Cypress Creek Green Reuse Area Community Meeting

Property Location Map

Courtyard Boynton Beach
October 16, 2024
5:30 p.m.

Toll Brothers
AMERICA'S LUXURY HOME BUILDER

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM

LANGAN
ENGINEERING & ENVIRONMENTAL SERVICES

Agenda

- Introduction
- Objectives of Meeting
- Redevelopment Plan
- Florida Brownfields Program Overview
- Cleanup of Golf Courses for Residential Reuse – A State of Florida and Palm Beach County Survey
- Site Assessment Findings for Cypress Creek Golf Course
- Supplemental Site Assessment
- Questions, Responses, and Dialogue
- Adjourn

Objectives for the 16 October 2024 Community Meeting

- Provide information regarding the designation process generally under Florida's Brownfields Redevelopment Act, how it will apply to the former Cypress Creek Golf Course specifically, and when and how the process transitions from local government decision-making to state environmental regulatory agency oversight.

- Explore with you how normalized golf course cleanup and redevelopment is in Florida and walk you through a number of examples of similar projects throughout the State and in Palm Beach County, all of which involve residential reuse.

- Explain how Florida regulates contamination cleanup and how the agency responsible for the enforcement of the State's contamination cleanup rule administers the rule and ensures compliance with codified standards (i.e., allowable concentrations for contaminants in soil, groundwater, surface water, and sediments) to protect human and the environment.

- Present to you the findings of our team's environmental investigation to date, including not just the results of a comprehensive assessment of contaminants in soil, groundwater, surface water, and sediments but also our review and careful consideration of historical agricultural activities and development patterns for the entire subregion going back to 1940.

- Afford to those receiving notice of the proposed rehabilitation of the former Cypress Creek Golf Course the "opportunity for comments and suggestions about rehabilitation." §376.80(2)(c)4, Florida Statutes ("F.S.")

Summary of Proposed Reuse

- 152 Single Family Detached Homes
- 52.10 acres of open space
- 2.45-acre civic pod
- 8 acres of landscape buffers
- 33.89 acres of lake area
- 1.70 acres of recreational area

Proposed conceptual home shown for reference only. Details may vary.

Florida's Brownfields Redevelopment Program & the Former Cypress Creek Golf Course

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Managing Partner
The Goldstein Environmental Law Firm, P.A.
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THE GOLDSTEIN ENVIRONMENTAL LAW FIRM

Florida's Brownfields Redevelopment Act: A Few Key Definitions

"Brownfield sites" means real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination. §376.79(4), Florida Statutes ("F.S.")

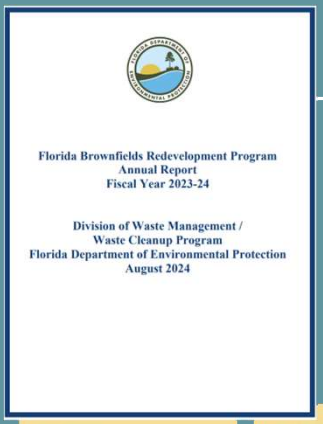
"Brownfield area" means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portions of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. §376.79(5), F.S.

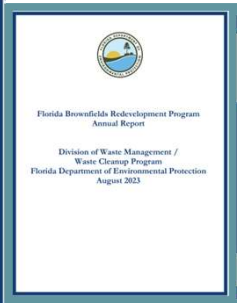
"Site rehabilitation" means the assessment of site contamination and the remediation activities that reduce the levels of contaminants at a site through accepted treatment methods to meet the cleanup target levels established for that site. For purposes of sites subject to the Resource Conservation and Recovery Act, as amended, the term includes removal, decontamination, and corrective action of releases of hazardous substances. §376.79(19), F.S.

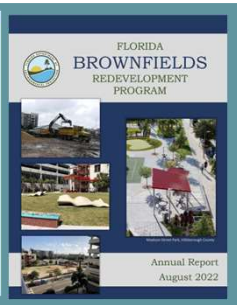
"Person responsible for brownfield site rehabilitation" means the individual or entity that is designated by the local government to enter into the brownfield site rehabilitation agreement with the department or an approved local pollution control program and enters into an agreement with the local government for redevelopment of the site. §376.79(15), F.S.

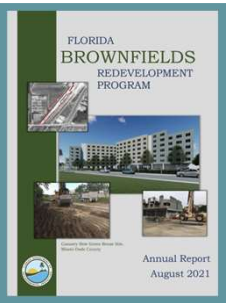
All definitions relating to the Brownfields Redevelopment Act are codified at § 376.79, Florida Statutes, and can be accessed here: http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0376/Sections/0376.79.html

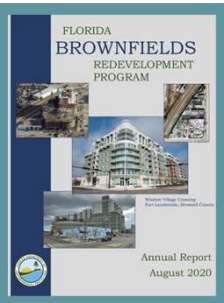
Florida's Brownfields Redevelopment Program – Mature, Proven, and Utilized Often and Across the State

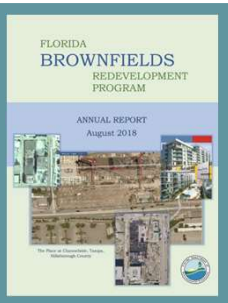


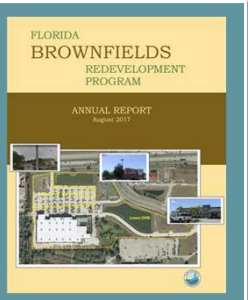


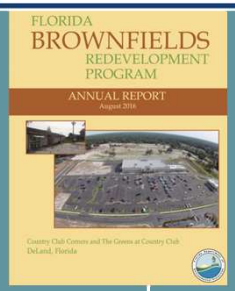


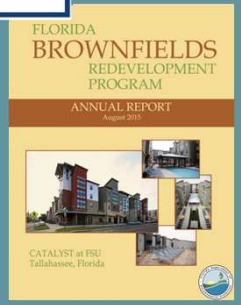


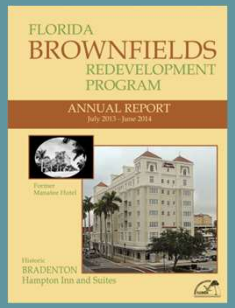


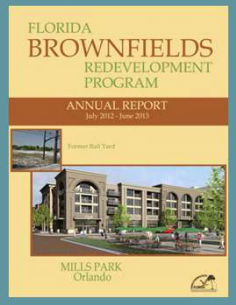


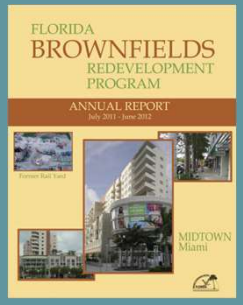


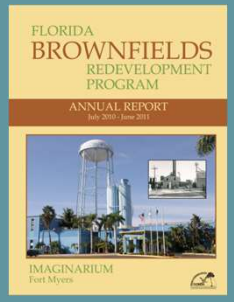


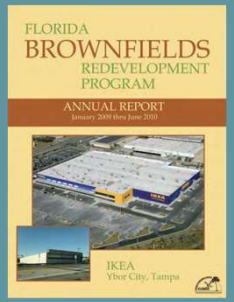


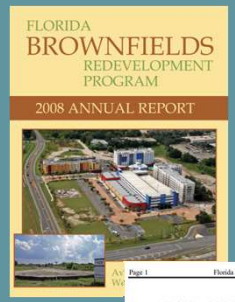


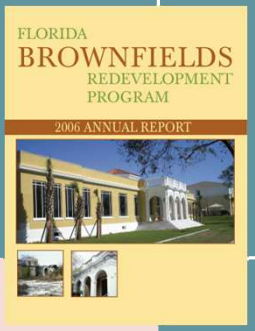


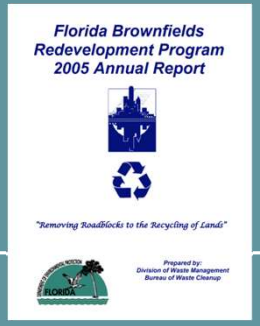


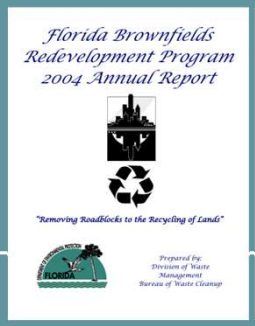


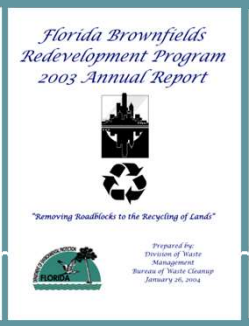


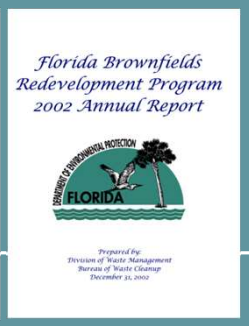


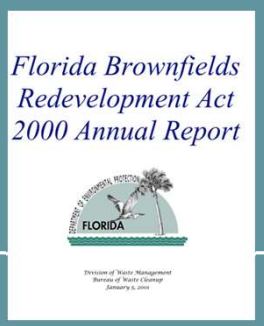


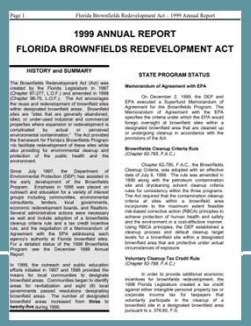


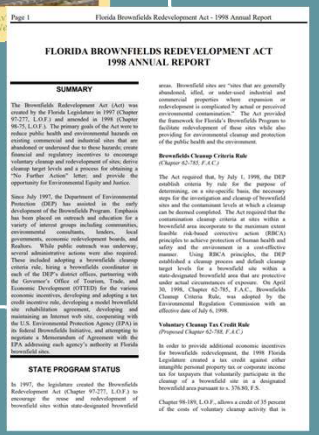












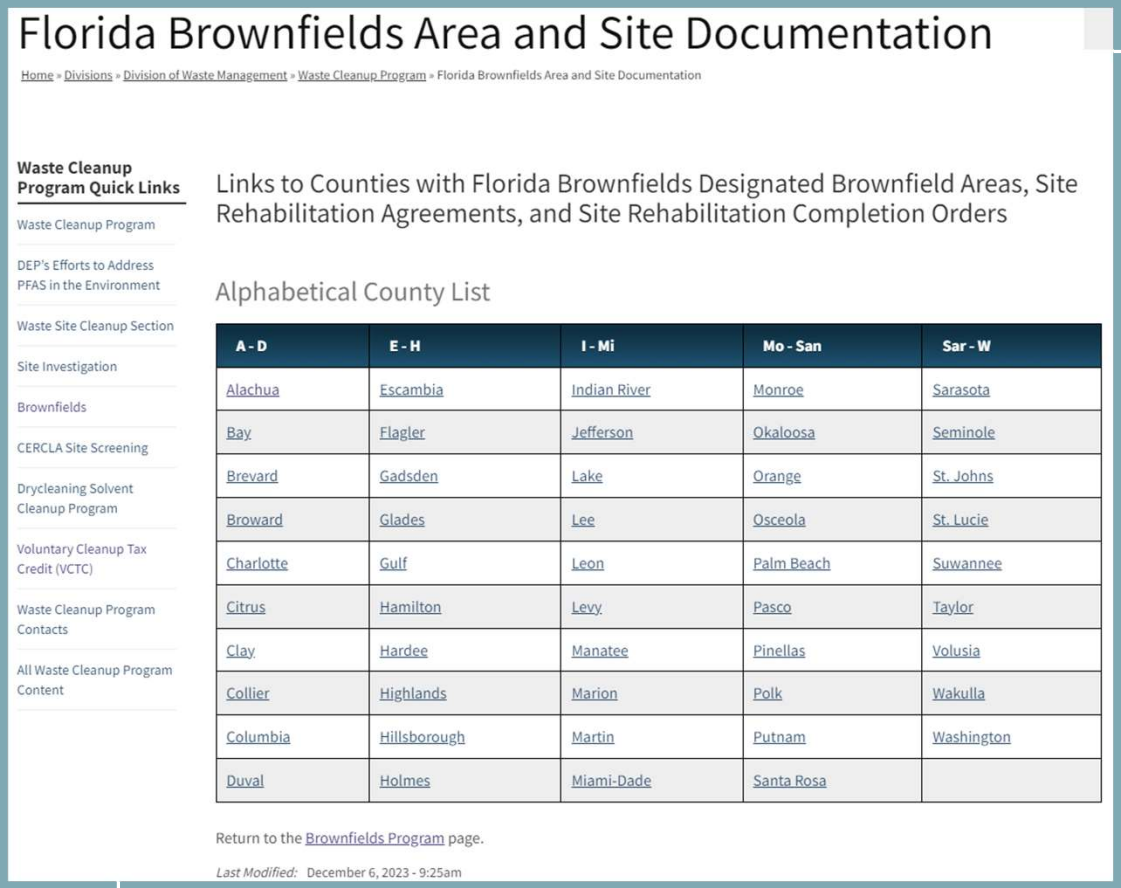
All FDEP Florida Brownfields Program Annual Reports can be accessed here:
https://floridadep.gov/waste/waste-cleanup/content/florida-brownfields-redevelopment-program-annual-reports

Florida's Brownfields Redevelopment Program - Statistics

Enacted July 1, 1997

- As of June 30, 2024
  - 593 Brownfield Areas
  - 292,865.41 acres
- 503 BSRAs
  - 7,024 acres
- 89,976 confirmed and projected direct and indirect jobs have been created
  - 16,549 confirmed net new direct jobs attributed to Florida Brownfields Program
- $3.188 billion in capital investment projected in designated brownfield areas

Florida Brownfields Program – Mature, Proven, Utilized Often and Across the State



Florida Brownfields Area and Site Documentation

Home » Divisions » Division of Waste Management » Waste Cleanup Program » Florida Brownfields Area and Site Documentation

Waste Cleanup Program Quick Links

- Waste Cleanup Program
- DEP's Efforts to Address PFAS in the Environment
- Waste Site Cleanup Section
- Site Investigation
- Brownfields
- CERCLA Site Screening
- Drycleaning Solvent Cleanup Program
- Voluntary Cleanup Tax Credit (VCTC)
- Waste Cleanup Program Contacts
- All Waste Cleanup Program Content

Links to Counties with Florida Brownfields Designated Brownfield Areas, Site Rehabilitation Agreements, and Site Rehabilitation Completion Orders

Alphabetical County List

A - D	E - H	I - Mi	Mo - San	Sar - W
Alachua	Escambia	Indian River	Monroe	Sarasota
Bay	Flagler	Jefferson	Okaloosa	Seminole
Brevard	Gadsden	Lake	Orange	St. Johns
Broward	Glades	Lee	Osceola	St. Lucie
Charlotte	Gulf	Leon	Palm Beach	Suwannee
Citrus	Hamilton	Levy	Pasco	Taylor
Clay	Hardee	Manatee	Pinellas	Volusia
Collier	Highlands	Marion	Polk	Wakulla
Columbia	Hillsborough	Martin	Putnam	Washington
Duval	Holmes	Miami-Dade	Santa Rosa	

Return to the Brownfields Program page.

Last Modified: December 6, 2023 - 9:25am

County	Designations	Acres	BSRAs
Alachua	3	34.99	3
Bay	1	11.65	1
Brevard	23	19,281.94	13
Broward	45	6,108.1	33
Charlotte	3	3,314.85	0
Citrus	2	48.63	1
Clay	2	5,584.47	4
Collier	2	229.10	1
Columbia	2	2,478.82	0
Duval	32	24,401.62	52
Escambia	27	17,052.51	10
Flagler	3	4,193.69	3
Gadsden	1	4,890.00	0
Glades	1	214.44	0
Gulf	1	168.00	2
Hamilton	1	12,807.00	0
Hardee	1	11,931.70	0
Highlands	1	12,268.00	1
Hillsborough	83	5,383.64	78
Holmes	1	1,068.78	0
Indian River	1	1,012.00	0
Jefferson	1	599.10	0
Lake	12	4,268.99	0
Lee	6	4,301.13	5
Leon	7	1,479.91	11
Levy	1	2.98	1
Manatee	13	1,198.38	13
Marion	17	2,893.16	5
Martin	1	50.40	0
Miami-Dade	94	56,608.17	106
Monroe	2	34.45	1
Okaloosa	5	674.68	1
Orange	32	16,249.99	35
Osceola	2	18,707.69	3
Palm Beach	25	4,456.03	27
Pasco	4	466.97	0
Pinellas	29	19,562.25	29
Polk	28	5,715.33	11
Putnam	1	9.0	1
Santa Rosa	3	1,782.03	0
Sarasota	8	503.81	7
Seminole	23	7,775.28	16
St. Johns	4	423.93	4
St. Lucie	6	102.45	5
Suwannee	2	939.84	0
Taylor	1	20.0	0
Volusia	28	13,365.68	18
Wakulla	1	56.73	2
Washington	1	113.00	0

All FDEP Florida Brownfields Program Monthly Designation and BSRA Reports can be accessed here: https://floridadep.gov/waste/waste-cleanup/documents/designated-brownfield-areas and https://floridadep.gov/waste/waste-cleanup/documents/brownfields-executed-bsras

Florida Brownfields Program – Palm Beach County by the Numbers

Brownfield Designated Area in Palm Beach County				
Area Name	**Location**	**Designated by**	**Resolution Date**	**Acres**
Verde Commons Green Reuse Area	9845 and 9905 Clint Moore Road, Palm Beach County	Palm Beach County	11/21/2023	17.53
Former Southern Crop Services Green Reuse Area	8760 Atlantic Avenue, Palm Beach County	Palm Beach County	7/11/2023	9.63
Encompass Health Green Reuse Area	9645 and 9719 Lantana Road, Palm Beach County	Palm Beach County	12/20/2022	8.22
Okeechobee Blvd. Former Landfill and Shooting Range Green Reuse Area	5976 Okeechobee Boulevard, Palm Beach County	Palm Beach County	9/13/2022	28.28
Palm Beach Rd and NW 1st Ave Brownfield Area	105 Palm Beach Road and 225 NW 1st Avenue, South Bay	City of South Bay	7/21/2020	2.85
Residences at Boca Dunes Green Reuse Area	22508 – 22866 SW 65th Avenue, Palm Beach County	Palm Beach County	11/19/2019	55.84
Calusa Estates Green Reuse Area	1501 Calusa Drive, Belle Glade	City of Belle Glade	3/19/2018	9.70
Former Rood Landscape Green Reuse Area	4534 and 4546 County Line Road, Tequesta	Village of Tequesta	12/8/2016	8.01
Commerce Park Green Reuse Area	1100 Old Dixie Highway, Lake Park	Town of Lake Park	12/7/2016	10.55
Lantana Square Green Reuse Area	4965 Lantana Road, Palm Beach County	Palm Beach County	9/27/2016	9.65
Delray Beach Brownfield Area	1475 AW 4th Avenue, Delray Beach	City of Delray Beach	12/2/2015	6.75
Former Servico Landfill Brownfield Area	1520 Belvedere Road, West Palm Beach	City of West Palm Beach	3/16/2015	8.94
480 US Highway 27 North	480 US Highway 27 N, South Bay	City of South Bay	4/15/2014	0.29
Former Pike Utilities Brownfield Area	4220 Charleston Street, Palm Beach County	Palm Beach County	7/10/2012	9.79
Boynton Beach Community Redevelopment Area	Portions of Boynton Beach CRA	City of Boynton Beach	12/1/2009	293.41
Pahokee Plaza Area	843 US Highway 441, Pahokee	City of Pahokee	7/16/2009	2.32
Greater Lake Worth Park of Commerce	As reflected on exhibit	City of Lake Worth	3/16/2009	453.00
Carver Square Brownfield Area	Portion of Carver Square CRA	City of Delray Beach	4/3/2007	2.42
Lake Worth Closed Municipal Landfill	Washington Avenue & Singfield Street, Lake Worth	City of Lake Worth	2/1/2005	65.00
W.P.B. Downtown Northwood/Pleasant City CR Expanded Area	Additional Portions of Downtown CRA and Northwood Pleasant City CRA	City of West Palm Beach	7/19/2004	148.35
Lake Worth CRA District	Lake Worth CRA District (less two parcels)	City of Lake Worth	6/1/2004	737.00

Brownfield Designated Area in Palm Beach County				
Area Name	**Location**	**Designated by**	**Resolution Date**	**Acres**
Westgate/Belvedere Homes CRA Area	Portions of CRA in Downtown West Palm Beach and in portions of the Northwood/Pleasant City CRA in West Palm Beach and all of the Westgate/Belvedere Homes CRA in Palm Beach County	Palm Beach County	12/16/2003	1,264.00
W.P.B. Downtown Northwood/Pleasant City CRA Areas	City's Enterprise Zone Area	City of West Palm Beach	11/24/2003	118.00
Belle Glade Brownfield Area	City's Enterprise Zone Area	City of Belle Glade	5/19/2003	1091.00
Former Palm Beach Lakes Golf Course	Palm Beach Lakes Boulevard and Congress Avenue	City of West Palm Beach	6/25/2001	96.00

- 25 Designations – 4,456.03 acres
  - Largest: 1,264 acres
  - Smallest: 0.29 acres
  - First Designation: 06/25/01
  - Last Designation: 11/21/23
  - 27 BSRAs - 334.53 acres

All Palm Beach County metrics, designation resolutions, and BSRAs for Brownfield areas and sites can be accessed here: https://floridadep.gov/waste/waste-cleanup/content/palm-beach-county-brownfield-areas-and-sites

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN RE: **[Insert Name of the Person(s) or Entity Responsible For Brownfield Site Rehabilitation]**
[Insert Brownfield Site Name]
[Insert Brownfield Site Address, City, State, Zip Code]
[Insert Brownfield Area Name]
[Insert Brownfield Area Identification Number: "BFXXXXXXXXX"]
[Insert Brownfield Site Identification Number: "BFXXXXXXXXX"]
[Insert any other FDEP Identification Number(s): COM_, Facility #, etc.]
[Insert OGC Tracking Number: provided by FDEP during review of draft]

BROWNFIELD SITE REHABILITATION AGREEMENT PURSUANT TO §376.80(5), Florida Statutes (F.S.)

WHEREAS, the Brownfields Redevelopment Act was enacted to reduce public health and environmental hazards on existing commercial and industrial sites by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans; and

WHEREAS, the Department of Environmental Protection ("Department") is the administrative agency of the State of Florida having the power and duty to protect Florida's environment and to administer and enforce the provisions of Chapters 403 and 376, F.S., and the rules promulgated thereunder, Chapters 62-777 and 62-780, Florida Administrative Code (F.A.C.), as amended; and

WHEREAS, the Department has jurisdiction over the matters addressed in this Brownfield Site Rehabilitation Agreement ("BSRA"); and

WHEREAS, the Department has the authority, pursuant to §376.81, F.S., to establish by rule, criteria for determining the rehabilitation program tasks that comprise a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program may be deemed complete;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, it is agreed as follows:

This BSRA is entered into between the Department and _____ **{insert the full legal name of the entity entering into the BSRA}**, hereinafter the Person Responsible For Brownfield Site Rehabilitation ("PRFBSR") (collectively referred to as the "parties"), for the rehabilitation of a brownfield site within a designated brownfield area pursuant to §376.80(5), F.S. The Department and the PRFBSR agree to the following:

BEFORE BROWARD COUNTY,
A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

IN RE: **Toll Bros., Inc. and CVE Master Management Company, Inc.**
Former Hillsboro Pines Golf Club Reuse Area
450, 451, 2799, 2800, and 2801 Century Blvd, Deerfield Beach, FL 33442
Former Hillsboro Pines Golf Club Reuse Area
Brownfield Area Identification Number: BF061803000
Brownfield Site Identification Number: BF061803001

BROWNFIELD SITE REHABILITATION AGREEMENT PURSUANT TO §376.80(5), Florida Statutes (F.S.)

WHEREAS, the Brownfields Redevelopment Act was enacted to reduce public health and environmental hazards on existing commercial and industrial sites by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans; and

WHEREAS, Broward County (the "County") has been delegated the authority to administer the Florida Brownfields Program on behalf of the State of Florida Department of Environmental Protection (the "Department"), and thereby has the power and duty to administer and enforce the provisions of Chapters 403 and 376, F.S., and the rules promulgated thereunder, Chapters 62-777 and 62-780, Florida Administrative Code (F.A.C.), as amended; and

WHEREAS, the Department has jurisdiction over the matters addressed in this Brownfield Site Rehabilitation Agreement ("BSRA"); and

WHEREAS, the Department has the authority, pursuant to §376.81, F.S., to establish by rule, criteria for determining the rehabilitation program tasks that comprise a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program may be deemed complete;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, it is agreed as follows:

This BSRA is entered into between the County and Toll Bros., Inc. ("Toll") and CVE Master Management Company, Inc. ("CVE"), hereinafter collectively the Persons Responsible For Brownfield Site Rehabilitation ("PRFBSRs") (collectively referred to as the "parties"), for the rehabilitation of a brownfield site within a designated brownfield area pursuant to §376.80(5), F.S. The County and the PRFBSRs agree to the following:

Attachment B
Table I
Brownfield Site Rehabilitation Schedule

Type of Report or Activity	PRFBSR Action or Submittal Time Frames	Department Review or Comment Time frames
Notice of Interim Source Removal Action or Emergency Response Action situations.	Within 24 hours of initiation of the action.	No comment required.
Interim Source Removal Proposal	When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (see Rule 62-780.525, F.A.C.)	Within 30 days of receipt.
Interim Source Removal Plan	When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (62-780.525, F.A.C.)	Within 30 days of receipt.
Interim Source Removal Status Report	Within 60 days of completion of source removal activities and every 60 days thereafter or when the field activity is terminated, whichever occurs first.	No comment required.
Interim Source Removal Report	Within 60 days of completion of interim source removal activities.	Within 60 days of receipt.
Site Rehabilitation Plan (SRP) or Combined Document; (Optional submittal) (See Rule 62-780.450, F.A.C.)	Optional: SRP submitted within 270 days of executing BSRA. May include multiple tasks.	Within 60 days of receipt.
Site Assessment Report (SAR)	SAR submitted within 270 days of executing BSRA.	Within 60 days of receipt.
Risk Assessment Report (RAR)	Optional: (within 60 days of SAR approval.)	Within 90 days of receipt.
No Further Action (NFA) Proposal	When the site meets the criteria for NFA (See Rule 62-780.680, F.A.C.).	Within 60 days of receipt.
Well Survey and Sampling Results pursuant to paragraph 62-780.600(3)(h), F.A.C.	Within 60 days of discovery of contamination beyond the property boundaries	Within 60 days of receipt.
Natural Attenuation with Monitoring (NAM) Plan	When the site meets the criteria for Natural Attenuation with Monitoring (See Rule 62-780.690, F.A.C.).	Within 60 days of receipt.
Natural Attenuation with Monitoring (NAM) Report	Within 60 days of sample collection.	No comment required.
Remedial Action Plan (RAP)	Within 90 days of approval of a SRP, SAR or RAR.	Within 60 days of receipt.
As-Built Drawings	Within 120 days of initiating operation of the active remediation system.	No comment required.
Initiate Operation of Active Remedial Action	Within 120 days of RAP approval.	No comment required.
Proposals submitted pursuant to subsection 62-780.700(14), F.A.C.	Optional during active remediation	Within 60 days of receipt
Remedial Action Status Report (Monthly or quarterly status reports may be required for submittal - - depending on site conditions and Advisory Committee.)	Within 60 days of the anniversary date of initiating operation of active remediation system.	No comment required.
Post Active Remediation Monitoring (PARM) Plan	When the site meets the criteria for NFA (see Rule 62-780.680) or Leveling-Off [see Rule 62-780.700(18)]	Within 60 days of receipt.
Post Active Remediation Monitoring (PARM) Report	Within 60 days of sample collection.	No comment required.
Leveling Off Determination	Within 60 days of sample collection.	Within 60 days of receipt.
Post Active Remediation Monitoring (PARM) Plan resampling proposal (Rule 62-780.750(4)(e), F.A.C.	Within 60 days of sample collection.	Within 60 days of receipt.
Site Rehabilitation Completion Report (SRCR)	Within 60 days of the final sampling event. If SRCR not approved then submit modifications, etc., within 60 days of Department's response.	Within 60 days of receipt. If the brownfield site meets the requirements of Chapter 62-780, F.A.C., for the issuance of an SRCO, then an SRCO will be issued.
Pilot Study Work Plan	When seeking approval before implementation of a Pilot Study pursuant to Rule 62-780.700(2), F.A.C.	Within 60 days of receipt.
Notices for Field Activities except for Start of Interim Source Removal or Emergency Response Action situations.	Within seven (7) days but not less than 24 hours prior notice to the Department to perform field activity.	No comment required.
Submittal to the Department of addenda, responses, or modification to plans or reports, pursuant to Chapter 62-780, F.A.C.	Within 60 days of receipt of the Department's response.	Within the same time frame for review of the original submittal.
Submittal of Form and Actual Notice required in subsection 62-780.220(2), F.A.C.	See text of rule for "Initial Notice of Contamination Beyond Property Boundaries" in subsection 62-780.220(2), F.A.C.	No comment required.
Submittal of Actual and Constructive Notice required in subsection 62-780.220(3), F.A.C.	See text of rule for "Subsequent Notice of Contamination Beyond Source Property Boundaries for Establishment of a Temporary Point of Compliance (TPOC)" in subsection 62-780.220(3), F.A.C.	No comment required.
Submittal of Notice required in subsection 62-780.220(7), F.A.C.	See text of rule for requirement that PRFBSR provide notice of Department's intent to approve site closure using institutional controls, institutional and engineering controls, or alternative cleanup target levels.	No comment required.

Select Terms of Brownfield Site Rehabilitation Agreement

- Paragraph 3 – PRFBSR'S Duties
  - Conduct site rehabilitation of any contaminated site whose source originates on the real property described in Attached A of the BSRA as the Brownfield site. If such contaminated site(s) extend(s) beyond the boundary of the Brownfield site, then the PRFBSR agrees to conduct site rehabilitation to address the entire contaminated site.
  - Conduct site rehabilitation and submit technical reports and rehabilitation plans in a timely manner according to the attached brownfield site rehabilitation schedule agreed upon by the parties.
  - Conduct site rehabilitation activities under the observation of professional engineers or professional geologists, as applicable, who are registered in accordance with the requirements of Chapters 471 or 492, F.S., respectively. Submittals provided by the PRFBSR must be signed and sealed by a P.E. or P.G., as applicable, certifying that the submittal and associated work comply with the laws and rules of the Department and those governing the profession.

Select Terms of Brownfield Site Rehabilitation Agreement

- Paragraph 3 – PRFBSR'S Duties
  - Conduct site rehabilitation in accordance with Chapter 62-160, F.A.C., as the same may be amended from time to time.
  - Obtain any local, state or federal approvals or permits required for the site rehabilitation work and to conduct the necessary site rehabilitation consistent with local, state, and federal laws, rules and ordinances. All site rehabilitation shall be consistent with the cleanup criteria in §376.81, F.S., the requirements of Chapters 62 780, F.A.C., Contaminated Site Cleanup Criteria, and 62-777, F.A.C., Contaminant Cleanup Target Levels.
  - Allow access by the Florida Department of Environmental Protection during the entire site rehabilitation process.
  - Consider appropriate pollution prevention measures and implement those that the PRFBSR determines are reasonable and cost-effective.

Select Terms of Brownfield Site Rehabilitation Agreement

- Paragraph 8 – Advisory Committee

  The PRFBSR shall establish an advisory committee pursuant to the requirements of §376.80(4), F.S., for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. The advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate.

  The PRFBSR shall provide the advisory committee a copy of the final proposed draft BSRA, including attachments, and a copy of the executed BSRA. When the PRFBSR submits a site assessment report or the technical document containing the proposed course of action following site assessment to the Department or the local pollution control program for review, the PRFBSR shall hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

The 2024 Florida Statutes

Title XXVIII
NATURAL RESOURCES; CONSERVATION, RECLAMATION, AND USE

Chapter 376
POLLUTANT DISCHARGE PREVENTION AND REMOVAL

View Entire Chapter

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

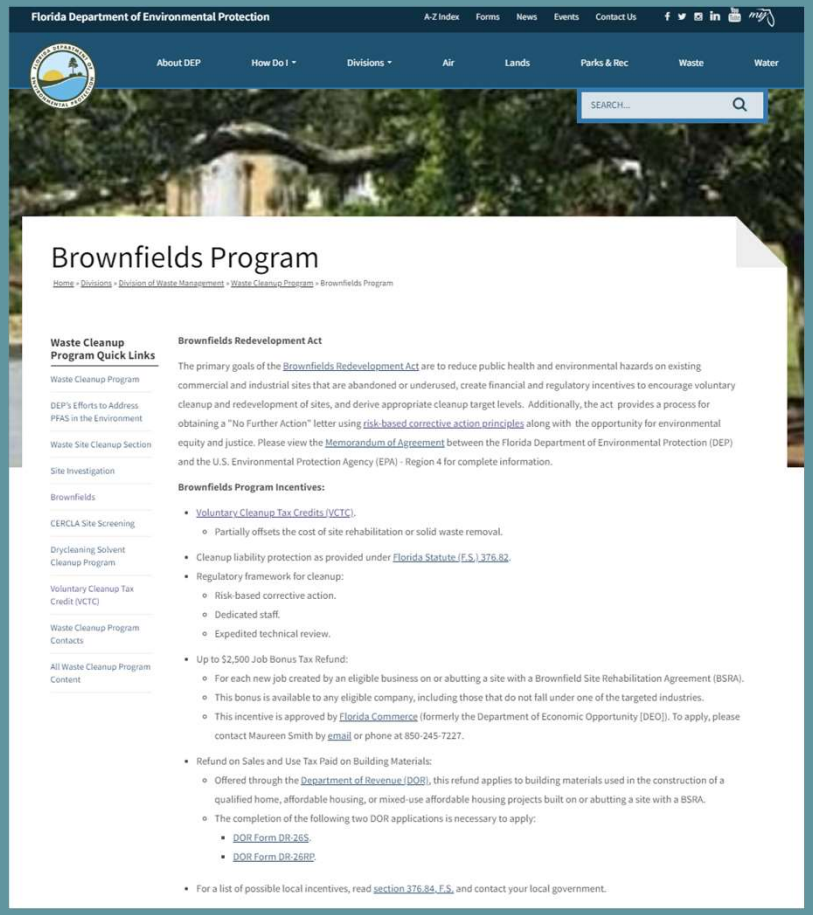
(c) *Brownfield area designation proposed by persons other than a governmental entity.*—For designation of a brownfield area that is proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and adopt a resolution to designate the brownfield area pursuant to paragraph (1)(c) if, at the public hearing to adopt the resolution, the person establishes all of the following:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.
3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permittable use under the applicable local land development regulations.
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.
5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

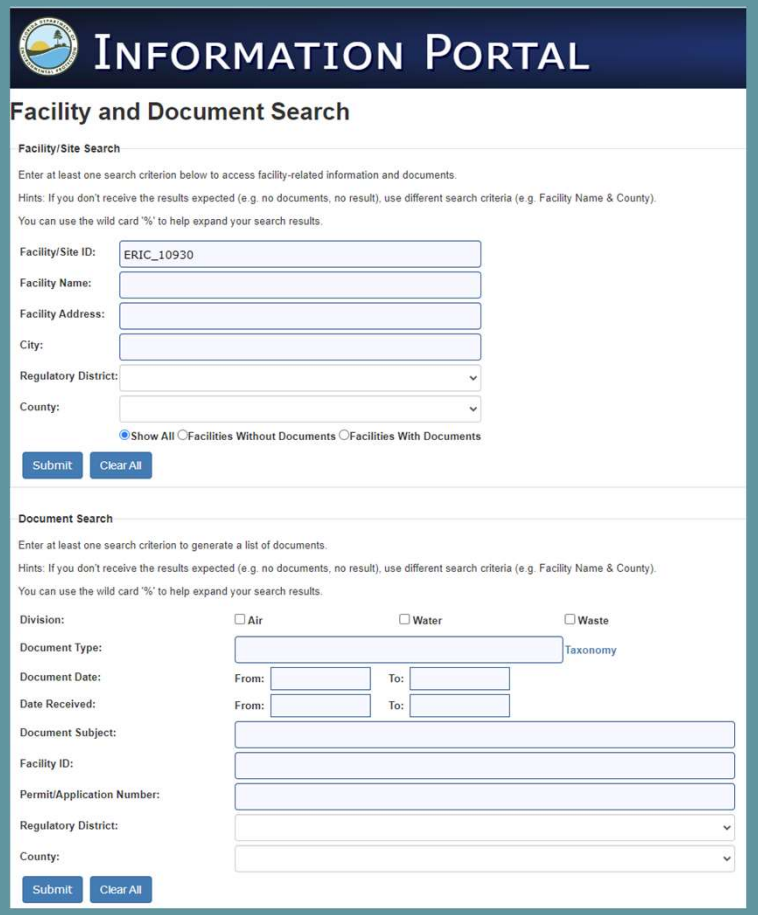
- Designation Process
  - § 376.80(2)(c), Florida Statutes
- Designation Schedule
  - Community Meeting: 10/16/2024
  - First Public Hearing: 12/03/2024
  - Second Public Hearing: 01/07/2025
- Submittal of Site Assessment Report: 10/31/2024
- Initiation of Access Requests for Supplemental Site Assessment

§ 376.80, Florida Statutes, can be accessed here:
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0376/Sections/0376.80.html

Florida's Brownfields Redevelopment Program - Web Based Resources



FDEP Brownfields Home Page can be accessed here: https://floridadep.gov/waste/waste-cleanup/content/brownfields-program



FDEP Information Portal can be accessed here: https://prodenv.dep.state.fl.us/DepNexus/public/searchPortal

Site Rehabilitation

(Contamination Assessment and Cleanup)

of Former Golf Course Sites in Florida

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THE GOLDSTEIN
ENVIRONMENTAL LAW FIRM

Site Rehabilitation Regulatory Basics under Chapter 62-780, F.A.C.

- The Florida Department of Environmental Protection (FDEP) manages the cleanup of contaminated sites in Florida.
- Detailed procedures in the Florida Administrative Code (F.A.C.) ("The Rules")
- The Rules are the same for all cleanup sites, including Brownfields
- Chapter 62-780, F.A.C. - Contaminated Site Cleanup Criteria, specifies:
  - The process for assessment and cleanup
  - Documentation required
  - Completion criteria
- Chapter 62-777, F.A.C. - Contaminant Cleanup Target Levels
  - Default chemical concentrations that satisfy statutory criteria
    - Based on a lifetime of exposure
    - Increase in cancer risk of 1 in a million or a hazard index of 1
    - For soil: 30 years at about 1/20th of a teaspoon per day
      - Different levels for residential use versus commercial/industrial use
    - For groundwater: 30 years at 2.0 liters per day

* The requirements of both chapters must be met to complete the cleanup

Site Rehabilitation Regulatory Basics under Chapter 62-780, F.A.C.

- All site cleanups consist of the following key elements:
  - Complete assessment ("delineation") of soil, groundwater, surface water and sediments
  - Very specific requirements for assessment and delineation at Chapter 62-780.600, F.A.C.

DELINEATION

- Soil: vertical & horizontal delineation to the water table;
- Groundwater: vertical & horizontal delineation to CTLs;
- Sediment: vertical & horizontal delineation;
- Surface Water: extent of contamination.

Site Rehabilitation Regulatory Basics under Chapter 62-780, F.A.C.

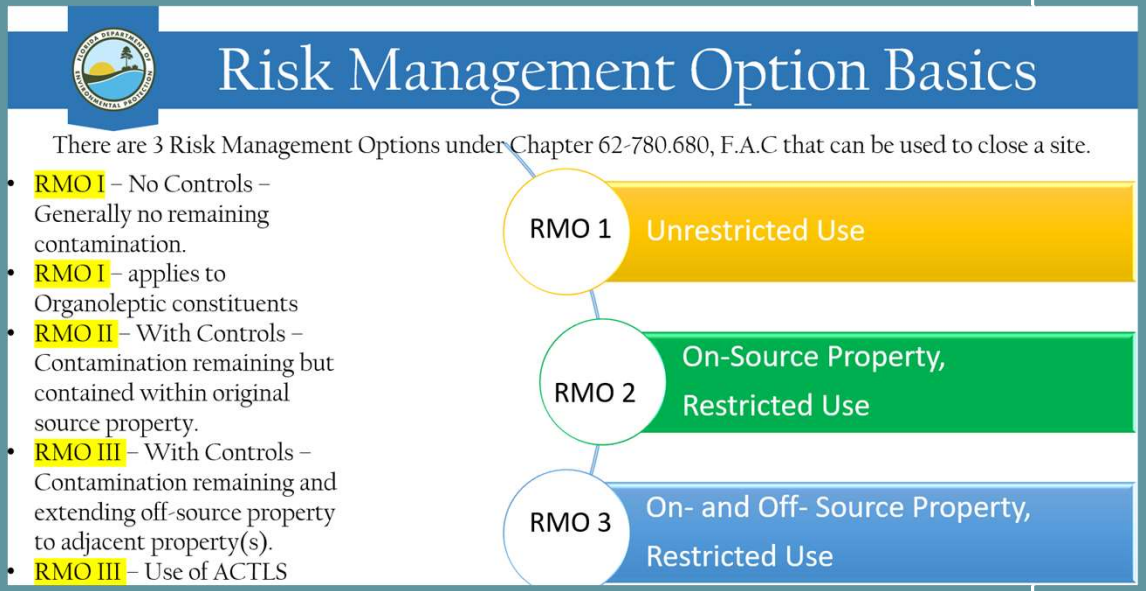
- Results of contamination assessment investigation are presented to FDEP in a Site Assessment Report or "SAR"
- A Remedial Action Plan or "RAP" is the detailed, site-specific plan to address contamination at a "Site"
  - Typically, but not always, follows FDEP approval of SAR
  - May include treatment, removal, or preventative measures
  - Implementation always includes verification monitoring
  - Verification data must be submitted for FDEP review and approval

SITE ASSESSMENT REPORT

- Maps:
  - Area/Vicinity Map
  - Water Supply Well Survey/Map
  - USGS Topographic Map
  - GW Elevation Map (PLS)
  - Isocontour Maps
- Logs:
  - Soil Boring Logs & Soil Screening Logs
  - Well Construction & Development Logs
  - Water Sampling Logs
- Analytical Reports with Chain of Custody
- Text:
  - Summary of Site History
  - Summary of Completed Work
  - Summary of COCs & Locations
  - Recommendations
  - Certification
- Tables:
  - Groundwater Elevation Summary Table
  - Analytical Data Summary Tables

Site Rehabilitation Regulatory Basics under Chapter 62-780, F.A.C.

- FDEP monitors, reviews and approves each step.
- Cleanup is not complete until all actions are successfully completed AND FDEP agrees.
- The cleanup of former golf courses follows this process.
- Brownfields cleanups follow this process.



Rehabilitation and Redevelopment of Golf Courses in Florida

- Common in Florida
  - Search of the FDEP database for "Golf Course" or "Country Club" returned 119 projects in 30 counties
    - 26 in Palm Beach County
- Typical environmental issues of concern include the following:
  - Residual pesticides/herbicides in soil, groundwater and surface water
  - Most common pesticides/herbicides include:
    - Arsenic
      - The active ingredient in the arsenical herbicides used at golf courses is Monosoduim Methanearsonate ("MSMA"), an arsenic compound
    - Dieldrin
  - Less common:
    - DDT (and DDE, DDD)
    - Toxaphene

County	Number of Sites
Baker	1
Brevard	5
Broward	13
Charlotte	2
Collier	6
Duval	4
Flagler	1
Gadsden	2
Hillsborough	5
Indian River	2
Lake	2
Lee	5
Manatee	3
Marion	1
Martin	2
Miami-Dade	2
Monroe	1
Nassau	1
Okaloosa	1
Orange	6
Osceola	3
Palm Beach	**26**
Pasco	4
Pinellas	4
Polk	1
Sarasota	5
Seminole	4
St. Johns	2
St. Lucie	1
Volusia	4
Total	**119**

Source: FDEP EIP Database 09/19/24

Rehabilitation and Redevelopment of Golf Courses in Florida

- Very common.
- A sample of golf course redevelopment projects from the FDEP Brownfields Program Annual Reports
- All of these examples are completed residential re-use of a former golf course

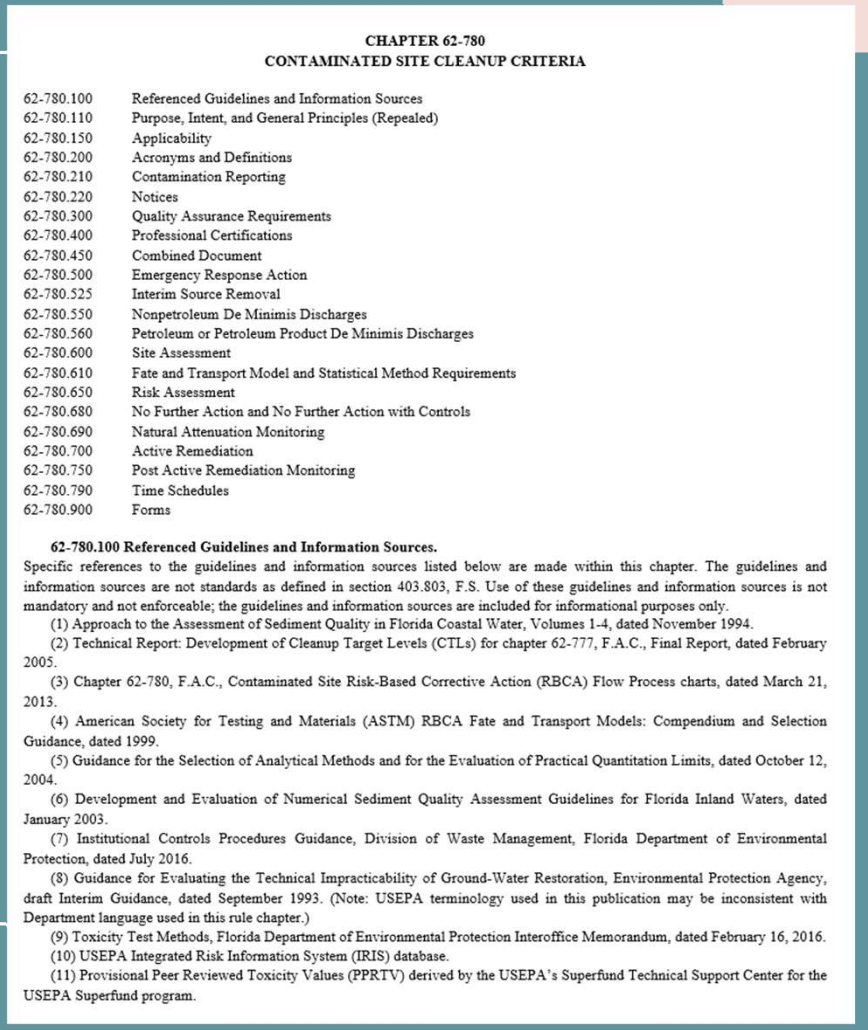
Selected Golf Course Rehabilitation and Redevelopment Success Stories			
Site	**City**	**Contaminant**	**Reuse**
Country Club Crossing	DeLand	Dieldrin	The approximately 105-acre site was abandoned after the golf course closed in 2012. Soil and groundwater contamination found at the site was attributed to historic turf management operations on the property. A BSRA was signed in December 2013. Assessment and cleanup were completed in less than two years, and DEP issued a SRCO in November 2015. The site has been redeveloped into a mixed-use project featuring a Publix-anchored shopping center, a 155-unit single family home community, a proposed office and assisted living facility, and open space
Former Westview Golf Course	Miami	Arsenic, dieldrin, and toxaphene	The property straddles the north and south sides of a major transportation corridor in Miami-Dade County. The southern 77 acres has been developed for, among other uses, a logistical center, commercial business, and residential. A small area is being preserved as an archeological site. The former maintenance area is planned to be redeveloped as a 5-acre park. Engineering controls (two feet of clean fill) have been completed. The park contains green space, fields, tennis courts, basketball courts and a playground. An 8-acre portion of the site on the south side will be developed into a residential neighborhood by Lennar Homes.
Zom Foxcroft	Miramar	Arsenic	A former 15.16-acre golf course, the site was found to contain groundwater and soil contamination. A restrictive covenant addressing groundwater use and a soil management strategy have led to the property being developed into a multi-story apartment complex with 100-percent unit lease rate
West Atlantic Boulevard Apartments	Pompano Beach	Arsenic	This site was a large golf course impacted with arsenic contamination from the use of herbicides. Soil removal was completed in 2017. A DRC was recorded in November 2017 and a CSRCO was issued the same month. A completed multifamily residential complex now occupies the site
Former Palm Aire Golf Course Phase 2A	Pompano Beach	Arsenic	This site was a large golf course impacted with arsenic contamination in soil and groundwater. Engineering and institutional controls were coupled with on-site soil management. A DRC was recorded and a CSRCO was issued on Sept. 20, 2018. A large multifamily residential complex now occupies the site.
Vantage at Palm Aire	Pompano Beach	Arsenic	Site is approved and under construction for 150 new single-family patio homes, a pool, cabana gazebos, tot lot, bicycle lane, and associated landscaping. A Declaration of Restrictive Covenant was executed June 30, 2020, and includes institutional and engineering controls to address remaining soil and groundwater impacts. A Conditional SRCO was granted November 30, 2022.
Independence Park	Tampa	Arsenic and pesticides	The Independence Park Brownfield site was previously part of the City of Tampa's Rocky Point Golf Course. Construction is nearing completion for new apartment buildings for the CC Independence Park parcel of 9.3 acres. Soil controls are present on this parcel, and municipal water is used at the site. Site rehabilitation is ongoing

Palm Beach County Golf Course Site Rehabilitation Projects

Facility/Site Id	Facility Name	Address	City
ERIC_10711	BALLEN ISLES COUNTRY CLUB	600 BALLEN ISLES BOULEVARD	PALM BEACH GARDENS
ERIC_10924	BANYAN CAY RESORT & GOLF FORMER PRESIDENTIAL	2300 PRESIDENTIAL WAY	WEST PALM BEACH
ERIC_10884	BOCA FLORES BOCA LAGO COUNTRY CLUB PULTE	9167 PASSIFLORA WAY	BOCA RATON
ERIC_15317	BOCA RATON MUNICIPAL GOLF COURSE	8111 GOLF COURSE RD	BOCA RATON
ERIC_10734	BOCA TEECA GOLF & TENNIS CLUB AKA OCEAN BREEZE GOLF COURSE	5800 NW 2ND AVE	BOCA RATON
ERIC_10930	CYPRESS CREEK GOLF COURSE PULTE AURORA LAKES	9400 SOUTH MILITARY TRAIL	BOYNTON BEACH
ERIC_10914	EASTPOINTE COUNTRY CLUB	13535 EASTPOINTE BOULEVARD	PALM BEACH GARDENS
ERIC_10551	EVERGLADES COUNTRY CLUB	SOUTH COUNTY ROAD	PALM BEACH
ERIC_17861	FOREST OAKS GOLF CLUB	144 LUCERNE LAKES BLVD N	LAKE WORTH
ERIC_10905	FORMER MIZNER TRAILS GOLF COURSE	22725 CAMINO DEL MAR	BOCA RATON
ERIC_17843	FORMER SHERWOOD PARK GOLF COURSE	170 SHERWOOD FOREST DR	DELRAY BEACH
ERIC_10434	FOUNTAINS COUNTRY CLUB	4404 CHARLESTON RD	LAKE WORTH
ERIC_10936	FOUNTAINS COUNTRY CLUB PODS B, C & D CONCERT FOUNTAINS	4476 FOUNTAINS DRIVE	LAKE WORTH
ERIC_10454	FRENCHMANS CREEK GOLF CLUB	13354 ALT A1A	JUNO BEACH
ERIC_10798	GOLF CLUB ESTATES SAN MESSINA COMMUNITY ASSOCIATION	6110 LYONS RD	LAKE WORTH
ERIC_10916	HAFT GAINES PROP. JUPITER GOLF CLUB LLC TRUMP NATIONAL GOLF	110 NIGHT HAWK DR	JUPITER
ERIC_10670	LACUNA COUNTRY CLUB	6400 GRAND LACUNA BLVD.	LAKE WORTH
ERIC_14952	MIZNER TRAIL GOLF CLUB CANAL	5688 WIND DRIFT LANE	BOCA DEL MAR
ERIC_10723	PARCEL 41 -TRACT 2; NEW TARGET; FKA PALM BCH LAKES GOLF SHOP	1760 PALM BEACH LAKES BLVD	WEST PALM BEACH
ERIC_10925	POLO TRACE GOLF COURSE GL HOMES FUTURE RESIDENTIAL HOMESITES	13479 HAGEN RANCH ROAD	DELRAY BEACH
ERIC_10544	RED REEF GOLF COURSE	1111 NORTH OCEAN BLVD	BOCA RATON
ERIC_10898	REFLECTION BAY, FAIRWAYS LLC, TURTLE BAY COUNTRY CLUB	2750 GOLF CLUB CIRCLE	WEST PALM BEACH
ERIC_10468	SANDALFOOT COVE COUNTRY CLUB BOCA DUNES	1400 COUNTRY CLUB DR	BOCA RATION
ERIC_10892	ENCLAVE AT BOCA DUNES K HOVNANIAN AT BOCA DUNES, LLC	3685 SW 18TH ST	BOCA RATON
ERIC_10928	RESIDENCES AT BOCA DUNES ZOM FLORIDA COVE CLUB INVESTORS	1400 SW 65TH AVE	BOCA RATON
ERIC_10663	SUNTERRA DEVELOPMENT / FAIRWAY GOLFCOURSE	5850 BELVEDERE ROAD	UNINCORPORATED
ERIC_8821	TRUMP INTERNATIONAL GOLF COURSE	3505 SUMMIT BLVD	WEST PALM BEACH
ERIC_10459	WEST PALM BEACH COUNTRY CLUB	7001 PARKER AVENUE	WEST PALM BEACH
ERIC_10902	AVALON TRAILS SUBDIVISION, FORMER MARINA LAKES GC	14800 CUMBERLAND DR	DELRAY BEACH
ERIC_10904	VIA DELRAY	6200 VIA DELRAY	DELRAY BEACH

Rehabilitation and Redevelopment of Golf Courses in Florida

- Follows standards of practice (Chapter 62-780, F.A.C.)
- Soil Assessment
  - Standard intervals: 0-6", 6"-2', and every 2' thereafter to the water table
  - Representative number of locations based on site history
  - Often grouped by tees, greens, fairways, rough, driving range
  - Full extent must be delineated – even beyond the property line based on data
- Groundwater Assessment
  - Begin with shallow (water table) wells
  - Representative number of locations based on site history
  - Distributed across the property
  - Follow up horizontal and vertical delineation based on data
- Surface water
  - Representative number of locations
  - Follow up if there are discharges off the property
- Sediment
  - Representative number of locations
  - Evaluate based on plans for water bodies



CHAPTER 62-780
CONTAMINATED SITE CLEANUP CRITERIA

62-780.100 Referenced Guidelines and Information Sources.
Specific references to the guidelines and information sources listed below are made within this chapter. The guidelines and information sources are not standards as defined in section 403.803, F.S. Use of these guidelines and information sources is not mandatory and not enforceable; the guidelines and information sources are included for informational purposes only.

(1) Approach to the Assessment of Sediment Quality in Florida Coastal Water, Volumes 1-4, dated November 1994.

(2) Technical Report: Development of Cleanup Target Levels (CTLs) for chapter 62-777, F.A.C., Final Report, dated February 2005.

(3) Chapter 62-780, F.A.C., Contaminated Site Risk-Based Corrective Action (RBCA) Flow Process charts, dated March 21, 2013.

(4) American Society for Testing and Materials (ASTM) RBCA Fate and Transport Models: Compendium and Selection Guidance, dated 1999.

(5) Guidance for the Selection of Analytical Methods and for the Evaluation of Practical Quantitation Limits, dated October 12, 2004.

(6) Development and Evaluation of Numerical Sediment Quality Assessment Guidelines for Florida Inland Waters, dated January 2003.

(7) Institutional Controls Procedures Guidance, Division of Waste Management, Florida Department of Environmental Protection, dated July 2016.

(8) Guidance for Evaluating the Technical Impracticability of Ground-Water Restoration, Environmental Protection Agency, draft Interim Guidance, dated September 1993. (Note: USEPA terminology used in this publication may be inconsistent with Department language used in this rule chapter.)

(9) Toxicity Test Methods, Florida Department of Environmental Protection Interoffice Memorandum, dated February 16, 2016.

(10) USEPA Integrated Risk Information System (IRIS) database.

(11) Provisional Peer Reviewed Toxicity Values (PPRTV) derived by the USEPA's Superfund Technical Support Center for the USEPA Superfund program.

Rehabilitation and Redevelopment of Golf Courses in Florida – Palm Beach County Case Studies

- Forest Oaks Golf Club
- Fountains Golf Club (Pod B)
- Boca Raton Municipal Golf Course
- Enclave at Boca Dunes

Summary of Golf Course Rehabilitation and Residential Redevelopment Projects in Unincorporated Palm Beach County

Site	Address	Contamination Left in Place	Cleanup Status	Engineering/Institutional Controls
Boca Flores Boca Lago Country Club Pulte	9167 Passiflora Way	Yes, arsenic in groundwater.	Completed.	Groundwater use restrictions.
Boca Raton Municipal Golf Course	8111 Golf Course Rd	Yes, arsenic in groundwater.	In process.	Proposed groundwater use restrictions.
Cypress Creek Golf Course Pulte Aurora Lakes	9400 South Military Trail	Proposed.	In process.	Proposed, restrictions to be determined.
Eastpointe Country Club	13535 Eastpointe Boulevard	Yes, arsenic in groundwater.	CSRCO issued.	Groundwater use restrictions.
Forest Oaks Golf Club	144 Lucerne Lakes Blvd N	Yes, arsenic in soil and groundwater.	In process.	In process.
Former Mizner Trails Golf Course	22725 Camino Del Mar	Yes, arsenic in groundwater.	Proposed closure with conditions.	Proposed. Soil and groundwater use restrictions.
Fountains Country Club Pods B, C & D Concert Fountains	4476 Fountains Drive	Yes, Arsenic in soil and groundwater.	In process.	Multiple, groundwater and/or soil restrictions (Pod B).
Polo Trace Golf Course GL Homes Future Residential Homesites	13479 Hagen Ranch Road	Yes, Arsenic in soil and groundwater.	CSRCO issued.	Groundwater use restrictions.
Reflection Bay, Fairways LLC, Turtle Bay Country Club	2750 Golf Club Circle	Yes, arsenic in groundwater.	SMP reviewed 04/25/2024.	Unknown.
Sandalfoot Cove Country Club Boca Dunes	1400 Country Club Dr	Yes, arsenic in groundwater.	Unknown.	Unknown.
Enclave At Boca Dunes K Hovnanian At Boca Dunes, LLC	3685 SW 18th St	Yes, Arsenic in soil and groundwater.	CSRCO issued.	Groundwater and land use restrictions.
Residences At Boca Dunes Zom Florida Cove Club Investors	1400 SW 65th Ave	Yes, arsenic in groundwater.	Pending CSRCO.	Recorded 02/21/24, Groundwater use restrictions, prohibition on subdividing.
Avalon Trails Subdivision, Former Marina Lakes GC	14800 Cumberland Dr	Yes, arsenic, dieldrin, toxaphene in soil and arsenic in groundwater.	CSRCO issued.	Recorded 07/22/2021, Groundwater use and soil-based[3] restrictions.
Via Delray	6200 Via Delray	Yes, arsenic and dieldrin in soil and groundwater.	CSRCO in process.	Yes, multiple, 3 recorder, 1 pending. Groundwater and soil restrictions.

Forest Oaks Golf Club (ERIC_17861)

Map showing extent of arsenic in shallow (0-6") soil above the residential direct exposure for arsenic of 2.1 mg/kg and map showing status of development as of May 2024.

- 0 - 2.1 mg/kg
- 2.2 – 5.5 mg/kg
- 5.6 mg/kg and above

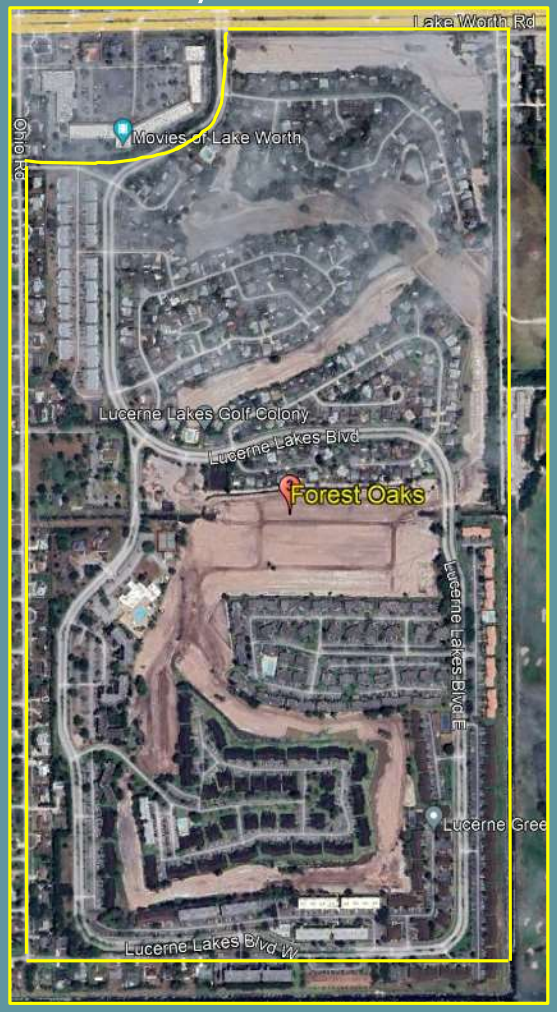
Arsenic Soil Cleanup Target Levels

Residential – 2.1 mg/kg

Commercial/Industrial – 12 mg/kg

Arsenic in Soil 0 – 6"

May 2024 Aerial



Fountains Golf Club Pod B (ERIC_10936)

Map showing extent of arsenic in soil above the residential direct exposure SCTL of 2.1 mg/kg and status of redevelopment as of May 2024.

- 1.0 - 2.1 mg/kg
- 2.1 – 3.5 mg/kg
- 3.5 – 5.5 mg/kg
- 5.5 – 6.7 mg/kg

Arsenic Soil Cleanup Target Levels

Residential – 2.1 mg/kg

Commercial/Industrial – 12 mg/kg

Arsenic in Soil 0 – 6”

May 2024 Aerial

Boca Raton Municipal Golf Course (ERIC_15317)

Majority of site exceeds the residential direct exposure soil cleanup target level for arsenic of 2.1 milligrams/kilogram (mg/kg). Groundwater and aerial view of development on next page.

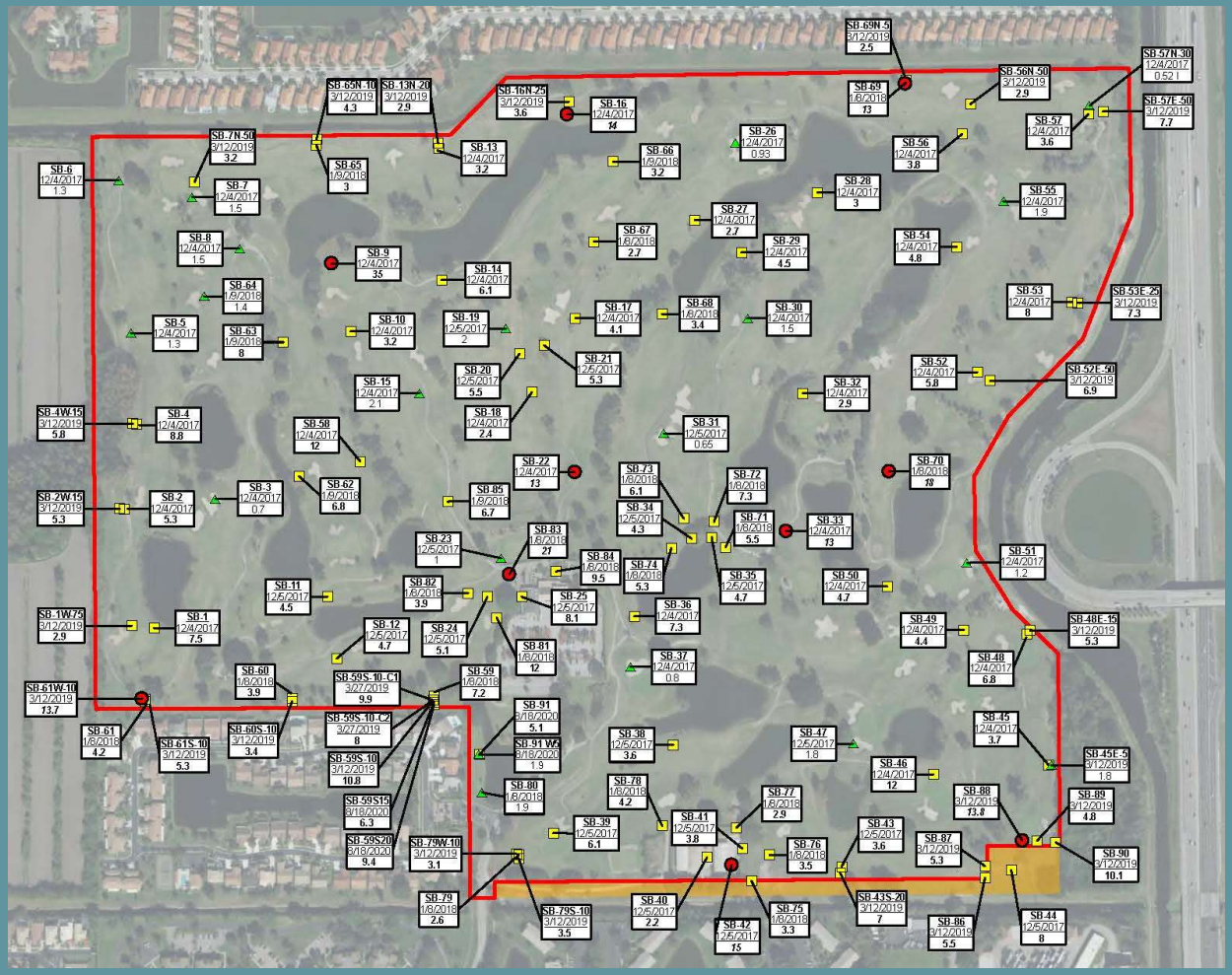
- 0 - 2.1 mg/kg
- 2.2 – 12.0 mg/kg
- 12.1 mg/kg and above

Arsenic Soil Cleanup Target Levels

Residential – 2.1 mg/kg

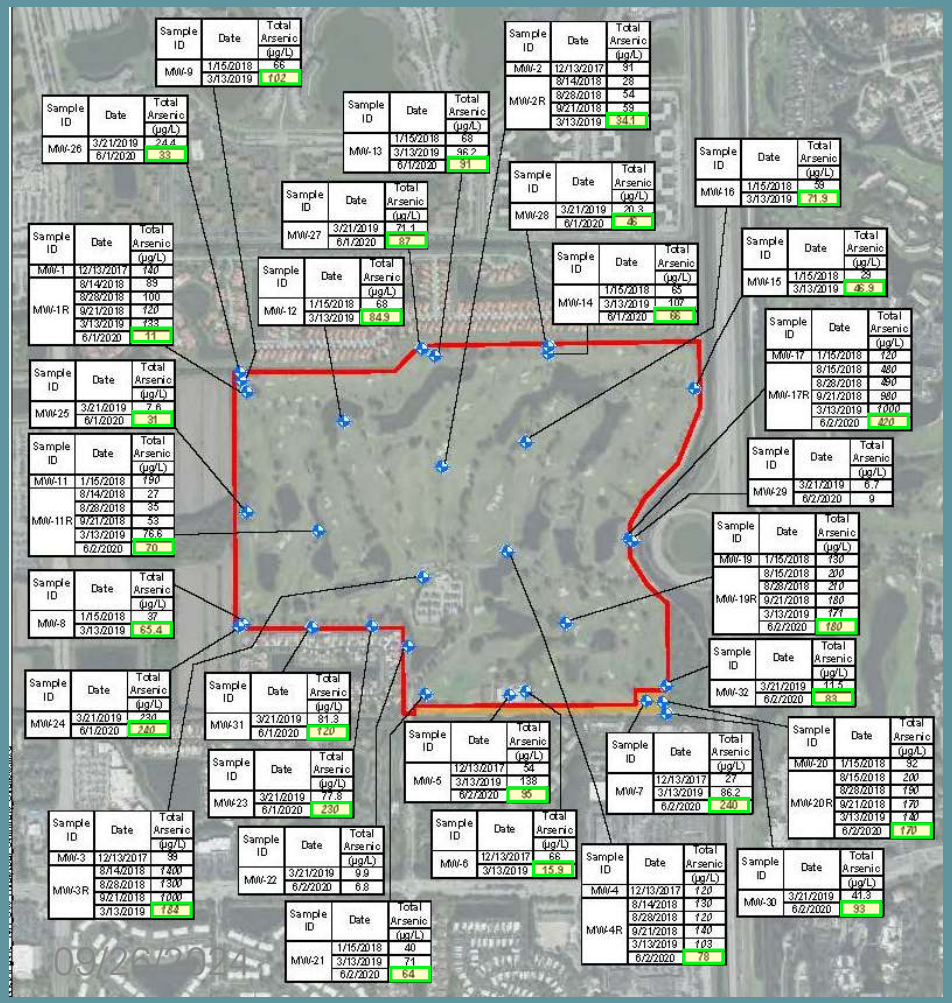
Commercial/Industrial – 12 mg/kg

Arsenic in Soil 0 – 6”

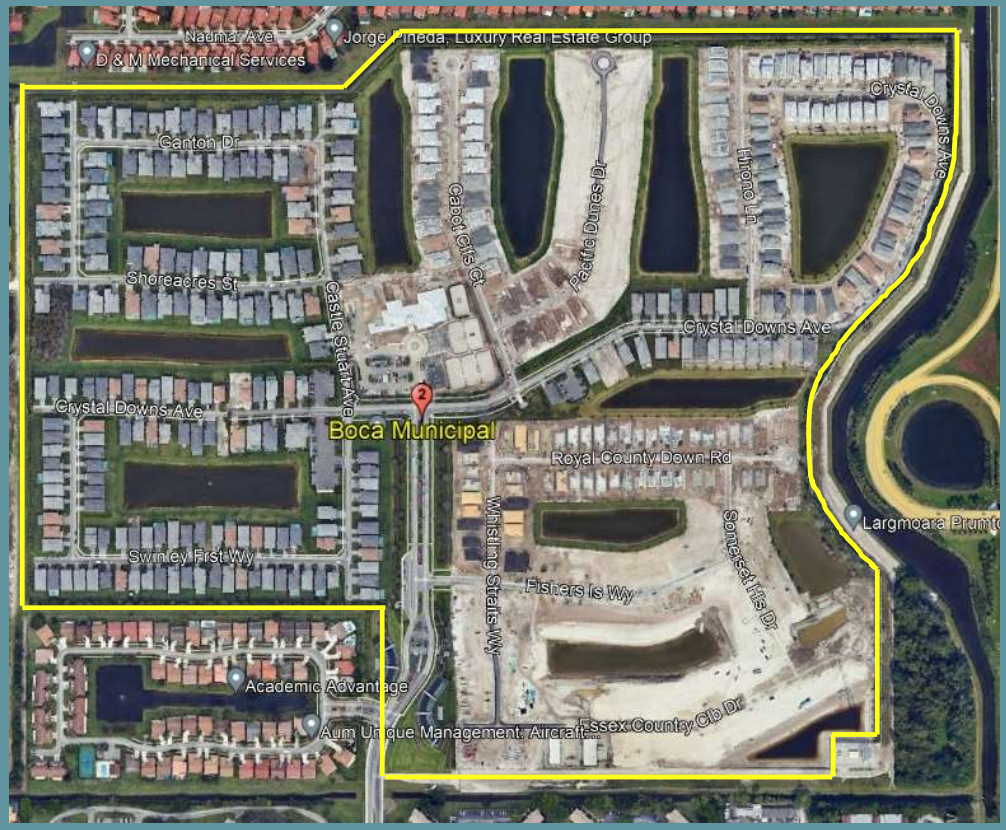


Boca Raton Municipal Golf Course (ERIC_15317)

Arsenic in Groundwater > 10 ug/L



February 2024 Aerial



Groundwater map shows widespread exceedances of the groundwater cleanup target level for arsenic.

Enclave at Boca Dunes (ERIC_10892)

Maps showing extent of arsenic contamination in shallow (0-6") soil and status of development as of May 2024.

- 1.0 - 2.1 mg/kg
- 2.1 – 5.5 mg/kg
- 5.5 – 12.1 mg/kg
- 12.1 - 56 mg/kg

Arsenic Soil Cleanup Target Levels

Residential – 2.1 mg/kg

Commercial/Industrial – 12 mg/kg

Arsenic in Soil 0 – 6"

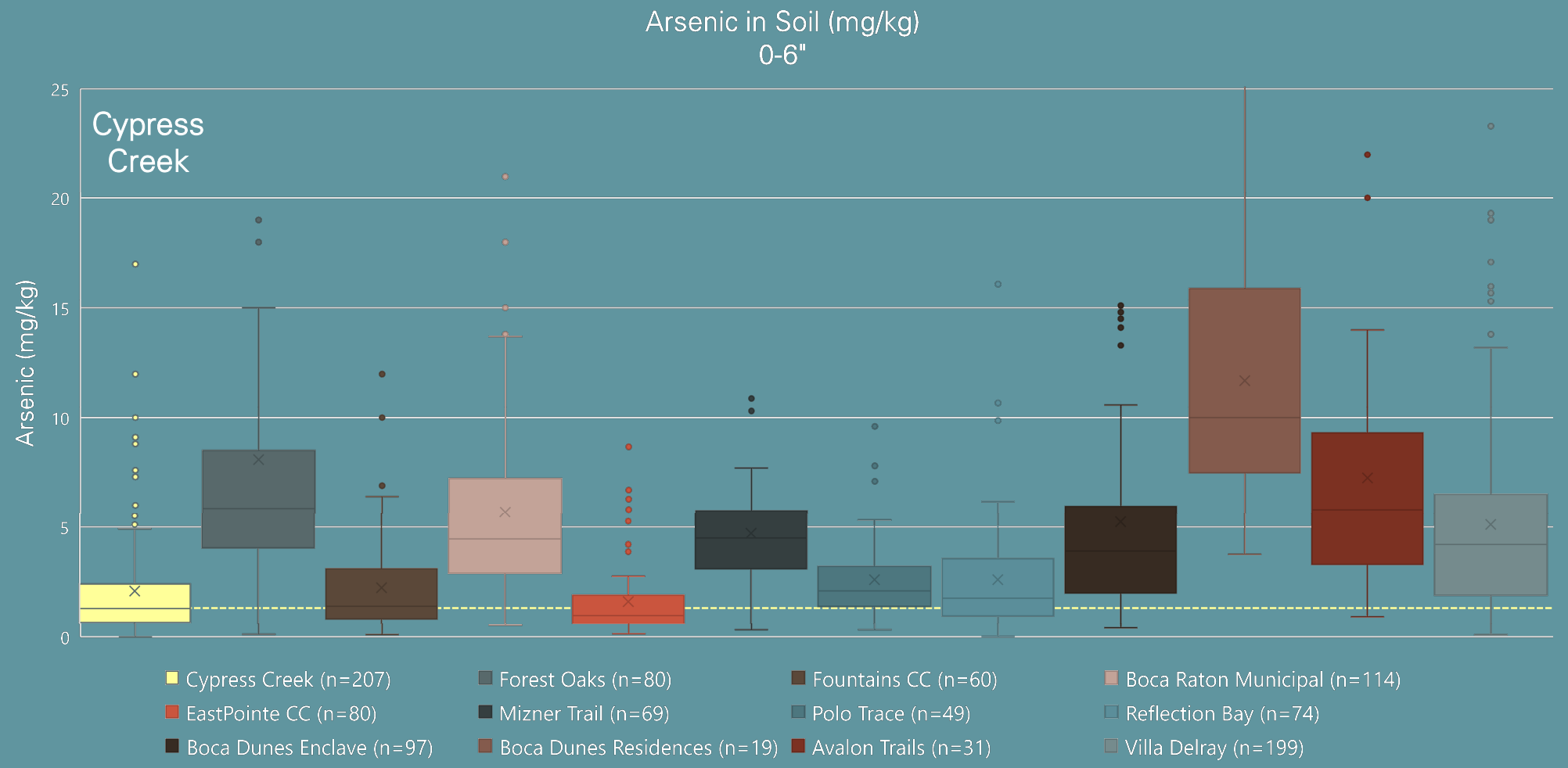
May 2024 Aerial

Summary of Arsenic in Soil

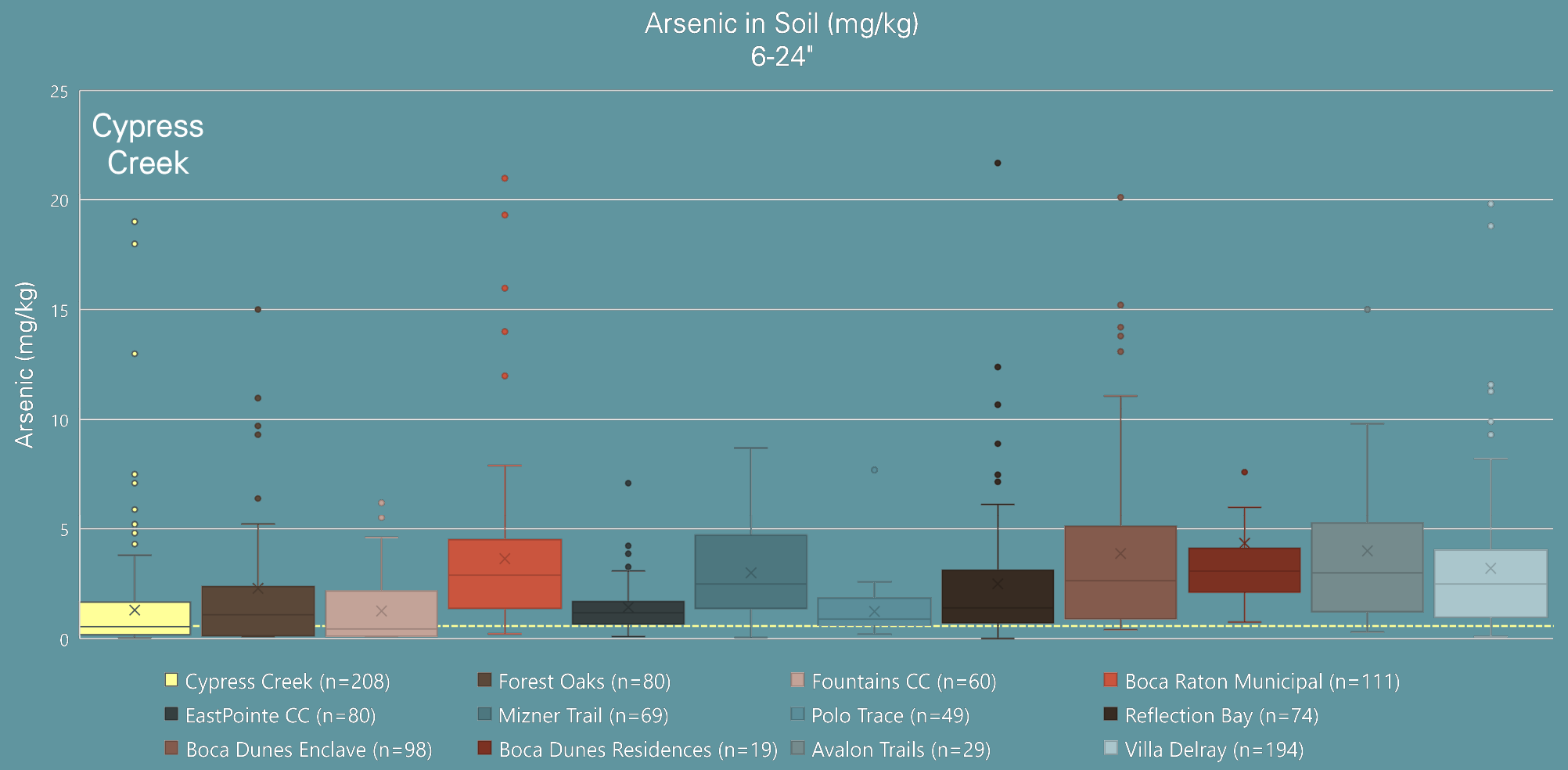
Site Name	Arsenic in soil (mg/kg)					
	0-6"		6-24"		24-48"	
	Average	Num. of Samples	Average	Num. of Samples	Average	Num. of Samples
Cypress Creek	2.1	207	1.3	208	1.5	199
Forest Oaks	8.1	80	2.3	80	2.3	80
Fountains CC	2.2	60	1.3	60	3.3	60
Boca Raton Municipal	5.7	114	3.6	111	3.0	45
EastPointe CC	1.6	80	1.4	80	2.1	73
Mizner Trail	4.7	69	3.0	69	2.3	69
Polo Trace	2.6	49	1.3	49	0.8	49
Reflection Bay	2.6	74	2.5	74	2.3	74
Boca Dunes Enclave	5.2	97	3.9	98	3.6	98
Boca Dunes Res.	11.7	19	4.3	19	5.5	19
Avalon Trails	7.3	31	4.0	29	2.3	41
Villa Delray	5.1	199	3.2	194	2.3	76

Exceeds Residential Direct Exposure Soil Cleanup Target Level of 2.1 mg/kg.

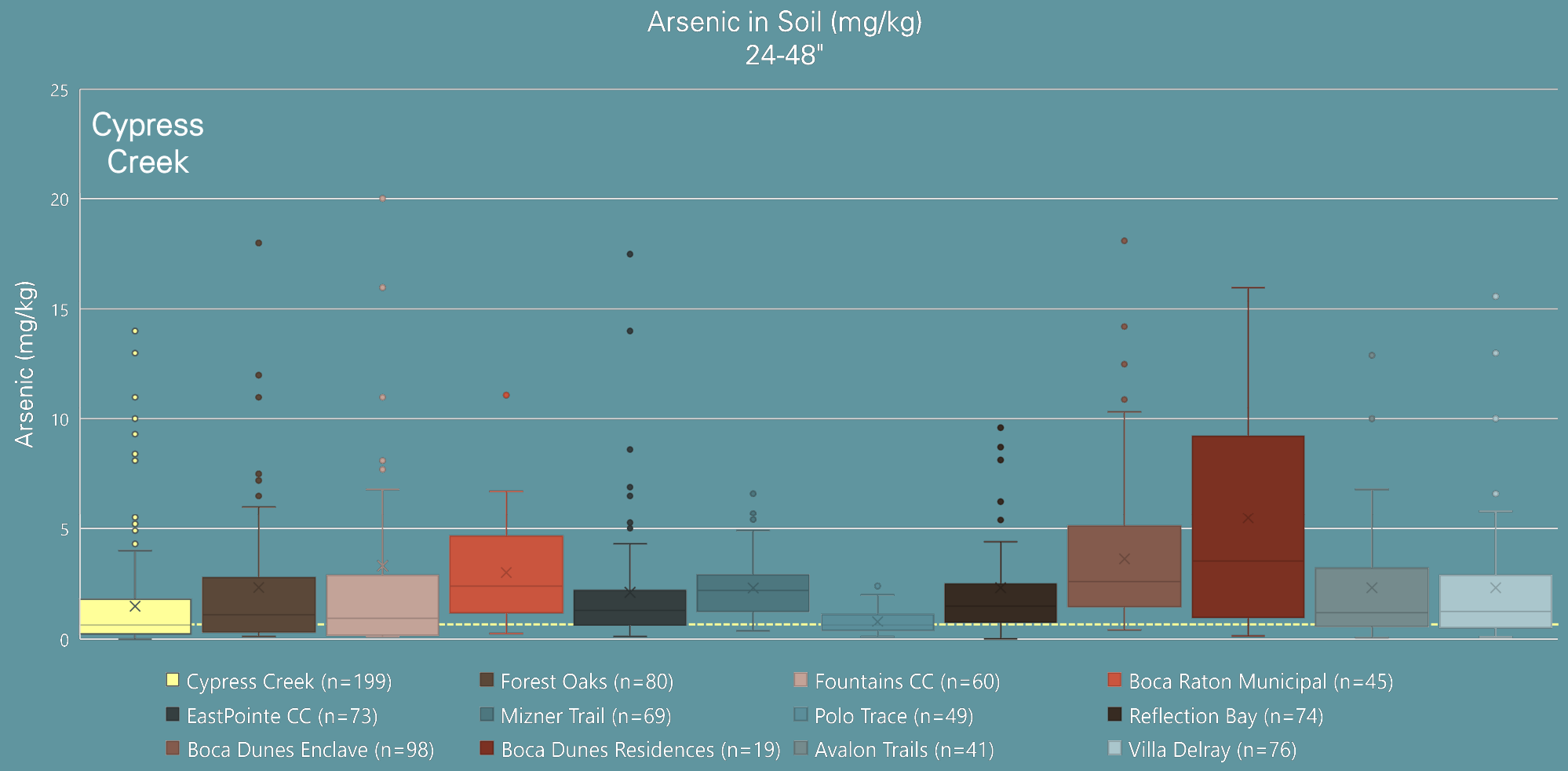
Palm Beach County Golf Course Soil



Palm Beach County Golf Course Soil



Palm Beach County Golf Course Soil

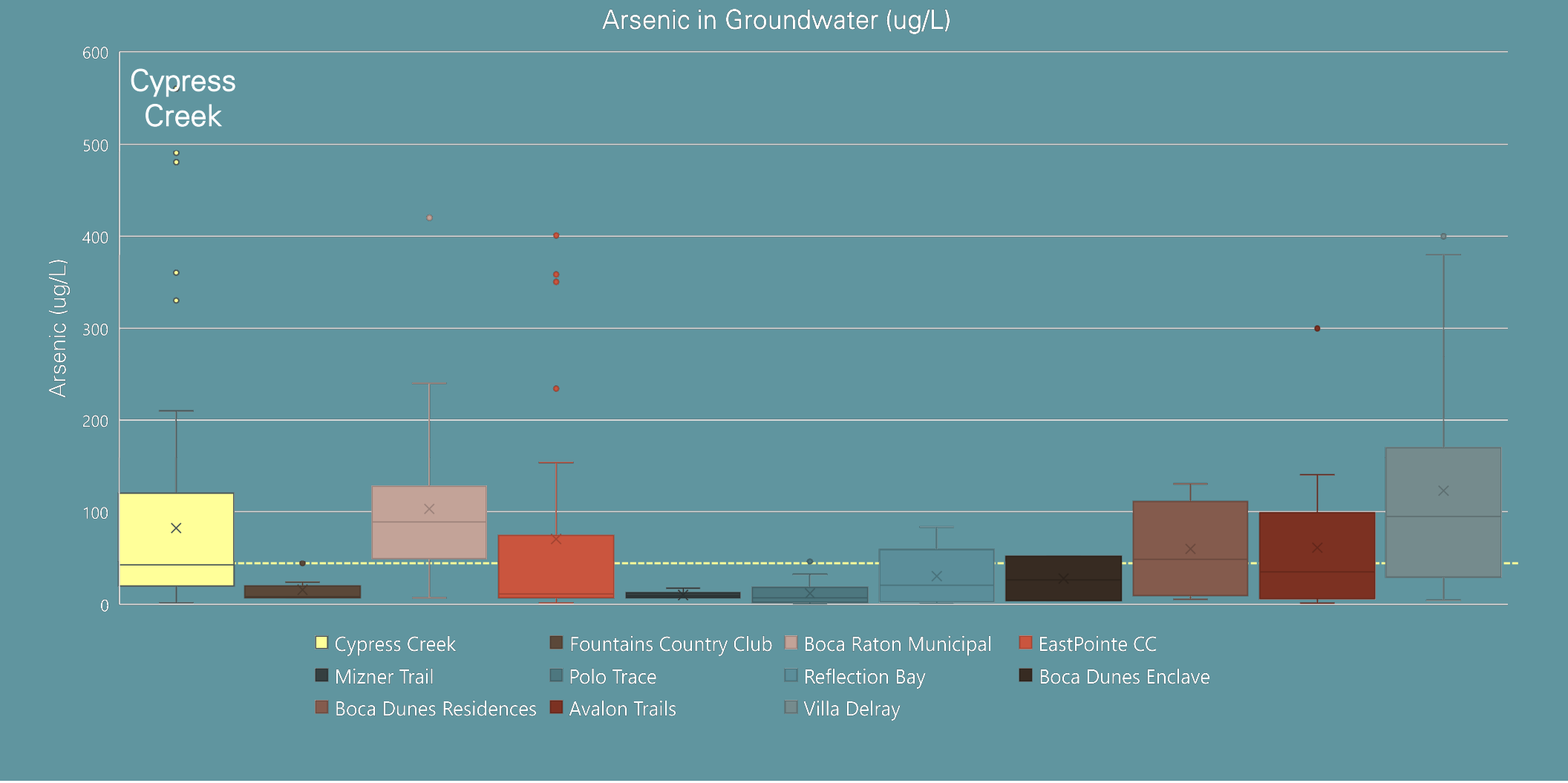


Summary of Arsenic in Groundwater

Site	Shallow Wells	
	Average	Num. of Samples
Cypress Creek	82.4	89
Fountains CC	15.4	14
Boca Raton Municipal	103.1	40
EastPointe CC	70.6	37
Mizner Trail	9.9	14
Polo Trace	11.7	15
Reflection Bay	29.9	6
Boca Dunes Enclave	27.3	6
Boca Dunes Residences	60.0	8
Avalon Trails	61.3	18
Villa Delray	122.7	35

Exceeds Groundwater Cleanup Target Level of 10 ug/L.

Palm Beach County Golf Course Groundwater



Managing Environmental Issues

- **Goal**: Prevent exposure to contaminants by eliminating exposure risks and pathways
- Assortment of strategies to achieve the goal
  - Treatment - **Chemical/biological/physical processes to break contaminants down into less/non-toxic constituents**
    - Common for organic compounds such as petroleum compounds and chlorinated solvents
    - Less common for pesticides, which are resistant to breakdown, and metals which can't be broken down but can be made "unavailable"
  - Removal - **Excavation and proper offsite disposal**
    - Requires suitable location for disposal, for example a lined landfill
  - Control - **Legal restrictions or physical barriers, or both**
    - "**Institutional Controls**" are legal restrictions to limit or prohibit certain activities, e.g., Commercial/industrial use, digging, well installation
    - "**Engineering Controls**" are physical barriers to isolate contamination with a protective barrier, e.g., asphalt or concrete cover or clean fill cap
      - Engineering Controls always require an accompanying Institutional Control

Managing Environmental Issues with Controls

- The use of Institutional and/or Engineering Controls is very common
  - Used to close approximately 1,997 total sites in Florida
    (FDEP Institutional Control Registry Database, 09-23-2024)
- Routine expectation for a golf course re-use plan
  - Palm Beach County: Implemented or proposed at 12 of 13 (~92%) golf courses where a remedy has been approved
- FDEP must review and approve all controls
  - Ensure they will be **protective**
    - Reduce exposure to at or below the statutory criteria
  - Ensure they will be **durable**
    - Must last as long as protection is needed
  - Ensure they will be **enforceable**
    - Verifiable compliance

Typical Strategies Used For Managing Environmental Issues at Golf Courses

- Goal
  - Specifically address actual/potential routes of exposure for both human health and environmental risk
  - Actively ensure each route of exposure is prevented with an effective remedy
- Soil
  - **Removal** – Typically to a Class I (lined) landfill.
  - **Engineering Controls** – Roads, parking areas, roadways and driveways, walking paths, building foundations, clean fill caps as physical barriers.
  - **Mixing or blending** – Physical redistribution of soil to achieve cleanup target levels.
- Groundwater
  - **Institutional Control** – Limit well installation for potable/irrigation use
  - Construction dewatering and stormwater are managed through permit requirements
- Surface water
  - Ensure **meets surface water criteria** at point of discharge to waters of the state
- Sediments
  - **Removal** – Typically to a Class I (lined) landfill
  - **Capping** – Two feet of clean fill or completely fill in lake/pond

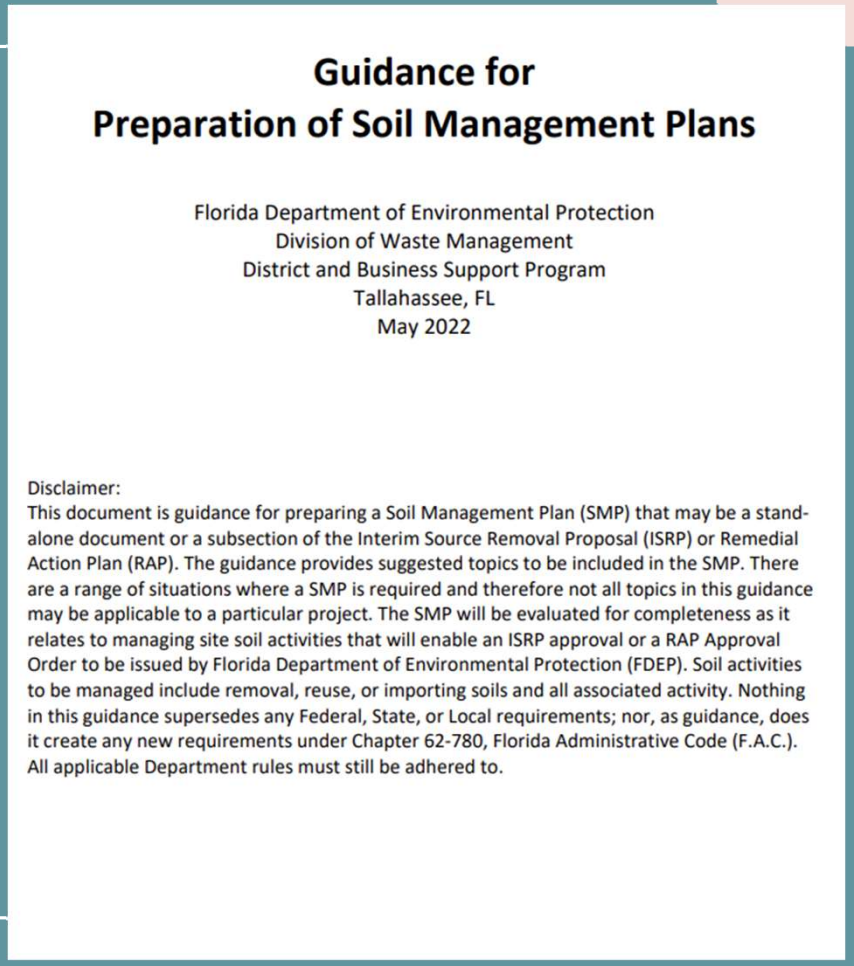
Regulatory Requirements for Controls under Chapter 62-780, F.A.C.

- Soil
  - Engineering Controls **must be certified** by a Florida-licensed Professional Engineer
    - Controls in place
    - Suitable for their intended purpose
- Groundwater
  - Documentation of a **durable and enforceable** control
    - Can be a Deed Restriction
    - Local ordinances may also be sufficient – pending FDEP review
  - Not discharging to surface water (above surface water criteria)
- Surface water
  - Actual data from the surface water or the discharge location
- Sediment
  - Certification by a Florida-licensed Professional Engineer that controls are in place

Requirements for Soil Management During Construction

- Soil Management Plan (SMP)
  - Goal is to document how contaminated site soils are managed to prevent spreading of contamination
  - Overall strategy for soil remedial action, including excavation, stockpiling, mixing and/or reuse onsite
- Key Elements of the SMP include:
  - Scaled maps of locations where actions are planned
    - Removal
    - Stockpile
    - Re-use
    - Fill
  - Depth/thickness of all actions
  - If groundwater will be encountered, how it will be managed

(Requirements continue)



Guidance for
Preparation of Soil Management Plans

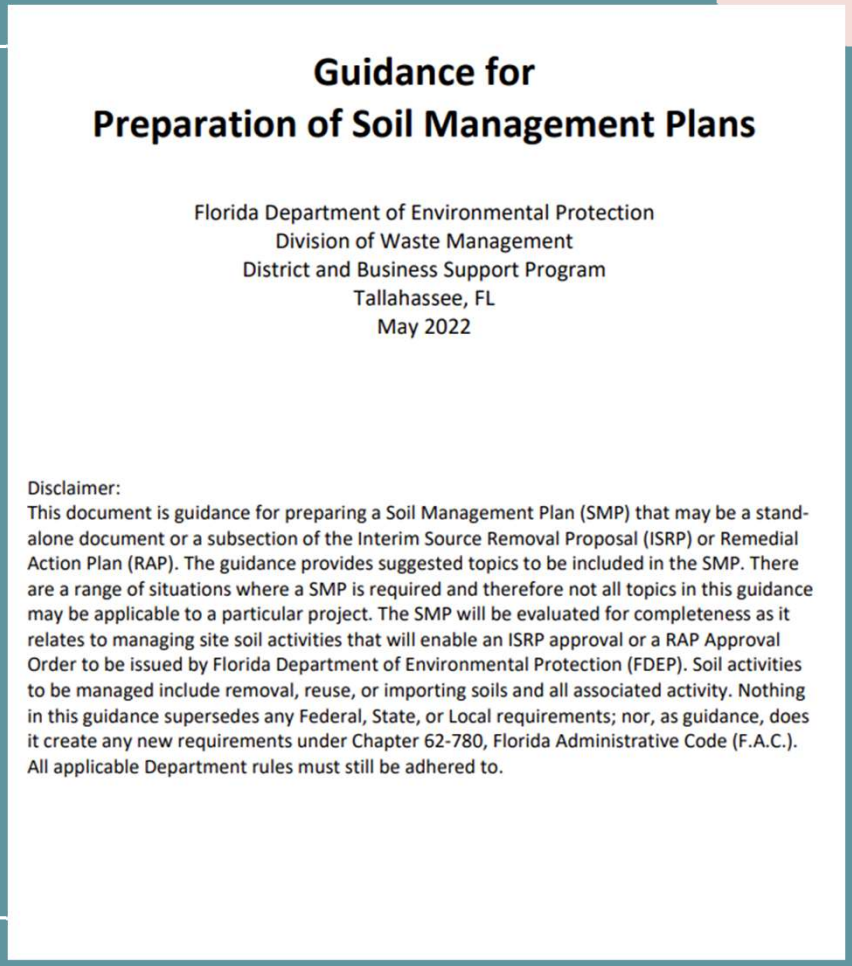
Florida Department of Environmental Protection
Division of Waste Management
District and Business Support Program
Tallahassee, FL
May 2022

Disclaimer:
This document is guidance for preparing a Soil Management Plan (SMP) that may be a stand-alone document or a subsection of the Interim Source Removal Proposal (ISRP) or Remedial Action Plan (RAP). The guidance provides suggested topics to be included in the SMP. There are a range of situations where a SMP is required and therefore not all topics in this guidance may be applicable to a particular project. The SMP will be evaluated for completeness as it relates to managing site soil activities that will enable an ISRP approval or a RAP Approval Order to be issued by Florida Department of Environmental Protection (FDEP). Soil activities to be managed include removal, reuse, or importing soils and all associated activity. Nothing in this guidance supersedes any Federal, State, or Local requirements; nor, as guidance, does it create any new requirements under Chapter 62-780, Florida Administrative Code (F.A.C.). All applicable Department rules must still be adhered to.

Requirements for Soil Management During Construction

- Key Elements of the SMP (continued):
  - Where stockpiles and soil mixing activity are planned
  - How stockpiles will be managed to prevent dust and erosion issues
    - Cover
    - Wetting
    - Stormwater and erosion controls
    - High wind
    - Odor
  - How will soils be transported on site and off site
    - Truck washing
    - Truck cover
    - Documentation (including receipts)
  - Protection of Public Health
    - Air monitoring
    - Dust control and mitigation

(Requirements continue)



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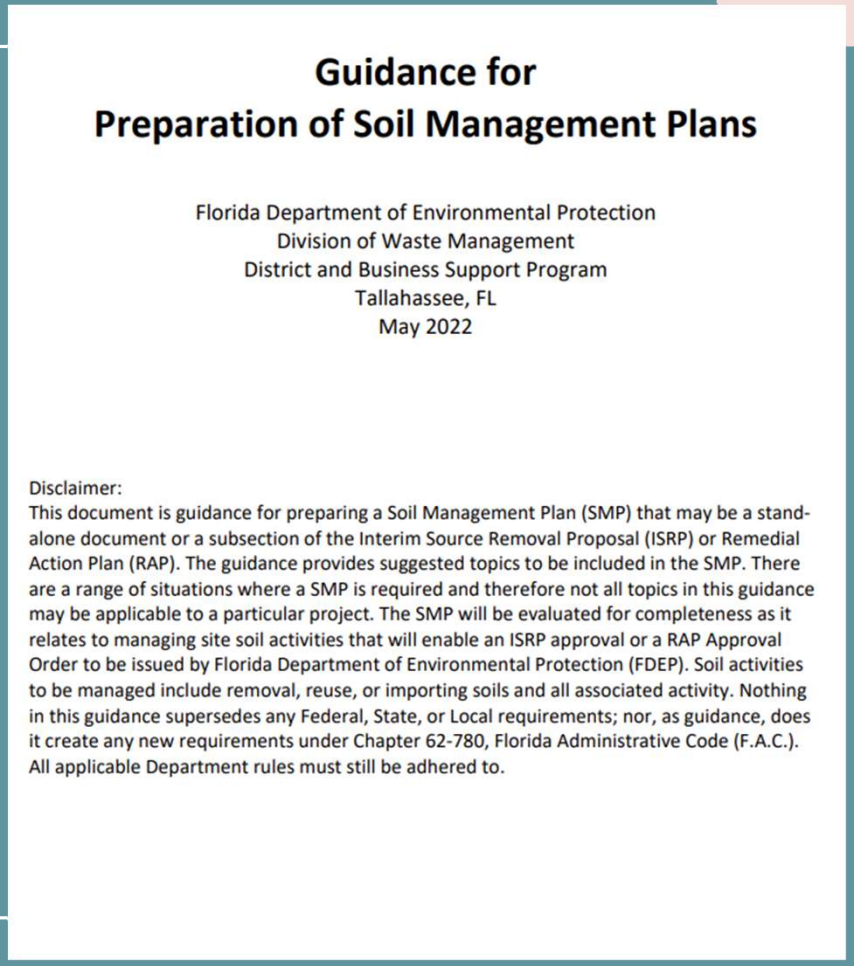
Requirements for Soil Management During Construction

- Key Elements of the SMP (continued):
  - What stormwater/erosion safeguards will be put in place
  - How soils will be mixed
    - Locations for mixing
    - Proposed verification sampling
  - How soils will be re-used on site
    - Locations and depths for re-use
    - Post re-use verification sampling
  - Any proposed Institutional or Engineering Controls
    - How controls will be maintained and verified
  - SMP must be reviewed and approved by FDEP



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Additional Human Health Protection from Movement of Impacted Soils During Construction

- Resolution No. R-2024-0863,approving Toll's Zoning Application, incorporated additional dust minimization criteria.
  a. Dust and wind speed monitors
  b. Periodic watering to control dust generation
  c. Implemented during permitted hours of development
  d. Cover dump trucks entering/leaving site
  e. Vehicle speed limited to 20 mph
  f. Suspend work for sustained wind > 30 mph
  g. Only clear vegetation from immediate work areas
  h. Limerock on roads
  i. Construction entrances stabilized to prevent tracking dust/soil offsite
  j. Material to be swept from public roadway

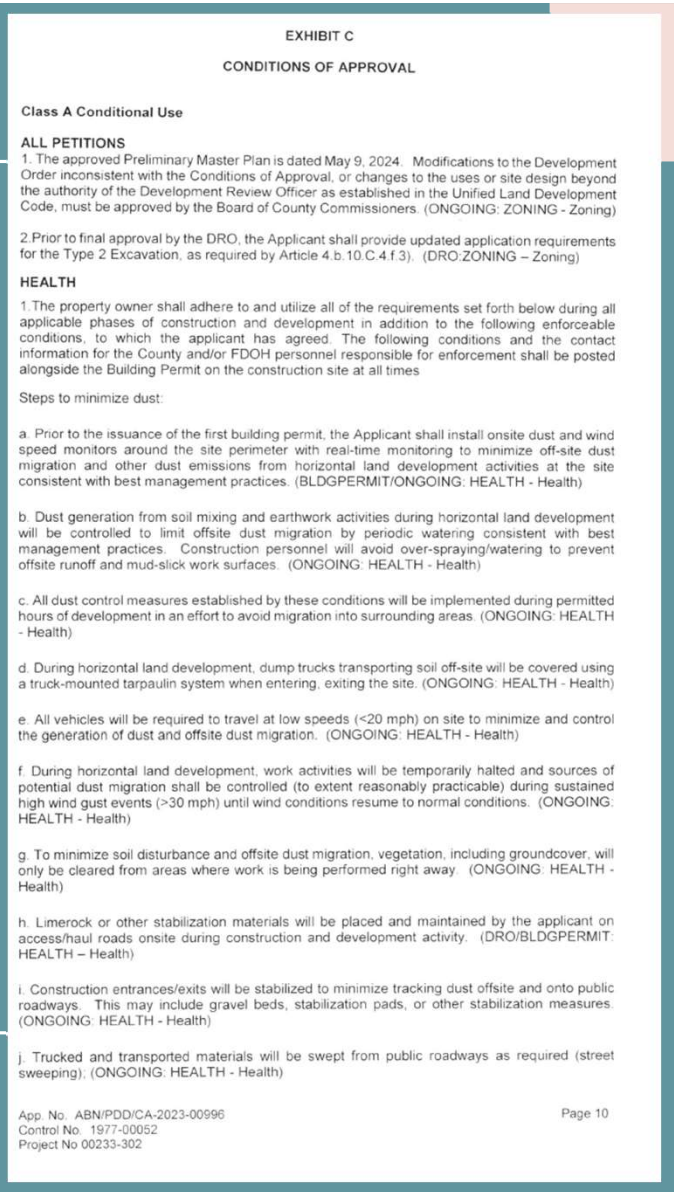


EXHIBIT C

CONDITIONS OF APPROVAL

Class A Conditional Use

ALL PETITIONS

1. The approved Preliminary Master Plan is dated May 9, 2024. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

2.Prior to final approval by the DRO, the Applicant shall provide updated application requirements for the Type 2 Excavation, as required by Article 4.b.10.C.4.f.3). (DRO:ZONING – Zoning)

HEALTH

1.The property owner shall adhere to and utilize all of the requirements set forth below during all applicable phases of construction and development in addition to the following enforceable conditions, to which the applicant has agreed. The following conditions and the contact information for the County and/or FDOH personnel responsible for enforcement shall be posted alongside the Building Permit on the construction site at all times

Steps to minimize dust:

a. Prior to the issuance of the first building permit, the Applicant shall install onsite dust and wind speed monitors around the site perimeter with real-time monitoring to minimize off-site dust migration and other dust emissions from horizontal land development activities at the site consistent with best management practices. (BLDGPERMIT/ONGOING: HEALTH - Health)

b. Dust generation from soil mixing and earthwork activities during horizontal land development will be controlled to limit offsite dust migration by periodic watering consistent with best management practices. Construction personnel will avoid over-spraying/watering to prevent offsite runoff and mud-slick work surfaces. (ONGOING: HEALTH - Health)

c. All dust control measures established by these conditions will be implemented during permitted hours of development in an effort to avoid migration into surrounding areas. (ONGOING: HEALTH - Health)

d. During horizontal land development, dump trucks transporting soil off-site will be covered using a truck-mounted tarpaulin system when entering, exiting the site. (ONGOING: HEALTH - Health)

e. All vehicles will be required to travel at low speeds (<20 mph) on site to minimize and control the generation of dust and offsite dust migration. (ONGOING: HEALTH - Health)

f. During horizontal land development, work activities will be temporarily halted and sources of potential dust migration shall be controlled (to extent reasonably practicable) during sustained high wind gust events (>30 mph) until wind conditions resume to normal conditions. (ONGOING: HEALTH - Health)

g. To minimize soil disturbance and offsite dust migration, vegetation, including groundcover, will only be cleared from areas where work is being performed right away. (ONGOING: HEALTH - Health)

h. Limerock or other stabilization materials will be placed and maintained by the applicant on access/haul roads onsite during construction and development activity. (DRO/BLDGPERMIT: HEALTH – Health)

i. Construction entrances/exits will be stabilized to minimize tracking dust offsite and onto public roadways. This may include gravel beds, stabilization pads, or other stabilization measures. (ONGOING: HEALTH - Health)

j. Trucked and transported materials will be swept from public roadways as required (street sweeping). (ONGOING: HEALTH - Health)

Requirements for Site Closure

- Site Rehabilitation Completion Report
  - Detailed report on implementation of the SMP
- All verification/confirmation sampling data
- Detailed description of how the site meets the criteria for closure
  - Does any contamination remain on site?
    - If so, at what levels and locations?
  - What specific controls are proposed?
  - How will controls be maintained?
- FDEP will review the closure report
  - Approvable only if all closure criteria are met
  - Includes site-specific evaluation of controls.
  - Approval requires concurrence from the Office of General Counsel
  - Closure order will only be issued once the documentation show that all closure criteria have been met

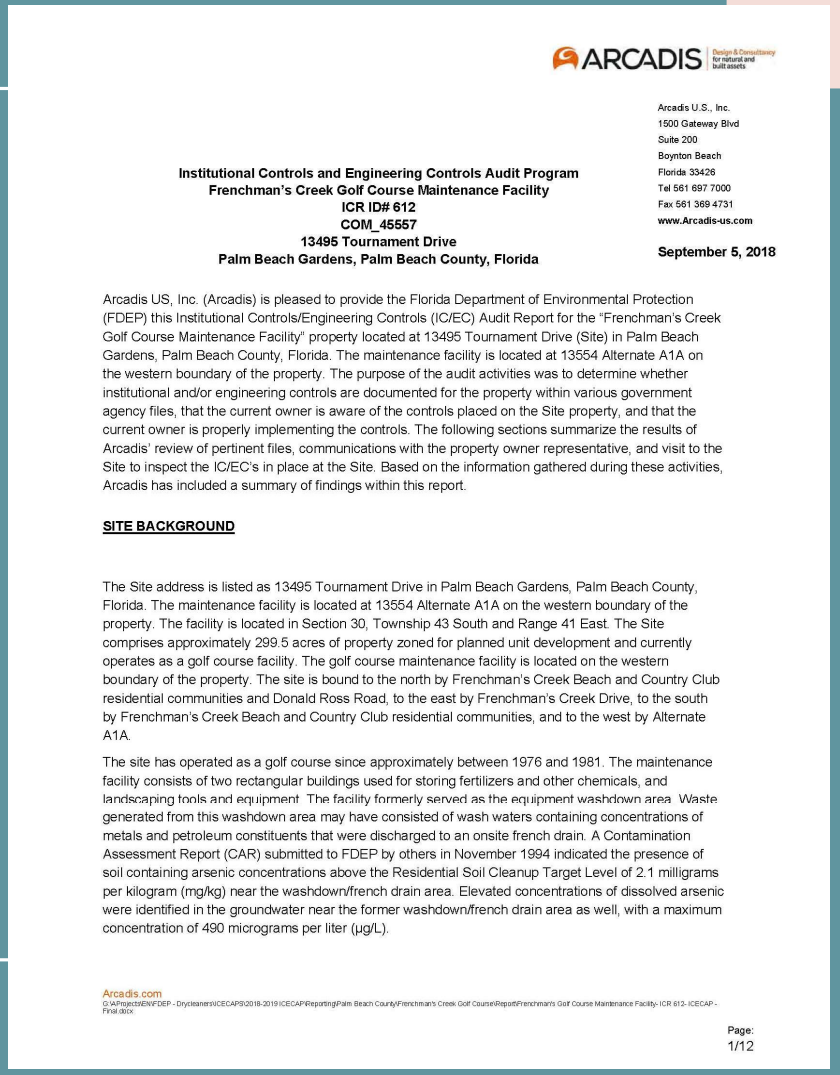
Section B.2: Engineering Control Maintenance Plan (ECMP)

Pursuant to subsection 62-780.680(7), F.A.C., the inspection, monitoring and maintenance requirements for an engineering control (EC) shall be part of the Conditional Site Rehabilitation Completion Order (CSRCO), shall be retained in the Department's site file and shall be referenced in the IC to ensure future owners of contaminated property maintain the EC. It is incumbent upon the property owner (or Person Responsible for Site Rehabilitation [PRSR]) to adhere to these requirements as a condition of the CSRCO.

As required by Chapter 62-780, F.A.C., the Engineering Control Maintenance Plan (ECMP) referred to as part of the IC shall include a description of the conditions that constitute a failure of the EC. For example, the groundwater contaminant levels, or trend in groundwater contaminant levels, outside a slurry wall that should lead to a repair effort or further investigation should be provided. For engineered caps, the size, depth and frequency (area or time) of breaches in the cap should be specified. See Attachment 31: Engineering Control Reporting & Monitoring for more information.

Continuing Regulatory Verification

- FDEP conducts periodic inspections of controls used to close contaminated sites
  - Verify controls are still in place
    - Review documents in file
    - Check public records
  - Verify compliance with controls
    - Review documents on file
    - Physical site inspection
    - Interviews with personnel on-site
  - Send notification if there is any non-compliance
  - Failure to return to compliance can result in re-opening the cleanup site
  - Currently on a five-year rotation
  - FDEP will also investigate any reports of non-compliance



ARCADIS Design & Consultancy for natural and built assets

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Suite 200
Boynton Beach
Florida 33426
Tel 561 697 7000
Fax 561 369 4731
www.Arcadis-us.com

Institutional Controls and Engineering Controls Audit Program
Frenchman's Creek Golf Course Maintenance Facility
ICR ID# 612
COM_45557
13495 Tournament Drive
Palm Beach Gardens, Palm Beach County, Florida

September 5, 2018

Arcadis US, Inc. (Arcadis) is pleased to provide the Florida Department of Environmental Protection (FDEP) this Institutional Controls/Engineering Controls (IC/EC) Audit Report for the "Frenchman's Creek Golf Course Maintenance Facility" property located at 13495 Tournament Drive (Site) in Palm Beach Gardens, Palm Beach County, Florida. The maintenance facility is located at 13554 Alternate A1A on the western boundary of the property. The purpose of the audit activities was to determine whether institutional and/or engineering controls are documented for the property within various government agency files, that the current owner is aware of the controls placed on the Site property, and that the current owner is properly implementing the controls. The following sections summarize the results of Arcadis' review of pertinent files, communications with the property owner representative, and visit to the Site to inspect the IC/EC's in place at the Site. Based on the information gathered during these activities, Arcadis has included a summary of findings within this report.

SITE BACKGROUND

The Site address is listed as 13495 Tournament Drive in Palm Beach Gardens, Palm Beach County, Florida. The maintenance facility is located at 13554 Alternate A1A on the western boundary of the property. The facility is located in Section 30, Township 43 South and Range 41 East. The Site comprises approximately 299.5 acres of property zoned for planned unit development and currently operates as a golf course facility. The golf course maintenance facility is located on the western boundary of the property. The site is bound to the north by Frenchman's Creek Beach and Country Club residential communities and Donald Ross Road, to the east by Frenchman's Creek Drive, to the south by Frenchman's Creek Beach and Country Club residential communities, and to the west by Alternate A1A.

The site has operated as a golf course since approximately between 1976 and 1981. The maintenance facility consists of two rectangular buildings used for storing fertilizers and other chemicals, and landscaping tools and equipment. The facility formerly served as the equipment washdown area. Waste generated from this washdown area may have consisted of wash waters containing concentrations of metals and petroleum constituents that were discharged to an onsite french drain. A Contamination Assessment Report (CAR) submitted to FDEP by others in November 1994 indicated the presence of soil containing arsenic concentrations above the Residential Soil Cleanup Target Level of 2.1 milligrams per kilogram (mg/kg) near the washdown/french drain area. Elevated concentrations of dissolved arsenic were identified in the groundwater near the former washdown/french drain area as well, with a maximum concentration of 490 micrograms per liter (µg/L).

Site Rehabilitation of Former Cypress Creek Course: History, Results to Date, and Path Forward

Michael L. Spievack, P.E.
Senior Project Manager
mspievack@langan.com

Steven Sherman, P.E.
Project Engineer
ssherman@langan.com

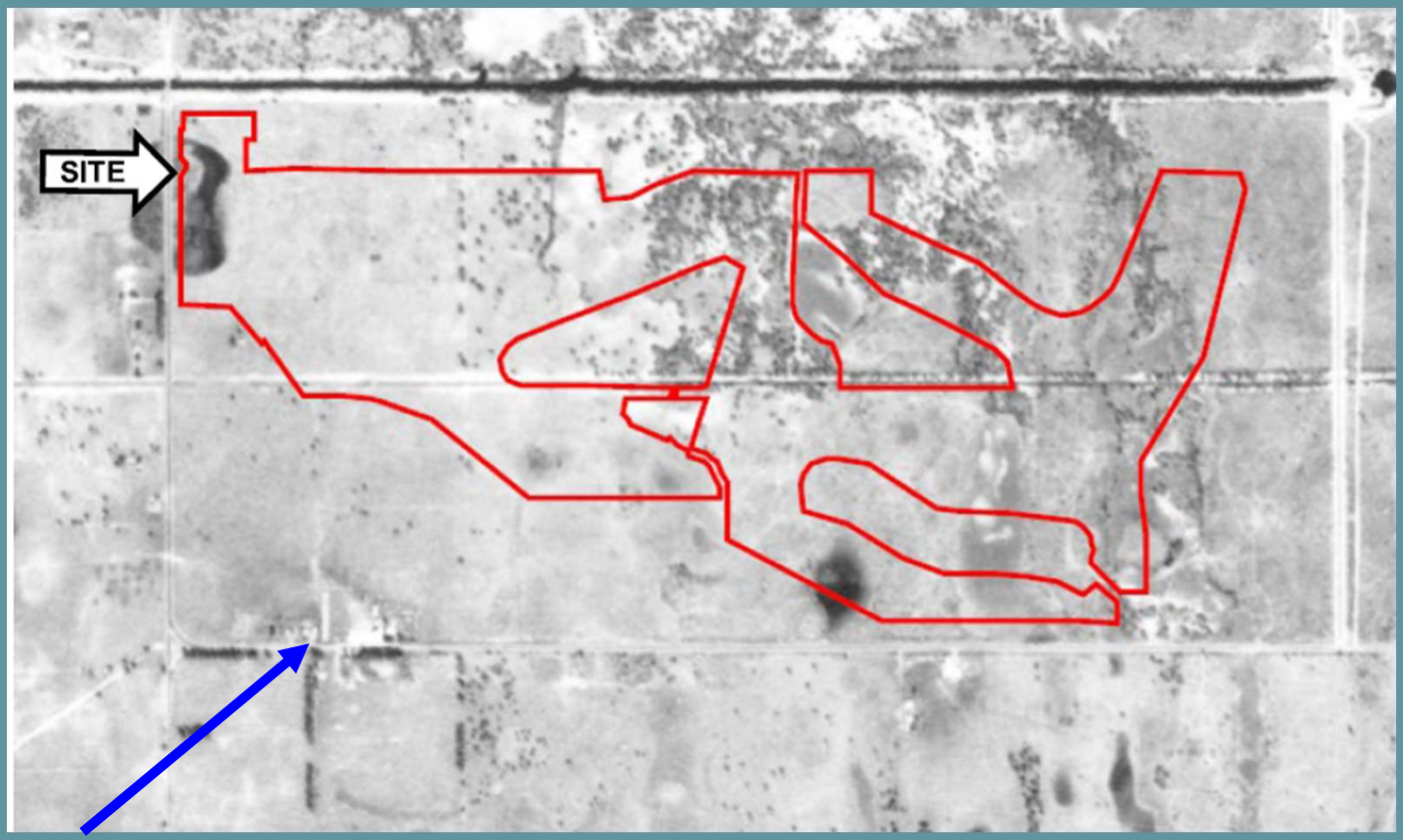
Langan Engineering and Environmental Services, LLC

LANGAN
ENGINEERING & ENVIRONMENTAL SERVICES

Historical Property Use - Aerial Photographs Document Start of Regional Agricultural Use

1940 Aerial Photograph

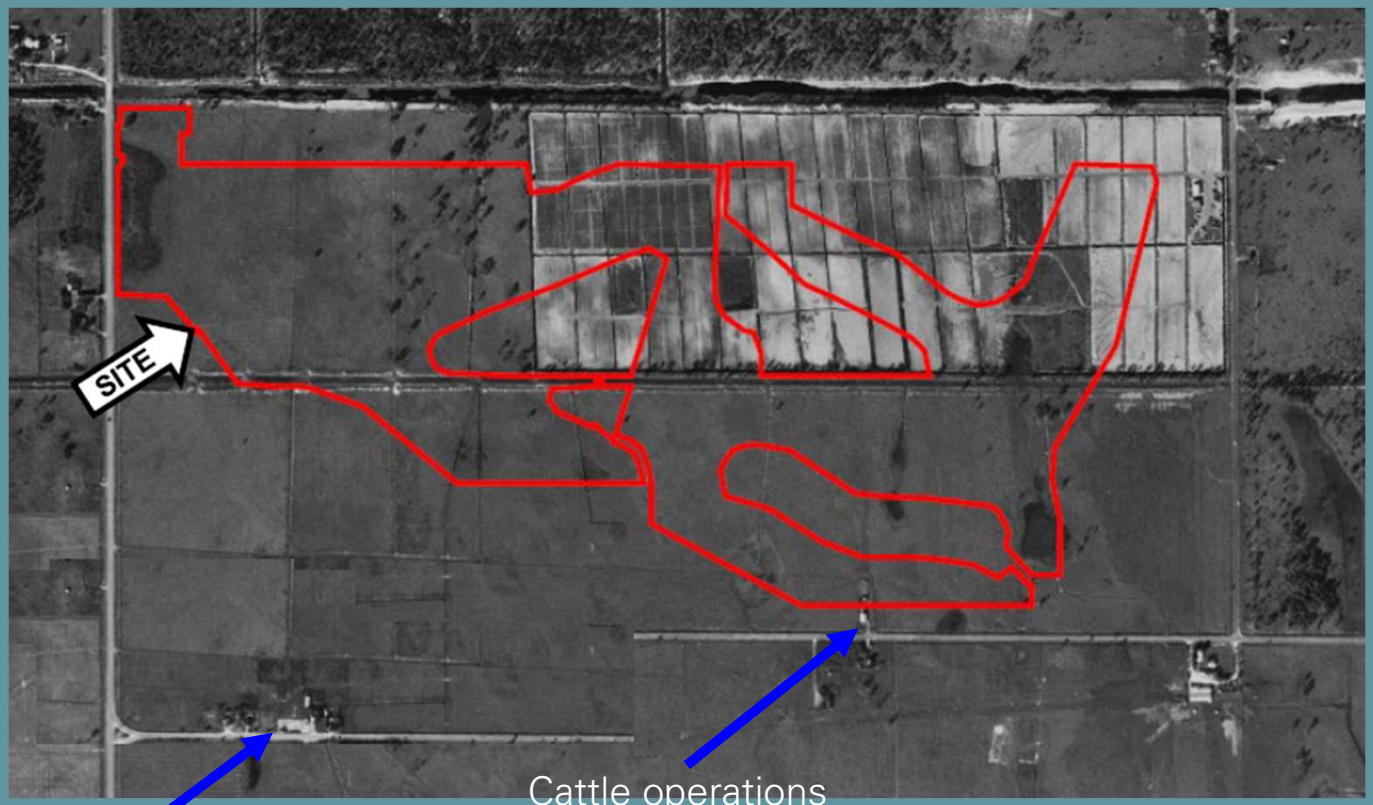
- North – Vacant and pastureland (cattle grazing)
- South - Pastureland and cattle operations (corrals, barns, etc.)



Historical Property Use - Multiple Sources of Background Contamination ("Regional Anthropogenic")

1957 Aerial Photograph

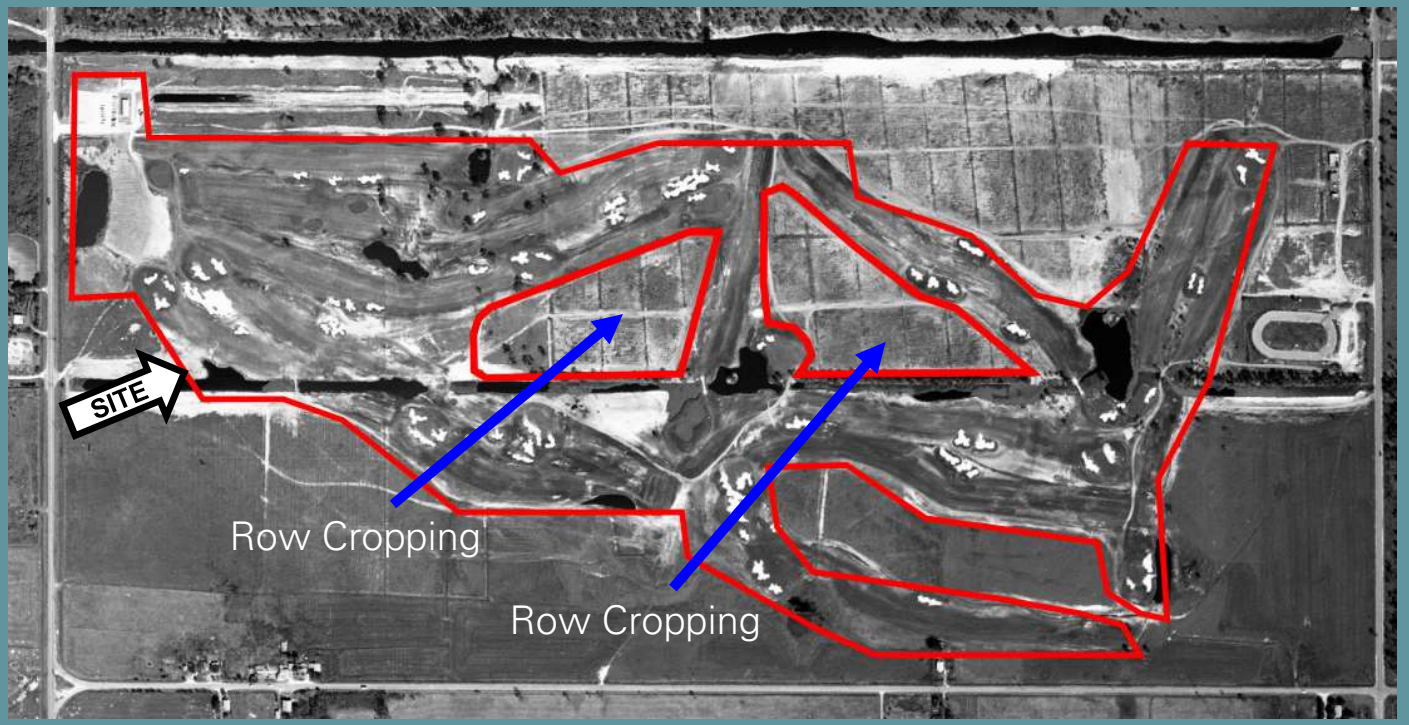
- Northeast – Heavy row crop cultivation on future Cypress Creek Golf Course footprint and within the future Cypress Creek residential community.
- Northwest and South – Pastureland (cattle grazing) on future Cypress Creek Golf Course footprint and the Cypress Creek residential community, and cattle operations (corrals, barns, etc.) within the future Cypress Creek residential community.



Historical Property Use - Multiple Sources of Background Contamination ("Regional Anthropogenic")

1964 Aerial Photograph

- Site development of future Cypress Creek Golf Course on top of row crops agriculture.
- Row crop agricultural area left untouched within interior nodes of future Cypress Creek residential community.



Historical Property Use - Multiple Sources of Background Contamination ("Regional Anthropogenic")

1968 Aerial Photograph

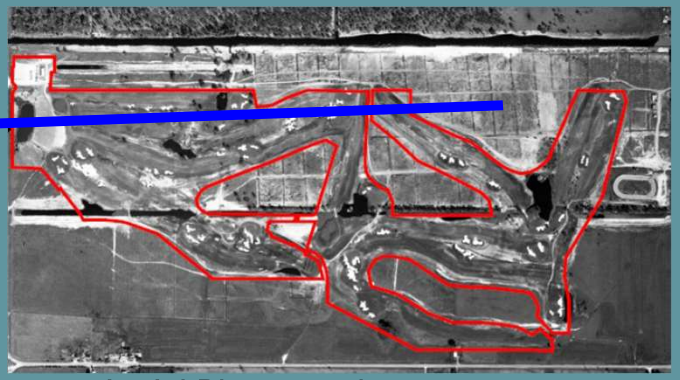
- Cypress Creek Golf Course construction near completion.
- Row crop agriculture within interior nodes for future Cypress Creek residential community appear overgrown with vegetation.
- Cattle operations (corrals, barns, etc.) remain within southern areas of the the future Cypress Creek residential community.

Historical Property Use - Multiple Sources of Background Contamination ("Regional Anthropogenic")

1975 Aerial Photograph

- Cypress Creek Golf Course appears to be nearing completion, and homes are constructed within the northwest Cypress Creek residential Community
- Extensive agriculture (row crops) appear within southeast portion of Cypress Creek Golf Course and Cypress Creek Residential Community
- Open space vegetation appears within remaining interior nodes for future Cypress Creek residential community.

Comparative Analysis of Multiple & Widespread Sources of Background Contamination ("Regional Anthropogenic")

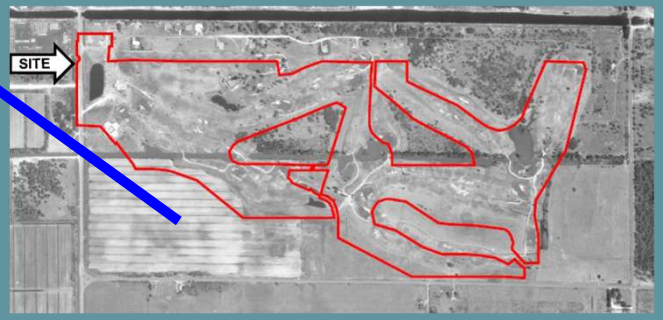


1964 Aerial Photograph

1957 Aerial Photograph

SITE BOUNDARY

HISTORIC AGRICULTURAL AREA



1975 Aerial Photograph

Environmental Concerns From Historical Use

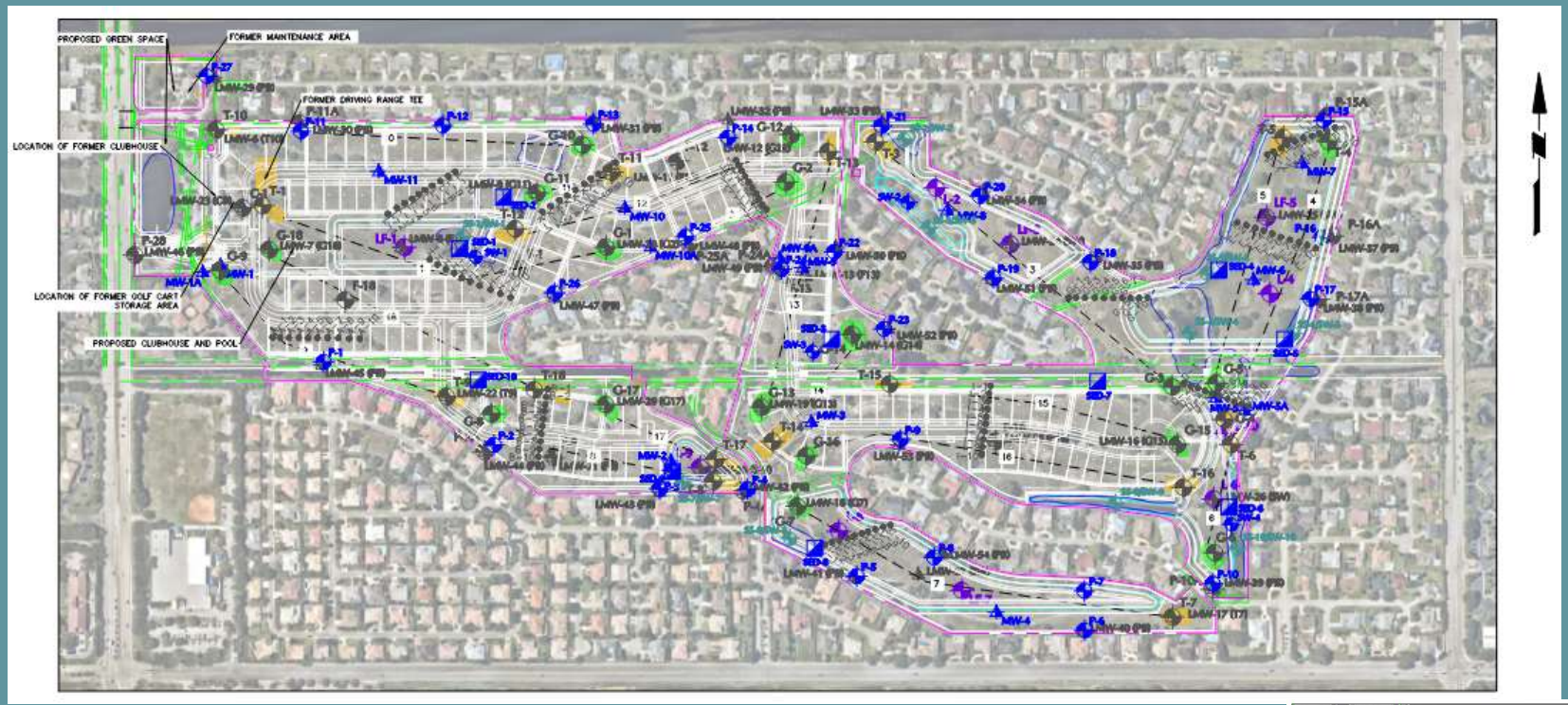
Agricultural Use:

- Years of Operation = 20 years
- Chemicals of Concern = Organochlorine Pesticides and Arsenical Pesticides

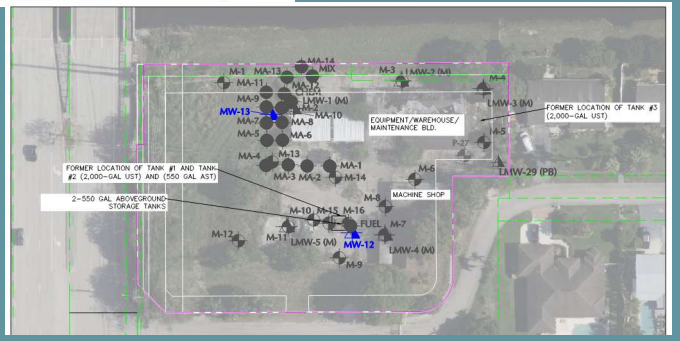
Golf Course:

- Years of Operation = 50 years
- Chemicals of Concern = Organochlorine Pesticides and Arsenical Pesticides

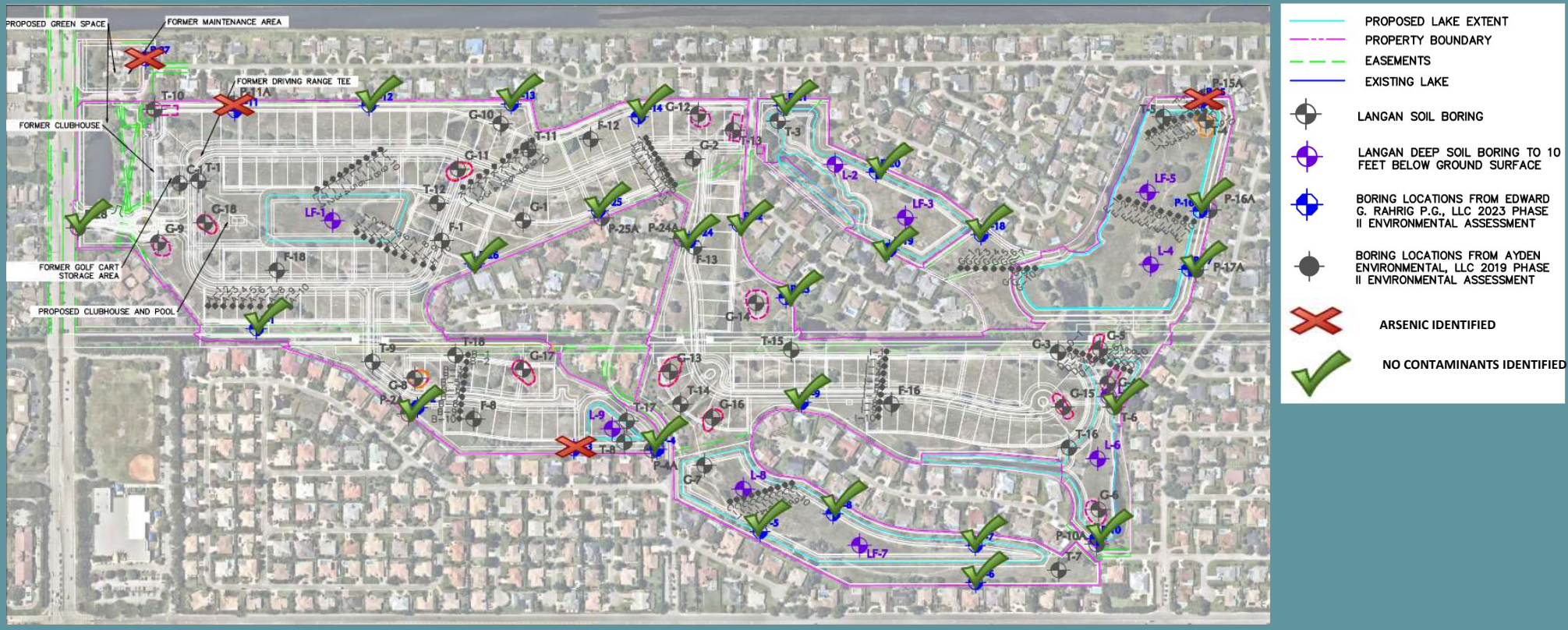
Site Assessment – Cypress Creek Golf Course



Source	Soil Borings	Sol Samples	Monitoring Wells	Groundwater Samples	Surface Water Samples	Lake Sediment Samples
Historical	27	83	27	27	-	-
Ayden	120	360	17	51	10	10
Langan	78	276	54	54	10	10
	Total:	719	98	132	20	20



Site Assessment Findings – Soil



Dieldrin & Toxaphene (Organochlorine Pesticide):

- Confined within golf course
- Very low-level exceedances

Arsenic:

- Mostly confined within golf course
- Very low-level exceedances

Site Assessment Findings – Soil Arsenic Results

Sample ID	Result
M-1 (0-0.5')	1.0
M-1 (0.5-2')	0.53 I
M-1 (2-4')	0.21 I
M-2 (0-0.5')	**3.9**
M-2 (0.5-2')	1.2
M-2 (2-4')	1.1
M-3 (0-0.5')	**3.0**
M-3 (0.5-2')	0.18 U
M-3 (2-4')	0.20 U
M-4 (0-0.5')	**3.0**
M-4 (0.5-2')	0.50 I
M-4 (2-4')	0.20 U
M-5 (0-0.5')	**2.6**
M-5 (0.5-2')	0.19 U
M-5 (2-4')	**3.9**
M-6 (0-0.5')	**5.3**
M-6 (0.5-2')	0.34 I
M-6 (2-4')	0.36 I
M-7 (0-0.5')	1.9
M-7 (0.5-2')	0.67 I
M-7 (2-4')	0.22 U
M-8 (0-0.5')	**9.8**
M-8 (0.5-2')	0.18 U
M-8 (2-4')	**4.0**
M-9 (0-0.5')	0.87 I
M-9 (0.5-2')	0.77 I
M-9 (2-4')	0.34 I
M-10 (0-0.5')	1.1 I
M-10 (0.5-2')	1.3
M-10 (2-4')	1.2
M-11 (0-0.5')	1.7
M-11 (0.5-2')	0.19 U
M-11 (2-4')	0.29 I
M-12 (0-0.5')	0.59 I
M-12 (0.5-2')	0.32 I
M-12 (2-4')	0.22 I
M-13 (0-0.5')	**3.5**
M-13 (0.5-2')	2.0
M-13 (2-4')	0.21 U
M-14 (0-0.5')	**2.7**
M-14 (0.5-2')	**2.4**
M-14 (2-4')	**4.5**
MA-1 (0-2')	**3.3**
MA-2 (0-2')	**5.4**
MA-3 (0-2')	**6.0**
MA-4 (0-2')	**3.4**
MA-5 (0-2')	**2.7**
MA-6 (0-2')	**4.4**
MA-7 (0-2')	1.9

Sample ID	Result
MA-8 (0-2')	**7.8**
MA-9 (0-2')	1.8
MA-10 (0-2')	0.72 I
MA-11 (0-2')	0.12 U
MA-12 (0-2')	1.5 I
MA-13 (0-2')	0.12 U
MA-14 (0-2')	**6.6**
F-1 (0-0.5)	0.34 I
F-1 (0.5-2)	0.20 U
F-1 (2-3)	0.21 U
F-8 (0-0.5')	0.66 I
F-8 (0.5-2')	0.49 I
F-8 (2'-4')	1.1 I
F-12 (0-0.5')	0.91 I
F-12 (0.5'-2')	0.18 U
F-12 (2'-4')	0.19 U
F-13 (0-0.5)	0.48 I
F-13 (0.5-2')	0.46 I
F-13 (2-3)	0.17 U
F-16 (0-0.5)	1.1
F-16 (0.5-2)	0.20 U
F-16 (2-3)	0.27 I
F-18 (0-0.5)	0.64 I
F-18 (0.5-2)	0.60 I
F-18 (2-4)	**2.2**
T-1 (0-0.5)	0.95 I
T-1 (0.5-2)	1.5
T-1 (2-4)	1.3
G-1 (0-0.5)	0.64 I
G-1 (0.5-2)	0.57 I
G-1 (2-4)	1.7
G-2 (0-0.5')	1.0
G-2 (0.5-2)	**3.2**
G-2 (2-4)	1.5
T-3 (0-0.5)	2.0 J
T-3 (0.5-2')	1.0
T-3 (2-4')	0.55 I
G-3 (0-0.5')	0.85 I
G-3 (0.5-2')	1.8
G-3 (2-4')	0.35 I
T-4 (0-0.5')	0.71 I
T-4 (0.5-2')	0.36 I
T-4 (2-4')	1.2
G-4 (0-0.5')	**2.6**
G-4 (0.5-2')	**2.2**
G-4 (2-4')	0.74 I
T-5 (0-0.5')	0.64 I
T-5 (0.5-2')	1.6
T-5 (2-4')	0.88 I

Sample ID	Result
G-5 (0-0.5')	**2.9**
G-5 (0.5-2')	1.7
G-5 (2-4')	**5.2**
T-6 (0-0.5')	1.1
T-6 (0.5-2')	0.75 I
T-6 (2-4')	2.0
G-6 (0-0.5')	**5.1**
G-6 (0.5-2')	0.35 I
G-6 (2-4')	0.91 I
T-7 (0-0.5')	0.81 I
T-7 (0.5-2')	**3.5**
T-7 (2-4')	**3.8**
T-7 (4-6'')	0.81 I
G-7 (0-0.5')	1.1
G-7 (0.5'-2')	**2.9**
G-7 (2'-4')	**5.5**
G-7 (4'-6')	**3.9**
T-8 (0-0.5')	**3.1**
T-8 (0.5-2')	**2.5**
T-8 (2'-4')	0.65 I
G-8 (0-0.5')	0.91 I
G-8 (0.5-2')	1.1
G-8 (2'-4')	0.77 I
T-9 (0-0.5)	2.1
T-9 (0.5-2')	1.6
T-9 (2'-4')	1.9
G-9 (0-0.5)	1.1
G-9 (0.5-2)	0.36 I
G-9 (2-4)	**2.2**
G-9 (4-5)	0.34 I
T-10 (0-0.5)	1.0
T-10 (0.5-2)	1.3
T-10 (2-4)	**2.5**
G-10 (0-0.5)	**4.2**
G-10 (0.5-2)	0.40 I
G-10 (2-4)	0.90 I
T-11 (0-0.5)	**2.6**
T-11 (0.5-2)	**2.3**
T-11 (2-4)	**2.3**
T-11 (4-6)	0.31 I
G-11 (0-0.5)	1.8
G-11 (0.5-2)	0.31 I
G-11 (2-4)	1.7
T-12 (0-0.5')	0.43 I
T-12 (0.5'-2')	0.21 U
T-12 (2'-3')	0.19 U
G-12 (0-0.5')	0.39 I
G-12 (0.5-2')	0.61 I
G-12 (2-4)	0.95 I

Sample ID	Result
T-13 (0-0.5')	0.39 I
T-13 (0.5-2')	**4.8**
T-13 (2-4')	**3.2**
G-13 (0-0.5')	1.2
G-13 (0.5-2')	**3.4**
G-13 (2'-4')	0.79 I
T-14 (0-0.5)	1.6
T-14 (0.5-2)	1.6
T-14 (2-4)	**9.3**
G-14 (0-0.5)	1.8
G-14 (0.5-2')	**3.2**
G-14 (2'-4')	**2.7**
G-14 (4-6')	**2.4**
T-15 (0-0.5)	0.54 I
T-15 (0.5-2)	**2.2**
T-15 (2-4)	**11**
T-15 (4-5)	**3.6**
G-15 (0-0.5')	**2.7**
G-15 (0.5-2')	**2.2**
G-15 (2-4')	1.4
T-16 (0-0.5')	2.1
T-16 (0.5-2')	2.1
T-16 (2-4')	0.63 I
G-16 (0-0.5)	**2.3**
G-16 (0.5-2)	0.86 I
G-16 (2-4)	1.3
T-17 (0-0.5')	1.6
T-17 (0.5-2')	1.8
T-17 (2-4')	0.69 I
G-17 (0-0.5')	0.35 I
G-17 (0.5-2')	1.9
G-17 (2'-4')	1.0 I
T-18 (0-0.5')	1.8
T-18 (0.5-2')	**2.8**
T-18 (2'-4')	**2.7**
G-18 (0-0.5)	0.63 I
G-18 (0.5-2)	**2.3**
G-18 (2-4)	1.1 I
C-1 (0-0.5')	0.67 I
C-1 (0.5'-2')	0.20 U
C-1 (2'-3')	0.32 I
P-2A (0-0.5')	0.30 I
P-2A (0.5-2')	0.21 U
P-2A (2'-4')	0.25 I
P-10A (0-0.5')	1.8
P-10A (0.5-2')	**3.2**
P-10A (2-4')	0.32 I
P-11A (0-0.5)	**7.4**
P-11A (0.5-2)	1.6

Sample ID	Result
P-11A (2-4)	0.20 I
P-15A (0-0.5')	**3.1**
P-15A (0.5-2')	0.96 I
P-15A (2-3')	1.5
P-16A (0-0.5)	**6.0**
P-16A (0.5-2)	0.54 I
P-16A (2-4)	1.0 I
P-17A (0-0.5)	0.89 I
P-17A (0.5-2)	0.18 U
P-17A (2-3)	0.19 U
P-24A (0-0.5')	0.20 U
P-24A (0.5-2)	0.21 U
P-24A (2-3')	0.67 I
P-25A (0-0.5')	1.3
P-25A (0.5'-2')	0.51 I
P-25A (2'-4')	0.34 I
P-28 (0-0.5)	0.35 I
P-28 (0.5-2)	0.48 I
P-28 (2-4)	0.38 I
LF-1 (0-0.5)	1.6
LF-1 (0.5-2)	0.90 I
LF-1 (2-4)	1.4
LF-1 (4-6)	2.0
LF-1 (6-8)	0.90 I
LF-1 (8-10)	1.1 I
L-2 (0-0.5)	0.79 I
L-2 (0.5-2')	0.31 I
L-2 (2'-4')	0.20 U
L-2 (4-6')	0.19 U
L-2 (6-8')	**3.9**
L-2 (8-10')	**3.0**
LF-3 (0-0.5')	0.24 I
LF-3 (0.5-2')	0.24 I
LF-3 (2-4')	0.23 I
LF-3 (4-6')	0.58 I
LF-3 (6-8')	***20***
LF-3 (8-10')	0.22 I
L-4 (0-0.5)	0.85 I
L-4 (0.5-2)	0.23 U
L-4 (2-4)	0.23 U
L-4 (4-6)	0.23 I
L-4 (6-8)	0.82 I
L-4 (8-10)	0.45 I
LF-5 (0-0.5')	0.38 I
LF-5 (0.5-2')	**7.5**
LF-5 (2-4')	0.20 U
LF-5 (4-6')	0.28 I
LF-5 (6-8')	0.29 I
LF-5 (8-10')	0.31 I

Sample ID	Result
L-6 (0-0.5')	0.81 I
L-6 (0.5-2')	1.1 I
L-6 (2-4')	0.20 U
L-6 (4'-6)	1.4
L-6 (6-8'')	0.24 U
L-6 (8-10')	0.42 I
LF-7 (0-0.5')	1.3
LF-7 (0.5-2')	0.37 I
LF-7 (2'-4')	0.34 I
LF-7 (4'-6')	0.20 U
LF-7 (6-8')	0.23 U
LF-7 (8'-10')	0.23 U
L-8 (0-0.5')	0.50 I
L-8 (0.5-2)	0.21 U
L-8 (2'-4')	**2.7**
L-8 (4-'6)	0.35 I
L-8 (6-8'')	0.36 I
L-8 (8-10')	0.22 U
L-9 (0-0.5')	2.0
L-9 (0.5-2)	1.7
L-9 (2'-4')	0.50 I
L-9 (4'-6')	**3.3**
L-9 (6'-8')	0.21 U
L-9 (8'-10')	0.47 I
L-10 (0-0.5')	0.64 I
L-10 (0.5-2')	1.1
L-10 (2-4')	0.84 I
L-10 (4-6')	1.9
L-10 (6-8')	0.21 U
L-10 (8-10')	**3.0**
P-1 (0-0.5)	**2.2**
P-1 (0.5-2)	0.6
P-1 (2-4)	**2.2**
P-2 (0-0.5)	**4.5**
P-2 (0.5-2)	1.7
P-2 (2-4)	1.6
P-3 (0-0.5)	1.0
P-3 (0.5-2)	0.26 I
P-3 (2-4)	0.16 I
P-4 (0-0.5)	0.26 I
P-4 (0.5-2)	0.10 I
P-4 (2-4)	1.9
P-5 (0-0.5)	0.30 I
P-5 (0.5-2)	0.47 I
P-5 (2-4)	0.65
P-5 (4-6)	0.51 I
P-6 (0-0.5)	0.25 I
P-6 (0.5-2)	0.087 U
P-6 (2-4)	0.094 U

Sample ID	Result
P-6 (4-6)	1.3
P-7 (0-0.5)	0.13 I
P-7 (0.5-2)	0.10 I
P-7 (2-4)	0.48 I
P-8 (0-0.5)	1.8
P-8 (0.5-2)	0.11 I
P-8 (2-4)	0.41 I
P-9 (0-0.5)	1.2
P-9 (0.5-2)	0.27 I
P-9 (2-4)	0.34 I
P-10 (0-0.5)	**4.5**
P-10 (0.5-2)	**4.3**
P-10 (2-4)	**5.7**
P-11 (0-0.5)	0.8
P-11 (0.5-2)	0.11 I
P-11 (2-4)	**2.3**
P-12 (0-0.5)	0.96
P-12 (0.5-2)	0.63 U
P-12 (2-4)	0.67 U
P-13 (0-0.5)	0.29 I
P-13 (0.5-2)	0.58 U
P-13 (2-4)	0.17 I
P-14 (0-0.5)	0.75
P-14 (0.5-2)	1.5
P-14 (2-4)	0.64 U
P-15 (0-0.5)	**2.7**
P-15 (0.5-2)	0.61 U
P-15 (2-4)	0.29 I
P-16 (0-0.5)	**5.1**
P-16 (0.5-2)	0.11 I
P-16 (2-4)	0.13 I
P-17 (0-0.5)	**2.7**
P-17 (0.5-2)	0.45 I
P-17 (2-4)	1.1
P-18 (0-0.5)	1.0
P-18 (0.5-2)	0.20 I
P-18 (2-4)	0.25 I
P-19 (0-0.5)	0.7
P-19 (0.5-2)	0.24 I
P-19 (2-4)	0.32 I
P-20 (0-0.5)	0.38 I
P-20 (0.5-2)	0.088 U
P-20 (2-4)	0.098 U
P-21 (0-0.5)	1.0
P-21 (0.5-2)	1.8
P-21 (2-4)	0.8
P-22 (0-0.5)	0.53 U
P-22 (0.5-2)	0.13 I
P-22 (2-4)	0.35 I

Sample ID	Result
P-23 (0-0.5)	0.28 I
P-23 (0.5-2)	0.089 U
P-23 (2-4)	0.49 I
P-24 (0-0.5)	0.16 I
P-24 (0.5-2)	0.34 I
P-24 (2-4)	**2.5**
P-25 (0-0.5)	**7.7**
P-25 (0.5-2)	**4.3**
P-25 (2-4)	0.42 I
P-26 (0-0.5)	0.55 U
P-26 (0.5-2)	0.57 U
P-26 (2-4)	0.68
P-27 (0-0.5)	1.5
P-27 (0.5-2)	0.13 I
P-27 (2-4)	0.38 I

Residential Soil Cleanup Target Level = 2.1 mg/kg

U = Undetected

I = Estimated Value

Site Assessment Findings – Groundwater

Dieldrin (Organochlorine Pesticide):

- Only found at two locations
- Extremely low-level exceedances
- No DDT or Toxaphene found

Arsenic:

- Regional impacts due to golf course & anthropogenic sources (i.e., agriculture)
- Highest exceedances near former agricultural areas

Site Assessment Findings – Groundwater Arsenic Results

Sample ID	Sampling Date	Arsenic, Total
P-1	8/29/2023	*160*
P-2	8/29/2023	*480*
P-3	8/29/2023	30
P-4	8/29/2023	*130*
P-5	8/29/2023	49
P-6	8/29/2023	*130*
P-7	8/29/2023	2.8
P-8	8/29/2023	29
P-9	8/29/2023	11
P-10	8/30/2023	*130*
P-11	8/30/2023	*120*
P-12	8/30/2023	4.7
P-13	8/30/2023	11
P-14	8/30/2023	34
P-15	8/30/2023	75
P-16	8/30/2023	27
P-17	8/30/2023	79
P-18	8/30/2023	41
P-19	8/30/2023	84
P-20	8/30/2023	18
P-21	8/30/2023	12
P-22	8/30/2023	18
P-23	8/30/2023	18
P-24	8/30/2023	29
P-25	8/30/2023	11
P-26	8/30/2023	20
P-27	8/30/2023	39
LMW-1 (M)	7/9/2024	*170*
LMW-2 (M)	7/10/2024	5.0

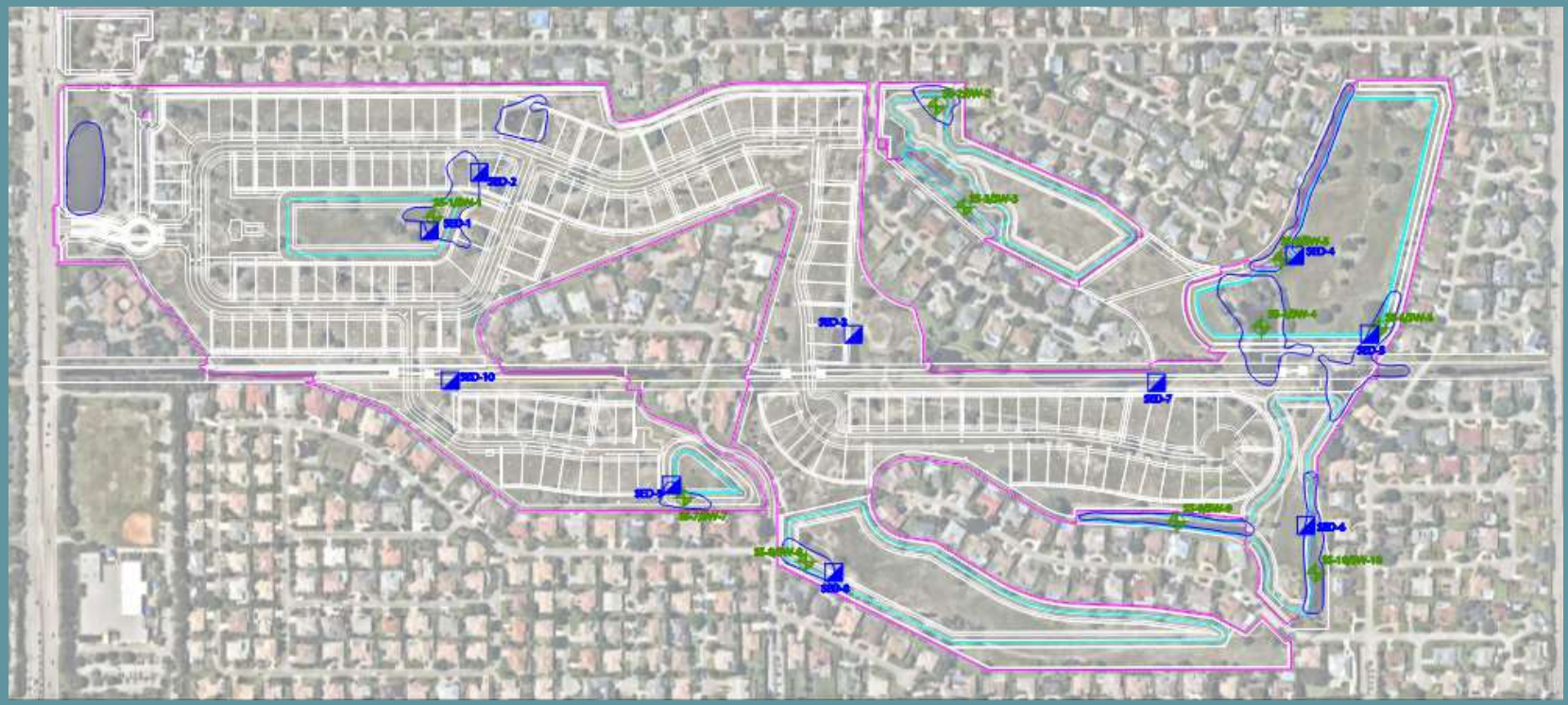
Sample ID	Sampling Date	Arsenic, Total
LMW-3 (M)	7/11/2024	27
LMW-4 (M)	7/12/2024	100
LMW-5 (M)	7/9/2024	70
LMW-6 (T10)	7/8/2024	65
LMW-7 (G18)	7/8/2024	*170*
LMW-8 (F1)	7/9/2024	22
LMW-9 (G11)	7/10/2024	*170*
LMW-10 (G2)	7/10/2024	*120*
LMW-11 (F11)	7/10/2024	73
LMW-12 (G12)	7/11/2024	*160*
LMW-13 (F13)	7/11/2024	19
LMW-14 (G14)	7/12/2024	94
LMW-15 (F16)	7/15/2024	*490*
LMW-16 (G15)	7/19/2024	*160*
LMW-17 (T7)	7/12/2024	*120*
LMW-18 (G7)	7/11/2024	*560*
LMW-19 (G13)	7/11/2024	30
LMW-20 (G17)	7/10/2024	37
LMW-21 (F8)	7/10/2024	86
LMW-22 (T9)	7/9/2024	67
LMW-23 (CB)	7/8/2024	26
LMW-24 (SW)	7/12/2024	25
LMW-25 (SW)	7/15/2024	*200*
LMW-26 (SW)	7/12/2024	72
LMW-27 (SW)	7/11/2024	99
LMW-29 (PB)	7/9/2024	20
LMW-30 (PB)	7/8/2024	76
LMW-31 (PB)	7/10/2024	60
LMW-32 (PB)	7/11/2024	11

Sample ID	Sampling Date	Arsenic, Total
LMW-33 (PB)	7/12/2024	37
LMW-34 (PB)	7/12/2024	19
LMW-35 (PB)	7/15/2024	42
LMW-36 (PB)	7/15/2024	99
LMW-37 (PB)	7/15/2024	*330*
LMW-38 (PB)	7/15/2024	44
LMW-39 (PB)	7/12/2024	96
LMW-40 (PB)	7/11/2024	31
LMW-41 (PB)	7/11/2024	81
LMW-42 (PB)	7/10/2024	*210*
LMW-43 (PB)	7/10/2024	14
LMW-44 (PB)	7/9/2024	21
LMW-45 (PB)	7/9/2024	*130*
LMW-46 (PB)	7/9/2024	1.5 I
LMW-47 (PB)	7/10/2024	*360*
LMW-48 (PB)	7/11/2024	*130*
LMW-49 (PB)	7/11/2024	48
LMW-50 (PB)	7/11/2024	19
LMW-51 (PB)	7/12/2024	21
LMW-52 (PB)	7/12/2024	57
LMW-53 (PB)	7/12/2024	37
LMW-54 (PB)	7/11/2024	42
MW-1A	4/7/2018	16.8
MW-5A	4/7/2018	5.0 U
MW-9A	4/7/2018	5.5 I
MW-10A	4/7/2018	37.8

Groundwater Cleanup Target Level = 10 µg/L

U = Undetected I = Estimated Value

Site Assessment Findings – Sediment



PROPOSED LAKE EXTENT
PROPERTY BOUNDARY
EASEMENTS
EXISTING LAKE
SURFACE WATER AND SEDIMENT SAMPLE
SEDIMENT SAMPLE LOCATION FROM AYDEN ENVIRONMENTAL, LLC 2019 PHASE 11 ENVIRONMENTAL ASSESSMENT

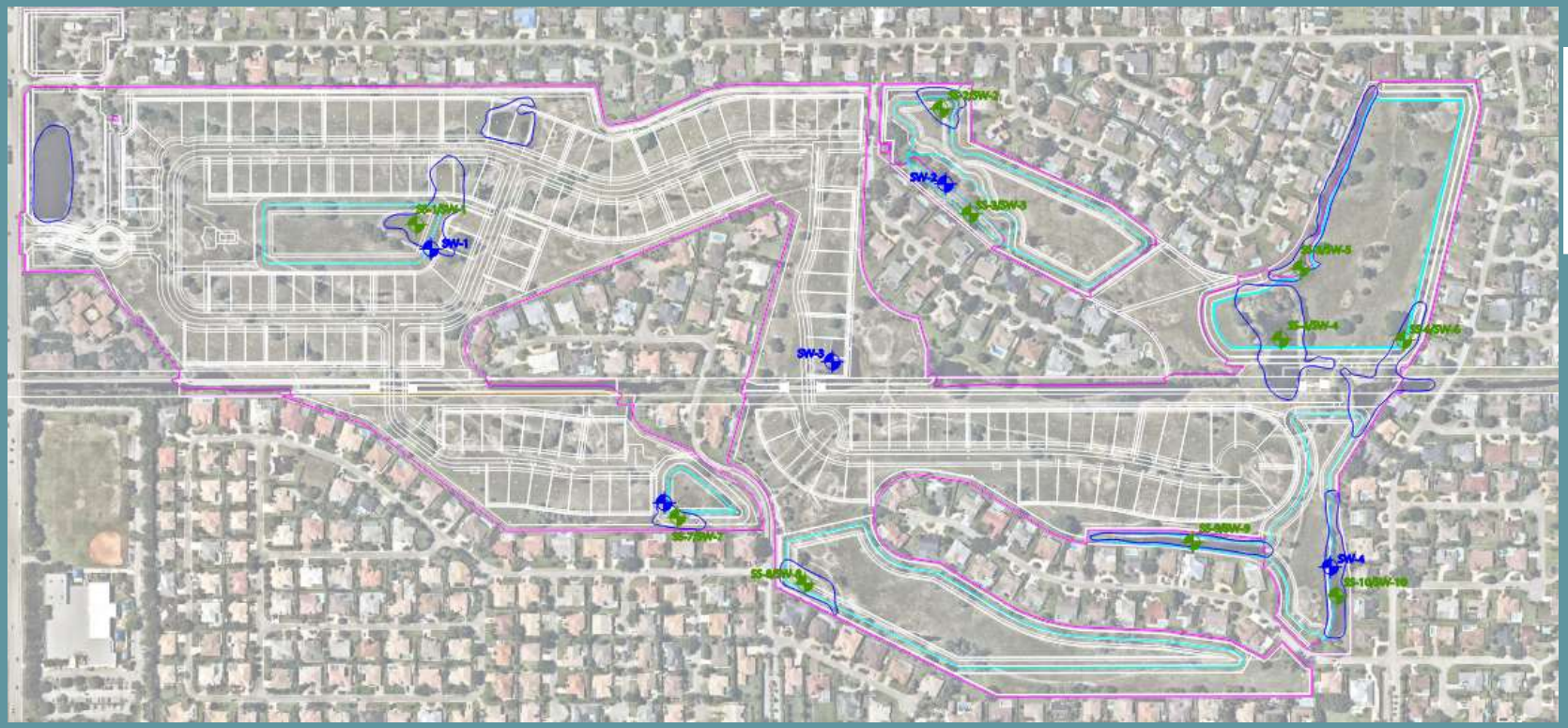
Sample ID	Date	Result
SS-1	7/19/2024	0.69 I
SS-2	7/19/2024	**2.3**
SS-3	7/19/2024	0.93 I
SS-4	7/19/2024	0.78 I
SS-5	7/19/2024	0.61 I
SS-6	7/19/2024	0.73 I
SS-7	7/19/2024	0.62 I
SS-8	7/19/2024	0.89 I
SS-9	7/19/2024	0.70 I
SS-10	7/19/2024	0.65 I

Sediment results compared to Soil Cleanup Target Level of 2.1 mg/kg for reuse purposes

Organochlorine Pesticides:
- Not found

Arsenic:
- One very low-level exceedance

Site Assessment Findings – Surface Water



Sample ID	Date	Result
SW-1	7/19/2024	2.9 I
SW-2	7/19/2024	2.8 I
SW-3	7/19/2024	6.8
SW-4	7/19/2024	4.9
SW-5	7/19/2024	7.2
SW-6	7/19/2024	12
SW-7	7/19/2024	3.2 I
SW-8	7/19/2024	2.4 I
SW-9	7/19/2024	10
SW-10	7/19/2024	6.9
Surface Water Target Level = 50 µg/L		

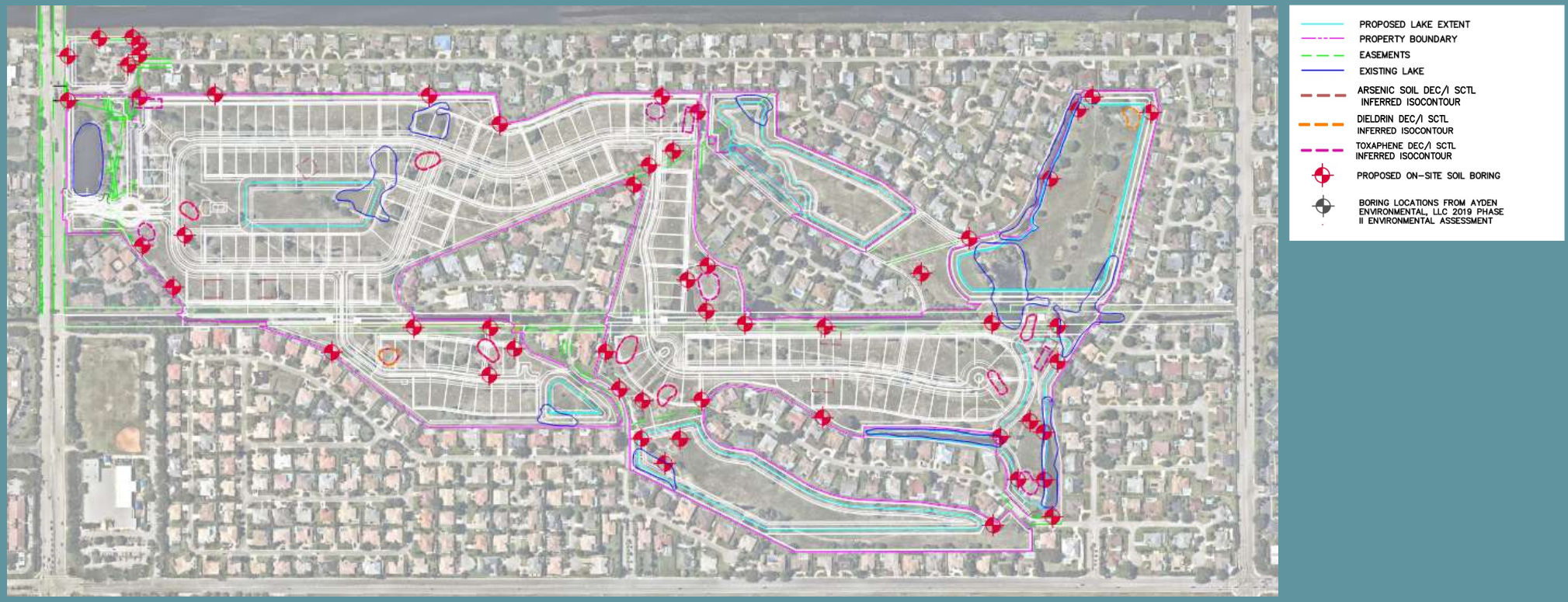
Organochlorine Pesticides:

- Not a surface water concern

Arsenic:

- No exceedances

Proposed Supplemental Site Assessment - Soil



Proposed number of additional soil borings: 53

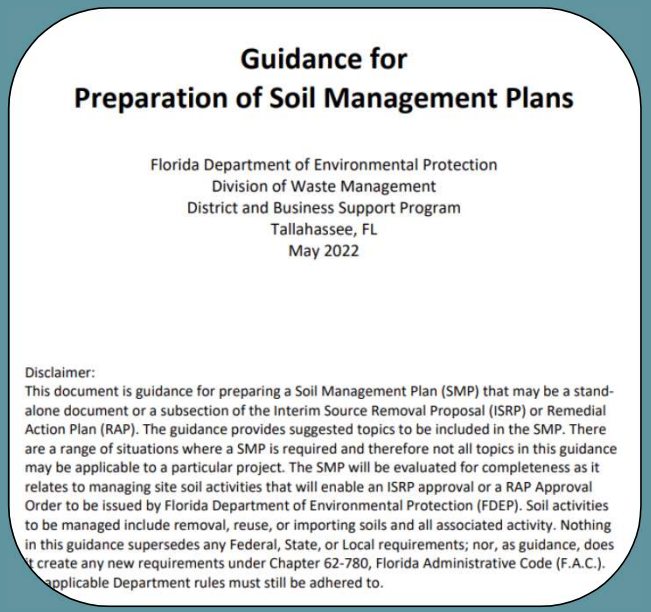
Soil and Water Management

Soil Management Plan

- Purpose – Provide direction to the contractor for handling contaminated soil from excavations such as:
  - Grading
  - Utilities
  - Stormwater management lakes
- Goal – Identify safe areas to reuse soil beneath controls (ex: roadways)
- Compliance – Tracked and monitored by a licensed environmental consultant

Stormwater Pollution Prevention Plan (SWPP)

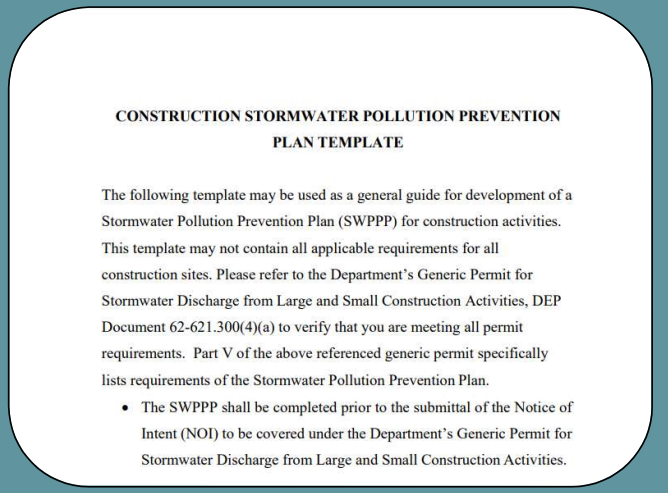
- Includes provisions for managing surface runoff



Guidance for
Preparation of Soil Management Plans

Florida Department of Environmental Protection
Division of Waste Management
District and Business Support Program
Tallahassee, FL
May 2022

Disclaimer:
This document is guidance for preparing a Soil Management Plan (SMP) that may be a stand-alone document or a subsection of the Interim Source Removal Proposal (ISRP) or Remedial Action Plan (RAP). The guidance provides suggested topics to be included in the SMP. There are a range of situations where a SMP is required and therefore not all topics in this guidance may be applicable to a particular project. The SMP will be evaluated for completeness as it relates to managing site soil activities that will enable an ISRP approval or a RAP Approval Order to be issued by Florida Department of Environmental Protection (FDEP). Soil activities to be managed include removal, reuse, or importing soils and all associated activity. Nothing in this guidance supersedes any Federal, State, or Local requirements; nor, as guidance, does it create any new requirements under Chapter 62-780, Florida Administrative Code (F.A.C.). Applicable Department rules must still be adhered to.



CONSTRUCTION STORMWATER POLLUTION PREVENTION PLAN TEMPLATE

The following template may be used as a general guide for development of a Stormwater Pollution Prevention Plan (SWPPP) for construction activities. This template may not contain all applicable requirements for all construction sites. Please refer to the Department's Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Document 62-621.300(4)(a) to verify that you are meeting all permit requirements. Part V of the above referenced generic permit specifically lists requirements of the Stormwater Pollution Prevention Plan.

- The SWPPP shall be completed prior to the submittal of the Notice of Intent (NOI) to be covered under the Department's Generic Permit for Stormwater Discharge from Large and Small Construction Activities.

Health & Safety During Construction

Health & Safety Plan

- Identifies potential exposure hazards
- Establishes protocols for protection of workers and residents

Dust Control Plan

- Establishes preventative procedures to control dust, such as:
  - Limit truck speeds on the site
  - Application of water during dry weather
  - Covering stockpiles of arsenic-impacted soil

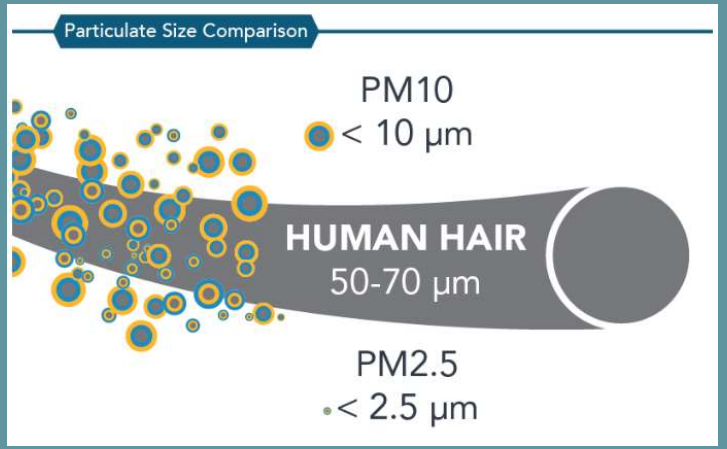
Air Monitoring Plan

- Establishes procedures for fugitive/perimeter dust monitoring

Air Monitoring Procedures

Fugitive/perimeter dust monitoring:

- Particulate monitors with real-time monitoring of dust particles that 10 microns or more (respirable dust)
- Remote telemetry that will notify Langan of exceedances
- Weather stations to track wind direction



questions, responses, dialogue

Q: In the interest of repurposing contaminated properties, does a Brownfield designation ease or lower cleanup standards, making it easier to obtain a “no further action” letter from FDEP?

A: No. Cleanup standards are the same. Cleanup options and obligations are the same. Steps for obtaining regulatory closure are the same. Failure to comply with standards, timeframes, process can result in enforcement, revocation of BSRA, loss of incentive eligibility.

Q: Do liability protections mean we (Cypress Creek property owners) won't have a recourse if health or other significant issues arise years from now)?

A: Recourse still exists. Liability protection under the BSRA does not cover claims for bodily injury due to exposure to contamination. Additionally, if the remedy fails to protect human health, FDEP reserves the right to reopen the regulatory closure (i.e., rescind the No Further Action Letter) and order additional site investigation and remediation. Also, the Cypress Creek property owners will be free to pursue whatever claims they currently may have against prior owners and operators of the agricultural operations that existed in the Cypress Creek neighborhood before homes were built.

Q: If a Brownfield designation helps Toll Brothers (valued at $15 Billion) offset the cost of remediation, does that assistance come from Florida Taxpayers?

A: The Florida Brownfields Program offers Voluntary Cleanup Tax Credits to any entity – public or private – that conducts contamination assessment and remediation in support of redevelopment, environmental restoration, and public health protection. The Florida Legislation created a program in 1988 to set aside a certain amount of money each year for that purpose. Toll will be applying to that same limited fund as all other parties conducting such cleanups.

Florida's Voluntary Cleanup Tax Credit Program

Florida Statute § 376.30781

—Incentive to encourage voluntary cleanup by awarding corporate income tax credits to offset site rehabilitation or solid waste removal costs.

Florida Statute § 376.30781(4)

—The Department of Environmental Protection is responsible for allocating the tax credits provided for in s. 220.1845, which may not exceed $35 million in tax credits each fiscal year.

- In 1998, the Florida Legislature established the VCTC program to provide an incentive for the voluntary cleanup of drycleaning solvent-contaminated sites and brownfield sites in designated brownfield areas.
- The VCTC program has approved approximately $201.2 million in tax credits since it began.
- The Legislature increased the annual tax credit authorization from the initial amount of $2 million to $5 million in 2011, and then to $10 million in 2017. During the 2023 legislative session, the annual authorization was increased from $10 million to $35 million, effective July 1, 2023.

Tax Credit Summary

with tax credit types, including bonuses

Calendar Year	Number of VCTC Applications Received	Total Amount of Tax Credits Approved	Solid Waste Removal	SRCO Bonus	Affordable Housing Bonus	Health Care Bonus
2021	167	$18,799,854.84	$862,902.26 (3)	$4,061,569.06 (18)	$675,744.98 (3)	$583,626.11 (2)
2020	157	$16,157,168.98	$1,400,383.86 (5)	$1,496,783.06 (13)	$90,397.29 (2)	$271,948.82 (1)
2019	149	$12,525,086.20	$53,038.50 (1)	$955,613.83 (11)	$189,565.72 (2)	$205,989.54 (1)
2018	135	$15,055,055.38	$1,498,155.57 (5)	$2,365,781.26 (20)	$120,939.64 (2)	$191,281.84 (1)
2017	139	$11,407,898.28		$ 2,087.721.89 (13)		
2016	136	$14,356,339.93	$1,040,588.86 (4)	$1,984,815.31 (13)	$8,252.69 (1)	$500,000.00 (1)
2015	99	$11,015,908.91	$734,688.50 (4)	$771,870.07 (7)		
2014	86	$9,229,751.04	$500,000.00 (1)	$453,129.42 (5)		
2013	80	$7,495,412.94		$879,095.66 (8)	$102,355.19 (1)	
2012	68	$6,130,212.24		$558,824.56 (7)		
2011	52	$6,230,166.43	$500,000.00 (1)	$234,442.14 (4)		
2010	52	$5,431,109.73	$203,678.16 (2)	$992,016.31 (5)		

Tax Credit History

- 1,545 tax credit certificates issued to date
- Total awarded is over $155 million
- 184 applications for 2022 applications, with awards totaling approximately $22 million

FLORIDA BROWNFIELDS REDEVELOPMENT PROGRAM

Voluntary Cleanup Tax Credits
Calendar Year 2023

- Applications 177
- Tax credits awarded Projected $21.7 million

VCTCs Awarded to Local Government Entities for 2018 to 2022	
Local Government	**Amount**
City of Casselberry	$47,173.81
City of Clearwater	$741,172.92
City of Cocoa	$22,093.25
City of Daytona Beach	$366,577.65
City of Doral	$368,358.43
City of Haines City	$40,023.71
City of Jacksonville	$572,870.14
City of Kissimmee	$65,113.98
City of Lake Alfred	$106,442.34
City of Miami Beach	$216,262.16
City of North Miami	$11,347.65
City of Oakland Park	$725,269.34
City of Orlando	$1,870,256.27
City of Oviedo	$909,538.72
City of Palmetto Community Redevelopment Agency	$682,613.58
City of Plant City Community Redevelopment Agency	$133,959.35
City of Pompano Beach	$435,987.03
City of Tampa	$1,912,034.32
City of Wauchula	$96,012.40
City of West Palm Beach Community Redevelopment Agency	$27,659.76
District Community Development District	$178,689.03
Escambia County	$35,548.98
Gracewater Sarasota Community Development District	$569,352.22
Palm Beach County	$101,828.01
Pinellas County	$522,287.62
Tampa Port Authority	$933,605.08
Town of Cutler Bay, Florida	$210,563.70
Village of Key Biscayne	$94,955.15

Examples of Private & Public Entities Receiving VCTCs:

Private Entities
- Banc of America Community Development Corporation
- Florida Rock Properties
- Gerdau Ameristeel
- Honeywell International
- Lennar Homes
- New York Life Insurance Company
- Panattoni
- ProLogis
- Publix Super Markets
- Walmart Stores
- Waste Management

Health Systems
- Encompass Health
- Jackson Health System
- South Florida Baptist Hospital

Public Utilities
- Florida Power & Light
- Jacksonville Electric Authority
- Peoples Gas System (TECO)

Universities
- Bethune Cookman University
-Embry-Riddle Aeronautical University

Q:Why hasn't Toll Brothers shared environmental testing results with our community even though County Commissioners urged the developer to be more transparent?

A: Toll Brothers is now concluding the first phase of an extensive onsite investigation and is making that data available starting today. A complete report with tables, exhibits, field notes, boring logs, and raw analytical data from a nationally certified and accredited testing laboratory will be filed with the Florida Department of Environmental Protection no later than October 31, 2024. Copies will simultaneously be provided by Palm Beach County and the Cypress Creek Property Owners Association. In addition, Toll will comply with the quarterly reporting required by the Palm Beach Board of County Commissioners on July 17, 2024, as Use Limitation No. 3 in the Conditions of Approval to Resolution No. R-2024-0863.

Q: What provisions are in Brownfield cleanup protocols to prevent cancer-causing arsenic from entering the air as wind-blown toxic dust and/or running off into our properties, groundwater or canals?

A: (1) Preparation and implementation of a Health & Safety Plan, which includes provisions for dust control by the contractor and air monitoring by Langan. The air monitoring program will test ambient air leaving the work area for respirable particulates, which are 10 microns or less (1/5 the diameter of a human hair), and the real time results will be monitored in the field by Toll's environmental consultant.
(2) Implementation of a Stormwater Pollution Prevention Plan, which includes provisions for controlling sediment run.