

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 5, 2023

Consent Regular
 Ordinance Public Hearing

Department: Facilities Development & Operations

Department: Parks and Recreation

1. EXECUTIVE BRIEF

Motion and Title: Staff requests Board direction: Regarding the future use of a portion of the County-owned 20 Mile Bend property for an Off-Highway Vehicle Park ("OHV Park"), a Racetrack Park or a combination thereof.

Summary: The undeveloped County-owned real estate holding commonly referred to as the 20 Mile Bend Property ("Property") is the aggregation of seven (7) individual parcel control numbers (PCNs) totaling approximately 128-acres. The Property is generally located at the southeast quadrant of the intersection of State Road 80 and County Road 880. In 2013, the Board of County Commissioners ("Board") authorized County staff to prepare a needs analysis and feasibility study for the development of an OHV Park at the Property. The OHV Park feasibility study was completed in 2015 and updated in 2021. The same confirmed the need for an OHV Park in the area and received support from multiple stakeholders. In June 2021, staff submitted the updated feasibility report to the Board and received direction to issue a Request for Proposals (RFP) for the development and operation of an OHV Park at the Property. A copy of the associated workshop item is included as Attachment 2. The RFP was advertised in June 2022 with a closing date of November 21, 2022. There were no respondents to the RFP. In June 2023, the Board directed staff to issue a Request for Information (RFI) to explore the possibility of siting a Racetrack Park on the Property. An RFI is a non-binding and non-competitive process used to obtain comments, feedback, information or reactions from potential vendors prior to the County issuing a solicitation. The RFI was published on July 5, 2023 with a closing date (as extended) of October 20, 2023. A total of nine (9) responses to the RFI were received. See Attachment 3. Seven (7) of the responses were provided by users of racetrack facilities, one response came from a national drag racing association and the remaining response was a business plan to develop the Property. Concurrently with advertisement of the RFI, staff commissioned a limited development review analysis (Due Diligence Report, Attachment 4) to explore the regulatory and physical constraints, if any, that siting of the Racetrack Park at the Property would entail. The Due Diligence Report identified no regulatory fatal flaws to the siting of the Racetrack Park on the Property, but led to identifying the need to conduct further investigation and assessment to ensure project viability in response to a specific plan of site development. Staff requires Board direction as to which of the two projects, if either one, or combination thereof, is to be pursued for development of the Property: the OHV Park or the Racetrack Park. Staff notes that planning efforts for the OHV Park commenced in 2013 and, as a result, a good foundation already exists that would allow staff to promptly proceed with re-issuance of an RFP to select a developer. Comparatively, the Racetrack Park is a fairly new initiative which, upon receiving Board direction, would require staff to initiate preparation of the associated RFP tailored to this specific program and to commission the additional professional studies identified in the Due Diligence Report to fully assess the site development viability. (FDO Admin) District 6 (HJF)

Background & Policy Issues: County staff requires direction as to the facility to be developed on the Property. Two initiatives have been considered by the Board: an OHV Park and a Racetrack Park. Planning efforts for the OHV Park commenced in 2013 while conceptual development efforts for the Racetrack Park commenced in 2023. A brief summary of what each proposed use entails follows. **Continued on Page 3.**

Attachments:

1. Location Map
2. June 21, 2022 Workshop Item – OHV Park
3. Responses to the Racetrack RFI
4. Limited Development Review Analysis (Due Diligence Report) – Racetrack Park

Recommended by: *[Signature]* 11/13/23
 Department Director Date

[Signature] 11/17/2023
 Department Director Date

Approved By: *[Signature]* 11/29/23
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Is Item Included in Current Budget:		Yes _____	No _____	Yes <u>X</u>	No _____
Is this item using Federal Funds?		Yes _____	No _____	Yes <u>X</u>	No _____
Is this item using State Funds?		Yes _____	No _____	Yes <u>X</u>	No _____

Budget Account No: Fund Dept. Unit Object

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item. Any future fiscal impact is contingent upon Board direction as well as the final result of solicitation and negotiation.

C. Departmental Fiscal Review: 

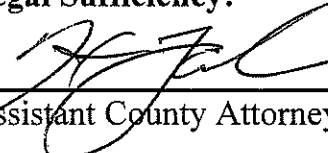
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development & Control Comments:

 11/15/23
 OFMB OPA 11/15 CB1118
 11-15-23

 11/21/23
 Contract Development and Control

B. Legal Sufficiency:

 11/28/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

OHV Park

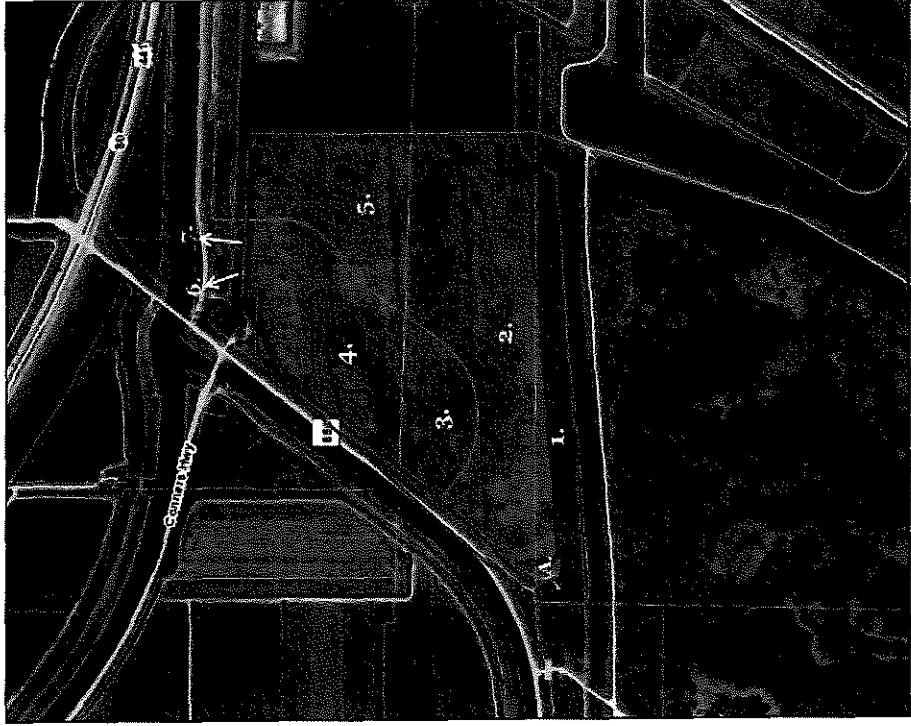
Interest in developing an OHV Park surfaced in 2013 as a result of increasing safety concerns and complaints from stakeholders, due to off-road vehicles being used on main roads and environmentally sensitive lands. Florida State Statute 261.03 defines an “Off-highway Vehicle” (OHV) as any all-terrain vehicle (ATV), two-rider ATV, recreation off-highway vehicle (ROV), or off-highway motorcycle (OHM) that is used off the roads or highways of this state and that is not registered and licensed for highway use under Florida Statute chapter 320 . Development of an OHV Park entails designing, permitting, constructing and maintaining a publicly accessible park area serving a public need for safe OHV recreational use. An OHV Park design may include, but not be limited to, recreation areas separated by compatible OHV types, wooded trails, recreational mud areas, and beginner, intermediate and advanced OHV tracks with associated parking, restroom, security, water, electric, and access infrastructure.

Racetrack Park

Interest in developing a racetrack operation surfaced after the Palm Beach County International Raceway (formerly the Moroso Motorsports Park) closed earlier this year and the property owners pursued the regulatory approvals to redevelop the site for non-motorsport related uses. Development of a Racetrack Park entails designing, permitting, constructing and maintaining a publicly accessible park area serving a public need for safe motorized vehicle racing use. A Racetrack Park design may include, but not be limited to, a drag strip with roll out and shut down areas, road racing circuit course, kart racing track, mud racing track, pit areas, associated parking, restroom, security, water, electric, and access infrastructure.

ATTACHMENT 1

Location Map



June 22, 2023

PROPERTY CONTROL NUMBERS (PCNS)

1. 00-40-44-06-00-000-3020
2. 00-40-43-42-00-000-0065
3. 00-40-43-42-00-000-0062
4. 00-40-43-31-00-000-7050
5. 00-40-43-31-00-000-7060
6. 00-40-43-31-00-000-7090
7. 00-40-43-31-00-000-7100

A. Parking Area

ATTACHMENT 2
June 21, 2022 Workshop Item (OHV Park)

9: 30 AM

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

WORKSHOP SUMMARY

Meeting Date: June 22, 2021

Department: Parks and Recreation

I. EXECUTIVE BRIEF

Title: Off-Highway Vehicle (OHV) Park

Summary: The Board authorized the County Administrator to prepare a needs analysis and feasibility study for the development of an OHV Park at the County's 20-Mile Bend property. The study's intent was to provide information and recommendations about various OHV tracks, trails, venues, support facilities, anticipated capital costs, an operations/business model, environmental considerations and economic impact associated with an OHV Park at this location.

The Parks and Recreation Department assembled an OHV Steering Committee including representatives from the Palm Beach County Sheriff's Office (PBSO), South Florida Water Management District (SFWMD), Palm Beach County Sports Commission, OHV riders and enthusiasts and other County departments to undertake this analysis and study.

The Florida Legislature has identified the need to establish additional public OHV recreation areas across the state as it is becoming increasingly difficult for most OHV enthusiasts to find areas where operation of these vehicles are legally permitted. This is especially true in South Florida, where opportunities to ride on large expanses of non-posted public or private land are very limited. Given these land constraints, some OHV users have resorted to using areas that are illegal or unsafe, resulting in personal safety issues, negative environmental impacts, and problems for public land management agencies and law enforcement.

The Parks and Recreation Department has received numerous requests from Palm Beach County residents over the years to provide a local site for safe and legal use of OHV's. Presently, approximately 14,000 OHV riders are licensed in Palm Beach County and more than 50,000 within a 50-mile radius of the 20-Mile Bend property. The closest facilities readily accessible to the County residents are located in Miami-Dade and Okeechobee counties.

The feasibility study concluded that there is a demonstrated need for an OHV park in Palm Beach County and that the 20 Mile Bend site is an ideal location given its central location along Southern Boulevard. Construction of the park would provide a direct economic benefit for the county by increasing demand for food, lodging, gas and other related purchases. The estimated costs for a phased development are \$2-3 million for a basic track and amenities and \$8 million to fully develop the entire 128-acre site. The cost to operate and maintain the facility at build out is \$280,000 annually. The Steering Committee recommends that the County pursue a contractual relationship with a third party to design, develop and operate the facility. It is also recommended that we seek competitive proposals, lease the property to the selected third party for \$1 per year for a negotiated period of time, and then begin sharing in the proceeds collected by the third party following the initial grace period. This development and operating method will enable the County to accelerate development of the facility and substantially reduce or eliminate the need for County Ad Valorem funding. Staff is seeking board direction. Countywide/District 6 (AH)

Attachment: Off-Highway Vehicle Feasibility Report

Recommended by: _____

Emil Case
Department Director

6-9-21
Date

Approved by: _____

Scott M. Smith
Assistant County Administrator

6/15/2021
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

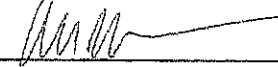
Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	* 0				

Is Item Included in Current Budget: Yes No
 Does this item include use of federal funds? Yes No

Budget Account No.: Fund ___ Department ___ Unit ___
 Object ___ Program N/A

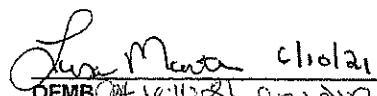
B. Recommended Sources of Funds/Summary of Fiscal Impact:

* There is no fiscal impact associated with this Board item.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

A. OFMB Fiscal And/Or Contract Development and Control Comments:


 OFMB 6-10-21


 Contract Development & Control

B. Legal Sufficiency:

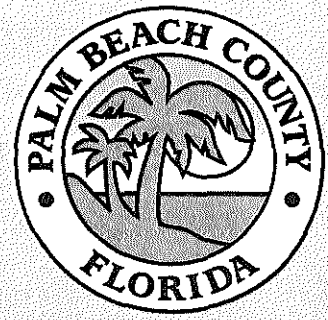

 Assistant County Attorney

C. Other Departmental Review:

REVISÉD 09/2003
 ADM FORM 01
 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

Off-Highway Vehicle Feasibility Report

JUNE 2021



Palm Beach County
Parks and Recreation
Department



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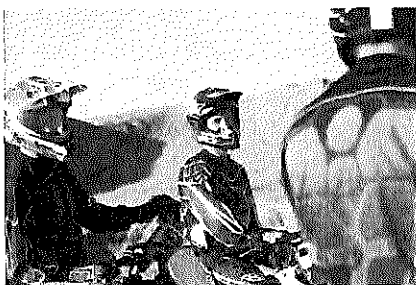
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1.0 Executive Summary

In 2013, the Palm Beach County Board of County Commissioners authorized the County Administrator to prepare a needs analysis and feasibility study for the development of an Off-Highway Vehicle (OHV) Park in Palm Beach County at the County's 20 Mile Bend property. At the Board's direction the County's Parks and Recreation Department assembled an Off-Highway Vehicle Steering Committee including representatives from the Palm Beach County Sheriff's Office (PBSO), South Florida Water Management District (SFWMD), the Sports Commission, other County departments, and OHV enthusiasts to undertake this needs analysis and study. The study was completed in 2015 but was not submitted as other Board approved projects became priorities. This report was recently updated in an effort to provide updated information that more accurately reflects current market conditions.

This study and analysis concludes:

- There is a demonstrated need for an OHV Park in Palm Beach County. Palm Beach County residents regularly travel to Miami-Dade County, Okeechobee County and beyond to participate in ATV trail riding and organized OHV activities. The need for additional OHV opportunities has also been identified by the Florida Legislature and Florida land management agencies.
- The 20 Mile Bend site is an ideal location in that it is centrally located in western Palm Beach County with convenient public access from State Road 80 (Southern Blvd) and via U.S. Route 27. The County owns 128 acres at this site which includes 34 acres that was recently purchased from the South Florida Water Management District. With this acquisition there is sufficient space to include OHV trail riding, an ATV/Motorcross track, a supercross track, and additional OHV amenities that are necessary to make the facility a first class sustainable and nationally recognized OHV Park.
- Developing an OHV Park on the site will provide a positive direct economic benefit for the County. Based upon a review of previous economic impact studies completed for existing OHV sites in other Florida locations, the committee estimates that OHV users will conservatively spend over six million dollars annually on gas, food, lodging, entertainment, and miscellaneous items while visiting Palm Beach County. The public will also likely spend an estimated 11 million dollars on related purchases such as ATV's, trailers, and support vehicles annually.



Developing an OHV Park on the site will provide a positive direct economic benefit for the County. OHV users will conservatively spend over six million dollars annually on gas, food, lodging, entertainment, and miscellaneous items while visiting Palm Beach County.

- Multiple agencies such as the County's Department of Environmental Resources Management, SFWMD, Palm Beach County Sheriff's Office, Florida Fish and Wildlife Conservation Commission and the State of Florida support the development of an OHV Park in South Florida. It is anticipated that the development of this OHV Park will reduce the number of OHV accidents and injuries on public roads and lands, and the amount of destructive illegal riding currently occurring on environmentally sensitive and other public lands.
- The development of an OHV Park as a County funded project is estimated to cost between \$6-\$10 million dollars. Due to County funding constraints it is anticipated that development of the OHV Park would need to be phased over a number of years as funds become available and would likely divert funding available for other Parks projects.
- There is private sector interest in both the development and operation of an OHV Park. The County funding requirement could be substantially reduced or eliminated through such a public/private partnership, thereby accelerating the time-frame for development of the Park.

The Parks and Recreation Department recommends that the County move ahead with the development of an OHV Park at the 20 Mile Bend site and pursue a public/private partnership to design, develop, and operate the facility.

2.0 Introduction

According to Florida Department of Environmental Protection's *Outdoor Recreation in Florida, 2019-2023*, (Statewide Outdoor Recreation Comprehensive Plan -SCORP), the use of and riding of off-highway vehicles (OHV) continues to grow in popularity in Florida. Over the past 17 years over 64,000 new OHV's were registered in South Florida, of which 19,000 were registered in Palm Beach County. The Miami-Dade County and Thundercross MX Park in Okeechobee County are the only facilities that serve the South Florida area and are a long distance from Palm Beach County. All other sites are located in Central and North Florida.

The Florida Legislature has identified the need to establish additional areas for this type of outdoor recreational use by the general public, since it has become increasingly difficult for most OHV enthusiasts to find areas where it is legal to ride. This is especially true in South Florida, where the days of riding on large expanses of non-posted public or private land are essentially over. Unfortunately, some OHV users have resorted to using areas that are illegal or unsafe, resulting in personal safety issues, negative environmental impacts, and problems for public land management agencies and law enforcement.

Although the Palm Beach County Parks and Recreation Department has received numerous requests from citizens over the years to provide a local site for safe and legal use of OHV's, lack of funding and available land have hindered efforts to address this problem. Prior to the recent SFWMD land acquisition, the County owned 94 acres at 20 Mile Bend. In addition to being undersized, the property was also programmed for future construction of a public shooting range. As a result of the State's construction of a public shooting range on a portion of the Mecca property, the County property became available for other uses. Acquisition of the 34 acres increased the overall size of the property to 128 acres which is sufficient size to construct a functional OHV facility.

The purpose of this study was to assess the potential use of the 128 acre 20 Mile Bend site for the development of an OHV Park. The study provides information and recommendations about various off-highway vehicle tracks, trails and associated support facilities, anticipated capital costs, an operational/business model, environmental considerations and economic benefits associated with an OHV Park at this location.



The use of and riding of off-highway vehicles is a family sport that is growing in popularity in Florida.

3.0 Parks & Recreation Department Staff and Off-Highway Steering Committee Members

The following Parks and Recreation Department Staff (past and present) provided research and support:

- Eric Call – Director
- Jennifer Cirillo – Assistant Director
- Paul Connell – Project Manager
- Bob Hamilton – Director of Planning and Development (2021 Update)
- Tim Granowitz – Former Manager of Planning and Development
- Jean Matthews – Senior Planner
- Bob Burdett – Former Special Projects Coordinator
- John Wildner – Former Financial Analyst I
- Ed Barrow – Former Parks Operations Superintendent

The Off-Highway Steering Committee included the following members:

- Bert Gaudreau – PBSO
- Bobby Maione – Stuart Motorsports
- Dan Cotter – SFWMD
- Dominic Tozzo – OHV Enthusiast
- George Linley - Palm Beach County Sports Commission
- James Edelstein – PBSO
- Jimmy Beno – PBC Facilities Development and Operations
- John Zylis – OHV Enthusiast
- Kenneth Mahr – OHV Enthusiast
- Nelson Robinson – PBSO
- Steve Barge - PBSO



Riding in areas illegally can result in personal injury, noise and law enforcement issues, and damage to personal property and the environment.

4.0 Key Assumptions

In completing this study, a number of assumptions were utilized:

- The primary goal of developing an OHV Park is to meet a recreational need. Revenue (profit) derived from operations is not a significant factor in evaluating whether to develop the facility. However, capital costs and ongoing operational costs are key factors which will determine whether the facility is developed and operations will be sustained.
- The current level of demand for an OHV Park will, at worst, remain relatively stable and most likely will continue to increase.
- No other agency or private entity will develop a competing OHV Park within the County or immediately adjacent counties.
- Legislation regarding liability when providing OHV Park and OHV riding opportunities will not change significantly.
- Residential development will not be permitted to occur to the south and/or west of the 20 Mile Bend Site prior to commencement of operations at the OHV Park.

5.0 Methodology

The following methodology was utilized in preparation of this study:

Scope Definition

With the assistance of the OHV Steering Committee, the Department defined the project boundaries and requirements.

Market Analysis

The Department conducted research and a critical analysis of the landscape for off-highway vehicle parks and tracks in the South Florida Area utilizing information obtained from the State of Florida, public and private OHV park operators, OHV enthusiasts, and other agencies with which they came in contact. The results of this research and analysis was used to determine whether there was, in fact, an unmet need in Palm Beach County and the likelihood that there was sufficient demand to sustain an OHV Park economically.

Development, Operational, Financial and Technical Analysis

The Department conducted research to assess the needs of the public, the expectations of OHV enthusiasts, the safety of participants, the requirements of a potential site, the types of activities that were compatible with each other, the potential for adverse impacts to the land and the surrounding areas, and the amount of land and capital required.

Exploration of Business Models

Having assessed the need and technical requirements, the Department investigated several methods for the development and operation of an OHV Park including whether the development and operation should be handled internally or whether an outside vendor or partnership could handle the tasks more effectively, reduce County funding requirements, and accelerate the time-frame for completing the Park. Which method would provide greater long-term viability was also considered, as well as whether there was sufficient revenue potential to make the initiative worthwhile for a private operator.



The Department conducted research and a critical analysis of the landscape for OHV parks and tracks in the South Florida area to determine whether there was in fact an unmet need in Palm Beach County and the likelihood that there was enough demand that would need to be satisfied to result in a sustainable facility.

8.0 Market Analysis

The Department investigated all known OHV parks in the South and Central Florida area and determined that there are currently no OHV Parks in Palm Beach, Broward, Martin, and St Lucie counties. To the North, the closest OHV facility is the Thundercross MX Track in Okeechobee County, which is approximately 60 miles northwest of the 20 Mile Bend site. The closest OHV facility to the south is the Miami Motocross Park in Miami-Dade County, which is approximately 85 miles from the 20 Mile Bend site.

The Department reviewed operations at several OHV Parks and has determined that a four to five day a week operation is sufficient to meet the needs of recreational and competitive riders. The Department has also determined that a daily riding fee of \$20 - \$25, with discounts for multiple family members or high frequency use, would be acceptable for local riders.

COMPARATIVE FLORIDA FACILITIES

Size/Amenities/Surfaces

Existing Facility	Components	Track Size	Track Length	OHV Types	Surface Type
Bartow 640 acres	Motocross track, Pee Wee/Training Track Riding Trails	10.2 acres 1.6 acres 4.8 acres	1.0 miles 0.2 miles	MX/ATV (no buggies)	Soft sand with loose dirt
Orlando Mx Park 640 acres	Motocross Track Pee Wee/Training Track Sand Drag Strip	13.2 acres 1.4 acres	0.7 miles 0.2 miles	MX/ATV (no buggies)	Mix of sand and hard pack
Bone Valley 200 acres	Motocross track, Free ride area, Mud Pit	34 acres	15 miles	MX/ATV/ SXS	Mix of sand and hard pack
Sandlot Off-Road Adventure Park	Motocross Track, Pee Wee/Training Track Mud pit, Riding Trails	33.2 acres 0.2 acres 14.7 acres	26 miles	MX/ATV/ UTV/SXS	Loose dirt, hard pack, and sand
Mesa	Motocross Track Pee-Wee Track Mud Track	12.0 acres 1.1 acres 2.3 acres	1.0 miles 0.2 miles 0.2 miles	MX/ATV (no buggies)	Sand and mud
Okeechobee Thundercross	MX Track, pee-wee Track	18.5 acres 1.8 acres	1.2 miles 0.2 miles	MX/ATV (no buggies)	Mostly sand

*Detailed and Big Cypress Preserve information not available

Existing Facility	Components	Track Size	Track Length	OHV Types	Surface Type
Miami Motocross 38 acres	Motocross track, Pee Wee/Training Track	5.3 acres 0.7 acres	0.9 miles 0.2 miles	MX/ATV (no buggies)	Soft sand with loose dirt

Amenities/Hours of Operation

Existing Facility	Hours	Cost	Amenities	Parking
Bartow	Mon/Tues/Fri: Closed Wed/Thu/Sun: 9am-4pm Sat: 9am-3pm	\$25/day per rider Members: \$10/day Membership: \$25/yr	Restrooms, bleachers, camping	3.9 acres
Orlando Mx Park	Wed: 10am-dark Thu: 10am-dark Sat: 10am-4pm Sun: 10am-4pm Closed Mon/Tues/Fri	\$25/day per rider 1 day membership and ride: \$10/day Annual membership: \$25	Restrooms, showers, spray wash for bikes, snack bar	13.5 acres
Bone Valley	Fri/Sat/Sun/Mon: Open Tues/Wed/Thu: Closed Summer Hours: 8am-7pm Winter Hours: 8am-5pm	\$15/day per adult rider \$5/day per child rider Annual membership (Adult): \$250 Annual membership (Child): \$100	Restrooms, picnic areas, concession stand and park office.	2.9 acres
Sandlot Off-Road Adventure Park	Wed: 9am-6pm Thu: 9am-6pm Fri: 9am-9pm Sat: 9am-9pm Sun: 9am-6pm Closed: Mon/Tues	Dirt Bike/ATV: \$25/day per rider UTV: \$35/day per rider	Restrooms, RV lodging, Tiki beach, snack bar	86 acres (Multiple Tracks)
Mesa	Tues: 10am-5pm Wed: 10am-5pm Thu: 10am-5pm Sat: 10am-4pm Sun: 10am-4pm	\$35/day per rider \$25/day w membership Annual membership: \$50	Restrooms, restaurant, spray wash for bikes, camping	4.5 acres
Okeechobee Thundercross	Tues-Sun: 10am-5pm	\$30/day per rider \$15/day w membership Annual membership: \$50	Snack bar, restrooms, observation deck	4.6 acres
Miami Motocross	Wed: 2pm-dusk Sat-Sun: 10am-4pm Closed: Mon/Tues/Thu/Fri	\$40/day per rider	Spray wash, portable restrooms, concession stand.	2.1 acres

*Detailed Big Cypress Preserve information not available

Location /Operating Hours

Existing Facility	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Bartow 1585 Centennial Blvd. Bartow, FL 33830	CLOSED	CLOSED	9am-4pm	9am-4pm	CLOSED	9am-3pm	9am-4pm
Orlando MX Park 19400 E Colonial Dr, Orlando, FL 32820	CLOSED	CLOSED	9am-dark	9am-dark	CLOSED	10am-4pm	10am-4pm
Bithlo 19400 East Colonial Dr. Orlando, FL 32820	CLOSED	CLOSED	10am-5pm	10am-5pm	CLOSED	10am-5pm	10am-5pm
Bone Valley 10427 County Road 630 W. in Mulberry	8am-7pm	CLOSED	CLOSED	CLOSED	8am-7pm	8am-7pm	8am-7pm
Sandlot Off-Road Adventure Park 39450 Bermont Rd, Punta Gorda, FL 33982	CLOSED	CLOSED	9am-6pm	9am-6pm	9am-9pm	9am-9pm	9am-6pm
Mesa Park 100 Mesa Park Blvd. Fellsmere, FL 32948	CLOSED	10am-5pm	10am-5pm	10am-5pm	CLOSED	10am-4pm	10am-4pm
Thundercross 7543 NE 48 th St. Okeechobee, FL 34974	CLOSED	10am-4pm	10am-4pm	10am-4pm	10am-4pm	10am-4pm	10am-4pm
Miami Motocross 16665 Krome Ave, Hialeah, FL 33018	CLOSED	CLOSED	2pm-dusk	CLOSED	CLOSED	10am-4pm	10am-4pm

The Off-Highway Vehicle Steering Committee reviewed the 20 Mile Bend site to determine what types of OHV activities could be located on the site given the available acreage. It was determined that there is sufficient space to locate an ATV and motocross track, a beginners track, an ATV rider certification area, and an ATV and Utility Type Vehicle (UTV side by side) trail on the property. Acquisition of the SFWMD parcel as recommended by the OHV Steering Committee provided additional land area for development of a supercross track and expanded trail riding areas. The types of ATVs and motorcycles that could be accommodated on the site are as follows:

All Terrain Vehicles (ATV)

- Sport ATV - An OHV used for recreational trail riding, touring, and competitive events.
- Utility ATV - An OHV used for farm, ranch, and trail maintenance work as well as an access and hauling vehicle for hunting and fishing. It may also be used for trail riding and occasionally for organized events.

Motorcycles

- Dual-Sport Motorcycle - Street-licensed motorcycle that is used on streets, back roads and trails for touring, casual trail riding, and organized noncompetitive events and tours – fully equipped to meet street and highway requirements.
- Enduro Motorcycle - Off-highway motorcycle used for competition and recreational trail riding – usually equipped with headlights, tail lights, and spark arrester.
- Motocross Motorcycle - Off-highway motorcycle built for use in closed-course motocross events – also used for off-highway competition and recreational trail riding when modified to meet State and Federal regulations pertaining to registration, sound levels, and spark arresters – may not comply with emission standards.
- Trials Motorcycle - Off-highway motorcycle built for competition, exhibition, and practice riding over extremely technical natural terrain and constructed obstacle courses.



There are currently no OHV Parks in Palm Beach, Broward, Martin, and St Lucie counties.

Utility Type Vehicles (UTV)

- Utility Type Vehicle (UTV) Side by Side - An OHV designed for two or more passengers sitting side by side. It may be used for farm, ranch, and trail maintenance work, as well as an access and hauling vehicle for hunting and fishing.

With input from the OHV Steering Committee, Parks Department staff prepared a Conceptual Master Plan (Attachment 5) depicting the ability to accommodate the various desired tracks and riding features on the 20 Mile Bend site. In this plan, the tracks are laid out as tight, turning, one-way courses with a variety of natural terrain, man-made obstacles, and/or jumps. The track events are generally head-to-head races where the fastest rider wins. When the tracks are not being used for actual races they could be used for practice by competitors or by other riders wishing to improve their skills. The trail is laid out as a single looped two-way trail winding through natural obstacles and landscaping for recreational riding and for riders wishing to improve their skills. The ATV and motocross track is located in the central portion of the site, the ATV/side by side trail is located on the perimeter of the site, and the beginner track and certification area is located in the central southern area of the site. The tracks will be set up as follows:

- ATV/Motocross Track, approximately 18.9 acres in area with a track length of approximately 1.2 miles.
- ATV/side by side trail, approximately 50 acres with a trail length of 5 miles.
- Beginner Track, 2.2 acres in area, track length .5 miles
- Certification area 200' by 150'

Amenities that are required to ensure the success and safety of the OHV Park include an entrance road and parking lot, helicopter landing pad (limited to emergency response use only), equipment washdown, restrooms, concession building, and a camping area.

The conceptual plan, as currently proposed, would provide trails and support facilities that exceed those OHV parks presently operating within South and Central Florida and could easily turn the facility into a regional attraction at build out.

7.0 Development Suitability

The 20 Mile Bend site is located on the Southeast quadrant at the intersection of State Road 80 and County Road 880. The PBC Sheriff's Office operates a shooting range on 48 acres of the County property, and there is also an existing Public Safety communication tower. The site was historically under lease for sugar cane farming; however, the farming lease expired in April 2014 and was not renewed in order to reduce agricultural run-off.

Adjacent land use is described as follows: the Twenty Mile Bend Boat Ramp Road followed by the SFWMD L-7 Canal to the north; a 21± -foot-wide Florida Power and Light (FPL) easement and the Palm Beach County Sheriff's Office Training Facility to the east; the SFWMD Stormwater Treatment Area 1 (STA 1) to the south, beyond an east to west trending canal; and agricultural land (sugar cane) to the west. The site is within the PO - Public Ownership zoning district which allows for "by right" development of an OHV Park (Attachment 8). Staff does not anticipate and adverse impact upon any of the surrounding properties (Attachment 4).

In 2007, in preparation for the Sheriff's Office Shooting Range, a phase 1 environmental assessment of the site was conducted by Facilities Compliance, and no items of environmental concern were found on the property. Any potential negative environmental impacts from the operation of an OHV Park will be mitigated through the adoption of design criteria which retains all storm water on-site, and by adopting best management practices such as the use of water recycling wash down equipment for cleaning OHV's after they are used, and maintaining a spill containment kit and trained personnel at the site.

The major concern for development at this site is the suitability of the soils for this type of development. Due to its location at the eastern edge of the Everglades Agricultural Area, there is a higher degree of probability that muck type soils exist. Development of the adjacent PBSO shooting range required a significant amount of muck removal and backfilling with more suitable materials. However, it is anticipated that with some amount of mixing of soil materials, a usable composite can be achieved.

The main problem with less desirable soil composition is the amount of maintenance to the track areas that will be required.

The important OHV Park site selection criteria that are met at the 20 Mile Bend site include:

- Centrally located in Palm Beach County
- Distant enough from residential neighborhoods to reduce noise issues
- Accessible from Southern Boulevard, a major East/West thoroughfare
- Close proximity to US 27, providing North/South access
- Large enough to support several OHV tracks or trails
- Compatible with neighboring land uses and permitted under existing zoning, and
- Land with low environmental value that has been previously disturbed by agriculture, mining, etc.

8.0 Development, Operation, Financial and Technical Analysis

OHV PARK BUSINESS MODEL

Rider Safety and personal injury liability is a major concern with respect to ownership and operation of an OHV Park. In all of the business models discussed below, the Department would require a multi-pronged approach to ensuring rider safety including; rider certification; vehicle safety checks; only compatible vehicles will be allowed to race at the same time; participants will be required to wear proper safety equipment at all times; riders will be grouped and will race based upon capability and vehicle size; operations staff will be trained in first aid; during races and high use times flaggers will be positioned at all jumps to ensure landing areas are kept clear of participants; emergency vehicles will be on-site during all events; and a helicopter landing pad will be included in the Park development to provide Trauma Hawk accessibility. While Florida Statutes Section 261.10(2) provides that counties which provide OHV parks are not liable for damage to personal property or personal injury or death to any person resulting from the inherently dangerous risks of off-highway vehicle recreation, the various business models discussed below provide differing levels of additional liability shielding to the County.

The Department identified several methods of developing and operating the Park, including County development and operation, County development of the Park with a management contract with a private operator, or not for profit, for the operation of the Park, and entering into a development and use agreement with a private entity which would both develop and operate the Park. The advantages and disadvantages of those scenarios are as follows:

County Operated

This model would give the County the greatest control over the design and operation. The County would fund the design and development of the Park. Funding of the operating costs of the Park would be partially or fully offset through revenues generated. The County would hire

staff with detailed knowledge and experience in OHV park operations. Disadvantages of this model include 1) the length of time to bring all of the amenities to the public as funding has not been established in the Parks and Recreation Department's capital improvement plan for this project and 2) The County would bear the financial risk and liability associated with the development and operation of the Park.

If the County were to construct the OHV Park, the estimated timeline for construction is as follows:

- Concept Plan / Due Diligence (6-9 Months)
- Facility Design and Permitting (9-12 Months)
- Phased Construction (1-10 Years)

Estimated Cost and Phasing under County Development Model:

Phase One - Approximately \$3 Million

- Creation of lakes
- Development of the OHV/Motocross Track
- Construction of a shell rock entrance road and shell rock parking lot
- Installation of port-o-lets
- Deposit of fill material

Phase Two - \$3 Million

- ATV/MotoCross/SuperCross track
- Pee wee track
- Installation of drainage improvements
- Restroom with septic facilities
- Paving existing parking and entrance road

Phase Three - \$2 Million

- Development of the camping area, including expanded septic facilities
- Concession Building, Restroom/Office

The proposed OHV Park at the 20 Mile Bend site would be a regional facility that would be eligible for the use of impact fees collected from all three impact fee zones. In addition to impact fees, there are several sources of grant funding available for this project, including the Florida Department of Agriculture and Consumer Services - T. Mark Schmidt Off-Highway Vehicle Safety and Recreation Program Grant, Office of Greenway and Trails – Recreational Trails Program Grant, and the Polaris T.R.A.I.L.S. Grant Program. Legislative appropriation and sponsorship opportunities with naming rights would also be explored. Unfortunately, total grant funding opportunities are estimated to be less than \$2,000,000, such that the majority of project funding would be required from Park impact fees or other County sources. Once completed, the County anticipates collecting user fees that would offset operating and maintenance costs set forth below.

Off-Highway Vehicle Park Business Plan - County Operation

- Days of Operation: Monday, Thursday, Friday, Saturday, Sunday – Closed Tuesday/Wednesday
- Public Hours of Operation: 7:30 AM – 5:30 PM
- Maintenance Hours of Operation: 7:00 AM – 6:00 PM

Estimated Operating Revenues (2021 Projection based on 2015 cost estimate)

• Membership Fees	\$5,700.00
• Rider Fees	\$231,737.00
• Race Day Fees	\$29,996.00
• Spectator Fees	<u>\$47,193.00</u>
Annual Revenue Estimate:	\$314,626.00



The approved County adopted site plan for the 20 Mile Bend site is centrally located in Palm Beach County and large enough to support several OHV tracks or trails.

*Source: BLS CPI Inflation Calculator

Estimated Operating Costs

• <u>Personnel:</u>	
◦ Gatekeeping – 80 hours a week @ \$15/hr (part-time / no benefits)	\$62,400.00
◦ Maintenance Worker – (2) @ \$34,574 (includes benefits)	\$98,898.00
◦ Parks District Manager – \$67,494 (includes benefits)	\$62,392.00
◦ Personnel Total:	\$207,992.00
• <u>Utilities:</u>	
◦ Restroom building – \$300/ monthly	\$3,600.00
◦ Gate House – \$300/ monthly	\$3,600.00
◦ Maintenance office – \$300/ monthly	\$3,600.00
◦ Water Pump – \$600/ monthly	\$7,200.00
◦ Utilities Total:	\$18,000.00
• <u>Operating:</u>	
◦ Dumpster – \$520/ monthly	\$6,240.00
◦ Communication – \$100/ monthly (fax and phone)	\$1,200.00
◦ Operating Supplies – Restroom, pesticides, etc.	\$10,000.00
◦ Software License – Main Trac / Rec Trac	\$250.00
◦ Fuel - 20 gallons / day @ \$3.50 / gallon	\$18,200.00
◦ Bldg Maintenance – 1,045 square feet @ \$5.54 per square foot	\$5,789.00
◦ Equipment Maintenance / Replacement	\$10,000.00
◦ Operating Total:	\$51,679.00
Annual Operating Costs Estimate:	\$277,671.00
ANNUAL PROFIT/LOSS ESTIMATE:	\$25,214.00

The amount of revenue projected to be generated from County operation is insignificant when compared to the required County capital investment in development of the Park. This leads Staff to conclude that the public/private partnership approach should be pursued to minimize the amount of capital funding.

Management Contract

The development cost and time-frame would be similar to the County operated scenario. Contracting with a management company would minimize the risk and liability associated with operating the Park because the contractor would be assigned operation and maintenance responsibility and be required to indemnify the County. Use of a management contract would also allow the County to maintain a level of control over the operation of the Park and would not obligate the County to a long-term contractual arrangement. The management contract would require greater and more frequent oversight by County staff.

Not for Profit Group

The development cost and time-frame would be similar to the County operated scenario. Contracting with a not for profit group would ensure that enthusiasts are well represented and the profit motive for the OHV Park would be removed, such that fees for use of the Park facilities could be less under this model. Not for profit management could reduce the risk and liability associated with operating the park since they would be required to indemnify the County, although the ability for a not for profit to obtain and pay for liability insurance to back up the required indemnification has been problematic in similar situations. There is also some risk associated with utilizing a not for profit because many of these organizations do not have the staying power and internal operating controls necessary to ensure their long term viability. The Department is not aware of an OHV Not for Profit Group in Palm Beach County that would have the resources needed to operate this Park.

Development/Use Agreement with Private Operator

Allowing a professional developer/operator with experience in OHV operations to develop and operate the OHV Park has many advantages. Depending upon the term of the use agreement, the developer/operator could be incentivized to bear some or all of the development costs of the tracks, trails, and support facilities. Entering into an agreement with a third party would minimize the risk and liability associated with operating the Park to the maximum extent possible because the developer/operator would be in complete control of the land under the agreement, be fully responsible for the design, construction, maintenance and operation of the

Park, and would be required to indemnify the County. This structure would also eliminate the potential for ad valorem operating impact associated with cost overruns or operating losses. The operator would be motivated to make a profit at the Park which would serve as an incentive to ensure that patrons received value for their money and a first-class experience. This structure does partially limit the control the County would have over operations and depending upon the capital improvements made by the operator would obligate the County to a long term contract. Under this structure the County could require that the park be completed in one phase. This would shorten the timeline for construction considerably, and the Park could be completed within one to two years after permits are secured.

Financial Analysis

ECONOMIC BENEFITS

Due to the limited number of off-highway vehicle Parks in Florida, the proposed facility will provide a source of local economic development, serving as an ideal venue for motorized sports tournaments and increasing tourism. It is anticipated that OHV owners will travel regularly within a 50-mile service radius to utilize an OHV Park. A centrally located OHV Park would provide a much needed safe, appropriate, and legal location for OHV owners in Southeast Florida, including Palm Beach and adjacent Broward, Martin, Okeechobee, Glades, Hendry, Highlands, and St. Lucie Counties.

Additionally, an OHV Park would provide economic benefits to the County in the form of jobs, retail sales of fuel, food and beverages, OHV supplies, and lodging, increased taxes, as well as opportunities for motorsport event tourism. The projected economic impact of the OHV Park could also be used to develop the financial terms for an RFP as well as terms relating to the County's ability to reserve and schedule motorsport events through the Sports Commission.

The economic benefit derived from the park is based upon the following types of users:

Residents

- County residents that are currently traveling to counties such as Miami-Dade and Okeechobee on a frequent basis to ride recreationally and competitively.
- County residents that are interested in riding recreationally and competitively but have barriers to their participation, such as the amount of time required to participate in the activity at a remote location and the cost of traveling to a remote location.
- County residents that will be spectators at competitive events.

Non-Residents

- Non-County residents that will regularly travel to Palm Beach County to participate recreationally and competitively within a 50-mile radius of the Park.
- Non-County residents that will travel to Palm Beach County to participate recreationally and competitively outside of a 50-mile radius of the Park.
- Non-County residents that will travel as spectators for competitive events.

Based upon the 2006 Florida case study of off-highway vehicle recreationists at Croom Motorcycle Area conducted by Parent, Alavalapati, Stein & Hodges of the School of Forest Resources and Conservation, and Food and Resource Economics at the University of Florida, the following average travel and equipment expenditures in 2006 dollars were made by each household:

Travel Expenditure (2006 Croom Study)

Expenditure Category	Mean Household Expenditure per Trip	
	Resident	Non Resident
OHV related purchases (gas, equipment, etc.)	\$88	\$72
Purchases related to transportation to the OHV Park (gas, tolls, rental fees, etc)	\$36	\$126
Food and beverage purchases	\$44	\$79
Lodging (hotel, motel, campsite, etc)	\$12	\$41
Entertainment, gift, souvenir purchase	\$3	\$12
Miscellaneous other purchases	\$8	\$23
Total	\$191	\$352

Equipment Expenditure (2006 Croom Study)

Expenditure Category	Mean Household Yearly Expenditure	
	Resident	Non Resident
Repairs and routine maintenance to OHVs	\$661	\$746
OHV equipment modifications and upgrades	\$538	\$869
OHV riding apparel	\$333	\$597
Purchase or rental of equipment related to transportation of OHVs	\$721	\$1,139
OHV expenditures for permits, fees, etc	\$158	\$336
New OHV purchases	\$4,774	\$5,178
Miscellaneous other purchases related to OHV riding	\$196	\$237
Total	\$7,381	\$9,105

In 2021, the projected population for Palm Beach, Martin, Miami-Dade and Broward Counties totaled 6,373,306 residents, which is 12.9% greater than the 2006 study population size of 5,535,556 for the four-county area included in the study. Based upon a population size of 6.3 million, Parks and Recreation can conservatively estimate that the number of resident participants will have increased by a minimum of 12.9% since 2006. We can also estimate that the number of trips will remain constant, and we can conservatively estimate that the number of nonresident trips will be at least equal to the 2006 study. Finally, \$1.00 in 2006 is equal to \$1.32 in 2021, and the study's financial finding was adjusted accordingly to estimate the household expenditures. Applying these assumptions, an updated annual spending estimate is as follows:

Travel Expenditure (2021 Estimate)

Expenditure Category	Total Estimated Household Expenditure Within Region of Analysis	
	Resident	Non Resident
OHV Related Purchases (gas, equipment, etc.)	\$1,705,693	\$1,136,536
Purchases related to transportation to the OHV Park (gas, tolls, rental fees, etc)	\$710,123	\$1,994,494
Food and beverage purchases	\$846,162	\$1,257,146
Lodging (hotel, motel, campsite, etc)	\$241,243	\$652,366
Entertainment, gift, souvenir purchase	\$48,419	\$193,676
Miscellaneous other purchases	\$152,898	\$365,277
Total	\$3,704,538	\$5,599,495

Equipment Expenditure (2021 Estimate)

Expenditure Category	Total Estimated Household Expenditure Within Region of Analysis	
	Resident	Non Resident
Repairs and routine maintenance to OHVs	\$658,899	\$980,528
OHV equipment modifications and upgrades	\$536,590	\$1,141,993
OHV Riding Apparel	\$333,182	\$838,090
Purchase or rental of equipment related to transportation of OHVs	\$719,883	\$1,497,125
OHV expenditures for permits, fees, etc	\$156,378	\$441,809
New OHV purchases	\$4,761,404	\$6,804,405
Miscellaneous other purchases related to OHV riding	\$197,065	\$312,546
Total	\$7,363,401	\$12,016,506

The study estimated a total output impact multiplier of approximately 1.6 for this group of participants. Using the same output impact multiplier and the aforementioned direct annual expenditures of \$28,683,940, the total output impact for the OHV Park would be \$45,894,304 for the four-county area.

9.0 Findings and Recommendations

There is a demonstrated need for an OHV Park in Palm Beach County. Palm Beach County residents regularly travel to Miami- Dade County, Okeechobee County and beyond to participate in ATV trail riding and organized OHV activities. This need has also been identified by the Florida Legislature and Florida land management agencies.

The 20 Mile Bend site would provide a good location for public access, would have minimal residential impacts, and would include sufficient space to develop an ATV trail, an ATV/Motorcross track. With the acquired SFWMD parcel the total acreage for the site is 128 acres which would provide for greater trail riding areas and additional OHV amenities that are necessary to make the facility a first-class sustainable and nationally-recognized OHV Park. Southern Boulevard provides easy access to the site from both the east and the west.

Developing the site will provide a positive economic benefit for the County. Based upon the economic impact studies of other existing Florida OHV sites, the OHV users will conservatively spend over six million dollars on gas, food, lodging, entertainment, and miscellaneous items in Palm Beach County. The bulk of these expenditures are currently going to Counties that have existing OHV parks. Additionally, over 11 million dollars will be spent on larger equipment related purchases such as ATV's, trailers, and support vehicles annually.

Multiple agencies such as PBSO, ERM, SFWMD, FWC, and the State of Florida support the development of OHV sites. The development of an OHV Park will reduce the number of OHV accidents and injuries on public roads and lands, and the amount of destructive illegal riding currently occurring on environmentally sensitive county owned lands.

There is private sector interest in both the development and operation of an OHV Park. The time-frame for development of the Park and its amenities could be accelerated through a public private partnership and the cost of development could be substantially reduced or eliminated through such a partnership.

For these reasons, the Parks and Recreation Department recommends that the County; move ahead with the development of an OHV Park at the 20 Mile Bend site and pursue a public/private partnership to design, develop, and operate the OHV Park.

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ATTACHMENT 1 - OHV COMMITTEE MEETING**DECEMBER 2013**

The Off Highway Vehicle Steering Committee met on December 12, 2013 to discuss the development of an off-highway vehicle recreational facility at 20 Mile Bend in Palm Beach County. Items discussed included; the acreage and track length at several south and central Florida OHV parks (comparison parks); uses at these facilities; the comparable acreage and possible track sizes and lengths at the 20 Mile Bend site; the support features at the comparable parks; the track material, watering and drainage; a visit to some of the comparable parks; and potential management company partners for the 20 Mile Bend site.

Comparison Sites

A table and aerial photo of the OHV parks located at Bartow, Bithlo, Dirty Foot, Mesa, and Thundercross were distributed to the committee. The table and aerial indicated the acreage and track length at these comparison parks. Staff identified the majority of the components of these parks and received additional input from committee members on unknown areas of the parks. The majority of these sites have one track that was used for motocross and racing ATV's, with trails for other ATV's, motorbikes, and UTV's. Track lengths ranged from as low as 0.7 miles to 1.3 miles for the main track, with smaller secondary tracks, areas for beginner tracks, and other OHV activities. The committee also pointed out that several of the parks had riding trails that extended out from the main track areas which were difficult to identify and were not measured by County staff.

20 Mile Bend Site

Based upon the input from the last committee meeting, staff presented an aerial view of the 20 Mile Bend site with areas identified for an ATV track, a Motocross track, an ATV/UTV trail, a beginner track, a certification area, a parking lot, and a spectator area. County staff determined that the main components necessary for the site could easily fit on the site and appropriate track lengths could be laid out in these areas. The committee discussed the aerial and determined that individual tracks for racing ATV's and Motocross were not required. By consolidating these areas into one,

the space identified for the ATV/UTV trail could be expanded which would allow us to increase the trail length. The committee also discussed bringing the parking lot and track closer together so that users could see the track from where they staged their support vehicles. Staff will revise the site plan to include the input of committee members.

Other Components

The committee discussed the other components that could fit on the site. Many of the sites committee members had visited or were aware of had very little in the way of support components such as concessions, restrooms, and a wash down. They also did not have the availability of spare parts and storage. It was felt that by adding some of these components it would make the site more family friendly, would set it apart from some of the other comparison sites, and could be an additional revenue stream for the operator. County staff identified the fact that potable water and sewer would be very difficult to get to the site and the thought was that composting restrooms similar to those used by state parks and SFWMD could be used. The pro's and con's of a wash down were discussed and whether a water/oil separator would be needed. No final decision was made on the other components at the site.

Track Material, Water, Drainage

The committee discussed track material, drainage, and watering at the comparison facilities. Watering was mainly done by a water truck. The material for the track is important as is ongoing maintenance and watering to make sure jumps remain safe and that it holds up to the daily wear and tear.

Comparison Park Review

The committee discussed January 23rd as a possible day for a trip to Mesa and Thundercross. County staff will work on setting this up.

Management Companies

County staff is looking for contractors that could manage the OHV Park for the County and have asked the committee to let us know if they hear of any.

JANUARY 2014.

Members of the Off Highway Vehicle Steering Committee visited Miami Motocross Park on January 23, 2014, to review the facility and discuss its operations with the lessee. Miami Motocross Park is a 38 acre site west of Opa-Locka and Miami Gardens that was built in Milton E. Thompson County Park. The remainder of the park is undeveloped and contains upland and wetland areas.

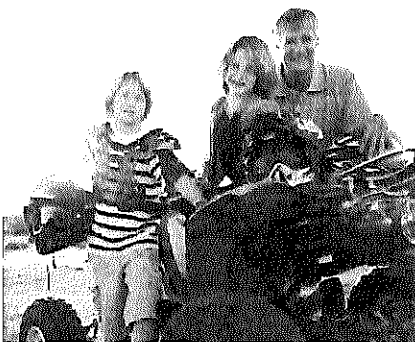
The following amenities and programs are available at the site:

- Motocross/ATV track
- A Beginner/PeeWee Track
- Primitive camping/parking for RV's
- Food and Beverage concession (located in a trailer)
- Restrooms with a second story viewing deck
- Motocross bike rental
- Motocross/ATV riding lessons
- Bike/Trailer Storage
- Wash down

The following information was gathered from the site visit and the operator:

- The track is built from mostly native area soil which was screened to remove rocks and debris. Some material was imported from local pits. The soil is a sandy loam which is irrigated for dust control, shaping and compaction.
- The irrigation system is made up of a diesel powered water pump attached to a series of large volume gear driven sprinklers (10-15) mounted on 55 gallon sized concrete bases. The sprinklers can throw water over 100 feet.
- The track is operated by a staff of approximately 6 people during the week and 15 on weekends when the track use is at its peak. Some of the employees live on-site and provide security and supervision of the site during non operating hours.
- The user fee is \$25 dollars for members and \$35 for non members, \$5 for spectators, \$10 on race days. Memberships are \$25. Bike rental is \$100 for two hours or \$150 for the entire day.

- Weekend participation was in the range of 60-100 riders per day depending on the weather and what activities were going on. Weekday participation was in the 5-10 riders per day range. On our visit there were two riders. One of the riders had traveled from Coconut Creek which was approximately 45 minutes driving time.
- The operator was in the process of adding lights at the track for evening riding.
- EMT's are at the facility on weekends and Fire Rescue is on-site during race days. Flaggers are stationed at each of the jumps on race days and weekends.
- The operator has banned the use of alcohol and has certain behavioral standards. All visitors including spectators must sign a waiver.
- Insurance is expensive the operator said he was initially quoted approximately \$40,000, however the lessee seems to have been able to obtain insurance for approximately \$15,000 annually.
- The operator conducts six large race events per year; however, they are not sanctioned by any Motocross/ATV governing body. Additional race events would result in higher insurance premiums.
- There is a dozer and bobcat on-site to maintain the track. The track and jumps are dressed regularly for safety and quality. The jumps are not severe which attracts more family type users. There was some contradiction on how often the layout is changed. After speaking with one of the riders it seems that major layout changes do not occur that often.
- The main concerns of the County seem to be the potential for water contamination and illegal riding in the undeveloped portion of the park. To address their concerns the operator does not allow the use of degreasers at the wash rack or for oil changes to occur on-site, and has posted no trespassing signs around the perimeter of the track to stop riders for leaving the designated riding area.
- The operator also told us they would be interested in both building the track for the County and also possibly operating the facility for the County. He also said that sponsorship was an important part of his revenue stream for the facility.



Economic benefits to the County include jobs, fuel, food and beverage, supplies, taxes, lodging, etc. as well as opportunities for motorsport event tourism.

JULY 23, 2014

In attendance: Dave Dolan, Fred Roth, Eric Call, Paul Connell, Dal Major, Jean Matthews

Meeting was held to discuss the site plan, cost estimate and assumptions used in developing the cost estimate.

It was determined completion of a geotechnical analysis (soil borings to 25') and topographical survey is needed in order to develop a more accurate cost estimate. Dave Dolan will arrange to have this work completed.

We discussed modification of the assumptions used to develop the cost estimate as follows:

- OHV Trail Area – Reduce acreage with the addition of detention areas, base fill remaining acreage to 13' and fill 8-10' wide trail to 14' with on-site material. We will provide revised acreages.
- ATV Track Area – Fill to 14' and add 1' of special material giving an average elevation similar to the pee wee track and pedestrian areas.
- Helicopter Pad – Construct with rock base material.
- All clearing and grubbing material to be used for berm.
- Excavate the lakes to -10 for a total depth of 20'.
- Phase the project to reduce initial development costs.

Cost/benefit analysis for questions to be answered upon changing some of the assumptions.

- Will excavating the lakes to the lower depth result in the elimination of all non specialized fill import?
- Will the increased cost to excavate the lake to -10 for a total depth of 20' result in a substantial reduction for the cost of the fill? Please note: Lake can be dredged to a depth of 20' without SFWMD approval.
- The current cost estimate includes the removal of the top 1' of muck from the site because of the organics in the soil (branches, weeds, etc.). This is included in the clearing and grubbing figure of \$360,000. Would a cost reduction occur if this material was used in the berm versus hauling this material off site?
- How much cost savings would result if the trail was reduced in width

from 20' to 8'-10'?

- The current cost estimate is based on a finished elevation of 18' for the track and 17' for the parking and roadway. By how much can these elevations be reduced while keeping the track, parking and roadway dry and functional during the rainy season?

We also discussed phasing the project into three phases.

- **Phase One**
 - Berm around perimeter of the property
 - Creation of both lakes
 - Development of the OHV trail (single direction)
 - Construction of a shell rock entrance road and shell rock parking lot in Southwest corner of property (adjacent to County Rd 880)
 - Construction of a shell rock helicopter pad
 - Use of port-o-lets
 - Installation and rough out of water line to future campground and boat ramp area
 - Fill all future use areas to proposed base elevation
- **Phase Two**
 - ATV track
 - Pee wee track
 - Installation of drainage improvements
 - Restroom with septic facilities
 - Main parking lot
 - Main entrance road
 - Paving existing parking and entrance road
- **Phase Three**
 - Developing the camping area including expanded septic facilities
 - Boat Ramp
 - Concession Building (Restrooms/office currently shown on plans)

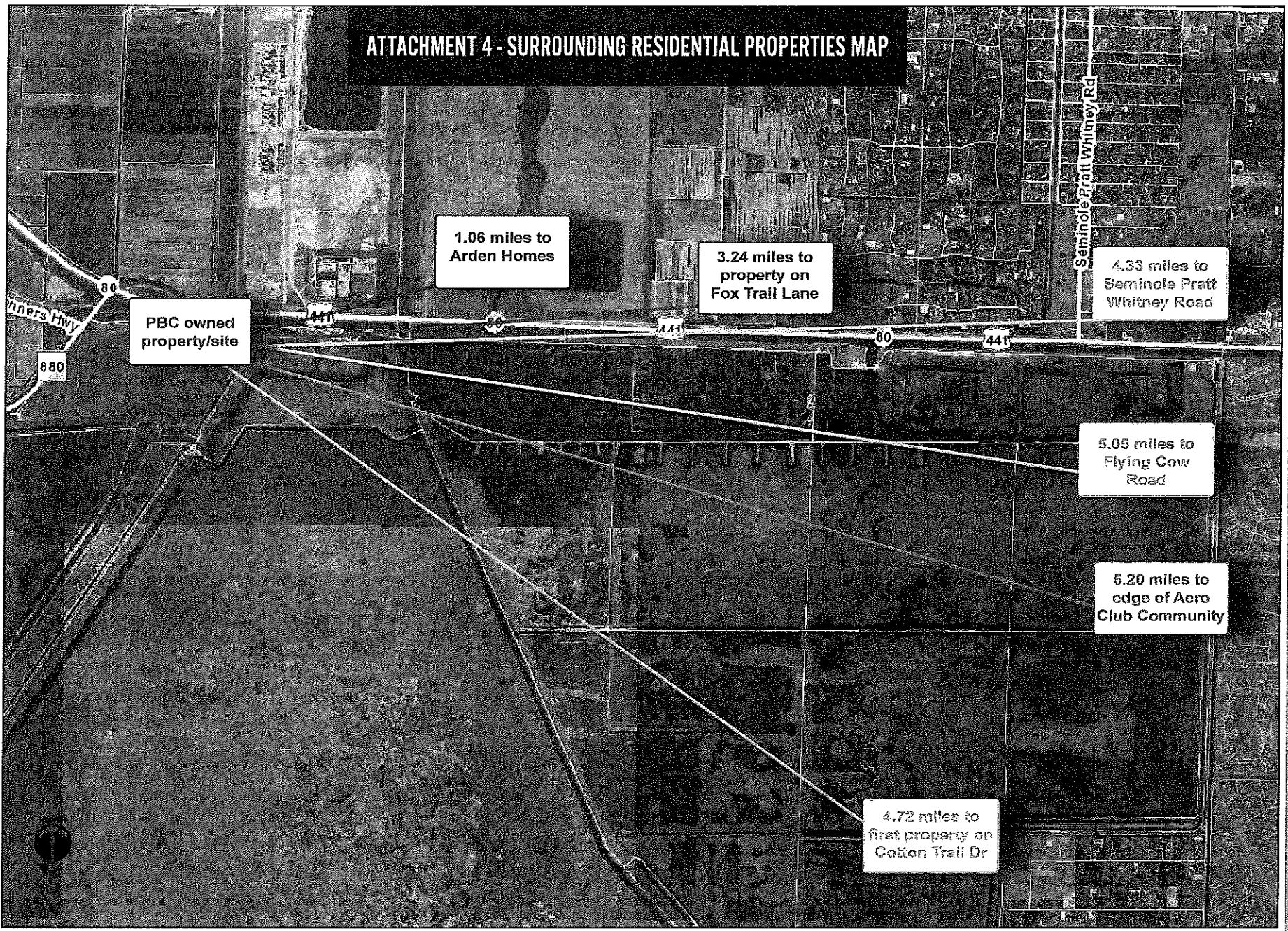
Additional Notes

Dave Dolan will send everyone the results of the geotechnical analysis and topographical survey once they are complete. Ross is working with SFWMD on the conveyance or lease of their parcel for incorporation into the park. A SFWMD surface water management plan will be required, as well as incorporation of dry retention areas. Jean and Paul will work with Tim to modify the plan into three phases.

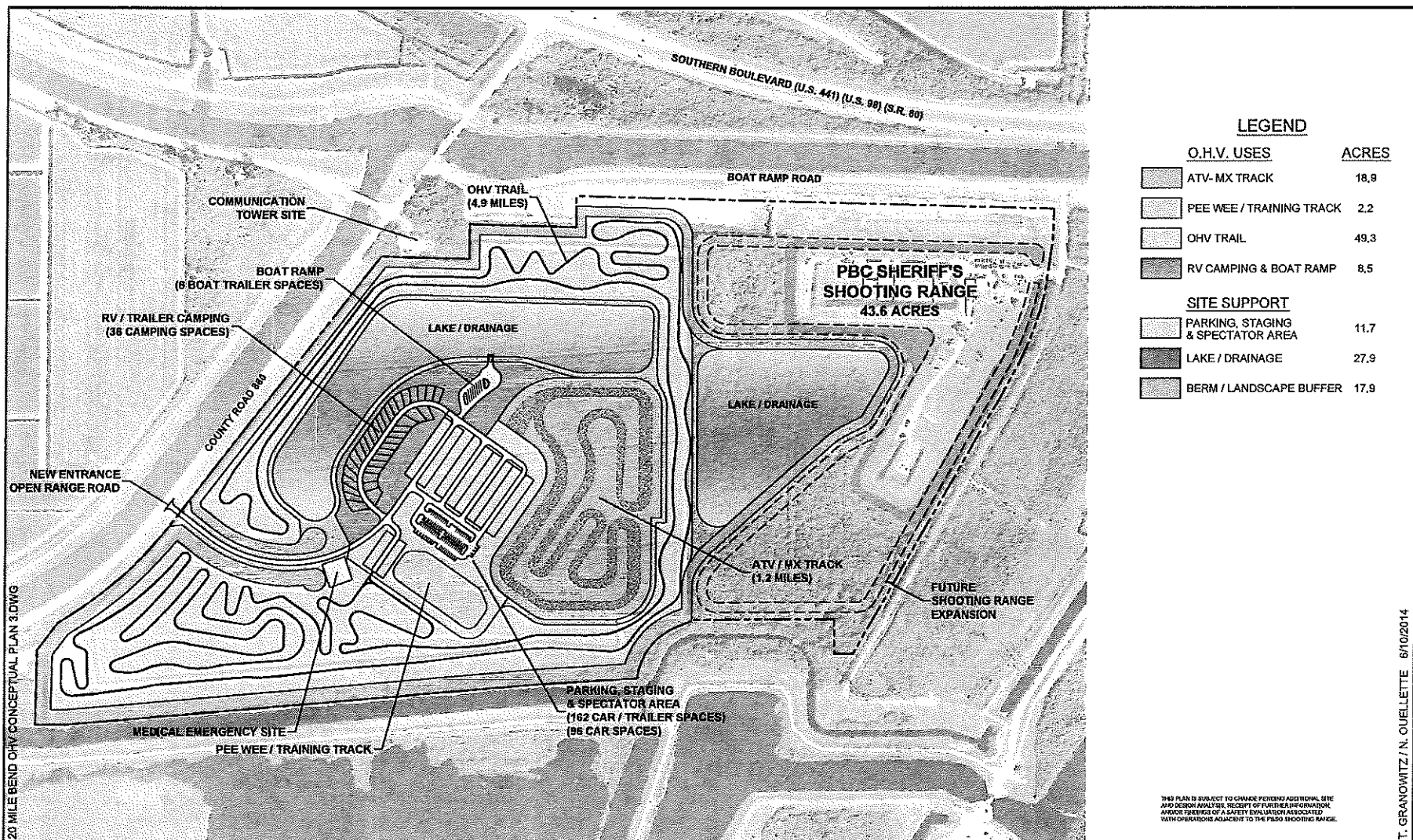




ATTACHMENT 4 - SURROUNDING RESIDENTIAL PROPERTIES MAP



ATTACHMENT 5 - 20 MILE BEND O.H.V. PARK CONCEPTUAL PLAN



20 MILE BEND OHV CONCEPTUAL PLAN 3.DWG

THIS PLAN IS SUBJECT TO CHANGE PENDING ADDITIONAL SITE AND DESIGN ANALYSIS, RECEIPT OF FURTHER INFORMATION, AND/OR RESULTS OF A SAFETY EVALUATION ASSOCIATED WITH OPERATIONS ADJACENT TO THE PBC SHOOTING RANGE.

T. GRANOWITZ / N. OUELLETTE 6/10/2014



PALM BEACH COUNTY
PARKS & RECREATION DEPARTMENT
PLANNING & DEVELOPMENT DIVISION

20 MILE BEND O.H.V. PARK CONCEPTUAL PLAN



ATTACHMENT 6 - LETTERS OF SUPPORT



Florida Fish and Wildlife Conservation Commission

Commissioners
Rodney Barreto
Chairman
Coral Gables

Michael W. Sole
Vice Chairman
Sebastian

Steven Hudson
Fort Lauderdale

Gary Lester
Oxford

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Executive Staff
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

South Region
Dr. Thomas Reinert
Regional Director

561-625-5122
561-625-5129 FAX

Managing fish and wildlife resources for their long-term well-being and the benefit of people.

South Region
8535 Northlake Boulevard
West Palm Beach, FL
33412-3303

Hearing/speech-impaired:
800-955-8771 (T)
800-955-8770 (V)

MyFWC.com

May 14, 2021

Mayor David Kerner
and Members of the Board of County Commissioners
301 N. Olive Ave, Suite 1201
West Palm Beach, FL 33401

Mayor Kerner and Commissioners,

I write to you in support of Palm Beach County's proposal to create an Off-Highway Vehicle (OHV) Park in Palm Beach County at the County's 20-Mile Bend property. The initial proposal in 2013 was fully supported by the Florida Fish and Wildlife Conservation Commission (FWC) and recently the proposal has been revitalized. The FWC wishes to express our continued support for this project.

There is a dearth of legal and accessible OHV recreational opportunities in the area and, unfortunately, many stakeholders seek that recreational outlet on public and private lands where that activity is not compatible with land management efforts or landowner desires. Having a centralized, well-managed park for this activity would reduce impacts on public and private lands and provide for the safe enjoyment of these activities.

Toward this end, the FWC fully supports the proposal and offers any advice or assistance to County staff as they continue to pursue this project. We recommend that the County look into the Florida Department of Agricultural and Consumer Services T. Mark Schmidt Off-Highway Vehicle Grant program (<https://www.fdacs.gov/Forest-Wildfire/Our-Forests/State-Forests/State-Forest-Recreation/Off-Highway-Vehicles-OHV>) as a possible means of support. We feel the County is uniquely positioned to qualify for this grant program to facilitate the planning and construction of an OHV park in Palm Beach County.

Sincerely,

A handwritten signature in black ink that reads "Thomas Reinert".

Thomas Reinert, Ph.D.
South Region Director
Florida Fish and Wildlife Conservation Commission
8535 Northlake Blvd.
West Palm Beach, FL 33412

Cc: Verdina C. Baker, County Administrator
Eric Call, Director of Parks and Recreation



**Department of Environmental
Resources Management**
2300 North Jog Road, 4th Floor
West Palm Beach, FL 33411-2745
(561) 233-2400
FAX: (561) 233-2414
www.pbcgov.com/erm

**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor
Robert S. Weinroth, Vice Mayor
Maria G. Marino
Gregg K. Weiss
Maria Sachs
Melissa McKinlay
Mack Bernard

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"



May 12, 2021

Eric Call, Director
Palm Beach County Parks and Recreation Department
2700 6th Avenue South
Lake Worth, Florida 33461

**Re: Support for Establishment of an Off-Highway Vehicle Park in
Palm Beach County**

Dear Mr. Call, *ERIC*

The Department of Environmental Resources Management (ERM) wishes to express its support for the Parks and Recreation Department's pursuit of the development of an Off-Highway Vehicle (OHV) Park, along with the submission of associated grant applications to accomplish this task.

There is significant scientifically based documentation on the damage that occurs to the natural environment from OHVs. In Palm Beach County, ERM manages over 31,000 acres of environmentally sensitive lands with the purpose of maintaining the natural attributes of the land. These vast areas in the County attract illegal OHV activity, and can quickly result in major environmental disruption that can take multiple years to recover. As a major challenge for us, we actively enforce illegal activities on our properties, resulting in fines for violators. A designated OHV Park would provide opportunities outside of protected areas, resulting in conflict avoidance.

We commend your efforts to create a place where OHV use is a safe and welcome activity, can operate as a destination park, and also reduce impacts to Palm Beach County's outstanding natural areas and public roads.

Sincerely,

Deborah Drum

Deborah Drum, Director
Environmental Resources Management

cc: Patrick Rutter, Assistant County Administrator



May 20, 2021

Eric Call
Director Parks & Recreation
Palm Beach County
2700 6th Ave South
Lake Worth FL, 33461

Re: Letter of Support for Palm Beach County Parks and Recreation Off-Highway Vehicle Facilities

Dear Mr. Call:

The Palm Beach Transportation Planning Agency (TPA) provides this letter of support for Palm Beach County (PBC) Parks and Recreation Department's efforts to create designated Off-Highway Vehicle (OHV) facilities. Currently there is a lack of designated areas within the county where OHVs can legally operate, which can result in OHV users seeking out non-motorized pathways to utilize for riding purposes. This is not only illegal, but also compromises the safety of legal non-motorized pathway users and degrades the physical condition of the pathway and adjacent natural areas. Providing riders a safe location to ride, may reduce illegal riding on canal banks, natural areas and on public streets.

The TPA's vision for Palm Beach County is a safe, efficient, and connected multimodal transportation system. The TPA supports the creation of facilities on which OHVs can legally and safely operate, and in doing so, protect the county's non-motorized pathways and natural areas. Moreover, protecting the non-motorized pathway network also protects the financial investment that was made to create these facilities. The TPA commends PBC Parks and Recreation Department's proactive approach to address this issue and improve the environment for both motorized and non-motorized users in our county. It is also our understanding that a letter of partner agency support does not entail a commitment of TPA financial resources.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Valerie Neilson".

Valerie Neilson, AICP
Deputy Director of Multimodal Development

ATTACHMENT 3
Reponses to the Racetrack Park RFI

Name: George Landis

Brief Description of background and/or experience in motorsports:

Racer for over 40 years, owner/operator of motorsports company for 35 years, IHRA chassis certification inspector

Contact Information: landis.performance.center@gmail.com 561-573-0393

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

Since I have been racing in motorsports events for 40 years, I have competed in drag racings, from the lowest beginner level, all the way to driving and competing in NHRA and NMCA Pro Modified classes, but also bring experience driving and competing in SCCA road course racing, Florida stock car racing, and in Autocross events.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

4. A typical timeframe for project delivery, from contract execution to start of operations.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

1/8 mile dragstrip, 1/3 mile oval track, with paved infield for autocross, drift, or other events, restrooms, and concession for food, and retail

8. Typical days and hours of operations for a racetrack facility.
7-Days a week

9. Expected attendance if the Racetrack Park is developed on the Property.
\$10-15 for spectators, competitors would be subject to type of event \$20-500

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

14. Typical funding strategy to develop and operate racetrack facilities.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

17. Typical contractual insurance and indemnification requirements,

18. Typical contract term for development and operation of a racetrack facility.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

Good location with highways for entering and exiting

Name: Corey Kramer

Brief Description of background and/or experience in motorsports:
Racer and Automotive High Performance Parts Reseller.

Contact Information: Kramerpower@aol.com

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

4. A typical timeframe for project delivery, from contract execution to start of operations.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

Yes if properly configured.

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

I see no concerns with shooting range

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

Gas station/pumps, concession sales, potentially a meeting/training room

8. Typical days and hours of operations for a racetrack facility.

7 days a week 8am to midnight

9. Expected attendance if the Racetrack Park is developed on the Property.

Drag racers, road racers, skid pad, car shows, driving schools, teen driver safety, concerts and many more will be possible. I will certainly attend.

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

National and local as long as adequate seating and parking available.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

Cost needs to be reasonable and structured in a what that encourages attendance. Bottom line don't overprice entrance.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

14. Typical funding strategy to develop and operate racetrack facilities.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

Nominal rent is easiest to manage but gross revenues would be a good incentive for the lessor and county to ensure the property is profitable and successful in my opinion.

17. Typical contractual insurance and indemnification requirements,

18. Typical contract term for development and operation of a racetrack facility.

50 years or more (longer the better ideally) . To invest money to develop the infrastructure needed on county owned property the lease owner need assurances that the property will not be taken away from them.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

Strengths are county owned land under lease to prevent financial greed when property values go up. Also reduced total project costs for lessor. Flexibility in design to make 365 day occupancy possible. Excellent location for east and west coast and on major roadway
Potential Weakness dragstrip track MUST be 1/4 and there must be enough room for seating and parking to accommodate major events.

Name: Kurt Johnson

Brief Description of background and/or experience in motorsports:

I've been involved professionally as a single source of income since 2002, via Mountain Motorsports Marketing, Don Schumacher Racing, NHRA (Worked on the tour then managed Indianapolis Raceway Park) then Managed Summit motorsports Park. In 2016 I started Total Venue Concepts. We build track surfacing equipment, provide race management and track maintenance and development service.

1992: Aggregate Industries: Managed all aspects of concrete production, design and placement. Ultimately created an award-winning hiring / training process involving motorsports programs.

2004: Joined Don Schumacher Racing as Director of Operations, overseeing 8 NHRA Top Fuel Programs and Hospitality Programs.

2007: Took on marketing and activation roles for NHRA PowerAde Nation Event Tour.

2009: Became Director of Operations at NHRA Lucas Oil Raceway at Indianapolis.

2013: Appointed as General Manager of Summit Motorsports Park.

2016: Established Total Venue Concepts, holding the position of Owner and President.

Contact Information:

Email: Kjohnson@TotalVenueConcepts.com

Phone: 419.677.3023

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

Total Venue Concepts (TVC) stands as a global frontrunner in pioneering solutions for maintaining racetracks innovatively. With an extensive portfolio, TVC offers track staffing and per-event track surface enhancement services for numerous racetracks and four major governing bodies. Presently, our collaboration extends to approximately 188 racetracks spanning across 14 countries.

During Kurt Johnson's tenure with NHRA and Summit Motorsports, TVC's owner played an integral role in rejuvenating and resurfacing racetracks. This pivotal experience laid the foundation for TVC's foray into race surface reclamation, which commenced four years ago. Notably, we spearheaded the development of a proprietary arsenal of surface grinding machinery, enabling us to extend the lifespan of existing racetracks. Our endeavors have

encompassed grinding over 60 surfaces across five different countries. TVC derives a substantial portion of its revenue by addressing mistakes made by contractors and track owners during facility construction or renovation, rectifying the issues. Kurt Johnson, Owner of TVC, has played a pivotal role in resolving and learning from a range of post-construction challenges.

TVC specializes in offering thorough pre-construction consulting services aimed at preventing errors in construction and facility placement. Our strategy revolves around assisting track owners in the assessment of contractors and their proposals, while also furnishing comprehensive guidelines for optimal practices during the construction phase. TVC is equipped to provide or enhance existing architectural blueprints, subgrade and surface specifications, performance clauses, warranties, track layouts, material selections, negotiation strategies, base stabilization methods, procedural insights, and project timelines.

Total Venue Concepts (TVC) works primarily and specializes in the drag racing market. However, we do provide services for all forms of pavement motorsports. TVC is involved directly with the following sanction bodies – NHRA, NMRA, IHRA, ODSS, NMCA, Indy Car, NASCAR, IHRA Australia

TVC has provided equipment and services for 216 racetracks in 13 countries. On any given week, TVC will be involved on-site with 3 to 4 tracks. TVC regularly sells equipment to and provides services for over 90% of the drag racing facilities in the world. Outside racetrack equipment sales and innovation, TVC specializes in renovating older racetracks and providing guidance and specification including overall facility ingress and egress as well as facility 'flow' to help the customer provide a fan and racer friendly facility. We provide consulting through Kurt Johnson's extensive hands-on experiences including: Weekly and Daily Track Maintenance Procedures, Track Reclamation, New Facility Planning, City/County/State Planning including Lobbying Networks, Race Management, Marketing, Ticket Sales, Architectural and Engineering (The Engineer we use is licensed in Florida and he HAS designed drag facilities).

We have Production facilities in MT Pleasant, KY Washington, IN and Franchised in Brisbane Australia. I can provide references.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

TVC is a consulting business, we provide facility best practices, general surface specifications, Pit Lay Out as well as ingress and egress planning to the Managing Group, Architect and GC. This is billed from hourly rate of \$150.00HR. TVC can also direct you to specialized companies that can help in permitting, traffic and community relationships.

Generally, we have approximately 400-2000 hrs. of man hours to create a new facility, or revitalization of an older facility. Additionally, TVC will help you vet contractor bids and assist in negotiating warranty's/performance clauses. TVC charges a percentage based on the overall amount of project scope and the amount of savings to you in final cost.

To furnish you with the necessary information, additional details are essential. If needed, we can establish a mutual Non-Disclosure Agreement (NDA).

For accurate assistance, please provide the following specifics:

A general property location, which could include a boundary drawing or the latitude and longitude coordinates of the main property boundaries.

Most of the inquiries, as outlined below, are based on the size, intended purpose, and frequency of utilization details:

A preliminary facility usage plan (e.g., Drag Racing exclusively or a multi-purpose facility encompassing events like Concerts, Road Courses, and Go Kart Tracks).

Fundamental zoning particulars for the region, indicating whether retail, condominium, and industrial use are permissible.

With these details in place, we can offer more tailored guidance to meet your needs effectively. If necessary, we can also discuss and put into place a basic and general facility usage plan before moving forward.

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.
This question is indicative of size, terrain and amount of operation. These are all unknown presently. A general scope of overhead can easily be created.

4. A typical timeframe for project delivery, from contract execution to start of operations.
Generally from permitting to race on a large scale multi use facility 3-4 years

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?
This is a very fluid question with many variants including single or multi use facility, Attendance capacity required for type of events you are seeking Will multiple events be held at the same time. TVC can answer this question prudently when the scope of facility is better understood.

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?
I would need to see a lay out of the property. Do you have latitude and longitude for this facility and the same for the shooting range? I believe the fact there is a shooting range near your facility could help with community approval.

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

This is very wide open. There is great revenue potential in providing "Condo" style garage facilities, there are many crucial infrastructure and management elements profit from storage 'toy chest' condos that can provide large financial return.

Including a Road Course if there is room has vast low operating expected and ROI potential especially when combined with a road course.

I know little about your location except its in southern Florida. with that knowledge creating a facility that allows concerts and destination events I feel is critical , Renaissance

Festivals, Heritage Festivals, Concerts, Political and Religious festivals as well as social athletic events.

**8. Typical days and hours of operations for a racetrack facility.
A well run facility can run 5 to 7 days a week**

**9. Expected attendance if the Racetrack Park is developed on the Property.
This is inflected by location, property size population centers, designation capabilities
ingress egress**

**10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.
Generally 4 to 15 office based personnel 15 to 400 seasonal and event specific operations personnel**

**11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.
Need market research for surrounding metropolitan and population centers, also need to include strategy for out of area destination event spectators and participants.**

**12. Order of magnitude cost for admission and/or use of racetrack facilities.
\$20 spectator for weekly races and \$60 to \$2500 dollar for specialty events including different levels of hospitality**

**13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.
There are often grants available through state, community and chambers of commerce as well as industry specific partners. TVC has a relationship with two grant writers and these individuals also have the ability to find state/FED grant dollars.**

**14. Typical funding strategy to develop and operate racetrack facilities.
Our experience has primarily been single source/private funding.**

15. Typical contractual conditions for development (e.g., lease) and customary conditions

related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

Track rental are normally participant based events. Facility created and whole owned large scale events are the largest ROI. If a promotor is involved revenue share is the most profitable and creates a marketing requirement for both parties to be successful.

17. Typical contractual insurance and indemnification requirements,

This varies I normally carry \$1,000,000 million of liability, I have projects that require more.

18. Typical contract term for development and operation of a racetrack facility.

Approximately one year development

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

128 acres places the facility in the 'Medium to Large' capacity if a road course was integrated more than likely it would have to have the dragstrip combined as part of the road course.



NHRA CHAMPIONSHIP DRAG RACING
140 VIA VERDE, SUITE 100, SAN DIMAS, CALIFORNIA 91773 • (626) 914-4761

August 3, 2023

To: Palm Beach County Board of Supervisors
From: National Hot Rod Association
Subject: Proposed Drag Racing Facility Project in Palm Beach County

Gentlepersons:

National Hot Rod Association submits the following comments in support of a project to develop a drag racing facility in Palm Beach County.

A drag racing facility can bring civic and economic benefit to the area in a variety of ways, from providing employment in development, construction and ultimately operations, to drawing people to visit from all over the country and the world for special events. Assuming the facility were to affiliate with NHRA as an NHRA Member Track, it would agree to abide by the extensive safety rules set forth in the NHRA Rulebook.

One of the overriding benefits of having a drag racing facility in a community is to provide an alternative to illegal street racing. For those with a "need for speed," without drag racing facilities, there is no outlet to race in a controlled environment, and municipalities are exposed to the dangers of illegal street racing. Illegal street racing puts many people -- participants, spectators and the unknowing public -- at great risk. NHRA has a very popular street legal racing program that provides hot rod enthusiasts a legal opportunity to race their cars.

It's a long-standing American tradition to turn a regular car into a "hot rod" and to take that "hot rod" to a track to race. Drag racing facilities create jobs and a place to race for those who like to drive, and provide family-friendly entertainment for those who enjoy watching the competition. NHRA Member Tracks are full of friendly competition and camaraderie that bring communities together.

NHRA is in the process of having a third party update an economic impact study. Although it will not be complete by August 4th, we feel it would be very beneficial to your research and we would be more than happy to share the study with the county officials once complete.

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

Page 2 of 7

NHRA's responses are below.

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

NHRA Response:

NHRA is the premiere sanctioning body for drag racing in the United States and arguably throughout the world. Since it was founded by Wally Parks over 70 years ago in 1951, NHRA has been committed to the need to take racing off the streets and to the controlled environments of racetracks. That need continues today in Palm Beach County and the entire state of Florida, as it does across the country.

NHRA's founder Wally Parks worked with civic and law enforcement authorities to combat street racing and from there, the sport developed into what it is today. Before his death in 2007, Mr. Parks said he was overwhelmed with what NHRA had become from its humble roots. NHRA now is the largest motorsports membership organization in the United States with some 35,000 licensed professional drag racers, 80,000 members and more than 400,000 hobby racers. NHRA is showcased on the Fox Broadcast Network and Fox Sports, as well as NHRA's own media channels in the United States and around the world.

As the primary sanctioning body for drag racing in the United States, NHRA sets the rules for the sport; actively works to preserve the sport including preserving the right to race and places to race; supports its network of member tracks; continuously addresses safety and technical issues and innovations; and provides numerous series and activities for drag racing enthusiasts from age 5 on up to participate in the sport. NHRA also has a very popular street legal racing program that provides hot rod enthusiasts a legal opportunity to race their cars.

NHRA drag racing at its highest levels – its NHRA Nationals events – showcases racecars that reach over 330 MPH and travel nearly a quarter mile in just about 4 seconds.

NHRA Nationals events are part of a professional championship series that crisscrosses the country and is televised extensively on the Fox Broadcast Network and Fox Sports. Every Nationals event receives at least five hours of live or same-day coverage, plus fifteen or more hours of numerous reruns.

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

Page 3 of 7

Though it has grown into a global sports-entertainment business, NHRA has not lost sight of Parks' original goal: to take hot rods racing off the street and onto the safer, more controlled environment of purpose-built racetracks; and to provide competitors a place to race and a place to innovate. Now, those places are deluxe super-tracks in major U.S. markets, and the racing runs the gamut from 11,000-horsepower Top Fuel dragsters to 5-horsepower Jr. Dragsters. Drag racing's journey through the decades has been sometimes swift, sometimes rocky, but always exciting and always worth the trip.

In the 1950s, top performance marks were 140 mph in 9 seconds. Today, they're more than 330 mph in less than 3.7 seconds. Back then, winners earned little more than a trophy and bragging rights. Today's racers in the NHRA Camping World Drag Racing Series compete for trophies and bragging rights as well as a share of more than \$3 million in prize money.

In 2020, NHRA joined forces with Camping World to present the world's fastest motorsports attraction as the flagship sponsor of the national touring series, the NHRA Camping World Drag Racing Series.

Under the leadership of President Glen Cromwell, NHRA raced forward in 2020 with a number of key initiatives, including extending a multiyear partnership with FOX Sports to televise the NHRA Camping World Drag Racing Series, the NHRA Lucas Oil Drag Racing Series, and NHRA Pro Mod Drag Racing Series. FOX Sports and the Fox broadcast network air more than 500 hours of programming throughout each year, highlighted by eight race-day programs on FOX's national network, in addition to primetime Friday night qualifying shows.

NHRA has extremely loyal fans who are committed to the sport they love, and it's easy to see why. They continue to have the best access to the behind-the-scenes action in racing. NHRA's open-pits policy allows fans to get an up-close-and personal view of how teams rebuild engines. Drivers are often found in their pit areas, signing autographs and chatting with fans, who have the rare opportunity to get behind the wheel themselves in a variety of racing simulators in the Nitro Alley Fan Zone. Those are just a few reasons NHRA fans continue to be some of the most loyal in any sport.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

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NHRA Response:

This question is not applicable to NHRA and is better answered by the owners/developers.

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

NHRA Response:

Racing Facilities come in an endless variety of shapes and sizes. Factors vary including the number of acres, whether the facility is single use or multi-use, the frequency of activity, and more. Some drag racing is conducted on converted airstrips and parking lots, and some is conducted at palatial multimillion dollar facilities, and much of it is in-between. NHRA can make introductions to, and provide contacts for, people at similar- sized tracks once the determination has been made how this facility will be developed.

4. A typical timeframe for project delivery, from contract execution to start of operations.

NHRA Response:

This question is not applicable to NHRA and is better answered by the owners/developers.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

NHRA Response:

The amount of acreage required depends on the type and scale of activities to be conducted at a particular facility. As more plans are developed NHRA could provide further input.

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

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NHRA Response:

There is not enough information present for NHRA to make a determination, however, it would seem that provided the shooting range is contained with zero possibility of a stray bullet, NHRA does not see an immediate concern.

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

NHRA Response:

The basics that a drag racing facility usually includes are the racing surface and shutdown area; pit areas and staging lanes; concessions and restrooms; a race control tower; grandstands and parking. Beyond this, possibilities abound. NHRA tracks throughout the country utilize their facilities for a variety of activities beyond racing, including but not limited to concerts, carnivals, festivals, fairs and family fun (e.g. hot air balloon; lantern; snow play); high speed testing, law enforcement training, container storage, cross country and other sports meets, swap meets, sporting events, and more. Potential uses are endless. By being a part of the NHRA Member Track Network gives tracks access to sharing institutional knowledge with other track operators throughout the country during track operator meetings and conferences.

8. Typical days and hours of operations for a racetrack facility.

NHRA Response:

Each track operator determines its own schedule and business philosophy. A typical track would have a mid-week ("take it off the streets") event and then additional race events Friday through Sunday. Start and end times are based on local conditions.

9. Expected attendance if the Racetrack Park is developed on the Property.

NHRA Response:

Attendance varies widely depending on the type of event, time of year, and other factors.

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

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NHRA Response:

This question, again, depends on the business philosophy and choices made by the track operator including the number and type of activities being held at the facility. A range is from approximately 15 to 150 employees per day depending on attendance, type and magnitude of the event.

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

NHRA Response:

Typically the majority of spectators are local, however, based on the south Florida location, and the favorable climate during winter months, there is a real possibility for this to be a national destination with large events in the winter months. Typically the racing audience would be local for weekly/smaller events and national for larger events. Marketing can take a variety of forms from television ads to social media and more.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

NHRA Response:

Drag racing and drag racing facilities compete with other sports and entertainment options. A local market economic study would be needed to give a fair recommendation.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

NHRA Response:

The answer to this question varies by location and would be better answered by the owners/developers.

14. Typical funding strategy to develop and operate racetrack facilities.

NHRA Response:

The answer to this question varies and would be better answered by the owners/developers.

**RESPONSE TO REQUEST FOR INFORMATION
BY NATIONAL HOT ROD ASSOCIATION**

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15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

NHRA Response:

This question would be better answered by the owners/developers.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

NHRA Response:

This question would be better answered by the owners/developers.

17. Typical contractual insurance and indemnification requirements,

NHRA Response:

Insurance requirements would vary based on the type of event; NHRA would have knowledge only as to the current NHRA requirements for various types of drag racing events and could not opine generally on all the types of insurance a facility might require. NHRA could make introductions to insurance brokers with expertise regarding race facilities.

18. Typical contract term for development and operation of a racetrack facility.

NHRA Response:

NHRA would need more information about the facility before being able to answer this question.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

NHRA Response:

NHRA would need more information about the facility before being able to answer this question.

Name: Rob Reynolds

Brief Description of background and/or experience in motorsports:

Machine shop owner, drag race promoter, and have raced competitively for 30 years.

Contact Information: 321-557-6150

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

4. A typical timeframe for project delivery, from contract execution to start of operations.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

Yes

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

No

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

8. Typical days and hours of operations for a racetrack facility.

Wednesday 6pm-10 pm same on Friday and weekends 9am-midnight

9. Expected attendance if the Racetrack Park is developed on the Property.

500-1000 per event

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

20

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

Social media. 18-60

12. Order of magnitude cost for admission and/or use of racetrack facilities.

\$20-100 depending

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

14. Typical funding strategy to develop and operate racetrack facilities.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

17. Typical contractual insurance and indemnification requirements,

18. Typical contract term for development and operation of a racetrack facility.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

It will get young racers off the street. It will bring revenue to the county. It will offer jobs.

Name: Tony Mazza

Brief Description of background and/or experience in motorsports:

Been drag racing on tracks since 1996 after I got a ticket for street racing on Lake Worth Road.

Contact Information: Ltmazza@comcast.net

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

4. A typical timeframe for project delivery, from contract execution to start of operations.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

Paved entrance long enough to keep cars waiting to enter from extending out on to highway. Need east and west highway access into facility. Rigs with trailers turning around is unsafe. Race trailer parking or grass covered hard pack. Tower command center of some sort. At least 2 stories for visibility. Bathrooms and portable toilets scattered throughout. Front gate stand with power for CC payments and AC.

Race truck and trailer parking Separate spectator parking. Staging lanes 4-6 lanes to starting line. 300 ft. Safety net at end of the track Food and beverage stand with covered and or shaded area for sit down eating. Very small play set for small kids. Small food truck parking as well. Needs superior drainage to ensure the facility can get back to racing quickly after a rain storm.

**Bleachers need to face east so sun is behind spectators during afternoon racing.

**Track needs to be north/south "ish" so sun not in drivers eyes for am or pm racing. PA system and or close radio fm signal. **Could also integrate a small flat paved road race test track for one car time trial. Sports cars. Drift cars. Car shows. Monster trucks. Basically wide go cart track. Go carts could race there as well. Could be at one side of the drag car parking paved lot.

8. Typical days and hours of operations for a racetrack facility.

Could be open nearly every day with auto manufacturers and private testing bringing in steady income.

9. Expected attendance if the Racetrack Park is developed on the Property.

Summer 80-150 cars. Cooler months 200 or more on test and tune nights. All profit. Scheduled bracket races well over 100 cars on bi weekly or monthly basis. With payout.

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

Front gate, tower for computer input of racers, computer operator, announcer. Maint staff, starter with knowledge of race timing system, water/burnout box/track cleanup after oil down or other fluids left from car on track. 1-2 guys in staging lanes to keep order. Probably at least 8 total staff on regular basis.

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

Radio, banners, signage. Could probably get special price as it's all about keeping our roads safe for loved ones. And in turn give them (or any advertisers) free on site visual ads on banners, on building, and paperwork.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

Test and tune \$20 to run. Or \$10-15 for spectators. Kids free. Bracket race night entry based on payout. \$75 entry to race for \$2500 win. \$750 runner up. \$200 semi. \$50 quarters. 85 car minimum. Plus additional income from spectators and food, fuel sold on site. Old track scared trackside on site product and service vendors away with ridiculous pricing. Should be nearly free as they are local and attract racers and spectators.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

14. Typical funding strategy to develop and operate racetrack facilities.

Look for sponsors with constant tv radio news for awareness of the importance of getting the crazy speedy drivers somewhere to go.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

County could build then lease. Hard to get a promotor to lease land and spend a few million on infrastructure.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

Test and tune nights, manufacturers car testing/commercials and promotions, drifting, car shows are all income less expenses. Race/competition bracket race or drift car competition nights have payouts but with minimal advertising can bring in many spectators keeping it profitable.

17. Typical contractual insurance and indemnification requirements,

18. Typical contract term for development and operation of a racetrack facility.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

Small, cost to construct/ demuck. Great place for a track but a lot of design would have to go into it for efficiency and safety. Such as race parking with trailers, spectator parking with refreshment eating area with shade/trees.

Name: Adam Ricardel

Brief Description of background and/or experience in motorsports:

**Former Director of Road Course Operations at Palm Beach International Raceway,
Professional Driving Coach, Extensive Motorsports Event Management experience and
Public Speaker**

Contact Information: adam.ricardel@gmail.com

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

At a minimum cost will be 1 Million Dollars per mile of track surface

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

This completely depends on the size and scope that the facility intend operate on.

4. A typical timeframe for project delivery, from contract execution to start of operations. Once again depends on the size. Build in stages to begin operating and generate income.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

What are you building? Road Course, Drag Strip or both? Minimum 200 acres if you are building both.

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

Build it where you don't have to worry about this. Especially with the rapid growth of PBC.

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

Storage, Club Component, Race Shops, Education Center, Trade Schools.....etc.

8. Typical days and hours of operations for a racetrack facility.

7-Days a week. Hours will depend on the location and noise ordinances.

9. Expected attendance if the Racetrack Park is developed on the Property.

Depends on the Parking availability.

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

Once again, depends on the scope of the facility

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

14. Typical funding strategy to develop and operate racetrack facilities.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

17. Typical contractual insurance and indemnification requirements,

18. Typical contract term for development and operation of a racetrack facility.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

Financially the County should buy the existing track and lease it out to someone looking to develop it to its full potential. It's the perfect location and you already own the surrounding land! The car culture of the US is moving to South Florida and you have a gem in your backyard. This track made money! The owners just were not in the Motorsports business and were always looking for a way out since they acquired the property from a defaulted loan. The facility at PBIR was able to run 365/24-7. You find this anywhere else in PBC.

Name: Christopher Harris

Brief Description of background and/or experience in motorsports:

I was the general manager of Palm Beach International Raceway for 2 years. I currently host motorsports events around the country and consult directly with organizations like SEMA with DEI and business development.

Contact Information:

1. A brief description of your firm, including such information as the types of services offered; number, size and location of offices; identification of key firm representatives; and qualifications of your firm, describing any experience in performing work of a similar nature to that outlined in this RFI and/or other related experience.

2. In general, a rough order of magnitude for development costs associated with the planning, design, permitting, development and construction of racetrack facilities. In specific, the order of magnitude for development costs associated with the planning, design, development and construction of the Racetrack Park on the Property. Please note that the term development is meant to be comprehensive and include all professional planning and design services (including permit fees), site work (e.g., drainage, access, soil stabilization) and infrastructure (e.g., utilities).

3. In general, the order of magnitude for costs associated with the operation and maintenance of racetrack facilities. In particular, the order of magnitude for costs associated with the operation and maintenance of the Racetrack Park on the Property.

4. A typical timeframe for project delivery, from contract execution to start of operations.

5. In general, typical land requirements to site a racetrack facility. In specific, the adequateness of the Property for development of the Racetrack Park (e.g., acreage, access, location). Is the size and configuration of the Property adequate?

Yes. The size is adequate to run a motorsports facility. There needs to be a design focus on parking as well as a large enough driveway to keep traffic off the street. Think of Disney world and their multilane booth and driveway.

6. In general, operational restrictions regarding placement of a racetrack facility (e.g., proximity to residential areas or other uses). In specific, does the existing shooting range present a siting challenge as it relates to use and operation of the Racetrack Park on the Property?

The shooting range does not seem to propose a threat but I would recommend raceway configuration to keep visitors out of a direct line from downrange. In addition, being in law enforcement for 10 years, I'd recommend raising the berm behind the targets to ensure any high shots are stopped.

7. The components and amenities typically included in a racetrack facility. Information as to uses that are compatible and/or mutually exclusive (e.g., raceways, drag strips) including other ancillary uses (e.g., vehicle storage, retail).

LED lighting is necessary. It's environmentally save and cost effective. Timing systems are important to both road courses and drag strips. Make sure cabling is fiber optic and well insulated. The water table in palm beach is very high and we would have many issues with our electronic equipment due to humidity and flooding. Facility must be able to displace water fast. Standing water hurts fan & racer experience. Further impacting repeat revenue.

8. Typical days and hours of operations for a racetrack facility.

Friday - Sunday for events Monday - Friday for private rentals and corporate events. Drag strips typically run events at night and road courses during the day. Pbir didn't have a noise ordinance but if the new track does, 11pm would be closing time.

9. Expected attendance if the Racetrack Park is developed on the Property.

Drag strip events drive high spectator counts. Properly marketed events can bring in 6-8k spectators. PBIR was HEAVILY reliant on the MIAMI market and would be weather effected by it as well. Bringing in big national brand events, mixed with local promoters, will greatly help spectator count. My time as General Manager at Palm Beach International Raceway saw profits in over a decade.

10. In general, typical staffing complement required to operate and maintain a racetrack facility. In specific, an order of magnitude regarding the expected staffing complement to operate and maintain the Racetrack Park if built on the Property.

Maintenance and grounds staff are extremely important. They maintain equipment, facility (cut grass, etc) and assist with set up and break down of events. We operated with 6 staff. In addition there is: F&B: 1 full time who handles orders and receiving. part time depends on events. Facility configuration will determine staffing because road courses and drag strip have separate concessions. Gate: based on facility scheduling but there should always be a person at the front gate. Security: based on events Marketing: 1 or 2 staff Accounting: 1 GM: 1 Regarding actual track staff.. roadcourse and drag still will need their own

separate crews because there could be 2 events at the same time and staff won't be able to cross over.

11. Typical marketing approach and target audience (i.e., local or national level) for a racetrack facility.

This depends on what the facility offers. Track will market calendar of events utilizing digital marketing, physical marketing, leveraging local shops and business to cross promote services. Each event has a different target demographic and each demo is marketed to different (digital, radio, etc). In addition, typically marketing is in a 3 hour radius to the facility.

12. Order of magnitude cost for admission and/or use of racetrack facilities.

Road course and drag strip have dramatically different pricing structure. Drifting as well. Based on services offered the road course could be rented for \$15,000 for 4 hours while a drag strip 4 hour rental is \$3,000. A road course event could have 1k spectators while at drag strip event is +8,000. ROM varies across the board based on the facility offering.

13. Typical governmental subsidies and/or incentives, if any, required by developers/operators of racetrack facilities.

State and local CBT will provide \$\$ to facility based on projected event attendance or minimum night stays at local hotels. Events positively stimulate local economies, especially in Palm Beach County where MANY of the individuals who utilize the racing facility do not live on the County.

14. Typical funding strategy to develop and operate racetrack facilities.

Sponsorship opportunities and bartering. During my tenure I fixed the facility sound system, lights and purchased new scoreboards utilizing barter or sponsorships.

15. Typical contractual conditions for development (e.g., lease) and customary conditions related thereto for development of racetrack facilities.

16. Typical revenue framework to develop, operate and maintain a racetrack facility (e.g., cost sharing, percentage of gross revenues, nominal rent).

How the facility is designed and it's offerings is the greatest impact on this answer. But short answer is event profit sharing and facility rentals.

17. Typical contractual insurance and indemnification requirements,

Blanket policy and tulip policies for rentals. Minimum \$1M coverage for outside promoters.

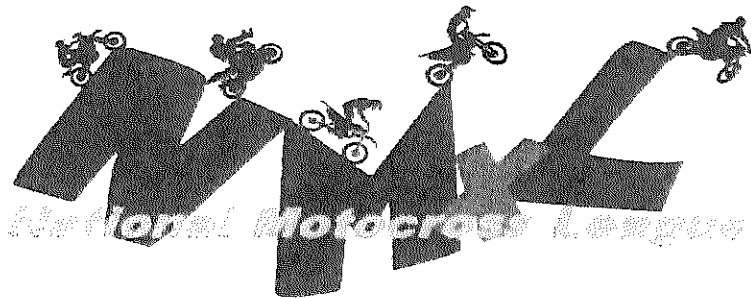
18. Typical contract term for development and operation of a racetrack facility.

19. Perceived strengths and weaknesses of the Property for the development and operation of the Racetrack Park.

Strengths: Easy access from highway. No dragstrip competition in South Florida (road course can be the same if properly structured) Local Support (PBIR did a bad job at this amongst other things)

Weakness: *Dependence on Miami market *Close to residential areas and future residential development plans Palm beach county can have success with a racing facility. IRG Sports and Entertainment, who owned PBIR managed many properties and their business model is why PBIR wasn't successful. I worked for them for 5 years and ran PBIR for 2, I had success. But with much resistance. It can happen again but who is running the facility and marketing the facility will determine its longevity.

National Motocross League LLC



October 16, 2023

RE RFI NO. 2023-101-ARQ

Pursuant to your request for information for design, development, permitting, construction, operation and maintenance of a racetrack park at the County's 20 Mile Bend Park property we are submitting the following business plan with the concept of making 40 acres of the property a dirt racing facility designated for motocross racing and other types of dirt racing including ATV four wheelers, side by side vehicles, motocross bikes and dirt cart racing. The National Motocross League would operate the facility and hold its races there while serving the residents of Palm Beach County with a dirt racing facility including motocross. The other 80 acres will be for drag racing facility.

Our concept involves 40 acres of the 20-mile bend facility be allocated to a Dirt Track Racing (ATV four wheelers, side by side vehicles, motocross bikes and dirt cart racing) and the other 80 acres feature drag racing. We envision picnic grounds and other services as part of the park that will allow the families of our communities to come out together and enjoy the magnificent facility while those that are passionate about dirt track racing and drag racing and other forms of outdoor entertainment can also enjoy the facility and partake in a true family affair.

We have private funding on our end is in place to finance the construction and buildout of the dirt track racing (including motocross) portion of the

property on 40 acres and thus we are ready to go just awaiting the county's approval.

We are prepared to submit a detailed plan (along with site plan drawing and financial projections; including costs to build, operate and revenue projections) when the RFP (request for proposal) for this property comes out. We are hoping the county will deem it appropriate for the RFP to include the possibility of our dirt track racing facility.

We can easily use the entire 120 acres for our Dirt Racing Facility but in light of public response and desire to add drag racing, we believe it will be a great benefit to the county to do both on the same property and thus we have altered our plans to fit into a 40-acre parcel of the property to coexist and complement the drag racing portion.

Have a great day. Thank you again for your time and consideration.

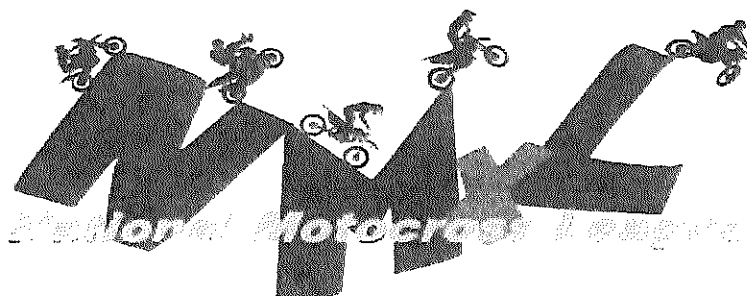
 J. Levine, CEO

Jack Levine, Chief Executive Officer (954-732-9122)

Gary Barbere, Founder and President (516-698-4530)

Steven Finkelstein Chief Financial Officer

National Motocross League



Addendum No. 1 to RFI NO. 2023-101-ARQ

**Request for Information
Design, Development, Permitting, Construction, Operation, and Maintenance of a
Racetrack Park at the County-Owned 20 Mile Bend Park Property**

August 30, 2023

This Addendum shall be added to, and become a part of the RFI, and governed by all terms and conditions set forth therein.

- A. The County is updating Page 4 of the RFI, Deadline for Response.
1. The **Response Due Date** is extended to **Friday, October 20, 2023 on or before 5:00pm EDT**, at the Reception Desk, 2633 Vista Parkway, West Palm Beach, FL 33411-5605.

NOTE: Please acknowledge receipt of this Addendum No. 1 by signing below and returning this page with your Response. Each Addendum to the RFI must be signed by an authorized agent and submitted with the Response.

Acknowledgement:

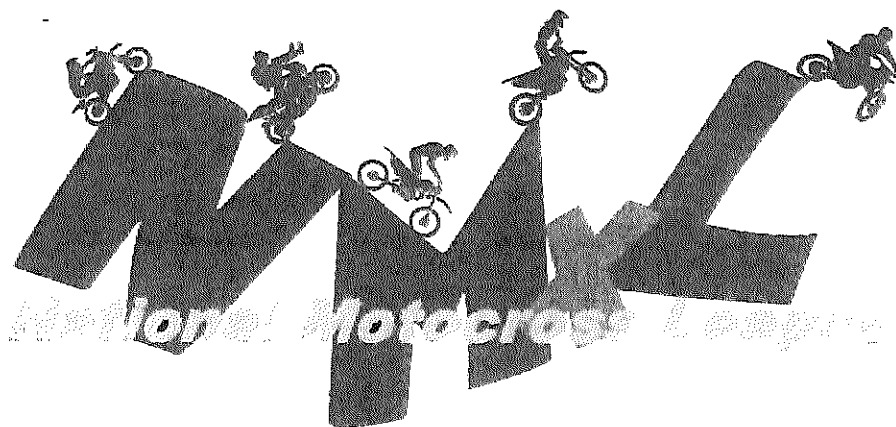
Gary Barbere
Respondent

10/14/23
Date

Gary Barbere, Founder & President
National Motorsports League
420 Clemenshow Drive
East Meadow, NY 11554

BUSINESS PLAN

National Motocross League, LLC



Jack Levine, CEO

parklandjack1@aol.com

954-732-9122

Gary Barbere, President

garybarbere@gmail.com



EXECUTIVE SUMMARY

THE BUSINESS CONCEPT

National Motocross League, LLC (NML or the "Company") will improve the way motocross races are currently conducted so that industry and fan base excitement that has been lost to this sport can be restored. Motocross races today are still being run the same way they have been for the last seventy-five years. Competitiveness has disappeared since those participants who get the lead at the start of the race are usually the ones who ultimately win. Consequently, the winner is predetermined at the beginning of the race, resulting in little fan excitement and enthusiasm regarding the outcome, whether watched in-person or on TV. NML is changing all that by bringing a new structure and format to the motocross sport.

NML will introduce a new creative, ingenious, and proprietary format to motocross racing. The Company will guarantee each leg of a motocross race will be competitive and close from the start all the way to the finish line. Photo finish technology will be utilized to determine the winner of the race.



Each race will feature eight riders on the track at one time, with all eight riders being in the same competitive speed class. This will guarantee a close and exciting leg of each race. A unique three track, tag-team approach will bring excitement and interest back to the sport. By incorporating a revolutionary, new starting gate along with a multi-track, multi-riders, multi-team format, NML will create an environment where the race remains extremely competitive to the end, hence reinvigorating the industry and fan base.

Details of this new format will be provided to prospective team sponsors/advertisers after NDA's are signed.

GO-TO-MARKET STRATEGY

The Company will utilize a proven formula to execute its plan. It will target national and international companies (equipment manufacturers, consumer goods, etc.) to sponsor teams within the league. These sponsors will recognize the benefits of sponsorship (detailed later in this plan).

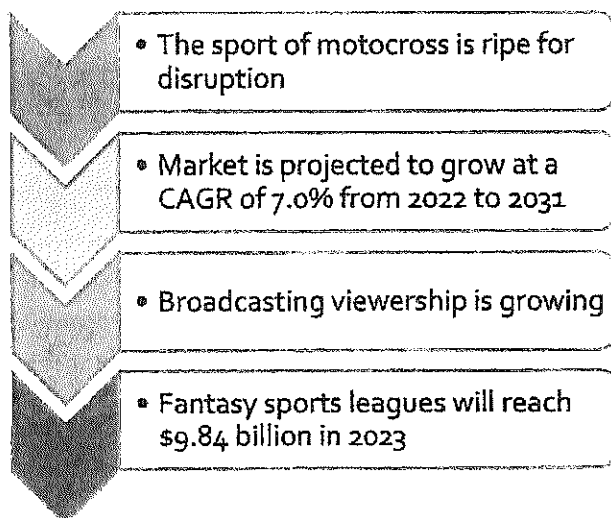




Next, NML will seek broadcasting rights to its races. Broadcasters will be interested because of the league's unique, exciting new race format.

Finally, the Company will establish a banner advertising relationship with a fantasy league. It has already received interest from FanDuel.

EXCELLENT MARKET OPPORTUNITY



NML will take advantage of the huge interest in motocross. Motocross has evolved as a major sport worldwide. According to Allied Market Research, the global dirt bike market was valued at \$9.1 billion in 2021, and is projected to reach \$18 billion by 2031 ⁽¹⁾

Viewership for motocross races is growing year over year. In 2019, viewership exceeded 4.2 million and by 2022 viewership of the AMA Supercross Championship alone averaged a Total Audience Delivery (TAD) of 626,000 viewers. ⁽²⁾

The fantasy sports services sector in the United States reached 9.48 billion U.S. dollars in 2022, up from the previous year's total of 8.44 billion U.S. dollars. In 2023, the market was forecast to increase to a total of 9.84 billion U.S. dollars. ⁽³⁾

PROFITABLE GROWTH

NML expects to achieve significant market presence once its track is constructed and complete.

Based on its projections, the Company will generate revenues of \$14.7 million in its first year after the track is completed (Year 2 of these projections). NML will achieve strong growth over the next several years, reaching \$26.9 million in revenues and \$25.5 million of operating profit by the fifth year of operations.



INVESTMENT STATUS

NML has secured the financial backing of an accredited investor who will fund track construction as well as the first year of operations. No additional funding will be required.

SPONSORSHIP BENEFITS

The Company is seeking sponsors for the league's racing teams. Sponsors will receive significant benefits over traditional motocross team support. These include:

- Every team will receive airtime on TV broadcast since the races will remain competitive. Thus each team's logo will be seen throughout on riders and bikes
- All teams will conduct the races in the same spot for the thirty-two weeks, eliminating travel time and costs between venues
- All teams and individual riders will take part in interviews and documentaries on a variety of subjects all streamed live during the week
- Free signage within the facility





THE COMPANY

MISSION OF THE COMPANY

NML's mission is to energize and reignite the sport of motocross by making races more exciting and competitive than ever by revolutionizing the league format and by expanding and promoting the sport to include fantasy wagering. In addition there will be a fantasy handicapping contest under a pari-mutuel format which we foresee as a catalyst to making pari-mutuel motocross a reality.

COMPANY STRUCTURE

1. Legal Status

National Motocross League, LLC is a Delaware Domestic Limited-Liability Company incorporated on September 15, 2021. The company's filing status is listed as Active, and its File Number is 6237445.

The Company's ownership is as follows:

UNIT ALLOCATIONS	OWNERSHIP
Gary Barbere	30%
Jack Levine	30%
Steve Finkelstein	30%
Unallocated	10%

2. Office Location

The Company's corporate office will be at 420 Clearmeadow Drive, East Meadow NY 11554. This facility will be capable of handling corporate operations.

NML will conduct its business operations at 20 Mile Bend, Boat Ramp Road, Palm Beach County, Florida. This is currently a County owned property owned and operated by the Parks Department of Palm Beach County. The property is approximately one hundred and 30 acres and is currently zoned for recreation motor vehicles. The County is looking for a business to build a motocross facility at this location.

The County is leasing the property to the Company for one dollar (\$1.00) a month until the initial investors construction costs are





paid back. The rent then increases to \$2000 per month and will further increase based on the Company's profitability. Once the Company's operations become fully realized, lease costs are expected to range between \$20,000 and \$50,000 monthly based on profitability.

3. Intellectual Property

NML has several types of proprietary technology that it will protect with trademarks and patents. The first of these is proprietary technology for a new type of starting gate for riders. In addition, the Company has a proprietary format for individual race formatting including a proprietary point accumulation system for determining race results and team and individual standings.

No patents have been applied for yet, yet but the Company will make patent applications once its initial funding is complete.

COMPANY HISTORY

NML is a new venture that has been in the development stage for several years. The following is a list of the Company's accomplishments to date:

- Formed The National Motocross League, a Delaware Corporation in 2021
- Created intellectual property for a new type of starting gate
- Developed league formats, timing mechanisms, and fantasy gambling formats
- Secured an initial investor for construction and launch costs
- Conducted preliminary discussions with FanDuel
- Secured a non-binding agreement with VP Fuel to supply the league with fuel and to sponsor one team

The founder management team has also performed analysis to determine the market viability and operational challenges of this type of business. Questions that were addressed include:

- How large is the market opportunity and what is the best way to approach it?
- What are the key messages to potential clients?
- Who or what will this business compete with and how can it distinguish itself?





BUSINESS OPERATIONS

NML will initially open a single track location in Florida. This facility will be used by the new league for practices and all races and be open to the public for recreational use on a fee basis.

The Company will secure a broadcasting deal with a major broadcaster. It will also promote fantasy wagering for the league teams.

Hours of Operation

League races will be conducted thirty-two weeks of the year on Fridays and Saturdays. The facility will be open other days of the week for practices and other activities.

Technology

NML will also have its own technical director to facilitate worldwide Internet streaming.

SOURCES OF REVENUE

Race Attendees

Fans who attend races in person will be charged \$15 per person. On practice nights, this will be reduced to \$10 per person.

Food and Merchandise

The Company will receive a percentage of the food and merchandise profits.

Advertising

NML will have multiple opportunities to receive advertising revenues for sponsorship signage team naming rights, marketing rights on uniforms and bikes, etc.

Broadcast advertising

The Company anticipates generating broadcast revenues in several ways: 1) a CPM cost per thousand based on viewership and 2) broadcast buyouts of a flat fee for the league's content and 3) weekly league racing on specific racing nights.





Streaming Rights

The Company anticipates being able to secure revenue by selling online streaming rights

Fantasy Wagering

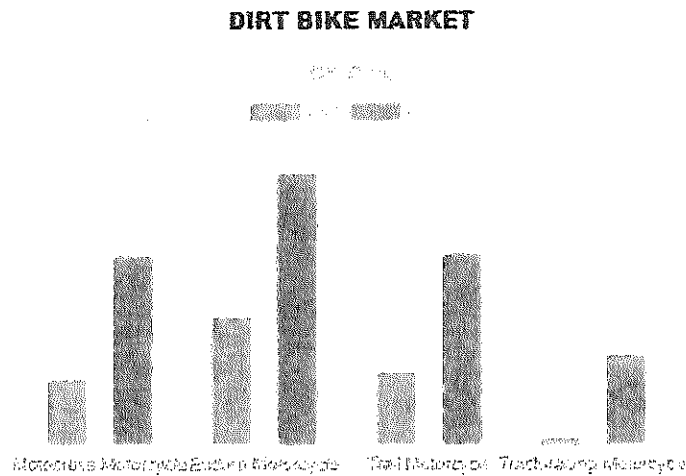
NML believes it will not receive a percentage of the fantasy league profits from FanDuel, but that it will get a premium price from for hanging their banners in facilities.

MARKET SIZE

The Sport

Motocross racing was first introduced in the UK many decades ago and has evolved into a major worldwide sport today. Racing events are held throughout the world in almost all-weather conditions.

In 2021, the overall global dirt bike market was valued at \$9.1 billion. It is projected to reach \$18 billion by 2031. This represents a CAGR of 7.0%. The most lucrative segment is track racing. ⁽¹⁾



Track-racing Motorcycle is projected as the most lucrative segment

In 2023, motocross gear sales are expected to surpass \$2 billion in value. ⁽²⁾





According to Facebook, there are 54,601,680 members worldwide who have an interest in motocross. The majority of these Facebook members are between the ages of 25 and 34. The next largest age group are the 18-24-year-olds. Ages 35-44 account for 19% of this Facebook interest group. Men made up the vast majority at 85.4%, while women accounted for 14.6%.⁽⁵⁾

Motocross Fan Demographics

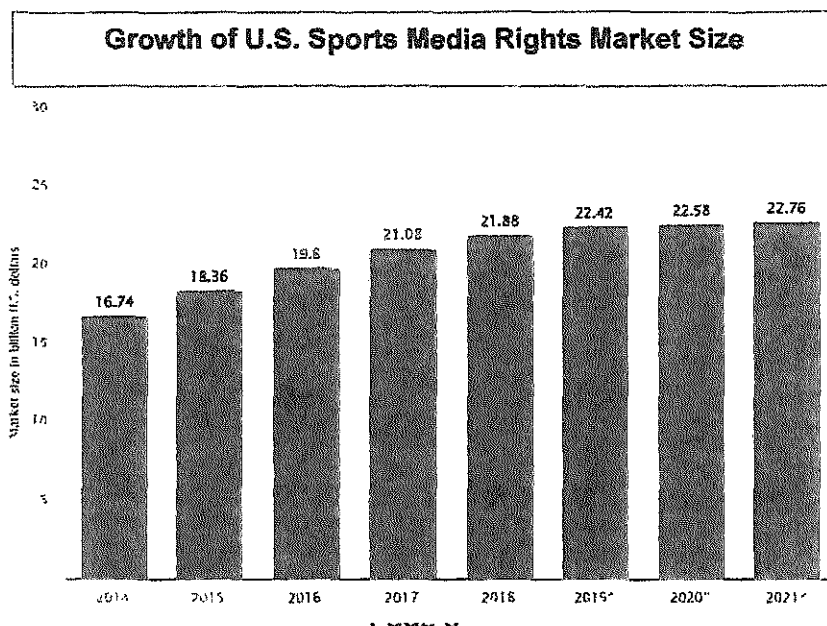
- Average household income - \$52,000
- 62% have attended college
- 44% earned more than \$75,000 annually
- 30% of fans identifies as a person of color

Motocross Fan Loyalty

- 83% more likely to consciously support a sponsor's product or service
- 73% plan to attend 1-3 races per season
- 72% more likely to try a sponsor's product
- 71% would switch to a sponsor's product to support the sport

Sports Broadcasting Coverage

According to Statista, the average TV viewership of motorsports events in the U.S. in 2022 was 3.7 million viewers.⁽⁶⁾ The sports media rights market in the U.S. was \$22.8 billion in 2021. It is expected to grow at a CAGR of 2.5% between 2022 and 2027.⁽⁷⁾





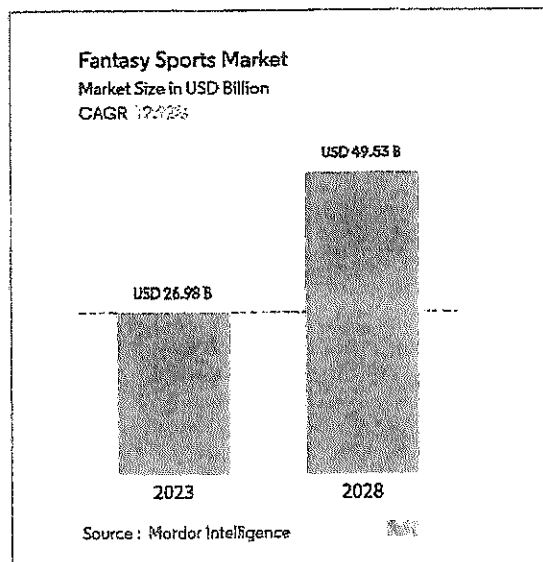
Traditional advertising for broadcast events are priced based on several factors, including audience size, audience demographics, and time of day to name a few. In addition to traditional broadcasting, the proliferation of streaming services has created new avenues for advertisers. Known as over-the-top (OTT) advertising, costs can run anywhere between \$25 and \$75 per 1,000 impressions. ^{(8), (9)}



The average cost-per-thousand viewers for a TV ad in 2023 is **\$47.14.**

Fantasy Sports

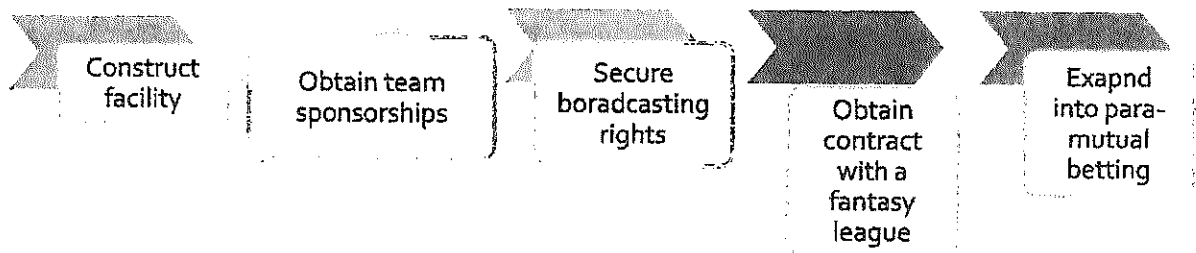
The global fantasy sports market reached a value of \$23.9 billion in 2022. The market is further expected to grow to nearly \$53.0 billion by 2028. ⁽⁷⁾ Other market estimates place the value of fantasy sports market at \$27 billion in 2023, growing to \$49.5 billion by 2028. ⁽¹¹⁾





COMPANY GROWTH

GROWTH STRATEGY



GROWTH DRIVERS

1. The Company will attract a large fan base because it has more exciting and revolutionary racing.
2. Advertising customers will be attracted because of the very target specific audience that NML can deliver on a cost per thousand basis. Because of the uniqueness of the proprietary format and racing system and the newfound competitiveness, the Company expects that the league will attract advertisers very quickly.
3. The increased competitiveness and excitement of the races that will attract a larger fan base.
4. Conversations with FanDuel have indicated that they are excited to see the league get started. The Company anticipates that FanDuel would highlight specific races and days of racing to their already existing database which will increase the visibility of the league and expand marketing opportunities greatly. NML anticipates negotiating with FanDuel to host Sunday morning fantasy handicapping contest under para-mutual formats
5. The Company believes that at some point wagering will be significant enough to approach a specific state about conducting pari-mutuel wagering on motocross.

BUSINESS OBJECTIVES

The Company has a well-define set of objectives. In its first year, it will:

- Construct its facility
- Obtain team sponsorships
- Develop a staff of professional employees





- Secure broadcasting contracts

In succeeding years, NML will expand its business and will achieve these objectives:

- Expand countrywide growth by building additional regional facilities
- Maintain a reputation that will continue to attract the public to its races
- Develop strong and deep relationships within the motocross industry
- Attain \$26.9 million in revenue in Year 5

TARGETED CLIENTS

NML has identified a large and easily accessible target market. It will market to thousands of motocross racers across the U.S. Racers in the league must be at least 16 years old and the Company anticipates they will come from all states in the United States. There are no age classes for the racing format; instead the racing classes will be determined by competitive racing speed.

NML anticipates that initially most of the riders will come from Florida as there are thousands of riders currently in Florida market. The mixture of racers will broaden with time as the league becomes more recognized.

ATTRACTIVENESS TO THE TARGET MARKET

This league will appeal to all nationalities as well as men and women of all ages. The unique racing format of the league will attract riders from other leagues as well.

KEY DRIVERS OF THE BUSINESS

NML has identified the following key drivers to achieve its successful growth:

- Securing key sponsorships of its teams
- Promoting the league via TV and internet broadcasting
- The typical fan of this sport is a member of the so-called Generation Y, or a male in his late teens to early 20s. As a result, each show staged by the sport's organizers is clearly geared for that demographic.

COMPETITION

The competition that NML will face falls into several distinct categories:





Other Motocross Tracks

Currently there are over 440 motocross tracks throughout the U.S. A directory and maps of tracks by state can be found at <https://mapmoto.com/>.



OTHER MOTOCROSS LEAGUES

There are numerous alternate motocross leagues. These include:

AMA Motocross

The AMA motocross race series was founded and sanctioned by the American Motorcyclist Association (AMA) in 1972. It is the major outdoor motocross series in the United States and is sanctioned by AMA Pro Racing and managed by MX Sports Pro Racing.

AMA Motocross conducts a championship beginning in mid-May through late August. The championship consists of eleven rounds at eleven major tracks all over the continental United States and features three classes.

AMA Supercross

The AMA runs their 17-round Supercross championship from the first weekend in January to the first weekend in May. Each race event is 20 minutes plus 1 lap for the 450 class and 15 minutes plus 1 lap for the 250 class. There is no 250 Supercross national champion like there is for motocross. The 250 class in Supercross is split into East and West divisional rounds with an All Star race combining the top riders of each division at the final round in Las Vegas.

FIM Motocross

The FIM Grand Prix Motocross World Championship is a European based event, but also includes races in other part of the world, including North America, South America, Asia, Australia, and Africa. It is the major Motocross series worldwide and features three classes. Competitions consist of two races which are called motos with a duration of 30 minutes plus two laps.

Motocross des Nations

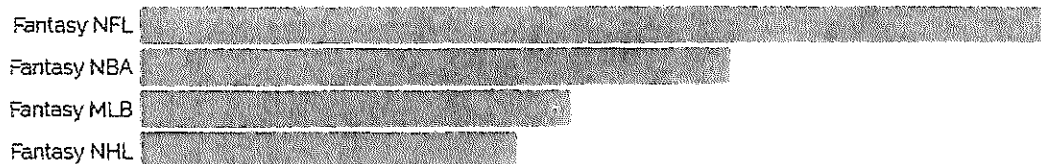
The Motocross des Nations is held annually at the end of the year when other National and World Championship series have ended. The series involves teams of three riders representing their nations. Each rider competes in a different class. The location of the event changes from year to year, and the series has been dominated by the United States, Belgium and Great Britain.





OTHER FANTASY GAMBLING

There are numerous alternate fantasy gambling leagues. Of course, the most popular ones in the U.S. are related to the top four professional sports leagues. The percentage of each sports fan base who plays in fantasy leagues is shown below:



OTHER SPORTS LEAGUE BROADCASTS

A major portion of the Company's revenue will come from broadcasting rights to its league. Of course, there are many other sports leagues that offer broadcasts of their events, including the big professional leagues such as:

- Professional football
- College football
- Professional basketball
- College basketball
- National hockey league
- Major league baseball
- Professional golf
- Men's and women's volleyball
- Many more...

to name just a few.

COMPETITIVE ADVANTAGES

- New promotional format that hasn't been seen before
- broadcasting can feature more than one rider in race due to competitive format
- Low overhead costs and expenses
- Opportunity to develop broadcast and gambling rights





SWOT ANALYSIS

Strengths

- New concept of motocross racing.
- Brings back excitement and completeness to the sport.
- Exciting new starting gate technology.
- Thousands of existing riders in the state of Florida.
- Expressed interest from FanDuel.

Weaknesses

- New concept of motocross racing.
- Going against established teams with a long history.
- Need to obtain team sponsorships.
- Must convince broadcasters to cover the races.

Opportunities

- Entice leading riders from other leagues to join.
- Position the league as a better sponsorship opportunity.
- Create a new fantasy league concept.
- Develop para-mutual betting opportunities.

Threats

- A larger entity could create a similar concept and beat the Company to market.

BRAND

NML will build a strong and recognizable brand in the motocross market segment. To achieve this goal, the Company will promote and reinforce key elements of its brand, including:

New Racing Format	Exciting Entertainment	Fun Fantasy Play
<ul style="list-style-type: none"> • NML will be recognized as having an entirely new format to motocross racing 	<ul style="list-style-type: none"> • NML races will become known for the excitement they generate, whether live or on TV 	<ul style="list-style-type: none"> • NML will be known for its fun fantasy play.

MARKETING ACTIVITIES

NML will implement various marketing efforts to attract clients including:





Build and optimize a web site to describe and promote its business

The Company will build and optimize a web site to attract prospective racers and fans. The web site will be attractive and easy to navigate. It will convey the excitement and fun that NML offers.

Direct Mail

NML will develop direct mail campaigns to market to its target market.

Print Advertising

The Company will develop print ads and promotions that can be used in publications to attract both fans and racers.

Radio and TV

NML will develop appealing ads for local TV and radio. It will also seek out PR opportunities on the local stations.

Web Presence

The Company will optimize its web presence through the use of sound SEO principles as well as thoughtful and measured online advertising.

Social Media

NML will develop a presence on various social media sites (e.g. Facebook, Twitter, Linked-In, etc.) to promote its events.

Strategic Partnerships

The Company will tie in to its advertiser customer base using the direct appeal of its product to their target market. It will also consider cobranding and cross marketing opportunities with its national advertisers.

SALES STRATEGY

NML will target various corporations to sponsor a racing team. The main selling points will be that each sponsor will get more air time during the race to showcase their brand and the races will attract a more excited and active audience.





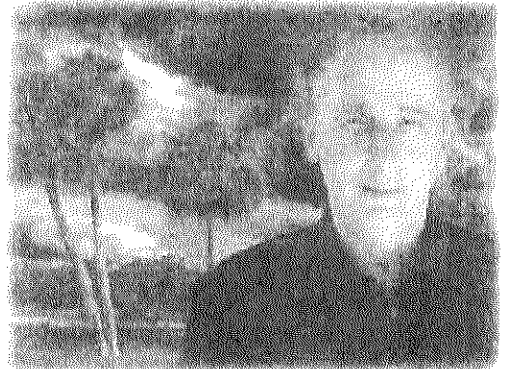
CORPORATE MANAGEMENT

MANAGEMENT

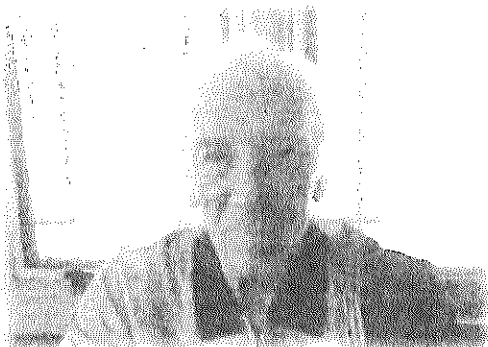
CEO: Mr. Jack Levine

Mr. Levine has worked for some of the top advertising agencies on Madison Avenue including NW Ayer and Bozell & Jacobs, on some of the largest accounts in the country (AT&T, US Army and Dupont). Jack was also the founder of ADCLUB and was featured in ADWEEK and AD AGE Magazines and in advertising legends Whit Hobbs book *What I love About Advertising*. Jack started his own Ad Agency in 1985, then founded and managed a successful television production company in South Florida. For over a decade he served as Executive Producer on hundreds of national television shows and thousands of commercials. He sold that business in 2002 to devote more time and effort to entrepreneurial activities, ministry and philanthropy.

Jack continues to use his business skills and entrepreneurial gifts to own and build companies. Today his companies are involved in Biotechnology, Solar Energy, Media, Specialty Food Distribution, Publishing, Real Estate and Advertising/Marketing/Sales consulting. Jack remains a sought-after Business advisor to many companies, executives and business owners. He is an accomplished author with twelve books to his credit including *Success Blast* and *The Motivated Life*.



President, COO and League Commissioner: Mr. Gary Barbere



Mr. Barbere has been in the horseracing industry for over four decades in a variety of positions including management, investor acquisition and daily operations of a multihorse stable dealing with different owners, trainers, drivers, racetrack management and facility operations. At times Gary also participated in the horseracing industry as owner, trainer and driver of horses donating 100% of his driving proceeds to charity. Gary has

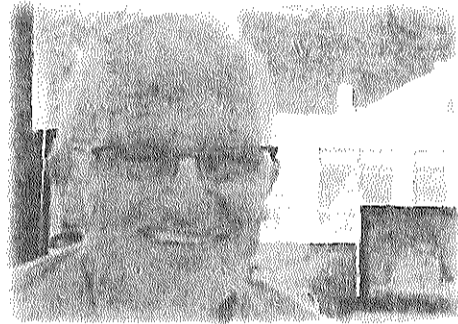




been involved in the creation and is the visionary behind the National Motocross League and its proprietary starting gate, league and team racing format and fantasy sports options. Gary has been involved in motocross racing as a participant for three decades and his son was an accomplished motocross rider and enthusiast.

CFO: Mr. Steve Finkelstein

Mr. Finkelstein began his career in the 1970's taking leadership of a family residential real estate business and growing it into one of the largest multi-family rental businesses in the Bronx, currently owning and operating approximately 75 properties. Seeking to diversify his portfolio, he has expanded into additional real estate endeavors.



These projects include developing from inception to completion, condominium properties, rental properties, and single-family homes in Westchester County. Other areas include purchase of commercial warehouses, the renovation and resale of vacation homes in Rhode Island, and the recent completion of a high-end luxury renovation of a Manhattan townhome.

Director of Marketing: Mr. Andrew Brief



Mr. Brief has over thirty years of advertising and marketing experience. He brings quick intelligence and strategic smarts to a client's business. Andy began his career at NW Ayer, at the time one of the oldest and largest agencies in the country. His first assignment was for AT&T when the Agency developed the iconic "Reach Out and Touch Someone" campaign.

During his career, Andy has served as the lead contact for major clients across a variety of categories, including Pepsi Cola, ESPN, HBO, Minolta and Sony.





In the early 2000's Mr. Brief led the DeVito/Verdi team responsible for creating a new brand position for the Mount Sinai Health System in New York. The Agency's work for Mount Sinai over a 17-year period has been credited in helping to improve the reputation of the system and has garnered numerous creative awards while being acknowledged as a best-in-class campaign in the healthcare category.

Over the years, Andy's roster of healthcare clients has expanded, and includes some of the most prestigious institutions in the country: Massachusetts General Hospital, University of Chicago Medical Center and Scripps Health.

In 2022 Andy was the recipient of the DTC Perspectives Vanguard Award, which recognizes excellence in consumer directed advertising in the healthcare category.

Track Manager: Mr. Greg Barker

Greg was the Track Manager for the Pepsi Air Dania Outdoor MX/SX track for 11 years. There he was responsible to track design and ongoing maintenance. He also handled track preparation and prepared the track for weekday practices and weekday racing. He operated much of the large equipment; dozers, loaders tractors and the watering system itself. He held that position for 11 years and then in 2003 became Track Supervisor for the Seminole Tribe's Motocross Tracks, an outdoor facility with 4 individual tracks on the property: Super Cross track, Motocross Track, Pee Wee and Beginner track. He was the track/property/business supervisor and responsible for track designing/building/maintenance. He also organized practice for weekdays and weekends and was involved in race organizing for weekends and series events with other tracks throughout the state including national events like the Lorretta Lynn amateur nationals. He held that position for seven years giving him over 20 years motocross track operating and management experience.



Since 2010 Greg has worked as a consultant to other motor truck tracks and owns GB works in MX/XX dirt bike customizing and repair shop where he served as owner and chief mechanic.



ATTACHMENT 4

**Limited Development Review Analysis (Due Diligence Report) – Racetrack
Park**

September 22, 2023

Mr. Eric McClellan, Director
Palm Beach County Facilities Development &
Operations (FD&O) Strategic Planning
2633 Vista Parkway
West Palm Beach, FL 33411-5605
EMcClellan@pbcgov.org



Urban Design
Land Planning
Landscape Architecture

**RE: 20 Mile Bend Public Use Development
Limited Development Review Analysis – Motorsport Park
PBC Ref: 2023-041053
UDS Project No. 23-062.000 (DD)**

Dear Mr. McClellan,

At your request, our team conducted a limited development review analysis for the proposed use of a motorsport park, similar to that of the Palm Beach International Raceway (PBIR) (*formally known as the Moroso Motorsport Park*), within the overall 200.6-acre 20 Mile Bend Public Use Development site (20 Mile Bend). The purpose of this report is to identify 'high level' fatal development flaws, as they apply to the proposed specific use for the site(s) and present these findings to County representatives who may also include the findings as part of a potential Request for Proposals to potential motorsport racetrack/speedway operators.

The 20 Mile Bend Public Use Development site consists of 200.06 acres of land, is owned by Palm Beach County (PBC), and is generally located south of State Road 80 (Southern Boulevard), on the east side of County Road 880, and directly south of the South Florida Water Management District (SFWMD) L-7 Canal Levee. The area identified within the 20 Mile Bend site for the potential motorsport park is comprised of seven (7) separate parcels of land, consisting of varying acreages and totaling approximately 128 acres according to the RFI No. 2023-101-ARQ produced by PBC. Below is a listing of the property control numbers that correspond with Exhibit A - Aerial provided as part of the PBC issued RFI No. 2023-101-ARQ.

- | | |
|----------------------------|----------------------------|
| 1. 00-40-44-06-00-000-3020 | 5. 00-40-43-31-00-000-7060 |
| 2. 00-40-43-42-00-000-0065 | 6. 00-40-43-31-00-000-7090 |
| 3. 00-40-43-42-00-000-0062 | 7. 00-40-43-31-00-000-7100 |
| 4. 00-40-44-31-00-000-7050 | |

All properties listed are vacant. However, PBC had previously planned and secured approvals for several uses for the parcels (see section on Project History for additional information.)

610 Clematis Street, Suite CU02, West Palm Beach, FL 33401
P: 561-366-1100 www.udsfloida.com LA0001739

According to the PBC Growth Management Tiers Map, all parcels within the 20 Mile Bend site are located within the Glades Tier, have Future Land Use (FLU) designations of Agricultural Production (AP), and exist with the Public Ownership (PO) Zoning District. The scope of work for this analysis includes identifying site development constraints that would prohibit pursuing approvals to locate a motorsport park on the site, including existing easements and traffic and drainage implications. Additionally, current Future Land Use, Zoning, and use classifications were identified, along with a review of current land development regulations to further identify and determine the applicable property development regulations, determine entitlement processes required and estimate timelines for their completion. Lastly, the scope of work included preparation of a conceptual fit study based on the prior PBIR facilities to assess the feasibility of the Site to accommodate a motorsport park facility.

Site History

Portions of the 20 Mile Bend site were the subject of two (2) initial approvals granted by the PBC Board of County Commissioners (BCC). The first approval (Resolution R-96-1009) was granted on July 25, 1996 and approved a Rezoning from the Agricultural Production (AP) Zoning District to the Public Ownership (PO) Zoning District. The second approval (Resolution R-96-1010) was also granted on July 25, 1996 and approved a Class A Conditional Use to allow a 480-foot communication tower in the PO Zoning District. A Final Site Plan (prior Exhibit #14) for both the Communication Tower (Parcel 6) and the PBC Law Enforcement Training Facility (Gun Range, Private) (Parcel 1) were then subsequently approved by the Palm Beach County Development Review Committee (DRC) on October 15, 1997. The prior conditions of approval contained in the Class A Conditional Use resolution were later consolidated within a more recent approval as noted below (Resolution R-2007-1233).

On June 7, 2007, the Palm Beach County Zoning Commission approved two (2) Type II Subdivision Variances to support the proposed Final Subdivision Plan for the overall 200.06 acres. The first Type II Subdivision Variance allows Parcels 1 and 2 of the subdivision to gain access from Boat Ramp Road, which is an existing/improved easement just north of the subject site and governed by a 40' Easement Agreement recorded in ORB 9398, PG 490. The second Type II Subdivision Variance allows construction of a proposed 80-foot-wide right-of-way to be completed concurrent with issuance of a Certificate of Occupancy (CO) for a planned future 34.25-acre SFWMD Field Station proposed on Parcel 5. These Variances were approved via Zoning Resolution ZR-2007-037.

Also on June 7, 2007, the Palm Beach County Zoning Commission approved a Class B Conditional Use to allow a Gun Club, Open via Resolution ZR-2007-038, for the future development of a public shooting park on Parcel 3.

On August 22, 2007, the BCC approved concurrent applications for a Rezoning of the remaining portions of the 20 Mile Bend site from the AP to PO Zoning District (Resolution R-2007-1232) and a Development Order Amendment (DOA) to add the rezoned land area

to Control No. 1994-006 (Resolution R-2007-1233). Together, these approvals designate the entire 200.60-acre 20 Mile Bend site with a PO zoning assignment.

On December 12, 2007, the DRC approved the Final Subdivision Plan (FSBP) for the 20 Mile Bend site, establishing several distinct parcels for Palm Beach County, SFWMD, and Palm Beach Community College (PBCC, today Palm Beach State College). It was envisioned that select parcels within the 20 Mile Bend site, other than those existing, would be independently developed by each government agency and through different phases of development activity. The site would ultimately support a variety of public uses including public shooting ranges, a satellite PBCC campus (College or University) with a new Public Safety Training Center, and various existing and future Government Services. Concurrence necessary to support all these previously anticipated uses and facilities was either previously approved or obtained through the Rezoning, DOA, and Class B Conditional Use approval processes. A final plat for the 20 Mile Bend site was never completed and recorded to officially establish the subdivision.

The site also includes the 1.59-acre canal right-of-way (FSP Tract 7) for SFWMD along the southern limits of the 200.60 acres. The corresponding land area currently supports a SFWMD drainage canal that is to remain.

Status of Prior Approvals

Per Article 2.E.1.C.1, any development orders in whole or in part, that apply to lands that are owned by a unit of Local, State, and/or Federal Government, provided the development order is utilized for buildings or facilities that are owned by a government entity and support customary government operations and/or delivery of public services, are exempt from PBC Monitoring. **This exemption applies to the 20 Mile Bend Public Use Development, the approved Conditional uses, and approved 2007 Final Subdivision Plan, such that all prior approvals and entitlements remain valid.** Of note, the required Plat was never recorded, properly subdividing the parcels as presented on the Final Subdivision Plan.

This Article also applies to the prior Standalone Variances approved via ZR-2007-037. The first part of the Variance allows access from the 40' access easement of Boat Ramp Road, which has been partially utilized. The second part of the Variance ties the completion of the construction of the internal 80' right-of-way (ROW) to the Certificate of Occupancy for the first building for the SFWMD parcel. **It is not anticipated that new Type II Variance(s) will be required by PBC Land Development unless the motorsport park was to request access from Boat Ramp Road as part of their site design.** PBC Land Development has confirmed that the existing built access point(s) are vested.

As it relates to the prior Development Order Amendment (Resolution R-2007-1233), the aspects of this approval that would remain in effect, if the motorsport park development was to proceed, are the prior addition of land area to Control Number 1994-00006, creating the 20 Mile Bend project, and the re-establishing of the conditions of approval specific to the Communication Tower use. **The Class B Conditional Use approval for the use of a Gun Club, Open (Resolution ZR-2007-038) would be required to be abandoned concurrent with the required Final Site Plan for the two (2) existing uses and proposed motorsport park.** These understandings would be reconfirmed with PBC Zoning staff during the mandatory pre-application meeting for a proposed application.

Future Land Use and Zoning Compliance

FUTURE LAND USE:

All parcels within the 20 Mile Bend site have a Future Land Use designation of Agriculture Production (AP). Furthermore, this property is not located within the boundaries of any Neighborhood Plan.

PBC Comprehensive Plan Objective 1.6, Glades Tier, identifies this area as primarily designated for specialized agricultural operations and speaks to the unique challenges due to geographic distance and economic issues. So much so that the County recognizes the Glades Region Master Plan (GRMP) dated February 14, 2015, as presented to the Board of County Commission in 2015. Of note from the GRMP is the below excerpt and its goals for sustainability of the Glades Region that include 'recreation and visitor/tourism'.

Master Plan Elements

Section 3 (Market Overview and Economic Analysis)

Target Industry Review

The planning team reviewed previous relevant economic studies, planning efforts and ongoing economic development initiatives to understand those industry clusters with the best potential to enhance the economic sustainability of the Glades Region, namely:

- Agri-business/Food Processing and Production
- **Recreation and Visitor/Tourism (and Supporting Retail Services)**
- Transportation and Logistics (related to the proposed Intermodal Logistics Center)

There are no conditions of approval that have been placed on the 20 Mile Bend site as it relates to the current AP land use, as same was administratively assigned as opposed to being the subject of any prior amendment that would have associated conditions.

It is additionally noted from the Comprehensive Plan that the 20 Mile Bend site is subject to a maximum 0.10 Floor Area Ratio (FAR) as provided for by Comprehensive Plan, Table 2.2-e.1, Maximum Floor Area Ratios (FARs) for Non-Residential Future Land Use Categories and Non-Residential uses. **The maximum development potential for the 20 Mile Bend site has been previously established via the Final Subdivision Plan,**

which provides for a total of 873,813 square feet, or .10 FAR, and includes the square footage associated with the existing law enforcement range on Parcel 1 and Communication Tower on Parcel 6. Note #8 of Table 2.2-e.1 further states that Institutional and Public Facilities uses within any FLU designation are allowed to utilize the maximum allowable FAR of the Institutional and Public Facilities FLU designation per the applicable Tier, which in this case is the Glades Tier and the same .10 FAR still applies. In the case of multiple or mixed use projects, only proposed institutional and public facility uses shall be permitted to exceed the FAR of the project's FLU designation.

ZONING:

The Site is zoned Public Ownership, PO, which as defined by Article 3 of the ULDC, is a standard district created to provide a coordinated land planning approach to the sale, rent, lease, purchase, management, or alteration of publicly-owned or operated lands. Notwithstanding those public uses permitted elsewhere in this Code, the PO district is primarily intended for, although not limited to, **public parks and recreation areas**, public buildings and facilities, and other capital improvements of a significant nature.

It is further provided for in Article 3.D.1.B.3., General Exceptions, that the PO Zoning District shall be exempt from Article 3.D.1.A, PDRs for Standard Zoning Districts. These PDRs are specific to the minimum lot dimensions, maximum FAR, maximum building coverage, and minimum setbacks in each of the Standard Zoning districts. However, Article 7.B.1.C., Public Park Exceptions or PO Deviations, states that exemption from Article 7 is only permitted if the project is a 'public park' or 'development supporting 'Government Facilities' within the PO zoning district. All other uses shall adhere to the ULDC Article 7 Landscape regulations. **It is therefore anticipated that the use of a motorsport park on the 20 Mile Bend site will be required to comply with landscape requirements for perimeter buffers, interior plantings, and building foundation plantings, as required.**

Properties zoned PO are consistent with the Site's AP Future Land Use designation, as is permitted in the PBC Comprehensive Plan, Table 2.2-f.1, Note 1. Article 3.C.1.A of the ULDC states, "the PO district is consistent with all FLU designations" and Table 3.D.1.A-5 waives the property development regulations for the PO Zoning District. The PO zoning designation is additionally compatible and appropriately corresponds within the framework of PBC's land development regulations. Therefore, **no change to the current Future Land Use designation or Zoning district designation would be necessary to accommodate a proposed motorsport center facility.**

As part of this review, our office has identified those regulations that apply to the development of a motorsport park, and a summary of findings is provided in the below 'Proposed Plan of Development' section.

For the purposes of this report, it has been confirmed with PBC Zoning staff that the use of a racetrack on the Site will be classified as an "Arena or Stadium or Amphitheater"; however, any other uses proposed need to be analyzed individually to determine if they are incidental to the principal use, accessory, or collocated. This is similar to the prior

classifications determined by PBC for the PBIR, and as defined in Article 4. subordinate uses were classified as ancillary under this use, which included, but may not have been limited to:

Clubhouse	Maintenance Building
Concession Pavilions	Pit Garages with and without suites
Drag Tower	Restrooms
Emergency Vehicle Storage	Ticket Building
Karting Center	

Per Article 4.B.3.C.1. of the Unified Land Development Code (ULDC), an “Arena or Stadium or Amphitheater” use is defined as an establishment open, partially, or fully enclosed and primarily used or intended for commercial spectator sports, or performance, where typically uses include racetracks.

The ULDC regulations for Arena or Stadium or Amphitheater require a minimum of 200 feet of lot frontage along a Major Street from which primary point of vehicular access shall be provided. It is noted that the ULDC defines a Major Street as, “Streets which constitute the traffic circulation network as contemplated under the Comprehensive Plan. Listed from highest to lowest category: Expressway, Arterial, and Plan Collector.”

According to PBC Comprehensive Plan, Map TE14.1, Thoroughfare Right of Way Identification Map, County Road 880 is an 80’ road right-of-way and Map TE 3.1, Functional Classification of Roadways, identifies it as a Rural Minor Collector. However, it has been confirmed with PBC Land Development that CR 880 is a 100’ road ROW, which is additionally supported by the Traffic Report prepared by Pinder Troutman Consulting, Inc., dated September 13, 2023.

For the purposes of this report, a roadway with 100’ of right-of-way is defined by PBC as a Plan Collector Street, and per ULDC Article 1, Definitions, a Plan Collector Street is defined as one which is part of the Thoroughfare Plan, and which is the lowest classification of Major Street. **This definition qualifies County Road 880 as a Major Street; thereby serving to satisfy the “Arena or Stadium or Amphitheater” requirement for a primary point of vehicular access. The minimum 200 feet of frontage is also more than satisfied by the site.**

Article 4, Table 4.B.3.A – Recreation Use Matrix, reflects the use of an “Arena or Stadium or Amphitheater” as being subject to the Development Review Officer (DRO) approval process within a PO zoning district, and therefore a motorsport park would require administrative approval by PBC’s regulatory reviewing agencies. This process customarily takes between five (5) and six (6) months to complete depending upon the complexity of the overall application.

Existing Site Conditions / Restrictions

The development approval for the 20 Mile Bend site, as reflected on the Final Subdivision Plan approved by PBC on December 12, 2007, shows the subject property divided into seven (7) separate parcels/tracts with uses approved as follows:

- Parcel 1. PBC Law Enforcement Training Facility (330 shooting positions)
- Parcel 2. PBCC Campus
- Parcel 3. PBC Public Shooting Park (170 shooting positions)
- Parcel 4. 80' right-of-way tract
- Parcel 5. SFWMD Field Station
- Parcel 6. PBC Communication Tower
- Parcel 7. SFWMD canal right-of-way

The following is a breakdown of the built entitlements versus un-built entitlements for the 20 Mile Bend site.

	Existing	Approved/Remaining
Uses:	Gun Range, Private (PBC Sherriff) (170 shooting positions)	College, Government Services Gun Club, Open Gun Range, Private (160 shooting positions remaining)
Acreage: 200.6 acres	65.57 ac.	135.03 acres
Floor Area: 287,076 sf	10,701 sf	276,375 sf
Building Coverage:	10,701 sf	287,076 sf
FAR: .10	.004	(+.096)

Lands surrounding the 20 Mile Bend site include:

To the NORTH:

FLU Designation: Agricultural Production (AP)
 Zoning District: Agricultural Production District (AP)
 Supporting: Agricultural

To the NORTHEAST:

FLU Designation: Rural Residential (RR-10)
 Zoning District: Special Agricultural District (SA)
 Supporting: Florida Power & Light facilities and Mining

FLU Designation: Economic Development Center (EDC)
 Zoning District: Multiple Use Planned Development (MUPD)
 Supporting: Uses associated with EDC/Warehouse

To the SOUTH:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Conservation (SFWMD)

To the EAST:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Utility (Florida Power & Light / FPL) and Preserve/Conservation (SFWMD)

To the WEST:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Agricultural, Utility (FPL), Conservation (SFWMD)

ACCESS

Access for the overall 200.06-acre site had been previously approved with two access points from County Road 880 and three access points from Boat Ramp Road (south of Southern Boulevard), subject of the Type II Subdivision Variance. With the potential changes to the 2007 development rights for the site, it has been verified with PBC Land Development that the approved Type II Subdivision Variance will be considered vested for the existing built access points, the PBC Law Enforcement Training Facility, but a new **Type II Variance would be required for any new access proposals from Boat Ramp Road.**

It is anticipated that the proposed motorsport park will desire direct access from County Road 880, and possibly multiple access points to separate the general public attending as spectators and those who will be competing and bringing vehicles and related equipment into the site. As stated above, any direct access from Boat Ramp Road, (ORB 9398 PG 490 & ORB 9248 PG 851) to the north, will require a new Type II Variance be applied for with PBC Land Development.

EASEMENTS/ENCUMBRANCES: A review of the approved Final Subdivision Plan finds a number of easements/encumbrances that could pose constraints and should be considered as part of the development of a proposed motorsport park on the Site.

PBC Communication Tower:

ULDC Article 5, Table 5.B.1.A – New, Modified, or Relocated Government Towers Not Subject to an Emergency, Towers greater than 101' are subject to the provisions of Article 4.B.9, Commercial Communication Towers. Article 4, Table 4.B.9.B, Minimum Separation and Setbacks for Towers Located in Non-Residential Zoning Districts, requires that Self-Support/Lattice Towers provide for the lesser of 100% of tower height or zoning district setback substantiated by breakpoint calculations when adjacent to non-residential and public ROWs. In that the PBC Communication Tower is existing, there is no 'defining' ULDC regulation requiring any new/proposed structure on the site to achieve a minimum separation distance from the existing tower. Further, it is the interpretation of PBC Staff

that **Article 4.B.9.B.2.c, Conforming Use or Structure**, refers to no structure making an existing tower a non-conformity and therefore shall adhere only to Zoning district setback to ensure habitable spaces are appropriately sited.

c. Conforming Use or Structure

Construction of any lawful residential or non-residential structure within the required separation distance shall not create a non-conforming use or structure when an existing communication tower is established pursuant to the provisions in Art. 4.B.9.B.2, Separation and Setbacks.

The existing PBC Communication Tower may not be made non-conforming with the ULDC as it relates to the appropriate separation/setbacks from non-residential or residential uses. The appropriate setback from perimeter site boundaries therefore needs to be taken into consideration when siting habitable spaces or structures, which for the PO District is 0' and therefore becomes defined by the width dimension of perimeter landscape buffers.

Palm Beach County Levee L-7: The South ROW line of Levee L-7 abuts the site boundary. Although no development restrictions have been identified, in accordance with the recorded Easement Agreement between PBC and the SFWMD (ORB 9398, PG 490), **SFWMD has superior rights to the easement and could require PBC to remove any non-SFWMD improvements, including current access provided on the easement** (which SFWMD is required to provide alternate access in such case). Also noted in the Easement Agreement, Section 8, Hazardous Waste and Indemnification, holds PBC responsible for any disposal/release of any pollutants, including petroleum or petroleum by-products, upon the Easement Parcel or upon any adjacent lands where pollutants could emanate onto the Easement Parcel and have effect on the L-7 Levee.

Due to the nature of motorsports park operations and required stormwater discharges from such a facility, PBC's Land Development Division and SFWMD should be consulted as part of any future plan for development to ensure that applicable local, state, and federal regulations are fully being taken into consideration as part of the design effort.

FPL 100' ROW, 30' Easement, 20'x50' Guy Anchor Easement, and 20' Guy Anchor Easement: Along the southern portion of the site exists a 100' FPL right-of-way (Deed Book 1045 PG 62) and a 30' FPL easement (ORB 678 PG 91) that together run the entire width of the southern portion of the site. There are additionally two (2) Guy Anchor easements encumbering the site. The first a 20'x50' Guy Anchor easement (ORB 678 PG 91) situated along the north line of Section 6/44/40, and the second a 20' Guy Anchor easement (Deed Book 1045 PG 62) that runs perpendicular to the southern boundary of the Site. There are existing utilities in these areas.

Coordination with FPL Representatives will be required to confirm the current use of the easements and establish what the acceptable encroachments within these areas may be, if any. If the easement(s) are utilized for main transmission lines, it has previously been the position of FPL that no improvements may be made within the easement. If this is the determination, it would restrict the southern 130' from being

included in development designs, resulting in buffers, paved race tracks, etc. needing to be placed north of the established easements.

PBC 10' Utility Easement: Along the western portion of the Site, a 10' utility easement has been approved as part of the Final Subdivision Plan, which would remain as part of any future redevelopment scenario for the Site.

PBC 5' Limited Access Easement: A standard five (5) foot wide limited access easement was proposed along the project's western property line, fronting County Road 880. This easement would not be required as part of any new proposals for development as the easements are no longer required by PBC Land Development.

The 20 Mile Bend site was additionally granted approval to use chain link fencing in the perimeter compatible and incompatible buffers. Per the ULDC, this request was subject to and approved by the Board of County Commissioners or Zoning Commission. Article 7.D.4.C.1. states that only "vinyl coated chain link fences are permitted if used in the right of way buffer, installed behind an opaque six-foot-high hedge." Staff did not previously object to the request since no compatibility issues were anticipated. The use of a motorsport park would ideally desire this same condition for the purposes of securing the site during non-operating hours.

Proposed Plan of Development

It is the desire of PBC to analyze the approximate 128-acre western portion of the site for the use of a motorsport park, similar in nature to the prior PBIR. **Development of the Site for a motorsport park requires a Final Site Plan (FSP) reflecting the existing surrounding uses and the proposed motorsport park use, including all access points, required buffers all accessory uses and their square footage, etc.** Concurrency for all uses proposed for the motorsport park use would be included as part of the approval of a Final Site Plan.

Concurrent abandonments would also be required as part of the process, which include abandonment by the DRO of the Final Subdivision Plan for the 20 Mile Bend project, as approved by the DRO, per ULDC Article 2.C.5.H, Development Order Abandonment, and abandonment of the approved Class B Conditional Use of the Gun Club, Open (Resolution ZR2007-038) by the Zoning Commission, as provided for in ULDC Article 2.B.7.F.

The Site has an approximate width (N-S) of 2,159 feet, an average depth (E-W) of 3,017 feet and diagonal measurement of 4,057 feet, as illustrated by the following graphic:



Image prepared by UDS

This office has prepared a conceptual fit study, using the prior PBIR as the example. The PBIR facility had a quarter-mile drag strip that measured approximately 3,874+/- feet between the rollout and shutdown areas, a 2.043-mile road course, 7/10-mile kart track and mud racing tracks. The road course at PBIR was a 2-mile, 10-turn circuit constructed of hot-mix asphalt and set on an aggregate base. It was 40 feet wide with a 1/3-mile section measuring 80 ft. These facilities have been replicated on the conceptual fit study.

Based on the conceptual fit study the subject 128-acre land area would be adequate for a motorsport park with multiple tracks and facilities; however, some dimensional constraints are anticipated for the ability to replicate the same dimensions of the drag strip previously constructed at PBIR. The subject site has a diagonal linear dimension of 4,056.7', however there are design constraints on the north and south portion of the site that will limit the ability to place a drag strip at the standard length of 3,943.5' or 0.74 of a mile (see below graphic), or in the case of PBIR +/- 3,874'. These constraints include the 130' FPL Transmission Line easement and required 8' perimeter landscape buffer on along the south and east and 15' perimeter landscape buffer along the north.

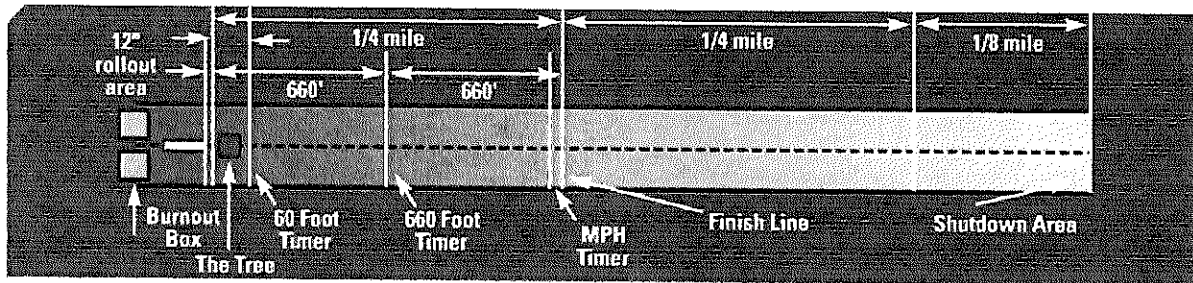


Image obtained from www.nopistons.com

Since the subject property is surrounded by uses that include agricultural production and conservation land, no use compatibility issues are anticipated with the abutting properties. However, the residential Arden Planned Unit Development is within 2 miles of the Site and could be negatively affected as it relates to sound and/or other impacts of a motorsport park.

LANDSCAPE TREATMENTS: As stated above, the ULDC allows sites that are zoned Public Ownership to be exempt from site development requirements that other zoning districts are not, such as setbacks, lot dimensions, building coverage; however, per Article 7.B.1.C., Public Park Exceptions or PO Deviations, deviations, or exceptions from the minimum standards of Article 7 are only permitted when the use is a public park or development supporting government facilities within the PO district. The use of a motorsport park does not meet this use threshold, and is therefore required to meet the minimum landscape requirements. Below are the buffer treatments that have been identified as required:

- 20' ROW Buffer along County Road 880 to the west, including three tiers of plantings.
- 15' ROW Buffer along Boat Ramp Road to the north, including two tiers of plantings.
- 8' Compatibility Buffers along the east and south boundaries.

The Site will additionally be required to meet the interior, foundation, and screening landscape requirements, as required by ULDC Article 7.

PARKING/LOADING: Arena or Stadium or Amphitheater requires one (1) parking space for every 3 seats. It is anticipated that this parking requirement could be met based on that provided at PBIR with 4,000 seats, together with the amount of land area available at the site.

It is also anticipated based on the PBIR approvals, that the ULDC required loading space(s) requirement could be met at up to three (3) loading spaces, calculated at one (1) loading space for the first 40,000 square feet and one (2) additional loading space for each additional 40,000 square feet.

VEGETATION PROTECTION: The site is currently cleared and no longer supports significant amounts of native vegetation.

WELLFIELD PROTECTION ZONE: The property is not located within a Wellfield Protection Zone.

ENVIRONMENTAL IMPACTS: This report does not include an environmental study of the Site, and therefore it is unclear what, if any, environmental impacts a motorsport park would have on the Site. It is anticipated that a motorsport park would be mandated to adhere to all environmental regulations imposed by local, state, or federal governments, including South Florida Water Management District.

FIRE PROTECTION: It has previously been established that Palm Beach County Fire Rescue will provide fire protection and emergency services based on the prior approvals for the 20 Mile Bend site. Due to the nature of this operation, **Fire Rescue would be expected to closely review design details and operational accommodations to ensure appropriate emergency response capabilities** that support the protection of health, safety and welfare.

WATER/SEWER PROVIDER: As provided for in the Site Infrastructure Review prepared by Michael B. Schorah and Associates, Inc., dated September 2023, and signed and sealed September 21, 2023, **a potable water supply, including water source for fire protection, is available from the Palm Beach County Water Utilities Department (PBCWUD) system.** A review of their master plans (sheet V20SW, copy attached) indicated that there is an existing 8" PVC water main located on the PBSO Shooting Range site located east of the subject site. That line is located within a publicly owned facility and it is anticipated that this line can be extended to serve the remainder of the 20 Mile Bend Project, providing for both potable water supply and fire protection. Design and construction of the water distribution system will need to be done in accordance with PBCWUD standards and criteria. In addition to the PBCWUD approval it will be necessary to obtain a Permit from the Palm Beach County Health Department/Florida Department of Environmental Protection for this water main. Operation and maintenance of these facilities will be done by PBCWUD following construction and acceptance.

As it relates to sanitary sewer for the subject site, based on the existing soil types, water table and proposed use, **it will be necessary to have public offsite disposal of the sewage generated by this development. Public sewer service for this facility is available from the PBCWUD system.** A review of their master plans (Sheet V20SES-copy attached) shows an existing 18" Force Main located in Southern Blvd. (SR 80). The 18" Force Main extends east within the Southern Blvd. right-of-way, along the north side of the existing roadway, and terminating on the west side of the SFWMD L-8 Canal.

To provide public sanitary sewer service to the project it will be necessary to extend the force main along Southern Blvd. (Force Main size to be determined), cross under Southern Blvd. (an FDOT Right-of-Way) and under the C-51 Canal (a SFWMD Right-of-Way). An onsite gravity sewer system connecting to a private lift

station will be required for the proposed motorsport park use. The force main from that lift station will then connect to the offsite force main to provide sewer service.

It has been previously determined that the 20 Mile Bend site would be served by the PBC Water Utilities Department for sanitary sewer and a community water system. It was further noted in prior documents found that **neither an onsite sewage treatment and disposal system (OSTDS) nor a potable water well would be approved for the 20 Mile Bend project.**

NUISANCES: The intent of Article 5.E.4., Nuisances, is to regulate possible nuisances, such as excessive noise, vibration, odors, and outdoor lighting which could interfere with the peaceful enjoyment of land. Below are brief assessments of the underlying categories of this section and possible fatal flaws for a motorsport park. It is noted that Article 5.E.4.A.5.b., Exemptions, Sanctioned Activities, does provide exemption for sounds generated by a government sanctioned activity conducted on public land or in a public R-O-W.

Noise: Based on our limited research on the subject of sound measurement using decibels and how sound travels, it is anticipated that a motorsport park will produce between 100 and 130+ decibels (dB), depending on the vehicle and activity at the time. Examples of similar noise levels include a rock concert or jet engine taking off (between 115 and 125 dBs), Jackhammer (130 dB), an emergency siren at 100 feet or gunshot (135 and 140 dB). It is highly suggested that the services of a professional in the field of sound assessment be engaged to provide a full understanding of the implications of a motorsport park to the surrounding residential and non-residential uses to the northeast of the site as they are within a 2-mile range of the proposed use.

The subject site is similar to the PBIR site as it relates to the immediate surrounding lands being of a preserve or agriculture nature with no active uses. And the proximity of other uses are comparable, with the exception of the closer proximity of the subject site to a residential use as shown below.

Site	Distance to Non-Residential use	Distance to a Residential use
PBIR	Raytheon Technologies 0.9 +/- Mile	Caloosa Residential Community 2.4 +/- miles to closest home.
	Palm Beach Park of Commerce 1.3 +/- Miles	
20 Mile Bend	Central Park Commerce Center 0.9 +/- Mile	Arden Residential Community 1.5 +/- miles to closest home.

Per Article 5.E.4.B.2.a, Maximum Sound Levels, No person shall operate or cause to be operated any source of sound from any location in such a manner as to create a sound level which exceeds the limits set forth below in Table 5.E.4.B, Maximum Sound Levels,

for more than ten percent of any measurement period, which period shall not be less than ten minutes. Table 5.E.4.B., Maximum Sound Levels, indicates that the maximum acceptable sound level from sources that are not fixed mechanical equipment or a generator, for a receiving residential land use between the hours of 7:00 am and 8:00 pm is 60 dB, and 55 dB between the hours of 8:00 pm and 10:00 pm. For a receiving commercial non-residential use it is 70 dB at any given time and from any source (see below chart).

Table 5.E.4.B – Maximum Sound Levels

Receiving Land Use Type	Sound Source	Time of Day	Max. Sound Level	
			USA	RSA
Residential	Fixed mechanical equipment	Any time	60 dB	60 dB
Residential	Permanent generator	See <u>Art. 5.B.1.A.19, Permanent Generators</u>	75 dB	75 dB
Residential	All other sources	7:00 a.m. to 8:00 p.m.	60 dB	55 dB
		8:00 p.m. to 10:00 p.m.	55 dB	50 dB
		10:00 p.m. to 7:00 a.m.	50 dB	50 dB
Commercial Non-Residential	All sources	Any time	70 dB	70 dB
Non-Residential	Permanent generator	See <u>Art. 5.B.1.A.19, Permanent Generators</u>	75 dB	75 dB

[Ord. 2006-004]

Vibration: Non-Industrial Districts. This section states that in all districts, except with an Industrial (IND) FLU designation, no use shall operate so as to produce ground vibration noticeable by a person of reasonable sensitivity at the property line. Due to the size, combustion, and very nature of the race engines, it is anticipated that there will be waves of vibrations felt by spectators in the stands. However, it is unclear if those vibrations will carry across the property boundary. **To understand any potential impacts, it is suggested that further research/study be prepared on behalf of PBC by a professional in this field.**

Smoke, Emissions, and Particulate Matter: This section states that no use or activity shall be operated except in full compliance with the standards controlling air pollution as provided in the laws of the State of Florida and the Ordinances. It is anticipated that, by their nature, motorsport parks produce some type of pollution during both the sport of track racing and drag racing. These visual pollutants include engine emissions, rubber particulates, and smoke. **A more in-depth study of how the racing industry is regulated for emissions and pollutants may be beneficial.**

Outdoor Lighting: The intent of this Section is to preserve, protect, and enhance the lawful nighttime use and enjoyment of any and all property through the use of appropriate lighting practices and systems, including individual fixtures, luminaires, and lighting systems. It is anticipated that the night activities of a motorsport park will require extensive lighting systems for the safety and security of both the patrons and those directly engaging in the act of racing. Regulatory imposed controls and supportive design solutions for lighting may be required to ensure minimal impact to surrounding uses.

TRAFFIC REVIEW

A Preliminary Traffic Feasibility report was prepared by Pinder Troutman Consulting, Inc., dated September 13, 2023 and attached hereto. Results show that the Traffic Performance Standards are projected to be met for the proposed development of a motorsport park on the site, including access requirements.

ENGINEERING REVIEW/DRAINAGE:

A limited site infrastructure analysis report was prepared by Michael B. Schorah and Associates, Inc., and is attached hereto. In summary, there are no 'fatal flaws' that exist for the proposed development; however, the below have been noted from the report:

1. Sanitary Sewer facilities will need to be extended from Southern Boulevard.
2. An onsite gravity sewer system connecting to a private lift station will be required.
3. **Soil types listed in a report prepared for PBC in 2007 indicate the presence of 'Okeechobee Muck' for up to nine feet of the site's surface and another report in 2014 references organic type soils and loosely compacted soils at depths of up to 13 feet. These factors could have considerable costs associated with compacting the site for development, operational continuity and construction longevity.**

CONCURRENCY: The complete listing of uses needed for a motorsport park is unclear at this time in the absence of any design. However, based on the accompanying reports, the concurrency previously approved for the PBIR use and the concurrency approved for the use of the site as a Community College with 714 students, Gun Range Private (PBSO) with 330 shooting positions, Park (Gun Club Open) of 81.18 acres, and SFWMD Field Station consisting of 153,000 square feet with Gas and Fuel, Wholesale, and 6 fueling positions, **it is anticipated that concurrency reservation for the proposed motorsport park with accessory uses would be achievable.**

PRIOR CONDITIONS OF APPROVAL:

Resolution R-2007-1232 rezoned the western portion of the 20 Mile Bend project, more specifically the parcels related to the subject site, and remains in full effect.

Subsequently, the 20 Mile Bend project was approved as part of Development Order Amendment (DOA) via Resolution R-2007-1233, which added land area to the prior PBSO Law Enforcement Training Facility and Communication Tower project (Control 1994-00006) and modified/added/deleted Conditions of Approval, including those for the tower, which will remain valid. **With the removal of uses for the 20 Mile Bend project, those conditions of approval related to those uses, and not specific to the existing uses, would need to be deleted, which requires approval by the Board of County Commission as part of a DOA. Those Conditions of Approval related directly to the existing use, more specifically the Communication Tower, would carry forward with any future DOA application. There were no conditions of approval related to the PBSO Law Enforcement Training Facility that need to be addressed.**

Based on a preliminary conversation with PBC Land Development, the access points approved by the Type II Variance that have been constructed to date are considered vested. Any new request to access the 40' easement of Boat Ramp Road will require a new Type II Variance be submitted for.

Zoning Process Requirements

Based on preliminary discussions with PBC Zoning, the following local government approvals and process are anticipated to be required in order to authorize a motorsport park to be construction upon the site. Note that these processes would be reviewed again with PBC staff as part of a mandatory pre-application meeting:

- Development Order Amendment (DOA) to modify/add/delete conditions of approval for the 20 Mile Bend project. (Public Hearing – BCC approval Process)
 - *Typical Time: Six (6) months or more*
- Type II Subdivision Variance to allow access to the 40' easement of Boat Ramp Road by the subject site, *if required*. (Public Hearing – Zoning Commission Process)
 - *Typical Time: Five (5) months*
- Class B Conditional Use abandonment for the Gun Range, Open use (Abandonment process – approval by the PBC Zoning Commission)
 - *Typical Time: Five (5) months concurrently with other approvals*
- Abandonment of the Final Subdivision Plan (Administrative Process –Abandonment approved by the PBC DRO)
 - *Typical Time: Five (5) months, filed concurrently with FDRO*
- Approval of a Final Site Plan to reflect the existing and proposed motorsport park uses, establish concurrency, use boundaries, required buffers, and other site design requirements, as necessary per the ULDC. (Administrative Process – Final Development Review Officer (FDRO))
 - *Typical Time: Five (5) months*

All the noted applications may be filed with PBC concurrently. The DOA, Type II Variance (*if required*), and Class B Conditional Use abandonment would be processed as concurrent requests through the Zoning division as part of the Public Hearings process. The Zoning Commission would first act on the abandonment and variance requests (as the final decision-making authority for these matters) and the BCC would subsequently act on the DOA request. The Final Subdivision Plan Abandonment and Final Site Plan and Concurrency requests would then be processed as concurrent requests through the Zoning Division's Administrative Review processes.

Conclusion

No regulatory ‘fatal flaws’ have been identified through the scope of this limited development review analysis. However, physical impediments do exist that could impact the feasibility of certain facility components (i.e. length of a drag strip) or design of a motorsport park. Consideration should also be given to the possible impacts on neighboring uses that may or may not be immediately adjacent to the site.

No change to the current Future Land Use or Zoning district designations would be necessary to accommodate a proposed motorsport park. The use of a racetrack/motorsport park falls within the use allowance of the PO Zoning District and can be considered as a use approved by the PBC staff through the DRO review and approval process. Concurrency for the proposed use would also be granted through the DRO process as part of the Final Site Plan approval.

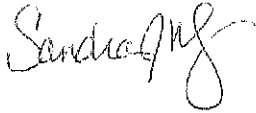
There are several issues that have been identified through the course of this limited development review that should be taken into consideration, as well as action items that would need to be undertaken as part of the final site design and permitting, as follows:

- Based on the concept fit plan, there are dimensional constraints that will need to be reviewed by any operator as part of their site design study.
- Easement encumbrances need to be taken into consideration and coordination/discussions with FPL conducted for restrictions on development as it relates to the 130’ easement along the site’s southern limits.
- Sound abatement should be reviewed due to the proximity of the site to the Arden PUD, as well as other potential environmental impacts that may be a direct result of the nature of use proposed.
- As noted in the accompanying Site Infrastructure Review report, development of the site for the noted use will require the extension of water and sewer services and onsite drainage storage would be established during the site’s design.
- The site’s topography and current soils composition will require more extensive review to understand any associated exponential costs for site development. Surface water management criteria will also be a major element affecting the site layout and design.

Although no regulatory fatal flaws were identified by this scope of services, this analysis has led to discoveries that result in further professional investigation being required as PBC moves forward with potential developers and operators of motorsport park facilities.

Please feel free to reach out if you have any further questions regarding the findings of this report or if you would like to further discuss the aspects of this report with the team.

Sincerely,



Sandra J, Megrue, AICP
Urban Design Kilday Studios

Attachments:

- Preliminary Traffic Feasibility report, prepared by Pinder Troutman Consulting Inc. and dated September 13, 2023
- Site Infrastructure Review report, prepared by Michael B. Schorah and Associates, Inc. and dated September, 2023, and signed and sealed September 21, 2023
- Conceptual Fit Study, prepared by Urban Design Studio, dated August 21, 2023
- Final Subdivision Plan, dated December 12, 2007 (Exhibit 16, 1 page)
- Site Plan for PBSO Law Enforcement Training Facility and Communication Tower, dated March 21, 2016 (Exhibit 19, 2 pages)
- Prior approved Moroso Motorsports, dated March 21, 2016 (Exhibit 7, 10 pages)
- Approving Orders: R-1996-1009, R-1996-1010, R-2007-1232, R-2007-1233, SD-133, ZR-2007-037, ZR-2007-038
- SFWMD L-7 Easement Agreement (ORB 9398 PG 490)
- FPL Easement Agreement (ORB 9248 PG 851)

September 13, 2023

Ms. Sandra Megrue
Urban Design Studios
610 Clematis Street, Suite CU02
West Palm Beach, FL 33401

**Re: 20 Mile Bend Property - #PTC23-069A
Preliminary Traffic Feasibility**

Dear Ms. Megrue:

The purpose of this letter is to present a preliminary traffic analysis for the development of a Moroso Speedway type of racetrack on the 20 Mile Bend property. The site is located in the southeast quadrant of the Southern Boulevard (SR 80) and CR 880 intersection as shown on **Attachment 1**. In general, our services will include a preliminary analysis to determine if the requirements of Article 12, Traffic Performance Standards (TPS), of the Palm Beach County Unified Land Development Code (ULDC) can be met.

Preliminary Concurrency Traffic Impact Analysis

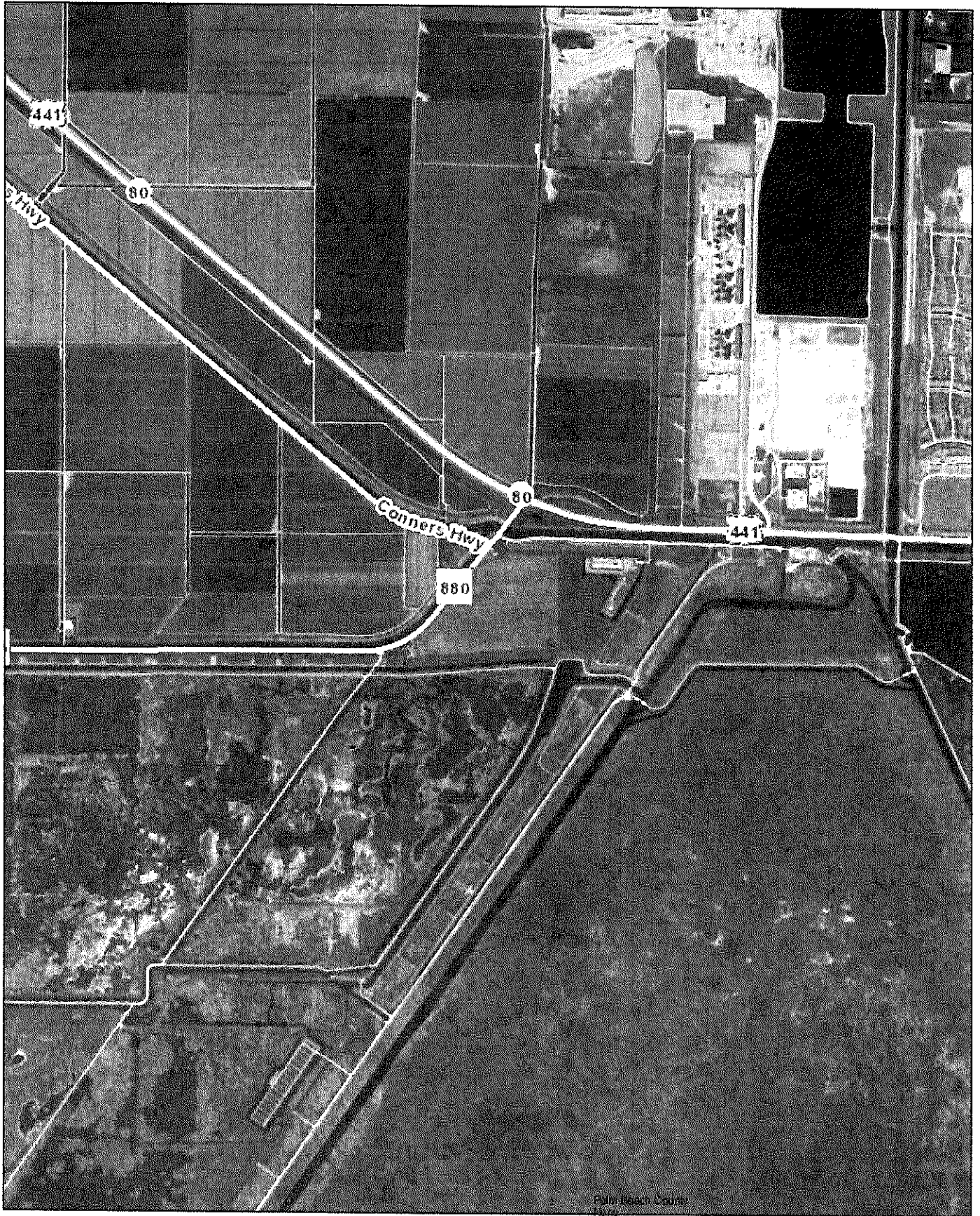
A comparison of the traffic generation between the approved and proposed land uses is the first step in this preliminary traffic feasibility analysis. The site is currently approved for the following uses:

- Light Industrial 153,000 SF (Government Services -SFWMD)
- Wholesale Fueling 6 Positions
- Shooting Range 330 Positions (Private PBSO)
- Park 81.18 Acres (Gun Club Open, Public Shooting Range)
- Community College 714 Students

Palm Beach County Trip Generation Rates and the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition manual were reviewed to determine the appropriate trip generation rates to utilize for this analysis. Trip generation rates for the Shooting Range and Wholesale Fueling trip generation were not available and are, therefore, based on the approved traffic study. Trip generation excerpts from this report are included in **Appendix A**. The Daily, AM and PM peak hour trip generation for the approved uses are provided on **Attachment 2A**.

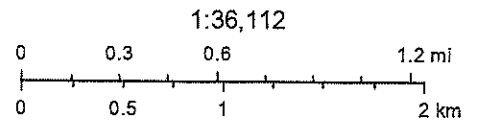
For the proposed scenario, the approved/vested 330 Shooting Range positions were considered to remain and a 4,000-seat racetrack, similar in operation to Moroso Speedway, was included. The approved Palm Beach County trip generation rate for the Moroso Speedway was used. These approved trip generation rates per person are based on traffic count data collected at the Moroso Speedway in March of 1997. The approved trip generation rates would be utilized in the projection of traffic for the proposed raceway in order to determine the traffic impacts of the proposed development in the evaluation of the TPS requirements. A summary of the traffic count data is included in **Appendix B**. The approved weekday trip generation rates for the speedway were annualized based on 30 weekday events per year. **Attachment 2B** provides the Daily, AM and PM peak hour trip generation for the proposed uses.

Attachment 1 Project Location



August 7, 2023

20 Mile Bend Property



Attachment 2B
20 Mile Bend Property
Trip Generation - Proposed Uses

DAILY

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips	Internal Trips		External Trips			Pass-by Trips (1)	Total Trips
						Trips	%	In	Out	Trips		
PBSO Shooting Range	IND	330 Positions	0.84 / Position (2)	50%	277	-	0%	277	-	0%	-	277
Racetrack	IND	4,000 Seats	0.161 / Seat (3)	50%	644	-	0%	644	-	0%	-	644
TOTAL					921	-	0.0%	921	-	0%		921

AM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips			
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips	
PBSO Shooting Range	IND	330 Positions	0.14 / Position (2)	96%	44	2	46	-	0%	44	2	46	-	0%	44	2	46
Racetrack	IND	4,000 Seats	0.0048 / Seat (3)	81%	15	4	19	-	0%	15	4	19	-	0%	15	4	19
TOTAL					59	6	65	-	0.0%	59	6	65	-	0%	59	6	65

PM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips			
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips	
PBSO Shooting Range	IND	330 Positions	0.12 / Position (2)	5%	2	38	40	-	0%	2	38	40	-	0%	2	38	40
Racetrack	IND	4,000 Seats	0.0057 / Seat (3)	71%	16	7	23	-	0%	16	7	23	-	0%	16	7	23
TOTAL					18	45	63	-	0.0%	18	45	63	-	0%	18	45	63

(1) Source: Palm Beach County Traffic Division and ITE Trip Generation, 11th Edition.

(2) Source: Trip generation and internalization per approved traffic study based on traffic data collected February 2007. See Appendix A.

(3) Source: Approved trip generation rate for Moroso Speedway per traffic count data collected by YZTC in March 1997. Annualized based on 30 weekday events per year. See Appendix B.

Attachment 3
20 Mile Bend Property
Trip Generation - Proposed Uses - Alternate Scenario (60 Weekday Events)

DAILY

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips	Internal Trips		External Trips	Pass-by Trips (1)	Total Trips
						Trips	%			
PBSO Shooting Range	IND	330 Positions	0.84 / Position (2)	50%	277	-	0%	277	-	0%
Racetrack	IND	4,000 Seats	0.321 / Seat (3)	50%	1,284	-	0%	1,284	-	0%
TOTAL					1,561	-	0.0%	1,561	-	

AM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips			
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips	
PBSO Shooting Range	IND	330 Positions	0.14 / Position (2)	96%	44	2	46	-	0%	44	2	46	-	0%	44	2	46
Racetrack	IND	4,000 Seats	0.0097 / Seat (3)	81%	32	7	39	-	0%	32	7	39	-	0%	32	7	39
TOTAL					76	9	85	-	0.0%	76	9	85	-		76	9	85

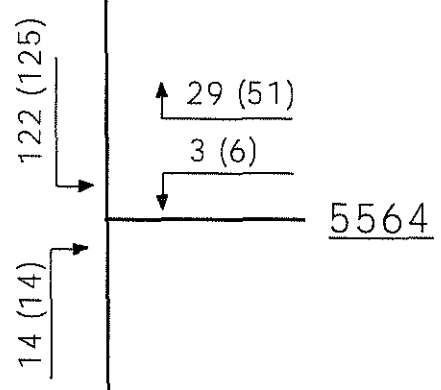
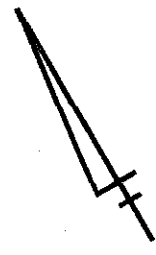
PM PEAK HOUR

Land Use	ITE Code	Intensity	Trip Generation Rate (1)	% In	Total Trips			Internal Trips		External Trips			Pass-by Trips (1)	New Trips			
					In	Out	Trips	Trips	%	In	Out	Trips		In	Out	Trips	
PBSO Shooting Range	IND	330 Positions	0.12 / Position (2)	5%	2	38	40	-	0%	2	38	40	-	0%	2	38	40
Racetrack	IND	4,000 Seats	0.0113 / Seat (3)	71%	32	13	45	-	0%	32	13	45	-	0%	32	13	45
TOTAL					34	51	85	-	0.0%	34	51	85	-		34	51	85

(1) Source: Palm Beach County Traffic Division and ITE *Trip Generation, 11th Edition*.

(2) Source: Trip generation and internalization per approved traffic study based on traffic data collected February 2007.

(3) Source: Approved trip generation rate for Moroso Speedway per traffic count data collected by YZTC in March 1997. Modified for 60 weekday events per year.



CR 880

<u>LEGEND</u>	
XX	- AM PEAK HOUR
(XX)	- PM PEAK HOUR
XXX	- ADT

8/8/23
23-069A

20 MILE BEND PROPERTY

ATTACHMENT 4B
PROJECT DRIVEWAY VOLUMES

PTC

Exhibit 2B
20 Mile Bend Property
Daily Trip Generation - Buildout

Daily - Existing

Land Use	Intensity	Trip Generation Rate	Total Trips	Internal Trips		External Trips	Pass-by Trips (1)		New Trips
PBSO Shooting Range	170 Shooting Positions	0.84 /Position (1)	143	-	0%	143	-	0%	143
TOTAL			143	-	0%	143	-	0%	143

Daily - Proposed

Land Use	Intensity	Trip Generation Rate	Total Trips	Internal Trips		External Trips	Pass-by Trips (1)		New Trips
PBSO Shooting Range	330 Shooting Positions	0.84 /Position (1)	277	83	30%	194	-	0%	194
Park	81.18 Acres	$\ln(T) = 0.401\ln(X) + 3.780$ (2)	255	13	5%	242	-	0%	242
Community College	714 Students	1.2 /Student (3)	857	86	10%	771	-	0%	771
Industrial	153,000 SF	6.97 /1000SF (4)	1,066	21	2%	1,045	52	5%	993
Wholesale Fueling	6 Fueling Positions	50 /Position (5)	300	150	50%	150	-	0%	150
TOTAL			2,755	353	13%	2,402	52		2,350

(1) Source: Traffic data collected February 2007.

(2) Source: Institute of Transportation Engineers (ITE), Trip Generation, 5th Edition.

(3) Source: Institute of Transportation Engineers (ITE), Trip Generation, 7th Edition.

(4) Source: Article 15 of the Palm Beach County ULDC.

(5) Source: Consolidated Oil Wholesale Fueling, June 5, 2000. It is assumed that a high percentage of the trips generated by the Wholesale Fueling would be from the industrial use. However, internal trips were not reduced from the industrial, as the fueling trip would be linked with a generated trip.

Net External Trips	2,207
---------------------------	--------------

Driveway Calculations
Shooting Range

Date	Daily	Time	AM			Time	PM			Date	Daily	Time	AM			Time	PM			Date	Daily	Time	AM			Time	PM			
			In	Out	Max Vol		In	Out	Max Vol				In	Out	Max Vol		In	Out	Max Vol				In	Out	Max Vol					
2/1/2007	102	6:00-7:00	1	0		4:00-5:00	0	16	16	2/2/2007	74	6:00-7:00	0	0		4:00-5:00	0	12	12	2/5/2007	243	6:00-7:00	13	0		4:00-5:00	3	62	65	
		7:00-8:00	19	1	20	5:00-6:00	0	0				7:00-8:00	19	0	19	5:00-6:00	0	4	4				7:00-8:00	57	2	59	5:00-6:00	1	9	
		8:00-9:00	14	1		6:00-7:00	0	0				8:00-9:00	2	0		6:00-7:00	0	0					8:00-9:00	5	1		6:00-7:00	0	0	
	Total		34	2			0	16			Total		21	0			0	16			Total		75	3		4	71			

Date	Daily	Time	AM			Time	PM			Date	Daily	Time	AM			Time	PM			Date	Daily	Time	AM			Time	PM				
			In	Out	Max Vol		In	Out	Max Vol				In	Out	Max Vol		In	Out	Max Vol				In	Out	Max Vol						
2/6/2007	161	6:00-7:00	3	0		4:00-5:00	1	1		2/7/2007	132	6:00-7:00	1	0		4:00-5:00	2	10	12	2/8/2007	204	6:00-7:00	7	1		4:00-5:00	1	29	30		
		7:00-8:00	14	0	14	5:00-6:00	2	1	3				7:00-8:00	10	0		5:00-6:00	6	2					7:00-8:00	29	1	30	5:00-6:00	1	6	
		8:00-9:00	13	0		6:00-7:00	1	2					8:00-9:00	14	1	15	6:00-7:00	0	0					8:00-9:00	0	0		6:00-7:00	2	0	
	Total		30	0			4	4			Total		25	1			8	12			Total		36	2		4	35				

Date	Daily	Time	AM			Time	PM		
			In	Out	Max Vol		In	Out	Max Vol
2/9/2007	88	6:00-7:00	1	0		4:00-5:00	1	1	
		7:00-8:00	1	0	1	5:00-6:00	1	1	
		8:00-9:00	1	0		6:00-7:00	2	1	3
	Total		3	0			4	3	

Average of Max Volume for Seven days
 AM: 23 PM: 20 DAILY: 143

Existing Shooting Posit 170

Trip Generation
 AM: 23 / 170 Positions (0.14 / Shooting Positions (96/4))
 PM: 20 / 170 Positions (0.12 / Shooting Positions (5/95))
 DAILY: 143 / 170 Positions (0.84 / Shooting Positions)

MOROSO MOTORSPORTS PARK
TRIP GENERATION FIELD DATA

PERSONS: 769

MAR 5, 1997

	ENTER	EXIT	TOTAL	
12- 1 AM	0	1	1	12- 1 AM
1- 2 AM	0	0	0	1- 2 AM
2- 3 AM	0	0	0	2- 3 AM
3- 4 AM	0	0	0	3- 4 AM
4- 5 AM	0	0	0	4- 5 AM
5- 6 AM	1	0	1	5- 6 AM
6- 7 AM	3	0	3	6- 7 AM
7- 8 AM	11	1	12	7- 8 AM
8- 9 AM	26	6	32	8- 9 AM
9-10 AM	11	1	12	9-10 AM
10-11 AM	6	5	11	10-11 AM
11-12 AM	10	15	25	11-12 AM
12- 1 PM	13	8	21	12- 1 PM
1- 2 PM	5	5	10	1- 2 PM
2- 3 PM	8	8	16	2- 3 PM
3- 4 PM	15	12	27	3- 4 PM
4- 5 PM	6	15	21	4- 5 PM
5- 6 PM	27	11	38	5- 6 PM
6- 7 PM	106	5	111	6- 7 PM
7- 8 PM	164	7	171	7- 8 PM
8- 9 PM	108	15	121	8- 9 PM
9-10 PM	23	56	79	9-10 PM
10-11 PM	3	243	246	10-11 PM
11-12 PM	11	101	112	11-12 PM
TOTAL:	555	515	1,070	

MOROSO MOTORSPORTS PARK
TRIP RATES INDEPENDENT VARIABLE: PERSON
DRIVEWAY RATES

EVENT VEHICLE TRIP ENDS

EVENT TRIP RATE
PER PERSON 1.391

		VOLUME RATE		%	
PK HR	BTWN	ENTER	26	0.034	81
OF	7 & 9	EXIT	6	0.008	19
ADJ.	AM	TOTAL	32	0.042	
STREET	BTWN	ENTER	27	0.035	71
TRAFFIC	4 & 6	EXIT	11	0.014	29
	PM	TOTAL	38	0.049	
PEAK		ENTER	26	0.034	81
HOUR	8- 9 AM	EXIT	6	0.008	19
OF	AM	TOTAL	32	0.042	
GENERATOR		ENTER	3	0.004	1
	10-11 PM	EXIT	243	0.316	99
	PM	TOTAL	246	0.320	

MOROSO MOTORSPORTS PARK
TRIP RATES INDEPENDENT VARIABLE: PERSON
APPROVED PALM BEACH COUNTY RATES - ANNUALIZED

ADT VEHICLE TRIP ENDS*

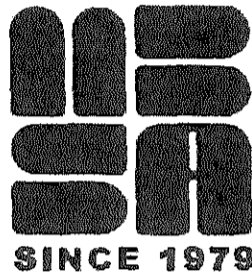
ADT TRIP RATE
PER PERSON 0.161

		VOLUME RATE		%	
PK HR	BTWN	ENTER	3	0.0039	81
OF	7 & 9	EXIT	1	0.0009	19
ADJ.	AM	TOTAL	4	0.0048	
STREET	BTWN	ENTER	3	0.0041	71
TRAFFIC	4 & 6	EXIT	1	0.0017	29
	PM	TOTAL	4	0.0057	
PEAK		ENTER	3	0.0039	81
HOUR	8- 9 AM	EXIT	1	0.0009	19
OF	AM	TOTAL	4	0.0048	
GENERATOR		ENTER	0	0.0005	1
	10-11 PM	EXIT	28	0.0365	99
	PM	TOTAL	28	0.0369	

* ADT TRIPS BASED ON THE DATA BELOW
WEEKDAY EVENTS/YEAR: 30
WEEKDAYS/YEAR: 260
AVG :(# OF WKDAY EVENTS/WKDAY PER YEAR): 0.115

SOURCE: YVONNE ZIEL TRAFFIC CONSULTANTS.

**Site Infrastructure Review
For
20 Mile Bend Public Use Development
Palm Beach County, Florida**



September 2023

Prepared By:

**Michael B. Schorah and Associates, Inc.
1850 Forest Hill Blvd., Suite 206
West Palm Beach, Florida 33406
(561) 968-0080**



THIS SEAL HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY FREDERICK ROTH, JR.
ON THE DATE INDICATED TO THE RIGHT.

PRINTED COPIES OF THIS REGISTRATION ARE NOT CONSIDERED VALID FOR
STATE AND FEDERAL CONTRACTS, AND ARE SUBJECT TO THE FOLLOWING CONDITIONS:

Digitally signed by Frederick Roth Jr.
DN: c=US, o=Unaffiliated,
ou=A01410C00000176F1CBB80200
010E79, cn=Frederick Roth Jr.
Date: 2023.09.21 13:27:18 -04'00'

**Frederick Roth, Jr., P.E.
Florida Registration No. 18991
For: Michael B. Schorah & Associates, Inc.**

This document has been electronically signed and sealed on the date noted in the electronic signature.

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	A. Water System.....	Page 5
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	C. Electric and Communication Service.....	Page 6
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III.	Site Development and Drainage Issues.....	Page 6 & 7
	A. Site Development issues.....	Page 7
	B. Drainage Review issues.....	Pages 7, 8 & 9
	C. F.E.M.A. issues.....	Page 9
IV.	Conclusion.....	Page 9

Attachments

1. PBCWUD –Water Distribution Map V20SW
2. PBCWUD –Wastewater Collection Map V20SES
3. SFWMD Permit No. 50-00073-E (PBSO Shooting Range)
4. SFWMD Permit No. 50-03414-S (Tower Site)
5. SFWMD Permit No. 50-00310-S (Roth Farms)
6. SFWMD Permit No. 50-01630-W (Water Use)
7. FEMA / FIRM Map (View of Site Only)

I. INTRODUCTION

In conjunction with the site planning studies being prepared by Urban Design Studio, Inc. (UDS) for the proposed 20 Mile Bend Public Use Development, Michael B. Schorah & Associates, Inc. has reviewed the existing and proposed site infrastructure at the subject parcel. This property is an approximately 128 (+/-) acre site at the southeast corner of the intersection of County Road 880 and Southern Blvd. (SR 80) in Unincorporated Palm Beach County. No site specific boundary was done for this project. However, the boundary was identified in the property control numbers provided by the County for the subject site. In general, the project includes a parcel of land in Section 31, Township 43 South, Range 40 East; Section 6, Township 44 South, Range 40 East; and in hiatus Lot 6 lying between Sections 31 and 6, Palm Beach County, Florida.

This review will look at the current site conditions related to utility services, i.e. water, sewer, electric and communication. The location of existing facilities and their impact on the site layout as well as the availability to serve the project will be reviewed. The utility review will also look at the available well field data to identify any public water supply well fields that are located in this area.

The site drainage review will summarize the drainage permitting requirements and identify their potential impact on the proposed site development. Included in this review will be the requirements of the South Florida Water Management District (SFWMD) related to water quality issues. Palm Beach County Land Development (PBCLD) issues will include determination of "Legal Positive Outfall" for this site.

In addition to the drainage issues noted above this report will also include a review of the current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the project area. This will determine if any areas within the project site are identified as being in a designated flood zone.

As noted above no site specific survey data has been provided for the project area. General topographic and boundary assumption used in this report are based on the limited information that was available for the subject site.

II. UTILITIES ISSUES

A. Water System

Potable water supply and fire protection is available from the Palm Beach County Water Utilities Department (PBCWUD) system. A review of their master plans (sheet V20SW, copy attached) indicated that there is an existing 8" PVC water main located on the Sheriff's Shooting Range Site east of the subject parcel. That line is located within a publicly owned facility and it is anticipated that this line can be extended to serve the 20 Mile Bend Project. Both potable water supply and fire protection could be provided through the extension of this water main. Design and construction of the water distribution system will need to be done in accordance with PBCWUD standards and criteria. In addition to the PBCWUD approval it will be necessary to obtain a Permit from the Palm Beach County Health Department/Florida Department of Environmental Protection for this water main. Operation and maintenance of these facilities will be done by PBCWUD following construction and acceptance.

B. Sanitary Sewer Service

Because of the existing soil types, water table and proposed site use it will be necessary to have public offsite disposal of the sewage generated by this Project. Public sewer service for this facility is available from the Palm Beach County Water Utilities Department (PBCWUD) system. A review of their master plans (Sheet V20SES- copy attached) shows an existing 18" Force Main located in Southern Blvd. (SR 80). The 18" Force Main extends east within the Southern Blvd. right-of-way along the north side of the existing roadway and terminating on the west side of the SFWMD L-8 Canal.

To provide public sanitary sewer service to the project it will be necessary to extend the force main along Southern Blvd. (Force Main size to be determined), cross under Southern Blvd. (an FDOT Right-of-Way) and under the C-51 Canal (a SFWMD Right-of-Way). An onsite gravity sewer system connecting to a private lift station will be required for this Project. The force main from that lift station will connect to the offsite force main to provide sewer service to the Project.

C. Electric and Communication Services

Electric service to the site is available from existing Florida Power and Light (FPL) facilities. Power lines are located on the poles running adjacent to the project on both C.R. 880 and Southern Blvd. The project will require the extension of 3-Phase power to service the onsite lift station. The onsite power distribution system for the new project will need to be coordinated with FPL.

Communications services (AT&T and cable systems) are also located on the poles noted above. Extension of these services into the development will require coordination with the providers.

D. Well Field Issues

A review of the PBC Department of Environmental Management well field protection map indicated that the subject site is not within a well field area. No well field restrictions will impact the proposed site developments.

III. Site Development and Drainage Issues

Site development and drainage items will have a major impact on the feasibility for the proposed development of this site as a raceway project. The ability to resolve the issues related to the existing site topography and soils and their relationship to site drainage and site plan elements will establish the site design parameters and feasibility of the

project. This review identifies the site issues but does not determine the layout or costs associated with the site construction for lack of program and design detail.

A. Site Development Issues

Currently the site is an undeveloped farm area. Based on available information it was estimated that farming operations occurred on this site from approximately 1974 through 2007. As a result of the farming operations it was observed that the ground is a relatively consistent elevation divided by a series of farm ditches. Very limited topographic data is available; interpolation of the topographic data determined that the average site grade runs from 6' to 9' (NAVD '88).

Two (2) geotechnical reports for the subject site were reviewed. The first report was a Phase I Environmental Site Assessment prepared by Dunkelberger Engineering & Testing Inc. (DET) in May 2007. That report concluded that at the time of the report, subject to further environmental study related to possible agricultural chemicals (a Phase II ESA) there was no evidence of toxic or hazardous waste being dumped at this site.

The second report, prepared by Ardaman & Associates, Inc. (AAI) dated October 2014, included several soil borings taken at the site. This report indicated the presence of organic type soils and loosely compacted soils at depths of up to 13' at locations on the project site. Note that the DET report, referenced previously, identified "Okeechobee Muck" soils on this site at depths of 9'. **The presence of the soil types noted in these reports impacts the ability to develop the site both from a structural and drainage perspective.**

B. Drainage Issues

A Surface Water Management System that addresses the South Florida Water Management District (SFWMD) criteria for both water quality and discharge will be required for development of this site. A review of SFWMD records identified

permits for this site and adjacent uses, Motorola Tower site and the Palm Beach Sheriff's Office Training facility (PBSO Shooting Range). The control water elevation, which will impact the site development elevations and onsite lake stages was noted as elevation 12.0' (NGVD '29) or approximately 10.5' (NAVD '88) for the PBSO facility (SFWMD Permit No. 50-00073-E copy attached). The control elevation was reduced to 10.0' (NGVD '29) or 8.5' (NAVD '88) for the Motorola Tower site (SFWMD Permit No. 50-03414-S copy attached) at the northwest corner of the subject area. This lower control was based on the site discharge flowing to the L-7 Canal. In reviewing the permit information for the tower site it appears that the outfall from that facility actually flows into a section of the farm ditch system on the subject site and is discharged to the L-13/Ocean Canal as discussed in the following permit.

In February 2001 the SFWMD issued a Surface Water Management Permit to Roth Farms, Inc. that established drainage criteria for the subject site (SFWMD Permit No. 50-00310-S copy attached). That permit identified a pumped discharge facility for the agricultural use of this site. **Based on a control water/ground water elevation of 8.5' the pumped system would be required to maintain a usable site.** It is probable that any future development of this site will also require a pumped discharge system. As part of the SFWMD Water Use Permit currently in effect for the 20 Mile Bend Farm (SFWMD Permit No. 50-01630-W copy attached) there is an existing pump station in operation at this site.

Because of the proposed use of the site as a racetrack and the resulting possibility of contaminants in the stormwater runoff the SFWMD rules require additional water quality considerations be included in the Surface Water Management System (SFWMD Applicant's Handbook Vol. II Section 4.2.2- Land Use and Coverage Criteria). This requirement, while not preventing the proposed development, will potentially impact the site layout. Note also that no wetland/environmental assessment has been included in this review. **Due to the length of time this site has remained unused, the presence of surface**

waters (ditches) and the SFWMD/ACOE rules regarding wetlands there may be environmental issues that will affect the site development.

C. F.E.M.A. Issues

A review was done of the F.E.M.A. Flood Insurance Rate Map (FIRM) for the subject site. A copy of the portion of the FIRM Map is attached. That Map shows that the subject site is in an area designated as "Zone D". This zone is defined as "Areas where flood hazards are undetermined but possible".

IV. Conclusion

Based on the information reviewed and noted herein it is our opinion that there are no regulatory restrictions related to water supply, wastewater disposal, or surface water management systems that would prohibit the development of the site as a raceway facility. Water and sewer services are available from the Palm Beach County Water Utilities system in this area. Electric and communication services are also available to the site from existing facilities.

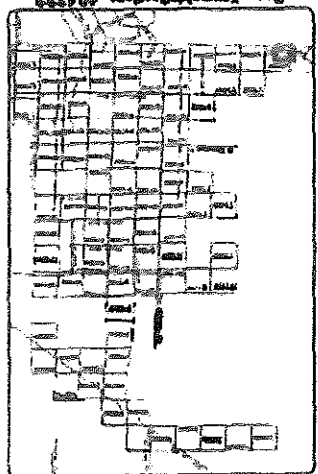
Legal Positive Outfall for the drainage system is available through the existing connection to the SFWMD Canal. **As noted previously soil conditions and surface water management criteria are the major elements that will affect the site layout and design.** The requirement to provide an increased volume of water quality storage (stormwater retention) and the possible environmental issues, such as a potential determination of onsite wetlands, will impact the site plan and site development costs.

Map Scale: 1" = 1000'

North Arrow

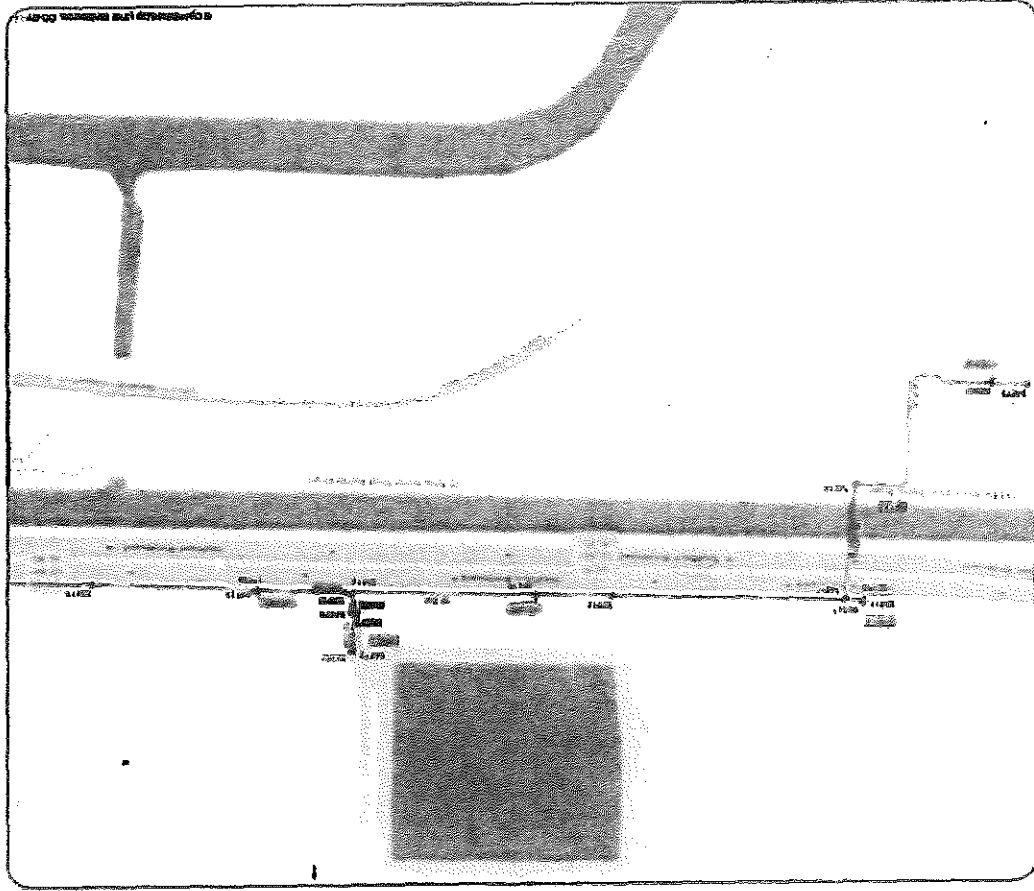
Map No. 1000

Map Date: 10/1/80



- Legend
- Water
 - Water Main
 - Water Main Extension
 - Water Main Replacement
 - Water Main Rehabilitation
 - Water Main Relocation
 - Water Main Abandonment
 - Water Main Construction
 - Water Main Repair
 - Water Main Inspection
 - Water Main Maintenance
 - Water Main Cleaning
 - Water Main Flushing
 - Water Main Testing
 - Water Main Commissioning
 - Water Main Decommissioning
 - Water Main Relocation
 - Water Main Abandonment
 - Water Main Construction
 - Water Main Repair
 - Water Main Inspection
 - Water Main Maintenance
 - Water Main Cleaning
 - Water Main Flushing
 - Water Main Testing
 - Water Main Commissioning
 - Water Main Decommissioning

P.B.C.W.U.D.
Water Distribution Map
Map Grid: V20SW





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

EVERGLADES WORKS OF THE DISTRICT

PERMIT NO. 50-00073-E

(NON-ASSIGNABLE)

Issued To: Palm Beach County Board of County Commissioners
Attention: Ms. Audrey Wolf, Director
Facilities Development and Operations
3200 Belvedere Rd. Bldg. 1169
West Palm Beach, FL 33406-1544

Application Number: 070329-23
Permit Type: Renewal
Board Date: June 14, 2007
Date of Expiration: June 30, 2012

This is your Permit as authorized by the Governing Board of the South Florida Water Management District. You are hereby authorized to perform the activities specifically set forth in the attached Everglades Permit Review Summary (Staff Report) and in conformance with the attached Limiting and Special Conditions.

Permit Name: Palm Beach County Sheriffs Office Training Facility
Everglades Basin: Everglades Agricultural Area (EAA)
Location: Palm Beach County
Section 31 & Government Lot 6/Townships 43 & 44S / Range 40E

Authorization: This Permit requires the continued implementation of an approved Best Management Practices Plan and an approved Discharge Monitoring Plan as outlined in the associated Everglades Permit Review Summary.

Permit History:
Original - Issued March 09, 1995 Application No. 940912-1-E
Renewal - Issued June 15, 1998 Application No. 961231-1-E
Administrative Update - Issued April 15, 1999 Application No. 990310-1-E
Renewal & Modification - Issued January 09, 2003 Application No. 021029-1-E

Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any work or structure involved in the Permit. Said Application, including all plans and specifications, and the Everglades Permit Review Summary (Staff Report) are attached and made a part hereof by reference.

This Permit may be revoked or modified at anytime pursuant to the appropriate provisions of Chapter 373, Florida Statutes and Chapter 40E-63, Florida Administrative Code.

This Permit does not convey to Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies.

RECEIVED
FACILITIES COMPLIANCE

JUL 12 2007

FILED WITH THE CLERK OF THE
SOUTH FLORIDA WATER
MANAGEMENT DISTRICT

FILE PBSO TRAINING FAC. @ 20
C KEN P. mile BEND
FRED ROTH - M. Schurek
Bill S. - CJC

ON June 14, 2007
BY [Signature]
Deputy Clerk

Last Date for Governing Board Action: June 14, 2007

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
EVERGLADES WORKS OF THE DISTRICT**



STAFF REPORT

GENERAL INFORMATION

Basin:	Everglades Agricultural Area	Permit No:	50-00073-E
Project Name:	Palm Beach County Sheriffs Office Training Facility	Application No:	070329-23
Location:	Palm Beach	Permit Type:	Individual
Permittee:	PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS Attn: MS. AUDREY WOLF FACILITIES DEVELOPMENT & OPERATIONS 3200 BELVEDERE RD BLDG 1169 WEST PALM BEACH, FL 33406	Application Type:	Renewal

Total Project Area: 67.81 acres
No. Of Water Control Structures: 2

PURPOSE

The purpose of this application is to renew an Everglades Works of the District Permit (Chapter 40E-63, F.A.C.) within the Everglades Agricultural Area. This permit approves a BMP Implementation Plan and a Water Quality Monitoring Plan.

The BMP Implementation Plan encompasses 67.81 total acres divided among 1 farm(s) or drainage basin area(s), which ultimately discharge(s) off-site to the following Works of the District:
West Palm Beach Canal

**RECEIVED
FACILITIES COMPLIANCE**

JUL 12 2007

FILE _____
C _____

STAFF RECOMMENDATION

Staff recommends approval of the Everglades Works of the District Permit Application described in this staff report subject to the enclosed Limiting and Special Conditions. Based on the information provided, South Florida Water Management District rules have been adhered.

Application Reviewer: William C. Donovan Date 5/15/2007
William C. Donovan

Supervisor: Carmela Bedregal Date 5/16/07
Carmela Bedregal, P.E.

Everglades Regulation Division Approval: Patricia W. Sievers Date 5/17/2007
Patricia W. Sievers, P.E.

ADMINISTRATIVE INFORMATION

FARM/BASIN - PARCEL - STRUCTURE INFORMATION

Farm / Basin ID: 50-073-01 Early Baseline: N Total Acreage: 67.81
 Farm / Basin Name P.B.S.O. Law Enforcement Training Facility

Structure ID	SFWMD Basin	Structure Type	Calibration Type	Max. Calibrated Capacity
WP00.8TS	S-5A	One Detention Pond With Bleeder	Pump or Gravity Connection	975 gpm
WP01.8TS	S-5A	One Detention Pond With Bleeder	Pump or Gravity Connection	875 gpm

Landowner	Operator	County: Tax ID Number	Acreage
Palm Beach County, Attn: Melanie Borkowski	Same as Owner	PB: 00404342000000064	20.64
Palm Beach County, Attn: Melanie Borkowski	Same as Owner	PB: 004043310000005030	47.17

BACKGROUND - HISTORIC INFORMATION ON PERMIT AREA

Basin ID	Associated Permits	Authorization
50-073-01	50-03276-W	On-site potable water supply.
	10206	Right-of-Way Permit issued November 10, 1994, for this project's 18-inch diameter outfall culvert through L-7 Extension south levee and L-7 Extension levee access.
	50-03414-S	Authorizes a surface water management system discharging into the L-7 extension canal. Discharge facilities include one 3.1-foot wide semi-circular weir with crest at elevation 13 feet NGVD, one 0.83-foot diameter circular orifice with invert elevation at 12 feet NGVD and 340 linear feet of 1.5-foot diameter CMP culvert. Application 000719-9 modifies the Storm Water Management system. An independent SWM system consisting of a 0.04 dry detention area is added to the existing system discharging to the L-7 canal through a control structure consisting of a 3" diameter orifice at elevation 10' NGVD, a 3.14' long weir crest at elevation 13' NGVD and 25 feet of 15" CMP culvert.
	50-00054-D	Filling ditches connected to Waters of the State.

EXISTING / PROPOSED ACTIVITIES

Crop Type/Land Use	Estimated Acreage	Additional Information
Public Utilities	1	Area 3 on Exhibit 3 has been developed as a communication tower site and has a separate drainage system.
Governmental	67	Palm Beach County Sheriff's Office Law Enforcement Training Facility (refer to Area 1 on Exhibit 3) will encompass 27.76 acres of the total 67.81 acres. The remaining acres will continue to be undeveloped at this time.

HISTORIC ACTIVITIES

Crop Type/Land Use	Estimated Acreage	Additional Information
Sugar Cane	68	Florida Power and Light (FPL) property previously leased to Knight Holdings, Ltd.

BEST MANAGEMENT PRACTICES (BMP) PLAN

SITE & DRAINAGE SYSTEM DESCRIPTION

The surface water management system for the Palm Beach County Sheriffs Office Law Enforcement Training Facility will consist of two independent SWM systems.

The system for Area 1 in Exhibit 3 consists of grassed swales and culverts which direct stormwater runoff into a 6.2 acre perimeter canal (wet detention area) surrounding the training facility. Discharge from the site will be through a control structure (WP00.BTS) consisting of one 10-inch diameter circular bleeder with an invert at elevation 12.0 feet NGVD, one 3.1-foot wide weir with crest at elevation 13.0 feet NGVD and 340 LF of 18-inch diameter CMP culvert into the L-7 Extension Canal (a segment of the canal that connects to the West Palm Beach Canal). Perimeter grading with a minimum elevation of 13.0 feet NGVD will ensure that the design storm is detained on-site with discharge only occurring through the project control structure.

The system for Area 3 in Exhibit 3 consists of site grading to direct runoff into a 0.04 acre dry detention area. Discharge from the site into the L-7 Extension Canal will be through a control structure (WP01.BTS) consisting of a 3" diameter orifice at elevation 10' NGVD, a 3.14' long weir with weir crest at elevation 13' NGVD and 25 feet of 15" CMP culvert.

OVERALL BMP PLAN DESCRIPTION

Each permittee/participant named within this permit is responsible for implementation of the proposed BMP plans. The BMP plans include a minimum of 25 equivalent BMP points for each land use and shall be implemented consistently across all acreage specified for the particular land use.

The BMP plans shall adequately address the following for each BMP: (1) implementation schedule, (2) staff training, and (3) documentation/reporting.

The following descriptions of individual BMPs are those selected by the permittee for implementation. The permittee is responsible for training and informing the appropriate staff, operators or contractors of permit requirements and compliance conditions. The permittee shall oversee the implementation of the BMPs. Implementation will be verified by the SFWMD through review of BMP Annual Implementation Reports submitted by the permittee and/or on-site observations of operations and records, as applicable. The permittee shall keep records documenting implementation of BMPs on file at the permitted site and readily available for review by SFWMD during on-site verification of BMPs, as applicable.

The BMP Plan for this project consists of a combination of water management, nutrient and sediment control BMPs. On-site detention of 1.5 inches will be provided via a 6.2 acre wet detention area in the form of a perimeter canal around the training facility. On-site landscaping consists of xeriscape vegetation which requires little or no irrigation and fertilization.

A BMP Plan Summary table per basin is presented in Exhibit 1.

BMP PLAN IMPLEMENTATION AND REPORTING REQUIREMENTS

BMP Name: Nutrient Spill Prevention

BMP Description: Application of nutrients to lawn areas will occur annually. Nutrients will be applied by being loaded into the spreader on an impervious surface. Nutrients will not normally be stored on-site. Spills will be cleaned up immediately.

BMP Reporting: An annual compliance report shall be provided to the SFWMD which includes a summary of routine practices implemented by the applicator, the number of spills and clean-up actions taken, and actions to be taken next year to prevent spill recurrences.

BMP Name: Particulate Matter and Sediment Controls (2)

BMP Description: At a minimum, two sediment and particulate matter control practices shall be implemented consistently across all lands at all times. The purpose of this BMP is to prevent or minimize the transport of phosphorus off site with sediments and particulate matter. Sediment controls include: 1) perimeter canal to be cleaned on a 5-year basis or when 25% of the cross-sectional area is obstructed (whichever ever occurs last), and 2) canal banks will be maintained with vegetation.

BMP Reporting: An annual compliance report shall be provided to the SFWMD verifying BMP implementation. On-site documentation of implementation shall include a description and the location of two sediment and particulate matter controls that have been implemented and a description of all maintenance and operations conducted to sustain the BMP's effectiveness. The records shall also include an explanation of any changes from the approved BMP implementation, maintenance, and operation.

BMP Name: Water Management (1.5-inch)

BMP Description: On-site runoff is routed through grassed swales via culverts to a 6.2 acre perimeter canal (please see Exhibit 3) which surrounds the training facility and functions as a wet detention area. The perimeter canal is designed to bleed down through the permitted control structure at 1.6 cfs for the 5-year/3-day event.

BMP Reporting: An annual compliance report shall be provided to the SFWMD which includes a summary of the performance of the surface water management system. The report shall include: 1) a description of all system maintenance and operation, and 2) an explanation of any temporary modifications from the permitted operation of the surface water management system and actions taken to prevent recurrence of any problems.

BMP Name: Urban Xeriscape

BMP Description: The site is landscaped with native and appropriate exotic vegetation requiring minimal fertilization and irrigation.

BMP Reporting: An annual compliance report shall be provided to the SFWMD which includes type of xeriscape plants and completion of planting, and all maintenance conducted to ensure viability of xeriscape landscape. The report shall also include an explanation of any xeriscape planting or maintenance problems encountered which may adversely affect downstream total phosphorus measurements and the actions taken to prevent a recurrence of these problems.

BMP Name: Detention Pond Littoral Zone

BMP Description: The widest part of the perimeter canal (please see LS in Exhibit 3) contains a 4-foot wide littoral shelf planted with transitional wetland vegetation to further facilitate sedimentation and nutrient uptake. This zone will provide nutrient uptake and sediment filtration. The perimeter canal will be routinely checked for sediment accumulation and cleaned accordingly.

BMP Reporting: An annual compliance report shall be provided to the SFWMD which includes type of wetland plants and completion of planting, and all maintenance conducted to ensure viability of littoral zone. The report shall also include an explanation of any littoral zone planting or maintenance problems encountered which may adversely affect downstream total phosphorus measurements and the actions taken to prevent a recurrence of these problems.

DISCHARGE MONITORING PLAN

OVERALL DISCHARGE MONITORING PLAN DESCRIPTION

The Palm Beach County Sheriff's Office Law Enforcement Training Facility's runoff will discharge through Structures WP00.8TS and WP01.8TS into the L-7 Extension Canal (segment of canal that connects to the West Palm Beach Canal). The water management system consists of two independent SWM systems.

Because of the structure's design elevation, discharge will only occur during extreme rain events. As such, the monitoring system for Area 1 was changed during the previous application 990310-1-E from a fully automated system to a manual system described below. Area 3 is also monitored with a manual system.

FOR NO DISCHARGE

Manually check/log the staff gages (upstream and downstream) at least once per weekday. Staff gage readings will be logged for weekend days at the discretion of the permittee based on the water level conditions observed at the site on Fridays. If the system is found to be discharging on Saturday, Sunday or Monday, for the purpose of calculating discharge quantities it will be assumed that discharge occurred at full capacity for each preceding day back to the day of the last staff gage reading.

DURING DISCHARGE EVENTS

Staff gages (upstream and downstream) shall be checked/logged twice per day until the discharge ceases. Individual grab samples will be collected daily and composited for a maximum of 14 days to be analyzed for total phosphorus concentration. The grab sample shall be collected at a location upstream of the discharge structure so that the sample is representative of all water which passes through the discharge structure.

For structure WP00.8TS only a staff gage is required upstream of the discharge structure. No discharge/tailwater measurement is required because the historical stage measurements of the West Palm Beach Canal relative to the invert elevation of the bleeder, rarely exceeded 11 feet, so it is not warranted. For stage levels greater than 12 feet but less than 13 feet, a circular weir equation (submerged) will be used to calculate discharge quantities. For stage levels greater than 13 feet, discharge will be calculated using the sum obtained from the circular weir and the rectangular weir equations. An audit of the required on-site equipment (staff gage, rain gage, log, grab sampling equipment, etc.) and sampling procedures will be performed during the BMP site verification and/or the Field Sampling Quality Assurance Audit.

Rainfall measurement equipment has been installed. Daily (weekdays and weekends) rainfall data must accompany the water quality data submitted for the discharge structure.

LABORATORY AND SAMPLER INFORMATION

Laboratory Name: Short Environmental Labs	Structure ID:
HRS Certification Number: E85458	WP00.8TS WP01.8TS
Sample Collector: Lockhart Ag Technologies	
Field Sampling QA Plan No: 930208	
Field Sampling QA Plan Holder: Lockhart Ag Technologies	

SAMPLE COLLECTION INFORMATION

Sampling Method (GRAB): Manual Grab Samples

During periods of off-site discharge, water quality grab samples shall be collected at least daily, composited, preserved, and the composite sample shall be: a) composited for no more than 14 days from the time the first individual sample was taken, b) delivered to the laboratory, and c) analyzed for total phosphorus no later than 28 days from the time the first individual sample was taken.

WP00.8TS WP01.8TS

WATER QUANTITY (FLOW)**Water Quantity Calibrated:**

It is important to note with regard to quantity of discharge from a structure referenced in this EWOD permit, that the SWM/ERP permit authorizes the maximum quantity of discharge allowed to works of the District. This EWOD permit only approves the BMP and Discharge (Water Quality) Monitoring Plan related to that discharge. The maximum calibrated capacity referenced in this permit is the peak discharge rate under specific operating conditions certified by a Florida-registered Professional Engineer. The maximum allowable discharge is limited by the SWM/ERP permit authorization regardless of the calibrated capacity referenced herein. The authorizations of other related District permits are summarized within the section titled "Associated Permits" for convenience only.

With regard to the calibrated capacity, Rule 40E-63, FAC, requires all water quality monitoring plans to provide reasonable assurance that annual water discharge and total phosphorus load are accurately documented (40E-63.136(2) and 40E-63.156(1)(A), FAC). In response to numerous requests by permittees, the SFWMD Everglades Regulation Division has prepared, through a public participation process, guidelines for flow calibration. The guidelines represent a compendium of knowledge from several professionals (internal and external to the SFWMD) who have advanced experience in the area of flow calibration. These guidelines may be updated from time to time as better techniques for calibration and flow analysis become known. Input from a number of experts, including representatives of all permit holders, will be sought in any adjustment of the guidelines. All permit holders will be notified of any proposed changes in guidelines and allowed an opportunity for review and comment.

The guidelines are a collection of methods which outline the components of flow calibration and measurements which, if followed, generally provide the reasonable assurance of accurate measured flow required by Rule 40E-63.136(2), FAC. The components of flow calibration and measurements outlined in the guidelines do not necessarily reflect all the possible flow circumstances within the EAA. Some unique situations may merit/necessitate the use of procedures that deviate from those outlined in the guidelines. To facilitate the SFWMD's technical review and acceptance (as authorized by 40E-63.136(2), FAC) of any submitted flow calibration, each calibration must provide the reasonable assurance for accurate measurement required by Rule 40E-63.136(2), FAC. It is suggested that the permittee submit any such proposed deviation in writing to the SFWMD for review in advance of the proposed implementation or deviation of calibration procedures to facilitate a timely review process.

WP00.8TS WP01.8TS

REPRESENTED WATER QUALITY MONITORING STATIONS**Water Quality and Flow Sites**

WP00.8TS WP01.8TS

METHODOLOGY FOR CALCULATING TOTAL PHOSPHOROUS LOAD

The total phosphorus load entering the receiving system will be calculated from concentration data collected under procedures specified in an FDEP approved Comprehensive Quality Assurance Plan (CQAP) and analyzed by an FDPH certified laboratory, in addition to logged flow data accumulated during drainage discharges. The composite sample total phosphorus concentration (mg/L) will be multiplied by the flow volume (MG) from discharge events (daily time-step) which occurred during the composite sample collection period to develop a daily load figure. Mass loadings (kg) to the receiving body will be calculated by incorporating the proper unit conversion factor to obtain total phosphorus in daily increments.

RAINFALL MONITORING

Each farm that discharges through a structure within the permit area must have rainfall measurement equipment installed at a representative location and placed so that its distance from any obstruction is equal to at least twice the height of the obstruction. The rain gauge shall record rainfall, at a minimum, in one tenth of an inch increments (0.1"), totalled on a daily basis and reported as part of the monthly water quality data submittal. Rainfall data must accompany the water quality data submitted for each structure.

OTHER POTENTIAL SOURCES OF PHOSPHOROUS UNIQUE TO THIS PERMIT

None known.

PERMIT HISTORY

Previous Application 021029-1-E:

The application includes a modification to the Stormwater Management System.

Previous Application 990310-1-E:

Approves modification of the previous approved Water Quality Monitoring Plan.

Previous Application 961231-1-E:

Permit Renewal

Previous Application 940912-1-E:

Special Condition #17 deletes 91.53 acres from Everglades WOD Permit 50-00065-E, Knight Holdings, LTD. 20 Mile Bend Farm, that was purchased by Palm Beach County in 1994. Palm Beach County then sold 23.72 acres (Area 2) to the South Florida Water Management District.

PERMIT CONDITIONS

Administration Conditions:

1. The permit application and Staff Report are incorporated by reference and made part of this permit.
2. This permit authorizes the use of the Works of the District, named in the Staff Report, for the period specified on the permit, provided the Best Management Practices and the Discharge Monitoring Plans are continually implemented and maintained. Continued use of the Works of the District beyond the expiration date will require renewal of this permit by the permittee, or an equivalent entity acceptable to the District, or issuance of the applicable permit to the individual landowners within the area included in this Works of the District permit. The permittee shall submit an application for permit renewal at least 90 days prior to the expiration date.
3. If the District is unable to fulfill its responsibility to improve and protect the water quality of the Everglades Protection Area, or to reduce the phosphorus loadings from the basins within the Everglades Agricultural Area by 25% from the implementation of best management practices, the District may institute appropriate proceedings, pursuant to Rule 40E-63.101(5), F.A.C., to ensure that the goals are met.
4. If a modification to the approved BMP Plan or Discharge Monitoring Plan is filed in the future and the proposed activity is under the scope of other District Rules requiring authorization, the permittee shall also submit applications for the applicable new permits or modifications (e.g. Environmental Resource Permitting, Surface Water Management, Consumptive Use, Well Construction, Right-of-Way, or Lake Okeechobee Works of the District).

Limiting Conditions:

1. The permittee shall successfully implement all elements and requirements of the approved Best Management Practices Plan according to schedule, including monitoring of implementation, operation and rationale (see Best Management Practice Conditions).
2. The permittee shall implement all elements and requirements of the approved monitoring program adequately and according to the approved schedule to ensure that flow, total phosphorus concentration, and phosphorus load are documented (see Discharge Monitoring Conditions).
3. The permittee shall allow District staff, or designated agents, reasonable access to the permitted property, at any time, for the purpose of evaluating the water quality monitoring system on site, collecting water quality samples, or monitoring best management practice implementation. District staff shall attempt to notify, by telephone, a person designated by the permittee prior to a site visit. Since it is not possible to predict precisely when discharges will occur or problems will arise resulting in the need for a site visit, the District may not be able to provide a lengthy period of notice to the designated person in advance of a visit. However, at a minimum, the District will provide notice at least one hour prior to a site visit for the purpose of water quality monitoring and at least 24 hours prior to a site visit for best management practice installation or operation inspections.
4. The permittee shall notify the District, in writing, within 30 days after any significant change in land practice, as described in Rule 40E-63.102(7), F.A.C., is made on the permitted parcel.
5. This permit does not relieve the permittee of the responsibility to comply with all other laws or regulations applicable to the use of or discharges from the parcel.
6. This permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit.

7. This permit does not relieve the permittee from liability for harm or injury to: human health or welfare; animal, plant or aquatic life; or property.
8. The surface water management and monitoring systems must be effectively operated and maintained in accordance with the Environmental Resource/Surface Water Management Permit. Any changes in drainage, land use, or operations that could affect the BMP Plan or water quality of the discharge must be reported in writing to the District.
9. The permitted discharge shall not otherwise be harmful, or adversely affect proper use and operation of the Works of the District.
10. The permittee shall achieve the phosphorus load allocations specified in Appendices 40E-63-3 (EAA basin compliance) and 4 (farm-scale allocation), in accordance with the procedures described in Rule 40E-63.145 (compliance and enforcement of individual permits).
11. Legal entities, or groups of cooperating landowners responsible for implementing a cooperative permit (co-permittees), shall remain capable of performing their responsibilities required by permits issued pursuant of Chapter 40E-63, F.A.C.
12. In the event that the District determines that any landowner within a permit is not complying with the specific terms and conditions of the permit, the District will institute enforcement proceedings against either the permit holder, the landowner, or both, and if necessary, require the individual participant to apply for an individual permit.

Best Management Practice Conditions:

1. The approved Best Management Practices Plan required in the Staff Report is incorporated by reference and made part of this permit.
2. The permittee shall continue to implement all existing Best Management Practices Plan in accordance with the permit and shall submit any proposed revisions to the BMP Plan for review to the District. District staff will review the proposed modifications and take final action.
3. The permittee shall submit to the District an annual report summarizing implementation of the approved Best Management Practices Plan. The report must contain a summary of all required activities including documentation of best management practice installation and best management practice operation activities. The report is due February 1 of each year after permit issuance and shall cover the previous calendar year.

Discharge (Water Quality And Quantity) Monitoring Conditions:

1. The approved Discharge Monitoring Plan (water quality and quantity) presented in the Staff Report is incorporated by reference and made part of this permit.
2. The permittee shall implement the Discharge Monitoring Plan in accordance with the permit and shall submit, to the District, any proposed modification to the monitoring plan for review. District staff will review the proposed modification and take final action.
3. The District will compile and distribute an annual water quality and quantity report for review by the permittee. The permittee shall notify the District of any discrepancies within 30 days of receipt of the report.
4. The location of the water quality monitoring sample intake will be permanently fixed upstream of the discharge location, as specified in the permit application and Staff Report, and be placed such that water sampled is representative of all water that passes through the discharge structure.

5. All field water quality sample collection, preservation, handling, transport and chain-of-custody documentation must be conducted in accordance with the FDEP-approved comprehensive Quality Assurance Plan, as specified in the approved Discharge Monitoring Plan. All phosphorus analyses shall be conducted by the FDPH-certified (nutrient analysis) laboratory specified in the approved Water Quality Monitoring Plan.
6. Monitoring conditions may be reduced or adjusted upon submission of data and/or studies acceptable to the District which demonstrate that reasonably equivalent data will be obtained from the reduction or adjustment in monitoring.
7. The District will provide at least one-week notice to the applicant of intent to conduct a quality assurance (QA) field audit of sample-collection procedures. The District will provide the results of the QA field audit to the permittee.
8. As required by Chapter 40E-63.136(2)(e), F.A.C., the monthly water quality and quantity data must be submitted in electronic format. To ensure consistency of data submittal, the District has developed a program for data entry which is available to all permittees upon request. All water quality and quantity data shall be submitted in accordance with a District-approved program.
9. Each farm that discharges through a structure within the permit area must have rainfall measurement equipment installed at a representative location, and placed, so that its distance from any obstruction is equal to at least twice the height of the obstruction. The rain gage shall record rainfall, at a minimum, in one-tenth of an inch increments (0.1"), totaled on a daily basis and reported as part of the monthly water quality data submittal.
10. Rule 40E-63, F.A.C. requires all Discharge Monitoring Plans to provide reasonable assurance that annual water discharge and total phosphorus load are accurately documented (40E-63.136(2) and 40E-63.156(1)(a), F.A.C.). Section 40E-63.136(2)(c)9, F.A.C. requires the pump calibration methodology and results of the calibration methodology to be certified by a Florida-registered Professional Engineer. Each calibration report, shall contain, at a minimum, methodology, instrumentation, procedures, data collected, operational information needed to determine flow, and final calculations to be applied to determine flow. Each calibration shall cover the full operating ranges of pump speed and head differentials. The calibration shall also contain a site-specific temporary backup methodology to be utilized if the primary flow measurement equipment becomes inoperable for any reason. The permittee shall submit a revised certified pump calibration or verification if an individual pump has operated for at least 550 days, or if any pump or structure modifications changes or improvements are made which affect discharge measurement.
11. The property, which is the subject of this permit, is located in an area which is subject to 373.4592, Florida Statutes (Everglades Forever Act). This special condition is to advise the permittee that this property will be subject to additional permitting requirements for implementation of a best management practice research program in the event that the EAA Environmental Protection District is found not in compliance with 373.4592(4)(f)(2).

Permit # 50-00073-E Application # 070329-23

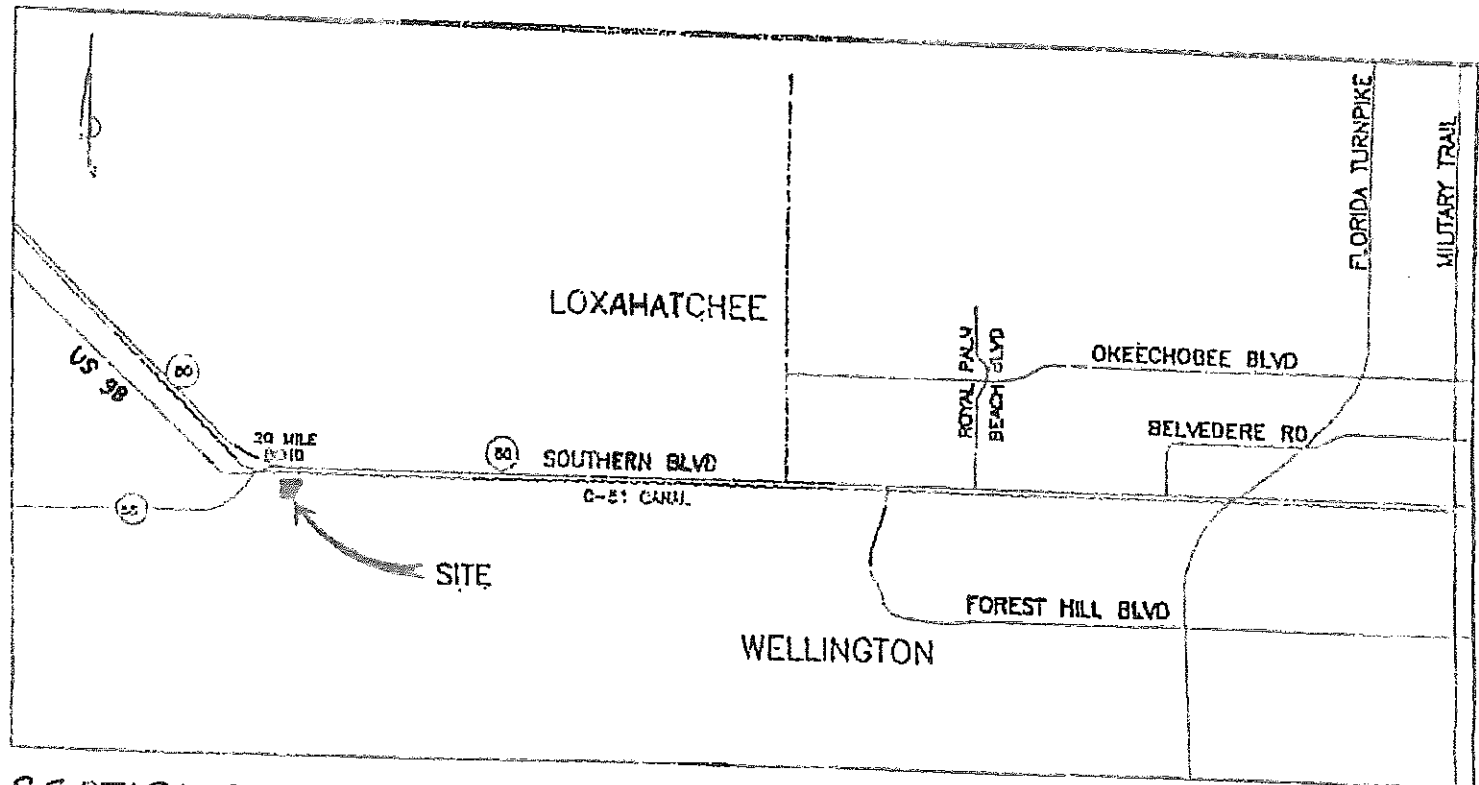
Date: 15 MAY 2007

Basin/Unit Area ID:
50-073-01 P.B.S.O. Law Enforcement Training Facility

PARTICIPANT BMPs	PTS	SUGAR CANE	VEG	SOD	CITRUS	PASTURE	URBAN	OTHER
NUTRIENT CONTROL PRACTICES								
Nutrient Application Control	2.5							
Nutrient Spill Prevention	2.5							2.5
Plant Tissue Analysis	2.5							
Soil Testing	5							
Split Nutrient Application	5							
Slow Release P Fertilizer	5							
PARTICULATE MATTER AND SEDIMENT CONTROLS								
Particulate Matter and Sediment Controls	2.5							
Particulate Matter and Sediment Controls (2)	2.5							2.5
Particulate Matter and Sediment Controls (4)	5							
Particulate Matter and Sediment Controls (8)	10							
WATER MANAGEMENT PRACTICES								
Water Management (0.5-inch)	5							
Water Management (1-inch)	10							
Water Management (1.5-inch)	15							15
Improved Infrastructure	5							
Reduced Flow Through Water Table Management	5							
PASTURE MANAGEMENT								
Pasture Management	25							
OTHER BMPs								
Urban Xeriscape	5							5
Detention Pond Littoral Zone	5							5
TOTALS		0	0	0	0	0	0	30

NOTE: Points in shaded cells require ample justification.

Comments: * OTHER corresponds to Governmental

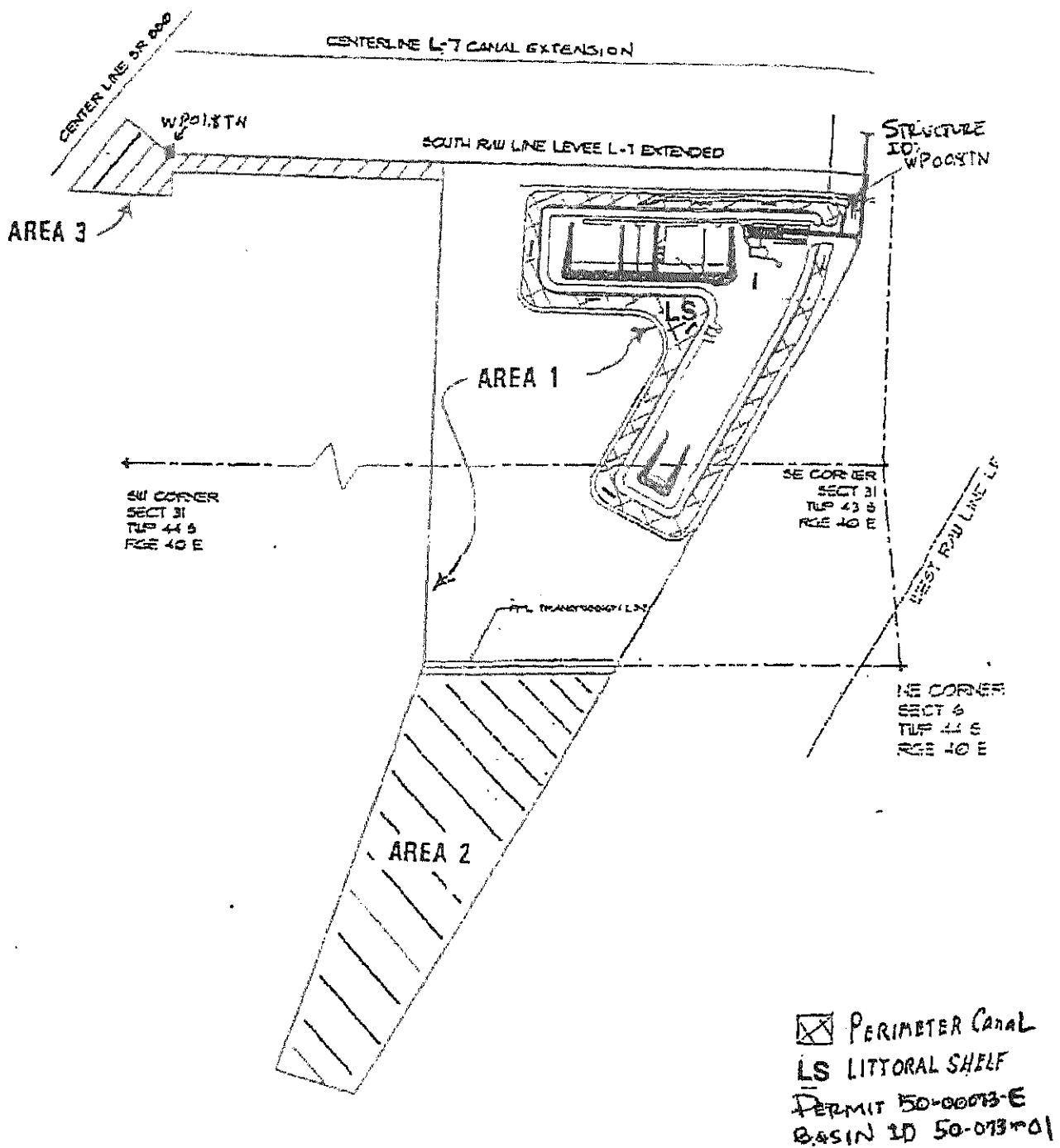


SECTIONS 6 & 31, TOWNSHIP 44S & 43S, RANGE 40E

LOCATION MAP

N. T. S.

EXHIBIT 2



PALM BEACH COUNTY SHERIFFS OFFICE TRAINING FACILITY

EXHIBIT 3

EXHIBIT 4 - DISTRIBUTION LIST

Internal Distribution:

Carmela Bedregal, P.E. - 4260
Permit File
William C. Donovan - 4260

Governing Board:

Charles J Dauray
Eric Buemann
Mr. Harkley R. Thornton
Mr. Malcolm S. Wade, Jr.
Mr. Michael Collins
Mr. Nicolas Gutierrez, Jr.
Ms. Shannon, A. Estenoz

Government Agencies:

Other Interested Parties:

Tim Lang - IFAS

External Distribution:

Applicant:

PALM BEACH COUNTY BOARD OF COUNTY
COMMISSIONERS

Owner(s):

Palm Beach County, Attn: Melanie Borkowski

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SURFACE WATER MANAGEMENT
GENERAL PERMIT NO. 50-03414-5

Form #0042
08/88

DATE ISSUED: November 16, 2000

PERMITTEE: PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
3323 BELVEDERE RD
BLDG 503
WEST PALM BEACH, FL 33406

PROJECT DESCRIPTION: MODIFICATION OF A SURFACE WATER MANAGEMENT SYSTEM SERVING .6
ACRE(S) OF COMMERCIAL DEVELOPMENT KNOWN AS MOTOROLA TOWER AT
TWENTY MILE BEND.

PROJECT LOCATION: PALM BEACH COUNTY, SEC 6 TWP 44S RGE 40E

PERMIT DURATION: Five years from the date issued to complete construction of the
surface water management system as authorized herein. See attached
Rule 40E-4.321, Florida Administrative Code.

This is to notify you of the District's agency action concerning Permit Application No.
000719-9, dated July 19, 2000. This action is taken pursuant to Rule 40E-1.606 and
Chapter 40E-40, Florida Administrative Code (F.A.C.).

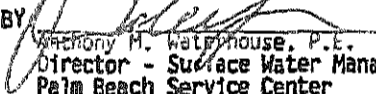
Based on the information provided, District rules have been adhered to and a Surface
Water Management General Permit is in effect for this project subject to:

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing.
2. the attached Standard Limiting Conditions.
3. the attached 8 Special Conditions, and
4. the attached 4 Exhibit(s).

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on this 16th day of November, 2000, in accordance with Section 120.60(3), Florida Statutes.

BY 
Anthony M. Waterhouse, P.E.
Director - Surface Water Management
Palm Beach Service Center

015
11/2000
LAC

Certified Mail No.7000 0600 0022 3418 5372

Enclosures

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified pursuant to Rules 40E-4.331 and 40E-4.441, F.A.C., the duration of a surface water management permit issued under this chapter is as follows:

(a) Two years from the date of issuance for Conceptual Approval, unless within that period an application for a construction and operation permit is filed for any portion of the project. If an application for a construction and operation permit is filed, then the Conceptual Approval remains valid until final action is taken on the application. If the application is granted, then the Conceptual Approval is valid for an additional two years from the date of issuance of the construction and operation permit. Conceptual Approvals which have no applications for construction and operation filed for a period of two years will expire automatically.

(b) Five years from the date of issuance for a construction permit.

(c) Perpetual for an operation permit.

(2) The Governing Board shall issue permit extensions provided that a permittee files a written request with the District showing good cause. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(3) For a Conceptual Approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive amendment, the duration of the Conceptual Approval shall be two years from whichever one of the following occurs a the latest date:

(a) the effective date of the local government's comprehensive plan amendment,

(b) the effective date of the local government development order, or

(c) the date on which the District issues the Conceptual Approval, or

(d) the latest date of the resolution of any Chapter 120 or other legal appeals.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Modifications to construction permits issued pursuant to a formal permit application extend the duration of the permit for three years from the date of issuance of the modification. Construction permit modifications do not extend the duration of a Conceptual Approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416(1) F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94.

NOTICE OF RIGHTS

Section 120.569(1), Fla. Stat. (1999), requires that "each notice shall inform the recipient of any administrative hearing or judicial review that is available under this section, s. 120.57, or s. 120.58; shall indicate the procedure which must be followed to obtain the hearing or judicial review, and shall state the time limits which apply." Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Petition for Administrative Proceedings

1. A person whose substantial interests are affected by the South Florida Water Management District's (SFVMD) action has the right to request an administrative hearing on that action. The affected person may request either a formal or an informal hearing, as set forth below. A point of entry into administrative proceedings is governed by Rules 28-106.111 and 40E-1.511, Fla. Admin. Code, (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.108), as set forth below. Petitions are deemed filed upon receipt of the original documents by the SFVMD Clerk.

a. Formal Administrative Hearing: If a genuine issue(s) of material fact is in dispute, the affected person seeking a formal hearing on a SFVMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(1), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFVMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.201(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

b. Informal Administrative Hearing: If there are no issues of material fact in dispute, the affected person seeking an informal hearing on a SFVMD decision which does or may determine their substantial interests shall file a petition for hearing pursuant to Sections 120.569 and 120.57(2), Fla. Stat. or for mediation pursuant to Section 120.573, Fla. Stat. within 21 days, except as provided in subsections c. and d. below, of either written notice through mail or posting or publication of notice that the SFVMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-106.201(2), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

c. Administrative Complaint and Order: If a Respondent objects to a SFVMD Administrative Complaint and Order, pursuant to Section 373.119, Fla. Stat. (1997), the person named in the Administrative Complaint and Order may file a petition for a hearing no later than 14 days after the date such order is served. Petitions must substantially comply with the requirements of either subsection a. or b. above.

d. State Lands Environmental Resource Permit: Pursuant to Section 373.427, Fla. Stat., and Rule 40E-1.511(3), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.108(2)(c)), a petition objecting to the SFVMD's agency action regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands (SLERPs), must be filed within 14 days of the notice of consolidated intent to grant or deny the SLERP. Petitions must substantially comply with the requirements of either subsection a. or b. above.

e. Emergency Authorization and Order: A person whose substantial interests are affected by a SFVMD Emergency Authorization and Order, has a right to file a petition under Sections 120.569, 120.57(1), and 120.57(2), Fla. Stat., as provided in subsections a. and b. above. However, the person, or the agent of the person responsible for causing or contributing to the emergency conditions shall take whatever action necessary to cause immediate compliance with the terms of the Emergency Authorization and Order.

f. Order for Emergency Action: A person whose substantial interests are affected by a SFVMD Order for Emergency Action has a right to file a petition pursuant to Rules 28-107.005 and 40E-1.611, Fla. Admin. Code, copies of which are attached to this Notice of Rights, and Section 373.119(3), Fla. Stat., for a hearing on the Order. Any subsequent agency action or proposed agency action to initiate a formal revocation proceeding shall be separately noticed pursuant to section g. below.

g. Permit Suspension, Revocation, Annulment, and Withdrawal: If the SFVMD issues an administrative complaint to suspend, revoke, annul, or withdraw a permit, the permittee may request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Fla. Stat., within 21 days of either written notice through mail or posting or publication of notice that the SFVMD has or intends to take final agency action. Petitions must substantially comply with the requirements of Rule 28-107.004(3), Fla. Admin. Code, a copy of the which is attached to this Notice of Rights.

2. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the SFVMD's final action may be different from the position taken by it previously. Persons whose substantial interests may be affected by

any such final decision of the SFWMD shall have, pursuant to Rule 40E-1.511(2), Fla. Admin. Code (also published as an exception to the Uniform Rules of Procedure as Rule 40E-0.109(2)(c)), an additional 21 days from the date of receipt of notice of said decision to request an administrative hearing. However, the scope of the administrative hearing shall be limited to the substantial deviation.

3. Pursuant to Rule 40E-1.511(4), Fla. Admin. Code, substantially affected persons entitled to a hearing pursuant to Section 120.57(1), Fla. Stat., may waive their right to such a hearing and request an informal hearing before the Governing Board pursuant to Section 120.57(2), Fla. Stat., which may be granted at the option of the Governing Board.

4. Pursuant to Rule 28-106.111(3), Fla. Admin. Code, persons may file with the SFWMD a request for extension of time for filing a petition. The SFWMD, for good cause shown, may grant the extension. The request for extension must contain a certificate that the petitioner has consulted with all other parties, if any, concerning the extension and that the SFWMD and all other parties agree to the extension.

CIRCUIT COURT

5. Pursuant to Section 373.617, Fla. Stat., any substantially affected person who claims that final agency action of the SFWMD relating to permit decisions constitutes an unconstitutional taking of property without just compensation may seek judicial review of the action in circuit court by filing a civil action in the circuit court in the judicial circuit in which the affected property is located within 90 days of the rendering of the SFWMD's final agency action.

6. Pursuant to Section 403.412, Fla. Stat., any citizen of Florida may bring an action for injunctive relief against the SFWMD to compel the SFWMD to enforce the laws of Chapter 373, Fla. Stat., and Title 40E, Fla. Admin. Code. The complaining party must file with the SFWMD Clerk a verified complaint setting forth the facts upon which the complaint is based and the manner in which the complaining party is affected. If the SFWMD does not take appropriate action on the complaint within 30 days of receipt, the complaining party may then file a civil suit for injunctive relief in the 15th Judicial Circuit in and for Palm Beach County or circuit court in the county where the cause of action allegedly occurred.

7. Pursuant to Section 373.433, Fla. Stat., a private citizen of Florida may file suit in circuit court to require the abatement of any stormwater management system, dam, in-poundment, reservoir, appurtenant work or works that violate the provisions of Chapter 373, Fla. Stat.

DISTRICT COURT OF APPEAL

8. Pursuant to Section 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

LAND AND WATER ADJUDICATORY COMMISSION

9. A party to a "proceeding below" may seek review by the Land and Water Adjudicatory Commission (FLAWAC) of SFWMD's final agency action to determine if such action is consistent with the provisions and purposes of Chapter 373, Fla. Stat. Pursuant to Section 373.114, Fla. Stat., and Rules 42-2.013 and 42-2.0132, Fla. Admin. Code, a request for review of (a) an order or rule of the SFWMD must be filed with FLAWAC within 20 days after rendition of the order or adoption of the rule sought to be reviewed; (b) an order of the Department of Environmental Protection (DEP) requiring amendment or repeal of a SFWMD rule must be filed with FLAWAC within 30 days of rendition of the DEP's order, and (c) a SFWMD order entered pursuant to a formal administrative hearing under Section 120.57(1), Fla. Stat., must be filed no later than 20 days after rendition of the SFWMD's final order. Simultaneous with filing, a copy of the request for review must be served on the DEP Secretary, any person named in the SFWMD or DEP final order, and all parties to the proceeding below. A copy of Rule 42-2.013, Fla. Admin. Code is attached to this Notice of Rights.

PRIVATE PROPERTY RIGHTS PROTECTION ACT

10. A property owner who alleges a specific action of the SFWMD has inordinately burdened an existing use of the real property, or a vested right to a specific use of the real property, may file a claim in the circuit court where the real property is located within 1 year of the SFWMD action pursuant to the procedures set forth in Subsection 70.001(4)(a), Fla. Stat.

LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION

11. A property owner who alleges that a SFWMD development order (as that term is defined in Section 70.51(2)(a), Fla. Stat. to include permits) or SFWMD enforcement action is unreasonable, or unfairly burdens the use of the real property, may file a request for relief with the SFWMD within 30 days of receipt of the SFWMD's order or notice of agency action pursuant to the procedures set forth in Subsections 70.51(4) and (5), Fla. Stat.

MEDIATION

12. A person whose substantial interests are, or may be, affected by the SFWMD's action may choose mediation as an alternative remedy under Section 120.573, Fla. Stat. Pursuant to Rule 28-106.111(2), Fla. Admin. Code, the petition for mediation shall be filed within 21 days of either written notice through mail or posting or

publication of notice that the SFVMD has or intends to take final agency action. Choosing mediation will not affect the right to an administrative hearing if mediation does not result in settlement.

Pursuant to Rule 28-106.402, Fla. Admin. Code, the contents of the petition for mediation shall contain the following information:

- (1) the name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (2) a statement of the preliminary agency action;
- (3) an explanation of how the person's substantial interests will be affected by the agency determination; and
- (4) a statement of relief sought.

As provided in Section 120.573, Fla. Stat. (1997), the timely agreement of all the parties to mediate will toll the time limitations imposed by Sections 120.559 and 120.57, Fla. Stat., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 80 days of the execution of the agreement. If mediation results in settlement of the dispute, the SFVMD must enter a final order incorporating the agreement of the parties. Persons whose substantial interest will be affected by such a modified agency decision have a right to petition for hearing within 21 days of receipt of the final order in accordance with the requirements of Sections 120.559 and 120.57, Fla. Stat., and SFVMD Rule 28-106.201(2), Fla. Admin. Code. If mediation terminates without settlement of the dispute, the SFVMD shall notify all parties in writing that the administrative hearing process under Sections 120.559 and 120.57, Fla. Stat., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action.

VARIANCES AND WAIVERS

13. A person who is subject to regulation pursuant to a SFVMD rule and believes the application of that rule will create a substantial hardship or will violate principles of fairness (as those terms are defined in Subsection 120.542(2), Fla. Stat.) and can demonstrate that the purpose of the underlying statute will be or has been achieved by other means, may file a petition with the SFVMD Clerk requesting a variance from or waiver of the SFVMD rule. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have concerning the SFVMD's action. Pursuant to Rule 28-104.002(2), Fla. Admin. Code, the petition must include the following information:

- (a) the caption shall read: Petition for (Variance from) or (Waiver of) Rule (Citation)
- (b) The name, address, telephone number and any facsimile number of the petitioner;

(c) The name, address telephone number and any facsimile number of the attorney or qualified representative of the petitioner. (If any);

(d) the applicable rule or portion of the rule;

(e) the citation to the statute the rule implementing;

(f) the type of action requested;

(g) the specific facts that demonstrate substantial hardship or violation of principals of fairness that would justify a waiver or variance for the petitioner;

(h) the reason why the variance or the waiver requested would serve the purposes of the underlying statute; and

(i) a statement of whether the variance waiver is permanent or temporary. If the variance waiver is temporary, the petition shall include the date indicating the duration of the requested variance or waiver.

A person requesting an emergency variance from waiver of a SFVMD rule must clearly so state in caption of the petition. In addition to the requirements Section 120.542(5), Fla. Stat. pursuant to Rule 104.004(2), Fla. Admin. Code, the petition must include:

- a) the specific facts that make the situation emergency; and
- b) the specific facts to show that the petitioner suffer immediate adverse effect unless the variance waiver is issued by the SFVMD more expeditiously than the applicable timeframes set forth in Section 120.542, Fla. Stat.

WAIVER OF RIGHTS

14. Failure to observe the relevant timeframes prescribed above will constitute a waiver of a right.

28-106.201 INITIATION OF PROCEEDINGS (INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
 - (a) The name and address of each agency after and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be address for service purposes during the course of proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A statement of all disputed issues of material fact if there are none, the petition must so indicate;
 - (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (f) A demand for relief.

Revised August, 2000

28-108.001 INITIATION OF PROCEEDINGS
(NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT)

- (2) All petitions filed under these rules shall contain:
- (a) The name and address of each agency affected and each agency's file or identification number, if known;
 - (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding, and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
 - (c) A statement of when and how the petitioner received notice of the agency decision;
 - (d) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
 - (e) A demand for relief.

28-107.004 SUSPENSION, REVOCATION, ANNULMENT, OR WITHDRAWAL

- (3) Requests for hearing filed in accordance with this rule shall include:
- (a) The name and address of the party making the request, for purposes of service;
 - (b) A statement that the party is requesting a hearing involving disputed issues of material fact, or a hearing not involving disputed issues of material fact; and
 - (c) A reference to the notice, order to show cause, administrative complaint, or other communication that the party has received from the agency.

42-2.013 REQUEST FOR REVIEW PURSUANT TO SECTION 373.114 OR 373.217

(1) In any proceeding arising under Chapter 373, F.S., review by the Florida Land and Water Adjudicatory Commission may be initiated by the Department or a party by filing a request for such review with the Secretary of the Commission and serving a copy on any person named in the rule or order, and on all parties to the proceeding which resulted in the order sought to be reviewed. A certificate of service showing completion of service as required by this subsection shall be a requirement for a determination of sufficiency under Rule 42-2.0132. Failure to file the request with the Commission within the time period provided in Rule 42-2.0132 shall result in dismissal of the request for review.

(2) The request for review shall identify the rule or order requested to be reviewed, the proceeding in which the rule or order was entered and the nature of the rule or order. A copy of the rule or order sought to be reviewed shall be attached. The request for review shall state with particularity:

- (a) How the order or rule conflicts with the requirements, provisions and purposes of Chapter 373, F.S., or rules duly adopted thereunder;

(b) How the rule or order sought to be reviewed affects the interests of the party seeking review;

(c) The oral or written statement, sworn or unsworn, which was submitted to the agency concerning the matter to be reviewed and the date and location of the statement, if the individual or entity requesting the review has not participated in a proceeding previously instituted pursuant to Chapter 120, F.S., on the order for which review is sought;

(d) If review of an order is being sought, whether and how the activity authorized by the order would substantially affect natural resources of statewide or regional significance, or whether the order raises issues of policy, statutory interpretation, or rule interpretation that have regional or statewide significance from a standpoint of agency precedent, and all the factual bases in the record which the petitioner claims support such determination(s); and

(e) The action requested to be taken by the Commission as a result of the review, whether to rescind or modify the order, or remand the proceeding to the water management district for further action, or to require the water management district to initiate rulemaking to adopt, amend or repeal a rule.

28-107.005 EMERGENCY ACTION

(1) If the agency finds that immediate serious danger to the public health, safety, or welfare requires emergency action, the agency shall summarily suspend, limit, or restrict a license.

(2) The 14-day notice requirement of Section 120.569(2)(b), F.S., does not apply and shall not be construed to prevent a hearing at the earliest time practicable upon request of an aggrieved party.

(3) Unless otherwise provided by law, within 20 days after emergency action taken pursuant to paragraph (1) of this rule, the agency shall initiate a formal suspension or revocation proceeding in compliance with Sections 120.568, 120.57, and 120.60, F.S.

40E-1.611 EMERGENCY ACTION

(1) An emergency exists when immediate action is necessary to protect public health, safety or welfare; the health of animals, fish or aquatic life; the works of the District; a public water supply, or recreational, commercial, industrial, agricultural or other reasonable uses of land and water resources.

(2) The Executive Director may employ the resources of the District to take whatever remedial action necessary to alleviate the emergency condition without the issuance of an emergency order, or in the event an emergency order has been issued, after the expiration of the requisite time for compliance with that order.

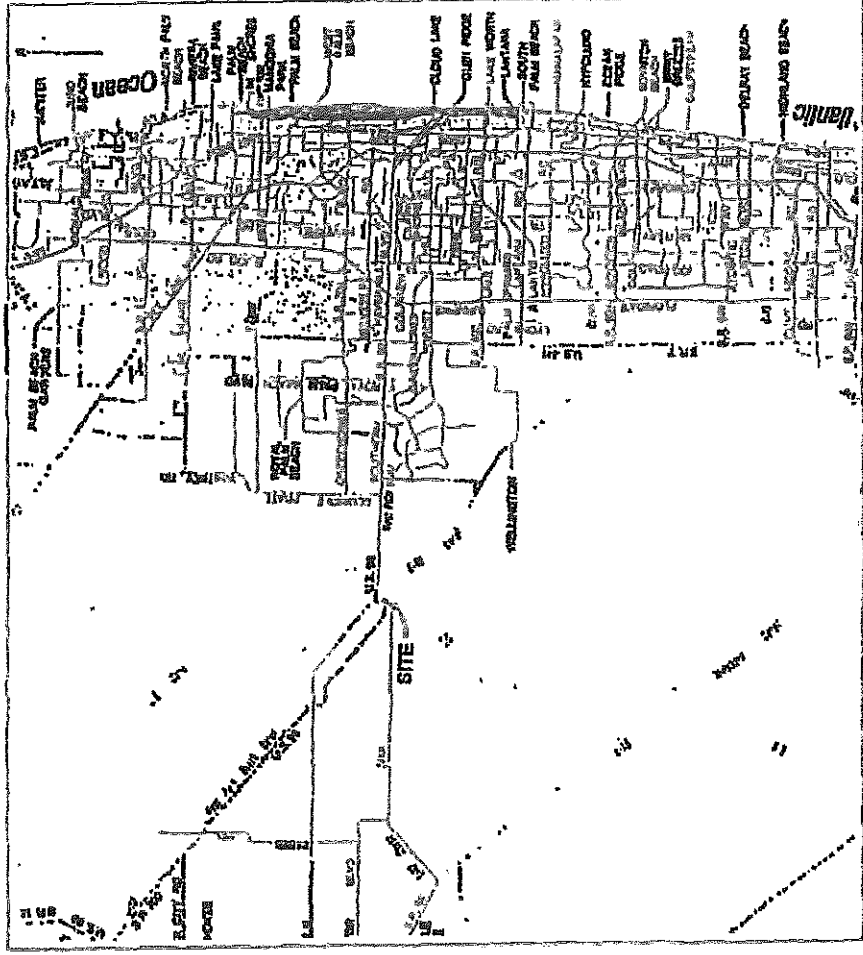
STANDARD LIMITING CONDITIONS

1. THE PERMITTEE SHALL IMPLEMENT THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.
2. WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE WILL BE SUBMITTED TO THE DISTRICT AS REQUIRED BY SECTION 5.9, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994." PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 62-302, F.A.C. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA ON VOLUMES OF WATER DISCHARGED, INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.
3. THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY OBLIGATION TO OBTAIN NECESSARY FEDERAL, STATE, LOCAL OR SPECIAL DISTRICT APPROVALS.
4. THE OPERATION PHASE OF THIS PERMIT WILL NOT BECOME EFFECTIVE UNTIL THE DISTRICT'S ACCEPTANCE OF CERTIFICATION OF THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM. THE PERMITTEE SHALL REQUEST TRANSFER OF THE PERMIT TO THE RESPONSIBLE OPERATIONAL ENTITY ACCEPTED BY THE DISTRICT, IF DIFFERENT FROM THE PERMITTEE. THE TRANSFER REQUEST CAN BE SUBMITTED CONCURRENTLY WITH THE CONSTRUCTION COMPLETION CERTIFICATION.
5. ALL ROAD ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.5, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
6. ALL BUILDING FLOOR ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.4, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
7. OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT WILL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT.
8. A PERMIT TRANSFER TO THE OPERATION PHASE SHALL NOT OCCUR UNTIL A RESPONSIBLE ENTITY MEETING THE REQUIREMENT IN SECTION 9.0, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994," HAS BEEN ESTABLISHED TO OPERATE AND MAINTAIN THE SYSTEM. THE ENTITY MUST BE PROVIDED WITH SUFFICIENT OWNERSHIP OR LEGAL INTEREST SO THAT IT HAS CONTROL OVER ALL WATER MANAGEMENT FACILITIES AUTHORIZED HEREIN.
9. THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT NOR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4, FAC.
10. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.

11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITTEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY THE SURFACE WATER MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.
12. WITHIN 30 DAYS OF ISSUANCE OF THIS PERMIT, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE.
13. WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, THE PERMITTEE OR AUTHORIZED AGENT SHALL SUBMIT CONSTRUCTION STATUS REPORTS ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION.
14. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL FILE A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THESE STATEMENTS MUST SPECIFY THE ACTUAL DATE OF CONSTRUCTION COMPLETION AND MUST CERTIFY THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OR EQUIVALENT). THE CONSTRUCTION COMPLETION CERTIFICATION MUST INCLUDE, AT A MINIMUM, EXISTING ELEVATIONS, LOCATIONS AND DIMENSIONS OF THE COMPONENTS OF THE WATER MANAGEMENT FACILITIES. ADDITIONALLY, IF DEVIATIONS FROM THE APPROVED DRAWING ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.
15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY). IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.
16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.
17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.
18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.
19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

SPECIAL CONDITIONS

1. MINIMUM BUILDING FLOOR ELEVATION: 15.5 FEET NGVD.
2. MINIMUM PARKING LOT ELEVATION: 14.75 FEET NGVD.
3. DISCHARGE FACILITIES:
 - 1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 10' NGVD.
30 LF OF 1.25' DIA. CMP CULVERT.RECEIVING BODY : L-7 CANAL EXTENSION
CONTROL ELEV : 10 FEET NGVD.
4. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
5. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
6. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
7. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
8. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF THE PERMITTEE. PRIOR TO TRANSFER OF TITLE FOR ANY PORTION OF THE PROJECT TO A THIRD PARTY, MODIFICATION OF THE PERMIT WILL BE REQUIRED.



**MOTOROLA TOWER AT TWENTY MILE-
BEND**



LOCATION MAP

App. No. 000719-9

EXHIBIT 1

PROJECT: MOTOROLA TOWER AT TWENTY MILE BEND

PERMIT SUMMARY SHEET

APPLICATION NUMBER: 000719-9 .

PERMIT MODIFICATION NO.: 50-03414-S

LOCATION: PALM BEACH COUNTY, S6/T44S/R40E

OWNER: PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

ENGINEER: DIFONTE CONSULTING INC

PROJECT AREA: .60 ACRES DRAINAGE AREA: .60 ACRES

PROJECT USE: COMMERCIAL

FACILITIES:

1. EXISTING: The existing site is located within "Area 3" which is a 3.17 acre parcel located in the northwest corner of the 68 acre Palm Beach County Sheriff Office Training Facility site (Permit No. 50-03414-S). Area 3 is undeveloped and is independent of the existing SWM system which serves the remainder of the permitted site. Runoff from the subject site currently sheet flows south to the existing ditch located along the southern project boundary.
2. PROPOSED: The proposed 0.6-acre project includes the construction of a 400 ft high self supporting communication tower, a paved driveway, parking lot, two buildings totaling approximately 1300 square feet and a few small equipment pads. The surface water management (SWM) system will consist of site grading to direct runoff into the proposed 0.04 acre dry detention area. Discharge from the site into the L-7 Extension Canal will be through a control structure consisting of a 3" diameter orifice at elevation 10' NGVD, a 3.14' long weir with weir crest at elevation 13' NGVD and 25 feet of 15" CMP culvert. The proposed SWM system is independent of the remainder of the project area.

PROJECT LEVEL:

DRAINAGE BASIN: S-5A

RECEIVING BODY: L-7 EXTENSION

PARKING LOT CRITERIA: 10YR-1DAY STORM

BASIN DESIGN FREQUENCY: 25YR-30DAY STORM

Exhibit 2A

APPLICATION NUMBER: 000719-9

WATER QUALITY:

The required water quality treatment volume has been calculated based on 1" over the project site.

Basin	Method	Vol Req'd. (ac-ft)	Vol Prov'd (ac-ft)
SITE	.04 acres DRY DETENTION	.05	.05

DISCHARGE RATE:

The proposed project has been designed to limit discharge to the 3" diameter bleeder for the 25-yr 3-day design storm.

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft. NGVD)
SITE	1.95	PRE VS. POST	1.95	12.33

ENVIRONMENTAL ASSESSMENT:

PROJECT SITE DESCRIPTION:

The project is located in western Palm Beach County just south of the intersection of S.R. 80 and S.R. 880 on the east side of S.R. 880. The site is an undeveloped parcel of land within an existing agricultural field in the Everglades Agricultural area. Although the site contains muck soils, due to the agricultural use of the site the area no longer exhibits any wetland functions..

Exhibit 26

APPLICATION NUMBER: 000719-9

ENDANGERED, THREATENED & SPECIES OF SPECIAL CONCERN SUMMARY:

The instance of bird kills associated with tower structures required that these structures be evaluated as to their affect on bird species. The site is located in a large agricultural area known as the Everglades Agricultural Area. There are no wetlands located on the site or directly adjacent to the site. The closest wetland area is approximately one mile to the east (Loxahatchee Wildlife Refuge). Agricultural fields and a Palm Beach County Sheriff's gun range are located between the tower and the wetland. The tower is not located between the wetland to the east and any known rookery or major migratory flyway.

The tower will be free-standing and does not contain any guy wires. The proposed height of the tower was reduced from 480 feet to 400 feet which reduced the width of the structure. The tower will also have a series of lights with one on the top, two lights at 200 feet and three lights at 100 and 300 feet. One beacon at 200 feet and one at 400 feet will flash red at night and white during the day. The beacons will flash at 40 flashes per minute. The County considered co-locating with other tower sites as an option, but found that towers within the vicinity were at capacity or not high enough to provide the needed coverage. Both the Florida Fish and Wildlife Conservation Commission (FFWCC) and the U.S Fish and Wildlife Service (USFWS) were contacted for their input. Both agencies indicate that research and guidelines related to bird kills and tower facilities are limited and inconclusive. Working groups have been established to study the issue and continue to conduct research.

The project site does not contain preferred habitat for wetland-dependent endangered/threatened species or species of special concern. No wetland-dependent endangered/threatened species or species of special concern were observed on site, and submitted information indicates that potential use of the site by such species is minimal. This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if in the future, endangered/threatened species or species of special concern are discovered on the site.

Exhibit *2c*

APPLICATION NUMBER: 000719-9.

ENVIRONMENTAL SUMMARY:

Due to the nature of the location, design and height of communication towers, there is a growing concern regarding the impact of tower facilities on bird species particularly regarding birds colliding with towers and guy wires. The proposed tower has been designed to reduce the possibility of bird strikes by reducing the height of the tower as much as possible, making the tower free-standing with no guy-wires, providing light beacons at various heights on the tower and locating the tower as far away from wetlands as possible. The applicant has provided documentation that the design and location of the tower has significantly reduced the potential for bird strikes. As a result, no adverse secondary or cumulative impacts to wetlands or wetland dependent species are anticipated.

APPLICABLE LAND USE:

The land use shown below includes this phase of development only. The existing site is undeveloped and was not included in the SWM system of the remainder of the permitted site.

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	.60	.60	.60	acres
WTRM ACREAGE	.04	.00	.04	acres
PAVEMENT	.09	.00	.09	acres
BUILD COVERAGE	.03	.00	.03	acres
PERVIOUS	.44	.60	.44	acres

BASIN LEVEL BREAKDOWN AND FLOOD PROTECTION:

Basin Name: SITE

Exhibit 20

APPLICATION NUMBER: 000719-9

FLOOD PROTECTION:

PARKING LOT CRITERIA

FLOOD CONTOUR 12.16 FEET NGVD
MINIMUM PARKING LOT GRADE 14.76 FEET NGVD

100 YEAR FLOOD:

FLOOD CONTOUR 14.96 FEET NGVD
MINIMUM FLOOR ELEVATION 15.50 FEET NGVD
FEMA FLOOD ELEVATION FEET NGVD

DEPARTMENT APPROVAL:

SURFACE WATER MANAGEMENT

Maria Clemente
Maria L. Clemente, P.E.

DATE: 11/13/2000

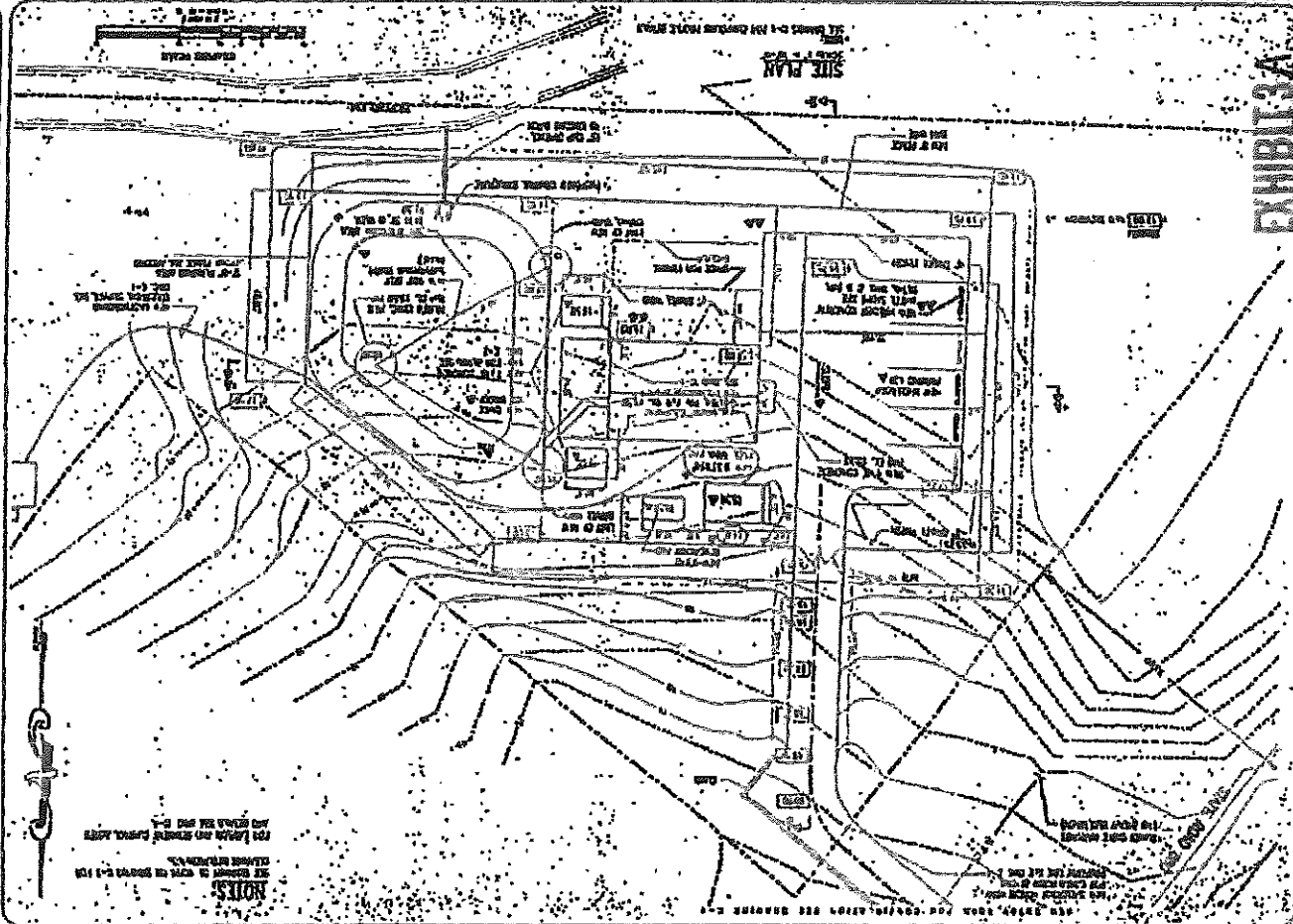
NATURAL RESOURCE MANAGEMENT

Donald L. Hedglin
Donald L. Hedglin

DATE: 11/14/2000

Exhibit 2E

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SITE PLAN

EXHIBIT 3A

NOTES:
 1. ALL DISTANCES ARE IN FEET.
 2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
 3. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES.
 4. ALL UTILITIES ARE TO BE DELETED OR RELOCATED AS SHOWN ON THIS PLAN.
 5. ALL EXISTING STRUCTURES ARE TO BE DEMOLISHED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.
 6. ALL EXISTING DRIVEWAYS ARE TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 7. ALL EXISTING SIDEWALKS ARE TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 8. ALL EXISTING CURBS ARE TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 9. ALL EXISTING LIGHT FIXTURES ARE TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 10. ALL EXISTING SIGNAGE IS TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 11. ALL EXISTING LANDSCAPING IS TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 12. ALL EXISTING UTILITIES ARE TO BE DELETED OR RELOCATED AS SHOWN ON THIS PLAN.
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 19. ALL EXISTING LANDSCAPING IS TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
 20. ALL EXISTING UTILITIES ARE TO BE DELETED OR RELOCATED AS SHOWN ON THIS PLAN.

<p>8</p> <p>DATE: _____</p> <p>BY: _____</p> <p>PROJECT: _____</p> <p>NO. _____</p>	<p>REVISIONS:</p> <table border="1"> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	NO.	DESCRIPTION								
NO.	DESCRIPTION										

GENERAL NOTES

1. THE DESIGNER HAS BEEN ADVISED THAT THE SOILS AT THIS SITE ARE OF THE TYPE DESCRIBED IN THE ATTACHED SOIL TEST REPORT. THE DESIGNER HAS BASED HIS DESIGN ON THE RESULTS OF THESE TESTS. THE CONTRACTOR SHALL VERIFY THE SOIL CONDITIONS AT THE TIME OF CONSTRUCTION.

2. THE FOUNDATION SHALL BE DESIGNED TO SUPPORT THE LOADS INDICATED ON THE DRAWINGS. THE FOUNDATION SHALL BE CONSTRUCTED TO REMAIN PERMANENTLY DRY.

3. THE FOUNDATION SHALL BE CONSTRUCTED TO REMAIN PERMANENTLY DRY. THE CONTRACTOR SHALL PROVIDE A DRAINAGE SYSTEM TO REMOVE ANY WATER THAT MAY ACCUMULATE AROUND THE FOUNDATION.

4. THE FOUNDATION SHALL BE CONSTRUCTED TO REMAIN PERMANENTLY DRY. THE CONTRACTOR SHALL PROVIDE A DRAINAGE SYSTEM TO REMOVE ANY WATER THAT MAY ACCUMULATE AROUND THE FOUNDATION.

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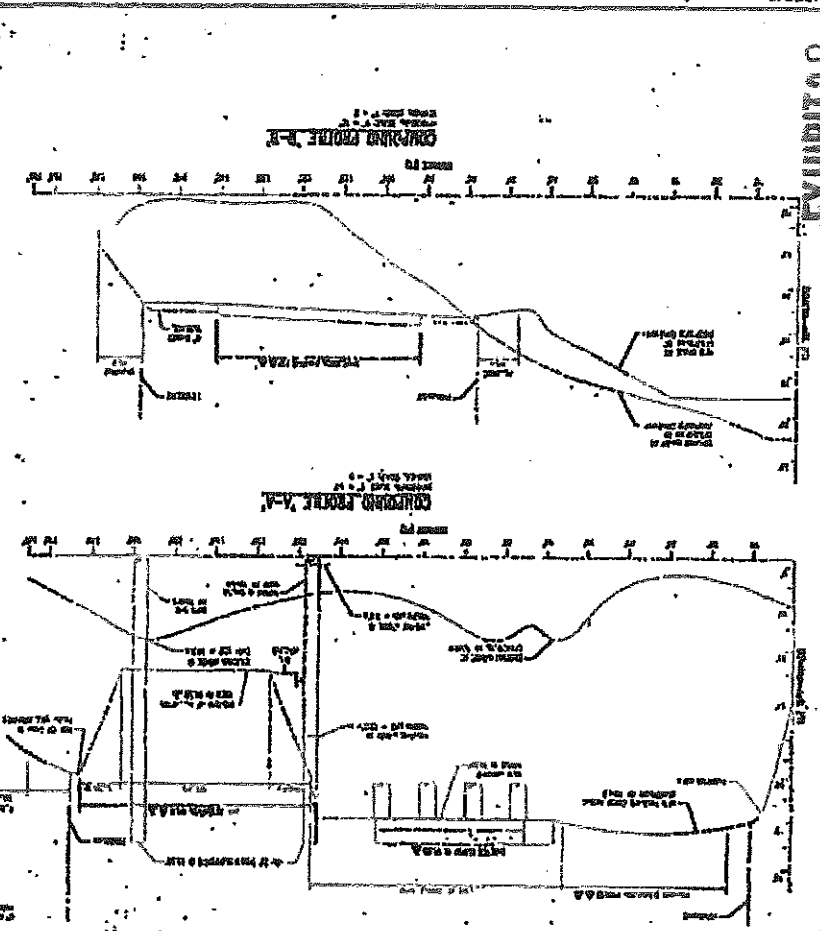


EXHIBIT B

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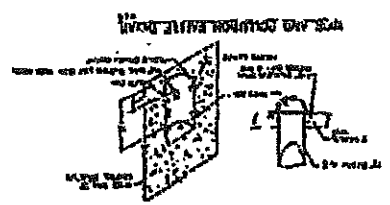
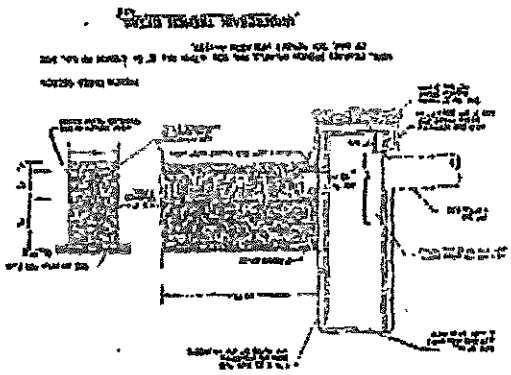


EXHIBIT C

U. S. DEPARTMENT OF JUSTICE

STAFF REPORT DISTRIBUTION LIST

MOTOROLA TOWER AT TWENTY MILE BEND
APPLICATION NUMBER: 000719-9
PERMIT MODIFICATION NUMBER: 50-03414-S

INTERNAL DISTRIBUTION

Reviewer:

X James L. Fyfe
X R. Brent Nicholas
X Donald L. Medallin
X Maria C. Clemente, P.E.
J. Giddings - LEC
J. Golden - REG
F. Lund - LEC
R. Robbins - NRM
X P. Walker - GPA
A. Waterhouse - REG
X ~~Permit Filing~~
X P. Bell - LEG
X ERC Engineering
X ERC Environmental
X Enforcement

EXTERNAL DISTRIBUTION

X Applicant:
PALM BEACH COUNTY BOARD OF COUNTY
COMMISSIONERS

X Applicant's Consultant
DIFONTE CONSULTING INC

X Engineer, County of:
PALM BEACH

Engineer, City of:

Local Drainage District:

DEPT. OF ENVIRONMENTAL PROTECTION

COUNTY

X Palm Beach -Building Division
-Environmental Res Mgmt
-Health Dept
-Land Development Div
-School Board Growth Mgt

BUILDING AND ZONING

OTHER

X David Sinclair
FDEP
X FFCC (Tallahassee) Brad Hartman
Florida Audubon - Charles Lee
Florida Fish & Wildlife Conservation Com
Michael E Haag, Bldg Code Permit Admin's
Michael Haag
Mr. Ed Dailey, President
X USFWS (Vero Beach) Jeff Weller

EXHIBIT 4



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SURFACE WATER MANAGEMENT**

PERMIT MODIFICATION NO. 50-00310-S

DATE ISSUED: FEBRUARY 15, 2002

FORM 6145
Rev. 6/76

**PERMITTEE: ROTH FARMS, INC.
(ROTH FARMS INC)
POST OFFICE BOX 1300
BELLE GLADE, FL 33440**

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ROTH FARMS INC
P.O. BOX 24680
WEST PALM BEACH, FL 33416-4680**

ORIGINAL PERMIT ISSUED: AUGUST 12, 1976

ORIGINAL PROJECT DESCRIPTION: OPERATION OF A WATER MANAGEMENT SYSTEM SERVING 800 ACRES OF AGRICULTURAL LANDS BY 2-30" CULVERTS, 120,000 GPM AND 1-6,800 GPM PUMP'S DISCHARGING INTO L-18, ONE MILE WEST OF S-5A.

APPROVED MODIFICATION: MODIFICATION OF PERMIT NO. 50-00310-S TO REFLECT A REVERSED PERMIT ACREAGE (211.5 ACRES) AND FOR THE CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE THE 211.5 ACRES OF AGRICULTURAL DEVELOPMENT.

PROJECT LOCATION: PALM BEACH COUNTY,

**SECTION 31 TWP 4SS R0E 40E
SECTION 07 TWP 44S R0E 40E**

PERMIT DURATION: Five years from the date issued to complete construction of the surface water management system as authorized herein. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit Modification is approved pursuant to Application No. 001222-14, dated December 22, 2000. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of any activities authorized by this Permit. This Permit is issued under the provisions of Subsections 373.414(1)-1(6), Florida Statutes (S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S. between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 93 USC Section 1941, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit Modification may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-4.35(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit Modification may be transferred pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-1.6107(1) and (2), and 40E-4.35(1), (2), and (4), F.A.C.

All specifications and special and limiting/general conditions attendant to the original Permit, unless specifically amended by this or previous modifications, remain in effect.

This Permit Modification shall be subject to the General Conditions set forth in Rule 40E-4.361, F.A.C., unless waived or modified by the Governing Board. The Application, and Surface Water Management Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit Modification. All activities authorized by this Permit Modification shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Surface Water Management Staff Review Summary. Within 30 days after completion of construction of the permitting activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351 and 40E-4.361, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND LIMITING CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 2 OF 4 (0 SPECIAL CONDITIONS).
SEE PAGES 3 - 4 OF 4 (10 LIMITING CONDITIONS).

PERMIT MODIFICATION APPROVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

FILED WITH THE CLERK OF THE
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ON ORIGINAL SIGNED BY:
BY JENNIFER KRAJMLAUF

Original signed by
TONY BURNS

BY _____

ASSISTANT SECRETARY

DEPUTY CLERK

*6/15/01
3/12/01
JKB*

SPECIAL CONDITIONS

1. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
2. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
3. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
4. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
5. LAND USE BY THE PERMITTED FACILITIES IS AGRICULTURAL. PROPOSED CONSTRUCTION OF RESIDENCES MAY REQUIRE MODIFICATION OF THIS PERMIT AND MUST BE REPORTED TO THE DISTRICT.
6. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF ROTH FARMS, INC..
7. ISSUANCE OF THIS PERMIT WILL SERVE TO CANCEL PERMITS NO'S 50-00272-S, 50-00287-S AND 50-00024-S AS THE PROPERTIES COVERED UNDER THESE PERMITS, EXCEPT THE 85.5 ACRE PARCEL WHICH IS NOW TRANSFERRED TO PERMIT NO. 50-00310-S, HAVE BEEN ACQUIRED BY THE DISTRICT AND THE LANDS ARE NO LONGER BEING FARMED.
8. MAXIMUM ALLOWABLE DISCHARGE RATE FOR THE 126 ACRE PARCEL IS 5800 GPM. MAXIMUM ALLOWABLE DISCHARGE RATE FOR THE 85.5 ACRE PARCEL IS 3900 GPM.
9. ISSUANCE OF THE PERMIT IN NO WAY MODIFIES THE TERMS AND CONDITIONS OF THE LEASE AGREEMENT (C-9318 AND C-9318-A1).

LIMITING CONDITIONS

1. THE PERMITTEE SHALL IMPLEMENT THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.
2. WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE WILL BE SUBMITTED TO THE DISTRICT AS REQUIRED BY SECTION 5.9, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994." PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 62-302, F.A.C. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA ON VOLUMES OF WATER DISCHARGED, INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.
3. THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY OBLIGATION TO OBTAIN NECESSARY FEDERAL, STATE, LOCAL OR SPECIAL DISTRICT APPROVALS.
4. THE OPERATION PHASE OF THIS PERMIT WILL NOT BECOME EFFECTIVE UNTIL THE DISTRICT'S ACCEPTANCE OF CERTIFICATION OF THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM. THE PERMITTEE SHALL REQUEST TRANSFER OF THE PERMIT TO THE RESPONSIBLE OPERATIONAL ENTITY ACCEPTED BY THE DISTRICT, IF DIFFERENT FROM THE PERMITTEE. THE TRANSFER REQUEST CAN BE SUBMITTED CONCURRENTLY WITH THE CONSTRUCTION COMPLETION CERTIFICATION.
5. ALL ROAD ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.5, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
6. ALL BUILDING FLOOR ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.4, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
7. OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT WILL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT.
8. A PERMIT TRANSFER TO THE OPERATION PHASE SHALL NOT OCCUR UNTIL A RESPONSIBLE ENTITY MEETING THE REQUIREMENT IN SECTION 9.0, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994," HAS BEEN ESTABLISHED TO OPERATE AND MAINTAIN THE SYSTEM. THE ENTITY MUST BE PROVIDED WITH SUFFICIENT OWNERSHIP OR LEGAL INTEREST SO THAT IT HAS CONTROL OVER ALL WATER MANAGEMENT FACILITIES AUTHORIZED HEREIN.
9. THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT NOR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 60E-4, FAC.
10. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.
11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITTEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY THE SURFACE WATER

MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.

12. WITHIN 30 DAYS OF ISSUANCE OF THIS PERMIT, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE.
13. WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, THE PERMITTEE OR AUTHORIZED AGENT SHALL SUBMIT CONSTRUCTION STATUS REPORTS ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION.
14. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL FILE A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THESE STATEMENTS MUST SPECIFY THE ACTUAL DATE OF CONSTRUCTION COMPLETION AND MUST CERTIFY THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OR EQUIVALENT). THE CONSTRUCTION COMPLETION CERTIFICATION MUST INCLUDE, AT A MINIMUM, EXISTING ELEVATIONS, LOCATIONS AND DIMENSIONS OF THE COMPONENTS OF THE WATER MANAGEMENT FACILITIES. ADDITIONALLY, IF DEVIATIONS FROM THE APPROVED DRAWING ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.
15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY), IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.
16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.
17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.
18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.
19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

40E-4.321

Duration of Permits

- (1) Unless revoked or otherwise modified pursuant to Rules 40E-4.331 and 40E-4.441, F.A.C., the duration of a surface water management permit issued under this chapter is as follows:
- (a) Two years from the date of issuance for Conceptual Approval, unless within that period an application for a construction and operation permit is filed for any portion of the project. If an application for a construction and operation permit is filed, then the Conceptual Approval remains valid until final action is taken on the application. If the application is granted, then the Conceptual Approval is void for an additional two years from the date of issuance of the construction and operation permit. Conceptual Approvals which have no applications for construction and operation filed for a period of two years will expire automatically.
- (b) Five years from the date of issuance for a construction permit.
- (c) Perpetual for an operation permit.
- (2) The Governing Board shall issue permit extensions provided that a permittee files a written request with the District showing good cause. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed the project, will not be accepted more than 180 days prior to the expiration date.
- (3) For a Conceptual Approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive amendment, the duration of the Conceptual Approval shall be two years from whichever one of the following occurs at the latest date:
- the effective date of the local government's comprehensive plan amendment,
 - the effective date of the local government development order, or
 - the date on which the district issues the Conceptual Approval, or
 - the latest date of the resolution of any Chapter 120 or other legal appeals.
- (4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.
- (5) Modifications to construction permits issued pursuant to a formal permit application extend the duration of the permit for three years from the date of issuance of the modification. Construction permit modifications do not extend the duration of a Conceptual Approval.
- (6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416(1) F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 40E-4.07(4), Amended 7-1-88, 4/23/94.

17/8

DRAFT
Subject to Governing
Board Approval

LAST DATE FOR GOVERNING BOARD ACTION:
MARCH 15, 2001

SURFACE WATER MANAGEMENT STAFF REVIEW SUMMARY

I. ADMINISTRATIVE

APPLICATION NUMBER: 001222-14

PERMIT NUMBER: 50-00310-S

PROJECT NAME: ROTH FARMS INC

LOCATION: PALM BEACH COUNTY, S31/T43S/R40E
S6.7/T44S/R40E

APPLICANT'S NAME: ROTH FARMS INC

OWNER'S NAME AND ADDRESS: ROTH FARMS, INC.
POST OFFICE BOX 1300
BELLE GLADE, FL 33430

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
P.O. BOX 24680
WEST PALM BEACH, FL 33416-4680

ENGINEER: MACVICAR FEDERICO AND LAMB INC

II. PROJECT DESCRIPTION

PROJECT AREA: 211.50 acres DRAINAGE AREA: 211.50 acres

DISTRICT DRAINAGE BASIN: S-5A

RECEIVING BODY: L-13 OCEAN CANAL

CLASSIFICATION: CLASS III

SPECIAL DRAINAGE DISTRICT: EVERGLADES AGRICULTURAL AREA

PURPOSE:

This application is a request for modification of Permit No. 50-00310-S to reflect a revised acreage (211.5 acres) and for the construction and operation of a surface water management system to serve the 211.5 acres of agricultural development. Staff recommends approval with conditions.

BACKGROUND:

On January 11, 2001, the SFWMD Governing Board approved an amendment to an existing lease (Contract No. C-9318) with Rick Roth to add an additional 85.5 acre parcel which is immediately adjacent to the 126 acre parcel covered by the existing lease. The 85.5 acre parcel is a long narrow strip of land located between County Road 880 on the north and the seepage canal for the SFWMD STA 1W project on the south. It averages 350 feet in width and runs approximately 3 miles in length. It also includes an FPL easement, approximately 170 feet wide, which contains a transmission line and access road along the entire length of the southern portion of the property. The effective period of the amendment is December 1, 2000 - February 25, 2005, but the lease can be renewed annually for an additional three years at the option of the SFWMD. Roth is allowed to grow sugar cane and/or rice on the 126 acre tract and sugar cane and rice, with radishes as a transition crop, on the 85.5 acre tract.

Both the 126 acre and 85.5 acre tracts of land are part of several pieces of property that were acquired by the District for the construction of STA 1W. The lands were made available for lease when it was determined that they were not currently needed for STA purposes. These lands were previously covered by a series of Surface Water Management, Water Use, Right of Way, and Everglades Works of the District permits. The applicant has requested that all the applicable permits be transferred to a single set of permits and modified to reflect the reduced acreage and any other proposed changes in the surface water management and irrigation systems.

Permit No. 50-00310-S, which includes the 126 acre tract, will be transferred from Knight Holdings to Roth and will be modified to reduce the original acreage from 519.74 acres to 211.5 acres (126 + 85.5 acres). Permit Nos. 50-00272-S (issued to Flor-Ag Corp.), 50-00287-S (issued to Trucane Sugar Corp.), and 50-00024-S (issued to South Florida Grassing) will be cancelled and the 85.5 acre strip of land located across the northern portion of these permits will be transferred to Permit No. 50-00310-S.

Regarding the other permits, Right of Way Permit Nos. 50-00272-R and 50-00310-R have been transferred to Roth Farms, and subsequently Permit No. 50-00272-R was incorporated into Permit No. 50-00310-R. Permit Nos. 50-00287-R and 00024-R have been cancelled. Water Use Permit No. 50-01630-W will be transferred from Knight Holdings to Roth and will be modified to reduce the original acreage from 519.74 acres to 211.5 acres (126 + 85.5 acres). Water Use Permit Nos. 50-00272-W, 50-00287-W, and 50-00024-W will be cancelled and the 85.5 acre strip of land located across the northern portion of these permits will be transferred to Permit No. 50-1630-W. The Everglades Works of the District Permit No. 50-00031-E issued to the Sugar Cane Growers Cooperative of Florida (SCGC) for the existing 126 acre Roth Farm (Farm/Basin ID 50-035-03) will be modified to add the additional 85.5 acres.

PROPOSED FACILITIES:

This application is a request for modification of Permit No. 50-00310-S to reflect a revised permit acreage and for the construction and operation of a surface water management system to serve 211.5 acres of agricultural development. The proposed surface water management system will consist of internal ditches and two pump facilities which will discharge into the L-13 Ocean Canal. Per the existing lease (Contract No. C-9318), the applicant has already constructed one of the pump facilities which serves the 126 acre parcel. Per the lease, an allowable discharge rate of 5800 GPM was established for this parcel. The amendment to the lease issued on January 11, 2001, added an 85.5 acre parcel and the applicant is proposing an allowable discharge rate of 3900 GPM for this parcel. In addition, the applicant is proposing to construct a ditch to connect both the 126 acre parcel and the 85.5 acre parcel for stormwater management purposes. To address water quality, the applicant is proposing to implement best management practices as required under the Everglades Works of the District Permit. In addition, the Everglades Works of the District permit requires that the applicant maintain pump logs. Prior pump log information indicates that the applicant has operated the existing pump within the 126 acre parcel at a higher rate than the allowable 5800 GPM rate. A special condition of this permit requires that the applicant comply with the 5800 GPM maximum allowable rate for the existing pump and a 3900 GPM rate for the new pump.

Issuance of this permit will also serve to cancel Permits No's 50-00272-S, 50-00287-S and 50-00024-S as the properties covered under these permits, except the 85.5 acre parcel which is now transferred to Permit No. 50-00310-S, have been acquired by the District and the lands are no longer being farmed.

Issuance of this permit in no way modifies the terms and conditions of the original lease and the lease amendment. This includes the requirement in the lease amendment that the applicant close any existing drainage connections to the STA-1W seepage canal.

III. PROJECT EVALUATION

WATER QUALITY:

The applicant will implement best management practices in accordance with the Everglades Works of the District permit (Permit No. 50-00031-E).

IV. ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL SUMMARY:

The project is located in western Palm Beach County on the south side of S.R. 880 just west of 20-Mile Bend and north of Stormwater Treatment Area (STA) 1W. This is a modification to the existing permit. The land will continue to be used to grow sugarcane and rotation crops. There are no wetland related issues associated with the proposed activities.

SYSTEM OPERATION:

Roth Farms, Inc.

PROPOSED LAND USE(S):

Agricultural

WATER USE PERMIT STATUS:

A Water Use permit is required for this project and an application to modify the existing permits is being processed by the District.

POTABLE WATER SUPPLIER:

N/A

WASTE WATER SYSTEM/SUPPLIER:

N/A

DRI STATUS:

This project is not a DRI.

SAVE OUR RIVERS:

The project is not within or adjacent to lands under consideration by the Save Our Rivers program.

SWIM BASIN:

The project is located within the Everglades Works of the District regulatory program area.

SPECIAL CONDITIONS

1. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
2. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
3. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
4. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
5. LAND USE BY THE PERMITTED FACILITIES IS AGRICULTURAL. PROPOSED CONSTRUCTION OF RESIDENCES MAY REQUIRE MODIFICATION OF THIS PERMIT AND MUST BE REPORTED TO THE DISTRICT.
6. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF ROTH FARMS, INC..
7. ISSUANCE OF THIS PERMIT WILL SERVE TO CANCEL PERMITS NO'S 50-00272-S, 50-00287-S AND 50-00024-S AS THE PROPERTIES COVERED UNDER THESE PERMITS, EXCEPT THE 85.5 ACRE PARCEL WHICH IS NOW TRANSFERRED TO PERMIT NO. 50-00310-S, HAVE BEEN ACQUIRED BY THE DISTRICT AND THE LANDS ARE NO LONGER BEING FARMED.
8. MAXIMUM ALLOWABLE DISCHARGE RATE FOR THE 126 ACRE PARCEL IS 5800 GPM, MAXIMUM ALLOWABLE DISCHARGE RATE FOR THE 85.5 ACRE PARCEL IS 3900 GPM.
9. ISSUANCE OF THE PERMIT IN NO WAY MODIFIES THE TERMS AND CONDITIONS OF THE LEASE AGREEMENT (C-9318 AND C-9318-A1).



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

**WATER USE
LETTER MODIFICATION**

APPLICATION NUMBER: 160915-9 **PERMIT NUMBER:** 50-01630-W
DATE ISSUED: October 12, 2016 **EXPIRATION DATE:** September 28, 2029
PERMITTEE: PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS
2633 VISTA PARKWAY
WEST PALM BEACH, FL 33411
PROJECT NAME: TWENTY MILE BEND FARM
PROJECT LOCATION: PALM BEACH COUNTY, S6/T44S/R40E
S6, 31/T43S/R40E

District staff has reviewed the information submitted in support of the referenced application for permit modification(s) and determined that the proposed activities are in compliance with the previous permit and the appropriate provisions of Rule 40E-2.331 (4)(a), Florida Administrative Code. The permit modification(s) include the following:

The letter modification includes the transfer of the permit from Roth Farms, Inc. to the Palm Beach County Board of County Commissioners (Exhibit 1).

Secondly, the Permittee requests to replace the existing surface water pump with a proposed surface water pump that has a 7,000 gallon per minute capacity and a 16 inch intake diameter (Exhibits 2 and 3).

Please understand that your permit remains subject to the 17 Limiting Conditions and all other terms of the permit authorization as previously issued.

A handwritten signature in cursive script, reading "Thomas Colios", with a horizontal line underneath.

Thomas Colios
Section Leader
Water Use Bureau

LIMITING CONDITIONS

1. This permit shall expire on September 28, 2029.
2. Application for a permit modification may be made at any time.
3. Water use classification:
Agricultural Irrigation
4. Source classification is:
Surface Water from:
SFWMD Canal (L-13)
5. Total annual allocation is 54.79 million gallons (MG). (150,110 GPD)

Total maximum monthly allocation is 9.10 million gallons (MG).

These allocations represent the amount of water required to meet the water demands as a result of rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1 in 10 year drought event. If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

(A) All other conditions of the permit are met; and

(B) The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the

LIMITING CONDITIONS

1. This permit shall expire on September 28, 2029.
2. Application for a permit modification may be made at any time.
3. Water use classification:
Agricultural Irrigation
4. Source classification is:
Surface Water from:
SFWMD Canal (L-13)
5. Total annual allocation is 54.79 million gallons (MG). (150,110 GPD)

Total maximum monthly allocation is 9.10 million gallons (MG).

These allocations represent the amount of water required to meet the water demands as a result of rainfall deficit during a drought with the probability of recurring one year in ten. The Permittee shall not exceed these allocations in hydrologic conditions less than a 1 in 10 year drought event. If the rainfall deficit is more severe than that expected to recur once every ten years, the withdrawals shall not exceed that amount necessary to continue to meet the reasonable-beneficial demands under such conditions, provided no harm to the water resources occur and:

(A) All other conditions of the permit are met; and

(B) The withdrawal is otherwise consistent with applicable declared Water Shortage Orders in effect pursuant to Chapter 40E-21, F.A.C.

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the

permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS
2633 VISTA PARKWAY
WEST PALM BEACH, FL - 33411

7. Withdrawal facilities:

Surface Water - Existing:

1 - 16" x 25 HP X 7000 GPM Axial Flow Pump

1 - 36" x 50' Corrugated Metal Pipe Culvert

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.

Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:

(A) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or

(B) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.

9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify

withdrawal rates or mitigate the harm. Harm caused by withdrawals, as determined through reference to the conditions for permit issuance, includes:

(A) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)

(B) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or

(C) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.

10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:

(A) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,

(B) Reduction in water levels that harm the hydroperiod of wetlands,

(C) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,

(D) Harmful movement of contaminants in violation of state water quality standards, or

(E) Harm to the natural system including damage to habitat for rare or endangered species.

11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.

12. Authorized representatives of the District, with advance notice to the permittee, shall be

permitted to enter, inspect, and observe the permitted system to determine compliance with permit conditions.

13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: SFWMD at www.sfwmd.gov/ePermitting, or Regulatory Support, 3301 Gun Club Road, West Palm Beach, FL 33406.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. If reclaimed water becomes available prior to the expiration date of this permit, the Permittee shall apply for a modification of the water use permit to reflect that portion of the allocation which is to be provided for by reclaimed water. Reclaimed water is considered available when an agreement has been executed between both parties, the transmission lines are constructed to the project site, and the necessary on-site modifications and authorizations are obtained.

c: Palm Beach County
Roth Farms Inc

ADDRESSES

Palm Beach County
Board of County Commissioners
2633 Vista Parkway
West Palm Beach, FL 33411

Roth Farms Inc
Post Office Box 1300
Belle Glade, FL 33430

NOTICE OF RIGHTS

As required by Sections 120.569 and 120.60(3), Fla. Stat., the following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all of the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a SFWMD decision which affects or may affect their substantial interests shall file a petition for hearing with the Office of the District Clerk of the SFWMD, in accordance with the filing instructions set forth herein, within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, or posting that the SFWMD has or intends to take final agency action, or publication of notice that the SFWMD has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action which materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional Rule 28-106.111, Fla. Admin. Code, point of entry.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Fla. Stat., shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk of the SFWMD. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at SFWMD headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.

- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. It will be necessary to request that the SFWMD's security officer contact the Office of the District Clerk. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

INITIATION OF AN ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Fla. Stat., and Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

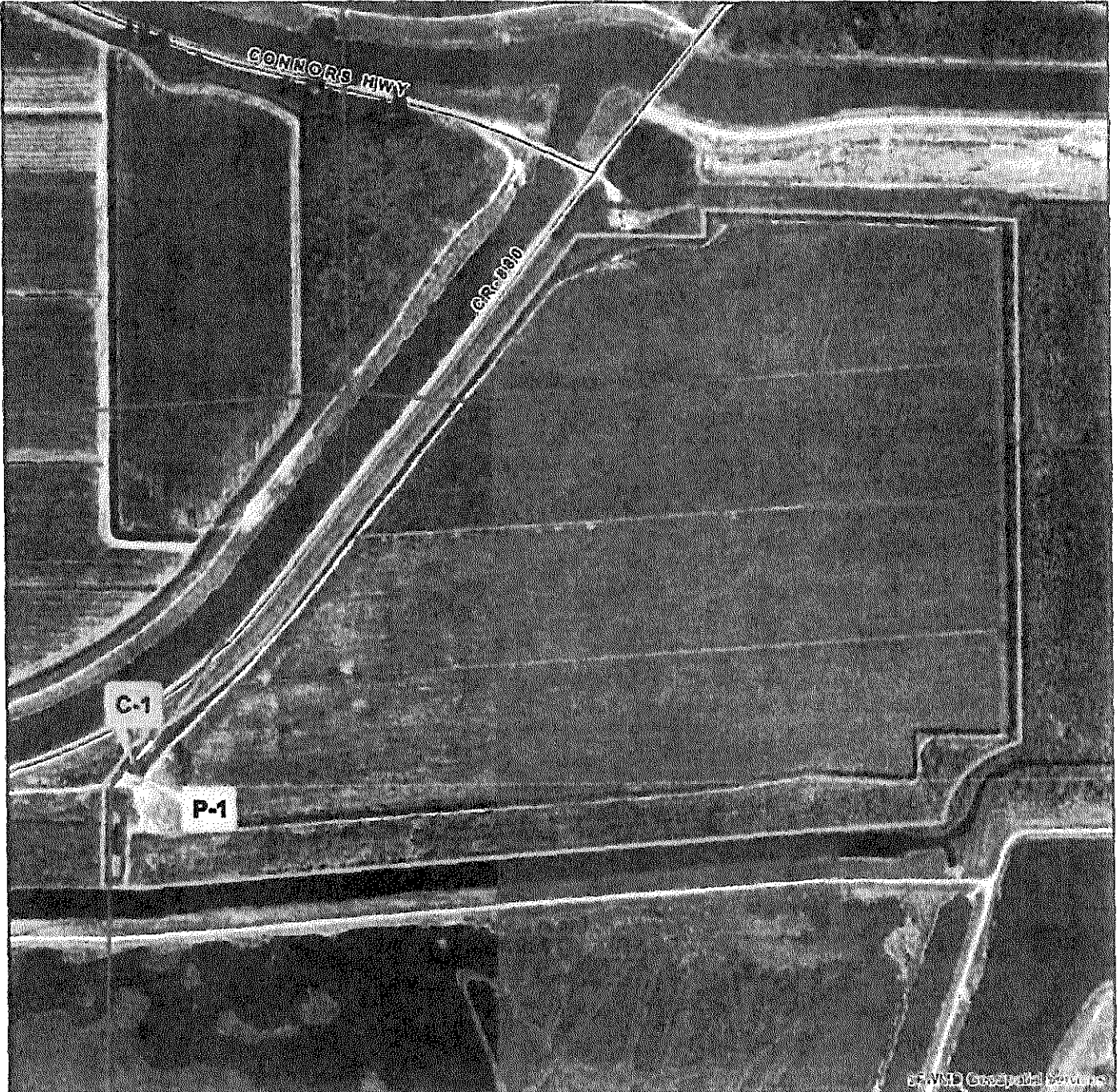
1. Identification of the action being contested, including the permit number, application number, SFWMD file number or any other SFWMD identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

MEDIATION

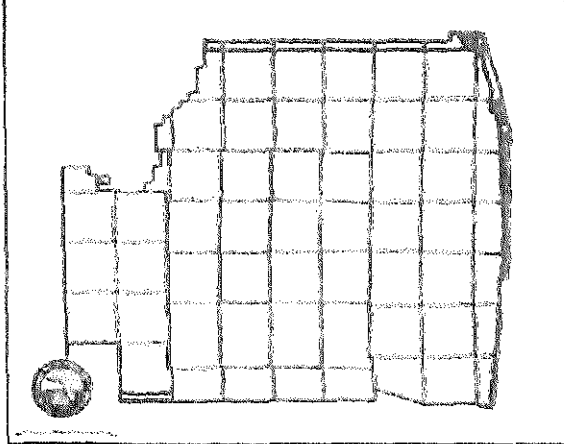
The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401–405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Fla. Stat., and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal with the Office of the District Clerk of the SFWMD in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the clerk of the appropriate district court of appeal.



STAND GRAPHICAL SYMBOLS



PALM BEACH COUNTY, FLORIDA

- Application
- PUMP
- CULVERT

Application No: 160915-9
 Sec 6, 31 / Twp 43 / Rge 40
 Sec 6 / Twp 44 / Rge 40
 Project Name: TWENTY MILE BEND FARM



Map Date: 2016-10-10
 Permit No: 50-01630-W



Exhibit No: 2

TABLE - B
Description Of Surface Water Pumps

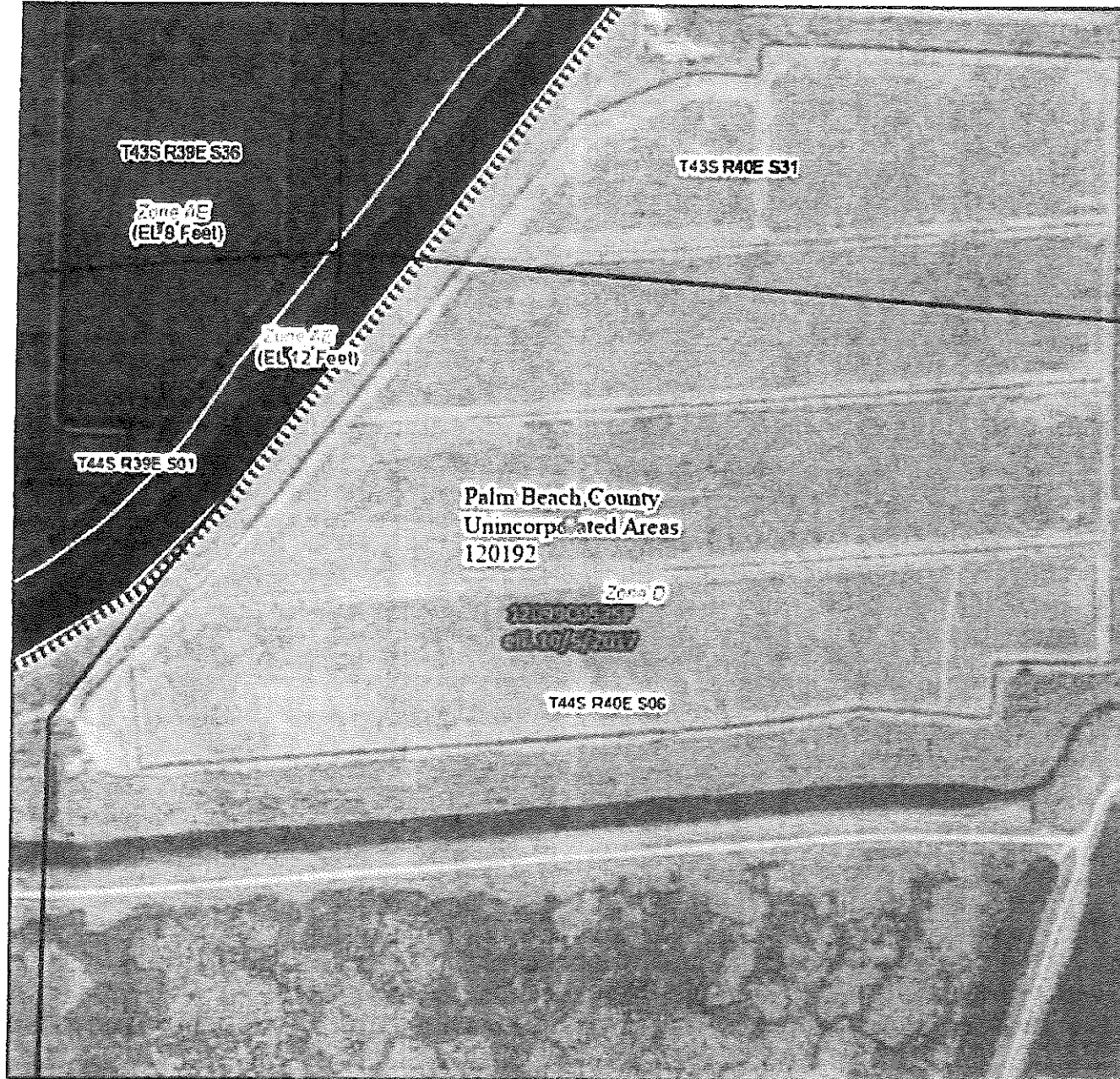
Application Number: 160915-9

Pump ID	39690
Name	P-1
Map Designator	P-1
Facility Group	
Existing/Proposed	E
Pump Type	Axial Flow
Diameter(Inches)	16
Pump Capacity(GPM)	7,000
Pump Horse Power	25
Two Way Pump ?	N
Elevation (ft. NGVD)	
Planar Location	
Source	
Feet East	853710
Feet North	852820
Accounting Method	None
Use Status	Primary
Water Use Type	Irrigation
Surface Water Body	SFWMD Canal (L-13)

National Flood Hazard Layer FIRMette



89°23'44"W 26°41'47"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

89°23'7"W 26°41'32"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, APF
		With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with draining areas of less than one square mile Zone I
		Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levees. See Notes. Zone X
		Area with Flood Risk due to Levees Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRs
		Area of Undetermined Flood Hazard Zone X
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/27/2025 at 1:27 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation data, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



30' ENCUMBRANCE

- 10' PBC UTILITY EASEMENT
- 20' LANDSCAPE BUFFER

138' ENCUMBRANCE

- 100' FPL RIGHT-OF-WAY
- 30' FPL EASEMENT
- 8' LANDSCAPE BUFFER

APPROXIMATE ENCUMBRANCE AREA

20 Mile Bend Public Use Development Palm Beach County Conceptual Plan



NORTH

0 75 150 300

Scale: 1" = 150'-0"

Date: 09.20.2023
Project No.: 23-002-000
Designed By:
Drawn By: MR
Checked By: SJL/RD
Revision Dates:

This conceptual site plan is provided for information only. It is intended to determine the potential for development of the site and how known encumbrances could affect site design, anticipated fit, and layout of a motorsport park development on the subject property. No current survey of the site is available. The property boundaries are approximate and based on information available from the Palm Beach County Property Appraisers. The amount of drainage area required has not been calculated, and drainage shown is based on assumptions of similar development. The ultimate site design and achievable intensity will need to be reviewed once an abstracted survey of the site is provided, and may be different than that represented on this plan.

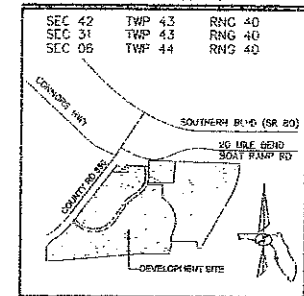
SUBDIVISION (TYPE II) VARIANCE 'A'

ULDC Article	Required	Proposed	Variance	Approval
A. Article 11 E 2 A 2 Table 11 E 2 A 1	Each lot shall abut a street of suitable classification to provide each lot with legal access consistent with the standards set forth in Table 11 E 2 A 1.	Access from Boat Ramp Road, the existing roadway governed by a 40' Eastern Easement Agreement recorded at ORR 9326, p. 489.	Allow legal access from an 40' access easement instead of a right-of-way.	Agenda Item: SD-133 June 7, 2007 Resolution: ZR2007-037

SUBDIVISION (TYPE II) VARIANCE 'B'

ULDC Article	Required	Proposed	Variance	Approval
B. Article 11 7 B 1	The time of completion of all required improvements shall not exceed 21 months from the date of issuance of the Land Development Permit.	No time frame associated with the construction and completion of the internal 60' Right-of-way	To be the completion of the construction of the internal 60' Right-of-way to the Certificate of Occupancy (CO) of the first building in the SFVARD parcel and not before.	Agenda Item: SD-133 June 7, 2007 Resolution: ZR2007-037

LOCATION MAP



DRO CONDITION:

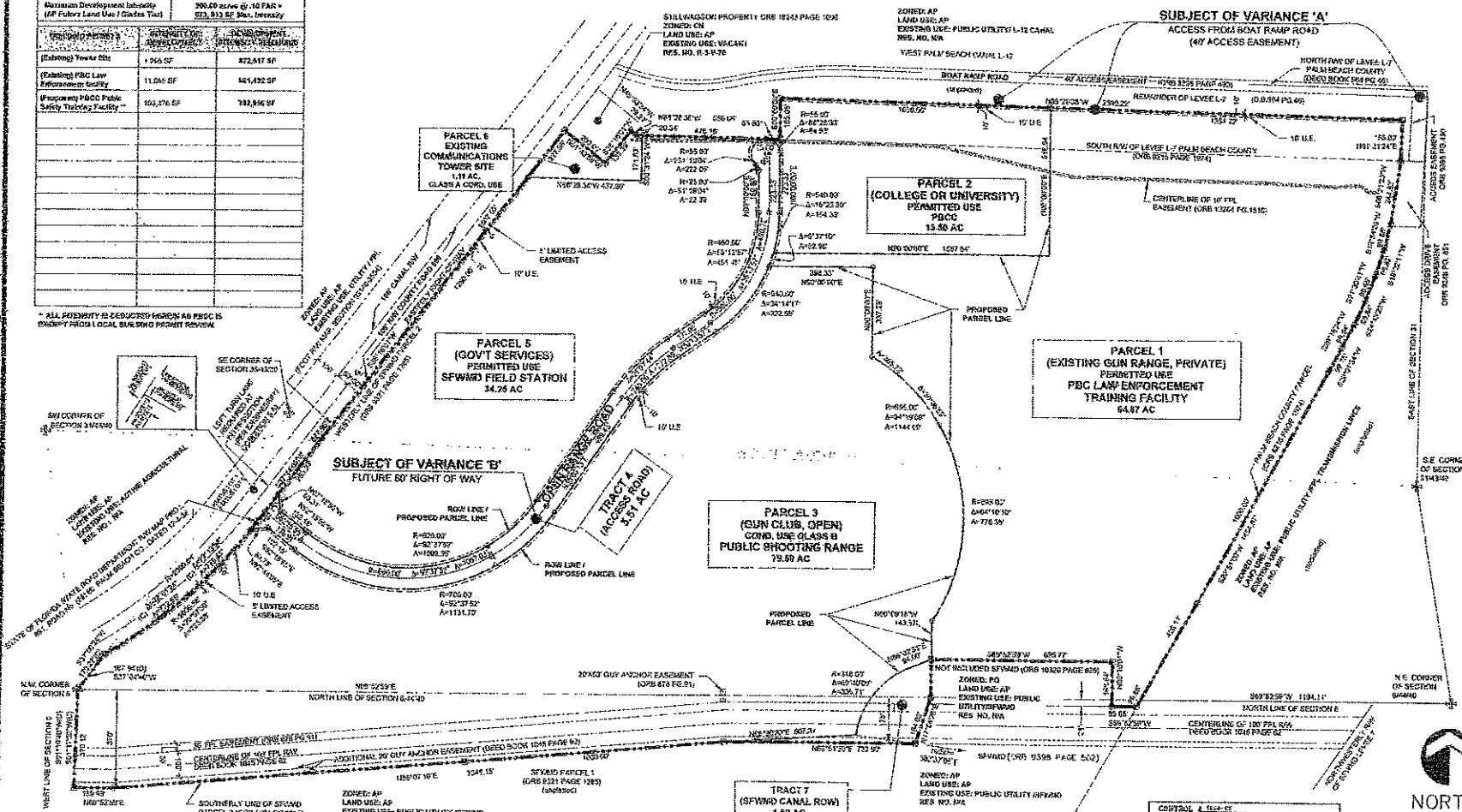
Prior to issuance of each building permit, the Advertiser file Inventory Data Chart on this subdivision plan shall be administratively reviewed to verify both the accuracy of development that corresponds to each building permit and the remaining parcels in the development inventory. The overall development inventory shall not exceed 872,333 gross square feet in order to comply with the 10 FAR limitation for the AP F.U. category as established within the Comprehensive Plan. (BLDG PERMIT: ZONING/COMPLIANCE -Planning)

- Prior to the issuance of a building permit, each lot shall meet ULDC requirements for landscaping and painting. (BLDG PERMIT: LANDSCAPE - Zoning)
- Prior to the issuance of a building permit for Parcel 3, the DRO shall approve a final site plan consistent with the Class B Conditional Use approval for the Gun Club Open. (BLDG PERMIT: BLDG - Zoning)

ALLOWABLE INTENSITY SITE DATA CHART

Minimum Development Intensity (AP Future Land Use / Class Use)	200.00 SF/acre @ 10 FAR *	872,333 SF Max. Intensity
Residential Single-Family (R-1)	1,264 SF	872,333 SF
Residential Medium-Density (R-2)	11,045 SF	841,432 SF
Proposed PUDC Public Safety Training Facility	103,376 SF	782,596 SF

* ALL PERMITTED TO BE REDUCED TO 10 FAR IS EXCEPT FOR LOCAL BULKING PERMIT REVIEW.



SITE DATA.

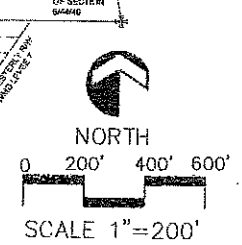
CONTROL NO.	1794-02
APPLICATION NO.	062-2007-0002
PROJECT NAME	20 MILE BEND PUBLIC USE DEVELOPMENT
TRACER	CLASER TRACER
EXISTING FUTURE, AND USE	AP PD
EXISTING ZONING DISTRICT	PD
SECTION/TOWNSHIP/RANGE:	20M440 & 402400 & 240840
FOR:	00-40-43-03-00-0000-1 00-40-43-03-00-0000-2000 00-40-43-03-00-0000-3000 00-40-43-03-00-0000-4000 00-40-43-03-00-0000-5000 00-40-43-03-00-0000-6000
TRAFFIC ANALYSIS ZONE:	1200
20 APPROVAL:	JUNE 7, 2007
EDC APPROVAL:	JULY 20, 2007
RESOLUTION NUMBERS:	Z-2007-1232 R-2007-1233
ORDER OF DEVELOPMENT LDT AREA:	8,738 TSS (S.F.) 556.61 AC

CONCURRENCY

GOVERNMENT SERVICES (GRANDS)	15,900 SF
COLLEGE OF UNIVERSITY (SBOC)	734 STUDENTS / 10,876 SF
GUN CLUB PRIVATE (SBOC)	3M SHOOTING POSITIONS / 18,000 SF
GUN CLUB OPEN (PUBLIC SHOOTING RANGE)	41,16 AC
GAS AND FUEL SERVICES	6 FUELING STATIONS

SITE NOTES:

1. SITE PLAN BASED ON A SURVEY PREPARED BY BROWN & PHILLIPS SURVEYING DATED OCTOBER 22ND.
2. THERE ARE NO PROPERTY DEVELOPMENT REGULATIONS FOR PRELIMINARY ZONED PD (PUBLIC CAMPUS).



ATTENTION NO. **94-006**
DATE SUBMITTED **12-12-07**
PROJECT NO. **04329-000**
PROJECT NAME **20 MILE BEND PUBLIC USE DEVELOPMENT**
DATE APPROVED AT **12-12-07**
DRO **DR**
BY **DR**

DEVELOPMENT TEAM:

OWNERS: PALM BEACH COUNTY 3524 WETA PARKWAY WEST PALM BEACH, FL 33411-8902 (561) 233-2320	PLANNED BY: KILDAY & ASSOCIATES, INC. 1555 FOREST HILL BLVD, SUITE 205 WEST PALM BEACH, FL 33411-2341 (561) 848-4322
DESIGNER: SOUTH FLORIDA WATER MANAGEMENT DISTRICT #7 PO BOX 24893 WEST PALM BEACH, FL 33415	CONSULTANTS: SCHORR & ASSOCIATES 1994 FOREST HILL BLVD, SUITE 205 WEST PALM BEACH, FL 33411-2341 (561) 848-4322
1794-02 ENFORCER: WEST PALM BEACH COUNTY ENGINEERING DEPT 2334 SOUTH CONGRESS AVE., SUITE 414 WEST PALM BEACH, FLORIDA 33406 (561) 233-1434	SURVEYOR: BROWN & PHILLIPS 604 WASHINGTON PARKWAY WEST PALM BEACH, FL 33407 (561) 615-3488

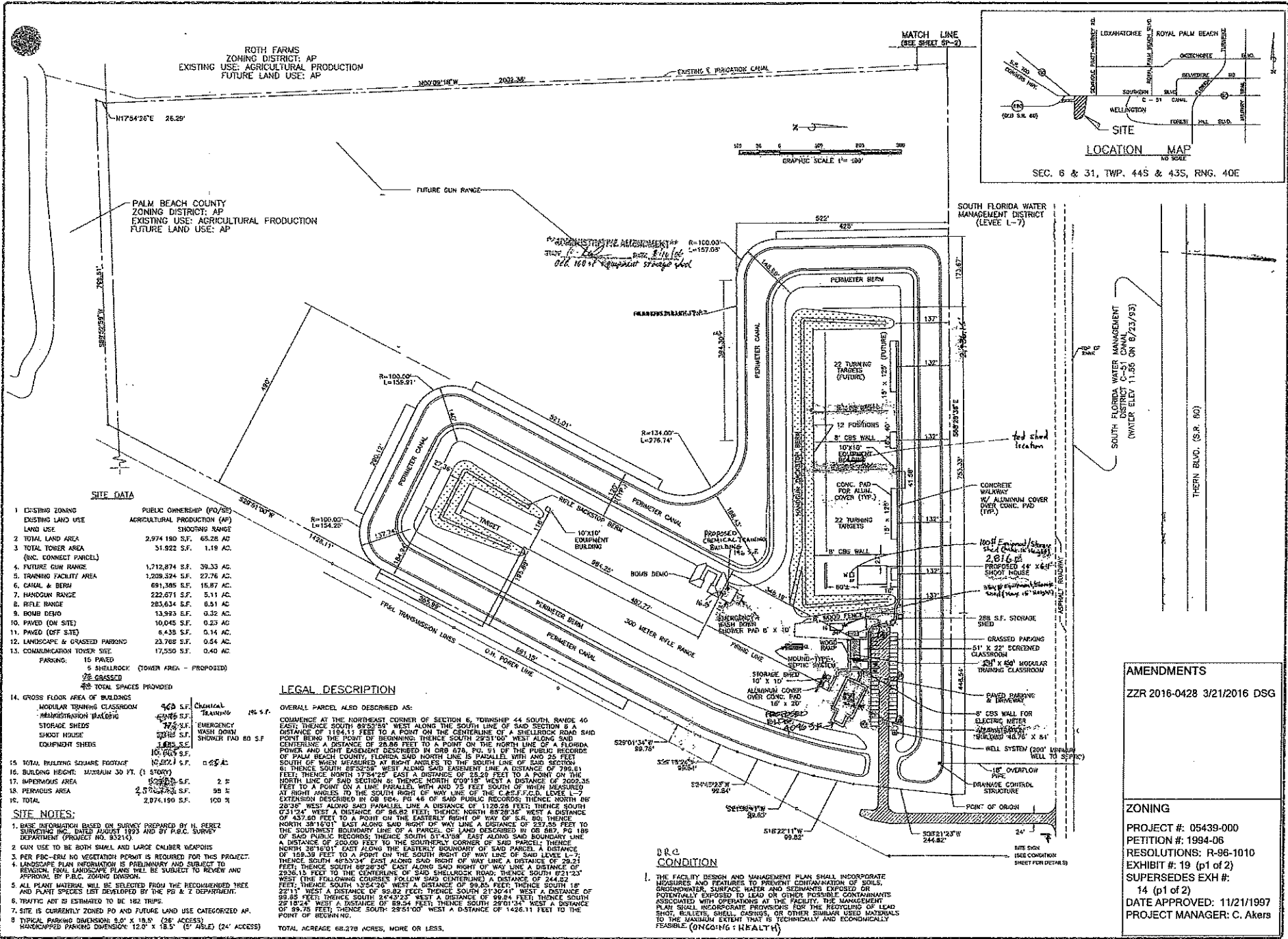
PALM BEACH COUNTY
FACILITIES DEVELOPMENT & OPERATIONS
Capital Improvements Division
West Palm Beach, Florida (561) 233-0200

Scale: 1" = 200'	Date: October 17, 2007
REVISIONS / SUBMISSIONS: 11-26-07: Initial Submittal, DRO compliance. 12-12-07: DRO CERTIFIED	

Kilday & Associates
LANDSCAPE ARCHITECTS
1555 FOREST HILL
SUITE 205
WEST PALM BEACH, FLORIDA 33411
Phone: (561) 848-4322
Fax: (561) 848-4322

20 MILE BEND PUBLIC USE DEVELOPMENT
PALM BEACH COUNTY, FLORIDA
SUBDIVISION PLAN

SBP-1 of 1



SITE DATA

EXISTING ZONING	PUBLIC OWNERSHIP (PO/BS)
EXISTING LAND USE	AGRICULTURAL PRODUCTION (AP)
LAND USE	SHOOTING RANGE
2. TOTAL LAND AREA	2,974,190 S.F. 68.28 AC
3. TOTAL TOWER AREA (INC. CONNECT PARCEL)	31,922 S.F. 1.19 AC
4. FUTURE GUN RANGE	1,712,874 S.F. 39.33 AC
5. TRAINING FACILITY AREA	1,209,324 S.F. 27.76 AC
6. CANAL & BERM	691,395 S.F. 15.87 AC
7. HANDICAP RANGE	222,671 S.F. 5.11 AC
8. RIFLE RANGE	283,634 S.F. 6.51 AC
9. BOMB DEMO	13,993 S.F. 0.32 AC
10. PAVED (ON SITE)	10,045 S.F. 0.23 AC
11. PAVED (OFF SITE)	6,438 S.F. 0.14 AC
12. LANDSCAPE & GRASED PARKING	23,768 S.F. 0.54 AC
13. COMMUNICATION TOWER SITE	17,550 S.F. 0.40 AC
PAVING: 15 PAVED	
5 SHELLROCK (COVER AREA - PROPOSED)	
26 GRASSED	
40 TOTAL SPACES PROVIDED	

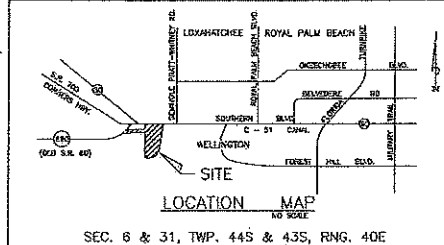
LEGAL DESCRIPTION

OVERALL PARCEL ALSO DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST; THENCE SOUTH 88°58'20" WEST ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 1194.11 FEET TO A POINT ON THE CENTERLINE OF A SHELLROCK ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 82°57'50" WEST ALONG SAID CENTERLINE A DISTANCE OF 26.86 FEET TO A POINT ON THE NORTH LINE OF A FLORIDA POWER AND LIGHT EASEMENT DESCRIBED IN PAR. 674, PG. 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID NORTH LINE IS PARALLEL WITH AND 25 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 82°57'50" WEST ALONG SAID EASEMENT LINE A DISTANCE OF 786.81 FEET; THENCE NORTH 77°54'22" EAST A DISTANCE OF 25.28 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 80°10'11" WEST A DISTANCE OF 2002.35 FEET TO A POINT ON A LINE PARALLEL WITH AND 75 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT OF WAY LINE OF THE C-51 CANAL; THENCE SOUTH 82°57'50" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2926.15 FEET TO THE CENTERLINE OF SAID SHELLROCK ROAD; THENCE SOUTH 82°12'23" WEST (THE FOLLOWING COURSES FOLLOW SAID CENTERLINE) A DISTANCE OF 244.82 FEET; THENCE SOUTH 1°54'26" WEST A DISTANCE OF 99.85 FEET; THENCE SOUTH 1° 22'11" WEST A DISTANCE OF 92.82 FEET; THENCE SOUTH 21°54'41" WEST A DISTANCE OF 89.85 FEET; THENCE SOUTH 24°43'52" WEST A DISTANCE OF 98.84 FEET; THENCE SOUTH 28°12'44" WEST A DISTANCE OF 85.84 FEET; THENCE SOUTH 29°01'24" WEST A DISTANCE OF 89.76 FEET; THENCE SOUTH 29°51'00" WEST A DISTANCE OF 1426.11 FEET TO THE POINT OF BEGINNING.

TOTAL ACREAGE 68.278 ACRES, MORE OR LESS.

- SITE NOTES:**
- BASE INFORMATION BASED ON SURVEY PREPARED BY H. PEREZ SURVEYING INC. DATED AUGUST 1993 AND BY P.B.C. SURVEY DEPARTMENT (PROJECT NO. 93214).
 - GUN USE TO BE BOTH SMALL AND LARGE CALIBER WEAPONS.
 - PER FPC-EMV NO VEGETATION PERMIT IS REQUIRED FOR THIS PROJECT.
 - LANDSCAPE PLAN INFORMATION IS PRELIMINARY AND SUBJECT TO REVIEW. THE LANDSCAPE PLANS WILL BE SUBJECT TO REVIEW AND APPROVAL BY P.B.C. ZONING DIVISION.
 - ALL PLANT MATERIAL WILL BE SELECTED FROM THE RECOMMENDED TREE AND PLANT SPECIES LIST DEVELOPED BY THE PD & T DEPARTMENT.
 - TRAFFIC ANT IS ESTIMATED TO BE 182 TRIPS.
 - SITE IS CURRENTLY ZONED PD AND FUTURE LAND USE CATEGORIZED AP.
 - TYPICAL PARKING DIMENSION: 8.0' X 18.5' (26' ACCESS)
 - HANDICAPPED PARKING DIMENSION: 12.0' X 18.5' (5' ASIDE) (24' ACCESS)



AMENDMENTS

ZZR 2016-0428 3/21/2016 DSG

ZONING

PROJECT #: 05439-000
 PETITION #: 1994-06
 RESOLUTIONS: R-96-1010
 EXHIBIT #: 19 (p1 of 2)
 SUPERSEDES EXH #: 14 (p1 of 2)
 DATE APPROVED: 11/21/1997
 PROJECT MANAGER: C. Akers

PALM BEACH COUNTY
 FACILITIES, DEVELOPMENT & OPERATIONS
capital improvements division
 west palm beach, florida (861) 259-0200

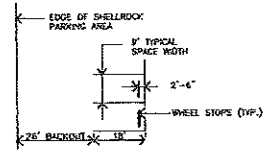
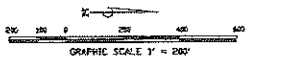
PBSO LAW ENFORCEMENT TRAINING FACILITY AND COMMUNICATION TOWER
 SITE PLAN

date 10-14-97
 drawn D.V.
 checked E.D.F.

sheet
 SP-1
 of 2
 project no.
 07463

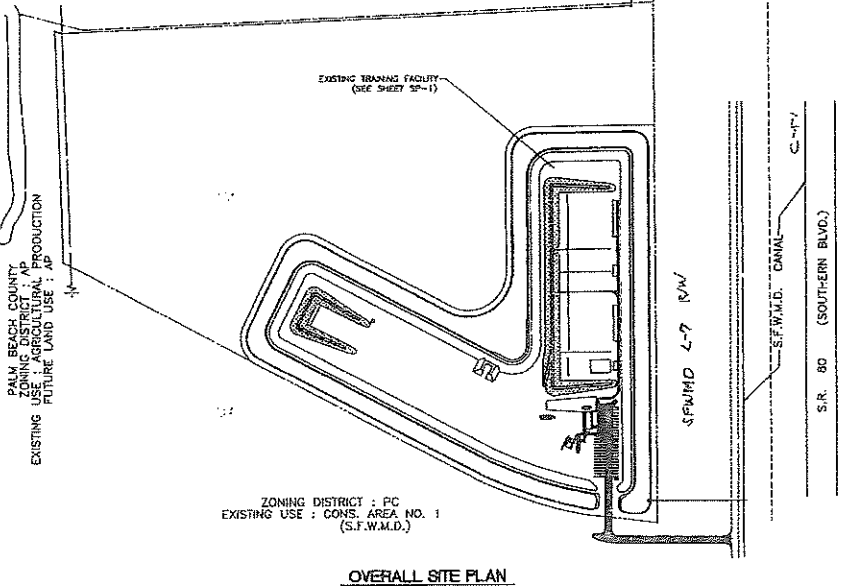
RECOMMENDATION/NOTES	PROPOSED	EXISTING
Minimum Sizing Considered		
Site/Right-of-Way Implications		
Minimum Quality Standard		
Water Filter Location	21-1000	14
Depth of Basin - Very Shallow	1000	10
Basin Slope	21-1000	10
Other Notes		

REQUIREMENT	RECOMMENDATION	PROPOSED	EXISTING
MINIMUM VEGETATION			
Open Area (20% min)	1 per 2500 sq ft	7	0
Shrub (2" min)	2 per 2500 sq ft	21	0
PERMANENT VEGETATION			
Tree (min. 20% min)	1 per 30 LF	18	25
Shrub (2" min, 20" max)	4" min, 20" max	234	234
LANDSCAPE ASPECT			
Interior Vehicle Use Area	N/A	N/A	N/A
Other Vehicle Use Area	N/A	N/A	N/A
Other Landscaped Area	N/A	N/A	N/A



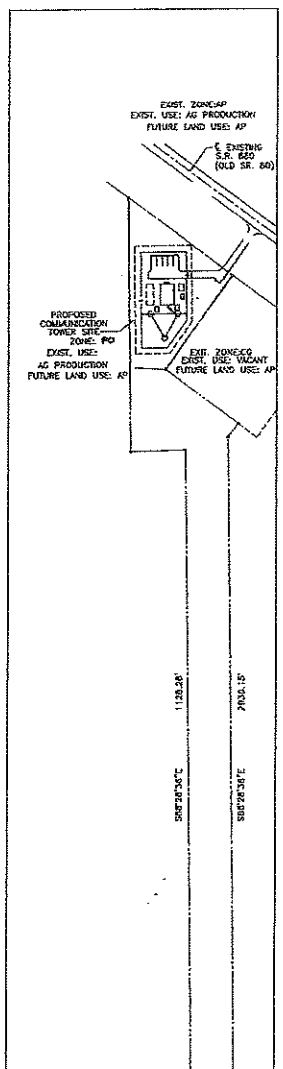
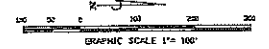
TYPICAL PARKING SPACES
NOT TO SCALE

ROTH FARMS
ZONING DISTRICT : AP
EXISTING USE : AGRICULTURAL PRODUCTION
FUTURE LAND USE : AP

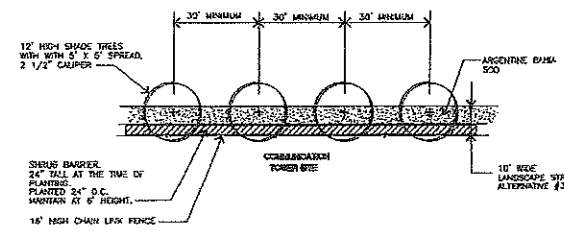


OVERALL SITE PLAN

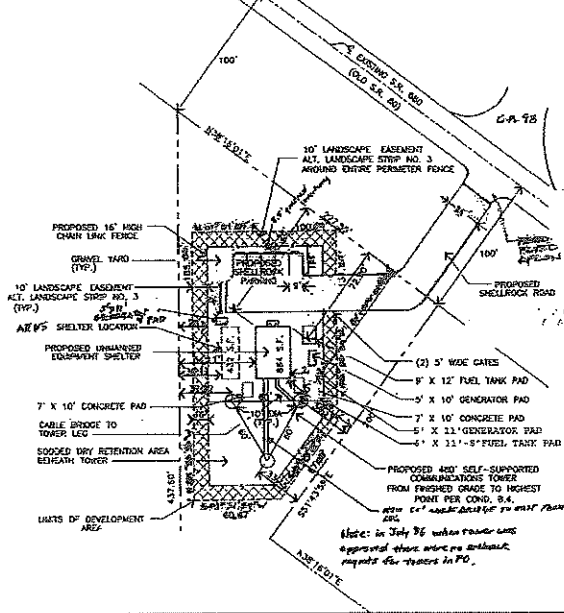
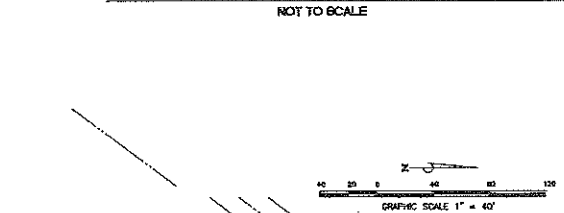
ZONING DISTRICT : PC
EXISTING USE : CONS. AREA NO. 1
(S.F.W.M.D.)



MATCH LINE
SEE SHEET SP-4



TYPICAL DETAIL - LANDSCAPE STRIP ALTERNATIVE #3
NOT TO SCALE



AMENDMENTS	ZONING
ZZR 2016-0428 3/21/2016 DSG	PROJECT #: 05439-000 PETITION #: 1994-06 RESOLUTIONS: R-96-1010 EXHIBIT #: 19 (p2 of 2) SUPERSEDES EXH #: 14 (p2 of 2) DATE APPROVED: 11/21/1997 PROJECT MANAGER: C. Akers

NEAL SMITH & ASSOCIATES
LANDSCAPE ARCHITECTURE
1000 W. WYOMING AVE., SUITE 100
DENVER, CO 80202
TEL: 303.733.1111

SITE PLAN
PBBQ TRAINING FACILITY AND COMMUNICATION TOWER
PALM BEACH COUNTY, FLORIDA
30 N.W. 10th St.

DATE: 11/21/97
SCALE: AS SHOWN

SP-2
R
2

COMMUNICATION TOWER SITE

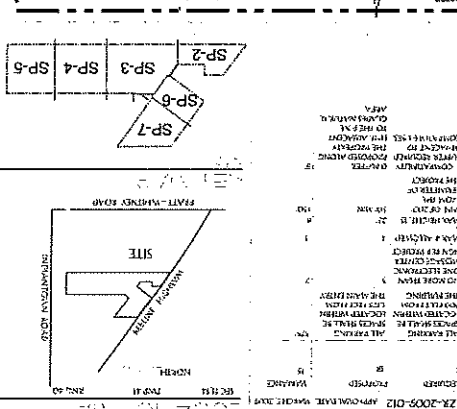
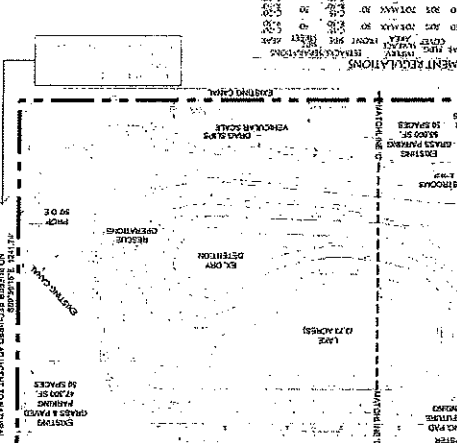
DATE: 02/20/15
DRAWN: M. MAJORS
CHECKED: M. MAJORS
REVIEWED: M. MAJORS
SCALE: 1" = 200'

1767 BEECHER HIGHWAY
MOROSO MOTORSPORTS
MODERNIST ON PLANT FLOOR
CONSULTANT:
WEST ARCHITECTURE + DESIGN, LLC
318 SOUTH DIXIE HIGHWAY
LAKE WORTH, FL 33460
561-558-2277
www.west-arch.com

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PROJECT # 06022-000
CONTROL # 1997-034
APPLICATION # R-2014-0658
RESOLUTION # R-2009-502
R-2009-503, R-2009-505,
EXHIBIT # 07 (1 OF 10)
SUPERCEDES EXH # 05
DATE APPROVED: 8/13/2014
PROJECT MANAGER:
M. Majors

ZAR 2015-1239 7/1/2015 DSG
SP-1 shall be amended to reflect current building occupancy. (CONCING, ZONING, Building Permit)



NO.	DESCRIPTION	AMOUNT	TOTAL
1	CONCRETE PAVEMENT	1000	1000
2	ASPHALT PAVEMENT	2000	2000
3	GRAVEL	500	500
4	LANDSCAPING	1000	1000
5	UTILITIES	1000	1000
6	STRUCTURE	1000	1000
7	MECHANICAL	1000	1000
8	ELECTRICAL	1000	1000
9	PLUMBING	1000	1000
10	HAZARDOUS WASTE	1000	1000
11	DEMOLITION	1000	1000
12	PERMITS	1000	1000
13	INSURANCE	1000	1000
14	CONTINGENCY	1000	1000
15	TOTAL	15000	15000

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13	INSURANCE	1000	1000
14	CONTINGENCY	1000	1000
15	TOTAL	15000	15000

RE-FER TO SHEET FSP-1.3 FOR DETAIL
RE-ZONING
MUPD
EX

MOROSO MOTORSPORTS PARK
TRACKING USES AND SQUARE FOOTAGE CHART

THIS SHEET SHALL BE UPDATED FOR EACH TENANT IMPROVEMENT DURING BUILDING PERMITTING, ZONING AMENDMENTS AND/OR FOR BUSINESS TAX RECEIPTS (BTR'S) AS APPLICABLE.

PER FINAL SITE PLAN DATED 10-14-09

BUILDING	GENERAL RETAIL	RESTAURANT TYPE II	WAREHOUSE	VOCATIONAL SCHOOL	AUTO PAINT & BODY	MACHINE OR WELDING SHOP	MANUFACTURING & PROCESSING	REPAIR SERVICES (LIMITED & MAINTENANCE GENERAL)	VEHICLE SALES & RENTAL MAINTENANCE GENERAL	VEHICLE TOWING & STORAGE	TOTAL
A-1	24,000 SF										24,000 SF
A-2	24,000 SF										24,000 SF
A-3	24,000 SF										24,000 SF
A-4	24,000 SF										24,000 SF
B	24,000 SF										24,000 SF
X-1	12,000 SF										12,000 SF
X-2	12,000 SF										12,000 SF
L	12,000 SF										12,000 SF
AL-1	12,000 SF										12,000 SF
AL-2	12,000 SF										12,000 SF
M-1	12,000 SF										12,000 SF
M-2	12,000 SF										12,000 SF
N	12,000 SF										12,000 SF
O	24,000 SF										24,000 SF
ALLOCATED S.F.											
APPROVED S.F.	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	24,000 SF	240,000 SF
REMAINING S.F.											

LEGEND
 1. THESE ARE THE APPROVED USES FOR THE GENERAL ZONING AMENDMENT IN THE APPROVED FINAL SITE PLAN AS APPROVED BY THE CITY OF JUPITER.
 2. THESE ARE THE APPROVED USES FOR THE ZONING AMENDMENT IN THE APPROVED FINAL SITE PLAN AS APPROVED BY THE CITY OF JUPITER.

PERMITS CONDITION
 1. Prior to issuance of tenant improvements (Building Permit) or Business Tax Receipt as applicable, Sheet FSP-1.1 shall be amended to reflect current building occupancy. (ONGOING: ZONING-Building Permit)



WEST
ARCHITECTURE
+ DESIGN, LLC
AA20011903

318 SOUTH DIXIE HIGHWAY
SUITE 4-5
LAKE WORTH, FL 33460
561-998-7027 F
561-952-9148 F
www.west-arch.com

1. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 2. I AM A LICENSED ARCHITECT IN THE STATE OF FLORIDA.
 3. I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF FLORIDA.
 4. I AM A LICENSED PROFESSIONAL LANDSCAPE ARCHITECT IN THE STATE OF FLORIDA.
 5. I AM A LICENSED PROFESSIONAL SURVEYOR IN THE STATE OF FLORIDA.
 6. I AM A LICENSED PROFESSIONAL CIVIL ENGINEER IN THE STATE OF FLORIDA.
 7. I AM A LICENSED PROFESSIONAL ELECTRICAL ENGINEER IN THE STATE OF FLORIDA.
 8. I AM A LICENSED PROFESSIONAL MECHANICAL ENGINEER IN THE STATE OF FLORIDA.
 9. I AM A LICENSED PROFESSIONAL CHEMICAL ENGINEER IN THE STATE OF FLORIDA.
 10. I AM A LICENSED PROFESSIONAL INDUSTRIAL ENGINEER IN THE STATE OF FLORIDA.
 11. I AM A LICENSED PROFESSIONAL AERONAUTICAL AND NAUTICAL ENGINEER IN THE STATE OF FLORIDA.
 12. I AM A LICENSED PROFESSIONAL METALLURGICAL ENGINEER IN THE STATE OF FLORIDA.
 13. I AM A LICENSED PROFESSIONAL NUCLEAR ENGINEER IN THE STATE OF FLORIDA.
 14. I AM A LICENSED PROFESSIONAL AGRICULTURAL ENGINEER IN THE STATE OF FLORIDA.
 15. I AM A LICENSED PROFESSIONAL BIOMEDICAL ENGINEER IN THE STATE OF FLORIDA.
 16. I AM A LICENSED PROFESSIONAL ENVIRONMENTAL ENGINEER IN THE STATE OF FLORIDA.
 17. I AM A LICENSED PROFESSIONAL FOOD ENGINEER IN THE STATE OF FLORIDA.
 18. I AM A LICENSED PROFESSIONAL TEXTILE ENGINEER IN THE STATE OF FLORIDA.
 19. I AM A LICENSED PROFESSIONAL FIBER ENGINEER IN THE STATE OF FLORIDA.
 20. I AM A LICENSED PROFESSIONAL POLYMER ENGINEER IN THE STATE OF FLORIDA.
 21. I AM A LICENSED PROFESSIONAL PLASTICS ENGINEER IN THE STATE OF FLORIDA.
 22. I AM A LICENSED PROFESSIONAL RUBBER ENGINEER IN THE STATE OF FLORIDA.
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 27. I AM A LICENSED PROFESSIONAL ADHESIVE ENGINEER IN THE STATE OF FLORIDA.
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 34. I AM A LICENSED PROFESSIONAL FIBERGLASS ENGINEER IN THE STATE OF FLORIDA.
 35. I AM A LICENSED PROFESSIONAL CARBON ENGINEER IN THE STATE OF FLORIDA.
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VOYER VENTURES, PLLC FOR

MOROSO
MOTORSPORTS
PARK

17647 BEELINE HIGHWAY
JUPITER, FL 33470

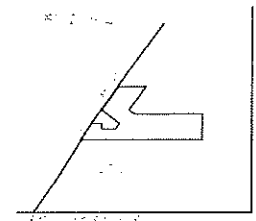
DATE: 08/13/14
 DESIGNER: M. MATOS
 CHECKED: M. MATOS
 MANAGER: M. MATOS
 DRAWN: M. MATOS

- 10-14-09 REVISIONS AND SUBMITTAL BY GIBBONS
- 04-16-10 REVISIONS AND SUBMITTAL BY GIBBONS
- 06-23-10 REVISIONS AND SUBMITTAL BY GIBBONS
- 07-21-11 REVISIONS AND SUBMITTAL BY GIBBONS

AMENDMENT STAMPS	<p>PROJECT #: 05022-000 CONTROL #: 1997-034 APPLICATION#: 2014-0658 RESOLUTION#: R- 2009-502, R- 2009-503, R- 2009-505, ZR- 2009-012</p> <p>EXHIBIT #: 07 (2 of 10) SUPERCEDES EXH #: 05 DATE APPROVED: 08-13-2014 PROJECT MANAGER: M. MATOS</p>
------------------	--

FINAL USE MATRIX

LOCATION MAP



MATTHEW F. WEST
AR93059



WEST
ARCHITECTURE
+ DESIGN, LLC
A02201533

318 SOUTH DIXIE HIGHWAY
SUITE 4-5
LAKE WORTH, FL 33460
561-588-2027 F
561-522-9189 F
www.west-arch.com

CONSULTANT:
Gentry, Clark
Hickory
O'Malley
ARCHITECTS, P.A.



17087 BEELINE HIGHWAY
JUNTER, FL 33478

MOROSO
MOTORSPORTS
PARK

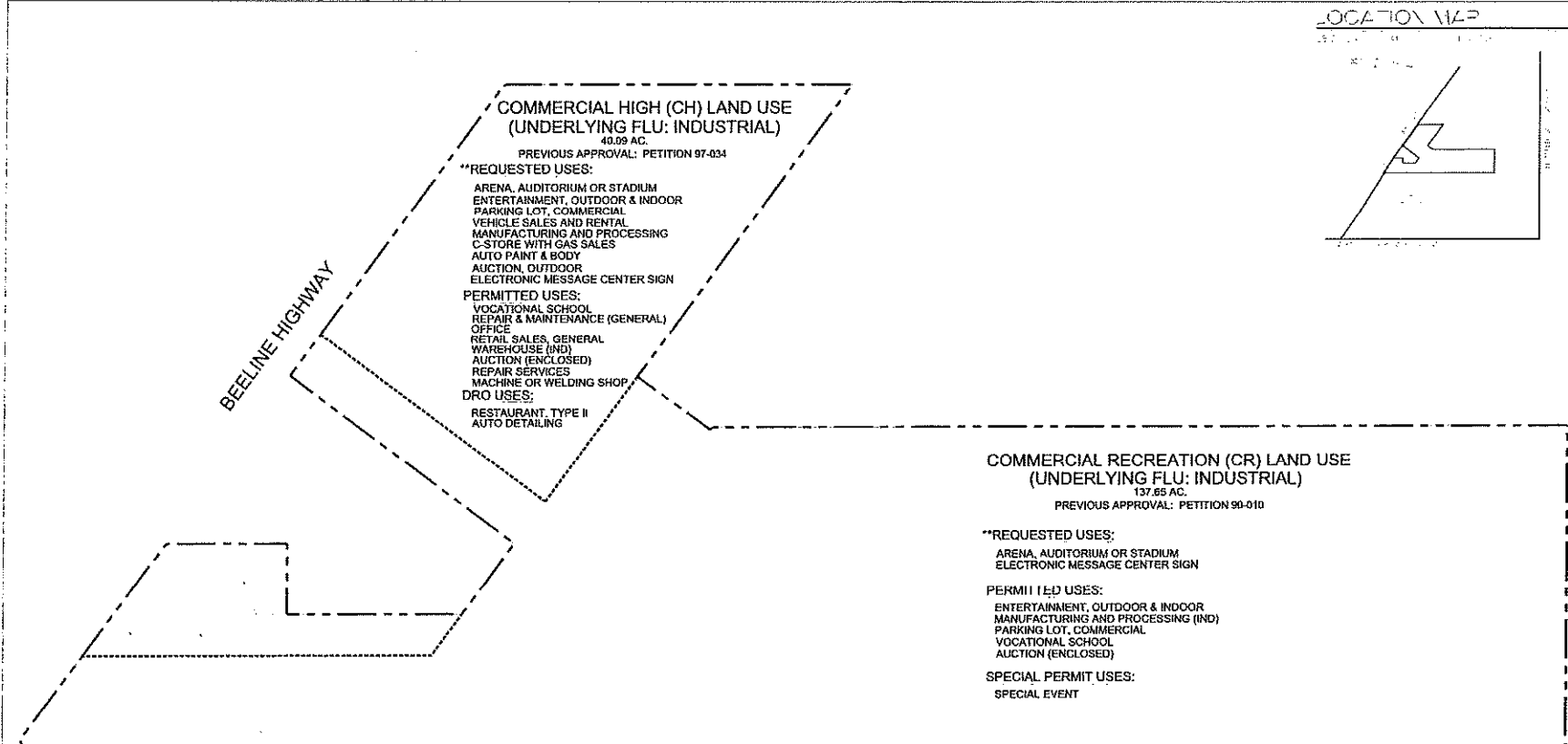
17087 BEELINE HIGHWAY
JUNTER, FL 33478

DATE	REVISION
04/03/2014	01
04/03/2014	02
04/03/2014	03
04/03/2014	04
04/03/2014	05
04/03/2014	06
04/03/2014	07
04/03/2014	08
04/03/2014	09
04/03/2014	10

- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO
- 04-23-09 REVISIONS AND SUBMITTAL BY GAO

FINAL USE PLAN

FSP-1.2
SHEET 3 OF 10



COMMERCIAL HIGH (CH) LAND USE
(UNDERLYING FLU: INDUSTRIAL)
40.09 AC.
PREVIOUS APPROVAL: PETITION 97-034

- **REQUESTED USES:**
ARENA, AUDITORIUM OR STADIUM
ENTERTAINMENT, OUTDOOR & INDOOR
PARKING LOT, COMMERCIAL
VEHICLE SALES AND RENTAL
MANUFACTURING AND PROCESSING
C-STORE WITH GAS SALES
AUTO PAINT & BODY
AUCTION, OUTDOOR
ELECTRONIC MESSAGE CENTER SIGN
- PERMITTED USES:**
VOCATIONAL SCHOOL
REPAIR & MAINTENANCE (GENERAL)
OFFICE
RETAIL SALES, GENERAL
WAREHOUSE (IND)
AUCTION (ENCLOSED)
REPAIR SERVICES
MACHINE OR WELDING SHOP
- DRO USES:**
RESTAURANT, TYPE II
AUTO DETAILING

COMMERCIAL RECREATION (CR) LAND USE
(UNDERLYING FLU: INDUSTRIAL)
137.65 AC.
PREVIOUS APPROVAL: PETITION 90-010

- **REQUESTED USES:**
ARENA, AUDITORIUM OR STADIUM
ELECTRONIC MESSAGE CENTER SIGN
- PERMITTED USES:**
ENTERTAINMENT, OUTDOOR & INDOOR
MANUFACTURING AND PROCESSING (IND)
PARKING LOT, COMMERCIAL
VOCATIONAL SCHOOL
AUCTION (ENCLOSED)
- SPECIAL PERMIT USES:**
SPECIAL EVENT

INDUSTRIAL (IND) LAND USE
3.61 AC.
PREVIOUS APPROVAL: DRC 99-072
4.26 AC.
PREVIOUS APPROVAL: N/A
0.74 AC.
PREVIOUS APPROVAL: PETITION 83-075

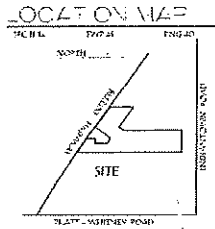
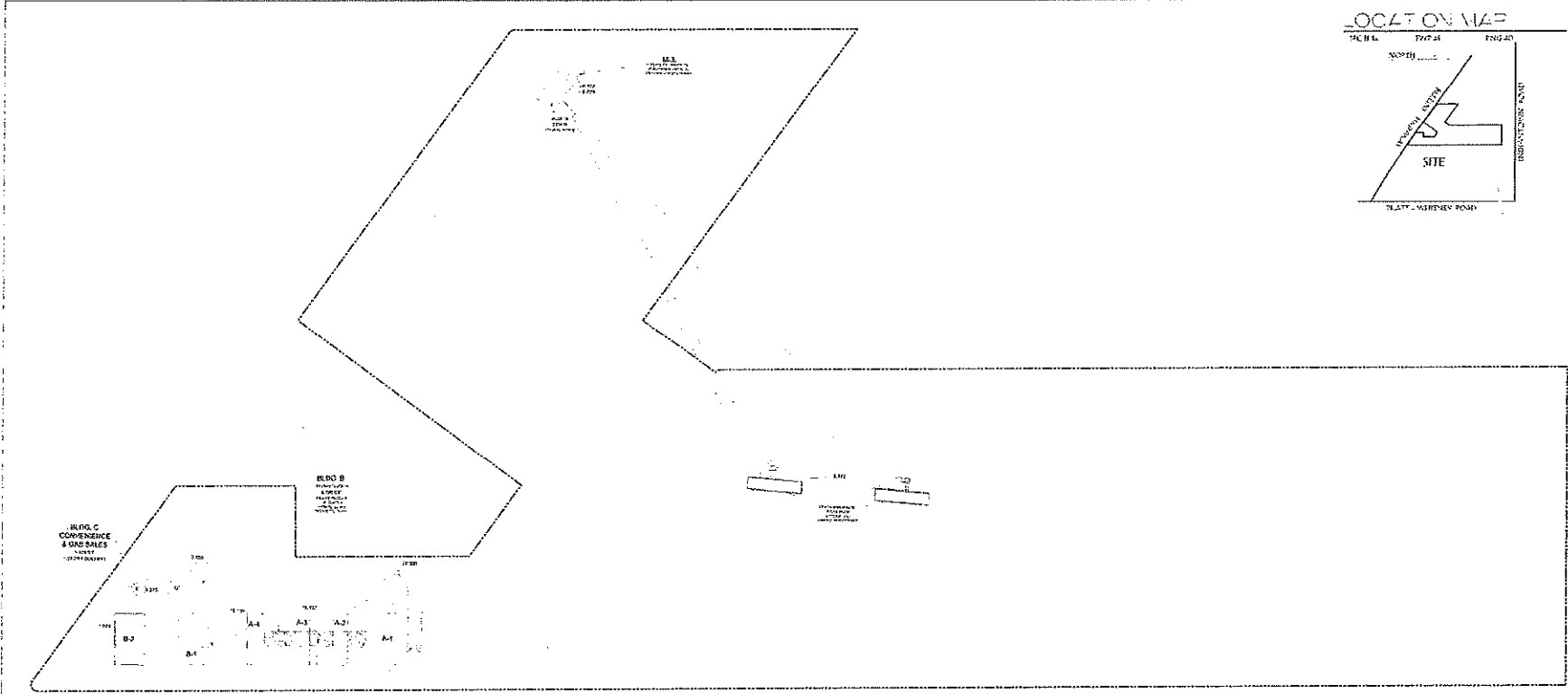
- **REQUESTED USES:**
AUCTION, OUTDOOR
AUTO PAINT AND BODY
CONVENIENCE STORE WITH GAS SALES
ELECTRONIC MESSAGE CENTER SIGN
- PERMITTED USES:**
BROADCAST STUDIO
REPAIR AND MAINTENANCE, GENERAL
REPAIR SERVICES, LIMITED
TOWING SERVICE AND STORAGE
VOCATIONAL SCHOOL (EXISTING)
MACHINE OR WELDING SHOP
MANUFACTURING AND PROCESSING
WAREHOUSE
WHOLESALE, GENERAL
- DRO USES:**
ENTERTAINMENT, OUTDOOR

SEE ALSO FSP-1 FOR TRACKING REQUESTED USES AND SQUARE FOOTAGE CHART

AMENDMENT STAMPS TOWING STAMPS

PROJECT #:	05022-000
CONTROL #:	1997-034
APPLICATION#:	2014-0658
RESOLUTION#:	R-2009-502, R-2009-503, R-2009-505, ZR- 2009-012
EXHIBIT #:	07 (3 of 10)
SUPERCEDES EXH #:	05
DATE APPROVED:	08-13-2014
PROJECT MANAGER:	M. MATOS





MATTHEW F. WEST
A033859

WEST
ARCHITECTURE
+ DESIGN, LLC
AA20001903

318 SOUTH DIXIE HIGHWAY
SUITE 4-5
LAKE WORTH, FL 33460
561-588-2027 T
561-692-9148 F
www.west-arch.com



17617 BEEHIVE HIGHWAY
JUPITER, FL 33474

MOROSO
MOTORSPORTS
PARK

DATE: 8/20/14
DESIGNER: GHD/03/2014
REVIEWER: MFM
MANAGER: MFM
DRAWN: MFM

1. 10/14/2014 REVISION #00
2. SUBMITTED BY GHD
3. 02/24/14 PDG
4. REVISION #01

Final Relocation Diagram

SITE DATA

CONCURRENCY APPROVAL	AREA	DATE
MIN. LOT AREA (TOTAL)	100,000 SF	
A. ZONING DISTRICT	RS-10	
B. ZONING DISTRICT	RS-10	
C. ZONING DISTRICT	RS-10	
D. ZONING DISTRICT	RS-10	
E. ZONING DISTRICT	RS-10	
F. ZONING DISTRICT	RS-10	
G. ZONING DISTRICT	RS-10	
H. ZONING DISTRICT	RS-10	
I. ZONING DISTRICT	RS-10	
J. ZONING DISTRICT	RS-10	
K. ZONING DISTRICT	RS-10	
L. ZONING DISTRICT	RS-10	
M. ZONING DISTRICT	RS-10	
N. ZONING DISTRICT	RS-10	
O. ZONING DISTRICT	RS-10	
P. ZONING DISTRICT	RS-10	
Q. ZONING DISTRICT	RS-10	
R. ZONING DISTRICT	RS-10	
S. ZONING DISTRICT	RS-10	
T. ZONING DISTRICT	RS-10	
U. ZONING DISTRICT	RS-10	
V. ZONING DISTRICT	RS-10	
W. ZONING DISTRICT	RS-10	
X. ZONING DISTRICT	RS-10	
Y. ZONING DISTRICT	RS-10	
Z. ZONING DISTRICT	RS-10	

BUILDING COVER CHANGE LEGEND

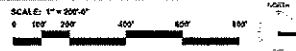
BUILDING PART	AREA	CHANGE
BLDG	100,000 SF	
CONCRETE	100,000 SF	
ASPHALT	100,000 SF	
PAVEMENT	100,000 SF	
LANDSCAPE	100,000 SF	
VEGETATION	100,000 SF	
WATER	100,000 SF	
SEWER	100,000 SF	
ELECTRICAL	100,000 SF	
MECHANICAL	100,000 SF	
PLUMBING	100,000 SF	
TELEPHONE	100,000 SF	
TELEVISION	100,000 SF	
INTERNET	100,000 SF	
SECURITY	100,000 SF	
LANDSCAPE	100,000 SF	
VEGETATION	100,000 SF	
WATER	100,000 SF	
SEWER	100,000 SF	
ELECTRICAL	100,000 SF	
MECHANICAL	100,000 SF	
PLUMBING	100,000 SF	
TELEPHONE	100,000 SF	
TELEVISION	100,000 SF	
INTERNET	100,000 SF	
SECURITY	100,000 SF	

AVENUEMENT STAMPS

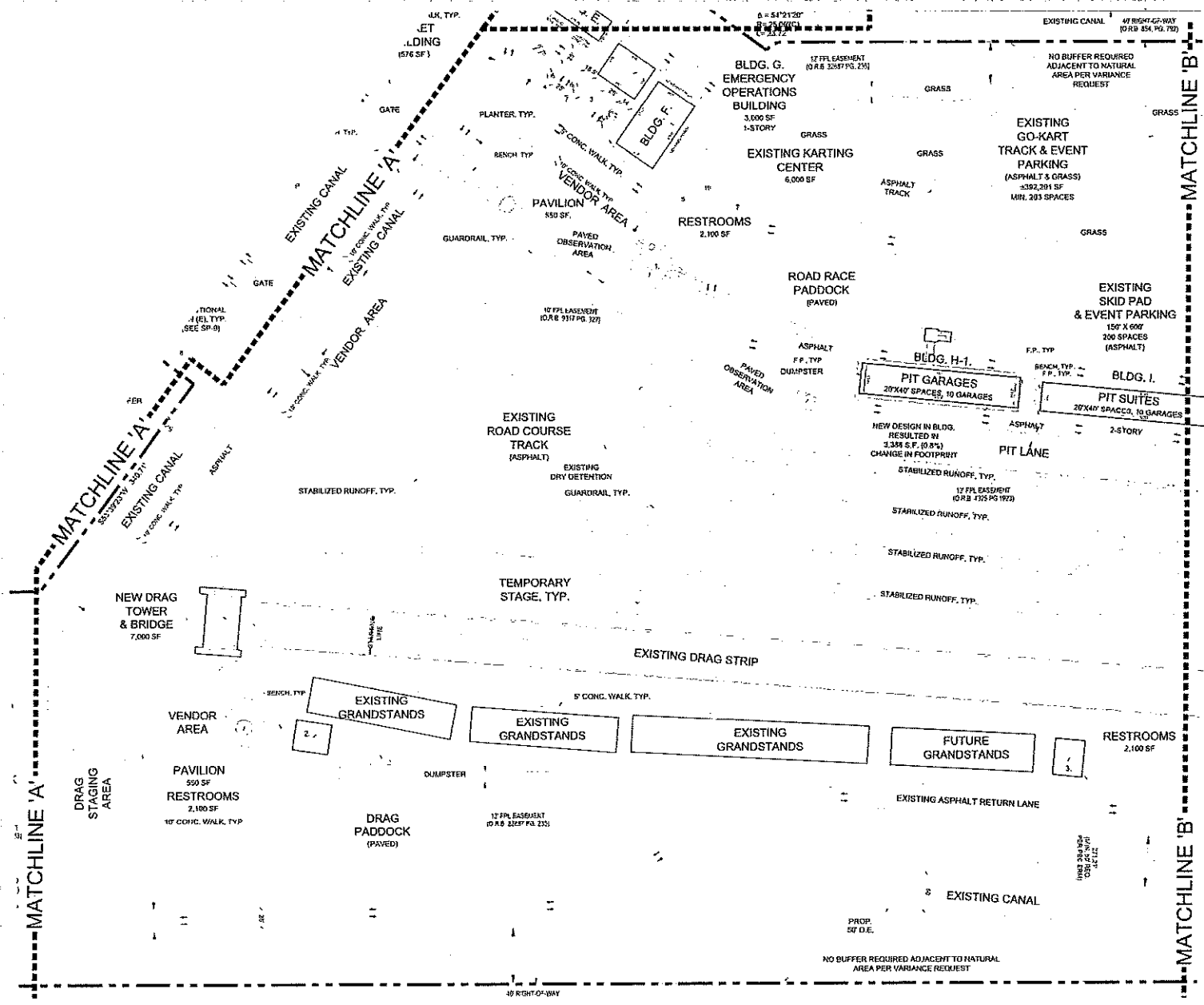
ZONING STAMPS

PROJECT #: 05022-000
CONTROL #: 1997-034
APPLICATION#: 2014-0658
RESOLUTION#: R-2009-503, R-2009-505, ZR-2009-012

EXHIBIT #: 07 (4 of 10)
SUPERCEDES EXH #: 05
DATE APPROVED: 08-13-2014
PROJECT MANAGER: M. MATOS



FSP-1.3
SHEET 4 OF 10



REVISIONS

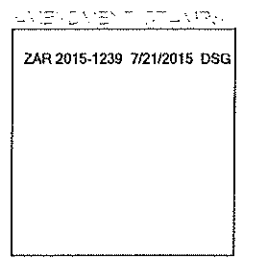
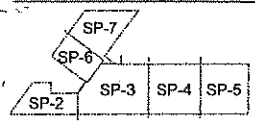
NO.	DATE	DESCRIPTION
1	05/14/14	ISSUED FOR PERMITS
2	07/21/15	REVISIONS TO PERMITS
3	08/13/14	DATE APPROVED
4	08/13/14	PROJECT MANAGER
5	08/13/14	DATE APPROVED
6	08/13/14	PROJECT MANAGER

MATTHEW F. WEST
AR03850



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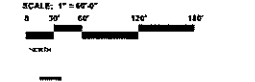
CONSULTANT:
Creative Civil
Highway
Or Machinery
Civil Engineers



MOROSO MOTORSPORTS PARK
17047 BEEHIVE HIGHWAY
JUPITER, FL 33478

DATE	BY
6/23/14	MM
07/10/14	MM
08/13/14	MM
08/13/14	MM

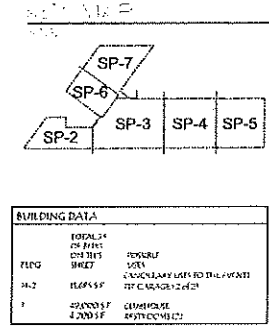
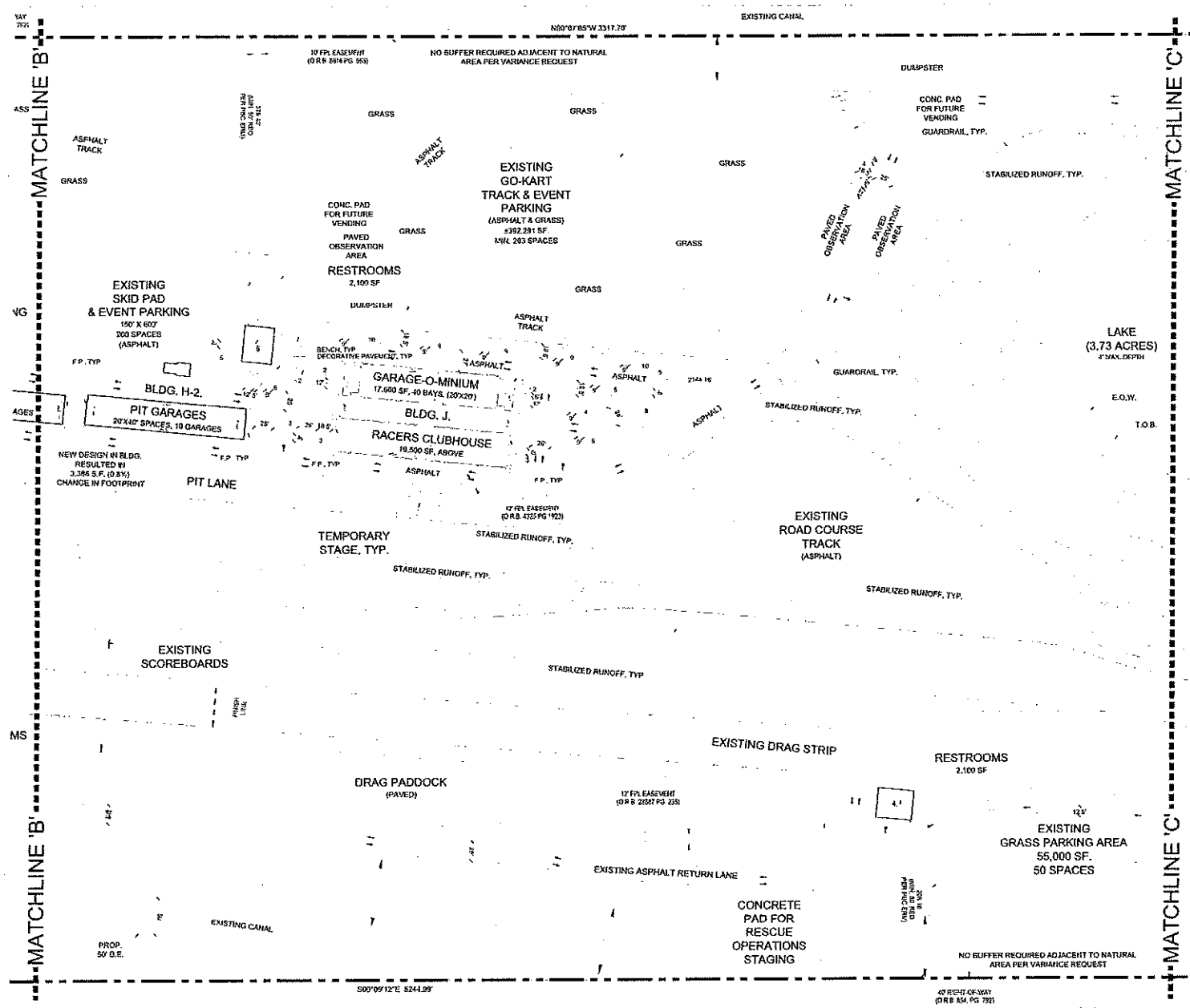
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CONTROL #: 1997-034
APPLICATION #: 2014-0658
RESOLUTION #: R-2009-502,
R-2009-503, R-2009-505,
ZR-2009-012
EXHIBIT #: 07 (6 OF 10)
SUPERCEDES EXH #: 05
DATE APPROVED: 8/13/2014
PROJECT MANAGER:
M. Matos



1. 05/14/14 PERMITS AND SUBMITTALS
2. 07/21/15 PERMITS AND SUBMITTALS
3. 08/13/14 PERMITS AND SUBMITTALS
4. 08/13/14 PERMITS AND SUBMITTALS
5. 08/13/14 PERMITS AND SUBMITTALS
6. 08/13/14 PERMITS AND SUBMITTALS
7. 08/13/14 PERMITS AND SUBMITTALS

FINAL SITE PLAN

FSP-3
SHEET 6 OF 10



BUILDING DATA			
TOTAL #	25	TYPE	CONCRETE
FLNG	9627	TYPE	CONCRETE
#	16855	TYPE	CONCRETE
#	42005	TYPE	CONCRETE
#	42005	TYPE	CONCRETE

MATTHEW F. WEST
AR02859



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CONSULTANT
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ZAR 2015-1239 7/21/2015 DSG

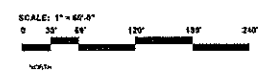
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CONTROL #: 1997-034
APPLICATION #: 2014-0658
RESOLUTION #: R-2009-502,
R-2009-503, R-2009-505,
ZR-2009-012
EXHIBIT #: 07 (7 OF 10)
SUPERCEDES EXH #: 05
DATE APPROVED: 8/13/2014
PROJECT MANAGER:
M. Matos

MODERNIZATION PLAN FOR
**MOROSO
MOTORSPORTS
PARK**
17047 BEEHIVE HIGHWAY
JUPITER, FL 33478

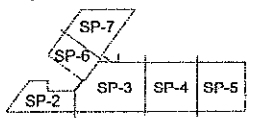
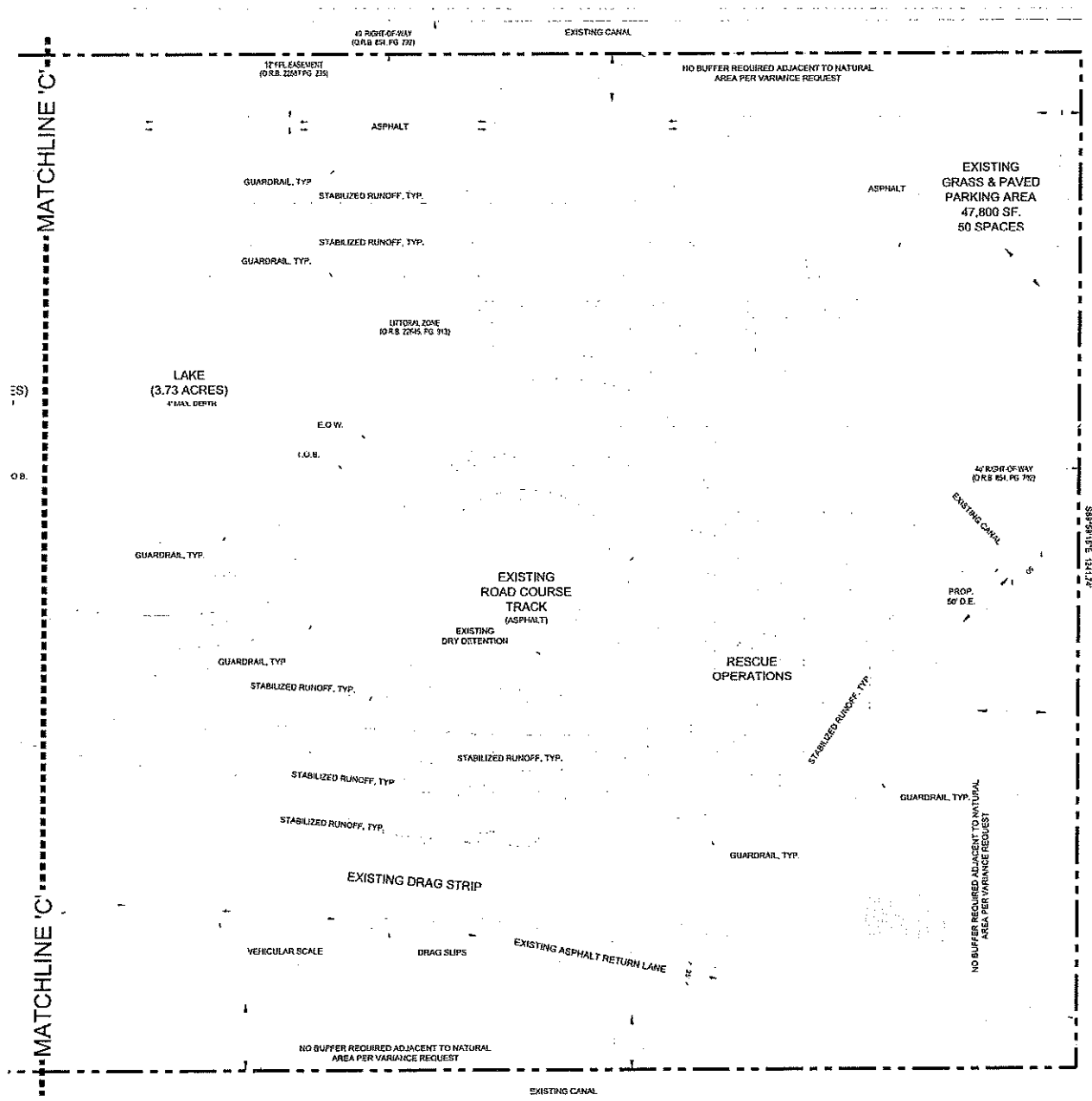
DATE	7/23/15
REVISION	05-08-2015
DESIGNED	GGG/PL
DRAWN	PK

1. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS AND DISTANCES TO BE AS SHOWN UNLESS OTHERWISE NOTED.

FINAL SITE PLAN



FSP-4
SHEET 7 OF 10



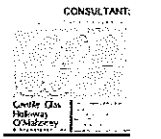
MATTHEW F. WEST
ARD 2859



WEST
ARCHITECTURE
+ DESIGN, LLC
AA26001503

315 SOUTH DIKE HIGHWAY
SUITE 4-5
LAKE WORTH, FL 33450
561-588-2027 T
561-292-9145 F
www.west-arch.com

CONSULTANT:



REGISTRATION PLATE FOR

ZAR 2015-1239 7/21/2015 DSG

PROJECT #: 05022-000
CONTROL #: 1997-034
APPLICATION #: 2014-0658
RESOLUTION #: R-2009-502,
R-2009-503, R-2009-505,
ZR-2009-012
EXHIBIT #: 07 (8 OF 10)
SUPERCEDES EXH #: 05
DATE APPROVED: 8/13/2014
PROJECT MANAGER:
M. Matos

MOROSO
MOTORSPORTS
PARK

12047 BEECHES HIGHWAY
JUPITER, FL 33476

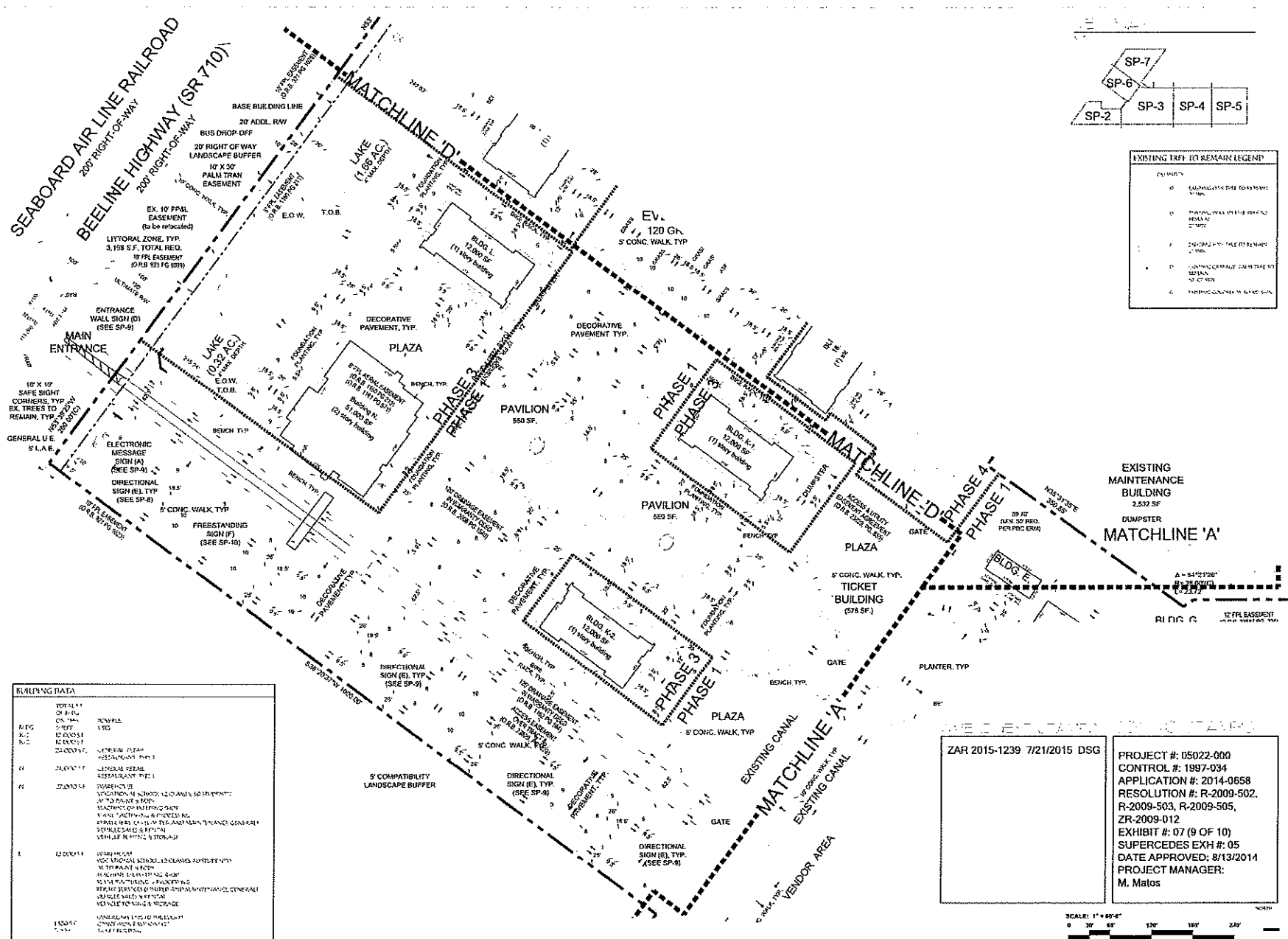
DATE	8/20/14
NUMBER	05022-000
REVISION	05022-000
MANAGED	PG
DRAWN	JK

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- 2. 05022-000 AND SUPERCEDES EXH # 05
- 3. 05022-000 AND SUPERCEDES EXH # 05
- 4. 05022-000 AND SUPERCEDES EXH # 05
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- 7. 05022-000 AND SUPERCEDES EXH # 05

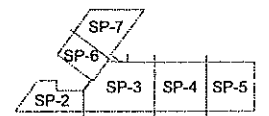
FINAL SITE PLAN

SCALE: 1" = 40'-0"
0 30' 60' 120' 180' 240'

FSP-5
SHEET 8 OF 10



BUILDING DATA		
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100	2011111	CONCRETE



EXISTING TREE TO REMAIN LEGEND	
1	EXISTING TREE TO REMAIN
2	EXISTING TREE TO REMAIN
3	EXISTING TREE TO REMAIN
4	EXISTING TREE TO REMAIN
5	EXISTING TREE TO REMAIN
6	EXISTING TREE TO REMAIN
7	EXISTING TREE TO REMAIN

MATTHEW F. WEST
ARCHITECT



WEST
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AA26001503
318 SOUTH DDEE HIGHWAY
SUITE 4-5
LAKE WORTH, FL 33460
561-586-2027 T
561-592-0145 F
www.west-arch.com

CONSULTANT

Graphic: Civil
Highway
Drainage
Dredging

MODERNIZATION PLAN FOR

MOROSO
MOTORSPORTS
PARK

171-77 BEELINE HIGHWAY
OFFICE # 33118

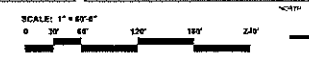
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REVISION	01-03-2011
REVIEWED	DSG/PL
MANAGED	PG
DRAWN	JK

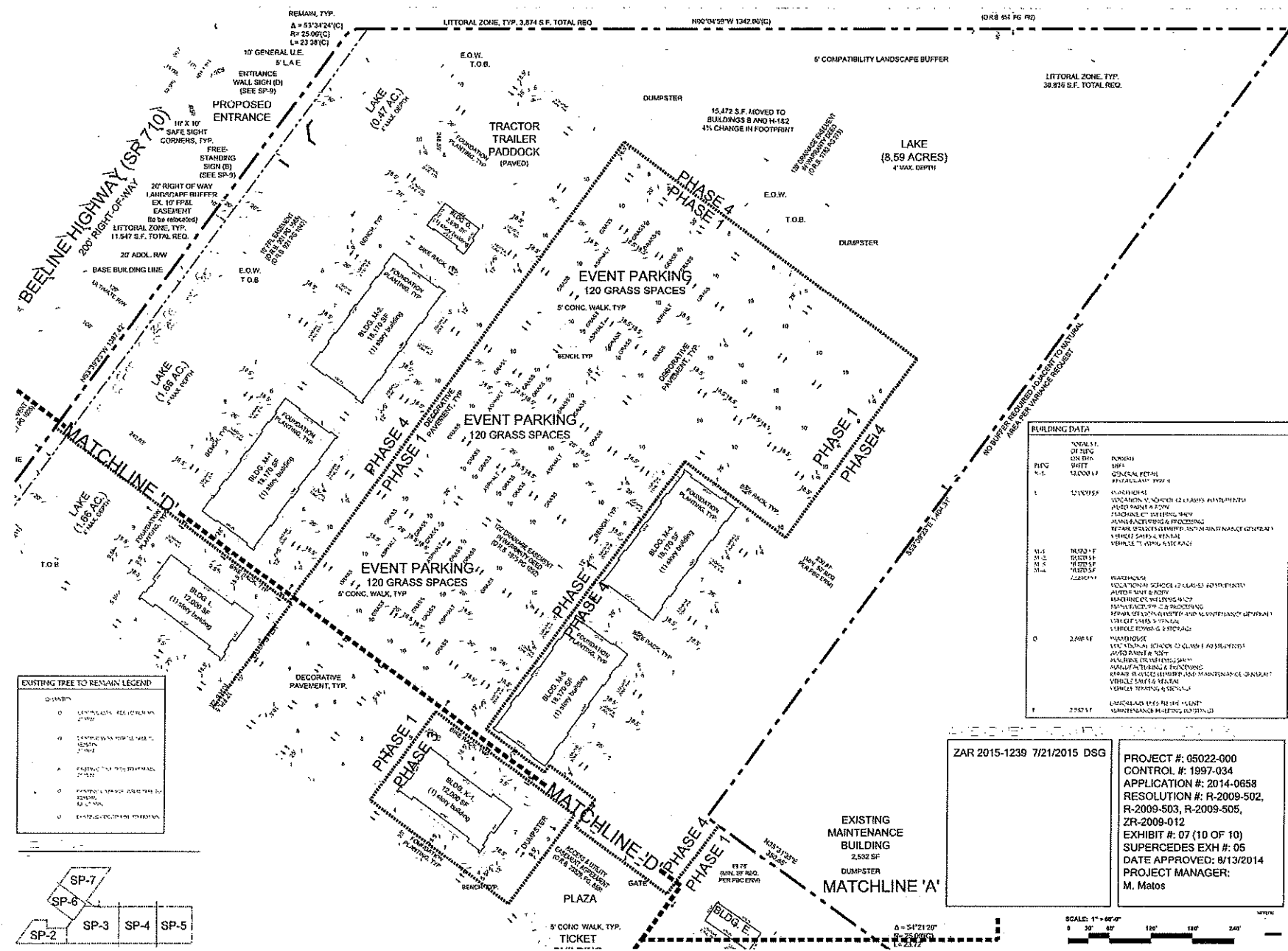
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6. PRELIMINARY DESIGN AND CONCEPTUAL DESIGN
7. PRELIMINARY DESIGN AND CONCEPTUAL DESIGN

FINAL SITE PLAN

FSP-6
SHEET 9 OF 10

ZAR 2015-1239 7/21/2015 DSG
PROJECT #: 05022-000
CONTROL #: 1997-034
APPLICATION #: 2014-0658
RESOLUTION #: R-2009-502,
R-2009-503, R-2009-505,
ZR-2009-012
EXHIBIT #: 07 (9 OF 10)
SUPERCEDES EXH #: 05
DATE APPROVED: 8/13/2014
PROJECT MANAGER:
M. Matos





EXISTING TREE TO REMAIN LEGEND

○	LEAVY/SHADE TREE (MIN. 12" DBH)
○	LEAVY/SHADE TREE (MIN. 10" DBH)
○	LEAVY/SHADE TREE (MIN. 8" DBH)
○	LEAVY/SHADE TREE (MIN. 6" DBH)
○	LEAVY/SHADE TREE (MIN. 4" DBH)
○	LEAVY/SHADE TREE (MIN. 2" DBH)
○	LEAVY/SHADE TREE (MIN. 1" DBH)
○	LEAVY/SHADE TREE (MIN. 0.5" DBH)
○	LEAVY/SHADE TREE (MIN. 0.25" DBH)

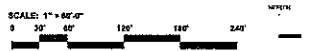


BUILDING DATA

BLDG	NO.	AREA (SQ. FT.)	DESCRIPTION
1	1	12,000 SF	GENERAL PURCH. REPAIR/REPAIR SHOP
2	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)
3	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)
4	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)
5	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)
6	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)
7	1	12,000 SF	MANUFACTURING (MOTORCYCLE REPAIR/REPAIR SHOP)

ZAR 2015-1239 7/21/2015 DSG

PROJECT #: 05022-000
 CONTROL #: 1997-034
 APPLICATION #: 2014-0658
 RESOLUTION #: R-2009-502,
 R-2009-503, R-2009-505,
 ZR-2009-012
 EXHIBIT #: 07 (10 OF 10)
 SUPERCEDES EXH #: 05
 DATE APPROVED: 8/13/2014
 PROJECT MANAGER:
 M. Matos

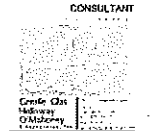


MATTHEW F. WEST
 ARS3899



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 + DESIGN, LLC
 AA26001503
 318 SOUTH DIXIE HIGHWAY
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 LAKE WORTH, FL, 33409
 561-588-2027 T
 561-592-9149 F
 www.west-arch.com

CONSULTANT



MODERNIZATION PLAN FOR

MOROSO
 MOTORSPORTS
 PARK

17077 BEEHIVE HIGHWAY
 WINTER, FL 32787

DATE: 8-20-15
 DESIGN: M.F. WEST
 REVIEWED: M.F. WEST
 MANAGED: M.F. WEST
 DRAWN: M.F. WEST

FINAL SITE PLAN

FSP-7
 SHEET 10 OF 10



RECEIVED

JUN 11 2007

FACILITIES COMPLIANCE

June 8, 2007

**Department of Engineering
and Public Works**

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

www.pbcgov.com

Melanie Borkowski
PBC Facilities
3200 Belvedere Rd, Bldg. 1169
West Palm Beach FL 33406

RE: **SD-133** 20-Mile Bend Redevelopment Subdivision Variance

Dear Ms. Borkowski:

On June 7, 2007, your above referenced Variance Request was considered and approved by the Zoning Commission.

Should you have any questions, please contact Maureen Barber at 684-4081.

Sincerely,

K. S. Rogers, P.E., Director
Land Development Division

KSR:MB:

c: Marlene Everitt, Esq. - Assistant County Attorney
Alan Seaman, Sr. Site Planner, Zoning Div.

**Palm Beach County
Board of County
Commissioners**

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Warren H. Newell

Mary McCarty

Burt Aaronson

Jess R. Santamaria

County Administrator

Robert Weisman

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Affirmative Action Employer"*

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RESOLUTION NO. R-96- 1009

RESOLUTION APPROVING ZONING PETITION Z94-06(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
BY FRED ROTH AND JIM BARNES, AGENTS
(PBSO TOWER)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z94-06(A) was presented to the Board of County Commissioners at a public hearing conducted on July 25, 1996; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11 (Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

EXHIBIT A

LEGAL DESCRIPTION

OVERALL PARCEL ALSO DESCRIBED AS

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST; THENCE SOUTH 89°52'59" WEST ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 1194.11 FEET TO A POINT ON THE CENTERLINE OF A SHELLROCK ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 29°51'00" WEST ALONG SAID CENTERLINE A DISTANCE OF 28.86 FEET TO A POINT ON THE NORTH LINE OF A FLORIDA POWER AND LIGHT EASEMENT DESCRIBED IN ORB 678, PG. 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID NORTH LINE IS PARALLEL WITH AND 25 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 89°52'59" WEST ALONG SAID EASEMENT LINE A DISTANCE OF 799.61 FEET; THENCE NORTH 17°54'26" EAST A DISTANCE OF 26.29 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 0°09'18" WEST A DISTANCE OF 2002.36 FEET TO A POINT ON A LINE PARALLEL WITH AND 75 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT OF WAY LINE OF THE C. & S. F. F. C. D. LEVEE L-7 EXTENSION DESCRIBED IN DB 984, PG. 46 OF SAID PUBLIC RECORDS; THENCE NORTH 88°28'36" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1128.28 FEET; THENCE SOUTH 0°31'24" WEST A DISTANCE OF 96.82 FEET; THENCE NORTH 88°28'36" WEST A DISTANCE OF 437.6 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S. R. 80; THENCE NORTH 38°16'01" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 227.55 FEET TO THE SOUTHWEST BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DB 887, PG. 189 OF SAID PUBLIC RECORDS; THENCE SOUTH 51°43'59" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 200.00 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL; THENCE NORTH 38°16'01" EAST ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 159.39 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID LEVEE L-7; THENCE SOUTH 48°53'34" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 29.21 FEET; THENCE SOUTH 88°28'36" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2936.15 FEET TO THE CENTERLINE OF SAID SHELLROCK ROAD; THENCE SOUTH 8°21'23" WEST (THE FOLLOWING COURSES FOLLOW SAID CENTERLINE) A DISTANCE OF 244.82 FEET; THENCE SOUTH 13°54'26" WEST A DISTANCE OF 99.85 FEET; THENCE SOUTH 18°22'11" WEST A DISTANCE OF 99.82 FEET; THENCE SOUTH 21°30'41" WEST A DISTANCE OF 99.65 FEET; THENCE SOUTH 24°43'23" WEST A DISTANCE OF 99.84 FEET; THENCE SOUTH 29°18'24" WEST A DISTANCE OF 89.54 FEET; THENCE SOUTH 29°01'34" WEST A DISTANCE OF 99.75 FEET; THENCE SOUTH 29°51'00" WEST A DISTANCE OF 1426.11 FEET TO THE POINT OF BEGINNING.

RESOLUTION NO. R-96-1010

RESOLUTION APPROVING ZONING PETITION CA94-06(A)
CLASS A CONDITIONAL USE
PETITION OF PALM BEACH COUNTY/ BOARD OF COUNTY COMMISSIONERS
BY FRED ROTH AND JIM BARNES, AGENTS
(PBSO TOWER)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA94-06(A) was presented to the Board of County commissioners at a public hearing conducted on July 25, 1996; and

WHEREAS, the Board of county Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class A Conditional Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Class A Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Class A Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Class A Conditional Use meets applicable local land development regulations.

EXHIBIT A

LEGAL DESCRIPTION

OVERALL PARCEL ALSO DESCRIBED AS

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST; THENCE SOUTH 89°52'59" WEST ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 1194.11 FEET TO A POINT ON THE CENTERLINE OF A SHELLROCK ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 29°51'00" WEST ALONG SAID CENTERLINE A DISTANCE OF 28.86 FEET TO A POINT ON THE NORTH LINE OF A FLORIDA POWER AND LIGHT EASEMENT DESCRIBED IN ORB 678, PG 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID NORTH LINE IS PARALLEL WITH AND 25 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 89°52'59" WEST ALONG SAID EASEMENT LINE A DISTANCE OF 799.61 FEET; THENCE NORTH 17°54'26" EAST A DISTANCE OF 26.29 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 0°09'18" WEST A DISTANCE OF 2002.36 FEET TO A POINT ON A LINE PARALLEL WITH AND 75 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT OF WAY LINE OF THE C.&S.F.F.C.D. LEVEE L-7 EXTENSION DESCRIBED IN DB 984, PG 46 OF SAID PUBLIC RECORDS; THENCE NORTH 88°28'36" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1128.28 FEET; THENCE SOUTH 0°31'24" WEST A DISTANCE OF 96.82 FEET; THENCE NORTH 88°28'36" WEST A DISTANCE OF 437.6 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S.R. 80; THENCE NORTH 38°16'01" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 227.55 FEET TO THE SOUTHWEST BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DB 887, PG 189 OF SAID PUBLIC RECORDS; THENCE SOUTH 51°43'59" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 200.00 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL; THENCE NORTH 38°16'01" EAST ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 159.39 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID LEVEE L-7; THENCE SOUTH 48°53'34" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 29.21 FEET; THENCE SOUTH 88°28'36" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2936.15 FEET TO THE CENTERLINE OF SAID SHELLROCK ROAD; THENCE SOUTH 8°21'23" WEST (THE FOLLOWING COURSES FOLLOW SAID CENTERLINE) A DISTANCE OF 244.82 FEET; THENCE SOUTH 13°54'26" WEST A DISTANCE OF 99.85 FEET; THENCE SOUTH 18°22'11" WEST A DISTANCE OF 99.82 FEET; THENCE SOUTH 21°30'41" WEST A DISTANCE OF 99.65 FEET; THENCE SOUTH 24°43'23" WEST A DISTANCE OF 99.84 FEET; THENCE SOUTH 29°18'24" WEST A DISTANCE OF 99.54 FEET; THENCE SOUTH 29°01'34" WEST A DISTANCE OF 99.75 FEET; THENCE SOUTH 29°51'00" WEST A DISTANCE OF 1426.11 FEET TO THE POINT OF BEGINNING.

EXHIBIT C

CONDITIONS OF APPROVAL

A. FAA

1. Prior to site plan certification, the petitioner shall submit documentation to the Zoning Division which demonstrates that the proposed facility does not violate FAA Regulations and/or advisory circulars of the Palm Beach County Airport Zoning Regulations. This documentation shall be subject to approval by the Palm Beach County Department of Airports. (DRC: AIRPORTS)

B. RADIO TOWERS

1. Palm Beach County or the State of Florida shall have the right to co-locate communication equipment on the tower subject to an acceptable lease agreement provided that the placement of the equipment does not interfere with the petitioner's equipment or operations. (ONGOING: PREM)
2. Prior to site plan certification by the DRC, the petitioner shall comply with the shared use provisions of the ULDC, Section 6.4.D.22.k. (shared use), as may be amended. Additional square footage on the site of the tower approval, to accommodate additional unmanned users only, may be permitted administratively subject to approval by the DRC. (DRC: ZONING)
3. Prior to site plan certification, the petitioner shall provide documentation that the tower does not encroach into any public or private airport runway protection zone as established by the Federal Aviation Administration. This documentation shall be approved by the Palm Beach County Department of Airports. (DRC: AIRPORTS)
4. The communication tower shall be limited to a maximum height of 480 feet, measured from finished grade to highest point. (DRC: ZONING - Bldg)

C. LANDSCAPE

1. The petitioner shall provide a minimum ten (10) foot wide Alternative 3 landscape buffer adjacent to the site.
2. The landscape buffer for the communication tower shall be located on the lease parcel with required landscape materials located on the exterior of the required chain link fence. (DRC: LANDSCAPE - Zoning)

D. COMPLIANCE

1. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; and/or

RESOLUTION NO. R-2007- 1232

RESOLUTION APPROVING ZONING APPLICATION Z2007-202
(CONTROL NO. 1994-006))
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF PALM BEACH COUNTY, SOUTH FLORIDA WATER
MANAGEMENT DISTRICT, LESSOR
BY PALM BEACH COUNTY, AGENT
(20 MILE BEND PUBLIC USE DEVELOPMENT)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application Z2007-202 was presented to the Board of County Commissioners at a public hearing conducted on July 26, 2007; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan.
2. This official zoning map amendment (rezoning) is consistent with the stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

EXHIBIT A
LEGAL DESCRIPTION

20 MILE BEND PUBLIC USE DEVELOPMENT OVERALL LEGAL

A PARCEL OF LAND IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 40 EAST, SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST, AND IN HIATUS LOT 6 LYING BETWEEN SECTIONS 31 AND 6, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 6;
THENCE ALONG THE WEST LINE OF SAID SECTION 6, S01°17'32"W
FOR 370.12 FEET TO THE SOUTH LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL 2, RECORDED IN OFFICIAL RECORD BOOK 9321, PAGE 1285, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID SOUTH BOUNDARY FOR THE FOLLOWING COURSES:

THENCE N89°52'59"E FOR 159.98 FEET;
THENCE N85°07'10"E FOR 2348.15 FEET;
THENCE N89°52'59"E FOR 733.90 FEET TO THE WESTERLY BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 9398, PAGE 502 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID WESTERLY BOUNDARY, N17°54'26"E FOR 184.03 FEET TO THE BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 10320, PAGE 855 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING COURSES:

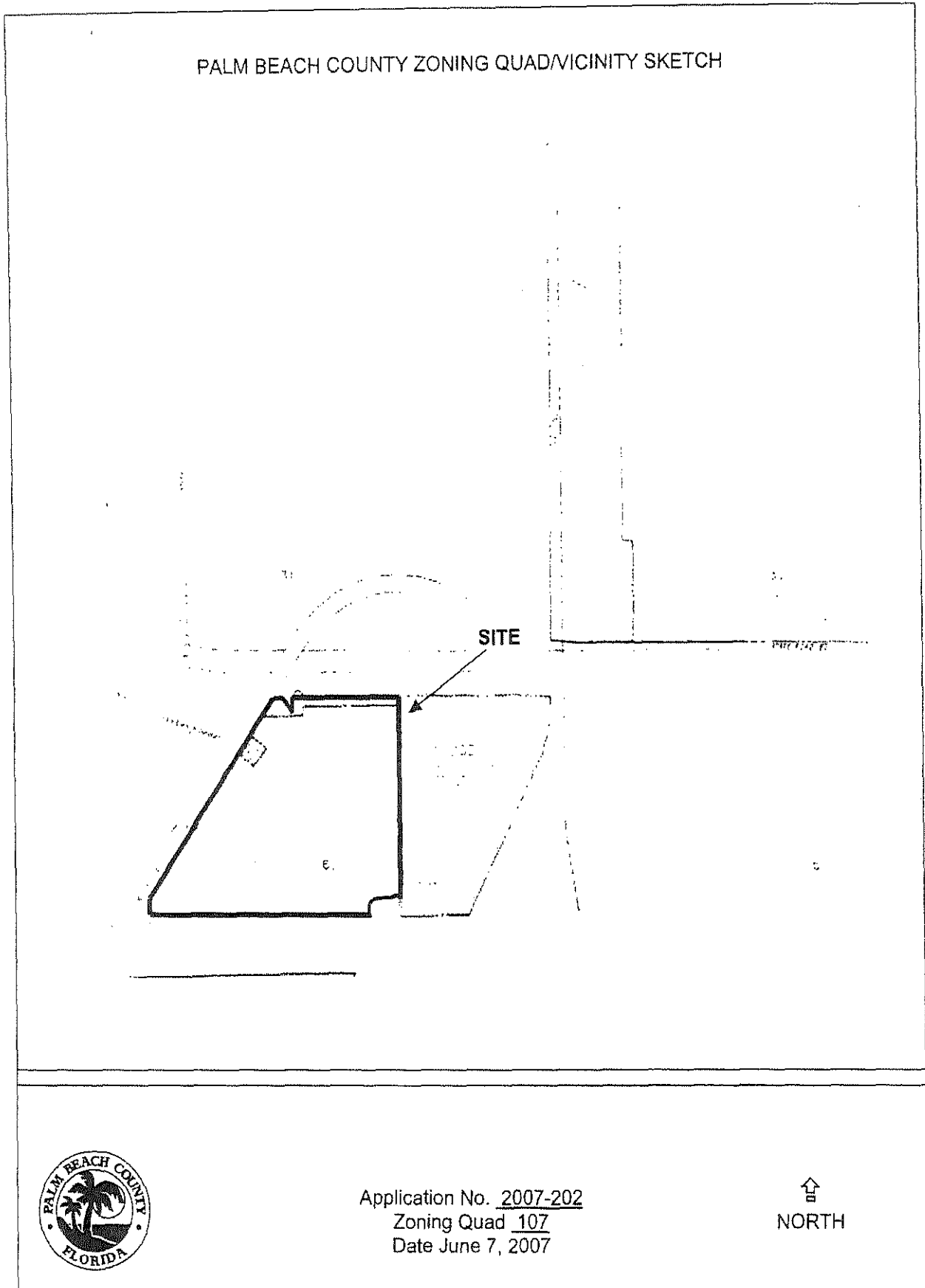
THENCE N00°09'18"W FOR 143.54 FEET;
THENCE N89°52'59"E FOR 695.77 FEET;
THENCE S00°10'01"E FOR 168.54 FEET TO THE BOUNDARY OF A PALM BEACH COUNTY PARCEL RECORDED IN OFFICIAL RECORD BOOK 8215, PAGE 1794 OF SAID PUBLIC RECORDS;

THENCE ALONG THE BOUNDARY OF SAID PALM BEACH COUNTY PARCEL FOR THE FOLLOWING COURSES:

THENCE N89°52'59"E FOR 95.65 FEET;
THENCE N29°51'00"E FOR 1454.97 FEET;
THENCE N29°01'34"E FOR 99.75 FEET;
THENCE N29°18'24"E FOR 99.54 FEET;
THENCE N24°43'23"E FOR 99.84 FEET;
THENCE N21°30'41"E FOR 99.65 FEET;
THENCE N18°22'11"E FOR 99.82 FEET;
THENCE N13°54'26"E FOR 99.85 FEET;
THENCE N08°21'23"E FOR 244.82 FEET TO THE SOUTH RIGHT-OF-WAY OF LEVEE L-7, RECORDED IN DEED BOOK 984, PAGE 46 OF SAID PUBLIC RECORDS;

THENCE DEPARTING THE BOUNDARY OF SAID PALM BEACH COUNTY PARCEL, N01°31'24"E FOR 155.00 FEET;
THENCE N88°28'36"W FOR 2390.22 FEET;
THENCE S00°00'00"E FOR 155.05 FEET TO THE NORTHERLY BOUNDARY OF SAID PALM BEACH COUNTY PARCEL;
THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING COURSES:

EXHIBIT B
VICINITY SKETCH



RESOLUTION NO. ZR2007-037

RESOLUTION APPROVING ZONING APPLICATION SD-133
SUBDIVISION VARIANCE (STAND ALONE)
APPLICATION OF PALM BEACH COUNTY AND
SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD),
(20-MILE BEND REDEVELOPMENT)

WHEREAS, the Palm Beach County Zoning Commission, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2006-036) is authorized and empowered to consider, approve, approve with conditions or deny a Subdivision Variance; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application was presented to the Zoning Commission at a public hearing conducted on June 7, 2007; and

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 2.E of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Zoning Commission has considered the findings in the staff report and the following findings of fact:

1. Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure, that are not applicable to other parcels of land, structures or buildings in the same Zoning District;
2. Special circumstances and conditions do not result from the actions of the applicant and the approval of this variance will not grant any special privilege to the applicant;
3. Granting the variance does not confer upon the applicant any special privilege denied by the comprehensive plan and this code to other parcels of land, buildings or structures in the same zoning district;
4. Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district, and would work an unnecessary and undue hardship;
5. This variance is the minimum variance that will make possible the reasonable use of the parcel of land, building or structure;
6. Granting the variance will be consistent with the purposes, goals, objectives, and policies of the comprehensive plan and this code; and,
7. Granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

WHEREAS, Article 2.A.1.K.3.a (Action by ZC) of the Palm Beach County Unified Land Development Code requires that the action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Subdivision Application SD-133, the application of Palm Beach County and South Florida Water Management District (SFWMD), for a Subdivision Variance to allow legal access from a 40' access easement instead of a right-of-way, and to tie the completion of the construction of the internal 80' right-of-way to the Certificate of Occupancy of the first building in the SFWMD parcel and not before, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on June 7, 2007.

Commissioner Hyman moved for the approval of the Resolution.

The motion was seconded by Commissioner Anderson and, upon being put to a vote, the vote was as follows:

Frank A. Barbieri, Jr., Chair	Aye
William Anderson, Vice Chair	Aye
Allan Kaplan	Aye
Sherry Hyman	Aye
Peter Feaman	Absent
Don Dufresne	Aye
Alex Brumfield III	Aye
Kelley Armitage	Aye

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

(OVERALL BOUNDARY)
LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 31, TOWNSHIP 40 SOUTH, RANGE 40 EAST, SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST AND IN HIATUS LOT 3 LYING BETWEEN SECTIONS 31 AND 6, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 6;
THENCE ALONG THE WEST LINE OF SAID SECTION 6, S01°17'32"W FOR 370.12 FEET TO THE SOUTH LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL 2, RECORDED IN OFFICIAL RECORD BOOK 9321, PAGE 1289, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

THENCE ALONG SAID SOUTH BOUNDARY FOR THE FOLLOWING COURSES:

THENCE N89°52'59"E FOR 130.98 FEET;
THENCE N85°07'10"E FOR 2348.15 FEET;
THENCE N89°52'59"E FOR 773.90 FEET TO THE WESTERLY BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 9358, PAGE 502 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID WESTERLY BOUNDARY, N17°54'26"E FOR 184.03 FEET TO THE BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 10520, PAGE 855 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING COURSES:

THENCE N00°09'18"W FOR 143.54 FEET;
THENCE N89°32'58"E FOR 695.77 FEET;
THENCE S00°10'01"E FOR 168.54 FEET TO THE BOUNDARY OF A PALM BEACH COUNTY PARCEL RECORDED IN OFFICIAL RECORDS BOOK 8215, PAGE 1794 OF SAID PUBLIC RECORDS;

THENCE ALONG THE BOUNDARY OF SAID PALM BEACH COUNTY PARCEL FOR THE FOLLOWING COURSES:

THENCE N89°52'59"E FOR 95.05 FEET;
THENCE N79°51'00"E FOR 1454.97 FEET;
THENCE N29°01'34"E FOR 99.75 FEET;
THENCE N29°18'24"E FOR 99.64 FEET;
THENCE N24°43'23"E FOR 99.84 FEET;
THENCE N21°30'41"E FOR 99.65 FEET;
THENCE N18°22'11"E FOR 99.82 FEET;
THENCE N13°54'26"E FOR 99.85 FEET;
THENCE N08°21'23"E FOR 244.82 FEET TO THE SOUTH RIGHT-OF-WAY OF LEVEE L-7, RECORDED IN DEED BOOK 984, PAGE 46 OF SAID PUBLIC RECORDS;

THENCE DEPARTING THE BOUNDARY OF SAID PALM BEACH COUNTY PARCEL, N01°31'24"E FOR 155.00 FEET;
THENCE N88°28'36"W FOR 2390.22 FEET;
THENCE S00°00'00"E FOR 155.05 FEET TO THE NORTHERLY BOUNDARY OF SAID PALM BEACH COUNTY PARCEL;
THENCE ALONG SAID BOUNDARY FOR THE FOLLOWING COURSES:

THENCE N88°28'36"W FOR 550.05 FEET;
THENCE N48°53'34"W FOR 29.21 FEET;
THENCE S38°16'01"W FOR 159.39 FEET;
THENCE N51°43'59"W FOR 200.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 880 (OLD STATE ROAD 80);

THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING COURSES:

THENCE S38°16'01"W FOR 1507.55 FEET;
THENCE S37°44'05"W FOR 387.95 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2009.85 FEET;
THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 22°01'24" FOR 772.55 FEET TO THE WEST LINE OF SAID HIATUS LOT 3;
THENCE ALONG SAID WEST LINE, S37°06'24"W FOR 170.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 200.60 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

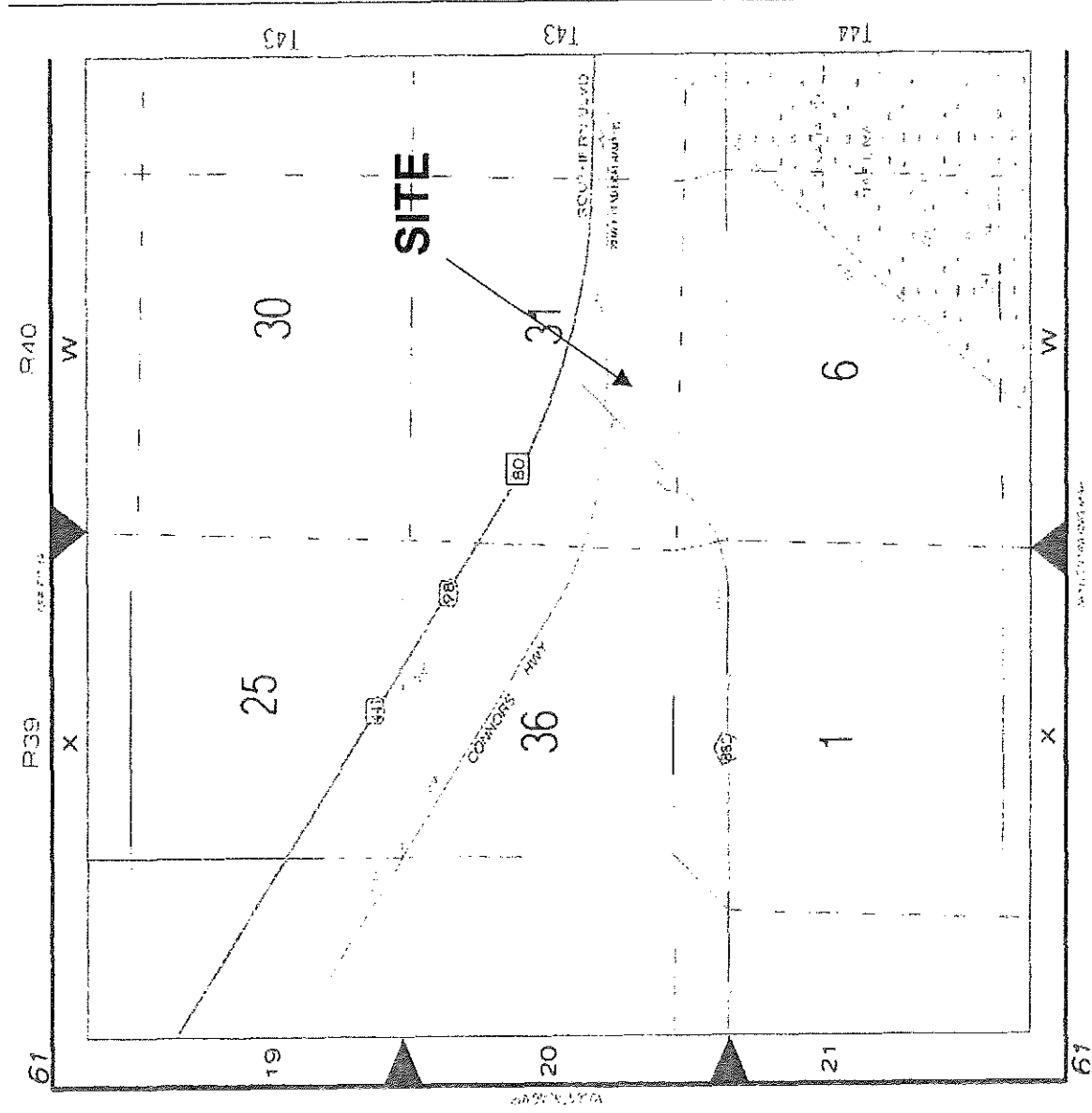


EXHIBIT C

CONDITIONS OF APPROVAL

NO CONDITIONS OF APPROVAL

EXHIBIT D
VARIANCE REQUEST

APPLICATION NO.	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
SD-133	11.E.2.A and Table 11.E.2.A-1	Local street with 80' minimum right-of-way width	40' access easement	Allow legal access from a 40' access easement instead of a right-of-way.
	11.B.7.B.1	Completion shall not exceed 21 months	Completion of internal 80' ROW tied to CO	To tie the completion of the construction of the internal 80' right- of-way to the Certificate of Occupancy of the first building in the SFWMD parcel and not before.

RESOLUTION NO. ZR2007-038

RESOLUTION APPROVING ZONING APPLICATION CB2007-202
(CONTROL NO. 1994-006)
CLASS B CONDITIONAL USE
APPLICATION OF PALM BEACH COUNTY, AND
SOUTH FLORIDA WATER MANAGEMENT DISTRICT LESSOR
BY PALM BEACH COUNTY, AGENT
(20 MILE BEND PUBLIC USE DEVELOPMENT)

WHEREAS, the Palm Beach County Zoning Commission, pursuant to Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code is authorized and empowered to consider, approve, approve with conditions or deny Class B Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application CB2007-202 was presented to the Zoning Commission at a public hearing conducted on June 7, 2007; and

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application Z/DOA2007-202 by the Board of County Commissioners; and

WHEREAS, the Zoning Commission has considered the findings in the staff report and the following findings of fact:

1. This Class B Conditional Use is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Class B Conditional Use complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Class B Conditional Use also meets applicable local land development regulations.
3. This Class B Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Class B Conditional Use has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
6. This Class B Conditional Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.

7. This Class B Conditional Use, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Class B Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
9. This Class B Conditional Use, with conditions as adopted, is consistent with applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Class B Conditional Use.

WHEREAS, Article 2.A.1.K.3.a (Action by ZC) of the Palm Beach County Unified Land Development Code requires that action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Application CB2007-202, the application of Palm Beach County, South Florida Water Management District, Lessor, by Palm Beach County, agent, for a Class B Conditional Use to allow a Gun Club, Open, in the (AP) Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on, June 7, 2007, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Hyman moved for the approval of the Resolution.

The motion was seconded by Commissioner Anderson and, upon being put to a vote, the vote was as follows:

Frank A. Barbieri, Jr., Chair	Aye
William Anderson, Vice Chair	Aye
Allan Kaplan	Aye
Sherry Hyman	Aye
Peter Feaman	Absent
Don Dufresne	Aye
Alex Brumfield III	Aye
Kelley Armitage	Aye

The Chair thereupon declared that this resolution shall not become effective until the approval of Zoning Application Z/DOA2007-202.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
CHAIR

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 40 EAST, SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST, AND IN HIATUS LOT 6 LYING BETWEEN SECTIONS 31 AND 6, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE ALONG THE WEST LINE OF SAID SECTION 6, S01°17'32" FOR 370.12 FEET TO THE SOUTH LINE OF SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL 2, RECORDED IN OFFICIAL RECORD BOOK 9321, PAGE 1285, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

THENCE ALONG SAID SOUTH BOUNDARY FOR THE FOLLOWING COURSES:

E FOR 159.98 FEET;
E FOR 2348.15 FEET;
E FOR 733.90 FEET TO THE WESTERLY BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 9398, PAGE 502 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID WESTERLY BOUNDARY, N17°54'28"E FOR 184.03 FEET TO THE BOUNDARY OF A SOUTH FLORIDA WATER MANAGEMENT DISTRICT PARCEL RECORDED IN OFFICIAL RECORD BOOK 10320, PAGE 855 OF SAID PUBLIC RECORDS;

THENCE ALONG SAID BOUNDARY AND THE NORTHERLY EXTENSION THEREOF, W FOR 287.11 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 695.00 FEET, WHERE A RADIAL LINE BEARS N56°39'00"W;

THENCE NORTHERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 94°19'09" FOR 1144.09 FEET; THENCE N00°00'00"E FOR 337.28 FEET; THENCE N90°00'00"W FOR 398.33 FEET TO A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 540.00 FEET, WHERE A RADIAL LINE BEARS N68°00'20"W; THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 34°14'17" FOR 322.69 FEET TO A POINT OF TANGENCY; THENCE S56°13'57"W FOR 171.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 700.00 FEET; THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 21°07'44" FOR 258.14 FEET TO A POINT OF TANGENCY; W FOR 499.43 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 700.00 FEET; THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 92°37'52" FOR 1131.70 FEET TO A POINT OF TANGENCY; THENCE N52°15'55"W FOR 132.15 FEET; THENCE S82°44'05"W FOR 63.79 FEET TO THE EASTERLY RIGHT-OF-WAY OF COUNTY ROAD 880 (OLD STATE ROAD 80), BEING A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2009.86 FEET, WHERE A RADIAL LINE BEARS N51°12'21"W; THENCE SOUTHWESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A FOR 735.38 FEET TO THE WEST LINE OF SAID HIATUS LOT 6; THENCE ALONG SAID WEST LINE, S37°06'24"W FOR 170.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 81.18 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

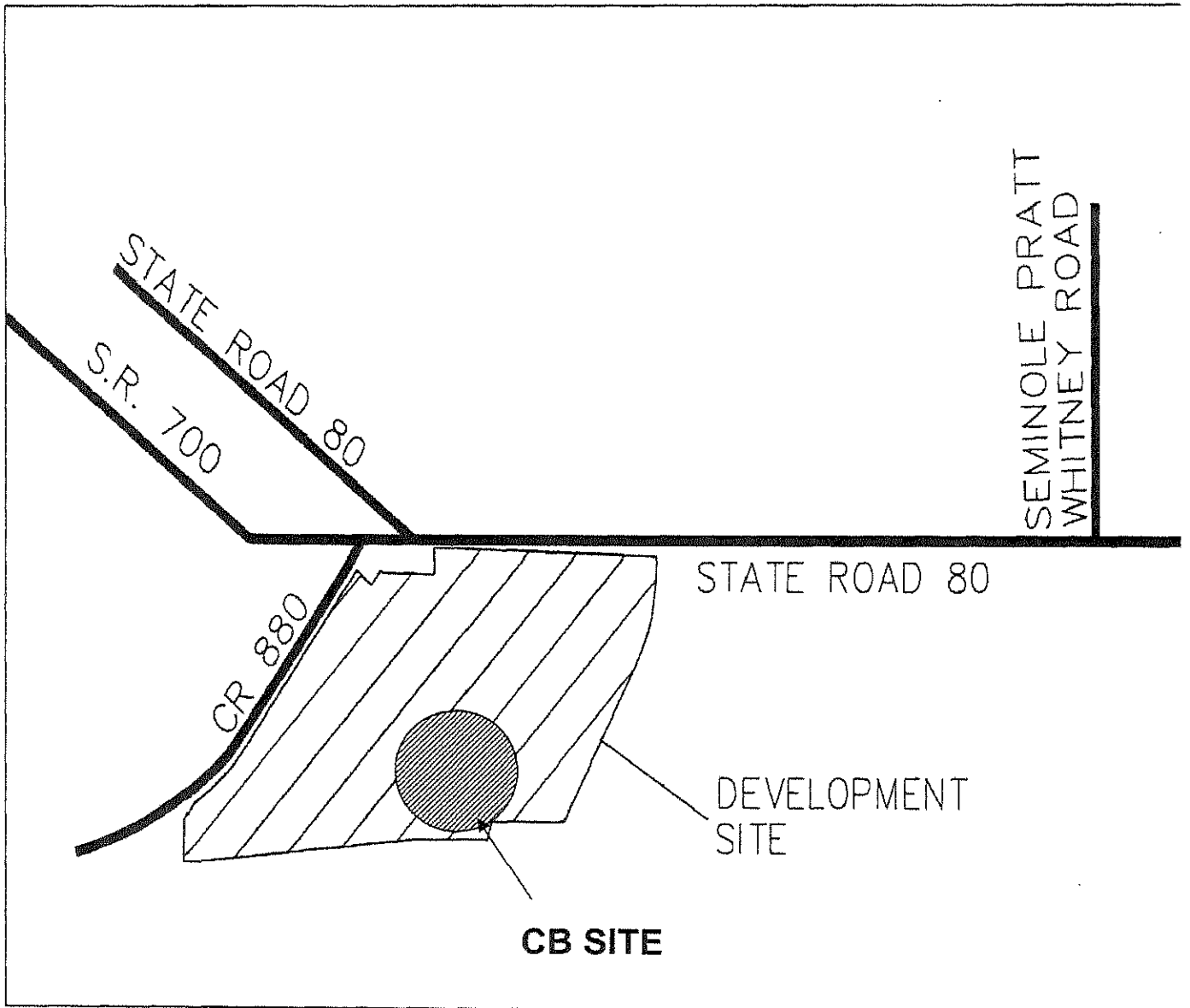


EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. Development of the site is limited to the uses approved by Zoning Commission. The approved site plan for the 81.18-acre Gun Range, Open is dated April 16, 2007. All modifications must be approved by the Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the primary buildings shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

HEALTH

1. The site shall be served by sanitary sewer and a community water system. Neither an onsite sewage treatment and disposal system (OSTDS) nor potable water wells shall be approved for use on the property. All existing OSTDS shall be abandoned in accordance with Chapter 64E-6, FAC and Palm Beach County ECR-I. All existing onsite potable water wells shall be abandoned in accordance with Chapter 64E-8, FAC and Palm Beach County ECR-II (ONGOING: HEALTH-Health)

COMPLIANCE

1. In granting this approval, the Zoning Commission relied upon the oral and written representations of the property owner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Zoning Commission for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
 - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING - Zoning)

LAN 06-02
501-88R

AUG-15-1996 12:54pm 96-284825

ORB 9398 Pg 490

~~Return to:~~ BIP/lmt
SOUTH FLORIDA WATER MANAGEMENT DISTRICT
P.O. Box 24680
West Palm Beach, FL 33416-4680

This instrument prepared by:
Andrew R. Ross, Esquire,
South Florida Water Management District
3301 Gun Club Road, P. O. Box 24680
West Palm Beach, FL 33416-4680

Portions of PCN: 00 40 43 31 00 000 5010
00 40 43 31 00 000 5011

R96-971-D

EASEMENT AGREEMENT JUL 16 1996

This Easement Agreement ("Agreement"), entered into as of July 11, 1996, is made by and between SOUTH FLORIDA WATER MANAGEMENT DISTRICT, having its principal office at 3301 Gun Club Road, West Palm Beach, Florida 33406 ("DISTRICT"), PALM BEACH COUNTY ("COUNTY"), whose mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401.

WHEREAS, COUNTY is the owner of certain real property more fully described in Exhibit "A" attached hereto ("County Property").

WHEREAS, COUNTY desires an easement from DISTRICT across the real property described on Exhibit "B" attached hereto and made a part hereof ("Easement Parcel") for access, ingress and egress to and from the County Property.

WHEREAS, DISTRICT is agreeable to granting to COUNTY for the benefit of the County Property, an easement across the Easement Parcel for the uses and on the terms, conditions and provisions specified in this Agreement.

NOW, THEREFORE, in consideration of the premises, the mutual promises contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, DISTRICT and COUNTY (hereinafter collectively referred to as the "Parties"), intended to be legally bound, hereby agree as follows:

Return To:
Ben L. Williamson
PBC Property & Real Estate Management
3323 Belvedere Road, Building 503
West Palm Beach, FL 33406

1. TITLE DISCLAIMER

Pursuant to §373.099, Florida Statutes, DISTRICT does not warrant or guarantee the title to the Easement Parcel.

2. GRANT & AUTHORIZED USE OF THE EASEMENT PARCEL

Subject to the limitations described in this Agreement and subject to all applicable local, state and federal governmental restrictions or limitations, DISTRICT hereby grants a perpetual easement ("Easement") to COUNTY, on, over, upon, through and across the Easement Parcel for purposes of access, ingress and egress to and from the County Property. This Easement shall be non-exclusive and shall be appurtenant to and for the benefit of the County Property. County's rights to use the Easement Parcel are expressly subject to all of the terms and conditions contained herein.

3. CONTINUED MAINTENANCE

COUNTY shall have the obligation of continued maintenance of the Easement Parcel in accordance with the terms and conditions of this AGREEMENT, including but not limited to grading, paving, mowing, repairing any erosion or shoaling and repairing of guardrails and other improvements authorized herein for uses incident to the Easement Parcel. Failure of the COUNTY to fully perform its continued maintenance obligations within 60 Days of receipt of a notice of the same delivered to County by District shall be considered a default.

4. CONSTRUCTION OF IMPROVEMENTS

COUNTY shall neither construct any improvements on nor make any alterations to the Easement Parcel without the prior written consent of the District which shall not be unreasonably withheld.

5. CONTINUED USE BY THE DISTRICT

DISTRICT retains the right to engage in any activities on, over, below or across the Easement Parcel, including but not limited to the right to construct, operate and maintain any project in the interest of flood control, reclamation, conservation, recreation, water flowage, water management, water storage, and allied purposes and further retains the right to grant compatible use to third parties. All persons and entities authorized by DISTRICT shall have the right of free access across the Easement Parcel.

6. FUTURE ACTIVITIES & ALTERNATIVE ACCESS

At such times as changes are made in existing water management operations or facilities, in over, upon or bordering the Easement Parcel, or additional water management facilities are constructed in, over, upon or bordering the Easement Parcel, DISTRICT retains the right to effect such changes. The Parties understand that the determination of location, method, time, type and other factors relevant to maintenance, construction, operation, and alteration of water management facilities is solely the DISTRICT'S determination. DISTRICT reserves the right to require COUNTY to remove any improvements from the Easement Parcel, at COUNTY'S expense upon notice. DISTRICT shall provide COUNTY with sufficient information concerning the DISTRICT'S proposed activities to enable COUNTY to alter its improvements, construct additional improvements or to otherwise procure reasonable access to the County Property. COUNTY will respond to DISTRICT within thirty (30) days as to whether the information supplied by the DISTRICT is sufficient, or if more information is needed. It is understood that COUNTY, solely at COUNTY'S expense, shall have six (6) months, from the date of receipt of notice by DISTRICT, set forth above, in which to alter its improvements, construct additional improvements or to otherwise procure reasonable access to the County Property, unless another time frame is mutually agreed upon by the Parties. COUNTY acknowledges an affirmative obligation to diligently pursue all requests for alterations made by the DISTRICT pursuant to this paragraph. In the event the District shall require that the County cease its use of the Easement Parcel in accordance with the forgoing, then the DISTRICT shall provide COUNTY with use of DISTRICT owned lands as alternative access.

7. CONTINUED DISTRICT ACCESS

DISTRICT reserves the right, for purposes of routine operations and maintenance activities, to temporarily limit, obstruct and/or cut off COUNTY'S access to the Easement Parcel. However, DISTRICT shall provide COUNTY with ten (10) days advance written notice that access may be limited, obstructed and/or cut off, and, to the extent possible, provide alternate access when COUNTY'S normal access is cut off. DISTRICT shall endeavor to minimize the time COUNTY'S access will be limited, obstructed and/or cut off. In the event COUNTY experiences an emergency which jeopardizes the ability of COUNTY'S facility located on the County Property to operate, DISTRICT will cease its routine operations and maintenance activities, and, as necessary, restore COUNTY'S access, or provide alternative access to COUNTY.

8. HAZARDOUS WASTE AND INDEMNIFICATION:

For purposes of this Agreement, "Pollutant" shall mean any hazardous or toxic substance, material, or waste of any kind, or any contaminant, pollutant, petroleum, petroleum product, or petroleum by-product as defined or regulated by environmental laws. "Disposal" shall mean the release, storage, use, handling, discharge or disposal of such Pollutants. "Environmental Laws" shall mean any applicable federal, state or local laws, statutes, ordinances, rules, regulations or other governmental restriction. The COUNTY shall not cause or permit the Disposal of any Pollutants upon the Easement Parcel or upon any adjacent lands. COUNTY shall use the Easement Parcel in compliance with all Environmental Laws. Any Disposal of such materials, whether caused by COUNTY or any other third party, shall be reported to the DISTRICT immediately upon the knowledge thereof by the COUNTY. The COUNTY shall be responsible for the entire cost of cleanup of any Pollutants which are disposed of or are otherwise discovered on the Easement Parcel or emanate from the Easement Parcel to adjacent lands as a result of the use of the Easement Parcel or surrounding lands by the COUNTY, its employees, agents, officers or officials. Without waiver of limitation as provided for in Florida Statute 768.28 and to the extent allowed by law, COUNTY shall indemnify and hold harmless DISTRICT, from and against any and all claims, loss, damage, cost or liability incurred by DISTRICT (including but not limited to reasonable attorney's fees and costs) which arises directly, indirectly or proximately as a result of the Disposal by County, or any of its employees, agents, officers or officials, of any Pollutants which affects the Easement Parcel or emanates from the Easement Parcel to adjacent lands during the term of this Agreement. This responsibility shall continue to be in effect for any such Pollutants as are discovered after the date of termination of this Agreement. While this paragraph establishes contractual liability for the COUNTY regarding pollution of the Easement Parcel as provided herein, it does not alter or diminish any statutory or common law liability of the COUNTY for such pollution.

9. ASSIGNMENT AND USE BY OTHERS

COUNTY may permit their officials, employees, agents, invitees and sub-contractors, to use the Easement Parcel, but only for the use set forth in this Agreement. This Agreement may not be assigned in whole or in part without the prior written consent of the DISTRICT. Any assignment consented to by the DISTRICT shall not relieve the COUNTY from any liability accruing hereunder prior to such assignment. Any assignment made either in whole or in part without the prior written consent of the DISTRICT shall be void and without legal effect.

10. AUTOMATIC REVERTER

If COUNTY shall cease to use the Easement Parcel for the purposes set forth in Section 2 for a period of six months, then the Easement and the Easement Parcel shall automatically revert back to the District and be of no further force or effect.

11. PERMITS

In connection with COUNTY'S use of the Easement Parcel, including installation of improvements as set forth herein, COUNTY shall, prior to commencing such use, apply for and receive any and all permits and licenses ("Permits") required by any and all local, state and federal governmental authorities having jurisdiction over the Easement Parcel including, but not limited to, Permits from the DISTRICT, the Florida Department of Environmental Protection and applicable authorities in Palm Beach County. COUNTY shall keep such Permits in full force and effect during the term of this Agreement and, from time to time, COUNTY shall obtain renewals of such Permits and obtain any and all other Permits as may be required by governmental authorities to use the Easement Parcel for ingress and egress in accordance with this Agreement. The cost and responsibility of obtaining all such Permits shall be the sole responsibility of COUNTY. COUNTY'S use of the Easement Parcel, including, but not limited to installation and maintenance of improvements as set forth herein, shall at all times be in compliance with all Permits and applicable rules, regulations and laws.

12. NOTICE

All notices, requests, consents and other communications required or permitted under this Agreement shall be in writing (including telex and telegraphic communications) and shall be (as elected by the person giving such notice) hand delivered by messenger or courier service, telecommunicated, or mailed (airmail if international) by registered or certified mail (postage prepaid), return receipt requested, or sent by any form of overnight mail, addressed to:

TO DISTRICT:

Director of Real Estate Division	
South Florida Water Management District	
(MAILING ADDRESS:)	(OFFICE LOCATION)
P.O.Box 24680	3301 Gun Club Road
West Palm Beach, Florida 33416-4680	West Palm Beach, Florida 33406

Fax (407) 681-6233

TO COUNTY:

Property and Real Estate Management Division
Palm Beach County Board of County Commissioners
3323 Belvedere Road, Bldg. 503
West Palm Beach, Florida 33406

Palm Beach County Attorney's Office
301 North Olive Avenue
Suite 601
West Palm Beach, FL 33401

or to such other address as any party may designate by notice complying with the terms of this Subparagraph. Each such notice shall be deemed (1) on the date delivered if by personal delivery; (2) on the date telecommunicated if by telegraph; (3) on the date of transmission with confirmed receipt of by telex, telefax or other telegraphic method; (4) on the date upon which the return receipt is signed or delivery is refused or the notice is designated by the postal authorities as not deliverable, as the case may be, if mailed; and (5) one day after mailing by any form of overnight mail service.

13. ATTORNEY'S FEES AND COSTS

If either the DISTRICT or the COUNTY initiates legal action, including appeals, to enforce this Agreement, the prevailing party shall be entitled to recover a reasonable attorney's fee, based upon fair market value of the services provided, and costs associated with such legal action.

14. INDEMNIFICATION

COUNTY shall, to the extent permitted by law, indemnify, defend and save harmless the DISTRICT from and against any and all claims, suits, actions, damages and/or causes of action arising during the term of this Easement Agreement for any personal injury, loss of life and/or damage to property as a result of any action or inaction by the COUNTY, its agents, employees, licensees and invitees, in connection with the use of the Easement Parcel, and from and against any orders, judgements, and/or decrees which may be entered thereon, and from and against all costs, attorney fees, expenses and liabilities incurred in and about the defense of any such claim. The foregoing shall not be construed to require COUNTY to indemnify DISTRICT to the extent to which DISTRICT'S negligence contributed to, or was the sole cause of, such personal injury, loss of life and/or damage to property. Nothing contained herein shall be construed as a waiver of the sovereign immunity of either party as provided in Florida Statutes 768.28, as amended from time to time

15. SEVERANCE OF AGREEMENT TERM(S)

Should any term or provision of this Agreement be held, to any extent, invalid or unenforceable, as against any person, entity or circumstance during the term hereof, by force of any statute, law, or ruling of any forum of competent jurisdiction, such as invalidity shall not affect any other term or provision of this Agreement, to the extent that the Agreement shall remain operable, enforceable and in full force and effect to the extent permitted by law.

IN WITNESS WHEREOF, parties hereto have caused this Agreement to be executed as of the day and year first written above.



(Corporate Seal)

BY: Valerie Boyd
Chairman

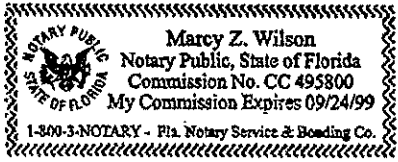
ATTEST:

[Signature]
Assistant Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11TH day of July, 19 96 by Valerie Boyd and Anthony Burns, the Charirman and Assistant Secretary, * of South Florida Water Management Distract corporation of the State of Florida, who signed the foregoing instrument and acknowledged the execution thereof to be his/her free act and deed, for the purposes and uses therein mentioned, and who ^{are} personally known to me. ~~XXXXXX has produced XXX identification and who did (did not) take an oath.~~
*respectively,

[Signature]
Notary Public
Marcy Z. Wilson
Print
Commission No. CC495800
My Commission Expires: 9/24/99

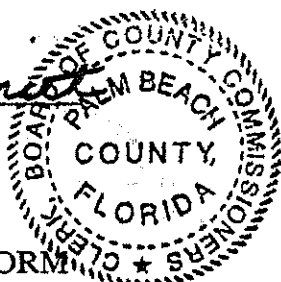


ATTEST:

DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, A
POLITICAL SUBDIVISION OF THE
STATE OF FLORIDA

By April C. Smith
Deputy Clerk



By [Signature]
Chair

JUL 16 1996

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By [Signature]
Assistant County Attorney
Ellie Halperin

R96-971-D

Exhibit "A"

OVERALL PARCEL ALSO DESCRIBED AS

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST; THENCE SOUTH 89°52'59" WEST ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 1194.11 FEET TO A POINT ON THE CENTERLINE OF A SHELLROCK ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 29°51'00" WEST ALONG SAID CENTERLINE A DISTANCE OF 28.86 FEET TO A POINT ON THE NORTH LINE OF A FLORIDA POWER AND LIGHT EASEMENT DESCRIBED IN ORB 878, PG 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID NORTH LINE IS PARALLEL WITH AND 25 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 89°52'59" WEST ALONG SAID EASEMENT LINE A DISTANCE OF 799.61 FEET; THENCE NORTH 17°54'26" EAST A DISTANCE OF 26.29 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 0°09'18" WEST A DISTANCE OF 2002.36 FEET TO A POINT ON A LINE PARALLEL WITH AND 75 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT OF WAY LINE OF THE C. & S. F. C. D. LEVEE L-7 EXTENSION DESCRIBED IN DB 984, PG 46 OF SAID PUBLIC RECORDS; THENCE NORTH 88°28'36" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1128.28 FEET; THENCE SOUTH 0°31'24" WEST A DISTANCE OF 96.82 FEET; THENCE NORTH 88°28'36" WEST A DISTANCE OF 437.6 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S.R. 80; THENCE NORTH 38°16'01" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 227.55 FEET TO THE SOUTHWEST BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DB 887, PG 189 OF SAID PUBLIC RECORDS; THENCE SOUTH 51°43'59" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 200.00 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL; THENCE NORTH 38°16'01" EAST ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 159.39 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID LEVEE L-7; THENCE SOUTH 48°53'34" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 29.21 FEET; THENCE SOUTH 88°28'36" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2936.15 FEET TO THE CENTERLINE OF SAID SHELLROCK ROAD; THENCE SOUTH 8°21'23" WEST (THE FOLLOWING COURSES FOLLOW SAID CENTERLINE) A DISTANCE OF 244.82 FEET; THENCE SOUTH 13°54'26" WEST A DISTANCE OF 99.85 FEET; THENCE SOUTH 18°22'11" WEST A DISTANCE OF 99.82 FEET; THENCE SOUTH 21°30'41" WEST A DISTANCE OF 99.65 FEET; THENCE SOUTH 24°43'23" WEST A DISTANCE OF 99.84 FEET; THENCE SOUTH 29°18'24" WEST A DISTANCE OF 99.54 FEET; THENCE SOUTH 29°01'34" WEST A DISTANCE OF 99.75 FEET; THENCE SOUTH 29°51'00" WEST A DISTANCE OF 1426.11 FEET TO THE POINT OF BEGINNING.

TOTAL ACREAGE 68.278 ACRES; MORE OR LESS.

Return to: (enclose self-addressed stamped envelope)

Name

Address:

OR 7398 Pg 499

Property Appraisers Parcel Identification (Folio) Number(s):

DESCRIPTION

Exhibit "B"
Page 1 of 3

A parcel of land 40 feet in width lying 15 feet to the northerly from and 25 feet southerly from the following described line and lying within Section 31, Township 43 South, Range 40 East, Palm Beach County, Florida, more particularly described as follows:

Commence at the Southeast corner of Section 31, Township 43 South, Range 40 East; Thence North 00° 56' 56" East along the East line of said Section 31 a distance of 1481.40 feet to the POINT OF BEGINNING; Thence North 88° 25' 07" West, a distance of 2200.27 feet to beginning of a curve to the left having a radius of 2071.16 feet from which the radius point bears South 01° 34' 53" West; Thence Westerly along the arc of said curve though a central angle of 11° 46' 36", a distance of 425.71 feet to a point of intersection with a non-tangent curve to the right having a radius of 772.85 feet from which the radius point bears North 14° 08' 04" West; Thence Westerly along the arc of said curve though a central angle of 32° 24' 20", a distance of 437.11 feet to the end of said curve; Thence North 71° 43' 44" West, a distance of 73.19 feet to the easterly right-of-way line of Old SR-80 as shown on FDOT drawing 93140-2504 and the POINT OF TERMINUS.

Bearings are based on the Florida State Plane Coordinate System 1972 Free Adjustment. The East line of Section 31, Township 43 South, Range 40 East bears North 00° 56' 56" East.

TOGETHER WITH

A parcel of land lying within Section 31, Township 43 South, Range 40 East, Palm Beach County, Florida, more particularly described as follows:


Commence at the Southeast corner of Section 31, Township 43 South, Range 40 East; Thence North 00° 56' 56" East along the East line of said Section 31 a distance of 1212.57 feet to a point on the south right-of-way line of the South Florida Water Management District Levee L-7 Extended, recorded in Deed Book 984, Page 46 in the Public Records of Palm Beach County, Florida; Thence North 88° 28' 36" West along said L-7 right-of-way line a distance of 3.89 feet to the POINT OF BEGINNING; Thence North 02° 45' 32" West, a distance of 243.87 feet to the south line of the above described parcel; Thence North 88° 25' 07" West along said south line, a distance of 60.01 feet; Thence South 02° 45' 32" East, a distance of 243.93 feet to said L-7 right-of-way line; Thence South 88° 28' 36" East along said L-7 right-of-way line a distance of 60.01 feet to the POINT OF BEGINNING.

Bearings are based on the Florida State Plane Coordinate System 1972 Free Adjustment. The East line of Section 31, Township 43 South, Range 40 East bears North 00° 56' 56" East.

Sheet 1
of 3
Project No. 93214

Project DESCRIPTION SKETCH
LAW ENFORCEMENT TRAINING CENTER ACCESS EASEMENT
Drawing No. S-1-94-727

Author	Checker	Permitted	By	Date
Approved: NONE				
Drawn: GAOB				
Checked: GPM				
Date: 5/27/94				
Field Book No.				

PALM BEACH COUNTY
ENGINEERING AND PUBLIC WORKS

ENGINEERING SERVICES
P.O. BOX 2155, WEST PALM BEACH, FL

Return to: (enclose self-addressed stamped envelope)

Name

Address:

088 9398 Pa 500

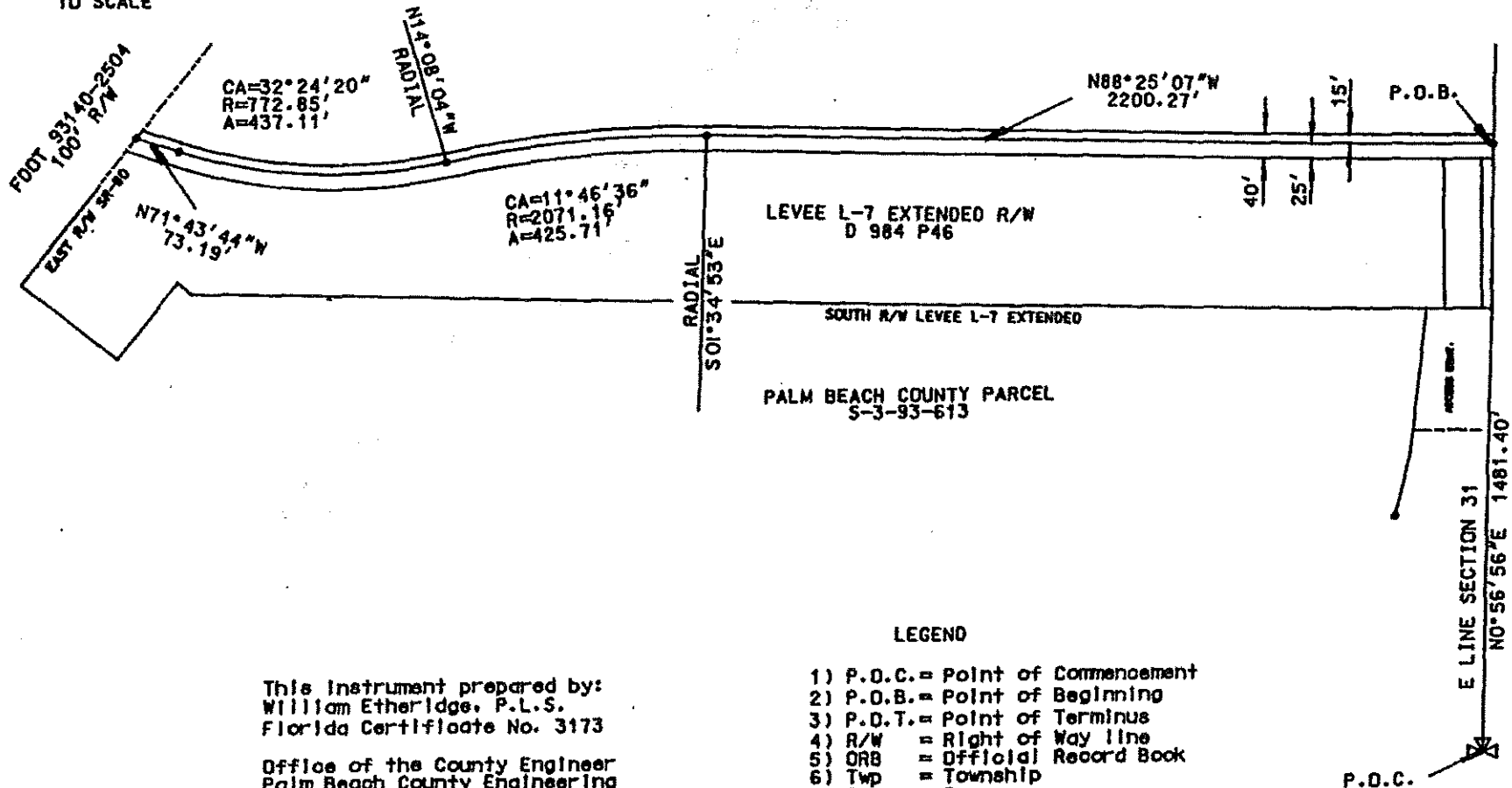
Property Appraisers Parcel Identification (Folio) Number(s):

Exhibit "B"
Page 2 of 3



NOT
TO SCALE

THIS IS NOT A SURVEY



This instrument prepared by:
William Etheridge, P.L.S.
Florida Certificate No. 3173

Office of the County Engineer
Palm Beach County Engineering
Survey Section
160 Australian Avenue
West Palm Beach, FL 33406

LEGEND

- 1) P.O.C. = Point of Commencement
- 2) P.O.B. = Point of Beginning
- 3) P.O.T. = Point of Terminus
- 4) R/W = Right of Way line
- 5) ORB = Official Record Book
- 6) Twp = Township
- 7) Rge = Range
- 8) CA = CENTRAL ANGLE
- 9) R = RADIUS
- 10) A = ARC

P.O.C.
SE Corner
Section 31,
Twp 43S, Rge 40E

RECORDER'S MEMO: Legality of document
unsatisfactory when received.

Return to: (enclose self-addressed stamped envelope)

Name

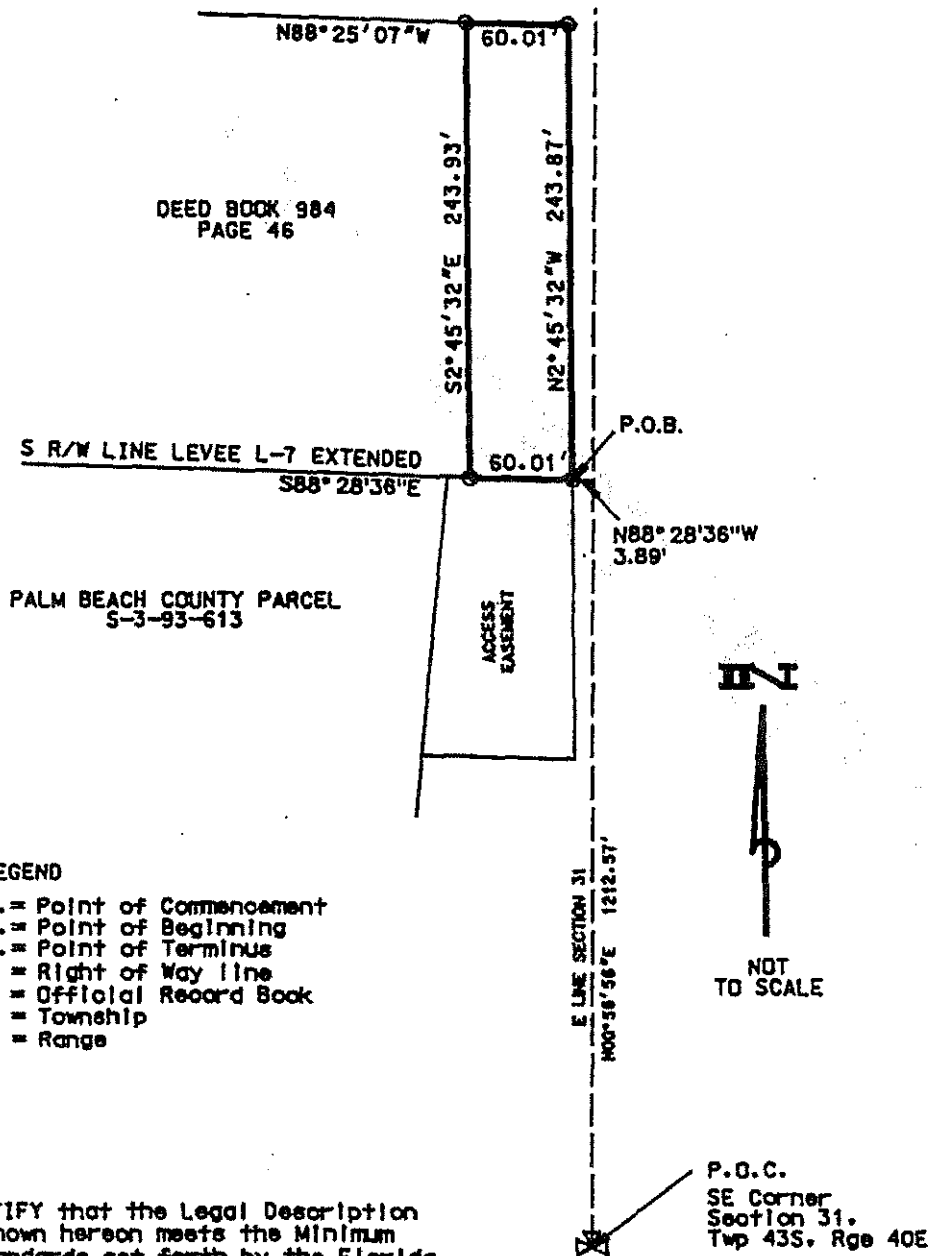
Address:

ORF 9398 Pg 501
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

Property Appraisers Parcel Identification (Folio) Number(s):

Exhibit "B"
Page 3 of 3

THIS IS NOT A SURVEY



LEGEND

- 1) P.O.C. = Point of Commencement
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- 6) Twp = Township
- 7) Rge = Range

I HEREBY CERTIFY that the Legal Description and sketch shown hereon meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors in Chapter 61G17-6, Florida Administrative Code, pursuant to section 472.027 Florida Statutes.

6-15-54
DATE

W.C. Etheridge
William C. Etheridge, PLS
Florida Certificate #3173

RECORDER'S MEMO: Legibility of document
unsatisfactory when received.

29
4-6

PREPARED BY AND RETURN TO:
Ben L. Williamson
PBC Property & Real Estate Management Div.
3323 Belvedere Road, Building 503
West Palm Beach, Florida 33406

MAY-07-1996 9:27am 96-155970
ORB 9248 Pg 351
1
10.00 Doc .70

R24 1628D

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT made and entered this NOV 15 1994 of _____,

1994, by and between Florida Power & Light Company, a Florida Corporation, ("FPL") whose mailing address is P.O. Box 14000, Juno Beach, Florida 33407-0420 and PALM BEACH COUNTY, a political subdivision of the State of Florida, ("County") whose mailing address is 301 North Olive Avenue, West Palm Beach, Florida 33401.

W I T N E S S E T H

WHEREAS, County is the owner of certain land situate in Palm Beach County, Florida, as more particularly described in Exhibit "A" attached hereto and made a part hereof, (the "County Parcel"); and

WHEREAS, the FPL is the owner of land adjoining the County Parcel on its eastern border (the "FPL Parcel"); and

WHEREAS, Florida Power & Light desires to grant an easement across a portion of the FPL Parcel for purposes of establishing a shared access drive providing ingress and egress to the County Parcel and FPL Parcel.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) the mutual covenants contained herein and various other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows;

1. Grant of Access Easement. Florida Power & Light hereby grants unto the County an non-exclusive perpetual easement for

purposes of access, ingress and egress over, upon and across that portion of the FPL Parcel legally described in Exhibit "B" attached hereto (the property encumbered by this easement is hereinafter referred to as the "Driveway" and/or the "Driveway Easement").

2. Purposes and Permitted Uses. The Driveway Easement is located for the purpose of providing both the County and FPL, their agents, employees, licensees and invitees with access, ingress and egress over the Driveway to the County and FPL Parcels

3. Improvements, Maintenance and Repair. County shall be responsible for the cost and expense of constructing a driveway on the Driveway Easement and for the subsequent maintenance and repair thereof for so long as the County shall operate a shooting range upon the County Property.

INTENTIONALLY LEFT BLANK

CONTINUED ON NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have caused this Easement Agreement to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Florida Power & Light Company

Brenda DeBeck
Signature:
Brenda DeBeck
Name: (Print)

By: [Signature]
Name: John M. Chism
Title: Director of Land Management and Assistant Secretary
Date: 9/15/94

[Signature]
Signature:
Donna M. Rodebaugh
Name: (Print:)

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 15th day of September, 1994 by John M. Chism who is personally know to me or has produced _____ as identification and who did not take an oath.

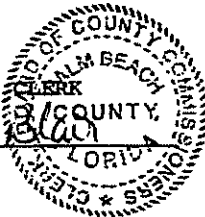
OFFICIAL NOTARY SEAL
DONNA M. RODEBAUGH
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC34892
MY COMMISSION EXP. OCT 24 1997

[Signature]
Donna M. Rodebaugh
Print Name of Acknowledger)

ATTEST:

DOROTHY H. WILKEN, CLERK

By: [Signature]
Deputy Clerk



PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA

By: [Signature]
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
Ellie Halperin
Assistant County Attorney

R94 16780

NOV 15 1994

OVERALL PARCEL ALSO DESCRIBED AS

COMMENCE AT THE NORTHEAST CORNER OF SECTION 6, TOWNSHIP 44 SOUTH, RANGE 40 EAST; THENCE SOUTH 89°52'59" WEST ALONG THE SOUTH LINE OF SAID SECTION 6 A DISTANCE OF 1194.11 FEET TO A POINT ON THE CENTERLINE OF A SHELLROCK ROAD SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 29°51'00" WEST ALONG SAID CENTERLINE A DISTANCE OF 28.86 FEET TO A POINT ON THE NORTH LINE OF A FLORIDA POWER AND LIGHT EASEMENT DESCRIBED IN ORB 678, PG 91 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID NORTH LINE IS PARALLEL WITH AND 25 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH LINE OF SAID SECTION 6; THENCE SOUTH 89°52'59" WEST ALONG SAID EASEMENT LINE A DISTANCE OF 799.61 FEET; THENCE NORTH 17°54'26" EAST A DISTANCE OF 26.29 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 0°09'18" WEST A DISTANCE OF 2002.36 FEET TO A POINT ON A LINE PARALLEL WITH AND 75 FEET SOUTH OF WHEN MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT OF WAY LINE OF THE C.&S.F.C.D. LEVEE L-7 EXTENSION DESCRIBED IN DB 984, PG 46 OF SAID PUBLIC RECORDS; THENCE NORTH 88°28'36" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 1128.28 FEET; THENCE SOUTH 0°31'24" WEST A DISTANCE OF 96.82 FEET; THENCE NORTH 88°28'36" WEST A DISTANCE OF 437.6 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF S.R. 801 THENCE NORTH 38°16'01" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 227.55 FEET TO THE SOUTHWEST BOUNDARY LINE OF A PARCEL OF LAND DESCRIBED IN DB 887, PG 189 OF SAID PUBLIC RECORDS; THENCE SOUTH 51°43'59" EAST ALONG SAID BOUNDARY LINE A DISTANCE OF 200.00 FEET TO THE SOUTHERLY CORNER OF SAID PARCEL; THENCE NORTH 38°16'01" EAST ALONG THE EASTERLY BOUNDARY OF SAID PARCEL A DISTANCE OF 159.39 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID LEVEE L-7; THENCE SOUTH 48°53'34" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 29.21 FEET; THENCE SOUTH 88°28'36" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 2936.15 FEET TO THE CENTERLINE OF SAID SHELLROCK ROAD; THENCE SOUTH 8°21'23" WEST (THE FOLLOWING COURSES FOLLOW SAID CENTERLINE) A DISTANCE OF 244.82 FEET; THENCE SOUTH 13°54'28" WEST A DISTANCE OF 99.85 FEET; THENCE SOUTH 18°22'11" WEST A DISTANCE OF 99.82 FEET; THENCE SOUTH 21°30'41" WEST A DISTANCE OF 99.65 FEET; THENCE SOUTH 24°43'23" WEST A DISTANCE OF 99.84 FEET; THENCE SOUTH 29°18'24" WEST A DISTANCE OF 99.54 FEET; THENCE SOUTH 29°01'34" WEST A DISTANCE OF 99.75 FEET; THENCE SOUTH 29°51'00" WEST A DISTANCE OF 1426.11 FEET TO THE POINT OF BEGINNING.

TOTAL ACREAGE 68.278 ACRES, MORE OR LESS.

Together With

A parcel of land lying within Section 6, Township 44 South, Range 40 East, Palm Beach County, Florida, more particularly described as follows:

Commence at the Northeast corner of said Section 6; Thence South 89°52'59" West, along the North line of said section 6 a distance of 2000.00 feet to a point on the West line of the land described in Official Record Book 2290, Page 706, Parcel 1; Thence South 17°54'26" West, along said West line a distance of 26.29 feet to the POINT OF BEGINNING; Thence continue South 17°54'26" West along said West line a distance of 1779.45 feet; Thence South 72°05'34" East, at right angles to said West line a distance of 331.66 feet; Thence North 29°51'00" East, a distance of 2071.71 feet to a point on a line being parallel with and 25.00 feet south of when measured at right angles to the north line of said Section 6; Thence South 89°52'59" West, along said parallel line a distance of 799.61 feet to the POINT OF BEGINNING.

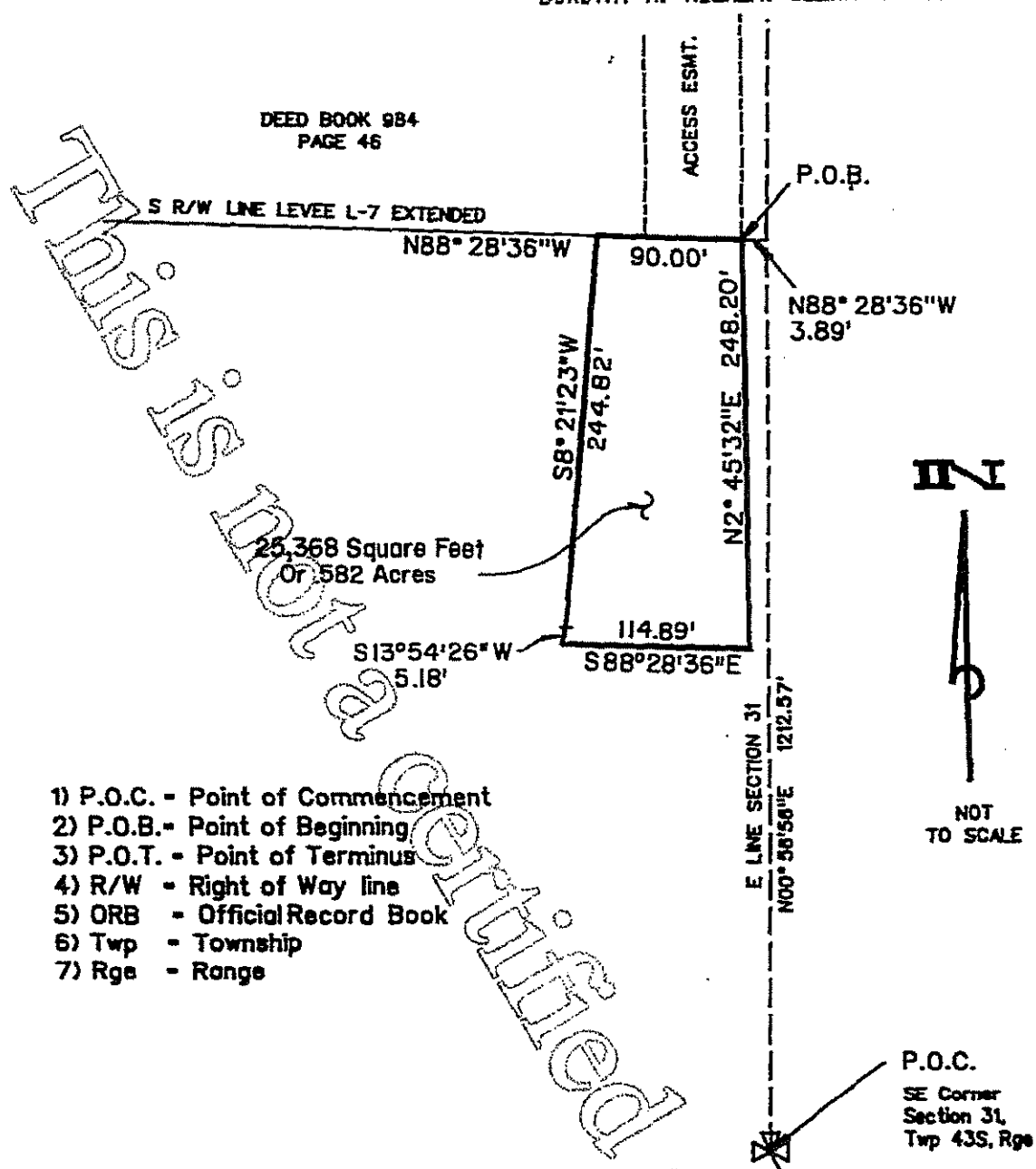
Containing 23.247 acres, more or less.

Bearings are based on the Florida State Plane Coordinate System 1972 Free Adjustment. The North line of section 6, Township 44 South, Range 40 East bears South 89°52'59" West.

THIS IS NOT A SURVEY

ORB 9248 Ps 856
 DOROTHY H. WILKEN, CLERK PE COUNTY, FL

DEED BOOK 984
 PAGE 46



- 1) P.O.C. - Point of Commencement
- 2) P.O.B. - Point of Beginning
- 3) P.O.T. - Point of Terminus
- 4) R/W - Right of Way line
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P.O.C.
 SE Corner
 Section 31,
 Twp 43S, Rge 40E

Bearings are based on the Florida State Plane Coordinate System 1972 Free Adjustment. The East line of Section 31, Township 43 South, Range 40 East bears North 00° 56' 56" East.

Report No. 03214 Sheet 2 of 2	Project DESCRIPTION SKETCH LAW ENFORCEMENT TRAINING CENTER ACCESS EASEMENT Drawing No. S-1-94-726	Date 10/12/94 Drawn by DWG Check by GMA Field Book No.	P.A.L.M. B.E.A.C.H. C.O.U.N.T.Y. E.N.G.I.N.E.E.R.I.N.G. A.N.D. P.U.B.L.I.C. W.O.R.K.S. E.N.G.I.N.E.E.R.I.N.G. S.E.R.V.I.C.E.S. P.O. BOX 2100, WEST PALM BEACH, FL
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