

## **Soil Cover and Pool Construction Fact Sheet for Residents**

- Certain lots within the development are located on or near portions of the former Ponce DeLeon Resort and Golf Course.
- During operation of the golf course, certain agrichemicals, including herbicides, pesticides, and fertilizers, were lawfully applied to the golf course property, resulting in certain soil and groundwater impacts.
- The former golf course property has been managed and remediated to address the presence of certain impacted soil and/or groundwater. This includes capping and covering certain lots with a minimum of two (2) feet of clean soil in accordance with Florida laws and under the review of with Florida Department of Environmental Protection.
- The two (2) feet of clean soil placed on the property is in place to prevent exposure to any potential soil impacts that may exist as a result of the historic use of the former golf course.
- Where a lot is covered by 2 feet of clean soil as an engineering control, there is a restriction prohibiting the removal of the soil cap/cover unless such work is completed in accordance with the Engineering Control Maintenance Plan that has been established for the lot.
- Construction and removal of an in-ground pool on the lots with the engineering control is not prohibited, so long as the requirements set forth in the Pool Installation Protocol, included as Attachment C to the Engineering Control Maintenance Plan, are followed. Generally, this process requires HOA approval of the proposed pool, notification of the work to FDEP, proper excavation and disposal of the soil from the pool installation, complying with dewatering procedures (if applicable), reporting of the work to FDEP, continued inspection and maintenance of the pool, and following procedures for removal of the pool.
- These restrictions are set forth in a Declaration of Restrictive Covenant, which is recorded at Book 4897 and Page 697 in the Official Public Records of St. Johns County, Florida. The Declaration of Restrictive Covenant and Engineering Control Maintenance Plan are included in the HOA documents for Madeira at St. Augustine for the community and can be found on the Madeira at St. Augustine Community Development District/HOA website ([www.madeiracdd.org](http://www.madeiracdd.org)) or by contacting the HOA manager (Rizzetta & Company: 904-436-6270 or [lgallagher@rizzetta.com](mailto:lgallagher@rizzetta.com)) .
- Failure to adhere to the requirements set forth in the Declaration of Restrictive Covenant and Pool Installation Protocol will result in the assessment of stipulated penalties by the HOA and could result in Florida Department of Environmental Protection enforcement.