

2015-2025
USF System
Campus Master Plan Updates

Appendix D
Moffitt Oil Spill

Tampa

SECTION 8, TOWNSHIP 28 SOUTH, RANGE 18 EAST

Additions or deletions by other than the Professional Land Surveyor in responsible charge is prohibited.
Land Description is invalid without signature and/or embossed seal of the Professional Land Surveyor

DESCRIPTION

A portion of land lying within Section 8, Township 28 South, Range 19 East, Hillsborough County, Florida, more particularly described as follows:

Commence at the North $\frac{1}{4}$ corner of said Section 8, thence along the west line of the Northeast $\frac{1}{4}$ of said Section 8 bearing S.00°07'27"W. a distance of 2009.65 feet; thence leaving said line S.89°52'33"E. a distance of 1106.38 feet to the POINT OF BEGINNING; thence N.71°35'45"E. a distance of 147.30 feet; thence S.52°55'25"E. a distance of 71.33 feet; thence S.05°56'37"E. a distance of 22.38 feet; thence S.42°35'44"W. a distance of 126.24 feet; thence N.73°07'59"W. a distance of 93.48 feet; thence N.15°54'01"W. a distance of 87.93 feet to the POINT OF BEGINNING.

Said description containing 20,025 square feet, more or less.

Basis of bearings are based on the north line of the Northeast $\frac{1}{4}$ of Section 8, Township 28 South, Range 18 East, bearing being N89°55'05"W.



TBE GROUP, INC.

*Engineers · Planners · Subsurface Utility Engineers
Surveyors and Mappers*

380 Park Place Boulevard, Clearwater, Florida 33759
Telephone (727) 431-1642, Facsimile (727) 431-1701

Certificate of Authorization: LB 6668
State of Florida

SECTION 8, TOWNSHIP 28 SOUTH, RANGE 18 EAST

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P.O.C.
N. 1/4 COR.
SEC. 8
FND. R.R. SPIKE

NE COR.
SEC. 8
F.P.K.D
"G&O LB3935"

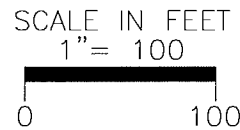
N89°55'05"W 2660.62'

(BASIS OF BEARING)

LINE TABLE:

L1	N.71°35'45"E.	147.30'
L2	S.52°55'25"E.	71.33'
L3	S.05°56'37"E.	22.38'
L4	S.42°35'44"W.	126.24'
L5	N.73°07'59"W.	93.48'
L6	N.15°54'01"W.	87.93'

- 2'X2' CONCRETE PAD WITH 8" DIAMETER MONITORING WELL LID
- SET PK NAIL
- 3.2'X3.2' CONCRETE PAD WITH 2.1'X2.1' METAL LID



SKETCH
NOT A SURVEY

2659.76'
2009.65'

WEST LINE OF THE
NORTHEAST 1/4

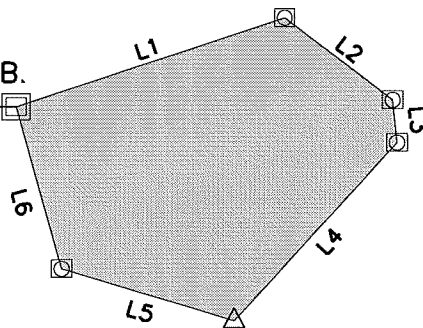
S.00°07'27"W.

S.89°52'33"E.
1106.38'

P.O.B.

LEGEND:

- (C) = CALCULATED
- COR. = CORNER
- FND. = FOUND
- F.P.K.D. = FOUND PARKER KALON NAIL & DISK
- ID = IDENTIFICATION
- NO = NUMBER
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R.R. = RAILROAD
- SEC. = SECTION



CENTER
SEC. 8



TBE GROUP, INC.
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State of Florida

CALCULATED BY:
MWP
CHECKED BY:
DJH

The above Sketch and/or Land description was prepared under my supervision and is true and correct to the best of my knowledge and belief.

Deborah J. Hill

DATE

11/03/06

DEBORAH J. HILL, PROFESSIONAL SURVEYOR AND MAPPER LICENSE NUMBER: 5196
STATE OF FLORIDA, PHONE # (727) 531-3505

SEAL

ATL1

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT
TRUST FUND OF THE STATE OF FLORIDA

AMENDMENT NUMBER 4 TO LEASE NUMBER 2725

THIS LEASE AMENDMENT is entered into this 20th day of
October, 2008, by and between the BOARD OF TRUSTEES OF THE
INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, hereinafter
referred to as "LESSOR" and THE UNIVERSITY OF SOUTH FLORIDA BOARD OF
TRUSTEES, a public body corporate of the State of Florida (successor in
interest by operation of law to the Florida Board of Education, which was
the successor in interest by type two transfer pursuant to s. 20.06(2),
Florida Statutes to the Florida Board of Regents), hereinafter referred
to as "LESSEE";

W I T N E S S E T H

WHEREAS, LESSOR, by virtue of Section 253.03, Florida Statutes,
holds title to certain lands and property for the use and benefit of
the State of Florida; and

WHEREAS, on January 22, 1974, LESSOR and LESSEE entered into
Lease Number 2725; and

WHEREAS, LESSOR and LESSEE desire to amend the lease to include
a prohibition as to groundwater use and well installation on a
portion of the leased premises which has poor quality/low yield
groundwater contaminant concentrations as a result of the 1991
rupture of a 10,000 gallon underground storage tank.

NOW THEREFORE, in consideration of the mutual covenants and
agreements contained herein, the parties hereto agree as follows:

1. The following provisions are added to this lease:

A. That portion of the leased premises depicted on
the survey prepared by TBE Group, Inc., attached hereto
as Exhibit "A" and by reference made a part hereof
("restricted area"), shall be subject to a restrictive

covenant ("Restrictive Covenant") on LESSEE'S leasehold estate during the LESSEE'S term, shall prohibit groundwater use and future well installation. This Restrictive Covenant during the LESSEE'S term, shall prohibit stormwater swales, stormwater detention or retention facilities in the restricted area. Plans for dewatering activities must be in place to ensure appropriate handling, treatment, and disposal of potentially contaminated groundwater prior to extraction from the restricted area."

B. Nothing herein shall limit or conflict with any legal requirements regarding construction methods and techniques that must be used to minimize risk of exposure while conducting work in the restricted area.

C. The Restrictive Covenant is for the benefit of LESSOR and is binding upon LESSEE until LESSOR amends the lease to release the Restrictive Covenant. LESSEE shall be required to observe cleanup target levels established pursuant to Florida Statutes and State of Florida Department of Environmental Protection rules prior to LESSOR releasing the Restrictive Covenant. The Restrictive Covenant may be modified in writing only by mutual agreement of the parties.

Any subsequent amendment must be executed by both LESSOR and LESSEE, or their respective successors and assigns.

2. It is understood and agreed by LESSOR and LESSEE that in each and every respect the terms of the Lease Number 2725, except as expressly amended hereby and by previous amendments to this lease, shall remain unchanged and in full force and effect and the same are hereby ratified, approved and confirmed by LESSOR and LESSEE.

3. The terms of this amendment shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Lease Amendment to be executed on the day and year first above written.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

Joseph Duncan
Witness

Joseph Duncan
Print/Type Witness Name

Judy Woodard
Witness

Judy Woodard
Print/Type Witness Name

By: Gloria C. Barber (SEAL)
GLORIA C. BARBER, OPERATIONS AND MANAGEMENT CONSULTANT MANAGER, BUREAU OF PUBLIC LAND ADMINISTRATION, DIVISION OF STATE LANDS, DEPARTMENT OF ENVIRONMENTAL PROTECTION

"LESSOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 20th day of October, 2008, by Gloria C. Barber, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. She is personally known to me.

Sylvia S. Roberts
Notary Public, State of Florida

Print/Type Notary Name

Commission Number:

Commission Expires:



Approved as to Form and Legality

By: [Signature]
Attorney

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COMMISSION
Brian Blair
Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White



Roger P. Stewart Center
3629 Queen Palm Dr. • Tampa, FL 33619
Ph: (813) 627-2600

Fax Numbers (813):
Admin. 627-2620 Waste 627-2640
Legal 627-2602 Wetlands 627-2630
Water 627-2670 ERM 627-2650
Air 627-2660 Lab 272-5157

Executive Director
Richard D. Garrity, Ph.D.

November 4, 2008

Mr. David Smith, Coordinator
University of South Florida
Environmental Health, Safety & Risk Management
4202 E. Fowler Avenue, CRS 104
Tampa, Florida 33620-5060

RECEIVED U.S.F.
2008 NOV -5 AM 11:17
OFFICE OF THE
GENERAL COUNSEL

Dear Mr. Smith:

**SUBJECT: NO FURTHER ACTION WITH CONTROLS; H. LEE MOFFITT
CANCER CENTER, 12902 MAGNOLIA DRIVE, TAMPA,
FLORIDA, FDEP FACILITY ID #298838645 – PETROLEUM
DISCHARGE DISCOVERED ON FEBRUARY 18, 1991**

On October 30, 2008, Environmental Protection Commission (EPC) staff received a copy of the fully executed Amendment Number 4 to Lease Number 2725 submitted under an October 28, 2008 cover letter from the Florida Department of Environmental Protection (FDEP) Division of State Lands (DSL). The fully executed Amendment Number 4 to Lease Number 2725 has been submitted to help address J.J. Sosa & Associates, Inc.'s (JJSA) March 22, 2006 No Further Action with Controls (NFAC) proposal for the above-referenced petroleum discharge on State-owned property. The engineer of record, Mr. Jose Morales, P.E., proposes to use the Chapter 62-777 of the Florida Administrative Code (F.A.C.), Table I groundwater of poor quality criteria as alternative groundwater cleanup target levels (GCTLs) in accordance with Rule 62-770.680(2)(d)1, F.A.C.

EPC staff has reviewed the petroleum cleanup file and the above referenced rule. Per Section D.5.A. of the Florida Department of Environmental Protection (FDEP) Division of Waste Management's (DWM) November 2004 document entitled, *Institutional Controls Procedures Guidance*, EPC staff finds that the engineer of record's NFAC proposal is an acceptable closure option in accordance with Rule 62-770.680(2)(d)1, F.A.C. The following restrictions must be applied to the "restricted area":

- There shall be no use of the groundwater;
- There shall be no drilling for water nor shall any wells be installed other than monitoring wells pre-approved by the FDEP DWM;
- There shall be no stormwater swales, stormwater detention or retention facilities or stormwater ditches; and

Page 2 of 2
November 4, 2008
Mr. Smith

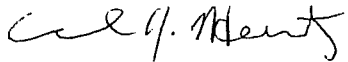
- For any dewatering activities, a plan must be in place to address and ensure the appropriate handling, treatment, and disposal of any extracted groundwater that may be contaminated.

As the tenant, it is the University of South Florida's (USF) responsibility to seek authorization from the FDEP DSL to move forward with the engineer of record's NFAC proposal in accordance with the Florida State Lands provisions on pages 12 through 14 and pages 53 through 64 of the FDEP DWM's November 2004 FDEP document entitled, *Institutional Controls Procedures Guidance*. If the FDEP DSL is agreeable, the FDEP DSL must prepare a memorandum and send it to the FDEP DWM in order to create the institutional control mechanism for the above-referenced FDEP DSL property in accordance with Sections D.5.B. and D.5.C and Attachment J.13.1-2 of the FDEP DWM's November 2004 FDEP document entitled, *Institutional Controls Procedures Guidance*. A complete copy of the FDEP DWM's November 2004 document entitled, *Institutional Controls Procedures Guidance*, can be obtained from the FDEP's website at http://www.dep.state.fl.us/waste/quick_topics/publications/wc/csf/icpg.PDF.

Please keep EPC staff advised concerning USF's site rehabilitation effort.

Please contact me at (813) 627-2600 ext. 1302 if you wish to discuss these matters. Please reference the FDEP facility identification number if you call.

Sincerely,



Carl J. Heintz, P.G.
Professional Geologist

c: Grace Rivera, FDEP Tallahassee
Henry W. Lavandera, Esquire, University of South Florida, Office of General Counsel, 4202 East Fowler Avenue, ADM 250, Tampa, Florida 33620-6250
Joseph Duncan, FDEP/Division of State Lands, Bureau of Public Land Administration, 3900 Commonwealth Boulevard, M.S. 130, Tallahassee, Florida 32399-3000
Jose Morales, P.E., J.J. Sosa & Associates, Inc., 6911 Pistol Range Road, Suite 101, Tampa, Florida 33635-9613
FDEP Facility #298838645 File