

**RESOLUTION NO. 2021 - 551**

**Amended and Restated SilverLeaf DRI Development Order**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING AND RESTATING THE SILVERLEAF DRI DEVELOPMENT ORDER AS PREVIOUSLY APPROVED BY ST. JOHNS COUNTY RESOLUTION NO. 2006-65, AS AMENDED BY RESOLUTION NOS. 2006-338, 2015-241, 2019-165 and 2020-298; FINDING THE AMENDMENTS ARE CONSISTENT WITH ST. JOHNS COUNTY COMPREHENSIVE PLAN 2025, ORDINANCE NO. 2010-38 AND THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE; ADDING APPROXIMATELY 2,394 ACRES IN NORTHWEST ST. JOHNS COUNTY TO THE DRI; ADDING CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT RIGHTS RELATED TO THE ADDITIONAL LAND; ESTABLISHING MITIGATION REQUIREMENTS FOR REGIONAL IMPACTS FOR TRANSPORTATION; AMENDING CERTAIN CONDITIONS OF THE DRI DEVELOPMENT ORDER; AMENDING MASTER DEVELOPMENT PLAN (MAP H) AND OTHER EXHIBITS; AMENDING DEVELOPMENT PHASING AND BUILDOUT DATES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RECITALS**

**WHEREAS**, the St. Johns County Board of County Commissioners (the “**Board**”) considered the Application for Development Approval dated March 8, 2005, as amended by the ADA First Sufficiency Response dated June 30, 2005, as further amended by the ADA Second Sufficiency Response dated November 30, 2005, and as further amended through March 20, 2006 (together, the “**ADA**”), the Regional Report of the Northeast Florida Regional Council (“**NEFRC**”) dated March 2, 2006, the recommendations of the St. Johns County staff, and the documents and comments upon the record made before the Board for the mixed-use master planned community known as the SilverLeaf Plantation Development of Regional Impact located on 7,290 acres in St. Johns County, Florida; and



**WHEREAS**, the Board duly noticed and on March 20, 2006 held a public hearing on the ADA as required by Section 380.06, Florida Statutes, and afforded the public and all affected parties an opportunity to be heard and to present evidence; and

**WHEREAS**, a Development of Regional Impact Development Order (the “**Development Order**”) was issued by the Board pursuant to Resolution No. 2006-65 with an effective date of June 8, 2006 authorizing development of the property known as the SilverLeaf Plantation DRI (the “**SilverLeaf DRI**” or the “**DRI**”); and

**WHEREAS**, the DRI required an amendment to the County’s Comprehensive Plan to change the Future Land Use Map, Northwest Sector Plan Map, 2015 Traffic Circulation Map and Capital Improvements Schedule, which amendment was reviewed and adopted concurrently with Resolution No. 2006-65 pursuant to Section 380.06(6)(b), and Chapter 163, Part II, Florida Statutes, and

**WHEREAS**, the Development Order was subsequently modified by the Board by adoption of Resolution No. 2006-338 on October 3, 2006 approving a Notice of Proposed Change (“**NOPC**”) for a non-substantial deviation to the Development Order pursuant to Section 380.06(19), Florida Statutes, that approved the addition of an approximately 16-acre outparcel known as the “Poli Tract” to the DRI and incorporated changes to the Development Order condition related to gopher tortoise mitigation; and

**WHEREAS**, the Development Order was subsequently modified by the Board by adoption of Resolution No. 2015-241 on August 18, 2015 with a Rendition Date of August 27, 2015 and an Effective Date (as tolled by litigation) of January 22, 2016 approving a NOPC for a non-substantial deviation to the Development Order pursuant to Section 380.06(19), Florida Statutes, that added approximately 825 acres of property known as the “Goodman Tract” to the

DRI and to subject the Goodman Tract to the terms and conditions of the SilverLeaf DRI and to, among other things, relocate the Town Center and other uses, reconfigure the road network, delete the First Coast Expressway (“FCE”) right-of-way reservation, add future County Road 2209 right-of-way reservation, incorporate legislative extensions, revise the transportation and school mitigation packages, change the affordable housing condition, add age restricted use to the land use exchange table and to change the name of the DRI from Silverleaf Plantation to SilverLeaf; and

**WHEREAS**, the changes to the DRI under the NOPC required an amendment to the County’s Comprehensive Plan to change the Future Land Use Map (the “**2015 Comprehensive Plan Amendment**”), which was reviewed and adopted simultaneously with Resolution No. 2015-21 pursuant to Section 380.06(6)(b), and Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Development Order was again modified by the Board by adoption of Resolution No. 2019-165 on May 21, 2019 with a Rendition Date of May 23, 2019 approving a modification of the Development Order pursuant to Section 380.06, Florida Statutes (the “**2019 ADO**”), to add approximately 571 acres of property to the DRI known as the “Trout Creek Parcel”, the “Grande Creek Parcel”, the “St. Thomas East Parcel” and the “St. Thomas West Parcel” (collectively referred to herein as the “**2019 Added Lands**”) and to remove approximately 318 acres from the DRI conveyed to the Florida Department of Transportation (“**FDOT**”) for the FCE right-of-way, which resulted in a total of approximately 8,384 acres within the DRI, and to subject the 2019 Added Lands to the terms and conditions of the SilverLeaf DRI; and

**WHEREAS**, the changes to the DRI under the 2019 ADO required an amendment to the County’s Comprehensive Plan to change the Future Land Use Map (the “**2019**

**Comprehensive Plan Amendment**”), which was reviewed and adopted simultaneously with Resolution No. 2019-165, pursuant to Section 380.06(6)(b) and Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Development Order was again modified by the Board by adoption of Resolution No. 2020-298 on August 18, 2020 with a Rendition Date of August 20, 2020 approving a modification of the Development Order pursuant to Section 380.06, Florida Statutes (the “**2020 ADO**”) to add certain non-residential development rights to the SilverLeaf DRI; and

**WHEREAS**, the name of the applicant of the ADA has changed by succession by merger to White’s Ford Timber, LLC (including its successors or assigns, the “**Owner**”) and the name of the DRI has been changed from Silverleaf Plantation to SilverLeaf; and

**WHEREAS**, the Owner now desires to amend the Development Order to add to the DRI approximately 721 acres known as the “Wolfe Parcel”, approximately 1,425 acres known as the “Trout Creek South Parcel” and approximately 248 acres known as the “Bocage Parcel” (collectively, the “**2021 Added Lands**”), which will result in a total of approximately 2,394 acres being included with the DRI; to add residential and non-residential development rights to the DRI for the 2021 Added Lands; and to provide transportation, school and other public facility improvements to mitigate for impacts resulting from the development rights being provided for the 2021 Added Lands; and

**WHEREAS**, the Owner has submitted an application for Amendment to Development Order (the “**ADO**”) for the DRI dated June 1, 2021 requesting modification of certain terms of the Development Order, Master Plan, Map H and other exhibits of the Development Order to address the inclusion of the 2021 Added Lands; and

**WHEREAS**, the Board has reviewed the ADO and evidence presented at a duly noticed public hearing held on December 21, 2021 and afforded the public and all affected parties an opportunity to be heard and to present evidence; and

**WHEREAS**, the changes to the DRI under the ADO required an amendment to the County's Comprehensive Plan to change the Future Land Use Map, 2025 Traffic Circulation Map and Capital Improvements Schedule to address the 2021 Added Lands (the "**2025 Comprehensive Plan Amendment**"), which was reviewed and adopted concurrently with Resolution No. 2021-551 pursuant to Section 380.06(7)(b), and Chapter 163, Part II, Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida that:

A. The Amended and Restated Development Order for the SilverLeaf DRI submitted with the ADO is hereby approved.

B. The Master Plan (Map H) attached to this Resolution as Exhibit 1 is hereby substituted for the Master Plan approved in Resolution No. 2020-298.

C. The Land Use Exchange Table and Land Use Phasing Table attached to this Resolution as Exhibits 2 and 3, respectively, are hereby substituted for the applicable exhibits approved in Resolution No. 2020-298.

D. The DRI is subject to the following terms and conditions:

#### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. The DRI is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05, Florida Statutes.

2. The DRI is consistent with the State Comprehensive Plan.
3. The DRI is consistent with the Strategic Regional Policy Plan adopted by the Northeast Florida Regional Council.
4. The DRI is consistent with the St. Johns County Comprehensive Plan, including the Northwest Sector Plan.
5. The DRI is consistent with the St. Johns County Land Development Code.

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## GENERAL CONDITIONS

- 1. Application for Development Approval.** The DRI shall be developed in accordance with the information, plans and commitments contained in (1) the SilverLeaf DRI Application for Development Approval dated March 20, 2005, as modified by the ADA First Sufficiency Response dated June 30, 2005, and the ADA Second Sufficiency Response dated November 30, 2005; as modified by the Application for Notice of Proposed Change filed on July 12, 2006, as amended September 6, 2006 under Application No. NOPC 2006-07; (2) the Application for Notice of Proposed Change filed on April 2, 2014 under Application No. NOPC 2014-03, as amended; (3) the Application for DRI Modification 2018-01 filed on April 23, 2018; (4) the Application for DRI Modification 2020-02 filed on January 15, 2020; (5) the Application for DRI Modification filed on June 1, 2021 under Application No. DRI MOD 2021- 03, as amended, and (6) the Silverleaf DRI Master Plan, Map H, attached thereto as **Exhibit 1**, all of which are incorporated by reference except to the extent of any conflict with the express terms and conditions of this Development Order, in which event the terms and conditions of this Development Order, as it may be amended from time to time, shall govern. Any applicable Northwest Sector Overlay Goals, Objectives and Policies of the St. Johns County Comprehensive Plan has been addressed as a component of the Planned Unit Development (“**PUD**”) zoning applicable to the project.
- 2. Land Use Totals.** The DRI may be developed with the following uses: Up to 2,000,000 gross square feet of Retail/Commercial; up to 900,000 gross square feet of General Office; up to 330,000 gross square feet of Light Industrial; up to 300,000 gross square feet of hospital use, up to 16,300 residential units (4,500 multi-family, 2,000 age-restricted and 9,800 single family); an optional 18-hole golf course with normal accessory uses that may

be constructed on any portion of Parcels 4, 7, 8, 9, 33 or 40; public schools consistent with the terms of a modified agreement between the Owner and the St. Johns County School Board, as may be amended (the “**School Agreement**”) and a possible college or university campus to serve the community. The DRI shall include parks in accordance with Special Condition 28 hereof. Finally, the DRI shall include approximately 4,350 acres of open space in the areas depicted on Map H. The Owner may increase or decrease the amount of a particular land use without filing application for amendment of the Development Order, provided that:

- (a) Such changes are consistent with the Land Use Exchange Tables attached as **Exhibit 2**. **Exhibit 2** includes Table 10-1A, Land Use Equivalency Table which specifies the rate at which single-family units may be exchanged for multi-family units and vice versa, single-family and multi-family units may be exchanged for age-restricted residential units, and the rate at which the various non-residential uses may be exchanged for one another. **Exhibit 2** also includes Table 10-1B which establishes minimum and maximum ranges of development allowable under the Land Use Equivalency Table 10-1A.
- (b) At any time of election of a land use conversion under the Land Use Exchange Tables, the Owner shall notify St. Johns County, in writing, of the election at least 30 days in advance of the change.
- (c) So long as the conversion is consistent with the criteria contained in the Land Use Exchange Tables, **Exhibit 2**, and no change is made to the Master Development Plan, Map H, no additional DRI approvals shall be required for the conversion.

3. **Phasing, Build-Out and Expiration of DRI.** The DRI shall be developed in four (4) Phases, as described in Land Use Phasing Table attached as **Exhibit 3**. Each phase shall last five (5) years unless extended pursuant to Sections 380.06(19) or 252.363, Florida Statutes, or unless the Owner elects to accelerate the beginning date of a subsequent phase or phases, provided that all mitigation requirements for the particular phase to be accelerated are met. The end date of a phase shall not be affected by an acceleration of the beginning date. Unused development rights from a particular phase shall carry over into subsequent phases until build-out. Physical development of the DRI commenced within four (4) years of the effective date of the Development Order. The projected build-out date for all development is February 17, 2047. The DRI termination and DRI Development Order expiration dates are established as February 17, 2052. Any extensions of the DRI build-out, termination or expiration dates shall be governed by the provisions of applicable local and state rules and regulations. The time period for commencement of physical development, build-out, termination, phasing dates, and deadlines shall be tolled during the period of any appeal or during the pendency of administrative or judicial proceedings relating to development permits and administrative or judicial proceedings relating to right of way acquisition for the regional roads in the transportation mitigation plan for the DRI.
4. **Effective Date.** Resolution No. 2006-65, as amended, and the DRI Development Order took effect upon the effective date of St. Johns County Comprehensive Plan Amendment No. 2005-02, St. Johns County Ordinance No. 2006-30 adopted concurrently on June 8, 2006. This amendment to Resolution No. 2006-65, as amended, shall take effect upon the effective date of St. Johns County Comprehensive Plan Amendment No. 2021- 10, St. Johns County Ordinance No. <sup>2022-36</sup> ~~2021-~~      adopted concurrently on <sup>May 17, 2022</sup> ~~December 21, 2021~~.

5. **Monitoring Official.** The St. Johns County Administrator or his or her designee shall be the local official responsible for monitoring the development for compliance by the Owner with this Development Order.
6. **Downzoning Protection.** In accordance with Section 380.06, Florida Statutes, the SilverLeaf DRI, as approved in this Development Order, shall not be subject to downzoning, unit density reduction, or intensity reduction before February 17, 2052, unless the Owner consents to such change or unless St. Johns County demonstrates that the Development Order was based on substantially inaccurate information provided by the Owner or unless the change is clearly established by St. Johns County to be essential to the public health, safety, or welfare.
7. **Election Regarding Environmental Rules.** Pursuant to Section 380.06(5)(c), Florida Statutes, the Owner elected to be bound by the rules adopted pursuant to Chapters 373 and 403, Florida Statutes, in effect when the Development Order was issued. The Rules adopted pursuant to Chapters 373 and 403 in effect at the time the 2006 Development Order was issued shall be applicable to all applications for permits pursuant to those chapters and which are necessary for and consistent with the development authorized in the Development Order, except that a later adopted rule shall be applicable to an application if:
  1. The later adopted rule is determined by the rule adopting agency to be essential to the public health, safety or welfare;
  2. The later adopted rule is adopted pursuant to Section 403.061(27), Florida Statutes;
  3. The later adopted rule is being adopted pursuant to a subsequently enacted statutorily mandated program;

4. The later adopted rule is mandating an order for the State to maintain delegation of a federal program; or
5. The later adopted rule is required by State or federal law.

Further, in order for the Owner to apply for permits pursuant to this provision, the application must be filed within five (5) years from the issuance of the final Development Order and the permit shall not be effective for more than eight (8) years from the issuance of the final Development Order. Nothing in this paragraph shall be construed to alter or change any permitting agency's authority to approve permits or to determine applicable criteria for longer periods of time.

8. **Level of Service Standards.** The development authorized by this Development Order will mitigate its impacts by payment of its proportionate share as authorized by Section 163.3180(5), Florida Statutes. As a result, development under this Development Order shall be deemed to meet the provisions of the County's concurrency management system (Land Development Code, Article XI) with regard to transportation and schools.
9. **Biennial Reporting.** The Owner or its successors or assigns shall submit traffic reports to St. Johns County no later than June 1 of every other year, commencing on June 1, 2020 and every other year thereafter until the road improvements to be constructed pursuant to Special Conditions 24(a)(i) and (ii) and 24(b) of this Development Order have been completed. The required road improvements were completed in 2020 so no further biennial reporting is required.
10. **Notice of Adoption.** Notice of adoption of this Development Order or any subsequent amendment to it shall be recorded by the Owner in accordance with Section 380.06(4)(c), Florida Statutes, with the Clerk of the Circuit Court of St. Johns County. The recording of

this notice shall not constitute or provide actual or constructive notice of a lien, cloud or encumbrance of the DRI property. The conditions of this Development Order shall run with the land and bind the successors and assigns of the Owner of the DRI property. Any contract or agreement for sale of those interests by the Owner for all or any part of the property subject to this Development Order shall contain a legend substantially in the following form clearly printed or stamped thereon:

**THE PROPERTY DESCRIBED IN THIS AGREEMENT IS PART OF THE SILVERLEAF DEVELOPMENT OF REGIONAL IMPACT AND IS SUBJECT TO A DEVELOPMENT ORDER, NOTICE OF WHICH IS RECORDED IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, WHICH IMPOSES CONDITIONS, RESTRICTIONS AND LIMITATIONS UPON THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY WHICH ARE BINDING UPON EACH SUCCESSOR AND ASSIGN OF WHITE'S FORD TIMBER, LLC. THE DEVELOPMENT ORDER DOES NOT CONSTITUTE A LIEN, CLOUD OR ENCUMBRANCE OF REAL PROPERTY OR CONSTITUTE ACTUAL OR CONSTRUCTIVE NOTICE OF SAME. A COPY OF THE DEVELOPMENT ORDER MAY BE REVIEWED AT THE OFFICE OF THE PLANNING DEPARTMENT, ST. JOHNS COUNTY, FLORIDA, OR AT THE OFFICE OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY, TALLAHASSEE, FLORIDA.**

11. **Application for Proposed Changes.** The Owner shall comply with provisions of the Florida Statutes in effect at the time of proposed changes to the DRI with regard to the process of making such changes. The Owner acknowledges that any change in the DRI may be required to comply with the State and County Comprehensive Plans in effect at the time of the requested change depending upon the nature of the requested change. The County acknowledges that the use of the conversion tables included in this Development Order shall not be deemed a change in the Development Order. The County acknowledges that a change that affects only one portion of the DRI shall not trigger a review of the entire

DRI for consistency with changes in the State or County Comprehensive Plans since the date of the original enactment of the DRI. Only the portion or the specific provisions of the DRI or Development Order specifically affected by the change may be required to meet consistency with changes in the State and County Comprehensive Plans since the date of the original enactment of the DRI. In reference to this General Condition 11, the County and the Owner intend to comply with the requirements of law with regard to changes in the DRI and Development Order, and no party waives its right to contest the applicability of any purported requirement of law to any particular proposed change in the future.

12. **Status of Development Rights.** The County acknowledges that the Owner has, by virtue of this Development Order, made substantial commitments to mitigate for impacts of proposed development pursuant to this Development Order. The Owner will also make substantial investments in construction and development of the infrastructure required under this Development Order, all in reliance upon realization of all development rights granted pursuant to this Development Order. Accordingly, the rights of the Owner to construct the development as set forth in General Conditions 2 and 3 are intended to be vested rights and shall not be subject to downzoning or unit density reduction or intensity reduction, except as provided in General Condition 6 of this Development Order. Future modifications to the St. Johns County Land Development Code and other laws or regulations of the County affecting development shall apply to the development approved pursuant to this Development Order except to the extent that (a) such application would be inconsistent with Section 163.3167(10)(a), Florida Statutes, (b) such future modifications, laws or regulations conflict with specific provisions, conditions or commitments set forth in this Development Order and substantially diminish the development rights granted in this

Development Order, or (c) such modifications require mitigation for development impacts which have been reviewed under Section 380.06, Florida Statutes, and addressed in this Development Order. The Owner does not waive any statutory or common law vested right or equitable estoppel right they now have or may acquire in the future to complete any portion of the DRI in accordance with the applicable state and local laws and ordinances in effect at the time this Development Order becomes effective.

**13. Subsequent Requests for Development Permits.** Subsequent requests for development permits shall not require further review pursuant to Section 380.06, Florida Statutes, unless it is found by the St. Johns County Board of County Commissioners, after due notice and hearing, that one or more of the following is present:

- (a) deviation from the terms or conditions of this Development Order, or other changes to the approved development, which create a reasonable likelihood of adverse regional impacts which were not evaluated in the review by St. Johns County; or
- (b) termination of this Development Order.

Upon a finding that (a) is present, the St. Johns County Board of County Commissioners shall order compliance with applicable provisions of Section 380.06, Florida Statutes, and development within the DRI may continue, as approved, during the DRI review in those portions of the development which are not affected by the proposed change. Upon a finding that (b) is present, the St. Johns Board of County Commissioners shall order a termination of all development activity (except development activity authorized under Section 380.06(4), Florida Statutes) until such time as a new DRI application for development approval has been submitted, reviewed and approved in accordance with Section 380.06(7), Florida Statutes.



14. **Limitation of Approval.** The approval granted by this Development Order is limited. Such approval shall not be construed to obviate the duty of the Owner to comply with all other applicable local or state permitting procedures.

**SPECIAL CONDITIONS**

15. **Vegetation and Wildlife.** Most of the project site has been and will continue to be used for silvicultural and agricultural purposes. Land uses allowable within the Rural/Silvicultural future land use classification of the Comprehensive Plan may continue within the portion of the DRI that remains designated Rural/Silvicultural on the St. Johns County Future Land Use Map except that no residential units or non-residential structures may be developed within the portion of the DRI that is designated Rural/Silvicultural on the St. Johns County Future Land Use Map except for two recreational cabins with accessory barns. Silvicultural and agricultural activities within parcels outside of the areas designated Rural/Silvicultural may continue until the commencement of development of each such parcel excluding areas designated as conservation or preservation and provided that an average 25-foot natural vegetative upland buffer around the contiguous jurisdictional wetlands is maintained. All silvicultural and agricultural activities shall comply with the requirements of Policies E.2.2.2 and E.2.2.3 of the 2015 Comprehensive Plan (May 2000) where applicable.

(a) **Gopher Turtles.** Based on a Gopher Turtle Survey conducted by Environmental Services, Inc. in January 2005, the original SilverLeaf DRI property contained approximately 481 acres of occupied Gopher Turtle habitat. The habitat area is depicted on Map G, Significant Wildlife, incorporated in the ADA Second Sufficiency Response. Prior to development within the Gopher Turtle

habitat area depicted as occupied, the Owner obtained a Gopher Tortoise Incidental Take Permit from the Florida Fish and Wildlife Conservation Commission (“FFWCC”) under permit number STJ-80. A copy of the Gopher Tortoise Incidental Take Permit was provided to St. Johns County. Mitigation was paid to the FFWCC Land Acquisition Trust Fund as impacts to the Gopher Tortoise and its habitat in the amount of \$519,400.00 as required under the Incidental Take Permit. In addition, the Owner voluntarily relocated the tortoises. Based on a Gopher Tortoise Survey for the Goodman Tract conducted by Carter Environmental Services in December 2013, no gopher tortoises or their appropriate habitats exist within the Goodman Tract. As a result, this condition is satisfied as to the original DRI, as previously amended. The Wildlife surveys conducted by Carter Environmental Services in connection with the 2019 Added Lands found a gopher tortoise population located only on the Grande Creek Parcel. With regard to the Grande Creek Parcel, a gopher tortoise survey has been performed, a FFWCC gopher tortoise relocation permit has been obtained, and all gopher tortoises located within the footprint of development have been relocated to a designated off-site recipient site prior to commencement of construction on the site. The Wildlife surveys conducted by Carter Environmental Services in connection with the 2021 Added Lands found gopher tortoise population located only on the far southeastern corner of the Trout Creek South parcel. With regard to the Trout Creek South parcel, a gopher tortoise survey will be performed, a FFWCC gopher tortoise relocation permit will be obtained, and all gopher tortoises located within the

footprint of development will be relocated to a designated off-site recipient site prior to commencement of construction on the parcel.

(b) **Wildlife Crossings**. The Owner has installed wildlife underpasses for wetland dependent species at the time of construction of the project's Regional roads in the two locations identified on **Exhibit 1** (Map H). Each wildlife underpass within SilverLeaf consists of prefabricated and arched concrete structures, with an opening of a minimum of ten (10) feet wide and a vertical clearance of approximately six (6) feet, and shall include a contiguous dry portion equal to the lesser of six (6) feet or 25 percent (but not less than four (4) feet) of the total underpass which is above base flow of the drainage system. These wildlife underpasses have been installed and this requirement of the DRI has been satisfied. The Owner shall install a non-underpass type wildlife crossing in the location of the local road shown on Map H. There may be other, non-underpass type, wildlife crossings within SilverLeaf installed for other local roads not yet depicted on Map H. Wildlife crossing signs and reduced speed limit designations will be posted on the project roads in the vicinity of these non-underpass type wildlife crossings. In addition, any roads that cross preservation areas or buffers will incorporate non-underpass wildlife crossings meeting the requirements of Comprehensive Plan Policy B.1.6.13.

(c) **Discovery of Eagle's Nests**. There is one known eagle's nest within the DRI and another eagle's nest near the DRI that may be impacted by development within the DRI. The nest within the DRI is located on the Trout Creek Parcel and the off-site nest near the DRI is located on property west of the Grande Creek Parcel. Bald Eagle Management Plans for protection of the nests have been prepared, submitted

and approved during the Planned Unit Development rezoning process to demonstrate “equal to or better than protection” than currently exists for the nests in compliance with the requirements of the St. Johns County Land Development Code. If any other Eagle’s nests are discovered within the DRI, the Owner shall comply with all requirements of law, including applicable provisions of the St. Johns County Land Development Code, with regard to such Eagle’s nests.

**16. Wetlands.**

(a) **Wetland Conservation and Wetland Impacts.** Jurisdictional wetlands within areas depicted on Map H as Open Space shall be conserved except that areas that remain within the Rural/Silvicultural future land use designation on the Future Land Use Map or areas subject to recorded conservation easements may continue to be used for silvicultural activities subject to compliance with applicable law and the terms of the conservation easements. Logging and other similar silvicultural operations within wetland areas remaining in the Rural/Silvicultural land use designation shall terminate when the existing timber lease expires or is terminated except for activities associated with permitted borrow pits, permitted wetland creation, restoration or enhancement projects and fire prevention and control approved by the St. Johns River Water Management District (“**SJRWMD**” or the “**District**”). The wetlands to be conserved shall be protected by recordation of conservation easements prior to or at the time of platting of adjacent upland areas in accordance with the terms of the applicable Environmental Resource Permit (“**ERP**”) issued by the SJRWMD. No logging or other similar silvicultural operations shall be conducted within the wetland areas to be conserved or within the required upland buffer areas adjacent to the wetlands to be

conserved except for environmental enhancement activities and fire prevention and control as approved by the SJRWMD but not affecting the Upland Buffers required by St. Johns County. Wetland impacts for the entire DRI shall not exceed 475 acres (including impacts within the Goodman Tract and impacts associated with the construction of CR 2209). Mitigation for proposed wetland impacts shall be subject to approval by the District and the United States Army Corps of Engineers (“ACOE”). Upland buffers consistent with St. Johns County Land Development Code Section 4.01.06 shall be provided. Wetland mitigation will include wetland and upland preservation and may include wetland restoration, enhancement, and creation and upland buffer enhancement as part of the mitigation plan under the District and ACOE permits. The exact boundaries of wetland areas to be conserved shall be determined in connection with wetland permitting by the District and ACOE. The limits of conserved wetlands shall be delineated on engineering plans submitted for approval by St. Johns County. All engineering plans submitted to St. Johns County for approval shall be consistent with the requirements of applicable permits issued by the District and other applicable state and federal agencies, if any. All turf areas associated with golf courses and contiguous (non-isolated) wetlands within golf courses shall have a minimum upland buffer of 25 feet measured from the District wetland jurisdictional line.

(b) **Upland Buffers.** The Owner shall comply with St. Johns County Land Development Code Section 4.01.06, established pursuant to the Comprehensive Plan Policy E.2.2.4, and St. Johns County Land Development Code Section 4.01.06, which require a natural vegetative upland buffer averaging 25 feet for contiguous wetlands

within the DRI. The minimum upland buffer shall be ten (10) feet in width, except for those areas adjacent to unavoidable wetland impacts as set forth in Section 4.01.06 of the St. Johns County Land Development Code.

**(c) Conservation Easements.** Conserved wetlands and the adjacent natural vegetative upland buffer shall be protected by recorded conservation easements meeting the requirements of Section 704.06, Florida Statutes.

**17. Stormwater Pollution Prevention.** Construction activity within the SilverLeaf DRI shall be conducted in accordance with a stormwater pollution prevention plan developed pursuant to the National Pollution Discharge Elimination System (“NPDES”) permitting program. The model Stormwater Pollution Prevention Plan for SilverLeaf is attached as **Exhibit 4.** Prior to commencement of any construction which will be adjacent to a conserved wetland, the contractor shall be required to install silt fencing on the landward edge of the natural vegetated upland buffer or landward of the natural vegetated upland buffer at the physical limits of construction to protect the conserved wetlands. The silt fencing shall be inspected at least once a week and repairs to fallen or damaged sections shall be made immediately upon discovery. All contractors working within the SilverLeaf DRI shall be notified of the requirement for a stormwater pollution plan developed pursuant to the NPDES permit program and shall be advised of the requirements for silt fencing set forth in this Special Condition. In addition, the Owner agrees to incorporate practices such as the use of slow release fertilizer and other Best Management Practices into its property management contracts to further improve surface water quality.

**Water Quality – Golf Course.** If the 18-hole golf course is constructed within the SilverLeaf DRI, it shall comply with the Integrated Pesticide/Nutrient Management Plan attached as **Exhibit 7** (the “IPMP”). Any changes to the IPMP required by the SJRWMD, the Northeast District of the Florida Department of Environmental Protection (“FDEP”) or any other applicable agency with jurisdiction may be to be made to the IPMP without the necessity of a Development Order Amendment or other modification of the DRI. Petroleum or chemical storage tanks associated with operation of the golf course shall not be stored closer than 200 feet from wetlands or water bodies unless secondary containment is provided.

**18. Water Quality Monitoring.** The Owner shall establish two water quality monitoring stations for Trout Creek, TC-1 and TC-2 in the locations depicted in the Water Quality Monitoring Plan attached as **Exhibit 5**. Sampling and testing of water quality at the monitoring stations and reporting of the results shall be conducted in accordance with a water quality monitoring plan approved by the FDEP. The water quality monitoring plan may be amended with the consent of FDEP and the Owner without the need to file an application for Development Order Amendment.

**19. Floodplains.** All construction within the 100-Year Floodplain shall comply with applicable federal, state and local laws and regulations. No permits for residential, commercial or public buildings will be issued for construction within any portion of the 100-Year Floodplain where the base flood elevation has not been established until the Owner has provided to St. Johns County data on the site-specific base flood elevation. All road crossings and finished floor elevations of buildings within the 100-Year Floodplain shall

comply with St. Johns County Land Development Code, Part 3.03.00, Flood Damage Control Regulations.

**20. Water Supply.**

(a) Development shall occur concurrent with the provision of adequate central potable water service meeting the adopted level of service in the St. Johns County Comprehensive Plan. The St. Johns County Utility Department will provide central water service to the majority of the DRI, and the JEA will provide water service to the portions of the DRI within its service area.

(b) Irrigation demands for the portion of the DRI in the St. Johns County Utility Service Area will be met with reuse water. Wastewater effluent treated to public access standards will be the primary source of irrigation for the portion of the project within the St. Johns County Utility Service Area (including any golf course within the DRI) with stormwater detention ponds serving as a secondary source of irrigation for common areas and shallow (surficial aquifer) or intermediate wells as a third source. Distribution lines for reuse will be installed concurrent with development of the portion of the project within the St. Johns County Service Area for all uses in the project (residential and non-residential, including the golf course if constructed). Reuse water shall consist of the following sources:

- (i) Wastewater effluent treated to public access standards and delivered to the end user by the utility provider;
- (ii) Stormwater.
- (iii) Shallow (surficial aquifer) or intermediate wells.

JEA cannot provide reuse water within its service area.



- (c) Water conservation strategies, including the encouragement of xeriscape landscape techniques and low-flow plumbing fixtures shall be incorporated in the construction, operation, and maintenance phases of the development and shall be included in the covenants and restrictions.
- (d) The Owner shall display information on xeriscaping, native vegetation, drought tolerant vegetation, water conservation guides and IFAS Cooperative Extension Services' Florida Yards and Neighborhoods in a prominent location within the SilverLeaf sales offices. The Owner shall cooperate with the District to promote its "water star" program. The Owner shall also cooperate with FP&L to promote its "build smart" program.
- (e) Common areas within the SilverLeaf DRI will be landscaped using a water wise approach that uses drought tolerant or native vegetation varieties as 50 percent of the landscape vegetation. Slow release fertilizer shall be used within common areas and on any golf course within the DRI, and the Owner will encourage homeowners to use slow release fertilizer on their yards. The requirement for 50 percent drought tolerant or native vegetation varieties shall be calculated over the entire landscaped area for the entire project. This Special Condition does not require each individual parcel to meet the 50 percent water wise landscaping requirement. Native or drought resistant plants, including those in the District *Water Wise Florida Landscapes*, the Florida Native Plants Society's list of native landscape plants for St. Johns County, *A Gardner's Guide to Florida Native Plants* or comparable guidelines shall provide the information for the water wise landscaping. The Owner shall utilize at least 70 percent of fertilizer use in slow release/organic form

throughout developer-maintained areas (or any entities that may take over in the future). These areas include golf courses and common areas serving commercial areas and residences. Fertilizers applied to turf grasses within the golf course and common landscape areas may be applied through time release granular form or the golf course irrigation system. Prior to fertilizer being applied with the irrigation system, a Best Management Practices document for fertigation shall be prepared by the Owner and approved by St. Johns County.

- (f) Active wells within the DRI may continue to be used for agricultural purposes in accordance with District rules and consumptive use permits issued by the District so long as such agricultural practices continue. Any well no longer required for the agricultural activities within the DRI shall be properly plugged and abandoned in accordance with District rules and regulations when the area around such well is developed.
- (g) Private wells shall be permitted within the DRI for the sole purpose of providing water to fill and refill swimming pools at community amenity centers.

## **21. Wastewater Management.**

- (a) Development of the SilverLeaf DRI shall proceed concurrent with the provision of adequate central sewer service meeting the adopted level of service standards in the St. Johns County Comprehensive Plan. Provision of sanitary sewer service shall be provided by both JEA and St. Johns County Utility Department. St. Johns County will serve the majority of the DRI, and JEA will serve the portion of the DRI within its service area.

(b) Septic systems may only be used in connection with remote recreational amenities.

When a central sewer system is installed within 200 feet of a temporary septic system, the septic system shall be removed and central sewer and water service shall be provided to the recreational amenity.

22. **Stormwater Management.** The surface water management system for the SilverLeaf DRI shall be designed in accordance with applicable SJRWMD and St. Johns County Land Development Code requirements. Development within the DRI shall use Best Management Practices for Erosion Control as required by the applicable National Pollution Discharge Elimination System (“NPDES”) permit.

23. **Solid Waste.** The SilverLeaf DRI shall meet the level of service standard established in the St. Johns County Land Development Code. The Project shall participate in the St. Johns County recycling program.

#### **TRANSPORTATION RESOURCE IMPACTS**

24. **Transportation.** Pursuant to Section 163.3180(5), Florida Statutes, the Owner contributed \$78,528,877.00 (the “**Original Transportation Mitigation**”) in funded transportation improvements to offset the impacts of the DRI through the time of the 2020 DRI Modification application to the regional transportation system, as described in Subsections 24(a)(i) and (ii) and Subsection 24(b) below. These contributions were completed as of March 31, 2020. Related to the 2021 DRI Modification application, the Owner will contribute \$30,178,024.00 (the “**Additional Transportation Mitigation**”, and sometimes collectively with the Original Transportation Mitigation, the “**Transportation Mitigation**”) in funded transportation mitigation improvements to offset the impacts of development rights proposed in such application to the regional transportation system, as described in

Subsections 24(a)(iii) and (iv) below, to offset the impacts of the 2021 Additional Land being added to the DRI. The Additional Transportation Mitigation, together with the Original Transportation Mitigation, sum to a total of \$108,706,901.00. The County and the Owner agree that the Original Transportation Mitigation and the Additional Transportation Mitigation are deemed sufficient to fully mitigate for all the transportation impacts of the DRI for the development rights and configuration approved in this Development Order through full buildout. Additionally, these contributions are sufficient to pay for and construct required improvements which will benefit regionally significant transportation facilities and meet proportionate share contribution requirements as set forth in Section 163.3180(5), Florida Statutes, as authorized by this Development Order. The Transportation Mitigation is sufficient to pay for or construct one or more required improvements which will benefit regionally significant transportation facilities and meets the requirements set forth in Section 163.3180(5), Florida Statutes. The improvements to be constructed by the Owner (with associated construction costs) and related mitigation value to be received by the Owner are set forth on attached **Exhibit 6** and are described below.

(a) **Proportionate Share Contribution Improvements.** SilverLeaf shall pay for and construct the following transportation improvements, including right-of-way acquisition costs within the phase and timeframe specified below.

- (i) CR 2209/Phase 1: The Owner, or its successor or assigns, shall be responsible for the design and construction of CR 2209 (“**St. Johns Parkway**”) as a four-lane road from the end of the existing pavement of CR 2209 at its intersection with the entrance to the Johns Creek PUD

(“**Johns Creek Parkway**”) to the SR 16 Connector (“**SilverLeaf Parkway**”). The portion of the road from Johns Creek Parkway to the point at which the road enters the DRI shall be constructed within a 200-foot-wide right-of-way. Owner has previously conveyed a separate 50-foot-wide tract to St. Johns County for possible future expansion of CR 2209. The portion of the road from the northern boundary of the SilverLeaf DRI to the SR 16 Connector shall be constructed within a 250-foot-wide right-of-way. The SilverLeaf DRI shall be responsible for all construction costs, including the cost of wetland mitigation, and all right-of-way costs. These improvements, including the cost of a 12-foot-wide multi-use path from CR 210 to the SR 16 Connector, have an allocated cost of \$31,910,538.00, which includes the value of 150 feet of right-of-way width for a four (4)-lane divided typical roadway section.<sup>1</sup> These improvements shall be commenced prior to final plat approval for single-family development or building permits for a commercial or multi-family development within SilverLeaf. Also, prior to final plat approval for single-family development or building permits for a commercial or multi-family development within SilverLeaf, the Owner shall provide financial assurance to St. Johns County in the form of a cash deposit, bond, letter of credit, three-party agreement or funded commitment from a Community Development District (or a similar entity) that the improvement will be completed within two years of the

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<sup>1</sup> The value of the additional right-of-way for possible future six-laning is included in the Phase 2 Transportation Mitigation amount.

requested approval or permit. Any state of emergency legislative extensions granted after the Effective Date of this Development Order shall not operate to extend the improvement's two (2)-year completion date. The design criteria for the portion of CR 2209 to be constructed by the Owner shall be as follows:

- a. the SilverLeaf stormwater management system, including outfall structures and pond sizes, shall be designed and permitted by SilverLeaf to accommodate a six-lane CR 2209 from Johns Creek Parkway to International Golf Parkway even though SilverLeaf will only build four lanes from Johns Creek Parkway to the SR 16 Connector.
- b. The portion of CR 2209 from Johns Creek Parkway to approximately the access to Parcel 4 as shown on Map H, approximately one to one and a half (1 to 1.5) miles, will be built as an urban four lane road with future expansion to six lanes by others planned to occur on the outside of the 200-foot-wide right-of-way.
- c. The portion of CR 2209 from approximately the access to Parcel 4 as shown on Map H south to the SR 16 Connector shall be built as a four-lane modified rural/suburban road within a 250-foot-wide right-of-way.
- d. the design speed shall be 55 mph in modified rural sections and 50 mph in urban sections;

- e. posted speed shall be 50 mph in modified rural sections and 45 mph in urban sections;
- f. the Access Management Class shall be Class 3; and
- g. the road will include a 12-foot-wide multi-use path as described in Special Condition 28(c).

This development condition has been satisfied as of March 31, 2020.

SR 16 Connector/Phase 1: The Owner, or its successors or assigns, shall be responsible for the design and construction of the SR 16 Connector from CR 2209 to SR 16 as a modified rural/suburban four lane road within a 150-foot-wide right-of-way. This improvement shall include funding of construction of the intersection improvement at the intersection of the SR 16 Connector and SR 16. This road will also include a 12-foot-wide multi-use path. The allocated cost of this improvement is \$17,449,500.00. This cost includes the value of the 150-foot right-of-way required for a four-lane typical roadway section. This improvement shall be commenced prior to final plat approval for single-family development or building permits for a commercial or multi-family development within SilverLeaf. Also, prior to final plat approval for single-family development or building permits for a commercial or multi-family development within SilverLeaf, the Owner shall provide financial assurance to St. Johns County in the form of a cash deposit, bond, letter of credit, three-party agreement cash deposit

or funded commitment from a Community Development District (or similar entity) that the improvement will be completed within two years. Any state of emergency legislative extensions granted after the Effective Date of this Development Order shall not operate to extend the improvement's two-year completion date. This development condition has been satisfied as of March 31, 2020.

- (ii) CR 2209/Phase 1(a): The Owner shall convey to St. Johns County the right-of-way for the future six-lane segment of CR2209 from the SR16 Connector to International Golf Parkway (the “**IGP Connector**”) together with preliminary engineering plans, an environmental resource permit and dredge and fill permit, wetland mitigation and a stormwater easement agreement for the DRI to accept and treat the stormwater from the future six-lane facility upon completion and acceptance by the County of CR 2209 from Johns Creek Parkway to the SR 16 Connector. The value of the additional approximately 125 acres of right-of-way and the plans, permits, wetland mitigation and stormwater easement agreement is \$29,168,840. This condition was satisfied on December 3, 2019.
- (iii) State Road 13 Connector Road: The Owner, or its successors or assigns, shall be responsible for the design, permitting and construction of a collector road that will connect from State Road 13, north through SilverLeaf Parcels 41, 40 and 12, and connect to the Silver Lake Drive Extension (as defined in Special Condition 24(a)(iv) below) (the “**State**



**Road 13 Connector Road**”). The southern portion of the State Road 13 Connector Road, through SilverLeaf Parcel 41, shall be designed and constructed as a two (2)-lane rural collector section to be compatible with the equestrian community planned for such parcel. When the State Road 13 Connector Road enters SilverLeaf Parcels 40 and 12, it will be designed and constructed as a two (2)-lane urban collector section to the point it intersects with the Silver Lake Drive Extension. This improvement shall include funding of construction of intersection improvements at the intersections of the State Road 13 Connector Road and State Road 13, the State Road 13 Connector Road and County Road 16A and the State Road 13 Connector Road and the Silver Lake Drive Extension. The State Road 13 Connector Road will include a 12-foot-wide multi-use path on one side of the road. The mitigation value of this improvement is \$9,193,754.00. This cost includes the value of the right-of-way required for a two (2)-lane typical rural and urban roadway section.

The State Road 13 Connector Road will be constructed in two phases, as follows:

- (a) The Owner, or its successors or assigns, will design, permit and commence construction the portion of the State Road 13 Connector Road from Silver Lake Drive to County Road 16A (the “**Northern SR 13 Connector Road**”) no later than January 1, 2026. The mitigation value

of this improvement is \$5,382,659.00. Construction of the Northern SR 13 Connector Road shall be completed within two (2) years of commencement.

- (iv) (b) The Owner, or its successors or assigns, will design, permit and commence construction of the entire portion of the State Road 13 Connector Road from County Road 16A to State Road 13 (the “**Southern SR 13 Connector Road**”) prior to the earlier to occur of (i) the commencement of Phase IV of the DRI, or (ii) the County’s approval of the first plat containing residential lots within Parcel 40; or (iii) the County’s approval of a certificate of occupancy for more than one (1) home within Parcels 41 and 42 (the Owner has the legal ability to construct an additional home within Parcels 41 and 42 at present). The mitigation value of this improvement is \$3,811,095.00. Construction of the Southern SR 13 Connector Road shall be completed within two (2) years of commencement. The Owner shall not receive road impact fee credits for the mitigation value of the Southern SR 13 Connector Road until such time as the Owner provides financial security (e.g. posts a performance bond) for construction of the Southern SR 13 Connector Road from County Road 16A to State Road 13.

When the Owner, or its successors or assigns, completes construction of each of the Northern SR 13 Connector Road and the Southern SR 13

Connector Road, the Owner shall dedicate the road and its related right-of-way to the County.

- (v) Silver Lake Drive Extension: The Owner, or its successors or assigns, shall be responsible for the design, permitting and construction of a collector road that will connect from CR 2209 (St. Johns Parkway) south of the First Coast Expressway, west and then north through SilverLeaf Parcels 16, 15, 14, 9, 6 and 4, and connect to CR 2209 (St. Johns Parkway) north of the First Coast Expressway (the “**Silver Lake Drive Extension**”). The Silver Lake Drive Extension shall be designed and constructed as a four (4)-lane collector road from CR 2209, through SilverLeaf Parcels 16, 15 and 14, until it intersects with the State Road 13 Connector Road. From its intersection with the State Road 13 Connector Road, the Silver Lake Drive Extension will be designed and constructed as a two (2) lane collector road until one-quarter mile before it intersects with CR 2209 north of the First Coast Expressway, with the last one-quarter mile of the Silver Lake Drive Extension being four (4) lanes at its intersection of CR 2209. The Silver Lake Drive Extension will include a 12-foot multi-use path on one side of the road. The mitigation value of the improvement is \$20,984,270.00. This cost includes the value of the right-of-way required for a four-lane and two-lane typical roadway section. Construction of the Silver Lake Drive Extension has commenced and will be completed within two (2) years of the County Commission’s approval of this DRI Modification application.

Construction of the Silver Lake Drive Extension will comply with County standards. The Owner shall not receive road impact fee credits for the mitigation value of the Silver Lake Drive Extension until such time as the Owner provides financial security (e.g. posts a performance bond) for construction of the Northern SR 13 Connector Road.

(b) **Right-of-Way Dedication.** The Owner shall convey right-of-way for CR 2209 from the SR 16 Connector to International Golf Parkway to St. Johns County free of charge and free of liens but subject to deed restrictions limiting it to use as a road right-of-way and subject to a requirement that CR 2209 be constructed within the right-of-way. The deed may reserve to the Owner easements for access and drainage and be subject to covenants and restrictions that do not interfere with the intended use of the right-of-way. This condition was satisfied on December 3, 2019.

(c) **Limitation of development within proposed First Coast Expressway alignment.** Subsequent to the approval of Resolution 2015-241, the First Coast Expressway has been removed from the DRI. The Owner, by separate agreement with the Florida Department of Transportation and St. Johns County, has the right to construct certain improvements, including CR 2209 (the “**Initial Improvements**”), within the proposed Northern Alignment of the First Coast Expressway as depicted in **Exhibit 9**. The Initial Improvements consist of the following:

- (i) CR 16A relocation and associated drainage/utilities.
- (ii) Collector road and associated drainage utilities.
- (iii) Drainage improvements. Temporary ditch by SilverLeaf, culverts by FDOT.

- (iv) CR 2209 and associated drainage/utilities.
- (v) Drainage improvements. Temporary ditch by SilverLeaf, culverts by FDOT.
- (vi) Drainage improvements. Temporary ditch by SilverLeaf, culverts by FDOT.

(d) **Right-of-Way Acquisition.** The County acknowledges that the improvements contemplated to be completed by the Owner set forth above contain improvements identified in the County's Capital Improvements Plan and which have been identified as priorities for the County's infrastructure needs. As such, the acquisition of right-of-way to accomplish such improvements is a public purpose. In the event the Owner is unable to obtain the necessary right-of-way for the improvements set forth above, and the County does not confer on a Community Development District, to be formed by the Owner, the limited authority to acquire right-of-way for such improvements by the power of eminent domain, the County agrees to cooperate with the Owner in the initiation and prosecution of eminent domain proceedings for such acquisition. The eminent domain proceedings shall be at the Owner's sole expense including, but not limited to, the amount of the award to the property owner(s), attorneys' fees (including as may be awarded to the property owners and to be paid by the condemning authority), court costs, expert witness fees and court costs. The Owner currently owns all of the right-of-way for the contemplated improvements except for the right-of-way that may be needed for the possible improvements at the intersection of the SR 16 Connector and SR 16.

(e) **Transit.** In the event that public transit service is provided to SilverLeaf, transit passenger shelters and transit bays shall be constructed within the Town Center Parcels

shown on Map H to facilitate transit service. These facilities shall be constructed within the rights-of-way of the applicable roadways. If St. Johns County identifies a specific needed transit facility improvement serving the DRI during Phase 1 of the retail development (as defined in Table 10-1 on **Exhibit 3** of the Development Order), the Owner shall donate up to \$75,000 during Phase 1 to fund the identified need and up to \$50,000 to fund the identified need during Phase 2 of the retail development as defined in Table 10-1 on **Exhibit 3** of the Development Order.

(f) **Master Transportation and Circulation Plan.** The project Master Transportation and Circulation Plan shall be substantially as shown on **Exhibit 1** (Map H). However, the alignment of the roads shown on Map H may be adjusted by the Owner without modifying this Development Order. Further, any modification to the alignment or design of CR 2209 or other roads required by the District or ACOE to avoid wetlands or recorded conservation easements shall not require further DRI review.

(g) **Intersection Improvements.** The Owner constructed a traffic signal at the intersection of St. Johns Parkway and SilverLeaf Parkway, a traffic signal at the intersection of St. Johns Parkway and Silverlake Drive, and a traffic signal at the intersection of SilverLeaf Parkway and SR 16 as of March 31, 2020. Additional signals, if any, will be installed in accordance with the requirements of Section 6.04.05 of the Land Development Code. In addition, the Owner's connections of regional roads to existing state and county roads, if any, will include intersection improvements such as signals and turn lanes to accommodate the transportation improvements in accordance with County or FDOT standards, as applicable.

(h) **Transportation Management Organization.** The Owner shall, at the request of the County, participate in any Transportation Management Organization (“TMO”) sponsored by the County, Northeast Florida Regional Council or other transportation authority.

25. **Air Quality.** The following dust control measures shall be required during all construction within SilverLeaf:

- (i) Contractors will moisten soil or use resinous adhesives on barren areas, which shall include, at a minimum, all roads, parking lots and material stockpiles;
- (ii) Contractors will use mulch, liquid resinous adhesives with hydro-seeding or sod on all landscape areas;
- (iii) Contractors will remove soil and other dust-generating material deposited on paved streets by vehicular traffic, earth moving equipment, or soil erosion; and
- (iv) Contractors will use the best operating practices in conjunction with any burning resulting from land clearing, which may include the use of air curtain incinerators.

26. **Affordable Housing.** The Housing Study Summary in Tables 24-4 and 24-5 of the Application for Development Approval shows that there is no adverse impact on affordable housing as a result of the SilverLeaf project. Notwithstanding that result, the Owner voluntarily donated to St. Johns County 200 platted lots within the Armstrong Estates subdivision on October 23, 2006 pursuant to the Deed of Dedication recorded at Official Records Book 2804, Page 1161, Public Records of St. Johns County, Florida. The donation was accepted by the County under Resolution No. 2006-344. The lots shall be used by St. Johns County to provide housing for very low and below very low-income

levels (70 percent of the lots) to low and moderate income (30 percent of the lots). Residents of the Armstrong neighborhood participating in the County's Homebuyer Program will receive a preference to purchase homes to be built on the donated lots. The County will work with Habitat for Humanity of St. Johns County to develop homes to serve very low-income residents of the Armstrong neighborhood. In addition, all Retail, Light Industrial, and Office development within the SilverLeaf project shall contribute \$0.70 per square foot to St. Johns County at the time of issuance of a building permit for such square footage, which shall be used by St. Johns County for down payment assistance, improvement of existing substandard housing and/or for the development and construction of very low and below income housing within the Armstrong neighborhood. In the alternative to the above contribution of \$0.70 per square foot, the Board of County Commissioners and the Owner, at their discretion, may enter into an agreement for the Owner to contribute the present value, as agreed upon by the County and the Owner, of the \$0.70 per-square-foot contribution for all Retail, Light Industrial and Office Development as a reasonable and proportional mitigation for this requirement. The present value contribution shall be used for one or more projects for down payment assistance, improvement of existing substandard housing and/or the development and construction of very low and below income housing or associated infrastructure in a location agreed upon by the County and the Owner, which may be located outside the Armstrong Neighborhood. A minimum of \$200,000 of the present value contribution shall be spent within the Armstrong Neighborhood. The programs instituted shall be sensitive to the current economic and cultural demographics of the community.



**27. Fire and Police Protection.** The Owner shall, within 60 days of a request by St. Johns County, donate an upland site to St. Johns County for construction of a police station and fire station within Parcel 19 at the location identified on Map H. The land to be conveyed to St. Johns County under this Special Condition shall be large enough to accommodate a 10,000-square-foot police station and the prototype fire station and horizontal site design improvements being used by the County as of the date of this Development Order taking into account the drainage and retention requirements for the fire station and the police station. The site is anticipated to be approximately three (3) to five (5) acres in size. In addition to conveyance of the land for the fire station and police station, the Owner or Community Development District shall either construct a stormwater treatment system on land outside of the site conveyed to the County that would accommodate the drainage and retention requirements from the police station and fire station or enlarge the site as needed to accommodate the required drainage and retention systems. The location of the police station site and the location of the fire station site may be changed by agreement between the Owner and the Sheriff and the Owner and Director of Fire Services, respectively, without the need for modification of the DRI.

**28. Recreation and Open Space.** In accordance with Policy F.1.3.1 of the Comprehensive Plan, a total of 198.9 acres of Neighborhood and Community Parks are required to serve the residents of the DRI at full build-out, which shall be demonstrated on incremental development plans approved for the SilverLeaf PUD. The recreation components described in this Special Condition 28 shall comply with and satisfy the requirements of Policy F.1.3.1 of the Comprehensive Plan for Community Parks and shall count toward satisfaction of the active recreation requirements of Section 5.03.03.E of the Land

Development Code for the project. The SilverLeaf PUD shall meet or exceed the active recreation requirement of Section 5.03.03.E of the Land Development Code. Parcel 11 currently shown on Map H as Community Recreation may be substituted for other land within the DRI without the need to amend Map H or the Development Order and may then be developed in accordance with its underlying comprehensive plan designation, which is Residential-C.

(a) To satisfy the Community Parks requirement of Policy F.1.3.1 of the Comprehensive Plan, the Owner shall convey approximately 40 acres on County Road 16A (“the CR 16A Recreation Parcel”) within 120 days of the County’s request, to be given no sooner than 90 days after the Effective Date of this Development Order. [Completed] The Owner’s conveyance of the CR 16A Recreation Parcel to the County will satisfy approximately 40 of the 50 acres required of Community Parks. The remaining approximately 10 acres of Community Parks (public or private parks/amenity centers) required under Policy F.1.3.1 of the Comprehensive Plan will be constructed by the Owner within the DRI before the end of Phase 2 of the DRI. The level of service for Neighborhood Parks (approximately 81 acres) will be met neighborhood by neighborhood and will be demonstrated on approved construction plans. The location of the parks will be shown on incremental Master Development Plans or construction plans approved by the County.

(b) Through an impact fee agreement adopted by the Board of County Commissioners, park impact fee credits shall be allowed for the CR 16A Recreation Parcel and for any public parks constructed and dedicated within SilverLeaf in accordance with the applicable St. Johns County Impact Fee Ordinance. The County and the Owner agree that the impact fee credits to be awarded for the CR 16A Recreation Parcel shall be equal to the appraised

value of the site to be determined and agreed to by the Owner and the County at the time of conveyance of the site to the County and the approval of an impact fee credit agreement approved by the Board of County Commissioners (the “CR 16A IFCs”). However, the CR 16A IFCs may not be used or collected by the Owner until after certificates of occupancy have been issued for 2,000 residential units following the conveyance and acceptance by Resolution of the Board of County Commissioners of the CR 16A Recreation Parcel. After the issuance of the 2,000<sup>th</sup> residential unit certificate of occupancy has been issued, the CR 16A IFCs may be applied to impact fees assessed for residential units until the balance of the CR 16A IFCs has been exhausted. The Owner shall be entitled to impact fee credits for any other public Community Parks constructed by the Owner and conveyed to the County within the DRI which shall be available for use and collection by the Owner without restriction upon the approval of an impact fee agreement for such conveyance.

(c) The Owner shall convey to St. Johns County within 60 days of its request Parcel 13B for the County’s use as a passive Regional, Community or District park. Parcel 13B contains a segment of the Trout Creek Greenway as depicted on Map H. Parcel 13B shall include the existing bridge in the location of the historic tram road and raised road bed adjacent to the bridge, together with signage explaining the historic significance of the tram. No impact fees shall be awarded for the conveyance of Parcel 13B.

(d) Any park dedicated to St. Johns County shall be accessible to the public at large and shall not be located within limited access or gated areas controlled by private entities, the School District, a property owners association or a CDD. Any acceptance of dedication shall be at the sole discretion of the Board of County Commissioners.

(e) The Owner shall construct a 12-foot-wide multi-use path adjacent to any portion of CR 2209 constructed by the Owner from CR 210 to the SR 16 Connector as CR 2209 is constructed. The multi-use path may be constructed within the right-of-way CR 2209, within the scenic edges associated with CR 2209, or within a combination of the right-of-way and the scenic edges. In addition to the 12-foot multi-use path and the sidewalks constructed in accordance with the requirements of the St. Johns County Land Development Code, the Owner shall cooperate with St. Johns County in the County's efforts to locate a trail within the Florida Power & Light easement that traverses the SilverLeaf DRI. Any portion of the 12-foot multi-use path that must be located within the Florida Power & Light easement shall be subject to consent by the power company.

[Completed]

## 29. Education.

(a) First 10,700 Non-Age-Restricted Residential Units. The Owner and the St. Johns County School District (the "**School District**") agreed that the student projection for this DRI, as approved in Resolution No. 2019-165 (the "**2019 DO**"), was 4,870 K-12 students based upon 10,700 non-age restricted residential units and a formula of 0.59 students per single-family unit and 0.22 students per multi-family unit. If 10,700 non-age restricted residential units are constructed pursuant to the 2019 DO, then full mitigation for all school impacts will require proportionate share mitigation of \$98,487,818.50 (the "**Proportionate Share Mitigation**"), which may be satisfied by the conveyance of land suitable for school sites within or near the property (the "**School Site Conveyances**") and payment of proportionate share funds (the "**Payment Obligation**") in accordance with the SilverLeaf School Proportionate Share Payment and School Siting Agreement between the School

District, the County and the Owner dated June 11, 2019 and recorded in Official Records Book 4741, Page 1211, Public Records of St. Johns County, Florida, as amended by that certain Consent Amendment to SilverLeaf DRI School Proportionate Share Payment and School Siting Agreement dated March 5, 2020 and recorded in Official Records Book 4902, Page 513, Public Records of St. Johns County, Florida (the “**2019/2020 School Agreement**”). The Owner has completed the School Site Conveyances of 161 acres, valued at \$17,909,479.50, to the School District. The Owner, its successors and assigns, shall make the Payment Obligation of the greater of \$7,791.00 per non-age-restricted residential unit (the “**Unit Cost**”) or the then-applicable school impact fee to the School District at the time of electrical energization of each unit in order to maintain the level of standard for school capacity in all affected Concurrency Service Areas. Map H shows the locations of the K-8 school site on Parcel 10, the K-8 school site on Parcel 29C and the approximately 104-acre school site located adjacent to and contiguous with the SilverLeaf DRI boundary that have already been dedicated to the School District. The high school site has frontage on CR16A, with access from CR 16A to be contingent upon approval by St. Johns County driveway/connection permit.

(b) Non-Age-Restricted Residential Units Exceeding 10,700. The Owner and the School District acknowledge that additional K-12 students will be generated by the development of additional non-age-restricted residential units approved by Resolution No. 2021-551 (Application DRI MOD 2021-03). The Owner and School District shall work together to identify one additional K-8 school site within or near the 2021 Added Lands for the Owner to dedicate to the School District. The balance of the proportionate share mitigation for non-age-restricted residential units shall be satisfied by the payment of the

greater of the Unit Cost or the then-applicable school impact fee at the time of electrical energization of each residential unit. Details related to the additional K-8 school site and other proportionate share mitigation will be documented in an amendment to the 2019-2020 School Agreement.

(c) School Impact Methodology. If the School District changes the method by which it assesses mitigation for school impacts, or the County eliminates or changes its methodology or authorization for school concurrency or school impact fees, the Owner may modify this Special Condition 29 for all units or lots for which the Owner has not obtained County construction plan approval before the effective date of such change or elimination. The Special Condition shall be modified to reflect any new sources of funding for school facilities mitigation as soon as authority for such new sources is effective and binding.

(d) Age-Restricted Units. Notwithstanding anything to the contrary in this Special Condition 29, the Owner shall not have any payment obligation for public educational facilities for any non-residential development or residential units or lots: (a) that are converted to or are otherwise established as age-restricted residences governed by 30-year or longer term recorded restrictions that prohibit any person under the age of 18 years residing on the Property as a permanent residence; and (b) that controlling Florida law dictates do not so materially impact the public school system as to be subject to public school facilities mitigation or exaction.

**30. Impact Fees.** Impact fee credits towards any present or future impact fees that may be adopted by St. Johns County shall be allowed for any contribution of land, money (including, but not limited to, “proportionate share” or “fair share contributions”) or improvements made by or on behalf of the Owner or the Community Development

District, as the case may be, for public facilities pursuant to the guidelines stipulated in Section 380.06(16), Florida Statutes, other applicable Florida laws, and St. Johns County Impact Fee ordinances 87-57, 87-58, 87-59 and 87-60, as they may be amended. The Owner proposes and the County agrees that, in the event that any contributions of land purchased by a Community Development District or, money (including “proportionate share” or “fair share payments”), or improvements funded or constructed with funds from a Community Development District give rise to impact fee credits to the Community Development District, then such impact fee credit shall be established in the name of the Community Development District. In the event that an owner contributes land for public facilities (including road right-of-way), such owner shall be entitled to impact fee credits applicable to land to be developed by such owner. The amount of such credit and the transferability of such credit shall be determined in accordance with applicable law and County ordinances as established by the County and with applicable Special Conditions of the Development Order. Notwithstanding anything to the contrary in this Development Order, the Owner has agreed to waive impact fee credits for school sites in accordance with the terms of the School Agreement.

31. **Community Development District.** The Owner has indicated that it may form one or more Community Development Districts (or other similar legislatively authorized entity) within the DRI pursuant to Chapter 190, Florida Statutes, as it may be amended from time to time. The County expressly maintains all rights available to it pursuant to Chapter 190, Florida Statutes, related to the proposed establishment of a Community Development District by the Owner. Any Community Development District for SilverLeaf approved pursuant to Chapter 190, Florida Statutes, may finance, fund, plan, establish, acquire,

construct or reconstruct, enlarge or extend, equip, operate and maintain projects, systems and facilities for the purposes described in Section 190.012, Florida Statutes, including, but not limited to, any of the indicated transportation improvements, school and park improvements set forth in this Development Order and any other project required or authorized by this Development Order. Construction or funding by any such Community Development District of all such projects within or without the boundaries of the Community Development District required by this Development Order or necessary to serve the development approved by this Development Order is expressly approved. If the Owner is required by this Development Order to provide, pay for or otherwise cause to be provided, infrastructure, projects, systems or facilities set forth in Chapter 190, Florida Statutes, including, without limitation, those in Sections 190.012(1) and (2), Florida Statutes, then the Community Development District independently may satisfy such obligations. To the extent any such obligation under this Development Order is met or performed by the Community Development District, then the Owner shall no longer be subject to the obligation. The Owner proposes and the County agrees that, in the event that any contributions of land, money (including “proportionate fair share payments”), or improvements funded or constructed with funds from a Community Development District give rise to impact fee credits to the Community Development District, then such impact fee credits shall be established in the name of the Community Development District.

32. **Historical and Archeological Sites.** Should any regionally significant historical and archaeological resources be discovered in the course of development, the Owner shall immediately notify the Division of Historical Resources (the “**Division**”). No disruption of the findings shall be permitted until any further studies required by the Division are



completed, the Division has rendered a recommendation and a mitigation plan has been agreed upon by the Owner and the Division. A Phase I Structural and Cultural Resource Survey has been performed on the Goodman Tract that identified one item of interest (an existing raised roadbed for an existing trail or logging road in the approximate location of an historic timber tram road) which is not eligible for listing in the National Register of Historic Places (NRHP). However, the approximate location of the former timber tram road to the north and south of the existing bridge will be preserved as a Historic Conservation Area as noted on Map H and will be incorporated into the project's preservation area on the northern portion of the Goodman Tract and within Parcel 13B on Map H with pedestrian access to the areas. In addition, an interpretive sign will be installed at the bridge crossing describing the historical associations of this former railway, subject to approval of the signage text by the St. Johns County Historical Preservation Planning Department. The Historic Conservation Areas will be conveyed to the County in conjunction with the conveyance of Parcel 13B as set forth in Special Condition 28 above. Cultural resource assessment surveys of the 2019 Added Lands and 2021 Added Lands were performed, and there are no historic or archaeological sites eligible for listing on the NRHP that will be impacted by development of the 2019 Added Lands or the 2021 Added Lands.

33. **Severability.** If any stipulation or any portion or section of any stipulation contained in this Development Order is declared, determined to be, or adjudged invalid, illegal or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the approval granted in this Development Order, the other stipulations, or the other portions or sections of the affected stipulations, which shall remain of full force and effect as if the

stipulation or portion or section of a stipulation so declared, determined to be or adjudged invalid, illegal or unconstitutional were not originally a part of this Development Order.

34. **Successor Agencies.** Whenever, within the terms of the stipulations, reference is made to any department, agency, board, commission, or other instruments of the federal, state, or municipal governments, it is understood that such reference shall be construed to mean any future instrumentality which, by operation of law, may be created and designated as successor in interest or other which may be possessed of any of the powers and duties of any referenced instrumentality in existence on the effective date of these stipulations.

35. **Public Utilities.** Essential public utilities may be allowed within any of the land use categories shown on Map H except conserved wetlands subject to compliance with applicable law.

36. **Incorporation of Recitals.** The Recitals are hereby incorporated by reference.

### **RENDITION**

Within ten (10) days of the adoption of this development order, St. Johns County shall render a copy of this Development Order with all attachments, certified as complete and accurate, by certified mail, return receipt requested, to the Florida Department of Economic Opportunity, Bureau of Local Planning, Northeast Florida Council, and the Owner.

**PASSED AND ENACTED** by the Board of County Commissioners of St. Johns County, State of Florida, this 21 day of December, 2021.

BOARD OF COUNTY COMMISSIONERS

OF ST. JOHNS COUNTY, FLORIDA

By: Wey Os  
Its: Chair

ATTEST: Gvonne King, Deputy Clerk  
Brandon Patty, Clerk of Court

Adopted Regular Meeting: **DEC 21 2021**, 2021

Effective: June 20, 2021

Rendition Date: **DEC 22 2021**, 2021



**Exhibit 1**

**Map H, Master Development Plan**

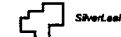


# SILVERLEAF

## MAP H MASTER DEVELOPMENT PLAN

OCTOBER 26, 2021

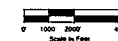
### LEGEND



- Town Center / Mixed Use
  - Mixed Use
  - Residential Very Low Density
  - Residential Low Density
  - Residential Medium Density
  - Residential High Density
  - School Site
  - Community Recreation
  - Utility
  - Open Space / Wetlands
  - Open Space / Uplands
  - Fire / EMS
  - Utility Site
  - Wildlife Underpass
  - Wildlife Crossing
  - Potential Roundabout
  - Approx. Former Timber Tram Rd
  - Eagle's Nest
- Roadways

Note: the location, configuration, acreages and use on development parcels, roads, lakes, etc., are conceptual in nature and subject to further refinement upon submission of final development plans.

Note: the approximate location of the former timber tram road to the immediate north and south of the existing bridge shall be a Historic Conservation Area with pedestrian access; an interpretive sign will be installed at the bridge crossing.

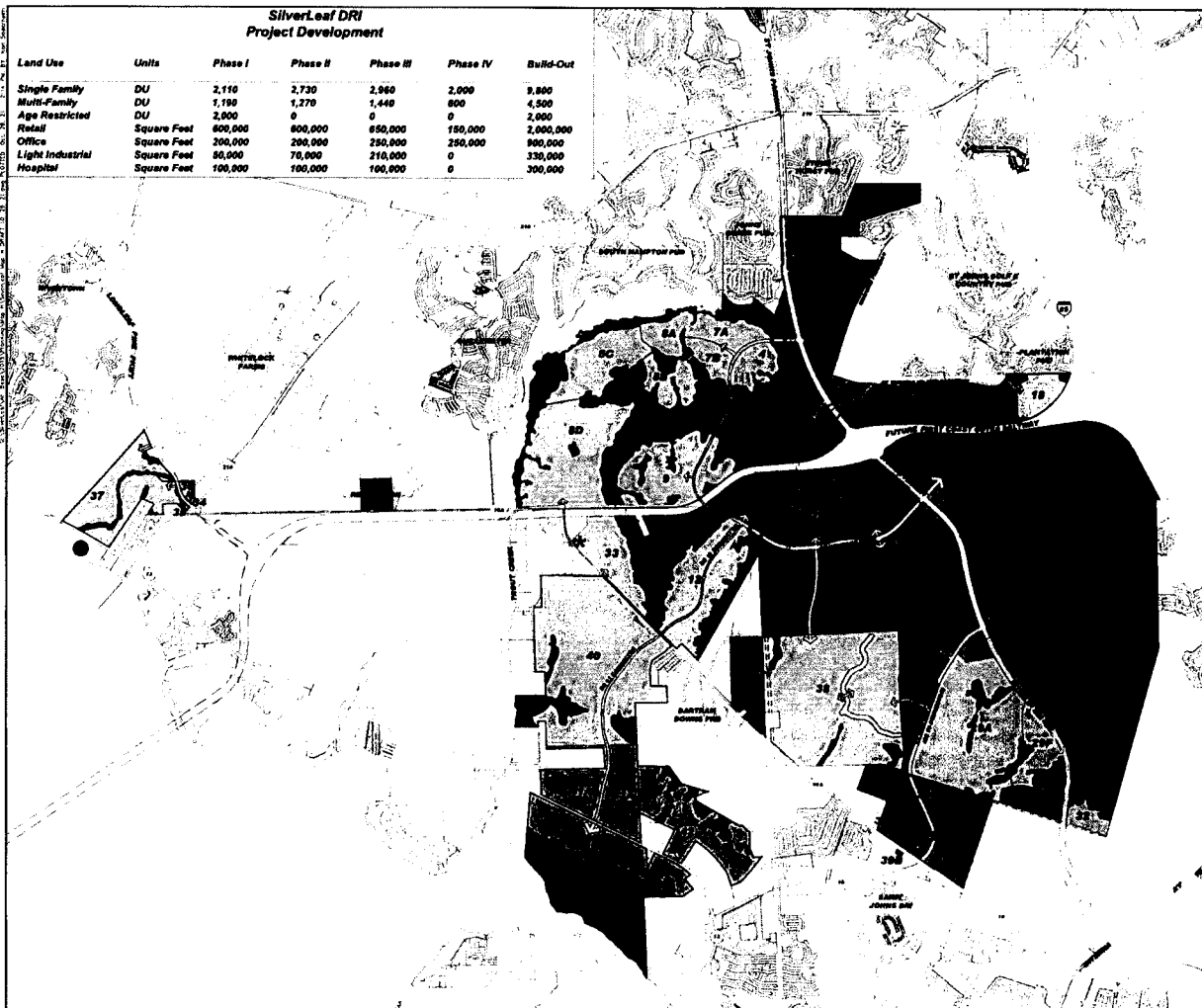


### PROJECT TEAM

Whites Ford Timber, LLC - Owner  
 Longleaf Partners, LLC - Owner  
 Trout Creek Ventures, LLC - Owner  
 Bocage Ventures, LLC - Owner

ETM, Inc. - Engineers, Planners, Transportation Consultant  
 Rogers Towers - Legal Counsel  
 Carter Environmental Services - Environmental Consultant  
 Bio-Tech Consulting, Inc. - Environmental Consultant  
 Heritage Cultural Services, LLC - Cultural Resources Consultant  
 ETM Surveying & Mapping, Inc. - Land Surveyors

Source: ETM, St. Johns County



## Exhibit 2

**2021 Revised Table 10-1A - Land Use Equivalency Table**

TO:	Single Family	Multi-Family	Age Restricted	Hospital	Commercial	Office	Light Industrial
FROM:	(DU)	(DU)	(DU)	(sf)	(sf)	(sf)	(sf)
Single Family (DU)	1	2.3584	5.1884	N/A	N/A	N/A	N/A
Multi-Family (DU)	0.4240	1	2.2000	N/A	N/A	N/A	N/A
Age Restricted (DU)	0.1927	0.4545	1	N/A	N/A	N/A	N/A
Hospital (sf)	N/A	N/A	N/A	1	0.3889	0.6364	1.7500
Commercial (sf)	N/A	N/A	N/A	2.5714	1	1.6364	4.5000
Office (sf)	N/A	N/A	N/A	1.5714	0.6111	1	2.7500
Light Industrial (sf)	N/A	N/A	N/A	0.5714	0.2222	0.3636	1

**Trip Generation Rate Calculations**

Land Use	Net New External Trips	Quantity (DU or SF)	Trip Rate (trips/unit)
Single Family	7,017	9,800	0.7160
Multi-Family	1,366	4,500	0.3036
Age Restricted	276	2,000	0.1380
Hospital	209	300,000	0.0007
Commercial	3,608	2,000,000	0.0018
Office	1,004	900,000	0.0011
Light Industrial	126	330,000	0.0004

Example:

Convert 100 DUs of Single Family Residential to Multi-Family Residential  
 $100 \times 2.3584 = 235.84$   
 100 Single Family Dwelling Units is equivalent to 236 Multi-Family Units

Convert 50,000 sf of Office to Light Industrial  
 $50,000 \times 2.7500 = 137,500$   
 50,000 sf of Office is Equivalent to 137,500 sf of Light Industrial

**2021 Revised Table 10-1B - Minimum/Maximum Development Projections**

Land Use	Units	Minimum	Maximum
Single Family	Dwelling Unit	5,000	11,000
Multi-Family	Dwelling Unit	1,000	6,200
Age Restricted	Dwelling Unit	0	3,000
Hospital	Square Feet	0	300,000
Commercial	Square Feet	500,000	3,000,000
Office	Square Feet	150,000	1,500,000
Light Industrial	Square Feet	50,000	500,000

England, Thims & Miller, Inc.

11/8/21

**Exhibit 3**

**Table 10-1, Land Use by Phase**

TABLE 10-1 LAND USE BY PHASE						
Land Use	Units	Phase I 2/17/31	Phase II 2/18/31- 2/17/36	Phase III 2/18/36- 2/17/41	Phase IV 2/18/41- 2/17/47	Build Out 2/17/52
Single-Family (DU)	Units	2,110	2,730	2,960	2,000	9,800
Multi-Family (DU)	Units	1,190	1,270	1,440	600	4,500
Age Restricted (DU)	Units	2,000	0	0	0	2,000
Retail (s.f.)	s.f.	600,000	600,000	650,000	150,000	2,000,000
Office (s.f.)	s.f.	200,000	200,000	250,000	250,000	900,000
Light Industrial (s.f.)	s.f.	50,000	70,000	210,000	0	330,000
Hospital (s.f.)	s.f.	100,000	100,000	100,000	0	300,000

<sup>1</sup>For purposes of phasing, single-family and townhome residential units shall be accounted for as of the date of recording of a plat. Multi-family and non-residential development shall be accounted for as of the date of construction plan approval.

**Exhibit 4**

**Stormwater Pollution Prevention Plan  
[No Change]**



Exhibit 4

**STORMWATER POLLUTION PREVENTION PLAN**

**("SWPPP")**

In order to ensure water quality is maintained and that encroachment into conservation areas is prohibited, the property owner and contractor shall adhere to the following SWPPP prior to and during construction. All work performed within and for SilverLeaf Plantation is to comply with Florida Department of Environmental Protection Non-Point Source and Water Quality Standards.

**PRE-CONSTRUCTION ACTIVITIES**

Prior to the start of site construction, the property owner or his representative shall conduct a pre-construction conference, which addresses Stormwater Pollution Prevention and Sediment and Erosion Control. At a minimum, the property owner, contractor and design engineer or their representative shall attend the pre-construction conference. Regulatory agencies shall be notified prior to the pre-construction conference regarding the date, time and location of the conference and shall be allowed to attend. The purpose of this conference is to review the site specific details of the SWPPP and identify the individuals responsible for its implementation. In addition, specific conditions of regulatory permits will be reviewed and persons assigned to the monitoring for compliance with these conditions. The pre-construction conference shall be a specific condition in all stormwater management permits issued for the SilverLeaf Plantation project.

**CONSTRUCTION ACTIVITIES**

The site work contractor shall at a minimum implement the requirements outlined below and those measures shown on the Stormwater Pollution Prevention Plan

(SWPPP) and the erosion and turbidity control plan. In addition, the contractor shall undertake additional measures required to be in compliance with applicable permit conditions and state water quality standards. Depending on the nature of materials and methods of construction the contractor may be required to add flocculants to the detention system prior to discharge to Waters of the State.

#### Sequence of Major Erosion Control Activities:

The order of activities will be as follows:

1. Install stabilized construction entrance
2. Install silt fences and hay bales as required
3. Clear and grub for diversion swales/dikes and sediment basin
4. Construct sedimentation basin
5. Stock pile top soil if required
6. Stabilize denuded areas and stockpiles as soon as practicable
7. Complete grading and install permanent seeding/sod and planting
8. Remove accumulated sediment from basins
9. Flocculate lake system, if required, to meet water quality standards
10. When all construction activity is complete and the site is stabilized, remove any temporary diversion swales/dikes, silt fences, hay bales and reseed/sod as required.

Note: Vertical construction of buildings will be taking place during all the sequence steps listed above.

#### *Additional Controls*

It is the contractor's responsibility to implement the erosion and turbidity controls as shown on the sediment and erosion control plan. It is also the contractor's responsibility to ensure these controls are properly installed, maintained and functioning properly to prevent turbid or polluted water from leaving the project site. The contractor will adjust the erosion and turbidity controls shown on the sediment and erosion control plan and add additional control measures, as required, to ensure the site meets all federal, state and local erosion and turbidity control requirements. The following best management practices will be implemented by the contractor as required by the erosion and sediment control plan and as required to meet the sediment and turbidity requirements imposed on the project site by the regulatory agencies.

Erosion and sediment controls stabilization practices. (See the site specific sediment and erosion control plan for applicability):

1. **Straw bale barrier:** Straw bale barriers will be used below disturbed areas subject to sheet and rill erosion with the following limitations:

- a. Where the maximum slope behind the barrier is not greater than 33 percent.
- b. In minor swales or ditch lines where the maximum contributing drainage area is no greater than 2 acres.
- c. Where effectiveness is required for less than 3 months.
- d. ~~Every effort should be made to limit the use of straw~~ Straw bale barriers constructed shall not be used in live streams or in swales where there is the possibility of a washout. If necessary, measure shall be taken to properly anchor bales to ensure against washout.

2. **Filter Fabric Barrier:** Filter fabric barriers shall be installed landward of upland buffers. Filter fabric barriers will be used below disturbed areas subject to sheet and rill erosion with the following limitations:

- a. Where the maximum slope behind the barrier is not greater than 33 percent
  - b. In minor swales or ditch lines where the maximum contributing drainage area is no greater than 2 acres.
3. **Sod with Filter Fabric:** In areas with slopes steeper than 33%, the slope shall be full sodded with sods pinned to the slope. Filter fabric barriers (silt fence) shall be installed at the top and toe of the slope.
  4. **Brush Barrier with Filter Fabric:** Brush barrier barriers used in accordance with ES BMP 1.025. will be used below disturbed areas subject to sheet and rill erosion where enough residue material is available on site.
  5. **Level Spreader:** A level spreader will be used where sediment-free storm runoff is intercepted and diverted away from the graded areas onto undisturbed stabilized areas. This practice applies only in those situations where the spreader will be constructed on undisturbed soil and the area below the level lip is stabilized. The water should not be allowed to reconcentrate after release.
  6. **Stockpiling Material:** No excavated material shall be stockpiled in such a manner as to direct runoff directly off the project site into any adjacent water body or stormwater collection facility.
  7. **Exposed Area Limitation:** The surface area of open, raw erodible soil exposed by clearing and grubbing operations or excavation and tilling operations shall not exceed 10 acres. This requirement may be waived for large project with an erosion control plan, which demonstrates that opening of additional areas, will not significantly affect off site deposit of sediments.

8. **Inlet Protection:** Inlets and catch basins which discharge directly off-site shall be protected from sediment-laden storm runoff until the completion of all construction operations that will contribute sediment to the inlet.

9. **Temporary Seeding:** Areas opened by construction operations and that are not anticipated to be re-excavated or dressed and receive final grassing treatment within 30 days shall be seeded with a quick growing grass species which will provide an early cover during the season in which it is planted and will not later compete with the permanent grassing.

10. **Temporary Seeding and Mulching:** Sloped steeper than 6:1 that fall within the category established in Paragraph 8 above shall additionally receive mulching of approximately 2 inches loose measure of mulch material cut into the soil of the seeded area adequate to prevent movement of seed and mulch.

11. **Temporary Grassing:** The seeded or seeded and mulched area(s) shall be rolled and watered or hydromulched or other suitable methods if required to assure optimum growing conditions for the establishment of a good grass cover.

12. **Temporary Regrassing:** If, after 14 days from seeding, the temporary grassed areas have not attained a minimum of 75 percent good grass cover, the area will be reworked and additional seed applied sufficient to establish the desired vegetative cover.

13. **Maintenance:** All features of the project designed and constructed to prevent erosion and sediment shall be maintained during the life of the construction so as to function as they were originally designed and constructed.

14. **Permanent Seeding:** areas, which have been disturbed by construction, will, as a minimum, be seeded. The seeding mix must provide both long-term vegetation and rapid growth seasonal vegetation. Slopes steeper than 4:1 shall be seeded and mulched or sodded.

15. **Temporary Diversion Dike:** Temporary diversion dikes will be used to divert runoff through a sediment trapping facility.

16. **Temporary Sediment Trap:** A sediment trap is usually installed in a drainage way at a storm drain inlet or at other points of discharge from a disturbed area with the following limitations:

a. The sediment trap will be constructed either independently or in conjunction with a temporary diversion dike.

17. **Sediment Basin:** Sediment Basin(s) will be constructed at the common drainage locations that serve an area with 10 or more disturbed acres at one time. The proposed stormwater ponds (or temporary ponds) will be constructed for use as sediment basins. These sediment basins must provide a minimum of 3,600 cubic feet of storage per acre drained until final stabilization of the site. The 3,600 cubic feet of storage area per acre drained does not apply to flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin.

### *Site Maintenance Activities*

### **Waste Disposal**

### **Waste Materials**

All waste materials except land clearing debris shall be collected and stored in a securely lidded metal dumpster. The dumpster will meet all local and state solid waste management regulations. The dumpster will be emptied as needed and the trash will be hauled to a state approved landfill. All personnel will be instructed regarding the correct procedure for waste disposal. Notices stating these practices will be posted at the construction site by the site superintendent, the individual who manages the day to day site operations, will be responsible for seeing that these procedures are followed.

### **Hazardous Waste**

All hazardous waste materials will be disposed of in the manner specified by local or state regulation or by the manufacturer. Site personnel will be

Instructed in these practices and the site superintendent, the individual who manages day to day site operations, will be responsible for seeing that these practices are followed.

#### Sanitary Waste

All sanitary waste will be collected from the portable units as needed to prevent possible spillage. The waste will be collected and disposed of in accordance with state and local waste disposal regulations for sanitary sewer or septic systems.

#### Offsite Vehicle Tracking

A stabilized construction entrance will be provided to help reduce vehicle tracking of sediments. The paved street adjacent to the site entrance will be



swept daily to remove any excess mud, dirt or rock tracked from the site.

Dump trucks hauling material from the construction site will be covered with

a tarpaulin. Offsite vehicle tracking to comply with ES BMP.

1.02.(Construction Road and Driveway Stabilization).

Spill Prevention Plan

Material Management Practices

The following are the material management practices that will be used to reduce the risk of spills or other accidental exposure of materials and substances to stormwater runoff.

Good Housekeeping

The following good housekeeping practices will be followed onsite during the construction project:

- An effort will be made to store only enough product required to do the job.
- All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure.
- Products will be kept in their original containers with the original manufacturer's label.
- Substances will not be mixed with one another unless recommended by the manufacturer.
- Whenever possible, all of a product will be used up before disposing of the container.
- Manufacturer's recommendations for proper use and disposal will be followed.
- The site superintendent will inspect daily to ensure materials onsite receive proper use and disposal.

## **Hazardous Products**

**These practices are used to reduce the risks associated with hazardous materials:**

- **Products will be kept in original containers unless they are not resealable.**
- **Original labels and material safety data will be retained; they contain important product information.**
- **If surplus product must be disposed of, manufacturers or local and state recommended methods for proper disposal will be followed.**

## **Product Specific Practices**

**The following product specific practices will be followed onsite:**

### **Petroleum Products**

Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to stormwater. Storage will be in a covered area. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

### Fertilizers

substances used onsite will be applied according to the manufacturer's recommendations. will be stored in tightly sealed containers which are clearly labeled. Any asphalt management ponds, unless secondary containment is provided. Petroleum products not be placed within 200 feet of a wellhead or water body including stormwater maintenance to reduce the chance of leakage. Portable petroleum storage tanks shall All onsite vehicles will be monitored for leaks and receive regular preventive

## **Paints**

All containers will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewer system but will be properly disposed of according to manufacturer's instructions or state and local regulations.

The site superintendent responsible for the day to day site operations will be the spill prevention and cleanup coordinator. He/she will designate at least one other site personnel who will receive spill prevention and cleanup training. These individuals will each become responsible for a particular phase of prevention and clean up. The names of responsible spill personnel will be posted in the material storage area and if applicable, in the office trailer onsite.

## **MAINTENANCE/INSPECTION PROCEDURES**

## **Erosion and Sediment Control Inspection and maintenance Practices.**

The following are inspection and maintenance practices that will be used to maintain erosion and sediment controls:

- All control measures will be inspected by the site superintendent, the person responsible for the day to day site operation or someone appointed by the site superintendent, at least once a week and following any storm event of 0.25 inches or greater.
- All turbidity control measures will be maintained in good working order; if a repair is necessary, it will be initiated within 24 hours of report.
- Built up sediment will be removed from silt fence when it has reached one third the height of the fence.
- Silt fence will be inspected for depth of sediment, tears, to see if the fabric is securely attached to the fence posts, and to see that the fence posts are firmly in the ground.

- The sediment basins will be inspected for the depth of sediment, and built up sediment will be removed when it reaches 10 percent of the design capacity or at the end of the job.
- Diversion dikes/swales will be inspected and any breaches promptly repaired.
- Temporary and permanent seeding and planting will be inspected for bare spots, washouts, and healthy growth.
- A maintenance inspection report will be made after each inspection. A copy of the report form to be completed by the inspector will be attached to the contract. The reports will be kept on site during construction and shall be available upon request to the owner, the owner's engineer or any federal, state or local agency responsible for monitoring sediment and erosion plans, or stormwater management plans. The reports shall be made and retained as part of the stormwater pollution prevention plan for at least three years from the date that the site is finally stabilized and the notice of termination is submitted. The reports shall identify any incidents of non-compliance.
- The site superintendent will select up to three individuals who will be responsible for inspections, maintenance and repair activities, and filling out the inspection and maintenance report.
- Personnel selected for inspection and maintenance responsibilities will receive training from the site superintendent. They will be trained in all the inspection

and maintenance practices necessary for keeping the erosion and sediment controls used onsite in good working order.

### **NON-STORMWATER DISCHARGES**

It is expected that the following non stormwater discharges will occur from the site during the construction period:

- Water from water line flushing
- Pavement wash waters (where no spills or leaks of toxic or hazardous materials have occurred)
- Uncontaminated groundwater (from dewatering excavation)

All non stormwater discharges will be directed to the sediment basin prior to discharge:



**Exhibit 5**

**Water Quality Monitoring Plan  
[No Change]**

Exhibit 5

**WATER QUALITY MONITORING PLAN**

Part I Introduction

As a condition of the Development of Regional Impact (DRI) Development Order for SilverLeaf Plantation, Florida Department of Environmental Protection (FDEP) has required the Developers, White's Ford, SJP, LLC and J&N Ventures, LLC, to conduct a surface water quality monitoring program. The Developer proposes the following Water Quality Monitoring Plan (WQMP) for SilverLeaf Plantation. This program is designed to establish baseline conditions and to monitor water quality throughout the development of the property.

Part II Scope

A. Location of Sampling Stations

Two sampling stations for SilverLeaf Plantation are depicted on the Water Quality Monitoring Station Location Map (Figure 1). Reference markers will be placed in the field to ensure consistency throughout the sampling events. Trout Creek and its associated wetlands comprise the boundary between SilverLeaf Plantation and other noteworthy developments, such as the South Hampton development, the Johns Creek development, the Stonehurst development, the Southlake development, and St. Johns Golf and Country Club. Therefore, let it be stated that the monitoring data derived from this study is not necessarily indicative of the effects relating to the development to the SilverLeaf Plantation. The sampling stations are designated as follows:

- Station TC-2. Within Trout Creek, along the north boundary of SilverLeaf Plantation property, northeast of St. Johns County Rd 16A. This freshwater station receives discharge from the watershed north of the SilverLeaf development, and is representative of water quality conditions entering the site.

- Station TC-1. Within Trout Creek, along the southwestern boundary of the property, and it is approximately 150 feet upstream of St. Johns County Rd 16A. This freshwater station receives discharge from the SilverLeaf development, and is representative of water quality conditions exiting the site.

**Figure 1**



#### B. Baseline Monitoring Program

Two baseline (pre-development) water quality-sampling events (one wet and one dry) will be conducted, commencing no more than six months and concluding at least seven days prior to the start of development. The baseline-monitoring program is intended to establish pre-development conditions in the watersheds associated with the SilverLeaf Plantation property. Baseline water quality data will be used for comparison to construction-phase sampling results.

Both baseline-sampling events will include *in situ* measurements, water chemistry and bacterial sampling, and bioassessment of benthic macroinvertebrate communities (Table 1). All parameters, including bioassessment of benthic macroinvertebrate communities, will be monitored at each of the two stations.

The baseline-monitoring program will assess the influence of rainfall on turbidity, nutrient levels, and other water quality parameters. One "wet" and one "dry" sampling event will be conducted. Dry and wet weather sampling criteria will follow EPA's Environmental Monitoring & Assessment Program (EMAP) protocol. Wet weather samples will be collected within 24 hours after a rain event of greater than 0.1 inches of rainfall, but following an interval period of at least 72 hours (*i.e.*, three days of dry weather). Dry weather samples will be taken following at least 72 hours of dry weather.

#### C. Construction-Phase Monitoring Program

Water quality will be monitored throughout development of SilverLeaf. The construction-phase monitoring program has been designed to identify any impacts, trends or changes in water quality occurring since the baseline monitoring events.

The construction-phase monitoring program will comprise semi-annual sampling events of the same parameters and at the same stations as the baseline sampling events (Table 1) for all parameters except benthic macroinvertebrate community sampling shall only be sampled annually. All parameters, including bioassessment of benthic macroinvertebrate communities, will be monitored at both stations. Bioassessment of benthic macroinvertebrate communities will occur at stations TC-1 and TC-2 on an annual basis.

Table 1. Water quality parameters and analytical methods for baseline and construction-phase water quality monitoring programs at Silver Leaf.

Parameter	Units	Method
<b>Field (in situ) Measurements</b>		
Temperature	°C	EPA 170.1
pH	std. units	EPA 150.1
Dissolved Oxygen (DO)	mg/L	EPA 360.1
Specific Conductance	µmhos/cm	EPA 120.1
Turbidity	NTU	EPA 180.1
Flow	cm/sec	FDEP SOP
Secchi Disk Transparency	feet	FDEP SOP
<b>Physical Properties</b>		
Color	CU	EPA 110.2
Total Hardness as CaCO <sub>3</sub>	mg/L	EPA 130.2
Total Dissolved Solids (TDS)	mg/L	EPA 160.1
Total Suspended Solids (TSS)	mg/L	EPA 160.2
<b>Inorganic Anions</b>		
Alkalinity	mg/L	EPA 310.1
Total Phosphorus	mg/L	EPA 365.4
Nitrate/Nitrite	mg/L	EPA 353.2
Total Kjeldahl Nitrogen (TKN)	mg/L	EPA 351.2
<b>Organics</b>		
Biochemical Oxygen Demand	mg/L	EPA 405.1
Ortho-phosphate	mg/L	EPA 365.1
Total Nitrogen	mg/L	TKN+NO <sub>3</sub> /NO <sub>2</sub>
NH <sub>3</sub> Ammonia	mg/L	EPA 350.1
Chlorophyll A	mg/L	SM10200H
<b>Bacteria</b>		
Fecal Coliform (FC) Bacteria	# per 100 mL	SM 9221-B
<b>Benthic Macroinvertebrates</b>		
Habitat Assessment	[numeric score]	#BA-17, BA-18 <sup>a</sup>
Dip Net Sampling	[biometrics]	#BA-7, BA-8 <sup>a</sup>

<sup>a</sup> FDEP SOPs, Bureau of Laboratories, Biology Section, Tallahassee, Florida.

## Part III Methods

### **A. Quality Assurance/Quality Control**

All field activities (*in situ* measurements, and collection of water samples, and benthic macroinvertebrates) and benthic laboratory activities will be conducted in accordance with EPA and FDEP approved protocol. Instrument calibrations, replicate sampling, and other specific QA/QC procedures are described in the following sections.

### **B. Surface Water Sampling**

1. Field Measurements and Observations. Weather and water quality conditions and field measurements will be recorded at each station onto field data capture sheets (Attachment A). Weather data will include 24-hour antecedent rainfall (based on data recorded at Jacksonville Naval Air Station, the nearest First Order Climatological Station). Water quality conditions will include flow regime, water color, surface clarity and any nuisance conditions. Field measurements will include total depth, Secchi disk depth and *in situ* measurements.

The following physio-chemical water quality parameters will be measured *in situ* at each station using a HydroLab Quanta-G: water temperature, dissolved oxygen, pH, and specific conductance. On the morning of each sampling event, the HydroLab will be calibrated for dissolved oxygen, pH and conductivity. Calibration results will be recorded on the Calibration Capture Sheets (Attachment A). Following each sampling event, calibration checks will be conducted to verify that measurement error was less than 1.0 percent for all parameters. Turbidity will be measured in the field using a Hach Model 16800 nephelometric turbidimeter. The turbidimeter will be calibrated in the field using Gelex secondary turbidity standards (0-10 and 0-100 NTU).

2. Collection of Water Samples. Sample collection information, including sampling time, sampling depth, analytical parameters, sample containers, handling procedures and quality assurance protocol, will be recorded at each station onto field data capture sheets (Attachment A). Pre-cleaned containers will be provided (with preservatives added) by the subcontract laboratory. All sample containers will be labeled on site with station name, sample identification number, and date and time of collection. Water samples for laboratory analyses will be collected subsurface (0.5 feet) by hand grab at each station.

A field duplicate sample will be collected sequentially with the primary water sample at one station, and will be submitted as a blind duplicate to the subcontract laboratories. Immediately following collection, all sample containers will be sealed and placed on ice. Chain-of-custody records for the water samples will be initiated at the time of collection and kept with the sealed sample coolers, which will be hand delivered to the subcontract laboratory by testing personnel.

3. Laboratory Analyses. Water chemistry and bacteriological parameters will be analyzed using EPA-approved methods by Environmental Conservation Laboratories ("ENCO"), a subcontract laboratory. ENCO is fully certified for analysis of environmental samples by the FDEP and NELAC (FDEP: 910190 and NELAC: B82277). The analytical method detection limit (MDL) for each parameter will be lower than its maximum contaminant level (MCL), based on state surface water quality criteria. Copies of the original laboratory reports will be provided as appendices to monitoring reports.

### C. Benthic Macroinvertebrates

1. Habitat Assessment. Benthic habitats will be evaluated in accordance with FDEP Standard Operating Procedures (SOPs). FDEP Physical/Chemical Characterization Field Data Sheets (Attachment A) will be completed at each station using Physical/Chemical Characterization Techniques (SOP #BA-17). Next, a Freshwater Benthic Habitat Assessment Field Data Sheet (Attachment A) will be completed using Habitat Assessment Techniques (SOP #BA-18). Finally, the resulting Habitat Assessment scores will be used to interpret the benthic macroinvertebrate community biometrics for each station.

2. Sample Collection. Benthic macroinvertebrates will be collected by dip net sampling (SOP #BA-7). Twenty (20) discrete 0.5 meter sweeps of a U.S. Standard 30-mesh D-frame dip net will be distributed across the "major" or "most productive" habitats identified during Habitat Assessment. Composite netted material will be spread out on 30-mesh kick net in direct sunlight, and live organisms will be picked and placed in small jars of 70 percent ethanol. Retained debris will be collected in wide mouth jugs and preserved with ten percent buffered formalin and rose bengal stain.

3. Sample Processing. The dip net and grab samples will be processed by FDEP protocol (SOP #BA-8 and #BA-10, respectively). Bulk samples will be placed in a white ceramic pan for separation of the organisms from inert materials under low (2X) magnification. Each sample will be picked two times by testing personnel. Organisms will be preserved in 70 percent ethanol and placed in labeled glass vials for taxonomic sorting and identification.

4. Taxonomic Identification and Enumeration. Organisms will be sorted, counted and identified to the lowest practicable taxonomic level in accordance with FDEP protocol (SOP #BA-15, BA-15.1 and BA-16). If more than 100 oligochaete worms or chironomid midges are present in a sample, subsampling techniques (SOP #BA-15) will be implemented. Oligochaetes, chironomid midges and aquatic mites will be mounted on slides (SOP #BA-15.1) for identification under a compound microscope (magnification 100X and 430X). Specimens of other taxa will be examined under a stereoscope (magnification 10X through 70X).

Enumeration procedures will also follow FDEP guidelines (SOP #BA-16). Following identification, the number of specimens within each taxon will be recorded onto a Macroinvertebrate Bench Sheet. Empty bivalve or gastropod mollusk shells will not be counted. Specimens that are missing their heads (most often oligochaetes) will not be counted. Specimens not classified as benthic macroinvertebrates (e.g., nematodes, cladocerans, rotifers or fish) will not be counted. Specimens of taxa not previously encountered by testing personnel will be removed for inclusion in a Reference Collection. All specimens will be properly labeled and retained by testing personnel for a period of five (5) years beyond completion of this investigation.

5. Analysis of Taxonomic Data. Taxonomic data from this investigation will be entered onto BIO9 Species Diversity Entry Program (Ley, 1995), a computer program developed and used by FDEP for calculation of benthic macroinvertebrate community biometrics. The following biometrics will be calculated for each station:

Shannon's Diversity Index,  
Species Equitability,  
Number of Total Taxa ("Species Richness"),  
Number of EPT Taxa,  
Number of Chironomid Taxa,



Percent Contribution of Dominant Taxon,  
Percent Contribution of Diptera,  
Florida Index,  
Percent Contribution of Suspension Feeders ("Filterers"), and  
Stream Condition Index (SCI) Score and Interpretation.

#### Part IV. Reporting

##### **A. Report of Baseline Conditions**

The Report of Baseline Conditions will provide all analytical results from the baseline sampling events, including field measurements, laboratory analyses and biological assessments. Results will be presented in tabular format along with associated water quality criteria (Rule 62-302.530 F.A.C.). Copies of original laboratory reports and chain-of-custody documentation will be appended. This report will describe any changes in scope or methods from those presented in this WQMP. This initial report will be submitted to FDEP and Northeast Florida Regional Council (NEFRC).

##### **B. Semi-Annual Reports**

Reports for each semi-annual construction-phase monitoring event will be similar in content and format to the Report of Baseline Conditions and will include data tables presenting cumulative results of all monitoring events to date. Reports of semi-annual monitoring events will be submitted semiannually to FDEP for review.

##### **C. Annual Reports**

Annual reports summarizing the results of the year's semi-annual sampling events will be presented to NEFRC.

#### Part V. Re-Evaluation

Every five (5) years, unless otherwise agreed upon by Northeast District FDEP and the Developer, the WQMP shall be reviewed and evaluated pursuant to Chapter 62-302 F.A.C. Sampling methods, locations, parameters, and frequency shall be evaluated and, if necessary, modified. Dates of construction phases and sampling activities may be scheduled during this meeting. Reevaluation may occur sooner than every five (5) years at the request of either the Developer or FDEP with consent of the other party.

**EXHIBIT 6  
TRANSPORTATION MITIGATION PLAN**

COMPLETED									
Roadway	Limits	Road Type	Length (mi)	Improvement	Cost Per Mile FY 2012/2013	Construction cost (C/M*L)	R/W (19%) (CC*0.19)	Engineering Cost (46%) ((CC*RW) *.46)	Total Project Cost in FY 12/13
CR 2209	John's Creek Pkwy to Parcel 4 Access	Urban	1.54	Construct 4 Lanes-Urban	\$5,635,152	\$8,678,134	\$1,648,845	\$4,750,411	\$15,077,390
CR 2209	Parcel 4 Access to SR 16 Connector	Suburb	2.46	Construct 4 Lanes-Suburban	\$3,764,232	\$9,260,010	\$1,759,402	\$5,068,929	\$16,088,341
CR 2209 12' Multi-use Path	CR 210 to SR 16 Connector	Suburb	4.22	Upgrade S/W to 12' wide M/U Path	\$120,887	\$510,142	\$0	\$234,665	\$744,807
SR 16 Connector	CR 2209 to SR 16	Suburb	2.21	Construct 4 Lanes-Suburban	\$3,764,232	\$8,318,952	\$1,580,601	\$4,553,794	\$14,453,347
SR 16 Connector 12' Multi-use Path	CR 2209 to SR 16	Suburb	2.21	Upgrade S/W to 12' wide M/U	\$120,887	\$267,159	\$0	\$122,893	\$390,053
SR 16 Connector /CR 16A	Intersection	Suburb	N/A	Intersection Improvements	\$1,500,000	\$1,500,000	\$285,000	\$821,100	\$2,606,100
Right-of-way, Survey, Engineering, Permitting, Environmental Mitigation, and Drainage/Stormwater Treatment facilities*									\$29,168,840
<b>Completed Total</b>									<b>\$78,528,877</b>

PROPOSED - See Special Condition 24. Transportation										
Roadway	Limits	Road Type	Length (mi)	Improvement	Cost Per Mile FY 2020/2021	Construction cost (C/M*L)	R/W (19%) (CC*0.19)	Engineering Cost (46%) ((CC*RW) *.46)	Total Project Cost in FY 20/21	Mitigation Value <sup>1</sup>
SR-13 Connector	SR-13 to Parcel 40	Rural	0.86	New 2-Lane	\$2,546,994	\$2,190,415	\$416,179	\$1,199,033	\$3,805,627	\$2,494,800
SR-13 Connector	Parcel 40 to CR 16A	Urban	0.87	New 2-Lane	\$5,268,897	\$4,583,940	\$870,949	\$2,509,249	\$7,964,138	\$1,316,295
SR-13 Connector	CR 16A to Silver Lake Drive Ext.	Urban	1.08	New 2-Lane	\$5,268,897	\$5,690,409	\$1,081,178	\$3,114,930	\$9,886,517	\$5,382,659
Silver Lake Drive	St. Johns Pkwy (CR 2209) South to SR-13 Connector	Urban	1.58	New 4-Lane	\$8,055,246	\$12,727,289	\$2,372,270	\$6,966,918	\$22,112,392	\$10,026,116
Silver Lake Drive	SR-13 Connector to Parcel 4 Access	Urban	1.6	New 2-Lane	\$5,268,897	\$8,430,235	\$1,601,745	\$4,614,711	\$14,646,691	\$7,018,206
Silver Lake Drive	Parcel 4 Access to St. Johns Pkwy (CR 2209) North	Urban	0.49	New 4-Lane	\$8,055,246	\$3,947,071	\$749,943	\$2,160,626	\$6,857,640	\$3,939,948
<b>Proposed Total</b>									<b>\$65,273,005</b>	<b>\$30,178,024</b>
<b>Grand Total</b>									<b>\$143,801,882</b>	<b>\$108,706,901</b>

\*Includes additional right-of-way for widening CR 2209 from 4 to 6 lanes from CR 210 to SR 16 Connector (42.78 acres); right-of-way for IGP Connector as 6 lanes from SR 16 Connector to IGP (89.24 acres); engineering design, permitting, wetland mitigation, and drainage/stormwater treatment for widening of CR 2209 from 4 to 6 lanes from Johns Creek Parkway to SR 16 Connector; engineering design, permitting, wetland mitigation, and drainage/stormwater treatment for IGP Connector as 6 lanes.

<sup>1</sup> Mitigation value was calculated as the total project cost prorated based on the portion of the maximum service volume not consumed by SilverLeaf traffic.

**Exhibit 7**

**Integrated Pesticide/Nutrient Management Plan  
[No Change]**

## SILVERLEAF DRI

### INTEGRATED PESTICIDE/NUTRIENT MANAGEMENT PLAN

This Integrated Pesticide/Nutrient Management Plan (IPMP) has been designed to fulfill the following three principal objectives:

1. Maintain a balanced and healthy turf to maximize its natural resistance to disease;
2. Control turfgrass infestations below levels which necessitate widespread chemical treatments;
3. Progressively reduce dependence on chemicals through an ongoing turf monitoring and management program.

Beginning with golf construction and continuing through project build-out, this IPMP focuses primarily on the six basic and essential elements described below.

**GOLF COURSE DEVELOPMENT:** Follow construction strategies that take into account and provide for soil selectivity and conditioning, site shaping and contouring, erosion control, turfgrass suitability, opportunities for a variety of environmental enhancements.

**CULTURAL PRACTICES:** Maintain a healthy and luxuriant turf over golf areas, and in other lawn acreage throughout the golf course to minimize need for fertilizers, insecticides and other chemicals.

**BIOLOGICAL PRACTICES:** Minimize fairway play acreage, while establishing the most disease resistant turfgrasses; and utilize to the greatest possible extent native vegetation and roughs.

**CHEMICALS:** Apply chemical treatments only on an as-needed basis, and selectively use effective, non-persistent products that are formulated for local soils. Application instructions will be strictly followed, and care will be taken to avoid highly toxic pesticides and those that produce allergenic or otherwise objectionable aerosols.

**RECORDS:** Keep a daily log(s) to record all maintenance and improvement activity associated with the golf course. This would include repairs, modifications, and new construction; mowing and irrigation schedules; and particulars (labels) on fertilizers, conditioners, and pesticide applications (personnel, compound, purpose, date, time, ambient weather, rate, precautions and procedures). Also, comply with the sampling, submittal, and record-keeping requirements of permitting and regulatory agencies.

**UPGRADING:** Provide a framework for effective and efficient operations, and review and evaluate features needed to make measurable improvements in the plan as experience and technology may dictate.

### **GOLF COURSE DEVELOPMENT**

At the completion of final grading, soil analysis will be conducted to determine soil fertility and other properties essential for successful seeding and germination. It is anticipated that there will be some requirements for lime, fertilizers, and perhaps other soil conditioners. Until a grass cover is

established, erosion will be controlled through the use of filter fabric, mulches, and hay bales, and in some cases, sodding with Bermuda or Bahia grasses.

The irrigation system will be completely automated.

## CULTURAL PRACTICES

Cultural practices involve all of the various procedures directed toward the maintenance of healthy turf grasses and associated landscaping. The key to healthy turf is intensive, daily care. This includes cutting with sharp blades and accurately adjusted mowers, together with a comprehensive inspection for incipient problems. Grass that is infrequently cut, cut too short, or cut by dull blades becomes weakened and susceptible to disease and weeds.

Such techniques as verti-cutting, thatching, aeration, topdressing, frequent soil testing, timely fertilization, and other positive practices help keep a high quality turf without the excessive use of toxic chemicals.

The importance of a sound irrigation system cannot be overemphasized for good turf and landscape management practices. Golf course configuration will be designed around automated controls that can be operated on the basis of on-site weather data, as well as specific requirements associated with a variety of tasks such as fertilization, overseeding, and the like. This system includes a frequent and rigid inspection and maintenance program to avoid mechanical failures, and to insure adequate coverages at calculated flow rates. The precautions should essentially eliminate flooding from "blowouts," nutrient losses by leaching or puddling or "burn-outs" from lack of water.

## BIOLOGICAL PRACTICES

Biologically, the first and most important Best Management Practice (BMP) is the selection of appropriate, site specific grasses and landscaping vegetation. Turf grasses will vary by golf course areas depending on their characteristics relative to play requirements on tees, fairways, roughs, collars, fringes, and greens. Three varieties of Bermuda grass will be provided on fairways (T-419), tees (T-328), and greens (TIF-dwarf). For the most part, on-site trees and shrubs will be transplanted where there are plans to create landscaping and vegetative focal points. Elsewhere, the landscape will be selected from lists of hardy and attractive species that are beneficial to both resident and migratory wildlife.

Also, biological agents will be used, as they become available, to counteract turf and landscaping problems that would otherwise require control by chemical means. To the extent possible, this type of control can be achieved to some degree by nurturing the beneficial insects and microbes that normally occur under the conditions conducive to plant nematodes to keep the crickets in check. Findings from golf courses in Florida suggest that the use of these worms alone can significantly reduce the incidences of serious mole cricket infestations.

## CHEMICALS

In spite of every effort to adhere to BMP's, each category of pests may have to be controlled by chemicals at one time or another. The rationale in the use of chemical controls is to apply minimal

amounts, as necessary, to prevent the type of large-scale infestations that can only be eradicated through massive chemical treatment. In this regard, the general guidelines for pesticide usage have been summarized below.

The only pesticides used will be those having a half-life of 70 days, or less. Also, considerations will be given to their *N*-octanol/water partition coefficients, lethal dose coefficients, and their solubility properties. As noted above, current soil analyses will be used to determine soil-pesticide interaction ratings as issued by both the USDA and the Institute for Food and Agricultural Sciences (IFAS) at the University of Florida. In each fiscal year, listings of chemicals and application rates and schedules will be prepared and submitted to regulatory agencies upon request.

In the case of each pest, threshold tolerance levels will be recorded and updated. Naturally, this number will vary on the type of infestation, turf condition, and course location. For example, healthy turf is more likely than poor turf to withstand a moderate infestation by the white grub. Similarly, more pest damage can be accepted in fairways than on tees and greens.

The timing of pesticide applications is a critical factor in reducing the overall need for chemical use. Even though our objective will be to maintain effective control by the use of spot-treatments and good course conditioning, there will be times when the broad application of a particular pesticide is required. One such occasion, for example, might be in early summer, when dosing the entire course for mole cricket larvae could alleviate the need for frequent and stronger applications throughout the warm-weather season. Through this type of understanding, the principal goal of the chemical program is to maximize pest control while minimizing the use of toxic substances.

Chemical will not be stored within 200 feet of a wetland or water body, unless secondary containment is provided. Further, BMPs will be used for chemical handling, chemical transferring and chemical applications.

Qualified supervision and conscientious oversight are keys to the success of the chemical usage program. Therefore, a careful selection will be made to fill the position of superintendent for the golf course and grounds. This person must be well schooled in horticulture and turf sciences, and must be state licensed to handle and distribute the pesticides. Experience will be another very important consideration in this choice. The particulars concerning pesticide storage and anticipated use are described in the attached exhibit.

## RECORDS

Record keeping is ultimately the most important and a valuable component of this IPMP. In this way, daily log entries will provide a long-term database regarding chemical development, and justification of effective pest control methodologies. Furthermore, this database will provide essential information for accounting and inventory control, water quality monitoring tasks, and for reviews by local, state and federal regulatory agencies.

## UPGRADING

In the recent past, turf management, horticulture, and integrated pest management have become academic disciplines based upon a growing foundation of scientific inquiry. In the construction of the golf course, we intend at the outset, to benefit from all applicable information that is now available

In these areas, thereafter, over the long term, every effort will be made to continuously upgrade our own experience and implementations, and through our respective professional affiliations.

## **RECORD KEEPING**

Record keeping is the ingredient tying the IPMP together and maximizing its efficiency. There are two aspects to record keeping:

- History of pest problems, including when and where, probable cause, treatment tried, results, and any other factor (such as weather) which may be relevant.
- Daily record of pesticides/fertilizers applied, including concentrations, methods of application, operator, reason (cyclical, preventative, problem area, etc.) weather conditions, and total quantities applied.

The forms used to record the information can be tailored to the golf course superintendent's preference; however, it should be remembered that they will be important for a number of different applications, including:

- The superintendent will use them for problem solving, scheduling and purchasing and inventory control.
- The internal and external accountants will use them for financial statement preparation and inventory control.
- The external auditor responsible for monitoring water quality will use them for determining testing parameters and analyzing test results.
- Local, state and federal officials will use them to monitor adherence to overall governmental standards as well as compliance with specific development orders, or other permitting requirements.

## **STORAGE**

- All chemicals will be stored separate from any fertilizer or fuels.
- The storage building will be self-contained to prevent contamination of the ground and ground water in the case of container failure.
- With the increasing number of golf courses, this area is experiencing many more suppliers. Therefore, it is not necessary to stock large quantities of chemicals. It is anticipated this building will be in the range of 100-150 square feet and the products will be used or returned to the supplier by the end of each season.

**Exhibit 8**

**Intentionally Omitted**



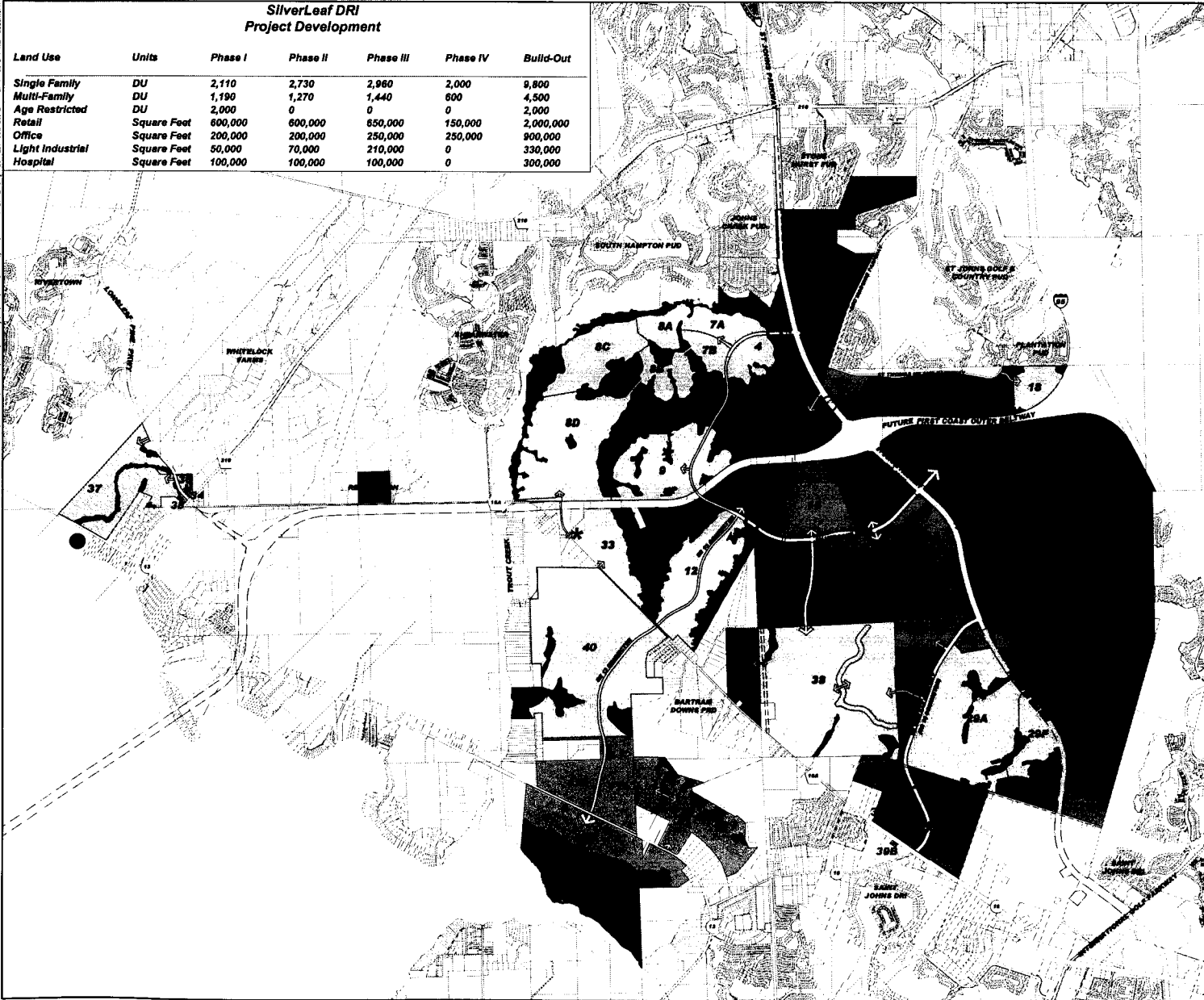
**Exhibit 9**

**Initial Improvements within Proposed First Coast Expressway  
[No Change]**



**SilverLeaf DRI  
Project Development**

Land Use	Units	Phase I	Phase II	Phase III	Phase IV	Build-Out
Single Family	DU	2,110	2,730	2,960	2,000	9,800
Multi-Family	DU	1,190	1,270	1,440	600	4,500
Age Restricted	DU	2,000	0	0	0	2,000
Retail	Square Feet	600,000	600,000	650,000	150,000	2,000,000
Office	Square Feet	200,000	200,000	250,000	250,000	900,000
Light Industrial	Square Feet	50,000	70,000	210,000	0	330,000
Hospital	Square Feet	100,000	100,000	100,000	0	300,000



**MAP H  
MASTER DEVELOPMENT  
PLAN**

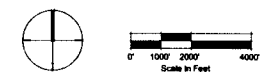
OCTOBER 26, 2021

**LEGEND**

- SilverLeaf
- Town Center / Mixed Use
- Mixed Use
- Residential Very Low Density
- Residential Low Density
- Residential Medium Density
- Residential High Density
- School Site
- Community Recreation
- Utility
- Roadways
- Open Space / Wetlands
- Open Space / Uplands
- Fire / EMS
- Utility Site
- Wildlife Underpass
- Wildlife Crossing
- Potential Roundabout
- Approx. Former Timber Tram Rd.
- Eagle's Nest

*Note: the location, configuration, acreages and use on development parcels, roads, lakes, etc., are conceptual in nature and subject to further refinement upon submission of final development plans.*

*Note: the approximate location of the former timber tram road to the immediate north and south of the existing bridge shall be a Historic Conservation Area with pedestrian access. an interpretive sign will be installed at the bridge crossing.*



**PROJECT TEAM**

- Whites Ford Timber, LLC - Owner
- Longleaf Partners, LLC - Owner
- Trout Creek Ventures, LLC - Owner
- BocageVentures, LLC - Owner
- ETM, Inc. - Engineers, Planners, Transportation Consultant
- Rogers Towers - Legal Counsel
- Carter Environmental Services - Environmental Consultant
- Bio-Tech Consulting, Inc. - Environmental Consultant
- Heritage Cultural Services, LLC - Cultural Resources Consultant
- ETM Surveying & Mapping, Inc. - Land Surveyors

Source: ETM, St. Johns County

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Brandon J. Patty  
Clerk of the Circuit Court and Comptroller  
4010 Lewis Speedway  
St. Augustine, FL 32084

<b>Transaction #</b> 2168094 <b>Receipt #</b> 2022056428 <b>Cashier Date:</b> July 12, 2022 <b>Cashier:</b> ERICKA	<b>Agent #</b> <b>Attention:</b> <b>Name:</b> WHITES FORD TIMER LLC <b>Address:</b>	<b>Source:</b> <b>Returned:</b> <b>Will Call #</b>
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**GOVERNMENT RELATE CFN:** 2022068133      **Book:** 5595 **Page:** 1314      **Consideration:**  
**From:** ST JOHNS COUNTY      **To:** SILVERLEAF DRI DEVELOPMENT  
**100-RECORDING**      **\$775.00**

<b>PAYMENT: CHECK</b>	2711	<b>AMOUNT:</b>	<b>\$775.00</b>
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<u>Total Payments:</u>	<u>Total Fees:</u>	<u>Shortage:</u>	<u>Check Overage:</u>	<u>Escrow Deposit:</u>	<u>Escrow Balance:</u>
<b>\$ 775.00</b>	<b>\$ 775.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>