

CRANE ISLAND

A Proposed Development of:

The Owners of Crane Island:

Lynwood G. Willis and Jane T. Willis, husband and wife, Robert H. Still, Jr. and Michael D. Abney, as Co-Trustees of the Lynwood G. Willis and Jane T. Willis Trust WD/O December 31, 1992, Vincent G. Graham, Piedmont Square, LLC, a Virginia limited liability corporation, and Crane Island Investments, LLC, a South Carolina limited liability corporation.

EXHIBITS

to Accompany Memorandum of Understanding between:

City of Fernandina Beach City Commission

and

Nassau County Board of County Commission

July 5, 2005

Revised October 10, 2005

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- S Maps of Access Road
- T SJRWMD 1995 Land Use and Cover Inventory Map

Compiled by
Howard M. Landers, AICP
Howard M. Landers Consulting, LLC
Authorized Agent for Applicant
July 5, 2005
Revised October 10, 2005

MAP SHOWING

A PORTION OF SECTION 19, "CRANEY ISLAND," AND A PORTION OF SECTIONS 8 AND 49, ALL IN TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 8; THENCE NORTH 89°48'01" WEST, ALONG THE NORTH LINE OF SAID SECTION 49, A DISTANCE OF 106.43 FEET, TO THE EASTERLY BOUNDARY OF SAID SECTION 19, "CRANEY ISLAND," AND A POINT HEREINAFTER REFERRED TO AS REFERENCE POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING; THENCE SOUTH 89°48'01" EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 8, A DISTANCE OF 1143.72 FEET TO ITS INTERSECTION WITH THE ORIGINAL GOVERNMENT MEANDER LINE OF SECTION 8, AS SURVEYED BY WASHINGTON AND WILLIS, DATED 1831; THENCE SOUTHWESTERLY AND SOUTHEASTERLY, ALONG SAID ORIGINAL GOVERNMENT MEANDER LINE OF SECTION 8, RUN THE FOLLOWING SIX (6) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 23°19'40" WEST, 1246.33 FEET; COURSE NO. 2: SOUTH 00°10'48" WEST, 327.86 FEET; COURSE NO. 3: SOUTH 09°53'05" EAST, 1782.00 FEET; COURSE NO. 4: SOUTH 35°10'48" WEST, 330.00 FEET; COURSE NO. 5: SOUTH 28°49'12" EAST, 198.00 FEET; COURSE NO. 6: SOUTH 00°49'12" EAST, 482.00 FEET, TO THE ORIGINAL GOVERNMENT MEANDER LINE OF SECTION 11, AS SURVEYED BY WASHINGTON AND WILLIS, DATED 1831; THENCE SOUTHEASTERLY, ALONG SAID ORIGINAL GOVERNMENT MEANDER LINE OF SECTION 11, RUN THE FOLLOWING THREE (3) COURSES AND DISTANCES: COURSE NO. 1: SOUTH 08°49'12" EAST, 680.00 FEET; COURSE NO. 2: SOUTH 29°49'12" EAST, 284.00 FEET; COURSE NO. 3: SOUTH 04°49'12" EAST, 259.53 FEET, TO THE SOUTH LINE OF GOVERNMENT LOT 6, SAID SECTION 8; THENCE SOUTH 90°00'00" WEST, ALONG LAST SAID LINE, AND ALONG THE SOUTH LINE OF GOVERNMENT LOT 6, SAID SECTION 49, A DISTANCE OF 2066.24 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE NORTH 06°49'00" WEST, ALONG LAST SAID LINE, 2748.82 FEET, TO THE MEAN HIGH WATER LINE (AS ESTABLISHED BY CLARY & ASSOCIATES, IN ACCORDANCE WITH CHAPTER 177, PART II, FLORIDA STATUTES, CHAPTER 18-5, F.A.C. AND CHAPTER 21HH-6, F.A.C., AS SHOWN ON CLARY & ASSOCIATES MAP, FILE NO. T2N-35); THENCE NORTHEASTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: NORTH 06°01'54" EAST, 66.33 FEET; COURSE NO. 2: NORTH 13°25'31" WEST, 118.34 FEET, TO THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE NORTH 06°49'00" WEST, ALONG LAST SAID LINE, 478.72 FEET TO SAID MEAN HIGH WATER LINE (AS ESTABLISHED BY CLARY & ASSOCIATES, IN ACCORDANCE WITH CHAPTER 177, PART II, FLORIDA STATUTES, CHAPTER 18-5, F.A.C. AND CHAPTER 21HH-6, F.A.C., AS SHOWN ON CLARY & ASSOCIATES MAP, FILE NO. T2N-35); THENCE NORTHEASTERLY AND NORTHWESTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: NORTH 41°54'22" EAST, 108.80 FEET; COURSE NO. 2: NORTH 39°38'37" WEST, 148.00 FEET, TO THE AFORESAID EASTERLY RIGHT-OF-WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE NORTH 06°49'00" WEST, ALONG LAST SAID LINE, 367.48 FEET, TO SAID MEAN HIGH WATER LINE (AS ESTABLISHED BY CLARY & ASSOCIATES, IN ACCORDANCE WITH CHAPTER 177, PART II, FLORIDA STATUTES, CHAPTER 18-5, F.A.C. AND CHAPTER 21HH-6, F.A.C., AS SHOWN ON CLARY & ASSOCIATES MAP, FILE NO. T2N-35); THENCE NORTHEASTERLY, ALONG LAST SAID LINE, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: NORTH 02°17'02" EAST, 35.21 FEET; COURSE NO. 2: NORTH 58°55'35" EAST, 30.64 FEET, TO THE WESTERLY PROLONGATION OF THE SOUTHERLY BOUNDARY OF THOSE LANDS DESIGNATED AS PARCEL 1, AND DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 0639, PAGE 1099, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 83°34'36" EAST, ALONG LAST SAID LINE, AND ALONG SAID SOUTHERLY LINE OF THOSE LANDS DESIGNATED AS PARCEL 1, AND DESCRIBED AND RECORDED IN SAID OFFICIAL RECORDS BOOK 0639, PAGE 1099, A DISTANCE OF 1700 FEET, MORE OR LESS, TO THE APPROXIMATE MEAN HIGH WATER LINE AS FIELD LOCATED JANUARY 15, 1987 AND AS SHOWN ON MAP OF SPECIFIC PURPOSE SURVEY BY SUNSHINE STATE SURVEYORS, INC. FILE NUMBER 87E-2218, MAP DATE FEBRUARY 20, 1987; THENCE NORTHEASTERLY, NORTHERLY, AND NORTHWESTERLY, ALONG SAID APPROXIMATE MEAN HIGH WATER LINE AS FIELD LOCATED JANUARY 15, 1987 AND AS SHOWN ON MAP OF SPECIFIC PURPOSE SURVEY BY SUNSHINE STATE SURVEYORS, INC. FILE NUMBER 87E-2218, MAP DATE FEBRUARY 20, 1987, A DISTANCE OF 2000 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE AFORESAID EASTERLY BOUNDARY OF SECTION 19, "CRANEY ISLAND," SAID LINE BEARING SOUTH 18°12'09" EAST FROM REFERENCE POINT "A"; THENCE NORTH 18°12'09" WEST, ALONG LAST SAID LINE, 175 FEET, MORE OR LESS, TO REFERENCE POINT "A", AND TO CLOSE.

CONTAINING 207.44 ACRES, MORE OR LESS

SHEET 2 OF 2 SHEETS

DRAWN BY JRS

JOB No. 2004-294

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

UNLESS OTHERWISE SHOWN AND STATED HEREON, THIS MAP OR SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS, CHAPTER 81017-5, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND DOES NOT NECESSARILY MEET ANY OTHER NATIONAL OR REGIONAL STANDARDS.

Clary & Associates, Inc.
 PROFESSIONAL LAND SURVEYORS
 3830 CROWN POINT ROAD, SUITE "A"
 JACKSONVILLE, FLORIDA 32257
 (904) 260-2703 LB No. 3731



LEGEND	
R/W	RIGHT-OF-WAY
CS	CORNER OF SURVEY
PT	POINT OF BEGINNING
OR	OFFICIAL RECORDS
---	BOUNDARY
---	PLAT BOOK
---	PAGE(S)
---	ACRES
---	LENGTH
---	WIDTH
---	AREA
---	PERCENT
---	DELTA

DATE JULY 15, 2004

SCALE 1" = 600'

CHECKED BY *[Signature]*

GREGORY B. CLARY, P.L.S., CERT. NO. 3377

CRANE ISLAND

Inspiration: The inspiration for the proposed development plan for Crane Island has been derived from traditional waterfront communities and villages on the East Coast, places like Fernandina Beach, St. Augustine, St. Marys, Charleston and Savannah. Though each of these places is unique, they all share a special relationship with the water and a common design language that emphasizes parks and public spaces, a connected network of beautiful streets, and an architectural language that is respectful and appropriate for the unique natural environment of its particular region. Like neighborhoods of these historic towns, Crane Island will be deeply rooted in the cultural, architectural and building traditions of Amelia Island and the surrounding area.

History: Crane Island was first surveyed by Henry Washington (nephew of President George Washington) in 1831. In his field notes taken while surveying the cultivable lands in the area, Washington remarked that "Crane Island is a contiguous part of Amelia Island". The original recorded title ownership of Crane Island occurred in 1885 when the land was conveyed to W.F. Scott. The island was deeded to Nellie and Prince Albert later in 1885. The land then passed to John Broadbent in 1887. Broadbent's daughter, Sara Alice, was known for rarely leaving the island, never taking any gifts, and firing on government agents who were on her property during construction of the Intracoastal Waterway. Sara Alice's mysterious life ended in 1952 when a fire destroyed her home. Her body was never recovered nor identified. After the death of Sara Alice Broadbent, her nephew Joseph Silva was deeded title to Crane Island. Lynwood Willis, a Jacksonville architect, pilot and businessman, led a group which purchased the property in 1973. The Florida Inland Navigation District (FIND) owns approximately 32 acres on the northern end of island for use as a spoil site. Proximity of the property to the FIND site, the Intracoastal Waterway and the Fernandina Beach Airport resulted in removal of the balance of the island from the CARL list for acquisition by the State. In 1994, Mr. Willis introduced his property to Vince Graham, who was then building Newport, a traditional walking neighborhood in Beaufort, South Carolina. Together, Willis and Graham envisioned an Intracoastal Waterway village on Crane Island. Graham became co-owner of the property with Willis in 1999.

The Property: The ownership on Crane Island encompasses approximately 207 acres, of which approximately 113 are associated with the Island proper and approximately 95 acres are saltwater marshes. The Island portions of the property host a variety of vegetation common to the area and to agricultural sites that have regrown after disuse. Dredge spoil areas have similarly become revegetated. Extensive environmental surveys have revealed that the area does not support any threatened or endangered species. Additionally, no significant historical or archaeological sites have been found on the island (See Exhibit L: Environmental and Cultural Resources Assessment).

Development Plan: The proposed Crane Island plan calls for the creation of 160 homes, a lock harbor boat basin to accommodate 90 boats, recreational amenities, and a variety of parks and public spaces. Neighborhood walkways will provide access to the Island's frontage on the Intracoastal Waterway and marshes. The development will be served by a connected network of beautiful streets that are part of the walkable public realm. A few strategically placed docks will serve the development; private docks associated with individual homes will not be permitted. The design of both the development's public realm as well as the architecture of the homes and civic buildings will be directed by a "Neighborhood Design Code". The Code will be administered by a Design Committee which will evolve to include home owners as the population of the development grows. The Design Code for the I'On Neighborhood, Mt. Pleasant, SC, an award-winning neighborhood developed by the Owners of Crane Island, is provided as a model for the attention to detail that will be contained in the Crane Island Design Code (See Exhibit J: I'On Design Code).

Commitment to Environmental Stewardship: The development and management team has a demonstrated commitment to implement environmentally responsible strategies for the development of Crane Island, including the following:

- **Parks and Public Spaces:** Neighborhood parks and open spaces will be preserved and created in a manner designed to protect the existing environment. A series of natural open spaces, many of which will occur along the Intracoastal Waterway, will provide community and public access to the waterfront and Crane Island. A five-acre park at the northern end of the development will support access to the island by the general public.
- **Tree Preservation:** The plans for all construction will preserve trees and integrate the built environment with the natural environment. Roads and homes will respect the position of significant trees. The location and configuration of the upland boat basin was specifically determined to minimize tree removal. When appropriate, other parts of the development will be planned in a manner appropriate to protecting the existing tree inventory.
- **Water Management:** Impermeable surface areas will be minimized through the use of permeable non-pave, crushed shell roads surfaces wherever possible. Water conservation measures will include such components as rainfall water reuse systems, native or minimal landscaping, properly designed low-flow irrigation systems, and maximization of pervious and natural areas. A wet retention system will be designed with ponds sited to minimize impacts to significant trees and hard conveyance systems. The ponds will be designed to meet the unfenced standards of the St. Johns River Water Management District. The edges of all ponds will be planted with native species to enhance water quality and habitat.
- **Waterfront Protection:** Impacts on the Intracoastal Waterfront will be minimized by internalizing boat docking activities and restricting private boats to a lock controlled harbor. This upland boat basin will allow better control of water quality while making more of the waterfront available for public access. Boat operations at the will be supported by two docks which will also provide opportunities for viewing and fishing. Boat maintenance activities will be limited on normal on-board servicing. No fueling or holding tank pump-out facilities will be provided. No more than five additional docks for viewing and fishing will be located along the waterfront at strategically selected locations and will provide community access to the waterfront.
- **Wetlands and Marsh Protection:** Impacts on the marsh edge will be minimized by clustering residential units on the inside of the island with lower density towards the edges. The marsh and wetland areas abutting the island will be protected by setback areas. Conservation easements will provide for the perpetual protection of the marsh and wetland areas.

Ownership and Management: Development of Crane Island will be managed by the Owners. As development proceeds, the Development will be managed by an owner's association as established by deed covenants and restrictions. The roads, stormwater facilities, open space and recreation areas will be managed by the owner's association.

Relationship to Fernandina Beach Airport: The development plan for Crane Island is fully consistent with the 1999 Airport Layout Plan as well as the airport zoning ordinances of Nassau County and the City of Fernandina Beach. No part of the development is in the flight path of a runway. Development of and activities in the Development will be further governed by an Avigation Easement which will be granted to the City and which will be included in the covenants and restrictions appended to the deed of every parcel sold in the Development (See Exhibit P-1).

The Development Team: The development and management of the Crane Island will be directed by the combined resources of very two experienced groups, the Owners of Crane Island and Amelia Island Company.

EXHIBIT C – Project Description
CRANE ISLAND

The Owners of Crane Island include real estate professionals dedicated to creating places of enduring aesthetic, economic and social values. These Owners believe the creation of enduring places requires developing parks, streets and other elements of the public realm in a manner that enhances the value of the private realm of residential, commercial and civic buildings. The private realm, in turn, should be built to enhance the public realm and add character and meaning to the public areas. Projects developed and managed by the Owners have been recognized for their environmental stewardship, and financial and architectural success. Newpoint (Beaufort, SC) and I'On (Mt. Pleasant, SC) have both received the Stewardship Award of the South Carolina Department of Natural Resources, which recognizes development projects and development teams for significant contributions and outstanding accomplishments in the "protection, conservation and stewardship of valued natural resources." I'On has received numerous other awards including: the National Association of Homebuilders "Best Neighborhood in America" Award; "Best Smart Growth Neighborhood in America" Award; and "Best Neighborhood in Charleston, SC" Award from several organizations (1999 – 2004).

Amelia Island Company has been the developer and manager of Amelia Island's largest and premier residential resort community since the early 1970's. Amelia Island Plantation has been recognized as the pioneering application of the concepts set forth in Ian McHarg's book, "Design with Nature", with Mr. McHarg having led the original planning and design team. The Company has received numerous awards for its stewardship of the natural environment, the quality of its recreational facilities, and its commitment to excellence in service to its residents and guests. The Company is one of Nassau County's largest employers. To further enhance the recreational facilities that will be available to residents of Crane Island and Amelia Island Plantation, the Company has a contract to purchase the operating lease to the Royal Amelia Golf Course.

The Owners of Crane Island and Amelia Island Company will merge their talents to produce a unique addition to Amelia Island's quality neighborhoods. This association will also expand the recreational and service amenities of both Crane Island and Amelia Island Plantation in a complementary fashion that will further reduce impacts on public facilities.

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**Exhibit D Minutes from a Special Meeting of the Nassau County
Board of County Commissioners, June 29, 1993**

fill in where the wetlands changed from creating the new map. Mr. Marchese also stated that the Department of Community Affairs had also insisted that there be some changes to the land uses based on the parcelization map. Mr. Marchese stated that the Department of Community Affairs has already reviewed these changes and stated at the last meeting there seemed to be no objection to same. Mr. Brian Teeple stated that he recommends that the Board sign the stipulated settlement agreement as presented tonight and stated that the scribner errors changes can be made.

The County Attorney stated that the reasons the Board has to consider in adoption of the stipulated settlement agreement are: the expenditure by the Department of Community Affairs of grant funds in the amount of \$9,000 for the comprehensive plan and also stated that in order for the county to receive the funds, of approximately \$909,000, from the state for the Goffinsville park, the county must have an approved comprehensive plan, and also stated that if the county does not accept the stipulated settlement agreement then the county will have to go to administrative hearing, and stated that the county must start over again with the state on the comprehensive plan.

The Board also at this time discussed the change for Crane Island. The County Attorney stated that the original map showed the designation was low density and stated that it was changed to a conservation designation on the map and stated that the Department of Community Affairs will insist on a conservation designation and stated that the Department of Community Affairs has agreed that the county can file for a comprehensive plan amendment. The Zoning Director stated that he felt that there is some evidence to show DCA why it should be residential and stated that the wetlands map clearly shows that it is not wetlands. The County Attorney stated that if the Department of Community Affairs will not make the change for Crane Island, the county will have to go to administrative hearings for this matter. The County Attorney stated that he has sent a letter to the Department of Community Affairs regarding the Board's position on Crane Island and that the only reason the Board will sign the agreement and send in the maps

and leave Crane Island's designation in its present classification
is that the Department of Community Affairs will not approve the
stipulated agreement if any changes are made to it.

Commissioner Crawford stated that he was recently amazed at the annual Florida Association of Counties at which the attorney for the Department of Community Affairs stated that planning goals outweigh private property rights and stated that this meeting was filmed and stated that he would like for the Board to view this when it is available.

There being no further business, the Board adjourned their workshop at 6:55 PM.

The Board opened their meeting in Special Session at 7:00 PM.

The County Attorney stated that the purpose of the meeting as advertised tonight would be to consider a settlement agreement sent to the Board of County Commissioners by the Department of Community Affairs and stated that back in 1991 the Department of Community Affairs had found the Comprehensive Plan for Nassau County not to be in compliance with the state rules and regulations as they interpret them and stated that for the last two and a half years the Board has aggressively been negotiating with DCA to obtain more leeway for the citizens as well as the Board for management and control and stated that the Board now has before them an agreement for consideration for approval tonight. The County Attorney stated that the Department of Community Affairs has required that the Board adopt the settlement agreement along with the land use maps and stated that this must be sent to Tallahassee by June 30 or the county will be in jeopardy of losing grant funds for the comprehensive plan as well the grant for the Goffinsville park and potentially the housing assistance funds. The County Attorney further stated that if the agreement is not accepted, the county will have to go to administrative hearings with the Department of Community Affairs and stated that in this case everything that the county has negotiated so far, would be null and void. The County Attorney stated that the county has adopted a map in January of 1991 and stated that this was sent in to the state along with the text and requested that Mr. Brian Teeple, Executive Director of the

text and what the goals, objectives and policies are to be as well as the future land use map and the parcelization map. Mr. Teeple stated that the Department of Community Affairs has signed this document and has indicated that this will satisfy their concerns regarding the county's comprehensive plan and stated that if the Board accepts the Stipulated Settlement Agreement the next step will be to amend the comprehensive plan to embody what is in the Stipulated Settlement Agreement, both in policy and in map. Mr. Teeple stated that the Board and the Department of Community Affairs recognizes that there will be scribner errors, both in map and in text, and stated that these can be corrected and stated that the Department of Community Affairs is, by and large, receptive to these sorts of changes.

Commissioner Crawford made motion to open the public hearing. Motion seconded by Commissioner Branan and voted unanimously.

Mr. Chick Kline and Mrs. Linda Best appeared before the Board to ask questions about the property located at Lem Turner in Callahan that was believed to be designated as commercial on the maps. Mr. George Register appeared before the Board and expressed his concern about the designation of "conservation" for Crane Island and urged the Board to assist him in any way to make future changes for this designation. The County Attorney added that Mr. Register has been in contact with him regarding this matter and stated that he has sent a letter to the Department of Community Affairs advising them that the Board did not agree with the conservation designation, in light of the history, and stated that the history goes back to the early 1980's when the developer and Mr. Register corresponded with the Department of Community Affairs and the Department of Community Affairs responded that they dealt with the densities and whether they were vested and the marina and stated that the Department of Community Affairs has been aware for some time of the intent of the developer. The County Attorney stated that he has indicated to the Department of Community Affairs that the designation of "conservation" would be in error and should be corrected. The County Attorney stated that it may be possible that the county file a comprehensive plan amendment jointly with

Department of Community Affairs' objections, recommendations and
Comments. The County Attorney stated that he would contact the
Register and draft the amendment request.

Also appearing before the Board to ask about some changes to
the map were Mr. Norwood Higginbotham and Mr. Wallace Perry. Mr.
Doug Jones stated that he would pull the map to be sure that the
parcel that Mr. Higginbotham spoke of was on the map. Mr. Jones
stated that Mr. Perry contacted his office earlier today and stated
that Mr. Perry's greenbelt status would not be affected. Mr. Jones
informed Mr. Perry that it would be better to leave the status of
his property as it now appears on the map.

Commissioner Higginbotham, District 5, made motion to close
the public hearing. Motion seconded by Commissioner Branham and
voted unanimously.

Questions arose as to the designation of the property located
on Lem Turner Road, at the intersection of Deerfield Lane, south
Callahan. The County Attorney suggested that in order to clear up
any questions regarding the designation of this property, that the
Zoning Director go back to his office to retrieve the original map
adopted in January of 1991.

The Board recessed their meeting at 8:10 PM and instructed the
Zoning Director to bring back the original maps from January
1991.

The Board reconvened their meeting at 8:50 PM.

The County Attorney stated that he and the Zoning Director
have looked at the maps and stated that regarding the parcel of
property that has been spoken of tonight (at Lem Turner) the black
and white maps show the parcel designated as residential and the
original map indicates the initial COFS and on the interim color
map this evidently shows this parcel as commercial when it should
have been commercial for the county fire station (COFS) in the
area. The County Attorney stated that the maps referred to earlier
this evening were interim maps and not the official maps so that

00512

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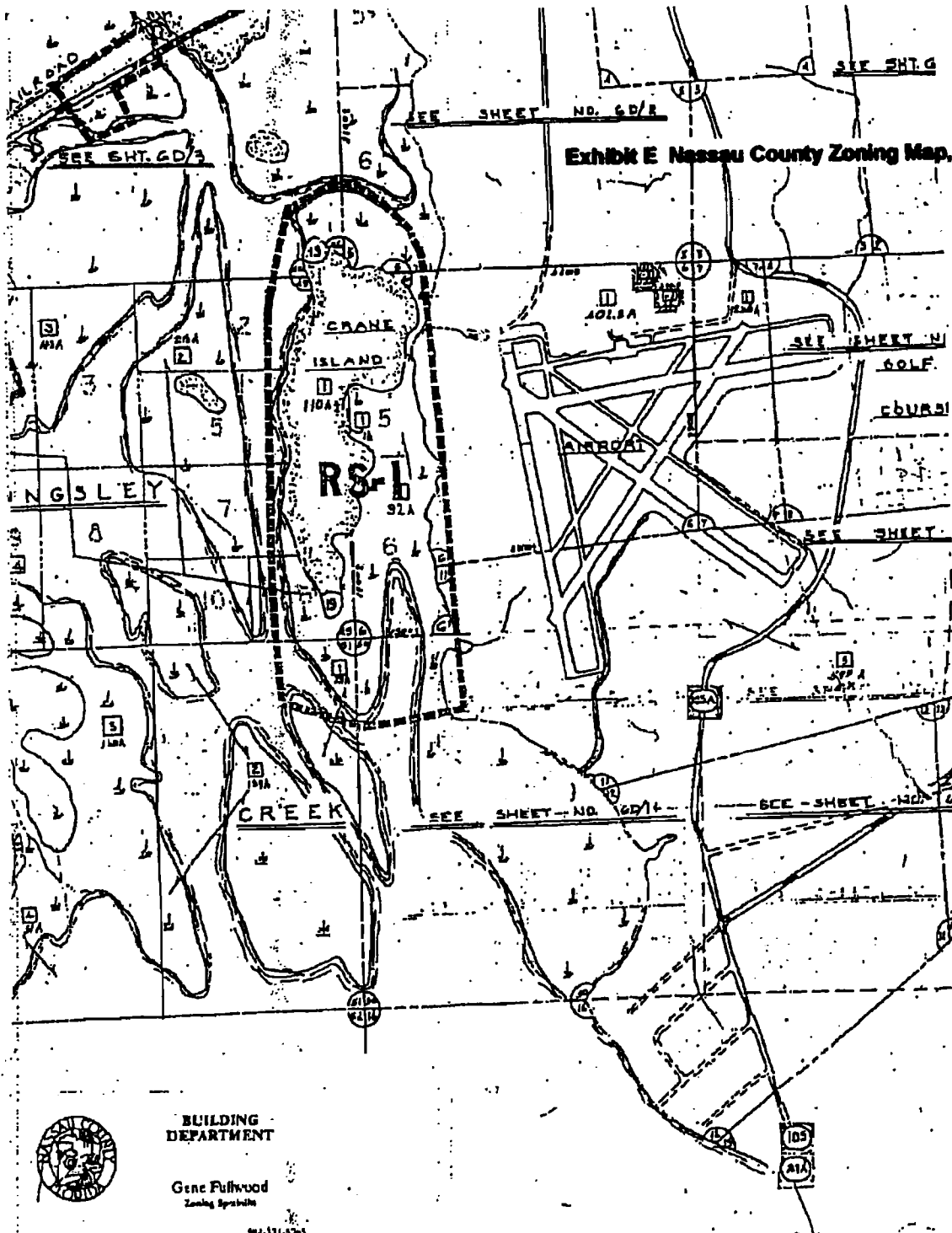


Exhibit E Nassau County Zoning Map, circa 1985



BUILDING DEPARTMENT

Gene Fullwood
Zoning Supervisor

212 Nassau Place
Tallahassee, FL 32307

904-321-5705
1-800-946-2506
Fax: 904-321-5703

APPROVED 12-19
1973



ASSESSMENT MAP
NASSAU COUNTY,
FLORIDA

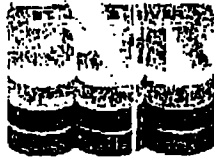
COMPILED, DRAWN BY

SHEET NUMBER
29 E 6D

Exhibit F

There is no Exhibit F

Henry Duffin, Executive Director
John R. Wold, Assistant Executive Director
Charles T. Myers III, Deputy Assistant Executive Director



**WATER
MANAGEMENT
DISTRICT**

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 804-326-4500 SUNCOM 804-880-4500
TDD 804-326-4450 TDD SUNCOM 888-4450
FAX (EXECUTIVE/LEGAL) 326-4126 (PERMITTING) 326-4315 (ADMINISTRATION/MAINT.) 326-4908

SERVICE CENTERS
416 E. South Street Orlando, Florida 32801 407-697-4200 TDD 407-697-8900
7775 Baymeadow Way Suite 103 Jacksonville, Florida 32284 904-736-6276 TDD 904-736-3800
PERMITTING 306 East Drive Melbourne, Florida 32904 407-944-4848 TDD 407-732-6384
OPERATIONS 2133 N. Wickham Road Melbourne, Florida 32935-6109 407-254-1782 TDD 407-253-1903

December 9, 1997

**Exhibit G St. Johns River Water Management District
("District") Letter Dated December 9, 1997**

Mr. Clinch Kavanaugh
P.O. Box 1983
Fernandina Beach, Florida 32034

Re: Crane(y) Island
Section 19, Township 2 North, Range 28 East

Dear Mr. Kavanaugh:

As a follow up to our field meeting on December 4, 1997, this letter is to document that staff from the St. Johns River Water Management District has been on the site indicated on the enclosed USGS Quad map as Crane Island and have found there to be uplands located within the designated island. It is my understanding a plat or survey of the project boundaries will be forwarded to me for our files.

If you have any questions or need any additional information, please contact me at (904) 448-7906. Thank you.

Sincerely,

Christine Wentzel, Environmental Specialist
Department of Resource Management

cc: Mike Cullum
Gail Boone - PDS (DET)

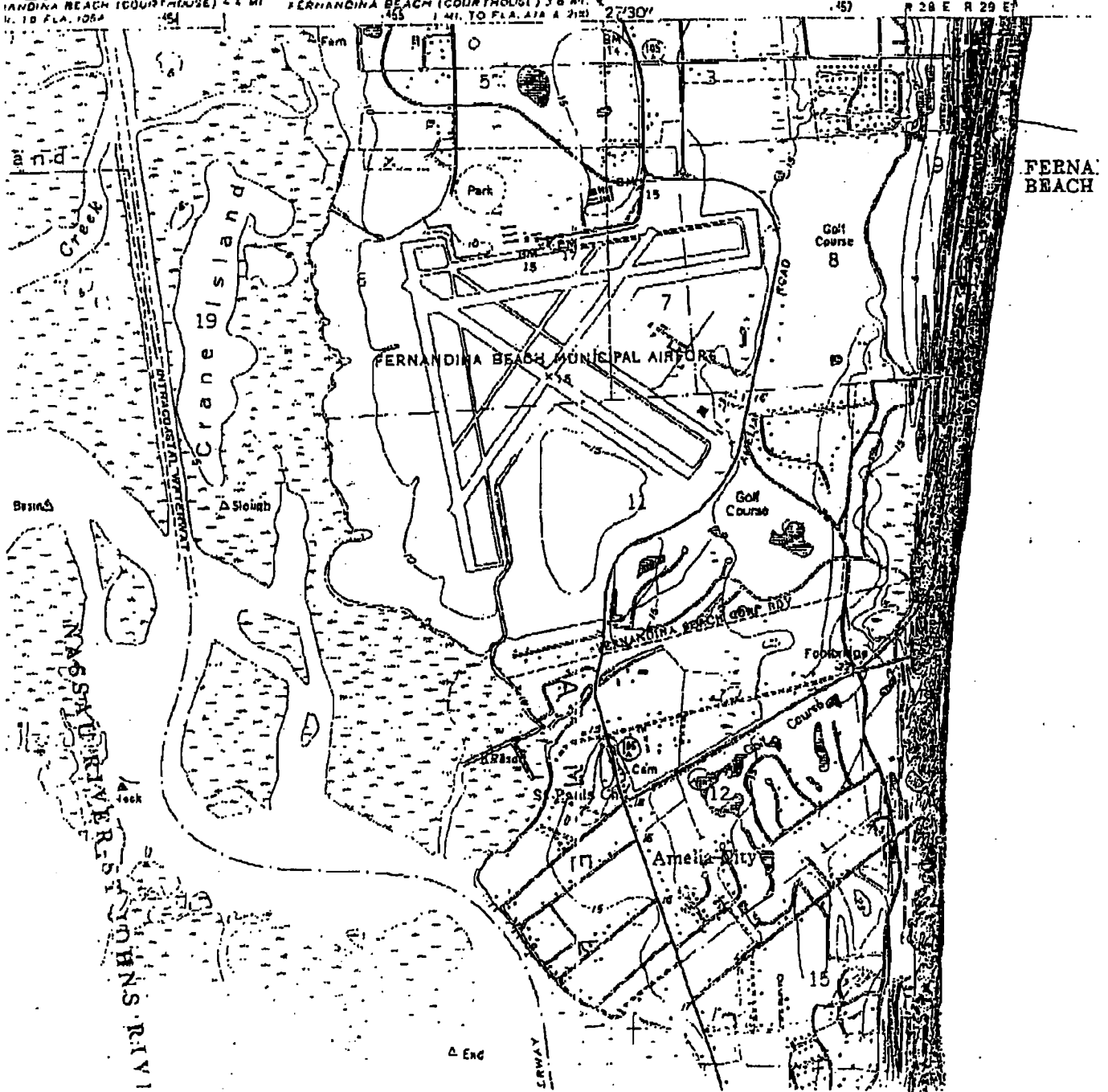
Enclosure

- | | | | |
|------------------------------------|--|------------------------------------|--|
| William Segal, CHAIRMAN
INFLAND | Don Roroh, VICE CHAIRMAN
FERNANDINA BEACH | James T. Swann, TREASURER
COCOA | Chris Maschi, SECRETARY
ST. AUGUSTINE |
| Kathy Chnoy
JACKSONVILLE | Griffin A. Greene
VERO BEACH | James H. Williams
OCALA | Patricia T. Harden
GAINESVILLE |
| | | | Reid Hughes
DAYTONA BEACH |

S
INTERIOR:
VEY

FERNANDINA BEACH (COURTHOUSE) 4.4 MI
FERNANDINA BEACH (COURTHOUSE) 3.8 MI
1 MI. TO P.L.A. 212 A 2nd

COUNTY
2.3 MI. TO



FERNANDINA BEACH



RECEIVED
5/19/03

Exhibit H Department of Community Affairs Letters Dated April 28 and May 15, 2003

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

JEB BUSH
Governor

COLLEEN CASTILLE
Secretary

May 15, 2003

Mr. Mike Mullin
Nassau County Attorney
Post Office Box 1010
Fernandina Beach, Florida 32035-1010

Re: Text amendment to Policy 5.05.06-a of the Coastal Management Element

Dear Mr. Mullin:

In your letter of April 30, 2003, regarding the above referenced policy you requested information on whether any other local governments in Florida had adopted a similar policy addressing simultaneous increases and decreases in residential density within the coastal high hazard area (CHHA). While the Department has used this method with other local governments where a future land use map amendment would otherwise result in an increase in density in the CHHA, I am not aware of any other local governments that have adopted the practice as a policy within their comprehensive plan. However, the Department supports the policy as included with our April 29, 2003, correspondence.

In regards to "whether the proposed text amendment would be required or suggested by the Department if the Crane Island Land Use Map change were not under consideration" the language is the result of the proposed amendment to the property on Crane Island but the policy language is applicable to other land use changes within the CHHA and would provide guidance for future land use map amendments submitted in future amendment cycles and is consistent with statutory requirements.

If you have any further questions please call me or James Stansbury in the Division of Community Planning at (850) 487-4545.

Sincerely,

H. E. "Sonny" Timmerman
Director, Division of Community Planning

HET/js

cc: Mr. Ed Lehman (Northeast Florida Regional Planning Council)

2555 SHUMARD OAK BOULEVARD - TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.438.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 213
Naples, FL 33957-2127
Phone: 239.418.7374

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
Phone: 850.487.4545

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
Phone: 850.487.4545

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100
Phone: 850.487.4545



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY
AFFAIRS

"Dedicated to making Florida a better place to call home"

JEN BUSH
Governor

COLLEEN CASTILLE
Secretary

April 29, 2003

Mr. Mike Mullin
Nassau County Attorney
Post Office Box 1010
Fernandina Beach, Florida 32035-1010

Re: Text amendment to Polloy 5.05.06-s of the Coastal Management Element

Dear Mr. Mullin,

Please find enclosed revisions to the referenced text amendment. These revisions have resulted from internal discussions here at the Department, with the Northeast Florida Regional Planning Council, and with Civitas' representatives.

The attached language with the revisions is acceptable to the Department and remains consistent with the approach we have employed elsewhere in the State. The criteria established in the text change, while general in nature, provide objective standards which will be applicable to all lands within the coastal high hazard area ("CHHA") and will also establish an appropriate procedure for the County to follow when it considers Future Land Use Map amendments on any property located within the CHHA.

Sincerely,

H.E. "Sonny" Timmerman
Director, Division of Community Planning

HET/s

Cc: Mr. Jay Marles (Nassau County Planning Director)
Mr. Ed Lehman (Northeast Florida Regional Planning Council)
Ms. Brenna Durden (Lewis, Longman and Welker)

NATURE SAVER™ FAX MEMO 01818	Date	Per Process
To MIKE MULLIN	FROM	JAMES
Off/Dept.	Co.	
Phone #	Phone #	
Fax # 904 491-3618	Fax #	

2555 SHUMARD OAK BOULE
Phone: 850.488.8466/SUNCON

Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
3700 Overseas Highway, Suite 212
Marathon, FL 33000-2127
(888) 288-2483

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
Tallahassee, FL 32309-2100
(904) 498-3356

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32309-2100
(904) 498-3359

HOUSING & COMMUNITY
DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32309-2100

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Exhibit I Minutes of BOCC Meeting, June 23, 2003

YULEE, FLORIDA
JUNE 23, 2003

The Nassau County Board of County Commissioners met in Regular Session this 23rd day of June 2003 at 6:00 P.M. Present were Chairman Vickie Samus and Commissioners Nick D. Deonas, Ansley Acree, Floyd L. Vanzant, and Marianne Marshall. Also present were J. M. "Chip" Oxley, Jr., Ex-Officio Clerk; Michael S. Mullin, County Attorney; Brenda Linville, Deputy Clerk; and Joan Blanchard, Executive Assistant.

The Chairman called the meeting to order, and Commissioner Vanzant led in the Invocation and the Pledge of Allegiance to the American Flag. There were no requests for public input.

6:08 Upon the request and recommendation of the Contract Manager, it was moved by Commissioner Marshall, seconded by Commissioner Deonas, and unanimously carried to expand the meeting for the consideration of:

Request for approval of request from Cecil W. Powell to terminate a contract between Nassau County and Florida Groundworks, Inc. for the Scott Road Roadway and Drainage Improvements Project;

Inc., agent; property is classified on the Future Land Use Map (FLUM) as Agricultural and the applicant requested a change to Low Density Residential for approximately 21.5 acres; property is located south of Roses Bluff Road and west of Raddin Road, south of the Creekside PUD in the Yulee area.

8:33 Commissioner Marshall again requested a color-coded map indicating development.

8:34 The Board considered CPA02-010, a Comprehensive Plan text change to the Coastal Management Element, policy 5.05.06A filed by Crane Island Investments, LLC, owner, and Lewis, Longman and Walker, agent. It was noted that Tab X on the agenda is a duplicate of Tab V. Therefore Tab X was eliminated. Mr. Mullin requested that the Board consider CPA02-015, a Comprehensive Plan FLUM change from Conservation to Low Density Residential filed by Crane Island Investments, LLC, owner, and Lewis, Longman and Walker, agent, a request for a change in density. It was moved by Commissioner Marshall, seconded by Commissioner Deonas, and unanimously carried to open the Public Hearing for CPA02-015.

8:37 William Birchfield, representing the owner and developers of Crane Island, appeared before the Board to

speaking in favor of a reduction in density. He presented for the record:

- Traffic study by Glatting, Jackson, et al, showing there is no increase in traffic on SR200 as a result of this development.
- List of Supplemental Documents.

8:44 Vince Graham, a Principle of the developer, Civitas, and co-owner of Crane Island, appeared before the Board to present and review a letter outlining some of the commitments the developer is willing to make.

8:47 Vic Buscaino, Chairman of the Nassau County Homebuilder's Association, appeared before the Board to speak in favor of this development.

8:48 Lillian Wilder, 1697 Wilder Street, Fernandina Beach, appeared before the Board to speak against any more construction until the County has more roads and more schools.

8:50 Bill Moore, 5457 Marsh View Lane, Amelia Island, appeared before the Board to speak in favor of the development of Crane Island.

8:51 Eric Titcomb, 873 Nissen Drive, Fernandina Beach, a member of the Nassau County Sierra Club, appeared before the Board to present written comments dated June 23, 2003, from Ralf Brookes, the Sierra Club's attorney, objecting to

the proposed Map and Text Comprehensive Plan Amendments regarding the development of Crane Island.

8:54 Phillip Scanlan, 1832 Village Court, Amelia Island, of the Amelia Island Association which represents 29 homeowners' associations, appeared before the Board to speak in opposition of the proposed changes or amendments to the Nassau County Comprehensive Plan that result in the acceleration of environmental pressure on areas that are environmentally sensitive.

8:57 Mallory Wilder, 1697 Wilder Street, Fernandina Beach, appeared before the Board to speak in opposition to the development of Crane Island.

8:59 Richard Kendel, 8030 First Coast Highway, Amelia Island, appeared before the Board, addressing the evacuation traffic, spoke in opposition to the development of Crane Island.

9:00 Jeff Peterson, 2053 Oak Marsh Drive, Fernandina Beach, a marine biologist, appeared before the Board and stated that he sees the development of parcels like Crane Island as further degradation of very sensitive and important marine environment.

9:01 Mavynee Betsch, 5466 Gregg Street, American Beach, appeared before the Board to speak in opposition to the development of Crane Island.

9:02 There being no other persons wishing to address this issue, it was moved by Commissioner Marshall, seconded by Commissioner Acree, and unanimously carried to close the Public Hearing. Prior to voting on CPA02-015 regarding the increase in density, Mr. Mullin recommended consideration of CPA02-010, a Comprehensive Plan text change to the Coastal Management Element, Policy 5.05.06a, filed by Crane Island Investments, LLC and Lewis, Longman and Walker. Mr. Mullin explained that CPA02-010 would be the adoption of more specific language in the Comprehensive Plan, as required by the Department of Community Affairs (DCA). After a review of the proposed language, Mr. Mullin stated that Crane Island also intends to annex into the City of Fernandina Beach, and, cited an Alachua County case, that specifically indicates when an area is annexed into the City, the County can no longer enforce a development agreement. Only the City could enforce the agreement. Whatever development agreement may be proposed, the City could change. It was moved by Commissioner Marshall, seconded by Commissioner Deonas, and unanimously carried to open the Public Hearing for the consideration of CPA02-010.

9:12 Mr. Birchfield referred to paragraph 1. Policy 5.05.06A of the proposed ordinance and suggested striking the word "development" agreement and inserting the word

"binding" agreement. Mr. Birchfield was of the opinion that by utilizing "binding agreement," it would allow the developer to offer a proposal setting forth the conditions that the County would insist on, and the developer would agree to, for negotiation. Mr. Mullin could then state that he has serious questions whether the agreement could be enforced. That would then place the developer in a position to seek Declaratory Judgment in court. The County would then have a judicial determination on the enforcement of the agreement, and if it is determined enforceable, the developer would have lived up to providing the County with a binding agreement, and it would survive annexation.

9:16 Phil Scanlan appeared before the Board to express his opposition to the proposed text change.

9:20 Eric Titcomb appeared before the Board to question the originator of the proposed language change.

9:23 Mallory Wilder appeared before the Board to question the reason for having a Comprehensive Plan when developers request to change it.

9:24 Macon Toledano, 440 King Street, Charleston, South Carolina, appeared before the Board to speak in favor of the language change, and that it would benefit the public.

9:26 Richard Kendel appeared before the Board to question the reason the County is considering this issue when the development will be annexed into the City.

9:28 Macon Toledano responded to Mr. Kendel's inquiry that the reason the developer is annexing into the City of Fernandina Beach is that the City informed the developer they would have to annex if they wanted to have an access road. Also they have been working with DCA and the County for the last two years to reach this point.

9:34 Bruce Jasinsky, 62 Green Heron Way, appeared before the Board to explain that this is a County issue due to the fact that Crane Island had been erroneously declared a wetland, and that involved the DCA. He also explained that the developer is also requesting this matter be taken before a judge for a determination on the enforcement of the provisions in the agreement.

9:41 Ann Kendel, 8030 First Coast Highway, appeared before the Board to address this issue.

9:42 Phil Scanlan again addressed the change in the Comprehensive Plan.

9:43 Bruce Jasinsky stated that this change would include public access to Crane Island.

9:45 There being no other persons wishing to address this issue, it was moved by Commissioner Acree, seconded by

Commissioner Marshall, and unanimously carried to close the Public Hearing.

The Board recessed at 9:50 P.M. and reconvened at 10:07 P.M.

10:07 Mr. Mullin reported that, during the break, he talked with Mr. Birchfield, Ms. Durden, and Mr. Jasinsky about several ways they proposed to address this issue. Mr. Birchfield suggested, on page 4 of the proposed ordinance, changing "development" agreement. They also suggested a Declaratory Judgment action be filed indicating to the court about the doubt, given that Alachua County case, as to whether a binding agreement, not calling it a development or developer's agreement, would be enforceable and further adding the fact that if a developer consented to jurisdiction of the County after having annexed into the City, would that still be enforceable by the County. Mr. Mullin explained the steps involved. After discussion, it was moved by Commissioner Deonas and seconded by Commissioner Marshall to approve for forwarding to the Department of Community Affairs CPA02-015, a Comprehensive Plan Future Land Use Map change from Conservation to Low Density Residential, two dwelling units per acre, filed by Crane Island Investments, LLC, owner, and Lewis, Longman, and Walker, agent; property is located on Crane Island, and

to adopt Ordinance 2003-33 regarding same. The motion carried 3-2 as follows:

Commissioner Deonas-Aye
Commissioner Marshall-Aye
Commissioner Vanzant-Aye
Commissioner Acree-Nay
Chairman Samus-Nay

10:30 The Board considered CPA02-010, a Comprehensive Plan text change to the Coastal Management Element, policy 5.05.06a, filed by Crane Island Investments. After much discussion, it was moved by Commissioner Deonas and seconded by Commissioner Vanzant to recommend to the Department of Community Affairs conditional approval of the text change to a Comprehensive Plan text change to the Coastal Management Element, policy 5.05.06a, filed by Crane Island Investments, LLC, owner, and Lewis, Longman, and Walker, agent, with the provision of striking the term "development" in front of agreement wherever it appears, and changing that to "binding" agreement, subject to the Circuit Court declaring that the County has jurisdiction to enforce a binding agreement of whatever parameters, and, if the Court finds that the County does not, then the approval is revoked, and to adopt Ordinance 2003-35 regarding same. At this time, Chairman Samus asked the developer's representatives if they are willing to accept the findings of the Court to be binding, and are they willing, if the



City of Fernandina Beach
UTILITIES DEPARTMENT

May 19, 2005

Mr. Nick Gillette, PE
Gillette & Associates, Inc.
20 S. 4th Street
Fernandina Beach, FL 32034

Subject: Water & Wastewater Availability
Crane Island #19-2N-28-0000-0001-0000

Dear Mr. Gillette,

The City of Fernandina Beach Utilities Department has sufficient plant capacity to serve both water and wastewater for the above-mentioned location provided all applicable permit fees, zoning fees, impact fees or any other requirements of the City and County are met.

An Annexation Agreement is required, and is to be done through our Community Development Department located at City Hall, 204 Ash St., also a Developer's Agreement is required. Additional fees for the expansion of the off-site wastewater collection system facilities will need to be paid prior to start of the development.

If you have any questions, please contact the undersigned at 277-7380 extension 224.

Sincerely,
CITY OF FERNANDINA BEACH


John Mandrick, P.E.
Utilities Director

/gp

cc: Juan Brown, Water Division Superintendent
Walter Gray, Wastewater Superintendent



Gillette & Associates, Inc.

Civil & Environmental Engineering • Mechanical & Structural Engineering • Construction Management

May 17, 2005

Mr. John Mandrick, Utilities Director
 City of Fernandina Beach
 1180 South 5th Street Extension
 Fernandina Beach, Florida 32034
 Fax: 904/ 277-7382

Re: Water & Sewer Availability
 Crane Island/Fernandina Beach, Florida

Dear Mr. Mandrick,

Gillette & Associates, Inc., is requesting a letter indicating the availability of the following for the above referenced location:

Water:	Sewer:
350 gpd/resident x 169 units	350 gpd/resident x 169 units

Additional 25,000 sf of recreational amenity + 0.1 gpd/sf for water and sewer.

Water GPD= 61,650

Sewer GPD= 61,650

The subject property information is as follows:

Property ID: 19-2N-28-0000-0001-0000
 Property Address: Crane Island
 Fernandina Beach, FL

If you have any questions regarding these requests please contact me at (904) 261-8819.

Respectfully,

Nick E. Gillette, P.E.
 Principal and Engineer

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Exhibit K Consent Order Abating Action in Case No. 200-14-CA

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA

CASE NO. 2000-14-CA
DIVISION: A

LYNWOOD G. WILLIS and JANE T.
WILLIS, his wife; ROBERT H. STILL, JR.
And MICHAEL D. ABNEY as Co-Trustees of
that Trust created and executed under
date of December 31, 1992, for the
benefit of children of Lynwood G.
Willis and Jane T. Willis; VINCENT G.
GRAHAM; DUDASH INVESTMENTS, L.L.C.,
A South Carolina Limited Liability
Company and PIEDMONT SQUARE, L.L.C.,
A Virginia Limited Liability Company,

Plaintiffs/Petitioners,

vs.

CITY OF FERNANDINA BEACH,
a body corporate and politic,

Defendant,

CONSENT ORDER RE-ADOPTING AND EXTENDING ORDER ABATING ACTION

The parties having consented and agreed to the entry of this
Order, it is

ORDERED:

1. That the CONSENT ORDER ABATING ACTION previously entered
herein on December 21, 2001, is hereby re-adopted and extended and
this action abated for an additional period until June 30, 2004.

DONE and ORDERED in chambers at the Nassau County Courthouse,
416 Centre Street, Fernandina Beach, FL 32034, this ___ day of

_____, 2004.

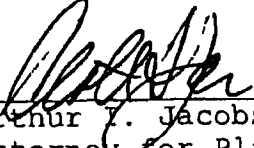
ORDER ENTERED

FEB 25 2004

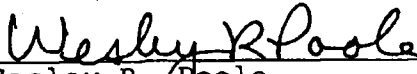
/s/ Brian J. Davis

Circuit Judge

We hereby agree and consent to the entry of the above Consent Order.



Arthur I. Jacobs
Attorney for Plaintiffs



Wesley R. Poole
Attorney for Defendant

copies to: Wesley R. Poole, Esquire
Arthur I. Jacobs, Esquire

crane/extend.ord

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA

CASE NO. 2000-14-CA
DIVISION: A

LYNWOOD G. WILLIS and JANE T.
WILLIS, his wife; ROBERT H. STILL, JR.
And MICHAEL D. ABNEY as Co-Trustees of
that Trust created and executed under
date of December 31, 1992, for the
benefit of children of Lynwood G.
Willis and Jane T. Willis; VINCENT G.
GRAHAM; DUDASH INVESTMENTS, L.L.C.,
A South Carolina Limited Liability
Company and PIEDMONT SQUARE, L.L.C.,
A Virginia Limited Liability Company,

Plaintiffs/Petitioners,

vs.

CITY OF FERNANDINA BEACH,
a body corporate and politic,

Defendant,

CONSENT ORDER EXTENDING ORDER ABATING ACTION

The parties having consented and agreed to the entry of this
Order, it is

ORDERED:

1. That the CONSENT ORDER ABATING ACTION previously entered
herein on December 21, 2001, is hereby extended and this action
abated for an additional period of three months to March 21, 2003.

DONE and ORDERED in chambers at the Nassau County Courthouse,
416 Centre Street, Fernandina Beach, FL 32034, this ___ day of

December, 2002.

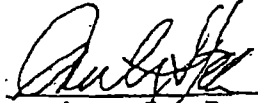
ORDER ENTERED

JAN - 3 2002

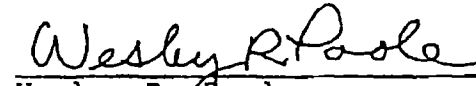
/s/ Brian J. Davis

Circuit Judge

We hereby agree and consent to the entry of the above Consent Order.



Arthur I. Jacobs
Attorney for Plaintiffs



Wesley R. Poole
Attorney for Defendant

copies to: Wesley R. Poole, Esquire
Arthur I. Jacobs, Esquire

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA

CASE NO. 2000-14-CA
DIVISION: B

LYNWOOD G. WILLIS and JANE T.
WILLIS, his wife; ROBERT H. STILL, JR.
And MICHAEL D. ABNEY as Co-Trustees of
that Trust created and executed under
date of December 31, 1992, for the
benefit of children of Lynwood G.
Willis and Jane T. Willis; VINCENT G.
GRAHAM; DUDASH INVESTMENTS, L.L.C.,
A South Carolina Limited Liability
Company and PIEDMONT SQUARE, L.L.C.,
A Virginia Limited Liability Company,

Plaintiffs/Petitioners,

vs.

CITY OF FERNANDINA BEACH,
a body corporate and politic,

Defendant,

CONSENT ORDER ABATING ACTION

The parties having consented and agreed to the entry of this
Order, it is

ORDERED:

1. That this action is hereby abated for a period of one year
from the entry of this consent order unless extended by the written
agreement of all parties to allow for the completion of the
following actions:

2. That the City of Fernandina Beach shall, within thirty

(30) days from the date hereof, make application to the USDOT/FAA and FDOT, for approval of a modification to the City's Airport Layout Plan (ALP), to authorize the construction of a sixty foot (60') non-exclusive and public right-of-way easement and access road to be located approximately as shown on sheet #2 of that certain Crane Island Aerial Photograph exhibit dated August 6, 2001 and submitted to the City on August 7, 2001, said road to be for the use of the general public and present or future occupants, owners, or users of and visitors to Crane Island, and to accommodate future development of Crane Island. The City shall further respond to requests for additional information from reviewing agencies in a timely fashion, to the extent that the same does not require expenditure of substantial funds of the City or extraordinary expenses such as an airport noise impact study (it being the intent hereof that all costs associated with the application for the ALP modification approval, other than the efforts of City employees in putting together the application, be borne by the owners of Crane Island, and not the City). It is further expressly understood and agreed that the City shall not be required to appeal any adverse final agency action, nor to take or pursue any administrative nor legal challenge thereto, provided however that in the event the final agency action is adverse, the City will assign any of its rights necessary to grant the owners of Crane Island standing to pursue any and all appeals, at the owners' sole expense in their individual capacities.

3. That limited and reasonable adjustments shall be made to the location of the proposed roadway, if necessary, so as to not interfere with the location of the existing SJRWMD conservation easement, and may be made, by mutual agreement of the parties, to improve the ability to properly engineer the roadway in accordance with applicable engineering standards, rules and regulations, and to maintain the roadway in a location as far westerly as possible to avoid conflicts with the airport's Runway Object (Or Obstacle) Free Areas (ROFAs), Runway Obstacle Free Zones (ROFZs), Runway Safety Areas (RSAs), approach surfaces or airspace associated with Runway Clear Zones (RCZs), and to comply with FAR Part 77 Requirements prohibiting the creation of obstructions or obstacles to the safe operation of the airport as delineated in the approved ALP or to airspace operation of the airport.

4. That the parties' agreement as expressed herein is expressly conditioned and contingent upon the approvals of the Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT) of such modification of the City's Airport Layout Plan (ALP), including specifically, but not limited to, compliance with Florida Statutes, Chapter 333, (including but not limited to §333.03), FAA Advisory Circulars 150/5300-13 and 150/5200-33, Federal Aviation Regulation (FAR) Part 77 "Objects Affecting Navigable Airspace" and FAA Reg. Part 150, "Airport Noise and Land Use Compatibility," and which do not adversely impact the future development of Crane Island as more particularly described

in paragraphs 8 and 9, below. Such approvals must include assurances from FAA and FDOT that the creation of the proposed roadway and approval of the proposed ALP modification will not result, in any way, in any adverse impact on the funding or permitting by FAA and FDOT of the City's airport projects, past, present or future, as depicted in the current ALP, it being the understanding and intent of the City that it would not agree to such ALP modification without such assurances.

5. That all costs of construction of the proposed roadway, any required additional mitigation resulting therefrom, the additional studies as may be required by the FAA or FDOT, the construction of an airport security fence to separate the proposed roadway from the airport proper, and any other "hard" or "soft" costs as may be necessitated by or related to the construction of such proposed roadway shall be borne by the owners of Crane Island.

6. That the City shall authorize the owners of Crane Island to apply for and secure all licenses and permits (except as provided in paragraph 2 hereof) as may be required to construct the proposed roadway. The owners of Crane Island shall proceed with construction of the road in a timely manner and promptly upon acquisition of all of the necessary approvals by the governing agencies and issuance of the necessary building permits.

7. That the owners of Crane Island shall provide all additional wetlands mitigation where required for the development of the roadway, at no cost to the City.

8. That the owners of Crane Island will create and record in the public records of Nassau County, Florida, prior to the commencement of construction of the proposed roadway, and prior to any development or the sale of any lot(s), aviation/airport related restrictive covenants to apply to all development and conveyances of lots or parcels on Crane Island, in a form to be approved by the FAA, FDOT and the City Commission. Such restrictive covenants shall create and grant an "aviation easement," providing that as long as the airport operates within legal standards for noise, property owners on Crane Island shall not have any cause of action against the City or operators of the airport related to the noise produced by the airport and aircraft therein. Said covenants shall also include language requiring that all homes constructed on Crane Island be required to incorporate insulation or other features into their walls and roofs that provide a level of noise insulation above that normally required for this purpose under applicable code requirements for the purpose of enhancing the reduction in decibel noise levels from the outside to the inside of air conditioned or heated structures.

9. That Crane Island shall be developed for residential purposes only, in accordance with applicable governmental regulation and approval processes. Said development may include residential amenities such as an exclusive marina for the use of property owners on the island, only, and a residential neighborhood community center, but no other non-residential uses, except as may

be specifically approved by the City Commission of the City of Fernandina Beach.

10. That the proposed development of Crane Island shall comply with all applicable local, state, and federal regulations and the owners of Crane Island shall obtain and submit those permissions, approvals and permits as may be required. The owners of Crane Island shall, prior to proceeding with the development of Crane Island itself obtain such approvals and permits, and provide proof of same to the City, of all required development approvals from all required agencies, including but not limited to, the St. Johns River Water Management District (SJRWMD), the Florida Department of Environmental Protection (FDEP), the U.S. Army Corps of Engineers, Nassau County or the City of Fernandina Beach (as may be applicable), and the Florida Department of Community Affairs (DCA).

11. That, pending final approval of the proposed 60 foot right-of-way, the Amelia Island Youth Soccer Organization (AIYSO) and the City of Fernandina Beach shall be permitted the use of the area of the disputed 15 foot road as claimed to be owned by the owners of Crane Island and described in Count III of Plaintiffs' Fifth Amended Complaint filed herein for recreational purposes only, and to proceed with the construction of the planned soccer facility overlying the disputed roadway, with the understanding and agreement that the permanent use of the area and facility shall be contingent upon the satisfaction of all conditions and

contingencies contained herein, and that appropriate insurance is provided to the owners of Crane Island such that they bear no liability for the use of said area and facility.

12. That the owners of Crane Island agree to develop Crane Island in an environmentally considerate manner at a level of quality and stewardship similar to those that have been established in their previous developments, and in accordance with all applicable airport and zoning ordinances, Florida Statutes, FAA rules and regulations, and FDOT rules and regulations.

13. That all of the approvals of the various agencies required to permit and allow the construction of the proposed 60-foot right-of-way, as set forth in the above conditions and contingencies, must be issued within 365 days of the date of this Consent Order, unless further extended in writing by all parties hereto.

14. That upon issuance of all of the approvals and permits required to construct the proposed public roadway, the parties shall promptly proceed and perform as follows:

A. The City will dedicate the 60-foot right-of-way for public use and record the same in the public records of Nassau County, Florida;

B. Upon recordation in the public records of the new public right-of-way, the owners of Crane Island shall convey to the City of Fernandina Beach all right, title or interest that they may have or claim in that certain 15 foot roadway as created or conveyed to John Broadbent in that certain instrument dated February 12, 1887, and recorded in Deed Book U, page 425, of the public records of Nassau County, Florida, and shall pay to the City of Fernandina Beach, an amount equal to the fair market

value of the acreage contained within the 60 foot right-of-way as such is located within the boundaries of the City owned property, after deducting therefrom the fair market value of the acreage contained within the 15 foot roadway as described in Deed Book U, page 425, aforesaid, said values to be determined by an appraiser mutually acceptable to all the parties;

C. Upon said recordation of the new public right-of-way, the City will assign to the owners of Crane Island all of the permits and approvals required to construct the proposed public road and authorize the owners to commence construction thereof;

D. Upon said recordation of the new public right-of-way, the owners of Crane Island shall consent to the annexation, subject to all existing development approvals, of all of the Crane Island property and the marshes adjacent thereto into the City of Fernandina Beach, and the City shall complete the process of annexation within ninety (90) days of receipt of any necessary consents by the owners (Plaintiffs herein). All building permits for construction of vertical improvements shall be obtained from and issued by the City of Fernandina Beach. Upon request by the owners of Crane Island, the City will provide to the owners of Crane Island sanitary sewer service, at the same rates and fees as apply to other similar users; provided, however, that all costs of extending the lines from existing locations to Crane Island shall be borne by the owners of Crane Island. The sewer line and associated water lines shall be incorporated into the design and construction of the proposed road right-of-way;

E. Upon completion of the actions described in paragraphs 14A, B, C and D, the owners of Crane Island and the City of Fernandina Beach shall dismiss, with prejudice, their respective claims and counter-claims as set forth herein, each to pay their own costs and attorneys' fees, and

F. That upon request of the City, the owners of Crane Island shall, at their expense, not to exceed \$10,000, design the pavilion proposed by the AIYSO, which incorporates a concession stand and meeting hall, said design to be approved by the City.

15. That for the purposes of this Consent Order only, all

parties acknowledge that the completion of the terms of this Consent Order will resolve issues of public importance; that each of the covenants and promises made herein is dependent on the performance of all other covenants and promises made herein; that the failure of one or more covenant will invalidate the entire Consent Order; that the damages to any party which might result from the failure of the other party to proceed as required cannot be ascertained; and therefore any aggrieved party who is not himself in default may seek specific performance of this Consent Order.

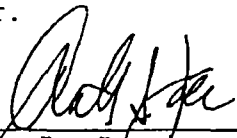
16. The parties acknowledge that this Consent Order is entered into in good faith and with the intent of benefitting both parties and neither shall seek to impede the ability of the other party to carry out its obligations hereunder.

DONE and ORDERED in chambers at the Nassau County Courthouse, temporary location, 191 Nassau Place, Yulee, Florida, this 21 day of December, 2001.


ALBANE E. BROOKE
Circuit Judge
Nassau County Courthouse
191 Nassau Place
Yulee, Florida 32097

Circuit Judge

We hereby agree and consent to the entry of the above Consent Order.



Arthur I. Jacobs
Attorney for Plaintiffs



Wesley R. Poole
Attorney for Defendant

copies to: Wesley R. Poole, Esquire
Arthur I. Jacobs, Esquire

Revised Exhibit L Stipulation for Dismissal
Signed September 15, 2005

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
NASSAU COUNTY, FLORIDA

CASE NO. 2000-14-CA
DIVISION: A

LYNWOOD G. WILLIS and JANE T.
WILLIS, his wife; ROBERT H. STILL, JR.
And MICHAEL D. ABNEY as Co-Trustees of
that Trust created and executed under
date of December 31, 1992, for the
benefit of children of Lynwood G.
Willis and Jane T. Willis; VINCENT G.
GRAHAM; DUDASH INVESTMENTS, L.L.C.,
A South Carolina Limited Liability
Company and PIEDMONT SQUARE, L.L.C.,
A Virginia Limited Liability Company,

Plaintiffs/Petitioners,

vs.

CITY OF FERNANDINA BEACH,
a body corporate and politic,

Defendant.

STIPULATION FOR DISMISSAL

The undersigned parties hereby agree and stipulate to the
following:

1. That this action is hereby voluntarily dismissed with the
consent of all parties, without prejudice, in consideration of the
agreements herein contained.

2. That the parties have agreed as follows:

- a. That the plaintiffs shall obtain all required final
approvals, certifications and releases from the
USDOT/FAA, FDOT, SJRWMD, Florida Department of
Community Affairs, Nassau County, Florida
Department of Environmental Protection and all

other agencies having jurisdiction over the proposed development of Crane Island and the proposed roadway across Defendant's property to give access to Crane Island;

b. That upon receipt of all final approvals as stated above, and in that certain 'CONSENT ORDER ABATING ACTION' previously entered herein and dated December 21, 2001, the parties will proceed in accordance with that certain draft "AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND THE OWNERS OF LAND COMMONLY KNOWN AS 'CRANE ISLAND'", a copy being attached hereto as Exhibit "A", except as follows:

i. That the following sentence shall be added at the end of paragraph II.D., to-wit: "Landowners shall execute a water and wastewater development agreement, as required by the City."; and

ii. That the following sentence shall be added at the end of paragraph II.E., to-wit: "Said avigation easement shall be specifically referenced in every deed of individual conveyance, and shall constitute a deed covenant to run with the land."

c. That the parties shall continue to abide by and comply with the terms of the aforesaid CONSENT ORDER ABATING ACTION except as may be specifically modified herein.

WHEREFORE, the parties hereto have hereunto set their hands and seals on the dates indicated below.

LYNWOOD G. WILLIS

Date signed: _____

JANE T. WILLIS

Date signed: _____

ROBERT H. STILL, JR., Trustee

Date signed: _____

MICHAEL D. ABNEY, Trustee

Date signed: _____

VINCENT G. GRAHAM
Date signed: _____

DUDASH INVESTMENTS, L.L.C.

By: _____
Its: _____
Date signed: _____

PIEDMONT SQUARE, L.L.C.

By: _____
Its: _____
Date signed: _____

ARTHUR I. JACOBS, ESQ.
Attorney for Plaintiffs

CITY OF FERNANDINA BEACH

Wesley R. Poole

WESLEY R. POOLE, ESQ.
Attorney for Defendant

By: Ken Walker

Its: Mayor-Commissioner
Date signed: 9/15/05

APPROVED AS TO FORM:

Debra A. Braga

DEBRA BRAGA
CITY ATTORNEY

e:lit/stipulation.dismissal

**AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH
AND THE OWNERS OF LAND COMMONLY KNOWN AS "CRANE ISLAND"**

THIS AGREEMENT is made and entered into as of the ____ day of _____, 2004, by and between the City of Fernandina Beach, a municipal corporation of the State of Florida, by and through its City Commission, whose address is 204 Ash Street, Fernandina Beach, Florida 32034 (hereinafter "City"), and Lynwood G. Willis and Jane T. Willis, husband and wife, Robert H. Still, Jr. and Michael D. Abney, as Co-Trustees of the Lynwood G. Willis and Jane T. Willis Trust U/D/O December 31, 1992, Vincent G. Graham, Piedmont Square, LLC, a South Carolina limited liability corporation, and Crane Island Investments, LLC, a South Carolina limited liability corporation (hereinafter referred to collectively as "Landowners").

RECITALS

WHEREAS, the City is authorized by Section 166.021, Florida Statutes, to enter into agreements that will advance the general health, safety and welfare of the citizens of the City; and

WHEREAS, Landowners are the owners of record of certain real property, commonly known as "Crane Island," consisting of approximately 207 acres, as is more specifically described in Exhibit "A", attached hereto and incorporated herein (hereinafter referred to as "Property"); and

WHEREAS, the City and Landowners entered into that certain "Consent Order Abating Action" ("Consent Order"), dated December 21, 2001, which provides, among other things, for construction of a road leading to the Property ("Access Road") and contemplates that Landowners will consent to annexation by the City, subject to certain conditions set forth in the Consent Order and further described herein; and

WHEREAS, all of the permits and approvals from the Florida Department of Transportation, the Federal Aviation Authority, the U.S. Army Corps of Engineers and the St. Johns River Water Management District for the construction of the Access Road have now been obtained; and

WHEREAS, the City and the Landowners now wish to set forth with particularity provisions for the construction of the Access Road and for the annexation of the Property by the City.

NOW, THEREFORE, in consideration of the premises set forth above, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- I. **RECITALS.** The foregoing recitals are true and correct and are incorporated by reference herein and made a part hereof.

- II. **ACTIONS TO FOLLOW ISSUANCE OF ALL APPROVALS AND PERMITS FOR CONSTRUCTION OF ACCESS ROAD.** Upon the issuance of all approvals and permits necessary for construction of the Access Road, the parties shall proceed as follows:
 - A. The City will dedicate the 60-foot right-of-way for the Access Road, as shown on Exhibit "B," attached hereto and made a part hereof (the "Access Road ROW"), for the use of the general public and present and future occupants, owners, or users of and visitors to the Property, as a public road, street and right-of-way, and for easements for drainage, water, sewer and other utilities, over, under through and across the Access Road ROW and will record the same in the public records of Nassau County, Florida.

 - B. Upon recordation in the public records of the Access Road ROW, the Landowners shall convey to the City all right, title or interest that they may have or claim in that certain 15-foot roadway as created or conveyed to John Broadbent in that certain instrument dated February 12, 1887, and recorded in Deed Book U, page 425, of the public records of Nassau County, Florida ("15-Foot Roadway"), and shall pay to the City, an amount equal to the fair market value of the acreage contained within the Access Road ROW, as such is located within the

boundaries of the City-owned property, after deducting therefrom the fair market value of the acreage contained within the 15-Foot Roadway, said values to be determined by an appraiser mutually acceptable to all parties.

- C. Upon said recordation of the Access Road ROW, the City will assign to the Landowners, as may be necessary, all of the permits and approvals required to construct the Access Road and will authorize the Landowners to commence construction thereof.
- D. The City shall provide central water and sewer service to serve development on the Property. Development shall include no more than: dwelling units, and residential amenities, such as a marina/boat basin for the use of the property owners, a residential neighborhood community center, and other uses as may be specifically approved by the City. Costs to construct the water and sewer lines shall be borne by the Landowners and may be incorporated into the design and construction of the Access Road ROW; provided, however, construction of the water and sewer lines required to serve development on the Property shall begin no later than initiation of construction of vertical improvements on the Property. The City shall grant to the Landowners and/or to utility providers, such authorizations and easements as may be necessary to construct any utility infrastructure within the Access Road ROW.
- E. Prior to commencement of construction of the Access Road, Landowners will create and record in the public records of Nassau County, Florida, an avigation easement to apply to development and conveyances of lots or parcels on the Property, in a form to be approved by the FAA, FDOT, and the City. Such easement will provide that, as long as the Fernandina Beach Municipal Airport ("Airport") operates within applicable legal standards

for noise, current and future owners of the Property or any portion thereof, shall not have any cause of action against the City or operators of the Airport, related to the noise produced by the Airport and aircraft therein. Said easement shall also include language requiring that all homes constructed on the Property be required to incorporate insulation or other features into their walls and roofs that provide a level of noise insulation above that normally required for this purpose under applicable code requirements for the purpose of enhancing the reduction in decibel noise levels from the outside to the inside of air conditioned or heated structures.

- F. Upon said recordation of the Access Road ROW, assignment to the Landowners of all permits and approvals required to construct the Access Road, and approval of all authorizations and easements required to construct the utilities to serve the development of the Property, the Landowners shall consent to the annexation, subject to all development regulations and/or approvals then existing and to the provisions of sub-paragraph II.G. below, of the Property into the City.
- G. Following receipt of any necessary consents by the Landowners, the City shall proceed with the adoption process to annex the Property into the City, upon the earliest occurrence of one of the following events:
- i. The Landowners request annexation in writing;
 - ii. The Landowners apply to the City for construction of vertical improvements on the Property; or
 - iii. One year following the Effective Date of this Agreement
 - iv. The density and zoning should be that as agreed by the Nassau County Board of County Commissioners or that amended upward by the Fernandina Beach City Commission not to exceed units.

III. **NOTICES.** Notices relating to the subject matter of this Agreement shall be provided in writing to the attention of:

To the City:

Robert T. Mearns
City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

With a copy to:

Debra A. Braga, Esquire
City Attorney
City of Fernandina BEach
204 Ash Street
Fernandina Beach, FL 32034

To the Landowners:

Vincent G. Graham
Civitas, LLC
P.O. Box 22468
Charleston, SC 29413-2468

With a copy to:

Arthur I. Jacobs, Esquire
Jacobs & Associates, P.A.
961687 Gateway Blvd., Suite 201-I
Fernandina Beach, FL 32034

IV. **CONFLICT WITH CONSENT ORDER.** To the extent that any of the provisions herein conflict with the Consent Order, this Agreement shall control and supersede the Consent Order, and the parties acknowledge that the Consent Order is amended to the extent of such conflict; provided, however, that, except as amended herein, the terms and conditions of the Consent Order remain valid and in full force and effect.

V. **MISCELLANEOUS**

A. **Other Documents and Assurances.** Each of the parties to this Agreement agrees that any time after the execution hereof, it will, on request of the other party, execute and deliver such other documents and further assurances as may reasonably be required by such other party in order to carry out the intent of this Agreement, including without limitation, any documents which may be required by local, state or federal governmental agencies. Landowners agree that in the event such documents relate to the construction of the Access Road, Landowners shall solely bear all costs of preparing such documents.

- B. Amendment. This Agreement may be amended or modified in writing by execution by all the parties with the same formalities with which this Agreement was executed.
- C. Assignment. This Agreement shall inure to the benefit of, and be binding upon the successors, heirs, assigns and grantees of the parties hereto, and may be assigned by the Landowners without the prior approval of the City.
- D. Authority to Execute. Each party hereby represents and warrants that it has the right, power, and authority to execute and deliver this Agreement and to perform all of the obligations stated herein.
- E. Severability. It is hereby expressed to be the intent of the parties hereto that should any provision, covenant, agreement, or portion of this Agreement or its application to any person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, entity or property shall not be impaired thereby, but such remaining provisions shall be interpreted, applied and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.
- F. Governing Law. The laws of the State of Florida shall govern the interpretation, validity and construction of the terms and provisions of this Agreement.
- G. Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.
- H. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, and together, all of which shall constitute but one and the same instrument.

I. Effective Date. The Effective Date of this Agreement is the last date it is executed by any of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed for the uses and purposes herein expressed on the day and year written below.

CITY OF FERNANDINA BEACH

By: _____
Joe Gerrity, Mayor

ATTEST:

Date: _____

Cassandra P. Mitchell, City Clerk

APPROVED AS TO FORM:

Debra A. Braga, City Attorney

LANDOWNERS

Signed, sealed and delivered
in the presence of:

Print name: _____

LYNWOOD G. WILLIS

Print name: _____

JANE T. WILLIS

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by LYNWOOD G. WILLIS and JANE T. WILLIS, who are personally known to me or " has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

Print name: _____

ROBERT H. STILL, JR.

Print name: _____

MICHAEL D. ABNEY
AS CO-TRUSTEES OF THE LYNWOOD G.
WILLIS AND JANE T. WILLIS TRUST
U/D/O DECEMBER 31, 1992

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by ROBERT H. STILL, JR. and MICHAEL D. ABNEY, AS CO-TRUSTEES OF THE LYNWOOD G. WILLIS AND JANE T. WILLIS TRUST U/D/O DECEMBER 31, 1992, who are personally known to me or " has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

Print name: _____

VINCENT G. GRAHAM

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by VINCENT G. GRAHAM, who is personally known to me or " has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

PIEDMONT SQUARE, LLC,
A SOUTH CAROLINA LIMITED
LIABILITY CORPORATION

By: _____

Print name: _____

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ of PIEDMONT SQUARE, LLC, A SOUTH CAROLINA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He " is personally known to me or " has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
My Commission expires: _____

CRANE ISLAND INVESTMENTS, LLC,
A SOUTH CAROLINA LIMITED
LIABILITY CORPORATION

By: _____

Print name: _____

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by _____ of CRANE ISLAND INVESTMENTS, LLC, A SOUTH CAROLINA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He " is personally known to me or " has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
My Commission expires: _____

EXHIBIT A
LEGAL DESCRIPTION FOR "PROPERTY"

EXHIBIT B
"ACCESS ROAD ROW"

EXHIBIT "B"

A PORTION OF GOVERNMENT LOTS 2 AND 3, SECTION 6, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, LYING 60.0 FEET LEFT OF, WHEN MEASURED AT RIGHT ANGLES TO THE FOLLOWING DESCRIBED LINES:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6; THENCE NORTHWESTERLY, ALONG THE NORTHERLY LINE OF SAID SECTION 6, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES; COURSE NO. 1: NORTH 89°48'12" WEST, 2350.84 FEET, TO A POINT LYING 30.00 FEET EASTERLY OF THE CENTERLINE OF BAILEY ROAD, A 30 FOOT RIGHT-OF-WAY AS SHOWN ON THE PLAT OF OCEAN BREEZE FARMS AS RECORDED IN PLAT BOOK 2, PAGE 19 OF THE PUBLIC RECORDS OF SAID COUNTY, AND THE POINT OF BEGINNING; COURSE NO. 2: CONTINUE NORTH 89°48'12" WEST, 1163.88 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 330.00 FEET, AN ARC DISTANCE OF 470.58 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 89°48'12" WEST, 330.00 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 05°43'13" WEST, 283.80 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 320.00 FEET, AN ARC DISTANCE OF 452.62 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 22°02'37" WEST, 320.00 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 35°40'27" WEST, 155.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 80.71 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 48°10'58" WEST, 50.43 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 280.00 FEET, AN ARC DISTANCE OF 283.80 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 15°58'11" WEST, 280.43 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE SOUTHEAST; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 87.80 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 05°43'13" EAST, 88.37 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 11°24'46" WEST, 162.38 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE ALONG AND AROUND THE ARC OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 213.10 FEET, SAID ARC BEING SUSTAINED BY A CHORD BEARING AND DISTANCE OF SOUTH 57°51'08" WEST, 183.12 FEET TO AN INTERSECTION WITH THE ORIGINAL GOVERNMENT MEANDER LINE AND THE POINT OF TERMINATION. SAID LANDS BEING BOUNDED ON THE EAST BY A LINE BEARING SOUTH 09°40'12" WEST, AND PASSING THROUGH THE POINT OF BEGINNING, AND BEING BOUNDED ON THE WEST BY SAID ORIGINAL GOVERNMENT MEANDER LINE, SAID LINE BEARING SOUTH 09°40'12" EAST, AND PASSING THROUGH THE POINT OF TERMINATION.

IT IS THE INTENT OF THE ABOVE DESCRIBED LANDS THAT THE SOLINES BE LENGTHENED AND/OR SHORTENED, AS NECESSARY, TO FORM A SINGLE, CONTINUOUS PARCEL, 60.00 FEET IN WIDTH.

CONTAINING 4.70 ACRES, MORE OR LESS.

(The above description provided by that certain survey map prepared by Clary & Associates, Inc., dated 3/12/2002, File No. T2N-62).

*Environmental Assessment – Access Roadway to Crane Island
Fernandina Beach Municipal Airport, FL*

**Exhibit M "Environmental Assessment: Access Roadway to
Crane Island at the Fernandina Beach Municipal Airport,
Florida", October 20, 2004 (Exhibits not included)**

Environmental Assessment

**Access Roadway to Crane Island
at the
Fernandina Beach Municipal Airport, Florida**

Prepared for:

**Mr. Macon Toledano
Project Manager
Civitas LLC
159 Civitas Street
Mt. Pleasant, SC 29403**

**Mr. Robert Mearns
City Manager/Airport Manager
City of Fernandina Beach
P.O. Box 668
Fernandina Beach, FL 32035**

Prepared by:

**Montgomery Consulting Group, Inc.
157 E. New England Avenue, Suite 340
Winter Park, FL 32789**

Prepared on:

October 20, 2004

This Environmental Assessment becomes a Federal document when evaluated and signed by the responsible FAA Official.

Responsible FAA Official

Date

1

Prepared on 20 October 2004

*Environmental Assessment – Access Roadway to Crane Island
Fernandina Beach Municipal Airport, FL*

2.0 Summary – Environmental Determination Checklist

Airport: Fernandina Beach Municipal Airport, Florida (55J)

Detailed description of Proposed Project: Development of vehicular roadway (approximately 3,500 ft long x 22 ft wide with 8 ft bike lane) within a 60-ft wide right-of-way to serve as an entrance road and a utility corridor to Crane Island. Project includes construction of roadway, bike lane, associated stormwater conveyances, utilities, and an 8-ft high security fencing within 60-ft right-of-way on property of Fernandina Beach Municipal Airport.

	YES	NO	COMMENTS
IS THIS PROPOSED PROJECT LISTED AS CATEGORICALLY EXCLUDED IN FAA ORDER 5050.4A?		XXXX	
THIS PROPOSED PROJECT CONSISTS OF:		XXXX	
First Time ALP Approval		XXXX	
Commercial Service Airport Location Approval		XXXX	
New Air Carrier Runway		XXXX	
New Airport Location		XXXX	
New Runway		XXXX	
Runway Extension		XXXX	
Runway Strengthening w/ 1.5 DNL Increase		XXXX	
Construction or Relocation of a Roadway	XXXX		Result of Legal Consent Order
Land Acquisition		XXXX	
ILS or ALS		XXXX	
THIS PROPOSED PROJECT WILL AFFECT:			
Section 4(f) Land		XXXX	
Historic/Archaeological Resources		XXXX	
Farmland		XXXX	
Wetlands	XXXX		Corps of Engineers - No jurisdictional wetlands identified on project. SJRWMD - Mitigation of 0.83 acres of upland preservation has been mitigated and permitted approved by SJRWMD on Airport property. Mitigation offered to compensate for the potential shading of 0.18 acre of wetlands, resulting from the construction of two elevated bridges off airport property. To offset the proposed wetland shading impacts, applicant

*Environmental Assessment – Access Roadway to Crane Island
Fernandina Beach Municipal Airport, FL*

			proposes to place 2.0 acres of wetlands under a conservation easement to be granted to SJRWMD.
Floodplains		XXXX	
Coastal Zone		XXXX	
Endangered or Threatened Species		XXXX	No identified species during site visit.
THIS PROPOSED PROJECT IS LIKELY TO:			
Be Highly Controversial on Environmental Grounds		XXXX	
Cause Natural Resource Impacts		XXXX	
Be Controversial Regarding Relocation Housing		XXXX	
Cause Community Disruption		XXXX	
Cause Surface Traffic Congestion		XXXX	
Cause Increase of 1.5 DNL over Noise Sensitive Areas		XXXX	
Cause an Effect on Air Quality		XXXX	
Cause an Effect on Water Quality		XXXX	
Cause Environmental Justice Concerns		XXXX	
Contain or Affect Hazardous Materials		XXXX	
Be Inconsistent with Other Environmental Laws		XXXX	

Environmental Assessment describes the purpose and need, and identifies the environmental consequences of the proposed impact on various impact categories.

*Environmental Assessment – Access Roadway to Crane Island
Fernandina Beach Municipal Airport, FL*

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4. Purpose and Need

4.1 Project History & Consent Order

There is pending in the Nassau County (Florida) Circuit Court a civil action (No. 00-14-CA) and Consent Order brought by the owners of Crane Island against the City of Fernandina Beach, sponsor of Fernandina Beach Municipal Airport, to enforce the owners' right of way through airport property for access to their island (Crane Island). This historic right of way to Crane Island passes near the approach end of Runway 13. In an effort to resolve the matter, on December 21, 2001, the parties agreed to entry of a Consent Order abating the action to enable the City of Fernandina Beach to obtain the various approvals needed to construct a public access road to be located instead at the airport's northwest periphery, further removed from the runway. In exchange, the owners have agreed to convey to the City of Fernandina Beach their right and title to the historic roadway. In addition to assuring use of the more remote location for the roadway, the court's order includes, among other things: conditions for environmental protection; limitation of Crane Island development to residential purposes only; restrictive covenants governing residential development on the island (including conveyance of navigation easements to the City); participation by the owners of Crane Island in the costs for the design of the adjacent youth soccer facility; and, ultimately, the owners' consent to annexation of Crane Island by the City of Fernandina Beach.

The City of Fernandina Beach and the owners of Crane Island both acknowledged in the order "that the completion of the terms of this consent order will resolve issues of public importance" and that the order was "entered into in good faith and with the intent of benefiting both parties."

A copy of the Consent Order is attached as **Appendix 1**. The Consent Order authorizes the construction of a 60 ft. non-exclusive and public right-of-way easement and access road for the use of the general public and present/future to accommodate future development of Crane Island based on the approval of FAA and FDOT. The Consent Order establishes that the location of the roadway will not conflict with airport object free areas, runway obstacle free zones, runway safety areas, or approach surfaces or airspace as currently defined in the airport's ALP, and will not interfere with the existing SJRWMD conservation easement. The Consent Order creates a restrictive covenant that will apply to all development and conveyances of lots or parcels on Crane Island to grant an "avigation easement". The Consent Order establishes pending approval of the proposed 60-ft. right of way that the Amelia Island Youth Soccer Organization and the City of Fernandina Beach shall be permitted the use of the area of the disputed original roadway for the development of a planned soccer facility.

4.2 Alternatives

The intent of the roadway is to provide access to Crane Island. The Consent Order identified a roadway alignment that would satisfy the access issues for the owners of Crane Island and minimize disruption to airport operations in lieu of the original roadway access to Crane Island that would have impacted operations on several active runways. The Consent Order establishes that the location of the roadway will not conflict with airport object free areas, runway obstacle free zones, runway safety areas, or approach surfaces or airspace as currently defined in the airport's ALP, and will not interfere with the existing SJRWMD conservation easement.

Alternative alignments have not been specifically considered in the consent order between the City of Fernandina Beach or the owners of Crane Island as the intention of the preferred alternative roadway alignment was itself an alternative to an existing, unacceptable condition, and the "do nothing" alternative would not satisfy the intent of the settlement agreement. However, the alignment addressed settlement is the most direct access available to accomplish the intent of the project. This access is accomplished by connecting the existing Bailey Road (a public street) to Crane Island by traversing the outer boundary of the airport property. This alternative provided the closest alternative for access and minimized conflict with the airport and airport operations.

This roadway alignment alternative was revised slightly during conceptual design to minimize impacts with an established airport mitigation area near the western edge of airport property. This revised alignment, indicated now as the "proposed project" alternative as a roadway access to Crane Island, minimizes the impact of the roadway on the airport and minimizes environmental impacts on the project.

The "do nothing" alternative would be against the terms of the Consent Order (Nassau County Florida Circuit Court civil action No. 00-14-CA) agreed to by the City of Fernandina Beach and the owners of Crane Island (see **Appendix 1** for a copy of the Consent Order). "Doing nothing" would require the owners of Crane Island to enforce their original access to the Island, which would disrupt existing airport operations and severely limit the capability of the airport to develop as currently proposed on its Airport Layout Plan.

Figure 3 illustrates (in red) the existing 15 ft. (old) roadway that begins at Bailey Road and terminates near Crane Island. This existing road would be within the Runway Safety Areas of both Runway 18 and Runway 13. It was for this reason that the preferred alternative right of way alignment for the proposed roadway illustrated (in yellow on **Figure 3**) was chosen; to be outside of conflicts with existing and proposed runway safety areas for Runways 18 and 13 and minimize impacts to an existing upland mitigation area previously established by the Airport.

The “do nothing” approach would require that the existing roadway alignment (illustrated in red and labeled “existing 15’ private right of way” on **Figure 3**) be utilized for access to Crane Island. This alignment would require substantial displacement (shortening) to Runways 18 and 13 to remove the existing roadway from the respective runway safety areas. It would also substantially limit the proposed plans for extension to Runway 13 as is shown on the ALP. The use of this road would require the removal of a large portion of the Soccer and Softball Complex (Ybor Alvarez Complex) and introduce two crossings of the existing Crane Island access road with the proposed perimeter road. Security fencing would also be disrupted to utilize the existing 15 ft. road to Crane Island.

Although not specifically considered, other alignments, such as access from the southern end of airport property would have entailed a longer roadway and caused additional impacts to airport operations.

4.3 Proposed Action, Project Description

The City of Fernandina Beach is located on Amelia Island in Nassau County, Florida. Fernandina Beach Municipal Airport is located approximately three miles south of the downtown area of the City of Fernandina Beach on State Road 105A (Amelia Island Parkway). The location of the airport is depicted in the Vicinity Map illustrated in **Figure 1**. The location of the proposed entrance roadway to Crane Island is depicted in the Location Map illustrated in **Figure 2**.

The preferred alternative location of the entrance road to Crane Island is proposed to begin at the existing terminus of Bailey Road approximately 850 feet south of the intersection with Amelia Island Parkway (SR 105A) and terminate on Crane Island. The total access roadway is approximately 4,810 feet long with a 60-foot right of way. The portion of the roadway that is located on the Fernandina Beach Airport is approximately 3,500 feet long with a 60-foot right-of-way. A layout plan of the existing and proposed roadways, existing conservation areas, and proposed environmental mitigation areas are illustrated in **Figure 3**.

The project includes replacement of an existing roadway approximately 400 ft in length from the terminus of Bailey Road. The 60-foot roadway right-of-way is composed a 22-foot wide asphalt-paved roadway with a 13-foot buffer containing an 8-foot asphalt-paved bike bath. An 8-foot high security fence is proposed along the eastern edge of the right-of-way to maintain airport security fencing and prevent entry into the airport operation area.

The proposed 60-ft right-of-way will also contain proposed utilities to serve Crane Island including sewer force mains, water mains, telephone, cable and electrical conduits. Drainage swales are proposed on both sides of the roadway and stormwater piping is

included within the proposed right-of-way. The typical section of the roadway is illustrated in **Figure 4**.

The following documentation of environmental impacts addresses only the portion of the proposed Crane Island access roadway located on the property of Fernandina Beach Municipal Airport.

4.4 Environmental Assessment

The City of Fernandina Beach jointly with Civitas LLC (developer for the owners of Crane Island) received conditional approval, subject to environmental review, from the FAA on the development of a vehicular roadway at Fernandina Beach Airport to serve as an entrance road to Crane Island.

The following information provides documentation of an environmental review and identification of potential environmental impacts based on *FAA Order 5050.4A Airport Environmental Handbook* and *FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts*. The environmental review contained in this document focuses only on the portion of the roadway that is within the airport's property lines.

The purpose of this environmental review is to disclose the potentially significant environment, economic, and social impacts of the proposed project for the construction of a 60-ft right of way for an access roadway and utilities to Crane Island including related security fencing within the right-of-way.

4.5 Time Frame

The project addressed in this environmental assessment is associated with the proposed access right-of-way to Crane Island. Construction is anticipated to last approximately eight (8) months including the bridge construction to Crane Island.

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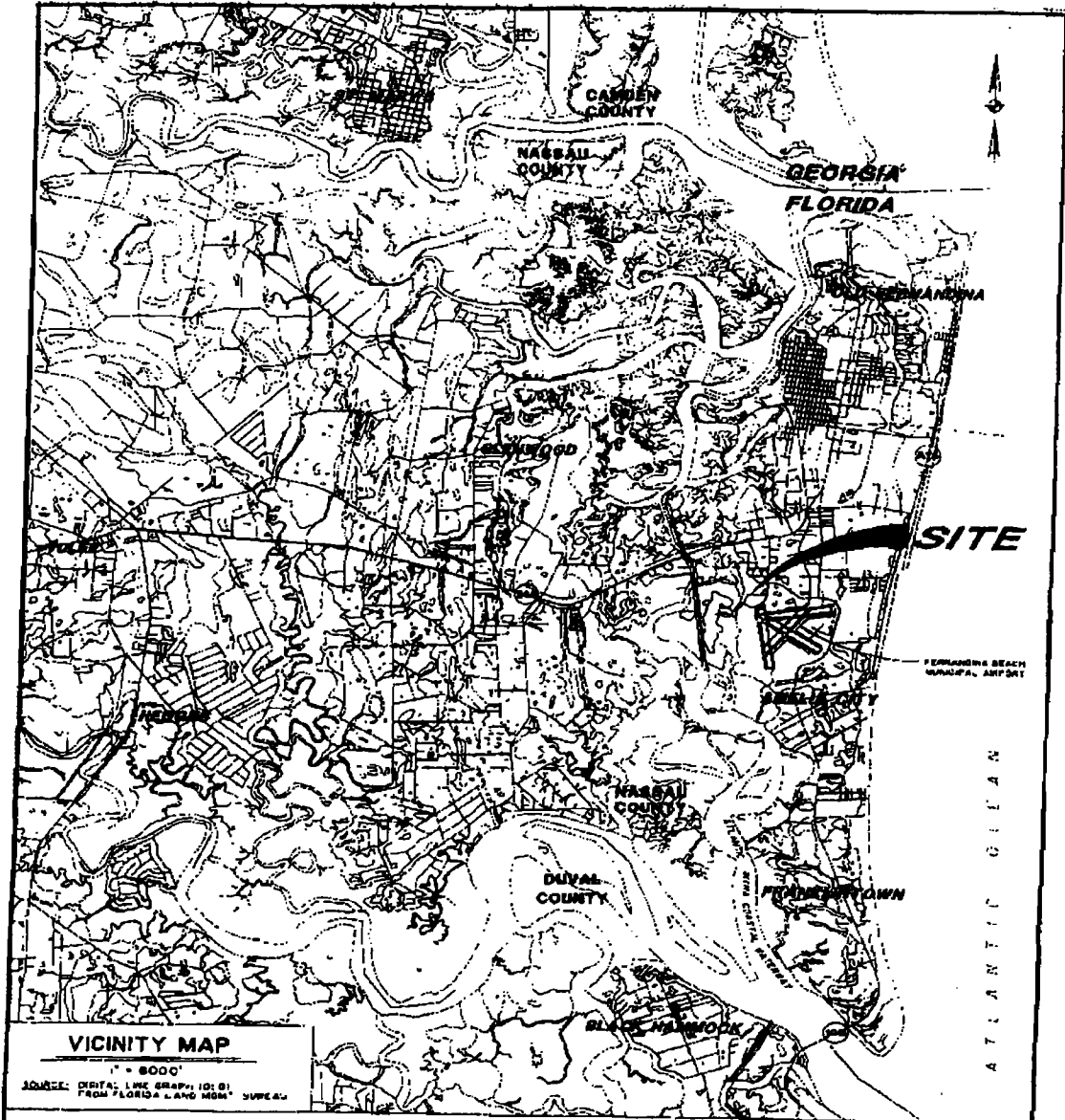


Figure 1 – Vicinity Map
Source: Thomas & Hutton Engineering Co.

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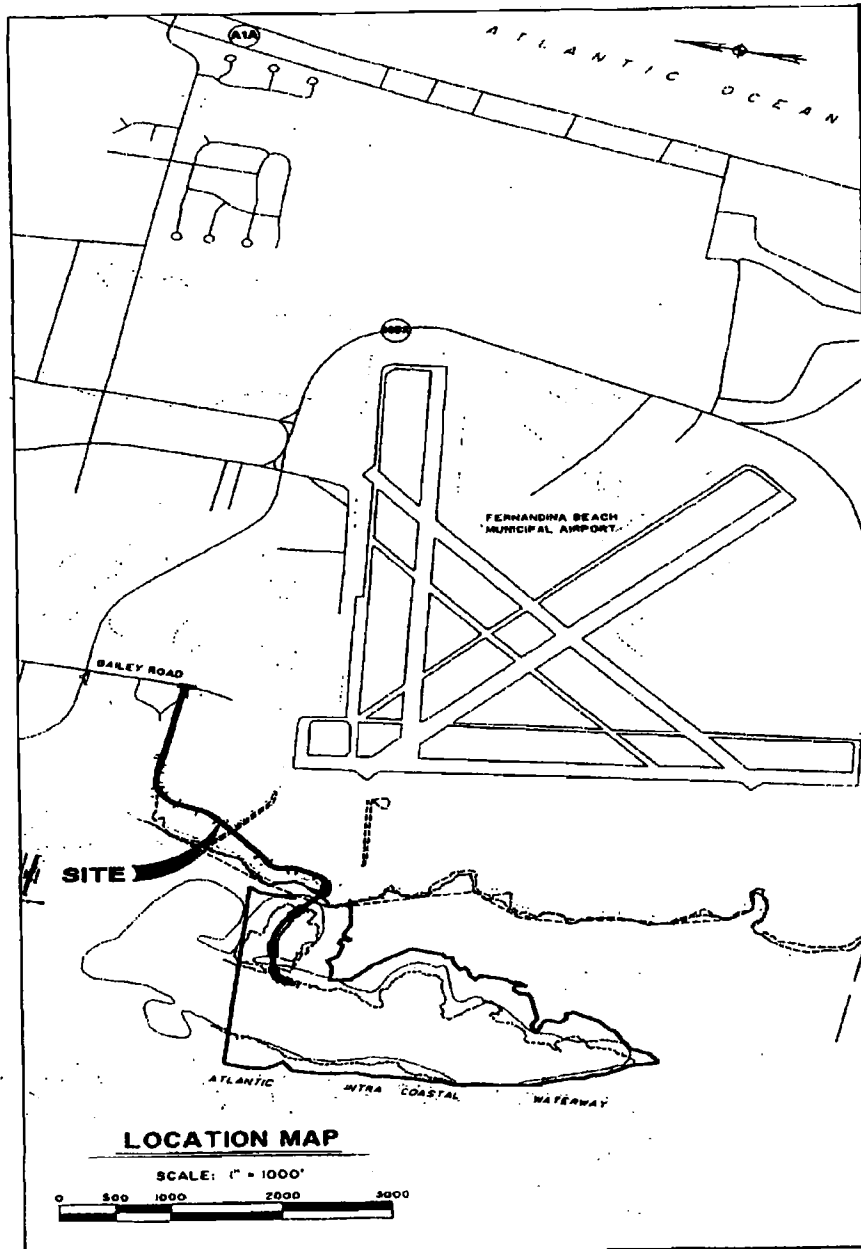


Figure 2 – Location Map
Source: Thomas & Hutton Engineering

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**Refer to Oversized Plan Sheet
For Figure 3 – Project Plan Overview**

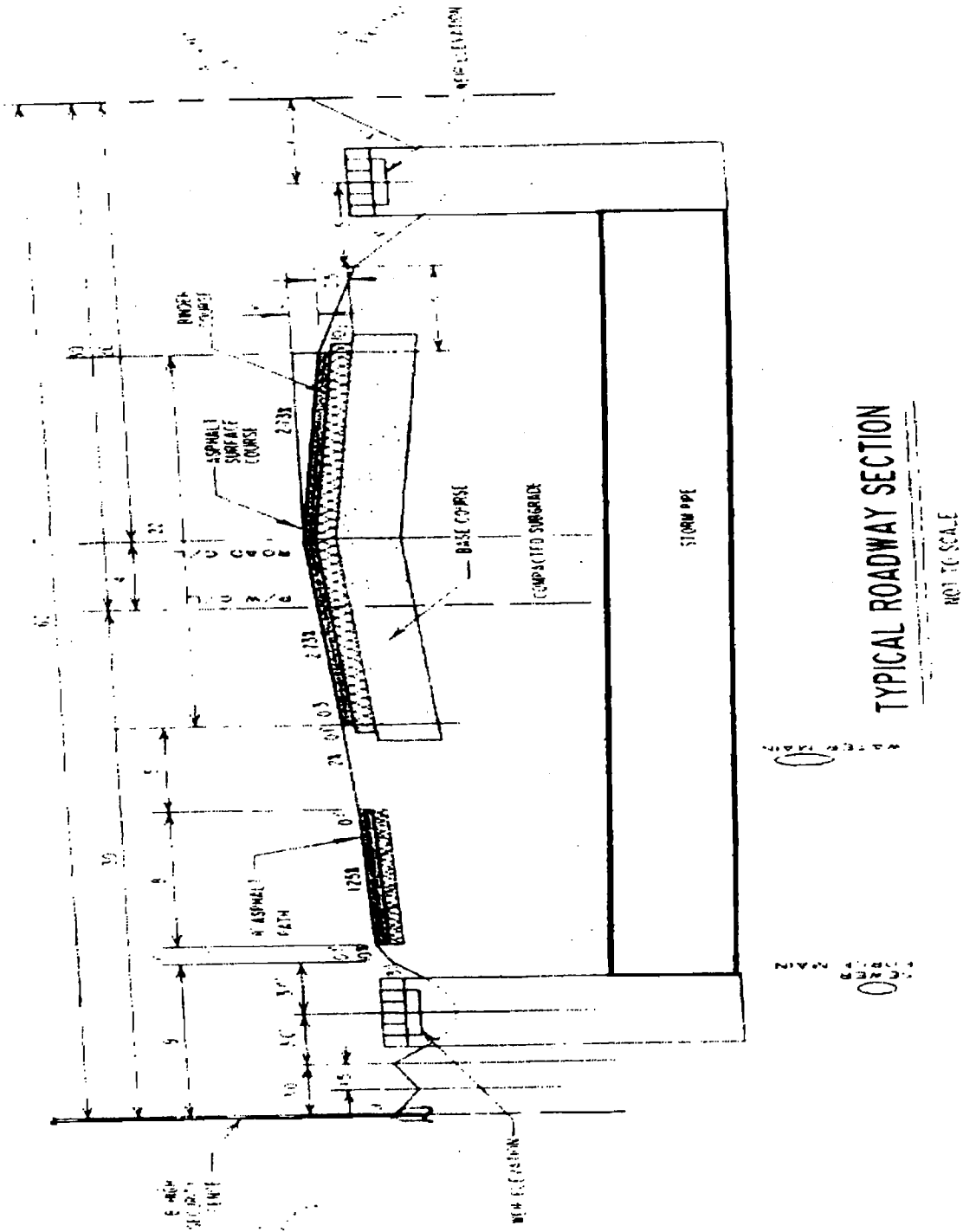


Figure 4 – Typical Roadway Section
 Source: Plan Documents Prepared by
 Thomas & Hutton Engineering Co.

5. Impact Categories

5.1 DOT Act Section 303© (formerly Section 4(f)) Lands

Section 4(f) of the DOT Act of 1966 applies to use of land from any publicly owned park, recreation area, wildlife and waterfowl refuge of national, state or local significance, and to use of land from any publicly or privately owned historic site of national, state or local significance.

The proposed entrance roadway for Crane Island does not impact any publicly owned park, recreation area, wildlife/waterfowl refuge or historic sites. There is no physical “taking” of Section 4(f) land in conjunction with the proposed roadway. The roadway does begin near to the Ybor Alvarez Sports Complex (Amelia Island Youth Soccer Fields) located in the northwest portion of airport property off Bailey Road, but does not impact any of the current sports complex land, features or parking areas.

Item 11 of the Consent Order (see **Appendix 1** for a copy of the Consent Order) specifically addresses that the Amelia Island Youth Soccer Organization (AIYSO) and the City of Fernandina Beach can proceed with the construction of the development a soccer facility that would overlay the existing (original 15 ft) roadway if the terms of the consent order are met and that appropriate insurance is provided to the owners of Crane Island such that they bear no liability for the use of said area and facility.

This soccer field is currently in construction. The preferred alternative for the right of way for access to Crane Island would not conflict with the soccer field, and would provide some improvements to the roadway in the soccer parking area. The preferred alternative is considered compatible land use to this recreational facility and is not being impacted under Section 4(f) of the DOT Act of 1966. If the preferred alternative is not selected, then the land on which the recreational facility is being developed is in jeopardy since it would be impacted by the original Crane Island Roadway. Thus, the preferred alternative is allowing additional development of recreational facilities for the City of Fernandina Beach. **Figure 3** illustrates the location of the existing 15 ft roadway (in red), the preferred alternative (in yellow) and the location of the soccer complex. **Figure 10** (located with oversized plan sheets) illustrates the plan for the Ybor Alvarez Sports Complex and includes the preferred alternative roadway integrated in this plan.

In the proposed area of the roadway right-of-way, there is a temporary staging area for the on-going construction of the soccer field that has been established for construction activities in the area. The proposed right-of-way would impact this area; however it is transient by purpose (temporary parking for construction workers, staging of construction equipment) and can be readily moved to another location. The proposed road would not noticeably affect the normal activities or aesthetic value of the Sports Complex and relocation of the old road (original access road to Crane Island that traversed through the existing complex) is critical to the continued use of the soccer fields, which is dependent

on the permanent relocation of the old road to the proposed location as required in the Consent Order.

Additional parks and wildlife refuges In the vicinity of the airport include a golf course and a Florida Inland Navigation District (FIND) site. The preferred alternative for the roadway right of way will have no adverse impacts as the golf course is on the south side of airport property.

The FIND site is suitable for placement of material dredged from the Atlantic Intracoastal Waterway. FIND, as the local sponsor for the Atlantic Intracoastal Waterway has prepared a Long-Range Dredged Material Management Plan for the Atlantic Intracoastal Waterway in Nassau County. **Appendix 2** provides the public notice related to the FIND site. The FIND site is not owned by the airport or the owners of Crane Island. The proposed access road does not have a direct impact on the proposed FIND site; however, indirect benefits include providing an access road near to the property.

5.2 Historic, Architectural, Archeological and Cultural Resources

Historic resources are those limited and non-renewable districts, sites, building, structures and objects having significant associations with historic, architectural, or cultural events, persons, or social movements. Archeological resources are objects or areas made or modified by man, which contains information about the past.

The National Historic Preservation Act of 1966 establishes the national historic preservation program, which includes elements for identification, assistance, and protection of historic properties. The Act establishes the Advisory Council on Historic Preservation to advise the President and Congress on historic preservation matters, to recommend measures to coordinate Federal preservation activities, and to comment on Federal actions affecting properties included in or eligible for inclusion in the National Register of Historic Places.

The National Register of Historic Places has established standards by which individual resources, both archeological and architectural, are evaluated to determine their eligibility for listing. Resources may include buildings, sites, objects, and structures and are placed on the National register according to the following summarized criteria:

- Association with events that have made a significant contribution to the broad patterns of American History; or
- Association with the lives of persons significant in our past; or
- Significance for architecture; or
- Significance for archeology

It is noted that the location and extent of many archaeological resources are not generally known until uncovered during a construction process. Should resources be uncovered

during the construction of the entrance roadway to Crane Island, the Department of State, Division of Historic Resources will be contacted.

No historical sites have been identified in the project area, so no field inventory was accomplished. After a review of the National Register of Historic Places and of the National Parks Service's Florida Listing of National Historic Landmarks¹, and after consultation with the Florida Master Site File (see **Appendix 3**), we have concluded that there are no Historic, Architectural, Archeological and Cultural Resources within the project area.

5.3 Farmland

Farmland can be categorized as prime farmland, unique farmland, or farmland of statewide or local importance. These distinctions are based on soil types. Farmland categories are defined as follows:

- Prime farmland is defined in the Farmland Protection Policy Act of 1981 (FPPA) as "land that has the best combination of physical and chemical characteristics for producing food, feed, or fiber without intolerable soil erosion."
- Unique Farmland is defined as "land other than farmland that is used for production of specific high – value food and fiber crops."
- Farmland of state importance is defined as "farmland, other than prime or unique farmland, that is of statewide or local importance for the production of food, feed, fiber, forage, and oilseed crops."

The FPPA is not applicable when:

- the land was purchased prior to August 6, 1984, for the purpose of being converted,
- the land will not be converted, either directly or indirectly to nonagricultural use,
- the land is not prime farmland as described in the FPPA,
- the land is not unique farmland, or
- the land is not farmland of statewide or local importance.

According to the Soil Survey of Nassau County, FL, prepared by the U.S. Department of Agriculture, soils in the vicinity of the Fernandina Beach Municipal Airport consist mainly of the Leon Series. The Leon Series is made up of nearly level, poorly drained and very poorly drained sandy soils with slopes ranging from zero to two percent. These soils are moderately permeable or moderately rapidly permeable."²

¹ Of the 35 listings in Florida on the National Park Service's National Historic Landmarks Survey, none are located in Nassau County. **Appendix 1** contains the listing for Florida.

² Fernandina Beach Municipal Airport, Airport Layout Plan Update, Chapter 2.2.1, Topography and Soils, 1999 Technical Report prepared by RS&H.

The proposed entrance roadway to Crane Island will not involve conversion of farmland to non-agricultural use and the land was purchased prior to August 6, 1984.³ The Farmland Protection Policy Act, therefore, is not applicable. No formal consultation is required.

5.4 Wetlands

There is a binding letter of development of regional impact dated April 20, 1983 that addresses the proposed residential development of Crane Island. The conclusion is that the proposed Crane Island development, with its 250 dwelling units, 10,000 square feet of commercial use and 90 slip marina is not presumed to be a Development of Regional Impact. Prior correspondence and permit information regarding the proposed Crane Island development is included in **Appendix 4** from DCA, DNR, DER, Department of Army Corps of Engineers, and SJRWMD.

The following sections address the current development of the Access Roadway to Crane Island.

5.4.1 U.S. Army Corps of Engineers

Figure 3 illustrates the entire project area that was assessed for the presence of jurisdictional wetlands. The entire length of the proposed roadway was evaluated beginning at Bailey Road and ending on Crane Island, west of the airport property. No U.S. Army Corps of Engineers (COE) jurisdictional wetlands were identified within the airport boundary.

The COE made a determination (**Appendix 5** letter dated 15 October 2003) that any tidally-influenced portion of the upland-cut ditch located on the airport property would be jurisdictional. Mr. Raymond Wimbrough with COE made the determination in the field that the upland-cut ditch at the location of the proposed road crossing **was not** tidally influenced and therefore did not meet the jurisdictional criteria for Corps of Engineers. The final letter of determination was issued on 4 December 2003. A letter of clarification has been submitted to the Corps, and a response is forthcoming⁴.

Since the final determination of COE (letter dated 4 December 2003) was that the proposed project is not located within navigable waters of the United States and it will not involve the discharge of dredge or fill material into waters of the United States, no permit is required and no mitigation is offered.

³ The Fernandina Beach Municipal Airport was developed during WWII by the U.S. Navy, and transferred to the City of Fernandina Beach in accordance with the Provisions of the Surplus Property Act of 1944.

⁴ Correspondence is available in **Appendix 5**.

5.4.2 St. Johns River Water Management District

The entire length of the proposed roadway was evaluated beginning at Bailey Road and ending on Crane Island, west of the airport property. The airport previously established an upland mitigation area with the St. Johns River Water Management District consisting of an uplands located along the northwestern edges of the airport property. The proposed right-of-way for the entrance road traverses parallel to this existing upland conservation easement. A proposed modification (Permit No. 4-089-56388-2) to the existing St. Johns River Water Management Permit⁵ has been approved⁶ (see **Appendix 7**) to modify the established mitigation plan as follows:

Approximately 0.83 acres of upland preservation that is currently under a conservation easement will be relocated to accommodate the proposed right-of-way on airport property for the proposed entrance road for Crane Island. To compensate, two additional upland preservation areas totaling 0.83 acres will be encumbered with a conservation easement.

Figure 3 illustrates the location of the airport's existing upland mitigation area, and the portion of this existing area impacted by the proposed right-of-way (0.83 acres), and the location of the proposed upland mitigation replacement area (0.83 acres), which is adjacent to other portions of the existing upland mitigation area.

The equal replacement of the 0.83 acres of upland mitigation in the adjacent area of the existing upland mitigation is not a wildlife hazard attractant. There is no addition of property for the upland mitigation area, so this project will not increase the attractiveness to wildlife. **Appendix 6** provides the draft statement regarding design of entrance roadway to Crane Island and Hazardous Wildlife Attractants.

A general permit for the Crane Island Entrance Road was obtained from the St. Johns River Water Management District⁷. The SJRWMD general permit is also contained in **Appendix 7**.

The jurisdictional wetland impacts are associated with potential shading (0.18 ac.) as a result of the construction of two elevated bridges outside the airport boundary. These impacts fall solely under the jurisdiction of the St. Johns River Water Management District (SJRWMD). Mitigation is offered to the SJRWMD to compensate for the potential shading of 0.18 acre of jurisdictional wetlands, resulting from the construction of two elevated bridges.

⁵ SJRWMD Permit Number 4-089-56388-2 included in **Appendix 3**.

⁶ Letter dated 10/20/03 to Robert Mearns, City of Fernandina Beach City Manager from David Miracle, SJRWMD included in **Appendix 3**.

⁷ Letter dated 10/30/03 to Civitas LLC from Carrier Anne Kissinger SJRWMD regarding permit number 40-089-88705-1 included in **Appendix 3**.

To offset the proposed wetland shading impacts, the applicant proposes to place 2.0 acres of wetlands under a conservation easement to be granted to SJRWMD. The wetlands to be preserved consist of open salt flat areas that contain patches of salt-tolerant vegetation including glasswort (*Salicornia virginica*), sea purslanes (*Sesuvium* spp.), and salt grass (*Distichlis spicata*). The mitigation proposed will adequately offset the potential minor wetland impacts.

5.5 Floodplains

Floodplain Management, Executive Order 11988 of the National Environmental Policy Act directs all Federal agencies to avoid both long-term and short-term adverse effects associated with occupancy, modification, and development in the 100-year floodplain, when possible. Floodplains are defined as “those lowlands and relatively flat areas adjoining inland and coastal waters including flood prone areas or offshore islands, including, at a minimum, that area subject to a one-percent or greater chance of flooding in any given year.” Flooding in the 100-year zone is expected to occur once every 100 years, on average.

The U.S. Federal Emergency Management Agency (FEMA) Digital Q3 Flood Data is displayed by scanning the existing Flood Insurance Rate Map (FIRM) hard copy and capturing thematic overlay of flood risks. Digital Q3 Flood Data files contain certain features from the FIRM hard copy in effect at the time of scanning. Both Q3 Flood Data maps as well as FIRMs are considered important advisory tools for general hazard awareness and education.

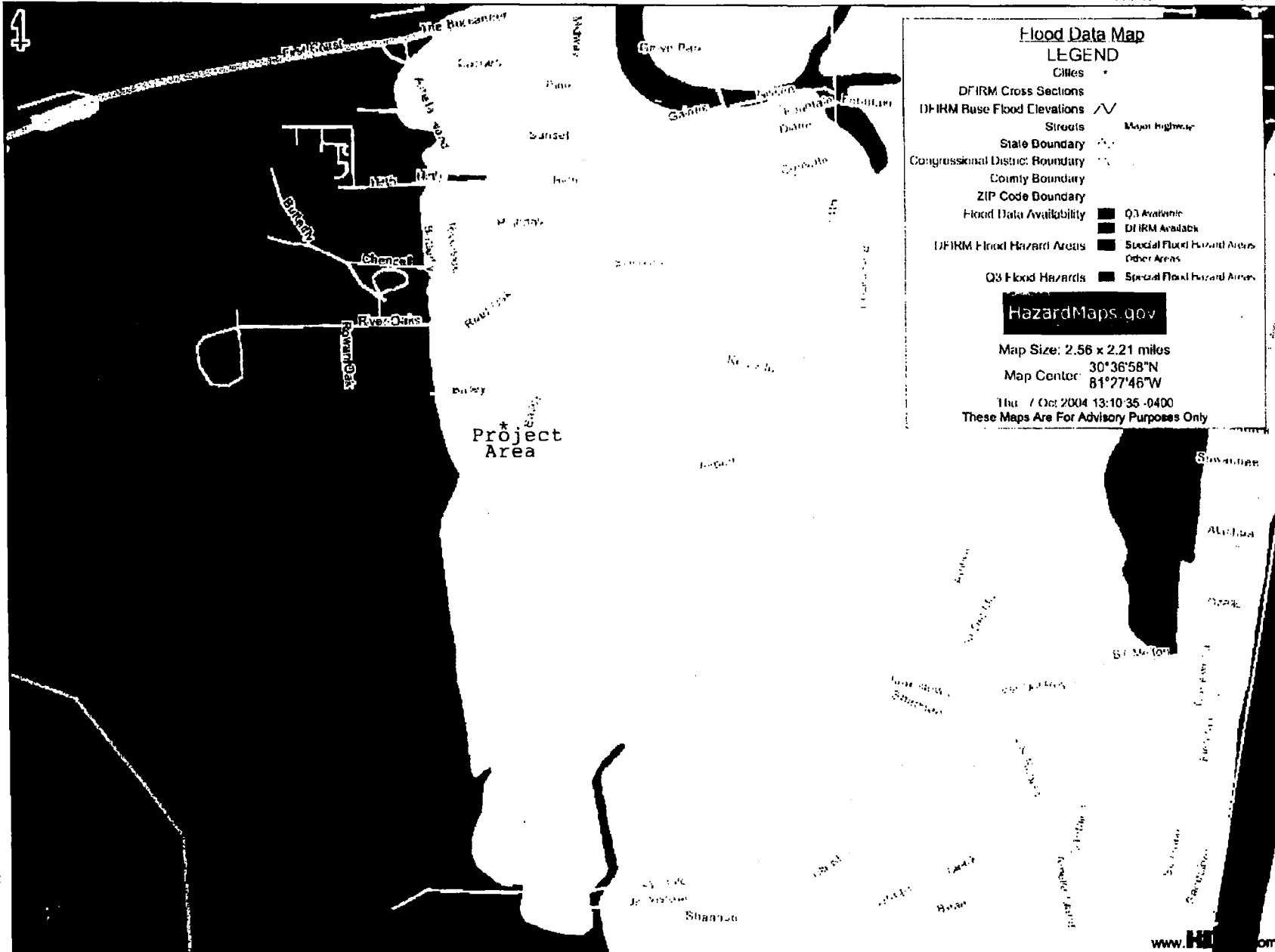
The 100-year floodplain Q3 Flood Data as mapped by FEMA is illustrated in **Figure 5**. The proposed project is not within the limits of any officially identified 100-year floodplain. Thus, no notable adverse impacts are anticipated on the area’s natural and beneficial floodplain values since encroachment of a floodplain is not anticipated to be part of the project.

West - U.S. National Grid

DMS - North

U.S. National Grid - North

Prepared on 20 October 2004



Environmental Assessment - Access Roadway to Crane Island
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West - U.S. National Grid

DMS - South

U.S. National Grid - South

Figure 5 - Q3 Flood Data Map
Source: FEMA -- www.hazardmaps.gov

5.6 Coastal Zones & Barriers

The term undeveloped coastal barrier is defined as a depositional geological feature that is subject to wave, tidal, and wind energies, and protects landward aquatic habitats from direct wave attack, and all associated aquatic habitats, including adjacent wetlands, marshes, estuaries, inlets and near shore waters, but only if there are few manmade structures and human activities do not significantly impede geomorphic and ecological processes. Coastal barriers include: bay barriers, tombolos, barrier splits, barrier islands, dune or beach barriers, and fringing mangroves.

The Coastal Barrier Resources Act of 1982 was established to minimize the loss of human life by discouraging development in high risk areas, reducing wasteful expenditure of federal resources, and to protect the natural resources associated with coastal barriers. The act prohibits, with some exceptions, federal financial assistance for development within the Coastal Barrier Resources System, which consists of undeveloped coastal barriers along the Atlantic and Gulf Coasts.

The definition, according to NOAA in section 304 of the Coastal Zone Management Act of 1972, as amended states: “the term coastal zone means the coastal waters (including the lands therein and thereunder) and adjacent shore lands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes islands, transitional and inter-tidal areas, salt marshes, wetlands, and beaches. The zone extends inland from the shorelines only to the extent necessary to control shore lands, the uses of which have a direct and significant impact on the coastal waters, and to control those geographical areas which are likely to be affected by or vulnerable to sea level rise. Excluded from the coastal zone are lands the use of which is by law subject solely to the discretion of or which is held in trust by the Federal Government, its officers or agents.”

The Coastal Zone Management Act of 1972 encourages the participation, cooperation, and coordination of the public, Federal, state, local, interstate, regional agencies, and governments affecting the coastal zone. It also provides incentives for states and territories to make changes in any of the eight areas of national significance. These eight areas include: wetlands protection, coastal hazards, cumulative and secondary impacts of development, public access to the coast, special area management planning, ocean governance, marine debris, and government energy facility siting.

The Coastal Zone Management Act of 1972, as amended, states: “it is national policy to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation’s coastal zone”. The Act requires all federal or federally supported activities affecting the zone to be carried out in a manner consistent with State coastal zone management programs.

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Congress passed the Coastal Barrier Resources Act (CBRA) in 1982, and the Coastal Barrier Improvement Act (CBIA) in 1990, defining and establishing a system of protected coastal areas (including the Great Lakes) known as the Coastal Barrier Resource System (CBRS). Coastal Barriers are unique landforms that serve as a protective barrier against the forces of wind and tidal actions caused by coastal storms. In addition, coastal barriers provide a protective habitat for a variety of aquatic species. The CBRA was initially enacted to reduce or restrict Federal actions that were believed to encourage development in certain undeveloped coastal barrier areas, including both islands and mainland property. While the CBRA and CBIA do not prevent private financing and development within the CBRS, they do limit financial assistance by federal agencies. Any form of expenditure of federal funds for a loan, grant, guarantee, insurance payment, rebate, subsidy, or any other form of direct or indirect Federal assistance within the CBRS is prohibited, with specific and limited exceptions.

The CBIA also established CBRS units designated as "Otherwise Protected Areas" (OPAs). OPAs are undeveloped coastal barrier within the boundaries of an area established under Federal, State, or local law, or held by a qualified organization, primarily for wildlife refuge, sanctuary, recreational, or natural resource conservation purposes. Within OPAs, only the issuance of new Federal flood insurance is prohibited. Federal flood insurance may be obtained for a structure is used in a manner consistent with the purpose for which the area is protected.

Areas to be added to the CBRS are identified by the Department of the Interior, U.S. Fish and Wildlife Service, and recommended to Congress. On the date that Congress approves additions to the CBRS, federal assistance prohibitions apply to the new areas. In cooperation with the Department of the Interior, the Federal Emergency Management Agency transfers the CBRS boundaries to the Coastal Barrier Resource System Properties listing.

Federal flood insurance is unavailable in CBRS areas for new construction or substantial improvements to existing structures occurring on or after the CBRS area's effective date. Federal flood insurance is available if the building was constructed (or permitted and under construction) before the CBRS area's effective date. If an existing insured structure is substantially improved or damaged, any Federal flood insurance policy will be canceled. If a Federal flood insurance policy is issued in error, it will be cancelled and the premium refunded: no claim can be paid, even if the error is not found until a claim is made.

After review of the, FEMA Coastal Barrier Resource System Properties listing for the State of Florida⁸ we have concluded that there are no Coastal Barriers within the project area.

5.7 Biotic Communities

An examination of the existing biotic communities in the proposed project area was accomplished by Environmental Services, Inc. to determine the significance of the development's impacts.

5.7.1 Vegetation

The project area consists of undeveloped, vegetated land. The vegetative communities are described below according to *Florida Land Use, Cover and Forms Classification System (FLUCFCS) Handbook (FDOT 1999)*.

1. Palmetto (FLUCFCS 321). A small xeric portion of the temperate hardwoods community has an inclusion of dense saw palmetto (*Serenoa repens*) dominating the groundcover where the canopy stratum is nearly lacking. Other dominant groundcover species include bracken fern (*Pteridium aquilinum*), dwarf huckleberry (*Vaccinium myrsinites*), and myrtle oak (*Quercus myrtifolia*). Sparse overstory shrubs include loblolly pine (*Pinus taeda*), staggerbush (*Lyonia ferruginea*) and sand live oak (*Q. geminata*).

2. Temperate Hardwood (FLUCFCS 425). The uplands within the project corridor vary slightly in composition throughout the site but can generally be described as temperate hardwood hammock and temperate forest. The saltmarsh shorelines that are characterized by this community type are dominated by live oak (*Q. virginiana*), southern red cedar (*Juniperus silicicola*), myrtle oak (*Q. myrtifolia*), Chapman oak (*Q. chapmanii*), yaupon holly (*Ilex vomitoria*), red bay (*Persea borbonia*) and slash pine (*P. elliotii*), while the remainder of the corridor includes laurel oak (*Q. hemisphaerica*), southern magnolia (*Magnolia grandiflora*), pignut hickory (*Carya glabra*), wax myrtle (*Myrica cerifera*), saltbush (*Baccharis angustifolia*), deerberry (*Vaccinium stamineum*), American holly (*I. opaca*), and cabbage palm (*Sabal palmetto*). Ground cover ranges from sparse to dense and includes saw palmetto, bracken fern, dwarf huckleberry, yaupon holly, and bitter gallberry (*I. glabra*) and cabbage palm seedlings.

⁸ Of the 33 listings in Florida on the Federal Emergency Management Agency's Coastal Barrier Resource Systems Properties, none are located in Nassau County. A listing of Florida's Coastal Barrier Resource System Properties is included in **Appendix 8**.

3. Live Oak (FLUCFCS 427). This community type is vegetated with the same components of the temperate hardwood community, with at least 66% canopy closure of live oak. This community occurs in portions of the island typically adjacent to salt marsh and temperate hardwoods. Other canopy species include slash pine, yaupon, dwarf huckleberry, wild olive (*Osmanthus americanus*) and American holly.

4. Ditch (FLUCFCS 510). An approximate 10-foot wide upland-cut drainage ditch crosses the proposed road corridor located in the northwestern portion of the airport property. The ditch drains surface water runoff from the airport property to the adjacent salt marsh. At the time of the surveys, the ditch contained ± 2 feet of standing water. The ditch is dominated with shrubby and herbaceous species including winged sumac (*Rhus copallinum*), wax myrtle, dog fennel (*Eupatorium capillifolium*), saltbush, blackberry (*Rubus sp.*), cattails (*Typha sp.*), sand cordgrass (*Spartina bakeri*), bushy bluestem (*Andropogon glomeratus*), Spanish-needles (*Bidens alba*), rush fuirena (*Fuirena suarrosa*), pennywort (*Hydrocotyl sp.*), smartweed (*Polygonum sp.*), soft rush (*Juncus effusus*), spike rushes (*Eleocharis spp.*), muscadine grapevine (*Vitis rotundifolia*) and green briars (*Smilax spp.*).

5. Salt Marsh (FLUCFCS 642). The salt marsh community is not located on the airport property, but is located just offsite to the west. Dominant vegetation includes typical salt marsh species including salt marsh cord grass (*Spartina alterniflora*), black needle rush (*Juncus roemerianus*), and sea oxeye daisy (*Borrchia frutescens*). The flats are dominated by saltwort (*Batis maritima*), salt grass (*Distichlis spicata*), seashore dropseed grass (*Sporobolus virginicus*), and glassworts (*Salicornia spp.*) interspersed with areas of barren sand. The ecotone between the salt marsh and the forested uplands is lined with southern red cedar, yaupon holly, live oak, saw palmetto and slash pine.

6. Airport (FLUCFCS 8193). A large percentage of the land traversed by the proposed access road corridor is disturbed by previous clearing activities, and is characterized as open grassy and successional growth areas associated with the airport property and runway clearings. These areas are treeless with low-growth shrubs where groundcover is the dominant stratum. Dominant species characterizing this land cover type are ruderal and include Bahia grass (*Paspalum notatum*), blackberry, winged sumac, wax myrtle, Spanish needles, bracken fern (*Pteridium aquilinum*), black cherry (*Prunus serotina*), smut grass (*S. indicus*), passion vine (*Passiflora foetida*), saltbush, bluestem (*A. virginicus*), bushy bluestem, spiderwort (*Tradescantia ohiensis*), and muscadine grapevine.

5.7.2 Wildlife

Biologists with Environmental Services Inc. surveyed the project area on 6 May and 7 May 2003 by walking transects across the property and inspecting the vegetative community types for any signs of wildlife.

Greater emphasis was placed on those areas that had been determined to have a higher probability of providing suitable habitat for designated wildlife species. In addition, several observation points were established within and adjacent to the project corridor. Each monitoring point consisted of 1-hour observation periods to note wildlife occurrences and activities. Locations of observed wildlife and/or signs of wildlife were noted.

Throughout the adjacent salt marsh community, fiddler crabs (*Uca* spp.), common yellowthroat (*Geothlypis trichas*), clapper rail (*Rallus longirostris*), great blue heron (*Ardea herodias*) and red-winged blackbirds (*Agelaius phoeniceus*) were prevalent. Several large flocks of white ibis (*Eudocimus albus*) and double-crested cormorants (*Phalacrocorax auritus*) were observed as fly-overs of the saltmarsh community. Red-winged blackbirds and wading bird species including the green heron (*Butorides virescens*) and yellow-crowned night heron (*Nycticorax violacea*) were observed foraging within the existing drainage ditch crossing the proposed roadway corridor; however, no nests of wading birds were observed in the ditch vegetation.

Several species of birds were observed in the uplands, including the northern cardinal (*Cardinalis cardinalis*), northern mockingbird (*Mimus polyglottos*), loggerhead shrike (*Lanius ludovicianus*), red-bellied woodpecker (*Melanerpes carolinus*), mourning dove (*Zenaida macroura*), fish crow (*Corvus ossifragus*), Carolina wren (*Thryothorus ludovicianus*), tufted titmouse (*Baeolophus bicolor*), back vulture (*Caragyps atratus*), turkey vulture (*Cathartes aura*) and various warblers. Also observed on site were several species of reptiles and mammals, including the green anole (*Anolis carolinensis*), southern black racer (*Columber constrictor priapus*), Florida cooter (*Pseudemys floridana floridana*), redbelly turtle (*Pseudemys rubriventris*), nine-banded armadillo (*Dasypus novemcinctus*), and gray squirrel (*Sciurus carolinensis*). Evidence of crayfish (*Procambarus* spp.), raccoon (*Procyon lotor*), and bobcat (*Lynx rufus*) were found on the site.

5.7.3 Endangered or Threatened Species

The assessment included an endangered species investigation to determine if the proposed entrance roadway to Crane Island would jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of such species. No threatened or endangered wildlife species were observed at the site during the wildlife survey.

Coordination with the USFWS to determine potential occurrences of threatened and endangered species and their critical habitat within the project vicinity was initiated⁹.

⁹ Letter dated 6/3/03 to Don Palmer, USFWS from Gary Howalt, ESI. No response was received. Correspondence contained in **Appendix 9**.

The original letter (**Appendix 9**) requesting a database search of potential threatened and endangered species was submitted to U.S. Fish and Wildlife Service (USFWS) on 3 June 2003. No written response was received, which we presume to infer that no potential impacts to threatened and endangered species or critical habitat would result from the proposed project. A second letter (**Appendix 9**) has been submitted to U.S. Fish and Wildlife Service requesting written verification that the project will not affect federally endangered species.

Based upon the survey of existing communities on-site combined with published literature regarding habitat and ecological characteristics of all endangered species with the potential to occur in Nassau County, it is Environmental Services' determination that the subject property has extremely low potential for the occurrence of threatened and endangered species. **Figure 6** lists the federally endangered and threatened species potentially occurring in Nassau County.

The only federally listed endangered species that has moderate potential to occur on the subject property is the wood stork (*Mycteria americana*). In addition, the literature search resulted in the reporting of the red-cockaded woodpecker (*Picoides borealis*) and eastern indigo snake (*Drymarchon corais couperi*) as species that have an extremely low probability of occurring within the project area. A discussion of each of these species, their habitat potential within the project site, and the potential project impacts to the species is discussed below.

A. Wood Stork (*Mycteria americana*)

The wood stork is listed as endangered by the US Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC). Wood storks require marsh habitats or open water with shallow marsh fringes for foraging and nesting. No wood storks were observed within the project corridor during the field surveys. Based on field observations and the background literature search, there is no known or reported wood stork nesting areas or rookeries within the project corridor or its immediate vicinity. The only potential foraging habitats available within the project vicinity for these birds are the existing drainage ditch and adjacent salt marsh. Natural drawdown of surface water elevations within the drainage ditch and the adjacent borrow lake during times of drought may tend to concentrate the aquatic prey base and serve as foraging areas. However, the potential for wood storks to use the drainage ditch as foraging habitat is expected to be low. The wood stork is a highly mobile species, and should it be present at times on the property, may be temporarily displaced to adjacent habitat during project construction. Therefore, adverse affects to the wood stork and its preferred habitat are not expected to result from the proposed construction activities.

B. Red-cockaded Woodpecker (*Picoides borealis*)

The red-cockaded woodpecker is listed as endangered by the USFWS and FFWCC. This species is known to occur in Nassau County, but no individuals or colony nest trees of this species were observed during field surveys of the project area, and none are reported in the vicinity of the project.

The range of this species coincides with the ranges of several species of southern pines, including longleaf pine; it is confined almost completely to mature to over-mature longleaf pine with an open park-like understory. This habitat type is not found within the immediate vicinity of the project corridor. Therefore, adverse affects to the red-cockaded woodpecker and its preferred habitat are not expected as a result from the proposed construction activities.

C. Eastern Indigo Snake (*Drymarchon corais couperi*)

The eastern indigo snake is listed as threatened by the USFWS and FFWCC. The indigo snake is a protected commensal species of gopher tortoises (*Gopherus polyphemus*) and their burrows. The project corridor contains areas of suitable gopher tortoise nesting habitat. The field surveys were specifically conducted to document gopher tortoise burrow occurrences; however, no tortoise burrows were encountered. No indigo snakes have been encountered within the site during the wildlife survey. Therefore, adverse affects to the eastern indigo snake are not expected as a result of the proposed project. A copy of the USFWS Standard Protection Measures for the Eastern Indigo Snake is included in **Appendix 10**.

Additional aquatic and wetland-dependent threatened and endangered species that are likely to use either the salt marshes adjacent to the project corridor or the adjacent Atlantic Intracoastal Waterway include the piping plover (*Charadrius melodus*), least tern (*Sterna antillarum*), green sea turtle (*Chelonia mydas*), hawksbill sea turtle (*Eretmochelys imbricata*), leatherback sea turtle (*Dermochelys coriacea*) and the West Indian manatee (*Trichechus manatus*). Habitat for these species is not found within the project area.

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Figure 6
Federally-listed Threatened and Endangered Species
Potentially occurring within Nassau County, Florida

Species	Federal Status ^a	State Status ^b	FNAI Presence ^c	Habitat ^d	Probability of Occurrence at Crane Island Entrance Road ^e
Reptiles					
Green Sea Turtle <i>Chelonia mydas</i>	E	E	N	Atlantic Ocean, estuaries	none
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i>	E	E	--	Atlantic Ocean, estuaries	none
Leatherback Sea Turtle <i>Dermochelys coriacea</i>	E	E	N	Atlantic Ocean, estuaries	none
Eastern indigo snake <i>Drymarchon corais couperi</i>	T	T	P	Moist habitats, pine flatwoods, xeric oak	Extremely Low
Birds					
Wood Stork <i>Mycteria americana</i>	E	E	C	Marshes, ponds, and cypress swamps	Moderate
Red-Cockaded Woodpecker <i>Picoides borealis</i>	E	T	P	Sandhill, scrubby flatwoods, mesic flatwoods	Extremely Low
Mammals					
West Indian Manatee <i>Trichechus manatus latirostris</i>	E	E	C	Estuaries, rivers, streams	None

^a U.S. Fish and Wildlife Service, 1995, 50 CFR IB Part 17.11, Endangered and threatened wildlife (Incorporate reclassification of candidate categories published in *Federal Register* 61(40), February 28, 1996.)
Verified by review of U.S. Fish and Wildlife Service web page, <http://northflorida.fws.gov/CountyList/Nassau.htm>, August 2002.
E = Endangered, T = Threatened

^b Wood Don A, 1997. Florida's Endangered Species, Threatened Species and Species of Special Concern: Official Lists. Tallahassee: Florida Game and Fresh Water Fish Commission. 14 p.
Verified by review of Florida Fish and Wildlife Conservation Commission web page, <http://www.floridaconservation.org/pubs/endanger.html>, August 2002.
E = Endangered, T = Threatened

^c Florida Natural Areas Inventory, 1997, County Distribution and Habitats of Rare and Endangered Species in Florida.
Verified by review of Florida Natural Areas Inventory web page, <http://www.fnai.org>, August 2002.
C = Confirmed, P = Potential, N = Nesting (based on nesting occurrences of sea turtles)

^d Florida Department of Transportation, State Topographic Bureau, Thematic Mapping Section. 1985. Florida Land Use, Cover and Forms Classification System (FLUCFCS). 79p.

^e Probability of occurrence based on biogeographic occurrence of the species and availability of habitat on the project site

5.8 Water Quality

Water quality standards are defined by federal, state, and/or local standards and classifications. Standards are based upon meeting specific criteria for physical, chemical, and biological characteristics. These include, but are not limited to: oxygen, PH, suspended solids, and natural elements. Standards are set for all containments in surface waters and are designed to protect water quality for many uses including: drinking water supply, wildlife, recreation, and shellfish harvesting. Water quality standards and regulations pertain to waters of the U.S., which are defined as: navigable waters, tributaries of navigable waters, interstate waters, and intrastate lakes, rivers, and streams.

The Clean Water Act of 1977 was established to restore and maintain the integrity of the Nation's waters. The Act's two fundamental goals are to eliminate discharge of pollutants into the Nation's waters and achieve water quality levels that are suitable for fishing and swimming. The Clean Water Act provides the Environmental Protection Agency (EPA) with the authority to: establish water quality standards and provide for State permit certification, control discharges into surface and subsurface waters, develop waste treatment management plans, practices, and treatment works, and issue permits for discharges and dredged and fill material.

The effects to water quality as a result of the proposed project include an increase in stormwater runoff from increased impervious surface area. These effects will be managed using best management practices and stormwater detention ponds as required by St. Johns River Water Management District. It is noted that detention ponds rather than retention ponds are being used to minimize wildlife (specifically bird) attractants.

The storm water design for the proposed roadway provides for dry-detention drainage grassed swales and grassed dry-detention drainage basins that have been designed to hold stormwater for short periods and minimize ponding within the storm event and meet St. Johns River Water Management District requirements. **Appendix 6** provides draft statements regarding design of entrance roadway to Crane Island and Hazardous Wildlife Attractants.

5.9 Wild and Scenic Rivers

The Wild and Scenic Rivers Act, defines wild and scenic rivers as possessing: "outstandingly remarkable scenic, recreational geological, fish and wildlife, historic, cultural, or similar values." The Act also specifies that "selected rivers that possess outstandingly remarkable values shall be preserved in free flowing condition and that they and their environments shall be protected for the benefit and enjoyment of present and future generations." The Wild and Scenic Rivers Act also classifies wild and scenic rivers as areas free of impoundments and accessible by trail only. Their watersheds and shorelines are predominately primitive and undeveloped and their waters are unpolluted.

Adverse impacts to designated wild and scenic rivers potentially resulting from development could include: changes in the free flowing nature of the river, changes in noise levels or viewscape, impacts to water quality, and changes in property ownership without adequate restrictions to protect the river or its surrounding environment.

After obtaining a list of Wild and Scenic Rivers from the National Park Service, the only Wild and Scenic Rivers listed in Florida are the Wekiva River and the Loxahatchee River; neither of which are near the project site.

5.10 Air Quality

U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (DEP) establish legal limitations on pollutant concentration levels allowed to occur in the ambient air, or ambient air quality standards for six pollutants: carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. Two types of national ambient air quality standards (NAAQS) have been established by the EPA for the six criteria air pollutants.

All areas within the state are designated with respect to each of the six pollutants as “attainment” in compliance with the standards, “non-attainment” not in compliance with the standards, or “unclassifiable”, insufficient data to classify. All areas of Florida are now attainment areas¹⁰.

The proposed project will not introduce any stationary sources. Mobile sources will be introduced based on the projected vehicle use of the roadway system. Upon build-out of the planned development of Crane Island, an estimate of 2,486 daily vehicular trips (i.e.; personal automobiles) would be generated¹¹ on the entrance roadway to Crane Island. The vehicular traffic anticipated for Crane Island is assumed to occur at other areas in the Fernandina Beach area in the absence of Crane Island development. Thus, the increases in mobile sources for this project are presumed to conform with the Clean Air Act Amendments and the requirements of the Florida State Implementation Plan.

Federally-sponsored airport development must conform with the Florida State Implementation Plan. However, this project is not being federally sponsored and is within an area of attainment; thus, the general conformity rule is not applicable. No air quality modeling has been developed.

¹⁰ 2001 Air Monitoring Report published by Florida Department of Environmental Protection, page 1-2.

¹¹ Trip generation developed by Glatting, Jackson, Kercher, Anglin, Lopez, Rinehart, Inc. Orlando, FL for Civitas and includes build out of single family units, townhouses, and marina.

5.11 Socioeconomic Impacts

Aviation development actions affect not only the natural environment, but also the human environment. These effects on the human environments are generally classified under the heading “socioeconomic impacts.” In total, the term “socioeconomic” encompasses an extremely broad spectrum of areas of evaluation. In addition, socioeconomic impacts may be either a direct result of development or an induced or secondary result of development.

Direct impacts are distinguished from indirect impacts in that they are more immediate and easier to predict and quantify because they are confined to a precise geographical area and occur within a specified time frame. Conversely, indirect impacts involve estimates as to what may or should happen over an indeterminate period. Direct socioeconomic impacts, may include, but are not limited to the following¹²:

- Relocation of residences and/or businesses.
- Alterations in transportation patterns which may permanently or temporarily restrict traditional community access.
- Highway transportation improvements required due to the development action.
- Loss or degradation of parks, recreation areas, schools, and other facilities or amenities contributing to the quality of community life.
- The economic impacts associated with the jobs created to construct and operate the facility, goods or services purchased to operate the facility, and the tax revenues generated by facility operations.
- Use of public services or on-site developed facilities for water supply, sewage disposal and solid waste disposal.

Socioeconomic impacts consider the relocation of residences and businesses and other community disruption, including the alteration of surface transportation patterns. The region of influence (ROI) is the neighborhoods and social institutions and services of the region immediately surrounding the airport. The following paragraphs provide background regarding the social environment.

Fernandina Beach Municipal Airport is located within Nassau County. For statistical purposes, the U.S. Census Bureau defines Nassau County part of the Jacksonville, Florida Metropolitan area. Overall, Nassau County had a population of 57,663 people in 2000, representing a 31.2% increase from 1990 (U.S. Census Bureau). The Nassau County area is forecasted to experience continued population growth and expansion. Population projections for 2010 are 73,019 people and for 2015 are 80,559 people (Nassau County Chamber of Commerce). Population data for Nassau County is compared in **Figure 7**.

¹² Environmental Assessment of Airport Development Actions, Department of Transportation, March 1977.

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Nassau County covers 652 square miles and has a population density of approximately 88.5 people per square mile. As stated Nassau county has a total population of 57,663 people and is 90.0 % white; 7.7% black; 1.5% Hispanic; .5% Asian; .4% American Indian or Alaska Native; and 1% multi-racial, which includes persons reporting two or more races.

Figure 7
Population Demographic Data for Nassau County

RACE – Total Population	57,663	100.00
One race	57,086	99.0
White	51,909	90.0
Black or African American	4,465	7.7
American Indian and Alaska Native	246	0.4
Asian	263	0.5
Asian Indian	33	0.1
Chinese	31	0.1
Filipino	82	0.1
Japanese	21	0.0
Korean	31	0.1
Vietnamese	22	0.0
Other Asian ¹	43	0.1
Native Hawaiian and Other Pacific Islander	18	0.0
Native Hawaiian	9	0.0
Guamanian or Chamorro	6	0.0
Samoan	0	0.0
Other Pacific Islander ²	3	0.0
Some other race	185	0.3
Two or more races	577	1.0

Source: U.S. Census Bureau 2001

The proposed project is not expected to cause adverse social or socioeconomic impacts on the communities surrounding the airport. Since the Proposed Project involves limited roadway construction on undeveloped land within the airport property line, the project will not result in the relocation of residences, disrupt established communities, planned development, or involve the relocation of businesses. Impacts on businesses, recreational areas, community institutions, social services, surface transportation patterns, and emergency vehicle response time would not be significantly affected by the proposed project.

The development of the Crane Island Access Roadway is not expected to change patterns of population movement and growth, or change patterns of business and economic activity as a result of the development of the roadway. Public service demands are likely to increase nominally in the area to support the future residential and commercial development of Crane Island.

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Upon build-out of the planned development of Crane Island, an estimate of 2,486 daily vehicular trips (i.e.; personal automobiles) would be generated¹³ on the entrance roadway to Crane Island. The vehicular traffic anticipated for Crane Island is assumed to occur at other areas in the Fernandina Beach area in the absence of Crane Island development.

5.12 Environmental Justice

The EPA defines environmental justice as “fair treatment for people of all races, cultures, and incomes, regarding the development of environmental laws, regulations, and policies.” In general, certain sections of the population should not disproportionately bear the burden of exposure to environmental hazards and EPA recognizes that certain groups may have been excluded from decision – making processes that affect their environment.

Employment in Nassau County for 2000 equaled 44,957 people¹⁴. Figure 8 shows how these jobs are divided by area of employment in terms of actual jobs. The two most significant job types in the County, based on total positions, are related to education, health, social services, and manufacturing.

**Figure 8
Nassau County Employment 2000**

EMPLOYMENT STATUS		
Population 16 years and over	44,957	100.0
INDUSTRY		
Agriculture, forestry, fishing and hunting, and mining	374	1.4
Construction	2,920	10.8
Manufacturing	3,413	12.6
Wholesale trade	1,149	4.2
Retail trade	3,015	11.1
Transportation and warehousing, and utilities	2,120	7.8
Information	529	2.0
Finance, insurance, real estate, and rental and leasing	1,916	7.1
Professional, scientific, management, administrative, and waste management services	2,007	7.4
Educational, health and social services	3,841	14.2
Arts, entertainment, recreation, accommodation and food services	3,118	11.5
Other services (except public administration)	1,091	4.0
Public administration	1,620	6.0

Source: U.S. Census Bureau 2001

¹³ Trip generation developed by Glattig, Jackson, Kercher, Anglin, Lopez, Rinehart, Inc. Orlando, FL for Civitas and includes build out of single family units, townhouses, and marina.

¹⁴ U.S. Census Bureau 2001

Since the proposed project will occur within the airport property boundary, it is not expected to result in any adverse human health or environmental effects to minority populations. Employment at the airport is not anticipated to rise due to the new vehicular roadway, thus the Proposed Project will not cause appreciable change in permanent employment levels within the County.

5.13 Hazardous Materials and Solid Waste

According to the EPA, solid waste is defined as “any garbage, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material, resulting from industrial, commercial, mining, and agricultural operations and from community activities.”

Four primary laws have been passed governing the handling and disposal of hazardous materials, chemicals, substances, and waste. The two statutes most applicable to projects at airports are the Resource Conservation Act (RCRA, as amended by the Federal Facilities Compliance Act of 1992) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (also known as Superfund). RCRA governs the generation, treatment, storage, and disposal of hazardous wastes. CERCLA provides for cleanup of any release of a hazardous substance (excluding petroleum) into the environment.

It is noted that there exists a recycling station outside of the airport property but adjacent to the proposed right-of-way. The development of the right-of-way should have no impact on this existing facility. There are no known hazardous waste sites within the limits of the proposed project. The development of the proposed roadway is not expected to generate, treat, store or dispose of solid waste.

5.14 Noise

The analyses of noise considers the effects of aircraft noise on residents/dwellings and noise sensitive activities at other places such as schools, hospitals, nursing homes, churches, auditoriums, outdoor amphitheaters and concert halls. A variety of noise metrics are used to assess noise impacts in different ways. Noise metrics are used to describe individual noise events or groups of events, such as:

- The Decibel, dB - Sound pressure level is a measure of the sound pressure of a given noise source relative to a standard reference value. Sound pressure levels are measured in decibels (dB). Decibels are logarithmic quantities – the logarithms of the ratio of the two pressures, the numerator being the pressure of the sound source of interest, and the denominator being the reference pressure.

- A-Weighted Decibel, dBA - Frequency, or pitch, is an important characteristic of sound. When analyzing noise, it is of interest to know how much is low-, middle-, and high-frequency noise. Human ears are better equipped to hear middle and high frequencies; mid- and high-frequency noises are more annoying. High-frequency noise also produces more hearing loss. Engineering solutions to noise problems are different for different frequency ranges. The normal frequency range of hearing for most people extends from about 20 to 15,000 Hertz (Hz). The “A” filter approximates the sensitivity of the human ear and helps in assessing the perceived loudness of various sounds.
- Equivalent Sound Level, *Leq* - The Equivalent Sound Level (*Leq*) is a measure of the exposure resulting from the accumulation of A-weighted sound levels over a particular time period of interest.
- Conceptually, *Leq* may be thought of as a constant sound level over the period of interest that contains as much sound energy as the actual time-varying sound level with its normal peaks and valleys.
- Day-Night Sound Level - The Day-Night Sound Level (DNL) represents noise as it occurs over a 24-hour period. It is the same as a 24-hour equivalent sound level (*Leq*), with one important exception; DNL treats nighttime noise differently than daytime noise. The equivalent sound level is the log of the average value of the sound during a stated time period.

The DNL metric is recommended by the Federal Interagency Committee on Noise (FICON) as the primary metric for determining aircraft noise exposure. The EPA in its *Guidelines for Noise Impact Analysis* (1982) recommends DNL as the primary measure of general audible noise for land use compatibility planning, and the metric to be used to relate noise in residential environments to chronic annoyance by speech interference and in some part by sleep and activity interference.

Reynolds, Smith and Hills, Inc. developed noise contours in support of the Fernandina Beach Municipal Airport, Airport Layout Plan Update¹⁵. The noise contours developed were based on existing aircraft operations in 1999 and are depicted in **Figure 9**. The overall acreage of land contained within the 55 DNL contour is approximately 602.5 acres. In the vicinity of the proposed project, noise contours depicted in **Figure 9** illustrate that the 55 dnl contours are contained within the airport property.

The current 10-year forecast presented in the FAA’s Terminal Area Forecast (TAF) for Fernandina Beach Municipal Airport (55J) includes 47,000 annual operations (flat line projection) and no forecasted jet operations. According to FAA Order 5050.4A, Airport Environmental Handbook, no noise analysis is needed where forecasts do not exceed 90,000 annual adjusted propeller operations or 700 annual adjusted jet operations.

¹⁵ Fernandina Beach Municipal Airport, Airport Layout Plan Update, 1999 Technical Report, Reynolds, Smith and Hills, Inc.

**Refer to Oversized Plan Sheet
For Figure 9 – Noise Contours from ALP Set**

The estimated vehicular trips generated by the complete development of Crane Island¹⁶ is estimated to be 35 vehicle trips “in” during morning hours, and 62 vehicle trips “out” in morning hours. Similarly, in evening hours, a complete build-out of development would anticipate 145 vehicle trips “in” and 81 vehicle trips “out”. This level of vehicular activity is not estimated to impact any surround community or increase the audible noise at the airport.

The proposed roadway project will not result in any increase in airport operations (types and number of aircraft used, runway layout, and runway utilization). The proposed roadway project will not individually or cumulatively introduce noise to a previously unaffected area, or significantly increase noise over a noise sensitive area. Therefore, no noise impacts are expected to occur as a result of the implementation of the proposed road.

The Consent Order (See **Appendix 1**, Item 8) required that prior to the commencement of construction of the proposed access roadway to Crane Island and prior to any development or sale of any lot(s), an avigation easement will apply to all development and conveyances on Crane Island. A draft of the Avigation Easement is attached in **Appendix 11**.

5.15 Natural Resources and Energy Supply

Current airport utilities are provided from a combination of municipal and on-site sources. Electric power is supplied by Florida Public Utilities and water is supplied from an on-site well.

The proposed roadway is not expected to use water or energy supply; although construction activities will require water for testing during construction. The proposed roadway that is located on airport property is not anticipated to have street lighting except for some bollard-type lighting in the bridge approach to Crane Island. The security fence proposed to prevent inadvertent entrance and secure the airport property is not anticipated to use any natural resources or energy supply. Thus, no impacts to natural resources and energy supply are anticipated by the proposed project.

5.16 Light Emissions and Visual Impacts

The primary sources of light emissions from airports are the FAA required lighting for security, obstruction clearance, and navigation. An analysis of the impact of light emissions on the surrounding environment is required when proposed projects include the introduction of new lighting that may affect residential or other sensitive land uses. Only in unusual circumstances, such as when high intensity strobe lights shine directly into a

¹⁶ Trip generation developed by Glatting, Jackson, Kercher, Anglin, Lopez, Rinehart, Inc. Orlando, FL for Civitas and includes build out of single family units, townhouses, and marina.

residence, is the impact of light emissions considered sufficient to warrant a special study and planning measures to reduce such impacts.¹⁷

Airport improvement activities involving potential disruption of the natural environment or aesthetic integrity of the area or any activities that may affect sensitive locations such as parks, historic sites, or other public use areas are relevant visually. Airport improvement activities should be consistent with the goals and objectives of the Airport Master Plan to preserve views of the area. The City of Fernandina Beach is using the proposed roadway in its further development of park areas on airport property; thus, no visual impacts are anticipated as a result of the proposed project.

The proposed project does not create increased or intrusive light emissions that affect sensitive off-airport land uses or aircraft operations as no high-mast or pole roadway lighting is proposed for the project. There will be some bollard-type lights to illuminate the bridge approach to Crane Island; however these lights will not present an intrusive light emission to air navigation.

5.17 Construction Impacts

Construction impacts are caused by and confined to the construction period. Consequently, they are short term in nature, terminating with the completion of construction operations and restoration of the project site. Construction impacts can be identified within each impact category. Impacts related to construction activities generally occur in seven general categories: contractor staging areas, noise, air quality, solid waste, roadway use, water quality, and excess stockpiling.

The construction area of the proposed project will be encompassed outside of the active operations area (AOA) of the airport and includes the development of a fenced perimeter. Contractor staging areas and stockpiles are to be located on airport property and will not affect the surrounding community.

Noise impacts are generally localized at the vicinity of the construction site. Earthmoving equipment, asphalt pavers and other construction machinery and vehicles will create localized increases in noise levels. These temporary noise impacts should not disrupt normal airport operations or the surrounding community. Construction activities are to be limited from sunrise to sunset, so any noise associated with construction should be minimal on surrounding communities and park facilities.

Construction activities will generate solid waste. Dumpsters will be located in the construction area for proper onsite disposal of construction-generated waste. A

¹⁷ Airport Environmental Handbook, FAA 5050.4A, Page 55.

contracted solid waste disposal company will haul the materials offsite for either land-filling or for another appropriate disposal method.

During the construction period, construction-related vehicles will be traversing Bailey Road and other public roadways to deliver materials and equipment and to transport construction workers to their job sites. The increase in roadway use will be managed to avoid significant disruption to local traffic patterns. Local roadways including Amelia Island Parkway and Bailey Road will be the main access for the contractor, contractor employees, and deliveries to the site since the south end of Bailey Road is the beginning of the proposed project. Construction is anticipated to take approximately eight (8) months. The construction activities will not affect vehicular or aircraft operations at the airport.

Construction activities have the potential to cause erosion and sedimentation that can impact water quality. Erosion control measures (e.g., silt fences and stormwater detention ponds) as required by the SJRWMD will be implemented to minimize offsite transport of soils from construction areas.

Air quality emissions expected to be generated by construction equipment will be temporary and limited to the duration of the construction project. Dust control is important for airport construction activities because light reflecting off of dust particles at night jeopardizes aircraft safety. Fugitive dust emissions from surface construction will be kept at a minimum by using best management practices.

Lighting requirements during construction activities are not anticipated to create hazardous wildlife attractions or impact aircraft operations. Any required stockpile area will be located outside of the runway's primary surface areas. The stockpile area will be re-vegetated after completion of the roadway.

Safety during construction is a primary consideration. A safety during construction plan will be developed as part of the construction plan documents consistent with the advice of FAA Advisory Circular 150/5370-2E *Operational Safety on Airports During Construction*. This safety plan will also review the potential for and ways to minimize hazardous wildlife attractants during construction.

There will be no adverse impacts due the construction phase of the proposed project; therefore mitigation measures will not be required.

5.18 Cumulative Impacts

The Council on Environmental Quality's (CEQ) regulations implementing NEPA define cumulative impacts as, "the impact on the environment which results from the incremental impact of an action when added to other past, present, and reasonably

*Environmental Assessment – Access Roadway to Crane Island
Fernandina Beach Municipal Airport, FL*

foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions.”

The only additional construction that is anticipated in the area of the proposed project is the development of a restricted access perimeter roadway inside the security fence, which is illustrated on the airport’s ALP. This additional development is unlikely to have significant impacts and would itself typically be considered categorically excluded by the FAA from environmental assessment.

6.0 List of Preparers

The following firms and persons participated in the development of this document:

Montgomery Consulting Group, Inc.

- Monty Gettys, Senior Planner responsible for overall project management, purpose and need, and environmental impact analysis
- Nicole Hale, Planner responsible for environmental impact analysis

Environmental Services, Inc.

- Gary Howalt, Senior Environmental Scientist responsible for wetland coordination with Corps of Engineer and St. Johns River Water Management District
- Cara Connolly, Biologist responsible for biotic communities

7.0 List of Agencies

The following groups/agencies received this document:

- City of Fernandina Beach, Fernandina Beach, FL – Contact: Robert T. Mearns
- Civitas LLC, Mt. Pleasant, SC – Contact: Macon Toledano
- FAA – Airports District Office, Orlando, FL – Contact: Bonnie Baskins
- FDOT – District 2 , Lake City, FL – Contact: Roland Luster
- State of Florida – Department of Environmental Protection – Florida State Clearinghouse, Tallahassee, FL- Contact: Lauren Milligan

See Figure 10

**Proposed Ybor Alvarez Sports Complex
And Proposed Access Road**

**Exhibit N Environmental and Cultural Resources Assessment
(Includes Topographic and Soils Maps)**

ENVIRONMENTAL AND CULTURAL RESOURCE ASSESSMENT

**CRANE ISLAND
NASSAU COUNTY, FLORIDA**

June 2005

For

**The Owners of Crane Island
159 Civitas Street
Mt. Pleasant, South Carolina 29464**



**ENVIRONMENTAL SERVICES, INC.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256
904-470-2200**

I. INTRODUCTION

Environmental Services, Inc., (ESI) has completed an environmental and cultural assessment of Crane Island in Nassau County, Florida to address potential environmental constraints associated with the proposed future land use map amendment and zoning amendment. Specifically, this assessment included a review of the constraints to development of the parcel from wetlands, threatened and endangered species, and cultural resources.

Crane Island is approximately ± 207.44 acres primarily located in Sections 6, 19, and 49, Township 02 North, Range 28 East, Nassau County, Florida (Figure 1). The island is located just west of Fernandina Beach Municipal Airport along the Atlantic Intracoastal Waterway.

II. SITE DESCRIPTION

A. Soils

The *Soil Survey of Nassau County, Florida* (USDA 1991), indicates the presence of four soil types within the property (Figure 2). A description of each soil type, as mapped, is listed below.

1. Arents, nearly level (2). The Arents soil classifications include dredge soil and spoil material that contains fine sand and fragments of loamy material and dark sandy subsoil material. On the site, this soil type is mapped within three distinct lobed-shaped protrusions along the eastern side of the island.

2. Leon fine sand (9). This poorly drained soil is typically found in flatwoods and maintains a high water table at or around six to 18 inches from the surface for ten months (January through October) out of the year. Leon fine sand is mapped throughout the island.

3. Leon fine sand, tidal (19). Leon fine sand is tidal, nearly level, very poorly drained soil that occurs in narrow marshes bordering pine flatwoods. Within the project site, this soil type is mapped along the eastern wetland boundaries and within the northwestern edges of the island. The seasonal high water table within this soil unit ranges between the surface and six inches from the surface for twelve months out of the year.

4. Tisonia mucky peat, frequently flooded (28). Tisonia muck peat is a nearly level, very poorly drained soil that is found in broad, tidal marshes. This soil unit is subject to daily tidal inundation and is found surrounding the project site within the adjacent salt marsh community.

B. Topography

The U.S. Geological Survey topographical map for this area (Amelia City, 1992) identifies the site as having elevations within the +5 NGVD topographic interval (Figure 1). Site-specific topographical information indicates that the site slopes gently from central portions of the island (± 8 NGVD) eastward towards the adjacent salt marsh (± 3 NGVD) and westward toward the Atlantic Intracoastal Waterway. Two isolated depressional wetlands are found within the interior of the island. These wetlands receive drainage from the immediately surrounding uplands.

C. Vegetation

The project area consists of undeveloped, vegetated land. The vegetative communities are described below according to *Florida Land Use, Cover and Forms Classification System (FLUCFCS) Handbook (FDOT 1999)*.

1. Temperate Hardwood (FLUCFCS 425). The uplands on the island vary slightly in composition throughout the site but can generally be described as temperate hardwood hammock and temperate forest. The spoil areas located on the eastern side of the island are dominated by southern red cedar (*Juniperus silicicola*), Chapman oak (*Quercus chapmanii*), slash pine (*Pinus elliottii*), and live oak (*Q. virginiana*), while the remainder of the island also includes laurel oak (*Q. hemisphaerica*), southern magnolia (*Magnolia grandiflora*), American holly (*Ilex opaca*), pignut hickory (*Carya glabra*), and cabbage palm (*Sabal palmetto*). Ground cover ranges from sparse to dense and includes saw palmetto (*Serenoa repens*), bracken fern (*Pteridium aquilinum*), yaupon holly (*Ilex vomitoria*), and bitter gallberry (*Ilex glabra*).

2. Oak-Pine-Hickory (FLUCFCS 423). This community type is vegetated with the same components of the temperate hardwood community, with a higher percentage of pines, including slash pine (*P. elliotti*) and loblolly pine (*P. taeda*), represented in the canopy. This community typically occurs in portions of the island adjacent to salt marsh.

3. Inland Ponds and Sloughs (FLUCFCS 616). This community type is defined as depressions and drainage areas not associated with streams or lakes. Depressions on the island, though vegetatively diverse, fall under this general category of freshwater wetlands. A small depression in the northern central portion of the property contains a small pit of open water covered with duckweed (*Lemna* spp.), surrounded by royal fern (*Osmunda regalis*), sand cord grass (*Spartina bakeri*), and slash pine. A wetland found in the southern portion of the property contained no standing water, but did show evidence of ponding. Vegetation surrounding this depression includes Carolina willow (*Salix caroliniana*), soft rush, poison ivy (*Toxicodendron radicans*), and black cherry (*Prunus serotina*).

4. Salt Marsh (FLUCFCS 642). The island is bordered to the east and south by tidal salt marsh and salt flats. Dominant vegetation includes typical salt marsh species including salt marsh cord grass (*Spartina alterniflora*), black needle rush (*Juncus roemerianus*), and sea oxeye daisy (*Borrchia frutescens*). Interspersed with areas of barren sand, the flats are dominated by saltwort (*Batis maritima*), salt grass (*Distichlis spicata*), seashore dropseed grass (*Sporobolus virginicus*), and glassworts (*Salicornia* spp.). The upper reaches of the salt marsh, including a narrow area that reaches between the main island and the spoil area, transition into brackish marsh. These areas are vegetated with sea oxeye daisy, sand cord grass, and soft rush (*Juncus effusus*). The ecotone between the salt marsh and the forested uplands is lined with southern red cedar, yaupon holly, and slash pine.

III. WETLANDS

ESI evaluated the site for the presence and extent of federal and state jurisdictional wetlands in accordance with the unified statewide methodology for the delineation of wetlands and surface waters endorsed by the Florida Department of Environmental Protection (FDEP) and the St. Johns River Water Management District (SJRWMD), specified in Chapter 62-340, F.A.C., as well as the U.S. Army Corps of Engineers (CE) 1987 *Wetland Delineation Manual* and its revisions. Based on several site visits conducted during a period from 2001 to 2003, the wetland communities have been identified and described above. The island is bordered on two sides by tidal salt marsh and flats, and to the west by the Atlantic Intracoastal Waterway. Two small, isolated depressions are found within the interior of the site.

Portions of the wetland lines on the property associated with the development of the entrance road have been reviewed and approved by the regulatory agencies. Site visits were conducted with representatives from SJRWMD on 23 June 2003 and from CE on 4 August 2003. Authorizations were obtained from SJRWMD (Permit No. 40-089-88705-1) and CE (No. 200304783 (NP-RLW)) to construct two bridge crossings to access the island from the Fernandina Municipal Airport property. These permits authorized the shading of 0.18 acre of salt marsh wetlands.

The two small depressions found on the interior of the site are both isolated and less than one-half acre in size. At this time, CE does not exert jurisdiction over isolated wetlands that are located more than 200 feet from waters of the United States or water bodies that have an ordinary high water feature; both these areas appear to fit this criteria. SJRWMD does exert jurisdiction over isolated wetlands less than one-half acre in size, however, mitigation is typically not required if the wetlands do not provide habitat for listed wildlife species. These wetlands do not provide habitat for any known, listed wildlife species. Therefore, if the proposed development were to affect these isolated areas, a permit would not be required from CE, and no mitigation would be required from SJRWMD.

IV. CULTURAL RESOURCES

An archaeological investigation of Crane Island was initiated in 1988 and completed in 1999. Two archaeological sites were identified, 8NA059 and 8NA107. Data recovered from these sites was compiled into a report and submitted to the State Historic Preservation Officer in 1999. A clearance letter was issued by SHPO in April 1999 stating the proposed development would have no effect on historic properties.

V. ENDANGERED AND THREATENED SPECIES

ESI biologists completed a comprehensive protected wildlife species assessment on Crane Island in May 2001 and several subsequent confirmatory site visits both on the site and on adjacent land to re-verify the findings of the original survey. The survey was performed to review communities within the project area for potential presence of or use by threatened or endangered species, pursuant to the rules and regulations of the following agencies:

Nassau County Land Development Review Regulations, Site Development Requirements (Section 5.3.2.p)

Florida Fish and Wildlife Conservation Commission (FFWCC) (Chapter 39 F.A.C.)

U.S. Fish and Wildlife Service (USFWS) (50 CFR 17)

A review of existing published information assisted in characterizing current conditions on the project site. These sources include the *Soil Survey of Nassau County, Florida* (USDA 1991), *Florida Land Use, Cover and Forms Classification System (FLUCFCS) Handbook* (FDOT 1999), official lists of Florida's endangered species, threatened species, and species of special concern (FGFWFC 1997), and color aerial photography obtained from the Florida Department of Environmental Protection.

Prior to review of the project area, a list of federally listed and state-listed endangered and threatened wildlife species potentially occurring in Nassau County was developed (USFWS 2000, FGFWFC 1997, FNAI 1997). The list was then reviewed to identify the habitats used by each animal. Potential designated species habitats were identified before the site visit by reviewing aerial photography of the property and consulting the *Soil Survey of Nassau County, Florida*. Project area habitats were evaluated for their potential to support listed species, and a list of species potentially found on the project site was compiled. Following this review, a survey for threatened and/or endangered species and suitable protected species habitats was completed on the project site.

Biologists with ESI surveyed the project area on 17 May 2001 by walking transects across the property and inspecting the vegetative community types for any signs of wildlife. Greater emphasis was placed on those areas that had been determined to have a higher probability of providing suitable habitat for designated wildlife species. Locations of observed wildlife and/or signs of wildlife were noted. Throughout the salt marsh community, fiddler crabs (*Uca* spp.) and

red-winged blackbirds (*Agelaius phoeniceus*) were prevalent. Several species of birds were observed in the uplands, including the northern cardinal (*Cardinalis cardinalis*), northern mockingbird (*Mimus polyglottos*), red-bellied woodpecker (*Melanerpes carolinus*), mourning dove (*Zenaida macroura*), and various warblers. Also observed on site were several species of reptiles and mammals, including the American alligator (*Alligator mississippiensis*), nine-banded armadillo (*Dasypus novemcinctus*), raccoon (*Procyon lotor*), and gray squirrel (*Sciurus carolinensis*). Evidence of crayfish (*Procambarus* spp.), white-tailed deer (*Odocoileus virginianus*), and bobcat (*Lynx rufus*) were also found on the site. No threatened or endangered wildlife species were observed at the site during the wildlife survey.

The eastern indigo snake (*Drymarchon corais couperi*), a threatened species, could occupy portions of the mesic, forested habitat. It is typically found as a commensal species of the gopher tortoise (*Gopherus polyphemus*), a burrowing reptile that occupies dry upland sites; however, no gopher tortoises or burrows were observed within the project site. No eastern indigo snakes were observed on site.

The wood stork (*Mycteria americana*) is known to nest in northeast Florida, although no nesting sites were observed in the project vicinity. No wood storks were observed during field studies, and their occurrence in the project area would be confined to habitat use for feeding in the salt marsh and adjacent tidal flats. During high tide, the salt flats are mostly inundated, and several species of birds were observed foraging, including the great blue heron (*Ardea herodias*), great egret (*Ardea alba*), tricolored heron (*Egretta tricolor*), and the laughing gull (*Larus atricilla*), indicating that suitable foraging habitat for birds exists in the salt marsh surrounding the island.

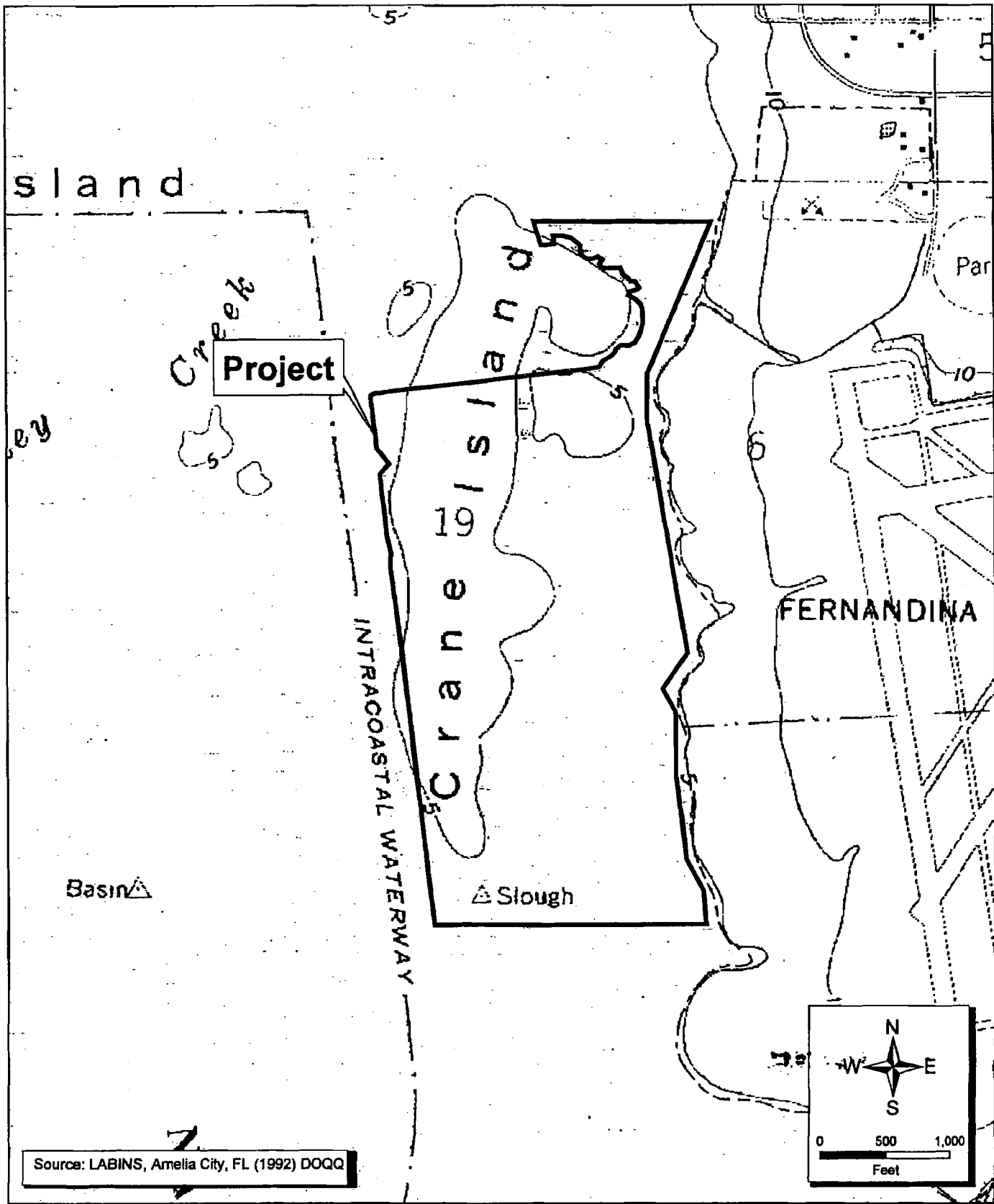
The red-cockaded woodpecker (*Picoides borealis*) also is known to occur in Nassau County, but none were observed during field surveys of the project area and none are reported in the vicinity of the project. The range of this species coincides with the ranges of several species of southern pines, including longleaf pine; it is confined almost completely to mature to over-mature longleaf pine with an open understory. No areas of this habitat are found on the site to support red-cockaded woodpeckers in the project area.

Other threatened and endangered species that are known to exist in Nassau County and occupy upland communities, including the peregrine falcon (*Falco peregrinus*) and the southeastern American kestrel (*Falco sparverius paulus*), are not likely to be found in the project site due to the lack of optimal habitat. The on-site communities do not include these species' preferred habitats in large enough areas to support a population, and no evidence of these species was observed on site.

Additional protected species (aquatic and wetland-dependent) that are likely to use either the salt marshes adjacent to the island or the adjacent Atlantic Intracoastal Waterway include two species of birds, the piping plover (*Charadrius melodus*) and the least tern (*Sterna antillarum*), and one mammal, the West Indian manatee (*Trichechus manatus*). Although no manatees were observed during the survey, the manatee is known to occur in Nassau County and travel along the Intracoastal Waterway and the adjacent tidal creeks throughout the warmer months of the year. The least tern and the piping plover are more likely to be found along beach dunes and beach sands, although these species are classified as using both salt marsh and tidal flats for foraging.

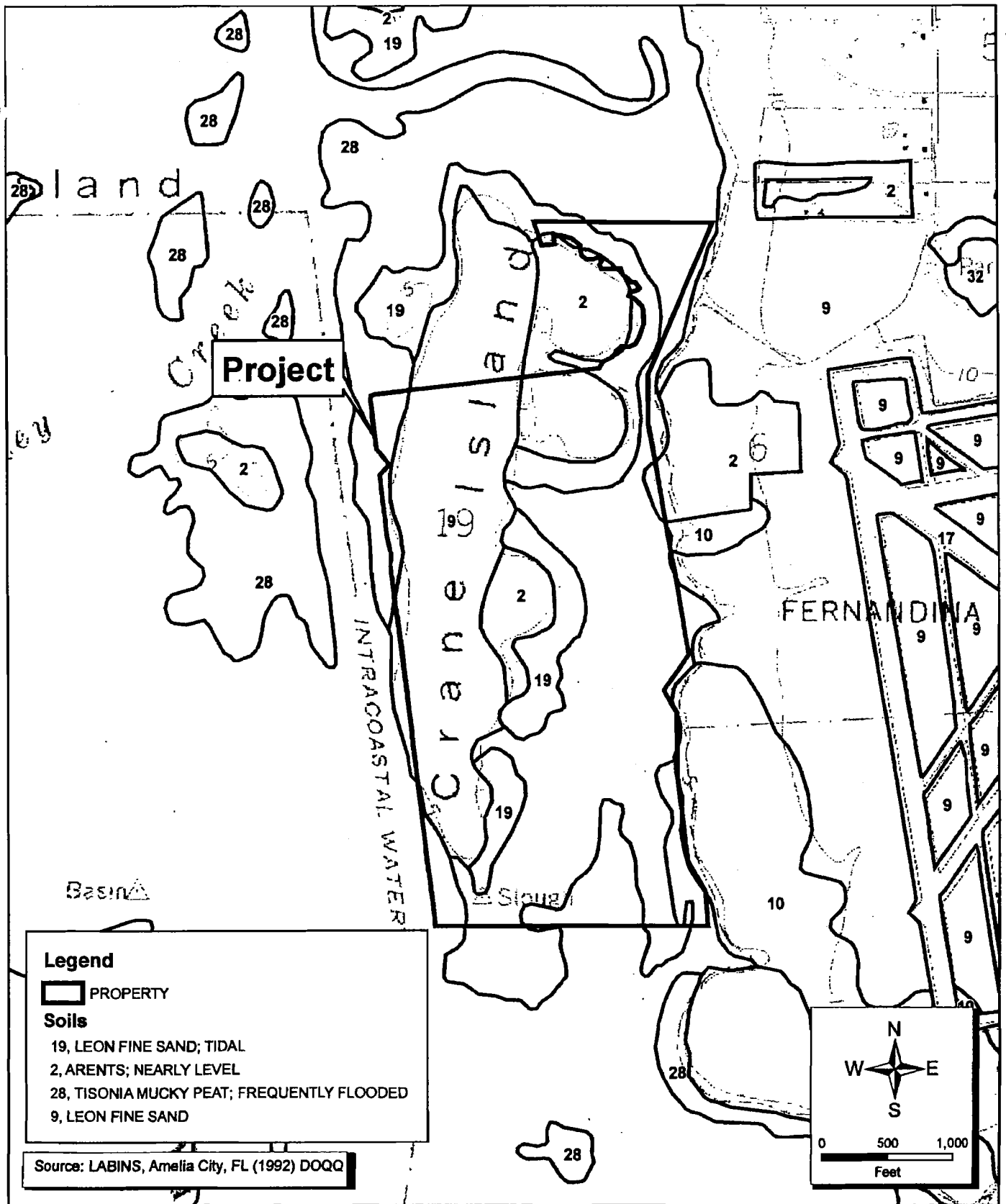
VI. SUMMARY

The results of this assessment demonstrate the extent of wetlands on the interior of the site is minimal. Isolated wetland areas less than one-half acre in size will not be jurisdictional to CE; permits obtained from SJRWMD should not require mitigation for the interior wetlands if affected by the development plan. Both SJRWMD and CE have previously approved the access road crossing the salt marsh to access Crane Island. Aside from the occurrence of the American alligator on site, the site does not contain protected wildlife species. The adjacent salt marsh likely provides foraging habitat for protected species, especially wading birds. An archaeological survey documenting the cultural resources of the island was conducted in 1999; the report was submitted to the State Historic Preservation Officer, and the project was cleared to proceed. No additional environmental constraints were identified as a result of our assessment.



Topography Map
Crane Island
 Duval County, Florida

Project: EJ05084.00
 Date: June 2005
 Figure: 1



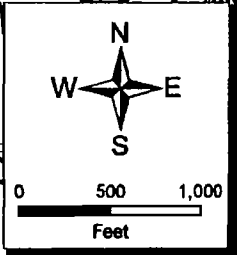
Legend

▭ PROPERTY

Soils

19, LEON FINE SAND; TIDAL
 2, ARENTS; NEARLY LEVEL
 28, TISONIA MUCKY PEAT; FREQUENTLY FLOODED
 9, LEON FINE SAND

Source: LABINS, Amelia City, FL (1992) DOQQ



Soils Map
Crane Island
 Duval County, Florida

Project: EJ05084.00
 Date: June 2005
 Figure: 2

**Exhibit O Crane Island Land Development Traffic Assessment,
June 6, 2005**

**NOTE: Appendixes are include in the Application for
Concurrency Determination and will be provided upon
request.**

Crane Island

Land Development Traffic Assessment

Prepared for:
The Owners of Crane Island

King
ENGINEERING ASSOCIATES, INC.
Project#: 7166-050-039
June 6, 2005

PROFESSIONAL ENGINEER CERTIFICATE

I, Wayne T. Petrone, PE #42860, certify that I currently hold an active license in the state of Florida and am competent through education or experience to provide engineering services in the civil discipline contained in this plan, print, specification, or report.

PROJECT: Crane Island Land Development Traffic
Assessment

LOCATION: Nassau County, Florida

CLIENT: Crane Island Partnership

I further certify that this plan, print, specification, or report were prepared by me or under my responsible charge as defined in Chapter 61G15-18.001 F.A.C. Moreover, if offered by a corporation, partnership, or through a fictitious name, I certify that the company offering the engineering services, King Engineering Associates, Inc., 6500 Bowden Road, Suite 290, Jacksonville, Florida 32216, holds an active certificate of authorization #2610 to provide the engineering service.

Signature:

Wayne T. Petrone 6/6/05

Name:

Wayne T. Petrone, P.E.

P.E. No.:

42860

Date:

06/06/05

June 7, 2005

Mr. Brad Powell
Nassau County Engineering Services Department
98161 Nassau Place
Yulee, FL 32097

Via Overnight Delivery
904.491.3606

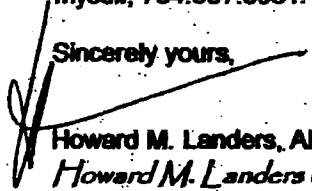
Re: Application for Concurrency Determination
Crane Island
HML0506

Dear Mr. Powell,

I am enclosing an Application for Concurrency Determination with the required Exhibits and a check for \$1,000.00 for the Crane Island development project. The Application has been prepared pursuant to your standard procedures including a June 2 Methodology Conference with Ed Lehman, NEFRC. Pre-application meetings have been held on a Future Land Use Plan Amendment and a Zoning Amendment for this property with the staff of the Planning Department and County Attorney. The applications will be filed later this month.

If there are any further needs or questions, please contact Bill Hartmann, King Engineering, 904.636.6755, or myself, 704.907.9061.

Sincerely yours,


Howard M. Landers, AICP
Howard M. Landers Consulting, LLC
Authorized Agent for Owners

Enclosure.

cc: Chris Anderson
Bill Hartmann

Nassau County Engineering Services Department
 96161 Nassau Place
 Yulee, Florida 32097

APPLICATION FOR CONCURRENCY DETERMINATION

Staff Use Only

(check)

Small Projects (Projects generating 1-50 Average Daily Trips (ADTs)) (Fee) \$50.00

Minor Review (Projects generating 51-1000 Average Daily Trips (ADTs))^{*} \$800.00

Major Review (Projects generating 1000+ Average Daily Trips (ADTs))^{*} \$1,000.00

^{*} - More than 400 ADTs Requires Pre-Application Conference and Land Development Traffic Assessment.

File # _____ Application # _____ Permit # _____ Receipt # _____

Date: June 7, 2005

Project Name: Cross Island

1. Agent Name, Address, Phone Number:
Harvard M. Leathers, AICP, 336 Sedlers Lane, Charlotte, NC 28202 704.378.6378
2. Property Owner(s) Name, Address, Phone No.:
See Exhibit C
3. Property Location/Street Address:
The property is an island located west of the Terminal South Airport. At this time, there is no street access.
4. Present use of Property: Vacant
5. Property ID No.(s): 18-59-59-000-0001-0000
08-59-59-000-0002-0000
6. Present Zoning: RS-1 Proposed Zoning (if applicable): PUD Total Acres: 287.44
7. Subdivision name (if applicable): NA Ordinance No.: NA
8. PUD Name (if applicable): NA Ordinance No.: NA
9. Brief Description of Proposed Development: 169 residential units, 99 boat slips, supporting recreational and open space facilities

10. Trip Generation and Phasing Schedule: Provide the type, amount and trip generation of the development by Phase. (Refer to Table 1, attached, ITE Trip Generation (7th edition) or the Concurrency Coordinator for trip generation rates.)

Residential						
Phase Number	Type of Residential (e.g. SF, MF, Condo)	Number of Dwelling Units	Date Phase to Begin	Date Phase to End	Total (Gross) ADTs Generated	
1	60 SF 25 Townhomes	85	2005	12/31/2008	847	
2	59 SF 25 Townhomes	84	1/1/2009	12/31/2010	729	

Non-Residential						
Phase Number	Type of Development (e.g. Retail, Office, Restaurant)	Number of Units or Square Feet	Date Phase to Begin	Date Phase to End	Total (Gross) ADTs Generated	
1	45 Boat Berths	45	2006	12/31/2008	133	
2	45 Boat Berths	45	1/1/2009	12/31/2010	133	

11. Water/Sewer availability of capacity (check if attached):

- X If within service area of Fernandina Beach, Hilliard or Callahan, attach a letter certifying available capacity for each development phase. **See Exhibit E**
- _____ If within a private service area, attach a letter certifying available capacity for each development phase.
- _____ If a private well or septic tank will be used, permits will be required by the Department of Health, the St. Johns River Water Management District or the Florida Department of Environmental Services, as applicable.

12. Name of utility providing service to the development (obtain water and sewer demand from utility provider)

Water: City of Fernandina Beach Total water demand (gal./day): 61,650 gal/day

Sewer: City of Fernandina Beach Total sewage demand (gal./day): 61,650 gal/day

13. Drainage - State that the project will comply with all federal, state, regional and local regulations.

Yes

14. Solid Waste - Provide solid waste generation (pounds/day) by phase using the following formulas:

Residential: Number of Dwelling Units X 2.68 persons X 6.45 lbs. = Total Pounds per Day.
 Commercial: Container Size (cu.yd.) X 500 Lbs. X Number of Pickups per week / 7 = Total Lbs. Per Day.

	Phase 1	Phase 2	Phase 3	Total =
a. Residential:	<u>1469.31</u>	<u>1452.02</u>	_____	<u>2921.3 (ppd)</u>
b. Commercial:	<u>1000</u>	<u>1000</u>	_____	<u>2000.0 (ppd)</u>
Commercial Container Size =	<u>14</u>			

15. Provide the type(s) of solid waste which will be generated by the development: Residential and Marine Waste

16. Will any hazardous waste be generated? If yes, provide type(s) and quantity: No

17. Recreation - (residential uses only) - Determine recreation demand by using the following formulas:

	Phase 1	Phase 2	Phase 3
a. Play Area/Tot Lot (DUs X 2.68 X 0.5 acres / 1000 pop.):	<u>0.1139</u>	<u>0.11256</u>	_____
b. Neighborhood Park/Play Field (DUs X 2.68 X 2.0 acres / 1000 pop.):	<u>0.4556</u>	<u>0.45024</u>	_____
c. Community Park (DUs X 2.68 X 2.0 acres / 1000 pop.):	<u>0.4556</u>	<u>0.45024</u>	_____
d. Community Passive Space (DUs X 2.68 X 1.0 acres / 1000 pop.):	<u>0.2278</u>	<u>0.22512</u>	_____
e. District/Metro Area Parks (DUs X 2.68 X 5.0 acres / 1000 pop.):	<u>1.139</u>	<u>1.1256</u>	_____
f. Regional/State Parks (DUs X 2.68 X 20 acres / 1000 pop.):	<u>4.556</u>	<u>4.5024</u>	_____
g. Beach Access w/ parking (DUs X 2.68 X 0.5 acres / 1000 pop.):	<u>0.1139</u>	<u>0.11256</u>	_____
Total Acres = <u>14.04052</u>	<u>7.0618</u>	<u>6.97872</u>	_____

18. Does the property access a roadway within the boundaries of the City of Fernandina Beach, Hilliard or Callahan?

Yes, City of Fernandina Beach

19. Attach the following to this application:

- Legal Description. (Attach as Exhibit A.)
- Nassau County Property Appraiser's Map. Clearly outline the boundaries of the property included in this application. (Attach as Exhibit B.)
- Owner's authorization, if applicable. See Exhibit C
- Appropriate Traffic Study. See Exhibit D
- Water/Sewer availability letter, if applicable. (Must be less than 60 days old.) See Exhibit E

I/WE HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:

Signature of all owners or authorized person if letter of authorization is attached:

Printed or typed name:

Howard M. Landers, AICP, Authorized Agent for Owners
Howard M. Landers Consulting, LLC

Signature: _____

CONTACT INFORMATION OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS

APPLICATION: Name: Howard M. Landers Phone: 704.987.5061 Fax: 704.370.6278

Address: Howard M. Landers Consulting, LLC, 326 Settlers Lane, Charlotte, NC 28202

Email: hml326@bellsouth.net

Note: If the application is determined incomplete, the applicant will be notified within 15 working days of submission.

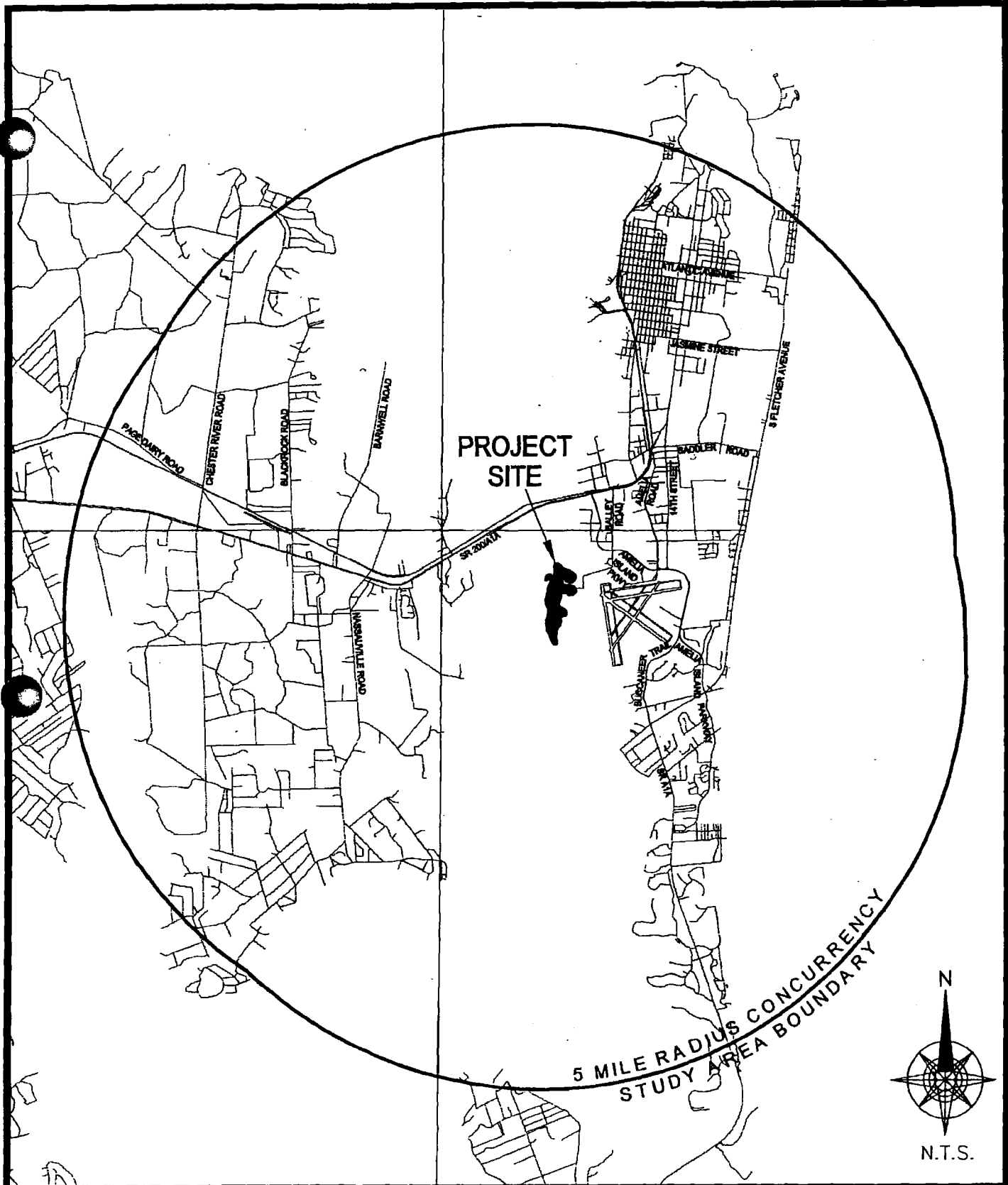
Introduction

This Land Development Traffic Assessment was prepared for concurrency review for the build-out of the Crane Island development located on Crane Island in Nassau County, Florida. Crane Island is located on the south side of SR 200/A1A west of Amelia Island Parkway. The project consisting of 119 single-family residential units, 50 townhouses, and a 90-slip marina is expected to be fully built-out and occupied by the year 2010. Figure 1 shows the location of the project and the nearby roadway network. Access to Crane Island will be via Bailey Road. Bailey Road intersects Amelia Island Parkway between SR 200/A1A and Amelia Road.

The proposed methodology for the Land Development Traffic Assessment is summarized below and was discussed at a Pre-Application Methodology Conference held on June 2, 2005 with Mr. Brad Powell of the Nassau County Engineering Services Department and Mr. Ed Lehman of the Northeast Florida Regional Council.

- 1) **Trip Generation** - Trip generation for the proposed project was estimated using *Trip Generation, 7th Edition*, by ITE. Land use codes #210 - Single Family Residential, #230 - townhouses, and #420 - marina were used to estimate project trips. The project is expected to produce 1,838 new external daily trips and 167 new external PM peak hour trips at build-out. The percent new trips of 100% was used for the residential components of the project and 90% new trips was used for the marina. These new trip percentages were taken from Table 1 - *Trip Rates and % New Trips*, dated March 8th, 1999, by Nassau County. Since use of the marina will be limited to Crane Island and Amelia Island Plantation residents, 50% of the marina trips are considered to be internal capture trips.
- 2) **Trip Distribution** - Peak hour traffic was assigned to the roads within the study area using distribution percentages obtained from the Northeast Regional Planning Model 2000 (NERPM2000). The basic distribution includes the following: 40% to/from the north on Amelia Island Parkway, 33% to/from the south on Amelia Island Parkway, and 27% to/from the north on Bailey Road.
- 3) **Future Growth Projection** - Total committed 2005 peak hour traffic for each link within the project impact area was increased by the current link reservations provided in the *Nassau County Transportation Analysis Spreadsheet* dated June 2, 2005 and updated with reservation data provided at the Pre-Application Methodology Conference. Traffic associated with the proposed Townes of Amelia and Hirth Road (referred to as Riverside at Pre-Application Conference) developments have been added to the current link reservations.
- 4) **Intersection Analysis** - Intersection analyses are required when the peak hour traffic volume on one or more links with more than 2% project impact forming a leg of a major signalized intersection exceeds 90% of the maximum service volume of the adopted level of service standard. It was agreed that the analysis would include, at a minimum, an evaluation of the SR 200/Amelia Island Road intersection and the Amelia Island Parkway/Bailey Road intersection. The intersection analysis also includes traffic associated with the proposed Townes of Amelia and Hirth Road developments.
- 5) **Roadway Links Analyzed** - Links within a 5-mile radius that contain project traffic of 2% or more of the approved peak hour service volume were analyzed for concurrency. The link analysis also includes traffic associated with the proposed Townes of Amelia and Hirth Road developments. An ARTPLAN analysis will be conducted for Amelia Island Parkway, Link #19, from 14th Street Extension to SR 200/A1A to determine a roadway specific maximum service volume for the LOS D standard. The daily traffic count was updated to 2005 data and the measured K_{100} value was determined for this roadway segment.

- 6) **Traffic Data Collection – Link #19 – Amelia Island Parkway between S. 14th Street and SR 200/A1A** count data will be updated on the Nassau County Transportation Analysis Spreadsheet. A three-day machine count will be conducted on Amelia Island Parkway between Bailey Road and Amelia Road. The 2005 traffic count for Amelia Island Parkway will be used to prepare an ARTPLAN analysis of the link from 14th Street Extension to SR 200/A1A. Using the measured K_{100} factor, a new peak hour volume was calculated. At a minimum, a PM peak period (4 to 6 PM) turning movement count will be conducted at the SR 200/Amelia Island Parkway intersection and at the Amelia Island Parkway/Bailey Road intersection.
- 7) **Green Time and Cycle Length Collection** – The amount of green time allotted to the northbound movement and the cycle length at the SR 200/Amelia Island Parkway intersection was field measured. From this data, the green to Cycle length ratio was determined.
- 8) **Percentage of Turns from Exclusive Lanes** – Since the northbound travel lane of Amelia Island Parkway widens from one lane to three lanes (two exclusive left turn lanes for the major movement and one exclusive right turn lane for the minor movement) at SR 200/A1A, the capacity of Amelia Island Parkway is most likely higher than that of a typical two lane facility. As such, the percentage of turns in exclusive lanes are based on the traffic volume in the right turn lane plus the traffic volume in the inside left turn lane (the northbound approach lane, which is the outside left turn lane at the SR 200/A1A, serves to create both the right turn lane and the inside left turn lane). The same left-turn factor that the Highway Capacity Manual uses for dual left turn lanes will be used to estimate the amount of traffic in each lane. The HCM factor of 0.95 results in 47.5% of the left turns in the inside left turn lane and 52.5% in the outside left turn lane. The actual usage of each left turn lane was field verified.
- 9) **ARTPLAN Analysis** – The actual AADT, K_{100} factor, D factor, peak-hour factor, cycle length, g/C ratio, percent exclusive turns, peak-hour segment volume was entered into FDOT's ARTPLAN software to calculate the actual service volume for Amelia Island Parkway between 14th Street Extension and SR 200/SR A1A.



PROJECT SITE LOCATION

King
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 Phone 904 636-6755
 Fax 904 636-9533

LAND DEVELOPMENT TRAFFIC ASSESSMENT
 CRANE ISLAND
 NASSAU COUNTY, FLORIDA

Figure
 1

Existing Conditions

Roadway links in the immediate study area within a five-mile radius of the proposed project are listed on Table 2 and shown on Figure 1. All roadway data was taken directly from the *Nassau County Transportation Analysis Spreadsheet*, dated June 2, 2005. In addition, the maximum service volume, K_{100} and count data for Amelia Island Parkway link 19 from S. 14th Street to SR 200/A1A was updated with 2005 count data and results of the special traffic study summarized later in this report. A copy of the original county spreadsheet is provided in Appendix A.

Trip Generation

Table 1 summarizes the PM peak hour trip generation for the proposed Crane Island development. The table identifies the land use, number of dwelling units and boat slips, and number of new external PM peak hour trips expected to be generated by the project. Trip generation for the proposed project was estimated using *Trip Generation*, 7th Edition, by ITE. The percent new trips of 100% was used for the residential components of the project and percent new trips of 90% was used for the marina. These new trip percentages were taken from Table 1 - *Trip Rates and % New Trips*, dated March 8th, 1999, by Nassau County. Since use of the marina will be limited to Crane Island and Amelia Island Plantation residents, 50% of the marina trips are considered to be internal capture trips. This project is expected to generate 167 new external PM peak hour trips at build-out.

**Table 1
Crane Island
Trip Generation**

Land Use	ITE Land Use Code	Size (Number of Units)	Independent Variable (Units)	Estimation Method (Rate or Equation)	Gross P.M. Peak Hour Trip Ends
Single Family Housing	210	119	Dwelling Units	$\ln(T)=0.90*\ln(X)+0.53$	125
Residential Townhouse	230	50	Dwelling Units	$\ln(T)=0.82*\ln(X)+0.32$	34
Marina	420	90	Berths	0.19	17
Total					176

ITE Land Use Code	Gross P.M. Peak Hour Trip Ends	External Trip Percentage	P.M. Peak Hour Net Trip Ends	New Trip Percentage	Total Net New P.M. Peak Hour External Trip Ends	P.M. Peak Hour External Trip End Distribution				
						Entering		Exiting		Total Trips
						%	Trips	%	Trips	
210	125	100%	125	100.00%	125	63%	79	37%	46	125
230	34	100%	34	100.00%	34	67%	23	33%	11	34
420	17	50%	9	90.00%	8	60%	5	40%	3	8
Totals	176		168		167		107		60	167

Source: *Trip Generation*, 7th Edition, ITE

Table 2
 Existing Conditions
 Kansas County Transportation Analysis Supplement
 Updated With 2004 PDDT Traffic Counts and 2004 Insect County Traffic Counts

Link ID No.	Count Station	Roadway	Promoto	Plan Dist.	Lanes/Classification	Rel. Elev. (ft.)	LOS Str.	Table on Study	Max Pk. Hr. Cap.	Year of Counts	3-Hr Volume (AADT)	Annual Growth Rate	Link Width Factor	Peak Hour Volume	Exempt Dev. Traffic	Approved Commuting Traffic	Total Committed Pk. Hr. Vol.	Percent Capacity Used	Available Pk. Hr. Capacity	LOS
1	C001	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
2	C002	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
3	C003	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
4	C004	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
5	C005	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
6	C006	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
7	C007	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
8	C008	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
9	C009	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
10	C010	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
11	C011	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
12	C012	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
13	C013	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
14	C014	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
15	C015	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
16	C016	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
17	C017	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
18	C018	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
19	C019	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
20	C020	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
21	C021	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
22	C022	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
23	C023	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
24	C024	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
25	C025	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
26	C026	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
27	C027	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
28	C028	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
29	C029	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
30	C030	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
31	C031	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
32	C032	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
33	C033	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
34	C034	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
35	C035	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
36	C036	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
37	C037	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
38	C038	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
39	C039	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
40	C040	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
41	C041	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
42	C042	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
43	C043	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
44	C044	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
45	C045	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
46	C046	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
47	C047	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
48	C048	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
49	C049	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
50	C050	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
51	C051	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
52	C052	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
53	C053	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
54	C054	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
55	C055	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
56	C056	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000	100%	0	C
57	C057	US-50/200A	US-50/200A	1.0	4-1A	1,000	0	ART/1A	750	2001	5,000	1.000	0.250	250	0	100	5,000			

Trip Distribution and Assignment

The Northeast Regional Planning Model 2000 (NERPM2000) travel demand forecasting model dated March 2005 provided by the First Coast Metropolitan Planning Organization (FCMPO), which was prepared as part of the FCMPO 2030 Long Range Transportation Plan update, was used to develop project traffic distribution for the Crane Island development. The FCMPO 2005 Year Model Network was used as the basis to develop the trip distribution for the Crane Island development. The socio-economic data projections for the Crane Island development were then entered into the NERPM model. The model was then run to determine the trip distribution for the Crane Island development.

The basic distribution includes the following: 40% to/from the north on Amelia Island Parkway, 27% to/from the north on Bailey Road and 33% to/from the south on Amelia Island Parkway. Figure 2 shows the PM peak hour project trip distribution in the immediate vicinity of the project. Table 3 shows the percentage PM peak hour project trip distribution and the number of peak hour trips on all the roadway segments within the study area.

Proposed Developments

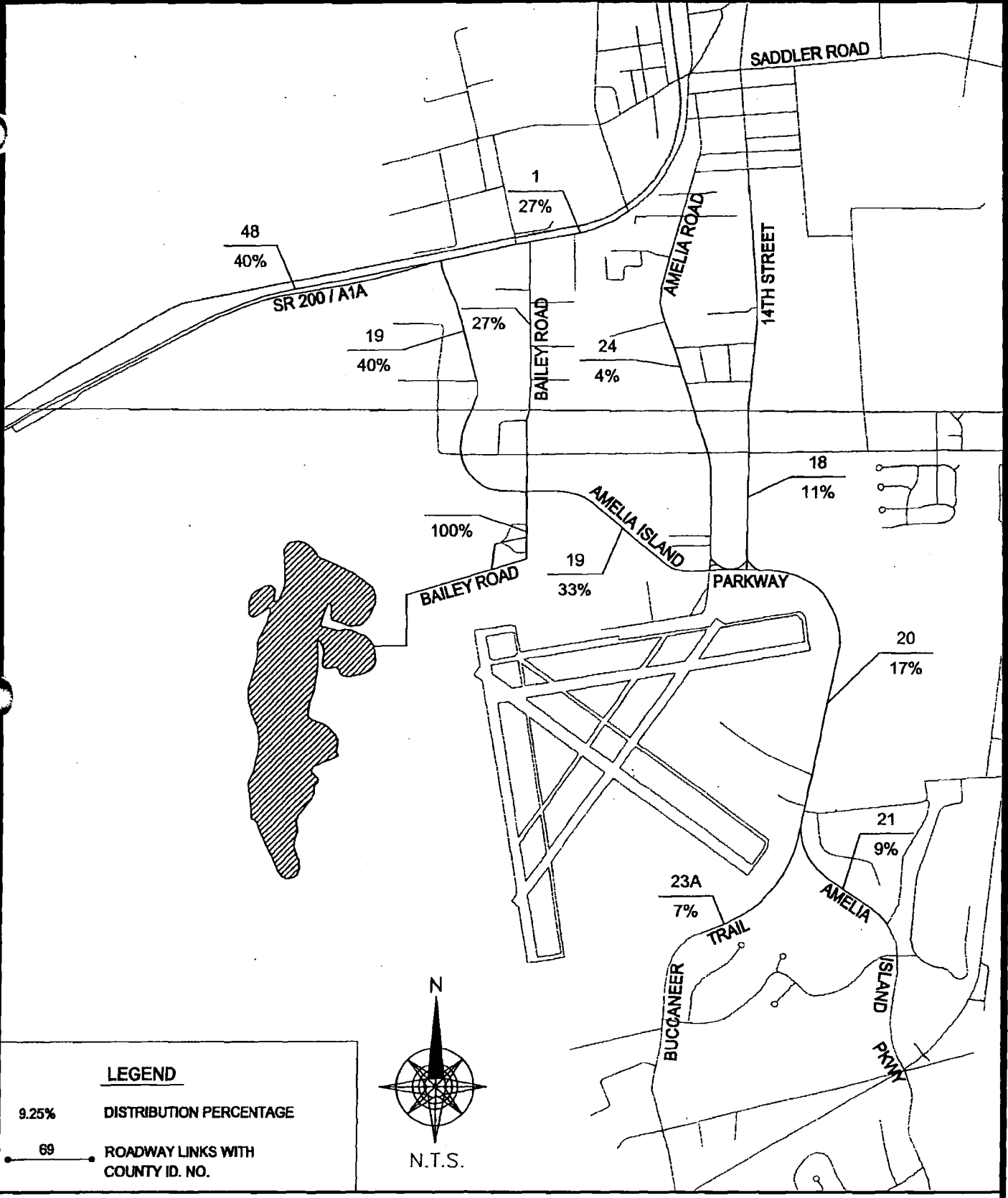
There are two proposed developments located in the vicinity of the Crane Island development. The Townes of Amelia, consisting of 150 single-family homes, will be located in the northeast quadrant of the Amelia Island Parkway/Bailey Road intersection. The Hirth (referred to as Riverside at the Pre-Application Conference) development, consisting of 120 townhouses will be located in the southwest quadrant of the Amelia Island Parkway/Hirth Road intersection.

Table 3
Crane Island Trip Distribution Percentages PM Peak Hour Project Assignment

Segment Number	Roadway Name	From / To	Percent of Total Net New P.M. Peak Hour Project Trips	Net New P.M. Peak Hour External Project Trips
1	S.R.200/A1A	Amelia Island Pkwy. to Sadler Rd.	27.0%	45
2	8th Street	Sadler Rd. to Lime Street	10.0%	17
3	8th Street	Lime Street to Atlantic Ave.	9.0%	15
4	Atlantic Ave. (A1A)	8th Street to 14th Street	0.0%	0
6	Atlantic Ave. (A1A)	14th Street to Fletcher Ave.	2.0%	3
8	Fletcher Ave. (A1A)	Atlantic Ave. to Sadler Rd.	1.0%	2
10	Fletcher Ave. (A1A)	Sadler Rd. to Simmons Rd.	4.0%	7
11	Fletcher Ave. (A1A)	Simmons Rd. to Amelia Island Pkwy.	1.0%	2
12	Fletcher Ave. (A1A)	Amelia Island Pky. to Buccaneer Tr.(105A)	4.0%	7
14	14th Street	Pogey Place to Atlantic Ave.	1.0%	2
15	14th Street	Atlantic Ave. to Hickory Street	1.0%	2
16	14th Street	Hickory Street to Jasmine Street	4.0%	7
16A	14th Street	Jasmine Street to Lime St.	6.0%	10
17	14th Street	Lime Street to Sadler Rd.	12.0%	20
18	14th Street	Sadler Rd. to Amelia Island Pkwy.	11.0%	18
20	Amelia Island Pkwy.	14th Street Ext. to Buccaneer Tr.(C-105A)	17.0%	28
21	Amelia Island Pkwy.	Buccaneer Tr.(C-105A) to Fletcher Ave.	9.0%	15
22	Amelia Island Pkwy.	Fletcher Ave. to Scott Rd.	6.0%	10
22A	Amelia Island Pkwy.	Scott Rd. to S.R. A1A/Julia Street	0.0%	0
23	Buccaneer Tr. (C-105A)	Gerbing Rd. to Canopy Drive	7.0%	12
23A	Buccaneer Tr. (C-105A)	Canopy Drive to Amelia Island Pkwy.	7.0%	12
24	Amelia Rd.	Amelia Island Pkwy. to S.R.200	4.0%	7
26	First Coast Highway (A1A)	Gerbing Rd. to Amelia Island Pkwy./Julia Street	11.0%	18
27	First Coast Highway (A1A)	Amelia Isl. Pkwy./Julia Street to Beach Lagoon Road	5.0%	8
28	First Coast Highway (A1A)	Beach Lagoon Rd. to Nassau Sound	2.0%	3
29	Sadler Road	8th Street to 14th Street	16.0%	27
30	Sadler Road	14th Street to Fletcher Ave.	4.0%	7
31	Lime St.	8th Street to 14th Street	0.0%	0
32	Lime St.	14th Street to Citrona Dr.	0.0%	0
33	Citrona Dr.	Atlantic Ave. to Jasmine Street	4.0%	7
34	Citrona Dr.	Jasmine Street to Sadler Road	4.0%	7
35	Will Hardee Rd.	Sadler Road to Simmons Road	0.0%	0
36	Simmons Rd.	Amelia Rd. to Will Hardee Road	5.0%	8
37	Simmons Rd.	Will Hardee Road to Fletcher Avenue	5.0%	8
38	Jasmine Street	14th Street to Citrona Drive	2.0%	3
39	T. J. Courson Rd.	8th St. (S.R.200) to 14th St.	0.0%	0
45A	S.R.200/A1A	Miner Road to Chester Road	27.0%	45
46	S.R.200/A1A	Chester Rd. to Blackrock Rd.	33.0%	55
47	S.R.200/A1A	Blackrock Rd. to Nassauville Rd.	35.0%	58
48	S.R.200/A1A	Old Nassauville Rd. to Amelia Isl. Pkwy.	40.0%	67
49	C.R.200A (Pages Dairy Rd.)	U.S.17 to Chester Road	3.0%	5
50	C.R.107N. (Blackrock Rd.)	Chester Road to S.R.200/A1A	1.0%	2
51	C.R.107S. (Old Nassauville Rd.)	S.R.200/A1A to Amelia Concourse	3.0%	5
51A	C.R.107S. (Old Nassauville Rd.)	Amelia Concourse to Santa Juana Road	2.0%	3
52	Chester Road	S.R.200/A1A to Pages Dairy Road (C.R.200A)	3.0%	5
53	Chester Road	Pages Dairy Road to Blackrock Road N.	1.0%	2
53A	Amelia Concourse	S.R.200/A1A to C.R.107S. (Nassauville Rd.)	2.0%	3
54	Barnwell Road	S.R.200/A1A to Oyster Bay Drive	1.0%	2
100	8th St.	Alachua St. to Port	0.0%	0
101	8th St.	Atlantic to Alachua St.	0.0%	0
102	Alachua St.	Front St. to 8th St.	0.0%	0
103	Centre St.	Front St. to 8th St.	5.0%	8
104	Ash St.	Front St. to 8th St.	0.0%	0
105	N. Fletcher	North of 1st St.	1.0%	2
106	N. Fletcher	Atlantic Ave. to 1st St.	1.0%	2
107	Beech St.	14th St. to Citrona Dr.	4.0%	7
108	Beech St.	8th St. to 14th St.	3.0%	5
109	Gum St.	3rd St. to 8th St.	1.0%	2
110	3rd St.	Gum St. to Ash St.	1.0%	2
111	Jasmine Street	Citrona Drive to S. Fletcher Avenue	1.0%	2
112	Via Del Rey	Parkway to S. Fletcher Av.	1.0%	2
114	1st Av.	Simmons Rd. to Sadler Rd.	0.0%	0
115	Tarpon Avenue	Atlantic Ave. to Dolphin Street	1.0%	2
116	Tarpon Avenue	North of Dolphin Street	1.0%	2

Shading Indicates Directly Accessed Segment

7166 2005 48 P.L. 2005 Engineering Associates, Inc.



LEGEND

- 9.25% DISTRIBUTION PERCENTAGE
- 69 ROADWAY LINKS WITH COUNTY ID. NO.



PROJECT TRAFFIC DISTRIBUTION

King
ENGINEERING ASSOCIATES, INC.

6500 Bowden Road
Suite 290
Jacksonville, FL 32216
Phone 904 636-6755
Fax 904 636-9533

LAND DEVELOPMENT TRAFFIC ASSESSMENT
CRANE ISLAND
NASSAU COUNTY, FLORIDA

Figure
2

Roadway Link Analysis

King Engineering collected traffic counts at Nassau County count station # C-07, Amelia Island Parkway between Bailey Road and Amelia Road, for three days starting on May 10, 2005 and ending on May 12, 2005. The counts were used to update the daily traffic volume, maximum service volume and the K_{100} for Link #19, Amelia Island Parkway between S. 14th Street and SR 200/A1A. K_{100} , D and Peak Hour Factors derived from this data were used in the ARTPLAN analysis. Table 4 summarizes the resultant data established from the count. Traffic count data and ARTPLAN output and input variable calculations are provided in Appendix B.

Table 4
Link #19 – Amelia Island Parkway
Traffic Count Summary

STATION# C-07 Amelia Island Parkway between Bailey Road and Amelia Road						
Measured Day	Adjustment Factor	Daily Volume	PM Pk Hr	NB Volume	SB Volume	Pk Hr Volume
5/10/2005		10,214	16:30	466	384	850
5/11/2005		10,795	16:45	448	431	879
5/12/2005		10,755	16:15	452	410	862
Average		10,588		455	408	864
Adjustment *	0.94	9,953		428	384	812

* VALUE FROM 2004 FDOT WEEKLY VOLUME FACTOR CATEGORY REPORT AND 2004 AXLE FACTOR CATEGORY REPORT. FOR NASSAU COUNTY (0.95) SEASONAL FACTOR AND (0.99) AXLE FACTOR. ADJUSTMENT FACTOR = 0.95 times 0.99 = 0.94

K_{100}	D	PHF
0.09**	0.53	0.917

** actual K_{100} =0.08806, minimum value is 0.09

The updated PM peak hour maximum service volume (MSV) of 1870 vph from the ARTPLAN analysis was used in the segment analysis below.

Impacted Segment Analysis

Each of the roadway links within the 5-mile impact area was analyzed under future traffic conditions using the 2% significance threshold. The total committed peak hour traffic for each roadway link was taken from the *Nassau County Transportation Analysis Spreadsheet* dated June 2, 2005. Crane Island project traffic was added to obtain the total peak hour traffic volume for each link. Also included in this table is the traffic associated with the proposed Townes of Amelia and Hirth Developments. Table 5 summarizes the Concurrency Link Analysis for all impacted links. All links pass the concurrency test for traffic.

Table 5

Draft Report Tables Crane Island.xls, Table 5]

Crane Island Concurrency Link Analysis
Net New P.M. Peak Hour External Project Trip Assignment and Concurrency Determination

Segment Number	Net New P.M. Peak Hour External Project Trips	Approved P.M. Peak Hour Service Volume	Project Trips As Percent of Adopted Service Volume	Directly Accessed OR Impacted Segment? (Yes or No)	Committed P.M. Peak Hour Volume	Proposed Townes of Amelia P.M. Peak Hour Trips	Proposed Hirth P.M. Peak Hour Trips	Total P.M. Peak Hour Volume (Project Trips + Committed Volume)	Total P.M. Peak Hour Volume As Percent of Approved Service Volume	Link Status Including Project Traffic	Concurrency Test (OK or FAIL)
1	45	4,200	1.074%	NO	4,863	42	19	4,969	118.3%	DEFICIENT	OK
2	17	3,950	0.423%	NO	2,046	16	7	2,085	52.8%	OK	OK
3	15	1,860	0.808%	NO	1,459	14	6	1,494	80.3%	OK	OK
4	0	1,260	0.000%	NO	645	0	0	645	51.2%	OK	OK
6	3	1,260	0.265%	NO	881	3	1	889	70.6%	OK	OK
8	2	1,260	0.133%	NO	511	2	1	515	40.9%	OK	OK
10	7	1,260	0.530%	NO	772	6	3	788	62.5%	OK	OK
11	2	1,260	0.133%	NO	652	2	1	656	52.0%	OK	OK
12	7	1,490	0.448%	NO	503	6	3	519	34.8%	OK	OK
14	2	720	0.232%	NO	379	2	1	383	53.1%	OK	OK
15	2	1,130	0.148%	NO	1,028	2	1	1,032	91.3%	CRITICAL	OK
16	7	1,300	0.514%	NO	1,251	6	3	1,267	97.5%	CRITICAL	OK
0	10	2,010	0.499%	NO	1,693	9	4	1,717	85.4%	OK	OK
17	20	2,810	0.713%	NO	2,027	19	8	2,075	73.8%	OK	OK
18	18	1,300	1.413%	NO	967	17	8	1,030	79.2%	OK	OK
20	28	1,660	1.710%	NO	1,556	27	12	1,623	97.8%	CRITICAL	OK
21	15	1,300	1.156%	NO	561	14	6	596	45.9%	OK	OK
22	10	1,300	0.771%	NO	565	9	4	589	45.3%	OK	OK
22A	0	1,300	0.000%	NO	271	0	0	271	20.8%	OK	OK
23	12	720	1.624%	NO	875	11	5	903	125.3%	DEFICIENT	OK
23A	12	1,300	0.899%	NO	857	11	5	884	68.0%	OK	OK
24	7	720	0.928%	NO	313	6	3	329	45.7%	OK	OK
26	18	1,910	0.962%	NO	1,276	17	8	1,319	69.1%	OK	OK
27	8	1,490	0.560%	NO	1,019	8	4	1,039	69.7%	OK	OK
28	3	1,490	0.224%	NO	371	3	1	379	25.4%	OK	OK
29	27	2,810	0.951%	NO	2,494	25	11	2,557	91.0%	CRITICAL	OK
30	7	2,810	0.238%	NO	1,216	6	3	1,231	43.8%	OK	OK
31	0	720	0.000%	NO	285	0	0	285	39.7%	OK	OK
32	0	720	0.000%	NO	349	0	0	349	48.5%	OK	OK
33	7	720	0.928%	NO	437	6	3	453	62.9%	OK	OK
34	7	900	0.742%	NO	754	6	3	769	85.5%	OK	OK
35	0	900	0.000%	NO	276	0	0	276	30.7%	OK	OK
36	8	720	1.160%	NO	338	8	4	358	49.7%	OK	OK
37	8	720	1.160%	NO	296	8	4	316	43.9%	OK	OK
38	3	720	0.464%	NO	332	3	1	339	47.2%	OK	OK
39	0	900	0.000%	NO	657	0	0	657	73.0%	OK	OK
45A	45	5,370	0.840%	NO	7,061	42	19	7,167	133.5%	DEFICIENT	OK
46	55	5,370	1.028%	NO	6,470	51	23	6,600	122.9%	DEFICIENT	OK
47	58	4,580	1.278%	NO	6,179	55	25	6,317	137.9%	DEFICIENT	OK
48	67	5,090	1.312%	NO	6,550	62	28	6,707	131.8%	DEFICIENT	OK
49	5	1,300	0.385%	NO	1,039	5	2	1,051	80.8%	OK	OK
50	2	900	0.186%	NO	986	2	1	990	109.9%	DEFICIENT	OK
51	5	1,490	0.336%	NO	2,614	5	2	2,626	176.2%	DEFICIENT	OK
51A	3	1,490	0.224%	NO	1,214	3	1	1,222	82.0%	OK	OK
52	5	1,680	0.298%	NO	2,204	5	2	2,216	131.9%	DEFICIENT	OK
53	2	1,560	0.107%	NO	1,586	2	1	1,590	101.9%	DEFICIENT	OK
53A	3	2,810	0.119%	NO	2,918	3	1	2,926	104.1%	DEFICIENT	OK
54	2	900	0.186%	NO	742	2	1	746	82.9%	OK	OK
100	0	670	0.000%	NO	551	0	0	551	82.3%	OK	OK
101	0	670	0.000%	NO	689	0	0	689	102.9%	DEFICIENT	OK
102	0	670	0.000%	NO	181	0	0	181	27.0%	OK	OK
103	8	670	1.246%	NO	675	8	4	695	103.7%	DEFICIENT	OK
104	0	670	0.000%	NO	237	0	0	237	35.3%	OK	OK
105	2	670	0.249%	NO	159	2	1	163	24.3%	OK	OK
106	2	670	0.249%	NO	169	2	1	172	25.7%	OK	OK
107	7	670	0.997%	NO	239	6	3	255	38.0%	OK	OK
108	5	670	0.748%	NO	131	5	2	143	21.3%	OK	OK
109	2	670	0.249%	NO	216	2	1	220	32.9%	OK	OK
110	2	670	0.249%	NO	103	2	1	107	15.9%	OK	OK
111	2	670	0.249%	NO	240	2	1	244	36.4%	OK	OK
112	2	670	0.249%	NO	77	2	1	80	12.0%	OK	OK
114	0	670	0.000%	NO	174	0	0	174	26.0%	OK	OK
115	2	670	0.249%	NO	527	2	1	531	79.2%	OK	OK
116	2	670	0.249%	NO	293	2	1	297	44.3%	OK	OK

Shading Indicates Directly Accessed Segment

Table 4 Notes/References/Justification:

Intersection Analysis

Peak hour turning movement counts at the SR 200/Amelia Island Parkway intersection and at the Amelia Island Parkway/Bailey Road intersection were collected on May 9, 2005 during the PM peak period. Figure 3 depicts existing PM peak hour turning movement volumes. All count data is provided in Appendix C.

Future conditions intersection capacity analyses were prepared for the 2010 PM peak hour traffic conditions at the two study area intersections. The 2010 build-out traffic consists of 2010 background traffic plus Crane Island traffic plus the proposed Townes of Amelia traffic plus the proposed Hirth traffic. The 2010 background traffic was obtained by increasing the 2005 existing traffic at the annual growth rates provided in Table 6. The 2010 build-out peak hour traffic volumes at the study area intersections are shown in Figure 4.

Table 6
Annual Growth Rates

Road	Segment	Annual Growth Rate
SR 200/A1A	Amelia Island Parkway to Sadler Road	2.2%
SR 200/A1A	Old Nassauville Road to Amelia Island Parkway	4.2%
Amelia Island Parkway	SR 200 to s. 14 th Street	2.2%
Bailey Road	North and South of Amelia Island Parkway	2.2%

Source: Nassau County Transportation Analysis Spreadsheet, June 2, 2005

The signalized and unsignalized intersection analyses were conducted using McTrans HCS Version 4.1d software. Table 7 summarizes the resultant levels of service for the signalized SR 200/Amelia Island Parkway intersection. The signalized intersection capacity analysis output is provided in Appendix D. The results indicate that the signalized SR 200/Amelia Island Parkway intersection currently operates at LOS B and will continue to operate at LOS B under 2010 build-out conditions.

THURSDAY
5/9/05
4:30 - 5:30 P.M.

SR 200 / A1A

1096
281

1410
73

428
62

AMELIA ISLAND PARKWAY

BAILEY ROAD

THURSDAY
5/8/05
4:30 - 5:30 P.M.

5
7
15

12
414
54

2
301
23

4
4
23



N.T.S.

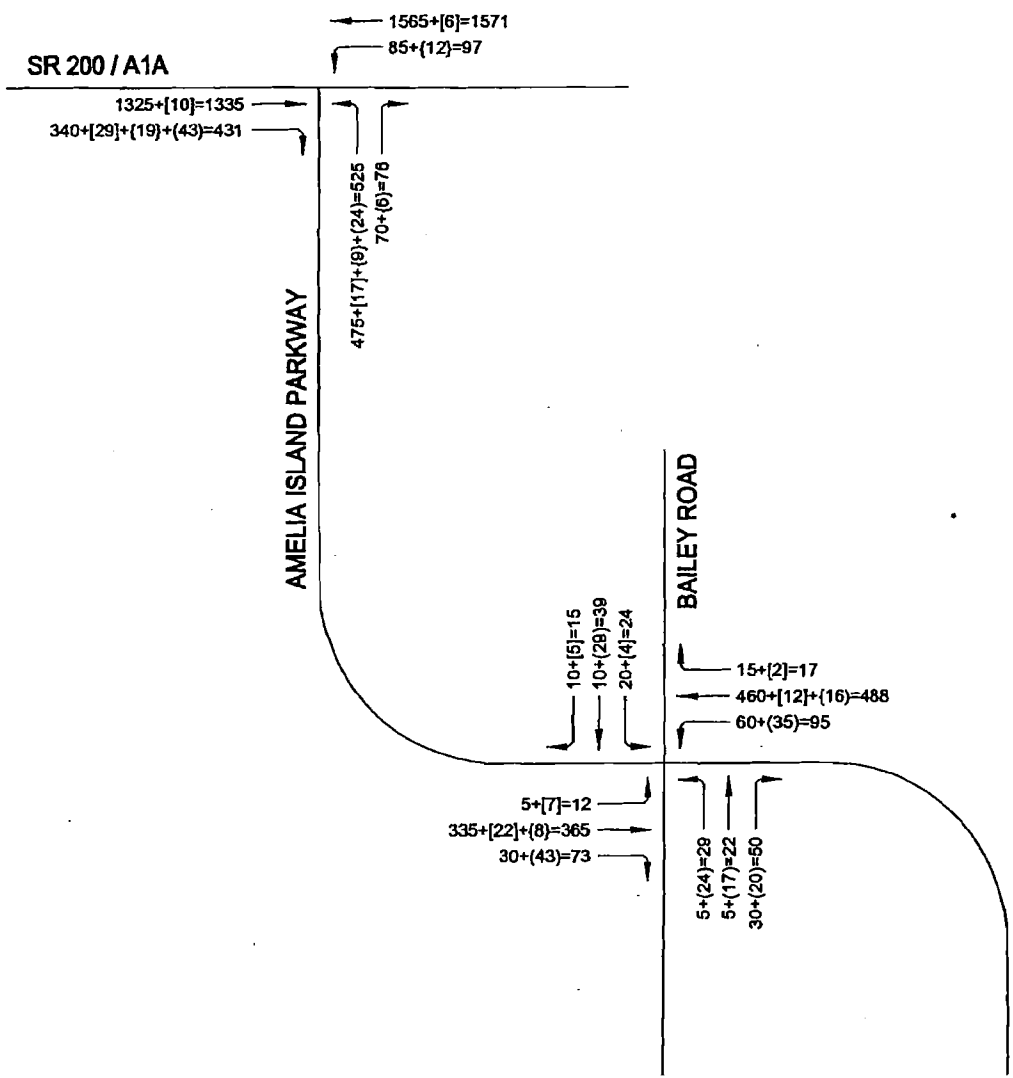
2005 EXISTING TRAFFIC P.M. PEAK-HOUR

King
ENGINEERING ASSOCIATES, INC.

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Fax 904 636-9533

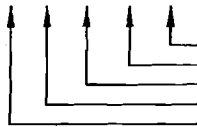
LAND DEVELOPMENT TRAFFIC ASSESSMENT
CRANE ISLAND
NASSAU COUNTY, FLORIDA

Figure
3

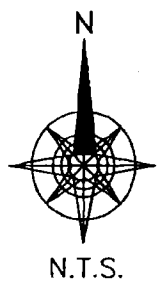


LEGEND:

$30 + [25] + [19] + [43] = 427$



- 2010 BUILD-OUT TRAFFIC
- CRANE ISLAND PROJECT TRAFFIC
- HIRTH TRAFFIC
- TOWNES OF AMELIA TRAFFIC
- 2010 BACKGROUND TRAFFIC



2010 BUILD-OUT TRAFFIC P.M. PEAK-HOUR

King
ENGINEERING ASSOCIATES, INC.

6500 Bowden Road
Suite 290
Jacksonville, FL 32216
Phone 904 636-6755
Fax 904 636-9533

LAND DEVELOPMENT TRAFFIC ASSESSMENT
CRANE ISLAND
NASSAU COUNTY, FLORIDA

Figure
4

Table 7
Signalized Intersection Level of Service – PM Peak Hour
SR 200 (A1A) at Amelia Island Parkway

Condition	Delay (sec)	Actual LOS	Adopted LOS
2005 Existing	15.6	B	D
2010 No Build	19.2	B	
2010 Build	19.3	B	

Table 8 summarizes the resultant levels of service for the unsignalized Amelia Island Parkway/Bailey Road intersection. The unsignalized intersection capacity analysis output is provided in Appendix E. The intersection currently operates at acceptable levels of service and will continue to operate at acceptable levels of service under 2010 no-build conditions. However, under 2010 build-out conditions, both the northbound and southbound approaches will fail.

Table 8
Unsignalized Intersection Level of Service – PM Peak Hour
Amelia Island Parkway at Bailey Road

Movement	2005 Existing	2010 No Build	2010 Build-Out	Adopted LOS
EB LTR	A	A	A	D
WB LTR	A	A	A	
NB LTR	B	C	E	
SBLTR	C	D	F	

Project Access

The developer will be extending Bailey Road, as a two-lane facility, from its present terminus south of Amelia Island Parkway to Crane Island.

Turn Lane Analysis

A right turn analysis was conducted from graphs provided in the *Intersection Channelization Design Guide*, TRB Report #279, 1985. The graphs provide threshold values for requirements for right turn tapers and full right turn lanes on two-lane roadways. The projected peak hour turning movement volumes for the Amelia Island Parkway/Bailey Road intersection were plotted on the graph. The results of the analysis indicate that the projected PM peak hour southbound (eastbound) right turn volumes warrant a full width right turn lane on Amelia Island Parkway.

A northbound (westbound) left turn storage lane warrant was conducted for the Amelia Island Parkway/Bailey Road intersection using information provided in *Volume Warrants for Left-Turn Storage Lanes at Unsignalized Grade Intersections*, by M.D. Harmelink. Projected PM peak hour traffic volumes were plotted on the graph, *Warrant for left-turn storage lanes on two-lane highways*. The result of the data plot indicates that a left turn storage lane with a minimum storage of 125' is required on Amelia Island Parkway. Copies of the turn lane warrant graphs are provided in Appendix F.

An unsignalized intersection capacity analysis using the recommended left and right turn lanes on Amelia Island Parkway along with the provision of an exclusive northbound right turn lane on Bailey Road was conducted for the Amelia Island Parkway/Bailey Road intersection. However, even with these improvements, the unsignalized intersection is expected to fail under 2010 build-out conditions with critical movements as indicated in Table 9. An intersection operating poorly does not necessarily constitute the need for signalization. A cursory review of the traffic volumes indicates that a traffic signal would not be warranted at the Amelia Island Parkway/Bailey Road intersection. As such, other than provision of the turn lanes, no additional improvements are required.

Table 9
Crane Island Development
Unsignalized Intersection Level of Service – PM Peak Hour
Amelia Island Parkway at Bailey Road

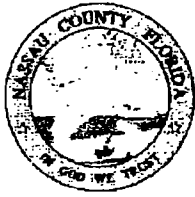
Movement	2010 Build Out Traffic With Improvements
EB Left	A
WB Left	A
NB LT/THRU	F
NB RT	B
SB LTR	F

Conclusions

The "Concurrency Test" column in Table 5 indicates that all roadway links fall within existing capacity thresholds.

The analysis of the SR 200/Amelia Island Parkway intersection shows that this intersection currently operates within the adopted level of service and will continue to operate within the adopted level of service under 2010 build-out conditions.

The analysis of the Amelia Island Parkway/Bailey Road intersection reveals that the intersection currently operates satisfactory but will fail under 2010 build-out conditions. It is recommended that a southbound (eastbound) right turn lane and a northbound (westbound) left turn lane be provided on Amelia Island Parkway and that exclusive northbound right turn lane be provided on Bailey Road.



Nassau County Engineering Services
96161 Nassau Place
Yulee, Florida 32097
Phone: 904-491-3608
Fax: 904-491-3611

José R. Deliz, P.E.
Director

EXHIBIT P
Decision Granting Final Certificate of Concurrency with
Conditions, October 4, 2005 (Exhibits not included)

October 4, 2005

Howard M. Landers, AICP
Howard M. Landers Consulting, LLC.
326 Settlers Lane
Charlotte, NC. 28202

Subject: **Crane Island**

DECISION GRANTING
FINAL CERTIFICATE OF CONCURRENCY WITH CONDITIONS

Upon review of the application for a final concurrency determination pursuant to Section 8, Nassau County, Florida Concurrency Management Ordinance No. 99-06, regarding subject, the Nassau County Engineering Services Department decides as follows:

1. The application for a Final Certificate of Concurrency is granted with conditions, pursuant to Section 8.1.2.2. Ordinance No. 99-06, for a **90-Berth Marina, a 50 dwelling unit (du) Residential Condominium/ Townhouse, and a 119du Single-Family Detached Housing development, Institute of Transportation Engineers (ITE) Land Uses 420, 230, and 210, respectively.** This Final Certificate of Concurrency is conditioned upon the following:
 - a. The development being legally described as shown on Exhibit A and located as shown on Exhibit B (Tax Parcel Map) of the application.
 - b. Prior to the issuance of the Certificate of Occupancy the necessary facilities will be in place to serve the project with potable water and sanitary sewer services.
 - c. Compliance with all other applicable Federal, State, regional and local land development regulations in effect at the time of permitting.
2. The concurrency determination granted herein shall remain in effect for two (2) years pursuant to Section 8.2.2.4 and its sub-parts of Ordinance 99-06, and will expire on **October 4, 2007**, unless the applicant obtains a Development Review Committee Letter of Approval or Final Plat approval, in which case the Certificate of Concurrency shall remain in effect until the expiration of the approved Construction Plans and/or Final Plat to which it applies, or the Certificate of Concurrency is extended by a reservation of capacity pursuant to Section 8.2.2.4.1 or Section 8.4 of Ordinance No. 99-06.
3. If the Certificate of Concurrency expires, a new Final Certificate of Concurrency must be obtained prior to any further development of the project.
4. This decision does not affect any other aspects of the development and improvement standards or requirements, or any other aspect of the development of land or provision of public improvements subject to the County Land Development Regulations, Comprehensive Plan, or other County

CERTIFICATE OF CONCURRENCE

Crane Island

October 4, 2005

Regulations, which shall be operative and remain in full force and effect without limitation with respect to all such development (Section 4, Ordinance No. 99-06). A Final Certificate of Concurrence does not relieve the applicant from applying for other applicable permits or complying with any land development regulation or governmental requirement, nor does the Certificate of Concurrence guarantee the granting of other applicable permits such as rezoning, variances, exceptions, or building permits.

5. This decision may be appealed to the Nassau County Board of County Commissioners. Any appeal must be filed with the Engineering Services Department within fifteen days of the decision. Please see Section 12.1, Ordinance No. 99-06.
6. This decision shall serve as the Final Certificate of Concurrence, issued by the Nassau County Engineering Services Department pursuant to Section 7.5, Ordinance No. 99-06.

Dated this 4th day of October, 2005.

José R. Deliz, P.E.
Engineering Services Director

Cc: Mike G. Mahaney, County Administrator
Chris Jackson, Growth Management Coordinator
Concurrence File



U.S. Department
of Transportation
Federal Aviation
Administration

**Exhibit Q Finding of No Significant Impact (FONSI), dated
January 4, 2005**

Orlando Airports District Office
5950 Hazeltine National Drive, Suite 401
Orlando, Florida 32822-5024
Phone: (407) 812-6331 Fax (407) 812-697

January 4, 2005

Mr. Robert Mearns
City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

Dear Mr. Mearns:

This responds to your submission of an Environmental Assessment (EA) for the proposed release of airport property for the construction of an access road to Crane Island at the Fernandina Beach Municipal Airport. Enclosed is a copy of the approved Finding of No Significant Impact (FONSI) for this proposed project.

This finding is issued pursuant to certain continuing requirements for mitigation and permits that are discussed and indicated in the Environmental Assessment and in the Record of Decision which are considered to be conditions of approval.


In accordance with Federal Aviation Administration procedures, the FONSI must be made available to the public. The enclosed notice should be placed in a local newspaper(s) as soon as possible and run for a minimum of three days. Please provide this office with a certified copy of the notice as it appears in the newspaper(s).

This letter should be attached to the FONSI for public inspection. If there are any questions, please feel free to contact me by telephone on extension 117 at the number listed above.

Sincerely,

Original Filed

W. Dean Stringer
Manager

PARTNERS IN CREATING TOMORROW'S AIRPORTS 

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
AIRPORTS DISTRICT OFFICE
ORLANDO, FLORIDA

FINDING OF NO SIGNIFICANT IMPACT

PROPOSED RELEASE OF AIRPORT PROPERTY FOR THE CONSTRUCTION OF
AN ACCESS ROAD TO CRANE ISLAND

FERNANDINA BEACH MUNICIPAL AIRPORT
FERNANDINA BEACH, FLORIDA

January 4, 2005

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT

PROPOSED RELEASE OF AIRPORT PROPERTY FOR THE CONSTRUCTION OF
AN ACCESS ROAD TO CRANE ISLAND

FERNANDINA BEACH MUNICIPAL AIRPORT

FERNANDINA BEACH, FLORIDA

This Finding is made with reference to the Environmental Assessment dated October 20, 2004, the attached Record of Decision dated January 4, 2005, and pursuant to FAA Order 5050.4A. After careful and thorough consideration of the facts contained therein, the undersigned finds that the proposed Federal action is consistent with existing national environmental policies and objectives as set forth in Section 101(a) of the National Environmental Policy Act of 1969 (NEPA) and that it will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA.

APPROVED: W. Dean Stip DATE: January 4, 2005

DISAPPROVED: _____ DATE: _____

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
RECORD OF DECISION

PROPOSED RELEASE OF AIRPORT PROPERTY FOR THE CONSTRUCTION OF
AN ACCESS ROAD TO CRANE ISLAND

FERNANDINA BEACH MUNICIPAL AIRPORT

FERNANDINA BEACH, FLORIDA

Proposed Federal Action: The proposed project involves the release from the terms of Surplus Property Agreements between the Federal Aviation Administration (FAA) and the Airport Owner to permit the Airport Owner to sell and convey title of this property for the construction of an access road to Crane Island. The proposed federal action includes FAA's release of the land from the terms and conditions of the Surplus Property Agreements.

The City of Fernandina Beach, FL (the airport owner) has submitted an Environmental Assessment (EA) to accomplish the work described above. The Environmental Assessment, with its appendices, is hereby made a part of this document. The FAA supports the objectives of the proposed project to provide for the local public interest in constructing a public access to the planned development on Crane Island.

Basis of Finding: The City of Fernandina Beach has examined the EA for this project and found it to be appropriate and complete. The project is located in Fernandina Beach, Nassau County, Florida. No additional changes have occurred since their approval of the EA. As a result of this review, the airport owner is recommending the release of airport property so that they may sell the property for construction of an access road to Crane Island to accommodate the new associated development as presented in the EA to the FAA for review and approval.

Although the FAA was presented with a preferred alternative, three alternatives, including the No Action alternative were evaluated. The No Action alternative would not satisfy the purpose and need for the proposed project. Another alternative, the use of the historical right-of-way through the airport, would disrupt existing airport operations and severely limit the capability of the airport to develop as currently proposed. That alternative was eliminated from further evaluation.

The FAA determined that the airport owner's preferred alternative would not significantly impact the human environment. This Finding of No Significant Impact is based on the attached EA which was independently evaluated by the FAA and determined to adequately discuss the environmental issues and impacts of the

proposed project. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FAA takes full responsibility for the accuracy, scope and contents of the attached EA.

The current 10-year forecast presented in the FAA's Terminal Area Forecast (TAF) for Fernandina Beach Municipal Airport includes 47,000 annual operations. The proposed release of property and the construction of the access road will not result in any increase in airport operations. Noise contours developed as part of the Airport Layout Plan Update show that the 65 DNL contour lies completely within the airport boundary. Therefore, no non-compatible land uses will be impacted by the proposed project.

The Northeast Florida Regional Planning Council generally supports the preferred alternative; however, it has recommended that the airport owner give more attention to Regional Goal 5.3: to minimize transportation and land use planning barriers, maximize transportation funding efficiency and achieve overall planning consistency, in regards to the facilitation of this project. A better communication network needs to be set up between the Nassau County and the City of Fernandina Beach before this project should continue.

The Florida Department of State, Division of Historical Resources, had no comment on the EA. Based on the research information included in the EA, the proposed project will have no effect on historic properties. There are no listed resources or resources eligible for listing in the National Register of Historic Places in the project area. The FAA, in compliance with Section 106 of the National Historic Preservation Act, has determined that the proposed project will have no significant impacts to historic, architectural, archaeological or cultural resources.

The FAA has determined that no parks, recreational areas, wildlife and waterfowl refuges, or any significant historical sites will be impacted by the proposed project. Therefore, Section 4(f) does not apply.

Nassau County is in attainment for all criteria pollutants. No significant air quality impacts are expected as a result of the proposed project and no further analysis is necessary.

A review of the Federal Emergency Management Agency (FEMA) flood insurance rate maps (FIRM) was performed. There will be no 100-year floodplain impacted by the proposed project.

In accordance with Executive Order 11990 "Protection of Wetlands," wetlands were given special consideration during development and evaluation of the project. No U. S. Army Corps of Engineers jurisdictional wetlands were identified within the airport boundary. No permit is required and no mitigation is offered.

Outside of airport property, the proposed construction includes two elevated bridges. The bridge construction will result in shading of approximately 0.18 acres of wetlands.

These impacts fall under the jurisdiction of the St. Johns River Water Management District (SJRWMD). Mitigation is proposed to compensate for the potential shading of the wetlands. Two acres of open salt flat areas that contain patches of salt-tolerant vegetation will be placed under a conservation easement to be granted to SJRWMD.

All state water quality standards and any federal, state, or local permit requirements will be met through the U. S. Corps of Engineers, the Florida Department of Environmental Protection, and the St. Johns River Water Management District. The construction and operation of the proposed project will not result in violations of water quality standards and will not degrade ambient water quality. The stormwater management system will be designed to meet or exceed the SJRWMD's presumptive criteria. The potential for short-term water quality impacts resulting from the construction will be mitigated through the implementation of an erosion and sedimentation control plan that includes the use of construction controls to prevent degradation of water quality and associated impacts on aquatic ecology. Based on information in the EA, The FAA has determined there will be no significant impacts to water quality as a result of the proposed project.

No threatened or endangered wildlife species were observed at the site during the wildlife survey. Based upon the site survey of existing communities combined with published literature regarding habitat and ecological characteristics of all endangered species with the potential to occur, it was determined that the subject property has extremely low potential for the occurrence of threatened and endangered species.

The proposed project does not impact any prime or unique farmland, as defined in 7 CFR 658. Therefore, the provisions of the Farmland Protection Policy Act of 1984 do not apply to the proposed project.

Pursuant to the Coastal Zone Management Act of 1972, 15 CFR 930, it has been determined that the proposed project is consistent with the Florida Coastal Management Program. The result of the State's consistency review indicates no impacts to the designated coastal zone management area will occur as a result of the proposed project. This proposed project will have no effect on the objectives, goals, or policies of the Coastal Zone Management Program.

The proposed project will have no impacts on coastal barriers. No State or Federal designated wild and scenic rivers are located near the airport. Therefore, the project will have no impacts on any wild and scenic river.

No induced socioeconomic, light emission, energy supply & national resource, solid waste, hazardous materials or long-term construction impacts were identified for the proposed project. The proposed project is not anticipated to result in any impacts to any low-income or minority community.

A public involvement program was carried out during the project development. The EA also included a review and coordination process involving applicable State, Federal and local government agencies. All comments received as a result of various public input

have been addressed in the EA. The Florida Department of Community Affairs released the project without comment. The proposed project is reasonably consistent with existing plans of public agencies for development of the area and fair consideration has been given to the interest of communities in or near the airport.

The approved EA addresses all of the viable alternatives that were studied during project development. The environmental effects of the alternatives under consideration were evaluated when preparing the EA. The EA was made available to the public and an opportunity for public review and comment was given.

Following the submittal of the draft environmental assessment, the FAA conducted an independent review of the document. The October 20, 2004 Environmental Assessment represents the federally accepted environmental document.

Mitigation Measures: This finding is contingent upon the airport sponsor's implementation of the following mitigation measures:

1. The airport sponsor shall obtain all permits required by Federal, state or local laws and regulations.
2. All conditions of the Letter of Release (Obligated Airport Property) shall be met.
3. The wetland mitigation plan, including placing 2 acres of wetlands under a conservation easement to be granted to SJRWMD, as required by the SJRWMD shall be required as part of this approval, and any other wetland mitigation acceptable to the other regulatory agencies, if required, shall be identified and a plan for implementation must be approved prior to start of construction. The approved mitigation shall be included in any other permit process and initiated prior to completion of the proposed project.
4. The project will comply with the U.S. Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) storm water permit(s) as applicable.
5. Construction activity will conform to requirements of FAA Advisory Circular 150/5370-10A, Standards for Specifying Construction of Airports and FAA Advisory Circular 150/5200-33 Hazardous Wildlife Attractants on or Near Airports.
6. The replacement of the upland mitigation area (0.83 acres) shall be implemented as required by SJRWMD and all caution shall be taken to ensure that the area does not become a wildlife hazard attractant. Should wildlife hazards occur, the area shall be modified to eliminate the wildlife hazards.

7. If historical or archaeological artifacts are discovered at any time on the project site, work will stop and the appropriate State office shall be notified.

FEDERAL FINDING: Having carefully considered the project need, and being properly advised as to the anticipated environmental impacts of the proposal, I find the project is reasonably supported and should be processed for Federal action to approve release of airport property for the construction of an access road to Crane Island, and any required environmental mitigation.

Federal Aviation Administration
U.S. Department of Transportation

Date: January 4, 2005

NOTICE**of Availability of Finding of No Significant Impact (FONSI)**

The Federal Aviation Administration (FAA) Orlando Airports District Office on January 4, 2005, issued a Finding of No Significant Impact (FONSI) for the proposed release of airport property for the construction of an access road to Crane Island at Fernandina Beach Municipal Airport. Copies of the FONSI are available for review by the public at the following locations:

Federal Aviation Administration
Orlando Airports District Office
5950 Hazeltine National Drive, Suite 400
Orlando, FL 32822-5024

City Manager's Office
City of Fernandina Beach, FL

and any other location as may be subsequently deemed appropriate and convenient.

ALABAMA

Stadium Share?

Jefferson County Commissioners on Tuesday agreed to extend a deadline for Birmingham and the state to ante up their share of financing toward a \$498 million stadium and entertainment complex that has been proposed for nearly a decade.

While commissioners had said they wanted responses from the city and state by Jan. 1, they agreed during their regular meeting on Tuesday to wait until Jan. 31 for those responses.

The proposal, which includes adding 250,000 square feet to the Birmingham-Jefferson Convention Complex's existing 320,000 square feet, also calls for building a 65,000-seat domed stadium, and creating an entertainment district for restaurants and shopping.

The Birmingham-Jefferson Civic Center Authority, created in the mid-1960s to build the original convention center, plans to sell bonds for the expansion project but has not obtained commitments to pay the estimated \$35 million annual debt service.

County commissioners will contribute \$10 million a year for 30 years. However, commissioners have threatened to withdraw their contribution if the rest of the financial backing is not secured soon.

Project backers have asked Birmingham and the state to each contribute \$5 million a year for 30 years toward the project. City officials recently asked county commissioners to give them until Jan. 31 to take action on the request for funding.

Gov. Bob Riley was asked in November for a determination on the state's contribution. Riley, who was asked to render a decision by Jan. 1, has not responded.

—Shelby Sigs

FLORIDA

Nassau Outlook Dims

Standard & Poor's last week downwardly revised its outlook on Nassau County to negative from stable based on a trend of operating deficits and weakened reserves, an agency analyst said.

The negative outlook affects \$35.6 million of public improvement revenue

bonds, Series 2001.

Standard & Poor's affirmed its A rating on the MBIA Insurance Corp.-insured outstanding bonds, which are secured by the county's covenant to budget and appropriate non-ad-valorem revenue.

The northern Florida county has a broad and rapidly expanding tax base with residents who have above-average wealth and income levels, a low and declining unemployment rate, and low debt levels, a report from Standard & Poor's analyst John Sugden-Castillo said.

Operating deficits and reduced reserves offset the county's strengths, however, Sugden-Castillo said.

"Nassau County's financial performance has significantly weakened over the past three fiscal years, with growth in expenditures outpacing revenue growth," Sugden-Castillo said. "Efforts by management to increase revenue through a tax increase after the initial deficit in 2001 were insufficient to close the gap."

At the end of fiscal 2003, the non-served fund balance stood at \$5.3 million, or 13.8% of general fund expenditures. The fiscal 2004 budget included the use of \$3.6 million from the fund balance. Although audited statements for fiscal 2004 are not yet available, county estimates place the ending fund balance at approximately \$1.5 million to \$1.7 million, or about 4% of expenditures.

Standard & Poor's will reevaluate the county's financial position once audited fiscal 2004 financial statements are available and after the new clerk of the court, who was elected in November, presents a plan to address operating deficits, said Sugden-Castillo.

"Failure to stabilize fund balance reserves and develop a plan to address the county's operational imbalance could result in a rating downgrade," the analyst concluded.

In September, Fitch Ratings downgraded to A- from A-plus its underlying rating on Nassau County's outstanding bonds. Fitch also placed the bonds on rating watch negative. Moody's Investors Service rates the bonds A2.

Nassau County is north of Jacksonville in the northeast corner of the state and has a population of 61,344.

—Steddy Sigs

GEORGIA

Fayette School Sale

The Fayette County School District next Tuesday will competitively sell \$35 million of general obligation bonds, tapping a \$65 million authorization voters approved in November.

The county, one of the fastest growing in the state, is trying to keep up with the high influx of students in its schools. Proceeds fund construction of two elementary schools and to buy land for future school facilities as part of a five-year building program, according to Moody's Investors Service.

Moody's assigned an underlying rating of Aa3 to the deal. A program rating of Aa2 was assigned based on the State Board of Education's statutory requirement to divert the district's monthly state appropriations and forward them to the paying agent to cover debt service if local funds are insufficient.

Moody's said that after next week's issue, the district's overall debt burden will reach 20% of its general fund revenue, and with 78.9% of all current debt defeased within 10 years, the addition of an expected \$30 million within the next three years will not greatly increase leverage.

Moody's analysts point out that all of the interest on the Series 2005 bonds will be compounded through 2011, which lowers the district's near-term debt service burden. And unlike many metro Atlanta school systems, the district has sufficient capacity to house projected enrollment for the next five years, and the projects funded under the current plan should address all needs for the foreseeable future.

According to Moody's, the population increased by 38% to 96,611 from 1992 to 2002. Student enrollment has increased by an annual average of 2.3% over the same time frame. The ad valorem tax base has grown by a healthy 8.8% annual average since 1999, reaching \$11.1 billion in 2004.

—Tetra Daise

ican Tort Reform Association.

"Judicial Hellholes are places that have a disproportionately harmful impact on civil litigation. Personal injury lawyers seek out these places because they know that they will produce a positive outcome — an excessive verdict or settlement, a favorable precedent, or both," the association said about its latest list.

Last year, five Mississippi counties were among 13 areas in the country on the list because of high jury verdicts. The Legislature adopted some of the country's most stringent tort reform measures earlier this year, capping most jury awards.

"Mississippi is well on its way to judicial and economic recovery," the association said.

Of the nine regions targeted by the association this year, four are in the Southeast. They are: the state of West Virginia; Hampton County, S.C.; Orleans Parish, La.; and South Florida.

—Shelby Sigs

SOUTH CAROLINA

Ailing Apartments

Standard & Poor's on Monday downwardly revised its outlook to negative from stable on \$8.8 million of bonds sold by the South Carolina State Housing Finance and Development Authority for several apartment complexes due to declining debt service coverage.

The Series 2005 bonds are rated AA-minus.

Standard & Poor's analyst Christopher Mortuary said debt service coverage for the bonds has been declining since the fiscal year ended Dec. 31, 2000. He found that for the fiscal year ended Dec. 31, 2003, debt service coverage had declined to 2.12 times, which was down from 2.37 times for the fiscal year ended Dec. 31, 2002.

The apartments are Runaway Bay, Highland Ridge, and Spring Creek. Average gross rental income for fiscal 2003 decreased by 3%, to \$520 per unit per month. That was down from \$537 per unit per month in fiscal 2002.

The expense ratio for fiscal 2003 is at 54%, higher than 50% for fiscal 2002. Expenses per unit per year are higher by 5% from fiscal 2002. The increase in expenses is primarily due to a 45% increase in administrative expenses and an 11% increase in payroll expenses.

—Tetra Daise

MISSISSIPPI

Tort Reformers Rejoice

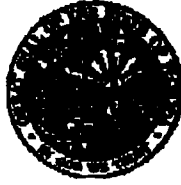
Reform efforts designed to modernize government and improve economic prospects have paid off with the state's recent removal from the annual "Judicial Hellhole" list published by the Amer-

State	Jan. 1, 2005		Dec. 29, 2004		Chg in Amt
	Issues	Amount	Issues	Amount	
Alabama	0	\$0	0	\$0	\$0
Florida	10	899,510,000	5	462,630,000	436,880,000
Georgia	1	17,000,000	1	17,000,000	0
Kentucky	4	30,230,000	5	61,195,000	-30,965,000

State	Rating	One-Year	Five-Year	10-Year	30-Year
Virginia	Aaa/AAA/AAA	2.02/2.07	2.75/2.82	3.58/3.68	4.61/4.67
North Carolina	Aa1/AAA/AAA	2.07/2.07	2.75/2.82	3.56/3.65	4.62/4.66
South Carolina	Aaa/AAA/AAA	2.07/2.09	2.77/2.84	3.58/3.68	4.62/4.71
Georgia	Aaa/AAA/AAA	2.07/2.09	2.77/2.85	3.60/3.67	4.62/4.67
Tennessee	Aa2/AA/AA	2.10/2.09	2.86/2.85	3.68/3.68	4.70/4.70

5541

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
 Office of the Secretary
 Office of International Relations
 Division of Elections
 Division of Corporations
 Division of Cultural Affairs
 Division of Historical Resources
 Division of Library and Information Services
 Division of Licensing
 Division of Administrative Services



MEMBER OF THE FLORIDA CABINET
 State Board of Education
 Division of the National Improvement Trust Fund
 Administration Commission
 Florida Land and Water Adjudicatory Commission
 State Board
 Division of Bond Finance
 Department of Revenue
 Department of Labor Industries
 Department of Highway Safety and Motor Vehicles
 Department of Veterans' Affairs

FLORIDA DEPARTMENT OF STATE
 Katherine Harris
 Secretary of State
 DIVISION OF HISTORICAL RESOURCES

Exhibit R Florida Department of State, Division of Historical Resources, issued a Cultural Resource Assessment Review Request, dated April 15, 1999

April 15, 1999

Dr. Lucy B. Wayne
 SouthArc, Inc.
 3700 N.W. 91st Street, Suite D300
 Gainesville, Florida 32606

RE: DHR No. 992080
 Cultural Resource Assessment Review Request
Island in the Marsh: An Archaeological Investigation of 8NA59 and 8NA709, Nassau County, Florida. SouthArc, Inc.

Dear Dr. Wayne:

In accordance with the provisions of Chapter 380.06, *Florida Statutes*, as well as the those contained in Chapter 267.061, *Florida Statutes*, implemented through 1A-46 *Florida Administrative Code*, we have reviewed the results of the excavation of the referenced project performed by SouthArc, Inc. and find them to be complete and sufficient.

This office has reviewed the results of the Phase III Excavation of the Crane Island sites NA59, and NA709, these sites have been judged to be adequately mitigated against the proposed impacts. We concur with the determinations. Therefore, it is the opinion of this office that the proposed undertaking will have no effect on historic properties listed or eligible for listing in the *National Register of Historic Places*, or otherwise of historical or architectural value.

If you have any questions concerning our comments, please do not hesitate to contact Stacey Hopper, Historic Sites Specialist at (850)487-2333 or (800)847-7278. Your interest in protecting Florida's archaeological and historic resources is appreciated.

Sincerely,

for *George W. Percy*
 George W. Percy, Director
 Division of Historical Resources
 and
 State Historic Preservation Officer

GWP/Hsh

Office of International Relations
Division of Elections
Division of Transportation
Division of Cultural Affairs
Division of Historical Resources
Division of Library and Information Services
Division of Licensing
Division of Administrative Services



FLORIDA DEPARTMENT OF STATE
Katherine Harris
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Division of Statewide Transportation
Administration/Comptroller
Health, Law and Water Regulatory Commission
Child Support
Division of Bond Finance
Department of Law Enforcement
Department of Highway Safety and Motor Vehicles
Department of Veterans' Affairs

RPE
5893

Ms. Lucy B. Wayne
SouthArch, Inc.
3700 N.W. 91st Street, Suite D300
Gainesville, FL 32606-7307

September 9, 1999

RE: DHR Project File No. 995801
*Island in the Marsh: Zooarchaeological Analysis of 8NA59 and 8NA709, The Crane
Island Sites, Nassau County, Florida. By Lisa O'Steen, New South Associates with
Contributions by SouthArch, Inc. July 14, 1999.*
DCA File No. BLID-483-009

Dear Ms. Wayne:

We have received the copy of the final zooarchaeological report for the 1989 excavations completed at 8NA59 and 8NA709 on Crane Island. Thank you for submitting this addendum for the survey report (DHR Project File No. 992080) that we have previously reviewed.

If you have any questions concerning our comments, please contact Ms. Robin Jackson, Historic Sites Specialist at (850) 487-2333 or 1-(800) 847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Laura A. Karmann

for George W. Percy, Director
Division of Historical Resources

GWP/hj

K.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 • <http://www.flhawaii.com>

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Director's Office
(904) 488-1488 • FAX: 488-3355 | <input type="checkbox"/> Archaeological Research
(904) 487-2289 • FAX: 414-2287 | <input checked="" type="checkbox"/> Historic Preservation
(904) 487-2333 • FAX: 922-0496 | <input type="checkbox"/> Historical Museums
(904) 488-1486 • FAX: 922-2500 |
| <input type="checkbox"/> Historic Preservation Board
(904) 997-7985 • FAX: 997-3767 | <input type="checkbox"/> Palm Beach Regional Office
(561) 299-1478 • FAX: 299-1474 | <input type="checkbox"/> St. Augustine Regional Office
(904) 823-3047 • FAX: 825-2044 | <input type="checkbox"/> Tampa Regional Office
(813) 272-3843 • FAX: 973-2380 |

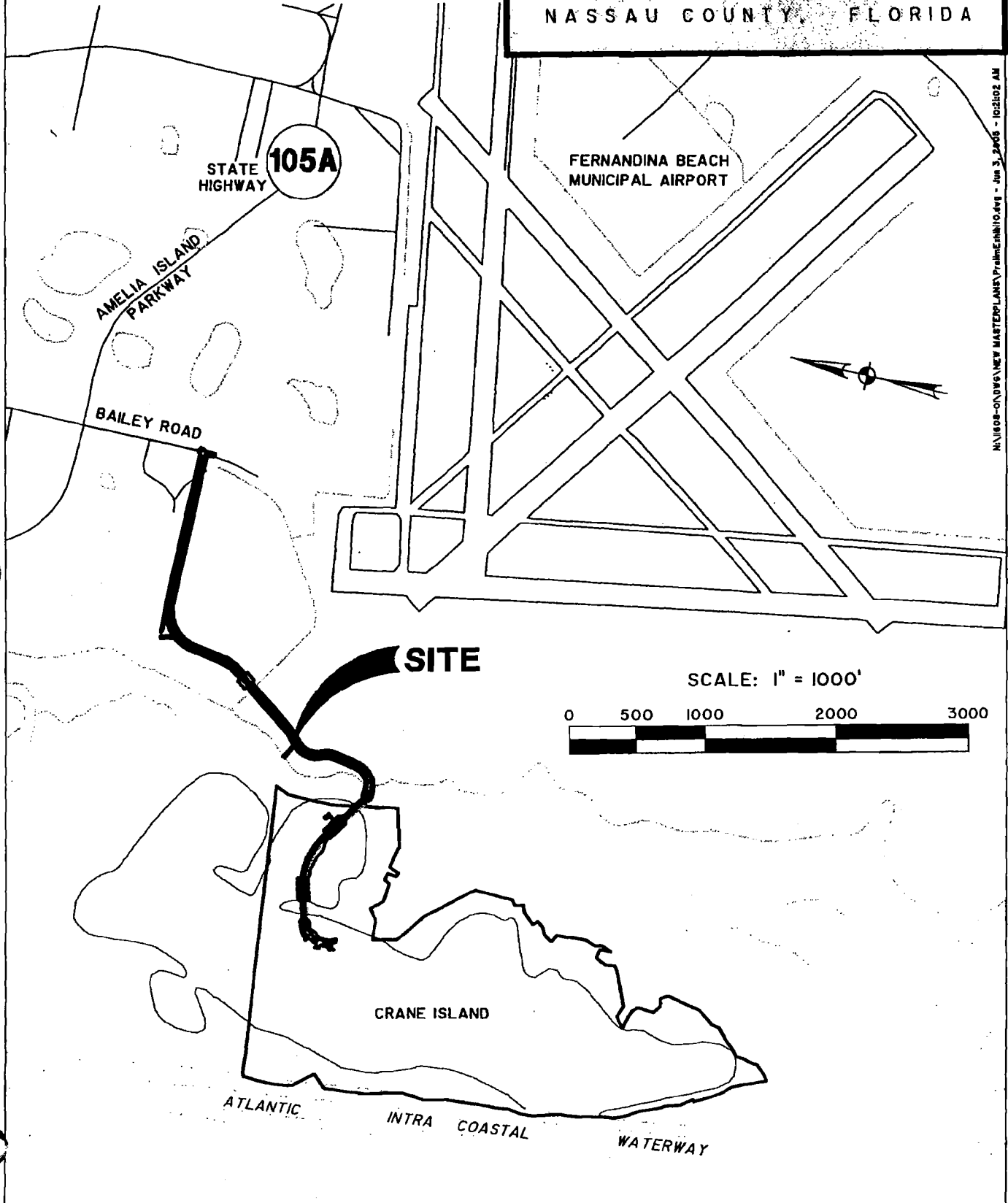
EXHIBIT

MAP OF ACCESS ROAD

CRANE ISLAND

AMELIA ISLAND

NASSAU COUNTY, FLORIDA



N:\VISOR-04\DWG\NEW MASTER\PLANS\FramExhibit04.dwg - Jun 3, 2005 - 10:21:02 AM

SITE

SCALE: 1" = 1000'



CRANE ISLAND

ATLANTIC INTRA COASTAL WATERWAY

SOURCE: FLORIDA B.L.M. DIGITAL LINE GRAPH (DLG) - AMELIA ISLAND

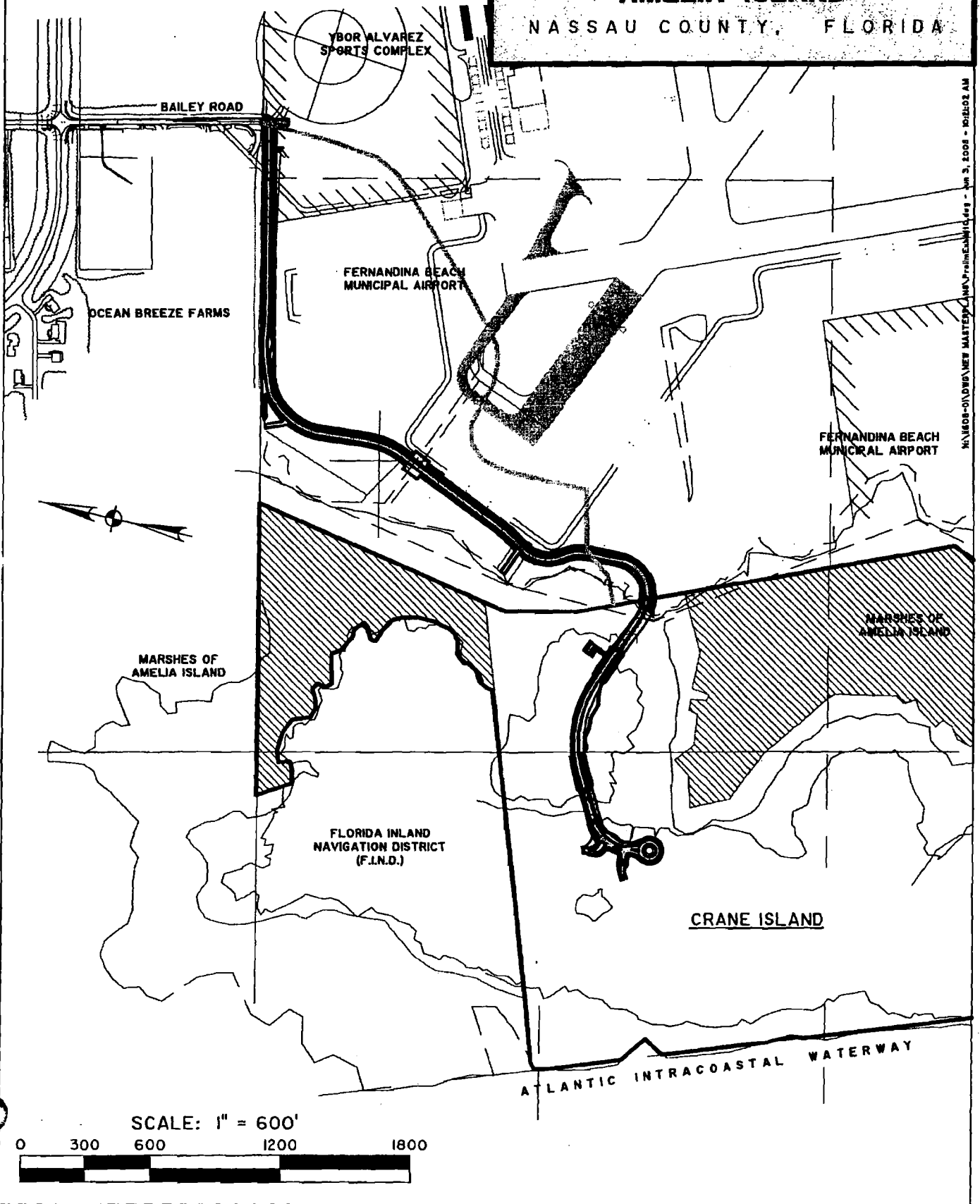
EXHIBIT

MAP OF ACCESS ROAD

CRANE ISLAND

AMELIA ISLAND

NASSAU COUNTY, FLORIDA



BY/005-01/DA/NEE MASTER/CRANE/AMELIA/04/01 - JUN 3, 2008 - 10:02:05 AM

Map Showing

A PORTION OF GOVERNMENT LOTS 2 AND 3, SECTION 6, TOWNSHIP 2 NORTH, RANGE 28 EAST, NASSAU COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6; THENCE NORTHWESTERLY, ALONG THE NORTHERLY LINE OF SAID SECTION 6, RUN THE FOLLOWING TWO (2) COURSES AND DISTANCES: COURSE NO. 1: NORTH 89°49'12" WEST, 2353.12 FEET, TO THE POINT OF BEGINNING; COURSE NO. 2: CONTINUE NORTH 89°49'12" WEST, 1181.60 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 330.00 FEET, AN ARC DISTANCE OF 53.38 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 85°32'44" WEST, 53.33 FEET; THENCE SOUTH 87°30'17" WEST, 160.30 FEET; THENCE SOUTH 79°11'55" WEST, 24.40 FEET; THENCE SOUTH 50°44'26" EAST, 17.23 FEET; THENCE NORTH 87°30'17" EAST, 104.39 FEET, TO THE ARC OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 330.00 FEET, AN ARC DISTANCE OF 151.26 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 55°48'00" WEST, 148.94 FEET; THENCE NORTH 09°50'01" WEST, 87.84 FEET; THENCE SOUTH 79°11'55" WEST, 20.00 FEET; THENCE SOUTH 09°50'01" EAST, 104.14 FEET, TO THE ARC OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 330.00 FEET, AN ARC DISTANCE OF 170.91 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 23°19'00" WEST, 169.00 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 08°28'47" WEST, 214.54 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 320.00 FEET, AN ARC DISTANCE OF 152.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 22°08'36" WEST, 151.18 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 35°48'25" WEST, 50.78 FEET; THENCE NORTH 54°11'35" WEST, 20.00 FEET; THENCE SOUTH 35°48'25" WEST, 80.00 FEET; THENCE SOUTH 54°11'35" EAST, 20.00 FEET; THENCE SOUTH 35°48'25" WEST, 449.05 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 23.90 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 40°41'49" WEST, 23.87 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 45°35'13" WEST, 87.90 FEET; THENCE NORTH 57°01'05" WEST, 117.11 FEET; THENCE SOUTH 32°58'55" WEST, 20.00 FEET; THENCE SOUTH 57°01'05" EAST, 112.79 FEET, TO THE ARC OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 237.63 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 09°21'05" WEST, 223.90 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE SOUTHEAST; THENCE SOUTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 87.80 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 06°43'13" EAST, 88.37 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 11°14'46" WEST, 155.95 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE SOUTHWEST; THENCE SOUTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 144.00 FEET, AN ARC DISTANCE OF 159.13 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 42°54'42" WEST, 151.19 FEET; THENCE NORTH 83°35'50" WEST, 58.88 FEET, TO AN INTERSECTION WITH THE ORIGINAL GOVERNMENT MEANDER LINE OF SECTION 5, AS SURVEYED BY WASHINGTON AND WILLIS, DATED 1831; THENCE SOUTH 09°49'12" EAST, ALONG LAST SAID LINE, 72.67 FEET, TO THE ARC OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 204.00 FEET, AN ARC DISTANCE OF 208.23 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 51°43'20" EAST, 284.85 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 11°14'46" EAST, 156.95 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHWEST; THENCE NORTHWESTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 125.43 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 06°43'13" WEST, 123.38 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 140.00 FEET, AN ARC DISTANCE OF 171.71 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 10°27'01" EAST, 161.15 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 45°35'13" EAST, 100.77 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 34.14 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 40°41'49" EAST, 34.10 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 35°48'25" EAST, 449.05 FEET; THENCE SOUTH 54°11'35" EAST, 20.00 FEET; THENCE NORTH 35°48'25" EAST, 80.00 FEET; THENCE NORTH 54°11'35" WEST, 20.00 FEET; THENCE NORTH 35°48'25" EAST, 50.78 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 380.00 FEET, AN ARC DISTANCE OF 189.24 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 22°08'36" EAST, 179.53 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 08°28'47" EAST, 214.54 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 270.00 FEET, AN ARC DISTANCE OF 385.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 49°19'47" EAST, 353.20 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 89°49'12" EAST, 1106.80 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE NORTHEAST; THENCE NORTHEASTERLY, ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 86.39 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 45°10'48" EAST, 77.78 FEET, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 00°10'48" EAST, 5.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 4.90 ACRES, MORE OR LESS.

FOR: CIVITAS, L.L.C.

AMENDED: 8-02-04 TO SHOW AIRCRAFT SERVICE AND MODIFICATION TRACT (N.O. 2004-779)
AMENDED: 3-25-04 TO REVISE LIMITS OF PARCEL (N.O. 2004-284)



DATE: MARCH 12, 2002
SCALE: 1" = 200'

Clary & Associates, Inc.
PROFESSIONAL LAND SURVEYORS
18 N.W. 3728
3838 CHERRY POINT ROAD
JACKSONVILLE, FLORIDA 32237
(904) 288-2700
Bob L. Pittman
BOB L. PITTMAN, P.L.S. No. 4827

FILE No. T29-62

**AGREEMENT BETWEEN THE CITY OF FERNANDINA BEACH AND THE OWNERS
OF LAND COMMONLY KNOWN AS "CRANE ISLAND"**

THIS AGREEMENT is made and entered into as of the ____ day of _____, 2004, by and between the City of Fernandina Beach, a municipal corporation of the State of Florida, by and through its City Commission, whose address is 204 Ash Street, Fernandina Beach, Florida 32034 (hereinafter "City"), and Lynwood G. Willis and Jane T. Willis, husband and wife, Robert H. Still, Jr. and Michael D. Abney, as Co-Trustees of the Lynwood G. Willis and Jane T. Willis Trust U/D/O December 31, 1992, Vincent G. Graham, Piedmont Square, LLC, a South Carolina limited liability corporation, and Crane Island Investments, LLC, a South Carolina limited liability corporation (hereinafter referred to collectively as "Landowners").

RECITALS

WHEREAS, the City is authorized by Section 166.021, Florida Statutes, to enter into agreements that will advance the general health, safety and welfare of the citizens of the City; and

WHEREAS, Landowners are the owners of record of certain real property, commonly known as "Crane Island," consisting of approximately ~~207~~ acres, as is more specifically described in Exhibit "A", attached hereto and incorporated herein (hereinafter referred to as "Property"); and

WHEREAS, the City and Landowners entered into that certain "Consent Order Abating Action" ("Consent Order"), dated December 21, 2001, which provides, among other things, for construction of a road leading to the Property ("Access Road") and contemplates that Landowners will consent to annexation by the City, subject to certain conditions set forth in the Consent Order and further described herein; and

WHEREAS, all of the permits and approvals from the Florida Department of Transportation, the Federal Aviation Authority, the U.S. Army Corps of Engineers and the St. Johns River Water Management District for the construction of the Access Road have now been obtained; and

WHEREAS, the City and the Landowners now wish to set forth with particularity provisions for the construction of the Access Road and for the annexation of the Property by the City.

NOW, THEREFORE, in consideration of the premises set forth above, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- I. RECITALS. The foregoing recitals are true and correct and are incorporated by reference herein and made a part hereof.
- II. ACTIONS TO FOLLOW ISSUANCE OF ALL APPROVALS AND PERMITS FOR CONSTRUCTION OF ACCESS ROAD. Upon the issuance of all approvals and permits necessary for construction of the Access Road, the parties shall proceed as follows:
 - A. The City will dedicate the 60-foot right-of-way for the Access Road, as shown on Exhibit "B," attached hereto and made a part hereof (the "Access Road ROW"), for the use of the general public and present and future occupants, owners, or users of and visitors to the Property, as a public road, street and right-of-way, and for easements for drainage, water, sewer and other utilities, over, under through and across the Access Road ROW and will record the same in the public records of Nassau County, Florida.
 - B. Upon recordation in the public records of the Access Road ROW, the Landowners shall convey to the City all right, title or interest that they may have or claim in that certain 15-foot roadway as created or conveyed to John Broadbent in that certain instrument dated February 12, 1887, and recorded in Deed Book U, page 425, of the public records of Nassau County, Florida ("15-Foot Roadway"), and shall pay to the City, an amount equal to the fair market value of the acreage contained within the Access Road ROW, as such is located within the boundaries of the City-owned property, after deducting therefrom the fair market value of the acreage contained within the 15-Foot Roadway, said values to be determined by an appraiser mutually acceptable to all parties.

- C. Upon said recordation of the Access Road ROW, the City will assign to the Landowners, as may be necessary, all of the permits and approvals required to construct the Access Road and will authorize the Landowners to commence construction thereof.
- D. The City shall provide central water and sewer service to serve development on the Property. Development shall include no more than ⁴⁶⁹~~227~~ dwelling units, and residential amenities, such as a marina/boat basin for the use of the property owners, a residential neighborhood community center, and other uses as may be specifically approved by the City. Costs to construct the water and sewer lines shall be borne by the Landowners and may be incorporated into the design and construction of the Access Road ROW; provided, however, construction of the water and sewer lines required to serve development on the Property shall begin no later than initiation of construction of vertical improvements on the Property. The City shall grant to the Landowners and/or to utility providers, such authorizations and easements as may be necessary to construct any utility infrastructure within the Access Road ROW.
- E. Prior to commencement of construction of the Access Road, Landowners will create and record in the public records of Nassau County, Florida, an avigation easement to apply to development and conveyances of lots or parcels on the Property, in a form to be approved by the FAA, FDOT, and the City. Such easement will provide that, as long as the Fernandina Beach Municipal Airport ("Airport") operates within applicable legal standards for noise, current and future owners of the Property or any portion thereof, shall not have any cause of action against the City or operators of the Airport, related to the noise produced by the Airport and aircraft therein. Said easement shall also include language requiring that all homes constructed on the Property be required to incorporate insulation or other features into their walls and roofs that provide a level of noise insulation above that normally required for this purpose under applicable code requirements for the purpose of enhancing the reduction in decibel noise levels from the outside to the inside of air conditioned or heated structures.

- F. Upon said recordation of the Access Road ROW, assignment to the Landowners of all permits and approvals required to construct the Access Road, and approval of all authorizations and easements required to construct the utilities to serve the development of the Property, the Landowners shall consent to the annexation, subject to all development regulations and/or approvals then existing and to the provisions of subparagraph II.G. below, of the Property into the City.
- G. Following receipt of any necessary consents by the Landowners, the City shall proceed with the adoption process to annex the Property into the City, upon the earliest occurrence of one of the following events:
- i. The Landowners request annexation in writing;
 - ii. The Landowners apply to the City for construction of vertical improvements on the Property; or
 - iii. One year following the Effective Date of this Agreement.

III. NOTICES. Notices relating to the subject matter of this Agreement shall be provided in writing to the attention of:

To the City: Robert T. Mearns
City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32035

With a copy to:
Debra A. Braga
City Attorney
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32035

To the Landowners: Vincent G. Graham
Civitas, LLC
P.O. Box 22468
Charleston, SC 29413-2468

With a copy to:

W. O. Birchfield, Esq.
Lewis, Longman & Walker, P.A.
9428 Baymeadows Rd., Ste. 625
Jacksonville, FL 32256

IV. CONFLICT WITH CONSENT ORDER. To the extent that any of the provisions herein conflict with the Consent Order, this Agreement shall control and supersede the Consent Order, and the parties acknowledge that the Consent Order is amended to the extent of such conflict; provided, however, that, except as amended herein, the terms and conditions of the Consent Order remain valid and in full force and effect.

V. MISCELLANEOUS

- A. Other Documents and Assurances. Each of the parties to this Agreement agrees that any time after the execution hereof, it will, on request of the other party, execute and deliver such other documents and further assurances as may reasonably be required by such other party in order to carry out the intent of this Agreement, including without limitation, any documents which may be required by local, state or federal governmental agencies. Landowners agree that in the event such documents relate to the construction of the Access Road, Landowners shall solely bear all costs of preparing such documents.
- B. Amendment. This Agreement may be amended or modified in writing by execution by all the parties with the same formalities with which this Agreement was executed.
- C. Assignment. This Agreement shall inure to the benefit of, and be binding upon the successors, heirs, assigns and grantees of the parties hereto, and may be assigned by the Landowners without the prior approval of the City.
- D. Authority to Execute. Each party hereby represents and warrants that it has the right, power, and authority to execute and deliver this Agreement and to perform all of the obligations stated herein.
- E. Severability. It is hereby expressed to be the intent of the parties hereto that should any provision, covenant, agreement, or portion of this Agreement or its application to any

person, entity, or property be held invalid by a court of competent jurisdiction, the remaining provisions of this Agreement and the validity, enforceability, and application to any person, entity or property shall not be impaired thereby, but such remaining provisions shall be interpreted, applied and enforced so as to achieve, as near as may be, the purpose and intent of this Agreement to the greatest extent permitted by applicable law.

- F. Governing Law. The laws of the State of Florida shall govern the interpretation, validity and construction of the terms and provisions of this Agreement.
- G. Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.
- H. Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, and together, all of which shall constitute but one and the same instrument.
- I. Effective Date. The Effective Date of this Agreement is the last date it is executed by any of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed for the uses and purposes herein expressed on the day and year written below.

CITY OF FERNANDINA BEACH

By: _____
Joe Gerrity, Mayor

Date: _____

ATTEST:

Cassandra P. Mitchell, City Clerk

APPROVED AS TO FORM:

Debra A. Braga, City Attorney

LANDOWNERS

Signed, sealed and delivered
in the presence of:

Print name: _____

LYNWOOD G. WILLIS

Print name: _____

JANE T. WILLIS

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by LYNWOOD G. WILLIS and JANE T. WILLIS, who are personally known to me or has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

Print name: _____

ROBERT H. STILL, JR.

Print name: _____

MICHAEL D. ABNEY
AS CO-TRUSTEES OF THE LYNWOOD G.
WILLIS AND JANE T. WILLIS TRUST
U/D/O DECEMBER 31, 1992

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by ROBERT H. STILL, JR. and MICHAEL D. ABNEY, AS CO-TRUSTEES OF THE LYNWOOD G. WILLIS AND JANE T. WILLIS TRUST U/D/O DECEMBER 31, 1992, who are personally known to me or has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

Print name: _____

VINCENT G. GRAHAM

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by VINCENT G. GRAHAM, who is personally known to me or has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
Commission Number: _____
My Commission expires: _____

PIEDMONT SQUARE, LLC,
A SOUTH CAROLINA LIMITED
LIABILITY CORPORATION

By: _____

Print name: _____

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this ____ day of _____, 2004, by _____ of PIEDMONT SQUARE, LLC, A SOUTH CAROLINA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

Print Name: _____
Notary Public, State of _____
My Commission expires: _____

CRANE ISLAND INVESTMENTS, LLC,
A SOUTH CAROLINA LIMITED
LIABILITY CORPORATION

By: _____

Print name: _____

Print name: _____

STATE OF FLORIDA
COUNTY OF DUVAL

before me this _____ day of _____, 2004, by
of CRANE ISLAND INVESTMENTS, LLC, A
SOUTH CAROLINA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He
 is personally known to me or has produced _____ as
identification.

Print Name: _____
Notary Public, State of _____
My Commission expires: _____

EXHIBIT A
LEGAL DESCRIPTION FOR "PROPERTY"

EXHIBIT B
"ACCESS ROAD ROW"



Legend
1995 SJRWMD Land Use & Land Cover
 Water Features
 Wetlands
 Forested Lands
 Residential, Commercial, Industrial and Other Developed Lands
 Agriculture / Rural Lands
 Airports
 Recreational

Exhibit T: SJRWMD 1995 Land Use and Cover Inventory Map

6550
Non-Vegetated Wetlands

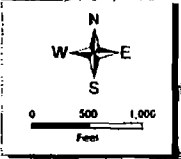
6440
Emergent Aquatic Vegetation

6550
Non-Vegetated Wetlands

4110
Pine Flatwoods

6550
Non-Vegetated Wetlands

Source: SJRWMD Land Use and Land Cover (1995)
 digital file (file:1995_nassau.shp downloaded from
<http://www.sjrwmd.com/programs/data.html>)



SJRWMD Land Use and Land Cover (1995)
Crane Island
 Nassau County, Florida

Project: EJ05084.00
 Date: September, 2005
 Figure: 1



Amelia Island Plantation®
FLORIDA'S PREMIER ISLAND RESORT™
Amelia Island, Florida

November 14, 2005

Mr. Mike Mullin
County Attorney
96135 Nassau Place
Yulee, FL 32097

RE: MEMORANDUM OF UNDERSTANDING
CRANE ISLAND

Dear Mike:

Attached is the executed copy of the Memorandum of Understanding signed by the Board of County Commissioners of Nassau County, the City Commission of the City of Fernandina Beach, the Owners of Crane Island, and Amelia Island Company.

Sincerely,

A handwritten signature in cursive that reads "William R. Moore".

William R. Moore, AICP
Director of Planning and Development

WRM/tr

Attachment

CC: Lynwood & Jane Willis
Robert H. Still, Jr.
Michael D. Abney
Vincent G. Graham
Chris Anderson
David P. Agnew
Jack B. Healan, Jr.
Howard M. Landers
Buddy Jacobs

MEMORANDUM OF UNDERSTANDING – CRANE ISLAND DEVELOPMENT**BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FL
AND
CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FL**

This Memorandum of Understanding is made between the Board of County Commissioners of Nassau County, Florida (hereinafter referred to as "County"), and the City Commission of the City of Fernandina Beach, Florida (hereinafter referred to as "City"). There is a very long history associated with the development permitting of Crane Island. That history involves both Nassau County and the City of Fernandina Beach. Activities with the County have consistently involved land use, while activities with the City have consistently involved access, utility services and relationship to the City Airport. The MOU is an agreement which the Owners of Crane Island have suggested as a vehicle through which the City and County can clearly define their respective roles. It defines the sequence of actions that each will follow in considering their respective Statutory responsibilities. The Owners have filed applications for an Amendment to the FLUM and for a PUD Ordinance with the County, and will file an application for a PUD Final Development Plan at the appropriate time. Upon receiving final development approvals as defined in the Stipulation for Dismissal between the City and Owners, the Owners will file an Applications for Annexation and for vertical and other construction permits with the City at the appropriate time. The sequence of events defined in the MOU essentially restates the sequencing of land use approvals as provided by Florida Statutes.

NOTE: Numerals preceding the WHEREAS clauses are provided as a guide for review and comment only and are intended to be removed prior to finalization of this MOU. The designations following the numerals are as follows: GL = General; NC = specific to Nassau County; FB = specific to the City of Fernandina Beach.

1 GL **WHEREAS**, the Owners of Crane Island, Lynwood G. Willis and Jane T. Willis, husband and wife, Robert H. Still, Jr. and Michael D. Abney, as Co-Trustees of the Lynwood G. Willis and Jane T. Willis Trust U/D/O December 31, 1992, Vincent G. Graham, Piedmont Square, LLC, a Virginia limited liability corporation, and Crane Island Investments, LLC, a South Carolina limited liability corporation (hereinafter referred to collectively as "Owners") own property in Nassau County, Florida which is more particularly described in Exhibit A attached hereto (hereinafter referred to as "Crane Island"); and

2 GL **WHEREAS**, the Owners desire to develop Crane Island with no more than 169 residential units, no more than 90 private slips in a locked upland boat basin, a public park of at least 5.75 acres, and other supporting open space and recreational facilities such as tennis courts, pools and fishing/observation docks as generally depicted on the Preliminary Development Plan, attached as Exhibit B, and as further described in Exhibit C ("Proposed Development"); and

3 NC **WHEREAS**, Crane Island was designated as Conservation/Wetlands, at a density of one residential unit per five acres, on the Nassau County Future Land Use Map (FLUM) in 1991, as a requirement of the Florida Department of Community Affairs ("DCA") in order for the Department to approve the County's Comprehensive Plan map (Minutes from a Special Meeting of the Nassau County Board of County Commissioners, June 29, 1993, Exhibit D); and

4 NC **WHEREAS**, the designation of Conservation/Wetlands that has been in existence since 1992 would prohibit the Proposed Development; and

5 GL **WHEREAS**, the Owners of Crane Island believe that a mapping error was made in the designation of Crane Island as Conservation/Wetlands on the Nassau County Future Land Use Map (FLUM) in 1991, although the Owners have never administratively challenged that error; and

6 GL **WHEREAS**, prior to approximately 2002, the Florida Department of Community Affairs had taken the position that the designation of Crane Island as Conservation/Wetlands was not an error and objected to requests by the Owners for a change in the designation; and

7 NC **WHEREAS**, Crane Island has been designated as RS-1 on the Nassau County Zoning Map since 1985 and, which designation would permit the Proposed Development, Exhibit E; and

8 NC **WHEREAS**, Policy 6.02.03C of the Nassau County Comprehensive Plan links the definition of Conservation/Wetlands to the SJRWMD land use and cover inventory; and,

9 NC **WHEREAS**, the 1995 SJRWMD Land Use and Land Cover inventory map, Exhibit T, classifies Crane Island as containing both upland and wetland areas; and,

10 GL **WHEREAS**, the Owners obtained an opinion from the St. Johns River Water Management District ("District") determining that Crane Island was uplands, Letter Dated December 9, 1997, Exhibit G; and

11 NC **WHEREAS**, DCA agreed that a consideration of a change in the FLUM designation was appropriate so long as it was accompanied by a Text Amendment to the policies of the Comprehensive Plan related to development in the Coastal High Hazard Area ("CHHA"), Letters Dated April 28 and May 15, 2003, Exhibit H; and

12 NC **WHEREAS**, the owners agreed to execute a Development Agreement with the County that would, among other items, provide for a public park and other public benefits; and

13 NC **WHEREAS**, in the interim, the case of Alachua County vs. Florida, Case No. 834 Southern Second 370, was issued that prevented the enforcement of the Development Agreement when there was annexation; and

14 NC **WHEREAS**, in consideration of the Alachua County case, the Owners prepared, for transmittal to DCA, an amendment to the FLUM maps and a text amendment, and said amendments contained conditional language; and

15 NC **WHEREAS**, on June 23, 2003, the County transmitted to DCA for their review an Amendment to the FLUM designating Crane Island as Low Density Residential with a maximum of 227 residential units; as well as an accompanying Text Amendment related to increased development in the Coastal High Hazard Area, Exhibit I; and

16 NC **WHEREAS**, DCA indicated that the transmitted Ordinance was not acceptable as the language was conditional; and

17 GL **WHEREAS**, since the 2003 application, the Owners of Crane Island have reduced the requested density from 227 homes to 169 homes, a reduction of nearly 26%; and

18 FB **WHEREAS**, the City has indicated by letter of May 19, 2005, that it has the capacity to provide water and sewer service to Crane island that will support the proposed level of development, Letter from John Mandrick, PE, dated May 19, 2005, Exhibit J; and

19 FB **WHEREAS**, the Owners filed suit against the City (Willis, et. al. v. City of Fernandina Beach, Case No. 200-14-CA) seeking to obtain clear access to Crane Island across properties within the Fernandina Beach Airport and to clarify other matters related to access to Crane Island; and

20 FB **WHEREAS**, the City and the Owners responded to the Consent Order Abating Action ("Order") in Case No. 200-14-CA of the Circuit Court, Fourth Judicial Circuit, and the City and the

Owners agreed to enter into an agreement providing an easement for access (and related improvements) to Crane Island, abandoning an existing road right-of-way across airport property, applying to FAA and FDOT for modification of the Airport Layout Plan to accommodate the access road and related improvements, the granting of an Avigation Easement over the lands of Crane Island, limiting development on Crane Island to residential, boat basin, a neighborhood center and other supportive uses, and entering into an agreement to implement the conditions of the Order, Exhibit K; and

21 FB **WHEREAS**, the City and Owners have executed a "Stipulation for Dismissal" and "Agreement Between the City of Fernandina Beach and the Owners of Land Commonly Known as 'Crane Island'", as signed by the City on September 15, 2005, as required by the above cited Stipulation and Agreement, Exhibit L; and

22 FB **WHEREAS**, in the "Stipulation for Dismissal" and "Agreement Between the City of Fernandina Beach and the Owners of Land Commonly Known as 'Crane Island'" ("Crane Agreement"), the Owners agreed to annex the property into the City, have continued pursuit of various actions to support the annexation, and will file the City's standard Application for Annexation "upon obtaining all required final approvals" as defined in the "Stipulation for Dismissal"; and

23 GL **WHEREAS**, the Board of County Commissioners and the City Commission met as the Amelia Island Joint Local Planning Agency (hereinafter referred to as "JLPA") on June 5, 2005, in response to a request from the Owners and Amelia Island Company (hereinafter referred to as "AIC") in an attempt to resolve outstanding issues, and provide a means for the Proposed Development to proceed; and

24 GL **WHEREAS**, the JLPA was created to consider issues of joint interest to the two jurisdictions; and

25 GL **WHEREAS**, the JLPA, acting individually as the Nassau County Board of County Commissioners and the Fernandina Beach City Commission, voted to direct their respective attorneys to prepare individual MOUs for consideration at a subsequent JLPA or regular City and County Board meetings; and

26 GL **WHEREAS**, the Owners of Crane Island have completed environmental studies (including "Environmental Assessment: Access Roadway to Crane Island at the Fernandina Beach Municipal Airport, Florida", October 20, 2004), Exhibit M, and Environmental and Cultural Resource Assessment, June 2005, Exhibit N, that have determined that the island neither supports any threatened nor endangered species nor contains any significant historical or archaeological sites; and

27 NC **WHEREAS**, the Owners of Crane Island have completed a traffic analysis (Crane Island Land Development Traffic Assessment, June 6, 2005), that shows adequate capacity on the local street network to support the Proposed Development on Crane Island, Exhibit O, and the County issued a Decision Granting Final Certificate of Concurrency with Conditions on October 4, 2005, Exhibit P; and

28 NC **WHEREAS**, the Owners filed an Application to Amend the designation on the County's FLUM Crane Island to Low Density Residential, on June 27, 2005, which precedes the August 5, 2005, deadline for the County's next amendment cycle; and

29 NC **WHEREAS**, the Owners filed an Application with the County to amend the Zoning classification for Crane Island from RS-1 and Conservation to a PUD classification which permits no more than 169 residential homes, no more than 90 slips in a non-commercial upland boat basin with a lock system and other supporting recreational amenities, and which codifies additional Conditions of Development, on June 27, 2005; and

30 GL **WHEREAS**, upon the approval of the approval of the requested FLUM and PUD Amendments, the Owners will file Application with the County for the approval of a PUD Final Development Plan and Plat; and,

31 NC **WHEREAS**, upon approval of the PUD Final Development Plan and Plat, the Owners will grant a non exclusive public access easement in perpetuity to the County over certain lands located on the Property which the Owners and County agree will be available for public use; and,

32 NC **WHEREAS**, upon approval of the PUD Final Development Plan and Plat, the Owners will impose covenants and restrictions running with the land on the property which will be recorded in the public records to limit the density of units and boat slips approved by the County. The County will be named as the beneficiary of such covenants and restrictions which will insure that the County can continue to maintain control over density of development on the property; and,

33 GL **WHEREAS**, the Crane Island properties consist of two ownership parcels that are recorded in the Public Records of Nassau County, one containing 113+ acres (and encompassing the upland portions of Crane Island) which is the appropriate parcel for the County FLUM designation, and the second consisting of 94+ acres (and encompassing primarily wetlands, with the two together totaling 207+ acres which is the appropriate parcel for the County PUD zoning and for annexation into the City; and

34 GL **WHEREAS**, upon approval of the PUD Final Development Plan by the County, an Environmental Resource Permit (ERP) by SJRWMD, a Nationwide Dredge and Fill Permit by the U.S. Army Corps of Engineers, and other development permits, the Owners will grant to Nassau County (or other entity as approved by Nassau County) a conservation easement covering the jurisdictional wetland and upland buffers, as defined by the ERP and subject to approved construction areas; and,

35 GL **WHEREAS**, AIC has joined with the Owners of Crane Island to undertake the sales, marketing and development of Crane Island; and

36 GL **WHEREAS**, the purchasers of residential properties on Crane Island will be able to join the Amelia Island Plantation Club, thereby reducing potential impacts on public recreational facilities; and

37 GL **WHEREAS**, both Crane Island and PLM West are located in the Coastal High Hazard Area and are both subject to policies related to the CHHA in the Nassau County Comprehensive Plan; and

38 NC **WHEREAS**, AIC filed a Notice of Proposed Change (NOPC) to the PLM West DRI Development Order (DO) (which has a build-out date of December 31, 2012) on June 27, 2005, to reduce the vested residential units in that DO by 128 in order to offset the impact of development in the Coastal High Hazard Area associated with the Proposed Crane Island Development, and, in order to provide consistency with the Nassau County Comprehensive Plan, AIC will file an application to amend the FLUM and/or Comprehensive Plan that will appropriately constrain development by 128 units on a specific land parcel in PLM West; and

39 GL **WHEREAS**, as a result of the offset of development in the Coastal High Hazard Area by the reduction of units in the PLM West Development Order will not reduce or relieve the payment of any normal development fees, impact fees, application fees or other fees typically associated with the development of Crane Island in the County and/or the City; and

40 GL **WHEREAS**, the Owners are allowed by right under the current FLUM designation to develop 41 residential units on Crane Island; and

41 GL **WHEREAS**, the FAA and FDOT have approved a modification of the Airport Layout Plan for the access road to Crane Island and issued a Finding of No Significant Impact (FONSI), dated January 4, 2005, related to the potential environmental impacts of said access road, Exhibit Q; and

42 GL **WHEREAS**, the Florida Department of State, Division of Historical Resources, issued a Cultural Resource Assessment Review Request on April 15, 1999, indicating that the Proposed Development would "have no effect on historic properties", Exhibit R; and

43 FB **WHEREAS**, the alignment and design of the Access Road have been defined and agreed upon by the City and Owners, Exhibit S; and

44 FB **WHEREAS**, in the above cited Stipulation for Dismissal and Agreement, the Owners have agreed with the City on the principles associated with the right to use the access road, and the Owners and City have reached a separate agreement on such use; and

45 GL **WHEREAS**, the Owners of Crane Island have committed to the following, which they believe will provide numerous benefits to the public, including but not limited to the following:

1. Preservation of approximately 135 acres of marsh and other wetlands through the granting of a conservation easement;
2. Provision of a park and/or open space, including a dock (except for the two docks associated with the locking system that will serve the boat basin, the "docks" to be constructed on Crane Island are to be used for viewing, fishing and other non-boating activities only), on Crane Island that is accessible to the public and encompassing approximately 5.75 acres (this facility will be dedicated to either the County or City if so desired);
3. Provision of public access to Crane Island and the abutting waters, including roads, parks, docks and other public facilities, but excluding access to the private recreational amenity facilities, the boat basin, private properties and other private areas, subject to the management of all such facilities by the Property Owners' Association which will own such facilities (said public access as noted in item 31 above will be defined in the PUD process and documented through recorded easements);
4. Provision of no more than seven neighborhood docks on the Intracoastal Waterway and marshes, and the prohibition through deed covenants and restrictions of individual, private docks on the Intracoastal Waterway and marshes;
5. An Avigation Easement granted to the City with deed covenants and restrictions that will protect the City's airport from airspace interference, provide noise insulation in all appropriate residential units, and protect the airport from future claims of noise intrusion by residents of Crane Island;
6. Increased ad Valorem tax and other revenues to the City and County, as well as the Nassau County School Board and other taxing entities;
7. Impact fees and other fees and charges associated with development approvals;
8. Improvement of the intersection of Bailey Road and Amelia Island Parkway to provide appropriate turning lanes;
9. Protection of the water quality surrounding Crane Island through the utilization of an upland locked private boat basin (The lock provides access to the Intracoastal Waterway) within which fueling and "live-aboards" will be prohibited, and only normal on-board minor servicing will be permitted;
10. Siting of facilities to preserve existing tree cover in development areas and all vegetation in preservation areas, and landscaping that will utilize native and naturalized species; and

46 GL **WHEREAS**, at the August 15 JLPA meeting, at which there was no public comment taken and no vote was taken, the Board of County Commissioners requested that the City Commission express the level of development that they were willing to support on Crane Island, and at least three of the City Commissioners stated that that no more than 169 residential units is an acceptable level of development for Crane Island, if amendments are approved at public hearings; and

47 NC **WHEREAS**, the Board of County Commissioners of Nassau County has considered the request and developed contents of this Memorandum of Understanding; and

48 FB **WHEREAS**, the City Commission of the City of Fernandina Beach has considered the request and developed contents of this Memorandum of Understanding; and

49 NC **WHEREAS**, the Owners have developed contents of this Memorandum of Understanding; and

50 GL **WHEREAS**, the Exhibits referenced in this document will be compiled and one set provided to the City Attorney and County Attorney on or before July 13, 2005, and have been updated as appropriate; and

51 GL **WHEREAS**, the intent of this Memorandum is consistent with the intent and purposes of the JLPA, and is consistent with the comprehensive plans of the County and the City; and

52 GL **WHEREAS**, nothing in this Agreement relieves the Owners from obtaining any and all local, state and federal permits that are applicable to the planned development nor relieves the Owners from adhering to any applicable local, state and federal codes; and

53 GL **WHEREAS**, nothing in this Agreement indicates approval by the County of the FLUM and PUD amendments for Crane Island, or the NOPC and any related approvals regarding PLM West; and

54 NC-FB **WHEREAS**, the City and the County agree to enter into a Memorandum of Understanding which sets forth conditions under which the Proposed Development could proceed.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. THE COUNTY agrees to process:

1. An Application for Amendment of the Future Land Use Map of its Comprehensive Plan, filed by Owners, to designate Crane Island as Low Density Residential;
2. An Application to Amend the Zoning Ordinance of Nassau County, filed by the Owners, to incorporate the Overlay of Planned Unit Development (PUD) subject to specific development conditions, including the development of no more than 169 residential dwelling units, no more than 90 slips in an locked upland private boat basin, and associated recreational amenities;
3. A Notice of Proposed Change (NOPC) to the PLM West DRI Development Order, filed by Amelia Island Company, reducing the vested development in the DO by 128 residential dwelling units and specifically committing that this reduction is to be used solely for the offset of development in the Coastal High Hazard Area as a result of the FLUM amendment.
4. A PUD Final Development Plan and Plat to be filed following approval of the FLUM and PUD Zoning Amendments.
5. As may be needed, an Inter-Local Agreement with the City to enable the County to continue inspection of construction implementing the Final Development Plan after annexation into the City.

2. THE CITY agrees to process:

1. An Application for Annexation of Crane Island into the City of Fernandina Beach and an accompanying Annexation Agreement, to be filed by the Owners' that will include the following elements:
 - a. All conditions associated with Annexation;
 - b. All conditions contained in the Stipulation for Dismissal and Crane Agreement as implementation of the Consent Order Abating Action.
2. Appropriate amendments to the City's Future Land Use Map and Zoning Map to provide classifications that accommodate the density provided by the County FLUM and PUD, and the conditions provided in the Final Development Plan and Plat for the property approved by Nassau County.
3. As May be needed, an Inter-Local Agreement with the County to enable the County to continue inspection of construction implementing the Final Development Plan after annexation into the City.

3. THE COUNTY AND THE CITY agree to coordinate the provision of public notice, review, hearings and action on the above Applications in the following order:

a. The Application for Amendment of the Future Land Use Map of its Comprehensive Plan, filed by the Owners, will be heard by the Planning and Zoning Board of Nassau County and Board of County Commissioners for Transmittal to the Florida Department of Community Affairs (DCA), and the other Applications will be continued by the respective Commissions until DCA renders its Objections, Recommendations and Comments (ORC) report on the FLUM Amendment.

b. Upon receipt of the Objections, Recommendations and Comments (ORC) from DCA, required hearings for the applications will be set and voted upon in the following sequence:

First, by the County: The NOPC and the FLUM Amendment;

Second, by the County: The PUD Zoning Amendment;

Third, by the County: A PUD Final Development Plan and Plat;

Fourth, by the City: An Annexation Ordinance; and

Fifth, by the City: Amendments to the City's FLUM and Zoning Map that accommodate the density provided by the County FLUM and PUD.

IN WITNESS WHEREOF the City and the County have caused this instrument to be executed by their respective proper parties duly authorized to execute the same on the day and year set forth below.

Board of County Commissioners of Nassau County

By *Ardeley D. Green*
It's Chair: _____ Date October 26, 2005

Attest: *J. A. Crawford*
John A. Crawford
Title: Ex-Officio Clerk

Approved as to Form:
Michael Mullin
Michael Mullin, County Attorney

And

City Commission of the City of Fernandina Beach

By *Ken Walk*
It's Mayor: _____ Date 11/8/05

Attest: *Cassandra Mitchell*
Cassandra Mitchell
Title: City Clerk

Approved as to Form:
Debra A. Braga
Debra Braga, City Attorney

The Owners of Crane Island hereby acknowledge the above Memorandum of Understanding and accept it, and,

IN WITNESS WHEREOF, accept this document as set forth herein for the purposes as set forth in the Preamble hereto by signature on the day and year set forth below.

Signed, sealed and delivered in the presence of:

Karl E. Lawhon
Print name: KARL E. LAWHON

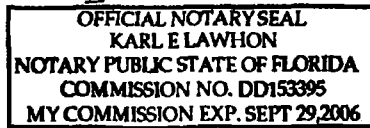
Cornelia G. Lawhon
Print name: CORNELIA G. LAWHON

Lynwood G. Willis
LYNWOOD G. WILLIS

Jane T. Willis
JANE T. WILLIS

STATE OF Florida
COUNTY OF DAVAL

The foregoing instrument was acknowledged before me this 31st day of Oct., 2005, by LYNWOOD G. WILLIS and JANE T. WILLIS, who are personally known to me or have produced Personally Known as identification.



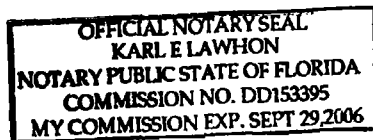
Karl E. Lawhon
Print Name:
Notary Public, State of Florida
Commission Number: DD153395
My Commission expires: 9-29-06

Karl E. Lawhon
Print name: KARL E. LAWHON
Cornelia G. Lawhon
Print name: CORNELIA G. LAWHON

Robert H. Still, Jr.
ROBERT H. STILL, JR.
Michael D. Abney
MICHAEL D. ABNEY
AS CO-TRUSTEES OF THE LYNWOOD G. WILLIS AND JANE T. WILLIS TRUST
U/D/O DECEMBER 31, 1992

STATE OF Florida
COUNTY OF DAVAL

The foregoing instrument was acknowledged before me this 31st day of Oct., 2005, by ROBERT H. STILL, JR. and MICHAEL D. ABNEY, AS CO-TRUSTEES OF THE LYNWOOD G. WILLIS AND JANE T. WILLIS TRUST U/D/O DECEMBER 31, 1992, who are personally known to me or have produced Personally Known as identification.



Karl E. Lawhon
Print Name:
Notary Public, State of Florida
Commission Number: DD153395
My Commission expires: 9-29-06

Andrew Gould
Print name: Andrew Gould

Vincent G. Graham
VINCENT G. GRAHAM

Pam Martin
Print name: Pam Martin

STATE OF South Carolina
COUNTY OF Berkley

The foregoing instrument was acknowledged before me this 28th day of October, 2005, by VINCENT G. GRAHAM, who is personally known to me or has produced personally known as identification.

Pamela N. Martin
Print Name: Pamela N. Martin
Notary Public, State of South Carolina
Commission Number: N/A
My Commission expires: 9/17/08

PIEDMONT SQUARE, LLC,
A VIRGINIA LIMITED
LIABILITY CORPORATION

By: [Signature]

Pam Martin
Print name: Pam Martin

[Signature]
Print name: Schneider Tyler

STATE OF South Carolina
COUNTY OF Charleston

The foregoing instrument was acknowledged before me this 28 day of October, 2005, by _____ of PIEDMONT SQUARE, LLC, A VIRGINIA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He is personally known to me or has produced personally as identification.

[Signature]
Print Name: Schneider Tyler
Notary Public, State of South Carolina
My Commission expires: 10/13

CRANE ISLAND INVESTMENTS, LLC,
A SOUTH CAROLINA LIMITED
LIABILITY CORPORATION

By: David P. Agnew

[Signature]
Print name: John N. Grotting
[Signature]
Print name: Deris R. Charles

STATE OF South Carolina
COUNTY OF Charleston

The foregoing instrument was acknowledged before me this 2 day of November, 2005, by DAVID P. AGNEW of CRANE ISLAND INVESTMENTS, LLC, A SOUTH CAROLINA LIMITED LIABILITY CORPORATION, on behalf of the corporation. He is personally known to me or has produced driver's license as identification.

JANE S O'Dell
Print Name: Jane S O'Dell
Notary Public, State of South Carolina
My Commission expires: Dec 7, 2010

Amelia Island Company hereby acknowledges the above Memorandum of Understanding and accepts it, and,

IN WITNESS WHEREOF, accept this document as set forth herein for the purposes as set forth in the Preamble hereto by signature on the day and year set forth below.

Signed, sealed and delivered
in the presence of:

[Signature]
Print name: William R Moore
[Signature]
Print name: Jana H. Williams

[Signature]
JACK B. HEALAN, JR.
PRESIDENT

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 7th day of November, 2005, by JACK B. HEALAN, JR. who are personally known to me or have produced [Signature] as identification.



[Signature]
Print Name: Jana H. Williams
Notary Public, State of Florida
Commission Number: DD115477
My Commission expires: 10/30/06

List of Exhibits:

- A Legal Description
- B Preliminary Development Plan
- C Project Description
- D Minutes from a Special Meeting of the Nassau County Board of County Commissioners, June 29, 1993
- E Nassau County Zoning Map, circa 1985
- F No Exhibit F
- G St. Johns River Water Management District ("District") Letter Dated December 9, 1997
- H Department of Community Affairs Letters Dated April 28 and May 15, 2003
- I Minutes of BOCC Meeting, June 23, 2003
- J Letter from John Mandrick, PE, dated May 19, 2005
- K Consent Order Abating Action in Case No. 200-14-CA
- L Agreement between the City of Fernandina Beach and the Owners of Land Commonly Known as "Crane Island", Draft 050504
- M "Environmental Assessment: Access Roadway to Crane Island at the Fernandina Beach Municipal Airport, Florida", October 20, 2004 (Exhibits not included)
- N Environmental and Cultural Resource Assessment, June 2005
- O Crane Island Land Development Traffic Assessment, June 6, 2005
- P Application for Concurrency Determination with the County, June 8, 2005 (Exhibits not included)
- Q Finding of No Significant Impact (FONSI), dated January 4, 2005
- R Florida Department of State, Division of Historical Resources, issued a Cultural Resource Assessment Review Request, dated April 15, 1999
- S Maps of Access Road
- T 1995 SJRWMD Land Use and Land Cover Inventory Map