

ENGINEERING CONTROL MAINTENANCE PLAN MADEIRA SUBDIVISION DEVELOPMENT – PHASE 2A UNIT 1

INTRODUCTION

Portions of the former Ponce de Leon Resort Brownfield Site contain soil that is impacted with arsenic due to the property's historical use as a golf course. A portion of remaining impacted soil, as more specifically described below, is covered with a minimum of two (2) feet of clean soil, which serves as an engineering control (EC). A portion of remaining impacted soil, as more specifically described below, is covered with impervious surface, which serves as an EC. These areas are required to be maintained in accordance with this Engineering Control Maintenance Plan (ECMP), which provides instructions for inspection, maintenance, and reporting for these areas.

ENGINEERING CONTROL – TWO FEET OF APPROVED FILL AND ASPHALT CAP (ROADWAYS)

Residential lots 1 through 15, lots 63 through 81, lots 98 through 100, and lots 128 through 131, within Phase 2A Unit 1 of the Madeira Subdivision Development (the Site) are capped with 2-feet of approved fill. Subdivision roads within the remedial portion of the Site are capped with a minimum of 6-inches of limerock road base and 2-inches of asphalt. The 2-feet of fill and the asphalt/limerock road base are hereafter referred to as ECs and are illustrated on the Specific Purpose Survey presented in Attachment A. These ECs prevent direct exposure to soil below the asphalt/limerock (roads) and to soil below 2-feet (residential lots) that may exceed applicable Soil Cleanup Target Levels (SCTLs), per Chapter 62-780, Florida Administrative Code, for arsenic.

The purpose of this ECMP is to address the integrity of the in-place ECs from the ground surface to 2 feet below ground surface (bgs) within the residential lots and the subdivision roads. The ECs shall be maintained and visually inspected by the applicable Homeowner's Association (HOA) on a yearly basis for evidence of erosion or other damage. The inspections will be performed to observe the integrity of the ECs and to evaluate damage due to settling and exposure to weather that may cause exposure to the underlying soil. The inspections will also document any changes in Site activities or uses that may adversely impact the integrity or function of the ECs. Records of the inspections will be maintained at the HOA's main office.

During each inspection, areas of EC damage resulting in potential exposure will be documented. In the event that damage to the EC is identified (i.e. – less than 2 foot of surface cover or significant separation of the asphalt), the report will include recommendations for necessary repairs (i.e. – addition of clean fill immediately or road repairs). Once repairs are completed, they will be documented on a follow-up inspection. A blank inspection and maintenance form is included in Attachment B.

Procedures for activities conducted below 2-feet bgs or below impervious surfaces, whether routine maintenance, incidental damage, or for property improvements (i.e. – in-ground pool installations), by residents and/or contractors working within Phase 2A Unit 1, are stated below.



PROCEDURES FOR POOL INSTALLATION

While a pool will serve as an EC, breaching the 2-feet of clean fill for the installation of in-ground pools will result in the excavation of soil with arsenic concentrations potentially above SCTLs. As such, certain procedures and protocols must be followed to remove the existing EC and install the new EC (i.e., the pool). A Pool Installation Protocol has been developed for the installation and removal of in-ground pools, which contains specific processes that must be followed and is included as Attachment C to this ECMP. A summary of information included in the Pool Installation Protocol is as follows, each of which are explained in detail within the protocol itself:

1. HOA Approval Requirements and Regulatory Notification – Prior to commencing with pool construction activities, the property owner must obtain HOA approval and notify the Florida Department of Environmental Protection (FDEP) of the proposed work.
2. Contractor Requirements – Contractors must comply with federal, state, and local environmental, health, and safety laws and regulations, which are documented in this section. The HOA will maintain a list of known contractors that are trained to complete this work.
3. Management of Excavated Soil during Installation – Details the requirements for handling of potentially arsenic-impacted soil during installation activities. No stockpiling of excavated soil on the ground surface is allowed.
4. Management of Groundwater during Installation – Details the requirements for determining if groundwater is impacted with arsenic and if so, the protocol to follow for dewatering activities. All arsenic-impacted groundwater must be containerized, transported, and properly disposed of at a wastewater treatment facility certified to accept this waste.
5. Pool Construction – Details the minimum construction requirements for the pool and decking that will become the barrier/EC to the impacted soil. Minimum thicknesses of materials are included in this section.
6. Pool Installation Report – Indicates the minimum information needed upon completion of pool installation activities for reporting to FDEP. A report shall be submitted to FDEP within 60 days of completion of the pool installation activities.
7. Pool Inspection, Maintenance, and Repair – Details the type and frequency of inspection for the pool and decking to assure that the newly installed EC provides sufficient protection to the underlying soil.
8. Pool Removal – Details the minimum requirements to properly abandon an in-ground pool.
9. Protocol for Owner Violations – Indicates to homeowner that failure to comply with the Declaration of Restrictive Covenant (DRC) and this ECMP will result in the assessment of stipulated penalties set forth in the HOA documents.



The Pool Installation Protocol contains the following attachments with additional information to assist the homeowner in adhering to the DRC and this ECMP:

1. C.1: Guidelines to Reduce Worker Exposure – Describes procedures to reduce direct exposure risks to commercial workers during construction, maintenance, repair, and abandonment of pools.
2. C.2: List of Regional Landfills – Identifies landfills that may accept soil from the installation of pools.
3. C.3: Non-Hazardous Waste Manifest – Provides an example manifest for disposal of soil and dewatering effluent (if needed).
4. C.4: Environmental Laboratories – Identifies local laboratories that can analyze soil and groundwater samples.
5. C.5: Wastewater Treatment Facilities – Identifies local wastewater treatment facilities that may accept effluent from dewatering processes.
6. Pool Installation Checklist – Provides a checklist to be dated and signed as specific steps in the Pool Installation Protocol are completed.

Any construction of a pool that does not specifically comply with the terms of the ECMP and Pool Installation Protocol is strictly prohibited. Failure to comply with the ECMP and/or Pool Installation Protocol shall also be grounds for immediate action for enforcement in accordance with the rules and procedures set forth in Article 10 of the Declaration Of Covenants, Conditions, Restrictions And Easements For Madeira At St. Augustine (the “Declaration”). These powers shall be in addition to and separate and independent of the enforcement authority of the FDEP.

PROCEDURES FOR OTHER SUBSURFACE WORK

The procedures set forth below apply to any planned or immediate corrective action subsurface activity that requires work below the top 2-feet of overlying approved fill in residential lots 1 through 15, lots 63 through 81, lots 98 through 100, and lots 128 through 131, or below the roads, within the remedial portion of Phase 2A Unit 1, of the Site. In the event the EC is removed or replaced, the replacement barrier must be equally protective to prevent direct exposure to soil that exceeds the SCTL for arsenic (i.e. 2-feet of approved fill). The basic procedures are as follows:

1. Individuals who will come in contact with soils beneath the EC must be appropriately trained and wear appropriate personal protective equipment (PPE) to avoid contact with soil and groundwater. The minimum PPE level to be used is modified Level D, as described by the Environmental Protection Agency. Level D is primarily a work uniform, safety shoes/boots, and work gloves.
2. Any excavated soil, from below the EC, must be directly loaded into either a truck or roll-off, which can be secured/covered to prevent direct exposure to the public. Soils may not be stockpiled on-site at any time. Excavated soils must be disposed of at a Class I landfill and documented properly (manifests/transportation tickets).



3. If necessary, verified clean soil should be added to return the area to existing grade.

HAZARD COMMUNICATION

Contractors working on applicable activities at the Site should be informed about potential contamination hazards at the Site by the Responsible Party representative. Handling, storage, transportation, and/or disposal of contaminated soil, if required, must be conducted in accordance with local Occupation Safety Health Administration regulations.



PROFESSIONAL ENGINEERING CERTIFICATION

**ENGINEERING CONTROL MAINTENANCE PLAN FOR PHASE 2A UNIT 1
LOTS 1 THROUGH 15, LOTS 63 THROUGH 81, LOTS 98 THROUGH 100, AND LOTS 128
THROUGH 131
MADEIRA SUBDIVISION DEVELOPMENT
ST. AUGUSTINE, ST. JOHNS COUNTY, FLORIDA**

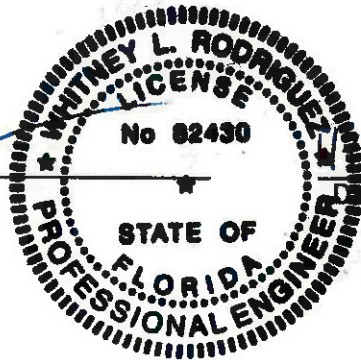
I, Whitney L. Rodriguez, P.E. #82430, certify that I currently hold an active license in the state of Florida and am competent through education or experience to provide the engineering service contained in the Engineering Control Maintenance Plan, prepared for the Madeira Subdivision development, located in St. Johns County, Florida. To the best of my knowledge, the engineering control is consistent with commonly accepted engineering practices, is appropriately designed for its intended purpose, and has been implemented. I further certify that, in my professional judgment, the report preparation activities have been conducted in accordance with State of Florida Rules and Regulations by or under the supervision of a registered professional engineer, as authorized by Chapter 471, Florida Statutes and defined by the Florida State Board of Professional Engineers. To the best of my knowledge, all information summarized in this report is true, accurate, complete, and in accordance with applicable Chapter 62-780 of Florida Administrative Code provisions and the State of Florida Rules and Regulations. Moreover, I certify that Stearns, Conrad and Schmidt Consulting Engineers, Inc., doing business as SCS Engineers, holds an active Firm Registration RY 4892 to provide the engineering service.

Engineer Name Whitney L. Rodriguez, P.E.

PE Registration Number 82430

State of Registration Florida


Engineer's Signature

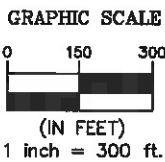
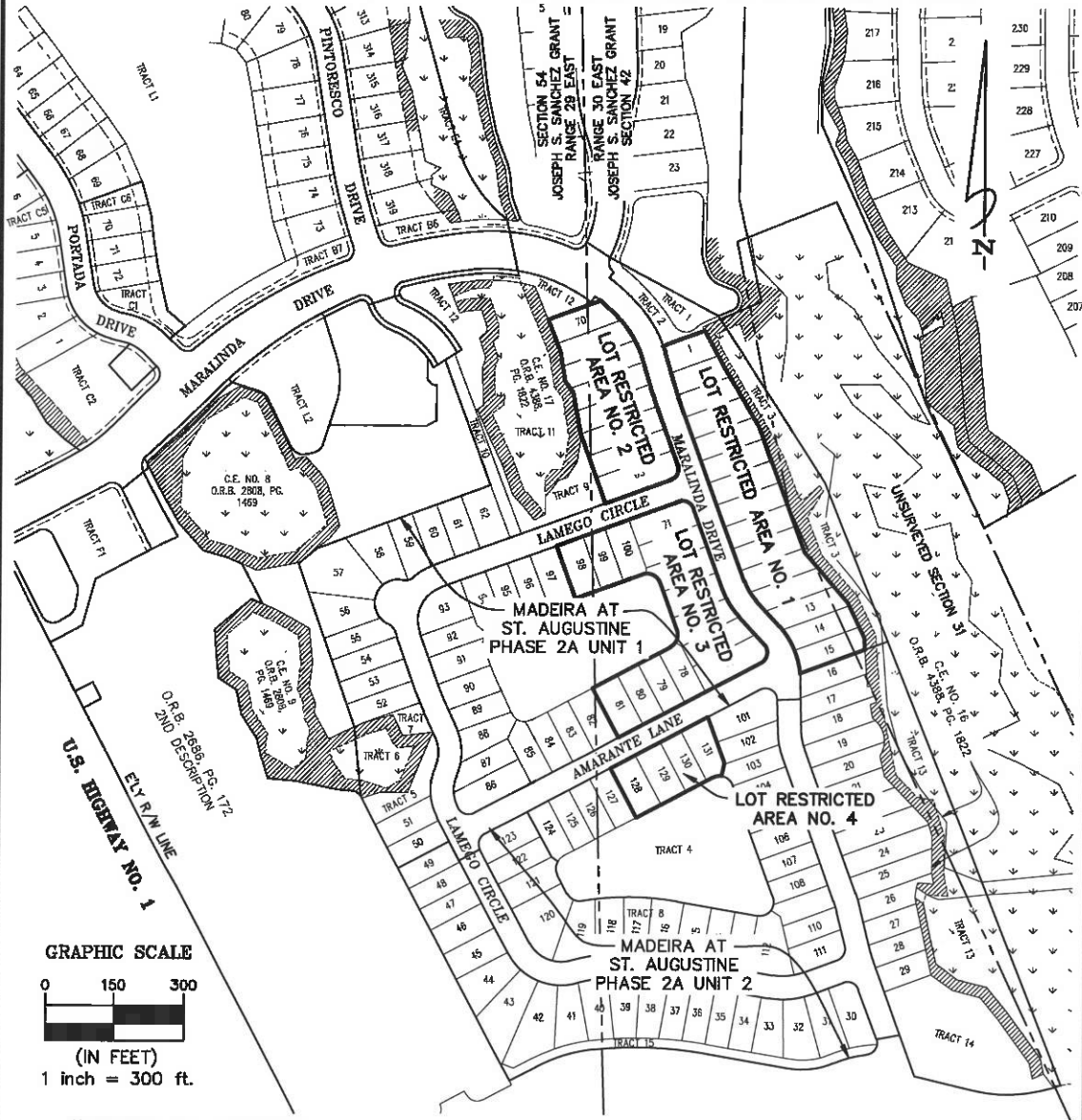


6/2022
Date



MAP SHOWING

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, AND A PORTION OF THE UNSURVEYED SECTION 31, TOWNSHIP 6 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA



GENERAL NOTES

1. THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED FROM THE ORIGINAL. UTILIZE THE GRAPHIC SCALE AS SHOWN.
3. CROSS REFERENCE: BOUNDARY SURVEYS BY CLARY & ASSOCIATES FILE NO. T6S-11565 & T6S-1157, THE PLAT OF MADEIRA AT ST. AUGUSTINE PHASE 1A (M.B. 63, PGS. 24-31), AND CLARY & ASSOCIATES CLEAN LINE SPECIFIC PURPOSE SURVEY T6S-1179.
4. THIS MAP WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND

C.E. = CONSERVATION EASEMENT
M.B. = MAP BOOK
NO. = NUMBER
O.R.B. = OFFICIAL RECORDS BOOK
PG. = PAGE
R/W = RIGHT OF WAY

REVISED 08/13/2019, GCC, TO REVISE PARCEL LIMITS
REVISED 08/09/2019, SPB, TO CHANGE REVISED ROAD NAMES

KEY MAP LOT RESTRICTED AREAS – SOIL COVER

JOB NO. 2019-480-2 KEY
DRAFTER GCC
DATE 08/06/2019
SCALE 1"=300'

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

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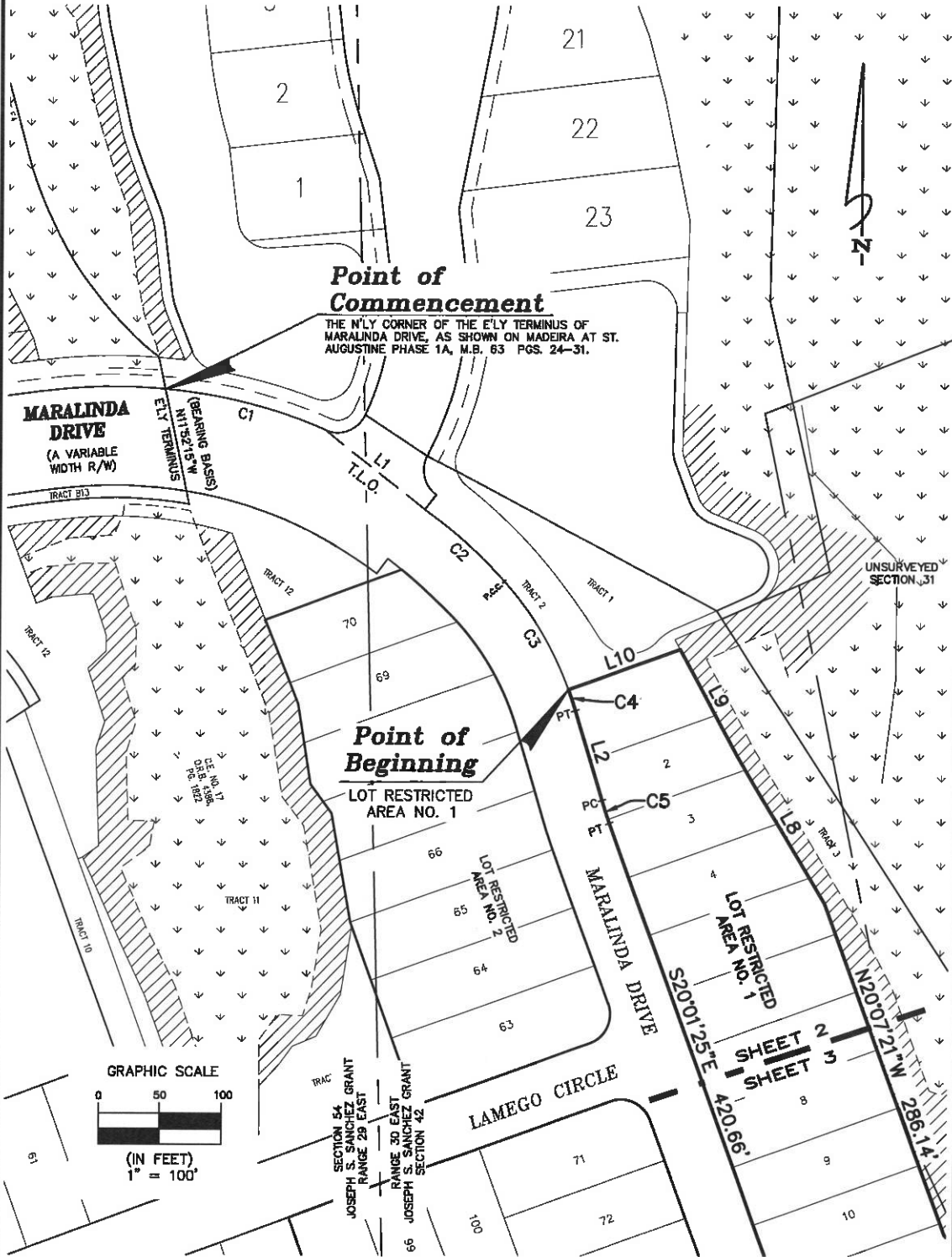
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CHECKED BY:

MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

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REVISED 08/13/2019, GCC, TO REVISE PARCEL LIMITS
 REVISED 08/09/2019, SPB, TO CHANGE REVISED ROAD NAMES

LOT RESTRICTED AREA NO. 1 – SOIL COVER

JOB NO. 2019-480-2-1
 DRAFTER GCC
 DATE 08/02/2019
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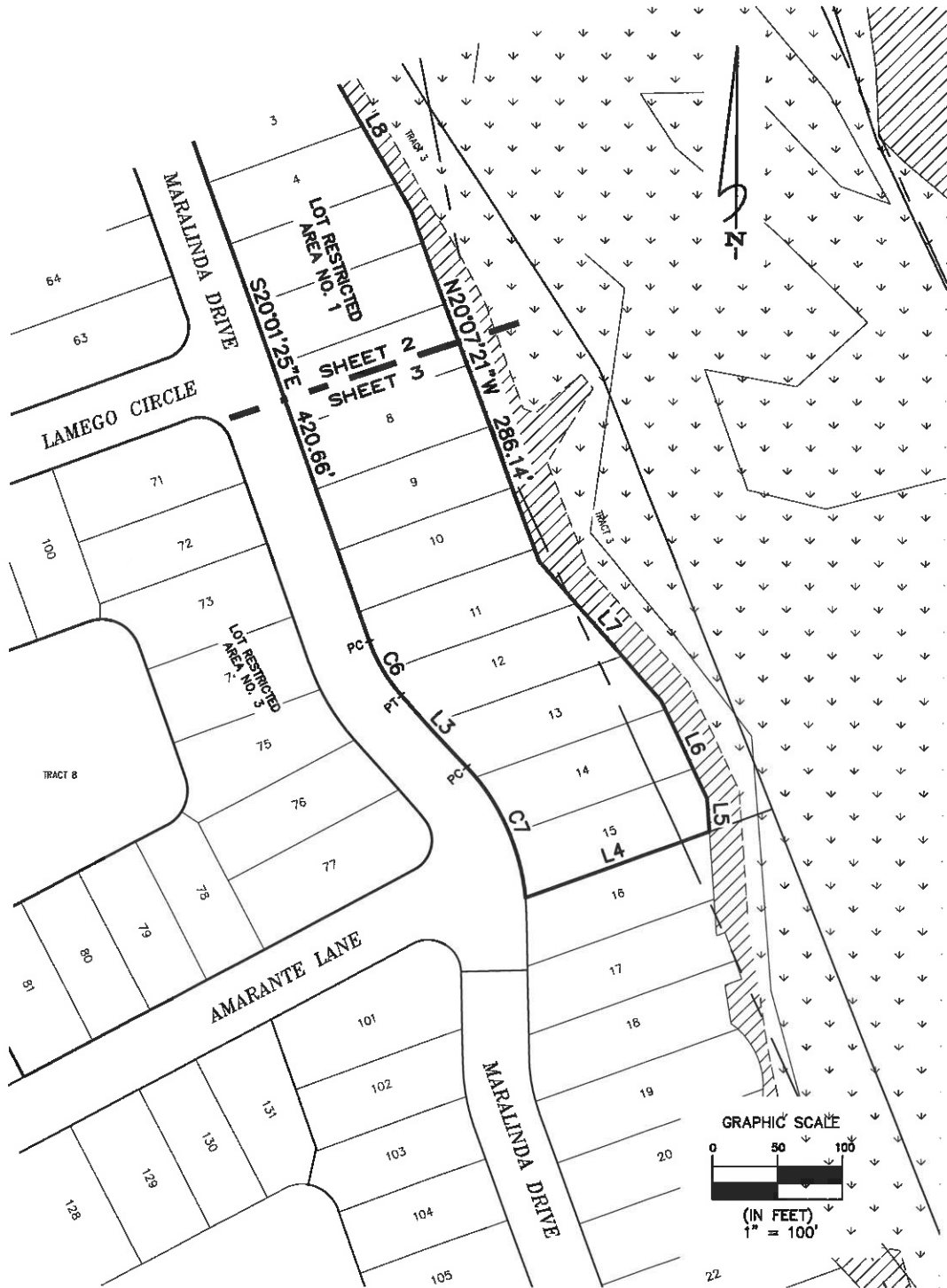
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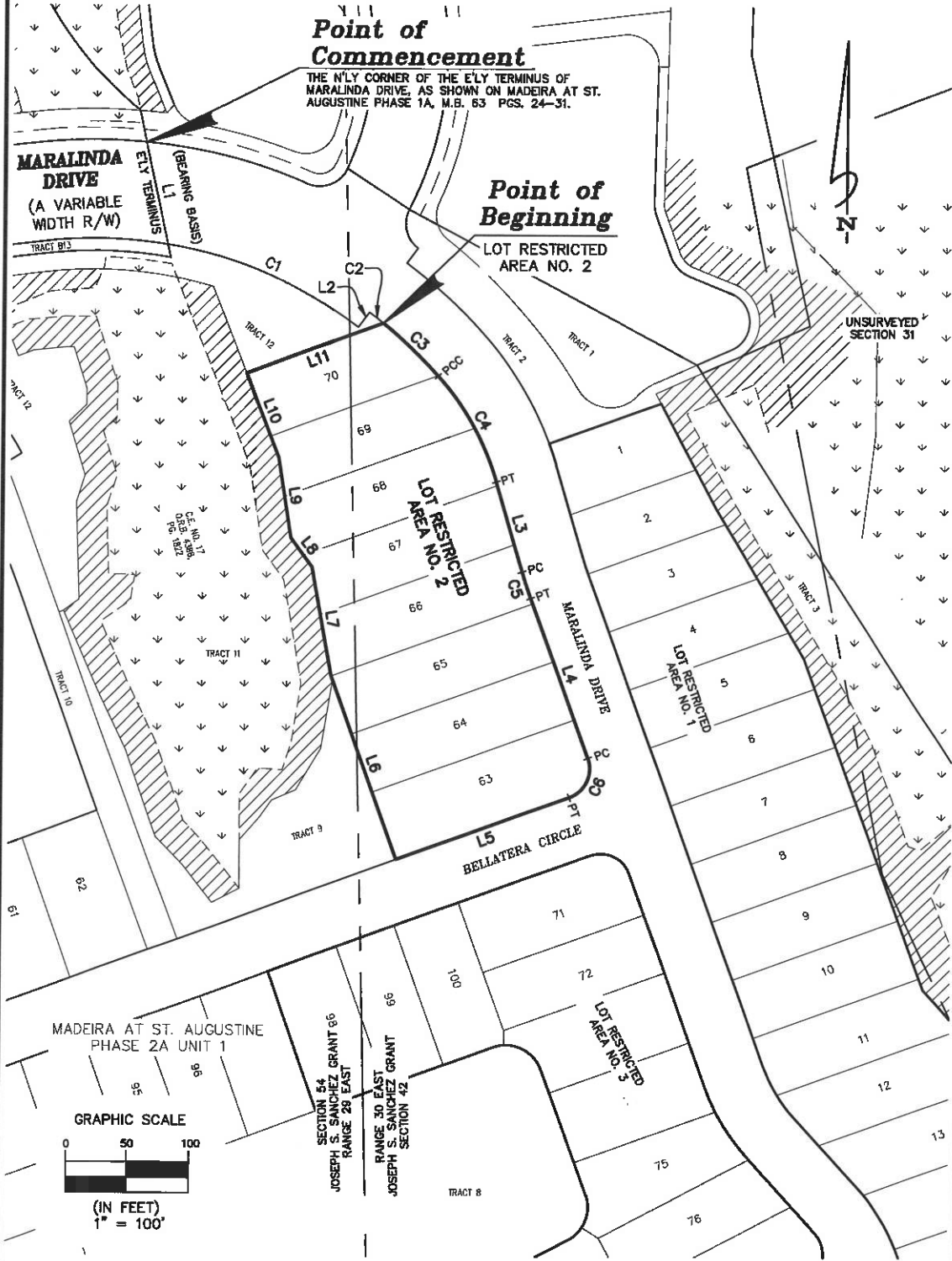


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LOT RESTRICTED AREA NO. 2 – SOIL COVER

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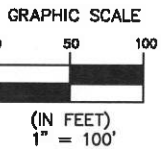
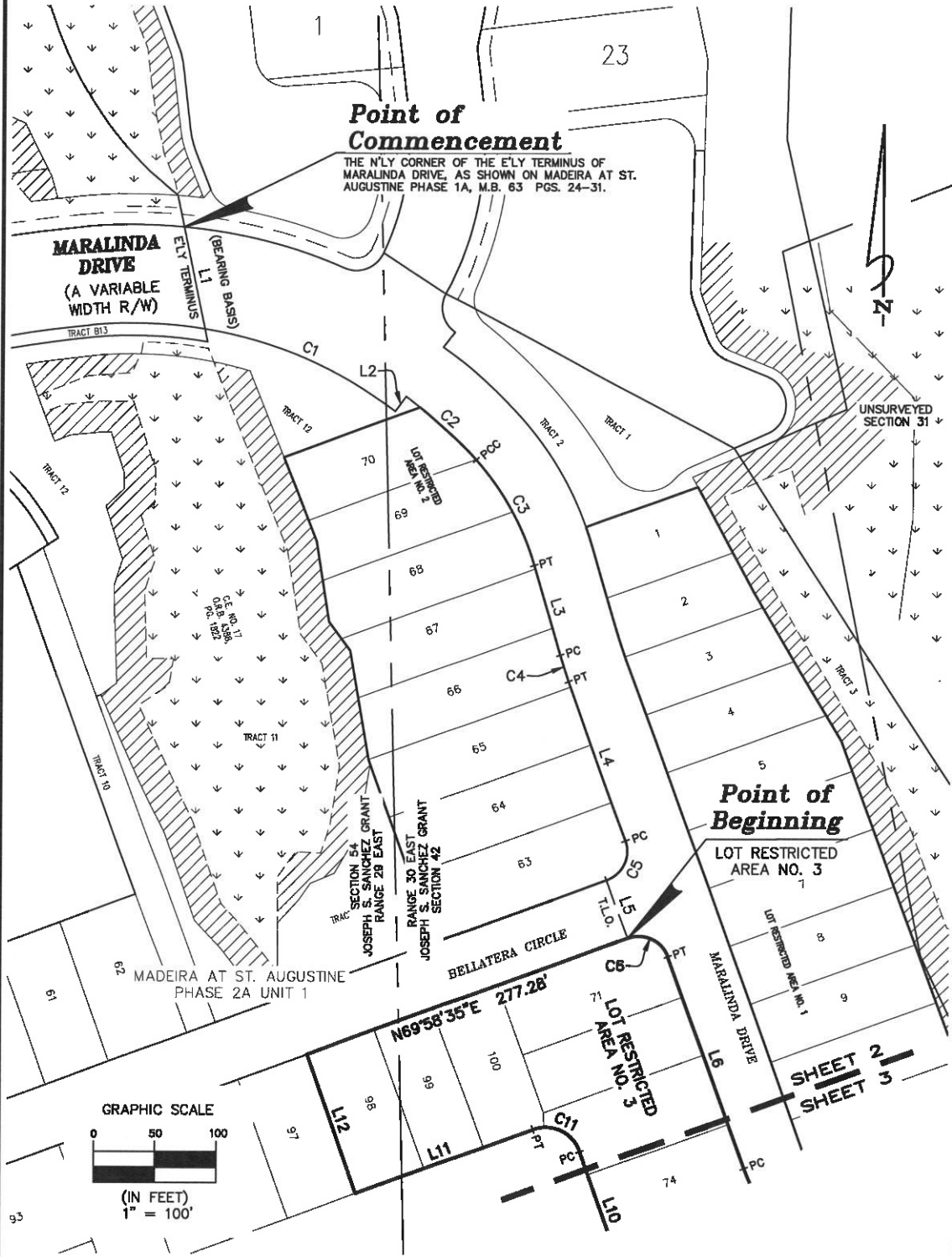


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LOT RESTRICTED AREA NO. 3 – SOIL COVER

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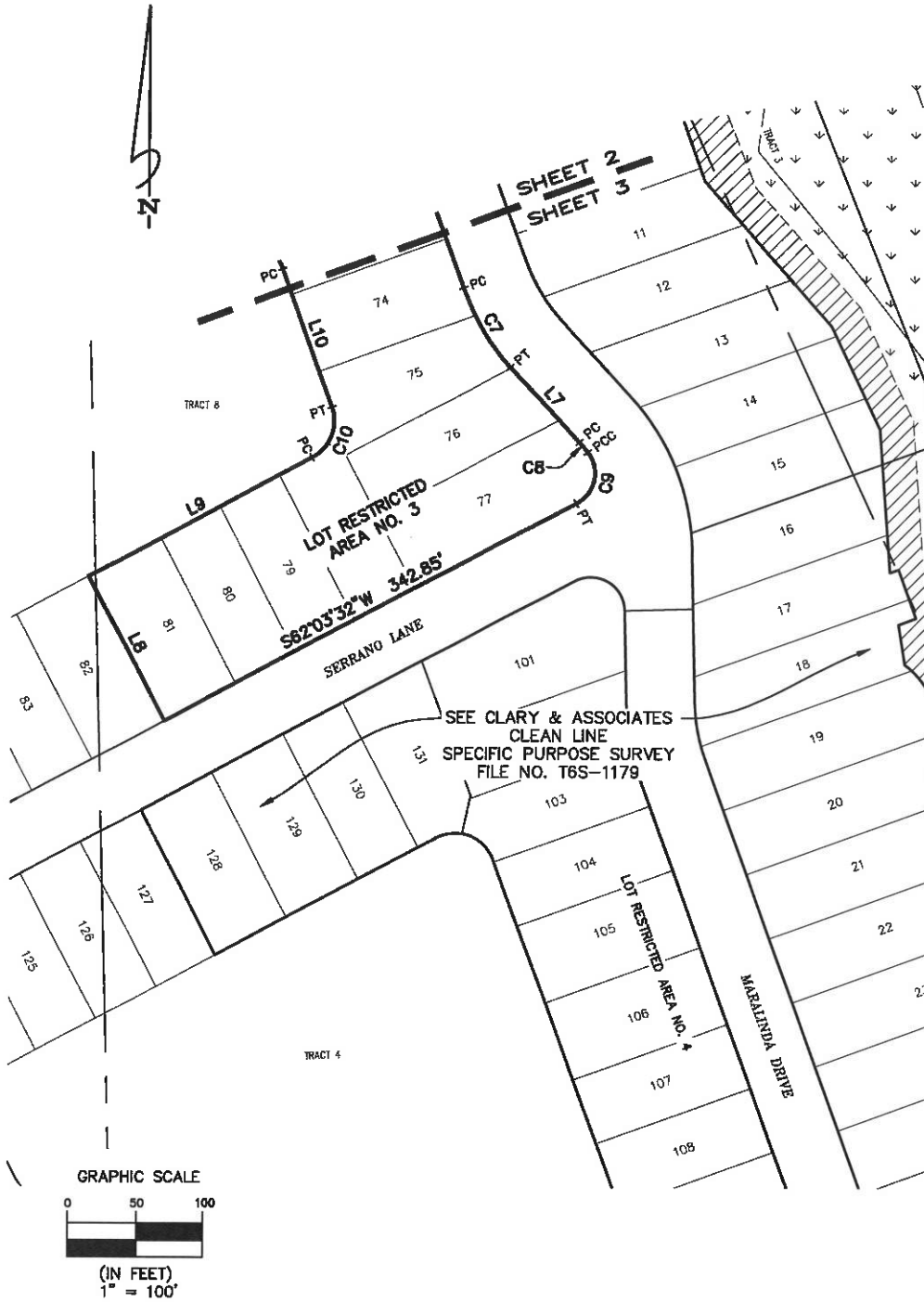
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LOT RESTRICTED AREA NO. 3 - SOIL COVER

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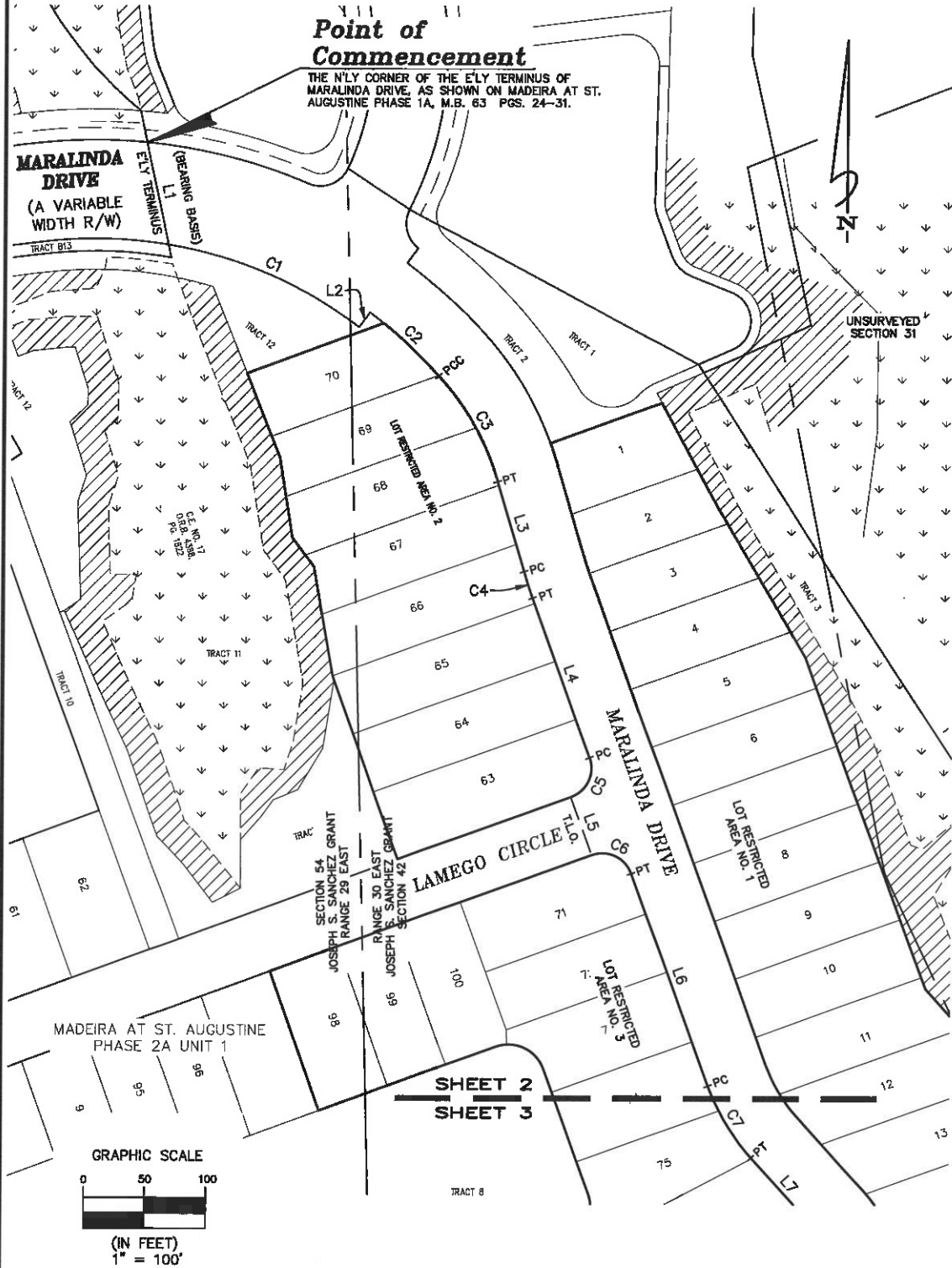


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REVISED 8/9/2019, SPB, TO CHANGE REVISED ROAD NAMES

LOT RESTRICTED AREA NO. 4 – SOIL COVER

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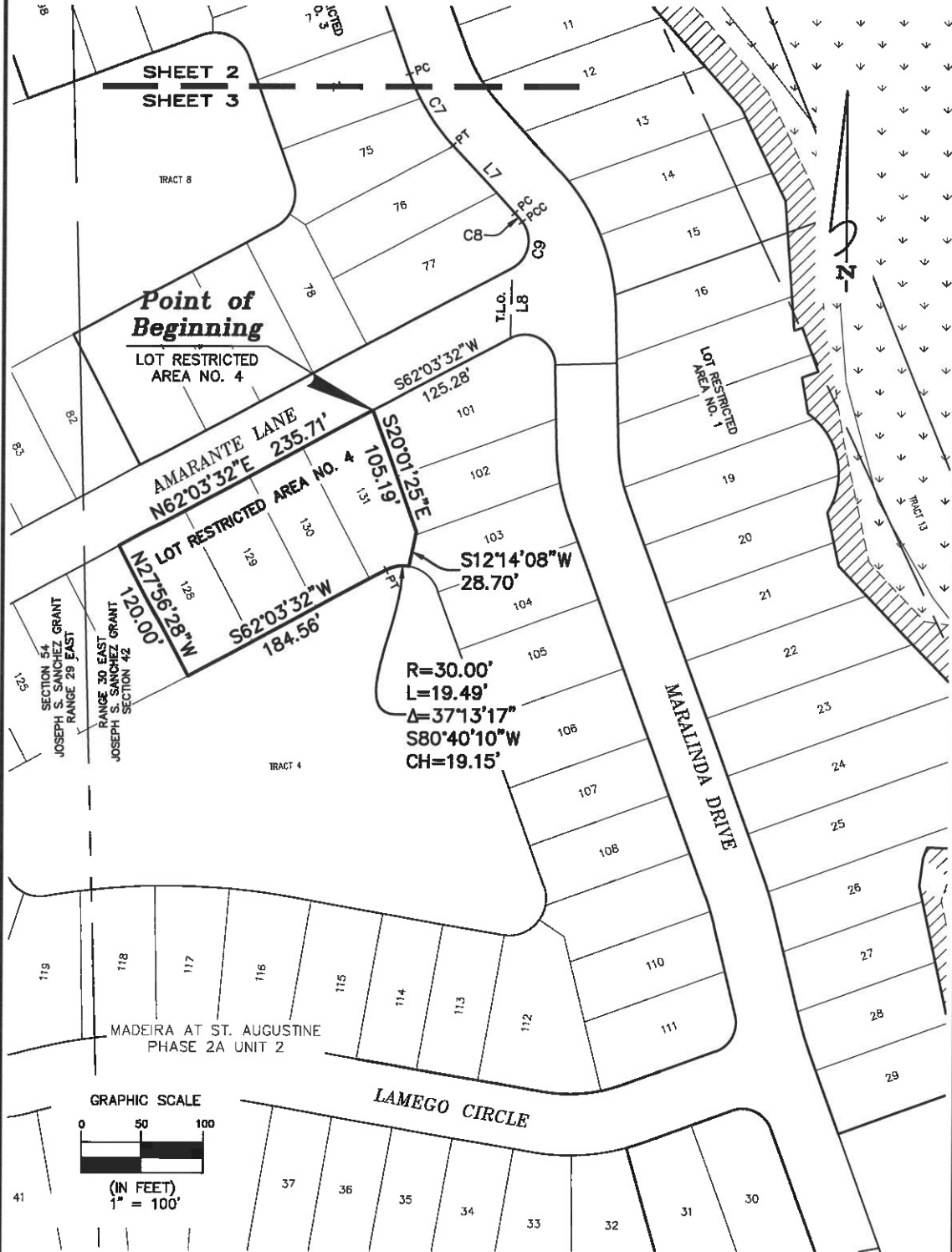
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REVISED 8/9/2019, SPB, TO CHANGE REVISED ROAD NAMES **LOT RESTRICTED AREA NO. 4 – SOIL COVER**

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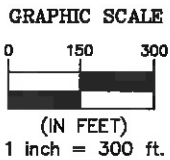
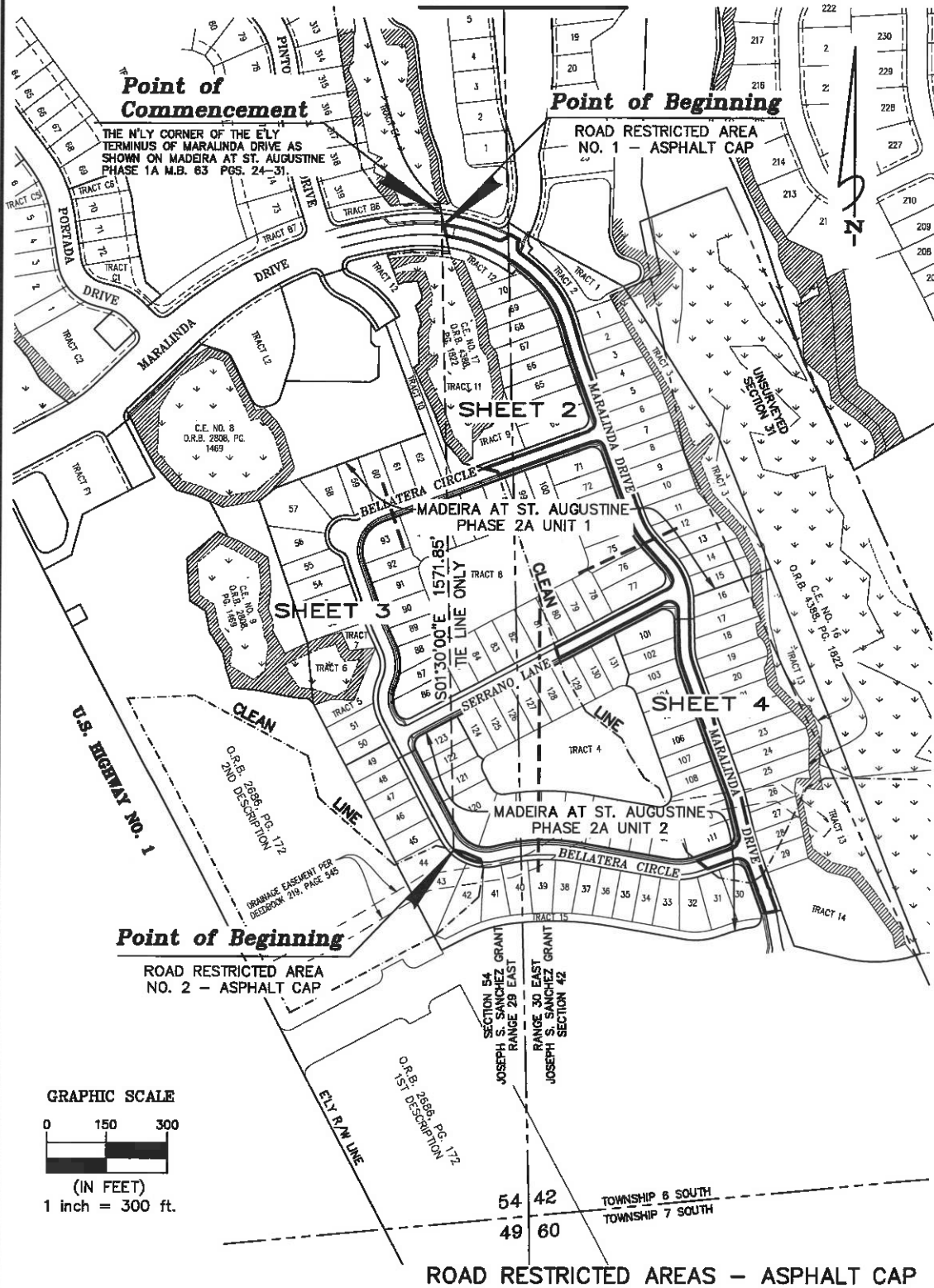
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JOB NO. 2019-480
 DRAFTER GCC
 DATE 08/01/2019
 SCALE 1"=300'

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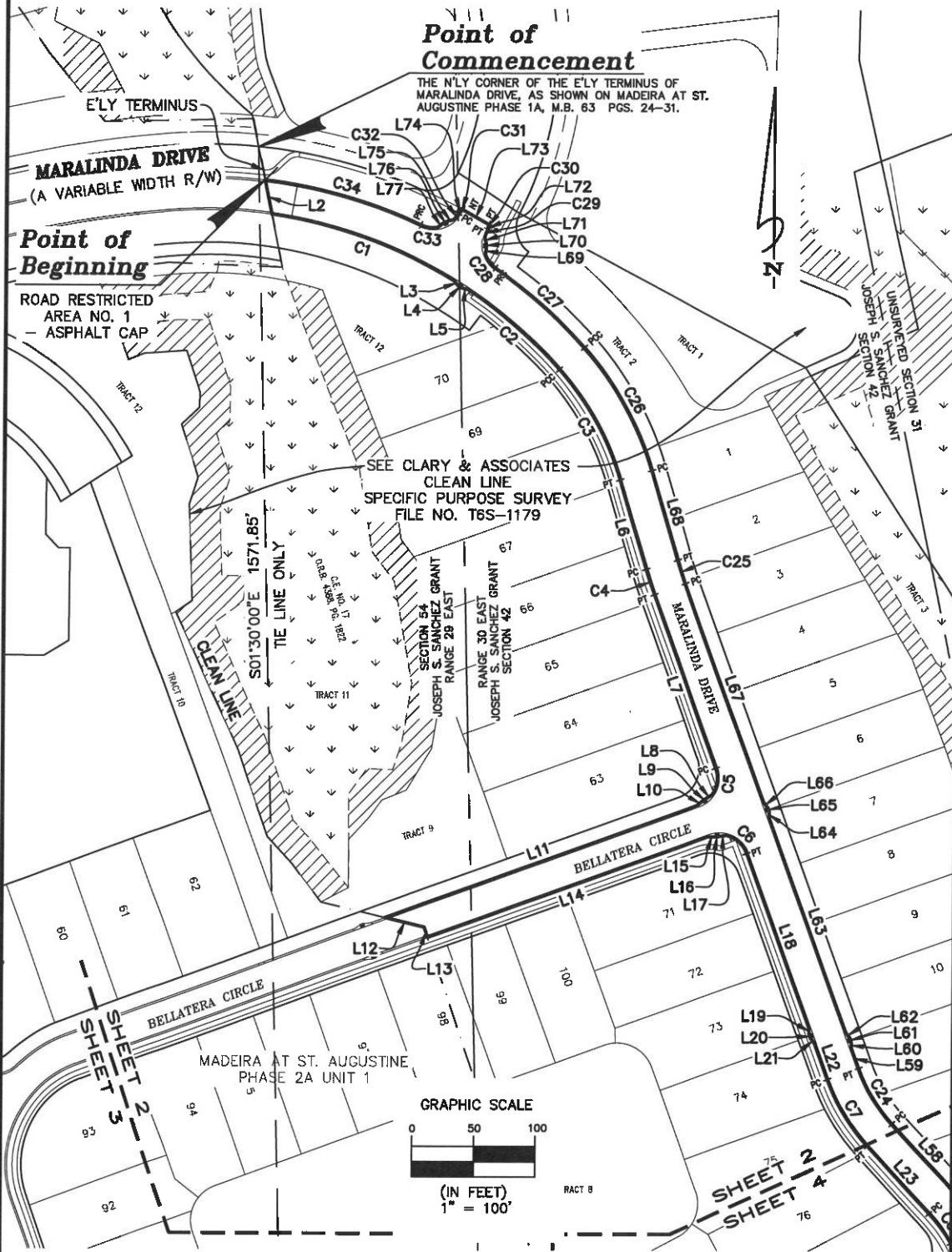


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ROAD RESTRICTED AREAS – ASPHALT CAP

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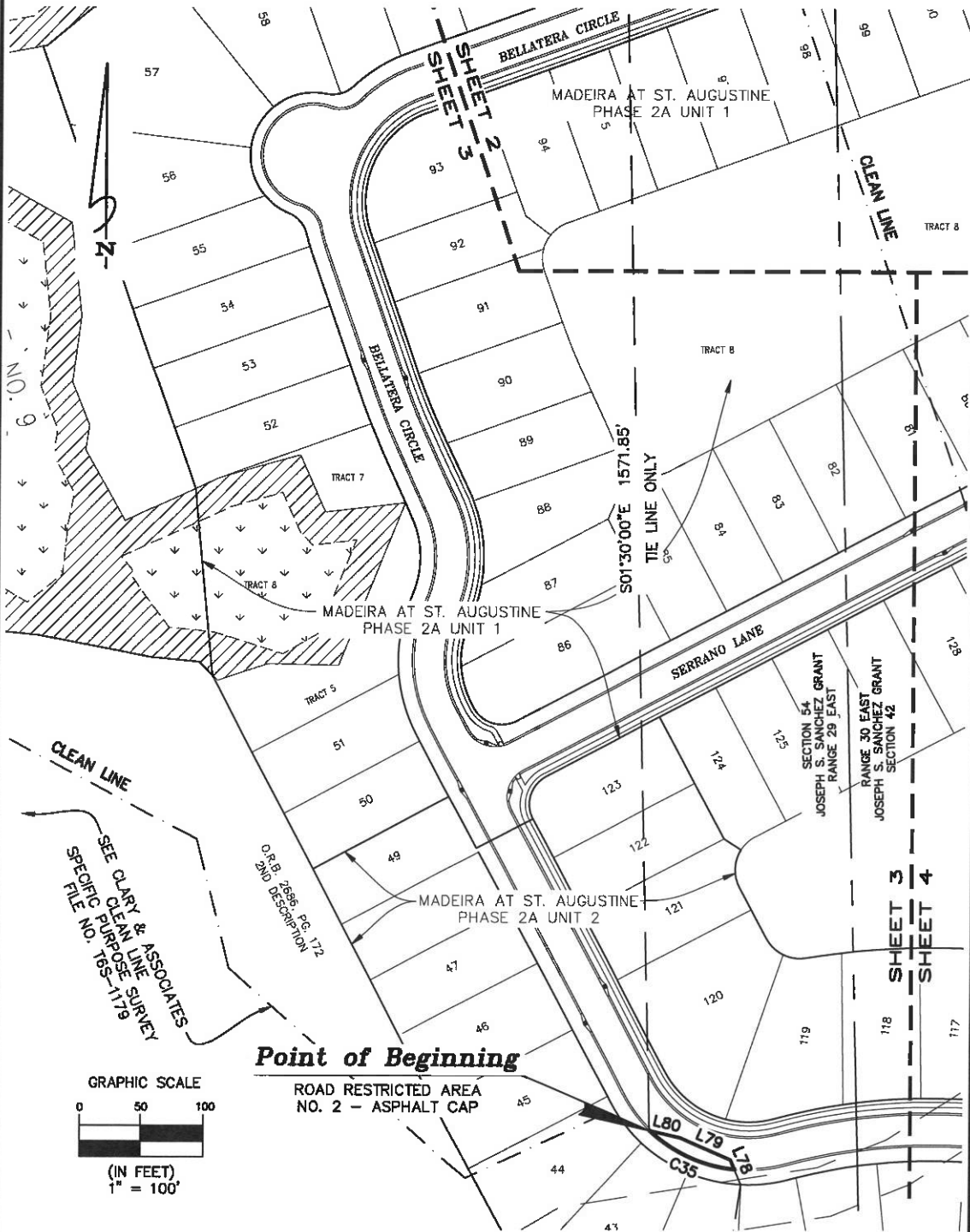


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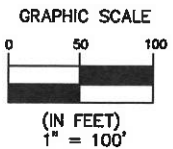
MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

MAP SHOWING

A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 54, TOWNSHIP 6 SOUTH, RANGE 29 EAST, A PORTION OF THE JOSEPH S. SANCHEZ GRANT, SECTION 42, TOWNSHIP 6 SOUTH, RANGE 30 EAST, LYING IN ST. JOHNS COUNTY, FLORIDA



SEE CLARY & ASSOCIATES
SPECIFIC CLEAN LINE SURVEY
FILE NO. T6S-1179



Point of Beginning
ROAD RESTRICTED AREA
NO. 2 - ASPHALT CAP

ROAD RESTRICTED AREAS - ASPHALT CAP

JOB NO. 2019-480
DRAFTER GCC
DATE 08/01/2019
SCALE 1"=100'

THIS MAP OR SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, UNLESS OTHERWISE SHOWN AND STATED HEREON.

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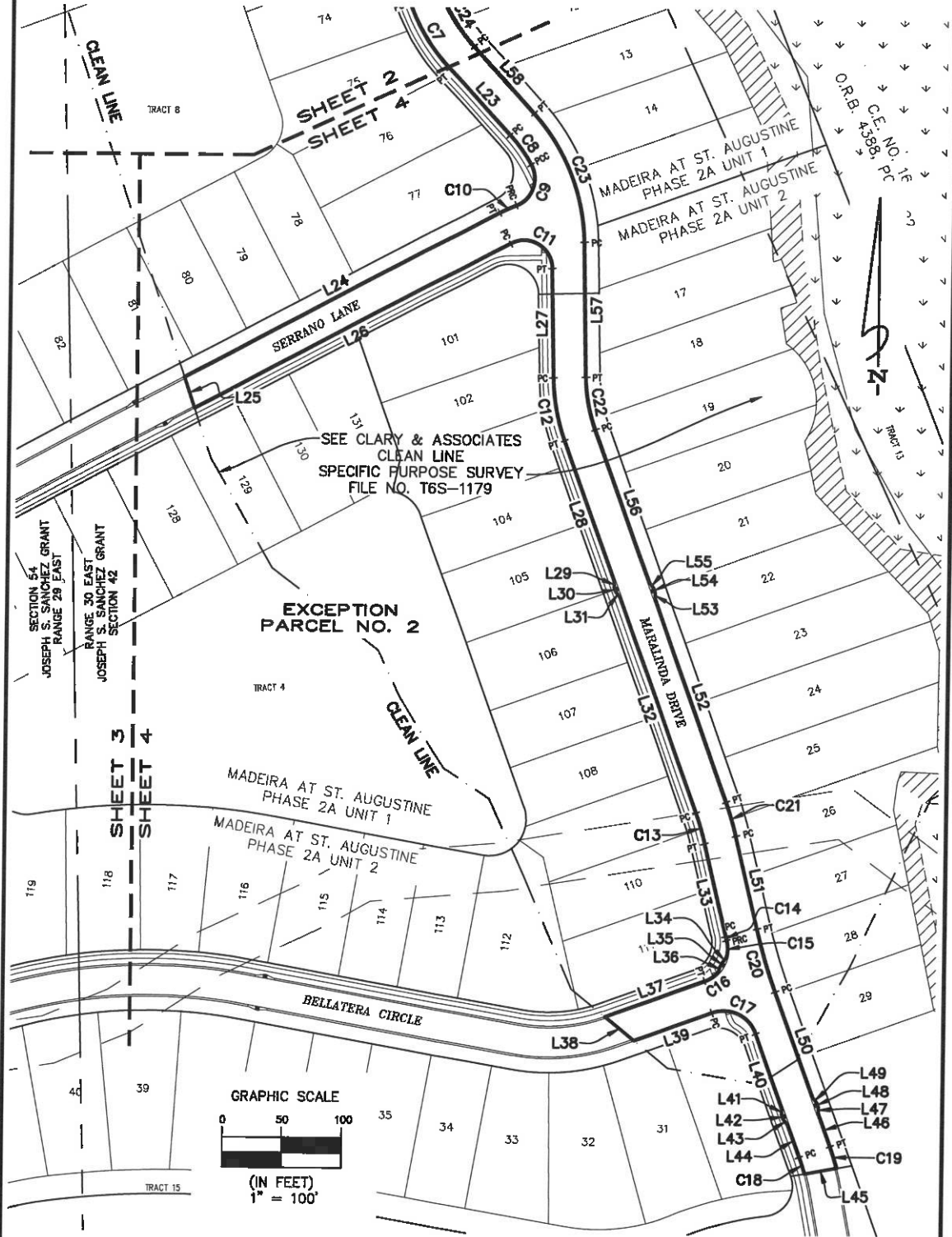
THIS MAP OR SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED HEREON. THE CERTIFICATION SHOWN HEREON DOES NOT EXTEND TO ANY UNNAMED PARTY.

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CHECKED BY: MICHAEL J. COLLIGAN, P.S.M. CERT. NO. 6788

MAP SHOWING

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ROAD RESTRICTED AREAS - ASPHALT CAP

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YEAR: _____

**ATTACHMENT B
MADEIRA SUBDIVISION DEVELOPMENT
INSPECTION AND MAINTENANCE FORM¹**

Address: _____

Phase/Lot Number: _____

Inspection performed by: _____

Inspection Date: ____/____/____

Is the Engineering Control (soil cap) in place?

Yes No

If No, describe impact identified:

Homeowner Notification:

Date: ____/____/____

By: _____ (mail, email, other - describe)

Describe remedy for impact and when remedy was completed:

¹This inspection and maintenance form is a requirement of the Engineering Control Maintenance Plan (ECMP), which is a legal document that requires annual inspection of the engineering control (2-feet of fill material). The ECMP requires that the engineering control be maintained and visually inspected for evidence of erosion and/or other damage. If the engineering control is damaged, then repairs must be made and documented.