

ORDINANCE NO. 92 - 27
AMENDMENT TO ORDINANCE NO. 91-04
NASSAU COUNTY, FLORIDA

WHEREAS, on the 28th day of January, 1991, the Board of County Commissioners, Nassau County, Florida, did adopt Ordinance No. 91-04, an Ordinance enacting and establishing the Comprehensive Land Use Plan and the Future Land Use Map for the unincorporated portion of Nassau County, Florida, and

WHEREAS, **JEWEL H. THOMAS and NASSAU SANITATION SERVICE, INC.**, owners of the real property described in this Ordinance have applied to the Board of County Commissioners to reclassify an eleven (11) acre site from MEDIUM DENSITY RESIDENTIAL (up to a maximum of five (5) units per acre) to COMMERCIAL on the Future Land Use Map of Nassau County; and

WHEREAS, the Nassau County and Zoning Board, after due notice and public hearing has made its recommendations to approve the proposed amendment to the Board of County Commissions; and

WHEREAS, the Board of County Commissioners has considered the Objections, Recommendations, and Comments Report issued by the Florida Department of Community Affairs, and the responses to the Report prepared by the Nassau County Planning and Zoning Board, and the owners of the subject property; and

WHEREAS, taking into consideration the above recommendations and responses, the Board of County Commissions finds that the amendment to the Future Land Use Map and reclassification is consistent with the overall Comprehensive Land Use Plan and orderly development of the County of Nassau, Florida, and the specific area;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Nassau County, Florida:

SECTION 1: PROPERTY RECLASSIFIED: The real property described in Section 2 is reclassified from MEDIUM DENSITY RESIDENTIAL (up to a maximum of five (5) units per acre) to COMMERCIAL on the Future Land Use Map of Nassau County.

SECTION 2: OWNER AND DESCRIPTION: The land reclassified by this ordinance is owned by **JEWEL H. THOMAS and NASSAU SANITATION SERVICE, INC.**, and is described as follows:

See Exhibit "A" attached hereto and made
a part hereof by specific reference.

SECTION 3: The objections and recommendations of the Department of Community Affairs are set forth in the attached Exhibit "B", and have been addressed by the Planning and Zoning Board and the Board of County Commissioners, and the responses that are adopted by both Boards are set forth on Exhibit "B". Attached hereto as Exhibit "C", are letters from the Applicant's attorney.


SECTION 4: EFFECTIVE DATE: This ordinance shall become effective upon being signed by the Chairman of the Board of County Commissioners of Nassau County, Florida.

ADOPTED this 21st day of September, 1992.

CERTIFICATE OF AUTHENTICATION
ENACTED BY THE BOARD

BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA

ATTEST:


T.J. EREESON
Its: Ex-Officio Clerk

BY:

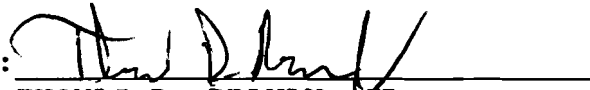

THOMAS D. BRANAN, JR.
Its: Chairman

EXHIBIT A - PARCEL A

All of that certain piece, parcel or tract of land situate, lying and being in Nassau County, Florida and further described as follows:

A portion of Government Lot One (1), Section Twenty-one (21), Township Two (2) North, Range Twenty-five (25) East, Nassau County Florida. Said portion being more particularly described as follows:

Beginning at the Northeast corner of Section Twenty-one (21) aforesaid; and run South Two (2) degrees, Nine (9) minutes, Ten (10) seconds East a distance of One Thousand One Hundred Twenty and Fifty-nine hundredths (1120.59) to a corner; run thence North Twenty-six (26) degrees, Three (3) minutes, Twenty-two (22) seconds West a distance of Four Hundred Forty-two and Sixty-one hundredths (442.61) to a corner; thence run North Thirty (30) degrees, Fifty-eight (58) minutes, Twenty-four (24) seconds West a distance of Five Hundred Twenty-Two and Ninety-nine (522.99) to a corner; thence run North Twenty-one (21) degrees, Fourteen (14) minutes, Seven (7) seconds West a distance of Two Hundred Eighty-two and Twenty-eight hundredths (282.28) to a corner; thence run North Eighty-eight (88) degrees, Forty-two (42) minutes, Twenty-five (25) seconds East a distance of Five Hundred Twenty-three and Eighty-five hundredths (523.85) to the POINT OF BEGINNING.

XXXXXXXXXXXX

- Parcel B

2011 123 01

All of that certain piece, parcel or tract of land situate, lying and being in Nassau County, Florida and further described as follows:

A portion of Government Lot Two (2), Section Sixteen (16), Township Two (2) North, Range Twenty-five (25) East, Nassau County, Florida. Said portion being more particularly described as follows:

Begin at the Southeast corner of Section Sixteen (16) aforesaid; and run South Eighty-eight (88) degrees, Forty-two (42) minutes, Twenty-five (25) seconds West along the Southerly line of said Section a distance of Four Hundred Ninety-four and Fifty-five Hundredths (494.55) feet; run thence North Six (06) degrees, Twenty-two (22) minutes, Ten (10) seconds East a distance of Two Hundred Ninety-eight (298.0) feet to a point on the Southerly right of way line of State Road No. 200, (a One Hundred (100.0) foot right of way); run thence North Sixty-six (66) degrees, Fifty-seven (57) minutes; Forty-five (45) seconds East along said right of way a distance of Four Hundred Eighty-six and Eighty-five Hundredths (486.85) feet to a point where said right of way is intersected by the Easterly line of Section Sixteen (16) aforesaid; run thence South One (01) degree, Thirty-six (36) minutes, Twenty (20) seconds East along said Easterly line a distance of Four Hundred Seventy-five and Seventy-five Hundredths (475.75) feet to the POINT OF BEGINNING.



HILLIOTT JONES
Certified Real Estate Appraiser
250 STRATTON ROAD
CALLAHAN, FLORIDA 32011

8405901

FILED AND RECORDED
IN OFFICE

1984 JUN -8 PM 2:36

NASSAU COUNTY, FLA.
CLERK CIRCUIT COURT
T.J. GREGSON - CLERK

EXHIBIT "B"

OBJECTIONS

1. The County has chosen a commercial land use designation for an activity that more closely resembles an industrial land use. It is not clear why a commercial designation for the construction landfill is being proposed rather than an Industrial designation on the Future Land Use Map if it is the County's intent to make the sanitation facility a conforming use. (9J-5.006(2)(d)2., (3)(b)3., (c)7., and (4)(a))

2. Although the Statement of Intent included objections on the lack of information pertaining to pollution from existing landfills, their lack of capacity, and the Department of Environmental Regulation's intent to close these facilities, the amendment, which changes the land use for an existing landfill, does not address these issues. Given the state mandate to shut down the County's West Nassau Landfill by June 1, 1992, the amendment does not ensure that the subject site landfill, which has no lining and is not monitored, will not receive Class 1 solid waste. (9J-5.011(1)(f)3., (2)(b)1., 3., and 5., and (c)1.)

3. The designation of a construction landfill as a commercial use in a residential area is not consistent with Policy 1.02.02 of the adopted comprehensive plan concerning the intrusion of incompatible commercial and industrial land uses into residential areas. (9J-5.005(5), (9J-5.006(2)(b)3., (c)2., and (4)(a), 9J-5.010(3)(c)3.)

4. The subject site of the land use change is not accurately and consistently depicted on the maps submitted with the proposed amendment. The Future Land Use Map (which does not include a title identifying it as such) depicts the parcel running lengthwise north and south, perpendicular to SR200/A1A. The plat maps (which are also not adequately titled), however, depict the parcel running lengthwise east and west along SR200/A1A. (9J-11.006(1)(b)1.)

5. The amendment does not identify natural resources on or near the site, such as wetlands, floodplains, or significant wildlife or vegetative species. The Future Land Use Map, as well as other maps depicting wetlands, indicate that the area may include parts of a large wetland system. An analysis of the impact of the increased intensity of use on these resources, as well as policies to protect the resources from these impacts have not been included. (9J-5.006(1)(b), (2)(e), (4)(b), and 9J-11.006(3))

6. The land use amendment does not identify the existing

infrastructure facilities which serve the site, and the impacts of the land use change (at the maximum density permitted) on these facilities. (9J-11.006(1)(b)4., and (3))

RESPONSES BY NASSAU COUNTY

1. The commercial land use designation has been agreed to pursuant to a meeting held on August 19, 1992.

2. Objections set forth by the Department in Paragraph 2 deal with the County's West Nassau Landfill and is not applicable to the proposed use set forth in this amendment.

3. The Departments objection set forth in Paragraph 3 does not take into consideration that commercial uses currently surround the side, and the Board finds that it is not an intrusion of incompatible commercial uses into a residential area.

4. The Department's objection set forth in Paragraph 4 has been addressed with a map that accurately and consistently depicts the location of the land use change. The map is attached hereto as Exhibit "C".

5. The Department's objection set forth in Paragraph 5 has been addressed by providing a map showing the U.S. Corps of Engineers jurisdictional wetland areas on the subject site and by the Applicant's submitting a map of the nationwide permit by the Corps of Engineer.

6. The Department's objection set forth in Paragraph 6 has been met by information supplied by the Applicant which is that existing infrastructure facility including a very large septic tank system. A storm water drainage system was assessed and approved by the Department of Environmental Regulation in March, 1991. Further the site is served by Highway A1A, and the Board finds that the number of truck trips would be approximately less than twenty (20) trips per day.

EXHIBIT "C"

MAHONEY ADAMS & CRISER, P. A.
3300 BARNETT CENTER · 50 NORTH LAURA STREET
POST OFFICE BOX 4099
JACKSONVILLE, FLORIDA 32201
(904) 354-1100 · TELECOPIER (904) 798-2698

September 21, 1992

VIA HAND DELIVERY

Mr. Tom Branan, Chairman
Nassau County Board of County Commissioners
Nassau County Administration Building
Fernandina Beach, Florida 32034

Re: Additional Information for Comprehensive Plan
Amendment CPA-001
Jewel Thomas/Nassau Sanitation Services (the "Applicant")

Dear Chairman Branan:

You may recall that Mrs. Thomas and Nassau Sanitation submitted a response, dated September 2, 1992, to you and others regarding the Department of Community Affairs ("DCA") Report concerning Mrs. Thomas' and Nassau Sanitation's requested Comprehensive Plan Amendment which proposes to change the land use category from medium-density residential to commercial. I have attached a copy of the September 2, 1992, response to this letter for your reference. In a recent conversation with Ms. Cathy Kendall, Senior Planner, DCA, she requested further information regarding the current condition of the U.S. Army Corps of Engineers' jurisdictional wetlands on site. Specifically she wanted to know whether all of the wetlands have been impacted or whether any remain today in their natural state.

I have spoken with Mr. Sidney Thomas, General Manager of Nassau Sanitation Services. He states that construction and demolition debris has been placed, at one time or another since operation began, over all the areas where Corps' wetlands existed. Thus no wetlands exist on the site in their natural unaltered state.


Please be advised that no violations of any permits have occurred. The construction and demolition debris which has been placed in the Corps wetland areas is fully permitted and allowed to take place.

I believe this additional response together with our September 2, 1992, letter will now completely satisfy the concerns of DCA regarding the requested amendment. I encourage the Board of County Commissioners to adopt the requested amendment in light of these responses at the Board's meeting on September 21, 1992.

Mr. Jimmie L. Higginbotham
September 17, 1992
Page 2

Should you have any questions, please do not hesitate to contact me.

Sincerely,


Brenna M. Durden

BMD/at
Enclosure

cc: All Members, Board of County Commissioners
All Members, Planning Commission
Michael Mullin, County Attorney
Douglas Jones, Planning Director
Sidney Thomas, Nassau Sanitation

Fred Skopp, Esq.

Exhibit "C"

MAHONEY ADAMS & CRISER, P. A.
3300 BARNETT CENTER · 50 NORTH LAURA STREET
POST OFFICE BOX 4099
JACKSONVILLE, FLORIDA 32201
(904) 354-1100 · TELECOPIER (904) 798-2698

September 2, 1992

VIA TELECOPY AND HAND-DELIVERY

Mr. L. Douglas Jones
Planning and Zoning Director
Nassau County
2290 South 8th Street
Fernandina Beach, Florida 32034-3056

Re: Mrs. Jewel Thomas/Nassau Sanitation Services,
(the "Applicant")
Comprehensive Plan Amendment
Applicant's Response to DCA Report

Dear Doug:

Pursuant to your letter to Sidney Thomas, dated July 27, 1992, we are submitting our responses to the Department of Community Affairs' ("DCA") Objections, Recommendations and Comments ("ORC") Report regarding the Applicant's requested Comprehensive Plan Amendment, redesignating eleven acres from medium density residential to commercial.

- I. This Objection was resolved at a joint meeting of the DCA, Nassau County, the Regional Planning Council and the Applicant on August 19, 1992, held in Tallahassee.
- II. DCA's recommendation for Objection II requests information regarding any existing or potential problems with the Construction and Demolition Debris Facility (the "Facility"). As of today's date, there have been no violations whatsoever since operation began in September, 1990, with regard to the Facility nor are there any indications of potential problems. In addition, no impacts on natural resources will occur as a result of the operation of the Facility except as noted in Number V. below dealing with wetlands. The impacts on wetlands have been reviewed by the appropriate agencies and approved. DCA also requests information regarding measures taken to insure compliance with DER's Consent Order. There is no Consent Order regarding this Facility. Therefore, it is unclear as to what measures DCA is referring.

Only the Applicant deposits construction and demolition debris into the subject Facility. No other persons or companies are

L. Douglas Jones
September 2, 1992
Page 2

permitted to dispose of construction and demolition debris in the Facility. The Applicant monitors the disposal activities daily to insure that no solid waste of any type is disposed at the Facility. In addition, the Facility is monitored by the Department of Environmental Regulation's local district office. Most recently DER visited the Facility in May, 1992. To date DER has had no concerns regarding the operation.

Typically, the Applicant places a foot of cover over small areas of debris approximately every ten days.

- III. The proposed Amendment does not create an intrusion of incompatible, commercial uses into a residential area. In fact, commercial uses currently surround the subject site and form an area of commercial activity in the vicinity of Gressman Road and Highway A1A. This issue was also discussed at the August 19, 1992, meeting with the DCA and resolved.
- IV. Please find enclosed a map accurately and consistently depicting the location of the land use change.
- V. Please find enclosed a copy of a map showing the U.S. Corps of Engineers jurisdictional wetland areas on the subject site. Please also find enclosed a copy of the application for a Nationwide Permit submitted to the U. S. Corps of Engineers. No other jurisdictional wetlands exist on the site. A Nationwide Permit was approved for the subject site. The Applicant has and will continue to comply with the requirements of this permit.
- VI. The existing infrastructure facilities which serve the site include a very large septic system which far exceeds the requirements for the current use. At the time of the installation of the septic system, the County required a size suitable to accommodate the most intense use permitted in the Commercial Intensive (C.I.) Zoning District, a restaurant.

A storm water drainage system was assessed by Albert Halff and Associates in March, 1991, and was submitted to and approved by the Department of Environmental Regulation.

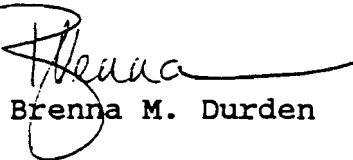
The site is served by Highway A1A which is not an impacted facility. Less than ten truck loads of construction and demolition debris are disposed of at the site each day meaning that less than 20 trips are generated by the Facility's operation. In addition, less than ten people work at the office/garage, and, therefore, very few trips are generated as a result of the office/vehicle maintenance portion of the site at the Construction and Demolition Debris Facility.

L. Douglas Jones
September 2, 1992
Page 3

- VII. Consistency with the State Comprehensive Plan. The proposed Amendment does not impact any water resources except as already permitted under the Nationwide Permit issued by the U.S. Corps of Engineers for jurisdictional wetlands. The coordination of waste management efforts in Nassau County are greatly enhanced as a result of the existence of the Construction Demolition and Debris Facility by providing a disposal facility for debris that does not ~~so~~ contaminate soil or water and, therefore, allows better use of the Nassau County Solid Waste Class 1 Landfill. The Amendment will serve to protect an existing neighborhood of small commercial uses in the immediate surrounding area of the subject site.
- VIII. Consistency with the Regional Plan. As the Northeast Florida Regional Planning Council found that the proposed Amendment was in fact consistent with its own Comprehensive Regional Policy Plan and, as a result of information contained in this response, it is believed that the Amendment is consistent with the referenced goals and policies of the Northeast Florida Comprehensive Regional Policy Plan.

On behalf of Jewel Thomas and Nassau Sanitation Services, we believe that these responses to DCA's ORC Report will satisfy DCA's concerns regarding the Amendment. I encourage the Planning Commission and the Nassau County Board of County Commissioners to approve the Comprehensive Plan Amendment as requested. Should you have any questions, please call me at your earliest convenience.

Sincerely,



Brenna M. Durden

BMD/at
Enclosures

cc: Mr. Sidney Thomas
Fred Skopp, Esq.
All Members, Board of County Commissioners
All Planning Commission Members
Michael Mullin, Esq., County Attorney

CZR, INCORPORATED
Environmental Consultants

3112 ST. JOHNS BLUFF ROAD, SOUTH
JACKSONVILLE, FLORIDA 32216

(904) 642-8507
FAX NO. (904) 642-8911

July 17, 1991

Mr. Don Borda
U.S. Army Corps of Engineers
Jacksonville District
400 West Bay Street
Jacksonville, FL 32202

RE: Nassau Sanitation, Nassau County

Dear Mr. Borda:

In accordance with Part 330.7, Title 33, Code of Federal Regulations, this pre-discharge notification is to inform you that our client:

Mrs. Jewel H. Thomas
Box 1052
Callahan, FL 32011
(904) 879-2301

proposes to fill approximately 3.8 acres of jurisdictional wetlands which are above headwaters for a Construction and Demolition Debris Facility. All wetland to be filled have been heavily impacted by past silvicultural activities and are non-inundated pine plantation. The attached site description, photographs, site plan, soils map, etc., should assist you in making your determination. This site was chosen due to its proximity to the existing facility operated by Nassau Sanitation. We believe this project should qualify for the Nationwide Permit found in Part 330.5(a)(26) of Title 33 CFR.

If you require any additional information, please contact me.

Sincerely,

CZR, INCORPORATED



Jerry Cordy

/jb

cc: Steve Manning

CP 1143

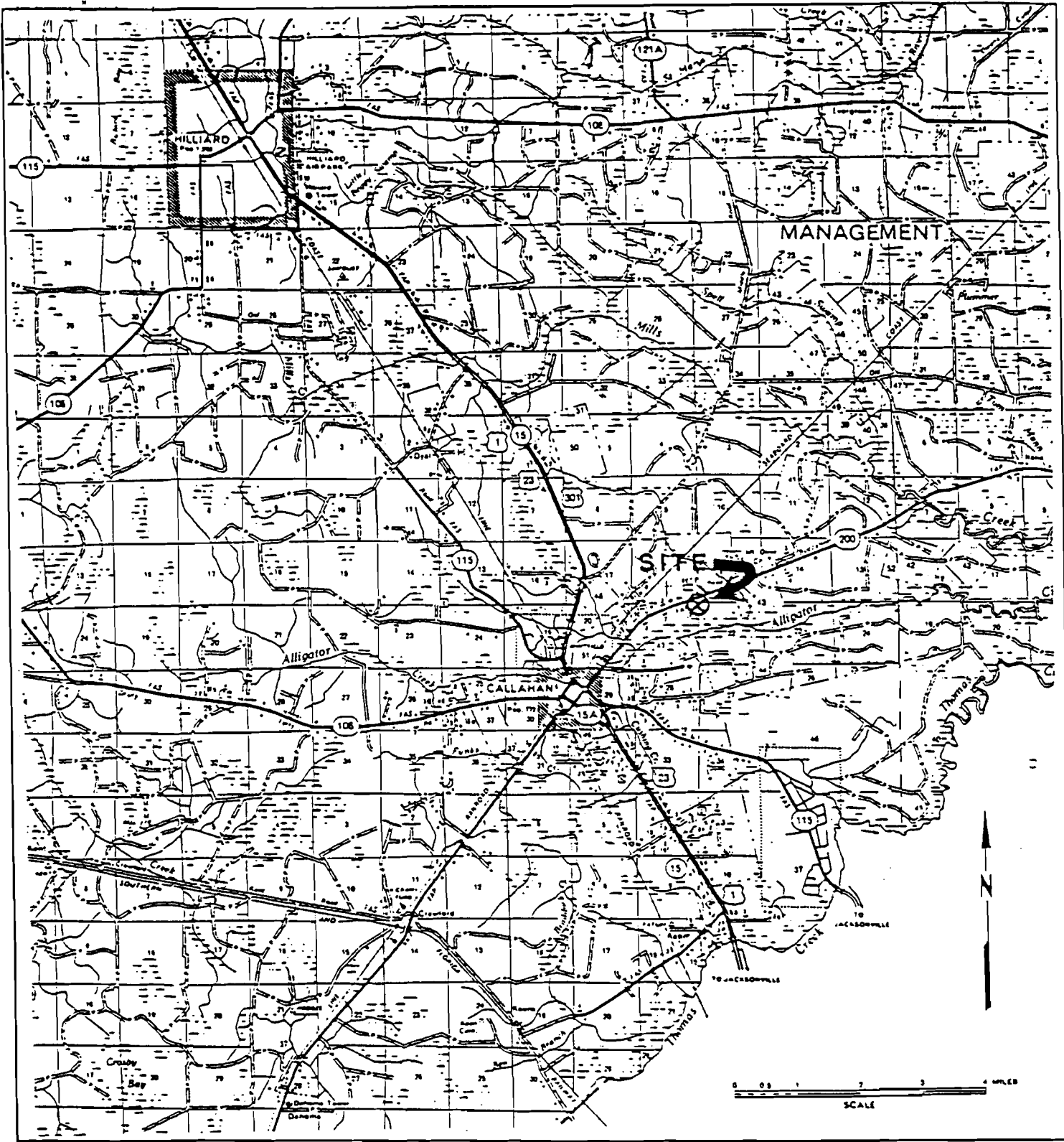
NASSAU SANITATION

SITE DESCRIPTION

July 16, 1991

The property consists of approximately 6.8 acres located south of the existing Nassau Sanitation facilities. The site is composed of pine plantation with a ditch located near the western boundary. The ditch varies in width from 2' - 6' with water depth ranging from 0 - 12" at the time of the site inspection (June 1991). The ditch flows southward and eventually empties in Alligator Creek. Of the 6.8 acres, approximately 1.5 acres is upland with the remaining 5.3 acres being jurisdictional for the U.S. Army Corps of Engineers (ACOE) as determined by CZR, Incorporated. No Florida Department of Environmental Regulation (FDER) jurisdictional wetlands occur on-site. FDER General Permit No. SO45-185758 for a Construction and Demolition Debris Facility was issued for this property on September 12, 1990.

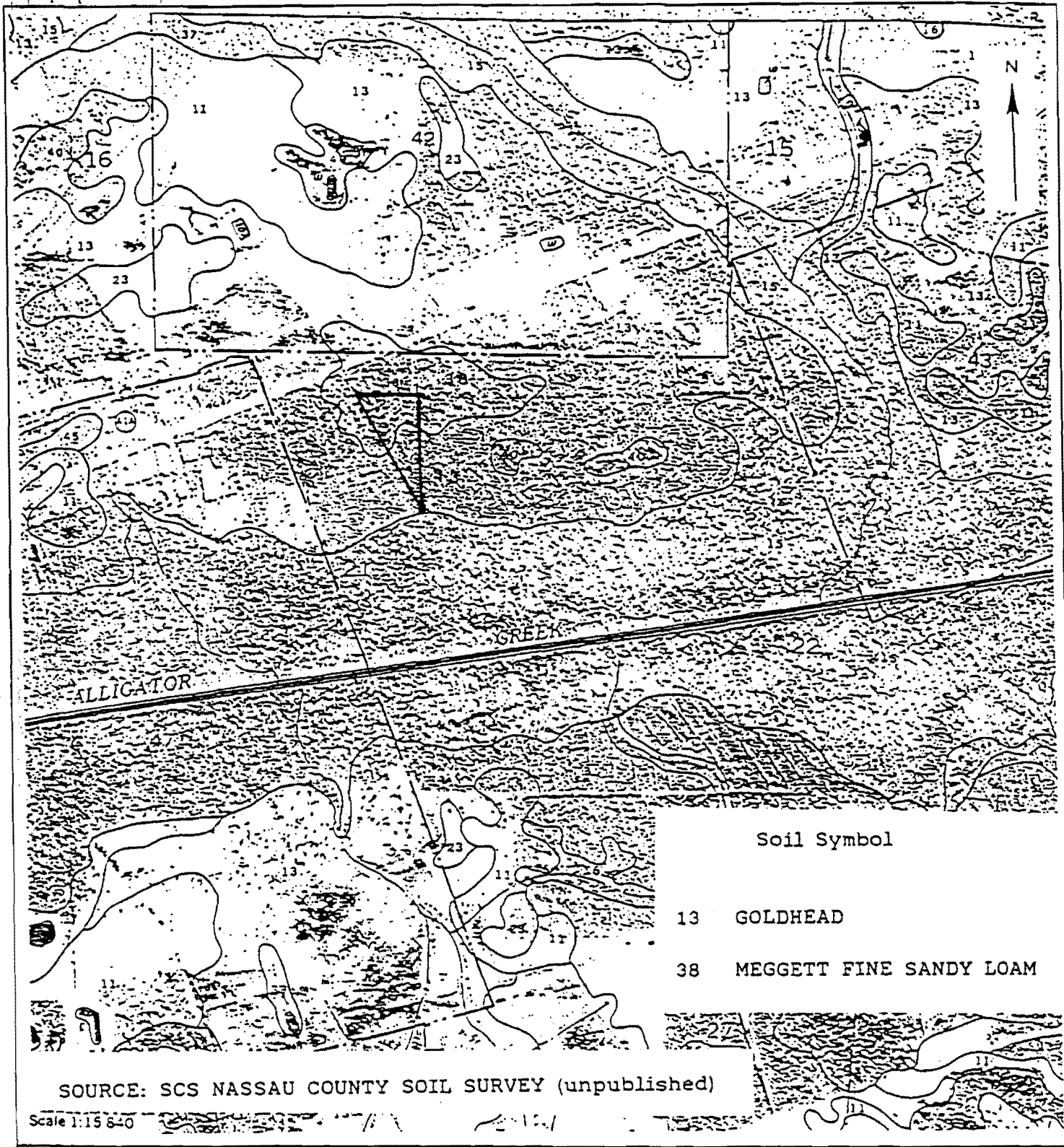
Vegetation in the wetland area is primarily loblolly pine (*Pinus taeda*), gallberry (*Ilex glabra*), sedges (*Cyperus* spp.), yellow-eyed grass (*Xyris* spp.), pitcher plants (*Saururus* spp.), wax myrtle (*Myrica cerifera*), and sweetgum (*Liquidambar styraciflua*). The vegetation in the upland portion of the site was primarily planted loblolly pine with scattered live oak (*Quercus virginiana*), saw palmetto (*Serenoa repens*), gallberry, and wax myrtle.



LOCATION MAP

NASSAU SANITATION

CZR, INCORPORATED
 3112 St. Johns Bluff Road, South
 Suite 201
 Jacksonville, Florida 32216



SOILS MAP

NASSAU SANITATION

EXHIBIT B JULY 1991 CP 1143

CZR, INCORPORATED

3112 St. Johns Bluff Road, South
 Suite 201
 Jacksonville, Florida 32216

GOLDHEAD

13

This poorly drained nearly level soil is on broad low flats and sloughs. Slopes are smooth to convex and range from 0 to 2 percent.

Typically, the surface layer is black fine sand about 8 inches thick. The subsurface layer is fine sand about 25 inches thick. It is dark gray in the upper part and gray in the lower part. The subsoil, to a depth of about 69 inches, is olive gray clay loam. The substratum to a depth of 80 inches or more is greenish gray fine sandy loam.

RELEVANT SOIL PROPERTIES

DEPTH TO SEASONAL HIGH WATER TABLE: 0 - 1.0 ft. July - March
FLOOD HAZARD: None

<u>TEXTURE (VARIOUS DEPTHS)</u>	<u>PERMEABILITY (IN/HR)</u>
0 - 8" fine sand	6.0 - 20
8 - 33" sand, fine sand	6:0 - 20
33 - 80" sandy loam, gravelly sandy loam, sandy clay loam	0.2 - 0.6

CORROSIVITY:

SHRINK/SWELL POTENTIAL: Low

SELECT USES, DEGREE AND NATURE OF LIMITATIONS

- Septic Tank Absorption field: severe; wetness
- Shallow Excavations: severe; cutbanks cave, wetness
- Dwellings without basements: severe; wetness
- Local Roads and Streets: severe; wetness
- Lawn and Landscaping: severe; wetness, droughty
- Hydric Soils: No
- Excavated Ponds aquifer fed: severe; cutbanks cave
- Wetland: -----
- Prime Farmland: No
- Hydrologic Soil Group: B/D
- 100 Year Flood Prone Area: -----

MEGGETT FINE SANDY LOAM
RARELY FLOODED

38

38

This poorly drained, nearly level soil is on broad low flats. Slopes are smooth to concave and range from 0 to 2 percent. Excess water ponds in lower lying areas for short periods after heavy rainfall.

Typically, the surface layer is very dark gray fine sandy loam about 4 inches thick. The subsurface layer is dark gray loamy fine sand about 7 inches thick. It is gray sandy clay in the upper part; gray clay in the middle part; and light olive gray clay in the lower part.

RELEVANT SOIL PROPERTIES

DEPTH TO SEASONAL HIGH WATER TABLE: 0 - 1.0' Nov - Apr
FLOOD HAZARD: Rare

<u>TEXTURE (VARIOUS DEPTHS)</u>	<u>PERMEABILITY (IN/HR)</u>
0 - 11" fine sandy loam	2.0 - 6.0
11 - 80" clay, sandy clay, clay loam	0.06 - 0.2

CORROSIVITY:

SHRINK/SWELL POTENTIAL: 2.0 - 6.0 Low
0.06 - 0.2 High

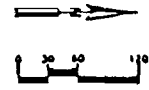
SELECT USES; DEGREE AND NATURE OF LIMITATIONS

Septic Tank absorption field: severe; wetness, perce slowly.
Shallow Excavations: severe; wetness
Dwellings without basements: severe; flooding, wetness, shrink-swell
Local roads and streets: severe; shrink-swell, wetness
Hydric Soils: No
Excavated Ponds aquifer fed: severe; slow refill
Wetland: _____
Prime farmland: No
Hydrologic Soil Group: D
100 Year Flood Prone Area: _____

EXHIBIT C
 SITE PLAN
 FOR
 CONDITIONAL USE REQUEST
 NASSAU COUNTY, FLORIDA

FEBRUARY 1, 1991

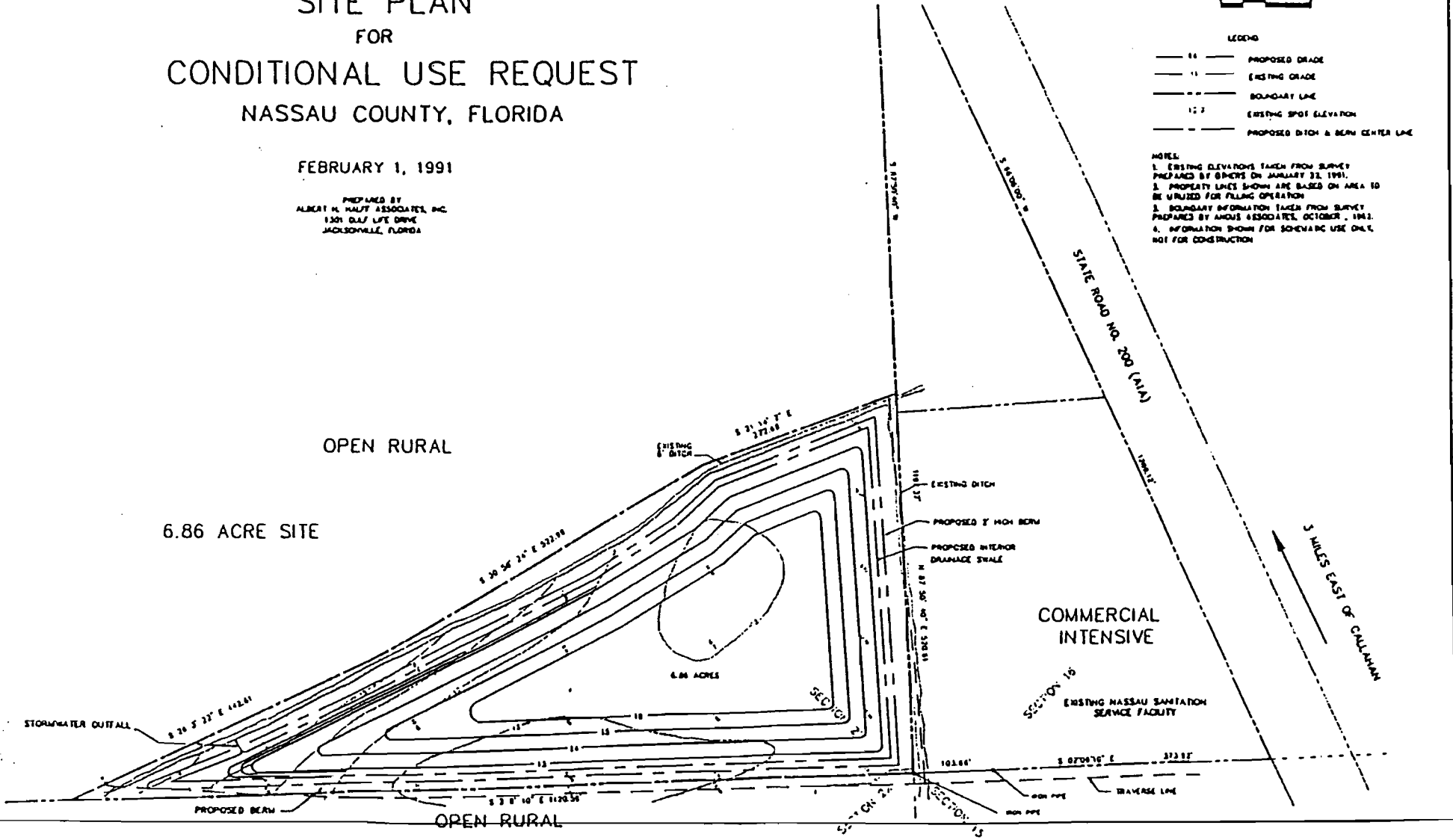
PREPARED BY
 ALBERT H. HAUFF ASSOCIATES, INC.
 1301 GULF LIFE DRIVE
 JACKSONVILLE, FLORIDA



LEGEND

— 14 —	PROPOSED GRADE
— 11 —	EXISTING GRADE
— 00 —	BOUNDARY LINE
— 12.2 —	EXISTING SPOT ELEVATION
— — — — —	PROPOSED DITCH & BERM CENTER LINE

- NOTES:
1. EXISTING ELEVATIONS TAKEN FROM SURVEY PREPARED BY OTHERS ON JANUARY 22, 1991.
 2. PROPERTY LINES SHOWN ARE BASED ON AREA TO BE UTILIZED FOR FILLING OPERATION.
 3. BOUNDARY INFORMATION TAKEN FROM SURVEY PREPARED BY HAUFF ASSOCIATES, OCTOBER, 1981.
 4. INFORMATION SHOWN FOR SCHEDULING USE ONLY, NOT FOR CONSTRUCTION.



OPEN RURAL

6.86 ACRE SITE

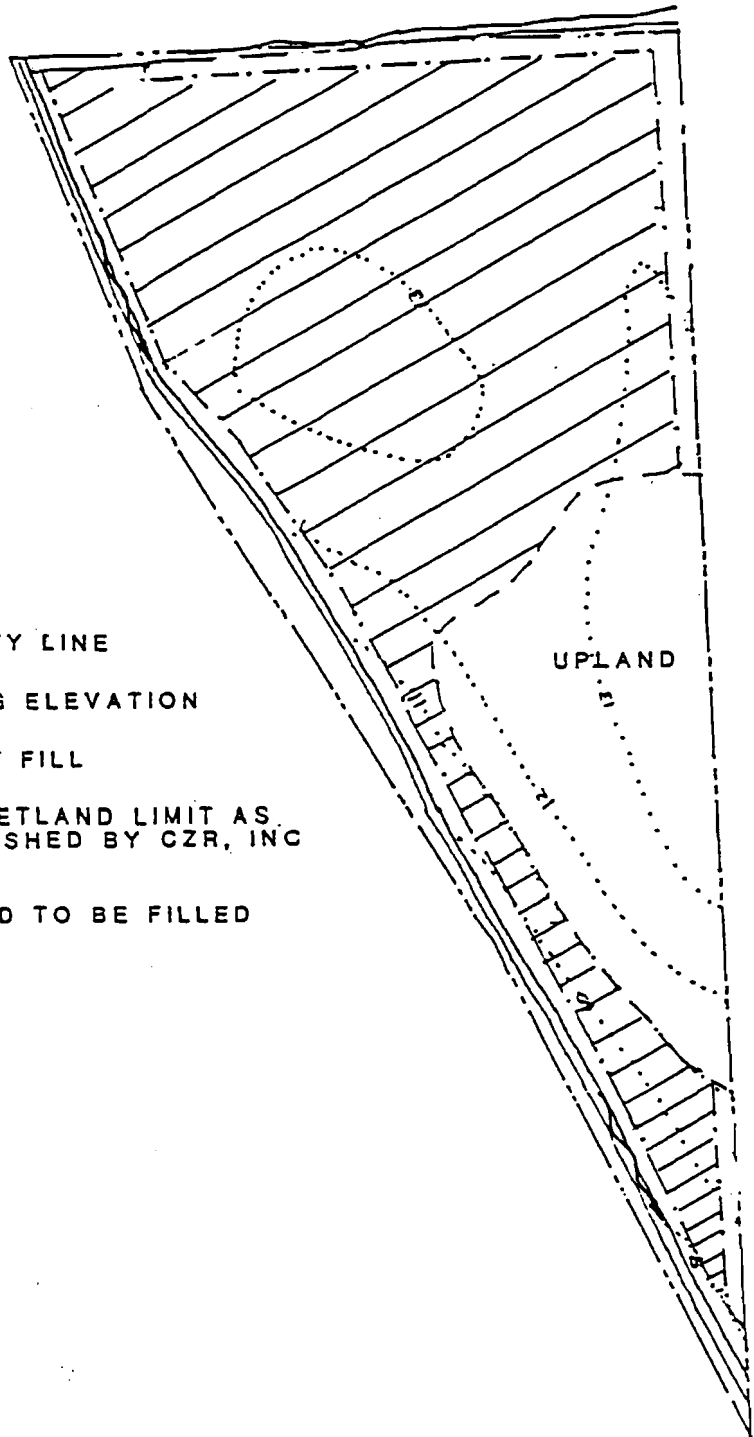
COMMERCIAL INTENSIVE

STATE ROAD NO. 200 (A1A)



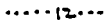



3 MILES EAST OF CULLMAN

EXISTING MASSAU SANITATION SERVICE FACILITY

OPEN RURAL



LEGEND

-  DITCH
-  PROPERTY LINE
-  EXISTING ELEVATION
-  LIMIT OF FILL
-  ACOE WETLAND LIMIT AS ESTABLISHED BY CZR, INC
-  WETLAND TO BE FILLED



WETLAND IMPACTS

NASSAU SANITATION

CZR, INCORPORATED

3112 St. Johns Bluff Road, South
Suite 201
Jacksonville, Florida 32216



Photo 1: Wetland Area with Planted Pine, Sedges, and Redroot.

Photo 2: Wetland Area with Planted Pine, Sweetgum, Wax Myrtle, and Broomsedge.

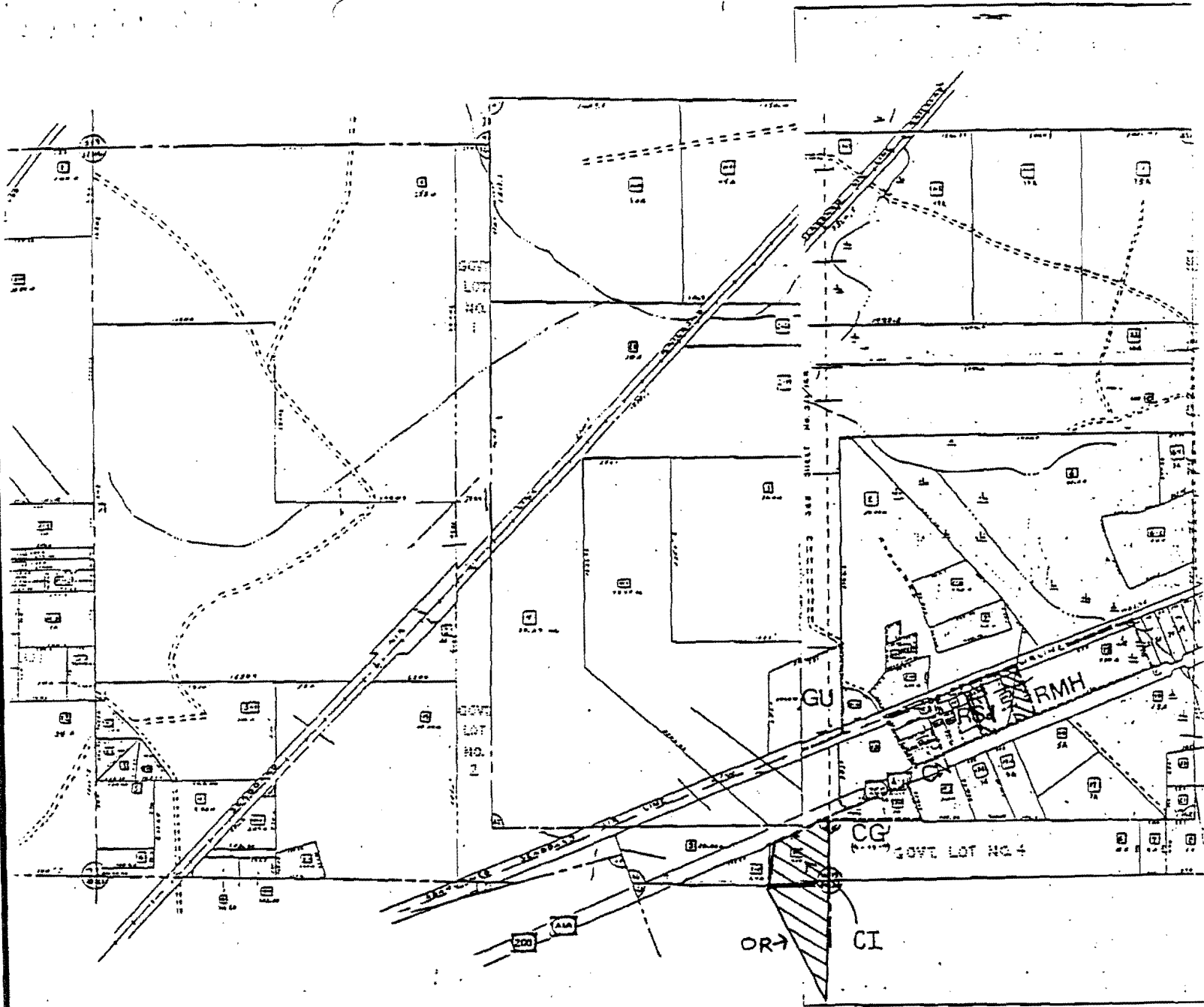




Photo 3: Upland Pine Area with Saw Palmetto, Wax Myrtle, and Wiregrass.

Photo 4: Upland Pine Area with Live Oaks, Wax Myrtle, and Broomsedge.





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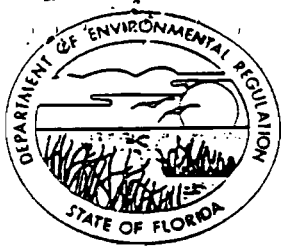
SEE SHEET NO. 30/214



PLAT MAP
**NASSAU COUNTY,
 FLORIDA**
 COMPILED & DRAWN BY
 WINDSCUTT & ASSOCIATES, INC.
 ST. PETERSBURG, FLORIDA

SECTION 16, 17, 40 & 41, T14N, R16E
 TOWNSHIP 14N
 RANGE 16E
 COMPILED & DRAWN, EXCEPT, FOR
 CERTAIN PARTS
 TRACING PLATT





Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798-4200

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Ernest Frey, Deputy Assistant Secretary

September 12, 1990

Mr. Sidney E. Thomas
General Manager
Nassau Sanitation Service
4804-B First Coast Highway
Fernandina Beach, Florida 32034

Dear Mr. Thomas:

The Department acknowledges receipt of your notification of intent received in this office August 31, 1990, to operate a Construction/Demolition Debris Facility under General Permit Number SO45-185758. It appears that you qualify for the General Permit. The Construction/Demolition Debris Disposal Facility at Section 16, Township 2N, Range 25E, on Highway A1A, three miles east of Callahan, Nassau County, Florida, shall be operated in accordance with the provisions of Florida Administrative Code (FAC) Rules 17-701.061 and 17-701.803. Prohibitions contained in FAC Rule 17-701.040 shall not be violated.

This General Permit is subject to the general conditions of FAC Rules 17-4.510 through 17-4.540 (enclosed). Please be advised that you must comply with all Department rules. The following items are of special importance to your proposed facility.

1. This facility shall accept for disposal only construction and demolition debris as defined in FAC Rule 17-701.020(14). Solid wastes other than wastes defined as construction/demolition debris accepted at this facility shall be segregated and disposed of in accordance with Department rules.
2. Stormwater shall be controlled in accordance with FAC Chapter 17-25, and any Water Management District rules.
3. Final cover consisting of a 24-inch thick soil layer shall be placed over the entire surface of the filled area within 180 days after final receipt of waste. The cover shall be planted with vegetation to minimize erosion.
4. The owner or operator shall notify the Department within 30 days after closing the facility.

EXHIBIT D

Mr. Sidney E. Thomas
August 21, 1990
Page Two

You are reminded that notification, if you wish to renew this permit, is required 30 days prior to the expiration date of September 12, 1995. If you need further information, please contact Sally Heuer of this office, at (904)448-4320.

Sincerely,


Michael J. Fitzsimmons
Waste Program Administrator

MJF:shl *shl*

Enclosure

cc: Dolvin Foreman, Nassau County Health Department

PART III

17-4.510 Scope of Part III. This part defines general permits and establishes the procedures for persons who may wish to use a general permit.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.814, 403.702-403.73, 403.851-403.864, F.S.

History: New 7-8-82. Amended 8-31-88. Previously numbered as 17-4.51.

17-4.520 Definition. A general permit is a permit issued by rule of the Department pursuant to Section 403.814(1), Florida Statutes, which authorizes persons to undertake certain activities which cause minimal adverse environmental impact when performed in accordance with specific requirements and practices set forth in the general permit.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.814, 403.702-403.73, 403.851-403.864, F.S.

History: New 7-8-82. Amended 8-31-88. Previously numbered as 17-4.52.

17-4.530 Procedures.

(1) Persons wishing to use one or more of the general permits set forth in the Department's Rules shall, at least 30 days before beginning any work, notify the Department in writing or on forms adopted by the Department. They shall describe the proposed project, and include supporting documents depicting the proposed project, its location, and other pertinent information as required by Rule to demonstrate that they qualify for the requested general permit. Persons wishing to use a general permit shall notify the appropriate office of the Department in writing. Persons wishing to use a general permit are hereby placed on notice that projects undertaken without proof of notice to the Department shall be considered as being undertaken without a permit and shall be subject to enforcement pursuant to Section 403.161, F.S.

(2) A proposed project which may be reasonably expected to violate air quality standards, water quality standards, or drinking water standards or which will not meet the public interest requirements set forth in Chapter 403, F.S., shall not be entitled to use of a general permit.

(3) Pursuant to s. 258.397, F.S., no project which is located in the Discayne Bay Aquatic Preserve is eligible for a general permit.

(4) Suspension or revocation of the use of a general permit shall be in accordance with Chapter 120, F.S. Good cause for the suspension or revocation shall include:

- (a) Submission of false or inaccurate information in the notification for use of a general permit or in the required reports;
- (b) Violation of law, Department orders, rules or permit conditions;
- (c) Refusal of lawful inspection under Section 403.091, F.S.; or

17-4.510 -- 17-4.530(4)(c)

(d) Any other act on the part of the permittee in the use of the general permit which results or may result in harm or injury to human health or welfare or which causes harm or injury to animal, plant or aquatic life, or to property.

(5) Unless otherwise required below as part of a specific category of general permit, persons qualifying for the use of a general permit are not required to, but may, publish in a newspaper of general circulation in the area affected by the proposed project a notice of intent to use a general permit. The notice, if published, shall follow substantially the format in Fla. Admin. Code Rule 17-103.150 and shall be published within 14 days of the date when the Department receives notification pursuant to Rule 17-4.530(1). No person who has published notice shall begin work until after the 21 days for requesting a hearing has passed or a hearing is held and a decision is rendered.

(6) Any person complying with the requirements of a general permit may use the permit 30 days after giving notice to the Department without any agency action. When no agency action is taken, unless the Department or the applicant publishes notice of the application, the provisions of Chapter 120, Florida Statutes, granting to affected parties the right to an administrative hearing do not apply.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 258.165, 403.061, 403.087, 403.088, 403.702-403.73, 403.814, 403.851-403.864, F.S.

History: New 7-8-82. Amended 6-16-84, 8-31-88, 3-19-90. Previously numbered as 17-4.53.

17-4.540 General Conditions for All General Permits.

(1) The terms, conditions, requirements, limitations, and restrictions set forth in this Part are "general permit conditions" and are binding upon the permittee. The conditions are enforceable under Chapter 403, F.S.

(2) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit. The permittee is placed on notice that violation of the permit may result in suspension or revocation of the permittee's use of the general permit and may cause the Department to begin legal proceedings.

(3) The general permit does not convey any vested rights or any exclusive privileges. It does not authorize any injury to public or private property nor any invasion of personal rights. It does not authorize any infringement of federal, state or local laws or regulations. It does not eliminate the necessity for obtaining any other federal, state or local permits that may be required, or allow the permittee to violate any more stringent standards established by federal or local law.

(4) The general permit does not relieve the permittee from liability and penalties when the construction or operation of the permitted activity causes harm or injury to human health or welfare; causes harm or injury to animal, plant or aquatic life; or causes harm or injury to property. It does not allow the permittee to cause pollution in contravention of Florida Statutes and Department rules.

17-4.530(4)(d) -- 17-4.540(4)

(5) The general permit conveys no title to land or water, nor does it constitute State recognition or acknowledgement of title. It does not constitute authority for reclamation of submerged lands. Only the Board of Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(6) The general permit shall authorize the use of state owned land without the prior consent of the Board of Trustees of the Internal Improvement Trust Fund pursuant to Section 253.77, F.S.

(7) The general permit may be modified, suspended or revoked in accordance with Chapter 120, Florida Statutes, if the Secretary determines that there has been a violation of any of the terms or conditions of the permit, there has been a violation of state water quality standards or state air quality standards, or the permittee has submitted false, incomplete or inaccurate data or information.

(8) The general permit shall not be transferred to a third party except pursuant to Fla. Admin. Code Rule 17-4.120.

(9) The general permit authorizes construction and where applicable operation of the permitted facility.

(10) The permittee agrees in using the general permit to make every reasonable effort to conduct the specific activity or construction authorized by the general permit in a manner that will minimize any adverse effects on adjacent property or on public use of the adjacent property, where applicable, and on the environment, including fish, wildlife, natural resources of the area, water quality or air quality.

(11) The permittee agrees in using the general permit to allow a duly authorized representative of the Department access to the permitted facility or activity at reasonable times to inspect and test upon presentation of credentials or other documents as may be required by law to determine compliance with the permit and the Department rules.

(12) The permittee agrees to maintain any permitted facility, or activity in good condition and in accordance with the plans submitted to the department under Rule 17-4.530(1).

(13) A permittee's use of a general permit is limited to five years. However, the permittee may request continued use of the general permit by notifying the Department pursuant to Rule 17-4.530(1). However, the permittee shall give notice of continued use of a general permit thirty days before it expires.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.702-403.73, 403.814, 403.851-403.864, F.S.

History: New 7-8-82. Amended 8-31-88. Previously numbered as 17-5.54.

17-4.550 General Permit to U.S. Forest Service for Minor Works within National Forests in Florida.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, F.S.

History: New 7-8-82. Previously numbered as 17-4.55. Transferred to 17-12.801, F.A.C.

17-4.540(5) -- 17-4.550(History)

17-4.560 General Permit to Florida Game and Fresh Water Fish Commission for use of Rotenone.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, F.S.

History: New 7-8-82. Previously numbered as 17-4.56. Transferred to 17-12.802, F.A.C.

17-4.570 General Permit for Installation or Maintenance of Boat Ramps.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, F.S.

History: New 7-8-82. Previously numbered as 17-4.57. Transferred to 17-12.803, F.A.C.

17-4.580 General Permit for Rip Rap.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, F.S.

History: New 7-8-82. Previously numbered as 17-4.58. Transferred to 17-12.804, F.A.C.

17-4.590 General Permit for Headwalls, and Culverts Associated with a Stormwater Discharge Facility.

Specific Authority: 403.814(1), F.S.

Law Implemented: 253.123, 253.124, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, F.S.

History: New 7-8-82. Previously numbered as 17-4.59. Transferred to 17-12.805, F.A.C.

17-4.600 General Permit for Wastewater Disposal System for a Laundromat.

Specific Authority: 403.814(1), F.S.

Law Implemented: 403.061, 403.087, 403.088, 403.814, F.S.

History: New 7-8-82. Previously numbered as 17-4.60. Transferred to 17-6.801, F.A.C.

17-4.610 General Permit for Solid Waste Transfer Station.

Specific Authority: 403.814(1), F.S.

Law Implemented: 403.061, 403.087, 403.088, 403.702-403.73, 403.814, F.S.

History: New 7-8-82. Previously numbered as 17-4.61. Transferred to 17-7.801, F.A.C.

17-4.620 General Permit for Wastewater Collection Systems.

Specific Authority: 403.814(1), F.S.

Law Implemented: 403.061, 403.087, 403.088, 403.814, F.S.

History: New 7-8-82. Previously numbered as 17-4.62. Transferred to 17-6.802, F.A.C.

17-4.560 -- 17-4.620(History)



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

AUG 26 1991

Regulatory Division
North Florida Field Office
199101304 (NW-NFFO)
NW-26

Mr. Jerry Cordy
CZR, Incorporated
3112 St. Johns Bluff Road, South
Jacksonville, Florida 32216

Dear Mr. Cordy:

Reference is made to your letter dated July 17, 1991, submitted on behalf of Nassau Sanitation, concerning the proposal to fill 3.8 acres of jurisdictional wetlands to provide for a Construction and Demolition Debris Facility. The project is located in wetlands adjacent to Alligator Creek, Section 22, Township 02 North, Range 25 East, north of Callahan and just south of Highway 200, Nassau County, Florida.

Your proposal is authorized by a Nationwide Permit in accordance with the enclosed copy of our regulations as stated in 33 CFR Part 330.5(a)(26). This verification is valid until the nationwide permit is modified, reissued, or revoked prior to January 13, 1992. It is incumbent upon you to remain informed of changes to the nationwide permits. We will issue a public notice announcing the changes when they occur. Furthermore, if you commence or are under contract to commence this activity before the date the nationwide permit is modified or revoked, you will have 12 months from the date of the modification or revocation to complete the activity under the present terms and conditions of this nationwide permit.

Further Department of the Army permits are not required providing the work is done in accordance with the enclosed drawings/information submitted, the conditions listed in 33 CFR 330.5(b)(1-14) and the following conditions: Activities authorized by nationwide permit may be initiated only after the State permit/certification pursuant to Chapters 253 and 403 of Florida Statutes and in concurrence with coastal zone consistency pursuant to 15 CRFD 930, if applicable, has been granted by the State of Florida. The State shall not be deemed to waive its rights to certify any activity proposed under Corps nationwide permits for failure to issue a State permit or certification within 60 days of application to the State. Waivers shall only be effective when specifically exercised by the State.

This letter does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood prone or floodway area, and you must comply with the local building requirements mandated by the

RECEIVED

AUG 26 1991

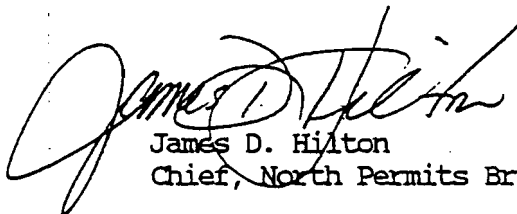
CZR, Incorporated

National Flood Insurance Program. If the local office cannot provide you the necessary information, you may provide this office a letter with a small scale map showing the location of the site, requesting a flood-hazard evaluation of the site. The request should be addressed to the Chief, Flood Control and Flood Plain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019.

This letter does not obviate the requirement to obtain any State or local permits which may be necessary for your proposed work. You should check State permitting requirements with the Florida Department of Environmental Regulation. A list of addresses of the appropriate State office is enclosed for your information and use.

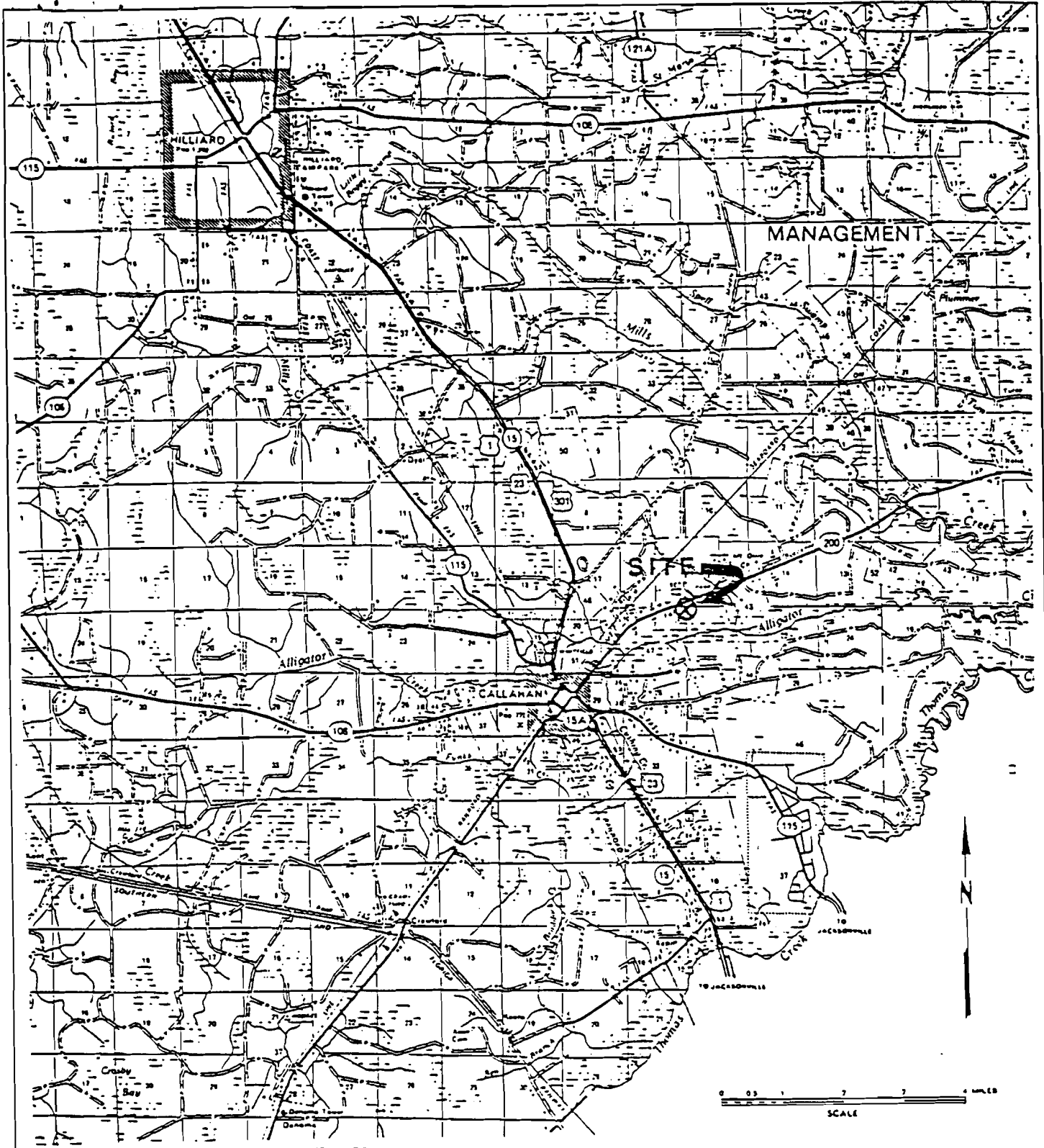
Thank you for your cooperation with our permit program.

Sincerely,

A handwritten signature in cursive script, appearing to read "James D. Hilton".

James D. Hilton
Chief, North Permits Branch

Enclosures



LOCATION MAP

NASSAU SANITATION

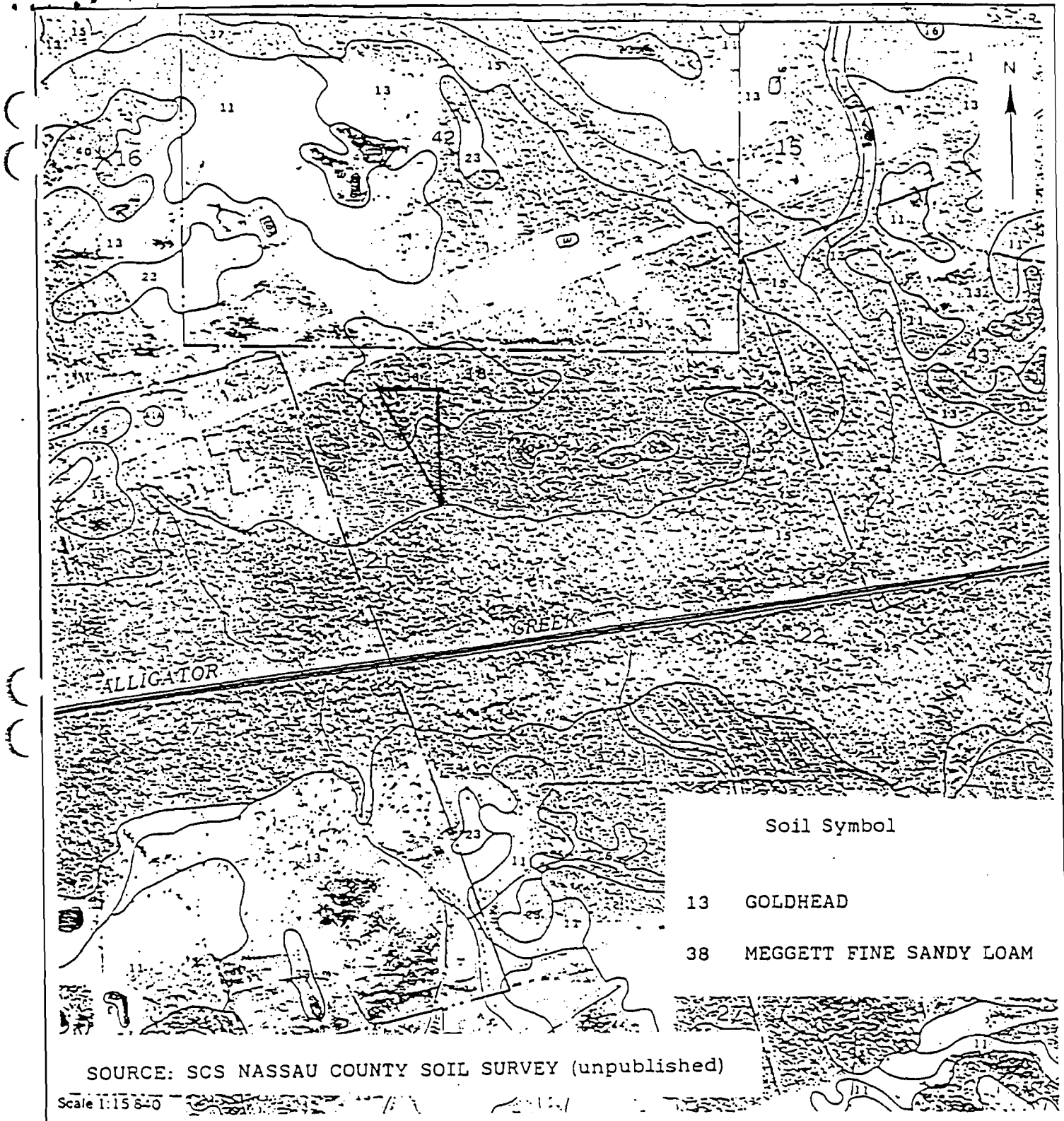
CZR, INCORPORATED

3112 St. Johns Bluff Road, South
Suite 201
Jacksonville, Florida 32216

EXHIBIT A

JULY 1991

CP 1143



SOILS MAP

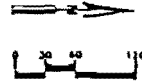
NASSAU SANITATION

CZR, INCORPORATED
 3112 St. Johns Bluff Road, South
 Suite 201
 Jacksonville, Florida 32216

EXHIBIT C SITE PLAN FOR CONDITIONAL USE REQUEST NASSAU COUNTY, FLORIDA

FEBRUARY 1, 1991

PREPARED BY
ALBERT H. HALL ASSOCIATES, INC.
1301 GOLF LIFE DRIVE
JACKSONVILLE, FLORIDA



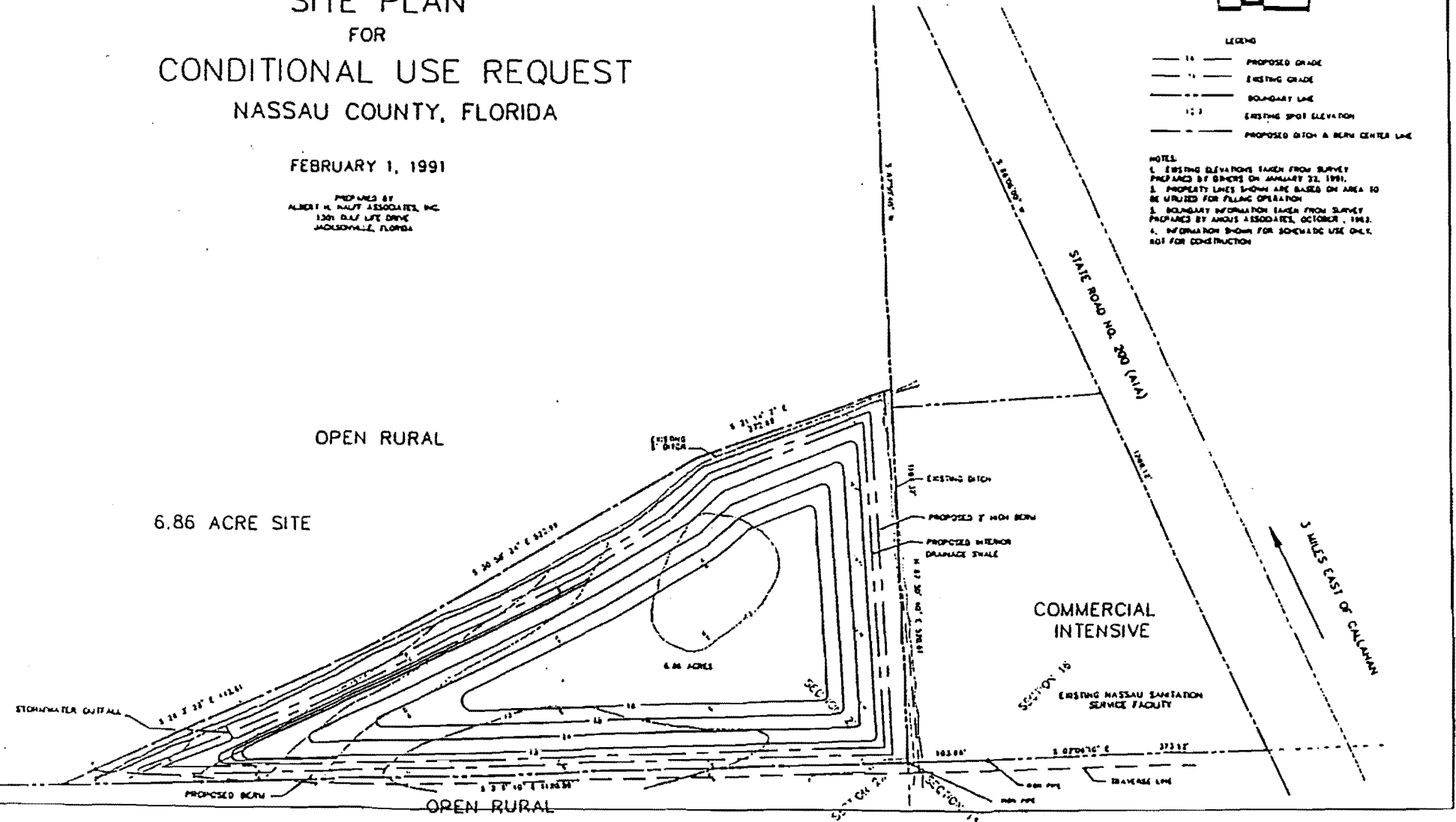
LEGEND

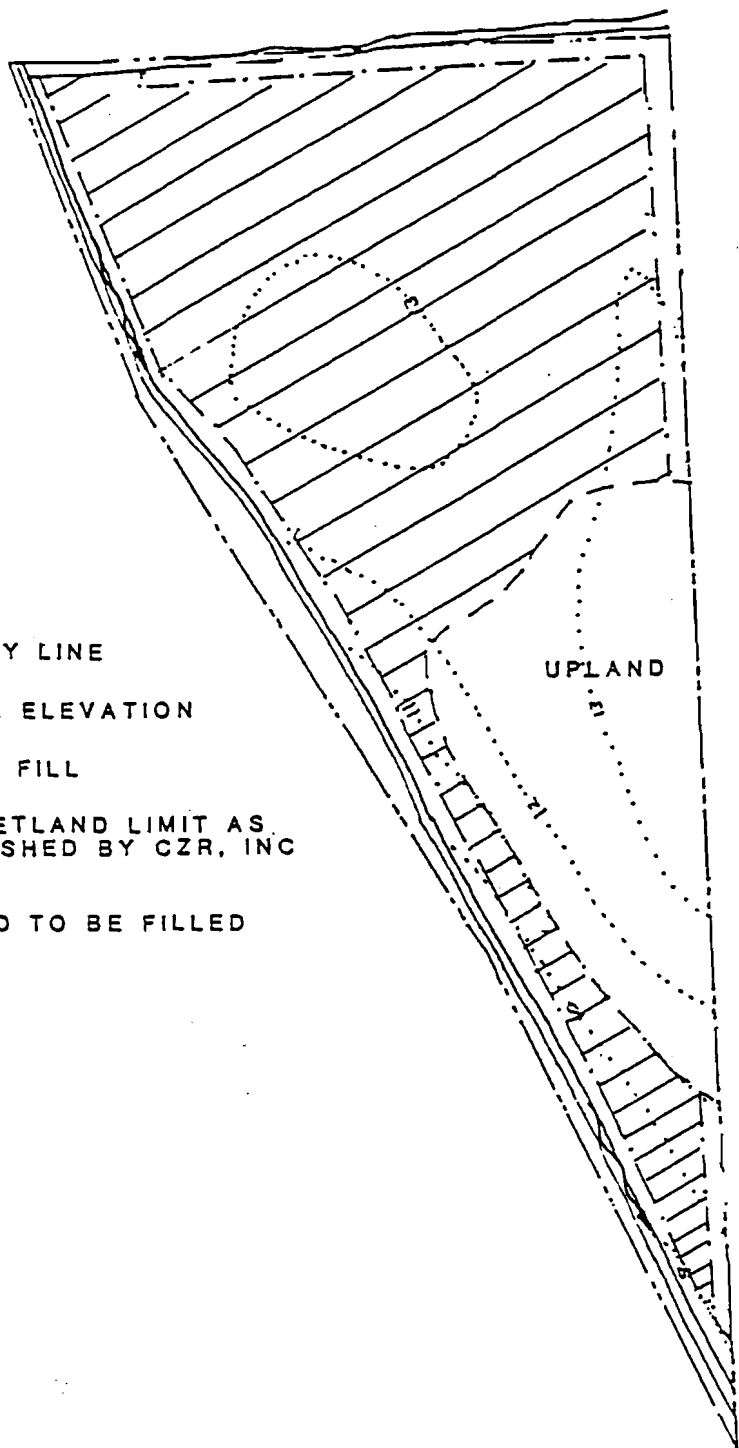
---	PROPOSED GRADE
---	EXISTING GRADE
---	BOUNDARY LINE
---	EXISTING SPOT ELEVATION
---	PROPOSED DITCH & BERM CENTER LINE

- NOTES
- EXISTING ELEVATIONS TAKEN FROM SURVEY PREPARED BY OTHERS ON JANUARY 22, 1991.
 - PROPERTY LINES SHOWN ARE BASED ON AREA TO BE UTILIZED FOR FILLING OPERATION.
 - BOUNDARY INFORMATION TAKEN FROM SURVEY PREPARED BY ANDREWS ASSOCIATES, OCTOBER, 1982.
 - INFORMATION SHOWN FOR SCHEDULED USE ONLY, NOT FOR CONSTRUCTION.







OPEN RURAL

6.86 ACRE SITE





LEGEND

-  DITCH
-  PROPERTY LINE
-  EXISTING ELEVATION
-  LIMIT OF FILL
-  ACOE WETLAND LIMIT AS ESTABLISHED BY CZR, INC
-  WETLAND TO BE FILLED



WETLAND IMPACTS

NASSAU SANITATION

CZR, INCORPORATED
 3112 St. Johns Bluff Road, South
 Suite 201
 Jacksonville, Florida 32216