow excavation and construction of approximately 120,000 acre-feet of water storage capacity and 6,072 acres of extracted materials of sand and limestone on the 8,611.52 acres site. The use will comply with all applicable provisions of the Code for use, layout, function, and general development characteristics. The site will be subject to rules for excavation, mining and water conservation, including the storing and handling of hazardous materials (such as petroleum products), location, access, separation requirements, and all applicable state and federal regulations.

○ *Use Specific criteria:* There are six different types of excavation described in Article 4.B. The proposed request is to allow a Type 3 Excavation, more specifically a Type 3B Excavation. The Applicant provided Staff the required Supplemental Applications requirements. The Applicant is required to comply with the Technical Standards, including Operational Standards and Requirements, Construction Standards, Reclamation Standards, Performance Guarantee Requirements, and Maintenance and Monitoring programs.

The proposed use is in compliance with the requirement and standards as indicated under Article 4.B.10.C.5 for Type 3 Excavations as it relates to: Standards, Location, Depth and Type 3B Excavations as it relates to Lot size, Maximum Surface Area, Separations and Setbacks, Mining Impact, Buffers and Hours of Operation

○ *Location:* Type 3 Excavations may be allowed in the AP Zoning District in the AP FLU Designation subject to the following language:

“Mining shall be limited to the support of public road construction projects, agricultural activities, or water management projects associated with ecosystem restoration, regional water supply, or flood protection, on sites identified by the SFWMD or the U.S. Army Corps of Engineers where such uses provide viable alternative technologies for water management. Mining shall demonstrate compliance with standards in Art. 4.B.10.C.5.i, Compatibility Standards.”

This requirement is duplicative of Comprehensive Plan Policy 2.3-e, in which has been addressed with the analysis above under consistency with the Plan.

○ *Property Development Regulations:* The proposed use complies with the minimum lot dimensions and frontage and required setbacks as indicated in Table 3.D.1.A, Property Development Regulations (Exhibit 1 - PSP). Type 3 Excavations have several requirements for setbacks and separations as described in Article 4.B.10. The following analysis describes the different requirements.

The measurement for separations is completed as follows as stated in Art. 4.B.10.B.7.b.1):

“Separations shall be measured from the top of bank of the nearest excavated area to the property line or designated area in any given direction...”

A Type 3 Excavation is required to be reviewed to assure the proposed excavation is compatibility with the surrounding land uses and complies with the applicable separation and setback standards to ensure there are no negative impacts. Art. 4.B.10.B.7.i.b), Separation from other land Uses states:

“b) Separation from other land uses

Minimum separations from protected land uses are defined in Art. 4.B.10.C.5.i, Compatibility Standards. Unless otherwise specified, separation shall be measured from the outermost edge of the excavated area (top of bank), equipment, stockpiles, buildings, or structures, to the closest structure of a protected land use. The BCC may reduce the required separation distance based on the compatibility of the use with the adjacent area, and the remoteness or proximity of adjacent incompatible uses, provided the reduction complies with the intent of the compatibility standards in Art. 4.B.10.C.5.i, Compatibility Standards. The BCC shall state the basis for the reduced separation and make a finding of fact that the reduction should not

negatively impact adjacent uses. If the separation is reduced, the BCC may require increased setbacks, buffering, and other restrictions as necessary to protect surrounding land uses.

(1) Residential Uses For the purposes of this Section, existing residential uses shall be defined as a residential lot supporting a residence in a platted subdivision, a rural unrecorded subdivision, an approved affidavit of exemption, a plat waiver, or other recorded instrument and is not located within the boundary of the excavation project.

c) Setbacks

Setbacks shall be measured from the outermost edge of the excavated area (top of bank), structure, building, equipment, or stockpile to the boundary of the excavation project.”

Equipment Storage, Maintenance and Service Areas: “Equipment storage, maintenance, and service areas shall be set back a minimum 200 feet from all property lines abutting a residential district or use. The equipment storage area shall be designed such that noise generated by the equipment is muffled in order to comply with the noise performance standards in Art. 5.E, Performance Standards.”

Separation from Residential Uses: Separations from residential uses, shall be a minimum of one-eighth of a mile, in all directions measured in accordance with Art. 4.B.10.C.5.i.1)b) and

Table 4.B.10.C – Setbacks Based on Separation from Residential Uses

| Uses | Separations | | | |
|------------------------------------|-------------|---------|----------|----------|
| | 1 Mile | 2 Miles | 1/4 Mile | 1/8 Mile |
| Mined Lake Edge | 50' | 100' | 500' | 1,200' |
| Processing Equipment | 100' | 300' | 800' | 1,400' |
| Stockpiles | 100' | 300' | 700' | 1,300' |
| Accessory Buildings and Structures | 100' | 100' | 100' | 100' |

Separation from Commercial Uses: One-half mile

Separation from Industrial Uses: One-eighth mile

The Applicant provided the following Separation / Setback Table on the Preliminary Site Plan dated January 23, 2025, as well as the Mining Impact Study dated January 27, 2025.

| Separation / Setback Table | | |
|---|---|-----------|
| Property Line | Minimum Required Separation (From Residential Uses) | |
| | Required | Provided |
| North | 1/8 mile | 7 miles |
| South | 1/8 mile | 20 miles |
| East | 1/8 mile | 5 miles |
| West | 1/8 mile | 7 miles |
| | Minimum Required Separation (Art. 4. B.10.B.7.b) | |
| | Required | Provided |
| Public Water Supply Well | 300 feet | 12 miles |
| Wetlands | 200 feet | 1 mile |
| Site of Known Contamination | 300 feet | >300 feet |
| Class1 & 2 Landfill | 300 feet | 10 miles |
| Septic System | 100 feet | 1.5 miles |
| Potable Water Well | 100 feet | 2 miles |
| Conservation & Preservation Areas of Record, or ESL | 200 feet | 1 mile |
| | Minimum Required Setbacks (From Property Lines) | |
| | Required | Provided |
| Setback From: | | |
| Excavated Lake (Water Resource) Edge | 50 feet | 200 feet |
| Processing Equipment | 100 feet | 1500 feet |
| Stockpiles | 100 feet | 100 feet |
| Accessory Buildings | 100 feet | 1500 feet |

The ULDC for Type 3B Excavations state that projects within the WCAA are evaluated on a case by case basis and the separation requirements are set by the BCC, ULDC Article 4.B.10.C.5.i.3).

“In addition to the separation requirements in Art. 4.B.10.B.7.b, Construction Standards, a Type 3B Excavation, except those that lie in the area defined as the WCAA, shall comply with the separation and setback regulations below. Excavation projects in the WCAA are evaluated on a case-by-case basis in accordance with the compatibility criteria in Art. 4.B.10.C.5.i, Compatibility Standards, and shall have separation requirements set by the BCC.”

The proposed setbacks and separations provided by the Applicant and described above and on the Preliminary Site Plan will meet and or exceed the code requirements. Because the site is within the WCAA and evaluated on a case-by-case bases for Compatibility, the BCC is required to set the separation requirements. Zoning Staff agree with the proposed setbacks and separations provided and have included a Condition of Approval in Exhibit C, SITE DESIGN-SEPARATIONS AND SETBACK, based on the proposed setbacks and separations provided by the Applicant on the Preliminary Site Plan for the BCC to include in the Development Order.

- **Access:** The parcel has access (ingress and egress) from U.S. 27. The Property Owners of the subject site have contiguous property with frontage on SR25/US HWY 27 right-of-way and Miami Canal Road, thereby meeting the ULDC requirement for access for a Type III Excavation to an arterial or collector street as designated on the County's Future Thoroughfare Identification on Map. The ultimate right-of-way for SR25/US HWY 27 is approximately 220 feet.

- **Mining Impact Study:** A Mining Impact Study is required for a Type 3B excavation request in the West County Agricultural Area (WCAA) per Art.4.B.10.5.i. The WCAA area is bounded by Lake Okeechobee, Palm Beach-Hendry County Line, and the SFWMD Levees L-4, L-5, L-6, L-7 and L-8. The Applicant submitted a Study that details all methods and procedures for material extraction, processing, storage and hauling operations. The statement includes the time of day blasting will occur, the maximum number of holes to be shot each occurrence, including the type of explosive agent, maximum pounds per delay, method of packing and type of initiation device to be used for each hole. Zoning Staff have included a Condition of Approval that restricts the Type 3B Excavation to information provided in their Mining Impact Study dated January 27, 2025 and the Methods and Procedures described in said study and blasting requirements of the State Fire Marshal in accordance with F.S. 552.30.

- **Noise and Vibration Monitoring Report:** The Applicant is required to monitor all blasting and other mining activities and record resultant noise and vibrations. This recording shall be completed on a daily basis. Article 4.B.10.C, states as follows,

"The Applicant shall monitor all blasting and other mining activities and record resultant noise and vibrations. PZB may, at any time, require the Property Owner to submit monthly monitoring reports, indicating the number, time, peak over pressure (noise), and vibration caused by each activity. If requested, the Property Owner shall provide the noise and vibration monitoring report within two working days from the date of the request."

In order to ensure the record is kept, Zoning Staff have included Conditions of Approval, USE LIMITATIONS requiring minimum information, ie date, time of blast, blast location, etc, be kept for this report and that each report be kept daily, and that each report be kept for a minimum of three years.

- **Haul Route:** The Applicant is required to provide a Haul Route Plan, indicating all of the possible proposed routes within the radius of impacts. The Haul Route requirements address when material is being removed from the site via a Commercial Vehicle. For this application request, the Applicant has indicated that all of the material will leave the site via rail, and thus a rail network plan was submitted. Staff have included a Condition of Approval, USE LIMITATIONS, that restricts any excavated material that will be removed off-site, be hauled by rail, in accordance with their Hauling Plan.

- **Hours of Operation:** Type 3B Excavation has hours of operation restrictions as follows:

"c) Hours of Operation

Excavation and hauling activity shall occur only between the hours of 6:00 a.m. and 7:00 p.m., Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, unless otherwise determined by the BCC. Blasting activity shall be limited to 10:00 a.m. to 5:00 p.m., Monday through Friday."

The Applicant is requesting that the hours of operation for excavation and hauling be extended to 24 hours a day, 7 days a week and comply with the hours of 10:00 a.m. to 5:00 p.m. Monday through Friday for the Blasting activity. In addition, they stated that Blasting will not occur on Saturday, Sunday, or official holidays recognized by the State of Florida.

The Applicant's Justification for this request is *"This request is supported by the public benefit that is derived from an accelerated construction schedule enabling faster delivery of the functional water resource facilities. The request is also supported by the site's remote location, which significantly exceeds all the code separation requirements for both residential and other incompatible uses."* The Applicant also states that night loading and hauling is done by rail minimizing the impact of the use on surrounding areas caused by truck activities.

Staff is in agreement with the allowance for the modified hours due to the location of subject site and being more than 5 miles away from any residential use. A Condition of Approval, USE LIMITATION, has been included based on the proposed request.

- **Excavation Procedures:** The excavation operation will involve the use of blasting with Bulk Emulsion using a Solid State Electronic Blasting Machine and Continuity indicator. The blasting will not impact the surrounding area because it will be the minimum sound and vibration standards of Chapter 69A-2 and Chapter 552 of FS Statutes. Each Blasting event shall maintain an air pressure of 133db or less per blast as stated in the Mining Impact study submitted by the Applicant (Exhibit K). Internal Hauling will be by heavy equipment. The Applicant states *"Mechanical conveyors also be utilized to bring excavated raw materials from the excavated cells to the rock plant. Offsite removal of finished products will be by rail and all loading will be done at the onsite rail yard."*

- *Depth of Excavation:* The ULDC allows a maximum depth of 20 feet from the ordinary water line (OWL) for excavation activity. The maximum depth may be exceeded if approved by the Palm Beach County Department of Environmental Resource Management (ERM) in accordance with the Code excavation administration and enforcement standards. The Applicant is requesting a maximum depth of 18 feet below the natural site grade and approximately 15 feet below the Ordinary Water Level (OWL). The requested excavation activity meets the requirements of Art. 4.B.10.C.1.c of the ULDC.
- *Phasing:* In accordance with Article 4.B.10.B.7, Technical Standards, in the event that the excavation activity is conducted in phases, a Phasing Plan is required. Pursuant to Articles 4 and 2, a condition of approval must be included by the BCC to implement the Phasing and Commencement of Development.

Art. 4.B.10.B.7.a.11) states

“11) Phasing

In the event the excavation activity is conducted in phases, the Phasing Plan required by Art. 4.B.10.B.7.a, Operational Standards and Requirements, shall be subject to Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval, Art. 2.E.2.C, Time Limitations for Commencement, and the requirements in Art. 4.B.10.B.7.c, Reclamation Standards. All excavation types, except Type 3A and Type 3B shall comply with Art. 2.E, Monitoring of Development Orders (DOs) and Conditions of Approval, which limits the project to two primary phases for the purposes of monitoring commencement of the Development Order. Additional sub-phases may be permitted for each primary phase for the purposes of conducting the excavation activity in accordance with this Section. For Type 3A and Type 3B Excavations, the number of phases and the duration of each phase shall be established as a Condition of Approval. When establishing the Condition of Approval for the number and duration of each phase, the BCC shall consider the size of the proposed excavation project, existing and proposed surrounding land uses, surrounding FLU designations, and other pertinent information.

Art. 2.E.2.D. states:

“D. Phasing Limitations

- 1. The maximum number of development phases is four unless otherwise indicated below:
[Ord. 2021- 006]*
-*
- c. The maximum number of phases and duration of each phase for a Type 3 Excavation shall be established by a Condition of Approval.”*

For Type 3A and Type 3B Excavations, the number of phases and the duration of each phase shall be established as a Condition of Approval. See the Preliminary Phasing Schedule below. Zoning Staff have included a Condition of Approval, PHASING, as required by Code, based on the Phasing Plan and table below provided by the Applicant in the Operational Plan.

| WATER RESOURCE CELL / SUBPHASE BREAKDOWN | | | | | | | | |
|---|----------------|-----------------|--------------|----------------|----------------------|--|--|----------------------------------|
| Water Resource Cell / Sub- Phase | Water Acres | Upland Acres | Pit Acres | Total Acres | Storage Acre-Feet | Required Seeded Upland Area Acres | Expected Duration Excavation Duration | Projected Reclamation Date |
| 1 | 143.9 | 10.1 | 141.1 | 154.0 | 2158 | 5.3 | 1.5 years | 06/30/2028 |
| 2 | 566.0 | 20.0 | 565.5 | 586.0 | 8490 | 16.2 | 3 years | 06/30/2031 |
| 3 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 12.0 | 3 years | 06/30/2034 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 6268 | 14.0 | 2 years | 06/30/2036 |
| 4B | 343.4 | 15.6 | 339.2 | 359.0 | 5151 | 16.0 | 2 years | 06/30/2038 |
| 5 | 468.8 | 18.2 | 463.9 | 487.0 | 7033 | 13.3 | 2 years | 06/30/2040 |
| 6 | 396.3 | 16.7 | 391.7 | 413.0 | 5944 | 7.4 | 2 years | 06/30/2043 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 7062 | 13.4 | 2 years | 06/30/2045 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 7106 | 15.7 | 2 years | 06/30/2047 |
| 8 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 20.6 | 3 years | 06/30/2050 |
| 9 | 276.0 | 14.0 | 272.2 | 290.0 | 4140 | 7.3 | 2 years | 06/30/2052 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8556 | 20.5 | 3 years | 06/30/2055 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 | 3 years | 06/30/2059 |
| TOTALS | 5843.7 | 233.2 | 5786.2 | 6072.0 | 87,655 | 179.0 | | |

Applicant’s Justification Statement indicates that: “in ground” water storage at existing water levels (storage quantities as shown in submitted plans) and future “above ground” water storage with water levels up to four feet above ground level (as a “low-hazard” reservoir) to reach the 120,000 acre-feet of storage buildout condition.

○ **Accessory Use:** An Asphalt or Concrete Plant shall be allowed as an accessory use to a Type 3B Excavation. The Applicant states in their justification statement that a 230-acre rock plant/crusher compound is proposed and will be centrally located within the excavation area. The accessory uses is only allowed if the site is a minimum of 500 acres, and is separated at least ½ mile from any residential use or district, and has access to an arterial street. The plant will meet these requirements. The material will be hauled from the plant exclusively by rail from the site to the end users.

c. Compatibility with Surrounding Uses - *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

Agriculture lands surround the site to the north, west and east. Immediately to the south is the A-2 STA and A-2 Reservoir. The closest residential use or district that would be impacted by the excavation operation is over 5 miles from the site. The existing farming operations on the subject site will continue during the construction of the excavation phase by phase and will remain in part until the final phase is complete. The Conditional Use is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The Applicant indicates that the excavation within the subject site will be designed to reduce any impacts on surrounding properties and ensure that the intensity of the project is limited to prevent any negative accumulated effects. The distance to the nearest residential use or district is five miles. The excavated lake edge exceeds the minimum setback of 50' (200' provided); Processing Equipment will be provided at the minimum setback of 1,500'; Stockpiles will be provided at the minimum setback of 100'; and Accessory buildings & structures will be provided at the minimum setback of 1,500'.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCES MANAGEMENT

The Environmental Resources Management (ERM) staff have provided the analysis for this standard.

○ **Vegetation Protection:** The site has been used for agricultural production and does not support native vegetation.

○ **Wellfield Protection Zone:** This property is not located within Wellfield Protection Zone.

○ **Excavation Issues:** The proposed slopes and littoral areas will be subject to Administrative Waiver process of the Notice of Intent to Construct (NIC) application. As such, ERM Staff has proposed conditions of Approval for the subject requests included in Exhibit C.

○ **Irrigation Conservation Concerns And Surface Water:** All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ **Environmental Impacts:** There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

○ **Extraction Fee for Impacts:** The Applicant is required to provide an extraction fee each calendar year based on the tonnage provided to ERM. The requirements is as follows and Conditions of Approval have been included within Exhibit C to ensure payment is made.

“To offset the impacts of mining, a natural resource extraction fee is to be provided yearly for this mining operation from the operators of this mine or its successors. The basis for the extraction fee is calculated at five cents per ton of material sold from the mine. The tonnage will be calculated at the end of each calendar year with the information provided to ERM by January 31 of the succeeding year with the payment of five cents per ton provided by February 15. The funds will be used for environmental enhancement and compliance and monitoring activities which include, but are not limited to: purchase land; restore land to a more natural state; and, enhance the flora and fauna of already preserved natural areas. The natural resources extraction fee shall escalate annually at the rate prescribed by F.S. § 373.41492(5) as amended. In the event the Legislature of the State of Florida or the County imposes, by legislation, Ordinance, or other means, an

extraction fee, tax, or charge, then this natural resources extraction fee shall be reduced by the same amount.”

- f. Development Patterns** – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed excavation is located in the Everglades Agricultural Area (EAA) of the County in Agricultural Production (AP) future land use and zoning, surrounded by agricultural uses. The proposed excavation does not impact Development Patterns.

- g. Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

The applicable referenced Divisions and Departments have provided the staff analysis as indicated in this Section.

TRAFFIC ENGINEERING:

The Department of Engineering and Public Works Traffic Division provided comments during the review of this application and this analysis. The proposed excavation is expected to generate 130 net daily trips, 20 net AM peak trips, and 59 net PM peak hour trips. The build out of the project is assumed to be by 2042 for traffic purposes.

The project meets adopted Level of Service for roadways and intersections. No roadway improvements associated with Level of Service are necessary. Access to the site will be through a private roadway that connects to an existing full median opening with US-27.

LAND DEVELOPMENT:

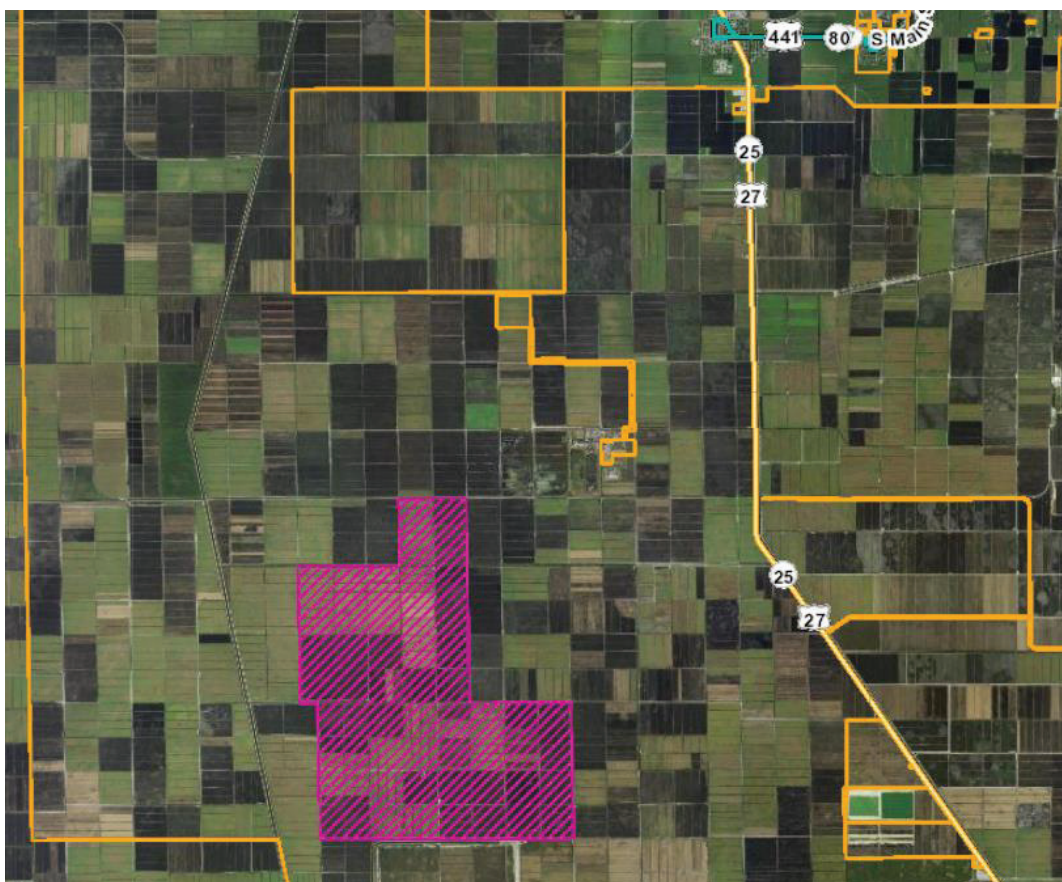
The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and requested modifications have been incorporated by the Applicant. The Property Owner will reconstruct a portion of the private roadway leading to the excavation for a total of two hundred feet as well as the turn lanes on US27.

DRAINAGE DISTRICT:

The overall development is located within the Everglades Agricultural Area (EAA). The Applicant's Engineer states (Exhibit E-6) *“Currently, surface water within EAA and, and subsequently the Project site, is managed and controlled by the Landowners/Farmers via systems of ditches, canals, water control structures (flashboards) and pump stations. The agricultural fields are effectively flat with little natural drainage, and the constructed drainage system manipulates water levels to benefit crop growth and minimize inundation. The Project will be constructed in sequential sub-phases. Active project areas will typically be limited to one Section (1 square mile). The intent is for active areas, called Cells, to be progressively excavated and then converted into water storage reservoir(s) to be owned and operated by the South Florida Water Management District (SFWMD). Excavation of material will be performed ‘in the wet’ through drag-line excavation operations with no active dewatering necessary. Stormwater within active Cells and in areas used for the processing and shipping of aggregate such as haul roads, processing and rail yard areas will be contained on site within the Project site. A three (3) foot high containment berm will be constructed around the entire perimeter of active excavations (Cells) and processing/shipping areas to contain stormwater runoff up to the runoff volume from a 100-year, 3-day design storm during active mining operations. The 100-year, 3-day design storm precipitation depth is 10 inches based on isohyetal maps contained in Appendix C of the SFWMD Environmental Resource Permit Applicant's Handbook, Volume II. This storm meets the design storm requirements of the Palm Beach County design standards. Adequate area will be set aside to retain the runoff volume from this storm. The runoff volume takes into account changes in surface conditions (e.g. agricultural field to predominantly compacted gravel). Roads will be sloped to a retention swale that runs adjacent to the roads or drain into the active Cell to contain the stormwater runoff. The aggregate processing facility site and rail yard grade will be raised to elevation of approximately 15.0 ft (NAVD88) which is three (3) feet higher than the effective FEMA base flood elevation (BFE) of 12 feet (NAVD88)”.*

MASS TRANSIT:

Palm Tran review staff have no staff report comments on this application. There are no bus stops within ½ mile of the subject property. The closest bus route is route 47 along Palm Road.



WATER AND WASTEWATER PROVIDER:

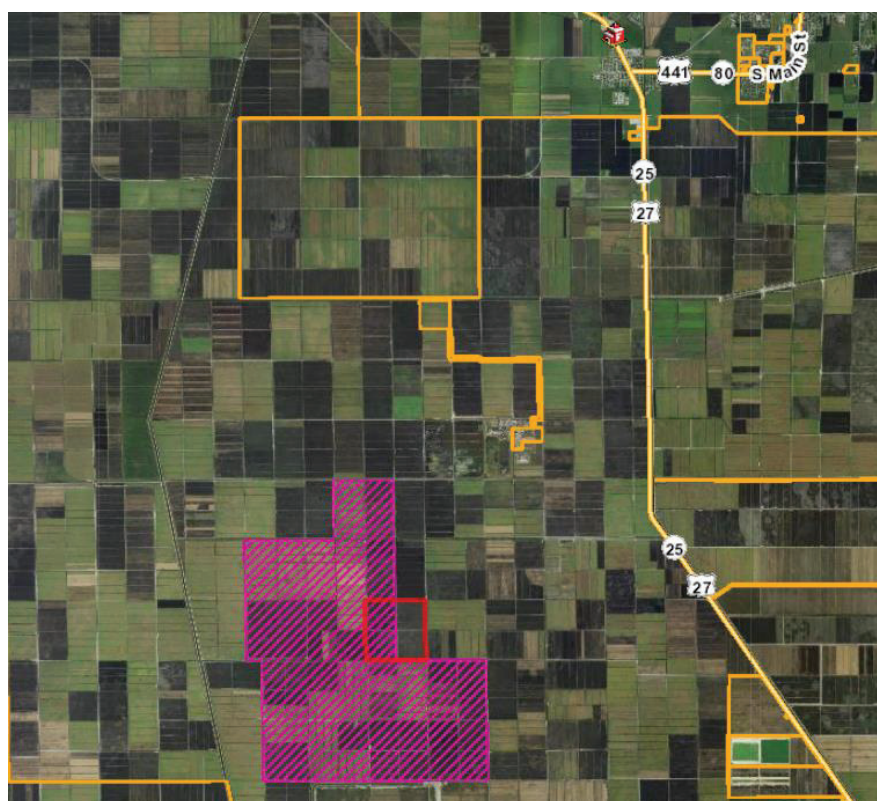
The subject site is within the water and wastewater service boundaries of the Palm Beach County Water Utilities Department (PBCWUD). The PBCWUD review staff have no comments on this application.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Florida Department of Health review Staff have no comment on this application.

FIRE-RESCUE:

Fire Department review Staff have no comments on the application. The development will be reviewed again at the time of building permit for compliance with Fire Codes. The development is within the service boundary of Palm Beach County Fire Rescue Station 74.



PARKS AND RECREATION:

The Parks and Recreation Department review staff have no comments regarding this application as it is for a non-residential use. Tthe provision of level of service for Regional, District, Beach and Local Parks and the Parks and Recreation Department ULDC requirements do not apply.

SCHOOL IMPACTS:

The School Board review have no comment regarding this application as it is a non-residential use request.

- h. Changed Conditions or Circumstances –** *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates the following justification for their changed conditions of circumstances: *“The continued significant population growth of South Florida, ongoing Everglades restoration, the need for additional water storage and treatment facilities, water quality issues including harmful algal blooms, higher rainfall events and regional water management challenges have created a need for more public-private partnerships to compliment public projects. Additionally, there have been several international changes in the aggregate market that are negatively impacting the ability of governments and the private sector to get the material needed to build and repair our infrastructure. The material derived from this approval will significantly help improve the availability of high-quality aggregate. Through a phased approach with a partnership delivery model, this project will provide benefits throughout its development.”*

Exhibit C - Conditions of Approval

Class A Conditional Use for Type 3B Excavation

ALL PETITIONS

1. Development of the site is limited to the excavation activities approved by the Board of County Commissioners. The approved site plan is dated January 23, 2025, and depicts the 8,611.52 acre site. Excavation is limited to 6,052 acres within the approved site plan. All modifications must be approved by the Board of County Commissioners unless the site plan is modified to meet conditions of approval or in accordance with Article 2. of the ULDC. (ONGOING: ZONING - Zoning)
2. Reconfiguration of the site plan necessary to comply with State or Federal permitting requirements shall be permitted subject to DRO approval. (ONGOING: ZONING - Zoning)
3. Prior to Final Site Plan approval by the Development Review Officer, the Applicant shall submit updated performance guarantees with the appropriate cost estimates for the Reclaimed Upland and Upland Planting areas. (ONGOING: CODE ENF - Zoning)

ENGINEERING

1. No Building Permits for the site may be issued after December 31, 2042, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request or by using provisions available in the Florida Governor issued Emergency Declarations in effect at the time the time extension is requested. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code or applicable Florida Governor's Executive Orders. (DATE: MONITORING - Engineering)
2. The Property Owner shall modify the existing i) right turn lane north approach on US-27 at project entrance ii) left turn lane south approach on US-27 at project entrance, if required by the FDOT. This construction, if required by the FDOT, shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
 - a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the excavation permit. (BLDGPMPT: MONITORING - Engineering)
 - b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMPT/CO: MONITORING - Engineering)
3. The Property Owner shall construct two (2) - 12 feet wide travel lanes, to Land Development Design Standards for a Non-plan Collector Road, beginning at the project entrance at US 27 then west for a distance of 200 feet. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
 - a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the excavation permit. (BLDGPMPT: MONITORING - Engineering)
 - b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMPT/CO: MONITORING - Engineering)

ENVIRONMENTAL

1. No off-site discharges are permitted from the site during excavation and post excavation for rainfall event volumes up to the 3-day 100 year flood event "Base Flood" pursuant to ULDC Article 1 Chapter H. The volume of the 3-Day 100 year rainfall event will be determined based on the center of the proposed site using the National Oceanic and Atmospheric Administration's (NOAA's) web tool (https://hdsc.nws.noaa.gov/pfds/pfds_map_cont.html?bkmrk=fl) and the 90 percent confidence interval value with no discharge during the three day event. The Applicant shall report to the Environmental Resources Management Department (ERM) in an annual report, certified by the Engineer of Record, verifying compliance with this condition. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
2. Maximum depth of all excavations shall be no more than 15 feet below the Ordinary Water Level (OWL) or consistent with the FDEP Environmental Resource Permit (ERP) specifications, not to exceed 15 feet below OWL. The elevation of the OWL shall be determined and a ground surface elevation survey (certified by a FL licensed surveyor or FL licensed surveyor engineer) for each proposed sub-phase shall be provided to ERM and approved by County Water Resource Engineer prior to any site work. (BLDGPMPT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. Applicant shall provide all necessary permits from SFWMD, FDEP ERP, and ACOE for the excavation operation prior to Notice of Intent to Construct for Excavations (NIC) approval pursuant to Art. 4.B.10.B.6 and the Administrative Waiver Criteria pursuant to 4.B.10.B.8. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

4. Prior to NIC approval, provide a Phase I or Phase II Environmental Site Assessment (ESA), whichever is most appropriate, for entire area contained within the NIC that may have stored or utilized regulated substances currently or have in the past as one full report. Additional requirements may be necessary to comply with separation items in Art. 4.B.10.B.7.b, Construction Standards. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

5. Prior to excavation of any sub-phase contained within the NIC, a draft bond for the subsequent phase should be provided to ERM for review and should conform with the January 27, 2025 bond phasing plan in the Applicant's Excavation Operation and Construction Statement:

- a) Sub-phase (Cell 1) - 154 acres = \$154,000.00
- b) Sub-phase (Cell 2) - 586 acres = \$586,000.00
- c) Sub-phase (Cell 3) - 592 acres = \$592,000.00
- d) Sub-phase (Cell 4A) - 435 acres = \$435,000.00
- e) Sub-phase (Cell 4B) - 359 acres = \$359,000.00
- f) Sub-phase (Cell 5) - 487 acres = \$487,000.00
- g) Sub-phase (Cell 6) - 413 acres = \$413,000.00
- h) Sub-phase (Cell 7A) - 489 acres = \$489,000.00
- i) Sub-phase (Cell 7B) - 492 acres = \$492,000.00
- j) Sub-phase (Cell 8) - 572 acres = \$572,000.00
- k) Sub-phase (Cell 9) - 290 acres = \$290,000.00
- l) Sub-phase (Cell 10) - 591 acres = \$591,000.00
- m) Sub-phase (Cell 11) - 592 acres = \$592,000.00

(BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

6. NIC pursuant to Art. 4.B.10.B.6 and the Administrative Waiver Criteria pursuant to Art. 4.B.10.B.8 must be approved by ERM prior to excavation of any sub-phase. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

7. The NIC Administrative Waiver for slopes request shall be consistent with the FDEP ERP specifications and will include a reduction in the interior slope angle from 4:1 to 3:1 to provide additional storage. Pursuant to Art. 4.B.10.B.8, appropriate technology and methods will be used to ensure consistency with the intent of the Code. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

8. The NIC Administrative Waiver for littoral planting relief request shall include an alternative plan with a contribution to the Pollution Recovery Trust Fund of twice the amount calculated by the formula for a guarantee located in Art. 4.B.10.B.7.d.5)c), Littoral Zones and for review and approval by the Director of ERM prior to NIC and Administrative Waiver approval. The cash out amounts shall be done in three sub-phases (initial NIC for sub-phases 1 – 4 and NIC modifications for the two remaining sub-phases 5 - 8 and 9 -13, respectively) and will be based on the average of the two current market rates at that time.(BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

9. Prior to the NIC approval, including subsequent NIC sub-phase modifications, the Applicant shall submit a drainage statement to ERM certified by the Engineer of Record for all land area contained within the NIC verifying the isolation of the excavation water from the farm field agricultural activities. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

10. Prior to excavation of any sub-phase contained within the NIC, the Applicant shall provide a current or updated Phase I or Phase II ESA for that sub-phase, whichever is most appropriate, to ERM for review. Additional requirements may be necessary to comply with separation items in Art. 4.B.10.B.7.b, Construction Standards. (BLDGPM: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

11. Applicant shall provide a natural resource extraction fee pursuant to Article 4.B.10 and modified in PBC PPM # EV-O-314 "Calculating the Annual Escalator Rate for Type III Excavations". This is to be calculated annually from data provided in the Annual Report which is submitted to ERM by January 31 of the succeeding year. Payment shall be provided to ERM by February 15 of that same year and rates are expected to escalate annually. To receive these funds, ERM has defined a separate account for natural resource extraction fees. The funds will be used for environmental enhancement activities which include, but are not limited to: Purchase land; restore land to a more natural state; and, enhance the flora and fauna of already preserved natural areas. In the event the legislature of the State of Florida or the County imposes, by legislation, ordinance, or other means, an extraction fee, tax, or charge, then this natural

resources extraction fee shall be reduced by the same amount. (DATE/ONGOING: MONITORING - Environmental Resources Management)

12. The Applicant shall submit the Maintenance and Monitoring Report of Reclaimed Areas required by Article 4.B.10.B.7.e, Maintenance and Monitoring, of the ULDC to ERM starting on July 31, 2026 and submitted annually thereafter until completion of the excavation activity and reclamation of the site. The report shall include a red-lined as-built survey, certified by the Engineer of Record, for the lake being excavated and the water resource project construction progress at the same scale as the approved site plan, delineating the boundaries of the excavation and construction for the current year and previous year's activity. (DATE/ONGOING: MONITORING - Environmental Resources Management)

PHASING

1. The Phasing is subject to the following Preliminary Phasing Schedule. Administrative Extensions to may be allowed so that the Completion of all Phases is no later than June 30, 2069, to account for changes in market demand.

| WATER RESOURCE CELL / SUBPHASE BREAKDOWN | | | | | | | | |
|---|----------------|-----------------|--------------|----------------|----------------------|--|--|----------------------------------|
| Water Resource Cell / Sub- Phase | Water Acres | Upland Acres | Pit Acres | Total Acres | Storage Acre-Feet | Required Seeded Upland Area Acres | Expected Duration Excavation Duration | Projected Reclamation Date |
| 1 | 143.9 | 10.1 | 141.1 | 154.0 | 2158 | 5.3 | 1.5 years | 06/30/2028 |
| 2 | 566.0 | 20.0 | 565.5 | 586.0 | 8490 | 16.2 | 3 years | 06/30/2031 |
| 3 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 12.0 | 3 years | 06/30/2034 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 6268 | 14.0 | 2 years | 06/30/2036 |
| 4B | 343.4 | 15.6 | 339.2 | 359.0 | 5151 | 16.0 | 2 years | 06/30/2038 |
| 5 | 468.8 | 18.2 | 463.9 | 487.0 | 7033 | 13.3 | 2 years | 06/30/2040 |
| 6 | 396.3 | 16.7 | 391.7 | 413.0 | 5944 | 7.4 | 2 years | 06/30/2043 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 7062 | 13.4 | 2 years | 06/30/2045 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 7106 | 15.7 | 2 years | 06/30/2047 |
| 8 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 20.6 | 3 years | 06/30/2050 |
| 9 | 276.0 | 14.0 | 272.2 | 290.0 | 4140 | 7.3 | 2 years | 06/30/2052 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8556 | 20.5 | 3 years | 06/30/2055 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 | 3 years | 06/30/2059 |
| TOTALS | 5843.7 | 233.2 | 5786.2 | 6072.0 | 87,655 | 179.0 | | |

(DATE/ONGOING-MONITORING/ZONING – ZONING)

PLANNING/MONITORING COMPLIANCE CONDITIONS:

1. Prior to April 30, 2026 or Final Site Plan approval, whichever shall occur first, the property owner shall provide a copy of the fully executed Florida Department of Environmental Protection (FDEP) permit associated with the proposed Type 3B Excavation necessary to implement the proposed water resources project. If the property owner has not received the state permit by April 30, 2026, Planning Staff shall prepare a Status Report to the Board of County Commissioners with a recommendation to revoke the zoning approval for the Type 3B Excavation on this site. No administrative time extension to this condition shall be allowed. (DATE/ONGOING: PLANNING-Planning)

2. Prior to the commencement of any excavation activity, the property owner shall submit to the Planning Director, permit documentation from the FDEP that states that mined areas are required to be reclaimed to create water storage reservoirs and/or will be used to contribute to increased water storage capacity in the Everglades Agricultural Area (EAA), or provide other benefit in support of water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District (SFWMD) or the U. S. Army Corps of Engineers (ACOE) where such uses provide viable alternative technologies for water management. (ONGOING: PLANNING-Planning)

3. Starting April 30, 2026, and every year thereafter, the property owner shall submit an annual report as required by Article 4.B.10.C.5.h of the ULDC, to the Planning Director, the Director of ERM, and the Development Review Officer (DRO) that shall demonstrate compliance with the requirements of Future land Use Element (FLUE) Policy 2.3-e.3 regarding permitted mining and excavation activities within the Agricultural Production (AP) Future Land Use (FLU) designation. To ensure compliance with the restrictions in this policy, the document shall contain the following:

- a. Status of each phase of the operation.
- b. Total tonnage removed from the site and associated tonnage fee paid to ERM.
- c. Documentation that the intended use of the material complies with the County requirements, such as but not limited to the Type 3B Excavation status with FDOT and use of the mined aggregate for public roadway projects, and consist of the following:
 - i. Copies of all contracts for removal of fill from the site with FDOT or its vendors, or any other entity building public roadway projects or its vendors; and

- ii. Listing of the amount of fill to be taken from the site to entity(s) or its vendors constructing public roadway projects, with documentation confirming that the entity/vendor received that amount of fill for the year.
 - d. Status of compliance with conditions contained within this resolution.
 - e. Status of compliance with the requirements of Article 4.B.10.C.5.i Compatibility Standards of the ULDC.
 - f. Status of compliance with FDEP permits. Copies of all modifications to permits shall be submitted in their entirety to the County's Water Resources Manager, Planning Director, Land Development Director, and Director of ERM.
 - g. Status of eligibility for the mined areas to be utilized for water management or ecosystem restoration purposes including a letter from SFWMD identifying the step under its Unsolicited Proposal Process that the project is at or a copy of the fully executed Comprehensive Agreement and letters from all other applicable agencies discussing eligibility or any executed binding agreements pertaining to the reclaimed mined areas future proposed uses.
 - h. Should the property be found in non-compliance with this condition or with the requirements of removal of fill from this site per FLUE Policy 2.3-e.3, Planning Staff shall prepare a Status Report to the Board of County Commissioners with a recommendation to revoke the zoning approval for excavation on this site. No administrative time extension to this condition shall be allowed. (ONGOING: ERM/ZONING/PLANNING-Planning)
4. Upon completion of each phase, should the mined reclamation area be used with consent of the property owner, for water management projects associated with ecosystem restoration, regional water supply, flood protection or other such projects in direct association with the SFWMD, USACE, FDEP, or other applicable governmental agency, submit the following documents, either:
- a. A copy of an executed binding agreement with the subsequent agency illustrating the use of the reclaimed areas within the proposed project, or
 - b. A copy of the deed, easement, or other conveyance transferring the reclaimed area to the subsequent agency. (ONGOING: PLANNING-Planning)
5. Should any permits associated with the requested Type 3B Excavation be found in violation, revoked, suspended or otherwise nullified by the permitting agency, the property owner shall notify the County Planning Director in writing no later than 15 business days after the date on which the property owner receives such notice of violation, revocation, suspension or nullification. If the property owner does not bring the permit violation(s) into compliance or execute a consent agreement or settlement agreement no later than 120 days after it receives the notice from the permitting agency, Planning Staff shall prepare a Status Report to the Board of County Commissioners with a recommendation to revoke the zoning approval for the Type 3B Excavation on this site. (ONGOING: MONITORING-Planning)

PLANNING-COUNTY ARCHAEOLOGIST CONDITIONS:

1. Should any archaeological artifacts, archaeological human remains, and/or paleontological vertebrate fossils/remains be uncovered during any ground disturbing activity, excavation shall halt, the County Archaeologist contacted and allowed to comment on the significance of the find, as provided for in Article 9 of the ULDC. (ONGOING: PLANNING-Planning)
2. Prior to the commencement of mining excavations that penetrate calcrete in each phase of the project, all areas identified as "Zones of Archaeological Potential" in the Archaeological Consultants, Inc., Cultural Resource Assessment Survey report, dated September 2023, shall be further investigated by a professional archaeologist. A written report of the findings shall be provided to the County Archaeologist. The County Archaeologist shall be allowed to comment on the report prior to any excavation beneath the calcrete layer. The County Archaeologist is to be notified in writing within five working days prior to penetrating or removing of calcrete in the Zones of Archaeological Potential. (ONGOING: PLANNING-Planning)

SITE DESIGN-SEPARATIONS AND SETBACK

1. Minimum Separation from Residential Use
 - a. North Property Line: 7 miles
 - b. South Property Line 20 miles
 - c. East Property Line 5 miles
 - d. West Property Line 7 miles (DRO:ZONING – Zoning)
2. Minimum Separation Construction Standards
 - a. Public water Supply Well: 12 miles
 - b. Wetlands: 1 mile
 - c. Site of Known Contamination: 300 feet
 - d. Class 1 and 2 Land Fill: 10 miles
 - e. Septic System: 1.5 miles
 - f. Potable water well: 2 miles
 - g. Conservation & Preservation Areas of Record, or ESL: 1 mile (DRO:ZONING – Zoning)
3. Minimum setback from property lines
 - a. Excavated Lake (Water Resource Edge): 200 feet

- b. Processing Equipment: 1500 feet
- c. Stockpiles: 100 feet
- d. Accessory Buildings: 1500 feet (DRO:ZONING – Zoning)

USE LIMITATIONS

1. The Hours of Operation shall be limited as follows:
 - a. Excavation and Hauling activities may be allowed to operate 24 hours a day, 7 days a week.
 - b. Blasting activity shall be limited to 10:00 a.m. to 5:00 p.m., Monday through Friday. Blasting will not occur on Saturday, Sunday, or official holidays recognized by the State of Florida. (ONGOING: CODE ENFORMENT – Zoning)
2. The Applicant shall comply with the methods and procedures outland in the Mining Impact Study dated January 27, 2025. All blasting shall comply with the requirements of State Fire Marshall as set forth in F.S. 552.30. (ONGOING: CODE ENF/ZONING/FIRE – Zoning/Fire)
3. In accordance with the requirements for Noise and Vibration Monitoring, the Applicant shall maintain a daily Noise and Vibration Monitoring Report with the following minimum information:
 - a. Name of operator or responsible person;
 - b. Date and time of blast;
 - c. Blast location (face and bench);
 - d. Monitoring location;
 - e. Distance to monitoring site;
 - f. Distance to nearest residential structure;
 - g. Lbs. of explosive, total;
 - h. Lbs of explosive/8 millisecond delay;
 - i. Peak ground vibrations for all 3 components of motion;
 - j. Peak airblast and frequency roll-off of the airblast channel;
 - k. Trigger settings for vibration and airblast; and
 - l. Frequencies of peak ground vibrations.
 (ONGOING: CODE ENF - Zoning)
4. The Noise and Vibration Monitoring Report may be requested by PZB at any time. The Property Owner shall provide the Noise and Vibration Monitoring Report within two working days from the date of the request. (ONGOING: CODE ENF - Zoning)
5. The Applicant shall maintain all Noise and Vibration Monitoring Reports for a minimum of three (3) years. (ONGOING: CODE ENF - Zoning)
6. Excavated material that is to be removed off-site, shall be hauled exclusively via a rail system, as provided in the Justification Statement dated February 13, 2025 and the Mining Impact Study dated January 27, 2025. (ONGOING: CODE ENF - Zoning)
7. A maximum of six hundred (600) acres of land per year may be actively excavated annually. This provision shall not apply to the delivery of water resource facility, which may be exceeded as needed to accelerate the delivery of water resource facility and additional storage capacity to assist the regional water management efforts of the SFWMD. (ONGOING: CODE ENF - Zoning)
8. Any accessory asphalt, concrete batch plant or rock processing and crushing facilities shall be set back a minimum of 600 feet from the ultimate right-of-way line of SR 25/US 27. (DRO/ONGOING: ZONING - Building Division)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:
 - a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
 - b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DSCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Exhibit C.2 – Applicant’s Alternative Conditions of Approval for Planning/Monitoring Conditions

The applicant has proposed changes to Planning/Monitoring Conditions numbers 3 and 4 as shown with added text underlined and deleted text struck out.

3. Starting April 30, 2026, and every year thereafter, the property owner shall submit an annual report as required by Article 4.B.10.C.5.h of the ULDC, to the Planning Director, the Director of ERM, and the Development Review Officer (DRO) that shall demonstrate compliance with the requirements of Future land Use Element (FLUE) Policy 2.3-e.3 regarding permitted mining and excavation activities within the Agricultural Production (AP) Future Land Use (FLU) designation. To ensure compliance with the restrictions in this policy, the document shall contain the following:

- a. Status of each phase of the operation.
- b. Total tonnage removed from the site and associated tonnage fee paid to ERM.
- c. Documentation ~~If the project ceases to otherwise meet county requirements except for the use of the excavated materials solely for public roadways purposes, documentation~~ that the intended use of the material complies with the County requirements, such as ~~but not limited to~~ the Type 3B Excavation status with FDOT and use of the mined aggregate for public roadway projects, and consist of the following:
 - i. Copies of all contracts for removal of fill from the site with FDOT or its vendors, or any other entity building public roadway projects or its vendors; and
 - ii. Listing of the amount of fill to be taken from the site to entity(s) or its vendors constructing public roadway projects, with documentation confirming that the entity/vendor received that amount of fill for the year.
- d. Status of compliance with conditions contained within this resolution.
- e. Status of compliance with the requirements of Article 4.B.10.C.5.i Compatibility Standards of the ULDC.
- f. Status of compliance with FDEP permits. Copies of all modifications to permits shall be submitted in their entirety to the County’s Water Resources Manager, Planning Director, Land Development Director, and Director of ERM.
- g. Status of eligibility for the mined areas to be utilized for ~~water management or~~ ecosystem restoration, regional water supply, or flood protection purposes including ~~a letter from SFWMD identifying the step under its Unsolicited Proposal Process that copies of the FDEP permit for the proposed water resource project is at or a copy of the fully executed Comprehensive Agreement and letters from all other applicable agencies discussing eligibility or any executed binding agreements pertaining to the reclaimed mined areas future proposed uses~~ operation and maintenance of the built water resource pursuant to the FDEP ERP permit.
- h. Should the property be found in non-compliance with this condition or with the requirements of removal of fill from this site per FLUE Policy 2.3-e.3, Planning Staff shall prepare a Status Report to the Board of County Commissioners with a recommendation to revoke the zoning approval for excavation on this site. No administrative time extension to this condition shall be allowed. (ONGOING: ERM/ZONING/PLANNING-Planning)

4. Upon completion of each phase, submit the following documents should the excavated mined reclamation area be used with consent of the property owner, for water management projects associated with ecosystem restoration, regional water supply, flood protection or other such projects in direct association with the SFWMD, USAGE, US Army Corps. of Engineers (ACEO), FDEP, or other applicable governmental agency, submit ~~the following documents~~, either:

- ~~a. A~~ A copy of an executed binding agreement with the subsequent agency illustrating the use of the reclaimed areas within the proposed project, or a copy of the deed transferring the reclaimed area to the subsequent agency.
- ~~b. A copy of the deed, easement, or other conveyance transferring the reclaimed area to the subsequent agency.~~ (ONGOING: PLANNING-Planning)

Exhibit D – Project History

The site has no prior zoning approvals.

Exhibit E.1 - Preliminary Site Plan

Development Regulations

| Zoning District | Code Provided | Minimum Lot Dimension | | Frontage | Depth | FAR | Subsack / Separations | | | |
|-----------------|---------------|-----------------------|--------|----------|--------|-----|-----------------------|------------------|------------|--------|
| | | Size | Width | | | | Max Bldg. Cover | Max Bldg. Height | Front Side | Rear |
| AP | | 10 ac | 300' | 300' | 300' | - | 10% | 35' | 100' | 100' |
| AP | 683151 | ac | > 300' | > 300' | > 300' | | < 10% | < 35' | 1 mile | 1 mile |

AP Zoning and FLU
Glades Tier
Active Farming

LEGEND

--- PROJECT BOUNDARY / SEEPAGE CANALS (AS REQUIRED)

--- WATER RESOURCE CELL (WRC) BOUNDARY

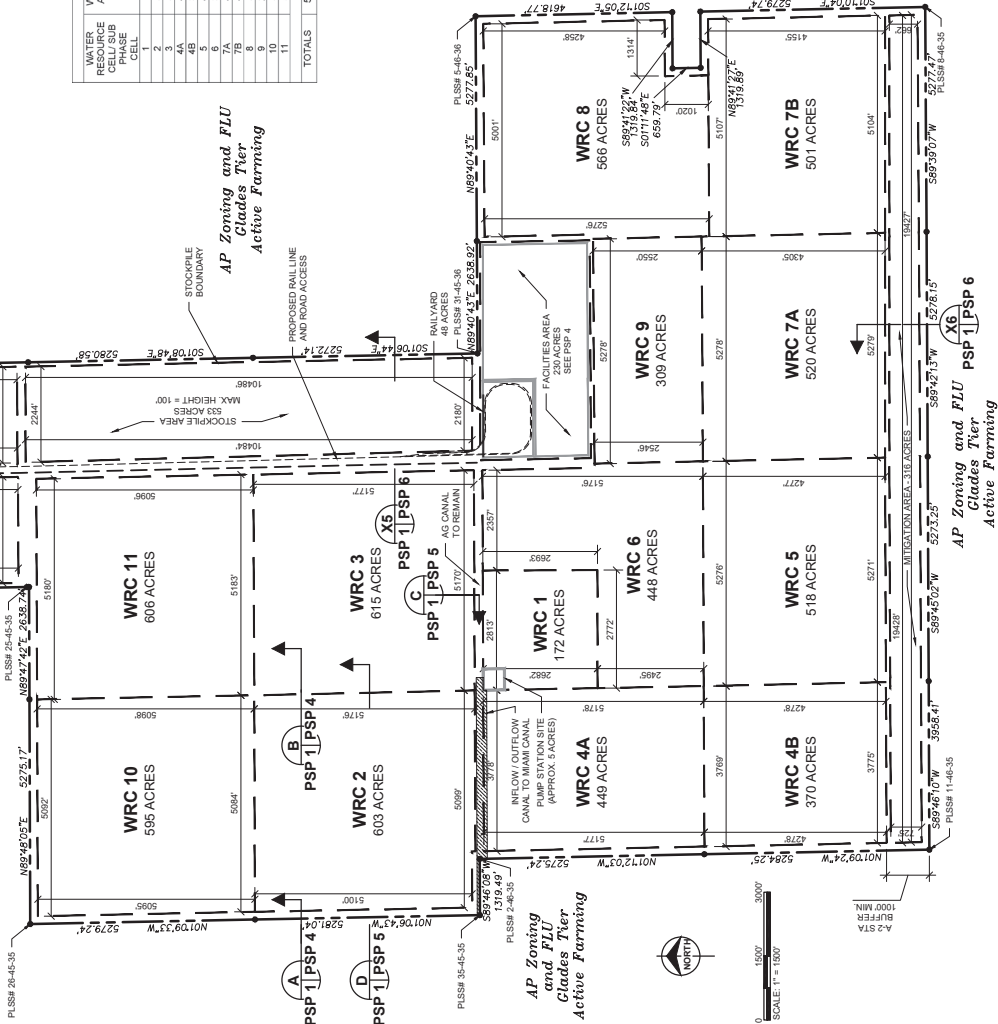
WRC 1

--- RAILWAY ALIGNMENT

--- MAIN ACCESS ROAD

MAIN ACCESS ROAD INTERSECTION
(SEE ACCESS DETAIL CONTAINING PSP 2)

MAIN ACCESS ROAD



| Land Use | Minimum Setbacks Required for Type III B Excavations (Based on a Minimum 1 Mile Separation) | Agriculture |
|----------------------------------|--|-------------|
| Excavated Lake Edge | 50' | 50' |
| Processing Equipment | 100' | 100' |
| Stock Piles | 100' | 100' |
| Accessory Buildings & Structures | 100' | 100' |

| WATER RESOURCE CELL / PHASE | LINEAR FEET OF SHORELINE | REQUIRED PLANTING AREA |
|-----------------------------|--------------------------|-------------------------|
| 1 | 10,900 | 87,800 sf (2.01 ac) |
| 2 | 10,500 | 84,000 sf (1.92 ac) |
| 3 | 20,706 | 165,648 sf (3.80 ac) |
| 4A | 17,902 | 143,216 sf (3.28 ac) |
| 4B | 16,100 | 128,800 sf (2.96 ac) |
| 5 | 16,000 | 128,000 sf (2.94 ac) |
| 6 | 20,706 | 166,152 sf (3.81 ac) |
| 7A | 19,139 | 153,112 sf (3.51 ac) |
| 7B | 18,671 | 149,368 sf (3.43 ac) |
| 8 | 19,500 | 156,000 sf (3.57 ac) |
| 9 | 14,692 | 124,216 sf (2.83 ac) |
| 10 | 20,369 | 162,952 sf (3.74 ac) |
| 11 | 20,557 | 164,456 sf (3.78 ac) |
| TOTAL | 240,632 | 1,925,456 sf (44.20 ac) |

| WATER RESOURCE CELL / SUB PHASE | WRC ACRES | UPLAND ACRES | STOCKPILE ACRES | RECEIVED UPLAND ACRES | EXCAVATION DURATION | PROPOSED RECLAMATION DATE |
|---------------------------------|-----------|--------------|-----------------|-----------------------|---------------------|---------------------------|
| 1 | 143.9 | 10.1 | 141.1 | 172.0 | 2158 | 5.3 |
| 2 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 3 | 575.0 | 17.2 | 575.0 | 592.0 | 8490 | 16.2 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 4440 | 14.0 |
| 4B | 343.4 | 15.6 | 339.2 | 370.0 | 5151 | 16.0 |
| 5 | 468.0 | 16.2 | 463.9 | 487.0 | 7033 | 13.3 |
| 6 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 5200 | 13.4 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 8 | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 9 | 250.0 | 14.0 | 250.0 | 260.0 | 4140 | 7.3 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8558 | 20.5 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 |
| TOTALS | 5824.0 | 232.9 | 5768.6 | 6052.0 | 87,361 | 178.6 |

| Acreage Tabular | |
|---------------------------------------|--------------------|
| Total Project Area | 6611.5 Acres |
| Proposed Water Resource Area | 6052.0 Acres |
| Total Uplands | 232.9 Acres |
| Proposed Uplands | 200.0 Acres |
| Impervious Upland / Facilities Area | 8.0 Acres |
| Agricultural Production Areas | 531.0 Acres |
| Mitigation Area | 316.0 Acres |
| Stockpile / Corridor | 15.6 Acres |
| Subsack Areas / Canals / Misc | 533.9 Acres |
| Total Site Perimeter | 84,699 Linear Feet |
| Minimum 75% Perimeter Provided @ 160' | 63,524 Linear Feet |
| Minimum 25% Perimeter Provided @ 100' | 21,175 Linear Feet |

| SEPARATION / SETBACK TABLE | |
|--|--|
| PLACE OF MEASUREMENT | MINIMUM REQUIRED SEPARATION (FROM RESIDENTIAL USE) |
| NORTH PROPERTY LINE | 18 MILE |
| EAST PROPERTY LINE | 5 MILE |
| WEST PROPERTY LINE | 18 MILE |
| PLANTS | 1/2 MILE |
| MINIMUM REQUIRED SEPARATION | 1/2 MILE |
| PUBLIC WATER SUPPLY WELL | 300 FEET |
| WETLANDS | 200 FEET |
| CONTAMINATION | 300 FEET |
| CLASS 2 LANDFILL | 300 FEET |
| POTABLE WATER WELL | 100 FEET |
| CONSERVATION & RECORD, OR ETC. | 200 FEET |
| MINIMUM REQUIRED SEPARATION (FROM INDUSTRIAL USES) | |
| LAND USE (FROM COMMERCIAL) | 1/2 MILE |
| INDUSTRIAL | 7 MILES |
| MINIMUM REQUIRED SETBACKS (FROM PROPERTY LINES) | |
| SETBACK FROM EXCAVATED LAKE (WATER RESOURCES) EDGE | 50 FEET |
| STOCKPILES | 100 FEET |
| ACCESSORY BUILDINGS | 150 FEET |

*Distances are approximate based on current plan and best available information

MINIMUM SETBACKS REQUIRED FOR TYPE III B EXCAVATIONS

| Land Use | Minimum Setbacks Required for Type III B Excavations (Based on a Minimum 1 Mile Separation) | Agriculture |
|----------------------------------|--|-------------|
| Excavated Lake Edge | 50' | 50' |
| Processing Equipment | 100' | 100' |
| Stock Piles | 100' | 100' |
| Accessory Buildings & Structures | 100' | 100' |

| WATER RESOURCE CELL / PHASE | LINEAR FEET OF SHORELINE | REQUIRED PLANTING AREA |
|-----------------------------|--------------------------|-------------------------|
| 1 | 10,900 | 87,800 sf (2.01 ac) |
| 2 | 10,500 | 84,000 sf (1.92 ac) |
| 3 | 20,706 | 165,648 sf (3.80 ac) |
| 4A | 17,902 | 143,216 sf (3.28 ac) |
| 4B | 16,100 | 128,800 sf (2.96 ac) |
| 5 | 16,000 | 128,000 sf (2.94 ac) |
| 6 | 20,706 | 166,152 sf (3.81 ac) |
| 7A | 19,139 | 153,112 sf (3.51 ac) |
| 7B | 18,671 | 149,368 sf (3.43 ac) |
| 8 | 19,500 | 156,000 sf (3.57 ac) |
| 9 | 14,692 | 124,216 sf (2.83 ac) |
| 10 | 20,369 | 162,952 sf (3.74 ac) |
| 11 | 20,557 | 164,456 sf (3.78 ac) |
| TOTAL | 240,632 | 1,925,456 sf (44.20 ac) |

| WATER RESOURCE CELL / SUB PHASE | WRC ACRES | UPLAND ACRES | STOCKPILE ACRES | RECEIVED UPLAND ACRES | EXCAVATION DURATION | PROPOSED RECLAMATION DATE |
|---------------------------------|-----------|--------------|-----------------|-----------------------|---------------------|---------------------------|
| 1 | 143.9 | 10.1 | 141.1 | 172.0 | 2158 | 5.3 |
| 2 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 3 | 575.0 | 17.2 | 575.0 | 592.0 | 8490 | 16.2 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 4440 | 14.0 |
| 4B | 343.4 | 15.6 | 339.2 | 370.0 | 5151 | 16.0 |
| 5 | 468.0 | 16.2 | 463.9 | 487.0 | 7033 | 13.3 |
| 6 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 5200 | 13.4 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 8 | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 9 | 250.0 | 14.0 | 250.0 | 260.0 | 4140 | 7.3 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8558 | 20.5 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 |
| TOTALS | 5824.0 | 232.9 | 5768.6 | 6052.0 | 87,361 | 178.6 |

| Acreage Tabular | |
|---------------------------------------|--------------------|
| Total Project Area | 6611.5 Acres |
| Proposed Water Resource Area | 6052.0 Acres |
| Total Uplands | 232.9 Acres |
| Proposed Uplands | 200.0 Acres |
| Impervious Upland / Facilities Area | 8.0 Acres |
| Agricultural Production Areas | 531.0 Acres |
| Mitigation Area | 316.0 Acres |
| Stockpile / Corridor | 15.6 Acres |
| Subsack Areas / Canals / Misc | 533.9 Acres |
| Total Site Perimeter | 84,699 Linear Feet |
| Minimum 75% Perimeter Provided @ 160' | 63,524 Linear Feet |
| Minimum 25% Perimeter Provided @ 100' | 21,175 Linear Feet |

| SEPARATION / SETBACK TABLE | |
|--|--|
| PLACE OF MEASUREMENT | MINIMUM REQUIRED SEPARATION (FROM RESIDENTIAL USE) |
| NORTH PROPERTY LINE | 18 MILE |
| EAST PROPERTY LINE | 5 MILE |
| WEST PROPERTY LINE | 18 MILE |
| PLANTS | 1/2 MILE |
| MINIMUM REQUIRED SEPARATION | 1/2 MILE |
| PUBLIC WATER SUPPLY WELL | 300 FEET |
| WETLANDS | 200 FEET |
| CONTAMINATION | 300 FEET |
| CLASS 2 LANDFILL | 300 FEET |
| POTABLE WATER WELL | 100 FEET |
| CONSERVATION & RECORD, OR ETC. | 200 FEET |
| MINIMUM REQUIRED SEPARATION (FROM INDUSTRIAL USES) | |
| LAND USE (FROM COMMERCIAL) | 1/2 MILE |
| INDUSTRIAL | 7 MILES |
| MINIMUM REQUIRED SETBACKS (FROM PROPERTY LINES) | |
| SETBACK FROM EXCAVATED LAKE (WATER RESOURCES) EDGE | 50 FEET |
| STOCKPILES | 100 FEET |
| ACCESSORY BUILDINGS | 150 FEET |

*Distances are approximate based on current plan and best available information

Development Regulations

| Zoning District | Code Provided | Minimum Lot Dimension | | Frontage | Depth | FAR | Subsack / Separations | | | |
|-----------------|---------------|-----------------------|--------|----------|--------|-----|-----------------------|------------------|------------|--------|
| | | Size | Width | | | | Max Bldg. Cover | Max Bldg. Height | Front Side | Rear |
| AP | | 10 ac | 300' | 300' | 300' | - | 10% | 35' | 100' | 100' |
| AP | 683151 | ac | > 300' | > 300' | > 300' | | < 10% | < 35' | 1 mile | 1 mile |

AP Zoning and FLU
Glades Tier
Active Farming

LEGEND

--- PROJECT BOUNDARY / SEEPAGE CANALS (AS REQUIRED)

--- WATER RESOURCE CELL (WRC) BOUNDARY

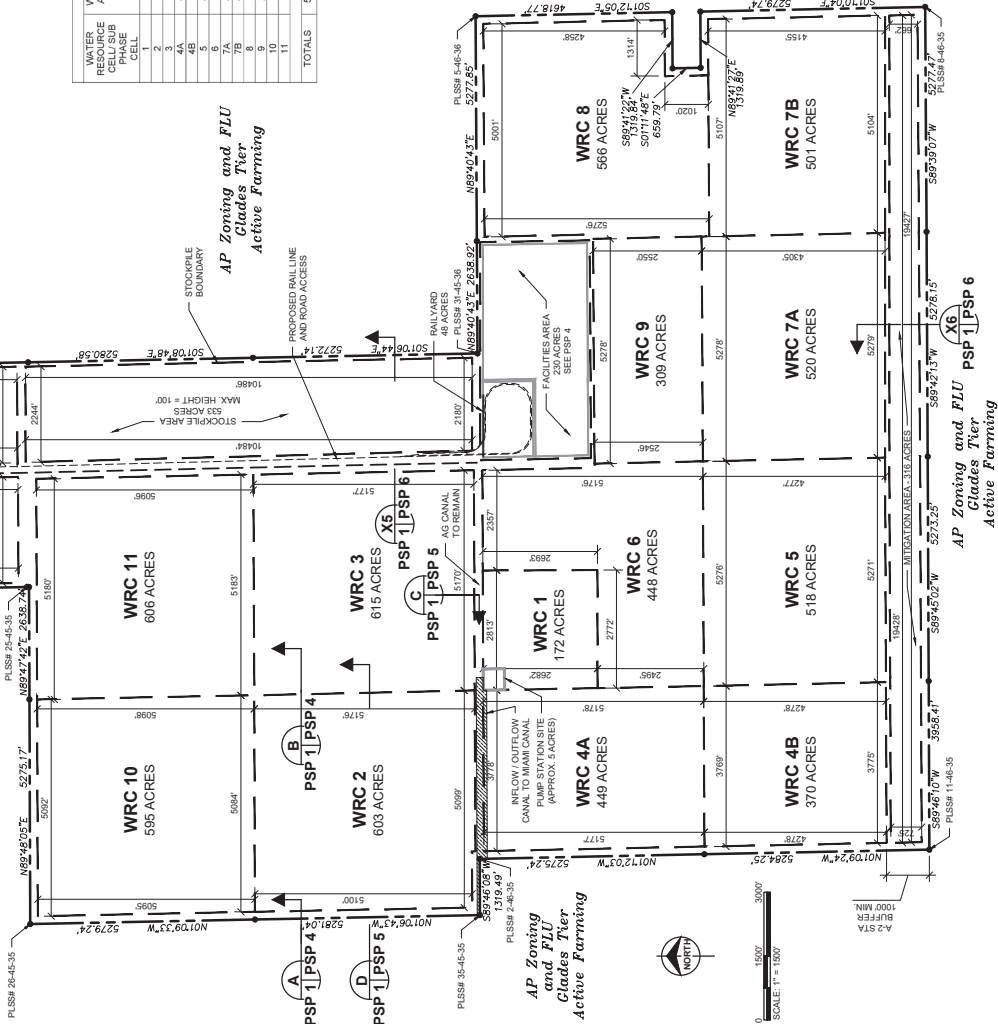
WRC 1

--- RAILWAY ALIGNMENT

--- MAIN ACCESS ROAD

MAIN ACCESS ROAD INTERSECTION
(SEE ACCESS DETAIL CONTAINING PSP 2)

MAIN ACCESS ROAD



MINIMUM SETBACKS REQUIRED FOR TYPE III B EXCAVATIONS

| Land Use | Minimum Setbacks Required for Type III B Excavations (Based on a Minimum 1 Mile Separation) | Agriculture |
|----------------------------------|--|-------------|
| Excavated Lake Edge | 50' | 50' |
| Processing Equipment | 100' | 100' |
| Stock Piles | 100' | 100' |
| Accessory Buildings & Structures | 100' | 100' |

| WATER RESOURCE CELL / PHASE | LINEAR FEET OF SHORELINE | REQUIRED PLANTING AREA |
|-----------------------------|--------------------------|-------------------------|
| 1 | 10,900 | 87,800 sf (2.01 ac) |
| 2 | 10,500 | 84,000 sf (1.92 ac) |
| 3 | 20,706 | 165,648 sf (3.80 ac) |
| 4A | 17,902 | 143,216 sf (3.28 ac) |
| 4B | 16,100 | 128,800 sf (2.96 ac) |
| 5 | 16,000 | 128,000 sf (2.94 ac) |
| 6 | 20,706 | 166,152 sf (3.81 ac) |
| 7A | 19,139 | 153,112 sf (3.51 ac) |
| 7B | 18,671 | 149,368 sf (3.43 ac) |
| 8 | 19,500 | 156,000 sf (3.57 ac) |
| 9 | 14,692 | 124,216 sf (2.83 ac) |
| 10 | 20,369 | 162,952 sf (3.74 ac) |
| 11 | 20,557 | 164,456 sf (3.78 ac) |
| TOTAL | 240,632 | 1,925,456 sf (44.20 ac) |

| WATER RESOURCE CELL / SUB PHASE | WRC ACRES | UPLAND ACRES | STOCKPILE ACRES | RECEIVED UPLAND ACRES | EXCAVATION DURATION | PROPOSED RECLAMATION DATE |
|---------------------------------|-----------|--------------|-----------------|-----------------------|---------------------|---------------------------|
| 1 | 143.9 | 10.1 | 141.1 | 172.0 | 2158 | 5.3 |
| 2 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 3 | 575.0 | 17.2 | 575.0 | 592.0 | 8490 | 16.2 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 4440 | 14.0 |
| 4B | 343.4 | 15.6 | 339.2 | 370.0 | 5151 | 16.0 |
| 5 | 468.0 | 16.2 | 463.9 | 487.0 | 7033 | 13.3 |
| 6 | 566.0 | 20.0 | 566.0 | 603.0 | 8490 | 16.2 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 5200 | 13.4 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 8 | 473.7 | 18.3 | 468.8 | 492.0 | 5010 | 15.7 |
| 9 | 250.0 | 14.0 | 250.0 | 260.0 | 4140 | 7.3 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8558 | 20.5 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 |
| TOTALS | 5824.0 | 232.9 | 5768.6 | 6052.0 | 87,361 | 178.6 |

| Acreage Tabular | |
|---------------------------------------|--------------------|
| Total Project Area | 6611.5 Acres |
| Proposed Water Resource Area | 6052.0 Acres |
| Total Uplands | 232.9 Acres |
| Proposed Uplands | 200.0 Acres |
| Impervious Upland / Facilities Area | 8.0 Acres |
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| Mitigation Area | 316.0 Acres |
| Stockpile / Corridor | 15.6 Acres |
| Subsack Areas / Canals / Misc | 533.9 Acres |
| Total Site Perimeter | 84,699 Linear Feet |
| Minimum 75% Perimeter Provided @ 160' | 63,524 Linear Feet |
| Minimum 25% Perimeter Provided @ 100' | 21,175 Linear Feet |

| SEPARATION / SETBACK TABLE | |
|--|--|
| PLACE OF MEASUREMENT | MINIMUM REQUIRED SEPARATION (FROM RESIDENTIAL USE) |
| NORTH PROPERTY LINE | 18 MILE |
| EAST PROPERTY LINE | 5 MILE |
| WEST PROPERTY LINE | 18 MILE |
| PLANTS | 1/2 MILE |
| MINIMUM REQUIRED SEPARATION | 1/2 MILE |
| PUBLIC WATER SUPPLY WELL | 300 FEET |
| WETLANDS | 200 FEET |
| CONTAMINATION | 300 FEET |
| CLASS 2 LANDFILL | 300 FEET |
| POTABLE WATER WELL | 100 FEET |
| CONSERVATION & RECORD, OR ETC. | 200 FEET |
| MINIMUM REQUIRED SEPARATION (FROM INDUSTRIAL USES) | |
| LAND USE (FROM COMMERCIAL) | 1/2 MILE |
| INDUSTRIAL | 7 MILES |
| MINIMUM REQUIRED SETBACKS (FROM PROPERTY LINES) | |
| SETBACK FROM EXCAVATED LAKE (WATER RESOURCES) EDGE | 50 FEET |
| STOCKPILES | 100 FEET |
| ACCESSORY BUILDINGS | 150 FEET |

*Distances are approximate based on current plan and best available information

Development Regulations

| Zoning District | Code Provided | Minimum Lot Dimension | | Frontage | Depth | FAR | Subsack / Separations | | | |
|-----------------|---------------|-----------------------|--------|----------|--------|-----|-----------------------|------------------|------------|--------|
| | | Size | Width | | | | Max Bldg. Cover | Max Bldg. Height | Front Side | Rear |
| AP | | 10 ac | 300' | 300' | 300' | - | 10% | 35' | 100' | 100' |
| AP | 683151 | ac | > 300' | > 300' | > 300' | | < 10% | < 35' | 1 mile | 1 mile |

AP Zoning and FLU
Glades Tier
Active Farming

LEGEND

--- PROJECT BOUNDARY / SEEPAGE CANALS (AS REQUIRED)

--- WATER RESOURCE CELL (WRC) BOUNDARY

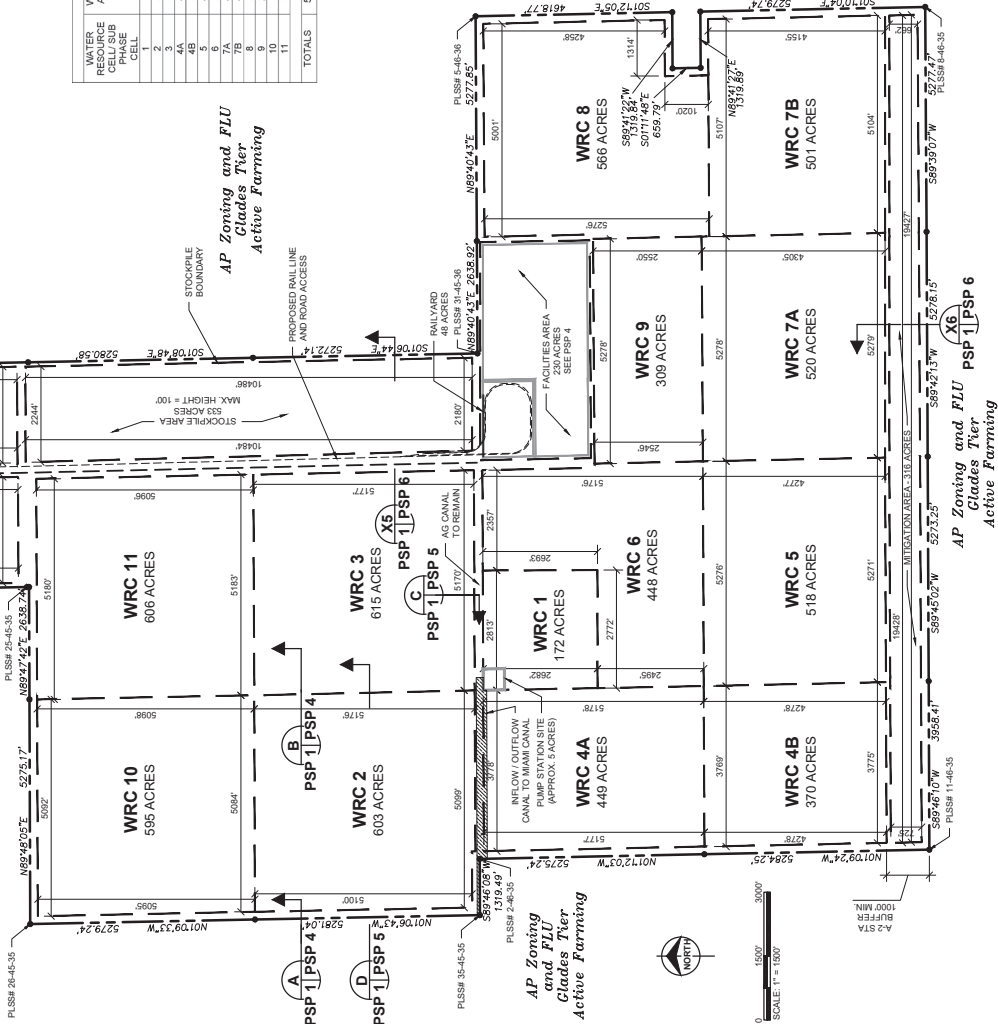
WRC 1

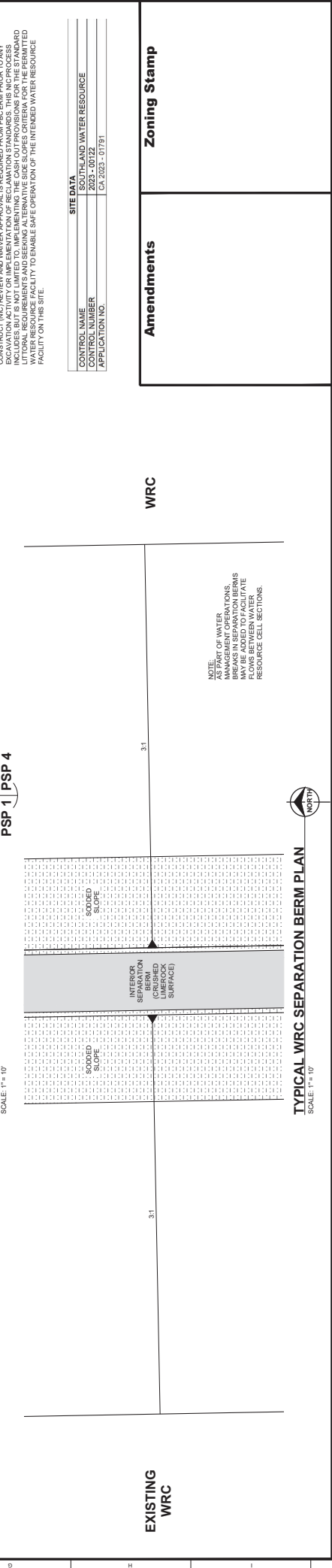
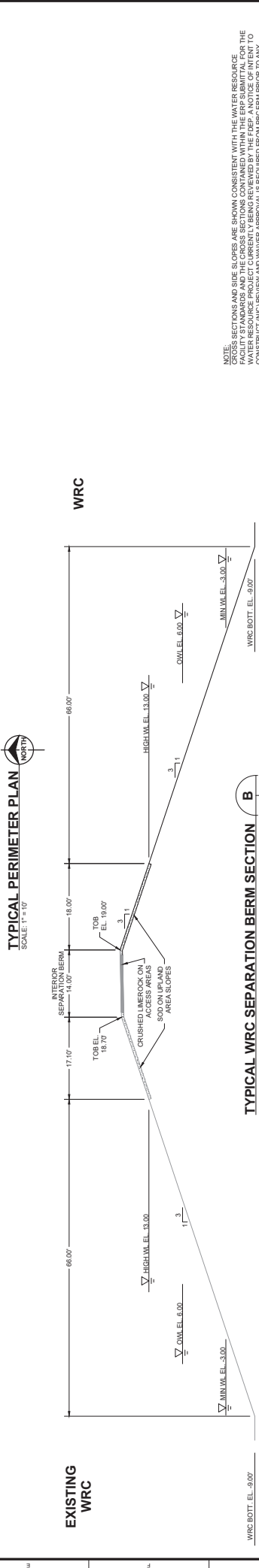
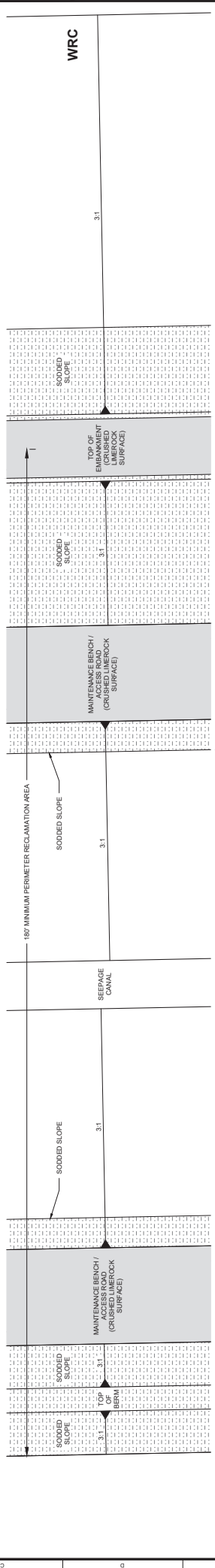
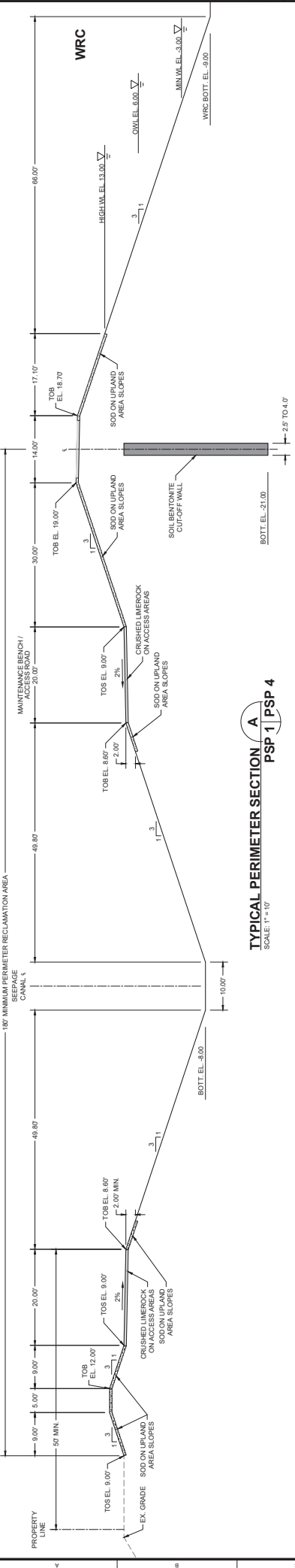
--- RAILWAY ALIGNMENT

--- MAIN ACCESS ROAD

MAIN ACCESS ROAD INTERSECTION
(SEE ACCESS DETAIL CONTAINING PSP 2)

MAIN ACCESS ROAD





NOTE: CROSS SECTIONS AND SIDE SLOPES ARE SHOWN CONSISTENT WITH THE WATER RESOURCE PROJECT. THE EXISTING EARTHWORKS ARE SHOWN AS EXISTING. THE INTENT TO CONSTRUCT (PROJECT) CURRENTLY BEING REVIEWED BY THE EPER. NOTICE OF INTENT TO CONSTRUCT (NOI) REVIEW AND WAIVER APPROVAL IS REQUIRED FROM PER PRIOR TO ANY EXCAVATION ACTIVITY OR IMPLEMENTATION OF RECLAMATION STANDARDS. THIS NCP PROCESS INCLUDES BUT IS NOT LIMITED TO, IMPLEMENTING THE CASH OUT PROVISIONS FOR THE STANDARD WATER REQUIREMENT AND SEEKING AN ALTERNATIVE SIDE SLOPE CRITERIA FOR THE PERMITTED FACILITY. THE FACILITY WILL BE CONSTRUCTED TO ENSURE SAFE OPERATION OF THE INTENDED WATER RESOURCE FACILITY ON THIS SITE.

| SITE DATA | |
|-----------------|--------------------------|
| CONTROL NAME | SOUTHLAND WATER RESOURCE |
| CONTROL NUMBER | 2023 - 00122 |
| APPLICATION NO. | CA 2023 - 01791 |

Zoning Stamp

Amendment



PHILLIPS & JORDAN, INC.
PHONE: (865) 688-8369
10142 PARKSIDE DRIVE, SUITE 500
KNOXVILLE, TN 37922

| | | | | |
|-------------------|----------------|----------------------|---------------|-----------------|
| ENGINEER: C. WARD | DRAWN: R. HUNT | CHECKED: C. McDONALD | DATE: 01/2025 | SCALE: AS SHOWN |
|-------------------|----------------|----------------------|---------------|-----------------|

| DATE | DRAWN | REF# |
|------|-------|------|
| | | |
| | | |
| | | |
| | | |

NOTE: CROSS SECTIONS AND SIDE SLOPES ARE SHOWN CONSISTENT WITH THE WATER RESOURCE FACILITY STANDARDS AND THE CROSS SECTIONS CONTAINED WITHIN THE ERP SUBMITTAL FOR THE CONSTRUCTION OF THE WATER RESOURCE FACILITY. A PERMIT FROM THE STATE OF CALIFORNIA TO CONSTRUCT AND REVIEW AND WAIVER APPROVAL IS REQUIRED FROM THE PERMITS FOR ANY EXCAVATION ACTIVITY OR IMPLEMENTATION OF RECLAMATION STANDARDS. THIS NIC PROPOSES INCLUDES, BUT IS NOT LIMITED TO, IMPLEMENTING THE CASH-OUT PROVISIONS FOR THE STANDARD WATER RESOURCE FACILITY TO ENABLE SAFE OPERATION OF THE INTENDED WATER RESOURCE FACILITY ON THIS SITE.

| SITE DATA | |
|-----------------|--------------------------|
| CONTROL NAME | SOUTHLAND WATER RESOURCE |
| CONTROL NUMBER | 2023 - 00122 |
| APPLICATION NO. | CA 2023 - 01791 |

| Amendments | Zoning Stamp |
|------------|--------------|
|------------|--------------|

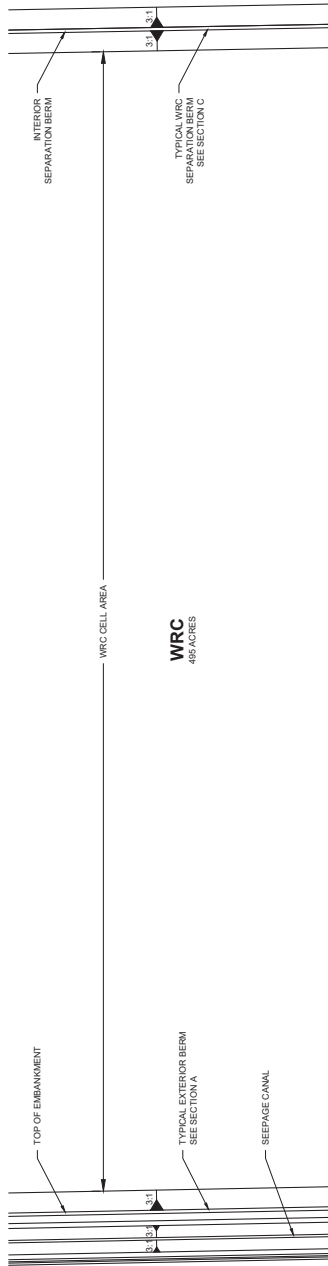
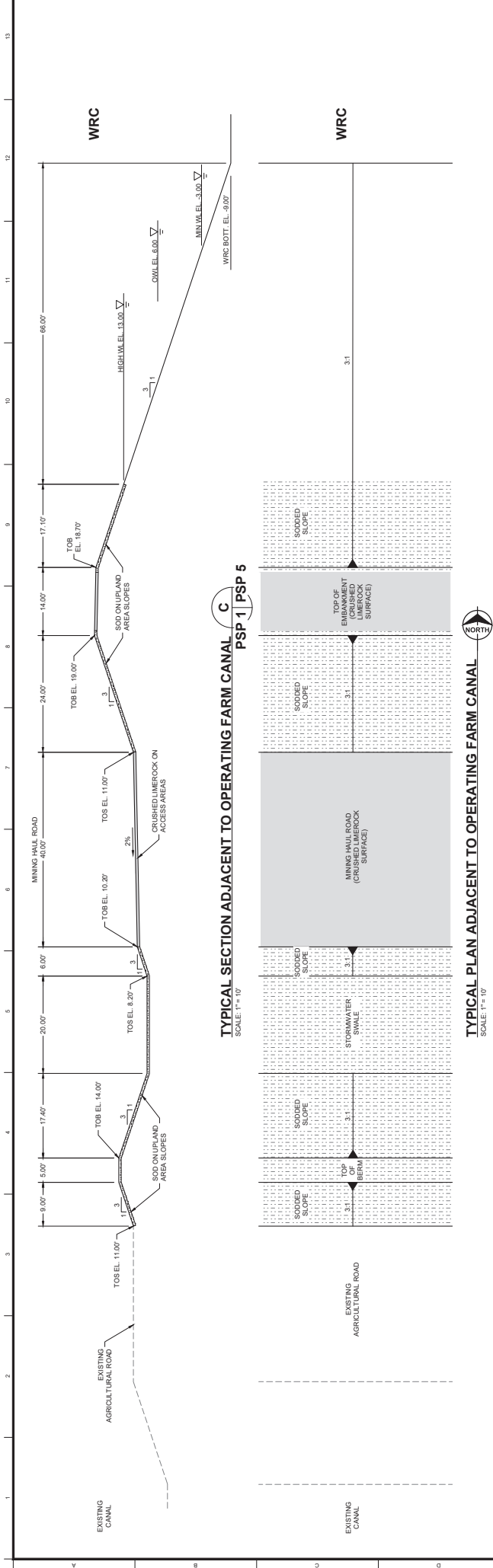


Exhibit E.2 - Preliminary Regulating Plan



| WATER RESOURCE CELL TYPE | LITTORAL SHELF LINEAR FEET OF SHORELINE | REQUIRED PLANTING |
|-----------------------------|---|-------------------------|
| 1 | 10,960 | 87,680 sf (2.01 ac) |
| 2 | 20,159 | 165,672 sf (3.78 ac) |
| 3 | 17,902 | 143,216 sf (3.26 ac) |
| 4 | 17,902 | 143,216 sf (3.26 ac) |
| 4B | 16,100 | 128,800 sf (2.96 ac) |
| 5 | 19,062 | 152,500 sf (3.51 ac) |
| 6 | 19,062 | 152,500 sf (3.51 ac) |
| 7 | 19,139 | 153,112 sf (3.51 ac) |
| 7B | 18,971 | 149,368 sf (3.41 ac) |
| 8 | 20,869 | 166,952 sf (3.79 ac) |
| 9 | 15,652 | 125,216 sf (2.81 ac) |
| 10 | 20,869 | 166,952 sf (3.74 ac) |
| 11 | 20,957 | 164,456 sf (3.75 ac) |
| TOTAL | 240,992 | 1,924,456 sf (44.20 ac) |

PHILLIPS & JORDAN, INC.
PHONE: (865) 688-8369
10142 PARKSIDE DRIVE, SUITE 500
KNOXVILLE, TN 37922



SOUTHLAND WATER RESOURCE

SOUTHLANDS PRP-1 PHASING

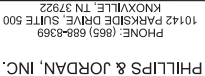
PROJECT ID NO.
160234
DRAWING NUMBER
PRP 1
SHEET
1 OF 1

| SITE DATA | |
|-----------------|--------------------------|
| CONTROL NAME | SOUTHLAND WATER RESOURCE |
| CONTROL NUMBER | 2023 - 00122 |
| APPLICATION NO. | CA 2023 - 01791 |

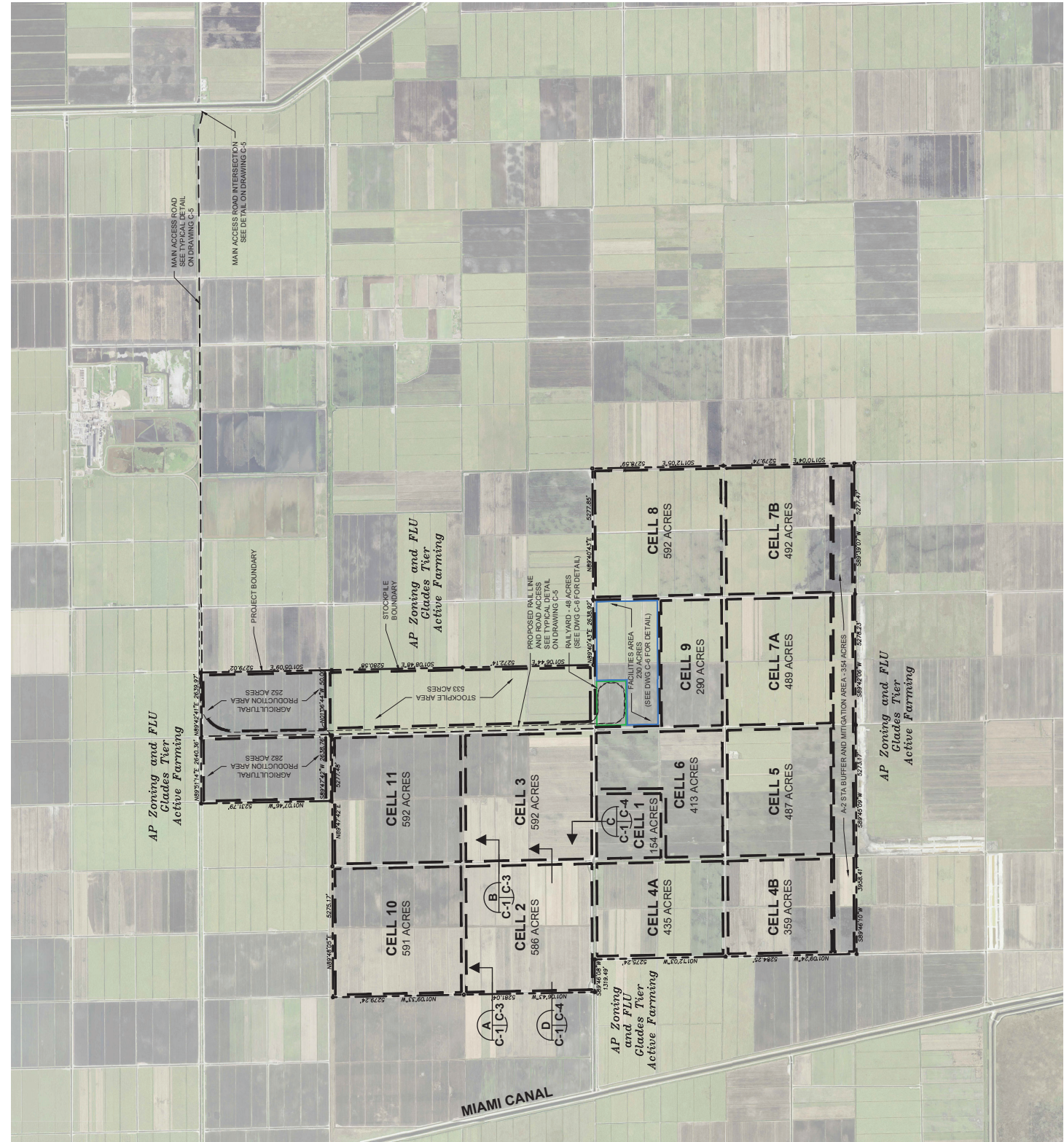
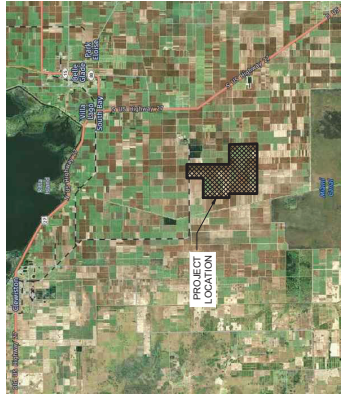
SITE DATA

Zoning Stamp

Amendments



| LEGEND | |
|---|---|
|  | PROJECT BOUNDARY / SEEPAGE CANALS (AS REQUIRED) |
|  | CELL BOUNDARY |
|  | CELL SEQUENCE |
|  | RAILWAY ALIGNMENT |
|  | MAIN ACCESS ROAD |



SOUTHLAND WATER RESOURCE
RAILYARD REGULATING (PHASING) PLAN -
RAILYARD / FACILITIES AREA DETAIL



PHILLIPS & JORDAN, INC.
PHONE: (865) 688-8369
10142 PARKSIDE DRIVE, SUITE 500
KNOXVILLE, TN 37922

| | | | |
|-------------------|----------------|----------------------|----------------|
| ENGINEER: C. WARD | DRAWN: J. HUNT | CHECKED: C. McDONALD | DATE: 01/02/24 |
| SCALE: AS SHOWN | | | |

| REVISION DESCRIPTION | DATE | DRAWN | REF |
|----------------------|------|-------|-----|
| | | | |
| | | | |
| | | | |
| | | | |

Zoning Stamp

Amendments



RAILYARD / FACILITIES AREA DETAIL
SCALE: 1" = 200'

CELL 9
290 ACRES

CELL 8
592 ACRES

CELL 6
413 ACRES

CELL 3
592 ACRES

AP Zoning and FLU
Clades Tier
Active Farming

MIN. 100' SETBACK
FROM PROPERTY LINE

STOCKPILE AREA
533 ACRES

FACILITIES AREA
230 ACRES

RAILYARD
48 ACRES

3171'

2445'

4982'

1231'

1180'

1775'

1181'

1768'

1816'

1243'

Exhibit E.3 - Disclosure

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Kenneth W. McDuffie, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ President and CEO [position - e.g., president, partner, trustee] of United States Sugar Corporation [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 111 Ponce de Leon Ave
Clemiston, FL 33440
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Kenneth W. McDuffie
Kenneth W. McDuffie, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 2nd day of April, 2024 by Kenneth W. McDuffie (name of person acknowledging). ☒ He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Jodi Rush
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 6/7/28



EXHIBIT "A"
PROPERTY

Exhibit A

US SUGAR CORPORATION

All of Sections 25, 26, 35, and 36, Township 45 South, Range 35, and the Northwest 1/4 of Section 1, Township 46 South, Range 35 East, of Palm Beach County, Florida, being more particularly described as follows:

Beginning at the southwest corner of said Section 35, said corner being designated by a found 1-inch iron pipe and cap stamped "LB 4108" as per the certified corner record, document #113169, filed with the Florida Department of Environmental Protection, thence North 01°06'43" West, along the west line of said Section 35, a distance of 5,281.04 feet to the northwest corner of said Section 35, also being the southwest corner of said Section 26; thence North 01°09'33" West, along the west line of said Section 26, a distance of 5,279.24 feet to northwest corner of said Section 26, thence North 89°48'05" East, along the north line of said Section 26, a distance of 5,275.17 feet to the northeast corner of said Section 26, also being the northwest corner of said Section 25; thence North 89°47'42" East, along the north line of said Section 25, a distance of 5,277.48 feet to the northeast corner of said Section 25, also being the east line Township 35 South, Range 36 East; thence South 01°09'24" East, along the east line of said Section 25, a distance of 5,282.22 feet to the southeast corner said Section 25, also being the northeast corner of said Section 36; thence South 01°05'11" East, along the east line of said Section 36, a distance of 5272.02 feet to the southeast corner of said Section 36, also being the south line of Township 45 South, Range 35 East; thence South 89°45'39" West, along the south line of Southeast 1/4 of said Section 36, a distance of 2,632.04 feet to the South Quarter-corner (1/4) of said Section 36, also being the North Quarter-corner (1/4) of Section 1, Township 46 South, Range 35 East; thence South 01°11'29" East, along the east line of the Northwest 1/4 of said Section 1, a distance of 2,640.67 feet to the southeast corner of the said Northwest 1/4; thence South 89°45'10" West, along the south line of said Northwest 1/4, a distance of 2,638.87 feet to the southwest corner of said Northwest 1/4; thence North 01°12'57" West, along the west line of said Northwest 1/4, a distance of 2641.18 feet to the northwest corner said Section 1, also being the southeast corner of the aforesaid Section 35; thence South 89°46'08" West, along the south line of said Section 35, a distance of 5277.95 feet to the said Point of Beginning.

LESS AND EXCEPT Parcel T-15, located in Section 35, Township 45 South, Range 35 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the southeast corner of said Section 35; thence South 89°45'59" West, 126.60 feet along the south line of said Section 35 to a point on the south line of Parcel T-15; thence at right angles of said Parcel T-15; thence at right angles to the preceding course North 00°14'01" West, 21.09 feet to the Point of Beginning of the hereinafter described area; thence North 01°46'46" East, 104.04 feet; thence North 87°46'51" West, 54.06 feet; thence South 01°46'46" West, 106.25 feet; thence North 89°52'42" East, 54.09 feet to the Point of Beginning.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

| Name | Address |
|--------------|---------|
| See Attached | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

EXHIBIT B - Disclosure of Ownership Interests - Property

United States Sugar Corporation - Owner of the Property

Entities owning 5% or more

| | | |
|---|--|--|
| 1 | ESOP - Trustee - Newport Trust Company, NA | Address |
| 2 | Charles Stewart Mott Foundation - Non-Profit | 515 S. Figueroa Street, Suite, Los Angeles, California 99071 |
| 3 | Mott Children's Health Center - Non-Profit | 201 W. Big Beaver Road, Suite 900, Troy, Michigan 48084-4169 |
| 4 | Community Foundation of Greater Flint - Non-Profit | 806 Turri Place, Flint, Michigan 48503 |
| 5 | Private Trust - None of the Beneficiaries are Palm Beach County Commissioners listed below | 500 S. Saginaw Street, Suite 200, Flint, Michigan 48502 |
| | a) Maria Sachs | |
| | b) Maria G. Marino | |
| | c) Gregg K. Weiss | |
| | d) Michael A. Barnett | |
| | e) Marci Woodward | |
| | f) Sara Baxter | |
| | g) Mack Bernard | |

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Armando A. Tabernilla, Vice President, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ Vice President [position - e.g., president, partner, trustee] of Okeelanta Corporation [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1 North Clematis Street, Suite 200
West Palm Beach, FL 33401
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Armando A. Tabernilla
Armando A. Tabernilla, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th by Bench 2023 (name of person acknowledging). He/she is personally known to me or has produced (type of identification) as identification and did/did not take an oath (circle correct response).

Benjamin L. Sadler
(Name - type, stamp or print clearly)

B. L. Sadler
(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP



Exhibit A

OKEELANTA CORPORATION

PARCEL 1:

That part of East 1/2 of Section 24, Township 45 South, Range 35 East, and the West 1/2 of Sections 19, 30, and 31, Township 45 South, Range 36 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the southwest corner of said Section 31, said corner being designated by a found 1-inch iron pipe and cap stamped "LB 4108" as per the certified corner record, document #113712, filed with the Florida Department of Environmental Protection; thence North 01°05'11" West, along the west line of said Section 31, a distance of 5,272.02 feet to the northwest corner of said Section 31, also being the southwest corner of said Section 30; thence North 01°09'24" West, along the west line of said Section 30, a distance of 5,282.22 feet to northwest corner of said Section 30, also being the southeast corner of said Section 24, Township 45 South, Range 35 East; thence South 89°47'42" West, along the south line of said Section 24, a distance of 2,638.74 feet to the southwest corner of the East one-half of said Section 24; thence North 01°07'46" West, along the west line of the East one-half of said Section 24, a distance of 5,281.79 feet to the northwest corner of the East one-half (1/2) of said Section 24; thence North 89°51'14" East, along the north line of the east one-half (1/2) of said Section 24, a distance of 2,640.36 feet to the northeast corner of said Section 24, also being the northwest corner of said Section 19, Township 35 South, Range 36 East; thence North 89°42'41" East, along the north line of said Section 19, a distance of 2,639.97 feet to the northeast corner of the West one-half (1/2) of said Section 19; thence South 01°05'09" East, along the east line of the West one-half (1/2) of said Section 19, a distance of 5,279.02 feet to the southeast corner of the West one-half (1/2) said Section 19, also being the northeast corner of the West one-half (1/2) of said Section 30; thence South 01°08'48" East, along the east line of the west one-half (1/2) of said Section 30, a distance of 5,280.58 feet to the southeast corner of the west one-half (1/2) said Section 30, also being the northeast corner of the West one-half (1/2) said Section 31; thence South 01°06'44" East, along the east line of the West one-half (1/2) said Section 31, a distance of 5,272.14 feet to the southeast corner of the West one-half (1/2) of said Section 31; thence South 89°40'43" West, along the south line of the West one-half (1/2) of said Section 31, a distance of 2,638.92 feet to the said Point of Beginning.

AND

PARCEL 2:

That part of Section 5, all of Sections 7 and 8, Township 46 South, Range 36 East, and that part of Section 1, the East 3/4 of Sections 2 and 11, and all of Section 12, Township 46 South, Range 35 East, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the northeast corner of said Section 1, said corner being designated by a found 1-inch iron pipe and cap stamped "LB 4108" as per the certified corner record, document #113712, filed with the Florida Department of Environmental Protection; thence South 01°10'55" East, along the east line of said Section 1, a distance of 5280.58 feet to the southeast corner of said Section 1, also being the northwest corner of Section 7, Township 46 South, Range 36 East; thence North 89°38'40"

East, along the north line of Section 7, a distance of 5,277.89 feet to the northeast corner of said Section 7, also being the southwest corner of said Section 5; thence North 01°10'58" West, along the west line of said Section 5, a distance of 5,277.43 feet to the northwest corner of said Section 5; thence North 89°40'43" East, along the north line of said Section 5, a distance of 5,277.85 feet to the northeast corner of said Section 5; thence South 01°12'05" East, along the east line of said Section 5, a distance 5,278.59 feet to the southeast corner of said Section 5, also being the northeast corner of said Section 8; thence South 01°10'04" East, along the east line of said Section 8, a distance 5,279.74 feet to the southeast corner of said Section 8; thence South 89°39'07" West, along the south line of said Section 8, a distance of 5,277.47 feet to the southwest corner of said Section 8, also being southeast corner of said Section 7; thence South 89°42'13" West, along the south line of said Section 7, a distance of 5,278.15 feet to the southwest corner said Section 7, also being the southeast corner of said Section 12, Township 46 South, Range 35 East; thence South 89°45'02" West, along the south line of said Section 12, a distance of 5,273.25 feet to the southwest corner said Section 12, also being the southeast corner of said Section 11; thence South 89°46'10" West, along the south line of said Section 11, a distance of 3,958.41 feet to the southwest corner of the East three-quarter (3/4) of said Section 11; thence North 01°09'24" West, along the west line of the East three-quarter (3/4) of said Section 11, a distance of 5,284.25 feet to northwest corner of the East three-quarter (3/4) of said Section 11, also being the southwest corner of East three-quarter (3/4) of said Section 2; thence North 01°12'03" West, along the west line of the East three-quarter (3/4) of said Section 2, a distance of 5,275.24 feet to northwest corner of the East three-quarter (3/4) of said Section 2; thence North 89°46'08 East, along the north line of the East three-quarter (3/4) of said Section 2, a distance of 3,958.46 feet to the northeast corner of said Section 2, also being the northwest corner of said Section 1; thence South 01°12'57" East, along the west line of said Section 1, a distance of 2,641.18 feet to the southwest corner of the Northwest 1/4 of said Section 1; thence North 89°45'10" East, along the south line of said Northwest 1/4, a distance of 2,638.87 feet to the southeast corner of said Northwest 1/4; thence North 01°11'29" West, along the east line of the Northwest 1/4 of said Section 1, a distance of 2,640.67 feet to the northeast corner of said Northwest 1/4 ; thence North 89°45'39" East, along the north line of said Section 1, a distance of 2,632.04 feet to the said Point of Beginning.

LESS AND EXCEPT that part of Section 5, Township 46 South, Range 36 East, of Palm Beach County, Florida, being more particularly described as follows:

Commence at the southeast corner of said Section 5, said corner being designated by a set 1-inch iron pipe and cap stamped "LB 364"; thence South 89°41'27" West, along the south line of said Section 5, a distance of 1319.89 feet to the southeast corner of the Southwest 1/4 of the Southeast 1/4 of said Section 5, and the Point of Beginning of this description; thence continue South 89°41'27" West, along the south line of said Southwest 1/4 of the Southeast 1/4, a distance of 1,319.89 feet to southwest corner of the said Southwest 1/4 of the Southeast 1/4; thence North 01°11'32" West, along the west line of said Southwest 1/4 of the Southeast 1/4, a distance of 1,319.50 feet to northwest corner of said Southwest 1/4 of the Southeast 1/4; thence North 89°41'16" East, along the north line of said Southwest 1/4 of the Southeast 1/4, a distance of 1,319.79 feet to the northeast corner of said Southwest 1/4 of the Southeast 1/4; thence South 01°11'48" East, along the east line of said Southwest 1/4 of the Southeast 1/4, a distance of 1,319.58 feet to the said Point of Beginning.

AND

PARCEL 3:

Parcel T-15, located in Section 35, Township 45 South, Range 35 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the southeast corner of said Section 35; thence South 89°45'59" West, 126.60 feet along the south line of said Section 35 to a point on the south line of Parcel T-15; thence at right angles of said Parcel T-15; thence at right angles to the preceding course North 00°14'01" West, 21.09 feet to the Point of Beginning of the hereinafter described area; thence North 01°46'46" East, 104.04 feet; thence North 87°46'51" West, 54.06 feet; thence South 01°46'46" West, 106.25 feet; thence North 89°52'42" East, 54.09 feet to the Point of Beginning.

LARAMIE LODGE # 390 SITE LEGAL

All of Section 6, Township 46 South, Range 36 East, of Palm Beach County, Florida, being more particularly described as follows:

Beginning at the northwest corner of said Section 6, said corner being designated by a found 1-inch iron pipe and cap stamped "LB 4108" as per the certified corner record, document #113712, filed with the Florida Department of Environmental Protection, thence North 89°40'43" East, along the north line of said Section 6, a distance of 5,277.84 feet to the northeast corner of said Section 6; thence South 01°10'58" East, along the east line of said Section 6, a distance of 5,277.43 feet to southeast corner of said Section 6; thence South 89°38'40" West, along the south line of said Section 6, a distance of 5,277.89 to the southwest corner of said Section 6; thence North 01°10'55" West, along the west line of said Section 6, a distance of 5,280.58 feet to the said Point of Beginning.

| EXHIBIT B | |
|--|---|
| DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT | |
| Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public. | |
| Owner Name | Address |
| New Hope Sugar Co-op | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| New Hope Sugar Company | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Florida Crystals Corporation | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| BrandyTrust Crystals, LLC | 7234 Lancaster Pike, Suite 300-A Hockessin, Delaware 19707 |
| Woolsey S. de R.L. | 499 Park Avenue, 24th Floor New York, NY 10022 |
| Fanjul Corp. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Alfonso | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Alexander L. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Andres B. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Jose F. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Lillian | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

*[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR
COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]*

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE


STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared
Armando A. Tabernilla, Vice President, hereinafter referred to as "Affiant," who
being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ Vice President *[position -
e.g., president, partner, trustee] of Okeelanta Corporation [name and type of entity
- e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest
in real property legally described on the attached Exhibit "A" (the "Property"). The
Property is the subject of an application for Comprehensive Plan amendment or
Development Order approval with Palm Beach County.*
2. Affiant's address is: 1 North Clematis Street, Suite 200
West Palm Beach, FL 33401
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of
every person or entity having a five percent or greater interest in the Property.
Disclosure does not apply to an individual's or entity's interest in any entity registered
with the Federal Securities Exchange Commission or registered pursuant to
Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County
policy, and will be relied upon by Palm Beach County in its review of application for
Comprehensive Plan amendment or Development Order approval affecting the
Property. Affiant further acknowledges that he or she is authorized to execute this
Disclosure of Ownership Interests on behalf of any and all individuals or entities holding
a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to
reflect any changes to ownership interests in the Property that may occur before the
date of final public hearing on the application for Comprehensive Plan amendment or
Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the
penalties provided by the laws of the State of Florida for falsely swearing to statements
under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.



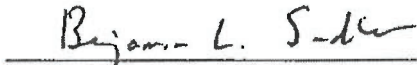
Armando A. Tabernilla, Affiant

(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th by Devin 2023 (name of person acknowledging). He/she is personally known to me or has produced (type of identification) as identification and did/did not take an oath (circle correct response).



(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on: _____

NOTARY'S SEAL OR STAMP

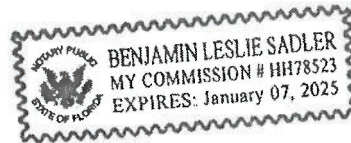


EXHIBIT "A"

PROPERTY

Section 2, T46, R 35, less the western 1,235 ft, +/- (Okeelanta Corp) 00354602000009000
Section 11, T46, R 35, less the western 1,235 ft, +/- (Okeelanta Corp) 00354611000009000
Section 12, T46, R35 (Okeelanta Corp) 00354612000009000
Section 1, T46, R35 (less and except NW 1/4, belonging to USSC) (Okeelanta Corp) 00354601000001000,
00354601000007010, and 00354601000005010
Section 7, T46, R36 (Okeelanta Corp) 00364607000009000
Section 8, T46, R36 (Okeelanta Corp) 00364608000001000
Section 5, T46, R36 (less the SW 1/4 OF SE 1/4 OF SE ¼, which Okeelanta Corp has exclusive possession of) (Okeelanta
Corp) 00364605000001000
Section 6, T46, R36 (Okeelanta Corporation holds purchase option) 00364606000009000

| EXHIBIT B | |
|--|---|
| DISCLOSURE OF OWNERSHIP INTERESTS IN AFFIANT | |
| Affiant must identify all entities and individuals owning five percent (5%) or more ownership interest in Affiant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant's principal is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to any nonprofit corporation, government agency, or to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public. | |
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| Fanjul, Andres B. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Jose F. | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |
| Fanjul, Lillian | 1 N. Clematis Street, Suite 200 West Palm Beach, FL 33401 |

CONSENT

INSTRUCTIONS: Consent is required from the property owner(s) and contract purchaser(s), as applicable, to an agent if the property owner(s) or contract purchaser does not intend to attend all meetings and Public Hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. ~~Attach a copy of last recorded warranty deed for the subject property.~~ 5-46-36 SW 1/4 OF SE 1/4 OF SE 1/4

Project Name: SOUTHLAND WATER RESOURCE Submittal Date: _____

This form shall serve as CONSENT for the agent identified below to prepare or have prepared and submit all documents for the following application(s) affecting property I have an ownership interest in:

- ☒ BCC/ZC: () Rezoning ☒ Conditional Use ☒ DROE ☒ DOA () PDD () TDD ☒ Type 2 Variance ☒ Type 2 Waiver
- ☒ DRO Applications: ☒ Full DRO ☒ Zoning Agency Review (ZAR)
- ☒ Concurrency Reservation/Equivalency (Separate)
- ☐ Temporary Use (indicate request): _____
- ☒ Tree Removal and Replacement
- ☒ Type 1 Variance
- ☒ Type 1 Waiver
- ☒ Time Extension (Article 2.E)
- ☒ Other (indicate request): AS NECESSARY TO COMPLETE FINAL PLAN APPROVAL

I hereby give CONSENT to MATT EIDSON (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application for the proposed use of: Type III Excavation, to Implement a Regional Hydro-Storage Resource Project.

I hereby certify I have full knowledge of the property and I have an ~~ownership interest in~~ Occupied the subject property of this application. I further certify the statements or information made in any document(s) submitted herewith are true and correct to the best of my knowledge. I understand, this application, related material and all documents submitted become official records of the Planning, Zoning and Building Department of Palm Beach County, Florida, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to Palm Beach County to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER/CONTRACT PURCHASER: I am the ☐ Owner ☒ Contract Purchaser (✓one)
Applicant has had sole and exclusive possession of 10-acre window of farm land for over 30 years. Title being examined.

OKEELANTA CORPORATION
(Name - type, stamp or print clearly)
1 N. CLEMATIS ST. -SUITE 200
(Address)
WEST PALM BEACH, FLORIDA 33576
(City, State, Zip)

AGENT:
MATT EIDSON
(Name - type, stamp or print clearly)
30115 STATE ROAD 52, SUITE 301
(Address)
PHILLIPS & JORDAN
(Name of firm)
SAN ANTONIO, FLORIDA 33576
(City, State, Zip)

NOTARY PUBLIC INFORMATION: STATE OF FLORIDA
COUNTY OF PALM BEACH
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of December, 20 23 by Benjamin L. Sadler VP, Okeelanta Corp. (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Benjamin L. Sadler
(Name - type, stamp or print clearly)
B. L. Sadler
(Signature)

My Commission Expires on: 11/7/25

CONSENT

INSTRUCTIONS: Consent is required from the property owner(s) and contract purchaser(s), as applicable, to an agent if the property owner(s) or contract purchaser does not intend to attend all meetings and Public Hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach a copy of last recorded warranty deed for the subject property.

Project Name: SOUTHLAND WATER RESOURCE **Submittal Date:** _____

This form shall serve as CONSENT for the agent identified below to prepare or have prepared and submit all documents for the following application(s) affecting property I have an ownership interest in:

- ☒ BCC/ZC: () Rezoning ☒ Conditional Use ☒ DROE ☒ DOA () PDD () TOD ☒ Type 2 Variance ☒ Type 2 Waiver
- ☒ DRO Applications: ☒ Full DRO ☒ Zoning Agency Review (ZAR)
- ☒ Concurrency Reservation/Equivalency (Separate)
- ☐ Temporary Use (indicate request): _____
- ☒ Tree Removal and Replacement
- ☒ Type 1 Variance
- ☒ Type 1 Waiver
- ☒ Time Extension (Article 2.E)
- ☒ Other (indicate request): AS NECESSARY TO COMPLETE FINAL PLAN APPROVAL

I hereby give CONSENT to MATT EIDSON (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application for the proposed use of: Type IIIb Excavation, to Implement a Regional Hydro-Storage Resource Project.

I hereby certify I have full knowledge of the property and I have an ownership interest in the subject property of this application. I further certify the statements or information made in any document(s) submitted herewith are true and correct to the best of my knowledge. I understand, this application, related material and all documents submitted become official records of the Planning, Zoning and Building Department of Palm Beach County, Florida, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to Palm Beach County to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER/CONTRACT PURCHASER: I am the ☒ Owner ☐ Contract Purchaser (✓one)

OKEELANTA CORPORATION

(Name - type, stamp or print clearly)

1 N. CLEMATIS ST. - SUITE 200

(Address)



(Signature) Armando A. Tabernilla

Its: Vice President

WEST PALM BEACH FL 33401

(City, State, Zip)

AGENT:

MATT EIDSON

(Name - type, stamp or print clearly)

30115 STATE ROAD 52, SUITE 301

(Address)

PHILLIPS & JORDAN

(Name of firm)

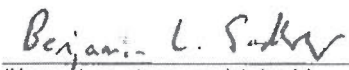
SAN ANTONIO, FLORIDA 33576

(City, State, Zip)

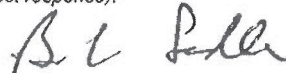
NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 14th day of March, 2023 by Armando A. Tabernilla (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).



(Name - type, stamp or print clearly)



(Signature)

My Commission Expires on: 1/2/25

Consent
Form # 3

NO ARMY SEAL OR STAMP
BENJAMIN LESLIE SADLER
MY COMMISSION # HH78523
EXPIRES: January 07, 2025
Revised 9/29/2020
Web Format 2008

① 00354602 00 0009000 ② 00354611 00 0009000

Documentary Tax Pd \$ 8658.00
Intangible Tax Pd.
Clerk, Palm Beach County, Florida
[Signature]

WARRANTY DEED

THIS WARRANTY DEED made and executed this 17th day of December, A.D., 1984, by GULF & WESTERN INDUSTRIES, INC., a Delaware corporation, authorized to transact business in the State of Florida, whose address is One Gulf + Western Plaza, New York, New York 10023, hereinafter called the GRANTOR, to GULF & WESTERN FOOD PRODUCTS CORPORATION, a Delaware corporation, authorized to transact business in the State of Florida, whose Post Office address is P. O. Drawer G+W, West Palm Beach, Florida 33402, hereinafter called the GRANTEE:

(Wherever used herein the terms "GRANTOR" and "GRANTEE" include all the parties to this instrument and their successors and assigns.)

WITNESSETH: That said GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the GRANTEE, all that certain land, situate in Palm Beach County, Florida, viz:

See Exhibit A hereto attached and made a part hereof.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

SUBJECT to conditions, limitations, restrictions, reservations, easements and rights-of-way of record, if any, provided, however, that nothing contained herein shall operate to reimpose any of the foregoing; and taxes for the year 1985, and subsequent years.

This instrument prepared by
GERALD A. MARTIN, ESQ.
P. O. Drawer G+W
West Palm Beach, FL 33402

85 004935

1985 JAN -7 PM 3:27

B4437 P0873

1,934,000.00
117.00 Rec.
35.30 Ans.
8,658.00

TO HAVE AND TO HOLD, the same in fee simple forever.

And the GRANTOR hereby covenants with said GRANTEE that GRANTOR is lawfully seized of the said premises in fee simple; that it has good right and lawful authority to sell and convey the same; that it hereby fully warrants the title to the said premises and will defend the same against the lawful claims of all persons whomsoever; and that the said premises are free of all encumbrances, except those appearing of record.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument on the day and year first above written.

Signed, sealed and delivered
the presence of:

GULF & WESTERN INDUSTRIES,
INC.

Brenda Lami
Juliette Ramalo

By: Donald Oresman
Donald Oresman
Executive Vice President

Attest:

By: Stephen W. Cropper
Stephen W. Cropper
Assistant Secretary
(Corporate Seal)

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments personally appeared Donald Oresman and Stephen W. Cropper, the Executive Vice President and the Assistant Secretary, respectively, of the Corporation named in the foregoing instrument, and that they acknowledged executing the same freely and voluntarily under authority duly vested in them by said Corporation and that the seal affixed hereto is the true corporate seal of said Corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of December, 1984.

Marguerite Clair
Notary Public

My Commission Expires:

3/30/86

When recorded, return to:
Doyle Rogers, Esquire
Alley, Maass, Rogers, Lindsay
& Chauncey
321 Royal Poinciana Plaza South
Palm Beach, Florida 33480

This instrument prepared by
GERALD A. MARTIN, ESQ.
P.O. Drawer G+W
West Palm Beach, FL 33402

MARGUERITE CLAIR
NOTARY PUBLIC, State of New York
No. 01CE4810638
Qualified in Nassau County
Certificate Filed in New York
Commission Expires 3/30/86

B4437 P0874

NOT A CERTIFIED COPY

EXHIBIT A

LANDS IN PALM BEACH COUNTY, FLORIDA

84437 P0815



All of the following lands lying in Section 33, Township 43 S, Range 38 E:

Tracts 1, 2, 3, 4, 32, 33, 34, 36, 37, 38, 39 and 40 of the Plat of Subdivision of Section 33, Township 43 S, Range 38 E and parts of Lots 3 and 4 between Townships 43 and 44 S, Range 38 E, according to the Plat thereof reported in Plat Book 8, Page 79, Public Records of Palm Beach County, Florida.

All of the following lands lying in Sections 23 and 24, Township 44 S, Range 36 E

Parcel I:

That part of: The S 1/2 of Lot 8 and all of Lots 9, 16, 17, 24, 25, and 32 of Subdivision of Section 23, Township 44 S, Range 36 E, lying East of the Right of Way of the North New River Canal.

PARCEL II:

All of Section 24, Township 44 S, Range 36 E

All of the following lands lying in Hiatus Lot 3, Township 44 S, between Ranges 36 and 37 E:

All that part of Hiatus Lot 3, Township 44 S, between Ranges 36 and 37 E, which lies to the North of a line across said Lot 3 in an East and West direction beginning at the Southwest corner of said Lot 3, the same being the Southeast corner of Section 24, Township 44 S, Range 36 E; thence in a due Easterly direction to the East side of said Lot 3, more particularly described as follows:

Begin at the Southeast corner of Section 24, Township 44 S, Range 36 E; thence, East 21.88 chains to the East boundary of said Lot 3 and the West boundary of Section 18, Township 44 S, Range 37 E; thence, N. 1° 31' E. 58.15 chains to the Northwest corner of Section 18, Township 44 S, Range 37 E; thence, N. 46° 45' W. 31.89 chains to the Northeast corner of Section 24, Township 44 S, Range 36 E; thence, S. 0° 08' W. 80 chains to the SE corner of Section 24, Township 44 S, Range 36 E, to the point of beginning.

All of the following lands lying in Sections 15 and 22, Township 44 S, Range 38 E:

All of Sections 15 and 22, Township 44 S, Range 38 E.

All of the following lands lying in Section 1, Township 45 S, Range 35 E:

All of Section 1, Township 45 S, Range 35 E.

All of the following lands lying in Section 2, Township 45 S, Range 35 E:

Lots 1 through 64 and Tracts 1 through 64, Subdivision of Section 2, Township 45 S, Range 35 E, according to the Plat thereof, recorded in Plat Book 6, Page 75.

All of the following lands lying in Sections 3, 10, 11, 14, 15, 16, 23, and 24, Township 45 S, Range 35 E:

All of Sections 3, 10, 11, 14, and 15, that part of Section 16 lying East of the Miami Canal, LESS the South 200 feet thereof, and all of Sections 23 and 24, Township 45 S, Range 35 E.

All of the following lands lying in Section 4, Township 45 S, Range 35 E:

Lots 9 through 24;
Lots 26, 27, 28;
Lots 38 through 61;
Lots 68, 69, 70, 71, Lots 73 through 88;
Lot 92;
Lots 105 through 120;
and that part of Lot 62, 63 and 67 lying West of Miami Canal;

AND

that part of Subdivision of Section 4 lying East of Miami Canal.

All according to the Plat of Okeechobee Fruit Lands Co's Subdivision of Section 4, Township 45 S, Range 35 E recorded in Plat Book 1, Page 113, Public Records of Palm Beach County, Florida.

All of the following lands lying in Section 5, Township 45 S, Range 35 E:

All of Section 5, LESS the West 200 feet of the W 1/2 of the SW 1/4 of the SW 1/4 thereof; Township 45 S, Range 35 E.

All of the following lands lying in Sections 7, 18, 19, 20, 30 and 31, Township 45 S, Range 35 E:

All of Sections 7, 18, 19, 20, 30, and 31, Township 45 S, Range 35 E.

All of the following lands lying in Section 8, Township 45 S, Range 35 E:

Tracts 1 to 128 inclusive of Okeechobee Fruitlands Company's Subdivision of Section 8, Township 45 S, Range 35 E, according to the Plat thereof, recorded in Plat Book 1, Page 142 LESS The West 200 feet of Tracts 16, 17, 48, 49, 80, 81, 112 and 113 thereof.

All of the following lands lying in Section 9, Township 45 S, Range 35 E:

All that part of Section 9, Township 45 S, Range 35 E, Palm Beach County, Florida, lying East of the East right-of-way line of the Miami Canal.

RECORDED'S MEMO: Legibility
of Writing, Typing or Printing
unsatisfactory in this document
when received.

All of the following lands lying in Section 12, Township 45 S, Range 35 E:

All of Lots 1 through 128, inclusive of Okeechobee Fruit Lands Co., Subdivision of Section 12, Township 45 S, Range 35 E, according to the Plat thereof, recorded in Plat Book 1, Page 99, of the Public Records of Palm Beach County, Florida.

All of the following lands lying in Section 13, Township 45 S, Range 35 E:

All of Section 13, Township 45 S, Range 35 E, LESS those lands described in deed to Atlantic Coastline Railroad Company recorded in Deed Book 982, Page 544.

All of the following lands lying in Section 17, Township 45 S, Range 35 E:

All of Section 17, Township 45 S, Range 35 E; LESS the SE 1/4 of the SE 1/4 of the NW 1/4; LESS the SE 1/4 of the SE 1/4 of the SW 1/4; and LESS those lands conveyed to Atlantic Coastline Railroad Company in Deed Book 791, Page 2.

All of the following lands lying in Section 21, Township 45 S, Range 35 E:

That part of Section 21 lying East of the Miami Canal, LESS road right of way over the South 50 feet thereof; and that part of Section 21 lying West of the Miami Canal, Township 45 S, Range 35 E.

All of the following lands lying in Section 22, Township 45 S, Range 35 E:

Tracts 1 to 128 inclusive, Okeechobee Fruitlands Company's Subdivision of Section 22, Township 45 S, Range 35 E, according to the Plat thereof, recorded in Plat Book 1, Page 147.

All of the following lands lying in Section 28, Township 45 S, Range 35 E:

All of Tracts 1 through 64, Tracts 67 through 91, Tracts 94 through 127, and those parts of Tracts 66 and 128 lying Westwardly of the right-of-way of the Miami Canal and Westwardly of the lands described in Deed from K. E. Lutz to Central and Southern Florida Flood Control District recorded in Deed Book 1139, Page 496, all of Okeechobee Fruitlands Company's Subdivision of Section 28, Township 45 S, Range 35 E, according to the plat thereof, recorded in Plat Book 1, Page 148 of the Public Records of Palm Beach County, Florida, LESS therefrom the following described lands:

Tracts 1, 2, 31, 32, 33, 64, and those portions of Tracts 3, 34, 63 and 96, lying East of the Miami Canal of the Okeechobee Fruitland Subdivision of Section 28, Township 45 S, Range 35 E, according to the Plat thereof, recorded in Plat Book 1, Page 148, of the Public Records of Palm Beach County, Florida.

All of the following lands lying in Section 29, Township 45 S, Range 35 E:

All of Section 29, Township 45 S, Range 35 E.

All of the following lands lying in Section 32, Township 45 S, Range 35 E:

All of Section 32, Township 45 S, Range 35 East.

RECORDED MEMO: Legality
of Writing, Typing or Printing
unquestioned in this document
when received.

84437 P0878

All of the following lands lying in Section 33, Township 45 S, Range 35 E:

N 1/2 of the NW 1/4;
N 1/2 of the SW 1/4 of the NW 1/4;
E 1/2 of the SE 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of SE 1/4 of
Section 33, Township 45 S, Range 35 E.

All of the following lands lying in Section 1, Township 45 S, Range 36 E:

W 3/4 of Section 1, Township 45 S, Range 36 E
LESS the following:

W 1/2 of the NW 1/4 of the NW 1/4;
NE 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4
of said Section 1.

All of the following lands lying in Section 2, Township 45 S, Range 36 E:

That part of the East half (E 1/2) of the Southeast Quarter (SE 1/4)
of Section 2, lying East of the North New River Canal, Township 45 S,
Range 36 E;

AND

Lots 7 through 12, inclusive of Canal Cross Subdivision of Section 2,
Township 45 S, Range 36 E, lying East of the North New River Canal,
recorded in Plat Book 6, Page 40, of the Public Records of Palm Beach
County, Florida.

All of the following lands lying in Section 3, Township 45 S, Range 36 E:

Lots 1 through 128 of the Okeechobee Fruit Lands Co.'s
Subdivision, Section 3, Township 45 S, Range 36 E according
to the plat thereof, recorded in Plat Book 1, Page 108.

All of the following lands lying in Section 4, Township 45 S, Range 36 E:

Lots 1 through 94 and Lots 97 through 128 of Okeechobee Fruit
Lands Co., Subdivision, Section 4, Township 45 S, Range 36 E
according to the plat recorded in Plat Book 1, Page 101.

All of the following lands lying in Section 5, Township 45 S, Range 36 E:

All of Section 5, Township 45 S, Range 36 E.

All of the following lands lying in Sections 6, 7 and 19, Township 45 S,

All of Sections 6, 7 and 19, of Township 45 S, Range 36 E.

84437-P0879



All of the following lands lying in Section 8, Township 45 S, Range 36 E:

Tracts 1 through 128, inclusive, as shown on the Plat of Okeechobee Fruit Lands Company's Subdivision of Section 8, Township 45 S, Range 36 E as recorded April 17, 1911 in Plat Book 1, Page 114.

All of the following lands lying in Section 9, Township 45 S, Range 36 E:

All of Section 9, Township 45 S, Range 36 E.

All of the following lands lying in Section 10, Township 45 S, Range 36 E:

Lots 1 through 128 of Okeechobee Fruit Lands Co.'s Subdivision, Section 10, Township 45 S, Range 36 E according to the plat thereof, recorded in Plat Book 1, Page 115.

All of the following lands lying in Section 11, Township 45 S, Range 36 E:

All that part of Section 11, lying East of the North New River Canal, Township 45 S, Range 36 E.

All of the following lands lying in Section 12, Township 45 S, Range 36 E:

Lots 5 through 10, inclusive; Lots 13 through 28, inclusive; Lots 37 through 60, inclusive; Lots 69 through 94 inclusive; Lots 101 through 106, inclusive; and Lots 109 through 124, inclusive of Okeechobee Fruit Lands Company's Subdivision, recorded in Plat Book 1, Page 104.

All of the following lands lying in Section 14, Township 45 S, Range 36 E:

All those portions of Lots 4, 29, 36, 61, 68, 93, 100 and 125 lying West of the Westerly right-of-way line of State Road 25 (U.S. Highway 27) and Lots 5 through 28, Lots 37 through 60, Lots 69 through 92 and Lots 101 through 124 of Okeechobee Fruit Lands Company's Subdivision of Section 14, Township 45 S, Range 36 E as recorded in plat thereof, recorded in Plat Book 1, Page 112. Less and Except therefrom that certain parcel of land described in Deed to the Atlantic Coast Line Railroad Company, dated September 25, 1964, filed January 17, 1965 in Official Records Book 1221, Page 369 also Less and Except therefrom lands described in Deed to Florida Power & Light Company, dated December 17, 1965, recorded January 31, 1966 in Official Records Book 1324, Page 502, also Less and Except therefrom lands described in that certain Stipulated Final Judgment in favor of Division of Administration, State of Florida, Department of Transportation, recorded February 2, 1983 in Official Records Book 3874, Page 703; together with, however, those lands described in Deed in Official Record Book 1222 page 565.

B4437 P0880

All of the following lands lying in Section 16, Township 45 S, Range 36 E:

All of Section 16 LESS those lands conveyed to Atlantic Coastline Railroad Company in Deed Book 982, Page 539 and LESS that parcel conveyed by Gulf & Western Industries, Inc. to Seaboard Coastline Railroad Company in Official Record Book 2811, Page 966;

TOGETHER WITH that parcel conveyed by Seaboard Coastline Railroad Company to Gulf & Western Industries, Inc. in Official Record Book 2811, Page 966, LESS any part thereof which may comprise a portion of the parcel conveyed by Gulf & Western Industries, Inc. to Seaboard Coastline Railroad in the same deed.

All of the following lands lying in Section 17, Township 45 S, Range 36 E:

All of Section 17, Township 45 S, Range 36 E less those lands conveyed to Atlantic Coast Line Railroad Company in Official Records Book 2811, Page 966 and Deed Book 982, Page 539 and less the North 150 feet of the South 160 feet of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 17.

All of the following lands lying in Section 18, Township 45 S, Range 36 E:

All of Section 18, Township 45 S, Range 36 E, LESS those lands conveyed to Atlantic Coastline Railroad Company in Deed Book 982, Page 539.

All of the following lands lying in Section 15, Township 45 S, Range 36 E:

Lots 1 through 128 of Okeechobee Fruit Lands Company's Subdivision Section No. 15, Township 45 S, Range 36 E according to the Plat thereof, recorded in Plat Book 1, Page 153;

Less and except therefrom lands described in that certain Deed to Florida Atlantic Coast Line Railroad Company, recorded in Deed Book 982, Page 539.

All of the following lands lying in Section 20, Township 45 S, Range 36 E:

Tracts 1 to 128 inclusive, OKEECHOBEE FRUITLANDS COMPANY'S SUBDIVISION of Section 20, Township 45 S, Range 36 E, according to the Plat thereof, recorded in Plat Book 1, Page 149.

All of the following lands lying in Section 21, Township 45 S, Range 36 E:

All of Section 21, Township 45 S, Range 36 E.

All of the following lands lying in Section 22, Township 45 S, Range 36 E:

Tracts 1 to 128 inclusive, Okeechobee Fruit Lands Company's Subdivision of Section 22, Township 45 S, Range 36 E, according to the Plat thereof, recorded in Plat Book 1, Page 150.

All of the following lands lying in Sections 23 and 24, Township 45 S, Range 36 E:

That part of Sections 23 and 24 lying West of U. S. Highway 27 in Township 45 S, Range 36 E, LESS those lands conveyed to Atlantic Coast Line Railroad Company in Official Records Book 1221, Page 396.

All of the following lands lying in Section 36, Township 45 S, Range 36 E:

All that part of Section 36, Township 45 S, Range 36 E, lying West of U. S. Highway No. 27.

All of the following lands lying in Hiatus Lots 5 and 6, Township 45 S and 46 S, between Ranges 36 and 37 E:

Parcel I:

That part of Lot 5 lying Southwest of U. S. Highway No. 27 and all of Lot 6 of Hiatus in Townships 45 and 46, between Ranges 36 and 37.

Parcel II:

That portion of Hiatus Lot 5 lying East of North New River Canal, Township 45 S, between Ranges 36 and 37 E, and South of a projection of the North line of Section 30, Township 45 S, Range 37 E, projected Westerly across said Hiatus Lot 5 from East to West, LESS: A strip of land 185 feet in width which includes the Northeasterly 130 feet of the existing North New River Canal Right-of-Way extending throughout all that part of Hiatus Lot 5, Township 45 S, between Ranges 36 and 37 E, lying contiguous to and East and North of the North New River Canal, said 185 foot strip of land lying and being Northeasterly of, parallel, contiguous, and as measured at right angles to the center line of the North New River Canal.

84437 P0882

All of the following lands lying in Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, Township 45 S, Range 37 E:

Sections 25, 26, 27, 28, 29, 33, 34, 35, 36 and those portions of Sections 30, 31, and 32 lying North and East of North New River Canal, Township 45 S, Range 37 E, LESS:

- a) A strip of land 185 feet in width which includes the Easterly 130 feet of the existing canal right of way extending throughout all that part of Section 30, Township 45 S, Range 37 E lying contiguous to and North and East of the North New River Canal, said 185 foot strip of land lying and being Northeasterly of, parallel, contiguous and as measured at right angles to the centerline of the North New River Canal and LESS:
- b) A strip of land 160 feet in width which includes the Northeasterly 130 feet of the existing canal right of way extending throughout all that part of Section 32, Township 45 S, Range 37 E lying contiguous to and North and East of the North New River Canal, said 160 foot strip of land lying and being Northeasterly of, parallel, contiguous and as measured at right angle to the centerline of the North New River Canal; and also LESS the following described property:

A strip of land 45 feet in width in that part of Section 32, Township 45 S, Range 37 E, lying Northeasterly of the right of way for South Florida Water Management District Levee 19 (North New River Canal); said strip of land being specifically described as follows:

From a 4" x 4" concrete monument marking the Northwest (NW) corner of said Section 32 bear South 1° 02' 45" West, along the West line of said Section 32, a distance of 2778.82 feet to the point of beginning;

Thence, continue South 1° 02' 45" West, along said line, a distance of 76.53 feet to the intersection thereof with the Northeasterly right of way line of said Levee 19; thence South 34° 58' 06" East, along said right of way line, a distance of 2978.66 feet to the intersection thereof with the South line of said Section 32; thence South 89° 57' 09" East, along said line, a distance of 54.95 feet; thence, North 34° 58' 06" West, a distance of 3072.10 feet to the point of beginning.

All of the following lands lying in Sections 21, 22, 23, 25, 26, 27, 28 and 29, Township 45 S, Range 38 E:

The E 1/2 of Section 21, all of Section 22;
the SW 1/4 and the S 1/2 of the NW 1/4 of Section 23;
all of Sections 25, 26, 27 and 28 and the E 1/2 of
Section 29, all in Township 45 S, Range 38 E.

B4437 P0883

All of the following lands lying in Hiatus Lots 1, 2, 3, 4 and 5, between Townships 45 and 46 S, Range 37 E:

Hiatus Lots 1, 2, and 3 and those parts of Hiatus Lots 4 and 5 lying East of North New River Canal, LESS: The North 3212.06 feet of Hiatus Lots 4 and 5 between Townships 45 and 46 S, Range 37 E. Also LESS those lands fee simple title to which was vested in South Florida Water Management District by Final Judgment in Official Records Book 3624, Page 1667.

All of the following lands lying in Sections 2, 3, 10, 11, 14, 15, and 26, Township 46 S, Range 35 E:

All of Sections 2, 11 and 14, Township 46 S, Range 35 E:

AND

All of Section 3, lying West of the West right of way line of Levee 24 (Miami Canal) in Township 46 S, Range 35 E;

AND

That part of Section 3, East of the Miami Canal, Township 46 S, Range 35 E, LESS a strip 100 feet wide, East of, parallel and contiguous to, existing right-of-way of Miami Canal;

AND

All of Section 10, Township 46 S, Range 35 E LESS that part lying East of the Miami Canal and LESS the right-of-way of Central and Southern Florida Flood Control District;

AND

That part of Section 10, East of the Miami Canal, Township 46 S, Range 35 E, LESS a strip 100 feet wide, East of, parallel, and contiguous to, existing right-of-way of Miami Canal;

AND

That part of Section 15, East of the Miami Canal, Township 46 S, Range 35 E, LESS a strip 100 feet wide, East of, parallel, and contiguous to, existing right-of-way of the Miami Canal;

AND

That part of Section 26, East of the Miami Canal, Township 46 S, Range 35 E, LESS the North 820 feet, more or less, and less a strip 100 feet wide, East of, parallel, and contiguous to, existing right-of-way of the Miami Canal.

B4437 P0884

All of the following lands lying in Sections 4, 6, 8 and 12, Township 46 S, Range 35 E:

All of Sections 4, 6, 8 and 12, Township 46 S, Range 35 E.

All of the following lands lying in Section 5, Township 46 S, Range 35 E:

N 1/2 of the NW 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4;
NE 1/4 of the NE 1/4 of the SE 1/4;
SW 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the SW 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the SW 1/4;
S 1/2 of the SE 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4.

All of the following lands lying in Section 7, Township 46 S, Range 35 E:

All of Section 7, Township 46 S, Range 35 E.

All of Section 9, Township 46 S, Range 35 E

All of the following lands lying in Section 17, Township 46 S, Range 35 E:

All of Section 17, Township 46 S, Range 35 E.

All of the following lands lying in Section 18, 20 and 30, Township 46 S, Range 35 E:

All of Section 18; all of Section 20 less the North 260 feet; and the NW 1/4 of the NW 1/4, the N 1/2 of the NE 1/4 of the NW 1/4 and the SW 1/4 of the NE 1/4 of the NW 1/4 of Section 30, Township 46 S, Range 35 E.

All of the following lands lying in Section 19, Township 46 S, Range 35 E:

All of Section 19, Township 46 S, Range 35 E.

B4437-P0885

All of the following lands lying in Section 1, Township 46 S, Range 36 E:

All of Section 1, Township 46 S, Range 36 E, LESS
the NW 1/4 of the NE 1/4 of the SE 1/4 thereof.

All of the following lands lying in Section 35, Township 46 S, Range 35 E:

All that part of Section 35, Township 46 S, Range 35 E,
Palm Beach County, Florida, lying East of the Miami
Canal less and except that part conveyed to
Everglades Drainage District in Deed Book 702, Page 18
for the Miami Canal right-of-way and that part
conveyed to Central and Southern Florida Flood
Control District in Deed Book 1155, Page 194 for
extension of right-of-way for Miami Canal.

All of the following lands lying in Sections 2, 11 and 12, Township 46 S,
Range 36 E:

All of the lands lying in Sections 2, 11 and 12, Township 46 S, Range 36 E.

All of the following lands lying in Section 13, Township 46 S, Range 36 E:

All of Section 13, Township 46 S, Range 36 E.

All of the following lands lying in Sections 10, 11 and 12, Township 46 S,
Range 37 E:

All of Sections 11 and 12 and that part of Section 10, lying East of the
North New River Canal and the Central and Southern Florida Flood Control
District right of way, all in Township 46 S, Range 37 E; LESS those
lands title to which was vested in South Florida Water Management
District by Final Judgment in Official Records Book 3698, Page 1225.

All of the following lands lying in Sections 13, 14 and 15, Township 46 S,
Range 37 E:

All of Sections 14 and 15 lying East of the North New River
Canal, in Township 46 S, Range 37 E, Public Records of
Palm Beach County, Florida, less those lands title to
which was vested in South Florida Water Management District
by Final Judgment in Official Records Book 3698, Page 1225,
of the Public Records of Palm Beach County, Florida.

AND

All of Section 13, Township 46 S, Range 37 E, Palm Beach
County, Florida.

All of the following lands lying in Sections 19, 20, 21, 22, 23, 24, 25, 26, 27,
28, 29, 30, 31, 32, 33, 34, 35 and 36, Township 46 S, Range 37 E:

All of Sections 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,
and those parts of Sections 23, 24, 25, and 36 lying West of Highway
No. 27 in Township 46 S, Range 37 E.

All of the following lands lying in Section 7, Township 46 S, Range 38 E:

All of Section 7, Township 46 S, Range 38 E,
Palm Beach County, Florida.

All of the following lands lying in Sections 16, 17, and 18, Township 46 S,
Range 38 E:

All of Sections 16, 17, and 18, in Township 46 S, Range 38 E.

All of the following lands lying in Section 31, Township 46 S, Range 38 E:

That part of Section 31, Township 46 S, Range 38 E lying West of
Highway No. 27.

All of the following lands lying in Sections 13, 14, 23 and 24, Township 47 S,
Range 37 E:

All of Sections 13, 14, 23 and 24, Township 47 S, Range 37 E.

B4437 P0887

All of the following lands lying in Sections 4, 5, and 6, Township 47S, Range 38 E:

Parcel I:

The West 2,575.00 feet of the East 5,232.56 feet of the North Half (1/2) of the South Half (S 1/2) of Section Five (5), Township Forty-seven (47) South, Range Thirty-eight (38) East, Palm Beach County, Florida.

Parcel II:

The East 2657.56 feet of the North One-Half of the South One-Half of Section 5, and the North One-Half of the South One-Half of Section 4, all in Township 47 South, Range 38 East, in Palm Beach County, Florida.

Parcel III:

That portion of a parcel of land in the Southeast One-Quarter of the Southeast One-Quarter of Section 6 lying North and East of the right-of-way boundary of Levee L-18 (North New River Canal), and the South one-half of the South one-half of Section 5 lying East of the East boundary of the right-of-way of Levee L-18 along the North New River Canal, and the South One-half of the South One-half of Section 4, all in Township 47 South, Range 38 East, in Palm Beach County, Florida.

Parcel IV:

The North Half of Section 4; the North Half of Section 5; and that part of the North Three-Quarters of Section 6 lying East of New River Canal, said Sections being in Township 47 South, Range 38 East, LESS and EXCEPT a strip of land 130 feet in width along each side of the centerline of the New River Canal; all lying and being in Palm Beach County, Florida; EXCLUDING, however, that parcel of the above property heretofore conveyed to Central and Southern Florida Flood Control District, being described as follows:

All that part of the North Three-Quarters of Section 6, Township 47 South, Range 38 East, lying and being within 45 feet Northeasterly of, parallel, contiguous, and as measured at right angles to the existing right-of-way for the North New River Canal, said existing right-of-way being 130 feet each side of the centerline of the existing channel of the North New River Canal.

LESS, however, the following described parcel of land:

From POE 1337, a concrete reference monument of the Corps of Engineers, U. S. Army, located in the Southwest Quarter of Section 5, Township 47 South, Range 38 East, bear North 57° 13' 58" East a distance of 317.24 feet to the existing Northeast right of way line of the said North New River Canal; thence bear North 35° 02' 52" West along the said right of way line a distance of 2687.51 feet; thence North 54° 57' 08" East a distance of 5.00 feet to the point of beginning; thence North 35° 02' 52" West a distance of 50 feet; thence North 54° 57' 08" East a distance of 15.00 feet; thence North 35° 02' 52" West a distance of 200.00 feet; thence North 54° 57' 08" East a distance of 25.00 feet; thence South 35° 02' 52" East a distance of 250.00 feet; thence South 54° 57' 08" West a distance of 40.00 feet to the point of beginning.

B4437-P0888

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E:

Tract "A"

Portion of Sections 14, 15, 16 and 17, Township 47 S, Range 38 E in Palm Beach County, Florida, more particularly described as follows:

Beginning at the Northwest corner of said Section 15, run N. 89°-32'-43" E. along the North boundary line of said Section 15 a distance of 5282.37 feet to the Northeast corner of said Section 15; thence N. 89°-32'-43" E. along the North boundary of said Section 14 a distance of 1290.16 feet to an intersection with the Northwestern Right-of-Way line of Levee L-6; thence S. 30°-34'-51" W. along said Right-of-Way line of Levee L-6 a distance of 1704.88 feet; thence S. 89°-32'-43" W. a distance of 414.69 feet to an intersection with the West boundary line of said Section 14; thence S. 89°-32'-43" W. a distance of 5282.26 feet to an intersection with the West boundary line of said Section 15; thence S. 89°-29'-21" W. a distance of 4622.54 feet; thence S. 54°-58'-32" W. a distance of 500.00 feet to an intersection with the Northeast Right-of-Way line of Levee L-18 (North New River Canal); thence N. 35°-01'-28" W. along the said Northeast Right-of-Way line of Levee L-18 a distance of 433.28 feet to an intersection with the West boundary line of said Section 16; thence continuing N. 35°-01'-28" W. along the said Northeast Right-of-Way line of Levee L-18 a distance of 1683.41 feet to an intersection with the North boundary line of said Section 17; thence N. 89°-29'-21" E. along the North boundary line of said Section 17 a distance of 958.42 feet to the Northeast corner of said Section 17; thence N. 89°-29'-21" E. along the North boundary line of said Section 16 a distance of 5280.27 feet to the said Northwest corner of Section 15 and the Point-of-Beginning of this description.

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E, continued:

Tract "B"

Portion of Sections 14, 15, and 16, Township 47 S, Range 38 E in Palm Beach County, Florida, more particularly described as follows:

Commencing at the Northwest corner of said Section 15 run S. 0°-19'-16" E. along the West boundary line of said Section 15 a distance of 1460.83 feet to the Point-of-Beginning of this description; thence N. 89°-32'-43" E. parallel to the North line of said Section 15 a distance of 5282.26 feet to an intersection with the East boundary line of Section 15 thence N. 89°-32'-43" E. a distance of 414.69 feet to an intersection with the Northwestern Right-of-Way line of Levee L-6; thence S. 30°-34'-51" W. along the said Northwestern Right-of-Way line of Levee L-6 a distance of 807.56 feet to an intersection with the said East boundary line of Section 15; thence continuing S. 30°-34'-51" W. along the said Northwestern Right-of-Way line of Levee L-6 a distance of 870.28 feet; thence S. 89°-32'-43" W. a distance of 4835.26 feet to an intersection with the said West boundary line of Section 15; thence S. 89°-29'-21" W. a distance of 3629.22 feet; thence S. 54°-58'-32" W. a distance of 500.00 feet to an intersection with the Northeast Right-of-Way line of Levee L-18 (North New River Canal); thence N. 35°-01'-28" W. along the said Northeast Right-of-Way line of Levee L-18 a distance of 1744.73 feet; thence N. 54°-58'-32" E. a distance of 500.00 feet; thence N. 89°-29'-21" E. parallel to the North line of said Section 16 a distance of 4622.54 feet to the said Point-of-Beginning of this description.

B4437 P0889

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E, continued:

Tract "C"

Portion of Sections 15 and 16, Township 47 S, Range 38 E in Palm Beach County, Florida, more particularly described as follows:

Commencing at the Northwest corner of said Section 15 run S. $0^{\circ}-19'-16''$ E. along the West boundary line of said Section 15 a distance of 2898.48 feet to the Point-of-Beginning of this description; thence N. $89^{\circ}-32'-43''$ E., parallel to the North boundary line of said Section 15, a distance of 4835.26 feet to an intersection with the Northwestern Right-of-Way line of Levee L-6; thence S. $30^{\circ}-34'-51''$ W. along the said Right-of-Way line of Levee L-6 a distance of 1755.43 feet; thence S. $89^{\circ}-32'-43''$ W. a distance of 3933.21 feet to an intersection with the said West boundary line of Section 15; thence S. $89^{\circ}-29'-21''$ W., parallel to the North boundary line of said Section 16 a distance of 2589.35 feet; thence S. $54^{\circ}-58'-32''$ W. a distance of 500.00 feet to an intersection with the Northeastly Right-of-Way line of Levee L-18 (North New River Canal); thence N. $35^{\circ}-01'-28''$ W. along said Right-of-Way line of Levee L-18 a distance of 1828.47 feet; thence N. $54^{\circ}-58'-32''$ E. a distance of 500.00 feet; thence N. $89^{\circ}-29'-21''$ E. a distance of 3629.22 feet to the said Point-of-Beginning of this description.

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E, continued:

Tract "D"

Portion of Sections 15, 16, 21 and 22, Township 47 S, Range 38 E in Palm Beach County, Florida, more particularly described as follows:

Commencing at the Northwest corner of said Section 15 run S. $0^{\circ}-19'-16''$ E. along the West boundary line of said Section 15 a distance of 4403.48 feet to the Point-of-Beginning, this Point-of-Beginning is located on the West boundary line of said Section 15, 878.06 feet North of the Southwest corner of said Section 15; thence N. $89^{\circ}-32'-43''$ E. parallel to the North boundary line of said Section 15 a distance of 3933.21 feet to an intersection with the Northwestern Right-of-Way line of Levee L-6; thence S. $30^{\circ}-34'-51''$ W. along the said Northwestern Right-of-Way line of Levee L-6 a distance of 1024.12 feet to an intersection with the South boundary line of Section 15; thence continuing S. $30^{\circ}-34'-51''$ W. along the said Northwestern Right-of-Way line of Levee L-6 a distance of 1400.60 feet; thence S. $89^{\circ}-32'-10''$ W., parallel to the North boundary line of said Section 22 a distance of 2690.94 feet to an intersection with the West boundary line of Section 22; thence S. $89^{\circ}-29'-21''$ W. parallel to the North boundary line of said Section 21 a distance of 1150.55 feet; thence S. $54^{\circ}-58'-32''$ W. a distance of 500.00 feet to an intersection with the Northeastly Right-of-Way line of Levee L-18 (North New River Canal); thence N. $35^{\circ}-01'-28''$ W. along the said Northeastly Right-of-Way of Levee L-18 a distance of 1800.13 feet to an intersection with the North boundary line of said Section 21; thence continuing N. $35^{\circ}-01'-28''$ W. along the said Northeastly Right-of-Way line of Levee L-18 a distance of 721.78 feet; thence N. $54^{\circ}-58'-32''$ E. a distance of 500.00 feet; thence N. $89^{\circ}-29'-21''$ E. parallel to the North boundary line of said Section 16 a distance of 2589.35 feet to the said Point-of-Beginning of this description.

B4437 P0890

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E, continued:

Tract "E"

Portion of Sections 21 and 22, Township 47 S, Range 38 E in Palm Beach County, Florida, more particularly described as follows:

Commencing at the Northwest corner of said Section 15, Township 47 S, Range 38 E, run S. $0^{\circ}-19'-16''$ E. along the West boundary line of said Section 15 a distance of 5281.54 feet to the Southwest corner of said Section 15, which corner is also the Northwest corner of said Section 22; thence S. $0^{\circ}-10'-41''$ E. along the West boundary line of said Section 22 a distance of 1200.80 feet to the Point-of-Beginning of this description; thence N. $89^{\circ}-32'-10''$ E. parallel to the North boundary line of said Section 22 a distance of 2690.94 feet to an intersection with the Northwestern Right-of-Way line of Levee L-6; thence S. $30^{\circ}-34'-51''$ W. along the said Northwestern Right-of-Way line of Levee L-6 a distance of 3733.28 feet; thence N. $64^{\circ}-52'-31''$ W. continuing along the Right-of-Way of Levee L-6 a distance of 530.63 feet to an intersection with the Northeastern Right-of-Way line of Levee L-18 (North New River Canal); thence N. $35^{\circ}-01'-28''$ W. along the said Right-of-Way of Levee L-18 a distance of 528.33 feet to an intersection with the West boundary line of said Section 22; thence N. $35^{\circ}-01'-28''$ W. continuing along the said Northwestern Right-of-Way line of Levee L-18 a distance of 2731.77 feet; thence N. $54^{\circ}-58'-32''$ E. a distance of 500.00 feet; thence N. $89^{\circ}-29'-21''$ E. parallel to the North line of said Section 21 a distance of 1150.55 feet to the said Point-of-Beginning of this description.

All of the following lands lying in Sections 14, 15, 16, 17, 21 and 22, Township 47 S, Range 38 E, continued:

TRACT "E" continued:

LESS the following:

All of the following lands lying in Section 22, Township 47 S, Range 38 E:

Commencing at the Southwest corner of said Section 22; thence Northerly N. $0^{\circ}-10'-41''$ W. along the West section line of said Section 22 to a point where the Northeast right-of-way line of Central and Southern Florida Flood Control District Levee L-18 intersects said section line, said point being point of beginning; thence S. $35^{\circ}-01'-28''$ E. along the Northeastern right-of-way line of said Levee L-18 for a distance of approximately 528 feet; thence S. $64^{\circ}-52'-31''$ E. for a distance of approximately 530 feet; thence N. $30^{\circ}-34'-51''$ E. along the Northwestern right-of-way line of Central and Southern Florida Flood Control District Levee L-6 for a distance of 2,850 feet; thence N. $59^{\circ}-25'-09''$ W. for a distance of 500 feet; thence Southwesterly for a distance of approximately 2,720 feet to point of beginning;

AND

A parcel of land 500 feet in width lying Northerly, adjacent to and parallel with the Northwestern right-of-way line of Central and Southern Florida Flood Control District Levee L-6 in Sections 14, 15 and 22, Township 47 S, Range 38 E, LESS that property described in next above description.

B4437 P0891

All of the following lands lying in Section 21, Township 46 S, Range 35 E:

S 1/2 of the SE 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the NW 1/4 of the SW 1/4.

All of the following lands lying in Section 29, Township 46 S, Range 35 E:

NW 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the NE 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4.

All of the following lands lying in Section 33, Township 46 S, Range 35 E:

NE 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the SW 1/4.

All of the following lands lying in Section 3, Township 47 S, Range 35 E:

SW 1/4 of the NE 1/4 of the NE 1/4 of the NE 1/4;
E 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the NE 1/4 of the NE 1/4;
SE 1/4 of the NE 1/4 of the NW 1/4 of the NE 1/4;
LESS NW 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NW 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4;
LESS the South and West 20 feet thereof;
SE 1/4 of the NE 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4;
W 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4;
NW 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4;
E 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4 of the NW 1/4;
S 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the NW 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the SW 1/4 of the NW 1/4;
S 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4;
NE 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4;
N 1/2 of the SE 1/4 of the SW 1/4;
LESS the E 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4 of the SW 1/4;
E 1/2 of the NE 1/4 of the SE 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the SE 1/4 of the SW 1/4;
N 1/2 of the SW 1/4 of the SW 1/4;
W 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4.

B4437 P0892

All of the following lands lying in Section 4, Township 47 S, Range 35 E:

SW 1/4 of the NE 1/4 of the NE 1/4 of the NE 1/4;
SE 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
W 1/2 of the SW 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the NE 1/4;
S 1/2 of the NW 1/4 of the NW 1/4 of the NE 1/4;
SE 1/4 of the NW 1/4 of the NE 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4 of the NE 1/4;
S 1/2 of the NE 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the NE 1/4;
N 1/2 of the SW 1/4 of the SW 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
S 1/2 of the SE 1/4 of the NE 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the NW 1/4;
NE 1/4 of the SW 1/4 of the SW 1/4 of the NW 1/4;
S 1/2 of the SW 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the SE 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the SE 1/4 of the SW 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4;
SW 1/4 of the NW 1/4 of the SE 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4;
N 1/2 of the SE 1/4 of the SE 1/4 of the NW 1/4;
N 1/4 of the NE 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the SE 1/4;

All of the following lands lying in Section 4, Township 47 S, Range 35 E
continued:

NE 1/4 of the SE 1/4 of the NE 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4 of the SE 1/4;
SE 1/4 of the NE 1/4 of the NW 1/4 of the SE 1/4;
W 1/2 of the NW 1/4 of the NW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
NE 1/4 of the SE 1/4 of the NW 1/4 of the SE 1/4;
N 1/2 of the SW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4;
NW 1/4 of the SE 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the SE 1/4 of the SE 1/4;
NW 1/4 of the NW 1/4 of the SE 1/4 of the SE 1/4;
SE 1/4 of the NW 1/4 of the SE 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the NE 1/4 of the SW 1/4;
S 1/2 of the NE 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4;
N 1/2 of the S 1/2 of the NE 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the NW 1/4 of the SW 1/4;
W 1/2 of the SW 1/4 of the NW 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4;
E 1/2 of the SE 1/4 of the NW 1/4 of the SW 1/4;
E 1/2 of the SW 1/4 of the SW 1/4;
W 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
E 1/2 of the SW 1/4 of the SE 1/4 of the SW 1/4;
SE 1/4 of the SE 1/4 of the SE 1/4 of the SW 1/4.

All of the following lands lying in Section 5, Township 47 S, Range 35 E:

E 1/2 of the NE 1/4 of the NE 1/4;
W 1/4 of the NW 1/4;
E 1/2 of the SE 1/4 of the SE 1/4;
E 1/2 of the SW 1/4 of the SW 1/4.

All of the following lands lying in Section 6, Township 47 S, Range 35 E:

NE 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
S 1/2 of the SW 1/4 of the NE 1/4 of the NE 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4 of the NE 1/4;
S 1/2 of the NE 1/4 of the NW 1/4 of the NE 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4;
S 1/2 of the NW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
S 1/2 of the SE 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the SW 1/4 of the NE 1/4;
S 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4;
NW 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4;
S 1/2 of the SE 1/4 of the SW 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4;
W 1/2 of the SE 1/4 of the NE 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4;
W 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the NW 1/4 of the NW 1/4;
N 1/2 of the SE 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4;
W 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4;
N 1/2 of the SE 1/4 of the SE 1/4 of the NW 1/4;
SW 1/4 of the SE 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the NW 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the SW 1/4 of the SW 1/4 of the NW 1/4;

B4437 P0894

All of the following lands lying in Section 6, Township 47 S, Range 35 E:

S 1/2 of the SW 1/4 of the SW 1/4 of the NW 1/4;
S 1/2 of the SE 1/4 of the SW 1/4 of the NW 1/4;
E 1/2 of the NE 1/4 of the NE 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4;
N 1/2 of the SW 1/4 of the NE 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the SE 1/4;
SE 1/4 of the NE 1/4 of the SE 1/4;
NE 1/4 of the NE 1/4 of the NW 1/4 of the SE 1/4;
NW 1/4 of the NW 1/4 of the NW 1/4 of the SE 1/4;
S 1/2 of the N 1/2 of the NW 1/4 of the SE 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the SE 1/4;
N 1/2 of the NE 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the NW 1/4 of the SW 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the SE 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4 of the SE 1/4;
E 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the NE 1/4 of the SE 1/4 of the SW 1/4;
E 1/2 of the NW 1/4 of the SE 1/4 of the SW 1/4;
NW 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the SE 1/4 of the SW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4 of the SW 1/4;
W 1/4 of the SW 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the SW 1/4 of the SW 1/4.

All of the following lands lying in Section 8, Township 47 S, Range 35 E:

NE 1/4 of the NE 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the SE 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4;
W 1/2 of the SW 1/4 of the SW 1/4 of the NE 1/4;
NW 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
W 1/2 of the SE 1/4 of the NW 1/4 of the NW 1/4;
E 1/2 of the NE 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the SW 1/4 of the NW 1/4;
NW 1/4 of the SE 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the NE 1/4 of the NE 1/4 of the SE 1/4;
W 1/2 of the E 1/2 of the NE 1/4 of the SE 1/4;
W 1/2 of the NW 1/4 of the NE 1/4 of the SE 1/4;
E 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the NW 1/4 of the SE 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
S 1/2 of the SE 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the W 1/2 of the SW 1/4 of the SE 1/4;
NW 1/4 of the NW 1/4 of the SW 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the SE 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4 of the SE 1/4;
W 1/2 of the NE 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NE 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the SW 1/4 of the NE 1/4 of the SW 1/4;
S 1/2 of the SW 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
W 1/2 of the NE 1/4 of the SE 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;

All of the following lands lying in Section 8, Township 47 S, Range 35 E:

NW 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the SW 1/4;
E 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4;
N 1/4 of the SW 1/4 of the SW 1/4;
SE 1/4 of the NE 1/4 of the SW 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4;
N 1/2 of the S 1/2 of the SW 1/4 of the SW 1/4;
S 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4.

All of the following lands lying in Section 9, Township 47 S, Range 35 E:

NE 1/4 of the NW 1/4;
W 1/2 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4;
N 1/2 of the SE 1/4 of the NW 1/4;
S 1/2 of the SE 1/4 of the SE 1/4.

All of the following lands lying in Section 11, Township 47 S, Range 35 E:

NE 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NW 1/4;
That portion of the S 1/2 of the N 1/2 of the SE 1/4
lying and being Westerly of the Miami Canal;
SW 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4; and
S 1/2 of the SE 1/4 of the NW 1/4 of the SW 1/4.

All of the following lands lying in Section 13, Township 47 S, Range 35 E:

SE 1/4 of the SE 1/4 of the SW 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4.

All of the following lands lying in Section 17, Township 47, Range 35:

E 1/2 of the SW 1/4 of the SW 1/4.

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All of the following lands lying in Section 18, Township 47 S, Range 35 E:

N 1/2 of the NE 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the NE 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the NE 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the NW 1/4 of the NE 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4;
W 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4;
E 1/2 of the SE 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the SW 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the SE 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the NW 1/4;
E 1/2 of the SE 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4 of the NW 1/4;
S 1/2 of the NE 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the NE 1/4 of the NE 1/4 of the SE 1/4;
W 1/2 of the NE 1/4 of the NE 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4;
N 1/2 of the S 1/2 of the NE 1/4 of the SE 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the SE 1/4;

All of the following lands lying in Section 18, Township 47 S, Range 35 E,
continued:

NE 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the NW 1/4 of the NW 1/4 of the SE 1/4;
NW 1/4 of the NW 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the SE 1/4 of the NW 1/4 of the SE 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the SE 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4 of the SE 1/4;
W 1/2 of the SW 1/4 of the SE 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4 of the SW 1/4;
W 1/2 of the NW 1/4 of the NW 1/4 of the SW 1/4;
SE 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4;
W 1/2 of the SE 1/4 of the NW 1/4 of the SW 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the SW 1/4;
E 1/2 of the NE 1/4 of the SW 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4;
W 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4;
E 1/2 of the SE 1/4 of the SW 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the SW 1/4 of the SW 1/4;
E 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4;
NE 1/4 of the SW 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the NW 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NW 1/4;
W 1/2 of the SE 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the SE 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4;
NE 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4.

All of the following lands lying in Section 20, Township 47 S, Range 35 E:

NE 1/4 of the NE 1/4 of the NE 1/4;
N 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the NE 1/4;
S 1/2 of the SW 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the NE 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4 of the NE 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
NW 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4;
W 1/2 of the SW 1/4 of the NE 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
NE 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the NE 1/4 of the NW 1/4;
E 1/4 of the SE 1/4 of the NW 1/4;
W 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4;
SW 1/4 of the SE 1/4 of the SE 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4;
N 1/2 of the NE 1/4 of the SW 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the NE 1/4 of the NW 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the SE 1/4;
W 1/2 of the NW 1/4 of the NW 1/4 of the SE 1/4;
N 1/2 of the SE 1/4 of the NW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the NW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the SE 1/4 of the SE 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4 of the SE 1/4;
N 1/2 of the SE 1/4 of the SE 1/4 of the SE 1/4;
W 1/2 of the SW 1/4 of the SE 1/4 of the SE 1/4;

All of the following lands lying in Section 20, Township 47 S, Range 35 E,
continued:

SW 1/4 of the NE 1/4 of the SW 1/4 of the SE 1/4;
NW 1/4 of the SW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the SW 1/4 of the SW 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the NE 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the SW 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NE 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4;
NE 1/4 of the NE 1/4 of the SE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
SW 1/4 of the NW 1/4 of the SE 1/4 of the SW 1/4;
SE 1/4 of the SE 1/4 of the SE 1/4 of the SW 1/4;
W 1/2 of the SW 1/4 of the SE 1/4 of the SW 1/4.

All of the following lands lying in Section 21, Township 47 S, Range 35 E:

N 3/4 of the N 1/2 of the NE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the NE 1/4.

All of the following lands lying in Section 25, Township 47 S, Range 35 E:

All that part of said Section 25, lying East of the Easterly right of way line of the Miami Canal; LESS the following:
NE 1/4 of the NW 1/4 of the NE 1/4;
N 1/2 of the SE 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the NW 1/4;
NE 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the NW 1/4 of the SE 1/4;
E 1/2 of the NE 1/4 of the SW 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the SW 1/4 of the SW 1/4.

AND

All of the following lands lying in Section 25, Township 47 S, Range 35 E, continued:

All of the following lands in Section 25:

SE 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4;
NW 1/4 of the NW 1/4 of the SE 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the SW 1/4 of the NW 1/4;
NW 1/4 of the SE 1/4 of the NW 1/4;
NE 1/4 of the NW 1/4 of the SE 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4.

All of the above is LESS those lands conveyed to the Central and Southern Florida Flood Control District in Deed Book 1155, Page 198, Deed Book 1158, Page 556 and Deed Book 1163, Page 259.

All of the following lands lying in Section 28, Township 47 S, Range 35 E:

NW 1/4 of the NE 1/4 of the NE 1/4 of the NE 1/4;
E 1/2 of the NW 1/4 of the NE 1/4 of the NE 1/4;
SW 1/4 of the SE 1/4 of the NE 1/4 of the NE 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4 of the NE 1/4;
N 1/4 of the NW 1/4 of the NE 1/4;
SW 1/4 of the NW 1/4 of the NW 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the NW 1/4 of the NE 1/4;
W 1/2 of the SE 1/4 of the NW 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the NE 1/4;
E 1/2 of the NE 1/4 of the SE 1/4 of the NE 1/4;
W 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4;
NW 1/4 of the NW 1/4 of the SW 1/4 of the NE 1/4;
S 1/2 of the SE 1/4 of the SW 1/4 of the NE 1/4;
NE 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4;
SE 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the NW 1/4;

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All of the following lands lying in Section 28, Township 47 S, Range 35 E,
continued:

N 1/2 of the S 1/2 of the NE 1/4 of the NW 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4;
E 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4 of the NW 1/4;
E 1/4 of the SE 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the SE 1/4 of the SE 1/4;
SE 1/4 of the NW 1/4 of the SE 1/4 of the SE 1/4;
NW 1/4 of the NW 1/4 of the SE 1/4 of the SE 1/4;
NE 1/4 of the SW 1/4 of the SE 1/4 of the SE 1/4;
SW 1/4 of the SW 1/4 of the SE 1/4 of the SE 1/4;
NE 1/4 of the NE 1/4 of the SW 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the SE 1/4;
W 1/4 of the SW 1/4 of the SE 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4;
NE 1/4 of the SW 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4;
SE 1/4 of the SE 1/4 of the SW 1/4 of the SW 1/4;
E 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4;
E 1/2 of the NE 1/4 of the NE 1/4 of the SW 1/4;
E 1/2 of the NW 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the SW 1/4;
N 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4;
SE 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
S 1/2 of the SW 1/4 of the NE 1/4 of the SW 1/4;
SE 1/4 of the NE 1/4 of the NW 1/4 of the SW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4 of the SW 1/4;
W 1/2 of the NW 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the SW 1/4 of the NW 1/4 of the SW 1/4;
S 1/4 of the NW 1/4 of the SW 1/4.

All of the following lands lying in Section 32, Township 47 S, Range 35 E:

E 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NE 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the NE 1/4 of the NW 1/4;
N 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the NE 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NW 1/4 of the NW 1/4;
SE 1/4 of the NE 1/4 of the NE 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the NW 1/4 of the NE 1/4 of the SW 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4 of the SW 1/4;
S 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the SW 1/4;
SE 1/4 of the NE 1/4 of the NW 1/4 of the SW 1/4;
W 1/2 of the NE 1/4 of the NW 1/4 of the SW 1/4;
NW 1/4 of the NW 1/4 of the SW 1/4;
N 1/2 of the SE 1/4 of the NW 1/4 of the SW 1/4;
SW 1/4 of the SE 1/4 of the NW 1/4 of the SW 1/4;
N 3/4 of the SE 1/4 of the SW 1/4;
S 1/2 of the SE 1/4 of the SE 1/4 of the SW 1/4;
SE 1/4 of the SW 1/4 of the SE 1/4 of the SW 1/4.

All of the following lands lying in Section 33, Township 47 S, Range 35 E:

E 1/2 of the SW 1/4 of the SE 1/4.

All of the following lands lying in Section 35, Township 47 S, Range 35 E:

W 1/2 of the NE 1/4 of the NE 1/4 of the NE 1/4;
NW 1/4 of the NE 1/4 of the NE 1/4;
S 1/2 of the SW 1/4 of the NE 1/4 of the NE 1/4;
NE 1/4 of the NW 1/4 of the NE 1/4;
NW 1/4 of the SE 1/4 of the NE 1/4 of the NE 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the NE 1/4;
N 1/2 of the NE 1/4 of the NW 1/4 of the SE 1/4 of the NE 1/4;
SE 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4;
NW 1/4 of the SW 1/4 of the SE 1/4 of the NE 1/4;
E 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the NE 1/4 of the SW 1/4 of the NE 1/4;
W 1/2 of the NW 1/4 of the SW 1/4 of the NE 1/4;
SW 1/4 of the SW 1/4 of the SW 1/4 of the NE 1/4;

All of the following lands lying in Section 35, Township 47 S, Range 35 E,
continued:

W 1/2 of the NE 1/4 of the NE 1/4 of the NW 1/4;
NW 1/4 of the NW 1/4 of the NE 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NE 1/4 of the NW 1/4;
NE 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
SW 1/4 of the SW 1/4 of the NW 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SE 1/4 of the NW 1/4;
E 1/2 of the NW 1/4 of the SE 1/4 of the NW 1/4;
W 1/2 of the SE 1/4 of the SE 1/4 of the NW 1/4;
E 1/2 of the SW 1/4 of the SE 1/4 of the NW 1/4;
NW 1/4 of the NE 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the NW 1/4 of the SW 1/4 of the NW 1/4;
N 1/2 of the SW 1/4 of the SW 1/4 of the SW 1/4 of the NW 1/4;
NE 1/4 of the NE 1/4 of the NE 1/4 of the SE 1/4;
SW 1/4 of the NE 1/4 of the NE 1/4 of the SE 1/4;
N 1/2 of the SE 1/4 of the NE 1/4 of the SE 1/4;
W 1/2 of the SW 1/4 of the NE 1/4 of the SE 1/4;
W 1/2 of the NE 1/4 of the SE 1/4 of the SE 1/4;
S 1/2 of the NW 1/4 of the SE 1/4 of the SE 1/4;
W 1/2 of the SW 1/4 of the SE 1/4 of the SE 1/4;
E 1/2 of the SW 1/4 of the NW 1/4 of the SW 1/4;
E 1/4 of the SW 1/4 of the SW 1/4;
NE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4.

ALL THE FOREGOING LANDS ARE LOCATED IN PALM BEACH COUNTY, FLORIDA

84437 P0901

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RECORDED
PALM BEACH COUNTY, FLA
JOHN B. GURKLE
CLERK CIRCUIT COURT

(3) 00354612000009000 (4) 00354601000007010

(5) 00364607000009000 (6) 00364608000001000

(7) 00364605000001000

Mar-20-2001 01:45pm 01-104820
ORB 12392 Pg 1174

Mar-30-1999 02:54pm 99-126924
ORB 11016 Pg 835
Con 44,255,152.00 Doc 309,786.40

This instrument was prepared by:
Sharon R. Parks, Esq.
The St. Joe Company
Suite 400
1650 Prudential Drive
Jacksonville, Florida 32207

Upon recording please call
Mark J. Boulis, Esq. at 305/858-3358 to have
document retrieved at
recording department

Property Appraiser's Folio Numbers: See Attached Exhibit A

GENERAL WARRANTY DEED

THIS WARRANTY DEED (this "Deed") made as of this 26th day of March, 1999, by TALISMAN SUGAR CORPORATION, a Florida corporation (hereinafter called "Grantor"), with a mailing address of P.O. Box 814, Belle Glade, Florida 33430, to OKEELANTA CORPORATION, a Delaware corporation (hereinafter called "Grantee"), with a mailing address of P.O. Box 1059, Palm Beach, Florida 33480.

WITNESSETH:

That the Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid by or on behalf of Grantee, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee forever, in fee simple, all that certain land and improvements thereon situate and being in Palm Beach and Hendry County, Florida, more particularly described as follows (the "Property"):

See attached Exhibit B.

TOGETHER with all and singular, the tenements, hereditaments, easements, appurtenances and all other rights thereto belonging or in anywise appertaining to the proper use and benefit of the Grantee, and its successors and assigns forever, in fee simple, free and clear of all liens and encumbrances; and with respect to the banks, beds, and water of any streams, canals and waterways running through, opposite to or fronting upon the Property, including all littoral and/or riparian rights incident thereto and to alleys, roads, easements, streets, ways, strips, gores or railroad rights-of-way abutting or adjoining the Property, the Grantor releases and assigns to Grantee all of Grantor's right, title and interests, legal or equitable, if any.

NOTE TO RECORDING CLERK: DEED BEING RECORDED IN PALM BEACH AND HENDRY COUNTIES. ALL DOCUMENTARY STAMPS PAID IN PALM BEACH COUNTY.

SUBJECT TO the restrictions, easements, agreements, reservations and all other matters set forth in the public records of Palm Beach County, Florida, including, but not limited to rights-of-way, oil, gas, petroleum and mineral rights and reservations, and plats of record; and

FURTHER SUBJECT TO taxes and assessments for the year 1999 and all subsequent years; all applicable environmental, zoning and land use ordinances; all restrictions, limitations, and conditions imposed by governmental authorities; and all matters which would be disclosed by an accurate survey of the Property.

AND the Grantor, subject to the exceptions set forth above, does hereby fully warrant the title to the Property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

"GRANTOR"

TALISMAN SUGAR CORPORATION,
a Florida corporation

Witness Signature

Sharon R. Parny

Witness Print Name

Sharon R. Parny

Witness Signature

SHARON R. PARNY

Witness Print Name

By:

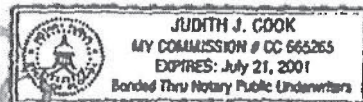
J. Malcolm Jones, Jr.
J. Malcolm Jones, Jr.,
Senior Vice President

STATE OF FLORIDA)
) ss:
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 26th day of March, 1999, by J. Malcolm Jones, Jr., as Senior Vice President of TALISMAN SUGAR CORPORATION, a Florida corporation, for and on behalf of the corporation. He ☒ is personally known to me or ☐ produced _____ as identification [check appropriate box].

(NOTARY SEAL)

Judith J. Cook
NOTARY PUBLIC
My commission Expires:



Prepared by and Return to:
Sharon R. Parks
The St. Joe Company
1650 Prudential Drive, Suite 400
Jacksonville, Florida 32207

SECRETARY'S CERTIFICATE

I, Lawrence Paine, the duly elected and incumbent Assistant Secretary of Talisman Sugar Corporation, do hereby certify that:

1. The following individuals are the duly elected and incumbent officers of Talisman Sugar Corporation:

| | | |
|----|---|-----------------------|
| a. | Chairman and Chief Executive Officer | Peter S. Rummell |
| b. | Senior Vice President & General Counsel and Secretary | Robert M. Rhodes |
| c. | Senior Vice President | J. Malcolm Jones, Jr. |
| d. | Vice President Human Resources & Administration | Michael F. Bayer |
| e. | Vice President, General Manager & Assistant Treasurer | Miguel B. Cervera |
| f. | Controller | Janna Connolly |
| g. | Assistant Secretary | Lawrence Paine |

2. Any Senior Vice President or Vice President and the Secretary or Assistant Secretary is authorized by the shareholders of Talisman Sugar Corporation to execute and deliver on behalf of Talisman Sugar Corporation, the deed and any and all other documents necessary or appropriate in connection with the sale of certain real property situated in Palm Beach County and Hendry County, Florida to The Nature Conservancy, Triple S Holdings, Ltd., Knight Holdings, Ltd., The South Florida Water Management District, United States Sugar Corporation, Okeelanta Corporation, South Florida Industries, Inc., Florida Crystals Corporation and Sugar Cane Growers Cooperative of Florida in consideration of the sum of \$133,454,800.00 and in satisfaction of the terms and conditions of that certain Purchase and Sale Agreement by and between Talisman Sugar Corporation and The Nature Conservancy dated July 2, 1998, as amended by Amendment to Purchase and Sale Agreement dated November 30, 1998, Second

Amendment to Purchase and Sale Agreement dated December 3, 1998 and Third Amendment to Purchase and Sale Agreement dated March __, 1999 and that certain Exchange and Purchase and Sale Agreement by and among The South Florida Water Management District; United States Sugar Corporation; Okeelanta Corporation, South Florida Industries, Inc. and Florida Crystals Corporation; Sugar Cane Growers Cooperative of Florida; Talisman Sugar Corporation and The St. Joe Company; The United States Department of the Interior; and The Nature Conservancy dated March 15, 1999.

3. The foregoing authority remains in effect and has not been rescinded.
4. The undersigned further certifies that the foregoing authority does not violate any provision of the Articles of Incorporation or Bylaws of Talisman Sugar Corporation.

Executed this 21 day of March, 1999.

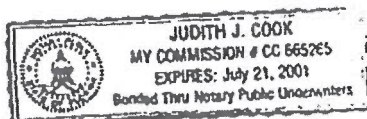
TALISMAN SUGAR CORPORATION

By: [Signature]

Lawrence Paine
Assistant Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 26th day of March, 1999, by Lawrence Paine, as Assistant Secretary of Talisman Sugar Corporation, a Florida corporation, on behalf of the corporation. He is ☒ personally known to me, or ☐ has produced _____ as identification [check one].



Judith J. Cook
Notary Public, State of Florida

Print Name: JUDITH J COOK

Commission No.: _____

Commission Expires: _____

State of Florida



Department of State

I certify from the records of this office that TALISMAN SUGAR CORPORATION, is a corporation organized under the laws of the State of Florida, filed on January 21, 1961.

The document number of this corporation is 243986.

I further certify that said corporation has paid all fees and penalties due this office through December 31, 1999, that its most recent annual report was filed on February 25, 1999, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Seventeenth day of March, 1999



CR2EO22 (1-99)

Katherine Harris

Katherine Harris
Secretary of State

Exhibit A

PALM BEACH & HENDRY COUNTY
TAX FOLIO NUMBERS

Talisman Sugar Corporation - Sale to Okeelanta Corporation

Palm Beach County

00-36-46-05-00-000-1020
00-36-46-05-00-000-1030
00-36-46-05-00-000-3010
00-36-46-05-00-000-5020
00-36-46-05-00-000-5030
00-36-46-05-00-000-5050
00-36-46-05-00-000-7010
00-36-46-05-00-000-9010
00-36-46-07-00-000-9000
00-36-46-08-00-000-9000
00-36-46-09-00-000-3010
00-36-46-09-00-000-3020
00-36-46-09-00-000-9010
00-37-45-04-00-000-9000
00-37-45-05-00-000-9000 (note: folio split)
00-36-45-29-00-000-1010
00-36-45-29-00-000-5010
00-36-45-30-00-000-9000
00-36-45-31-00-000-9000
00-36-45-33-00-000-5000
00-35-45-33-00-000-3030
00-36-45-32-00-000-9000
00-39-45-19-00-000-1000
00-39-45-20-00-000-9000
00-39-45-21-00-000-9000 (note: folio split)
00-38-45-24-00-000-1000
00-37-44-07-00-000-5000
00-37-44-17-00-000-3000
00-37-44-28-00-000-5000

Exhibit A
(continued)

Talisman Sugar Corporation - Sale to Okeelanta Corporation

Palm Beach County Folio Numbers continued:

00-37-44-33-00-000-9000
00-36-44-34-00-000-1000
00-36-44-35-01-000-0010
00-36-44-36-01-000-0010
00-39-43-19-00-000-9000 (note: folio split)
00-39-43-29-00-000-9000 (note: folio split)
00-39-43-30-00-000-9000
00-39-43-31-00-000-9000
00-35-46-12-00-000-9000
00-38-43-37-01-006-0010
00-38-43-37-01-006-0020

Hendry County Folio Numbers:

1274434-A0000010000 (note: folio split)
1284434-A0000010000

EXHIBIT

B

Tract No. V6-200-003-A
MAIN RANCH (Florida Crystals)

The West one-half (W 1/2) and the West three-quarters (W 3/4) of the West one-half (W 1/2) of the East one-half (E 1/2) of Section 29 and all Sections 30, 31 and 32, and the South one-half (S 1/2) of Section 33, Township 45 South, Range 36 East, Palm Beach County, Florida:

TOGETHER WITH

The Southwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 33, Township 45 South, Range 35 East, Palm Beach County, Florida.

LESS AND EXCEPT (DEFERRED):

Tract No. V6-100-045
T-18 (North)

The South 105 feet of the East 210 feet of Section 33, Township 45 South, Range 36 East, Palm Beach County, Florida.

AND

All of Section 1, Township 46 South, Range 35 East, Palm Beach County, Florida. Less and not including the Northwest one-quarter; and less the Northeast one-quarter (NE 1/4) of the Southwest one-quarter (SW 1/4) of the Southwest one-quarter (SW 1/4); and less the Northwest one-quarter (NW 1/4) of the Southwest one-quarter (SW 1/4) of the Southeast one-quarter (SE 1/4) thereof.

AND

All of Section 5, Township 46 South, Range 36 East, Palm Beach County, Florida. LESS AND EXCEPT: The Southwest one-quarter (SW 1/4) of the Southeast one-quarter (SE 1/4) of the

Southeast one-quarter (SE 1/4) of Section 5, Township 46 South, Range 36 East, Palm Beach County, Florida.

AND

All of Sections 7, 8, and 9, Township 46 South, Range 36 East and Section 12, Township 46 South, Range 35 East, Palm Beach County, Florida.

LESS AND EXCEPT (DEFERRED):

Tract No. V6-100-044 N
T-21 N

All of those lands in Section 8, and 9, Township 46 South, Range 36 East, Palm Beach County, Florida lying within the following described property: For a Point of Reference commence at the Palm Beach County Geodetic Control Point BASIN having a coordinate value of N (Northing) 795,646.12, and E (Easting) 725,839.45, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990 as published by Palm Beach County, Adjustment of 1998; thence South 45°12'25" East a distance of 15,081.60 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the Point of Beginning, having a State Plane Coordinate value of N = 785,020.38 and E = 736,542.18; thence South 00°02'19" East a distance of 418.15 feet; Thence South 89°57'41" West a distance of 182.77 feet; thence North 00°02'19" West a distance of 418.15 feet; thence North 89°57'41" East a distance of 182.77 feet to the Point of Beginning.

Containing 1.8 acres, more or less.

Tract No. V6-100-003-A
TECAN RANCH
(Florida Crystals)

All of Section 28 LESS the South 100 feet thereof and that part of Section 27, Township 44 South, Range 34 East, Hendry County, Florida, lying Westerly and Northerly of the following described line: For a point of reference, commence at Geodetic Control Point "GCY A-46", having a coordinate value of N (Northing) = 829500.98, and E (Easting) 661822.73, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990; thence north 70°42'04" East, a distance of 10,625.62 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the Point of Beginning, having a State Plane Coordinate value of N = 834995.70 and E = 677514.10, of the following described line; thence North 89°25'28" East along the centerline of a ditch, a distance of 1344.48 feet to a point, having a State Plane Coordinate value of N = 835009.20 and E = 678759.51; thence North 00°43'37" East along the centerline of a ditch, a distance of 2605.17 feet to a point, having a State Plane Coordinate value of N = 837614.16 and E = 678792.57, and the Terminus Point of said line. The

aforementioned lines are to be lengthened or shortened accordingly, to intersect with the Northerly and Westerly line of said Section 27.

AND

ORB 11016 Pg 846

All of that part of said Section 27, Township 44 South, Range 34 East, Hendry County, Florida, lying Easterly and Southerly of the following described line: For a point of reference, commence at Geodetic Control Point "GCY A46" having a coordinate value of N (Northing) = 829500.98 and E (Easting) = 661822.73, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990; thence North 80°30'59" East, a distance of 18,528.07 feet (all bearings and distances are State Plane Coordinate grid bearings and distances), to a Point of Beginning, having a State Plane Coordinate value of N = 832553.78 and E = 680097.57, of the following described line; thence North 00°04'42" East along the centerline of a ditch 3779.09 feet to a point having a State Plane Coordinate value of N = 836332.86 and E = 680102.74; thence North 89°31'52" East along the centerline of a ditch, a distance of 1349.83 to a point having a State Plane Coordinate of N = 836343.91 and E = 681452.52; thence North 00°09'31" East, along the centerline of a ditch, a distance of 1275.56 feet to the Terminus Point of said line, having a State Plane Coordinate value of N = 837619.47 and E = 681456.05. The aforementioned lines are to be lengthened or shortened accordingly to intersect with the Northerly and Southerly line of said Section 27.

LESS AND EXCEPTING therefrom that certain land conveyed by J.A. Franklin and wife to State of Florida by deed dated February 25, 1952, and recorded in Deed Book 30, Page 208, described as follows:

- a. The East 100 feet of the North 4459.73 feet of Section 27, Township 44 South, Range 34 East, and
- b. The South 100 feet of the West 4459.73 feet of Section 27, Township 44 South, Range 34 East, and
- c. A strip of land 200 feet in width lying 100 feet each side of the following described centerline of State Road S-832:

Beginning at a point on the Section line a distance of 820.27 feet West of the Southeast corner of Section 27, Township 44 South, Range 34 East, which point is the centerline of said road and the beginning of a 7° curve concave to the North and West, having a radius of 819.02 feet and a total central angle of 90°05'15" left, thence run along the arc of said curve, a distance of 1287.76 feet to the point of tangent; point of tangent being on the East Section line, a distance of 820.27 feet North of the Southeast corner of said Section 27.

- d. LESS AND EXCEPT the following parcel of land lying in the Southeast quarter of Section 27, Township 44 South, Range 34 East, being more particularly described as follows:

From the Southeast corner of Section 27, Township 44 South, Range 34 East, run North 00°18'55" West along the East line of said Section, 1453.23 feet; thence South 88°40'52" West 167.52 feet for a Point of Beginning; run thence South 88°40'52" West, 300 feet; thence North 00°19'08" West 300 feet; thence North 88°40'52" East, 300 feet; thence South 00°19'08" East 300 feet to the Point of Beginning. Bearing used herein refer to the True Meridian based on Solar Observation.

SUBJECT TO an easement for ingress and egress over the following describe parcel of land lying in the Southeast quarter of Section 27, Township 44 South, Range 34 East, Hendry County, Florida, being more particularly described as follows: From the Southeast corner of Section 27, Township 44 South, Range 34 East, run North 00°18'55" West along the East line of said Section, 1453.23 feet; thence South 88°40'52" West 167.72 feet; thence North 00°19'03" West 257 feet for a Point of Beginning lying 120 feet South 88°40'52" West of the centerline of SR S-832, from said Point of Beginning all lands lying within 15 feet North and South of the following described centerline; tun North 88°40'52" East 67.74 feet to the West Right-of-Way line of SR No. S-832 and the Point of Termination of this description.

LESS AND NOT INCLUDING (DEFERRED PARCELS)

Tract No. V6-100-075
TE-3

The West 30 feet of the North 435.6 feet of the South 2367.8 feet of Section 27, Township 44 South, Range 34 East, Hendry County, Florida.

Together with:

The East 70 feet of the North 435.6 feet of the South 2367.8 feet of Section 28, Township 44 South, Range 34 East, Hendry County, Florida.

Containing 1 acre, more or less.

Tract No. V6-100-074
TE-4

The West 105 feet of the South 210 feet of the North 1350 feet of Section 27, Township 44 South, Range 34 East, Hendry County, Florida.

Together with:

The East 105 feet of the South 210 feet of the North 1350 feet of Section 28, Township 44 South, Range 34 East, Hendry County, Florida.

ORB 12392 Pg 1187

ORB 11016 Pg 848

NOT A CERTIFIED COPY

Containing 1 acre, more or less.

Tract No. V6-100-076
TE-9

The West 50 feet of the North 210 feet of the South 1305 feet of Section 27, Township 44 South,
Range 34 East, Hendry County, Florida.

Together with:

The East 160 feet of the North 210 feet of the South 1305 feet of Section 28, Township 44 South,
Range 34 East, Hendry County, Florida.

Containing 1 acre, more or less.

(17)

Tract No.: V6-100-004-A
 BOCA CHICA
 (FLORIDA CRYSTAL)

All of those lands in Sections 28, 29, 32 and 33, Township 44 South, Range 37 East, lying South of the Bolles Canal Right-of-Way and those lands in Sections 4 and 5, Township 45 South, Range 37 East, in Palm Beach County, Florida, lying Easterly and Southerly of the following described line: For a Point of Reference commence at the Palm Beach County Geodetic Control Point HERR having a coordinate value of N (Northing) = 827454.14, and E (Easting) = 750491.23, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990 as published by Palm Beach County, Adjustment of 1998; thence South 51°44'02" East, a distance of 19221.34 feet, (all bearings and distances are State Plane Coordinate grid bearings and distances), to the Point of Beginning, having a State Plane Coordinate value of N = 815550.08 and E = 765582.73, of the following described line; thence North 01°20'31" East, along the centerline of a canal a distance of 1950.33 feet to a point having a State Plane Coordinate value of N = 817499.87 and E = 765628.40; thence North 89°58'08" East along the centerline of a ditch, a distance of 2711.19 feet to a point having a State Plane Coordinate value of N = 817501.34 and E = 768339.59; thence North 00°12'11" East along the centerline of a ditch, a distance of 3395.04 feet to a point having a State Plane Coordinate value of N = 820896.36 and E = 768327.56; thence North 01°23'15" East along the centerline of a ditch, a distance of 5195.05 feet to a point having a State Plane Coordinate value of N = 826089.88 and E = 768453.35; thence North 01°28'06" East along the centerline of a ditch 3514.87 feet, to a point having a State Plane Coordinate value of N = 829603.60 and E = 768543.41, and the Terminus Point of said line. The aforesaid line is to be lengthened or shortened accordingly to intersect with the Southerly line of said Section 4 on the South and the Southerly Right-of-Way line of the Bolles Canal on the North.

LESS AND EXCEPT (DEFERRED): the following described lands:

Tract No. V6-100-071
 B-1

A parcel of land situate in Sections 28 and 29, Township 44 South, Range 37 East, Palm Beach County, Florida, bounded as follows:

On the North by the South right of way line of South Florida Water Management District's Levee L-16

On the South by a line 100 feet South of and parallel with said right-of-way line;

On the East by a line 50 Easterly of and parallel with the East line of said Section 29;

On the West by a line 385 feet Westerly of and parallel with said East line of Section 29.

Tract No. V6-100-068
B-3

All of those lands in Section 28, Township 44 South, Range 37 East, Palm Beach County, Florida lying South of the Bolles Canal Right-of-way and lying within the following described property: For a Point of Reference commence at the Palm Beach County Geodetic Control Point DELTA having a coordinate value of N (Northing) 848,092.59, and E (Easting) 763,701.08, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990 as published by Palm Beach County, Adjustment of 1998; thence South $21^{\circ}10'46''$ East a distance of 19,312.03 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the POINT OF BEGINNING, having a State Plane Coordinate value of N = 830,085.03 and E = 770,678.34; thence North $79^{\circ}31'45''$ East a distance of 529.62 feet; thence South $01^{\circ}30'35''$ West a distance of 177.95 feet; thence North $85^{\circ}44'08''$ West a distance of 505.20 feet; thence North $15^{\circ}35'50''$ West a distance of 45.76 feet to the POINT OF BEGINNING.

Containing 1.3 acres, more or less.

Tract No. V6-100-006-A-1
FLORIDA SUGAR CORP. SITE
(Florida Crystals)

All of Sections 19, 29, 30, and 31, Township 43 South, Range 39 East, Palm Beach
County, Florida

LESS AND EXCEPTING therefrom the following described land:

That part of Section 19, Township 43 South, Range 39 East, lying within 295.00 feet Southerly
of the Northerly Right-of-Way line of State Road 80, Section 93110-2506, said Right-of-Way
line described as follows:

Commence at the Southwest corner of Section 14, Township 43 South, Range 38 East, thence
North 00°06'54" East along the West line of said Section 14, a distance of 240.89 feet to the
BEGINNING of the herein described line and to a point on the curve concave Southerly having a
tangent bearing of South 88°23'44" East through said point; thence Southerly along said curve
having a radius of 5825.58 feet through a central angle of 03°50'22" an arc distance of 390.38
feet to the end of said curve; thence South 84°33'22" East, a distance of 374.39 feet to the

beginning of a curve concave Northerly; thence Southeasterly along said curve having a radius of 5633.58 feet through a central angle of $05^{\circ}32'50''$ an arc distance of 545.43 feet to the end of said curve; thence North $89^{\circ}53'49''$ East, a distance of 3714.92 feet; thence North $89^{\circ}33'48''$ East crossing the East line of said Section 14 and the West line of Section 13, Township 43 South, Range 38 East, a distance of 706.19 feet; thence South $89^{\circ}58'32''$ East, a distance of 4,694.76 feet to the beginning of a curve concave Southerly; thence Easterly along said curve having a radius of 7735.44 feet through a central angle of $03^{\circ}37'53''$ an arc distance of 490.27 feet to the end of said curve; thence South $86^{\circ}20'39''$ East, a distance of 288.03 feet to the beginning of a curve concave Northerly; thence Easterly along said curve having a radius of 7543.44 feet through a central angle of $03^{\circ}49'16''$ an arc distance of 503.08 feet to the end of said curve; thence North $89^{\circ}50'05''$ East, a distance of 3,148.90 feet; thence North $89^{\circ}20'05''$ East, a distance of 993.31 feet to the East line of Section 18, Township 43 South, Range 39 East, and the END of the herein described line; thence South $00^{\circ}20'14''$ West along the East line of said Section 18, a distance of 273.67 feet to the Southeast corner of said Section 18.

AND THE FOLLOWING PARCEL IS INCLUDED IN THE PROPERTY CONVEYED PURSUANT TO THIS DEED:

All of tracts 1 through 16, inclusive, of Hiatus Lot 6, lying between Township 43 and 44 South, Range 39 East, according to the plat thereof, recorded in Plat Book 8, Page 84 of the Public Records of Palm Beach County, Florida.

LESS AND EXCEPTING therefrom the following described parcel of land:

Tract No. CF-100-022

A parcel of land in Hiatus Lot 6, between Township 43 South and Township 44 South, Range 39 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of Section 6, Township 44 South, Range 39 East; thence North $34^{\circ}54'30''$ East, along the East line of Hiatus Lot 6, between Township 43 South and 44 South, Range 39 East, a distance of 180.91 feet to a point on the North Right-of-Way line of the South Florida Water Management District's Ocean Canal; said point being the Point of Beginning; thence continue North $34^{\circ}54'30''$ East, along said East line of Hiatus Lot 6, a distance of 36.80 feet; thence South $89^{\circ}31'41''$ seconds West, a distance of 5283.13 feet to the West line of Hiatus Lot 6, a distance of 0.99 feet to the West line of Tract 16 of the Plat of Subdivision of Lot 6 between Townships 43 and 44 South, Range 39 East; also Lots 1 and 2, between Townships 33 and 44 South, Range 38 East, as recorded in Plat Book 8, at Page 84 (dated June 20, 1922), Palm Beach County, Florida, public records; thence South $00^{\circ}29'05''$ West, along said West line of $89^{\circ}31'41''$ East, along said North Right-of-Way line; thence North $89^{\circ}31'41''$ East, along said North Right-of-Way line, a distance of 5262.88 feet to the Point of Beginning.

LESS AND EXCEPT (DEFERRED): the following described lands:

Tract No. V6-100-057
FL-13

A parcel of land situate in Sections 30 and 31, Township 43 South, Range 39 East and Section 36, Township 43 South, Range 38 East, all in Palm Beach County, Florida, more particularly described as follows:

The West 69 feet of the South 27.56 feet of said Section 30;

Together with:

The West 69 feet of the North 182.44 feet of said Section 31;

Together with:

The South 210 feet of the North 325 feet of the East 141 feet of said Section 36.

Containing 1 acre, more or less.

Tract No. V6-100-064
FL-14

A parcel of land situate in Section 30, Township 43 South, Range 39 East, Palm Beach County, Florida, said parcel being more particularly described as follows: As a point of reference commence at the United States Coast and Geodetic Survey Monument "Williams 2 1970", having a coordinate value of N (Northing) = 852644.83 and E (Easting) = 820236.59, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990 as published by Palm Beach County, Adjustment of 1998; thence North 29°43'39" East, a distance of 10,279.73 feet, (all bearings and distances are State Plane Coordinate grid bearings and distances), to the POINT OF BEGINNING, having a State Plane Coordinate value of N = 861571.68 and E = 825334.06, of the following described parcel; thence North 00°00'00" East, a distance of 392.66 feet; thence South 53°20'27" East, a distance of 408.49 feet; thence South 00°00'00" East, a distance of 148.79 feet; thence North 90°00'00" West, a distance of 327.69 feet to the POINT OF BEGINNING.

- Containing 2.00 acres, more or less.

Tract No. V6-100-055
FL-19

All of those lands in Hiatus Lot 6 lying between Township 44 and 43 South, Range 39 East, Palm Beach County, Florida lying within the following described property: For a Point of Reference commence at the United States Coast & Geodetic Survey Monument "Williams 2

64

1970" having a coordinate value of N (Northing) 852,644.83, and E (Easting) 820,236.59, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990, as published by Palm Beach County, Adjustment of 1998; thence North 88°57'50" East, a distance of 6,867.65 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the POINT OF BEGINNING, having a State Plane Coordinate value of N = 852,769.00 and E = 827,103.43; thence North 00°00'00" East, a distance of 234.94 feet; thence South 87°39'12" East, a distance of 298.09 feet; thence South 37°47'31" West, a distance of 281.86 feet; thence North 00°00'00" West, a distance of 125.11 feet to the POINT OF BEGINNING.

Containing 1.1 acres, more or less.

Tract No. V6-100-056
FL-20

All of those lands in Section 31, Township 43 South, Range 39 East, and in Hiatus Lot 6 lying between Township 44 and 43 South, Range 39 East, Palm Beach County, Florida lying within the following described property: For a Point of Reference commence at the United States Coast and Geodetic Survey Monument "Williams 2 1970" having a coordinate value of N (Northing) 852,644.83, and E (Easting) 820,236.59, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990 as published by Palm Beach County, Adjustment of 1998; thence North 81° 29'36" East, a distance of 6,947.82 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the POINT OF BEGINNING, having a State Plane Coordinate value of N = 853,672.58 and E = 827,107.98; thence North 01°04'06" East, a distance of 232.57 feet; thence North 88°50'21" East, a distance of 203.37 feet; thence South 01°04'06" West, a distance of 232.57 feet; thence South 88°50'21" West, a distance of 203.37 feet to the POINT OF BEGINNING.

Containing 1.1 acres, more or less.

Tract No. V6-100-058
FL-21

A parcel of land situate in Hiatus Lot 6 lying between Townships 43 and 44 South, Range 39 East, Palm Beach County, Florida, according to the plat thereof recorded in Plat Book 8, Page 84, Public Records of said Palm Beach County, more particularly described as follows:

Commence at the intersection of the East line of said Hiatus Lot 6 with the North Right-of-Way line of South Florida Water Management District's Levee L-13; thence Westerly, continuing along said Right-of-Way line, a distance of 1800.37 feet to the POINT OF BEGINNING;

thence Westerly, continuing along said Right-of-Way line, a distance of 210 feet; thence Northerly, parallel with the West line of Tract 1 of said Hiatus Lot 6, a distance of 210 feet;

(96)

thence Easterly, parallel with said North Right-of-Way line, a distance of 210 feet; Thence Southerly, parallel with said West line of Tract 1, a distance of 210 feet to the POINT OF BEGINNING.

Containing 1 acre, more or less.

AND LESS AND EXCEPT:
Tract No. CF-100-32

All that part of the following described parcel of land lying in Hiatus Lot 6, between Township 43 South and Township 44 South, Range 39 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of Section 6, Township 44 South, Range 39 East; thence North $34^{\circ}14'19''$ East, along the West line of said Hiatus Lot 6, a distance of 179.43 feet to a point on the North Right-of-Way line of the South Florida Water Management Districts Ocean Canal, and the POINT OF BEGINNING; thence continue North $34^{\circ}14'19''$ East along said West line of Hiatus Lot 6, a distance of 35.33 to a point on the West line of Tract 16 of the Plat of Subdivision of Lot 6, between Townships 43 and 44 South, Range 39 East; also Lots 1 and 2 between Townships 43 and 44 South, Range 38 East as recorded in Plat Book 8, Page 84 of the Palm Beach County, Florida, public records (dated June 20, 1922); thence South $00^{\circ}29'05''$ West along the West line; thence South $89^{\circ}31'14''$ West along said Right-of-Way line, a distance of 19.64 feet to the POINT OF BEGINNING.

~~Together with a perpetual easement for ingress and egress over, on and through the following real property (by virtue of that certain Easement recorded in Official Records Book 831, Page 204, of the Public Records of Palm Beach County, Florida):~~

A parcel of land in Sections 32 and 33, Township 43 South, Range 39 East, and that part of the Hiatus lying between Townships 43 South and 44 South, Range 39 East, Palm Beach County, Florida, more particularly described as follows: Beginning at a point on the North line of said Section 32, 13.04 feet West of the Northeast corner thereof; thence N $89^{\circ}41'45''$ W, along said North line of said Section 32, 97.33 feet to a point; thence S $12^{\circ}14'21''$ E, 311.56 feet to a point; thence South, 2259.03 feet to a point; thence Southeasterly along the arc of a circular curve to the left, having a radius of 65 feet, and arc distance of 52.38 feet to a point; thence South 3773.47 feet to a point on the North line of Township 44, Range 39 East; thence N $89^{\circ}53'30''$ E, along the said North line of Township 44 South, Range 39 East, 199.06 feet to a point; thence N $1^{\circ}20'25''$ W, 87.53 feet to a point; thence Northwesterly along the arc of a circular curve to the left, having a radius of 84.75 feet, an arc distance of 73.31 feet to a point; thence Northerly along the arc of a circular curve to the right, having a radius of 113.76 feet, an arc distance of 98.40 feet to a point; thence N $1^{\circ}20'25''$ W, 852.70 feet to a point; thence N $00^{\circ}09'15''$ W, 2506.98 feet to a point; thence Northeasterly along the arc of a circular curve to the right, having a radius of 75 feet, an arc distance of 57.14 feet to a point; thence Northeasterly to Westerly along the arc of a circular curve to the left, having a radius of 80 feet, and arc distance of 178.39 feet to a point;

~~thence North 2304.62 feet to a point; thence N 12°14'21" W, 280.23 feet to the Point of Beginning also a parcel of land bounded on the North by a line parallel to and 500 feet South of the South line of said Section 32; bounded on the South by the North line of said Township 44 South; bounded on the East by the line parallel to and 25 feet West of the East line of said Section 32, projected South; and bounded on the West by a line parallel to and 175 feet West of the East line of said Section 32, projected South.~~

LESS AND EXCEPTING:

A parcel lying in the Southeast Quarter (SE 1/4) of Section 29, Township 43 South, Range 39 East, Palm Beach County, Florida. Said parcel being more particularly described as follows: Beginning at the southeast corner of said Section 29 run northerly along the East line of said Section 29 a distance of 660.00 feet; thence westerly parallel with the South line of said Section 29 a distance of 660 feet more or less; thence southerly parallel with the East line of said Section 29 a distance of 660.00 feet to a point on the South line of said Section 29; thence easterly along the South line of said Section 29 a distance of 660 feet more or less to the Point of Beginning.

ALSO LESS AND EXCEPTING:

A parcel lying in the Southeast Quarter (SE 1/4) of Section 19, Township 43 South, Range 39 East, Palm Beach County, Florida. Said parcel being more particularly described as follows: Beginning at the southeast corner of said Section 19 run northerly along the East line of said Section 19 a distance of 2189.00 feet; thence westerly parallel with the South line of said Section 19 a distance of 2189 feet more or less; thence southerly parallel with the East line of said Section 19 a distance of 2189.00 feet to a point on the South line of said Section 19; thence easterly along the South line of said Section 19 a distance of 2189 feet more or less to the Point of Beginning.

604

ALSO, LESS AND EXCEPTING:

Tract No. V6-100-018-A
BASORE (Florida Crystals)

The North one half (N 1/2) of Section 3 and all of Section 4, Township 43 South, Range 39 East, Palm Beach County, Florida, LESS AND EXCEPT the West 150 feet and the West 1/2 (w 1/2) of the North 100 feet of said Section 4, and LESS AND EXCEPT the Southeast one quarter (SE 1/4) of said Section 4.

AND THE FOLLOWING PARCEL IS INCLUDED IN THE PROPERTY CONVEYED PURSUANT TO THIS DEED:

Tract No. V6-100-011

The Southeast quarter of Section 7, LESS the East 50 feet thereof, Township 44 South, Range 37 East, lying and being in Palm Beach County, Florida.

Tract No. V6-100-013

The West half of Section 17 LESS the West 50 feet thereof, Township 44 South, Range 37 East, lying and being in Palm Beach County, Florida.

Tract No. V6-100-015-A

The Easterly 359 acres of that portion of Section 36, Township 44 South, Range 36 East, Palm Beach County, Florida, lying Northerly of the right of way for the Bolles Canal and State Road No. 827. The West line of said Easterly 359 acres being parallel with the East line of said Section 36.

Containing 359 acres.

Tract No. V6-100-010

The East one-half of Section 34, Township 44 South, Range 36 East, Palm Beach County, Florida.

LESS AND EXCEPT

Bolles Canal Right-of-Way,

AND LESS

Bolles Road Right-of-Way,

Said lands lying and being in Palm Beach County, Florida.

Tract No. V6-100-015-B

Tracts 1 through 4, 4A, 5, 5A, 6, 7A, 10 through 18, 20 and 51 through 58, Okeelanta Addition, according to the plat thereof recorded in Plat Book 5, Pages 17 and 18 being all the lands in Section 35, Township 44 South, Range 36 East, lying East of North New River Canal, and right-of-way of the Central and Southern Florida Flood Control District Canal.

All of Section 36, Township 44 South, Range 36 East, being Tracts 1 through 128, Okeechobee Fruitlands Company Subdivision, Section No. 36, according to the plat thereof as recorded in Plat Book 1, Page 141 of the Official Records of Palm Beach County, Florida.

LESS

The Easterly 359 acres of that portion of Section 36, Township 44 South, Range 36 East, Palm Beach County, Florida, lying Northerly of the right-of-way for the Bolles Canal and State Road No. 827. The West line of said Easterly 359 acres being parallel with the East line of said Section 36.

LESS AND EXCEPT

Bolles Canal right-of-way (a.k.a. L-16)

AND LESS

State Road No. 827 right-of-way

Said lands lying and being in Palm Beach County, Florida.

Tract No. V6-100-016 B
Triangle (Florida Crystals)

All that part of Section 24, Township 45 South, Range 38 East, Palm Beach County, Florida, lying North and East of Hillsboro Canal and L-15 Right-of-Way.

AND

All that part of Section 19, Township 45 South, Range 39 East, Palm Beach County, Florida, lying North and East of Hillsboro Canal and L-15 Right-of-Way.

AND

All of Section 20, Township 45 South, Range 39 East, Palm Beach County, Florida.

AND

All those lands in Section 21, Township 45 South, Range 39 East, Palm Beach County, Florida, lying Westerly of the following described line: For a Point of Reference commence at Palm Beach County Geodetic Control Point Exact having a coordinate value of N (Northing) = 815566.33 and E (Easting) = 810812.54, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990, as published by Palm Beach County, Adjustment of 1998; thence South 55°00'50" East (all bearings and distances are State Plane Coordinate grid bearings and distances), a distance of 27,158.45 feet to the Point of Beginning, having a State

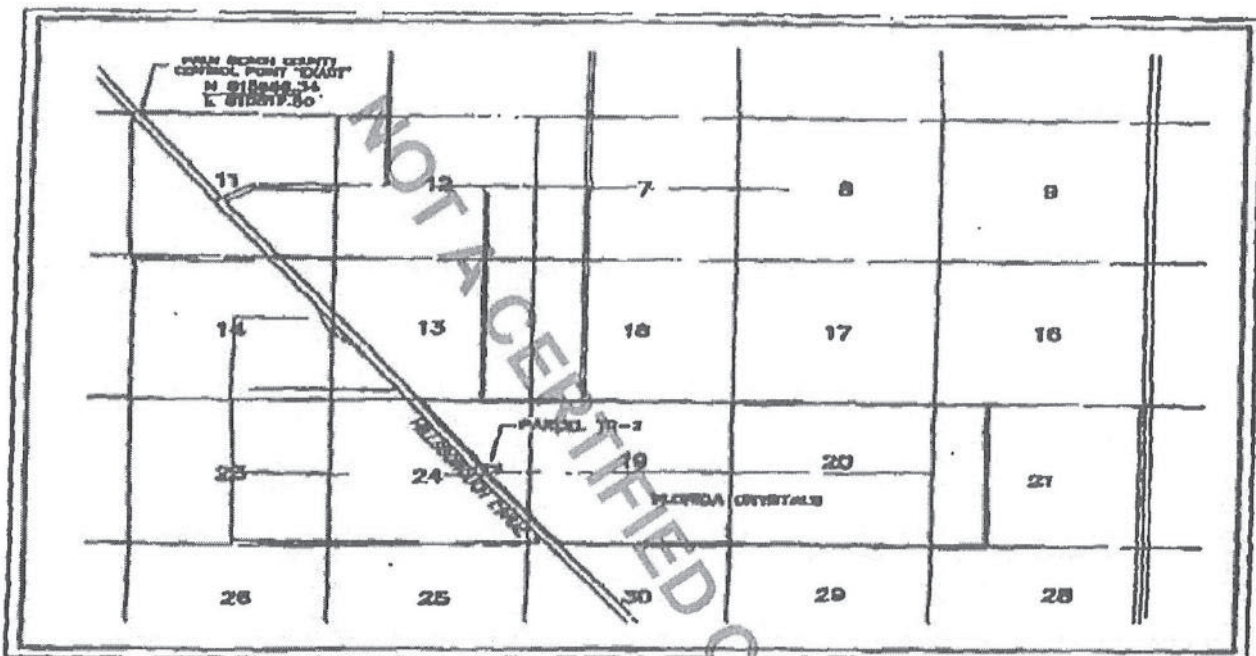
Plane Coordinate value of N = 799994.29 and E = 833063.23, of the following described line; thence North 00°15'15" West along the centerline of a ditch and its extension Northerly, a distance of 4983.25 feet, to a point having a State Plane Coordinate Value of N = 804977.49 and E = 833041.12 and the Terminus Point of said line. The aforesaid line is to be lengthened or shortened accordingly to intersect the Northerly and Southerly lines of said Section 21.

LESS AND EXCEPT THE FOLLOWING THREE (3) PARCELS:

6/04

LEGAL DESCRIPTION

ORB 12392 Pg 1200



All those lands in Section 24, Township 43 South, Range 38 East, Palm Beach County, Florida, lying in the following described lands: For a Point of Reference, commence at Palm Beach County Quadrate Control Point "Exact", having a coordinate value of N (Northing) = 815566.34 and E (Easting) = 810812.60, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990, as published by Palm Beach County, Adjustment of 1998; thence South 35°37'04" East, a distance of 16166.07 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the Point of Beginning having a State Plane Coordinate value of N = 820424.6 and E = 820227.2; thence North 34°16'13" West, a distance of 292.66 feet; thence South 88°25'45" East, a distance of 488.11 feet; thence South 00°18'20" East, a distance of 231.39 feet; thence North 88°29'03" West, a distance of 324.24 feet to the Point of Beginning.

Containing 2.19 acres, more or less.

| | | | | | |
|--|--|------------------------|--|--|----------------------|
| | | | | TR-2 | |
| <p>THE FLORIDA DEPARTMENT OF TRANSPORTATION FDOT P.O. BOX 1000 TALLAHASSEE, FL 32304</p> | | | | <p>LEGAL DESCRIPTION FOR FLORIDA CRYSTAL PALM BEACH COUNTY, FLORIDA</p> | |
| | | | | <p>Book N/A</p> | <p>Date 8/27</p> |
| <p>Drawn By JAE</p> | | <p>Checked FAE</p> | | <p>Sheet 1</p> | |

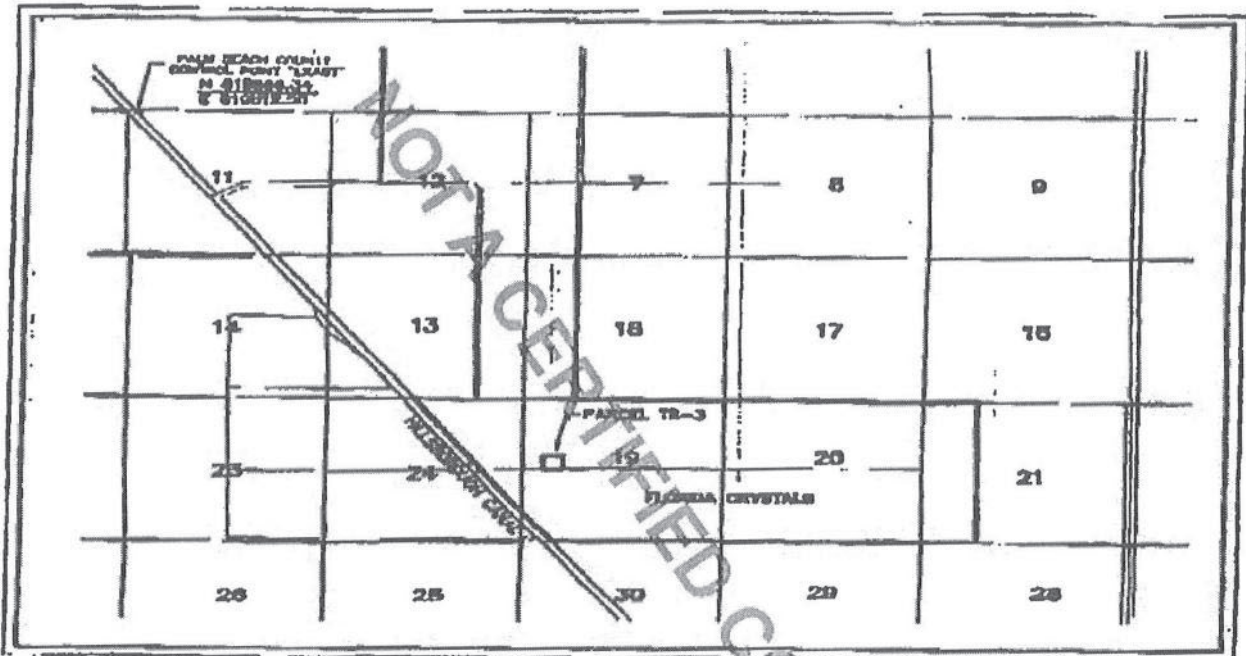
Received Feb-23-01 04:31pm

From-3055777000

To-Steel Hector & Davis Page 005

LEGAL DESCRIPTION

ORB 12392 Pg 1201



All those lands in Section 19, Township 45 South, Range 39 East, Palm Beach County, Florida, lying in the following described lands: For a Point of Reference, commence at Palm Beach County Geodetic Control Point "Exact", having a coordinate value of N (Northing) = 815566.34 and E (Easting) = 810812.50, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990, as published by Palm Beach County, Adjustment of 1998; thence South 39°31'03" East, a distance of 17020.2 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the Point of Beginning having a State Plane Coordinate value of N = 802436.4 and E = 821842.7; thence North 00°15'30" West, a distance of 285.89 feet; thence South 89°32'26" East, a distance of 221.83 feet; thence South 01°20'48" East, a distance of 249.81 feet; thence South 88°53'38" West, a distance of 227.23 feet to the Point of Beginning.

Containing 1.30 acres, more or less.

TR-3

| | | | | | |
|--|-------------|-----------|--|---|--|
| <p>INCORPORATED PROFESSIONAL SURVEYING AND MAPPING Palm City • 3055 1st St., Suite 100 • Palm City, FL 32909 UNIVERSITY OF FLORIDA SYSTEMS 20 0200</p> | | | <p>LEGAL DESCRIPTION FOR FLORIDA CRISTALS PALM BEACH COUNTY, FLORIDA</p> | | |
| <p>REVISIONS</p> | <p>DATE</p> | <p>BY</p> | <p>Scale N/A Drawn by J.A.B.</p> | <p>Date 8/00 Checked P.A.K.</p> | <p>File & Drawing No. 88-1088-01 Sheet 1</p> |

Received Feb-23-01 04:21pm

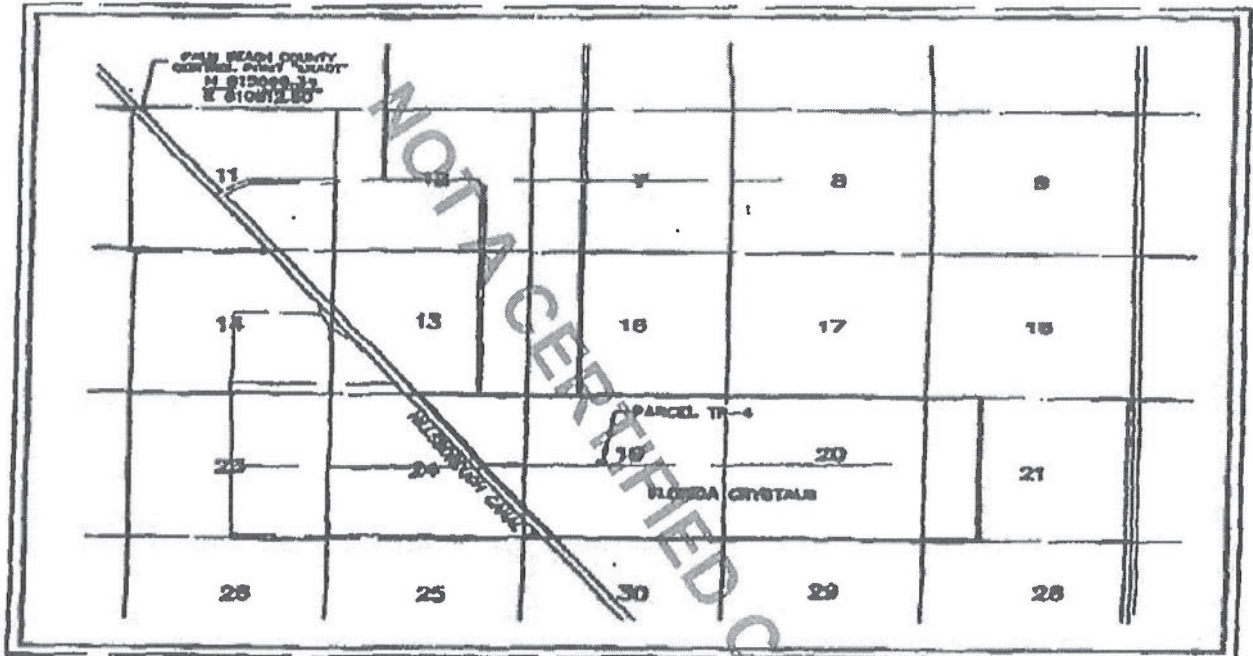
From-3055777000

To-Steel Hactor & Davis

Page 006

LEGAL DESCRIPTION

ORB 12392 Pg 1202



All those lands in Section 19, Township 45 South, Range 38 East, Palm Beach County, Florida, lying in the following described lands: For a Point of Reference, commence at Palm Beach County Geodetic Control Point "Exact", having a coordinate value of N (Northing) = 815009.34 and E (Easting) = 810812.50, State Plane Coordinate System, Florida East Zone, North American Datum (NAD) of 1983/1990, as published by Palm Beach County, Adjustment of 1998; thence South 42°53'19" East, a distance of 17904.60 feet (all bearings and distances are State Plane Coordinate grid bearings and distances) to the Point of Beginning having a State Plane Coordinate value of N = 802448.0 and E = 822997.8; thence North 00°04'37" West, a distance of 222.39 feet; thence South 87°13'15" East, a distance of 204.42 feet; thence South 00°52'52" East, a distance of 209.09 feet; thence South 89°03'22" West, a distance of 207.13 feet to the Point of Beginning.

Containing 1.02 acres, more or less.

| | | | | | | | |
|------------------------|--|--|------|----|---|--|--|
| REVISIONS | | | DATE | BY | FLORIDA DEPARTMENT OF TRANSPORTATION PALM BEACH COUNTY TR-4 | | |
| RECEIVED DATE BY | | | | | TITLE & DRAWING NO. 1000-01 SHEET 1 | | |

Received Feb-23-01 04:31pm

From-3056777000

To-Steel Heater & Davis Page 007



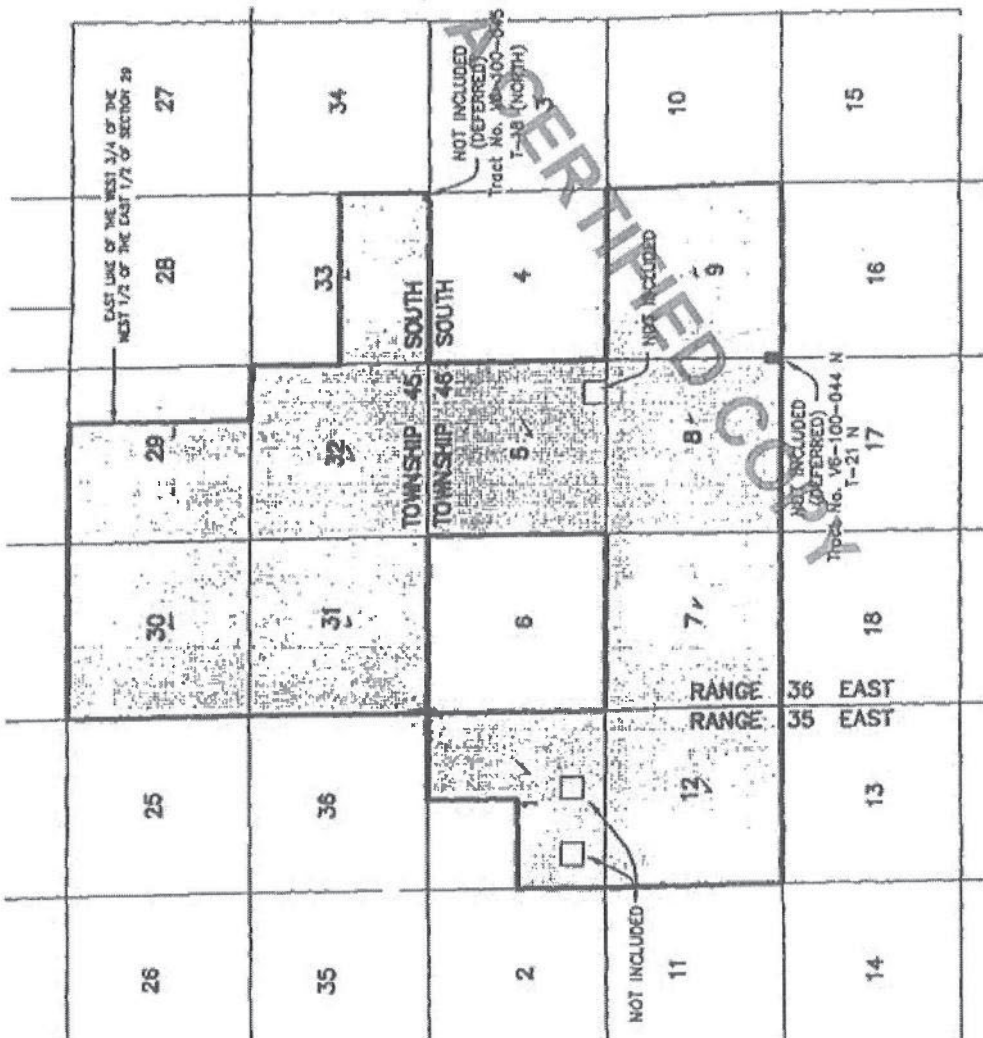
GRAPHIC SCALE



(IN FEET)

1 inch = 4000ft.

Sketches are attached for informational purposes only, and show the property described by the attached legal descriptions. In the event of a conflict between the sketches and legal descriptions, the legal descriptions shall control.



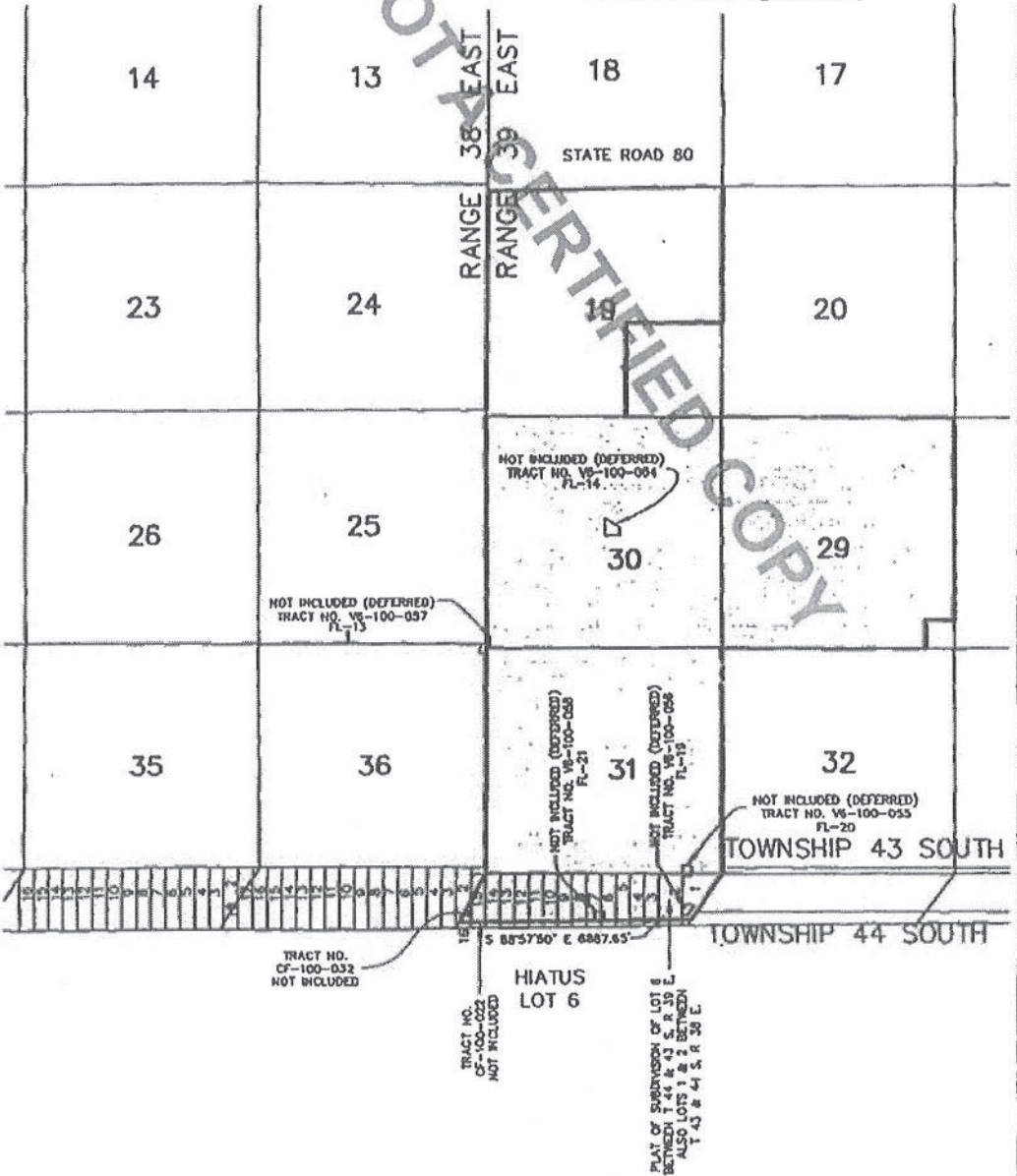
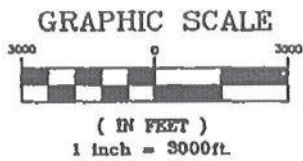
THIS IS NOT A SURVEY

RANCH PARCEL

| | | | |
|-----|--------------------------|---------|-----|
| 4 | ADD PARCEL T-21 & T-14 | 3/14/99 | JHY |
| 3 | REVISED SKETCH | 3/99 | JAS |
| 2 | GENERAL | 3/99 | RLI |
| 1 | REVISED SECTION 29-45-36 | 3/99 | FAS |
| NO. | REVISIONS | DATE | BY |

INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
 PALM CITY • 1560 S.W. MARSH RD. • 321 866-0081
 P.O. BOX 4000 32901
 CERTIFICATE OF AUTHORIZATION LB 4100

| | | | |
|--|------------------|-------------------------------------|--|
| SKETCH OF LEGAL DESCRIPTION FOR: FLORIDA CRYSTALS | | | |
| PALM BEACH COUNTY, | | FLORIDA | |
| Scale: 1"=4000' | Date: 3-9-99 | File & Drawing No. 89-5009-01-01 | |
| Drawn By: JHY. | Checked: FAS. | Sheet 3 of 3 | |



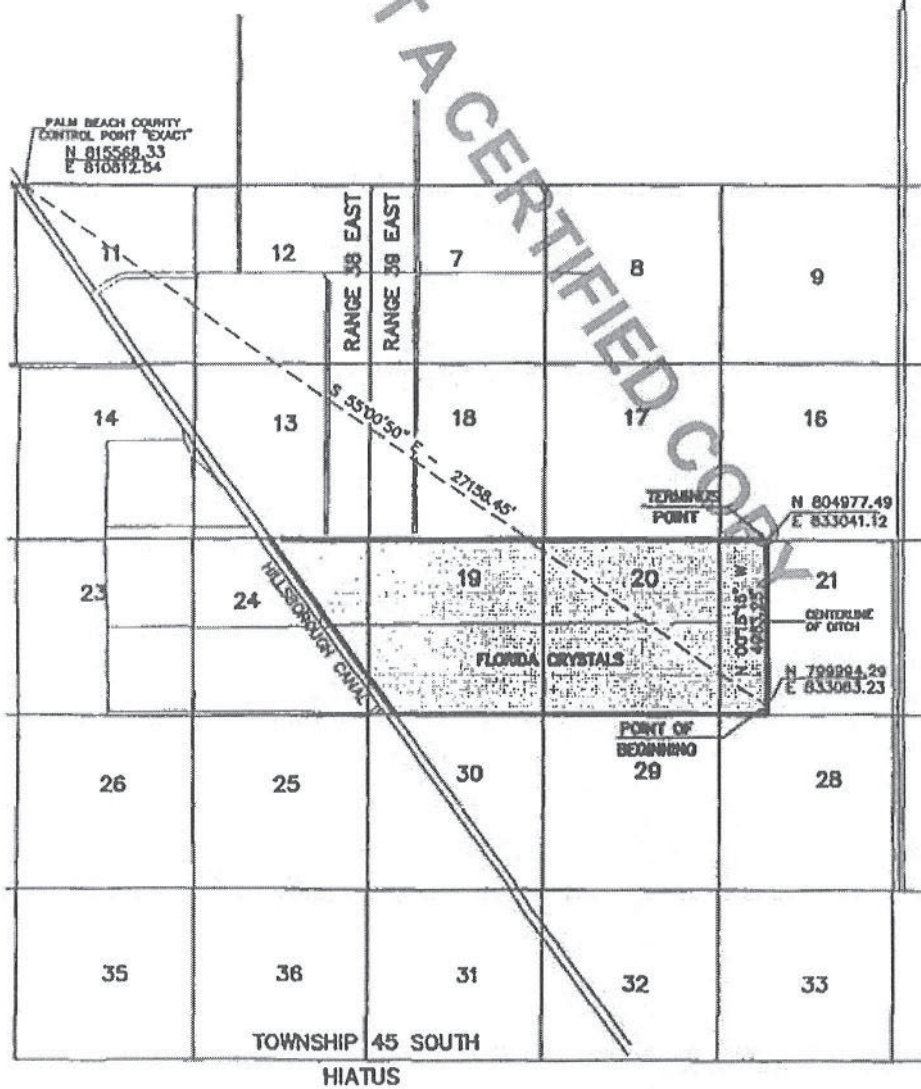
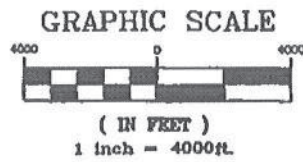
FLORIDA SUGAR CORP. SITE

THIS IS NOT A SURVEY

| | | | |
|-----|-------------|---------|-----|
| 5 | GENERAL | 3/24/99 | JAS |
| 4 | GENERAL | 3/23/99 | JAS |
| 3 | GENERAL | 3/18/99 | JAS |
| 2 | GENERAL | 3/18/99 | RLJ |
| 1 | ADD PARCELS | 3/14/99 | RLJ |
| NO. | REVISIONS | DATE | BY |

FLORIDA CRYSTALS, INC.
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
PALM CITY • 1205 S.W. 14TH ST. • 386 886-0883
P.O. BOX 2140 34961
CERTIFICATE OF AUTHORIZATION LB 4198

| | | |
|--|-------------------|-------------------------------------|
| SKETCH OF LEGAL DESCRIPTION FOR: FLORIDA CRYSTALS | | |
| PALM BEACH COUNTY, FLORIDA | | |
| Scale: 1"=3000' | Date: 3-9-99 | File & Drawing No. 89-3008-01-01 |
| Drawn By J.H.Y. | Checked F.A.S. | Sheet 6 of 8 |



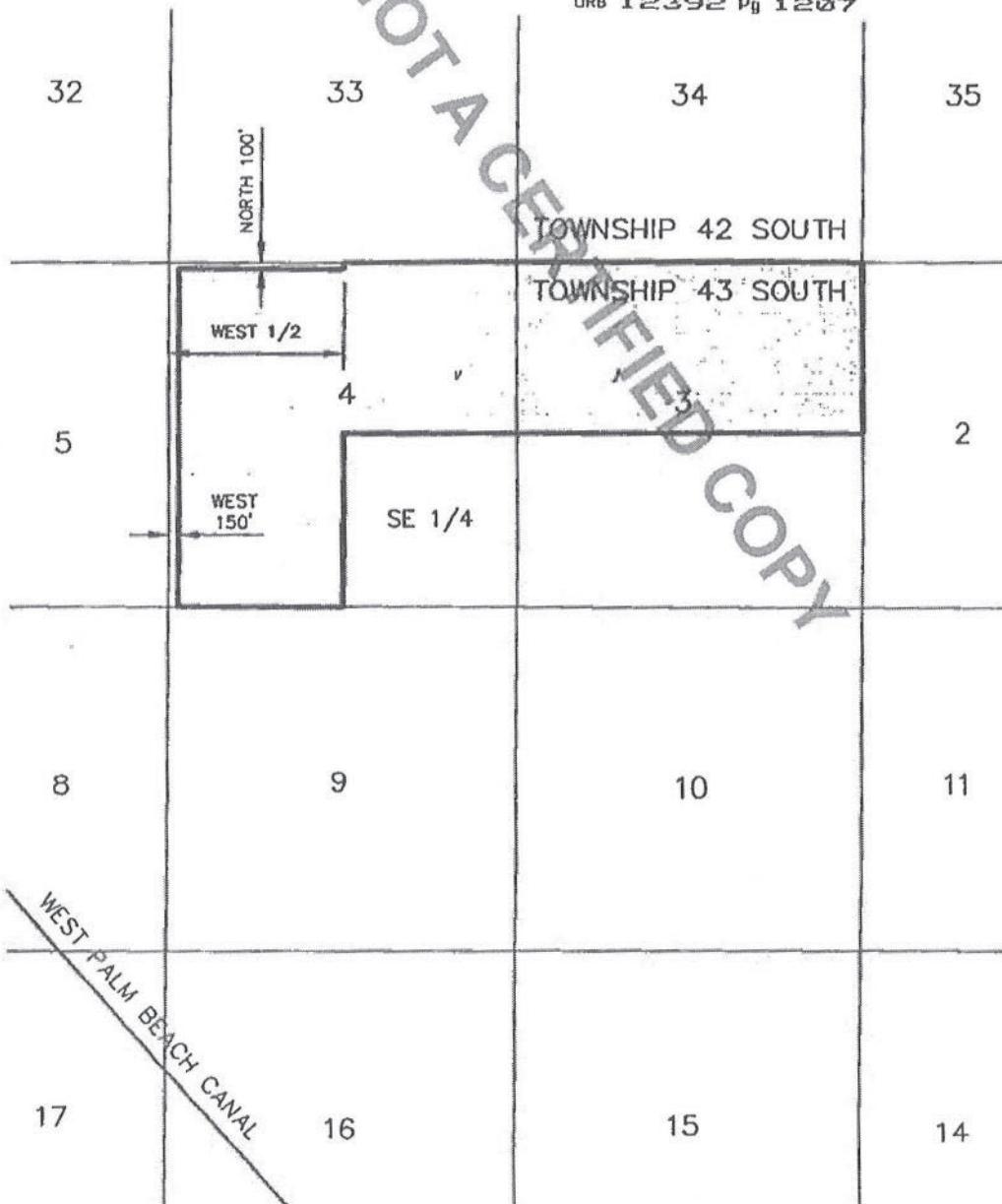
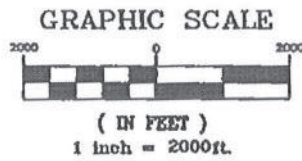
THIS IS NOT A SURVEY

TRIANGLE

| | | | |
|-----|------------|---------|-----|
| 4 | GENERAL | 3/18/99 | JAS |
| 3 | GENERAL | 3/17/99 | RLJ |
| 2 | ADD PARCEL | 3/15/99 | RLJ |
| 1 | GENERAL | 3/10/99 | RLJ |
| NO. | REVISIONS | DATE | BY |

G.C.V.
INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
PALM CITY • 1208 E.Y. MANNEN BLVD. • 888 966-0000
P.O. BOX 1400 34961
CERTIFICATE OF ADOPTION LD 4106

| | | |
|---|--------------------|-------------------------------------|
| SKETCH OF LEGAL DESCRIPTION FOR: FLORIDA CRYSTAL PALM BEACH COUNTY, FLORIDA | | |
| Scale: 1"=3000' | Date: 3-9-99 | File & Drawing No. 99-5009-01-01 |
| Drawn By: RLJ | Checked: F.A.S. | Sheet: 2 of 2 |



BASORE

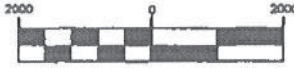
THIS IS NOT A SURVEY



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| SKETCH OF LEGAL DESCRIPTION FOR: | | | |
| FLORIDA CRYSTALS | | | |
| PALM BEACH COUNTY, | | FLORIDA | |
| Scale: | Date: | File & Drawing No. | |
| 1"=2000' | 3-9-99 | 99-5009-01-01 | |
| Drawn By | Checked | Sheet | |
| J.H.Y. | F.A.S. | 2 of 2 | |

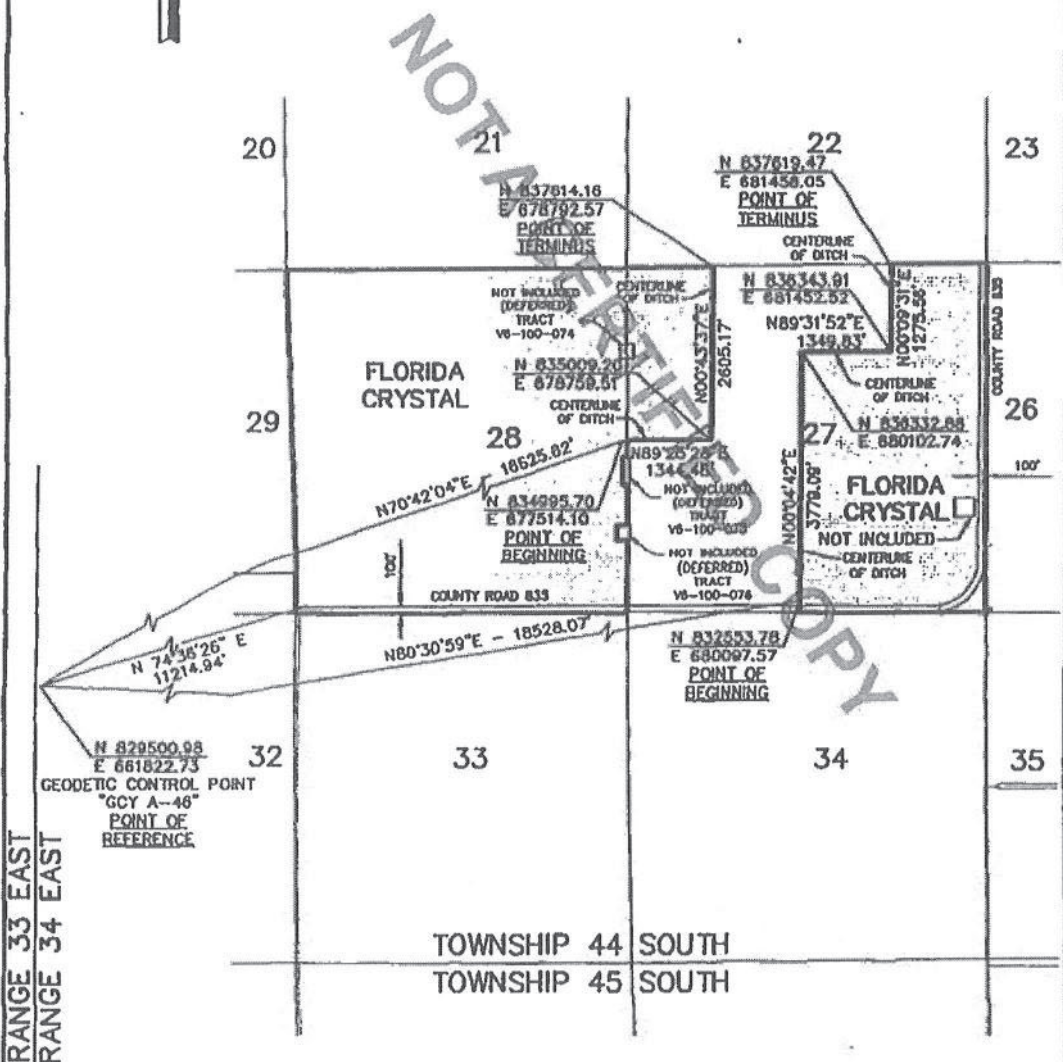


GRAPHIC SCALE



(IN FEET)
1 inch = 2000ft.

ORB 11016 Pg 866
DOROTHY H. WILKEN, CLERK PB COUNTY, FL



RANGE 33 EAST
RANGE 34 EAST

TOWNSHIP 44 SOUTH
TOWNSHIP 45 SOUTH

TECAN RANCH

THIS IS NOT A SURVEY

| | | | |
|-----|-----------|---------|-----|
| 2 | GENERAL | 3/22/89 | RJ |
| 1 | GENERAL | 3/12/89 | JAS |
| NO. | REVISIONS | DATE | BY |

INCORPORATED
PROFESSIONAL SURVEYORS AND MAPPERS
PALM CITY • 1506 S.W. 15TH ST. • BOX 806-0853
P.O. BOX 1000 34903
CERTIFICATE OF AUTHORIZATION LB 4506

| | | |
|---|-------------------|-------------------------------------|
| SKETCH OF LEGAL DESCRIPTION FOR FLORIDA CRYSTALS HENDRY COUNTY, FLORIDA | | |
| Scale 1"=2000' | Date 3-9-89 | File & Drawing No. 89-5009-01-01 |
| Drawn By J.H.V. | Checked F.A.S. | Sheet 4 of 4 |

W/C 75 ✓
Prepared by and return to:
Jorge Diaz-Silveira, P.A.
Steel Hector & Davis LLP
200 S. Biscayne Boulevard
Suite 4000
Miami, FL 33131

COVER PAGE
TO
GENERAL WARRANTY DEED
DATED AS OF MARCH 26, 1999
BY

TALISMAN SUGAR CORPORATION, A FLORIDA CORPORATION ("GRANTOR")
TO
OKEELANTA CORPORATION, A DELAWARE CORPORATION ("GRANTEE")

NOTE TO TITLE OR TAX EXAMINERS:

THIS DEED IS BEING RE-RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY IN ORDER TO CLARIFY ANY QUESTION WHICH MIGHT ARISE IN THE FUTURE AS TO THE EXACT PROPERTY THAT THE GRANTOR INTENDED TO CONVEY TO THE GRANTEE BY THIS DEED. THERE ARE CERTAIN PARCELS WHICH THE GRANTOR INTENDED TO BE LESSED OUT FROM THE DESCRIPTION OF THE CONVEYED PARCEL AND THE GRANTEE DID NOT INTEND TO RECEIVE. ADDITIONALLY, THE GRANTOR AND GRANTEE WOULD LIKE TO CONFIRM THAT THE PARCEL OF PROPERTY REFERENCED IN THE FIRST FULL PARAGRAPH ON PAGE 852 OF THIS DEED (ALL OF TRACTS 1 THROUGH 16, INCLUSIVE, OF HIATUS LOT 6, LYING BETWEEN TOWNSHIP 43 AND 44 SOUTH, RANGE 39 EAST, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 8, PAGE 84 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA) WAS CONVEYED BY THE GRANTOR TO THE GRANTEE PURSUANT TO THIS DEED. THREE OF THE PARCELS INTENDED TO BE LESSED OUT OF THE PROPERTY CONVEYED BY THE GRANTOR TO THE GRANTEE PURSUANT TO THIS DEED ARE REFERENCED IN THAT CERTAIN DISCLAIMER AND QUIT CLAIM EXECUTED BY THE GRANTEE ON JANUARY 4, 2001 AND RECORDED ON JANUARY 21, 2001 IN OFFICIAL RECORDS BOOK 12271, PAGE 1295 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. THE OTHER PARCEL REFERENCED AS TRACT N-V6-100-018-A IN THE FIRST FULL PARAGRAPH ON PAGE 857 OF THIS DEED WAS LESSED OUT OF THE PROPERTY CONVEYED BY THE GRANTOR TO THE GRANTEE PURSUANT TO THIS DEED. THE PARCEL WAS IN FACT CONVEYED TO STOFIN CO., INC., A FLORIDA CORPORATION, PURSUANT TO THAT CERTAIN WARRANTY DEED DATED MARCH 26, 1999 AND RECORDED MARCH 30, 1999 IN OFFICIAL RECORDS BOOK 11016, PAGE 875 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. PURSUANT TO RULE 12B-4.014(3), FLORIDA ADMINISTRATIVE CODE, NO DOCUMENTARY STAMP TAX IS REQUIRED TO BE PAID IN CONNECTION WITH THE RE-RECORDING OF THIS DEED. THE APPROPRIATE DOCUMENTARY STAMP TAX WAS PAID IN CONNECTION WITH THE ORIGINAL RECORDING OF THIS DEED.

④ 00 35 46 01 00 0005010

Prepared by and return to:
Daniel D. Ross, Esq.
One N. Clematis Street, Suite 200
West Palm Beach, FL 33401

Property Appraiser's Parcel I.D. Number: 00-35-46-01-00-000-5010
\$37,263.00

CFN 20120519448
OR BK 25685 PG 0269
RECORDED 12/31/2012 12:47:04
Palm Beach County, Florida
AMT 37,063.00
Doc Stamp 259.70
Sharon R. Bock, CLERK & COMPTROLLER
Pg 0269; (1pg)

FLORIDA SPECIAL WARRANTY DEED

This Special Warranty Deed is made this 18th day of December 2012, between University of Florida Foundation, Inc., a Florida nonprofit corporation, whose address is 1938 W. University Avenue, Gainesville, Florida 32603, Grantor, and Okeelanta Corporation, a Delaware corporation whose address is One N. Clematis Street, Suite 200, West Palm Beach, Florida 33401, Grantee.

WITNESSETH

That the Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, and sells unto the Grantee, and Grantee's successors, heirs, and assigns forever, all that certain parcel of land in the County of Palm Beach, State of Florida, to wit:

NW1/4 OF SW1/4 OF SE1/4 of Section 1, Township
46 South, Range 35 East, Palm Beach County, Florida

TOGETHER with all of the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey the land; that the Grantor hereby fully warrants the title to the land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed these presents the day and year first above written.

Witnesses:

Susan G. Coffman
Witness Signature
Susan G. Coffman
Printed

Amy Williams
Witness Signature
Amy Williams
Printed

UNIVERSITY OF FLORIDA FOUNDATION, INC.

By: Leslie D. Bram

Leslie D. Bram
Print Name

Associate Vice President
Title
Date: 12/18/12

STATE OF FLORIDA
COUNTY OF Alachua

The foregoing instrument was acknowledged before me this 18th day of December, 2012, by Leslie D. Bram, the Associate Vice President of University of Florida Foundation, Inc., a Florida non-profit corporation, who [X] is personally known to me OR [] has produced identification and who [] did [] did not take an oath.



AMY WILLIAMS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE181233
Expires 2/18/2016

My Commission Expires: 2/18/16

Amy Williams
Notary Public
Amy Williams
Printed Name

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Kenneth W. McDuffie, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☐ individual or ☒ President and CEO [position - e.g., president, partner, trustee] of United States Sugar Corporation [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 111 Ponce de Leon Ave
Clewiston, FL 33440
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Kenneth W. McDuffie
Kenneth W. McDuffie, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [☐] online notarization, this 13th day of December, 2023 by Kenneth W. McDuffie (name of person acknowledging) He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Jodi Rush
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 6/7/24

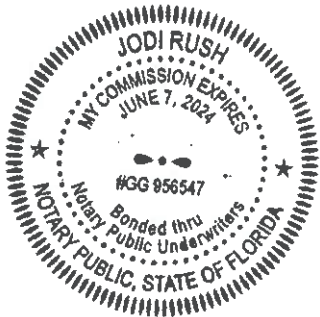


EXHIBIT "A"
PROPERTY

PCN: 00 35 45 25 00 000 9000

Parcel Info

Distance 0 ft / 0 miles

PCN: 003545250009000

Owner: US FUGATE CORP

Location: 111 PINE CT 110W AVI

City: CLINTON

Date: 11

Zipcode: 33440

Last Sale: 01 MAR 99

Sale Price: 25299100

Land Sdft: 27876104.39

Acres: 639.95

Property Details

Property Details

Click links below for more info



PCN: 00 35 45 26 00 000 9000



PCN: 00 35 45 35 00 000 1000



PCN: 00 35 46 01 00 000 3000



EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

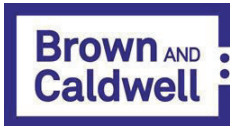
Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

| Name | Address |
|---------------------------------|--|
| United States Sugar Corporation | 111 Ponce de Leon Ave Cleriston, FL 33440 |
| | |
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| | |
| | |

Exhibit E.4 - Drainage Statement

1400 Centrepark Boulevard, Suite 400
West Palm Beach, FL 33401 T: 561.684.3456

January 24, 2025



Prepared For:
Matt Eidson, Regional Manager
Phillips and Jordan, Inc.

BC Project Number: 160234/195874

SUBJECT: SOUTHLANDS WATER STORAGE DRAINAGE STATEMENT

The Project site is located within the Everglades Agricultural Area (EAA) approximately 10 miles south of Lake Okeechobee, east of the L-23 Canal (Miami Canal) and west of US Highway 27 (US27). The project site encompasses approximately 8,611 acres of actively farmed agricultural land, of which approximately 6,052 acres is planned for active excavation. The Project lies within a Special Flood Hazard Area (SFHA) as shown on Flood Insurance Rate Map (FIRM) Panel Nos. 12099C0650F and 12099C0850F. The Project site encompasses the following Property Control Numbers (PCNs):

- 00354601000003000
- 00354535000001000
- 00354536000009000
- 00364530000009000
- 00364519000009000
- 00354523000009000
- 00364531000009000
- 00354602000009000
- 00354611000009000
- 00354612000009000
- 00354601000001000
- 00364608000001000
- 00364607000009000
- 00364605000001000
- 00364606000009000
- 00354526000009000
- 00354525000009000
- 00354535000005010
- 00354535000007010
- 00354535000005020
- 00354601000007010
- 00354601000005010

Currently, surface water within EAA and, and subsequently the Project site, is managed and controlled by the Landowners/Farmers via systems of ditches, canals, water control structures (flashboards) and pump stations. The agricultural fields are effectively flat with little natural drainage, and the constructed drainage system manipulates water levels to benefit crop growth and minimize inundation.

The Project will be constructed in sequential phases. Active project areas will typically be limited to one Section (1 square mile). The intent is for active areas, called Cells, to be progressively excavated and then converted into water storage reservoir(s) to be owned and operated by the South Florida Water

Management District (SFWMD). Excavation of material will be performed 'in the wet' through drag-line excavation operations with no active dewatering necessary. Stormwater within active Cells and in areas used for the processing and shipping of aggregate such as haul roads, processing and rail yard areas will be contained on site within the Project site. A three (3) foot high containment berm will be constructed around the entire perimeter of active excavations (Cells) and processing/shipping areas to contain stormwater runoff up to the runoff volume from a 100-year, 3-day design storm during active mining operations. The 100-year, 3-day design storm precipitation depth is 10 inches based on isohyetal maps contained in Appendix C of the SFWMD Environmental Resource Permit Applicant's Handbook, Volume II. This storm meets the design storm requirements of the Palm Beach County design standards. Adequate area will be set aside to retain the runoff volume from this storm. The runoff volume takes into account changes in surface conditions (e.g. agricultural field to predominantly compacted gravel). Roads will be sloped to a retention swale that runs adjacent to the roads or drain into the active Cell to contain the stormwater runoff. The aggregate processing facility site and rail yard grade will be raised to elevation of approximately 15.0 ft (NAVD88) which is three (3) feet higher than the effective FEMA base flood elevation (BFE) of 12 feet (NAVD88).

Similarly, the processing facility / rail yard will be graded to internally surface drain runoff to the stormwater retention areas set aside within the limits of the Project site.

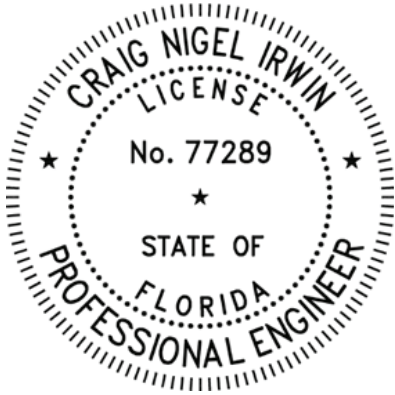
Erosion control will primarily be achieved by the runoff from the project site being contained on site as described in the preceding paragraphs. Perimeter berms will be constructed with stable side slopes to retain stormwater water on site. Additional erosion control, such as mulching, erosion control blankets, silt fence, and/or hay bales will be provided as needed to stabilize the berms, trap sediment, and slow the flow of stormwater runoff.

As mentioned, once an active Cell is excavated it will be converted into a water storage reservoir to support the SFWMD water management and restoration efforts. To support the function of water storage, related project components will be constructed, namely water control structures to move water from one cell to another and off site, along with a proposed pump station to facilitate moving stored water into and out of the reservoirs. During construction of these various water resource project components, there will be isolated temporary dewatering activities which will be permitted under separate permit(s).

It is anticipated that the following are the permit authorities for the project:

- Florida Department of Environmental Protection (FDEP)
- South Florida Water Management District (SFWMD)
- United States Army Corps of Engineers (USACE)
- Palm Beach County Building Division

The closest municipal public drinking water supply wells are located over 13 miles north-northwest of the Project, at the intersection of Hooker Highway and State Route 715. These municipal production wells are over 1,000 feet deep sourcing brackish water from the Floridan Aquifer. The Project is planned to be excavated to a depth 18 feet below existing grade, well within the Surficial Aquifer which extends to a depth of approximately 250 feet in the vicinity of the project. The Floridan Aquifer is considered separate from the Surficial Aquifer with several confining layers separating the deeper Floridan Aquifer from the shallower Surficial Aquifer. The physical distance and the hydrogeologic separation between the Project and the closest municipal public drinking water supply wells suggests it is likely there is little to no influence from the Project on these wells.



This item has been electronically signed and sealed by Craig Nigel Irwin on the date adjacent to the seal using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

A000000000

Signer Name: Craig Nigel Irwin, P.E.
Signing Reason: I approved
this document.
Signing Time: 2025-01-24
11:35:33(EST)

Exhibit E.5 – Water Availability

Water Availability Analysis Evaluating the Performance of the Southland Project Reservoir

Results of Water Budget Model of the Southland Project Reservoir

June 18, 2024

Prepared by

MacVicar Consulting, Inc.
4524 Gun Club Road, Suite 201
West Palm Beach, FL 33415

Background

The Southland Project is a proposed water resource project located in the Everglades Agricultural Area. The project is located adjacent to the Miami Canal where it can collect excess agricultural runoff in wet periods and deliver water for beneficial uses in dry periods. Since completion, the Stormwater Treatment Area (STA) 5/6 Complex in the South Florida Water Management District (SFWMD) has been hampered by frequent dry-outs due to the lack of water that can be delivered to the headwater of the STA-5N. A water availability analysis (WAA) was performed to better understand the availability of source water that the proposed Southland Project Reservoir (Reservoir) could store and send to benefit STA-5N (Figure 1). The WAA evaluated different outflow capacities of the STA-5N to determine the balance between what amount of water that could be sent to STA-5N, while best utilizing the storage volume available in the facility. Sending too much water through STA-5N would keep the Reservoir and STA-5N at lower water level elevations for extended periods of time, while sending too little water through STA-5N would not fully utilize the reservoir's storage capacity and as well as limit the benefits to STA-5N.

Evaluating the Performance of the Southland Project Reservoir and Deliveries to STA-5N

A daily water budget spreadsheet model was developed to estimate the availability of source water. The time series basis of the model is the RSM-BN output for the LOSOM PA25 model run. PA25 is the preferred Lake Okeechobee Regulation Schedule that is expected to be in place by August 2024. The RSM-BN analysis period is 52 years (1965 through 2016) which includes several drought years and several extreme wet years ensuring that there are representative conditions to evaluate water availability and performance of the Reservoir.

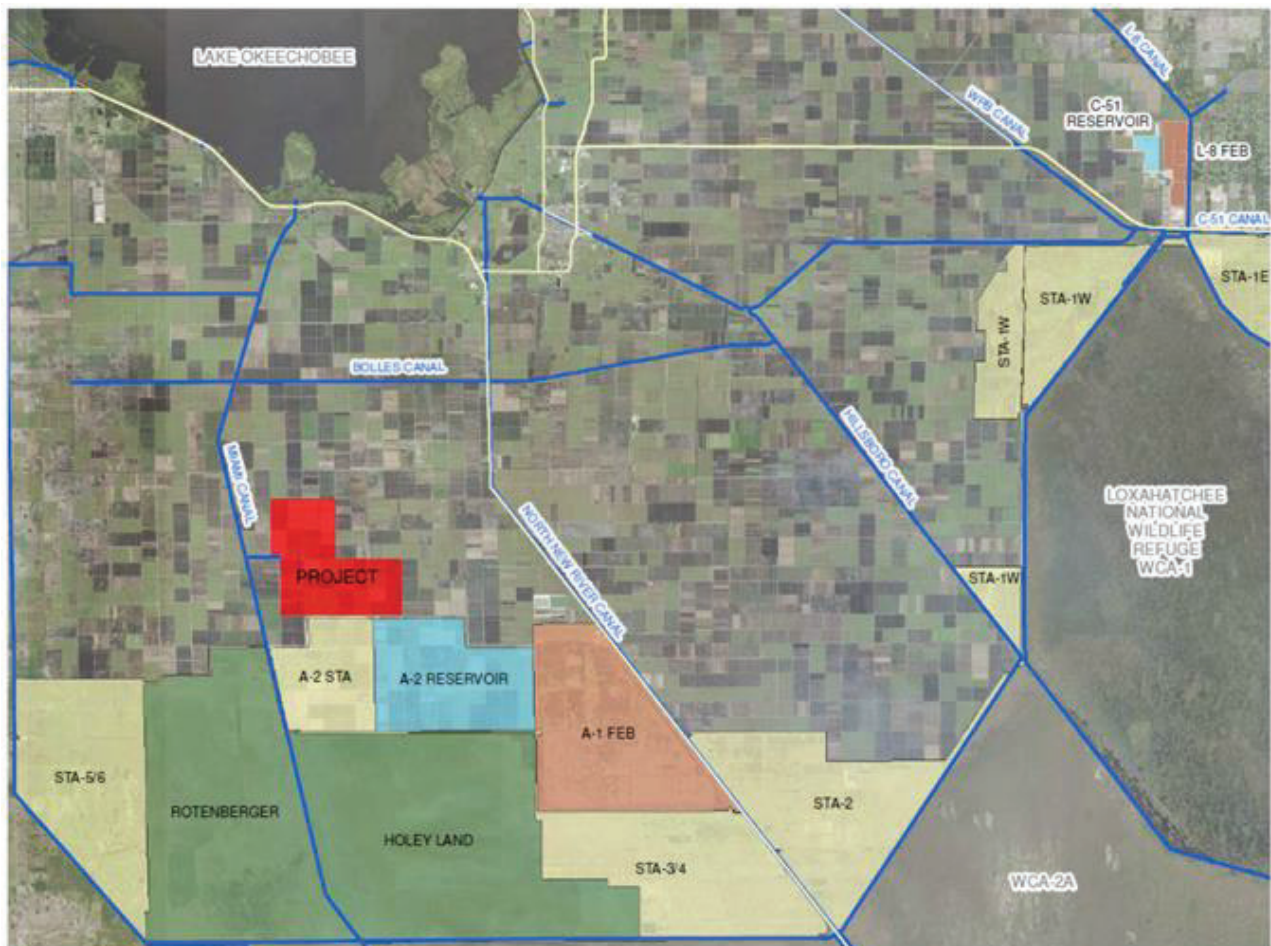


Figure 1. The proposed Southland Project is located south of the Bolles Canal and east of the Miami Canal. It borders the northern boundary of the SFWMD's A-2 STA and A-2 Reservoir.

Design Criteria

Reservoir Design

Figure 2 illustrates the cell sizes and storage capacities of the proposed Reservoir. The total area of the Reservoir is 6,077 acres, with a total storage capacity of 97,232 acre-feet (ac-ft). The cells will be excavated to an elevation of -9 feet NAVD88 and have a top of bank elevation of +21.5 feet NAVD88. The design minimum water elevation is -3 feet NAVD88 and a design high water elevation is +13 feet NAVD88. A soil bentonite cutoff-wall will be constructed where appropriate to a design bottom elevation of -31.4 feet NAVD88 to control seepage.

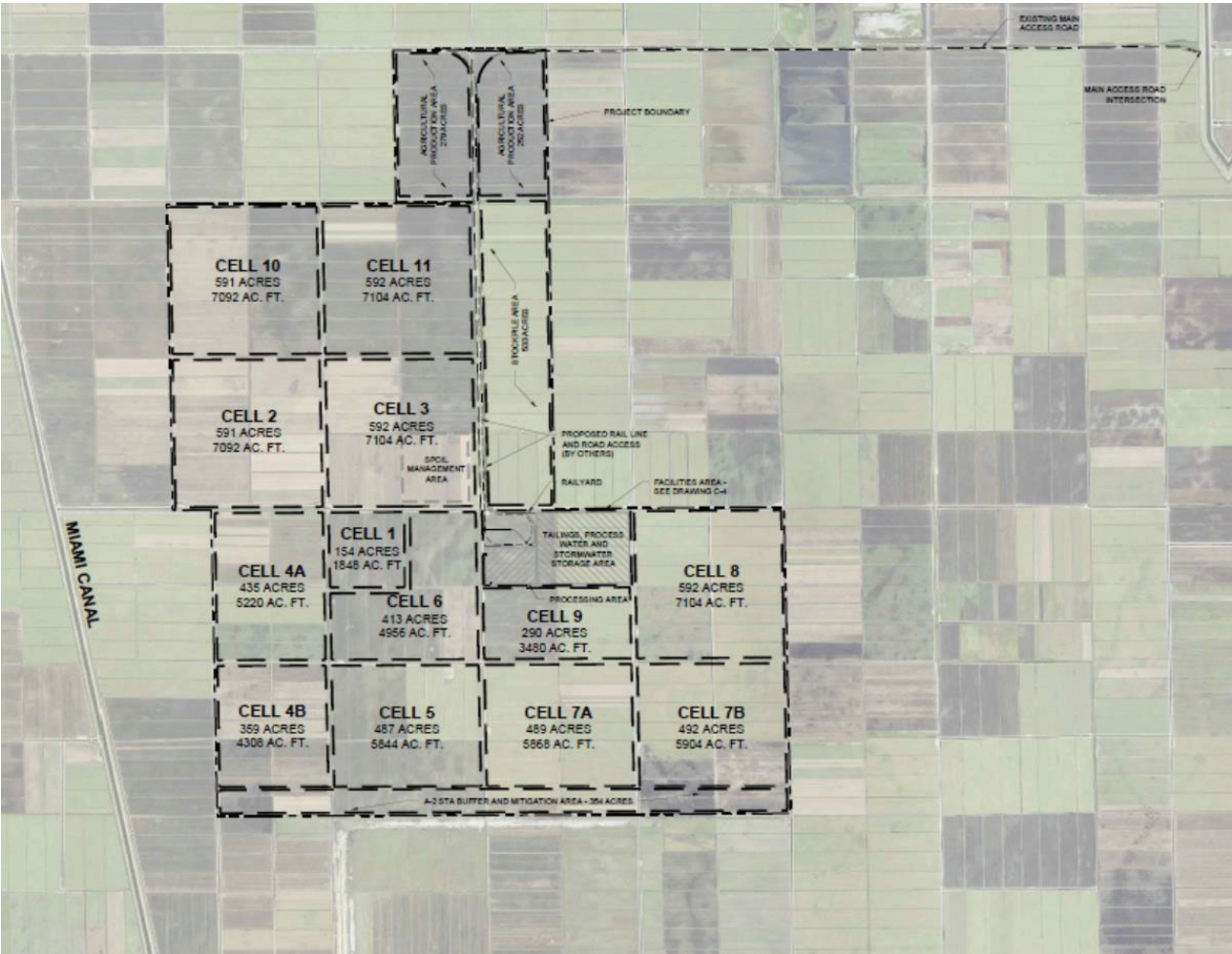


Figure 2. The Reservoir’s cell sizes and storage capacities

Model Input for Southland Reservoir

Area = 6,077 acres

Operating range = -3 to +13 NAVD88 = 16 feet

Total storage capacity = 97,232 ac-ft

Model Input for STA-5N

Area = 4,851 acres

Target depth = 18 inches

Model Parameters

The Lake Okeechobee System Operating Manual (LOSOM) Regional System Model Basins (RSMBN) model is the source for the following parameters:

- Daily flow data for runoff into the Miami Canal
- Daily irrigation data from the Miami Canal
- Daily flow data for STA-5N
- Daily rainfall data
- Daily evapotranspiration (ET) data
- Daily seepage loss from STA-5N
- Daily water level for STA-5N – The Base Run is defined as the daily stage from the LOSOM RSMBN model.
- Reservoir groundwater seepage rate was based on a 3-D groundwater model by Collective Water Resources, LLC (this is only for tracking purposes and not for the water budget)

Model Operating Assumptions and Simulations

While many scenarios were simulated, the following operating assumptions are the most representative of the benefits of the Southland Reservoir to STA-5N. The operating assumptions for the alternatives are:

- Southland Reservoir
 - Inflow capacity =
 - 1,000 cfs inflow up to an elevation of +7.0' NAVD88, which is the average water control elevation in the area.
 - 300 cfs above elevation +7.0' NAVD88
 - Outflow capacity = 300 cfs
 - Maximum elevation = +13' NAVD88
 - Minimum elevation = -3' NAVD88

- Runoff cutoff = 500 cfs
 - Runoff cutoff is the amount of runoff allowed to bypass the Southland Reservoir Project and go to the A-1 FEB/STA 3/4 initially (and ultimately the A-2 complex).
- STA-5N
 - Inflow capacity = 300 cfs
 - Extra outflow flow capacity = variable
 - Extra outflow allowed when depth > 6”
 - Target depth = 18”

Four alternatives were simulated using the above-described operating assumptions. The alternatives show how much water can be moved through the STA-5N and what the impact is on the Reservoir and STA-5N. Table 1 illustrate the inputs used for the 4 alternatives and please note that there is a Base Run for the STA-5N which is defined as the daily stage from the LOSOM RSMBN model:

Table 1. The summary of inputs for the Alternatives
(Note: The Extra Outflow Capacity is what is changing between the Alternatives)

| Alternative | Southland Reservoir | | STA5N | | |
|-------------|--------------------------------------|-------------------------|---------------------|------------------------------|---|
| | Reservoir Inflow (cfs) and elevation | Reservoir Outflow (cfs) | Target Depth (inch) | Extra Outflow Capacity (cfs) | Extra Outflow Capacity start Elevation (inch) |
| 1 | 1,000/300, 7.0' | 300 | 18.0 | 300 | 6.0 |
| 2 | 1,000/300, 7.0' | 300 | 18.0 | 200 | 6.0 |
| 3 | 1,000/300, 7.0' | 300 | 18.0 | 100 | 6.0 |
| 4 | 1,000/300, 7.0' | 300 | 18.0 | 62 | 6.0 |

Summary of Model Simulation Results

Table 2. The summary of results for the 4 different Alternatives

| Alt. | Southland Reservoir | | | STA-5N | | | |
|------|---|--|--|------------------------------|---|-----------------------------|--|
| | Percent of time Stage is at or below -3' NAVD | Percent of time Stage is at or below 0' NAVD | Percent of time Stage is at or below 5' NAVD | Extra Outflow Capacity (cfs) | Extra Outflow Capacity start Elevation (inch) | Inflow from Reservoir (cfs) | Percent of time below ground elevation |
| 1 | 60 | 95 | 100 | 300 | 6.0 | 109.1 | 11.8% |
| 2 | 54 | 90 | 100 | 200 | 6.0 | 109.0 | 11.2% |
| 3 | 18 | 48 | 86 | 100 | 6.0 | 103.1 | 3.7% |
| 4 | 1 | 6 | 42 | 62 | 6.0 | 81.0 | 0.0% |

Results Summary

In Table 2, the “Percent of time stage is at or below -3 NAVD” column represents the amount of time the Reservoir was at or below the low-level operating level for the Reservoir (which is -3 NAVD88). The “Percent of time stage is at or below 5’ NAVD” column was selected to show the percent of time the reservoir is less than half full (operation of reservoir is from -3 NAVD to 13 NAVD). The “Percent of time stage is at or below 0’ NAVD” was selected to show an intermediate water level between -3’ NAVD and 5’ NAVD.

These results show that moving an additional 300 cfs through STA-5N keeps the STA-5N water levels significantly higher than the Base Run (which is the daily stage from the LOSOM RSMBN model), but moves so much water through the STA that the Reservoir is very low and not utilizing its constructed capacity. As the amount of additional water you can move through STA-5N decreases to 200 cfs, 100 cfs and 62 cfs, it is apparent that the Reservoir is being used more, while the STA still is being maintained at water levels that are more beneficial and closer to the target depth of 18 inches. The following output graphs for the Reservoir and STA-5N illustrate this relationship.

Specific Model Output

Figure 3. Alternative 1 - Southland Reservoir Daily Water Level & Lower Operational Level (-3') 1965-2016 (ft. NAVD88)

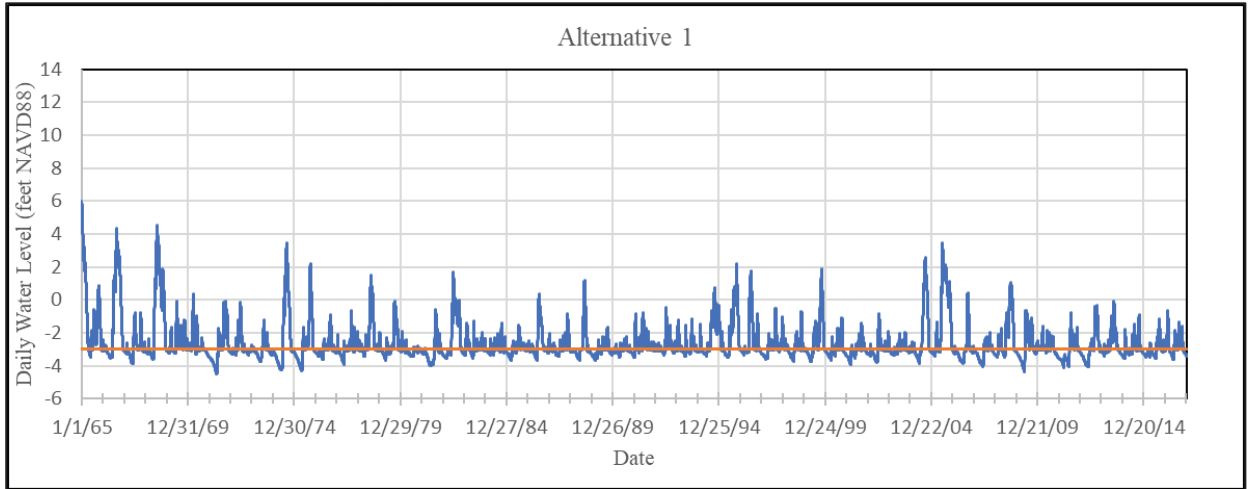
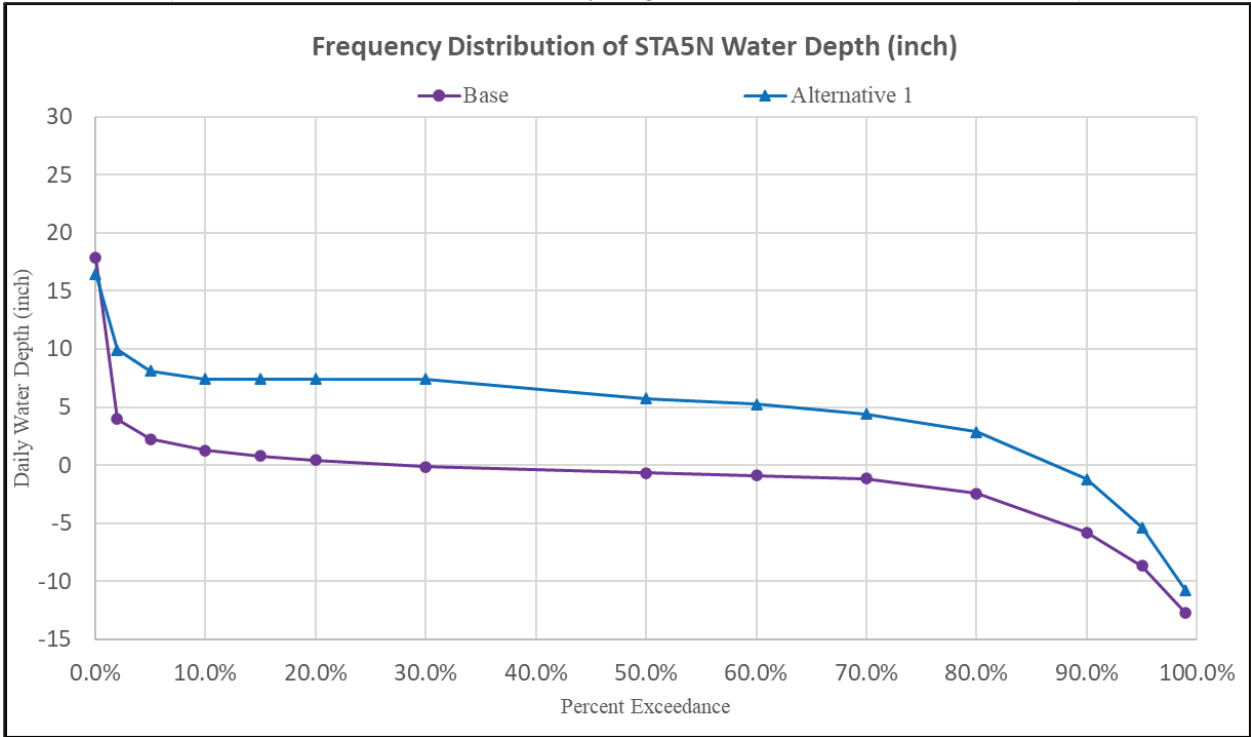


Figure 4. STA-5N Daily Water Depth Frequency Distribution 1965-2016 (inch)
(The Base Run is defined as the daily stage from the LOSOM RSMBN model)



This illustrates that moving an extra 300 cfs through the STA-5N keeps the Reservoir water level very low. The STA-5N water level is better than the Base Run, but it is not meeting the desired conditions of maintaining an elevation of 18 inches.

Figure 5. Alternative 2 - Southland Reservoir Daily Water Level & Lower Operational Level (-3') 1965-2016 (ft. NAVD88)

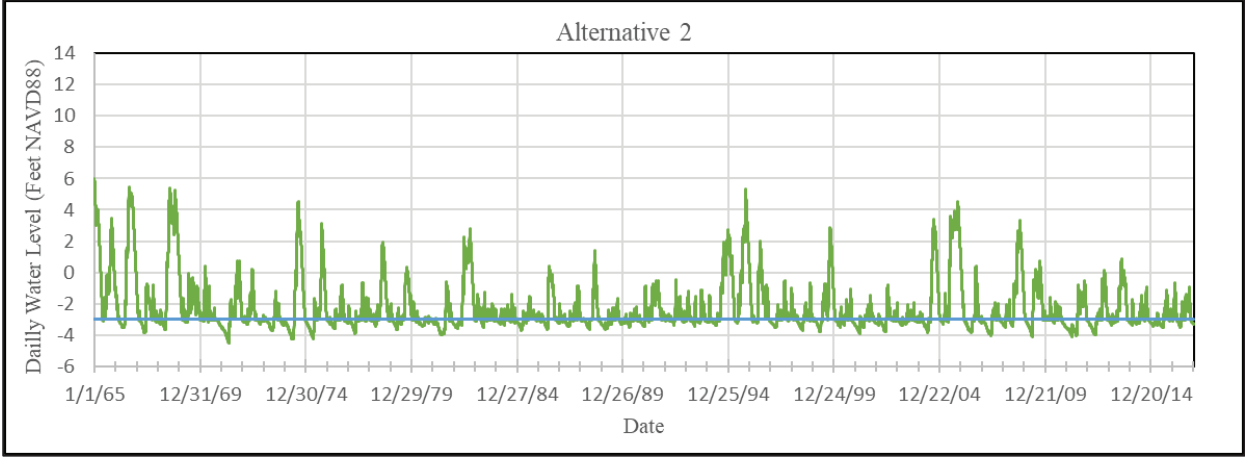
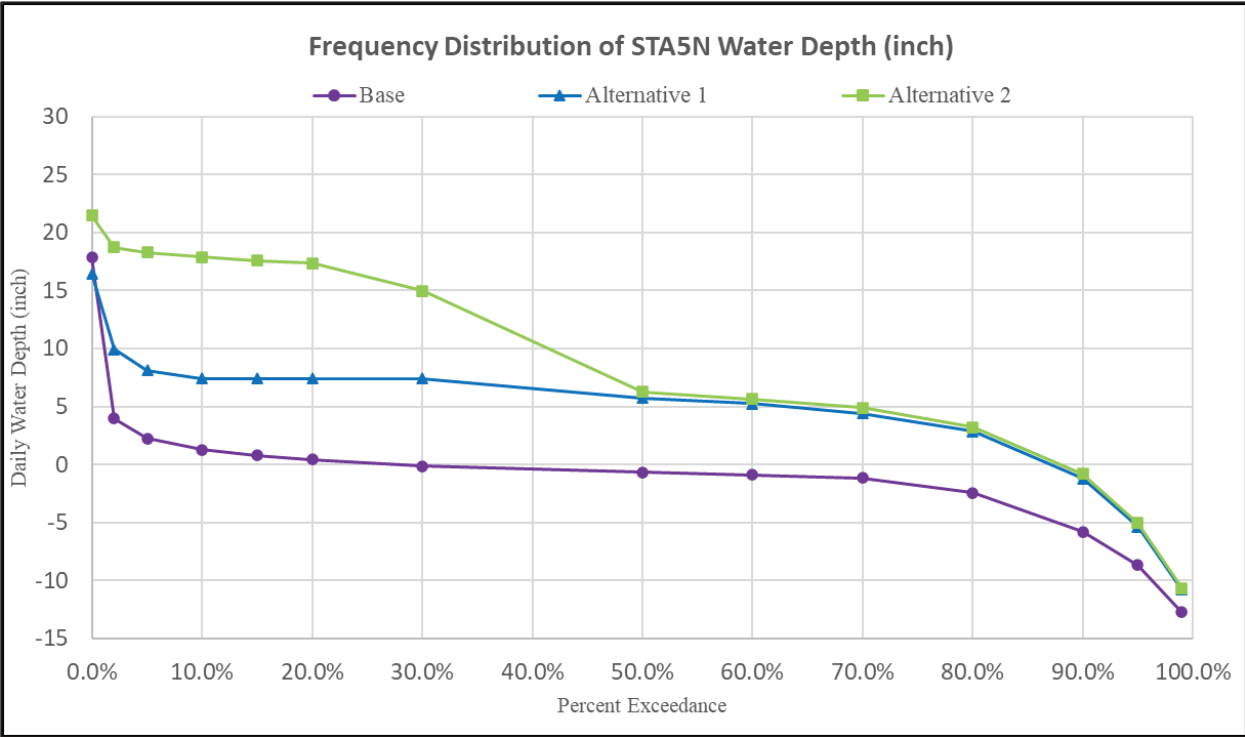


Figure 6. STA-5N Daily Water Depth Frequency Distribution 1965-2016 (inch)
(The Base Run is defined as the daily stage from the LOSOM RSMBN model)



This illustrates that moving an extra 200 cfs through the STA-5N allows a little more use of the Reservoir but the STA-5N water level is still very low and as a result is not meeting the desired conditions of maintaining 18 inches.

Figure 7. Alternative 3 - Southland Reservoir Daily Water Level & Lower Operational Level (-3') 1965-2016 (ft. NAVD88)

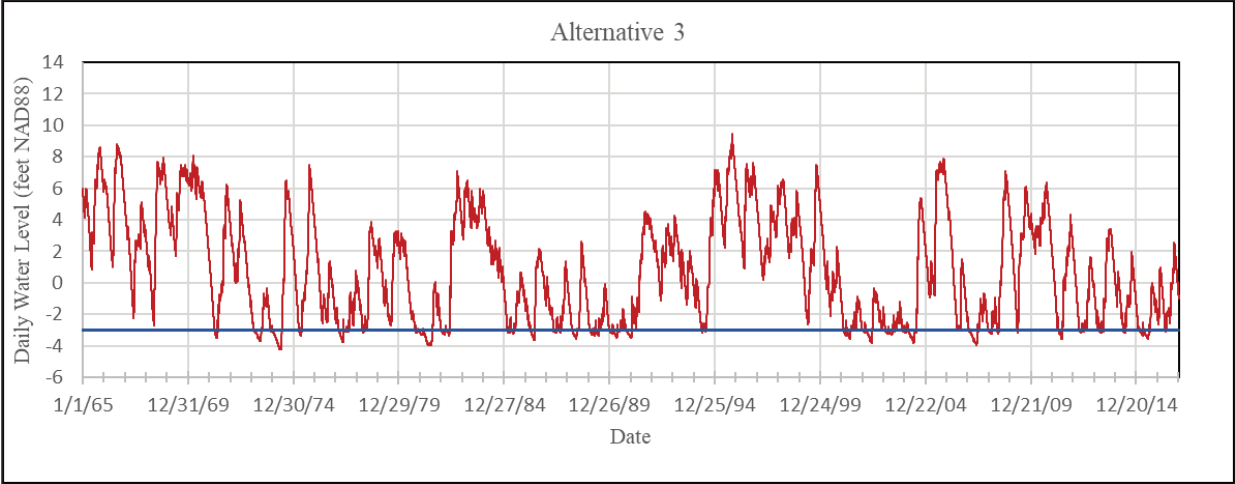
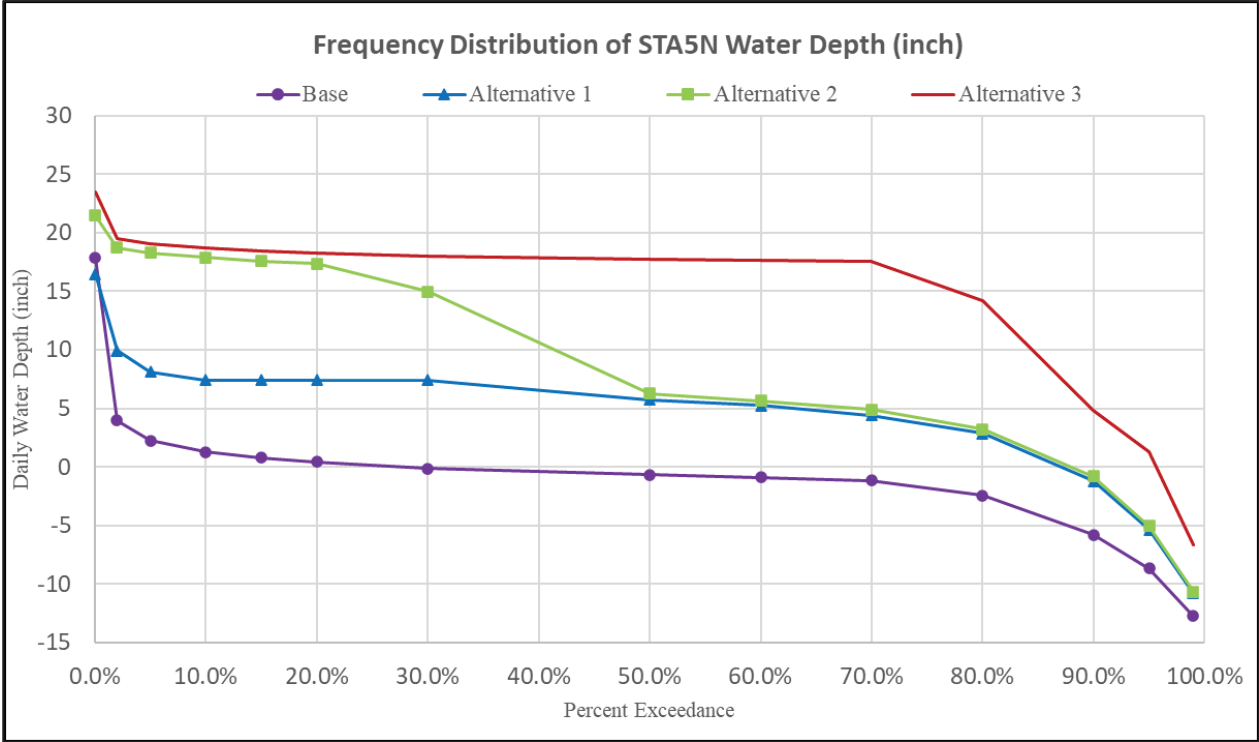


Figure 8. STA-5N Daily Water Depth Frequency Distribution 1965-2016 (inch)
(The Base Run is defined as the daily stage from the LOSOM RSMBN model)



This illustrates that moving an extra 100 cfs through STA-5N allows much more use of the Reservoir and as a result is meeting the target elevation of 18 inches most of the time.

Figure 9. Alternative 4 - Southland Reservoir Daily Water Level & Lower Operational Level (-3') 1965-2016 (ft. NAVD88)

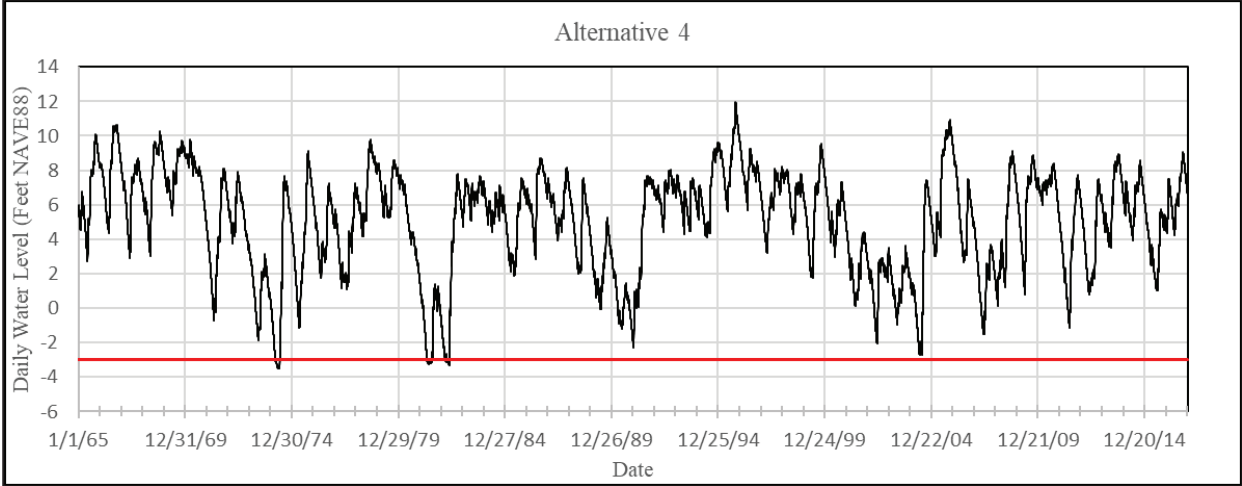
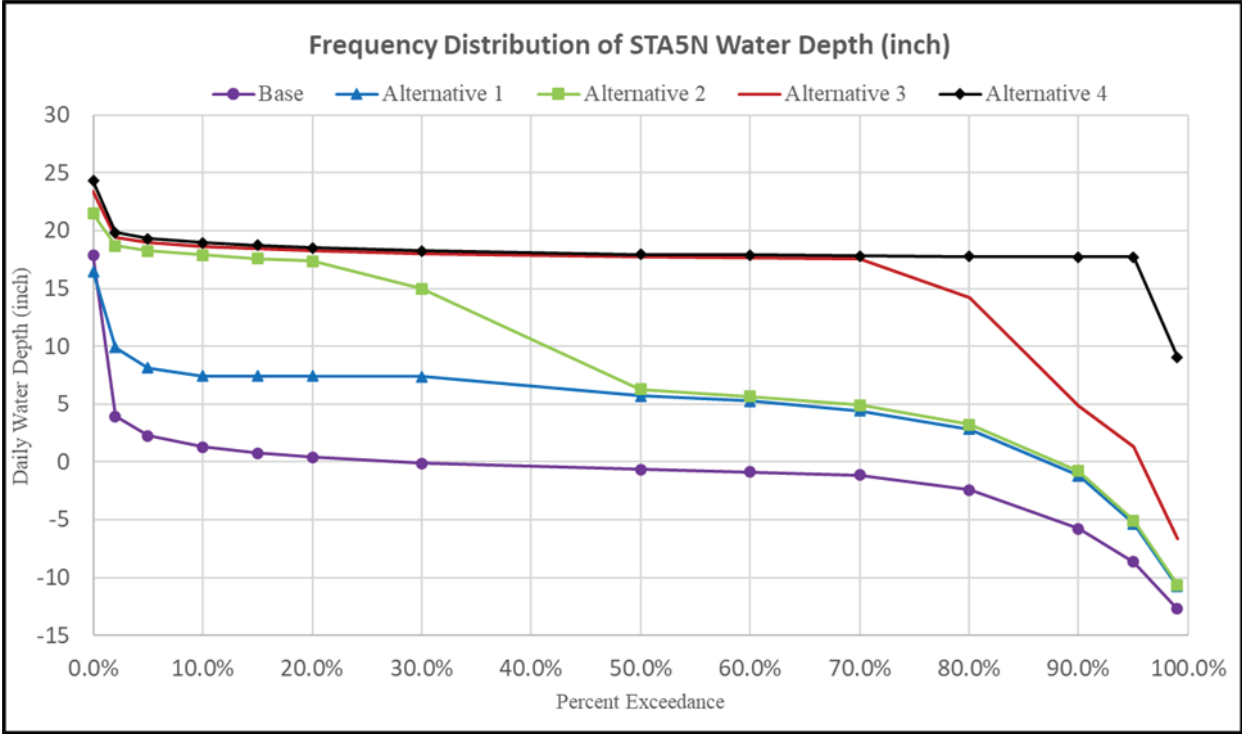


Figure 10. STA-5N Daily Water Depth Frequency Distribution 1965-2016 (inch)
(The Base Run is defined as the daily stage from the LOSOM RSMBN model)



This illustrates that moving an extra 62 cfs through STA-5N allows a significant use of the Reservoir and as a result is meeting the target elevation of 18 inches in the STA nearly all the time.

Figure 11. Southland Reservoir Daily Water Level Frequency Distribution
1965-2016 (ft. NAVD88)

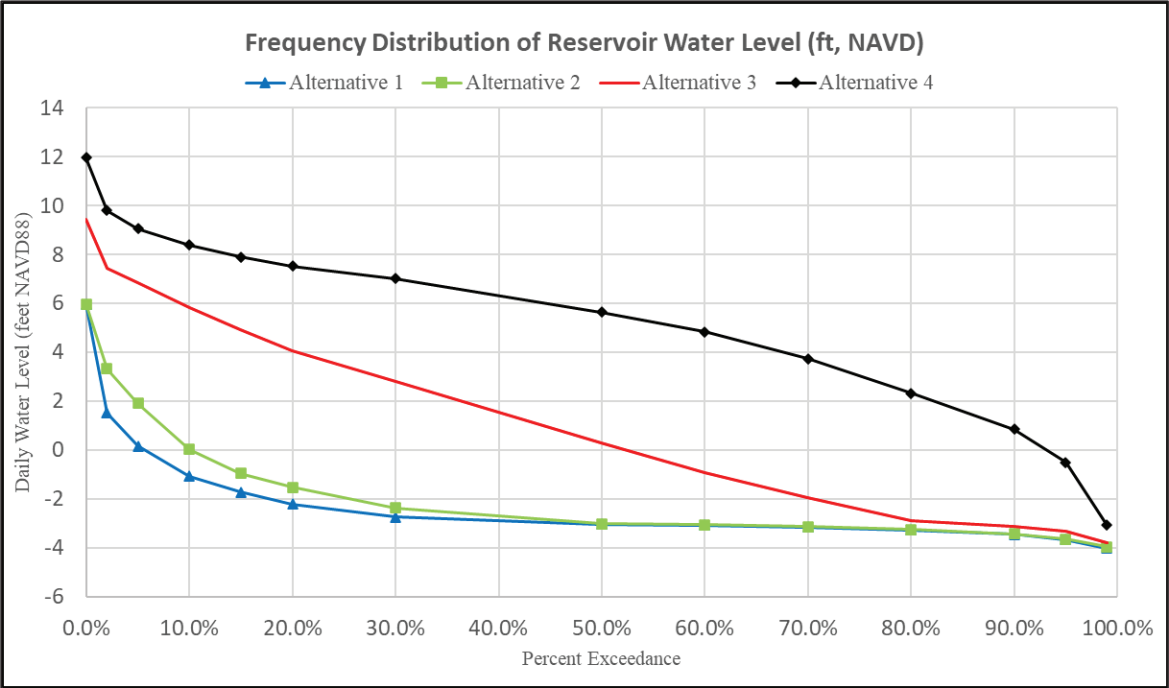
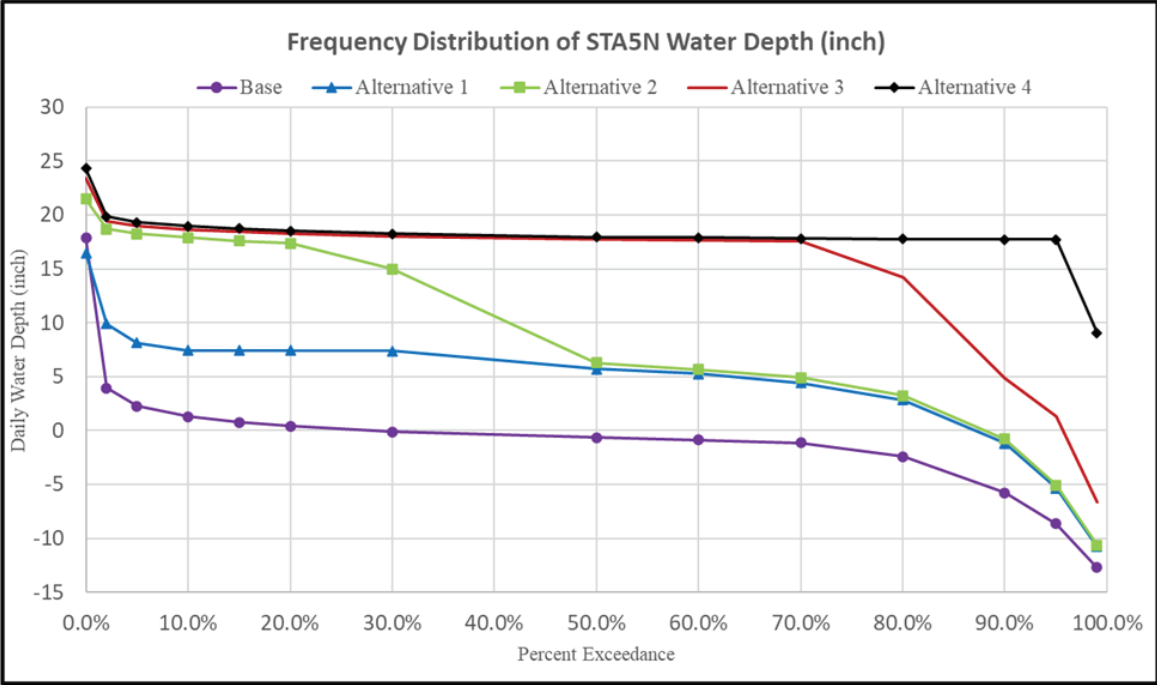


Figure 12. STA-5N Daily Water Depth Frequency Distribution
1965-2016 (inch)
(The Base Run is defined as the daily stage from the LOSOM RSMBN model)



This illustrates the water depth frequency for both the Reservoir and the STA-5N and illustrates that moving an extra 62 cfs through STA-5N allows a significant use of the Reservoir and as a result is the most beneficial to the STA.

Exhibit E.6 –Mining Impact Study



ATTORNEYS AT LAW

CityPlace Tower
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December 20, 2023

Southland Water Resource Project

The Southland Water Resource Project is a proposed 8,631.51 acre innovative water resources project, like the C-51 Reservoir, to be delivered in phases. The project will address the critical need for additional water storage and water quality improvements within the Everglades Agricultural Area (EAA) adjacent to the A-2 Stormwater Treatment Area (STA) and the A-2 Reservoir, while also addressing mounting statewide aggregate shortages and creating high-paying jobs across the region. The Project will provide the region with tens of thousands of acre-feet of additional water storage, which is essential to improve water quality in the south Florida region. The project complements and enhances the existing and under construction storage and water quality facilities within the EAA.

Excavation Impact Study -Required Information

Excavations in the WCAA and for projects which the Applicant requests a reduction in the required separations. The study shall detail all methods and procedures for material extraction, processing, storage, and hauling operations. At a minimum the study shall include the time of day blasting will

occur, the maximum number of holes to be shot each occurrence, including the type of explosive agent, maximum pounds per delay, method of packing, and type of initiation device to be used for each hole. The study shall include a blasting schedule and establish noise and vibration standards complying with [Art. 4.B.10.C.5.i](#) compatibility standards. The study shall also demonstrate how these operations will impact surrounding land uses.

The following information is in response to this requirement. It should be noted that there have been changes to the State Statutes that may impact this section. Florida Statutes now establish statewide guidelines for Blasting and Ground Vibration Standards associated with construction material excavation activities. Furthermore F.S. 552.30 provides the sole and exclusive authority to the State Fire Marshal to adopt standards, limits, and regulations regarding the use of explosives used for construction mining

activities. The proposed blasting activity will comply with FS Chapter 69A-2 and Chapter 552 State Standards.

Provide methods and procedures for:

1. Material Extraction:

Top soil and overburden to be removed and moved with heavy mobile equipment.

Rock and substrate will be excavated with a dragline and discharged into heavy equipment to be relocated elsewhere on site or deposited directly to an identified adjacent upland spoil site. Run off from the spoil area shall be treated according to applicable law and the Regulatory Permit conditions issued by the Florida Department of Environmental protection for the site.

2. Processing:

Will occur onsite with portable and fixed crusher and screens. Materials will be mechanically screened for size and washed at the proposed rock plant. All material processing will comply with the FDEP and Health Department permits.

3. Storage:

Storage will be within the identified stockpile areas which will comply with all ULDC regulations including but not limited to minimum setback and separation criteria, maximum heights, particulate matter will be controlled by applying hydration to stockpiles.

4. Hauling operations:

Internal to the site heavy equipment will be used to bring rock from the excavated cells to the rock plant. Offsite removal will be by rail through the onsite rail yard.

5. Blasting:

A. Schedule for the days and time of day blasting will occur:

Blasting will occur Monday-Friday between the hours of 8:00 A.M. and 5:00 P.M. Blasting will not occur on Saturday, Sunday, or official holidays recognized by the State of Florida

B. The maximum number of holes to be shot for each occurrence:

The maximum number of holes per shot occurrence will be 200 holes.

C. The type of explosive agent:

Bulk Emulsion

D. The maximum pounds provided per delay:

222 lbs. per delay

E. The method of packing:

Water stemming

F. The type of initiation device to be used for each hole:

Solid State Electronic Blasting Machine and Continuity Indicator

G. Establish noise and vibration standards as needed to comply with Art. 4.B.10.C.5.i, Compatibility Standards:

All blasting activity shall meet or exceed the minimum sound and vibration State Standards of Chapter 69A-2 and Chapter 552. Each blasting event shall maintain an air pressure of 133db or less per blast.

Compatibility Standards

A Type 3 Excavation shall be reviewed to assure the proposed excavation is compatible with surrounding land uses and complies with the applicable separation and setback standards and to ensure there are no negative impacts as defined herein. The BCC shall not approve the application if a finding is made that the use will be incompatible with surrounding land uses. For the purposes of this requirement, incompatible means negative impacts caused to surrounding land uses because of proximity or direct association of contradictory, incongruous, or discordant land uses or activities, including, but not limited to, the impacts of noise, vibration, dust, traffic, smoke, odors, toxic matter, radiation, and similar environmental conditions.

As stated previously there are no incompatible uses adjacent to or near the proposed site. The setbacks, separations, excavation and construction operating procedures will ensure that there will be no negative impacts on surrounding properties.

Article 4.B.10.C.5.i – Compatibility Standards

Location and Access:

Local Residential Streets not proposed for hauling or access.

Restriction in RR FLU:

Project not within RR FLU Designation.

Separation from Other Land Uses:

Project substantially exceeds separation requirement of code.

Setbacks:

Project meets or exceeds setback requirements of code.

Fence:

Project not within ½ mile of residential – fence not required.

Noise:

Project will comply with County Sound Regulation of Article 4 & 5.E Performance Standards.

Article 4.B.10.C.5.i - Compatibility Standards for Type 3B Excavation

Restrictions in the RR and SA FLU Designation:

Does not apply project is located in the AP FLU and is not located in RR or SA FLU designation.

General - Minimum Separations and Setbacks:

Excavation projects in the WCAA shall be evaluated on a case-by-case basis in accordance with the compatibility criteria in [Art. 4.B.10.C.5.i, Compatibility Standards](#), and shall have separation requirements set by the BCC.

General - Separation from Residential Uses:

Project substantially exceeds separation requirement of code.

General - Setbacks:

Project will meet or exceed the following minimum setback requirements below for a project that is one (1) or more miles from residential uses.

Mined Lake Edge - 50 Feet

Processing Equipment – 100 Feet

Stock Piles - 100 Feet

Accessory Buildings – 100 Feet

Noise and Vibration Report:

All blasting will be monitored for compliance to State Statutes. Blast records will be maintained and will include the time, peak over pressure (noise), and vibration caused by each activity.

Buffer:

Pursuant to Article 4, a buffer shall not be required adjacent to land in agricultural production in the AP Zoning District if the land is used solely for Bona Fide Agriculture purposes.

Hours of Operation:

Requesting BCC approval for 24 /7 operating hours.

Notice of Intent to Construct:

Project will comply and seek a NIC approval prior to commencement of any excavation activity on site.

Exhibit E.7 –Excavation Operation & Construction Statement & Justification Statement



ATTORNEYS AT LAW

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Southland Water Resource Project

January 27, 2025

PBC Zoning Division
2300 Jog Road
West Palm Beach, FL 33411

Excavation Operation and Construction Statement

The Subject property contains approximately 8,611.52 acres comprised of portions of 23 separate PCN's. The proposal is to excavate and remove approximately 6,052 acres of sand and limestone to create a regional water resource project. *(See operation plan section below for detailed calculations of material and description of methods of extraction)*

The project is anticipated to proceed at the same rate of excavation over the next 30.5 years until completion. The construction phasing is based on continuous construction at an average annual rate of +/- 276 acres of disturbed excavated area per year. Excavation will occur in a single phase development with 13 identified Cells of development (sub phases) these Cells (sub phases) range from 172 acres to 615 acres in size and will take approximately 1 to 3 years to excavate each based on the actual size of the Cell and the geological formation contained within it. The project will have an estimated completion date of 2059, assuming the excavation activity starts before June 30, 2025 (dates to be adjusted based on actual approval date) and progresses at the yearly rate shown above. The petitioner is also seeking a ten (10) year completion buffer to account for market conditions over the life of the project, essentially seeking approval for a 13-cell (40.5) year excavation construction schedule with an anticipated completion date of 2069. The petitioner intends to build out these Cells pursuant to the final DEP permits for the proposed water resource facility and deliver them as they are completed in phased increments until the project is complete to advance the delivery of the proposed water resource facilities.

The petitioner proposed to excavate the material from the site by first blasting the subterraneous rock formation within the proposed excavation areas with topsoil and overburden in place to fracture it in advance of preforming the excavation activity with heavy portable equipment and a dragline to extract the raw materials from site. The yearly maximum rate of disturbance is not expected to exceed 300 acres per year.

The petitioner will seek waivers as part of the NIC process to cash out littoral requirements and to seek alternative reclamation standards for 3:1 slopes instead of 4:1 slopes to allow the excavation to be reclaimed consistent with the Water Resource project as permitted by FDEP. The project will be developed and operated as a water resource project pursuant to the regulatory permit approvals.

The minimum bonded area will include the equivalent acreage of the proposed excavation phase. Bonds shall be provided to the County in an acceptable form as required by code.

The period of the proposed bonds will equal the time frame required to complete the construction, reclamation, and monitoring of each phase.

The proposed cell construction will progress as shown in the Phasing Plan. Bonding is proposed to be provided for each phase independently. The approximate time frames may vary to include the ten-year market flexibility as approved.

Reclamation shall consist of the construction and stabilization of the required side slopes and the construction of berms and other required improvements pursuant to the Water Resource Facilities permits and approvals. All disturbed upland areas within each phase will be reclaimed as a water resource facility.

The estimated amount of material removed annually will not exceed 6,680,000 CY per year (Approximately 9,352,000 Tons per year) or 18,300 CY per day (25,622 Tons per day) *.

Approximately 20-30 percent (1,336,000 - 2,004,000 CY or 1,870,400 – 2,805,600 Tons) per year of the proposed excavated material will remain on site to be used for reservoir construction. The remaining material (4,676,000 to 5,344,000 CY or 6,546,400 - 7,481,600 tons) per year will be removed, processed, and railed from site.

Tonnage is based on an estimated factor of 1.4 CY per ton.

* Excess material to be hauled by rail only from the site

OPERATION PLAN

The excavation operation consists of the extraction of sand muck, solid lime rock, fragmented rock, and sand to a depth of 18 feet below the natural site grade and approximately 15 feet below the Ordinary Water Level (OWL).

The average natural grade of the site is 9’ above sea level. The Ordinary Water Level (OWL) averages 6 feet across the subject site. Table 1 below describes the expected yield of each stratum to be excavated per acre. The methodology for the extraction of the material of each stratum is discussed below.

Note: Elevations provided are based on 1988 NAVD values

TABLE 1

APPROXIMATE YIELD OF EXCAVATED MATERIAL
PER ACRE FROM OWL

| <u>MATERIAL</u> | <u>DEPTH RANGE (+/-)</u> | <u>CUBIC YARDS/ACRE</u> |
|-------------------|--------------------------|-------------------------|
| SAND AND MUCK | To elevation + 6.0 | 4,840 CY/AC |
| LIMEROCK AND SAND | To elevation - 9.0 | 24,200 CY/AC |
| TOTAL | 15.0’ depth (OWL) | 29,040 CY/AC |

Notes:

- 1) + 9 = natural grade elevation
- 2) +19 = the average finished top of bank elevation for the proposed water resources facility containment berm surrounding the impoundment area.
- 3) OWL is approximately +6 (artificially maintained and subject to change as the entire site lies within a drainage basin not controlled by the petitioner)
- 4) 70-80% of excavated material proposes to be removed from the site.
- 5) 20-30% of excavated materials proposed to be used on site to construct the proposed water resource facility.
- 6) Calculations are a typical representation of the maximum expected yield for any given acre of lake area created.
- 7) The expected maximum depth of water is 15 feet from OWL

MATERIALS AND METHOD OF EXTRACTION

Use explosives pursuant to ULDC and State Statutes to blast to fracture the subterraneous rock formation with topsoil and overburden in place.

Topsoil & Overburden will be extracted and moved with heavy mobile equipment.

Rock & Sand will be extracted by heavy equipment and with a drag line. Materials removed will be discharged into an upland spoil site. Runoff from the spoil area shall be treated according to applicable law and the Regulatory Permit conditions issued for the site.

ON SITE PROCESSING

Materials will be brought to the rock plant facility where they will be washed, crushed, sifted, sized, and stored for use and transshipments. This processing is done pursuant to the FDEP lime rock processing permit regulations which regulate this type of activity. FDOT laboratory testing and certification process will also occur on site to grade finished product. This may involve heavy equipment and / or conveyor systems.

LITTORAL REQUIREMENTS

Littoral plantings are required and are proposed to be cashed out or eliminated in favor of the approved water resource facility design. The project lies entirely within the WCAA area. The applicant proposes to seek a NIC waiver to allow the cross sections and side slopes pursuant to the water resources construction permit in lieu of the standard side slope criteria of the ULDC.

UPLAND RECLAMATION

The perimeter of the water resource facility will provide ground cover or other improvements consistent with the water resource permits to stabilize the upland areas around its perimeter. This area will be above OHW and will be constructed by relocating the aggregate materials from the excavated area. All reclaimed areas will be constructed as part of the water resource facility pursuant to its construction authorization. All areas outside of the water resource footprint will be seeded with native ground cover or returned to agriculture crop production. No other planting is required or proposed. The site does not support native vegetation and is located entirely within the Agricultural Production district.

A typical cross-section detail showing the proposed water resource facility profile and upland reclamation is provided in the Final Reclamation Plan.

PERIMETER RECLAMATION AREA REQUIREMENT

Seventy-five (75%) percent of the perimeter of the site is required to have a dimension of 180 feet and twenty-five (25%) percent of the perimeter is required to have a minimum dimension of 100 feet. These areas will remain in agricultural production during construction. These areas will either be seeded with ground cover, returned to agriculture crop production, or be developed

with the approved water resource facility. Please note that these criteria were developed to produce sites with potentially useable upland areas around the excavation perimeter so that they may be converted to other allowable uses in the future. This proposal is to build a water resource facility as the final and end use of the land contained in the conditional-use area which ensures the land will be reclaimed with an end use. Any unused portions will be returned to agriculture production consistent with the underlying land use and tier designation.

A minimum of 180 feet of usable land is proposed on 100% of the water resource perimeter. This area will be used to implement the water resource impoundments surrounding the excavated areas.

PARTICULATE CONTROL

Particulate control from the internal hauling activity will be controlled by hydrating the primary internal haul roads. Hydration will be applied by a water tank truck. The active agricultural use of the property (sugar production) will also continue to provide vegetative windbreaks across much of the undeveloped site which will help ensure particulate control in areas not being excavated. The existing agricultural ditch system will provide the water source for the project until an open water body of sufficient size is created to provide a permanent water source. Hydration will also be used to control airborne particulate matter from the stockpile areas.

HAUL PERMIT

Not required by the ULDC. Offsite removal is proposed to be by rail and no local off-site hauling with trucks is proposed.

HAUL ROUTE PLAN

The Petitioner is proposing to rail all material offsite and no truck hauling on public surface roads is proposed. The site is accessed from US 27 via private farm roads (US 27 is designated as an arterial highway on the County Thoroughfare Map and included on the five-year road plan.) This access point will be limited to the present agricultural operation, mine employees, and deliveries of materials and supplies used for the mine operation.

CONSTRUCTION STANDARDS

Separations:

The project meets or exceeds all listed standards. This criterion is provided below under heading minimum separation and setbacks for Type 3B Excavations.

Slopes Angle:

Slopes to be modified from general lake standards to match and accommodate the cross section and ERP permit criteria for the intended reclamation plan to provide an above

ground water resource on the property. Alternative slopes and construction criteria will be sought as part of the NIC waiver process with ERM.

The following unique circumstances justify alternative construction standards to serve the public and the States environmental restoration efforts. The proposed administrative waivers will not be averse to the general intent and purpose of this Section as the proposal is intended to advance stated public policy by providing a water resource facility that can manage regional water supplies to help restore significant hydrology and habitat. A literal application of standard lake construction criteria would interfere with the stated purpose and intent of the permitted water resource facility being reviewed and permitted by the FDEP. This specific permit process ensures that the water resource facility is designed to employ appropriate technologies and methods for the construction and operation of such facilities from inception. It should be noted that similar water resource projects being developed directly by the State are exempt from the excavation code (examples are the STA and Reservoir to the south being developed by SFWMD and the USACE without county approvals).

Slopes For Planted Littoral Zone:

Slopes to be modified from general lake standards to match and accommodate the cross section and ERP permit criteria for the intended reclamation plan to provide an above ground water resource on the property. Alternative slopes and construction criteria will be sought as part of the NIC waiver process with ERM.

The following unique circumstances justify alternative construction standards to serve the public and the States environmental restoration efforts. The proposed administrative waivers will not be averse to the general intent and purpose of this Section as the proposal is intended to advance stated public policy by providing a water resource facility that can manage regional water supplies to help restore significant hydrology and habitat. A literal application of standard lake construction criteria would interfere with the stated purpose and intent of the permitted water resource facility being reviewed and permitted by the FDEP. This specific permit process ensures that the water resource facility is designed to employ appropriate technologies and methods for the construction and operation of such facilities from inception. It should be noted that similar water resource projects being developed directly by the State are exempt from the excavation code (examples are the STA and Reservoir to the south being developed by SFWMD and the USACE without county approvals)

Drainage:

Drainage is designed to minimize flow into the excavated areas by isolating the excavated pits with berms and perimeter rim ditches during construction. The final reclamation design of the water resource facility with raised berms impoundment features will ensure compliance post reclamation pursuant to the Water resource permit from FDEP.

Final Site Conditions:

The final site conditions will result in a secure reclaimed site with no sharp declivities pits, depressions, or debris accumulation that will be graded and constructed to meet the FDEP permit requirements for a functional water resource facility to be operated by or for the SFWMD.

SPECIFIC STANDARDS FOR TYPE IIIB EXCAVATIONS

- 1) MINIMUM ACREAGE = 100 ACRES
PROPOSED ACREAGE = 8,611.52 ACRE
- 2) MAXIMUM EXCAVATED AREA = 6,052
PROPOSED EXCAVATED AREA = 80%

MINIMUM SEPARATION FROM EXISTING RESIDENCES

The minimum separation distance is one (1) mile. The closest proposed excavated cell will be more than five (5) miles from the closest farm residence and more than eight (8) miles to the closest residentially zoned area of South Bay. The proposed site shares a common property line with A-2 STA and A-2 Reservoir project currently being built by the SFWMD and USACE just south of the subject property. A 1000' wide 316-acre buffer is provided along this southern property to buffer these uses.

MINIMUM SEPARATION AND SETBACKS REQUIRED FOR TYPE III B EXCAVATIONS

| SEPARATION / SETBACK TABLE | | |
|---|--|-----------|
| PLACE OF MEASUREMENT | MINIMUM REQUIRED SEPARATION (FROM RESIDENTIAL USES) | |
| | REQUIRED | PROVIDED |
| NORTH PROPERTY LINE | 1/8 MILE | 7 MILES |
| SOUTH PROPERTY LINE | 1/8 MILE | 20 MILES |
| EAST PROPERTY LINE | 1/8 MILE | 5 MILES |
| WEST PROPERTY LINE | 1/8 MILE | 7 MILES |
| ASPHALT AND CONCRETE PLANTS | 1/2 MILE | 5 MILES |
| | MINIMUM REQUIRED SEPARATION | |
| | REQUIRED | PROVIDED |
| PUBLIC WATER SUPPLY WELL | 300 FEET | 12 MILES |
| WETLANDS | 200 FEET | 1 MILE |
| SITE OF KNOWN CONTAMINATION | 300 FEET | >300 FEET |
| CLASS1 & 2 LANDFILL | 300 FEET | 10 MILES |
| SEPTIC SYSTEM | 100 FEET | 1.5 MILES |
| POTABLE WATER WELL | 100 FEET | 2 MILES |
| CONSERVATION & PRESERVATION AREAS OF RECORD, OR ESL | 200 FEET | 1 MILE |

| MINIMUM REQUIRED SEPARATION (FROM COMMERCIAL AND INDUSTRIAL USES) | | |
|--|----------|-----------|
| USE | REQUIRED | PROVIDED |
| COMMERCIAL | 1/2 MILE | |
| INDUSTRIAL | 1/8 MILE | |
| MINIMUM REQUIRED SETBACKS (FROM PROPERTY LINES) | | |
| SETBACK FROM | REQUIRED | PROVIDED |
| EXCAVATED LAKE (WATER RESOURCE) EDGE | 50 FEET | 200 FEET |
| PROCESSING EQUIPMENT | 200 FEET | 1500 FEET |
| STOCKPILES | 100 FEET | 100 FEET |
| ACCESSORY BUILDINGS | 100 FEET | 1500 FEET |

BONDING

Five types of bonds are listed in the Code. The bonds required for this project are as follows:

EXCAVATED AREA.

This area includes all disturbed excavated areas and is required to be calculated at a rate of one thousand (\$1,000.00) dollars per acre. These bonds will be provided in phases as follows:

- Sub Phase (Cell 1) – 154 acres = \$154,000.00
- Sub Phase (Cell 2) – 586 acres = \$586,000.00
- Sub Phase (Cell 3) – 592 acres = \$592,000.00
- Sub Phase (Cell 4A) – 435 acres = \$435,000.00
- Sub Phase (Cell 4B) – 359 acres = \$359,000.00
- Sub Phase (Cell 5) – 487 acres = \$487,000.00
- Sub Phase (Cell 6) – 413 acres = \$413,000.00
- Sub Phase (Cell 7A) – 489 acres = \$489,000.00
- Sub Phase (Cell 7B) – 492 acres = \$492,000.00
- Sub Phase (Cell 8) – 572 acres = \$572,000.00
- Sub Phase (Cell 9) – 290 acres = \$290,000.00

Sub Phase (Cell 10) – 591 acres = \$591,000.00

Sub Phase (Cell 11) – 592 acres = \$592,000.00

RECLAIMED UPLAND AREA.

This area includes all upland areas including the ground cover planting required. This bond is required to be not less than ten thousand (\$10,000.00) or one hundred and ten (110%) percent of the estimated cost of reclaiming and planting the upland areas. The code does not require trees to be planted as part of the required upland reclamation since the area was previously cleared and is currently active agriculture. All upland shall be sodded or seeded with native ground covering landward from the top of bank to the property line.

UPLAND PLANTING AREAS.

This area includes all upland areas including planting required. This bond is required to be not less than ten thousand (\$10,000.00) or one hundred and ten (110%) percent of the estimated cost of reclaiming and planting the upland areas. No additional upland tree plantings are required by the code for this project.

LITTORAL ZONES.

The guarantee shall be a minimum of \$10,000 dollars and shall be an amount of no less than 110 percent of the total estimated cost for planting, maintaining, and monitoring the required littoral shelves. ERM retains the option of requesting a second cost estimate for which the performance guarantee is based. The applicant intends to seek a NIC waiver to allow the cross sections and side slopes pursuant to the water resources construction permit in lieu of the standard lake side slope criteria of the ULDC. Littoral Planting Cash out to be proposed pursuant to code standards.

ROAD MAINTENANCE AND REPAIR FOR MINOR NON-RESIDENTIAL STREETS.

No truck hauling on public roads is proposed and therefore a bond is not required by the code.

MAINTENANCE AND MONITORING

Reclaimed upland areas are required to be seeded or planted with a native ground cover or be returned to agricultural crop production. These areas are proposed to be located landward from the top of bank to the property line around the perimeter of the mined area. Areas that get seeded with native grasses will be monitored every 180 days for a two (2) year period. Survivorship and coverage will be maintained at a minimum of 80% for each monitoring period or the area will be replanted until 80 % of coverage is obtained.

Annual monitoring reporting to be set be a condition of approval. The applicant suggests an annual reporting date of July 1 for the prior calendar year.

NOISE AND VIBRATION

All sound and vibration sources shall comply with Article 5.E, Performance Standards for both sound and vibration. **Vibration caused by blasting is regulated solely by the State Fire Marshal pursuant to F.S. 552.30, which preempts local rulemaking and enforcement.**

All on-site equipment will have double mufflers.

BUFFERING

Pursuant to the Code Section 4.B.10.C.3.b.4.d No vegetative buffer is required adjacent to agriculture production in the AP zoning District. The existing sugar cane farming will provide the required buffering around all property lines surrounding the excavation activity.

ADDITIONAL OPERATIONAL STANDARDS TYPE 3 B EXCAVATIONS (SPECIFIC TO ULDC ARTICLE 4.B.10.B.7)

HOURS OF OPERATIONS EXCAVATION AND HAULING

Monday through Sunday (24 hours a day) – Request BCC to establish alternative hours of operation pursuant to the ULDC.

The applicant is proposing that the BCC establishes alternative hours of operation. The applicant is seeking the ability to have unlimited hours of operation (Monday through Sunday 24 hours a day). This request is supported by the public benefit that is derived from an accelerated construction schedule enabling faster delivery of the proposed functional water resource facilities. The request is also supported by the site's remote location, which significantly exceeds all the code separation requirements for both residential and other incompatible uses. Additionally, night loading and hauling by rail during the night is advantageous to the marketplace as it allows for need construction materials to be loaded and delivered during night hours when traffic is calmest allowing the material to be ready and available for use the following day. The applicant is not requesting any changes to the ULDC blasting hours of operation.

OBJECTIONABLE ODORS

No objectionable odors or concentrations of sulfur or other noxious minerals have been detected in the groundwater sampling done on-site. No objectionable odor from the site are expected from the proposed excavation activities. The operator will monitor for Odors coming from the site and will take appropriate actions as needed to ensure compliance.

EMISSION OF FUGITIVE PARTICULATE MATTER

Particulate control from the hauling activity will be controlled by hydrating the internal haul roads stockpiles and all other open areas where dust and particulate matter may originate. Hydration will be applied by water tank trucks and or dedicated irrigation lines. The active agricultural use of the property (sugar production) will ensure particulate control in areas not being excavated.

The existing ditch system will provide the water source for the hydration application proposed until an open water body is created. Hydration is also used to control airborne particulate matter at stockpiles or other dry areas where particulate matter could originate. When each phase is reclaimed the water table will be allowed to return to the Ordinary Water Level and the perimeter and/or upland area of each phase will be seeded with native ground cover to prevent erosion to provide permanent particulate control.

EXISTING TOPSOIL

Existing topsoil will be removed from the excavated area and will be field applied to the surrounding sugar cane farmland except for the topsoil required for the reclamation areas which will be distributed throughout the sloped reclamation areas to promote vegetative growth.

EQUIPMENT STORAGE, MAINTENANCE AND SERVICE AREAS

All equipment will be stored on-site a minimum of 200 feet from all exterior property lines. All equipment able to be moved will be serviced in the designated service area. If equipment cannot be moved to the service area, the repairs may be done utilizing the best standards practices on location with mobile repair vehicles (i.e., emergency repair or in-place repair of pump, etc.)

REGULATED SUBSTANCES

All regulated substances shall be stored and handled pursuant to all Local, State, and Federal guidelines and regulations. The secondary Containment area will require approval from ERM if required on-site.

DEWATERING

Dewatering is not proposed for the excavation activities as the project will be excavated wet. Dewatering may be required for the construction of the water resource facility berms, levees, culverts, pumps and control stations, with required permits to be obtained before dewatering.

ACCESS TO PUBLIC

Prohibited. No trespassing signs are to be posted around the entire site. The site will be patrolled and protected by on-site security.

RETAIL SALES

None proposed.

HAULING

The Petitioner is proposing to utilize rail to remove the excess excavated material offsite. This will be done from the proposed rail yard on site. No truck hauling off site of excavated material is proposed. The site is accessed from US 27 via Private Farm Roads (US 27 is designated as

an arterial highway on the County Thoroughfare Map and included on the five-year road plan.) This access point will be limited to the present agricultural operation, mine employees, and deliveries of materials and supplies used for the mine operation. This access will not be used to haul martials with trucks.

PHASING

For Type 3A and Type 3B Excavations, the number of phases and the duration of each phase shall be established as a Condition of Approval. See the Preliminary Phasing Schedule below.

| WATER RESOURCE CELL / SUBPHASE BREAKDOWN | | | | | | | | |
|---|----------------|-----------------|--------------|----------------|-------------------------|---|--|----------------------------------|
| WATER RESOURCE CELL / SUB- PHASE | WATER ACRES | UPLAND ACRES | PIT ACRES | TOTAL ACRES | STORAGE ACRE FEET | Required Seeded Upland Area Acres | Expected Duration Excavation Duration | Projected Reclamation Date |
| 1 | 143.9 | 10.1 | 141.1 | 154.0 | 2158 | 5.3 | 1.5 years | 06/30/2028 |
| 2 | 566.0 | 20.0 | 565.5 | 586.0 | 8490 | 16.2 | 3 years | 06/30/2031 |
| 3 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 12.0 | 3 years | 06/30/2034 |
| 4A | 417.8 | 17.2 | 413.2 | 435.0 | 6268 | 14.0 | 2 years | 06/30/2036 |
| 4B | 343.4 | 15.6 | 339.2 | 359.0 | 5151 | 16.0 | 2 years | 06/30/2038 |
| 5 | 468.8 | 18.2 | 463.9 | 487.0 | 7033 | 13.3 | 2 years | 06/30/2040 |
| 6 | 396.3 | 16.7 | 391.7 | 413.0 | 5944 | 7.4 | 2 years | 06/30/2043 |
| 7A | 470.8 | 18.2 | 465.8 | 489.0 | 7062 | 13.4 | 2 years | 06/30/2045 |
| 7B | 473.7 | 18.3 | 468.8 | 492.0 | 7106 | 15.7 | 2 years | 06/30/2047 |
| 8 | 552.3 | 19.7 | 546.9 | 572.0 | 8285 | 20.2 | 3 years | 06/30/2050 |
| 9 | 276.0 | 14.0 | 272.2 | 290.0 | 4140 | 7.3 | 2 years | 06/30/2052 |
| 10 | 571.0 | 20.0 | 565.5 | 591.0 | 8556 | 20.5 | 3 years | 06/30/2055 |
| 11 | 572.0 | 20.0 | 566.5 | 592.0 | 8579 | 14.2 | 3 years | 06/30/2059 |
| | | | | | | | | |
| TOTALS | 5824.0 | 232.9 | 5766.2 | 6052.0 | 87,361 | 178.6 | | |

Please note that the storage in acre-feet by cell is with water storage at the current water elevation. As levees are constructed, above ground storage will be added, up to the final storage volume of approximately 120,000 acre-feet.

EXISTING USES

1. Active Farming including but not limited to sugar cane production and all farm-related accessory uses permitted on site. These will continue until excavation and construction commences on a particular cell within the project.

ACCESSORY USE LIST (This is a list of accessory uses that may be permitted on-site now or at some point in the future.

1. Weigh Station scales are proposed to account for material leaving the site.
2. Office An office on site to conduct the day-to-day business and management of the mine.

3. Maintenance Facility or Service Area. Will be used to maintain the equipment on site. Activities include mobile mechanical repair, cleaning, maintenance, and fueling of all equipment used on site. Secondary containment for regulated substances shall be approved by ERM if proposed.
4. Aggregate Testing Lab This lab may be needed to test the materials for DOT certification. Testing includes strength assessments, chemical and geological analysis, and other related DOT tests. All regulated substances used to test materials are stored in secondary containment areas located within the maintenance compound.
5. All Type IIIB Excavation accessory uses, and processing equipment permitted by the ULDC.
6. Concrete and Asphalt Plant subject to DRO approval provided that:
 - The site is a minimum of 500 acres.
 - The use is separated at least one-half mile from any residential use or district; and,
 - Direct access to the plant is provided from an Arterial Street.
7. All Agricultural Accessory Uses and Equipment permitted by the ULDC.
8. Onsite Storage and maintenance of equipment and vehicles supporting the excavation and agricultural operation.
9. Rail Lines, Yards, Depots, and Ancillary Rail Uses needed to support the existing and proposed rail operation.
10. Minor Utilities as needed to support the operation.
11. Hydro Storage, Water Reservoirs, Water Resources Conveyances, STAs, Pumps and Pump Stations, and other CERP-related features needed to implement the permitted water resource project.

VEGETATION

The subject property has been previously cleared for the existing sugar crop prior to 1986. No native vegetation is proposed to be removed.

COMPATIBILITY AND SEPARATION REQUIREMENTS

The closest proposed excavated cell will be more than 5 miles from the closest farm residence and more than 7 miles from the residentially zoned area of South Bay.

The AP zoning district and the mining operation are consistent with Zoning District Regulations, and the AP Future Land Use Designation, Policies, and Elements of Palm Beach County's Comprehensive Plan.

The excavation operation plan demonstrates that the use is consistent with the surrounding land use designations on all sides. The proposed excavation has been designed and located to minimize any possibility of incompatible land use being permitted in the surrounding area. In addition, the proposed project provides the required separation on all sides to further minimize any incompatibility issues and allows the proposed use to be consistent with the development characteristics in the area now and in the future.

The required separation provided is consistent with the ULDC and Comprehensive Plan. The site does not abut any developed areas.

The project's relationship to the existing urban development boundary more than exceeds the intent to protect residential development. The proposed use meets or exceeds all the AP Land Use Restrictions listed in the ULDC and Comprehensive Plan. These compatibility standards are significantly higher than those required by any other local, state, or federal government regulations or best management practices that could be applied to this type of project.

The excavation will meet or exceed all minimum setbacks as required by the code.



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Tampa
Washington, DC
West Palm Beach

January 27, 2025

Palm Beach County Zoning Division
2300 North Jog Road
West Palm Beach, FL 33411

Justification Statement
For A Class A Conditional Use for
a Type IIIb Excavation, to Construct and
Implement a Regional Water Resource Project

General Background:

The Southland Water Resource Project is a proposed 8,611.52-acre innovative water resources project, like the C-51 Reservoir, to be delivered in phases by an experienced team of professionals (Project). The applicant, project developer and general contractor is Phillips & Jordan, Inc.; the excavation and processing operator is Palm Beach Aggregates, LLC; the permitting coordinator is Family Lands Remembered, LLC; the engineer is Brown & Caldwell; along with other sub-specialties in environmental sciences, geology, hydrogeology, and economics. Joseph Verdone of Carlton Fields is the agent and point of contact for the zoning approval. The project will address the critical need for additional water storage and water quality improvements within the Everglades Agricultural Area (EAA) adjacent to the A-2 Stormwater Treatment Area (STA) and the A-2 Reservoir, assisting with providing needed water to the A-2 STA and STA 5/6, while also addressing statewide aggregate shortages and creating high-paying jobs across the region.

The Project will maximize public-private partnerships opportunities to provide the utmost value and an accelerated schedule. The project team is composed of individuals and firms with a respected history of stability and ethical practices along with accomplished and well-respected scientists, engineers, and managers, all with a vast working knowledge of the sensitive Everglades environment and all of Florida.

The Project will provide the region with approximately 120,000 acre-feet of additional water storage over time, with the first 18,000 – 20,000 delivered within five years, which is essential to improve water quality in the south Florida region. The project complements and enhances the existing and under construction storage and water

Applicant's Justification Statement

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quality facilities within the EAA and the Comprehensive Everglades Restoration Plan (CERP). Through a progressive design-build delivery model, valuable storage capacity can be realized in phases and delivered over time continuously.

To conform to the comprehensive plan and ULDC the Project will be developed as a water management project associated with ecosystem restoration, regional water supply and flood protection on a site identified by the South Florida Water Management District (SFWMD) and will provide viable alternative technologies for water management. Specifically, this site is located within the EAA east of the Miami Canal, north of the A-2 STA and A-2 Reservoir and will be developed in close coordination with the SFWMD to deliver needed storage in phases.

The Project will ensure that no resource goes unutilized. The excavated Florida Department of Transportation (FDOT) quality aggregate material will be used for construction of the Project and also processed and transported by rail transit system to support public roadway projects, which are currently facing major aggregate shortages due to the significant reduction in the volume of aggregate materials previously being imported from the Bahamas and Mexico. This lack of quality aggregate material is raising FDOT project costs exponentially, causing delays, and in some cases, slowing or halting transportation projects.

The Project will also benefit state and local employment, providing much-needed jobs for the Glades region with market-leading pay scales and long-term gainful positions. Moreover, the material provided will allow for roadway projects to move forward to completion, thus retaining state and local employees. The project will aid in maintaining our current statewide workforce and allow for continued transportation and water resource infrastructure.

The site proposed for the Project consists of approximately 8,611.52 acres located immediately north of the EAA Reservoir project currently under construction, which is a CERP project between the U.S. Army Corps of Engineers (USACE) and SFWMD. The EAA Reservoir project includes the 6,500-acre A-2 STA and the 240,000-acre-foot A-2 Reservoir. The SFWMD is responsible for construction of the A-2 STA is completed and expected to be operational by the end of 2025. The USACE is responsible for the A-2 Reservoir which began 2023 and is expected to be completed and operational in 2035.

The Project will be designed, permitted, constructed, and operated in close coordination with SFWMD, and will be complimentary to the A-2 STA, the A-2 Reservoir and other CERP projects. The Project will provide needed water to the A-2 STA and STA 5/6.

Palm Beach County Zoning Division – Submittal for Class A Conditional Use for a Type 3B Excavation to Construct a Water Resource Project.

Applicant's Justification Statement

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The applicant Phillips and Jordan (P&J) has worked closely with the landowners and has obtained their consent to submit this application for a Class A Conditional Use for a Type 3B Excavation, to construct and implement a regional water resource project, intended to compliment the A-2 STA, A-2 Reservoir and other nearby CERP projects.

P&J is the lead contractor for the SFWMD on numerous CERP and other projects, including the A-2 STA located immediately south of the subject site. P&J is also the lead contractor for the USACE intake canal for the A-2 Reservoir located immediately southeast of the subject site. P&J has a proven local track record developing other significant water resource projects in the County such as the original L-8 Reservoir and C-51 Reservoir Projects.

P&J is a woman owned Construction Company headquartered in Knoxville, Tennessee, with a strong track record of building and delivering complex critical infrastructure and large reservoir projects across the United States. As a national contractor they are authorized to conduct business in all 50 states. P&J has regional, and project offices spread across the country, and they have worked in more than 40 states over the past decade.

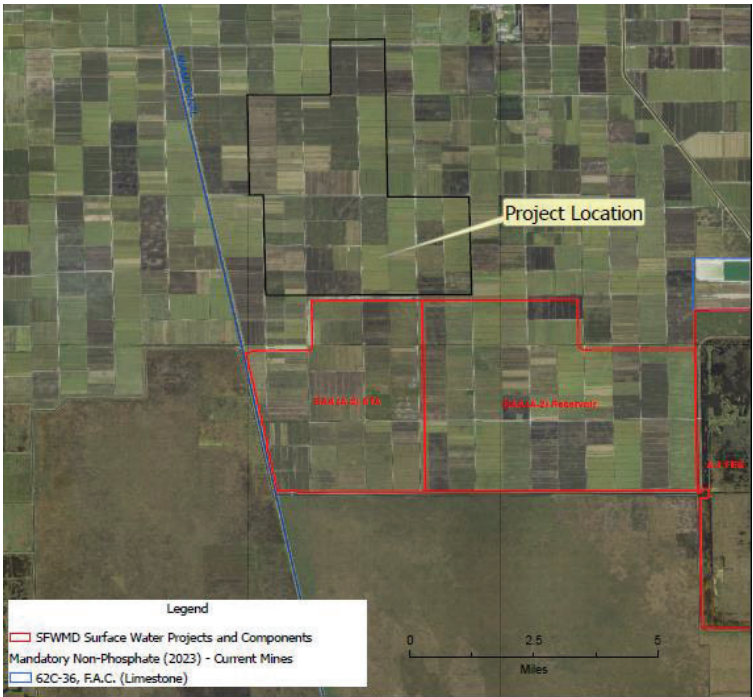
Property Information:

The proposed Class A Conditional Use area consists of 8,611.52 acres, has a Future Land Use Designation of Agricultural Production (AP), is zoned Agricultural Production (AP) District, and is located within the Glades Tier. The property is located approximately 4.2 miles west of US 27. Access to the facility is provided via existing farm roads from US 27. The property will be served by rail, and it is presently used for crop production.

Palm Beach County Zoning Division – Submittal for Class A Conditional Use for a Type 3B Excavation to Construct a Water Resource Project.
Applicant's Justification Statement

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Location Map



PCN's in Project Area:

| | | |
|-------------------------|-------------------------|-------------------------|
| 00 35 45 23 00 000 9000 | 00 36 45 19 00 000 9000 | 00 35 46 11 00 000 9000 |
| 00 35 45 25 00 000 9000 | 00 36 45 30 00 000 9000 | 00 35 46 12 00 000 9000 |
| 00 35 45 26 00 000 9000 | 00 36 45 31 00 000 9000 | 00 36 46 05 00 000 1000 |
| 00 35 45 35 00 000 1000 | 00 35 46 01 00 000 3000 | 00 36 46 06 00 000 9000 |
| 00 35 45 35 00 000 5010 | 00 35 46 01 00 000 1000 | 00 36 46 07 00 000 9000 |
| 00 35 45 35 00 000 7010 | 00 35 46 01 00 000 7010 | 00 36 46 08 00 000 1000 |
| 00 35 45 35 00 000 5020 | 00 35 46 01 00 000 5010 | |
| 00 35 45 36 00 000 9000 | 00 35 46 02 00 000 9000 | |

Applicant's Justification Statement

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Request:

The Applicant is seeking a Class A Conditional Use for a Type 3B Excavation to create, construct, and implement a new Regional Water Resource Facility project. The proposed project area contains 8,611.52 acres located within the EAA and Glades Tier. The subject property is zoned Agriculture Production (AP) with an Agricultural Production (AP) Future Land Use designation.

The proposed project when complete will have the ability to provide an additional 120,000 acre-feet of storage, delivered in phases over time. Approximately 6,052 +/- acres will be excavated over time from the subject site to create and construct the Project. The excess material will be removed and processed on site before being hauled from the site via rail. This excess material will support the ongoing need for FDOT certified aggregate in the region. The excavation will continue at a rate of approximately 276 acres a year until complete (*see operation plan for detailed calculations of volume and methods of extraction*). The operation will disturb approximately 276 acres of new excavated areas each year with a maximum of 1,200 acres of active excavation areas at any one time. Construction of the Project will include berms, roads, pumps, etc., and operations will be phased to provide “in ground” water storage at existing water levels (storage quantities as shown in submitted plans) and future “above ground” water storage at water levels up to four feet above ground level (as a “low-hazard” reservoir).

The excavation for the Project complies with Policy 2.3-e.3 of the Comprehensive Plan by creating a water management project associated with ecosystem restoration, regional water supply, or flood protection, on a site identified by the SFWMD, where such uses provide viable alternative technologies for water management regional water resource facility, like the C-51 Reservoir.

In addition to creating a regional water resource project, the excess material from the Project implementation will also be used to support public roadway construction. This excess material will help fill the significant void in the State’s aggregate supply caused by the two recent shutdowns of two major international sources of lime rock in the Yucatan and Bahamas. Currently aggregate is also being shipped from Nova Scotia.

The proposed excavation and reclamation of the site as a regional water resource project will support the existing and planned water management projects associated with ecosystem restoration, through the implementation of another complimentary regional water resource facility, thereby advancing and enhancing CERP Everglades restoration and other environmental efforts.

Applicant's Justification Statement

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Excavation and construction is anticipated to proceed continuously at an annual rate of approximately 276 acres a year over the next 30.5 years constructing the water resources facility in phases until completion. The proposed phasing is based on the average annual rate of excavation and the first 18,000 to 20,000 acre-feet of storage is expected to be complete in five years. The Project will have an estimated anticipated completion date of 2059² assuming the excavation activity starts by June 30, 2025, progresses at the expected yearly rate, and that excavated areas are reclaimed pursuant to the approved plans. Excavation of the proposed project area will be limited by current ERM regulations which limit the maximum depths of the excavated pits to - 20' OWL in the EAA unless the applicant demonstrates, with test wells, that chloride concentrations of less than 250 ppm exist to the proposed maximum depth prior commencing excavation activities. The applicant is proposing excavation and construction plans that will not exceed a depth greater than -15 feet OWL.

The BCC has previously determined that Type 3B Excavations are consistent with the AP zoning district and AP FLU Comprehensive Plan designation when they comply with Code and Comprehensive Plan Policy 2.3-e.3.

The Subject Property and proposed use(s) comply with all applicable standards of the Comprehensive Plan and ULDC.

THE APPLICABLE STANDARDS ARE AS FOLLOWS:

1. Consistency with the Plan.

The comprehensive plan provision related to the Project is Objective 2.3, Mining and Excavation.

The provision reads:

The County shall regulate mining and excavation activities to ensure that such activities are appropriately located to be compatible with surrounding land uses and conducted in a manner that is environmentally sound and does not adversely impact the health of citizens. Also, the County shall ensure that reclamation of disturbed areas shall be appropriate and timely. Compatibility shall include, but not be limited to, any negative impacts to surrounding land uses with regards to density,

² The petitioner is seeking a ten (10) year completion window buffer to account for changes in market conditions over the life of the project (2069).

intensity, function, air quality, water quality, noise, traffic, aesthetics, vibrations, smoke, odors, radiation, or any other land use conditions.

Policy 2.3-a: Palm Beach County shall continue to implement its Unified Land Development Code (ULDC) to ensure that mining and excavation activities are:

- Conducted in an environmentally sound manner, such as, but not limited to, depth restrictions and impacts on littoral zones, groundwater, distribution of dissolved chlorides or existing and future wellfields and private wells.

Compliance Response: The code provides limitations on depth and regulates the thresholds for dissolved chlorides and solids, to provide ground water protection for existing and future private and public wellfields. ERM also can impose its strict mining and water quality regulations through the "Notice of Intent to Construct" process that regulates this type of activity. The County also completed an exhaustive study of each permitting agency's role in mining approvals and has determined the process through which this application has applied meets or exceeds comprehensive plan requirements and adequately safeguards all environmental concerns.

- Performed to protect archeological sites, as defined in the Unified Land Development Code, from destruction until the site has been examined, cataloged, and recorded, and the preservation status determined.

Compliance Response: The applicant has completed an Archeological Assessment Report for the County Archeologist of the areas intended to be excavated so it can be checked against the database of known archeological sites. The applicant will also comply with the County's requirement to protect any archeological finds, provide required notice of finds, and will obtain a "Certificate to Dig" ensuring that any archeological sites are protected.

Applicant's Justification Statement

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- Located to minimize distances to major transportation facilities to reduce impacts on roadways and residential neighborhoods.

Compliance Response: The Project is specifically located adjacent to other regional water resource facilities to complement and generate synergy between and among the projects. To further minimize impacts on roadways and neighborhoods the applicant is proposing to haul excess materials off-site with the existing and expanded rail system. The use of rail for this purpose will allow the transport of aggregate and construction materials on and off-site without causing impacts to any roadways or residential neighborhoods.

- Limited to transportation routes which are primarily on roadways that are currently operating as major arterials or collectors which can withstand the effects of transporting the volume and weight of the extracted material.

Compliance Response: The Project will be served by an existing private rail system which will be expanded to transport materials to and from the project site without causing impacts on any roadways with the weight of the extracted material or traffic.

Policy 2.3-b The County shall continue to prohibit mining and excavation in the Pleistocene Sand Ridge.

Compliance Response: The Project is not located within the Pleistocene Sand Ridge.

Policy 2.3-c Mining is prohibited in the following future land use designations, however, excavation may be permitted in conjunction with the implementation of a site development plan:

1. Residential categories, from Rural Residential 5 to High Residential 18;
2. Agricultural Reserve;
3. Parks and Recreation;

Applicant's Justification Statement

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4. Institutional and Public Facilities;
5. Conservation categories;
6. Transportation and Utilities;
7. Traditional Town Developments; and,
8. Multiple Land Use.

Compliance Response: The Project is not located in any of the listed prohibited future land use categories.

Policy 2.3-d: Mining and excavation may be permitted in the following future land use designations subject to the Mining and Excavation regulations of the ULDC:

1. Rural Residential, limited to Rural Residential 10 and Rural Residential (20);
2. Commercial categories;
3. Commercial Recreation;
4. Industrial categories;
5. Special Agriculture; and
6. Agricultural Production.

Compliance Response: The Project is located within the permitted Agricultural Production future land use category.

Policy 2.3-e(3) Within the Agricultural Production Future Land Use designation, mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management.

The Project addresses these criteria in the following ways:

- 1) The Project is associated with ecosystem restoration, regional water supply, or flood protection, on a site identified by the SFWMD where such uses provide viable alternative technologies for water management projects associated with ecosystem restoration, regional water supply or flood protection, like the C-51 Reservoir. This will be achieved by constructing a water resource facility on site to support and advance the SFWMD water

Applicant's Justification Statement

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management projects associated with ecosystem restoration, regional water supply and flood protection. The Project will have the added benefit of storing Lake Okeechobee water to reduce harmful discharges to the estuaries including the Lake Worth Lagoon, and the stored water will support the EAA A-2 STA and STA 5/6. The Project would also significantly expand the available storage capacity serving the SFWMD and USACE projects currently under construction along the southern boundary of the proposed site thereby advancing the goals and implementation of the ongoing CERP program. The proposed 6,052-acre excavated area provides a minimum of 180 feet around 100% of its perimeter to accommodate the construction of a levee system as needed. The proposed 180-foot dimension provides ample room for the construction of levees that have a 14-foot-wide level top, access roads, and side slopes of 3 to 1. The interior of the proposed new 6,052-acre Project is also segregated into 13 separate cells by leaving the interior land area between the cells. Each of the cells is separated by land area approximately 50 feet wide (see separation berm sections). These cell separation areas are provided to provide access roads and maintenance benches for the adjacent cells. They also limit the continuous surface area of each cell which thereby reduces the overall fetch created within the Project.

- 2) The proposed site shares similar geological properties which have been previously determined by the SFWMD to have beneficial characteristics and properties that can allow for "in ground" storage of water. The Project is also located within the identified lower east coast planning area which have the beneficial geologic and hydrologic properties needed to support regional water management resources.
- 3) The site has geological characteristics that are favorable for "in ground" storage, like other sites such as the L-8 FEB and C-51 Reservoir. Although this formation, and as a result the Project, is shallower than that geologic formation, that have previously demonstrated the ability to provide viable alternative technologies for regional water management resources.

The County Comprehensive Plan clearly states that within the Agricultural

Applicant's Justification Statement

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Production Future Land Use designation, mining or excavation may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District (SFWMD) or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management...(61-FLUE).

The creation of the proposed water resources facility on the SFWMD identified site is consistent with the property's AP FLU designation. This new water resource project will advance the implementation of the goals of Everglades' restoration by being incorporated into the existing CERP and other facilities operated by the SFWMD and USACE immediately south and southwest of the proposed site.

Similar to the previously approved and constructed L-8 Reservoir (now L-8 Flow Equalization Basin) and C-51 Reservoir Projects, the proposed project reclamation plan is the construction of a reservoir, cell by cell, connected to each other as each cell is completed. This will serve Everglades ecosystem restoration and regional water management efforts, providing needed storage to support the adjacent EAA A-2 Stormwater Treatment Area (STA) and nearby STA 5/6, both of which need deep water storage to avoid dry-out and achieve optimal phosphorus removal. Please note that the EAA A-2 Reservoir will ultimately provide 240,000 ac-ft of storage, to be completed in 2034 and operational in 2035, according to the integrated Delivery Schedule 2024 Update. The alternative reclamation standards include a reduction in the interior slope angle from 4:1 to 3:1 to provide additional storage, the cash-out of littoral shelves, to be implemented through the N.I.C. process prior to construction as was done for the L-8 FEB and C-51 Reservoir projects. The FDEP environmental resource permitting process will ensure that the water resource project meets all requirements and environmental standards.

The Project is also consistent with and complimentary to the 2017 Legislature's SB 10 which provided for the EAA A-2 Reservoir and A-2 STA. "The Legislature finds that increasing water storage is necessary to reduce the high-volume discharges from the lake to the estuaries and restore the hydrological connection to the Everglades". The project is designed to provide additional water storage in the EAA, a need identified in the SFWMD Central Everglades Planning Project Post Authorization Change Report to "further reduce damaging discharges [and] deliver additional flow to the Greater Everglades consistent with the CERP goals". The original goal of SB 10 as introduced was to provide for

Applicant's Justification Statement

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360,000 ac-ft of storage in the location of the EAA A-2 Reservoir and Southland Project and the final EAA A-2 Reservoir provides 240,000 ac-ft of storage. The Southland project will provide 120,000 ac-ft of storage at buildout, with phased storage to be available as Cells are completed.

Thus, in conclusion, the proposed excavation and construction of the Project is consistent with the parcels' AP land use designation and the Palm Beach County Comprehensive Plan.

Other Comprehensive Plan Considerations: The project is located within the Glades Tier of the Tiered Growth Management System.

The Comprehensive Plan policy in the Glades Tier focuses mainly on promoting the overall revitalization of the Glades area with a focus on economic development.

The Project will also support public roadway projects. The excavation and processing operation is expected to produce 9,350,000 tons of FDOT certified rock and fill material annually which can support a significant amount of public roadway projects. The Project will continue to produce these products at the same rate throughout the expected life of the project. The Project is expected to employ 50 individuals as part of the excavation and processing operation and will further promote the economical delivery of aggregate products to projects throughout Florida via rail transport. In addition to these direct jobs, hundreds of local ancillary jobs will be derived from the proposed operation, including excavation, rail workers, contractors, builders, suppliers, and equipment manufacturers. There will also be significant employment related to the construction of berms, levees, control structures and pump station.

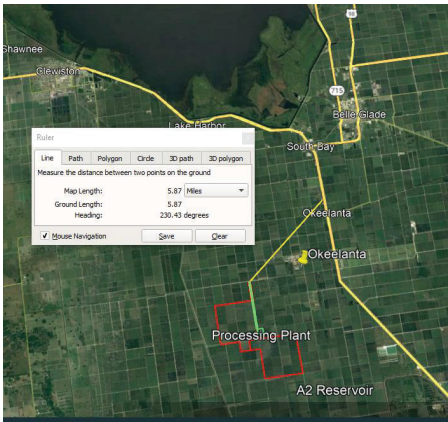
2. Consistency with the Code.

The proposed "Class A" Conditional Use is consistent with the Code, and its Supplementary Standards. The proposed use meets or exceeds all standards of the Code and all applicable laws, rules, and regulations for Type 3B Excavations and water resource facilities including, but not limited to, storing, and handling hazardous materials, location, access, separation requirements, best industrial and operation practices, particulate and emission controls, lighting, and water use.

3. Compatibility with Surrounding Uses.

The request presents no incompatibilities as defined in the ULDC or Comprehensive Plan. The site is in agriculture production that is consistent with the use and character of the surrounding lands. The existing farming operations will continue throughout the construction of the facility, field by field, until needed for the Project. Once excavated these areas will be reclaimed as water resource facilities constructed over time.

The site is located immediately north of and adjacent to the A-2 STA and A-2 Reservoir currently being constructed by SFWMD and USACE. The areas north, east, and west of the proposed conditional use boundaries are used for agriculture production and contain active crops. The proposed conditional use area provides significant separation from residential uses, and it is more than 5 miles away from the closest farm residence in the area, and more than 8 miles away from the closest residential zoned area of South Bay.



All the subject land is surrounded by agricultural production land or water resources projects and is consistent with the development characteristics in the area. The ambient sound levels generated by the normal operation of the site will comply with the permissible levels at all property lines established by the Palm Beach County ULDC and the applicable industry standards.

Article 4.B.10.C.5.i – Additional Compatibility Standards for Type 3B Excavation

Location and Access:

Local Residential Streets are not proposed to be utilized for hauling or access.

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Restrictions in the RR and SA FLU Designation:

Does not apply. The project is located within the AP FLU and is not located in RR or SA FLU designation.

General - Minimum Separations and Setbacks:

Excavation projects in the WCAA shall be evaluated on a case-by-case basis in accordance with the compatibility criteria in [Art. 4.B.10.C.5.i, Compatibility Standards](#), and shall have separation requirements set by the BCC.

General - Separation from Residential Uses:

The project substantially exceeds the minimum 1/8-mile separation requirement of code.

General - Setbacks:

The project will meet or exceed the following minimum setback requirements below:

For a project that is one (1) or more miles from a residential use.

Lake Edge of Excavation - 50 Feet

Processing Equipment - 100 Feet

Stockpiles - 100 Feet

Accessory Buildings - 100 Feet

Noise and Vibration Report:

All the blasting will be monitored for compliance with State Statutes. Blast records will be maintained and will include the time, peak over pressure (noise), and vibration caused by each activity. Blasting will be similar to blasting conducted by SFWMD and USACE on the EAA A-2 Reservoir and A-2 STA.

Buffer:

Applicant's Justification Statement

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Pursuant to Article 4, a buffer shall not be required adjacent to land in agricultural production in the AP Zoning District if the land is used solely for Bona Fide Agriculture purposes.

Hours of Operation:

Requesting BCC approval for 24/7 operating hours. The applicant is proposing that the BCC establishes alternative hours of operation. (Note: this is not being requested for the blasting operation. Blasting operation will conform to the ULDC limitations.)

This request is supported by the public benefit that is derived from an accelerated construction schedule enabling faster delivery of the functional water resource facilities. The request is also supported by the site's remote location, which significantly exceeds all the code separation requirements for both residential and other incompatible uses.

Notice of Intent to Construct:

Project will seek a NIC approval prior to commencement of any excavation activity on site.

4. Designed To Minimize Adverse Impacts.

The proposal minimizes adverse effects, including visual impact and intensity of the use on adjacent lands by locating the proposed Water Resource Facility adjacent to Water Resource Facilities being constructed by the SFWMD and USACE. It should also be noted that the proposed project area is completely contained within active agriculture production fields owned by the same landowners thereby further segregating the excavation and construction activity from incompatible land uses and visual lines of sight.

The project will be excavated wet. This will eliminate concerns regarding dewatering. Dewatering may be required for the construction of water resource facility berms, levees, culverts, pumps, and control stations, and if that occurs, required permits will be obtained before these activities. The excavation will proceed in the sequential order shown on the regulating plan. Processing will occur within a 230-acre rock plant / crusher compound located centrally in the site and its employees and providers will utilize farm road access from U.S. 27. Excess materials will be hauled exclusively by rail from the site to other end users.

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The proposed Type IIIB Excavation and construction of the proposed Water Resource Facility will comply with all applicable codes, rules, and laws and will be operated in a way to minimize any hazard to the immediate area and region.

5. *Designed To Minimize Environmental Impacts.*

The proposed excavation and processing operations are designed to minimize potential environmental impacts by implementing requirements to test groundwater at the proposed maximum excavated depths before the commencement of blasting or excavation to ensure water quality compliance. Water quality testing is also required to be performed within open cells during and post-excavation to ensure ongoing compliance with applicable standards.

The proposed excavation activity will occur within areas that have been used previously for agricultural operations for decades. These agricultural areas are devoid of native vegetation or environmental values which further minimizes any impacts to natural resources. The entire proposed excavation site is below target clean up levels as described by FDEP.

The proposed operation plan is designed and implemented to minimize airborne particulate matter, dust, and runoff, consistent with applicable local, state, and federal standards. It also establishes standard procedures for the safe operation of all facilities, equipment, storage, handling of hazardous materials, and emergency protocols, consistent with applicable industry standards and government regulations. Blast fracturing is done with the overburden in place to minimize sound impacts on the surrounding lands.

6. *Development patterns.*

The site will be developed in a logical, timely, and orderly fashion consistent with the surrounding Agricultural Production (AP) designated lands. Farming activity will continue until it is displaced by excavation and water resource facility construction. The materials excavated from the site will be used to support construction of the proposed Water Resource Facility on site and to support public roadway projects. This proposed activity will have no adverse impact on existing or expected development patterns in the region.

7. *Consistent with neighborhood plans.*

There is no neighborhood plans adopted at this time for this area.

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8. Adequate Public Facilities.

The proposed conditional use meets the requirements of the adequate public facility ordinance, as the required capacities are available at the site. The proposed conditional use will not negatively impact any roadways, and all excess materials will be exclusively transported by rail from the site thereby minimizing traffic-related concerns. Employees and farm workers will utilize a recorded road easement that extended from the west side of US 27 to the project entrance. The first 200 feet of this farm access road will be paved to reduce dirt spillage into US 27. The use of this farm access road / easement to allow employee farm workers and deliveries to the site will not negatively impact on the public nor will it impede any public roadways. All construction activity shall be in accordance with NPDES requirements.

9. Changed Conditions

The continued significant population growth of South Florida, ongoing Everglades restoration, the need for additional water storage and treatment facilities, water quality issues including harmful algal blooms, higher rainfall events and regional water management challenges have created a need for more public-private partnerships to compliment public projects. Additionally, there have been several international changes in the aggregate market that are negatively impacting the ability of governments and the private sector to get the material needed to build and repair our infrastructure. The material derived from this approval will significantly help improve the availability of high-quality aggregate. Through a phased approach with a partnership delivery model, this project will provide benefits throughout its development.

Exhibit E.8 –South Florida Water Management District Correspondence



September 15, 2023

Drew Bartlett, Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Subject: Southland Regional Water Resources Project

Dear Drew:

Thank you for your time meeting with us regarding the potential Southland Water Resources Project and letting us know the technical information needed for a preliminary evaluation of the project. This letter provides a summary of the project and the requested technical information. We are excited about the opportunity for another collaborative public-private partnership project and are available to meet with you and your staff at your convenience.

Project Summary

The Southland Water Resource Project (Project) is a proposed 8,000-acre innovative water resources project, like the C-51 Reservoir, to be delivered in phases by an experienced team of professionals. The applicant, project developer and general contractor is Phillips & Jordan, Inc.; the engineer is Brown & Caldwell; the excavation and processing operator is Palm Beach Aggregates, LLC; the entitlement coordinator is Family Lands Remembered, LLC; along with other sub-specialties in environmental sciences, geology, hydrogeology and economics. The project will address the critical need for additional water storage and water quality improvements within the Everglades Agricultural Area (EAA) adjacent to the A-2 Stormwater Treatment Area (STA) and the A-2 Reservoir, while also addressing mounting statewide aggregate shortages and creating high-paying jobs across the region.

The Project will maximize public-private partnerships to provide the utmost value and an accelerated schedule. The project team is composed of individuals and firms with a respected history of stability and ethical practices along with accomplished and well-respected scientists, engineers, and managers, all with a vast working knowledge of the sensitive Everglades environment and all of Florida.

The Project will provide the region with tens of thousands of acre-feet of additional water storage which is essential to improve water management in the south Florida region. The project complements and enhances the existing and under construction storage and water quality facilities within the EAA. Through a progressive design-build delivery model, valuable storage capacity can be realized in phases and delivered over time continuously.

30115 State Road 52, Suite 301
San Antonio, FL 33576
office 813.780.4300
fax 813.715.1820
pandj.com

The Project will be a water management project associated with ecosystem restoration, regional water supply or flood protection for this connected and integrated system. We are asking that South Florida Water Management District (SFWMD) identify this site and our proposed uses as providing viable alternative infrastructure for water management. Specifically, this site is located in the EAA east of the Miami Canal, north of the A-2 STA and A-2 Reservoir and will be developed in close coordination with the SFWMD, subject of course to all required technical reviews, approvals and permits.

The site proposed for the Project consists of approximately 8,000 acres located immediately north of the EAA Reservoir project currently under construction, which is a Comprehensive Everglades Restoration Project (CERP) between the U.S. Army Corps of Engineers (USACE) and SFWMD. The EAA Reservoir project includes the 6,500-acre A-2 STA and the 240,000-acre-foot A-2 Reservoir. The SFWMD is responsible for construction of the A-2 STA which began in April 2020 and is expected to be completed in 2023.

The Project will be designed, permitted, constructed, and operated in close coordination with SFWMD, and will be complimentary to the A-2 STA, the A-2 Reservoir and other CERP projects. Environmental resource and other permits would be requested from the Florida Department of Environmental Protection and conditional use and other approvals would be requested from Palm Beach County, similar to the process that we followed with the C-51 Reservoir.

Phillips & Jordan

Phillips and Jordan (P&J) obtained the land owners conditional consent to submit this application for a Class A Conditional Use, to construct and implement a regional water resource project, intended to compliment the A-2 STA, A-2 Reservoir and other nearby CERP projects.

P&J is the lead contractor for the SFWMD currently constructing the A-2 STA located immediately south of the subject site. P&J is also the lead contractor for the USACE currently constructing the intake canal for the A-2 Reservoir located immediately southeast of the subject site. P&J has a proven local track record developing other significant water resource projects in the County such as the original L-8 Reservoir and C-51 Reservoir Projects.

Enclosed Information

Our team has conducted extensive investigations of the site to determine suitability for the Project and to evaluate engineering, permitting and constructability. Enclosed please find the following for your review:

- Location Map
- Site Plan and Draft Phasing
- Seepage Modeling Results
- Chlorides Testing Results



Phillips & Jordan
10142 Parkside Drive, Suite 500
Knoxville, TN 37922
office 865.688.8342
fax 865.688.8369
pandj.com

Our Request

Based upon our review of the site, our site investigations, the information provided with this letter, and as summarized above, we believe that the Project will be an excellent addition to the South Florida water management system providing multiple benefits over the short and long-term horizons. We know there is a lot of work to be done for the Project to move forward, including detailed permitting and conditional use approval processes, followed by even more detailed design and engineering. Before moving forward with that additional effort, we would ask that you and your staff review this information and provide your preliminary assessment.

Please let us know if you have questions, need additional information or would like to discuss the Project at your convenience.

Sincerely,

Matt Eidson

Digitally signed by Matt Eidson
DN: C=US, E=mteidson@pandj.com,
O="Phillips and Jordan Inc. ",
CN="Matt Eidson"
Date: 2023.09.15 10:01:20-0400'

Matt Eidson



Phillips & Jordan
10142 Parkside Drive, Suite 500
Knoxville, TN 37922
office 865.688.8342
fax 865.688.8369
pandj.com



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

October 3, 2023

Mr. Matt Eidson
Regional Manager
Phillips & Jordan
30115 State Road 52, Suite 301
San Antonio, FL 33576

Subject: Southland Water Resource Project

Dear Mr. Eidson:

We received your letter regarding the proposed Southland Water Resource Project located in Palm Beach County. The South Florida Water Management District's (District) mission includes ecosystem restoration, flood control, and water supply, and we are responsible for operating the Central and Southern Florida (C&SF) Flood Control Project and building and operating projects to support our mission.

The District is always interested in engaging in new ideas that help further our mission. Generally speaking, adding more storage connected to the C&SF system increases water resource resiliency, helps protect our ecosystems and communities, and provides more flexibility in water management operations for extreme events. Provided that modeling supports the movement of additional water south from Lake Okeechobee and west to the STA 5/6 and C-139 FEB complex, the District would be amenable to discussing and reviewing the proposed Southland Water Resource Project.

There are many questions to be explored associated with the project. Some high-level questions that need to be discussed in detail with staff include: potential mining operations impacts, seepage impacts and appropriate buffer zones to the EAA Reservoir Project's STA and Reservoir, determination if geology supports an in-ground reservoir, regional water availability, drought operations, and canal conveyance capacity in the Miami Canal. We'd also like to understand the plan for long term ownership and operations and maintenance costs.

Given that the potential project benefits could include an increase of 120,000 acre/ft of water storage between Lake Okeechobee and the Everglades, the District is willing to work with you as you continue to develop this potential water management project. It is important that Phillips & Jordan engage local landowners and other stakeholders throughout this process. Hopefully through this process, a viable project will emerge.

Sincerely,

A blue ink handwritten signature, appearing to read "Drew Bartlett", with a long horizontal flourish extending to the right.

Drew Bartlett
Executive Director



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 31, 2024

Mr. Matt Eidson
Phillips & Jordan
30115 State Road 52, Suite 301
San Antonio, FL 33576

Subject: Southland Regional Water Resource Project

Dear Mr. Eidson:

The South Florida Water Management District (District) received your updated project proposal for the Southland Regional Water Resource Project (Project) on December 24, 2024.

We understand that the project proposal was submitted to the District for review in accordance with Palm Beach County comprehensive planning requirements. As submitted, the project includes the potential addition of over 120,000 acre/ft of water storage between Lake Okeechobee and the Everglades, with the proposed uses of water storage, pumping, and conveyance—providing the potential for more operational opportunities to manage and treat water to benefit both Lake Okeechobee and the Everglades. As proposed, the project would repurpose land adjacent to the Everglades Agricultural Area (EAA) Reservoir complex currently utilized for agricultural purposes into water storage and potential treatment facilities to benefit water management. As is well known, the State of Florida has prioritized Everglades restoration, and this effort requires increased capacity for water management and treatment, which this project is expected to provide.

In the past six years alone, an additional 63.6 billion gallons of water storage capacity have been created, with an additional 55.4 billion gallons of storage capacity in the coming year. These water storage projects are vital to Everglades restoration, helping to improve the quantity, timing, and distribution of flows into Everglades National Park and Florida Bay. Additionally, they play a crucial role in reducing harmful discharges to the Caloosahatchee and St. Lucie estuaries. Through the state's investment in these priorities, over 727,000 pounds per year of nitrogen and 488,300 pounds per year of phosphorus will be removed within the Everglades ecosystem.

Based on an initial review of the project and subsequent discussions, the District believes that, at this time, on the identified site, connected to a District canal with the right configuration, the project will likely provide viable alternative technologies for both water management and water treatment for ecosystem restoration complimentary to the

Mr. Eidson
December 31, 2024
Page 2

EAA Reservoir complex and surrounding infrastructure. With a completed connection to STA 5/6, the project would provide more capacity to maintain those constructed wetlands during the dry season and complement several other concurrent water management projects currently underway.

Additionally, as noted in the project description, it is understood that facility construction, including the removal of aggregate from the site, will be conducted with care to protect neighboring projects—like other projects included or underway in the Comprehensive Everglades Restoration Plan (CERP).

Naturally, as the project development process continues, further engagement and additional technical questions will be addressed through coordination with the District and through subsequent applications to Palm Beach County and the Florida Department of Environmental Protection. These include assurances that the project compliments and does not delay or in any way negatively impact the EAA Reservoir Project. To that end, we also acknowledge that you have submitted and continue to undertake additional analyses to provide sufficient buffer zones to understand and control seepage to surrounding projects and have expressed your prior commitment to including a water quality treatment element in the project.

District staff will be prepared to work with you to further evaluate and develop this project to assure protection of our current investments. At the appropriate time, a Comprehensive Agreement would be necessary to outline roles, responsibilities, and expectations for design, construction, transfer, and operation of the proposal.

By way of this letter, the District concludes the first step in the unsolicited proposal process. While you pursue permits, the District will continue to work with you through the next steps in the project evaluation process which includes estimating an evaluation fee, formulating evaluation criteria, and fulfilling public engagement requirements.

Should you have any questions, please feel free to contact me.

Sincerely,



Drew Bartlett
Executive Director



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 21, 2025

Via Email: Kelly.Cox@audubon.org and MPerry@floridaocean.org

Mr. Mark Perry
Ms. Kelly Cox
Everglades Coalition
P.O. Box 1709
Stuart, FL 34995

Subject: Southland Water Resource Project

Dear Mr. Perry, Ms. Cox, and Everglades Coalition Members:

The South Florida Water Management District (District), along with its many partners and stakeholders, has made great progress in recent years on the Comprehensive Everglades Restoration Plan (CERP).

As you know, on January 10, 2023, Governor Ron DeSantis signed Executive Order 23-06, (*Achieving Even More Now for Florida's Environment*). With his order, the Governor called upon the District to make every effort to advance Everglades restoration projects to ensure meaningful progress over the next four years, including all CERP storage components within the Lake Okeechobee watershed. Executive Order 23-06 was issued exactly four years to the day after he signed Executive Order 19-12 (*Achieving More Now for Florida's Environment*), which resulted in record environmental funding, expedited Everglades projects, and water quality improvements.

To date, we have celebrated 75 ribbon cuttings, ground breakings, and major milestones on Everglades projects since 2019, and many of you have played a significant part in these celebrations.

The District is in receipt of the letter you sent on February 7, 2025, regarding the Southland Water Resource Project. At the February 13, 2025, Governing Board Meeting, I discussed the Southland Water Resource Project, including the letter we sent to Phillips and Jordan, Inc., as part of my remarks during the Executive Director's Report.

We will now turn our attention to thoroughly evaluating the project proposal. If staff concludes that it is a viable storage and treatment project that will provide regional benefits, and that it will not impact the construction or operation of the EAA Reservoir Project, District staff will bring the project to the Governing Board for consideration before entering into a Comprehensive Agreement pursuant to Florida Statute. The District will follow our Unsolicited Proposals Process, developed pursuant to the Public-Private Partnerships Statute of Florida, to consider

Mr. Perry, Ms. Cox, and
Everglades Coalition Members
February 21, 2025
Page 2

the Southland Water Resource Project. This process, and all unsolicited proposals submitted to the District, can be found at [SFWMD.gov/Procurement](https://www.sfwmd.gov/Procurement).

We truly appreciate the Everglades Coalition's long-standing support for expediting storage and treatment opportunities through CERP and Restoration Strategies to help the Everglades, Lake Okeechobee, and our estuaries. The District remains keenly focused on significantly advancing the largest ecosystem restoration effort in the world with truly meaningful projects that benefit the people and the environment of South Florida.

Sincerely,



Drew Bartlett
Executive Director

c: SFWMD Governing Board Members

Exhibit E.9 –Florida Department of Environmental Protection Correspondence



FLORIDA DEPARTMENT OF Environmental Protection

Southeast District
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
561-681-6600

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Alexis A. Lambert
Secretary

REQUEST FOR ADDITIONAL INFORMATION

February 7, 2025

Phillips & Jordan
c/o Matt Eidson
30115 State Rd. 52, Suite 301
San Antonio, FL 33576
meidson@pandj.com

Re: Third Request for Additional Information (RAI)
Palm Beach County – Environmental Resource Permitting Program
Site Name: Southland's Water Storage
Site ID: 444988
DEP Application No.: 50-0444988-001-EC

Dear Mr. Eidson:

Thank you for the additional information submitted on January 11, 2025, for an Environmental Resource Permit. The additional information has been reviewed and while there are no apparent concerns for the overall application, the specific items in the attached document remain incomplete. Please provide the remaining information and refer to this RAI in your response.

To continue the processing of your application, the Department must receive a response within 90 days of this letter, unless a written request for additional time to provide the requested information is submitted and approved. It is the Department's desire to provide prompt turnaround times on permit applications, and a quicker response to this RAI shortens the timeframe for which a final decision on the application can be made. Pursuant to Chapter 62-330, F.A.C. and Section 120.60, F.S., failure of an applicant to provide a timely and complete response by the deadline listed above may result in denial of the application. To ensure the response will complete your application, the Department requests that a meeting be scheduled prior to submitting a response to discuss the draft submittal. Once you have a draft submittal, contact Danielle Sattelberger to schedule a meeting time and date. If you have any questions, please contact Danielle Sattelberger by telephone at (561) 681-6783 or by e-mail at .

Please submit your response to this RAI by email to SED_Permitting@dep.state.fl.us. If the submittal is very large, you may post it to a folder on this office's ftp site at: <ftp://ftp.dep.state.fl.us/pub/incoming/Southeast-District/ERP/>. After posting the submittal, send an e-mail to SED_Permitting@dep.state.fl.us, alerting us that it has been posted.

Page 1 of 4
February 7, 2025

Sincerely,



Sirena Davila
District Director
Southeast District

v. 2.0

cc:

FDEP- Sirena Davila, Norva Blandin, Danielle Sattelberger, Geneva Alpert, David Maldonado, Jason Andreotta, John Coates, Borja Crane-Amores, Tim Rach, Cindy Mulkey, Hanieh Soleimanifar, Koren Taylor, Tracy Woods

Palm Beach County, Matt Mitchell, MMitchell@pbcgov.org

US Sugar Corporation, Kenneth McDuffie, kmcduffie@ussugar.com

Okeelanta Corporation, Armando Tabernilla, aat@fcsugar.com

Palm Beach Aggregates, LLC., Albert Moragues, albertm@palmbeachag.com

Brown and Caldwell, Ann Redmond, aredmond@brwncald.com

Brown and Caldwell, Craig Irwin, cirwin@brwncald.com

Attached: List of Requested Information

Attachment: List of Requested Information

Phillips & Jordan
Site Name: Southland's Water Storage
Site ID: 444988
DEP Application No.: 50-0444988-001-EC

Your application does not qualify for an SGP. Please see the Army Corps Jacksonville District Regulatory Division Sourcebook for more information about federal permitting. Please call your local Corps office if you have questions about federal permitting.

1. Thank you for providing the UMAM scores and reasoning as to why restoring a sawgrass slough is not feasible. However, pursuant to Ch. 62-345.400, F. A.C., information for each assessment area must be sufficient to identify the functions beneficial to fish and wildlife and their habitat that are characteristic of the assessment area's native community type. *Please revise the provided Part I's to identify the native community types within the assessment areas.* For artificial systems, such as borrow pits, ditches and canals, and for altered systems, refer to the native community type it most closely resembles. At this time, the Department also needs additional information as discussed further below to assess the proposed UMAM scores.

Pursuant to Ch. 62-345.400, F.A.C., the applicant will be responsible for submitting the necessary supporting information for the application of Rules 62-345.400-.600, F.A.C. of this chapter, and the reviewing agency will be responsible for verifying this information and applying this assessment method to determine the amount of mitigation necessary to offset the proposed impacts. *In order for the DEP to complete the Part II assessment, please provide the following additional information:*

- a. The applicant has identified location and landscape support "with mitigation score" of 4; please provide supporting information which details how the proposed mitigation enhances the assessment areas' relationship to surrounding areas. Please see Rule 62-345.500(6)(a), F.A.C. for more information on location and landscape support considerations.
- b. Pursuant to Ch. 62-345.600(1)(a), F.A.C. the time lag associated with mitigation means the period of time between when the functions are lost at an impact site and when the site has achieved the outcome that was scored in Part II. The applicant's proposed Part II assessments include a 5-year time lag (T-factor of 1.14), which appears to be contradictory to the water environment scores which states, "Future condition will incorporate the Southland WRP to the north, with an ability to manage water and seepage to ensure site hydrology is appropriate for a freshwater marsh." Please clarify if the mitigation area assessment area requires the completion of the Southland WRP to provide hydrology, and provide a timeline for mitigation success and revise the mitigation proposal accordingly.
- c. The applicant's current mitigation proposal involves creation of freshwater marsh habitat. Pursuant to Section 10.3.1 of the ERP Applicant's Handbook Volume I, restoration is usually preferred over creation as it often has a greater chance of success due to soil characteristics, hydrologic regime, landscape position, etc. Therefore,

mitigation risk will need to be re-evaluated upon submittal of revised Part I assessment forms to account for the degree of uncertainty that the proposed conditions will be achieved. Please see Rule 62-345.600(2), F.A.C. for more information regarding mitigation risk and the vulnerabilities of created wetland systems.

Please submit a revised mitigation plan that includes the current native community type that the system is closest to and the goal native community type for mitigation areas. The Department recommends utilizing FNAI or the Ecological Communities of Florida to identify the native community types. Additionally, please revise the mitigation plan's narrative to discuss the project's anticipated time lag and address the variables that can cause inherit risk to mitigation success listed in 62-345.600(2), F.A.C. Please note that the Department's current observations are subject to change depending on the native community types identified for the mitigation plan.

2. The mitigation proposal was also evaluated for the requirements under section 10.3.3.1 of the Applicant's Handbook, Vol. 1, and additional information is needed to provide reasonable assurance that the mitigation proposal will offset the wetland and other surface water impacts for the proposed activity and will support mitigation success by having sustainable ecological and hydrological functions. *Accordingly, please provide the following additional information:*
 - a. The mitigation plan submittal deems mitigation to be successful when criteria have been continuously met for a period of at least one growing season, without intervention in the form of irrigation, dewatering, or replanting of appropriate vegetation. Due to the riskiness from wetland creation, additional monitoring before success is warranted. For this reason, the Department has concerns that the applicant's success criteria does not provide sufficient assurances. Please revise the mitigation plan to provide information addressing monitoring related to the success criteria for fully offsetting the impacts from the proposed activity associated with the proposed wetland creation. [Section 10.3.3.1, Vol. I]
 - b. Under the Water Management Practices section of the mitigation proposal, the applicant states that the mitigation area varies between 7 ft. and 8 ft. NAVD, however, final elevations via modeling have not been set. As assurance that the proposed wetland creation will achieve mitigation success by providing viable and sustainable hydrological conditions, please provide the Department with final elevations of the mitigation area. [Section 10.3.3.1, Vol. I]
3. Thank you for submitting the updated mitigation plan. Sheets C-20-200 and C-20-201 of the plan set mention a future mitigation area. Please submit a revised mitigation plan and a revised conservation easement package that includes and provides details of any future mitigation areas. *Alternatively, please submit a revised mitigation plan that removes the proposed future mitigation area from the plan set.* [Sections 10.3.3, and 10.3.5, Vol. I]
4. Thank you for providing Form 62-330.301(26) –Certification of Financial Capability for Perpetual Operation and Maintenance Entities. However, a cost estimate for operation and maintenance of the system, or other supporting documentation, was not provided. *Please provide an itemized cost estimate to include, but not limited to, costs of inspections, operation, repair,*

February 7, 2025

and replacement of the system once the system meets its expected life. [Section 12.2(c) and 12.3.1, 12.3.2, 12.3.3, 12.3.5, A.H. Vol. 1]

5. Questions and submitted responses #10 & 13- Wave Run-Up Analysis- Please include the complete wave run-up analysis as part of your signed and sealed stormwater and drainage calculation document. *Alternatively, please submit the complete wave run-up analysis as a separate signed and sealed document as part of the to be completed permit application.*
6. General- Signed and Sealed Documents- Upon final submission, please make sure that all documents (where it applies) are signed and sealed. Currently, the following documents are not signed and sealed: Drainage Basins, Updated Civil Plans, Drainage Conditions, Revised 3D Groundwater Modeling Report. In addition, the Geotechnical Data Report (WIRX Engineering) is still marked as "DRAFT". *Please submit a signed and sealed final report.*
7. Thank you for submitting the necessary information for determining the sufficiency of the proposed conservation easement (CE). The CE documents have been forwarded for review. Upon final review, there may be additional questions.

Exhibit E.10 – General Correspondence

Richard Grosso, Esq.
Richard Grosso, P.A.
6919 W. Broward Blvd.
Plantation, FL 33317
Mailbox 142
richardgrosso1979@gmail.com
954-801-5662
richardgrosso.com

via email to: LAmara@pbc.gov

March 24, 2025

Lisa Amara
Zoning Director
Palm Beach County
2300 N Jog Road
West Palm Beach, FL 33411-2741

Re: Southland Mining Project and Comprehensive Plan Compliance

Dear Ms. Amara,

I write on behalf of Friends of the Everglades, to object to the proposed Southland Mining Project, and to specifically address its compliance with the policy in the Palm Beach County Comprehensive Plan that only allows mining in the EAA for certain uses. Specifically, the Plan's **Future Land Use Policy 2.3–e.3** strictly limits mining in the EAA to specified uses:

“Within the Agricultural Production Future Land Use designation, **mining may be permitted *only* to support public roadway projects or agricultural activities, or water management projects** associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers **where such uses provide** viable alternative technologies for water management.” (emphasis added)

This policy has been strictly interpreted by the Fourth District Court of Appeals to preclude the approval of a mine that will used for anything other than the three specified allowable uses. The appellate court decisions are *1000 Friends of Fla., Inc. v. Palm Beach County and Bergeron Sand & Rock Mine Aggregates, Inc.*, 69 So. 3d 1123 (Fla. 4th DCA 2011); *1000 Friends of Fla., Inc. v. Palm Beach County and Rinker Materials of Fla., d/b/a Cemex*, 75 So. 3d 1270 (Fla. 4th DCA 2011), and *United States Sugar Corp. v. 1000 Friends of Fla.*, 134 So. 3d 1052 (Fla. 4th DCA 2013). Those appellate decisions are available here:

Bergeron <https://casetext.com/case/1000-friends-of-fl-v-palm-beach>

South Bay (Rinker / Cemex) <https://casetext.com/case/1000-friends-of-florida>

Lake Harbor (US Sugar) - <https://casetext.com/case/us-sugar-corp-v-1000-friends-of-fla>

Thus, it is clear that any mine that will be used for any other purpose – for instance general commercial sale of excavated material – is prohibited by the Comprehensive Plan. For example, a mine that will excavate material for general commercial sales is prohibited, even if some of those sales are to be used for road – building. The same is true for a mine that may be put to a water ecosystem restoration, regional water supply or flood protection use at some time in the future after it is used for general commercial extraction and sale, agricultural activity or roadway projects.

As a result, given that an applicant for a development permit bears the burden of proving its compliance with the Comprehensive Plan,¹ the Southland applicant must provide strict proof that the mine would be strictly limited to the three allowable purposes, and no other.

We understand that this applicant is basing its proposal on the assertion that the mine will qualify for approval under **Policy 2.3–e.3**, which allows mining in the EAA for “water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers **where such uses *provide* viable alternative technologies for water management.**” (emphasis added)

We would emphasize the language in the policy - “where such uses *provide*”. This requirement is stated in the present tense. We note that the letter submitted to the County by the Everglades Law Center on March 6, 2025 explains clearly that the use of any excavation undertaken under this application for a qualifying water management project **remains speculative – a potential project at best.**

Given that the applicant bears the burden of overcoming the “strict scrutiny” standard to prove that a development permit application is consistent with a comprehensive plan,² the correspondence the County has received from the South Florida Water Management District and the other statements by the applicant in support of the application, fall short of demonstrating compliance with the Comprehensive Plan.

We appreciate the County’s consideration, ask that this letter be made part of the file for this matter, and urge the County to deny the application.

Sincerely,



Richard Grosso

Cc: Whitney Carroll, Executive Director, PBC Planning, Zoning and Building Department
Thuy Shutt, PBC Planning Director
Deborah Drum, PBC Environmental Resources Management Director

¹ *US Sugar Corp. v. 1000 Friends of Florida*, 134 So. 3d 1052 (Fla. 4th DCA 2013)

² *Brevard Co v. Snyder*, 627 So.2d 469, 475-476 (Fla. 1993)

Patrick Rutter, PBC Deputy County Administrator
Drew Bartlett, SFWMD Executive Director
SFWMD Governing Board
Jessica Pinsky, Captains for Clean Water
Eve Samples, Executive Director, Friends of the Everglades
Lisa Interlandi, Everglades Law Center



March 6, 2025

Lisa Amara
Zoning Director
Palm Beach County
2300 N Jog Road
West Palm Beach, FL 33411-2741

Subject: Southland Project and Comprehensive Plan Compliance

Dear Ms. Amara,

On behalf of Friends of the Everglades, we write to provide important context regarding the Southland Project and its compliance with the mining criteria for the Everglades Agricultural Area (“EAA”) under Palm Beach County’s Comprehensive Plan. We urge the County not to advance this project until the South Florida Water Management District (“SFWMD” or “District”) has completed its evaluation pursuant to the District’s Unsolicited Proposal Process and Section 255.065 Florida Statutes, and to recognize only the execution of a Comprehensive Project Agreement, if any, as evidence that the District has identified the project as a viable water resource initiative.

In November 2024, the Everglades Coalition, an alliance of nearly 60 local, state, and national organizations dedicated to restoring America’s Everglades, wrote to SFWMD ([letter attached](#)) to express concerns that the Southland Project could set a harmful precedent for private, commercial mining operations being framed as public water resource projects, potentially undermining the integrity of Everglades restoration efforts while opening the door for similar proposals in the future. The Coalition letter also noted that while the Southland Project was initially submitted to SFWMD as an unsolicited proposal in July of 2024, it was later withdrawn by the applicant in September of 2024 before any public discussion or formal evaluation by the District. Given the lack of review, the Coalition urged SFWMD to withhold issuing a "Letter of Project Identification" for the project until a full, transparent evaluation is conducted to assess its long-term impacts on restoration, water availability, and regional water management.

On December 24, 2024, Southland resubmitted its unsolicited project proposal to SFWMD, and on December 31, 2024, SFWMD responded with a letter to project representative Matt Eidson, stating that the project would “likely” provide viable alternative technologies for water management and treatment. However, the letter also made clear that further engagement, technical review, coordination with Palm Beach County and the Florida

Department of Environmental Protection, as well as potentially significant project modifications would be necessary before SFWMD would make any final determination regarding its support of the project.

The December 31 letter further states:

“By way of this letter, the District concludes the first step in the unsolicited proposal process. While you pursue permits, the District will continue to work with you through the next steps in the project evaluation process which includes estimating an evaluation fee, formulating evaluation criteria, and fulfilling public engagement requirements.”

The SFWMD unsolicited proposal process¹ establishes a framework for evaluation, and only upon its conclusion can the District determine whether a project qualifies as a viable water resource initiative. Because SFWMD had completed only Step 1 as of December 31, the letter cannot reasonably be considered an identification of the project as meeting that standard.

Although SFWMD has stated that no final determination has been made, Southland representatives have repeatedly characterized the December 31 letter as an endorsement of the proposal as a water resource project. This is evident in multiple comments and responses in the County’s Development Review Officer (DRO) process, as shown below.

DRO Comment: From Planning 2/13/2024: *“Please submit a revised letter from the appropriate agency that claims the project for water resources. The one submitted by the SFWMD only acknowledges the current request and that further information is required. . . The only way to clearly demonstrate compliance/consistency with the*

¹ The district’s [unsolicited proposal process](#) contains seven steps:

Steps 1-2- Entails the creation and submission of a project proposal that demonstrates how the project meets the definition of a Qualifying Project under section 255.065(1)(i), Florida Statutes, along with an application fee. In **Step 3** the District determines whether the project meets the definition of a Qualifying Project under state law, whether it will move forward with evaluating the Unsolicited Proposal, and whether the District will consider any additional proposals for a similar project. This step involves the payment of additional fees, the establishment of Evaluation Criteria to evaluate the project as well as possible Governing Board review. **Step 4** provides procedures for considering and ranking additional proposals for any similar projects and requires a public meeting for the Evaluation and Selection Committee to discuss and rank all proposals based on the specified evaluation criteria. If the District determines not to accept additional proposals, then the procedures require two public meetings before the Governing Board and / or the Evaluation and Selection Committee. As a result of the second meeting, the Committee will make a written recommendation containing the evaluation results and a Public Interest Determination Report which must be published in the Florida Administrative Register for at least 7 days. **Steps 5 -7** involve negotiating and entering into a project agreement relative to an unsolicited proposal. If additional proposals were accepted, the District may negotiate with these entities in ranked order until negotiations successfully result in an executed project agreement.

FLUE policy, is to provide the documentation that clearly states the intent of the project from the agency claiming the project for those purposes.”

Southland Response: *“See SFWMD letter from Drew Bartlett, Executive Director of the SFWMD dated 12/31/24, which confirms that the SFWMD has reviewed the proposed water resource project in accordance with the PBC Comprehensive Plan Requirements and has identified the proposed site as a water resource project having the ability to provide viable technologies for both water management and water treatment for ecosystem restoration complementary to the EAA Reservoir complex and surrounding infrastructure.”*

The December 31 letter, however, does not ‘claim the project for water resources’, nor does it indicate that SFWMD has completed its evaluation. Instead, it explicitly states that further steps are required before any such determination can be made.

More recently, in Southland’s February 13, 2025, DRO resubmittal (Minor DRO Resub 5), Planning staff again requested documentation from the appropriate agency explicitly identifying the project as a water resource initiative:

Comment 1, from Planning: Per 10-28-24 resub: *“Please submit a revised letter from the appropriate agency that claims the project for water resources. The one submitted by the SFWMD only acknowledges the current request and that further information is required...The only way to clearly demonstrate compliance / consistency with the FLUE policy, is to provide the documentation that clearly states the intent of the project from the agency claiming the project for those purposes.”*

Southland Response: *“Please see letter from Drew Bartlett to Matt Eidson dated December 31, 2024.”*

However, as noted previously, the December 31 letter does not identify the Southland project as an approved water resource project. It simply acknowledges receipt of the proposal and outlines the next steps in the evaluation process.

In another instance, Planning staff directly asked whether the project had been formally presented to the SFWMD Governing Board or included in long-range planning efforts.

DRO Comment from Planning 11/04/2024: *“Has the project been presented to the SFWMD Governing Board? Has it been added to their long range plans?”*

Southland Response: *“The project was presented to the SFWMD Governing Board in October 2023. Additionally, the subject site is identified by the SFWMD as having the ability to provide viable technologies for both water management and water treatment for ecosystem restoration consistent with the SFWMD long range plans, SB 10 and other SFWMD Everglades Restoration plans.”*

While the applicant states that the project was 'presented to the SFWMD Governing Board in October 2023,' a review of the [video](#) from this meeting (at the 44-minute mark) demonstrates that the referenced 'presentation' consisted of a single representative of the applicant speaking for approximately 1 minute and 20 seconds during general public comment about his company's internal initial evaluation of the proposed project.

This item was not publicly noticed on the agenda, there was no presentation or staff report related to the project, and there was no discussion or analysis by District staff or the Governing Board.

Furthermore, because the project has never been formally presented to the SFWMD Governing Board, approved by the District, or even evaluated by SFWMD staff, the project has not been added to any SFWMD long-range plans for Everglades restoration or otherwise—contrary to the representations of the applicant.

Due to concerns about how Southland has characterized the December 31 letter, the Coalition sent a follow-up letter to SFWMD on February 7, 2025, requesting official clarification of the District's position regarding the project. [See attached letter.](#)

At the [February 14, 2025 SFWMD governing board meeting](#), (at the 31 minute mark), Executive Director Drew Bartlett clarified the District's position on the Southland project, [\(transcript attached\)](#) and reiterated that SFWMD has not yet made a determination on the project's ultimate viability.

"After staff review and vetting, if staff concludes it is a viable storage and treatment project that will provide regional benefits and it will not impact the construction or operation of the EAA Reservoir project, the staff will bring the project to the Board for [its] consideration before entering into what's called a Comprehensive Agreement as outlined in Florida statutes.

We project that the staff review of this proposal will happen over the next year. If staff concludes that it is viable and does not conflict with the EAA Reservoir Project, only then will the District staff bring it to the Board for your consideration."

On February 21, 2025, SFWMD formally responded to the Coalition's second letter [\(attached\)](#), reinforcing Director Bartlett's February 14, 2025 remarks and reaffirming that the District's evaluation remains ongoing and that no final determination has been made.

"We will now turn our attention to thoroughly evaluating the project proposal. If staff concludes that it is a viable storage and treatment project that will provide regional benefits, and that it will not impact the construction or operation of the EAA Reservoir Project, District staff will bring the project to the Governing Board for consideration before entering into a Comprehensive Agreement pursuant to Florida Statute.

The District will follow our Unsolicited Proposals Process, developed pursuant to the Public-Private Partnerships Statute of Florida, to consider the Southland Water Resource Project.”

In reviewing this project, SFWMD is bound by Section 255.065, Florida Statutes, which establishes extensive review and analysis obligations before an unsolicited proposal project can be approved. This includes evaluating financial feasibility, regulatory compliance, environmental impact, and long-term operational responsibilities to ensure the project serves a legitimate public purpose. Agencies are not required to approve any unsolicited proposal and may reject one at any point before executing a Comprehensive Project Agreement.

For these reasons, an executed Comprehensive Project Agreement is the only meaningful benchmark for determining whether SFWMD has identified the project as a viable water resource initiative. Until that agreement is in place, key aspects of the project—such as scope, feasibility, regulatory compliance, financial terms, and mitigation of harm—remain unresolved, and any assumption of approval would be premature.

Given the potential for project changes during SFWMD’s review, the County should also refrain from considering any form of contingent or conditional approval before the execution of the Comprehensive Project Agreement. Any early approval, even if conditional, risks becoming outdated or misaligned with the final project. Premature consideration undermines the integrity of the regulatory process, exposes the County to unnecessary controversy as well as significant legal and procedural risks, and creates the possibility of approving a project that SFWMD ultimately rejects. If negotiations between Southland and SFWMD fail before an agreement is executed, the County could find itself having approved a mining operation that the District declined to accept.

There is no benefit to the County in approving the project before an executed Comprehensive Project Agreement, nor does waiting impose harm on the applicant. Section 255.065(7)(a), Florida Statutes, explicitly requires that no development may begin until an agreement is in place, meaning that County approval prior to that point serves no practical purpose. Any premature approval would be unnecessary at best and problematic at worst, particularly if the project changes or fails to secure final approval from SFWMD.

We appreciate the thoughtful review that County staff is conducting regarding this project. While Palm Beach County retains the sole authority to determine whether the Southland Project meets the Comprehensive Plan’s strict criteria for mining within the EAA, SFWMD is responsible for evaluating unsolicited proposals for alignment with restoration and water management objectives. It is essential that SFWMD be allowed to complete its evaluation before any conclusions are drawn about the project’s viability as a water resource initiative.

Past decisions on mining in the EAA have faced intense scrutiny with outcomes that reinforce the need for a careful and thorough review. Given this history, it is all the more critical that the County ensure its decision is based on a final determination by SFWMD that the project will, in fact, serve a valuable water resource purpose and not harm adjacent restoration features. Accordingly, **we urge the County to recognize only an executed Comprehensive Project Agreement between Southland and SFWMD as sufficient evidence that the District has identified the project as a viable water resource initiative and to not grant any conditional or contingent approvals prior to that point.**

Thank you for your time and careful consideration of this matter. Please include this letter and attachments within the project file.

Sincerely,



Lisa Interlandi
Everglades Law Center
561-310-2772
lisa@evergladeslaw.org

Cc: Whitney Carroll, Executive Director, PBC Planning, Zoning and Building Department
Thuy Shutt, PBC Planning Director
Deborah Drum, PBC Environmental Resources Management Director
Patrick Rutter, PBC Deputy County Administrator
Drew Bartlett, SFWMD Executive Director
SFWMD Governing Board
Eve Samples, Executive Director, Friends of the Everglades
Richard Grosso, Esq.



EVERGLADES COALITION

November 15, 2024

Drew Bartlett
Executive Director
South Florida Water Management District
3301 Gun Club Rd,
West Palm Beach, FL 33406

Sent via email to drew.bartlett@sfwmd.gov

RE: Public-Private Partnerships and the Everglades Agricultural Area

Dear Director Bartlett,

We write on behalf of The Everglades Coalition, nearly 60 organizations dedicated to protecting and restoring America's Everglades with a 12.2-million-constituent network of followers, regarding the unsolicited proposal submitted for the "Southland Water Resource Project," a plan to mine approximately 8,631 acres north of the Everglades Agricultural Area (EAA) Reservoir and Stormwater Treatment Area (STA). While the proposal was withdrawn from the South Florida Water Management District procurement process, the applicant expressed intent to continue pursuing it, requesting the District issue a "Letter of Project Identification." This request appears to reference Policy 2.3-e of the Palm Beach County Comprehensive Plan which strictly limits mining within the EAA:

"Within the Agricultural Production Future Land Use designation, mining may be permitted only to support public roadway projects or agricultural activities, or water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management." (emphasis added)

We urge the District to NOT supply the applicant with the requested letter. First, the District has no means to properly evaluate the project. Because the Southland unsolicited proposal project was withdrawn, it has not been reviewed by District staff. A project of the type proposed has not previously been identified by the District as part of a water management project associated with ecosystem restoration, regional water supply or flood protection, and there is nothing to suggest that the applicant's request is supported by anything other than the applicant's desire to secure approval from the County of a commercial mine under the guise of a public water management project.

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As the District identified in its October 3, 2023, correspondence to the applicant, there are many questions associated with the project that must be answered. These questions pertain to: “potential mining operations impacts, seepage impacts and appropriate buffer zones to the EAA Reservoir Project’s STA and Reservoir, determination if geology supports an in-ground reservoir, regional water availability, drought operations, and canal conveyance capacity in the Miami Canal”, as well as an understanding of the plan for long term ownership, and operations and maintenance costs.

We agree with the need to answer these questions and additionally suggest the need to evaluate and clearly understand and quantify the project’s expected benefits and/or impacts to the environment, hydrology and water quality of the region. We also urge the District, when evaluating mining projects in the EAA, to ensure the financial structure of and the economic efficiencies achieved by any such proposal are guaranteed by security bonds or other equivalent mechanisms, and that assurances are in place to hold the District’s taxpayers harmless from long-term maintenance or remediation costs for the project. The District should further evaluate the qualifications and experience of the private entity that submits the proposal and the entity’s ability to perform the project and provide assurance that the project will be completed, maintained and effective in achieving its stated objectives. None of these questions can be answered without a detailed analysis conducted by District staff which must be done before the District can determine whether the project would be viable and meet the Everglades restoration needs of the taxpaying public. To be clear, there is no indication that the District or the U.S. Army Corps of Engineers has identified anything similar to the project proposed in this location as a functional part of any water quality or hydrological restoration plan for the Everglades.

The mining application submitted to the Florida Department of Environmental Protection presents the project as both a mining operation and a water supply reservoir. It claims that water stored during the wet season would be used to support Everglades restoration. However, when those benefits would occur is not clear, as the mining operation would not be completed until approximately **45 years from now**. The application to Palm Beach County is seeking approval for an excavation construction schedule with an anticipated completion date of 2069.

We are greatly concerned about the impact and precedent of allowing private mining activities to dictate the future of Everglades restoration in the EAA. Because Palm Beach County’s Comprehensive Plan contains clear language limiting mining in the EAA — language that has been judicially tested and strictly interpreted by the courts — it would be tempting for mining companies to seek to frame their commercial mining operations as “water resource projects” in an attempt to circumvent the Plan’s limitations. If the District issues documents like the requested "Letter of Project Identification," without analyzing a potential project’s true impacts and benefits, the EAA’s future role in Everglades restoration could be reduced to scattered excavations chosen by mining interests, with water storage becoming a possible secondary function — only available once mining operations are completed, decades from now in the far distant future. We urge the District to carefully consider the long-term implications of such proposals and to prioritize comprehensive, science-driven restoration planning.

Next, while this specific proposal is not currently active, we anticipate similar proposals may surface in the future. **We urge the District to initiate and complete, along with its federal and other partners, a restoration plan for the EAA that determines the locations, nature, size and scope of water management features necessary to complete the successful restoration of the Everglades.** Only upon completion of

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such a plan can it be determined where and whether any mining operations can facilitate, and not dictate and limit, restoration planning. We urge the District to decline to provide piecemeal letters of support for any mining operation in the EAA until such a process and plan is complete.

We cannot allow the future of Everglades restoration planning in the EAA to be determined by commercial mining operations labeling the large holes they leave in the ground as water storage or management projects. Successful restoration of the Everglades cannot be at the mercy of the vagaries of the market for aggregate in the EAA and the self-interest of mining companies; nor is it in the public’s best interests to work around mining activity that limits or substantially delays maximum Everglades restoration options.

We thank you for your consideration.

Sincerely,



Mark Perry
Co-Chair



Kelly Cox
Co-Chair

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EVERGLADES COALITION

February 7, 2025

Mr. Drew Bartlett
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

Sent Via Email to dbartlett@sfwmd.gov
CC: SFWMD Governing Board

RE: Southland Water Resource Project

Dear Director Bartlett,

We write on behalf of The Everglades Coalition, nearly 60 organizations dedicated to protecting and restoring America's Everglades with a 12.2-million-constituent network of followers, requesting that the South Florida Water Management District clarify the statements made in its December 31, 2024, letter regarding the Southland Water Resource Project, which suggested that the project "will likely provide viable alternative technologies for both water management and water treatment for ecosystem restoration." As the District has not yet completed a full technical evaluation, these statements could be misinterpreted as an endorsement of the project. Additionally, we request that this matter be brought before the Governing Board for public discussion to ensure transparency and allow for stakeholder input before any further review of the project.

As you are aware, Palm Beach County's Comprehensive Plan (Policy 2.3-e) prohibits commercial mining within the Everglades Agricultural Area unless it is exclusively for one of three identified purposes¹.

"Within the Agricultural Production Future Land Use designation, mining may be permitted only to support **public roadway projects** or **agricultural activities**, or **water management projects associated with ecosystem restoration, regional water supply or flood protection, on sites**

¹ See:

[1000 Friends of Florida and Sierra Club, v. Palm Beach County and Bergeron;](#)
[1000 Friends of Florida, Sierra Club, and Florida Wildlife Federation, v. Palm Beach County and Rinker Materials of Florida, Inc., d/b/a Cemex;](#)
[United States Sugar Corporation and SBG Farms, Inc. v. 1000 Friends of Florida, Sierra Club, Florida Wildlife Federation, and Palm Beach County, Appellees](#)

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identified by the South Florida Water Management District or the U. S. Army Corps of Engineers where such uses provide viable alternative technologies for water management.” (emphasis added)

Since at least as early as last summer, Southland has been seeking a “Letter of Project Identification” from SFWMD to classify its mining proposal as a water management project, a necessary requirement for consideration under Palm Beach County’s Comprehensive Plan.

The Everglades Coalition wrote to the District in November 2024 requesting that no such letter be issued because Southland’s unsolicited proposal, initially submitted in July and later withdrawn in September, had not been publicly vetted, evaluated by staff, or previously identified by SFWMD as part of an authorized water management project. The Everglades Coalition did not receive a response to its letter.

Southland resubmitted its unsolicited proposal to SFWMD on December 24, 2024, and on December 31, 2024, the District responded, identifying the project as a “Qualifying Project” under Section 255.065(1)(i), Fla. Stat. (Step 1 of the SFWMD Unsolicited Proposal Process). The District’s letter went beyond the SFWMD Unsolicited Proposal Process, however. Relative to the mining restrictions in Palm Beach County’s Comprehensive Plan, it states:

Based on an initial review of the project and subsequent discussions, **the District believes that, at this time, on the identified site, connected to a District canal with the right configuration, the project will likely provide viable alternative technologies for both water management and water treatment for ecosystem restoration** complimentary to the EAA Reservoir complex and surrounding infrastructure. With a completed connection to STA 5/6, the project would provide more capacity to maintain those constructed wetlands during the dry season and complement several other concurrent water management projects currently underway. (emphasis added)

It is unclear if the District intended this correspondence to constitute the District’s official determination that the Southland project will serve as a viable water management project associated with ecosystem restoration, regional water supply, or flood protection such that it would qualify for further consideration under Palm Beach County’s Comprehensive Plan. However, the letter makes clear that significant additional technical questions about the project remain to be addressed.

The District previously identified significant unanswered questions about the project, including potential mining impacts, seepage risks, geological suitability, water availability, drought operations, canal capacity, and long-term ownership and maintenance costs. Beyond these, we are deeply concerned by the precedent of allowing mining companies to dictate the future of Everglades restoration, particularly combined with the lack of long-term restoration planning for the EAA that could identify the general location, nature, size, and scope of water management features necessary to complete the successful restoration of the Everglades.

The SFWMD unsolicited proposal process establishes a clear process for evaluation and it is at the conclusion of that process, not prior to, that the SFWMD could determine whether a project constitutes a viable water resource initiative. As SFWMD had not yet completed or even initiated this analysis, the December 31 letter contains conclusions which are premature and risk being misinterpreted as an

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endorsement. We are aware that Southland has already submitted the December 31 letter to the Palm Beach County Zoning Department in support of its application, where it could be misconstrued as the official approval from SFWMD.

We are disappointed by the timing and lack of transparency of the unsolicited proposal’s resubmittal on Christmas Eve, when SFWMD offices were closed, and SFWMD’s response on New Year’s Eve, as well as the failure to bring this item to the Governing Board to allow public consideration, engagement and discussion on an issue of significant public concern. The uncertainty of how the District’s correspondence will be interpreted by both Southland and Palm Beach County compounds these concerns.

The Everglades Coalition requests the District immediately clarify the statements made in the December 31 letter to confirm that the ultimate determination relative to the project’s viability will be made only after the District completes its full technical evaluation. Before further SFWMD review of the project, the Coalition requests that this matter be brought before the Governing Board for public discussion and to ensure that decisions regarding the project are based on a transparent evaluation with input from all stakeholders.

We thank you for your consideration.

Sincerely,



Mark Perry
Co-Chair



Kelly Cox
Co-Chair

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Transcript of SFWMD Executive Director Bartlett Comments re: Southland at SFWMD Governing Board meeting - 2/14/2025

Director Bartlett: “The first thing I'd like to do today is address the Southland Reservoir proposal, as you know last year Phillips and Jordan approached the District with a proposal to build storage on private land in the Everglades Agricultural Area.

Now, for context, in a water management system, storage is the critical component to conduct flood control without harming downstream resources, downstream water bodies. And once it's in the storage, of course, you have it during the dry season for water supply for people and the environment. So naturally when more storage opportunities present themselves the District will entertain the idea by doing our due diligence to see if those opportunities are meaningful and feasible. In this case, the District is interested in more storage and more treatment in this area to help manage Lake levels, help control harmful estuary discharge, and send more water South. However we cannot just jump into a proposal.

There is a process under state law to evaluate these proposals. It's called the Public Private Partnerships statute which provides guidance for evaluating unsolicited proposals and that's the process the District is using. The District's Unsolicited Proposals Process can be found on our website under Procurement and all the Unsolicited Proposals that the District has received can also be found on that website. I provided you a summary, a high level summary, of what that process is. I've got copies of, extra copies, if anyone in the audience would like one, but there's a more detailed explanation of that process on the website.

On that web page is the Southland Reservoir proposal and a letter written by District staff sent to Phillips and Jordan conveying where we were in our review and evaluation and the steps necessary to continue our evaluation. The letter does include language regarding the likelihood of the project that the company can use to engage Palm Beach County requirements. Palm Beach County is looking at it from a land use lens, but the Water Management District is looking at it purely from a water management lens.

Now while we have not conducted our full review, we do know that through our own experience that with the right engineering and configuration, storage and treatment can be accomplished in the area that will improve our operations for the benefit of the environment and people. Ultimately, after staff review and vetting, if staff concludes it is a viable storage and treatment project that will provide regional benefits and it will not impact the construction or operation of the EAA Reservoir project, the staff will bring the project to the Board for your consideration before entering into what's called a Comprehensive Agreement as outlined in Florida statutes.

We project that the staff review of this proposal will happen over the next year. If staff concludes that it is viable and does not conflict with the EAA Reservoir Project, only then will the District staff bring it to the Board for your consideration. At this time there's really nothing for you to review or approve. Matt Eidson from Phillips and Jordan is in attendance if you have any questions regarding their proposal after I conclude my Executive Director's report. I'll be here to answer any process questions with Maricruz's support, and it just goes without saying, as always, we appreciate any engagement, any stakeholder engagement we get on any of our projects, including this project, from the public, the Board, anybody. It only makes projects better and I suspect you might get some engagement on this project. All right, that's all I have for the Southland Reservoir Proposal.”