

# LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS APPLICATION FOR MINING SITE PLAN

**PLANNING & ZONING BOARD**  
April 30, 2014



**BOARD OF COUNTY COMMISSIONERS**  
May 20, 2014

<b>MCUP #14/5/1-5</b> Goose Prairie Peat Mine	<b>Case Manager:</b> Rick Hartenstein, AICP, CPM Senior Planner	<b>Agenda Item #3</b>
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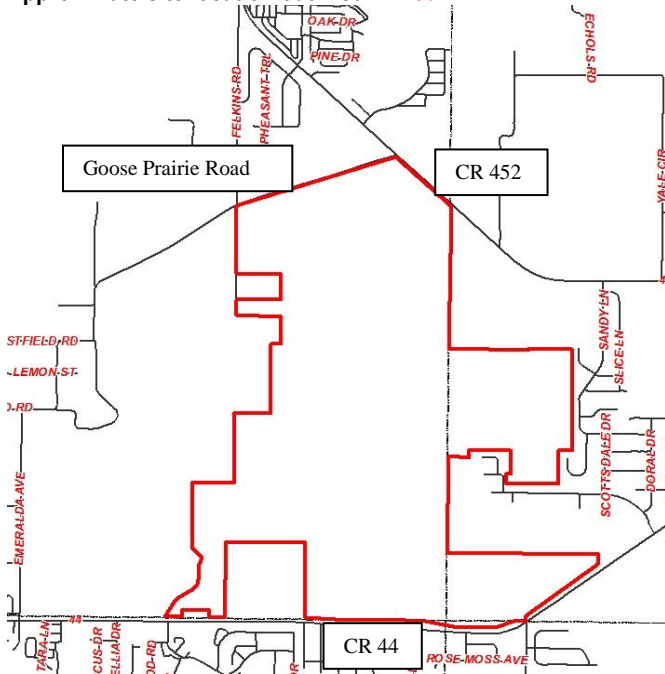
**Applicant:** Bill Newlon, Kleinfelder (the "Applicant")

**Owner:** Steven Cook, Florida Environmental Restoration, Inc. (the "Owner")

**Requested Action:** The Applicant is requesting a Mining Conditional Use Permit for a peat mine with the intent to harvest the peat and reclaim/restore the wetland system.

### - Site Location & Information -

Approximate site location outlined in Red



<b>Size</b>	1,016.28 +/- acres	
<b>Location</b>	Lisbon area, north of CR 44, south of Goose Prairie Road, and southeast of CR 452	
<b>Alternate Key #'s</b>	Multiple	
<b>Future Land Use/Density</b>	Rural – 1 DU / 5 Net Acres	
	Rural Transition – 1 DU / 5 Net Ac	
	Industrial - No Residential	
<b>Zoning Districts</b>	A / R-1 / R-6 / HM	
<b>Floor Area Ratio (FAR)</b>	<b>Current</b>	<b>Proposed</b>
	Rural - None	None
	Rural Transition - None	None
<b>Impervious Surface Ratio</b>	Industrial – 1.0 to 2.0	None
	Rural – 0.20 to 0.30	None
	Rural Transition – 0.30 to 0.50	None
<b>Open Space</b>	Industrial – 0.80	None
	Rural - None	None
	Rural Transition – 35% to 50%	35%
<b>Joint Planning Area</b>	None	
<b>Utility Service Area</b>	N/A	
<b>Site Utilities</b>	None	
<b>Road Classification</b>	CR 44 & CR 452– Major Collectors Goose Prairie Road - Minor Collector	
<b>Flood Zone/ FIRM Panel</b>	12069C0195E and 12069C0332E Zones X/A/AE (EL. 63.8 feet)	
<b>Commissioner District</b>	5 (Cadwell)	

**Site Visit:** April 15, 2014

**Signs Posted:** April 15, 2014 (10 signs posted)

**Land Use Table**

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture (A)	Single-Family Residential (SFR), Pasture	None
South	Urban Low Density	Urban Residential (R-6)	SFR	None
East	Rural Transition & Conservation	Agriculture (A), Estate Residential (R-2), Planned Unit Development (PUD), & Urban Residential (R-6)	SFR, Conservation, & Pasture	Wedgewood PUD
West	Rural & Industrial	Agriculture (A) & Heavy Industrial (HM)	Industrial, SFR, & Pasture	None

**– Summary of Staff Determination –**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of a Mining Conditional Use Permit for a peat mine, with conditions as specified in the proposed ordinance.

**PLANNING & ZONING BOARD RECOMMENDATION:**

**– Summary of Analysis –**

The Applicant is requesting a Mining Conditional Use Permit for a peat mine on 1,016.28 +/- acres of property within the Agriculture (A), Rural Residential (R-1), Urban Residential (R-6), and Heavy Industrial (HM) Zoning Districts that are situated within the Rural, Rural Transition, and Industrial Future Land Use Category (FLUC). The property is located south of Goose Prairie Road and CR 452 in the Lake Yale area and north of CR 44 in the Lisbon area. The development pattern for the surrounding area is characterized by agricultural, residential, and industrial uses (*SR Exhibit #1 - Public Hearing Map*).

The Applicant proposes to mine approximately 328.49 acres of the 543.93 wetland acres (approximately 60% of the project wetland area) in 7 phases (mining cells) with a projected overall mine life of approximately 17 years, depending on market conditions (*SR Exhibit #2 – Proposed Mining Area Map*). The Application states no peat processing operations will occur within the project boundaries, the excavated peat will be transported to an off-site processing facility in Okahumpka, Lake County. The development of the peat mine includes the construction of a temporary machinery staging area to be utilized with the startup of the mine and during severe rainfall events for equipment storage. The closest residential subdivision (Wedgewood PUD) is located to the east of the proposed mining area. This will cause the need for a two hundred (200) foot setback of the mining operations from the residential zoning boundary (*SR Exhibit #3 – Master Plan*).

The Goose Prairie Area is recognized by the County as an intact ecosystem of ecological significance and as such, the County encourages preserving the integrity of the wetlands and water bodies of this system by protecting its natural resources. A detailed analysis is provided in Section A below demonstrating the County's protective measures and consistency with Policy III-3.1.2 of the Comprehensive Plan. These measures are proposed for incorporation into the CUP ordinance. In addition, the Goose Prairie Area is classified as an environmentally sensitive area. *Comprehensive Plan Policy III-3.5.2 (Prohibitions on Mining in Environmentally Sensitive Areas)*, prohibits mining in the environmentally sensitive areas of the County which cannot be reclaimed and in most effective recharge areas and protected recharge areas. This application is consistent with this policy as shown in Section A of this report.

Mining and resource extraction are permitted as conditional uses within the *Industrial, Rural, and Rural Transition FLUC under Comprehensive Plan Policy I-1.3.8, Policy I-1.4.4, and Policy I-1.4.5*, respectively; and Land Development Regulations (LDR) Table 3.01.03 with the issuance of a mining conditional use permit.

**– Standards of Review & Analysis –**

(Per Section 14.05.03 of the Land Development Regulations)

**A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).**

The proposed Mining Conditional Use Permit is for a peat mine to supply planting materials to the public. The proposed use is consistent with Comprehensive Plan Policy I-1.3.8 (*Industrial Future Land Use Category*), Policy I-1.4.4 (*Rural Future Land Use Category*), and Policy I-1.4.5 (*Rural Transition Future Land Use Category*), all of which allow mining and resource extraction with an approved Mining Conditional Use Permit (MCUP). The application request is also consistent with Comprehensive Plan Policy I-7.5.10 *Natural Resource Extraction*, which requires a conditional use permit for mining uses.

*Comprehensive Plan Objective III-2.5* which pertains to wetlands requires the County to protect wetlands and the functions provided by wetlands. Protection of wetlands and their functions is best provided by not allowing development to encroach upon or disturb the wetland areas, and through the use of buffers, setbacks, and conservation easements. In the case of peat mining, the wetlands have to be disturbed in order to harvest the peat contained within the wetland system. In order to protect these natural resources, the County has established policies,

regulations, and procedures to protect the wetlands, environmentally sensitive areas, and their ecological functions during the course of resource extraction and reclamation process. The ultimate goal is no net loss of wetlands and the implementation of quality improvements to the wetland ecosystem from pre-mining thru post-mining and reclamation.

Comprehensive Plan Policy III-2.5.10 (*Minimize Impacts to Wetlands Outside Areas with Special Protection*) prohibits dredge and fill activities outside the Green Swamp Area of Critical State Concern, Wekiva River Protection Area, Wekiva Study Area, and Rural Protection Areas with a number of exceptions, one of which is “*mining that meets local, state, and federal regulations*”. The proposed project is not located within any of the above Special Protection Areas (*SR Exhibit #4 – Goose Prairie Area Map*) and conditions are proposed to require all necessary state and federal permits be issued and copies provided to the County prior to commencement of the mining activity and operations.

### **Goose Prairie Area**

Comprehensive Plan Policy III-3.1.2 (*Goose Prairie Area*) requires the County to preserve the integrity of the wetlands and water bodies on Goose Prairie as an intact ecosystem of county significance by protecting its natural resources including but not limited to hydrologic regimes, wetland and upland communities, floodplain, ecologic connectivity, wildlife, and aquifer recharge.

### **Hydrologic Regimes**

A Geotechnical and Hydrogeologic Investigation conducted by Andreyev Engineering, Inc. (AEI) for the Applicant was provided with this application. The study indicates the Avon Park Limestone layer (upper portion of the Floridan aquifer) is below a depth of 75 feet. The peat deposits proposed for mining are at a depth ranging from approximately 3 to 20 feet and are surficial in nature (*SR Exhibit #5 – Peat Deposits Map*). A model domain was established to encompass the project area with a sufficiently large perimeter that included controlled water levels of Lake Eustis, Lake Yale, Haines Creek, as well as various canals and drainage ways. Several model sets were conducted to determine any impacts to the groundwater, surface water, and upper Floridan aquifer for impacts associated with the de-watering of the mine cells within the mining site. It is the conclusion of the submitted investigation report that the drawdowns associated with the de-watering of the mining cells will not create negative hydrogeologic impacts on the surrounding area, including aquifer recharge. The post-mining surface water levels are expected to stabilize at approximately the same levels as the pre-mining. The study concludes that there will be no difference in the groundwater or surface water gradients in the post-mining condition.

### **Soils / Flood Plain / Wetland and Upland Communities**

An environmental analysis of the project site and nearby area was submitted to evaluate the property conditions, including the existing land use and cover types and the potential for occurrence of listed species. The existing land use and cover types within the project area and within 300 feet of the proposed mining were classified and mapped utilizing the Florida Land Use, Cover, and Forms Classification System (FLUCFCS) (*SR Exhibit #6 – FLUCFCS Map*). The dominant land use and cover type for the proposed mining area consist entirely of wet prairie (305.37 acres / 51.4%) and wetland hardwood forest (212 acres / 35.7%) which are associated with the Goose Prairie wetland system. A wide range of soil types were mapped for the project site utilizing the most current USDA NRCS Soil Survey of Lake County, Florida (2006). These soils range from moderately sloping, excessively-drained sandy upland soils to level, very poorly drained organic soils, to artificially mixed, and/or excavated soils (*SR Exhibit #7 – NRCS Soils Map*). The dominant soil within the project boundary and the proposed mining area is Oklawaha Muck (32). This soil is classified as a hydric soil and is mapped entirely in association with the wetlands associated with Goose Prairie. The other soils listed on the NRCS Soils Map are mapped as minor constituents within the project boundary, but are outside of the proposed mining area and as such will not be impacted.

The proposed project area is located within Flood Zone X (area outside of the 500-year floodplain) and Flood Zone A (flood hazard area within the 100-year floodplain) as demonstrated on the FEMA/FIRM coverage map (*SR Exhibit #8 – Flood Map*). The peat extraction will occur within areas designated as being within the 100-year flood zone; however, no loss of flood storage will occur as a result of the mining that would require flood storage compensation.

## **Wildlife and Ecologic Connectivity**

### **Flora**

There are several state and federally threatened plant species that have the potential to be within the project boundaries such as the scrub pigeon-wing, Florida Bonamia, Clasping Warea, and Lewton's Polygala. These species are found in scrub and/or sandhill habitats. Since there will be no disturbance to the scrub and/or sandhill habitats related to the proposed mining area, these species are of no concern. The Royal and Cinnamon Fern, a species listed as commercially exploited, were observed within a portion of the wet prairie within the proposed mining area; however, there are no specific protections or permitting requirements associated with this species when occurring on privately owned lands not associated with a Development of Regional Impact (DRI).

### **Fauna**

There is the potential for several state (Florida Fish and Wildlife Commission-FWC) and federally (US Fish and Wildlife Service-FWS) listed threatened and/or endangered species to occur within the boundaries of the proposed project such as the Wood Stork, Florida Sandhill Crane, Other Wading Birds (Limpkin, Little Blue Heron, Snowy Egret, Tri-Colored Heron, and White Ibis), Florida Scrub Jay, Florida Burrowing Owl, Bald Eagle, Eastern Indigo Snake, Florida Black Bear, Gopher Tortoise, and Sand Skink. The species within this list of concern that has the potential for impacts within the proposed mining area are the Wood Stork, Eastern Indigo Snake, and Florida Black Bear.

The FWS Wood Stork Nesting Colonies database revealed that the proposed project area is located approximately 4.7 miles to the southeast of a known Wood Stork Rookery (nesting site) which would place it within a typical Core Feeding Area (CFA) which is a 15 mile radius from the rookery. Based on the FWS records, this colony was last active in 2002 over 10 years ago and is considered no longer an active colony.

The Eastern Indigo Snake is listed as a threatened species by both the FWC and FWS. It ranges over large areas and utilizes a number of habits ranging from scrub and sandhill to wet prairies and mangrove swamps. It will use most of the available habitats within its home range, but prefers open, undeveloped land. The likelihood of occurrence within the proposed mining area is considered moderate based on the environmental assessment submitted with the application. Based on the FWS Eastern Indigo Snake Programmatic Effect Determination Key, this project would be considered "not likely to adversely impact" this species if the FWS's *Standard Protection Measures for the Eastern Indigo Snake* are used during the site preparation and project construction. Conditions have been established within the proposed Ordinance addressing this requirement.

The Florida Black Bear is still protected by the Florida Black Bear Conservation Rule (68A-1.004, Florida Administrative Code), which provides that no one is to possess, injure, shoot, wound, trap, collect, or sell Florida Black Bears and further states the FWC is to provide comments to permitting agencies to minimize the impacts of land modifications on the conservation and management of the black bears as outlined in the Florida Black Bear Management Plan. The proposed project is located within the secondary range of the Ocala black bear population. Areas mapped as a secondary range are utilized by the black bear population for bear movement and habitat, but are less likely used for core population habitat or reproduction. The Goose Prairie is adjacent to upland forest and agricultural lands that are contiguous to forested areas associated with Lake Eustis, Lake Yale, and Lake Griffin which could be used by the black bear as travel corridors. The proposed mining activity within the mining area is to be developed in phases or cells. This activity will occur sequentially and as one cell is mined and reclaimed, the next cell will be activated, thus limiting the impact to the travel corridor and maintaining suitable habitat for the black bear population that may utilize the area.

By implementing the proposed ordinance conditions, the anticipated use will be consistent with Objective III-3.5 *Mining and Borrow Pits* ("The County shall regulate mining extraction activities...to minimize adverse impacts") pertaining to the impacts to air quality, surface waters, groundwater, springsheds, wetlands, and other natural resources from the proposed mining activity.

Comprehensive Plan Policy III-3.5.2 *Prohibitions on Mining in Environmentally Sensitive Areas*, prohibits new peat mines within “most effective recharge areas” and “protected recharge areas”.

The Plan defines “Most Effective Recharge Areas” as “Type “A” Hydrologic soils, defined by the NRCS Soil Survey, unless otherwise provided for by rule of the St Johns River Water Management District. **Applies only to the Wekiva Study Area.**” The proposed project is not located within the Wekiva Study Area and as such, this section of the policy would not apply.

The Plan and Land Development Regulations (LDR) defines “Protected Recharge Areas” as “Areas with a natural potential for an average annual recharge rate to the Florida aquifer of 10 inches or greater.” The proposed mining area is located outside any area meeting the criteria stated above as demonstrated by (SR Exhibit #9 – Goose Prairie Recharge Map) and as such is consistent with this policy.

Comprehensive Plan Policy III-3.5.4 *Mining Reclamation Plan*, states “no mining activities shall be permitted until the operator demonstrates a practical and environmentally sound reclamation plan, as required by the LDR or the Florida Department of Environmental Protection (FDEP), whichever is more stringent. In some cases, peat mining can assist in the restoration of historic wetland conditions. The ultimate goal of the Applicant is to harvest the peat within the proposed mining area and restore the disturbed area with a bio-diverse ecosystem containing a mosaic of habitats, including wet prairie, intermediate and deep freshwater marsh, wetland hardwood forest, and open water areas that were present in the 1940’s and 1950’s (SR Exhibit #10 – 1941 Aerial and SR Exhibit #11 – 1953 Aerial). As such, the Applicant’s application demonstrates an improvement in the quality and quantity of open water and bio-diverse habitat (SR Exhibit #12 – Post-Mining FLUCFCS Map).

Additional wetland reclamation areas are being proposed to account for the temporary loss of wetland function between the initial wetland impacts and the eventual replacement of the wetland functions via reclamation.

Comprehensive Plan Policy I-1.2.2, “Consistency between Future Land Use and Zoning”, Table FLUE) 2 - Future Land Use Categories Table, requires a minimum of 35% open space for property located within the Rural or Rural Transition Future Land Use Category and no specified open space requirement within the Industrial FLUC. The conceptual plan attached to the proposed ordinance shows the areas of the property set aside to comply with this open space requirement. A condition is included in the proposed ordinance to meet this requirement.

Pursuant to LDR Table 3.1.03 *Schedule of Permitted and Conditional Uses*, mining is an allowable use within the Agriculture (A), Rural Residential (R-1), Urban Residential (R-6), and Heavy Industrial (HM) Zoning Districts with the issuance of a conditional use permit. Mining, excavation and their related activities have been found to “contribute substantially to the economic stability of Lake County” as stated in LDR Section 6.06.01(A.6). The application is also consistent with Section 6.06.02 C.1.a., LDR (“Mining Operation Standards”), which requires a 100-foot setback from all property lines and a 200-foot setback from residentially zoned property.

## **B. Effect on Adjacent Properties.**

### **1. The proposed Conditional Use will not have an undue adverse effect upon nearby property.**

The property for the proposed mining activity is a mix of wetlands and wet prairie. The proposed ordinance contains conditions to mitigate possible impacts particularly on the nearby uses. No undue adverse effects are anticipated, provided the conditions for impact mitigation in the attached ordinance are adhered to. The closest residential subdivision to the mining area is located approximately 600-feet to the east (Wedgewood PUD).

### **2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.**

The areas surrounding the site are characterized by agricultural activities and wetlands. Proposed ordinance conditions have been prepared to reduce or mitigate impacts expected from the proposed mine to surrounding uses. The proposed conditions seek to reduce or mitigate noise, dust, and traffic impacts to minimize any adverse

effects on properties within the immediate vicinity through design, Best Management Practices, buffers and screening.

**3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.**

The application proposes all mining activity will maintain a minimum 100-foot setback along all property lines and a 200-foot setback from residential zoning districts adjacent to the project boundary. The applicant will be required to maintain the setback areas undisturbed to minimize any adverse effects on the immediate vicinity from the proposed operation through development design, Best Management Practices, setbacks, buffers and screening. This will be addressed in detail during the Operating Plan review process.

**4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of the neighboring property, in accordance with applicable district regulations.**

The peat mining activities will be conducted outside of the setback area, but within the existing property boundary. Berms will also be constructed to provide additional screening of the use to mitigate any impacts to adjacent land uses.

**C. Adequacy of Public Facilities.**

**The proposed conditional use will be served by adequate public facilities including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, park and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan shall be considered.**

Water/Sewage – No on-site utilities are proposed nor anticipated.

Transportation – The primary access to the site will be via CR 44 at the stop light for the entrance to the Dura-Stress entrance/exit. An alternate access for the site is proposed for CR 452 approximately 1,400-feet south of the intersection of Goose Prairie Road and CR 452. Public Works has indicated that the proposed peat mine operation will be required to address the following issues during the review of the required Operating Plan. The comments below are conditions included in the Ordinance:

- The standard LOS for the impacted roadway of CR 44 is "D" with a capacity of 792. This segment of roadway is currently operating at one hundred and eleven percent (111%) of its capacity. This project will be generating 13 directional pm peak hour trips with an increase of the volume to capacity ratio to one hundred and seventeen percent (117%). The proposed project is expected to generate fewer than 26 PM peak hour trips, thus classifying this project as a Tier 1 project. The applicant will be required to submit a Tier 1 exemption request to Lake County.
- The alternate access (CR 452) will be required to meet sight distance requirements and will most likely require turn lanes if used for the mining activity.

The full extent of the impacts will be evaluated as part of the Operating Plan review process for the proposed use.

**D. Adequacy of Fire Protection.**

**The Applicant shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.**

The subject parcel is approximately 1.5 miles from Lake County Fire Station 72 (closest fire station), located at 12340 CR 44, Grand Island, which is staffed 24/7 and is capable of providing advanced life support services.

**FINDINGS OF FACT: Staff has reviewed the application for the proposed mining site plan and found:**

1. The application request is consistent with *Comprehensive Plan Policy I-1.3.8, Policy I-1.4.4, and Policy I-1.4.5* respectively as mining and resource extraction are permitted as conditional uses within the *Industrial, Rural, and Rural Transition FLUC* with the issuance of a conditional use permit.
2. The application request is consistent with *Comprehensive Plan Objective III-2.5 Wetlands*, by providing protection of the wetlands through the established mining conditional use permit conditions.
3. The application request is consistent with *Comprehensive Plan Policy III-2.5.10 (Minimize Impacts to Wetlands Outside Areas with Special Protection)* as the proposed project is not located within any Special Protection Areas.
4. The application request is consistent with *Comprehensive Plan Policy III-3.1.2 (Goose Prairie Area)* by protecting the integrity of the wetland system as demonstrated in the staff report.
5. The application request is consistent with *Comprehensive Plan Policy III-3.5.2 Prohibitions on Mining in Environmentally Sensitive Areas* since the project is not located within a recognized environmentally sensitive area.
6. The application request is consistent with the *Comprehensive Plan Policy I-7.5.10 Natural Resource Extraction*, which requires a conditional use permit for mining uses.
7. The application request is consistent with the LDR Table 3.1.03 *Schedule of Permitted and Conditional Uses*, which allows mining activities in the Agriculture (A), , Rural Residential (R-1), Urban Residential (R-6), and Heavy Industrial (HM) Zoning Districts with the issuance of a mining conditional use permit.
8. The application request is consistent with the LDR *Resource Protection Standards (Mining)* Section 6.06.00, including Section 6.06.03 C, related to the requirement of a pre-application conference.
9. The application is consistent with Section 6.06.02 C.1.a., LDR ("*Mining Operation Standards*"), which requires a 100-foot setback from all property lines and a 200-foot setback from residential zoning districts.

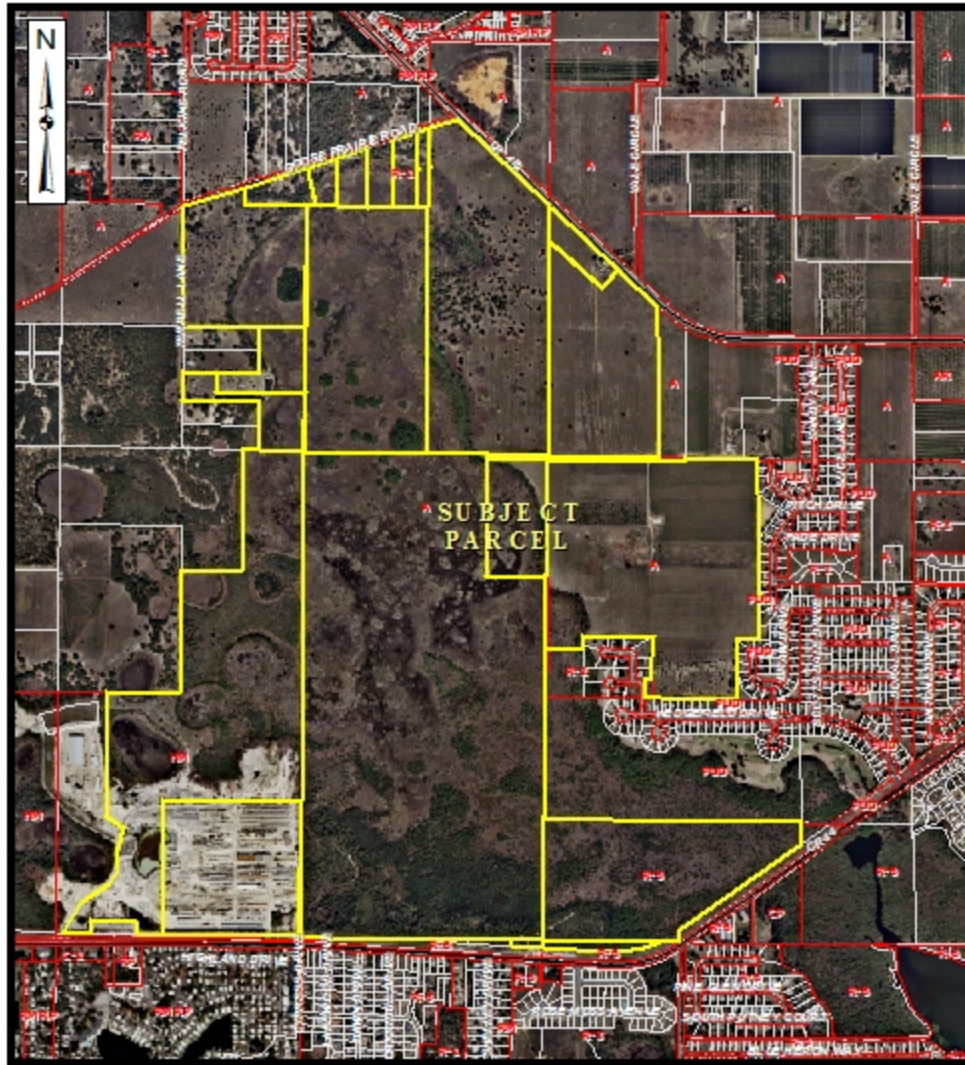
Therefore, based on these findings of fact, staff recommends **APPROVAL with conditions**, as specified in the proposed ordinance.

**WRITTEN COMMENTS FILED:**

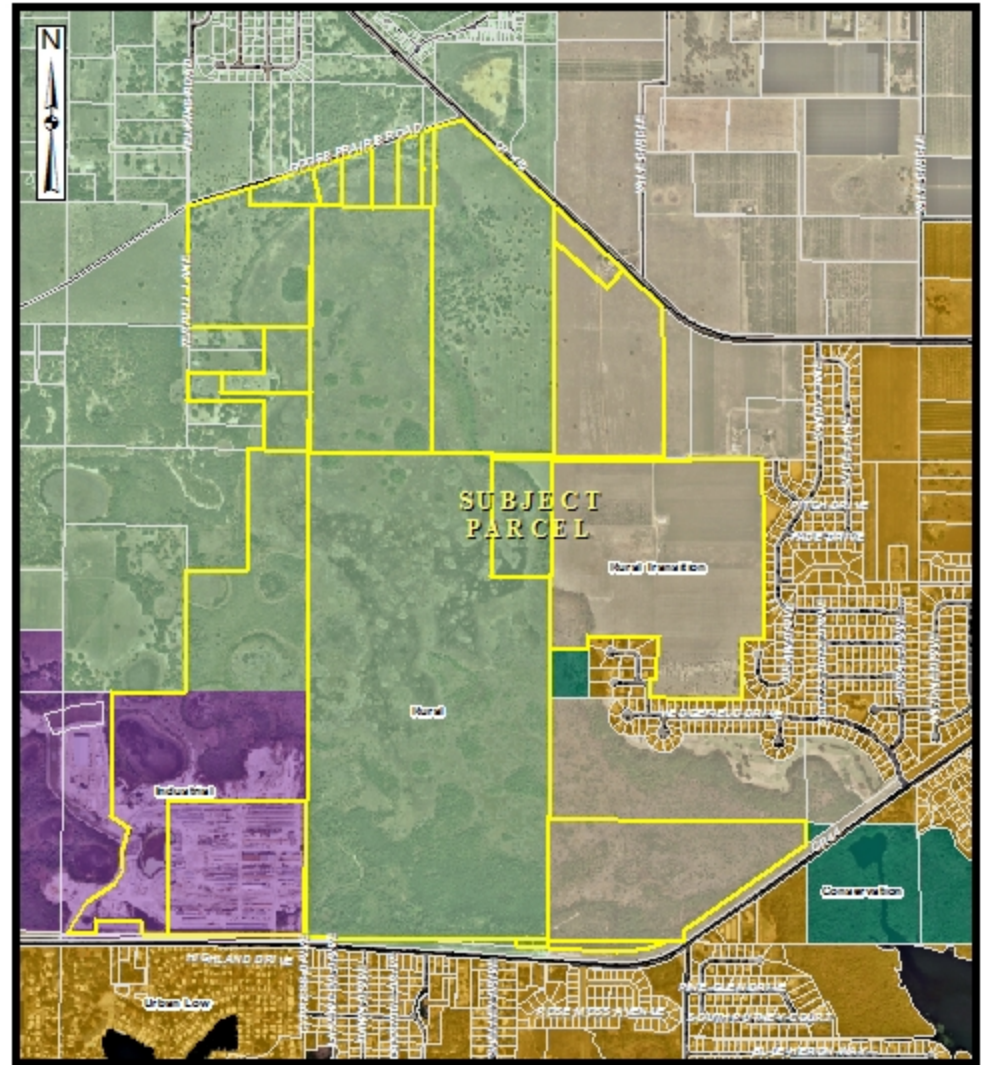
**Supportive: -0-**

**Concern: -0-**

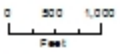
**Opposition: -0-**



**CURRENT ZONING**  
**AGRICULTURE (A), RURAL RESIDENTIAL (R-1),**  
**URBAN RESIDENTIAL (R-6), & HEAVY INDUSTRIAL (HM)**



**CURRENT 2030 FUTURE LAND USE**  
**RURAL, RURAL TRANSITION, & INDUSTRIAL**



**GOOSE PRAIRIE  
 PEAT MINE**

**CASE NO.**  
 MCUP #14/5/1-5

**CASE LOCATION:**  
 25728, 33738-188-25E &  
 31-188-26E & 1-198-25E

**REQUESTING:**  
 Mining Conditional Use Permit (MCUP)  
 in A, R-1, & R-6 Zoning for a Peat Mine

 **ZONING**

 **LAND USE**

 **SUBJECT  
 PARCEL**

**DATASOURCES:**

Lake County GIS Department Planimetrics, 2009 aerial image,  
 Data Compilation and Map production compliments of the  
 Growth Management Department, Planning and Community Design.

This map product was prepared from a Geographic Information  
 System established by the Lake County Board of County Commissioners.  
 Its employees, agents and personnel make no warranty as to its accuracy,  
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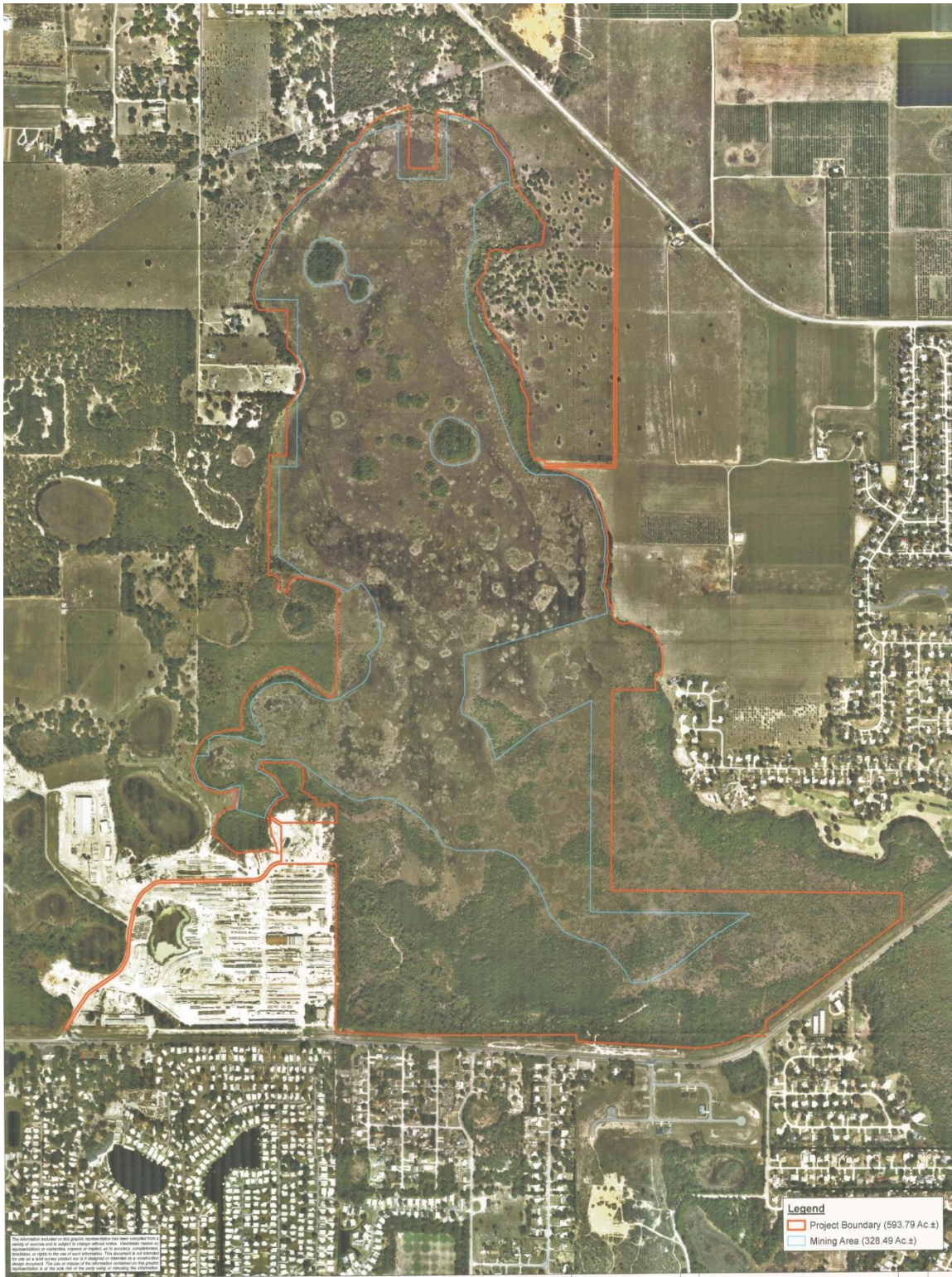
**MAP COMPOSITION:**  
 MARCH, 2014





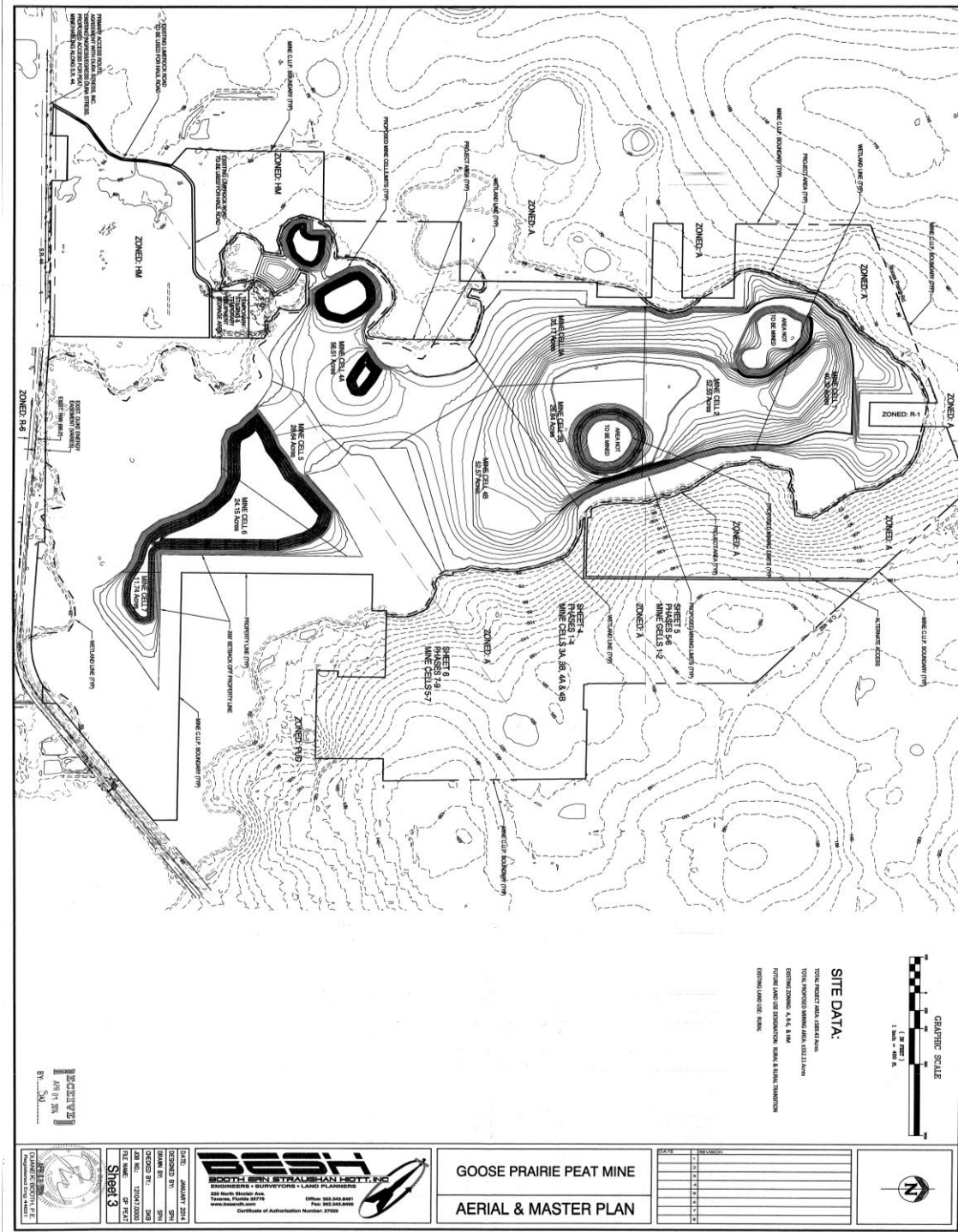
# Staff Report (SR) - Exhibit #2 (Goose Prairie Peat Mine)

(Proposed Mining Area)

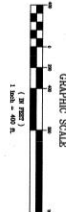


# Staff Report (SR) - Exhibit #3 (Goose Prairie Peat Mine)

(Master Plan)



**SITE DATA:**  
 TOTAL PROJECT AREA: 1,000.00 Ha  
 TOTAL PROPOSED MINING AREA: 112.12 Ha  
 EXISTING ZONING: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z  
 PLANNED LAND USE: EXPLORATION, MINING & RELATED TRANSPORTATION  
 EXISTING LAND USE: RURAL



DATE:	JANUARY 2014
DESIGNED BY:	SRM
DRAWN BY:	SRM
CHECKED BY:	SRM
APPROVED BY:	SRM
TITLE:	GOOSE PRAIRIE PEAT MINE
SHEET:	3 OF 12

**HSH**  
 SOUTH BURN STRAUBER-HUNT INC.  
 ENGINEERS • SURVEYORS • LAND PLANNERS  
 590 North Birch Ave.  
 Toronto, Ontario M5P 1B7  
 www.hshinc.com  
 Office: 416-593-8861  
 Fax: 416-593-8869  
 Certificate of Authorization Number: 27029

GOOSE PRAIRIE PEAT MINE  
 AERIAL & MASTER PLAN

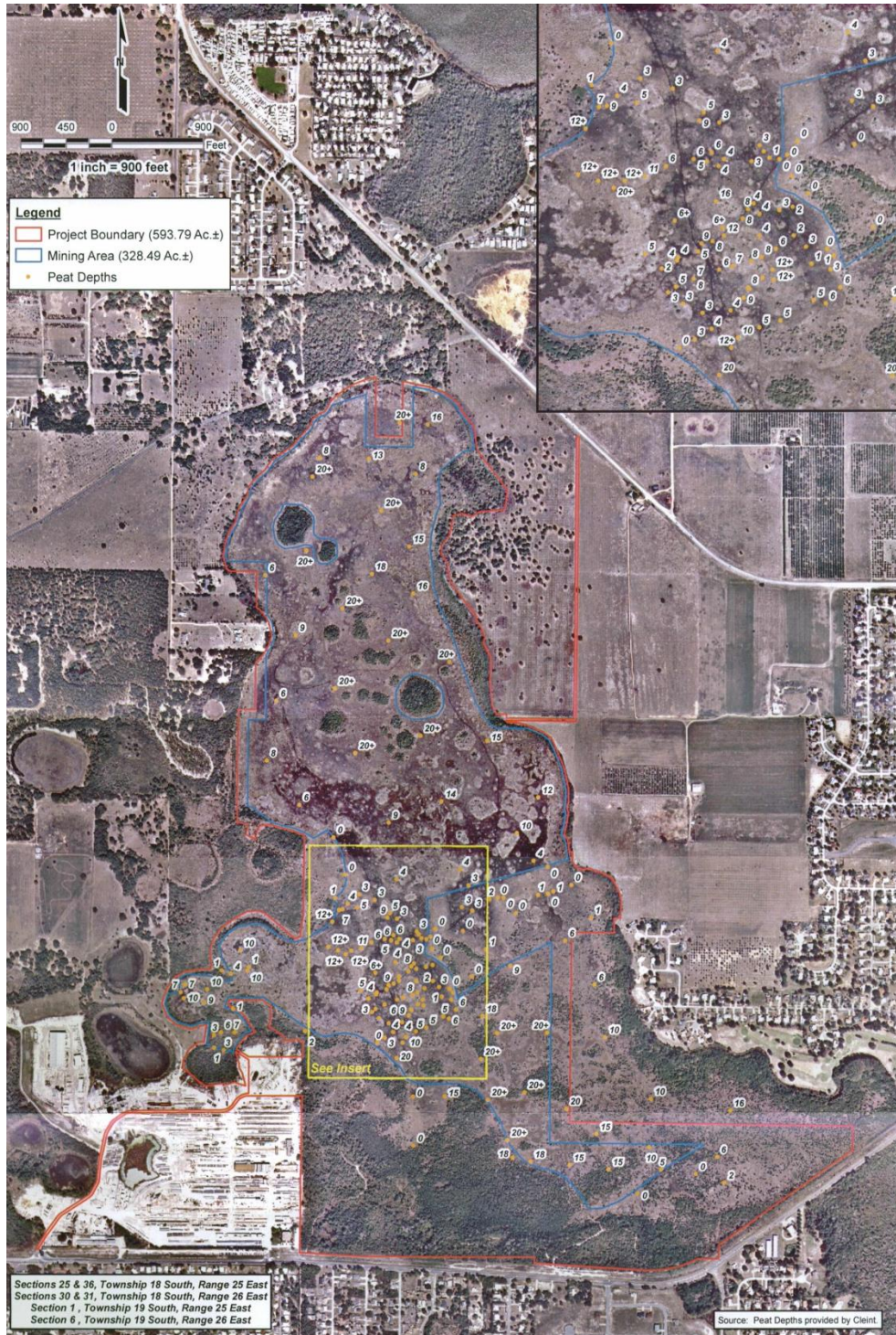
DATE	REVISION





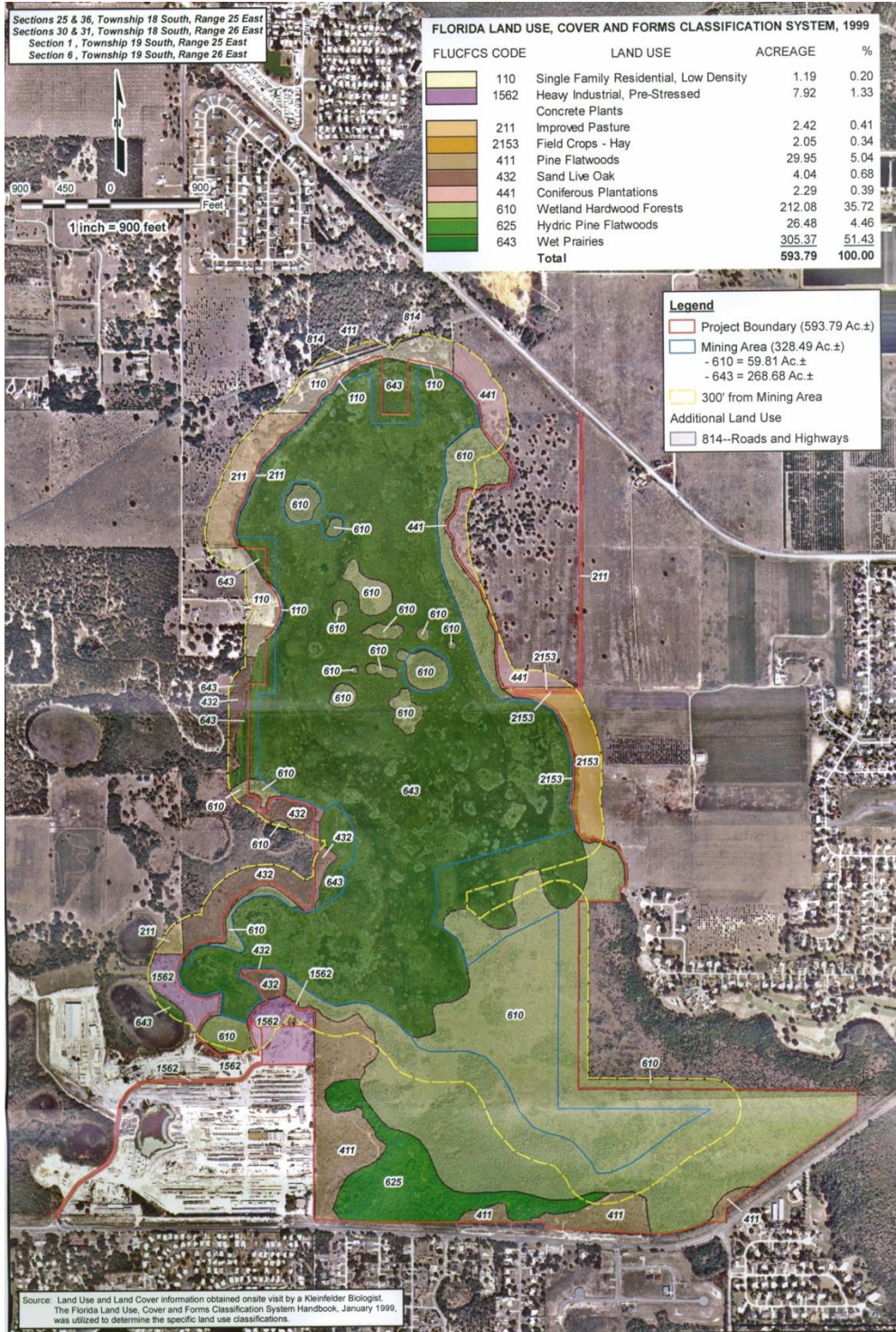
# Staff Report (SR) - Exhibit #5 (Goose Prairie Peat Mine)

(Peat Deposits)



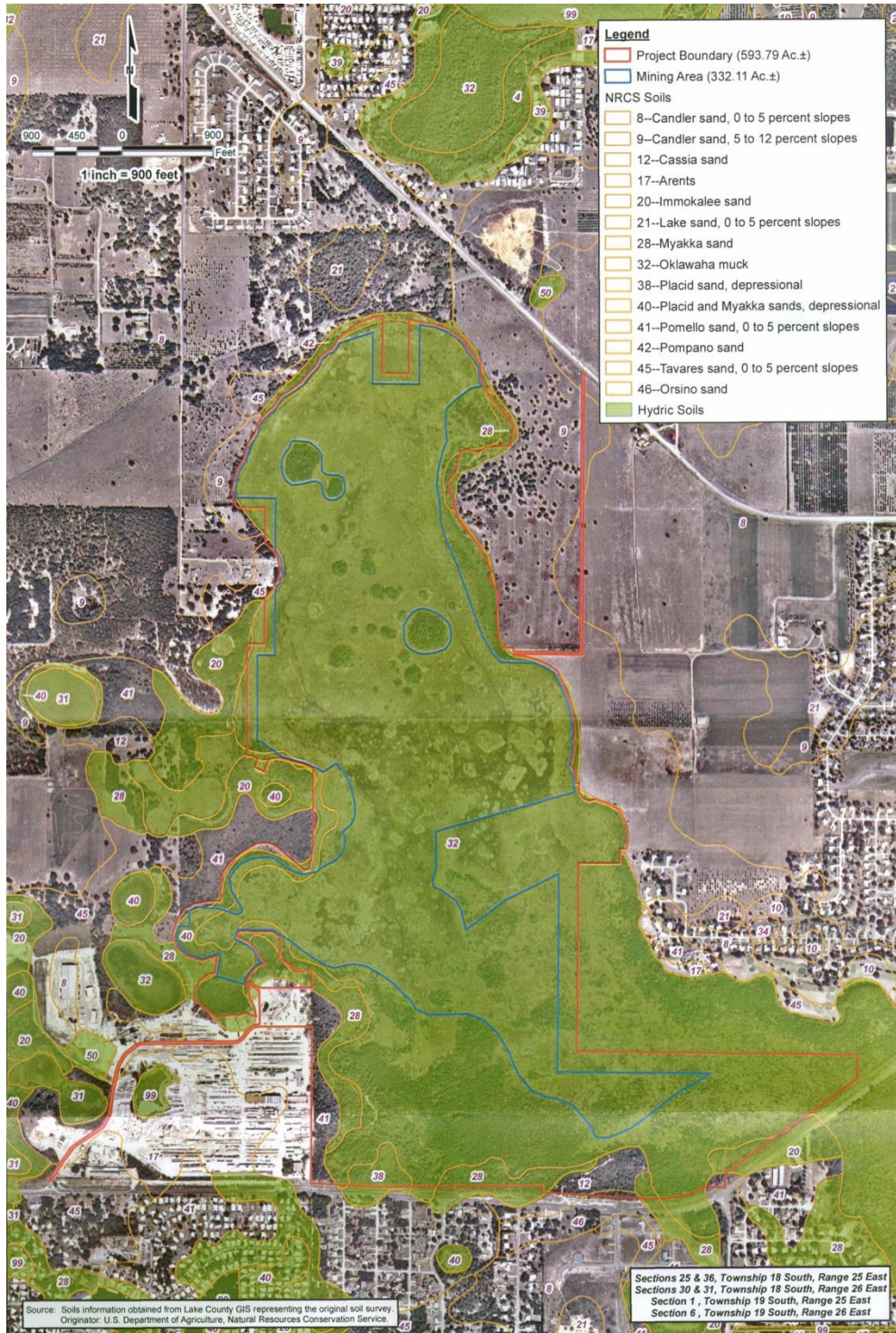
# Staff Report (SR) - Exhibit #6 (Goose Prairie Peat Mine)

## (Pre-Mining FLUCFCS Map)



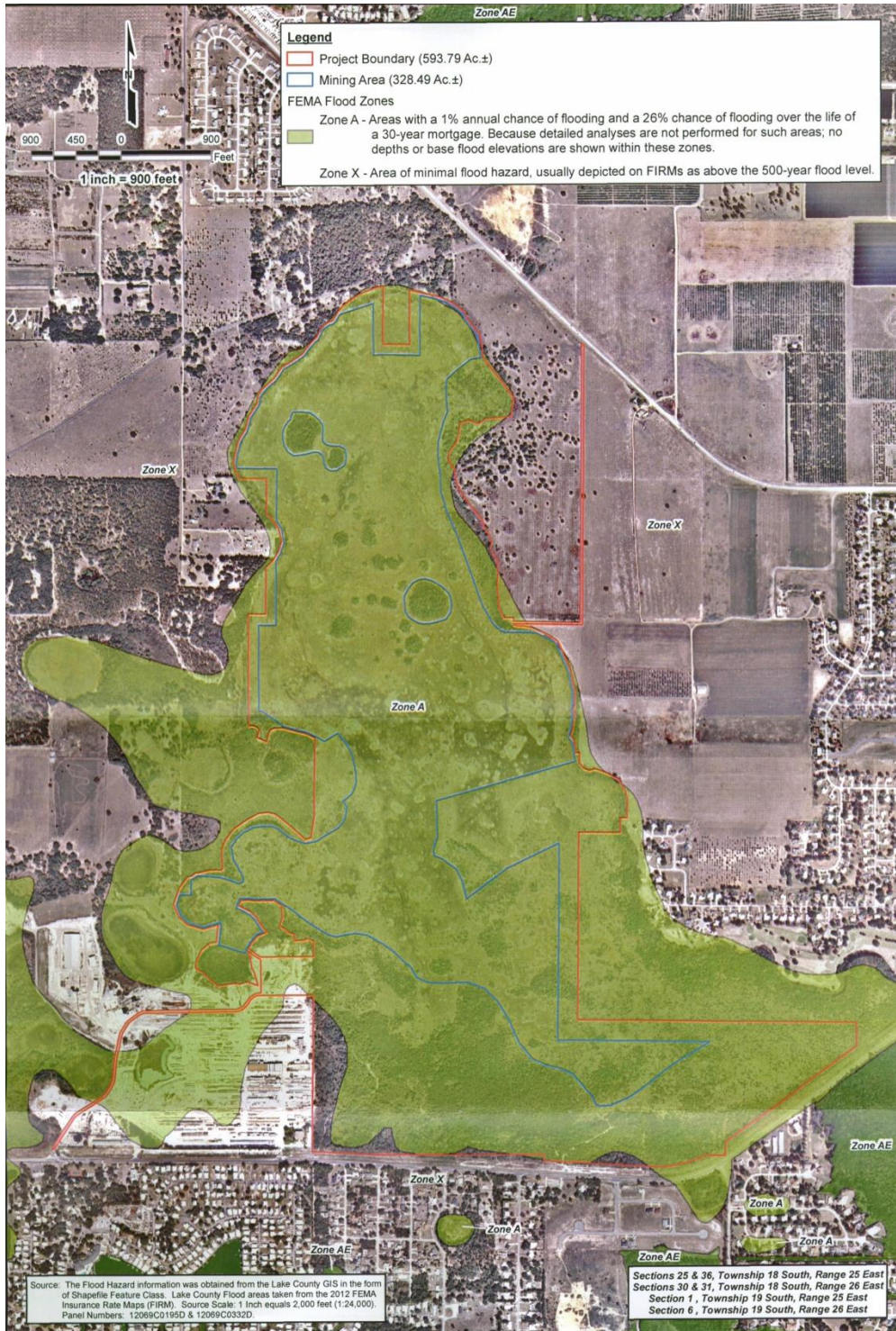
# Staff Report (SR) - Exhibit #7 (Goose Prairie Peat Mine)

## (NRCS Soils Map)



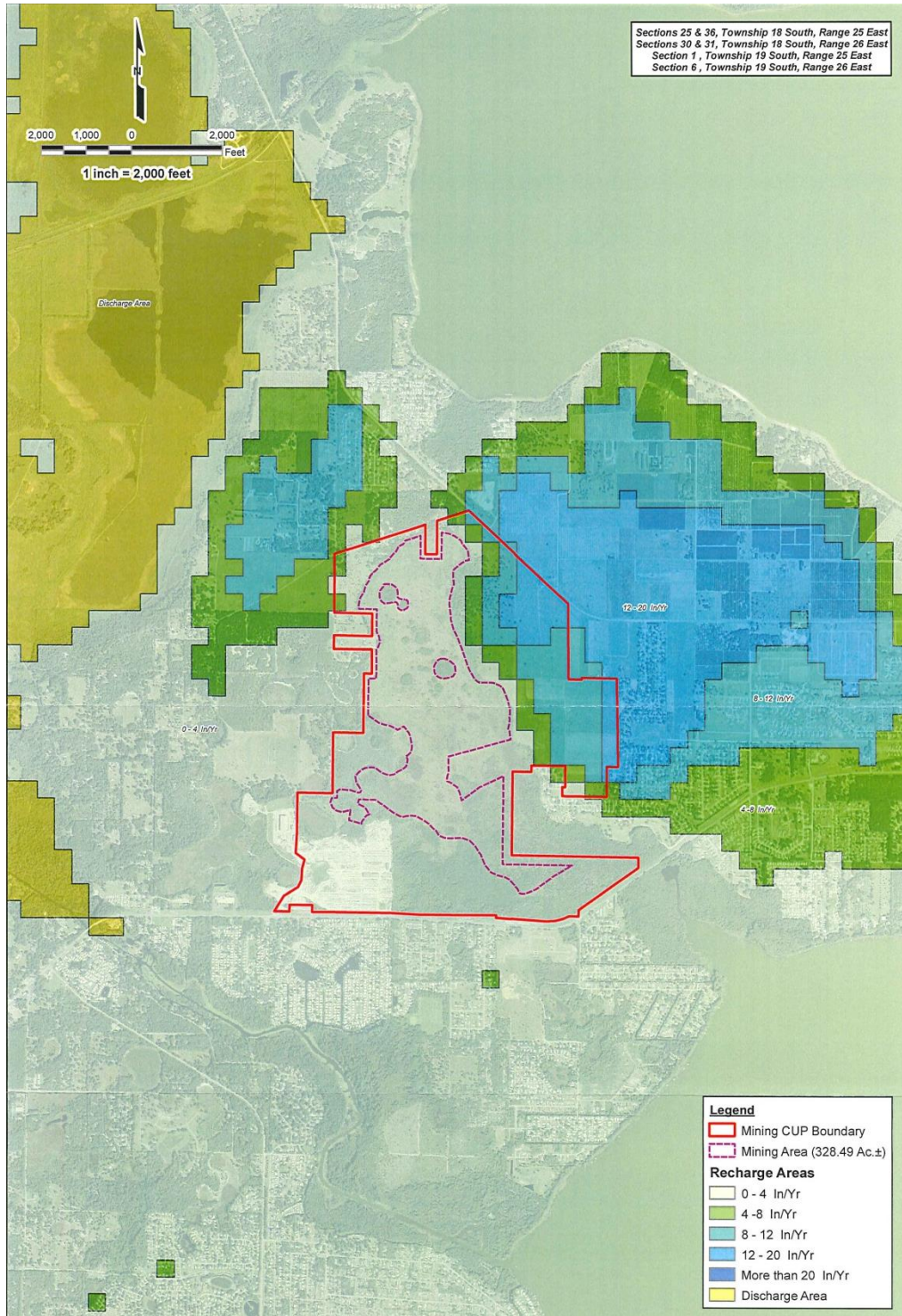
# Staff Report (SR) - Exhibit #8 (Goose Prairie Peat Mine)

## (Flood Zone Map)



# Staff Report (SR) - Exhibit #9 (Goose Prairie Peat Mine)

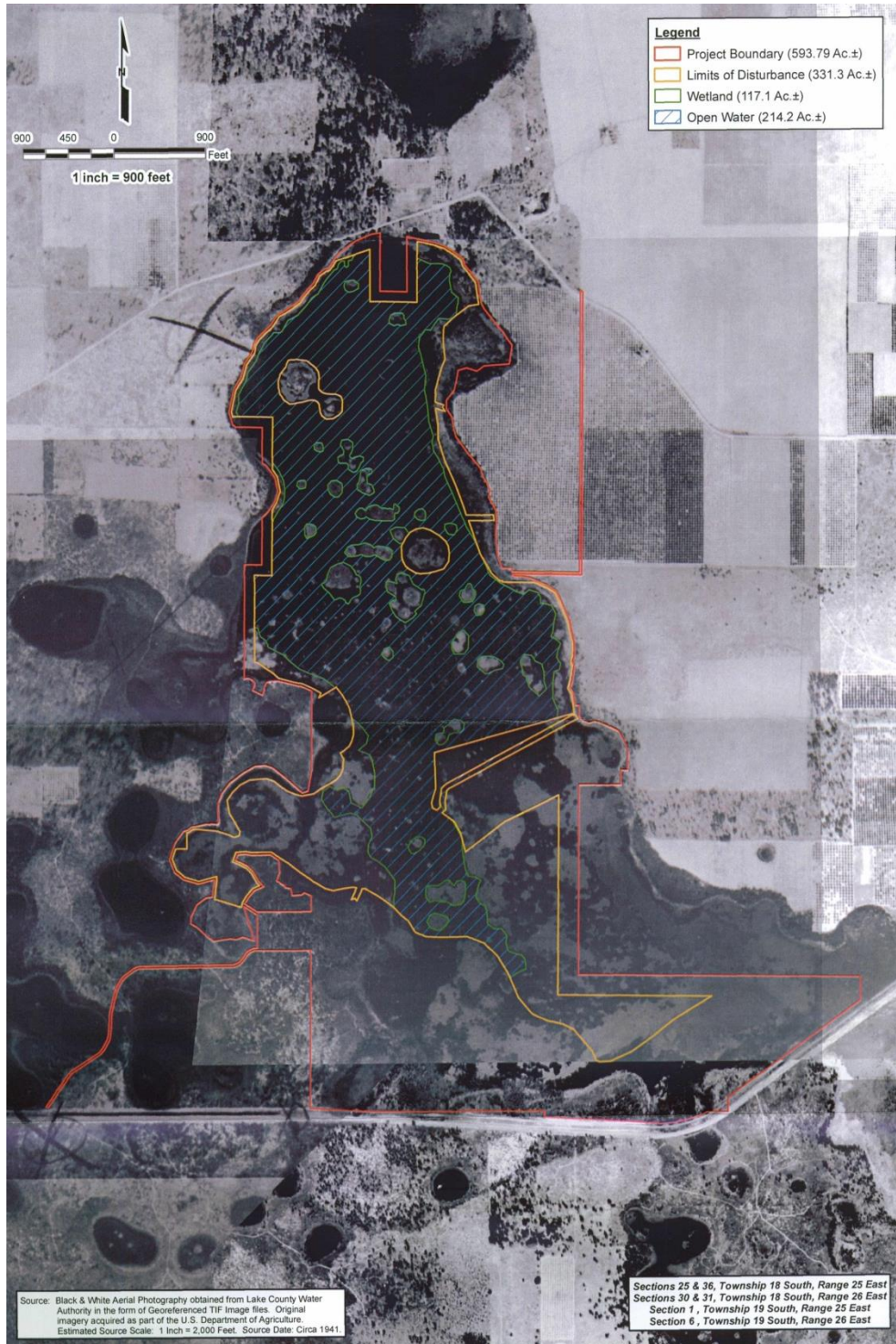
## (Goose Prairie Recharge Map)





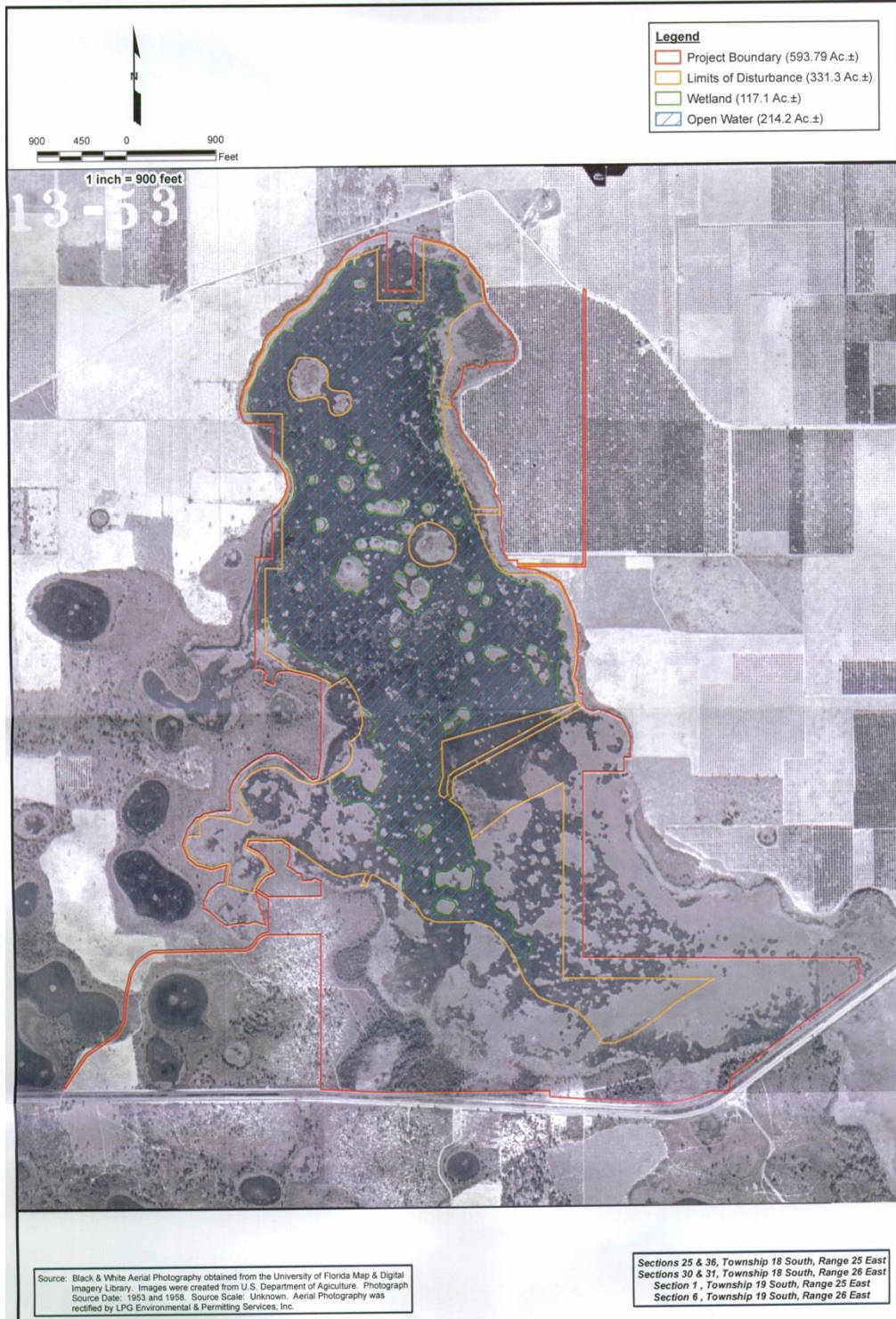
# Staff Report (SR) - Exhibit #10 (Goose Prairie Peat Mine)

(1941 Aerial)



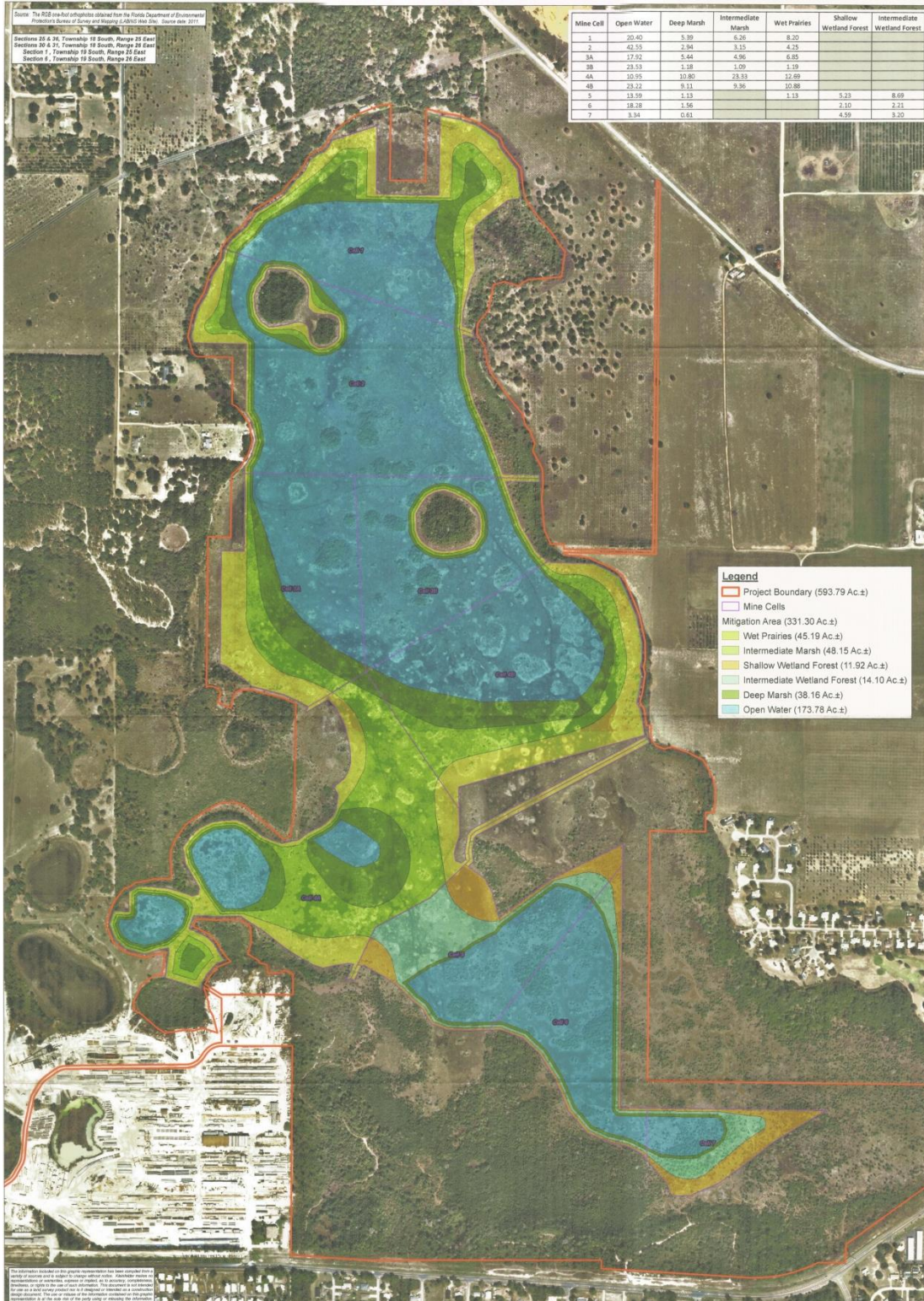
# Staff Report (SR) - Exhibit #11 (Goose Prairie Peat Mine)

(1953 Aerial)



# Staff Report (SR) - Exhibit #12 (Goose Prairie Peat Mine)

(Post Mining – FLUCFCS Map)





1 **Section 1. Terms:**

2 The County Manager or designee shall amend the Lake County Zoning Maps to reflect a Mining  
3 Conditional Use Permit in the Agriculture (A), Rural Residential (R-1), Urban Residential (R-6), and Heavy  
4 Industrial (HM) Zoning Districts in accordance with this Permit. The uses of the property shall be limited to the  
5 uses specified in this Ordinance and generally consistent with the Conceptual Plan attached hereto as  
6 Exhibit "B". To the extent where there are conflicts between the Conceptual Plan and this Ordinance, the  
7 Ordinance shall take precedence. Permission is hereby granted to Permittee to utilize such property for:

8 1. Peat mining and associated uses with the mining operation. On-site processing of the peat is  
9 prohibited.

10 2. Any permitted uses in conjunction with the above Zoning Districts.

11 Accessory uses and structures directly related to the above use may be approved by the County  
12 Manager or designee. Any other use of the site shall require approval of an amendment to this  
13 Ordinance by the Board of County Commissioners.

14 **Section 2. Conditions:**

15 **A. Operating Plan Requirement:** The peat mine shall require approval of an Operating Plan prior to the  
16 commencement of mining activities, which includes the following:

17 1. Operating Plan.

18 2. Reclamation Plan.

19 3. Noise Study.

20 4. Traffic Study and Management Plan.

21 5. Tree Removal Permit.

22 **B. General Standards:**

23 1. **Permits and Approvals.** All appropriate Army Corp of Engineer, Water Management District and  
24 Florida Department of Environmental Protection permits shall be obtained prior to commencement  
25 of peat mining activities on the site, and all permits shall be kept current.

26 2. **Agency Approvals.** All mining activities shall be conducted in accordance with all applicable  
27 federal, state, regional and local laws, ordinances, rules and regulations, as amended.

28 3. **Consistency with Operating Plan.** All mining and other activities shall be consistent with the  
29 Lake County Code, Land Development Regulations, the Lake County Comprehensive Plan and  
30 the approved Operating Plan.

31 4. **Best Management Practices.** All mining and operational activities shall employ best  
32 management practices.

33 5. **Phasing.** The mining activities shall be conducted in phases as described in the Operating Plan  
34 so as to disturb the least amount of wetland area practical at any time during the peat mine  
35 operation. No single phase/mining cell shall exceed 60 acres in area.

36 6. **Pile Height.** Temporary spoil piles or storage of materials shall be limited to 40 feet in height  
37 within 200 feet of the property line or 70 feet if more than 200 feet away from the property line. No  
38 spoil or other excavated materials shall be placed within the setbacks.

1       7. **Hours of operation.** Hours of operation shall be from 7 a.m. to 7 p.m., 7 days per week.

2       8. **Air Quality.**

3           a. The mining activity shall be conducted so as to prevent, reduce and control the generation and  
4           off-site migration of fugitive dusts and particles. All areas in which such dusts or particles may  
5           be generated shall be kept wet or controlled in another manner to reduce the potential for their  
6           Off-Site migration.

7           b. The Applicant shall cease all operations which do not meet the requirements of the Air Quality  
8           section of the Land Development Regulations, as amended, and the Operating Plan, upon  
9           notification by Lake County.

10   **C. Setbacks:**

11       1. A minimum 100-foot setback shall be established along all property lines and 200-foot from  
12       adjacent residential zoning districts.

13       2. Setbacks shall be permanently marked in a manner acceptable to the County prior to the initiation  
14       of any phase of excavation and shall remain in place until sand mining activities are completed.

15       3. All setbacks shall be permanently marked in a manner that they will be clearly visible to  
16       equipment operators. Such markers shall be shown on the Operating Plan and shall be spaced at  
17       no more than 100 feet in areas being excavated.

18   **D. Open Space:** A minimum of 35% open space shall be provided and shown prior to or in conjunction  
19   with approval of the Operating Plan.

20   **E. Reclamation Standards:**

21       1. Reclamation Plan - A Reclamation Plan, conforming to the Mining Reclamation Standards  
22       contained in Lake County Land Development Regulations shall be filed with the Operating Plan.  
23       The reclamation plan shall fully describe the proposed site reclamation by both illustration and  
24       documentation, and including but not limited to:

25           a. A plan view with cross sections, final slopes/contours, vegetative plantings, stormwater  
26           retention areas, etc. shall be submitted.

27           b. All areas to be reclaimed by depicting and describing what man-made and natural features will  
28           exist when the reclamation plan is completed; and

29           c. A contour map and two (2) typical cross sections, generally oriented north to south and east to  
30           west, showing areas to be filled, backfilled, reconstructed, and reshaped.

31           d. Identification of the size, type, location, and planting schedule for all vegetation to be planted or  
32           seeded in accordance with the reclamation plan.

33       2. Timing. Reclamation shall commence within 90 days after completion of each phase of excavation  
34       or within 90 days after commencement of mining activities for the next phase, whichever is earlier.  
35       Reclamation of the area associated with any completed phase of the mining activity shall be  
36       completed no later than two (2) years after termination of mining in that phase. Only one (1) active  
37       mining phase and one (1) active reclamation phase shall be permitted at any given time during the  
38       life of the mining activity. In the event that peat mining operations cease for a period of three (3)  
39       years, reclamation shall commence and be completed within a five-year period from the date of  
40       cessation of operation.

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3. Topography. Sloping and grading shall be conducted in such a manner as to minimize soil erosion and surface water runoff and to make the land surface suitable for revegetation. The final reclamation elevation of the site shall be as proposed by the Mining Site Plan to be incorporated into the Operating Plan.
4. Peat mining activities shall not adversely impact the water levels or water quality of surface waters, the Floridan Aquifer, the surficial aquifer, or the wetlands beyond the boundaries of the mine.
5. Any trees, shrubs or grasses growing on this site that are listed as prohibited species in the Lake County LDRs, as amended, or are listed by other agencies as invasive non-native species, shall be destroyed prior to completion of reclamation.
6. Reclamation shall be completed pursuant to the approved Operating Plan and associated Reclamation Plan.

**F. Protection of Water Resources:**

1. The minimum distance between the bottom of the excavated and mined area and the top of the Floridan Aquifer Confining Unit, if present, shall be sufficient to protect the Florida Aquifer system and shall be subject to approval by the County. The final elevation shall be at even grade as specified in the approved reclamation plan.
2. The peat mine operation shall be completely self-contained and shall retain any waste materials or water generated by the sand mining process on site. The operation shall not utilize any surface water from lakes or ponds that are not entirely contained on the property, except as specifically approved in the Operating Plan.
3. Discharges of water or liquid wastes into waters of the County or State are prohibited unless the County and any other jurisdictional agencies have granted a variance or other approval to specifically allow the discharge. This shall not prevent discharges into water systems that are self-contained on the mine property as approved in the Operating Plan.

**G. Protection of Karst Features:**

1. A hydrology study shall be submitted with the Operating Plan that identifies any karst features within the property.
2. Karst features shall be avoided and protected from peat mining or any development activity, and any future development of the property shall comply with the requirements of the Lake County Comprehensive Plan and Land Development Regulations, as amended.
3. Karst features shall be maintained in their natural function, integrity and structure.
4. Impervious development shall be set back from the boundary of karst features a minimum of 100 feet. The setback shall consist of a buffer that retains all natural vegetation within the setback area.

**H. Wildlife Species Protection:**

1. US Fish and Wildlife Services "Standard Protection Measures for the Eastern Indigo Snake shall be incorporated into the Operating Plan and used during all phases of mining and reclamation.

1           2. The Florida Fish and Wildlife Commission (FWC) shall provide comment related to Florida Black  
2           Bear Management during the mining operation plan review process and the FWC  
3           recommendations shall be incorporated in the Operation Plan.

4   **I. Archeological Artifacts:**

5           If any archeological artifacts are encountered during the mining operation, the mining activities shall  
6           cease; and notification will be made to the County Manager, or designee and the Florida Department  
7           of State, Division of Historical Resources.

8   **J. Vegetation, Landscaping and Buffering:** A Reclamation/Revegetation Plan shall be provided  
9           consistent with the Mining Reclamation provisions specified in the LDR requirements, as amended.

10 **K. Transportation:**

11           1. The alternate access (CR 452) will be required to meet sight distance requirements. If CR 452 is  
12           utilized as a main access to the mine, turn lanes will be required in accordance with the Lake  
13           County Land Development Regulations.

14           2. The applicant will be required to submit a Tier 1 exemption request to Lake County at the time the  
15           applicant submits a mining operating plan to the County.

16 **L. Financial Responsibility:**

17           1. Before final approval of the Operating Plan and Reclamation Plan, the Permittee/Owner must file  
18           a compliance and reclamation guarantee with the County to ensure that the site is operated and  
19           reclaimed in conformance with the Lake County Code and the approved Operating and  
20           Reclamation Plans. Acceptable forms of the guarantee include cash, certificates of deposit,  
21           irrevocable letters of credit, or surety bonds. In all cases, the form of the guarantee shall be  
22           subject to approval by the County Attorney.

23           2. The total cost of reclamation shall be estimated by the applicant and reviewed by the County. The  
24           estimated amount shall be established by calculations and judgments based on acceptable  
25           industry standards and procedures. The final amount of the guarantee shall be set by the Board of  
26           County Commissioners not less than one hundred and ten percent (110%) of the estimated cost  
27           of reclamation, based upon the phase that is being permitted.

28           3. The reclamation guarantee shall not be released by the County until the final reclamation on all  
29           area subject to this approval has been approved.

30           4. If reclamation under the approved Reclamation Plan has not been successful after the end of two  
31           (2) years, at the option of the County, a new Reclamation Plan shall be required of and carried out  
32           by the Permittee/Owner, or the reclamation guarantee shall be forfeited and the site reclaimed by  
33           the County using the guarantee to fund it. Additionally, if the site has been abandoned by the  
34           Permittee, the reclamation guarantee may be declared forfeited by the Board and the site  
35           reclaimed by the County using the guarantee to fund it. The site shall be considered abandoned if  
36           no mining activity has taken place for a period of six (6) months, or if reclamation has not been  
37           instituted as required under this ordinance.

38 **M. Inspections:** County staff, upon notification to the Applicant, shall have access to the project site to  
39           inspect and observe permitted activities in order to determine compliance with the terms of this  
40           ordinance. This use shall be inspected by the Code Enforcement Division annually to ensure



1 compliance with the conditions of this Conditional Use Permit and the approved Operating Plan. An  
2 annual inspection fee will be assessed. If an emergency inspection is necessary during non-operating  
3 hours, a fee shall also be assessed.

4 **N. Annual Progress Report:** An Annual Progress Report shall be submitted by February 1st of each  
5 year consistent with the Mining provisions specified in the LDR, as amended. Failure to file the  
6 required annual progress report shall be grounds for suspension of the Operating Plan. An extension  
7 of time for filing may be granted by the County upon request and for good cause shown.

8 **Section 3.** Additional conditions of this permit shall mean:

9 A. In the event of any breach in any of the terms or conditions of this permit or any default or failure of  
10 the Permittee or his successor to: Fulfill development in substantial accordance with the conceptual  
11 plan as submitted to the Planning & Zoning Board and the Board of County Commissioners; comply  
12 with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or  
13 comply with any of the terms of the Mining Conditional Use Permit; or this Mining Conditional Use  
14 Permit is found to become a nuisance or safety hazard, the permit may be revoked after due Public  
15 Hearing before the Planning & Zoning Board and the Board of County Commissioners, or may be  
16 rescinded upon annexation to a municipal jurisdiction.

17 B. This Permit shall inure to the benefit of, and shall constitute a covenant running with the land; and the  
18 purpose, terms, and conditions contained herein shall be binding upon the Permittee or any successor  
19 and his interest hereto.

20 C. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement  
21 Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and  
22 to recommend that the ordinance be revoked.

23 D. If the peat mining activities commence within three (3) years of the date that the Board grants the  
24 Mining Conditional Use Permit approval, the Permit shall remain valid and in force as long as the  
25 operator shall abide by this ordinance, the Operating Plan and the LDR requirements. Should peat  
26 mining activities not commence within the specified period, the Mining Conditional Use Permit shall  
27 expire and the applicant shall submit a request for extension for review and approval by the Board of  
28 County Commissioners.

29 **Section 4.** Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send  
30 a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section  
31 125.66, Florida Statutes.

1 **Section 4. Effective Date. This Ordinance shall become effective as provided by law.**

2 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

3 **FILED** with the Secretary of State \_\_\_\_\_, 2014.

4 **EFFECTIVE** \_\_\_\_\_, 2014.

5 **BOARD OF COUNTY COMMISSIONERS**  
6 **LAKE COUNTY, FLORIDA**

7 \_\_\_\_\_  
8 **JIMMY CONNER, Chairman**

9 **ATTEST:**

10 \_\_\_\_\_  
11 **NEIL KELLY, Clerk of the**  
12 **Board of County Commissioners**  
13 **Lake County, Florida**

14 **APPROVED AS TO FORM AND LEGALITY**

15 \_\_\_\_\_  
16 **SANFORD A. MINKOFF, County Attorney**

**EXHIBIT "A" – LEGAL DESCRIPTION**

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**Parcel #1:** Begin at the Southeast corner of the Southwest ¼ of Section 36, Township 18 South, Range 25 East, Lake County, Florida, and proceed Westerly along the section line for a distance of 1483 feet; then proceed due North 1488 feet to a point designated as Point "A"; begin again at the P.O.B. and proceed due North along the quarter section line of said Southwest ¼ 1488 feet; then proceed due West 1483 feet, more or less, to a point designated as Point "A".

**Parcel #2:** The Southwest 1/4; the Southeast ¼ of the Northwest ¼; and the East ½ of the Northeast ¼ of the Northwest ¼ of Section 36, all in Township 18 South, Range 25 East, in Lake County, Florida.

**Parcel #3:** North 287.76 feet of South 819.72 feet of West 833.58 feet of SE ¼ of SW ¼ and East 486.42 feet of SE ¼ of SW ¼, Sec. 25 Tp. 18 S. R. 25 E.

**Parcel #4:** Commence at the South Quarter corner of Section 25, Township 18 South, Range 25 East, Lake County, Florida, said Corner lying North 89 degrees 27'54" West a distance of 2655.47 feet from the Southeast corner of said Section 25; thence run North 89 degrees 27'54" West along the South line of the Southwest ¼ of said Section 25 a distance of 486.42 feet; thence run North 00 degrees 25'40" East a distance of 532.30 feet; thence run North 89 degrees 28'13" West a distance of 835.85 feet to a point of intersection with the West line of the Southeast ¼ of the Southwest ¼ of said Section 25, thence run North 00 degrees 22'26" East along said West line a distance of 287.76 feet; thence run South 89 degrees 28'13" East a distance of 367.12 feet to the Point of Beginning of this description; thence South 00 degrees 25'40" West a distance of 200.00 feet; thence run South 89 degrees 28'13" East a distance of 955.42 feet to a point of intersection with the East line of the Southwest ¼ of said Section 25; thence run North 00 degrees 25'40" East along said East line a distance of 702.02 feet to a point of intersection with the North line of the Southeast ¼ of the Southwest ¼ of said Section 25, said point being South 00 degrees 25'40" West a distance of 3997.70 feet from the North Quarter corner of said Section 25; thence run North 89 degrees 25'55" West along said North line a distance of 486.42 feet; thence south 00 degrees 25'40" West a distance of 502.35 feet; thence North 89 degrees 28'13" West a distance of 469.00 feet to the Point of Beginning of this description.

**Parcel #5:** That part of the West ½ of the Southeast ¼ of the Northwest ¼ of Section 25, Township 18 South, Range 25 East, Lake County, Florida, lying South of the right of way of a county road, the center line of which lies on or about the following described line: Beginning at the point of intersection of the center line of said road and the West boundary of the Northeast ¼ of the Southwest ¼ of said Section 25, said point being South 0°00'10" East, 14.30 feet South of the Southwest corner of the West ½ of the Southeast ¼ of the Northwest ¼ of said Section 25, run thence North 65°54'20" East, 175.70 feet; thence North 71°22'50" East, 527.40 feet to a point on the East boundary of the West ½ of the Southeast ¼ of the Northwest ¼ of said Section 25 that is North 0°05'30" East, 233.20 feet from the Southeast corner of said West ½ of Southeast ¼ of Northwest ¼.

AND

The Northeast ¼ of the Southwest ¼, of Section 25, Township 18 South, Range 25 East, in Lake County, Florida.

**Parcel #6:** From the SW corner of the NE ¼ of Section 25, Township 18 South, Range 25 East, run N 0°25'20" East along the West line of said NE 1/4, 396.04 feet to the southerly right-of-way of a County Road; thence S 12°37'30" E, 406.81 feet to a point on the South line of said NE ¼ that is S 89°24'10" East from beginning; thence N 89°24'10" W, 90.0 feet to the P.O.B. Being and lying in Lake County, Florida.

1 **Parcel #7:** The Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and that part of the  
2 Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  lying South of the County Road in Section  
3 25, Township 18 South, Range 25 East, Lake County, Florida.

4 Less and except from the Southwest corner of the Northeast  $\frac{1}{4}$  of Section 25, Township 18 South, Range 25 East,  
5 run North  $0^{\circ}25'20''$  East along the West line of said Northeast  $\frac{1}{4}$ , 396.04 feet to the Southerly right of way of a County  
6 Road; thence south  $12^{\circ}37'30''$  East 406.81 feet to a point of the South line of said Northeast  $\frac{1}{4}$  that is South  
7  $89^{\circ}24'10''$  East from beginning; thence North  $89^{\circ}24'10''$  West 90.0 feet to the Point of Beginning, being and lying in  
8 Lake County, Florida.

9 **Parcel #8:** The SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  and that part of the NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  lying South of  
10 the county asphalt road. The East boundary of which is the West boundary of the original ten (10) acre home tract,  
11 South of the county asphalt road, all in Section 25, Township 18 S, Range 25 East, Lake County, Florida.

12 **Parcel #9:** Commencing at a point 132 feet West of the Southeast corner of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of  
13 Section 25, Township 18 South, Range 25 East, run thence West 264 feet, run thence North to the center line of Clay  
14 Road, run thence Eastward along the center line of Clay Road to a point directly North of the Point of Beginning, run  
15 thence South to the Point of Beginning, containing  $4\frac{1}{2}$  acres more or less. Subject to Public Easement in and to  
16 said Clay Road.

17 **Parcel #10:** All that part of the East 132 feet of the Southwest Quarter of the Northeast Quarter in Section 25,  
18 Township 18 South, Range 25 East, lying South of County Road numbered District 5-6836.

19 **Parcel #11:** The West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 25, Township 18 South, Range 25 East, Lake County,  
20 Florida.

21 **Parcel #12:** All of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 25, Township 18 South, Range 25 East, lying  
22 South and West of the County Clay Road as it existing on April 16, 1942, Lake County, Florida; and, The East  $\frac{1}{2}$  of  
23 the Southeast  $\frac{1}{4}$  of Section 25, Township 18 South, Range 25 East, Lake County, Florida.

24 **Parcel #13:** That part of Government Lots 2 and 3 in Section 30, Township 18 South, Range 26 East, Lake County,  
25 Florida, described as follows: From the Southwest corner of said Section 30, said corner being the Northwest corner  
26 of said Section 31, run thence  $S00^{\circ}35'06''$  W along the West line of said Section 31 a distance of 35.00 feet to the  
27 Southwest corner of the North 35.00 feet of said Government Lot 1; thence  $S88^{\circ}41'52''$  E 1214.60 feet along the  
28 South line of the North 35.00 feet of said Government Lot 1 to the Southwest corner of the North 35.00 feet of the  
29 East 284.92 feet of Government Lot 1 of said Section 31; thence  $N00^{\circ}14'20''$  E 1617.24 feet, parallel with the East  
30 line of Government Lot 4 to the Southwesterly line of the right of way of C-452 (formerly State Road No. 452), said  
31 right of way being a curve concave Northeasterly and having a radius of 1479.00 feet and to which a radial line bears  
32  $S41^{\circ}30'33''$  W; thence Northwesterly along said right of way curve through a central angle of  $1^{\circ}17'19''$  to a point of  
33 tangency; thence  $N47^{\circ}12'08''$  W 598.12 feet to the Point of Beginning; thence departing said right of way run  
34  $S42^{\circ}47'52''$  W 272.44 feet; thence  $N47^{\circ}12'08''$  752.07 feet to the West line of said Government Lot 3; thence  
35  $N00^{\circ}30'16''$  E 346.85 feet to the Northeast corner of said Government Lot 3; thence  $N00^{\circ}36'15''$  E 21.43 feet along  
36 the West line of said Government Lot 2 to said Southwesterly right of way of said C-452; thence  $S47^{\circ}12'08''$  E 999.86  
37 feet along said right of way to the Point of Beginning.

1 **Parcel #14:** That part of Government Lot 1 in Section 31, Township 18 South, Range 26 East, Lake County,  
2 Florida, and that part of Government Lots 2, 3, and 4 in Section 30, Township 18 South, Range 26 East, Lake  
3 County, Florida, described as follows:

4 Begin at the Southwest corner of said Section 30, said corner being the Northwest corner of said Section 31, run  
5 thence S 00°35'06" W along the West line of said Section 31 a distance of 35.00 feet to the Southwest corner of the  
6 North 35.00 feet of said Government Lot 1; thence S 88°41'52" E 1214.60 feet along the South line of the North  
7 35.00 feet of said Government Lot 1 to the Southwest corner of the North 35.00 feet of the East 284.92 feet of  
8 Government Lot 1 of said Section 31; thence N 00°14'20" E 1617.24 feet, parallel with the East line of Government  
9 Lot 4 to the Southwesterly line of the right of way of C-452 (Formerly State Road No. 452), said right of way being a  
10 curve concave Northeasterly and having a radius of 1479.00 feet and to which a radial line bears S 41°30'33" W;  
11 thence Northwesterly along said right of way curve through a central angle of 1°17'19" to a point of tangency; thence  
12 N 47°12'08" W 1597.98 feet along said right of way to the West line of said Government Lot 2; thence S 00°36'15" W  
13 21.43 feet along said West line to the Northwest corner of said Government Lot 3; thence S 00°30'16" W 1320.66  
14 feet along the West line thereof to the Northwest corner of said Government Lot 4; thence S 00°30'16" W 1320.66  
15 feet along the West line thereof to the Point of Beginning.

16 **Parcel #15:** The West  $\frac{3}{4}$  of the North  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$ , plus the South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  and the Southeast  
17  $\frac{1}{4}$  of Section 36, Township 18 South, Range 25 East, Lake County, Florida.

18 **Parcel #16:** Thirty-Five Foot Strip West: The North 35.00 feet of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of  
19 Section 36, Township 18 South, Range 25 East, Lake County, Florida.

20 **Parcel #17:** That part of Government Lot 1 in Section 31, Township 18 South, Range 26 East, Lake County, Florida,  
21 and that part of Government Lots 2, 3, and 4 in Section 30, Township 18 South, Range 26 East, Lake County,  
22 Florida, described as follows:

23 Begin at the Southwest corner of said Section 30, said corner being the Northwest corner of said Section 31, run  
24 thence S 00°35'06" W along the West line of said Section 31 a distance of 35.00 feet to the Southwest corner of the  
25 North 35.00 feet of said Government Lot 1; thence S 88°41'52" E 1214.60 feet along the South line of the North 35.00  
26 feet of said Government Lot 1 to the Southwest corner of the North 35.00 feet of the East 284.92 feet of Government  
27 Lot 1 of said Section 31; thence N 00°14'20" E 1617.24 feet, parallel with the East line of Government Lot 4 to the  
28 Southwesterly line of the right of way of C-452 (Formerly State Road No. 452), said right of way being a curve  
29 concave Northeasterly and having a radius of 1479.00 feet and to which a radial line bears S 41°30'33" W; thence  
30 Northwesterly along said right of way curve through a central angle of 1°17'19" to a point of tangency; thence N  
31 47°12'08" W 1597.98 feet along said right of way to the West line of said Government Lot 2; thence S 00°36'15" W  
32 21.43 feet along said West line to the Northwest corner of said Government Lot 3; thence S 00°30'16" W 1320.66  
33 feet along the West line thereof to the Northwest corner of said Government Lot 4; thence S 00°30'16" W 1320.66  
34 feet along the West line thereof to the Point of Beginning.

35 **Parcel #18:** South 1285 feet of East  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , Section 36, Township 18, Range 25.

36 **Parcel #19:** NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Less North 35 ft.; SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ; and E  $\frac{1}{2}$  of SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ,  
37 Section 31, Township 18 South, Range 26 East, Lake County, Florida;

1 Begin at NW corner of NE1/4 of NW ¼, Section 31, Township 18 South, Range 26 East, run East 11.74 chains,  
2 South 30.27 chains, thence West 26.74 chains, thence South 2.17 chains, thence West to West boundary of SW ¼  
3 of NW ¼, said Section 31, thence North 12.34 chains, thence East to a point directly South of the Point of Beginning;  
4 thence North to Point of Beginning;

5 Also, West 149.89 ft. of E ½ of NE ¼ of NW ¼; East 105.6 ft. of West 220.44 ft. of NE ¼ of SE ¼ of NW ¼; and East  
6 50 ft. of West 199.98 ft. of E ½ of NE ¼ of NW ¼ of said Section 31;

7 Less and Except any part of the above described real estate lying within the following description: Beginning at NE  
8 corner of NW ¼ of said Section 31, run South 30.12 chains, run West 6.66 chains, run North 30 chains, run East 6.97  
9 chains to the point of beginning.

10 **Parcel #20:** Government Lot 4, and the Southeast ¼ of the Southwest ¼, lying North of the right of way of the  
11 Atlantic Coast Line Railroad in Section 31, Township 18 South, Range 26 East, Lake County, Florida.

12 **Parcel #21:** The part of the East 10 acres of the Northeast ¼ of the Northeast ¼ lying North of the right of way of the  
13 Atlantic Coast Line Railroad, Lake County, Florida, and all that part of the Northwest ¼ of the Northeast ¼ lying North  
14 of the right of way of the Atlantic Coast Line Railroad in Section 1, Township 19 South, Range 25 East, Lake County,  
15 Florida.

16 LESS: Right of way of Florida State Road No. 44 and the right of way of the Atlantic Coast Line Railroad over a part  
17 of the above-described land.

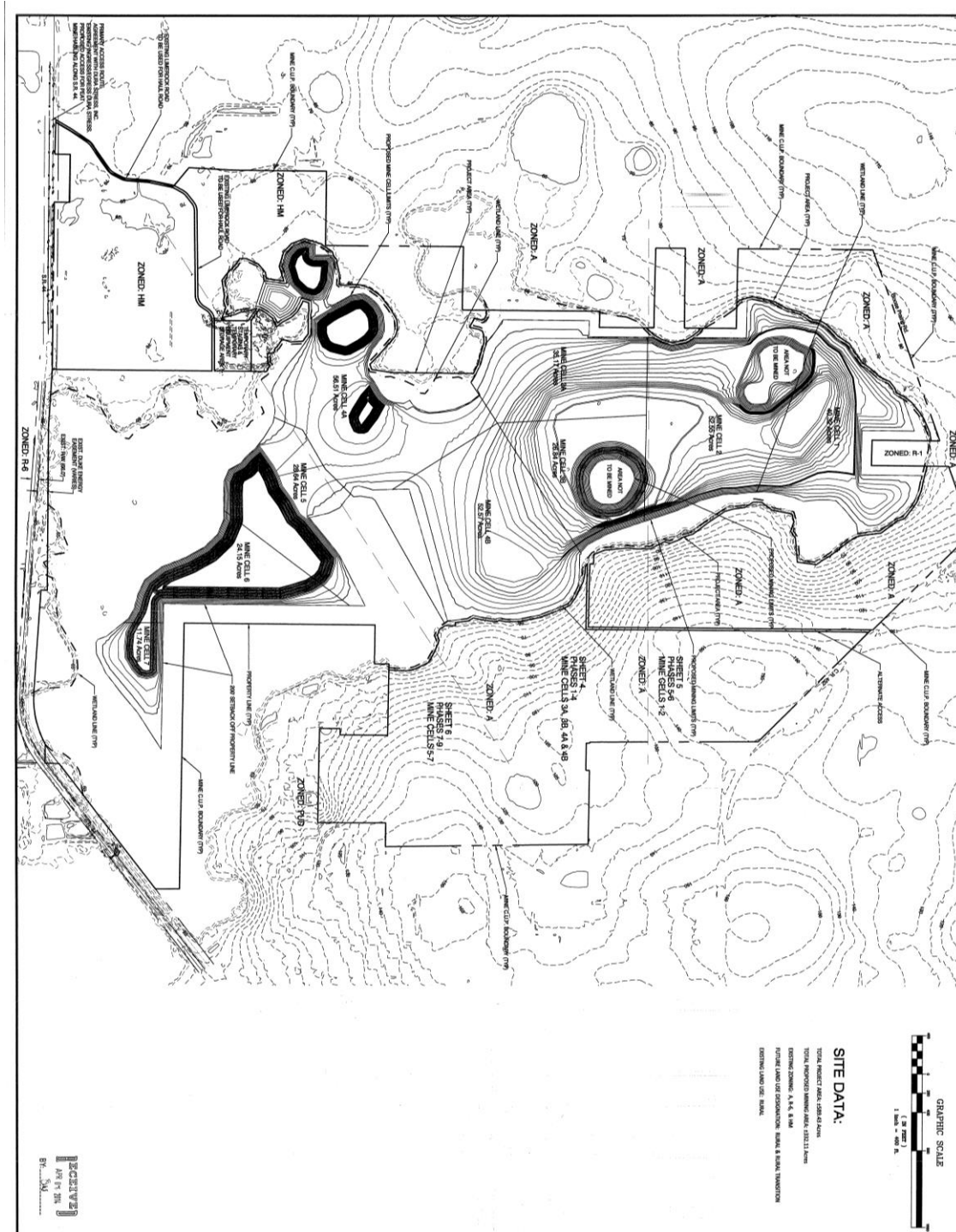
18 **Parcel #22:** That part of Government Lot 4 in Section 6, Township 19 South, Range 26 East, lying North of the right  
19 of way of the Atlantic Coast Line Railroad, Lake County, Florida.

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### EXHIBIT "B" – CONCEPTUAL PLAN



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