

MEMORANDUM

TO: Governing Board
FROM: Jon Dinges, ^{JMS} Director, Resource Management
THRU: David Still, Executive Director ^{DAE}
DATE: May 22, 2009
RE: Approval of Water Use Permit Application

RECOMMENDATION

Staff recommends the Governing Board approve Individual Water Use Permit application number WUP86-0072R, with three standard conditions and eight special limiting conditions to Straughn Farms, LLC, in Alachua County.

BACKGROUND

The application is complete and satisfies the conditions for issuance in Chapter 40B-2, Florida Administrative Code.

JD/lgw



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

May 22, 2009

Mr. Alto Straughn
Straughn Farms, LLC
11325 NE US HWY 301
Waldo, FL 32694

DON QUINCEY, JR.
Chairman
Chiefland, Florida

N. DAVID FLAGG
Vice Chairman
Gainesville, Florida

GEORGIA JONES
Secretary/Treasurer
Lake City, Florida

C. LINDEN DAVIDSON
Lamont, Florida

HEATH DAVIS
Cedar Key, Florida

OLIVER J. LAKE
Lake City, Florida

J.P. MAULTSBY
Madison, Florida

LOUIS SHIVER
Mayo, Florida

DAVID STILL
Executive Director
Lake City, Florida

Subject: Water Use Permit Application Number
WUP86-0072R, Alachua County

Dear Mr. Straughn:

The Suwannee River Water Management District (District) proposes to issue water use permit number 86-0072R, for Straughn Farms-Waldo Location, located in Alachua County, in Township 8 South, Range 22 East, Sections 17 and 18. This proposed agency action is subject to final Governing Board approval at the June 9, 2009, meeting.

Persons considered to be potentially affected by this proposed agency action may request an administrative hearing. The request must be in writing and must adhere to the guidelines set forth in Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings are required to be sent to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Questions regarding the proposed action should be directed to the Department of Resource Management, 386.362.1001.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Dinges".

Jon Dinges, P.E.
Director, Resource Management

JD/lgw
Enclosure
Certified Return Receipt #: 7007 1490 0002 7883 6088

Water for Nature, Water for People

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the Suwannee River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Section 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57 Florida Statutes. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision to grant or deny the permit application, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may chose to pursue mediation as an alternative remedy as described above. Pursuant to Rule 28-106.111, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, 9225 C.R. 49, Live Oak, Florida 32060 within twenty-one (21) days of receipt of written notice of the decision or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). Such a petition must comply with Chapter 28-106, Florida Administrative Code.
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5. A petition for an administrative hearing is deemed filed upon receipt of the petition by the Office of the District Clerk at the District Headquarters in Live Oak, Florida.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing pursuant to Rule 28-106.111, Florida Administrative Code.

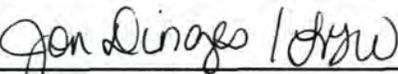
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy to the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
10. For appeals to the District Courts of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
11. Failure to observe the relevant time frames for filing a petition for judicial review described in paragraphs no. 11 and 12, or for Commission review as described in paragraph no. 13, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

**Mr. Alto Straughn
Straughn Farms, LLC
11325 NE US HWY 301
Waldo, FL 32694**

At 4:00 p.m. this _____ day of _____, 2009



Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: WUP86-0072R

STAFF REPORT

WATER USE PERMIT APPLICATION

DATE: May 22, 2009

PROJECT: Straughn Farms – Waldo Farm Location

APPLICANT:

Straughn Farms, LLC
11325 NE US HWY 301
Waldo, FL 32694

PERMIT APPLICATION NO.: WUP86-0072R

DATE OF APPLICATION: March 24, 2009

APPLICATION COMPLETE: April 9, 2009

DEFAULT DATE: July 8, 2009

Recommended Agency Action

Staff recommends issuance of the permit renewal for a period of 5 years with an increase in irrigated acreage. The 5-year permit duration is recommended based on the agricultural operation being located in the Upper Santa Fe Basin, which is under a water supply planning process.

Project Review Staff

John Kruse, Kevin Wright, and Tim Sagul, P.E., have reviewed the application.

Approved By:



Jon Dinges, P. E., Director, Resource Management

Project Location

The project is located in Township 8 South, Range 22 East, Sections 17 and 18, Alachua County.

Project Description

The District received a water use permit renewal application from Straughn Farms on March 24, 2009. The current permit expires on March 12, 2010. The applicant has applied for a water use permit renewal along with a request to increase the average daily rate (ADR) of withdrawal and the maximum daily rate (MDR) of withdrawal for a 20-year duration. The current operation has 12 existing wells.

District staff and the applicant met on site March 24, 2009, to discuss the agricultural operation. During the visit, staff was able to view the current best

STAFF REPORT FOR WATER USE PERMIT 2-83-00142RM2

management practices (BMPs) for the blueberry operation that are in place as well as the proposed expansion area. The applicant provided detailed site-specific data on April 9, 2009, indicating the irrigating usage over the past three years. The current permitted ADR amount is for 0.2906 million gallons per day (mgd). The requested amount is for 0.5887 MGD. This is an increase of 0.2981 MGD.

The data provided by the applicant indicates that there are currently 230 acres for blueberry production. The applicant proposes to add another 150 acres for production. The proposed increase consists of 130 irrigated acres west of the current operation and 20 acres at the current site. The applicant proposes to install six 12-inch wells with a pumping capacity of 3,000 gallons per minute. The pumping capacity is needed to provide adequate freeze protection during cold weather events.

The applicant has installed numerous best management practices (BMPs) to conserve water at the site. These include adding soil amendments/bark, installing a more efficient pulsating drip irrigation system, and planting the blueberries in a Spanish high tunnel (see attached pictures). The applicant has indicated that he will continue to install these water-saving devices.

In addition to these BMPs, the applicant has installed in-line flow meters at all withdrawal points. The applicant records data on water usage, both used for crop production and freeze protection. This data will be submitted to the District on an annual basis.

After verification of all current and proposed water use activities, District staff was able to determine the following:

1. Water use will occur 365 days each year.
2. The requested ADR of 0.5887 mgd includes water for agriculture use. This volume does not include freeze protection usage.
3. The proposed use is consistent with other operations currently permitted by the District and meets the requirements outlined in Chapter 373.223, F.S. It is a reasonable and beneficial use, does not impact other existing legal uses, and is in the public interest.



Soil Amendment/Bark



Drip Irrigation



Spanish High Tunnel



In-line Flow Meter



**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

9225 CR 49
LIVE OAK, FLORIDA 32060
TELEPHONE: (386) 362-1001
TELEPHONE: 800-226-1066
FAX (386) 362-1056

**WATER USE PERMIT
NO. WUP86-0072R**

ISSUED TO:

STRAUGHN FARMS, LLC
11325 NE US HIGHWAY 301
WALDO, FL 32694

DATE RENEWED: 06/09/2009

DATE EXPIRES: 06/09/2014

DRAFT

PROJECT: STRAUGHN FARMS-WALDO

AUTHORIZING: The average daily withdrawal and use of 0.5887 million gallons per day or a maximum daily withdrawal and use of 77.9040 million gallons per day for a total annual allocation not to exceed 214.8755 million gallons per calendar year.

LOCATED IN: Alachua County, Township 8 South, Range 22 East, Section 17, Township 8 South, Range 22 East, Section 18

This Permit is issued pursuant to Application WUP86-0072R, dated March 24, 2009, for the Use of Water as specified above and subject to the Conditions as set forth below. Said Application, including all plans and specifications attached thereto, is by reference made a part hereof. If there is any conflict between the Application and the conditions of this Permit, the Permit shall supersede.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Ch. 373, Fla. Statutes and applicable rules and regulations of the Suwannee River Water Management District.

In compliance with Florida Statutes, the District is establishing Minimum Flows & Levels (MFLs) for priority water bodies within the Suwannee River Water Management District. In some cases, these MFLs may indicate that there is insufficient water available to protect the water resources from significant harm as defined by the District Governing Board. In such cases, it may be necessary for the District to modify existing water use permits in order to provide protection from significant harm to the water resources.

Therefore, upon written notice to the permittee, this permit may be modified in accordance with provisions of Ch. 373, Fla. Statutes, and applicable rules and regulations of the Suwannee River Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

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.

STANDARD CONDITIONS ARE AS FOLLOWS:

1. Nothing in this permit should be construed to limit the authority of the Suwannee River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a rule for implementation during times of water shortage pursuant to Section 373.246, Florida Statutes. In the event of water shortage as declared by the Board, the permittee shall adhere to any limitations on withdrawal or use ordered by the District.
2. This permit is classified as confined floridan aquifer for overhead irrigation.
3. Permittee shall allow District personnel at reasonable times and at District expense or with District equipment to monitor withdrawal rates and volumes authorized by this permit.

Special limiting conditions made part of this permit are as follows:

DRAFT

4. A water conservation plan, prepared by the Permittee, shall be submitted to the District for review by March 15, 2010. The water conservation plan shall include detailed conservation techniques and practices that are site specific for the operation.
5. An annual report, due no later than March 15th of each year, shall be submitted to the District for review. The annual report shall include the total volume of water used for irrigation purposes and the acreage irrigated, total volume of water used for freeze protection, any newly installed or changed Best Management Practices (BMPs), and any implementation of water conservation devices/practices.
6. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
7. Daily withdrawals for purposes of protection from frost/freeze damage shall not exceed 77.9040 mgd and shall be allocated separately from the permitted annual allocation of 214.8755 mgd based upon irrigation demand. Record keeping of water withdrawn for freeze protection shall be done for each freeze event and yearly total shall be reported to the District annually.
8. Permittee shall correct any unforeseen adverse impact on existing legal uses, existing off-site land uses, and to the natural systems as a consequence of withdrawals permitted herein. If adverse impacts occur, or are imminent, the District reserves the right to curtail future withdrawal rates or otherwise modify the permit. Adverse impacts include:

- a. Cumulative reduction in well water levels that impairs the ability of the well to produce water;
 - b. Cumulative reduction in levels in an adjacent water body such as a lake, pond, or retention/detention area that impairs the designated function of the water body or the ability for a permitted withdrawal facility to produce water;
 - c. Saline water intrusion or induced movement of pollutants into the water supply of an adjacent water use, resulting in harm due to a reduction in water quality;
 - d. Land collapse or subsidence caused by reduction in water levels;
 - e. Damage to crops and other types of vegetation;
 - f. Harm to a naturally occurring water body such as lake, pond, or wetland by reducing water levels or changing the hydroperiod; and;
 - g. Harm to the natural system including damage to habitat for endangered or threatened species, or species of special concern.
9. The Permittee shall maintain an accurate, non-resettable, totalizing flow meter(s) at the intake of each water withdrawal point.

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10. This permit supersedes WUP 2-86-00072M3.

11. Withdrawal facilities are:

Existing: There are twelve existing wells:

- Well # 1: 16-inch diameter well at 2100 gpm
- Well # 2: 16-inch diameter well at 4000 gpm
- Well # 3: 12-inch diameter well at 3000 gpm
- Well # 4: 12-inch diameter well at 3000 gpm
- Well # 5: 12-inch diameter well at 3000 gpm
- Well # 6: 12-inch diameter well at 3000 gpm
- Well # 7: 12-inch diameter well at 3000 gpm
- Well # 8: 12-inch diameter well at 3000 gpm
- Well # 9: 12-inch diameter well at 3000 gpm
- Well #10: 12-inch diameter well at 3000 gpm
- Well #11: 12-inch diameter well at 3000 gpm
- Well #12: 12-inch diameter well at 3000 gpm

Permit No.: WUP86-0072R

Project: STRAUGHN FARMS-WALDO

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DRAFT

Proposed: Six new 12-inch diameter wells at 3,000 gpm each.

SUWANNEE RIVER WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By _____
SECRETARY

DISTRICT RULES CLERK

SEAL

DATE

NOTICE OF RIGHTS

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9. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy of the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.

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11. Failure to observe the relevant time frames for filing a petition for judicial review, or for Commission review, will result in waiver of the right to review.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

STRAUGHN FARMS, LLC
11325 NE US HIGHWAY 301
WALDO, FL 32694

DRAFT

At 4:00 p.m. this ____ day of _____, _____.

Jon M. Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49

Permit No.: WUP86-0072R

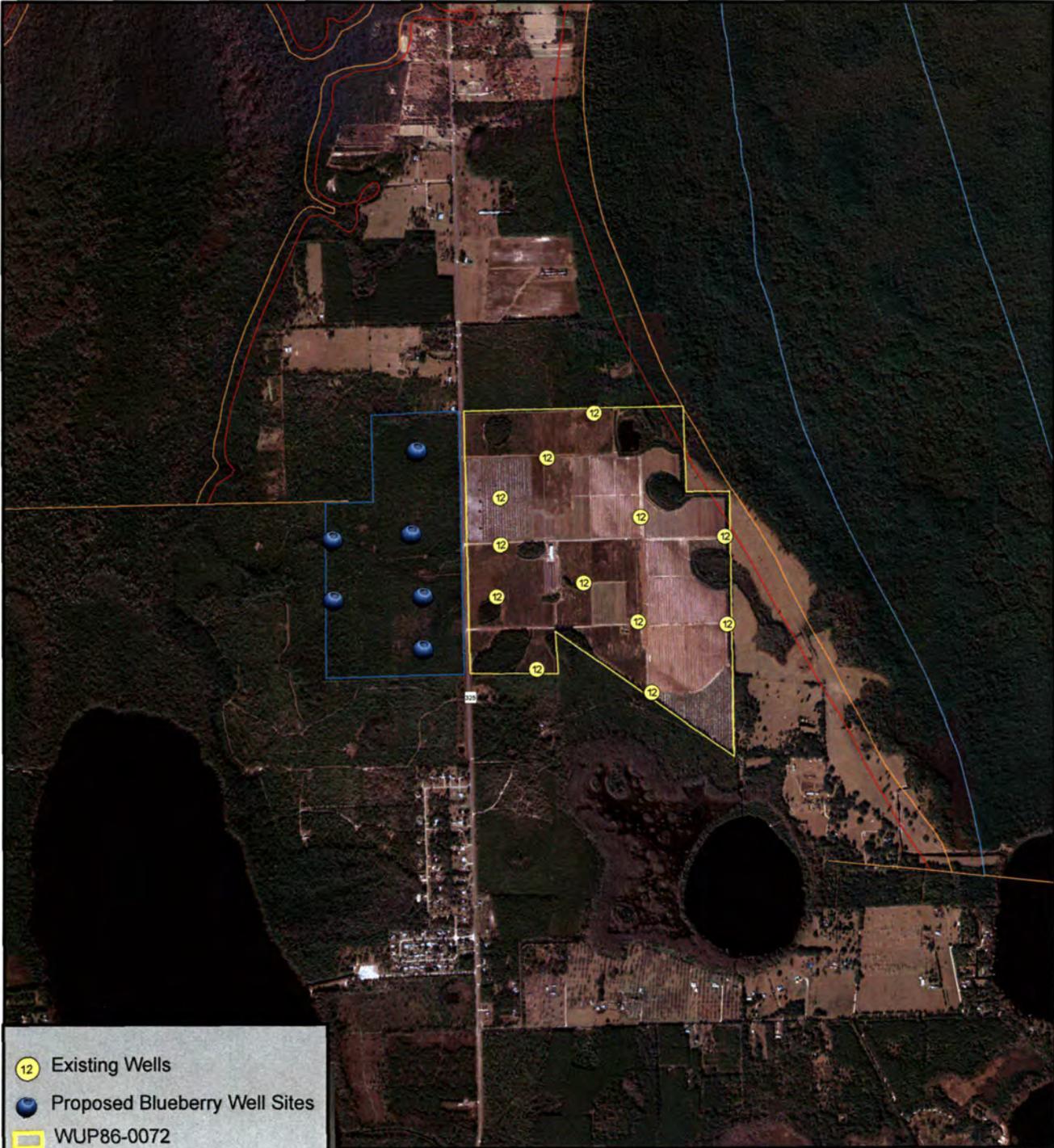
Project: STRAUGHN FARMS-WALDO

DRAFT

Page 7 of 7

Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: WUP86-0072R



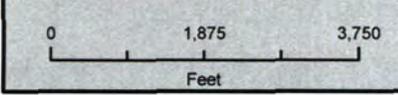
- 12 Existing Wells
- Proposed Blueberry Well Sites
- WUP86-0072
- New Expansion Area
130 Acres of Blueberries
- 100-Year Floodplain
- 10-Year Floodplain
- Santa Fe River Floodway

Alto Straughn - Waldo Farm

WUP86-0072R
June 2009



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.



MEMORANDUM

TO: Governing Board

FROM: Jon Dinges, Director, Resource Management ^{JMD}

THRU: David Still, Executive Director ^{DAF}

DATE: May 22, 2009

RE: Entry of Final Order on Administrative Complaint, *SRWMD vs. Bradford County Board of County Commissioners*, Revoking Environmental Resource Permit in Whole

RECOMMENDATION

Staff recommends the Governing Board enter Final Order number 2009-0007 on Administrative Complaint revoking Environmental Resource Permit number 06-0215M, issued to Bradford County Board of Commissioners.

BACKGROUND

The District filed an Administrative Complaint and Notice of Rights on Bradford County Board of Commissioners on April 27, 2009. Staff has received no response to the Administrative Complaint.

Entry of the Final Order will serve as final agency action in this matter.

/lgw

ERP06-0215M



**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

9225 CR 49
Live Oak, FL 32060
TELEPHONE: 386-362-1001
TELEPHONE: 800-226-1066
FAX: 386-362-1056

SUWANNEE RIVER WATER)
MANAGEMENT DISTRICT,)
)
Petitioner,)
vs.)
)
BRADFORD COUNTY BOARD,)
OF COUNTY COMMISSIONERS)
Respondent)

FILE NO. ERP06-0215M
FINAL ORDER NO. 2009-0007

FINAL ORDER

This matter appeared before this Governing Board on June 9, 2009, to be heard on the Administrative Complaint and, having considered the record in this proceeding and the Administrative Complaint, this Board orders:

The Administrative Complaint, which was filed on April 27, 2009, a copy of which is attached hereto and made a part hereof, is adopted as the Final Order in this proceeding and constitutes final action of this agency in this proceeding.

IT IS THEREFORE ORDERED, Environmental Resource Permit No. 06-0215M, issued to Bradford County Board of County Commissioners on or about January 23, 2008, is hereby revoked permanently and in whole.

This order is entered by the Governing Board of the **SUWANNEE RIVER WATER MANAGEMENT DISTRICT**, this 9th day of June, 2009.

By: _____
Its Chair

Attest: _____
Its Secretary

Filed with the SRWMD District Clerk
on this _____ day of _____, 2009.

Jon Dinges
Deputy Clerk

Copies furnished to: Tom Brown
Bradford County Board of County Commissioners

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Notice of Rights

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Mr. James L. Crawford
Bradford County Board of Commissioners
PO Drawer B
Starke, FL 32091

At 4:00 p.m. this _____ day of _____, 2009

Jon Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060
386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP06-0215M
Certified Return Receipt #: 7007 1490 0002 7883 6071

MEMORANDUM

TO: Governing Board
FROM: Jon Dinges, Director, Resource Management ^{JMD}
THRU: David Still, Executive Director ^{DS}
DATE: May 22, 2009
RE: Authorization to Publish Notice of Rule Development for 40B-1.704,
Florida Administrative Code (F.A.C.)

RECOMMENDATION

Staff recommends the Governing Board authorize publication of Notice of Proposed Rule Development to amend rule 40B-1.704, F.A.C., regarding bonding for as-built certification for environmental resource permits (ERPs).

BACKGROUND

In accordance with 40B-4.1140 and 40B-400.115, F.A.C., applicants for ERPs shall have certifications of completion of construction submitted to the District for projects permitted. District staff has had a difficult time getting these forms from the Permittees, and has determined a need to amend 40B-1.704, F.A.C., to require a bond or other form of surety for such certification, including, but not limited to, cash deposit, letter of credit, and performance bond.

Implementation of requirement of such bond will provide for a higher likelihood for such forms to be submitted to the District.

/lgw

MEMORANDUM

TO: Governing Board

FROM: Jon Dinges, Director, Resource Management ^{JMD}

THRU: David Still, Executive Director ^{OK for}

DATE: May 22, 2009

RE: Authorization to Publish Notice of Proposed Rule and File Amendments to 40B-2, Florida Administrative Code

RECOMMENDATION

Staff recommends that the Governing Board authorize publication of Notice of Proposed Rules for 40B-2, Florida Administrative Code. In addition, staff recommends that the Governing Board authorize filing the rules with Department of State if no comments or objections are received.

BACKGROUND

The Governing Board authorized rule development at the February 12, 2008, meeting. Staff published Notices of Rule Development on February 29, 2008 and May 1, 2009. Staff has held several workshops with the Governing Board and the public concerning proposed changes to these rules. Staff intends to hold a public hearing, if requested, at the July 14, 2009, Governing Board meeting.

If no objections or requests for workshop are filed within 21 days after publication, the District will file the proposed rules with the Joint Administrative Procedures Committee (JAPC) for review.

Governing Board authorization is now required by 120.54(3), Florida Statutes, for filing of the rules for adoption. Filing with the Department of State will occur following JAPC review. The rules will become effective 20 days after filing with the Department of State.

A copy of the Notice of Proposed Rules will be sent to you prior to the June 2009 Governing Board meeting.

/lgw

NOTICE OF PROPOSED RULE

NAME OF AGENCY:

Suwannee River Water Management District

RULE CHAPTER TITLE:

Permitting of Water Use

RULE CHAPTER NUMBER:

40B-2

RULE TITLES:

RULE NOS.:

40B-2.011

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PURPOSE AND EFFECT:

The purpose of the proposed rule is to comprehensively update Chapter 40B-2, Florida Administrative Code, for consistency with Part II, chapter 373, Florida

Statutes, and current state water policy. The proposed rule also incorporates by reference a Water Use Permitting Guide.

The effect of the proposed rule is to provide a permitting program that results in more efficient water uses and specifically includes in section 40B-2.041, F.A.C., water conservation measures for qualifying landscape irrigation uses that are consistent with the current requirements of the St. Johns River and Southwest Florida water management districts..

SUBJECT AREAS TO BE ADDRESSED:

Consistent with chapter 373, F.S., the proposed rule substantively revises the definitions of terms used in chapter 40B-2; adds a section regarding the application process; creates a minor permit by rule for certain landscape irrigation activities; creates a new exemption by rule for groundwater remediation activities authorized by FDEP; revises the application information requirements; provides more detailed conditions for issuance and incorporates a permitting guide by reference; adds a permit duration provision; provides more detailed permit modification, revocation, transfer, and renewal provisions; revises the limiting conditions by incorporating by reference new standard and special limiting conditions; adds a section regarding temporary permits; provides more detailed water use classifications; and adds a section regarding enforcement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

SPECIFIC AUTHORITY: 120.54(5), 373.044, 373.083, 373.113, 373.116, 373.118, 373.119, 373.129, 373.136, 373.171, 373.219(2) FS.

LAW IMPLEMENTED: 120.60, 373.016, 373.019, 373.023, 373.042, 373.044, 373.0421, 373.083, 373.103, 373.109, 373.116, 373.117, 373.1175, 373.118, 373.129, 373.136, 373.216, 373.219, 373.223, 373.226, 373.227, 373.229, 373.232, 373.233, 373.236, 373.239, 373.243, 373.244, 373.246, 373.250 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
July 14, 2009, 9:00 a.m., Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AMENDMENTS:

Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 40B-2, FLORIDA ADMINISTRATIVE CODE
PERMITTING OF ~~CONSUMPTIVE USES OF WATER~~ USE

40B-2.011 Policy and Purpose.

The purpose of this chapter is to implement (1) The Suwannee River Water Management District (District) regulates all water uses within its

~~boundaries pursuant to the provisions of Chapter 373, Part II, Florida Statutes F.S., in a manner consistent with Chapter 62-40, F.A.C., State Water Policy, and with the overall policies, goals and objectives of the Suwannee River Water Management District and Chapter 373, Florida Statutes, Water Resources Act.~~

~~(2) This chapter implements the comprehensive water use permit system contemplated in Part II of chapter 373, F.S.~~

~~Specific Rulemaking Authority: 373.044, 373.113, 373.171, 373.216 FS.~~

~~Law Implemented: 373.016, 373.023, 373.103(1), 373.203, 373.216, 373.219, .249 FS.~~

~~History: New 10-1-82, Amended DATE.~~

40B-2.021 Definitions.

~~For the purposes of enforcing the provisions of this chapter, the following definitions shall apply:~~

~~(17)(1) "Aesthetic Use" means the use of water to augment for fountains, waterfalls, and landscape lakes and ponds where such features uses are entirely ornamental and decorative and serve no other functional purpose.~~

~~(13)(2) "Agricultural Use" means the use of water for crop production or for the growing of farm products including vegetables, pasture, sod, or other cash crops, waste management or water for drinking by, or washing of, livestock. It This use class may also include soil flooding for pest control or soil preservation, and freeze protection and product washing.~~

~~(3) "Alternative Water Supplies" means saltwater; brackish surface and ground water; surface water captured primarily during wet-weather flows; sources made available through the addition of new storage capacity for surface or ground water; water that has been reclaimed after one or more public supply, municipal, industrial, commercial, or agricultural uses; the downstream augmentation of water bodies with reclaimed water; storm water and any other water supply sources that is designated as non-traditional for a water supply planning region in the applicable regional water supply plan.~~

~~(15)(4) "Aquaculture Aquacultural Use" means the use of water for the spawning, cultivating, harvesting, or marketing of domesticated fin-fish, shellfish, crustaceans, alligators, and other aquatic organisms that have a sport or other economic value.~~

~~(19)(5) "Augmentation Use" means includes the addition of water to artificially maintain the level augmentation of natural or man-made artificial surface water bodies to either maintain and protect habitat for fish and wildlife, or to provide for recreational uses or aesthetic values.~~

~~(1)(6)~~ "Average Daily Rate of Withdrawal (ADR)" shall mean the volume of water withdrawn during 365 consecutive days divided by 365, expressed in million gallons per day. The total volume may be calculated using historical data or projected based on the best available information. ~~the volume of water withdrawn during a specific period divided by the number of days in the period, such period being not less than 365 nor more than 730 consecutive days divided by 365, expressed in million gallons per day. The total volume for the period may be calculated using historical data or projected, based on the best available information.~~

~~(2)(7)~~ "Basin," as used in the context of interbasin transfer, means shall refer to those major river basin areas delineated on Map Series Number 72, published by the Florida Department of Natural Resources, Bureau of Geology, 1975, down to the accounting unit level of recognition. The best information available ~~will~~ shall be used to precisely define basin boundaries.

~~(8)~~ "Bottled Water" means all water which is sealed in bottles, packages, or other containers and offered for sale for human consumption, including bottled mineral water, as defined in paragraph 500.03(1)(d), FS.

~~(9)~~ "Change in ownership" means transfer of title to real property from the permittee to another entity.

~~(7)~~ "Climate Control Use" means the exclusive use of water for heating or cooling of commercial establishments, offices, multifamily dwellings, or livestock barns.

~~(10)~~ "Commercial/Industrial Use" means the use of water integral to the production or marketing of the primary goods or services provided by a business establishment.

~~(10)~~ "Dewatering" means the removal of ground or surface water to allow construction, excavation, or backfill to be conducted in a dry condition.

~~(11)~~ "Domestic Use" means the use of water for the individual personal household purposes of drinking, bathing, cooking, and or sanitation. All other uses shall not be considered domestic.

~~(5)(12)~~ "Essential Use" means the use of water for fire-fighting purposes, health and medical purposes, and to satisfy Federal, State, or local public health, and safety and welfare requirements.

~~(3)(13)~~ "Existing Legal Use" means all uses of water which are exempt under chapter 373, FS, or 40B-2, FAC, or which have a valid chapter 373, Part II, FS, permit legal uses which exist at the time of receipt of the application for the applicant's water use permit.

~~(12)(14)~~ "Golf Course Use" means water used to irrigate an establishment designed and used for playing golf.

~~(11)(15)~~ "Landscape Irrigation Use" means outside watering or sprinkling of flora which are not in a commercial nursery or irrigated agricultural crop environment. This use class includes the watering of lawns, shrubs, private

gardens, and trees in such diverse settings as residential landscapings, public or commercial recreation areas, or public and commercial business establishments.

~~(4)~~(16) "Maximum Daily Rate of Withdrawal (MDR)" shall means the volume of water which can be withdrawn during a single 24-hour period expressed in million gallons per day.

(17) "Minimum Flows and Levels" means the minimum flow for a watercourse or the minimum water level for ground water in an aquifer or the minimum water level for a surfacewater body is the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. These levels have been established by the District for designated water bodies in chapter 40B-8, FAC.

~~(14)~~(18) "Nursery Use" means the use of water on-premises on or in which nursery stock is grown, propagated, or held for sale, distribution, or sold or reshipped.

~~(17)~~(19) "Other Outside Uses" means the use of water outdoors for the maintenance, cleaning, and washing of structures and mobile equipment including automobiles, and the washing of streets, driveways, sidewalks, and similar areas.

~~(9)~~(20) "Power Production Use" means the use of water for steam generation, and the use of water for cooling, and for replenishment of cooling reservoirs.

(21) "Public Interest" means an interest or benefit accruing to society generally, rather than to any individuals or groups of individuals in the society.

(22) "Reasonable-beneficial Use" means the use of water in such quantity as is necessary for economic and efficient consumption for a purpose and in a manner which is both reasonable and consistent with the public interest.

~~(6)~~(23) "Self-Supplied Residential Use" means any water use associated with the maintenance of a private residence ~~including domestic uses, climate control, and landscape irrigation. Other water uses which would typically be classified pursuant to 40B-2.501(3) may be included as self-supplied residential provided the primary use of water is for the maintenance of a private residence.~~

(24) "Water" or "Waters in the State" means any and all water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground, as well as all coastal waters within the jurisdiction of the state.

~~(16)~~(25) "Water-Based Recreation Use" means water used for public and private swimming and wading pools including water slides. This term does not include pools specifically maintained to provide habitat for aquatic life.

~~(20)~~(26) "Consumptive Water Use" shall means any use of water which reduces the supply from which it is withdrawn or diverted.

~~(8)~~(27) "Water Utility Use" means water used for withdrawal, treatment, transmission, and distribution by potable water systems. Water utility uses may

include community and non-community public water systems as defined in Chapter 62-55022, Florida Administrative Code.

~~(21)(28)~~ All definitions in section- 373.019, F.S., shall apply to this chapter.

Specific Rulemaking Authority: ~~120.54(1)(a),~~ 373.044, 373.113, 373.171, FS.

Law Implemented: ~~120.53(1)(a), 373.019, 373.216~~ Part II FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

40B-2.025 Processing of Water Use Permit Applications.

Water use permit applications will be processed pursuant to section 120.60, F.S. and chapter 28-107, F.A.C., Part II of chapter 373, F.S. and this chapter, and Part VII of chapter 40B-1.

Rulemaking Authority: 120.54(5), 373.044, 373.113, 373.171, FS.

Law Implemented: 120.60, 373.116, 373.229, 373.239, FS.

History: New DATE.

40B-2.031 Implementation.

(1) An individual water use permitting program became effective on October 1, 1982, and has been implemented throughout the District.

(2) A general water use permitting program, became effective on October 1, 1982, and has been implemented throughout the District.

(3) A minor use permit by rule permitting program became effective on April 14, 2008, and has been implemented throughout the District.

Specific Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS.

Law Implemented 373.103, 373.118, 373.216, 373.226 FS.

History–New 10-1-82, Amended 4-14-08.

40B-2.041 Permits Required.

(1) A water use permit is required prior to the withdrawal or diversion of water for any consumptive water use except those expressly exempted by law or District rule.

(2) The District issues three types of water use permits: minor water use permit by rule, general water use permit, and individual water use permit.

Minor Water Use Permit by Rule

(a) Except as provided in paragraphs (b), (c) and (d) below, a minor water use permit by rule is hereby granted for the following withdrawal classes of water uses as referenced in paragraphs 40B-2.501(3)(a) through (e), F.A.C.:

~~agricultural, aquacultural, augmentation, commercial, golf course, landscape irrigation, nursery, power production, water-based recreation, water utility uses, and other outside uses,~~ potable water supply, and augmentation and other uses, provided they meet the criteria specified below:

1. The average daily use is less than 100,000 gallons per day and the maximum daily use is less than 250,000 gallons per day.

2. The water will be either withdrawn from a single well with a uniform casing diameter of four inches or less or from a single withdrawal point with a pipe diameter of four inches or less.

3. The water is not transported across water management district boundaries.

4. All uses shall employ standard water conservation practices for the use type, such as the District's water conservation requirements in the Water Use Permitting Guide.

5. In the event of a water shortage as declared by the Board, the permittee shall adhere to all limitations on withdrawal or use ordered by the District pursuant to chapter 40B-21, F.A.C.

6. The permittee shall allow District personnel access at reasonable times and at District expense, or with District equipment, to monitor withdrawal rates and volumes authorized by this permit.

(b) Except as provided in paragraphs (d) and (e) below, a minor permit by rule is hereby granted for landscape irrigation uses, provided they meet the criteria specified below:

1. The average daily use is less than 100,000 gallons per day and the maximum daily use is less than 250,000 gallons per day.

2. The source of water will be:

a. Withdrawn from a single groundwater well with a uniform casing diameter of four inches or less; or

b. Withdrawn from a single withdrawal point with a pipe diameter of four inches or less from surface waters; or

c. Withdrawn from a water utility.

d. Irrigation of new landscape is allowed on Monday through Friday at any time of day for the initial 30 days following installation and on Monday, Wednesday, and Friday for the following 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

e. Irrigation of established landscape during the months of December through February shall not occur more than 1 day per week and not between the

hours of 10:00 a.m. and 4:00 p.m., at a rate of no more than 3/4 inch application on such irrigation days. Irrigation of established landscape during the months of March through November shall not occur more than 2 days per week and not between the hours of 10:00 a.m. and 4:00 p.m., at a rate of no more application than 1/2 inch of water on such irrigation days.

Any landscape irrigation uses that deviate from these criteria shall be required to obtain a permit in accordance with paragraphs (d) and (e) below.

(bc) Except as provided in paragraphs (ed) and (de) below, a minor water use permit by rule is hereby granted for hydrostatic testing, provided:

1. The permittee provides written notice to the District at least ten (10) business days prior to each hydrostatic test. The written notice shall include a location map showing the pipeline to be tested, volume of water to be pumped, which shall be no greater than two million gallons, test duration and discharge point(s).

2. The water is not transported across water management district boundaries, by the pipeline being tested.

3. The permittee allows District personnel access at reasonable times and at District expense, or with District equipment, to monitor the test.

4. In the event of a water shortage as declared by the Board, the permittee adheres to all limitations on withdrawal or use ordered by the District pursuant to chapter 40B-21, F.A.C.

5. In the event the use interferes with any existing legal use, the permittee shall obtain a general or individual water use permit.

General Water Use Permit

(ed) Except as provided in paragraph (a) and (b) above or (d) below, a general water use permit is required under the general permit procedures in s. 40B-1.703(1)(c), F.A.C., for all withdrawals or diversions which are less than ten million gallons per day maximum daily rate of withdrawal and less than ~~one~~ two million gallons per day average daily rate of withdrawal. Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve general permit applications under this paragraph without a hearing, except that any application recommended for denial shall be presented to the Governing Board for final agency action.

Individual Water Use Permit

(de) An individual water use permit is required under the individual permit procedures in subsection 40B-1.703(2), F.A.C., for all withdrawals or diversions which exceed the limits established in paragraph 40B-2.041(1)(2)(bd), F.A.C.,

and for all bottled water uses regardless of the quantity of the withdrawal or diversion.

(3) In the event the proposed water use is associated with a project that requires a water well permit under chapter 373, Part III, F.S., and District rules, the water well application will be deemed part of the water use application and processed as one application under the WUP procedures.

Specific Rulemaking Authority: 373.044, 373.113, 373.118, 373.171 F.S.

Law Implemented: 373.103, 373.118, 373.219, 373.226, 373.244, F.S.

History: New 10-1-82, Amended 5-1-83, 6-16-88, 4-14-08, AMEND DATE.

40B-2.051 Exemptions.

~~(1) The following activities are exempt from the requirements of obtaining water use permits specified in 40B-4.041, FAC. No permit is shall be required for:~~

~~(1)(a) Withdrawal for domestic uses as defined in subsection 373.019(6), Florida Statutes F.S.;~~

~~(b2) Withdrawals of water used strictly for fire-fighting purposes;~~

~~(3e) Withdrawals made for dewatering activities for a total period not to exceed 180 consecutive days; and~~

~~(4d) Withdrawals or diversions from artificial/manmade retention structures when the withdrawal or diversion is needed to facilitate repair or maintenance of the retention structure; and~~

~~(5) Groundwater remediation authorized by the Florida Department of Environmental Protection pursuant to chapter 403, F.S., and Title 62, F.A.C.~~

~~(e) Withdrawals for self-supplied residential uses.~~

Specific Rulemaking Authority: 373.044, 373.113, 373.171 FS.

Law Implemented: 373.219 FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

40B-2.101 Content of Application.

~~(1) Applications for permits required by this chapter shall be filed with the District and Permit application shall be signed and dated by the applicant or his duly authorized agent and shall be filed with the District on approved forms which shall contain the following:~~

~~(1) The information as specified in section 373.229, Florida Statutes F.S., and;~~

(2) The appropriate application form hereby incorporated by reference as follows. These are available at District headquarters and on the District's website.

(a) 40B-2.101A Application for Water Use Permit Agricultural Use (DATE);

(b) 40B-2.101B Application for Water Use Permit Augmentation/Other Use (DATE);

(c) 40B-2.101C Application for Water Use Permit Commercial Use (DATE);
and

(d) 40B-2.101D Application for Water Use Permit Potable Water Supply Use (DATE).

(3) Best available technical and other supporting information sufficient to demonstrate that the use meets the conditions for issuance as specified in subsection 373.223(1), F.S., and section 40B-2.301, F.A.C.

(4) Any supporting information or calculations required to be prepared by a profession regulated under Florida law shall bear the certification of such professional.

(5) The relevant information required by section 2.0, Water Use Permitting Guide.

~~(a) the maximum amount of water which can be withdrawn during a single day and the average amounts to be withdrawn or diverted during any given day. Seasonal uses should be similarly noted with the length of seasonal duration.~~

~~(b) the method of the withdrawal or diversion including the size of drop or intake pipe, pump size and horsepower, description of wells, and pumping equipment where appropriate. If the withdrawal is through wells, pumping test results and well construction information may be required.~~

~~(c) the location, volume, and quality of discharges. In the case of a permitted discharge, a copy of the permit shall be attached to the application.~~

~~(d) a description of the land owned, leased, or otherwise controlled by the applicant which is continuous to the withdrawal site(s), together with an accurate ketch to scale showing the boundaries of such property and the location of the point(s) of withdrawal or diversion. Also the locations and descriptions of any other existing wells or other withdrawal or diversionary facilities on the property.~~

~~(e) For individual water use permits, the application shall include the appropriate supplemental withdrawal site description form(s) as outlined in s. 40B-2.901 of this chapter.~~

~~(f) If the intended use is for irrigation, describe the acreage to be irrigated, the method of irrigation to be employed, and the crops to be irrigated.~~

~~(g) An applicant for a water use permit for a nonexisting use who proposes the transport of water across District boundaries or across basin boundaries within the District shall submit such reports, plans, or data which comply with the conditions of s. 40B-2.301(2).~~

~~(2) Existing users making application for general permits will be required to supply only that information on a permit application as is currently available~~

~~from private or public records or is personally known to the applicant at the time of application.~~

~~(3) Within 30 days after receipt of an application, the District shall notify the applicant if the application is incomplete or if additional information is required. If additional information is not supplied within 90 days after such notice, the application will be denied without prejudice for lack of completeness. An extension of time may be granted by the District upon a showing by the applicant that additional time is required. The District shall notify the applicant of the date on which the application is declared complete if such date is other than the date the original application was received.~~

Specific Rulemaking Authority: 373.044, 373.113, 373.171 FS.

Law Implemented: ~~120.60~~, 373.103, 373.116, 373.117, 373.1175, 373.219, 373.223, 373.229 FS.

History: New 10-1-82, Amended DATE.

40B-2.201 Permit Fees.

Fees for permits required by this chapter shall be as ~~specified~~listed in ~~section~~40B-1.706, F.A.C.

Specific Rulemaking Authority: 373.044, 373.109, 373.113, 373.171 FS.

Law Implemented: 373.109 FS.

History: New 10-1-82, Amended 5-1-83, 6-16-88, AMEND DATE.

40B-2.301 Conditions for Issuance of Permits.

~~(1) To obtain a permit pursuant to the provisions of this chapter, the withdrawal:~~

~~(a) must satisfy the conditions of s. 373.223, Florida Statutes, and~~

~~(b) must comply with the provisions of s. 62-40.210, Florida Administrative Code.~~

~~(2) An applicant for a water use permit for a nonexisting use who proposes the transport of water across District boundaries or across basin boundaries within the District shall affirmatively demonstrate compliance with s. 62-40.402, State Water Policy.~~

(1) To obtain a water use permit, renewal, or modification pursuant to the provisions of this chapter, the applicant must provide reasonable assurances that the proposed use of water:

(a) Is a reasonable-beneficial use;

(b) Will not interfere with any presently existing legal use of water; and

(c) Is consistent with the public interest.

(2) Reasonable assurances must be provided that the following criteria are met in order for a use to be considered reasonable-beneficial:

(a) The use must be in such quantity and quality as is necessary for economic and efficient use.

(b) The use must be for a purpose that is both reasonable and consistent with public interest.

(c) The source of the water must be capable of producing the requested amounts and appropriate quality of water.

(d) The use will not degrade the source from which it is withdrawn.

(e) The use will not cause or contribute to flooding.

(f) The use will not harm offsite land uses.

(g) The use will not cause harm to wetlands or other surface waters. Harm to wetlands or other surface waters must be mitigated after completion of reduction or elimination of harm in accordance with 3.1.8. through 3.1.10. of the Water Use Permitting Guide.

(h) The use will not cause or contribute to a violation of either minimum flows or levels.

(i) The use will not cause or contribute to a violation of state water quality standards in waters of the state as set forth in chapters 62-301, 62-302, 62-520, and 62-550, F.A.C.

(j) Permit applicants that provide reasonable assurance that the applicable criteria in the Water Use Permitting Guide are met will be presumed to meet the conditions for permit issuance in (a) through (i) above.

(k) A permit applicant's proposed reasonable-beneficial use of an alternative water supply is presumed to be in the public interest. The Water Use Permitting Guide is hereby published by reference and incorporated into this chapter. A current version of this document is available on the District's website and at its headquarters.

Specific Rulemaking Authority: 373.044, 373.113, 373.171 FS.

Law Implemented: 373.042, 373.0421, 373.219, 373.223, 373.236, 373.227, 373.229, 373.232, 373.236, 373.239, 373.250 FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

40B-2.311 Competing Applications.

Consideration of two or more competing applications shall be made in accordance with s-ection 373.233, and subsection 373.236(4) Florida Statutes, F.S.

Specific Rulemaking Authority: 373.044, 373.113, 373.171, 373.216 FS.

Law Implemented: 373.233, 373.236 FS.
History: New 10-1-82, Amended DATE.

40B-2.321 Duration of Permits.

~~(1) Unless revoked, modified, or specifically identified as a limiting condition~~
~~p~~Pursuant to s. 40B-2.381(2)(d), the duration of permits shall be as provided in s. 373.236, Florida Statutes, the Governing Board shall issue permits with 20-year durations when the applicant requests a 20-year duration as part of its permit application and provides reasonable assurance that the District's conditions for permit issuance will be met for 20 years. The Legislature has established two exceptions to the 20-year maximum permit duration:

(a) The Governing Board may issue permits with up to a 50-year duration to a municipality or other governmental body, or to a public works or public service corporation, when required to provide for the retirement of bonds for the construction of waterworks or waste disposal facilities, and

(b) The Governing Board shall issue permits with at least a 20-year duration when the permit is approved for the development of alternative water supplies.

(2) The Governing Board shall require five-year compliance reports for permits with 20-year or longer durations when necessary to maintain reasonable assurance that the initial conditions for permit issuance will continue to be met for the 20-year or longer duration.

(3) All other permits shall have shorter durations based upon the period of time for which reasonable assurances are provided that the District's conditions for permit issuance are met.

(4) Additional information including the data requirements for the five-year compliance reports and special duration factors are contained in the District's Water Use Permitting Guide.

(5) Form 40B-2.321A Water Use Compliance Form is hereby incorporated by reference. This form is available at District headquarters and on the District's website.

~~Specific Rulemaking Authority:~~ 373.044, 373.113, 373.171 FS.
Law Implemented: 373.236 FS.
History: New 10-1-82, Amended DATE.

40B-2.331 Modification of Permits.

~~(1) A permittee may seek modification of any terms of any terms of an unexpired permit as follows and consistent with section 40B-1.709, FAC:;~~

(1) A permittee may apply for modification by letter to the District:
(a) If the proposed modification involves an increase of water use of less than 100,000 gallons per day provided that the type of permit required does not change, and such modification does not change the water use class; or
(b) if the proposed modification would result in a more efficient use of water than is possible under the existing permit; or
(c) if the proposed modification is for replacement of the source with an alternative water supply source, and
(d) If the expiration date of the permit is not changed and the location of the withdrawal is not changed pursuant to s. 373.239, Florida Statutes.
Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve proposed letter modifications under this subsection without a hearing, except that any request for modification recommended for denial shall be presented to the Governing Board for final agency action.

(2) All other permit modification applications shall comply with the requirements of section 373.229, F.S., and shall contain all of the information required by the permit conditions and by rule 40B-2.101, F.A.C. This shall include all permits that have been previously considered by the Governing Board for issuance.

(3) All requests to modify the terms of an unexpired permit shall be evaluated under the criteria of rule 40B-2.301, F.A.C., and subject to the limiting conditions in 40B-2.381, F.A.C.

(4) Following the District's review of a five-year compliance report, the Governing Board may modify the permit to ensure that the use meets the conditions for permit issuance.

(5) The Governing Board may issue an order to modify an existing use when conditions warrant such action in order to obtain the most beneficial use of the water resources of the state and to protect the public health, safety, and welfare and the interests of the water users affected. Such order must include a finding by the Governing Board that the use proposed to be modified is detrimental to other water users or to the water resources of the state.

~~(2) The Board may at any time during which a permit is valid modify a permit or delete or modify any limiting conditions on a permit to insure the continued reasonable and beneficial use of water. Such action may be taken only after proper notice to the permittee and notice of the proposed modification pursuant to s. 120.60(7), Florida Statutes.~~

Specific Rulemaking Authority: 373.044, 373.113, 373.171, ~~373.175, 373.216, 373.219, 373.246~~ FS.

Law Implemented: 120.60, 373.083, 373.171, 373.219, 373.223, 373.229, 373.239, 373.246 FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

40B-2.341 Revocation of Permits.

(1) The Governing Board may revoke a permit in whole or in part, permanently or for a lesser period, as provided in subsections 373.243(1), (2) and (3), F.S., for any material false statement, a willful violation of a permit condition, or a violation of any provision of this chapter.

(2) The Governing Board may revoke a permit permanently and in whole for non-use of the water for a period of two years or more, unless the permittee can prove that the non-use was due to extreme hardship caused by factors beyond the permittee's control.

(3) The permittee may formally request, in writing, the Governing Board to revoke the permit permanently and in whole.

(4) The Governing Board may revoke a permit when it finds that the water use has ceased to be reasonable or beneficial as the use is detrimental to other water users or to the water resources of the state.

~~The Board may, at any time after notice and hearing, revoke a permit, in whole or in part, temporarily or permanently pursuant to the provisions of s. 373.243 and s. 120.60(7), Florida Statutes.~~

Specific Rulemaking Authority: 373.044, 373.113, 373.171, ~~373.216~~ FS.

Law Implemented: 120.60, 373.171, 373.243 FS.

History: New 10-1-82, Amended DATE.

40B-2.351 Transfer of Permits.

~~(1) The Board on request of a permitted user shall transfer the permit to a new user provided:~~ Persons who wish to continue a permitted water use and who have acquired ownership of the land on which facilities are located, shall apply to the District within 90 days of acquiring ownership of such land, to transfer the permit. The applicant shall request such transfer by letter and shall reference the permit number in the letter. The District shall transfer the permit provided the previously permitted use remains the same.

(2) Notwithstanding the provisions of subsection (1) above, the District will notify the current owner in writing of the need to transfer the permit in order to continue the water use upon discovery of a change in property ownership. The owner must request permit transfer within 90 days of receipt of notification from the District. The permit will be transferred in accordance with this section.

(3) Persons who apply to transfer a permit under subsection paragraph (1) above and who propose to change the source, use, or withdrawal quantity or

source quality from those specified in the permit, must follow the procedures for modification in 40B-2.331, FAC.

(4) All water use under a transferred permit must comply with the terms and conditions of that permit.

(5) A permit not transferred as prescribed hereinabove shall be void without any further agency action by the District.

Specific Rulemaking Authority: 373.044, 373.113, 373.171 FS.

Law Implemented: 373.239 FS.

History: New 10-1-82, Amended DATE.

40B-2.361 Renewal of Permits.

(1) An Applications for permit renewal of permits may be made at any time within one year during the last year of the term of the expiration date, unless an unexpired permit and at such other time as the permittee can show good cause for earlier consideration. All permit renewal applications should be submitted to the District at least 90 days prior to the expiration date.

(2) All permit renewal applications shall be treated/processed in the same manner as the original/initial application and shall contain reasonable assurances that the proposed water use meets all of the conditions for issuance in section 40B-2.301, F.A.C., and the Water Use Permitting Guide.

(3) If an application and appropriate fee for renewal is not received either prior to or by the permit expiration date, the permit shall expire without any action by the District.

Specific Rulemaking Authority: 373.044, 373.113, 373.171, ~~373.216~~ FS.

Law Implemented: ~~373.219, 373.223, 373.229,~~ 373.239 FS.

History: New 10-1-82, Amended DATE.

40B-2.381 Limiting Conditions.

(1) The Governing Board may impose upon any permit issued under this chapter such reasonable conditions upon any water use permit as are necessary to assure that the proposed use of water is consistent with the overall objectives, policy, and purpose of the District and will not be harmful to the water resources of the District. limiting conditions as are necessary to insure that the withdrawal and/or use of water use is consistent with the overall policy and purpose of the District and this chapter, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses,

and is consistent with the public interest and the declared purpose of this chapter and that the withdrawal is not harmful to the water resources of the District.

~~(2) Standard limiting conditions that will be placed on every water use permit are contained in section 3.6.1., Water Use Permitting Guide.~~

~~(3) Special limiting conditions for each water use class designated in section 40B-2.501, F.A.C., are contained in section 3.6.2., Water Use Permitting Guide.~~

~~(2) In addition to specific special conditions, any or all of the following standard limiting conditions may be made a requirement of any permit:~~

~~(a) A maximum and/or average volume of water which can be used or withdrawn during a specific period.~~

~~(b) The location of points of withdrawal and/or use.~~

~~(c) The submission of a water shortage and conservation plan by the applicant.~~

~~(d) Duration of the permit.~~

~~(3) For uses in excess of two million gallons per day average daily rate of withdrawal, in addition to specific special conditions and the standard conditions identified in s. 40B-2.381(2), any or all of the following conditions may be made part of the permit:~~

~~(a) Analysis and reporting of specified water quality parameters at specified intervals.~~

~~(b) Reporting of water withdrawal, use, or discharge at specified intervals and locations.~~

~~(c) Measurement and reporting of ground and surfacewater levels and surfacewater flows at specified intervals and locations.~~

~~(4) The Board may impose limitations on the permitted amount of water which can be withdrawn and used during times and in areas of declared water shortage.~~

~~(5) The Board shall assign each permit to a permit classification pursuant to s. 40B-2.501.~~

Specific Rulemaking Authority: 373.044, 373.113, 373.171, ~~373.216, 373.219~~ FS.

Law Implemented: 373.116, 373.216, 373.219, 373.223, 373.227, 373.236, 373.250 FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

40B-2.441 Temporary Water Use Permits.

(1) In order for a temporary permit to be necessary prior to final action on the application, there must exist a serious set of unforeseen or unforeseeable circumstances. Temporary permits expire on the day following the next regular meeting of the Governing Board.

(2) The Governing Board hereby delegates to the Executive Director the authority to issue temporary permits in accordance with 373.244, Florida Statutes, provided that:

(a) an application for a water use permit is pending;

(b) the proposed use appears reasonable-beneficial based on information submitted by the applicant at the time of the request for the temporary water use permit; and

(c) a temporary permit is necessary prior to final action on the application.

(3) In accordance with 373.244, F.S., the Governing Board shall consider the following in determining whether to either extend, modify or terminate a temporary permit:

(a) the water use appears reasonable-beneficial; or

(b) adverse effects are occurring as a result of the water use; or

(c) the water use is no longer an emergency .

Rulemaking Authority: 373.044, 373.113, 373.171 FS.

Law Implemented: 373.219, 373.223, 373.229, 373.244 FS.

History: New 10-1-82, Amended DATE.

~~40B-2.451 Emergency Authorization for Withdrawal or Diversion~~

~~(1) Permission to begin withdrawal or diversion of any use prior to the issuance of a permit may be applied for in writing when emergency conditions exist which would clearly justify such permission. However, no such permission shall be granted unless the withdrawal or diversion is being considered for a permit under this chapter. A serious set of unforeseen or unforeseeable circumstances must exist to create an emergency. Mere carelessness or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of emergency authorization.~~

~~(2) The Executive Director may grant emergency authorization at his discretion. The emergency authorization shall be presented to the Board for concurrence at its next meeting. The failure to receive the Board's concurrence shall immediately invalidate the emergency authorization.~~

~~(3) In the event the Executive Director refuses to grant an emergency authorization, and a Governing Board member so requests, an emergency meeting of the standing Rules Committee of the Board shall be called by the Executive Director within seven days. The Rules Committee at the special meeting shall either confirm the Executive Director's refusal to grant emergency authorization or overrule the Executive Director's refusal to grant emergency authorization and grant permission to begin withdrawal or diversion. Such~~

~~emergency authorization shall be presented to the Board as provided in s. 40B-2.451(2) for concurrence.~~

~~Specific Authority: 373.044, 373.113, 373.171, 373.216 FS.~~

~~Law Implemented: 120.60(5), 373.113, 373.219, 373.223, 373.229, 373.244 FS.~~

~~History: New 10-1-82.~~

40B-2.501 Classification of Permits.

~~Each Ppermits for water use at the time of issuance shall be assigned one or more to a classifications according to the source(s) of supply, method(s) of withdrawal~~extraction~~, and use(s) of the water. The classifications shall be as follows:~~

~~(1) Source of Supply Classes.~~

~~(a) Surface Water. Withdrawals from surfacewater bodies shall be classified by the basin or subbasin as specified by rulethe Board. The Board may further classify the permit or by the specific surfacewater source.~~

~~(b) Ground Water. Withdrawals from groundwater aquifers shall be classified as by the source aquifer either Confined Floridan Aquifer, Unconfined Floridan Aquifer, Secondary Artesian Aquifer, or Surficial~~Water Table~~ Aquifer as appropriate. Further, the classification for withdrawals from the Floridan Aquifer shall include a reference to the confined or unconfined condition of the aquifer.~~

~~(c) Alternative Water Supplies~~

~~(2) Method of Withdrawal~~Extraction~~ Classes.~~

~~(a) Pumped~~

~~(b) Diverted~~

~~Unless otherwise noted in the permit classification, the method of extraction shall be considered mechanical extraction by use of pumps.~~

~~(3) Water Use Classes and Subclasses. Each water use permit shall be assigned to one or more of the following use classes or subclasses where appropriate:~~

~~(a) Agriculture~~

~~1. Livestock~~

~~2. Aquaculture~~

~~3. Nursery~~

~~4. Crops, Fruits, and Vegetables~~

~~5. Forage, Pasture, and Sod~~

~~(b) Commercial~~

~~1. Industrial~~

~~2. Mining~~

~~3. Power Plant~~

~~4. Hydrostatic Testing~~

- 5. Golf Course
- 6. Recreation
- 7. Landscape
- 8. Bottled Water
- 9. Other Commercial
- (c) Potable Water Supply
 - 1. Public Supply
 - 2. Private Utility
 - 3. Non-Community Water Supply
- (d) Augmentation
- (e) Other
 - ~~(a) Essential Use~~
 - ~~(b) Self-supplied Residential Use~~
 - ~~(c) Climate Control Use~~
 - ~~(d) Water Utility Use~~
 - ~~(e) Power Production Use~~
 - ~~(f) Commercial/Industrial Use~~
 - ~~(g) Landscape Irrigation Use~~
 - ~~(h) Golf Course Use~~
 - ~~(i) Agricultural Use~~
 - ~~(j) Nursery Use~~
 - ~~(k) Aquacultural Use~~
 - ~~(l) Water-based Recreation Use~~
 - ~~(m) Aesthetic Use~~
 - ~~(n) Other Outside Uses~~
 - ~~(o) Augmentation Use~~

These classifications do not establish either reasonable-beneficial use, or any priority ranking of source, withdrawal method, or water use classes.

Specific Rulemaking Authority: 373.044, 373.113, 373.171, ~~373.219~~ FS.

Law Implemented: ~~373.216, 373.216, 373.036, 373.113, 373.246~~ FS.

History: New 10-1-82, Amended 5-1-83, AMEND DATE.

~~40B-2.751 Investigation, Enforcement, and Penalties. Investigation, enforcement, and penalties shall be as provided by Chapter 373, Florida Statutes.~~

Specific Authority: ~~373.044, 373.129, 373.219(2)~~ FS.

Law Implemented: ~~373.043, 373.044~~ FS.

History: ~~New 10-1-82.~~

40B-2.781 Enforcement.

The District is authorized to file an administrative complaint for corrective action or seek an injunction or other relief in the courts of this state when it appears there is either a violation of chapter 373, F.S., District rules, or permit conditions. The District is further authorized to seek civil penalties and recovery of its investigative costs, court costs, and reasonable attorney's fees. The Governing Board hereby delegates to the Executive Director the authority to initiate the above described judicial enforcement proceedings, provided the Executive Director reports these actions to the Governing Board at its next regularly scheduled meeting.

Rulemaking Authority: 373.044, 373.083, 373.119, 373.129, 373.136, 373.219(2) FS.

Law Implemented: 373.044, 373.119, 373.129, 373.136, 373.243 FS.

History: New 10-1-82, Amended DATE.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director,
Resource Management, Suwannee River Water Management District, 9225
County Road 49, Live Oak, Florida 32060, (386)362-1001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED
RULE: Governing Board of the Suwannee River Water Management District.

DATE PROPOSED RULE APPROVED: June 9, 2009.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:
February 29, 2008 and May 1, 2009.

MEMORANDUM

TO: Governing Board

FROM: Jon Dinges, Director, Resource Management *AND/gw*

THRU: David Still, Executive Director *CA for*

DATE: May 22, 2009

RE: Authorization to Publish Notices of Rule Development and Proposed Rule and Authorization to File Amendments for 40B-4.1090, Florida Administrative Code (F.A.C.)

RECOMMENDATION

Staff recommends the Governing Board authorize publication of Notice of Proposed Rule Development and Notice of Proposed Rule to amend rule 40B-4.1090, F.A.C., to adopt the most current version of the item incorporated by reference. In addition, staff recommends that the Governing Board authorize staff to file the rule with Department of State if no comments or objections are received.

BACKGROUND

The District is in the process of updating Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps.

Staff will update the rule language to incorporate by reference the new flood insurance studies for Taylor County.

If no objections or requests for workshop are filed within 21 days after publication, the District will file the proposed rules with the Joint Administrative Procedures Committee (JAPC) for review.

Governing Board authorization is now required by 120.54(3), Florida Statutes, for filing of the rules for adoption. Filing with the Department of State will occur following JAPC review. The rule will become effective 20 days after filing with the Department of State.

A copy of the proposed rule is attached to this memorandum.

JD/lgw

NOTICE OF PROPOSED RULE

NAME OF AGENCY:

Suwannee River Water Management District

RULE CHAPTER TITLE:

Environmental Resource and Works of the District Permits

RULE CHAPTER NUMBER:

40B-4

RULE TITLES:

RULE NOS.:

Publications and Agreements Incorporated by Reference 40B-4.1090

PURPOSE AND EFFECT:

The purpose of the proposed rule is to adopt the most current version of the items incorporated by reference. The effect of the proposed rule amendments will incorporate the new flood insurance studies for the Aucilla River and its tributaries within Taylor County.

SUBJECT AREAS TO BE ADDRESSED:

This proposed rule will address items incorporated by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared because there are no changes to the floodway. No additional costs will be incurred to the public as a result of the amendments. Any person who wishes to provide information

regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.

SPECIFIC AUTHORITY: 373.044 FS.

LAW IMPLEMENTED: 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AMENDMENTS:

Linda Welch, Rules Coordinator, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida, 32060, (386)362-1001 or (800)226-1066 (FL only).

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 40B-4 ENVIRONMENTAL RESOURCE AND WORKS OF THE DISTRICT PERMITS

40B-4.1090 Publications and Agreements Incorporated by Reference

(1) through (2)(f) No change.

(g) Taylor County, Florida and Incorporated Areas, Effective May 4, 2009:

(gh) Union County, Florida and Incorporated Areas, Effective February 4, 2009.

Rulemaking Authority 373.044 FS.

Law Implemented 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 FS.

History—New 11-21-02, Amended 5-13-07, 4-21-08, 4-30-09, DATE.

Copies of the items incorporated by reference may be obtained by contacting Linda Welch, Rules Coordinator, SRWMD, 9225 CR 49, Live Oak, FL 32060, (386)362-1001.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District.

DATE PROPOSED RULE APPROVED: June 9, 2009.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009.

MEMORANDUM

TO: Governing Board
FROM: Jon Dinges, Director, Resource Management ^{JMD/rl}
THRU: David Still, Executive Director ^{DAF}
DATE: May 22, 2009
RE: Acceptance of Conservation Easement for ERP06-0226

RECOMMENDATION

Staff recommends the Governing Board accept a 1.06-acre conservation easement from Charles Bridges as a component of wetland mitigation for Environmental Resource Permit number 06-0226.

BACKGROUND

This project was permitted on July 13, 2006, authorizing filling of 0.3 acres of wetlands. Proposed mitigation was substantially completed by December 15, 2008. The applicant initiated the process of placing undisturbed wetlands and buffers into a conservation easement, per correspondence received on February 24, 2009; based upon a proposed conservation easement drafted June 21, 2006.

This 1.06-acre conservation easement encompasses the partial remains of a highly-fragmented Cypress strand wetland that has been altered through scour, sedimentation, and impacts due to past dredging and filling activities on adjacent properties. The property owner has made an effective effort to increase residence time of water and to enhance on-site vegetation. These activities will combine to improve storage and quality of water that flows south towards a significant floodplain. This wetland easement has an invaluable application in the urban setting, especially in Lake City where much the local runoff has direct connection to groundwater.

JD/rl

**WETLAND MITIGATION STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT**

DATE: May 22, 2009

PROJECT: Bridges Wetland Enhancement Conservation Easement

APPLICANT:

Charles Bridges
1498 Point Way
North Palm Beach, FL 33408

PERMIT APPLICATION NO.: ERP06-0226
DATE OF APPLICATION: 04/28/06
APPLICATION COMPLETE: 07/13/06
DEFAULT DATE: N/A

The Bridges Wetland Enhancement Environmental Resource Permit was issued July 13, 2006, as mitigation to offset 0.3 acres of fill within wetlands. During a site inspection on October 30, 2008, District staff and the applicant's environmental consultant determined that mitigation was incomplete. The mitigation was substantially completed by December 15, 2008. The applicant initiated the process of placing un-disturbed wetlands and adjacent buffers into a conservation easement, per correspondence received on February 24, 2009; based upon a proposed conservation easement drafted June 21, 2006.

The applicant requests a conservation easement for the 1.06-acre on-site wetland shown in the certified survey submitted to the District on February 24, 2009. This easement is 0.12 acres larger than originally proposed, as mapped in the certified survey submitted to the District on June 19, 2006. In addition, a Phase I Environmental Assessment of the entire property was submitted to the District on February 24, 2009, as partial requirement for offering the easement.

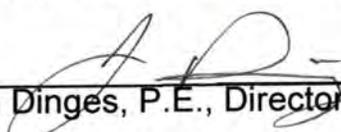
The Uniform Mitigation Assessment Method (UMAM) in 62-345, Florida Administrative Code, was used to determine the amount of wetland function lost by the 0.3 acres of wetland impacts. The functional loss associated with the 0.3 acres of wetland impacts is 0.09 functional loss units. The applicant originally proposed to mitigate on-site with a 0.82-acre wetland enhancement area and 0.12 acres of upland buffers, all to be placed in a conservation easement.

Prepared By:



Louis Mantini, P.W.S., Regulatory Scientist I

Approved By:



Jon Dingess, P.E., Director, Resource Management

Prepared by/Return to:
William J. Haley, Esquire
Brannon, Brown,
Haley & Bullock, P. A.
Post Office Box 1029
Lake City, FL 32056-1029

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT ("Conservation Easement") made and entered into this 28 day of MARCH, 2009, by and between CHARLES BRIDGES, having a mailing address of 1498 POINT WAY, N. PALM BEACH, FL 33408 (hereafter referred to as **Grantor**) and **SUWANNEE RIVER WATER MANAGEMENT DISTRICT**, a Florida Statutes Chapter 373 Water Management District, having a mailing address of 9225 CR 49, Live Oak, Florida 32060 (hereinafter referred to as **Grantee**).

WITNESSETH:

WHEREAS, Grantor is the owner of certain lands in COLUMBIA County, Florida, described in Exhibit "A" attached hereto, (the "Protected Property"); and,

WHEREAS, the Grantor desires to construct ("Project") at site in County, which is subject to the regulatory jurisdiction of Suwannee River Water Management District ("District"); and

WHEREAS, District Permit No. ERP06-0226 ("Permit") authorizes certain activities which affect waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual Conservation Easement as defined in Section 704.06, Florida Statutes, over the Protected Property.

NOW, THEREFORE, Grantor, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other valuable consideration, the adequacy, sufficiency, and receipt of which are hereby acknowledged by the Grantor, does hereby grant, bargain, sell, and convey to Grantee and its successors and assigns forever a Conservation Easement in perpetuity over the Protected Property pursuant to said Statute except as modified herein and further agrees as follows:

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ERP06-0226

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1. PROHIBITED USES. Grantor shall have the exclusive use of the Protected Property, except as herein limited, and agrees that as to the Protected Property, Grantor shall not:

A. Subdivide. Divide, subdivide or defacto divide, through sales or long term lease.

B. Construction. Construct or place buildings, roads, signs, billboards or other advertising, utilities or other structures on or under the Protected Property except for regulating signs that prohibit hunting or trespassing.

C. Road, Ditches, and Improvements. Anything herein to the contrary notwithstanding, Grantor retains the right to replace, repair and/or maintain roads, bridges, culverts, fences, road signs and drainage structures or other structures that exist on the Protected Property as of the date hereof so long as the character of the improvements is not substantially changed.

D. Contamination. Dump or place any soil, trash, solid or liquid waste (including sludge), or unsightly, offensive or hazardous materials, wastes or substances, toxic wastes or substances, pollutants or contaminants, including but not limited to those as defined by the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901-6991 or the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. Section 9601-9674, as amended by the Superfund Amendments and Reauthorization Act of 1986, or any other Federal, Florida, or local governmental law, ordinance, regulation or restriction defining hazardous materials, wastes or substances, toxic wastes or substances, pollutants or contaminants on the Protected Property.

E. Exotic Plants. Plant or knowingly introduce plants as listed by the Florida Exotic Pest Plant Council ("Florida EPPC") as category I (invading and disrupting native plant communities of Florida) or category II (shown to have a potential to disrupt native plant communities) invasive species in the last list published by the Florida EPPC prior to such planting. If the Florida EPPC ceases to function or publish and maintain such a list, the parties shall agree on a similar list by which this prohibition shall be measured. The parties shall cooperate in the management and control of any occurrence of nuisance exotic or non-native plants to the degree practicable. In the event either party desires to spend any funds to accomplish such management and control, the other shall only be liable when that party consents to the expenditure prior to the expenditure. Either party shall have the right to eradicate and control such nuisances without the consent of the other party after notice.

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F. Endangered Species. Commit an intentional act which will adversely impact known endemic threatened or endangered species on a list promulgated by any Federal, Florida or local governmental agency. Parties shall mutually adopt a plan as to what species are threatened or endangered in the event a list is not promulgated by governmental agencies and if the parties are unable to agree on the list, then the matter shall be submitted to mediation in accordance with this Easement.

G. Archaeological Site. Intentionally destroy or damage any sites of archaeological, cultural or historical significance in compliance with all Federal, Florida and local government agencies statutes, laws and ordinances.

H. Minerals Removal. Explore for, or extract, oil, gas or other minerals, nor shall Grantor mine, excavate, dredge, or remove sand, loam, peat, gravel, rock, soil, shell, clay or other material ("Materials") except that the mining and removal of sand and lime rock, not located in the wetlands, to maintain roads on the Protected Property, shall be permitted. There shall be no directional drilling from off the Protected Property, for the exploration or extraction of minerals under and by virtue of the authority of a grant or reservation or other form of ownership of or interest in or control over or right to such material.

I. Construction of Roads. Construct new roads and improve by hard surfacing or building up, or expand the number of lanes in existing roads without prior written permission of Grantee.

J. Retention Areas. Permit acts or uses detrimental to natural and manmade land or water retention areas as exist on Protected Property.

K. Drainage. Permit activities detrimental to water or soil conservation, or activities which would be more detrimental than the U.S. Department of Agriculture Natural Resources Conservation Service would allow as permitted activities, for drainage, natural water retention, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation or which alter existing drainage patterns, flood plans or wetlands, or which results in erosion, removal of trees, except as herein permitted, or other forms of water pollution. Grantor shall neither increase the drainage of water nor impede the natural movement of water across any site through any management practices including but not limited to bedding, ditching or road construction.

L. Fish, Wildlife or Other Habitats. Permit activities or use of the Protected Property, which damages fish, wildlife or other habitats.

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M. Cutting Timber. Cut or remove timber in the wetland areas and there shall be no conversion of said wetlands.

N. Permits. No activity requiring permitting shall be conducted without prior consent of the Grantee and all required permits from the Florida, Federal, and local governmental agencies must be issued and the activity. Nothing in this conservation easement shall exempt the Grantor from following accepted permitting practices for environmental activities. Grantee shall comply with all Federal, Florida and local governmental agencies, regulations, and restrictions, including but not limited to environmental resource permits, and drainage permits.

O. Vehicles. There shall be no operation of vehicles, dune buggies, motorcycles, all terrain vehicles or other loud, destructive or offensive recreational or motorized vehicles except on allowed access roads, and except for uses reserved by Grantor.

P. Ingress and Egress. In any way prevent or hinder Grantee from exercising the right of ingress and egress to the Protected Property.

2. RIGHTS RESERVED TO GRANTOR. Grantor reserves in perpetuity, for Grantor and Grantor's successors and assigns, the following rights, which may be exercised at any time (subject to any notice requirements set forth below): **Rights not specifically reserved herein are not permitted.**

A. Sale or Transfer of Interest. Grantor shall have the right to sell, rent or mortgage the Protected Property, provided that the Protected Property is not divided or sold into two or more parcels or tracts. Any such interest conveyed or assigned to a third party will be subordinate and subject to this Easement and any such subsequent owner must agree in writing to abide by the terms of this Easement.

B. Access. The right to control access including fences and gates to the Protected Property.

C. Pesticides/Herbicides/Fertilizers. Apply pesticides, herbicides and fertilizers as may be permitted in writing by the Grantee.

3. DEVELOPMENT OR TRANSFER. This Easement transfers to Grantee all future residential, commercial, industrial, and incidental developmental rights of Grantor on the Protected Property; provided that Grantee shall not conduct any activity on the Protected Property prohibited to Grantor by the terms of this Conservation Easement, except for those activities specifically authorized to Grantee.

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4. ASSIGNMENT. Grantor's rights in the Protected Property reserved hereunder may not be transferred, assigned, nor encumbered without Grantee's prior written consent.

5. CONTROLLED BURNING. Grantor may conduct controlled burn on the Protected Property only after receiving prior written consent of Grantee, so long as the Grantor complies with all Federal, Florida and local government agencies, statutes, laws, ordinances, rules, regulations, and restrictions. Grantor shall notify Grantee of any controlled burning not less than 3 business days prior to the commencement of the burning.

6. LAND USE. The land use of the Protected Property is as set forth in Exhibit B attached. Grantor agrees that during the term of the Easement that Grantor and Grantor's assignees shall not change the land use as set by any governmental agency without Grantee's prior written approval except as otherwise provided herein.

7. GRANTOR WARRANTY. Grantor hereby warrants that Grantor is fully vested with fee simple title to the Protected Property and will warrant and defend Grantee's interest in the same created by this Easement against the lawful claims of all persons.

8. MODIFICATION. The Easement as herein defined may be modified by a mutual written and signed modification agreement by and between the Grantor and the Grantee or their respective successors, assigns or their respective designees which agreements may not violate the terms of Section 704.06 Florida Statutes (2008) as modified or amended. No such modification shall be effective unless and until recorded in the public records of the county in which the Protected Property is located.

9. TERMINATION. In the event the Grantee or its assigns acquire the rights reserved by the Grantor and the fee ownership of the Protected Property or any part thereof, the Grantee or its assigns may, at their option, terminate the Easement in whole or in part.

10. NOTICES. Any notice, demand, consent, or communication that either party is required to give to the other hereunder shall be in writing, and either served personally by hand delivery or by registered or certified mail, postage prepaid, addressed as follows:

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To the Grantor: Charles Bridger
1498 Pointway
North Palm Beach FL
33408

To the Grantee: Suwannee River Water
Management District
Director of Resource Management
9225 CR 49
Live Oak, FL 32060
Telephone: (386) 362-1001
Facsimile: (386) 362-1056

With a copy to: Brannon, Brown,
Haley & Bullock, P.A.
Post Office Box 1029
Lake City, FL 32056-1029

or, to such other address as any of the above parties shall from time to time designate by written notice delivery pursuant to the terms of this paragraph. All such notice delivered hereunder shall be effective upon delivery, if by hand delivery, or within three (3) days from the date of mailing, if delivered by registered or certified mail.

11. CONTINUING DUTY. Grantor and Grantee recognize and acknowledge the natural, scenic, aesthetic, ecologically and hydrologically significant character of the Protected Property and have the common purpose and intent of the conservation and preservation of the Protected Property in perpetuity. Accordingly, Grantor hereby acknowledges a continuing duty of care to Grantee imposed by this Easement upon Grantor to carry out the intent and purpose of this Easement in regard to Grantor's ownership and occupancy of the Protected Property. This duty of care is subject to and in accordance with the Rights Reserved to Grantor as defined in Paragraph 2 hereof.

12. MEDIATION. From time to time the terms and conditions of this Easement will require Grantor and Grantee to reach agreement on certain plans and courses of action described and contemplated herein. Grantor and Grantee agree to attempt to reach agreement on such plans and courses of action in good faith. In the event that, after a reasonable effort, Grantor and Grantee fail to reach agreement on a plan or course of action required to be undertaken pursuant to this Easement, then in that event, Grantor and Grantee shall submit such issue to mediation. Mediation shall be held at a time and place mutually agreeable to Grantor and Grantee provided, however, in no event shall the mediation be scheduled later than thirty (30) days after notice provided by one party to the other requesting mediation on the issue in dispute. The mediation shall be held before a mediator mutually acceptable to the parties having

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expertise in the subject matter in dispute. This mediation provision is intended to apply only to good faith disputes regarding mutual decisions to be reached by Grantor and Grantee under the terms and conditions of this Easement.

13. PROPERTY TAXES. Grantor shall keep the payment of taxes and assessments on the Protected Property current and shall not allow any lien on the Protected Property superior to this Conservation Easement. In the event Grantor fails to extinguish or obtain a subordination of such lien in, in addition to any other remedy, the Grantee may, but shall not be obligated to, elect to pay the lien on behalf of the Grantor and Grantor shall reimburse Grantee for the amount paid by the Grantee, together with Grantee's reasonable attorney's fees and costs, with interest at the maximum rate allowed by law, no later than thirty days after such payment. In the event the Grantor does not so reimburse the Grantee, the debt owed to Grantee shall constitute a lien against the Protected Property which shall automatically relate back to the recording date of this Conservation Easement. Grantee may foreclose this lien on the Protected Property in the manner provided for mortgages on real property.

14. INSPECTION AND ENFORCEMENT. Grantee and its agents and employees and officers (along with accompanied invitees and guests) shall have the right to enter and inspect the Protected Property in a reasonable manner and at reasonable times to enforce compliance with the covenants herein which are enforceable by proceedings at law or in equity in accordance with the affirmative rights of Grantee set forth herein. No failure, or successive failures, on the part of the Grantee to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantee to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. LIMITED USE OF THE PROTECTED PROPERTY. The Conservation Easement granted hereby and the covenants herein are subject to the express understanding that the Protected Property may be used by the Grantor and Grantor's successors and assigns only in conjunction with the benefit to the Grantee and that the activities and uses on the part of the Grantor and Grantee with respect to the Protected Property are only those specifically stated herein.

16. TRANSFER OF RIGHTS BY GRANTEE. Grantee shall be permitted to transfer its interest herein to any other governmental body or governmental agencies, whose purposes include conservation of land or water areas, or the preservation of sites or properties assign their rights under this Easement, however, any successor or assignee shall take the land subject to the reservations, restrictions and obligations of Grantor as to the use of the Protected Property.

17. HAZARDOUS WASTES. Should Grantor at any time during this

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Conservation Easement deposit, place or release on the Protected Property or Excluded Property any hazardous wastes as defined in the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901-6991 or the Comprehensive Environmental Response Compensation or Liability Act (CERCLA), 42 U.S.C. Sections 9601-9657, as amended by the Superfund Amendments and Authorization Act of 1986 (SARA), or any other State or Federal prohibited hazardous waste or hazardous substance, Grantor shall indemnify, defend and hold Grantee harmless from any and all claims, demands, suits, losses, damages, assessments, fines, penalties, costs and other expenses, including attorneys' fees and court costs arising from or in way related to actual or threatened damage to the environment, agency costs of investigation, personal injury or death, or damage to the Protected Property, due to the release or alleged release of a hazardous waste on or under the Protected Property, or gaseous emissions from the Protected Property and other conditions on the Easement Property resulting from such hazardous material, whether such claim proves to be true or false. Property damage includes but is not limited to the property of the Grantee or any other party. Further, in the event such hazardous wastes or substances are placed or released on the Protected Property, Grantor shall take all the necessary steps to remove any such wastes and take such remedial action required by any State or Federal laws.

18. ATTORNEYS' FEES. If Grantee employs an attorney to enforce any provision of this Easement, or incurs any other expense in connection with its enforcement, and prevails, Grantor shall reimburse Grantee for all costs and expenses reasonably incurred, including but not limited to court costs, other expenses and reasonable attorneys' fees whether incurred in negotiations, trial, appeal or otherwise.

19. SERVITUDE. The rights granted to Grantee and the covenants agreed to by Grantor shall not only be binding upon the Grantor but also upon Grantor's agents, representatives, successors and assigns and all other successors who have an interest in the Protected Property and the Easement shall continue as a servitude running in perpetuity with the Protected Property.

20. MISCELLANEOUS.

A. The rights granted to Grantee and the covenants agreed to by Grantor shall not only be binding upon the Grantor but also upon Grantor's agents, representatives, successors and assigns and all other successors who have an interest in the Easement and the Easement shall continue as a servitude running in perpetuity with the Protected Property.

B. Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party and the officers, employees, invitees, guests and agents thereof. Nothing herein shall be construed as an indemnity or a waiver of sovereign immunity enjoyed by any

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party hereto, as provided in Section 768.28, Florida Statutes, as amended from time to time, or any other law providing limitations on claims.

C. Enforcement of the terms of this Easement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Easement in the event of any breach of any term of this Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

D. Grantor hereby waives any defense of estoppel based on failure of Grantee to enforce the terms of this Easement, adverse possession or prescription.

E. The granting of this Easement does not convey to the public the right to enter the Protected Property for any purpose whatsoever, and Grantee will cooperate with Grantor in the enforcement of this enforcement.

F. Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep and maintenance of the Protected Property, including the maintenance of adequate comprehensive general liability coverage. Grantor shall keep the Protected Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantor.

G. Shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Protected Property by competent authority (collectively "taxes"), including any taxes imposed upon, or incurred as a result of, this Easement.

H. If circumstances arise in the future such as render the purpose of this Easement impossible to accomplish, this Conservation Easement can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent jurisdiction. The parties believe that any changes in the use of neighboring properties will increase the benefit to the public of the continuation of this Conservation Easement. In addition, the inability of Grantor to conduct or implement any or all of the uses allowed under the terms of this Conservation easement, or the unprofitability of doing so, shall not impair the validity of this Conservation Easement or be considered grounds for its termination or extinguishment.

I. Any general rule of construction to the contrary notwithstanding this

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Conservation Easement shall be liberally construed in favor of the grant to effect the purpose of this conservation Easement and the policy and purpose of Section 704.06, Florida Statutes (2008). If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

J. If any provisions of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Conservation Easement, or the application of such provision or persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected hereby.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal the date and year first hereinabove written.

Signed, sealed and delivered in the presence of:

GRANTOR:

Amy Perez
Print Name: Amy Perez
Helen Stoll
Print Name: Helen Stoll

Charles Bridges
Print Name: CHARLES BRIDGES

**STATE OF FLORIDA
COUNTY OF**

The foregoing instrument was acknowledged before me this 28th day of March, 2009, by Charles Bridges, who is personally known to me or whom produced, as identification.

Helen Stoll
Print Name: Helen Stoll
Notary Public, State of Florida
Commission No. DD 685597
My Commission Expires: June 14, 2011

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ERP06-0226

541-c

TERRY McDAVID
200 North Marion Street
LAKE CITY, FLORIDA 32056

Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This Indenture, Made this 26th day of June 1984, Between
MYRICK SOLOMON, unmarried,
of the County of Columbia, State of Florida
and
PETER J. HANSEN,
whose post office address is Route 14, Box 520, Lake City, Florida 32055
of the County of Columbia, State of Florida

OFFICIAL RECORDS
BK 0541 PG 0237

Witnesseth, That said grantor, for and in consideration of the sum of Ten and 00/100 Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Columbia County, Florida, to-wit:

That part of Section 7, Township 4 South, Range 17 East, as described on Schedule "A" attached hereto.

N.B.: So long as the property lying within 1,000 feet of the property described on Schedule "A" attached hereto is used by North Florida Mental Health Center, Inc. or any other agency for the delivery of alcoholic rehabilitation or mental health services, no alcoholic beverages may be sold from the property described on Schedule "A" attached hereto, except that a restaurant located on said property may serve beer or wine with meals served at the restaurant. This covenant may be enforced by North Florida Mental Health Center, Inc. or any other agency delivering alcoholic rehabilitation or mental health services, and in the event of a violation of this covenant by the owner of the property described on Schedule "A" attached hereto, such owner shall be liable for the payment of any costs incurred in obtaining the enforcement of this restriction.

entire parcel

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever. * "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:
[Signatures]
Myrick Solomon (Seal)
Terry McDavid (Seal)

STATE OF FLORIDA
COUNTY OF COLUMBIA
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared MYRICK SOLOMON, unmarried,
to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that she executed the same.
WITNESS my hand and official seal in the County and State last aforesaid this 26th day of June 1984.
My commission expires: 2-12-87
[Signature]
Notary Public

DOCUMENTARY STAMP 67.50
INTANGIBLE TAX
MARY B. CHILDS, CLERK OF
COURTS, COLUMBIA COUNTY

RECORDED
JUN 28 1984
CLERK OF COUNTY RECORDS
COLUMBIA COUNTY, FLORIDA

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SCHEDULE "A"

TOWNSHIP 4 SOUTH - RANGE 17 EAST

SECTION 7: Commence at the Southeast Corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7, Township 4 South, Range 17 East and run S 86° 34' 30" W along the South line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ 552.04 feet; run thence Northerly along the arc of a 1° 45' curve having a radius of 3264.93 feet a distance of 871.30 feet; run thence S 87° 35' 30" W 219.8 feet for a POINT OF BEGINNING; run thence N 9° 53' 30" E 435.6 feet; run thence S 87° 35' 30" W 204.8 feet; run thence S 9° 53' 30" W 435.6 feet; run thence N 87° 35' 30" E 204.8 feet to the POINT OF BEGINNING. Being further described as Lot 2 of Pinewood Acres, an unrecorded subdivision.

SR 05 A 1
Pg 0258
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OUTFALL DITCH EASEMENT DEED

Section 2902 (5358)

State Road 47

ERD # 222

KNOW ALL MEN BY THESE PRESENTS that Charles Frank Millikin and Erma Dea Millikin, his wife, as Grantors, in consideration of One Dollar and other valuable considerations to them in hand paid, receipt whereof is acknowledged, do hereby grant and convey unto the STATE OF FLORIDA as Grantee, and its assigns, the easement, license and right to excavate, construct and maintain outfall and drainage ditches and drains, upon and through the following described lands situate in Columbia County, Florida, to-wit:

(a) DITCH RIGHT STATION 910 + 76.5

That portion of:

NE 1/4 of SE 1/4 of Section 7, Township 4 South, Range 17 East,

lying within 20 feet each side of a ditch centerline described as: Commencing on the North line of said NE 1/4 of SE 1/4 at a point 1160.2 feet West of the Northeast corner thereof and run thence South 19°25'30" West, 97.8 feet for point of beginning of said ditch centerline; run thence South 70°34'30" East 85 feet; thence South 19°42'30" East 115 feet. The land herein described containing 0.13 acre more or less exclusive of road right of way.

(b) DITCH LEFT STATION 910 + 76.5

That portion of:

NE 1/4 of SE 1/4 of Section 7, Township 4 South, Range 17 East,

lying within 20 feet each side of a ditch centerline described as: Begin at the Point of Beginning of the above described ditch centerline and run thence North 70°34'30" West 100 feet; thence North 45°34'30" West 80 feet more or less to the North line of said NE 1/4 of SE 1/4 at a point 1343.9 feet West of the Northeast corner of said NE 1/4 of SE 1/4; containing 0.09 acre more or less, exclusive of road right of way.

(c) DITCH RIGHT STATION 906 + 09

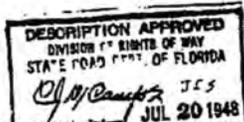
That portion of:

NE 1/4 of SE 1/4 of Section 7, Township 4 South, Range 17 East,

lying within 15 feet each side of a ditch centerline described as: Commence on the North line of said NE 1/4 of SE 1/4 at a point 1160.2 feet West of the Northeast corner of said NE 1/4 of SE 1/4 and run thence South 19°25'30" West 565.3 feet for Point of Beginning of said ditch centerline; run thence South 70°34'30" East, 100 feet; thence South 65°48'30" East, 310 feet. The land herein described containing 0.24 acre more or less, exclusive of road right of way.



DOCUMENTARY STAMPS
STATE
FEDERAL



TO HAVE AND TO HOLD the same unto said Grantee and its assigns, with covenants unto said Grantee from all claims for damage to Grantors' contiguous lands, if any, arising from or growing out of such construction and/or maintenance aforesaid.

IN WITNESS WHEREOF the Grantors have hereunto set their hands and seals this 3rd day of June, 1949

Signed, sealed and delivered in presence of:

Signatures of two witnesses: Carl J. Fowler, Signature of TWO witnesses required above by Florida law

Signatures of Charles Frank Millikin (Seal) and Erma Dea Millikin (Seal)

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Bridges Wetland Enhancement

ERP06-0226
June 2009

0 125 250
Feet

Project Boundary
Conservation Easement




Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.

MEMORANDUM

TO: Governing Board

FROM: Jon Dinges, Director, Resource Management ^{JMV}

THRU: David Still, Executive Director ^{CS/FR}

DATE: May 22, 2009

RE: Approval of Resolution No. 2009-16 for Fiscal Year 2009-2010,
Legislative Appropriations for Environmental Resources Permitting
and Wetland Protection Programs

RECOMMENDATION

Staff recommends the Governing Board approve Resolution 2009-16, requesting the release of \$700,000 in Legislative Appropriations from the Secretary of the Department of Environmental Protection to implement the environmental resources permitting program.

BACKGROUND

The Florida Legislature has included funding for the District in the 2009-2010 General Appropriations Act as follows:

- Line Item 1699 \$453,000 for Environmental Resource Permitting from Water Management Lands Trust Fund
- Line Item 1725 \$247,000 for Wetlands Protection from the Water Management Lands Trust Fund

The Legislature directed that these funds be administered by the Department of Environmental Protection and be made available for use by the District. Approval of the recommendation will enable staff to assure the receipt of funds in fiscal year 2009-2010.

JD/rl

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
RESOLUTION NUMBER 2009-16**

**REQUEST TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR
THE RELEASE OF OPERATION BUDGET FUNDS
FISCAL YEAR 2009-2010**

WHEREAS, the District applied for funds to implement the Environmental Resources Permitting and Wetlands Protection Programs within the District; and

WHEREAS, through the Conference Report on Senate Bill 2600, General Appropriations Act FY2009-2010, line items 1699 and 1725, the Florida Legislature appropriated four hundred fifty-three thousand dollars (\$453,000) from the Water Management Lands Trust Fund to implement Environmental Resource Permitting and another two hundred forty-seven thousand dollars (\$247,000) from the Water Management Lands Trust Fund for wetlands protection as identified in the General Appropriations Act; and

WHEREAS, Section 373.501(2), Florida Statutes, includes a process for disbursing the funds to the water management districts upon receipt of a resolution adopted by the Governing Board.

NOW THEREFORE, be it resolved that the Governing Board of the Suwannee River Water Management District hereby requests the Secretary of the Department of Environmental Protection to release, in equal quarterly increments beginning October 1, 2009, those funds designated by the Legislature to implement the District's Environmental Resources Permitting and Wetland Protection Programs listed below:

Line Item 1699	\$453,000 for Environmental Resource Permitting from Water Management Lands Trust Fund
Line Item 1725	\$247,000 for Wetlands Protection from the Water Management Lands Trust Fund

BE IT FURTHER RESOLVED, that these funds shall be subject to the requirements of Section 215.97, the Florida Single Audit Act.

BE IT FURTHER RESOLVED that these funds shall be subject to the requirements of Section 216.347, F.S. (Grant and Aids Lobbying Restriction); and

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
RESOLUTION NUMBER 2009-16**

BE IT FURTHER RESOLVED that this resolution be transmitted to the Secretary of the Department; and

BE IT FURTHER RESOLVED that the Chairman of the Governing Board is authorized to affix his signature to this resolution on behalf of the Board and attested by its Secretary.

PASSED AND ADOPTED THIS 9th DAY OF June, 2009 A.D.

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
BY ITS GOVERNING BOARD**

MEMBERS OF THE BOARD:

**DON QUINCEY, JR., CHAIRMAN
DAVID FLAGG, VICE CHAIRMAN
GEORGIA C. JONES, SECRETARY/TREASURER
DR. C. LINDEN DAVIDSON
HEATH DAVIS
OLIVER J. LAKE
JOHN PAUL MAULTSBY
LOUIS C. SHIVER**

ATTEST:

MEMORANDUM

TO: Governing Board

FROM: Kevin Wright, Resource Management Staff *KW*

THRU: David Still, Executive Director *DS*
Jon Dinges, Director, Resource Management *JMD*

DATE: May 26, 2009

RE: Authorization for the Executive Director to Enter Into an Agreement with the Federal Emergency Management Agency to administer Risk MAP (Mapping, Assessment and Planning) for Fiscal Year 2009

RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to enter into an agreement with the Federal Emergency Management Agency (FEMA) to receive \$886,000 to implement FEMA's Risk MAP Program throughout the District.

BACKGROUND

The Suwannee River Water Management District has been a Cooperating Technical Partner (CTP) implementing FEMA's Map Modernization Plan. A five-year business plan has been approved by FEMA that identifies the District's vision and level of participation for supporting Risk MAP for each county.

To implement this plan, District staff developed a Mapping Activity Statement (MAS) for FY2009 (our FY 2010) that details a step-by-step process to enhance the DFIRMs for Dixie, Gilchrist, Lafayette and Suwannee Counties along with a District-wide education and outreach plan. The MAS for FY2009 has been approved by FEMA. FEMA plans to award the District \$886,000 to implement the MAS. FEMA will reimburse the District actual expenses on a monthly basis.

/kw

MEMORANDUM

TO: Governing Board
FROM: Jon Dinges, Director, Resource Management ^{JMD}
THRU: David Still, Executive Director ^{ASD}
DATE: May 21, 2009
RE: Activity Report, Quality Communities, Informational Item

Edwards Bottomland Wetlands Restoration Project: The Fish and Wildlife Conservation Commission (FWCC) will reconsider potential funding for the project for the next funding cycle. A decision on funding is expected in June 2009. The engineering firm, BCI, has provided a proposal for survey and engineering services for the project which is being reviewed by staff. The District has received the \$25,000 payment from the City of Starke for their contribution to the project. FWCC has contracted directly with BCI to get the survey. The survey was started on April 23, 2009.

Cedar Key Reuse: Cedar Key Water and Sewer District has purchased the storage tanks and pumps.

Columbia County Stormwater: The County is in the planning stages with several projects. There will be no construction of projects in fiscal year 2008/2009, because the County and the District mutually agreed to suspend construction due to budget constraints.

FEMA Map Modernization: The appeal and protest period for Hamilton and Madison County has ended. All appeals and protests have been forwarded to our mapping contractors to make the necessary changes. Maps for Taylor County became effective on May 4th. During the Certified Floodplain Manager training, six District staff members took the Certified Floodplain Managers Exam. The District is proud to announce that all staff members passed the exam. The District is currently working with FEMA Region IV to process grant information for the Fiscal Year 2009 Risk MAP program. FY 2009 Risk MAP will provide additional detailed study areas for Dixie, Gilchrist, Lafayette, and Suwannee Counties plus additional District-wide resources to enable property owners and local governments to view and understand flood risks.

Jasper Stormwater: The permit has been issued by staff. District staff has told the City of Jasper that they will be responsible for obtaining all necessary drainage and construction easements for this project. The easements would appear to be the delay in getting this project into the construction phase. The

Governing Board has authorized the Executive Director to amend the contract with Bailey Bishop & Lane for construction phase services. The contract is being prepared. Staff and the City have also requested funds from the Florida Department of Transportation for two other priority projects within the FDOT right-of-way. Responses from FDOT were favorable about being able to fund these two other priority projects, but funding may not be available for several years.

Lake City Reuse Project: Construction is ongoing at the reservoir site.

Live Oak Stormwater: The City is preparing to bid the Sherwood Forest project, which was the top-ranked priority project under the stormwater utility program. Engineering design has commenced on a new alternative to handle the flooding associated with US 90 and Houston Street. This project was originally going to drain north to an existing FDOT detention pond, but due to historical resource issues the new design will pipe the stormwater south to existing ponds owned by the City and County. Survey and design is moving forward with this new alternative.

Monticello Reuse Project: The City is coordinating with FDEP to obtain a NPDES permit for the existing nursery ponds for use as reclaimed water storage.

Starke Stormwater, Pratt Street: The District is waiting for the Engineer of Record from BCI to certify the as-builts. Minor repairs should be complete within the next two weeks on the pond outfall. All funding has been received from FDOT.

Thank you for your attention to this summary of current activities associated with Quality Communities projects. Please feel free to contact staff prior to the June 9, 2009, Governing Board meeting if you would like further information.

MEMORANDUM

TO: Governing Board
 FROM: Jon Dinges, Director, Resource Management *JMD*
 THRU: David Still, Executive Director *DAF*
 DATE: May 22, 2009
 RE: Regulatory Activity Report, Informational Item

Staff is drafting an environmental resource permitting guide as an update to the 1991 surface water permitting manual. The draft should be complete no later than July 1, 2009. This document will be incorporated by reference into chapter 40B-4, Florida Administrative Code.

The following table summarizes permitting activities during the month of April.

April 2009	Issued	Received
Environmental Resource Permits	37	33
Water Use Permits	18	10
Water Well Permits	167	167

Staff has implemented an environmental resource permit inspection program for construction and as-built certification. Staff inspected 53 projects under construction and 26 projects for as-built compliance. Please see the attached charts for a summary of construction and as-built inspections.

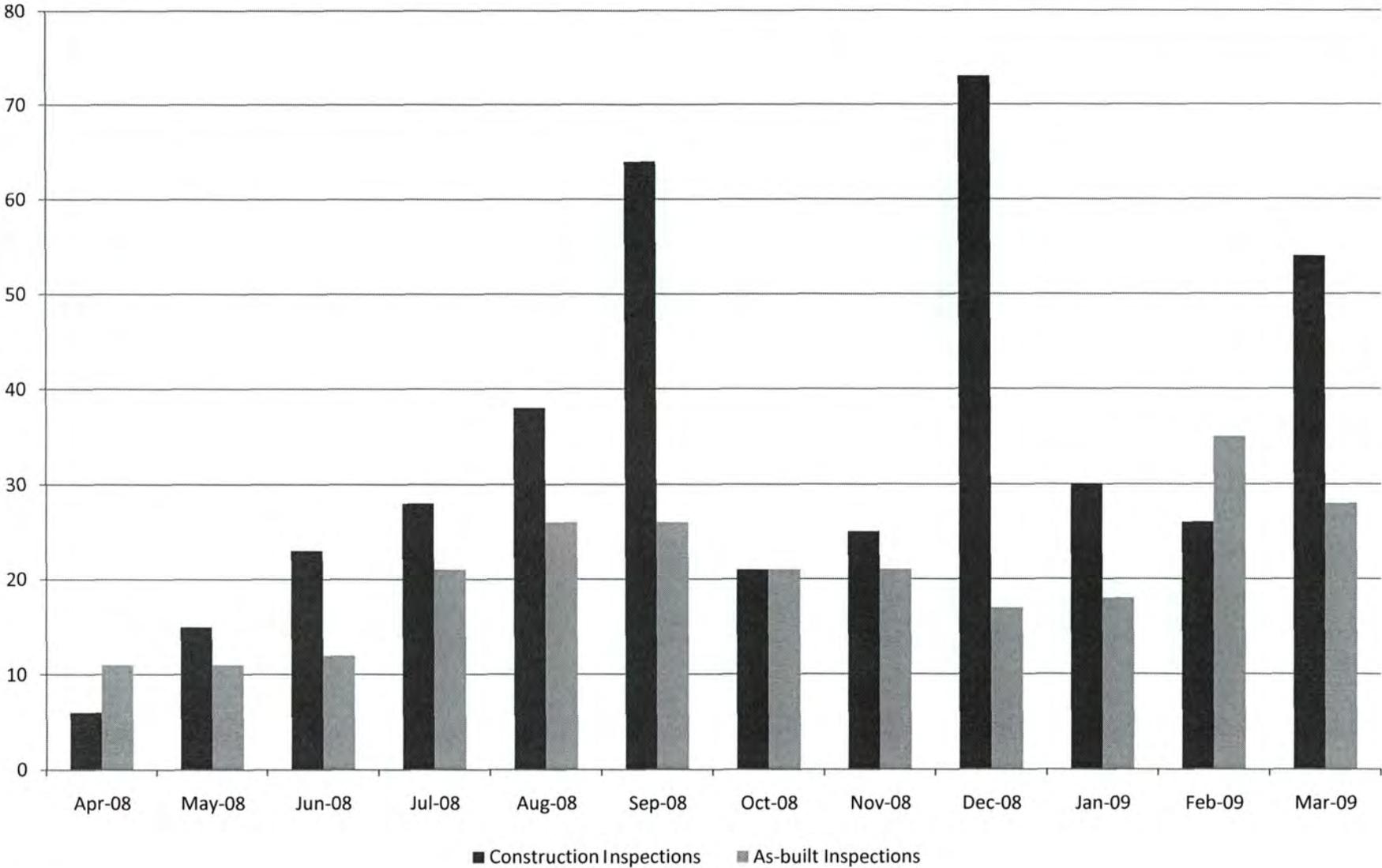
The Rulemaking Schedule, Compliance and Enforcement Report, and the Complaints Report follow this memorandum.

JD/lgw

**Upcoming Rulemaking
2009**

Rule & Description	Request Bd. Auth. for RD	Notice of Rule Dev.	Request Bd. Auth. for PR	Notice of Proposed Rule	Send to JAPC	Mail to DOS (tentative)	Effective Date (tentative)
40B-1.703, .709, .901	4/8/08	5/9/08					
Changes Relating to 40B-2 Major Revisions							
40B-2	2/12/08	2/22/08					
Major changes to WUP process							
WUP Guide	2/12/08	2/22/08					
Adoption of Water Use Permitting Guide							
40B-2.041	5/8/08	5/17/08					
Landscape Irrigation Conservation							
40B-3.101	11/13/08	11/26/08	3/10/09	3/19/09	3/16/09	May 2009	June 2009
Content of Application-Proof of Ownership & Tax Parcel ID							
40B-3.411	12/9/08	12/19/08	3/10/09	3/19/09	3/16/09	May 2009	June 2009
Completion Reports-Latitude & Longitude							
40B-3.902	2/10/09	2/27/09					
Water Well Construction Application							
40B-4.2010	5/14/09	5/29/09					
Noticed General Permit Application (This was going to be incorporated into 40B-1.901-see above.)							
40B-400.046	5/14/09	5/29/09					
Petition for Formal Wetland Determination (This was going to be incorporated into 40B-1.901-see above.)							
40B-400.051	5/14/09	5/29/09					
Exemptions							
40B-400.091	12/9/08	12/19/08					
ERP Handbook-Bald Eagle De-listing							
40B-400.115(1)(s)	12/9/08	12/19/08	3/10/09	3/19/09	3/16/09	May 2009	June 2009
Historical Artifacts Notification; FSE&SC Manual Correction, and FSE&SC Incorporation by Reference							

Construction & As-built Inspections



Compliance and Enforcement

updated 5/20/2009 2:16:47 PM

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE04-0025	COLUMBIA	10/8/2004		Stormwater system not constructed as permitted.	Jeffrey Hill/Smithfield Estates	Enforcement documentation sent to attorney 9/22/05 and 12/9/2005. Governing Board denied application on 12/13/05. Staff met with Mr. Hill 3/1/06 to discuss violations and solutions. Site inspection 10/30/06. No additional work except for a home on Phase 1. Site inspection 5/16/07. No change. Administrative complaint served 8/13/07. 30 days to correct violation. Hill filed with the District a Request for Hearing on 8/27/07. The District issued an Order Denying Hearing, served 9/22/07. Petition to enforce agency final order pending with Circuit Court. Hearing scheduled with Judge Leandra Johnson on 9/8/08; Judge granted Mr. Hill additional time to resolve violations. Hearing 11/17/08 with Judge Johnson. Motion to rehear filed 11/26/08. Judge had ordered mediation with Mr. Hill.	Dinges, Jon
CE05-0017	COLUMBIA	4/14/2005		Alteration of dam without a permit.	Jeffery Hill	Staff met with Respondant & Tom Brown 1/11/06 to discuss violations. Staff met with Mr. Hill 3/1/06 and discussed violations and solutions. Jennifer Springfield prepared Circuit Court Complaint. Received copy via mail 5/26/06. Hearing date for temporary injunction 7/11/06. Hearing rescheduled for District motion for temporary injunction set to 11/7/2006. Hearing conducted on 2/7/07. Waiting on verdict. Received order denying motion for dismissal 7/12/07. Hill has appealed to Court, case pending. Hearing held on 4/16/08 regarding civil penalties. Penalty of \$100,000 awarded. Periodic inspections will be made by staff to determine compliance with Circuit Court Order. Staff took control of dam in September (Emergency Court Order) and drained the dam. Received notice of Bankruptcy 11/21/08. Retained bankruptcy attorney for hearing 1/9/09. First District Court of Appeals 2/12/09. Inspected dam on 4/4/09; dam is filling up again. Spillway seems to be closed. Memo & pictures to Tom Brown on 2/4/09. Staff to attend bankruptcy hearing for El Rancho No Tengo, Inc., on 3/25/09.	Dinges, Jon
CE05-0031	COLUMBIA	6/13/2005	8/8/2008	Failure to maintain stormwater system as permitted.	Ray Sessions/Commander Row & Cannon Creek North	Draft Notice of Violation received from Jennifer Springfield on April 20, 2006. Staff will review the Notice and return it to Ms. Springfield no later than 4/25/06. Response received 5/16/06, indicating Mr. Sessions was not responsible. Ms. Springfield sent letter to Mr. Sessions' attorney on 5/24/06. Received Construction Remediation Schedule from Bill Freeman 5/30/06. Work to be complete by 9/15/06. Southern Approaches complete. Staff to inspect. Staff inspected. S. Approaches complete. Others under review. Letter from B. Freeman 12/12/06. Work to be completed by 12/15/06. Applications received. RAI mailed 11/6/06. See Board memo for updates. Letter to Mr. Freeman mailed 4/16/07. 18 days to install culverts (SWM4-91-00187). File sent to J. Springfield 9/6/07. Letter sent from J. Springfield to Mr. Sauriol, HOA President on 12/20/07; 60 days to correct violations. Letter from J. Springfield mailed on 1/18/08; 30 day extension granted. 30 days to submit application. Received letter from Cannon Creek HOA 2/8/08; 180 day extension requested. Received letter from attorneys regarding resolution on 9/22/08. Legal comments: District staff met with Greg Bailey of Bailey, Bishop & Lane who stated that he is working on the flooding problem as part of a master plan for the entire basin. In the event Mr. Bailey's plan is approved and constructed, it will also address the compliance issue under this permit.	Sagul, Tim
CE06-0014	COLUMBIA	8/31/2005		Operation & Maintenance issues.	Dale Williams/Columbia County	Four projects remain outstanding as of 6/21/06: Peacock Road, Brown Road, Hunter Panels and Emerald Forest. Received Brown Road ERP application 11/6/06. Staff to prepare Peacock Road, Hunter Panels & Emerald Forest for legal. Received application for Emerald Forest Street Culvert 7/26/07. Staff to prepare letter to Columbia County by 8/31/07. Staff (Louis Mantini) to meet on 9/21/07 to discuss Hunter Panels mitigation with Dennis Price, consultant (SE Environmental Geology) representing Columbia County. Staff to follow-up on mitigation for Hunter Panels. Letter sent 1/5/09 regarding Hunter Panels conservation easement requirements. Letter sent 1/21/09 regarding Brown Road; 30 days to submit RAI material or deny at February Board and refer to legal. Letter to Mr Williams sent 3/11/09 regarding Hunter Panel mitigation and WSMDD Land Trust. Staff issued a permit for Peacock Road in March 2009. Brown Road for denial at May 2009 Board. Brown Road denied at May 2009 Board. Staff to prepare for legal.	Dinges, Jon

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CE05-0046	COLUMBIA	12/5/2005	10/10/2008	Failure to maintain stormwater system.	Justin Fitzhugh	Waiting on as-builts. New owners. Engineer to submit application for modification. Application received 8/11/06. Redesign to be submitted by 12/01/06 by Arnold Terry. Reviewing design submitted 11/29/06. RAI mailed 11/29/06. Extension letter mailed 3/22/07. Engineer working on project. Denied at October Board. Site inspection 3/20/08. Sent NOV 3/26/08; 60 days to submit as-builts and pay penalties and fees. Sent 18 day letter 6/25/08. Staff met with Mr. Fitzhugh on 7/7/08. A follow-up letter was sent 7/8/08 giving him until 9/7/08 to provide a solution. No solution as of 9/24/08. Staff has giving Mr. Fitzhugh until 10/10/08 to provide solution. Received email 10/2/08. Mr. Fitzhugh working with surveyor. Staff to follow up by 5/29/09.	Marshall, Leroy
CE09-0004	LEVY	9/26/2008	5/11/2009	Unpermitted dock on the river.	William Schossler	14 days to contact District. Spoke with Mr. Schossler and set up a meeting on 1/22/09. Sent letter 2/2/09 with WOD application. No response as of 3/23/09. Pending WOD. Staff to prepare 18 day letter. Sent 18 day letter on 4/21/09. Received WOD application and fee 5/7/09. Staff to prepare letter; no floodway concerns with dock.	Robinson, Vince
CE09-0006	DIXIE	9/26/2008	8/3/2009	Unpermitted dock on the river.	Michael Manion	14 days to contact District. Scheduled a meeting with Mrs. Manion on 2/2/09. Met with Mrs. Manion on 2/17/09 at her property. Received WOD application 2/25/09; no fee. Sent RAI letter 3/19/09. Information due 6/19/09. Sent RAI letter 5/4/09 info due 8/3/09.	Robinson, Vince
CE09-0014	COLUMBIA			Permit violations.	Ray Sessions/Faye Carroll (Country Landings)	Administrative Order and Complaint prepared by J. Springfield and sent certified 2/4/09 to Ray Sessions, Faye Carroll, K&M Development & Austin Sessions. Administrative complaint filed by Mr. Sessions. Letter sent from J. Springfield to Mr. Sessions attorney 3/19/09; verbal 60 day extension to complete work give to Mr. Sessions from DAS. Mr. Sessions to withdraw Petition for Administrative Hearing. Construction complete & as-builts complete. Legal working on HOA documents.	Marshall, Leroy
CE09-0016	DIXIE	1/14/2009	3/4/2009	Unpermitted structure in floodway.	Mark Weaver	14 days to contact District. Unclaimed certified mail returned to District. File to legal 3/25/09. Mr. Weaver made contact with me on 5/18/09 by phone. He has been traveling cross country and hasn't checked his mail in quite sometime. I set up a meeting with him on 5/21/09 at 10:00 A.M.	Robinson, Vince
CE09-0023	GILCHRIST	2/11/2009	3/9/2009	Unpermitted water well.	James Randy Smith	NOV sent 2/19/09, requiring 5 points to be assessed against Respondent's water well contractor's license, as well as a \$500 penalty. Penalty is to be paid no later than 3/9/09. Respondent has submitted a water well permit application and completion report. Staff is preparing a consent agreement for legal counsel to review. Consent agreement will be signed after the penalty is paid. Received \$250 penalty 3/9/09. Received remaining \$250 penalty 3/18/09. Consent agreement being sent to legal for signatures on 3/18/09. Consent agreement mailed to Respondent on 3/26/09 for signature. Consent agreement returned to District and executed by Executive Director. Final Order to be executed at May 2009 Governing Board meeting.	Hancock, Gloria
CE09-0028	COLUMBIA		4/25/2009	No as-builts.	Tom Kesling / Lake City Home Depot	45 days to submit as-builts & pay costs. Staff to follow up. Call from Mr. Kesling and Engineer. Working on as-builts and required forms. Granted extension until 5/25/09.	Bowden, Jerry
CE09-0019	ALACHUA	1/14/2009	6/1/2009	Unpermitted structure in floodway.	J. C. Marshall	14 days to contact District. Spoke with Mr. Marshall by phone on 2/19/09. Met with the Marshall's on 3/5/09 and gave them an application. Spoke with Mrs. Marshall by phone on 3/23/09. Staff to follow up by 5/30/09. 18 day letter sent 5/19/09.	Robinson, Vince
CE09-0027	LEVY	3/1/2009	4/19/2009	Unpermitted development.	Marvin Franks / Cedars Airfield, Inc.	14 days to contact District. Spoke with Mr. Franks on 3/10/09. He will call me to set up a meeting when he returns to town in two weeks. Met with Mr. Franks on 3/19/09. He has 30 days to hire an engineer. Engineer has been hired (Mills). Staff to follow up.	Webster, Patrick
CE09-0031	DIXIE	3/26/2009	4/30/2006	Unpermitted structure & fill in floodway.	Dale Herring	30 days to submit WOD application. Waiting on WOD application.	Hastings, John

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CE09-0033	DIXIE	3/27/2009	4/15/2009	Clearing with the setback of the river.	Ronald E. Clark / Peanut on the Suwannee, LLC	14 days to contact District. Staff to reinspect by 5/30/09.	Mantini, Louis
CE09-0036	TAYLOR	3/10/2009	5/7/2009	Unpermitted borrow pit.	Leroy Padgett	30 days to submit ERP application. Reminder letter sent 5/18/09.	Hastings, John
CE09-0039	DIXIE	3/25/2009	4/23/2009	Fill in floodway	Benje Thomas / Forestview Joint Venture, LLC	14 days to contact District. Spoke with Mr. Thomas by phone on 4/13/09 about setting up a meeting. Waiting for river level to fall before scheduling meeting. Set up meeting with Mr. Thomas on 5/14/09. Staff to reinspect by 6/30/09.	Robinson, Vince
CE09-0040	COLUMBIA	3/19/2009	4/21/2009	Unpermitted structure in floodway.	John Gartner, Jr.	14 days to contact District. Mr. Gartner called on 4/10/09 about setting up a meeting. Waiting for river level to fall to set up meeting. Left Mr. Gartner a message by phone on 5/4/09. Scheduled meeting with Mr. Gartner on 5/11/09. Met with Mr. Gartner on 5/11/09. Received WOD application 5/12/09.	Robinson, Vince
CE09-0042	BRADFORD	4/20/2009	6/1/2009	Wetland impacts & unpermitted fill.	Tabatha Morris	14 days to contact District. Site visit 5/30/09; 30 days to restore property.	Mantini, Louis
CE09-0034	DIXIE	3/31/2009	4/14/2009	Unpermitted construction in wetlands & floodway.	Terrie G. Patterson	SWO & NOV mailed; 14 days to contact District. Received phone call on 4/3/2009. Respondent will schedule a meeting to discuss permitting issues. Respondent agreed to stop work. Staff waiting on flood waters to schedule meeting by 5/30/09.	Spencer, William
CE09-0037	COLUMBIA	3/19/2009	4/21/2009	Unpermitted structure in floodway.	Alex & Joyce Carswell	14 days to contact District. Spoke with Mrs. Carswell by phone on 4/7/09 about setting up a meeting. Waiting for river levels to go down to schedule meeting. Staff to schedule meeting by 5/30/09. Called the Carswells on 5/18/09 but made no contact.	Robinson, Vince
CE09-0038	COLUMBIA	3/25/2009	4/21/2009	Unpermitted structure in floodway.	Larry & Cindy Fulford	14 days to contact District. Mr. Fulford called District on 4/9/09 and talked to Bill Spencer. He was asked to halt construction and that an appointment would be scheduled for a site visit. Waiting for river level to go down to set up meeting. Set up meeting with Mr. Fulford on 5/11/09. Met with Mr. Fulford on 5/11/09. Received WOD application and fee 5/18/09.	Robinson, Vince
CE09-0043	COLUMBIA	4/14/2009	6/5/2009	Unpermitted fill.	Robert Wilson	Stop work immediately & contact District within 14 days. Mr. Wilson called District 5/5/09. He said the county was putting limerock on SW Meridian Court. Meridian Court is within the floodway, will inspect 5/6/09 during meeting with Mr. Wilson. On 5/6/09 verified that limerock (up to 2 feet in some areas) had been placed on Mr. Wilson's driveway. Mr. Wilson indicated that the county placed limerock on SW Meridian Court in front of his house. I explained that he would need to remove the fill on property controlled by him because it was in the regulated floodway of the river. Will send letter requesting that the fill be removed by 6/5/09.	Spencer, William
CE09-0044	BRADFORD	5/15/2009	6/2/2009	Dredge & fill impacts in wetlands.	Jon E. Hartman	14 days to contact District.	Mantini, Louis

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CE06-0049	GILCHRIST	3/29/2006	6/30/2009	Construction of elevated walkway, deck and dock.	Kevin Bedenbaugh	30 days to submit permit application. Due 7/28/06. Staff to contact. Application due by 9/1/06. Mailed second NOV. 18 days to submit application. Field review scheduled 10/20/06. Received WOD application 11/2/06. Mailed RAI on 11/28/06. 30 days to respond. Mailed 18 day letter 3/15/07. Information due on 4/3/07. Permit application submitted on 4/3/07. RAI mailed 4/30/07. 90 days to respond. Deadline to respond 7/30/07. Extension requested by phone on 8/15/07. Said he was waiting on engineer to finish zero rise. Responses received 10/16/07. Sent out RAI on 11/6/07. Sent final 18 day letter 2/22/08. Received responses on 3/10/08. Sent 30 day letter 4/2/08. 18 day letter sent out 5/22/08. Mr. Bedenbaugh sent an e-mail asking for more time. Staff to prepare a final 18 day letter by 9/26/08. Received RAI material 9/30/08. Staff reviewing materials. Permit issued with conditions. Reduce size of deck to 200 SF or less within 45 days. Staff to inspect by 12/19/08. Staff to send letter. Letter sent 1/8/09 to reduce deck & provide as-built by 2/9/09. As of 2/19/09, no as-built received. Conducted field review on 2/20/09. Portion of deck has been removed. Floor joists need to be removed. Staff inspected 5/15/09. Most work completed. 30 days to complete.	Webster, Patrick
CE06-0058	LEVY	8/2/2006	1/30/2009	Unpermitted construction.	Douglas McCoy	45 days to submit application package. Due 9/14/06. Received permit application 9/15/06. Permit application received on 9/18/06. RAI mailed on 10/4/06. Deadline 1/2/06. 12/18/06 received request for time extension. Left a message to Donnie Ellington to get back to me on the status on 4/11/07. Letter from Mr. Ellington 4/12/07 requesting extension. He called and said he would be sending in an application soon. Meeting scheduled with Donnie Ellington on 7/23/07 to discuss project. Meeting to be rescheduled. McCoy called on 9/18/07 requesting an extension due to Ellington's issues. Received letter on 9/21/07. Extension until 12/10/07. In the process of selling this parcel. Received ERP fee 12/5/07. RAI letter mailed 1/3/08; 60 days to respond. Met with Mr. McCoy on 2/13/08. Wetland jurisdictional conducted at the site on 3/11/08. Waiting on determination to arrive from Mr. McCoy. Should arrive by 4/18/08. Received determination 4/28/08. Staff to review. Bill Spencer visited site on 5/1/08 to inspect wetland delineation. Recommend that wetland line be placed on site plan survey. RAI sent out on 5/12/08 with a 60 day response deadline. RAI sent 7/25/08; 45 days to respond. Received letter from Mr. McCoy on 8/28/08. He is working on the survey. On 10/30/08 prepared ERP permit for denial, and prepared legal fact sheet to give to Tom Brown. File sent to legal 11/4/08. Met with Mr. McCoy on 11/13/08 to go over a plan to permit the subdivision. Must have a site layout and an engineer hired by 1/7/09. Had a discussion with Mr. McCoy and he has hired Donnie Ellington as his engineer and the wetland jurisdictional plans should be submitted to the District in few weeks. Per email date 3/12/09, he has hired an engineer and they are working on submittal. Staff to follow up by 5/30/09.	Webster, Patrick
CE06-0063	LEVY	8/8/2006	5/2/2009	Fill in wetlands.	Ron Woods	Mailed NOV 8/11/06. Submit application package by 9/25/2006. He has called several times to keep me updated. Received ERP application 11/30/06. Sent out RAI on 12/19/06. Deadline for responses 3/19/07. Conducted a field review with applicant on 1/30/07. Sent out an email to his consultant to find out the status on 4/11/07. Mailed RAI 5/7/07. Response due 8/7/07. Sent out 18 day letter on 8/21/07. Received RAI responses on 9/10/07. Extension request letter received 10/3/07. Waived the 90 day time clock, permit know pending. Owner wants to try to repair damage. Conducted another field review 11/2/07. Consent Agreement being finalized by staff for signatures. Signed Consent Agreements mailed to respondents for signature 1/31/08. Received letter from Mr. Woods on 2/28/08 requesting aerial & time for his attorney to review the agreement. Provided aerial. As of 4/10/08, still waiting on Consent Agreement to be returned to District. Consultant is preparing restoration plan. Once plan is accepted, Mr. Woods will execute the the agreement. According to Tom Brown that was acceptable. Sent email to Tom Brown concerning status on 7/11/08. Sent letter requesting signed Consent Agreement or Restoration Plan by 8/12/08. Letter received 8/6/08; wetland plan to be submitted within 30 days. Received wetland restoration plan on 9/2/08 from Tom Brown. Staff needs to review it. Restoration plan unacceptable. Mailed RAI 9/22/08; 30 days to submit corrected plan. 10/21/08; extension request and records request received. Received update ERP application 11/7/08. We had a meeting with them on 11/25/08. Compliance Agreement sent out 11/25/08. RAI sent out on 12/2/08. Received signed Compliance Agreement 12/12/08. Currently removing fill from the wetlands. Mailed copy of executed Consent Agreement 12/16/08. Staff to inspect 1/12/09. Final inspection was conducted by staff and it appears the fill has been removed from the wetlands. RAI letter sent 2/2/09; revisions to be made on UMAM analysis. Received update UMAM analysis 3/18/09. ERP permit issued 4/8/09. Staff to reinspect when mitigation is complete.	Webster, Patrick

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CE06-0073	GILCHRIST	9/5/2006	6/30/2009	Unpermitted construction in floodway.	Lex & Deborah Walker	30 days to remove structure or submit application. Received copy of permit and additional information on 9/12/06. Application to be submitted by 10/31/06. Received application 10/27/06. RAI sent 11/21/06. Deadline for response 2/20/07. Received a call from owner saying that the engineering firm is working on the responses. Met with engineer on 3/26/07. Extension requested to 5/25/07. Sent 18 day letter 6/28/07. 30 day extension requested on 7/16/07. Received RAI material 8/16/07. Sent RAI letter 9/10/07. Extension request granted until 1/11/08. RAI information received 1/23/08. Sent additional RAI 2/13/08; 90 days to provide information. Received RAI material 4/15/08. Staff to review. Sent RAI 5/9/08. Received response from applicant on 5/29/08. Conducted final field review on 5/6/08. Sent RAI 6/13/08; 30 days to respond. Extension request received 9/4/08. Sent out RAI on 9/10/08. Received RAI response on 9/25/08. Sent another RAI out on 10/17/08; 30 days to respond. Staff to contact Mr. Walker on 12/2/08. Received RAI response on 12/3/08. After the fact Permit issued on 12/22/08. Inspection required on 2/22/09 to see if plantings installed and unauthorized structures are removed. Per staff inspection the deck and walkway have been removed according to the permit conditions. Will recheck to see if plantings and floats have been installed after the flood recedes. Staff inspected 5/18/09; 30 days to install floats.	Webster, Patrick
CE06-0086	COLUMBIA		9/1/2008	No as-builts.	Richard Cole / Grandview Village	30 days to submit as-builts. File to legal 11/14/06. Received Sections A,B,& C on December 1, 2006. Sent second NOV 2/9/07. Extension letter mailed 3/13/07. Clay & Leroy to revise NOV with additional violations. Met on site with Engineer and contractor 3/21/07 and the ditch will be constructed in correct place. Re-inspect by 4/30/07 to ensure project is in compliance. Site Visit conducted 5/2/07 and 5/10/07 and no work had been performed. Extension until 5/20/07 to complete work. 5/25/07 Mike Renfro called and they are supposed to be installing 2-18" pipes in the backyards along with yard drains. There are numerous problems that still need to be addressed in this subdivision ie: fill in pond from power poles, size of rear lot bypass swale system, maintenance of pond, stabilization of site. File to legal 7/24/07. Letter from contractor 8/1/07. Told by property owners to stop work. Legal returned file due to conflict of interest. File forwarded to J. Springfield 9/11/07 for review. Letter sent from J. Springfield; 15 days to submit fines & work. Site visit conducted on 10/31/07 and the sub-contractor is working on installing the pipes on the east side of the by-pass ditch. Site visit conducted 11/16/07 and the pipes are installed on the eastside. No stabilization measures have been implemented. Inspection 1/2/08 and no changes from previous inspection. 1/25/08 site inspection shows no changes from previous inspection. Home construction has constricted conveyance of by-pass swale. Other than that no changes since 11/16/07 inspection. On 3/11/08, the Board authorized staff to proceed with an Administrative Complaint, which has been drafted and sent to J. Springfield on 3/31/08. Received property ID information for property owners from J. Springfield on 4/9/08. Meeting 5/16/08 with legal to discuss alternative solutions. District to meet with City on constructing by-pass swale on City property. Administrative complaint & Order mailed certified 8/1/08; 30 days to complete work necessary to bring property into compliance & 60 days to submit as-builts. Received request for Administrative Hearing 8/25/08. Request for Admin Hearing denied at September 2008 Board Meeting due to untimely filing of motion. Mailed denial 9/10/08. 10 days to respond. File with J. Springfield. J. Springfield sent letter 3/20/09 proposing a settlement.	Dinges, Jon

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE06-0107	LAFAYETTE	12/12/2006	4/28/2009	Construction without a permit.	Linda Fennell	90 days to remove structure from 75 foot setback & submit WOD application. Received WOD application 12/15/06. Sent RAI. Information due 3/14/07. Sent 18 day or deny letter 4/13/07. June 2007 Board for denial. File to legal 9/11/07. Legal sent NOV 9/14/07, requesting penalties, costs & fees or application & fee submittal by 10/5/07. Memos & pictures from site visit sent to legal 10/5/07. Received variance request & \$250 application fee (no application was included) on 1/23/08. RAI mailed 1/25/08. Variance faxed to legal 4/10/08; waiting on comments. 4/28/08; 18 days to submit RAI information. June Board for denial and Final Order. Denial of variance request and Final Order executed at June 2008 Board meeting. Meeting with Mr. Buckels scheduled for 8/8/08. Letter mailed 8/12/08; 30 days to remove structure, provide written proof the structure was in place prior to 1985 or provide WOD application. WOD application received 8/14/08 for dock; no agent letter received. Sent RAI 8/22/08; has until 9/12/08 to resolve issues. Application denial to November Governing Board with approval to initiate enforcement action. Received letter from Mr. Buckels 11/10/08. Denied at November Board Meeting without pred. Staff to investigate property ownership. Quit Claim deed and property information to legal 11/24/08 to verify ownership. Memo to Governing Board 12/4/08 updating status of project. Legal reviewing ownership of property. Legal verified ownership to Linda Fennell. County to provide documentation of construction by 1/13/09. Sent NOV to Ms. Fennell via Process Server on 1/28/09; 90 days to comply and submit a WOD application. NOV served on 2/9/09. Received letter from Ms. Fennell on 4/27/09 stating she did not recognize any violations on her property. Staff prepared memo to Governing Board for May, requesting authorization to file complaint in Circuit Court. Staff preparing for Circuit Court complaint as per approval at May 2009 Board meeting. Circuit Court complaint being prepared by staff and legal.	Marshall, Leroy
CE07-0065	GILCHRIST	5/16/2007	9/5/2008	Unpermitted construction within the floodway.	Steven A. Midyette	14 days to contact District. Respondent contacted staff on 9/7/07. Staff will follow-up with a site visit on 9/19/07. Consent Agreement being finalized by staff for signatures. Signed Consent Agreements mailed to respondents for signature 1/31/08. As of 8/18/08, waiting on Consent Agreements to be returned to District. Staff will send notice that the District will allow a deadline of 9/5/08, for signed Consent Agreement. If a response is not received, then the case will be forwarded to legal counsel. Staff preparing to resend to legal. Received Administrative Complaint & Order filed by legal 12/9/08. Returned signed Administrative Order to legal 1/6/09. Order in the process of being served by legal as of 1/28/09. Letter from T. Brown received 2/24/09; Administrative Complaint to be served by Duval County Sheriff Office. Complaint served by Duval County Sheriff Office on 3/2/09. Received request for Administrative hearing on 3/30/09. Denial of hearing issued at April 2009 Board. Second request for hearing.	Mantini, Louis
CE07-0069	GILCHRIST	8/1/2007	10/1/2008	Fill in wetlands & unpermitted construction.	David Meehan Suwannee Lake Plantation	Site visit on 8/17/2007. Under investigation. Owners met with District staff on 9/27/07. Owner will submit site plan with existing and planned construction along with the wetland line established by owner's consultant. No submission date given. No response as of 11/7/07. No response as of 11/30/07. ERP application received 2/14/08. Sent RAI letter 3/6/08. Received letter from WRA 3/31/08. Applicant's environmental consultant called today (3/31/08) and stated that the owner will remove the pad out of the wetlands, restore the site, and redesign the project. Sent RAI 5/23/08; 90 days to respond. Received letter from David Meehan and Robert Menke on July 2, 2008 detailing the notes of a meeting re: closure of the violation. Responded to 7/2/08 letter with conceptual terms of Consent Agreement. Extension request granted 8/25/08. Received letter 9/12/08. Sent letter 10/16/08; staff preparing Consent Agreement. Draft Consent Agreement sent 12/5/08. Waiting on response as of 1/13/09. Responded to Mr. Brubaker's question re: delineation of conservation area by a phone message left on 2/18/09. Asked that he call or email me with his questions/concerns. Mr. Brubaker returned call on 2/20/09 and left message indicating he will call first of next week. Mr. Brubaker sent (3/9/09) a revised Consent Agreement to Resource Management for review. Staff preparing response. Staff preparing revised Consent Agreement (5/6/09). Consent Agreement sent to legal for review 5/7/09.	Spencer, William

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CE07-0087	MADISON	9/26/2007	3/2/2009	Unpermitted structure within the floodway.	Charley Hicks Jr	30 days to contact staff. Certified letter returned 10/30/07 unclaimed. As of 12/17/07, Mr. Hicks has made no contact with staff. Sent letter via process server 1/8/08; 30 days to contact staff. Return of service received on 1/28/08 from process server. Contacted the District on 2/20/08. Staff informed Mr. Hicks of his options. Staff expects extension letter. Staff conducted site visit on 5/8/08. Structures are still on site. Staff conducted site visit on 8/14/08, structure still in place. Called Mr. Hicks on 8/19/08, he plans to write an extension letter and apply for a variance shortly. Call today. Tried to reach Mr. Hicks by phone on 10/16/08 and 10/22/08. Contacted Mr. Hicks on 10/28/08. Mr. Hicks explained his view using profanity and threatened to sue. File to legal 10/30/08. Letter from legal sent 2/2/09; 30 days to pay fines and correct violations. No response has been received. Staff prepared memo to Governing Board for May, requesting authorization to file complaint in circuit court. Approved for circuit court. Staff preparing for circuit court.	Robinson, Vince
CE07-0091	MADISON	9/26/2007	4/11/2009	Unpermitted structure within the floodway.	Reva J. Hamilton	30 days to contact staff. Called 10/5/07. Met with staff on 10/12/07. Plans to petition for a variance. Letter received 10/31/07 requesting 90 day extension. Request granted. Has hired engineer for Zero Rise Certification. Ms. Hamilton is working with a lawyer on a variance letter. Ms. Hamilton called 5/9/08. She is having delays with her attorney. She is interested in speaking with the Board at the June meeting. Did not attend June Board meeting. Ms. Hamilton updated staff on 8/15/08 about problems with her lawyer. Ms. Hamilton updated staff on 9/19/08. Called 10/10/08 with letter status. Meet with staff on 11/07/08 at the District. Received WOD application and variance request 11/7/08. RAI sent 1/12/09 for site plan. Variance to be presented at April Governing Board for denial. Returning to Board in May 2009 for partial variance approval. Partial variance approved. Final Order sent to legal to be recorded with Madison County and returned to District.	Robinson, Vince
CE07-0100	BRADFORD	10/23/2007	11/18/2008	Adverse off-site impacts.	Breck Sloan	File to legal 10/23/07. Letter from legal mailed 10/29/07; 14 days to pay penalty & fines. 11/14/07 inspected site and no work has been done to bring project into compliance. Letter from legal mailed to Mr. Sloan stating he has until 4/11/08 to correct violation & submit penalties. 6/5/08; file resent to legal. Letter from legal to Mr. Sloan 7/30/08. Sloan indicated that he thought work was done and would take immediate action. 8/26/08 - staff received a call from Rudd Jones who indicated he was a new engineer to the project and would be working on the corrective actions. Tim spoke with Rudd Jones 10/2/08. Jones does not have a contract yet with Mr. Sloan. Tim told Jones that if District doesn't have an application for modification in by Oct 15, 2008, staff would turn it back over to legal. Jones indicated that Tim should speak to Mr. Sloan since Jones is not on contract. Jones would however send an email to Mr. Sloan's previous engineer (Brad Purcell) and let him know of the impending enforcement. Tim left a message on Mr. Sloan's answer machine asking him to return call regarding this project. Julie of Mr. Sloan's office returned call on Oct. 7, 2008. She stated that they just hired an engineer. I told her that we needed a letter indicating what their schedule was to resolve as this was going back to the attorney for final resolution. She indicated that she would get the information to the District asap. Received extension request 11/3/08. Faxed request letter to T. Brown 11/3/08. Sent letter to Mr. Sloan 11/4/08; pay attorney's fees and penalties by 11/18/08. Staff to contact legal. File back with legal. Received ERP application and fee 5/18/09. Tim Sagul to contact legal.	Sagul, Tim

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CE08-0014	GILCHRIST	1/9/2008	4/14/2008	Improperly abandoned wells.	Mac Johnson	Respondent must contact staff by 2/1/08 to make arrangements to pay fine and have violations corrected by 2/22/08. File to legal 2/28/08. Letter sent from legal 4/1/08; 13 days to contact legal to resolve violation. Mr. Johnson met with District staff on 4/14/08. He plans to have the work completed within two weeks. Would like staff to reconsider the penalty. Staff to monitor progress and then discuss penalty reduction. Notice of Filings and Administrative Complaint and Order received from legal on 6/26/08; however, changes need to be made. Emailed legal on 6/26/08 requesting changes. Received updated information from legal on 6/27/08. One original executed document to file and one returned to legal for service on 6/30/08. Final order returned by legal on 10/1/08; preparing for Governing Board on 10/14/08 with Final Order number 08-0013. On 10/7/08 Mr. Kim Cullen (employee of Mac Johnson) called and wanted the location of the wells so he could dig them up. Sagul indicated that a Final Order was going to Bd next week. Cullen should call Tom Brown or have a licensed well driller contact the District for locations. Cullen indicated that he would relay the information to Mac Johnson. Final Order executed on 10/14/08; a copy of the Final Order was mailed to Mr. Johnson and legal counsel on 10/16/08. File with legal. A complaint was filed in circuit court on 1/9/09. Permits for well abandonment issued on 4/1/09. Wells are to be abandoned within 3 weeks of 4/14/09, and Respondent is to pay \$10,000 in penalty and attorneys fees and costs. Abandonment complete. Final administrative costs sent to legal 5/20/09.	Sagul, Tim
CE08-0015		1/17/2008	4/11/2009	Wetland excavation.	L. E. Crawford	14 days to contact staff. Mr. Crawford contacted staff as required, and an appointment was made for an on-site meeting to occur on 2/14/08 to determine a strategy for stabilization. Met on 03/06/08 to discuss design modifications to address offsite water quality. A letter was sent regarding this subject on 03/18/08. LE Crawford will contact District for on-site meeting with site contractor. Staff to contact owner by 5/13/08 if LE Crawford does not contact District. Clay talked with LE Crawford on 5/13/08 and he has a man hired to do the work. His excavator is in Jacksonville for about 4 more weeks. Mr. Crawford will contact the District when the excavator is on site to meet and go over restoration plan. As of 08/18/08, staff has been unable to contact Mr. Crawford by telephone. Mailed letter 8/18/08, to both Mr. Rentz (property owner) and Mr. Crawford (resident) to inform that the District is repairing a Consent Agreement to guarantee resolution of this violation. Site inspection 8/26/08. On 8/29/08, District staff conducted a site visit with a prospective contractor to assess implementation of Consent Agreement drafted on 9/5/08. Updated NOV sent to Mr. Rentz 10/15/08; 21 days to contact staff. NOV mailed 10/21/08 with correct name and address to Larry T. Rentz. Staff to follow up. Larry Rentz contacted the District on 11-24-08 and stated that the property is now officially in Mr. L.E. Crawford's ownership. Mr. Rentz will follow-up with record of this transaction that evidently occurred prior to 10/21/08 NOV mailing. Record of settlement statement (transactions without sellers) received on 11/25/08. Staff preparing for legal (Mr. Crawford). File to legal 1/14/09. Letter from legal; 30 days to pay fines & correct violation. Legal served Mr. Crawford 3/11/09; 30 days to pay fines and resolve violation. Work to begin 4/27/09. I spoke with Mr. Crawford on 04/20/09, and he will meet with Louis Mantini and his contractor on 04/27/09. Mr. Crawford was also informed on 04/20/09 that the 04/27/09 meeting will not substitute for his responsibility to contact District legal staff. Staff to reinspect by 5/30/09.	Mantini, Louis
CE08-0016	HAMILTON	1/8/2008	6/1/2009	Unpermitted clearing.	Jerry Harris	Mr. Harris disturbed <1000 sq ft of riverbank by cutting an earthen ramp down to the river on his property near Cone Bridge. The spoils remain on-site in a small slough area located landward of top-of-bank. Mr. Harris is in a nursing home and no longer able to comply with District rules. His son will come down to Florida in the spring to restore the riverbank on his father's property. Mr. Harris' son's contact information is as follows: Keith Harris, 3493 Shores Road, Murphreesboro, Tennessee 37128; (615) 642-3893. Staff to inspect by 5/30/09. Inspected the site on 5/18/09 and found no remedial measures have been attempted. Staff will remind property owner's son.	Mantini, Louis
CE07-0005	ALACHUA	1/10/2007	6/10/2007	Unpermitted construction.	Patricia Rhinesmith / Turkey Creek	30 days to provide permit modification. File to legal for review pertaining to ownership. Engineering firm to develop alternative. Staff to contact engineering firm by 4/18/08. Staff to prepare for legal.	Wright, Kevin

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CE07-0049	UNION	3/18/2004	4/16/2008	No as-builts.	James Cason / Town of Worthington Springs	File to legal 7/18/07. Letter from legal 8/3/07 requesting all costs & as-builts by 8/17/07. CHC talked with Bill Whiteley on 8/16/07 and he is working with John Rimes III to get Section C completed. As of 3/18/08 still missing Section C. Report to Tom Brown if as-builts are not received by 4/16/08. Met on site with Mayor Cason and came to decision to place small berm around spring to divert runoff from parking lot away from spring. They will be submitting application for a permit modification and include this on the application. ERP application received 9/9/08. Kristin, Bill, & Jon working on letter to town in response to permit submittable, variance request and possible non-permitted structures. Permit issued for pier. Staff to contact by 12/1/08. Letter sent 11/24/08, for site plan. Staff to review by 5/30/09.	Spencer, William
CE07-0050	COLUMBIA	3/25/2006	7/17/2008	No as-builts.	Frank Soucinek / Countryside Estates	File to legal 7/18/07. Letter from legal sent 8/3/07 requesting all fees & as-builts by 8/17/07. Received a phone call from Nelson Bedenbaugh on 8/15/07 and he said they were working on finishing up some survey work to complete as-builts. 8/29/07 District received a copy of Section C of the as-built. Inspection was conducted on 9/5/07 and the pond on Country Club Road is not in compliance. Staff emailed legal to make them aware of this. Susan from the office called on 9/19/07 and staff emailed her a copy of the Section C and explained what needed to be done to bring the project into compliance. 12/7/07 inspection conducted and no work has been done to bring the project into compliance. Received call from Tom Brown regarding this project at the beginning of February and received a message to call Frank Soucinek. Called Frank Soucinek and left a message for him to call me back. As of 2/20/08 have received no return phone call. 2/20/08 inspection conducted and no work has been done to bring the project into compliance. 3/18/08 Site inspection revealed no work has been done to bring the project into compliance. 4/2/08 let Nelson know that he would need to apply for a permit modification in order to change the pond to a wet pond. 5/6/08 Tom Brown called and Frank Soucinek says that Nelson will be dropping of new plans by Friday 5/9/08. Calculations received 5/9/08. Received call from Marinda Kane 6/3/08 and she will be hand deliver application tomorrow. 6/4/08; application and fee received. 6/17/08 RAI sent with a deadline for submittal of 7/17/08. Received call from Nelson Bedenbaugh on 6/25/08 and they will be doing soil borings to determine how to construct a properly function dry pond. 8/28/08 received email from Nelson Bedenbaugh stating that they planned on cleaning the pond and possibly overexcavating and backfilling. No confining layer was found in the borings. 9/24/08 Leroy will go by and look at this one for me to see if any remediation work has been done to bring the project into compliance. Leroy visited site on 9/25/08 and took photos. No work has been done to bring the project into compliance. Emailed Tim and Tom pictures of site. Staff inspected site 11/4/08. Vegetation cut and cleared. Copy of inspection report & pictures sent to legal 11/7/08. See legal enforcement report. CHC received a phone call from Susan asking for a copy of permitted plans and permit so they could fix the pond. I let her know the District would get back with her since the permitted plans may not fix the problem. Met with respondent 11/21/08; seeking different engineering services. Site visit 1/13/09. No contact from Soucinek regarding engineer. Staff to refer back to legal by 5/22/09.	Dinges, Jon
CE04-0003				Unpermitted construction.	Jeff Hill / Haight Ashbury	Administrative complaint served 8/13/07 by process server. 30 days to complete construction of SW system. Hill filed with the District a Request for Hearing on 8/27/07. The District issued an Order Denying Hearing, served 9/22/07. Petition to enforce agency final order pending with Circuit Court. Hearing scheduled with Judge Leandra Johnson on 9/8/08. Hearing 11/17/08 before Judge Johnson. Motion to re-hear filed 12/1/08.	Hastings, John

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CE07-0053	GILCHRIST	8/2/2007	6/30/2009	Unpermitted construction in the 75-foot setback.	Kathleen Harrell Allred	14 days to contact District & schedule site visit. Talked with Jeff Allred on 8/23/07. Will call me to set up a field review by 9/30/07. Conducted field review on 9/21/07. Sent out compliance letter on 10/12/07. Resent compliance letter to another address on 12/10/07. Called and left a message on 1/14/08. File to legal 1/25/08. Letter sent from legal 2/8/08; has until 2/26/08 to bring property into compliance and pay all costs. Spoke with Mr. Allred on 2/11/08 and he said he would remove all structures within two weeks. Letter received from complainant 2/20/08; extension request. Granted extension until 8/1/08. Conducted field review on 8/15/08. Sheds were removed but the deck and dock is still there. They either need to get a permit or remove them. Another letter to be sent out by 9/1/08. Received letter from Ms. Allred's mother 9/10/08. Kathleen Allred has been redeployed and her mother has not had a chance to talk with her yet. They will most likely want to permit the remaining structures but can't do this until she returns. Granted extension until 12/31/08. Meeting onsite with Mother and brother on 12/19/08. Received letter requesting another extension on 12/31/08. Sent letter 1/8/09; 45 days to submit application, 30 days to submit zero-rise & 30 days to remove structure. Conducted field review on 2/20/09. The deck and dock have been removed, but the stairs have not been removed. The wood still needs to be removed from the site. 90% removed. Staff to send letter by 3/30/09. Staff to reinspect by 5/30/09. Site inspection 5/15/09; some work complete. Reinspect 6/30/09.	Webster, Patrick
CE07-0054	LAFAYETTE	1/6/2007	11/6/2008	Clearing within the 75-foot setback.	Jerry C. Wilks & David Strickland	Owners called to stated planting completed. Bill Spencer to schedule inspection by 10/30/07. Met with Mr. Wilks and Mr. Strickland on 12/11/07. Corrections to be completed by 4/30/08. Site inspection 5/23/08. Staff to inspect by 8/31/08. Fill sent to legal 9/25/08. Letter sent from legal 10/6/08; 30 days to submit fees and restore site. District staff performed a site visit on 11/13/08, no changes. Sent inspection report & pictures to legal 11/19/08. Legal sent letter 12/11/08 to PO Box 1152, Trenton, FL address. Site visit 1/16/09; site has been replanted. Will conduct follow-up visit Spring 2009 to check status of plant survival. Staff to inspect by 5/1/09. Inspected by W. Spencer and L. Marshall on 3/24/09. Survival and recruitment of native trees acceptable. Recommend closing file. Staff to send letter by 6/1/09.	Marshall, Leroy
CE08-0057	TAYLOR	9/12/2008	10/28/2008	Unpermitted fill in wetlands.	Wade & Leslie Lorang	14 days to contact District. Mr. Lorang contacted District by phone message on 10/27/08. Mr. Dale Rowell (Delta Surveying) will be his agent. District contacted Mr. Rowell 10/28/08 and discussed the violation. Mr. Rowell requested that District draft a compliance agreement for review. Compliance Agreement being finalized by staff as of 11/17/08. Met with Respondent on Dec. 5, 2008 and discussed resolution. I will meet with surveyor onsite to estimate impact acreage. Waiting for surveyor to call. Meeting scheduled 1/8/09. Did soils study with Louis Mantini on 1/21/09. Found hydric soils. Estimate 0.65 acre wetland impact. Waiting to discuss issues with respondent's agent. NRCS soil scientist from Palatka visited the site with W. Spencer on 2/10/09 to review the hydric soils. He agreed that the line was correct but should have been extended to include additional acreage. Respondent's agent requested a meeting during the week of 2/16/09. Met with NRCS soil scientist onsite 2/10/09 who commented that the flagged area was too small and that the hydric soils indicated that the wetland area should be larger. I commented that I wanted to be conservative and he said that he could support the existing wetland line. Meeting scheduled with Mr. Rowell (agent) on Monday 2/23/09. Met with Mr. Rowell (2/23/09) and Tim Sagul. Mr. Rowell agreed to contact owner to determine his plans for restoration/mitigation. Mr. Rowell sent email (3/17/09) requesting District prepare plans for restoration. Staff responded by asking whether Mr. Lorang intends to restore 100% or partially mitigate. Staff also suggested that it would be best to meet with Mr. Lorang's restoration consultant. Staff to send letter by 5/30/09.	Spencer, William
CE08-0053	SUWANNEE	10/1/2008	10/16/2008	Clearing in setback.	Marian Harris	14 days to contact District. No contact has been made as of 10/16/08. Certified letter returned 10/27/08 unclaimed after 3 attempts. File to legal 11/7/08.	Robinson, Vince
CE08-0043	LAFAYETTE	6/26/2008	6/30/2009	Unpermitted construction.	Derrick Freeman	90 to days to remove structure. Staff to follow up by 4/15/09. Site visit 3/26/09. Sent reminder letter 3/30/09. Staff to inspect by 6/30/09.	Marshall, Leroy
CE08-0044	MADISON	8/11/2008	8/13/2009	Wetland impacts & construction without a permit.	Marrone Investments, Inc.	Staff preparing Compliance Agreement. Mr. Marrone is reviewing agreement. Staff to follow up & prepare for legal. Received penalty of \$918 & ERP application fee 12/1/08. Signed & executed agreement sent to Mr. Marrone 12/9/08. Compliance Agreement approval letter mailed 12/29/08. Extension request granted until 8/13/09.	Wright, Kevin

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CE08-0035	COLUMBIA	4/15/2008	9/30/2008	Non-conformance with Erosion Control Plan.	Robert F. Jordan / Turkey Creek Subdivision	3 days to correct violation. Email received 4/16/08. Staff to re-inspect by 4/25/08. Received email 4/23/08 regarding status of partial completion & discussion with engineer. 4/24/08: Rick Johnston, Kevin Wright, & Chad McCormick. BB&L teleconference to discuss changes to Erosion Control Plan. Chad will draft & send to Kevin. Sent letter 4/29/08; \$5,000 per day penalty until site is in compliance. 4/29 & 4/30/08 work with Engineer to update erosion control plan for silt fence requirements. 5/2/08 inspected site and all silt fence has been installed per plan. 05/07/08 Temporary Gravel Entrance Installed. 5/16/08 SWMF 5, 6 finished and seeded and mulched. Working on SWMF 4 and will seed & mulch when complete. Mr. Jordan told me he will not temporary stabilize any of the exposed (bare) areas until he completes them. He does seed and mulch the pond banks when complete and has bought a water truck for this job and is watering the seed to get it established. 5/29/08; Mr Jordan email asks for Jon Dinges to send letter "withdrawing the daily fine letter." 5/30/08; SWMF 2 is complete and the banks have been seeded and mulched. No temporary stabilization observed in exposed areas where no work is ongoing. 6/2/08 Rick Johnston sent email to Mr. Jordan requesting him to send a letter to Jon Dinges explaining how he brought the works permitted by ERP07-0081 into conformance. 6/2/08; Mr. Jordan responded that he would get us a letter by the weekend. 6/5/08; Mr. Jordan responded that "I will be in Tampa for a deposition tomorrow. I will get the letter to Jon by early next week." 06/17/08; NOV mailed 8/1/08; 5 days to reinstall or repair silt fence, clean sediment, & stabilize site. Staff to continue to monitor during construction.	Johnston, Rick
CE08-0036	COLUMBIA	4/19/2008	7/19/2009	Construction without a permit	Joanie LeRoy(Secretary/Treasurer)LC Airpark	Stop work and 30 days to submit application. Mr. Gjoen called the District on 4/22 to ask about the stop work order and the enforcement process. Staff informed Mr. Gjoen that if he ignored that stop work order he could face penalties. Staff visited the site on 4/23 and work was continuing. Staff informed Mr. Gjoen about the ERP process and that the project would require an engineer. Per phone conversation with Ms. LaRoy on 5/22/08, the Lake City Air Park LOA have signed a contract with GTC Design Group for engineering services. Received letter LOA 5/28/08. Site visit 6/6/08 with Tim & Kevin. Received letter from GTC 7/16/08. Received ERP application on 8/19/08. RAI mailed 9/18/08. Received RAI extension request on 11/10/08. Sent extension request approval 11/26/08. Property owner dispute. Update was given on 5/18/2009 - mediation between the two parties is being scheduled. Once date is decided upon, the District will be notified.	Wright, Kevin
CE08-0037	BRADFORD	8/2/2006	9/15/2008	Non-functioning pond.	Bill McCans	30 days to repair erosion problems and provide as-builts. 6/4/08 talked with Sam Smith and they will be submitting as-builts and requesting extension to stabilize pond. Chad Williams is working on a plan to get the ponds in compliance. Staff to follow up. Respondent working on resolution. Staff to schedule site inspection by 1/20/09. Staff to reinspect 3/26/09. Waiting to hear from engineer on as-builts.	Webster, Patrick
CE08-0040	DIXIE	6/2/2008	6/24/2009	Unpermitted construction.	Ryan Bell	30 days to submit WOD application. Resend with updated address 6/13/08. No response as of 6/30/08. Received WOD application 7/8/08. RAI sent 8/7/08. 18 day letter mailed 10/27/08. Vince Robinson received phone calls from neighbors who want to know status and voicing concerns that if he is able to keep his construction they want to build the same thing. Mr. Bell called Bill Spencer Nov. 2, 2008 and said that he is having his plans drawn and will submit before the deadline. I informed him that he will need to make modifications to the construction in order to meet District requirements. RAI material received 11/7/08. Third RAI sent 11/18/08. Received RAI material 2/18/09. Staff reviewing material received. Zero-rise analysis received 3/6/09. Sent letter 3/11/09; 30 days to submit demolition plan. Received inadequate variance request 3/19/09. Sent letter informing Mr. Bell of proper procedure for requesting variance on 3/25/09.	Hastings, John
CE08-0029	SUWANNEE	3/26/2008	9/15/2008	Erosion & sediment control problems during construction.	Fred Treadway / Pennington Trails	30 days to pay penalty & remove, repair, install, maintain and/or correct all violation. Site visit with D. Price 4/10/08; problems still present. Staff inspected site 5/15/08; project site is in partial compliance. Staff to re-inspect 5/23/08. Staff inspected the site on 6/16/08. The site is still having problems with sedimentation. Staff to meet with Respondent by 9/15/08. Meeting with Dennis Price to be scheduled. Staff inspection 11/4/08. File to J. Springfield 11/5/08. Administrative Complaint forwarded to J. Springfield 3/30/09 with updated costs.	Marshall, Leroy

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CE08-0018	SUWANNEE	1/31/2008	2/14/2009	Unpermitted construction within the floodway.	Frank Soucinek	60 days to remove structures. Sent letter 2/15/08: granted extension until 9/1/08 to remove structures. Received WOD application 4/3/08. WOD application denied at May 2008 Board meeting. Staff to inspect site on 9/1/08. Structures still screened in (see photos and field inspection memos). File to legal 9/11/08. Site inspection 11/4/08. Copy of inspection report & pictures sent to legal 11/6/08. Meeting with David S. & Jon D. 11/21/08. Contractor preparing building plan for removal of walls in flow. Letter sent 1/10/09 for approval of submitted plan received. Staff to inspect by 5/30/09.	Marshall, Leroy
CE08-0020	BRADFORD	10/11/2007	2/6/2009	Failure to maintain system according to permitted plans & SWQ standards.	Shaun & Christine Ritch & Roy Baker	File to legal 2/20/08. Letter sent from legal 6/6/08; 18 days to pay penalties and bring project into compliance. Jon D. to contact Ms. Ritch. Staff to re-inspect by 12/31/08. Sent letter 11/24/08; site visit scheduled for 1/6/09. Meeting 1/6/09; Mr. Ritch to remove berm within next 3-4 weeks. Response letter mailed 2/18/09 regarding emails sent by Mr. Ritch. Certified letter returned unclaimed 3/16/09. Staff to inspect site on 3/25/09.	Dinges, Jon
CE08-0022	SUWANNEE	3/3/2008	8/1/2009	Construction without a permit.	Donald Edwards	90 days to submit application package & pay penalties. Sent letter 6/6/08; 18 days to submit application package and pay \$8,000 penalty. Sent letter 7/2/08; 90 days to submit application & pay penalty. Extension request received 10/1/08. Extension granted 10/1/08. Items to be submitted on or before 10/20/08. Extension granted until 10/20/08. Received ERP application 10/20/08. RAI sent 11/6/08. Extension granted 2/18/09. Additional extension request granted.	Marshall, Leroy
CE08-0062	ALACHUA	10/1/2008	11/28/2008	Construction not in accordance with plans.	William C. Phillips / Clay Electric	14 days to contact District. Received call 11/12/08; site visit 11/13/08. Repairs complete. Staff to follow up. Received letter 11/17/08. Staff to schedule site visit by 1/30/09. Staff to reinspect by 5/15/09. Staff to call for as-builts.	Hastings, John
CE08-0069	SUWANNEE	11/24/2008	12/19/2008	Unpermitted water well construction.	Troy Wadford	District staff conducted a site inspection on 11/24/08, at which it was noted that a water well had been constructed without a permit. The completion report was received on 12/16/08. Respondent intends to pay penalty on a monthly basis, beginning February 2. Staff prepared a consent agreement for review by legal counsel. Consent agreement has been sent to legal counsel for signature on 1/9/09. Final Order on Consent Agreement to go to February Board for execution. 1/30/09: paid \$100 toward penalty. 3/3/09: paid \$100 toward penalty. 4/10/09: paid \$100 toward penalty. 5/12/09: paid \$100 toward penalty.	Hancock, Gloria
CE08-0072	COLUMBIA	12/16/2008	5/18/2009	Dredging and filling of an approximate 13 acre cypress pond.	Larry R. and Eva Joyce Sigers	Discovered by investigation of aerial photographs. 14 days to contact District. Met w/ Mr. Sigers and Tim Sagul 1/6/2008. Called 1/22/09 to schedule meeting for 1/28/2009 but got no answer and no answering machine. Met onsite on Feb. 11, 2009 with Mr. Sigers, Jon Dinges, Tim Sagul and Bill Spencer. Verified presence of hydric soils and hydrophytic vegetation. Discussed the need to either restore or permit after the fact with mitigation. We were asked to leave his property. Staff preparing letter to Mr. Sigers. Letter sent 2/18/09 requiring restoration plan and penalty by 3/18/09. Received letter from Mr. Sigers attorney requesting a 60 extension. Letter sent 3/19/09; 60 day extension granted. Meeting 5/12/09; consultant working on plan.	Spencer, William
CE09-0011	DIXIE	7/30/2008	3/11/2009	Construction not in accordance with permitted plans.	Fred Shore	File to legal 1/15/09. NOV from legal sent 2/9/09; permit modification and all penalties due by 3/11/09. 30 day extension request letter received from legal 2/18/09. Received revised stormwater report & plans 3/27/09. Permit issued 4/16/09. Legal to collect costs.	Hastings, John
CE09-0030	COLUMBIA	3/19/2009	4/13/2009	Unpermitted construction of a water well.	K. M. "Red" Clyatt	NOV sent 3/25/09, requiring 5 points to be assessed against Respondent's water well contractor's license, as well as a \$500 penalty. Penalty is to be paid no later than 4/13/09. Letter sent on 4/2/09 with negotiated \$100 penalty and \$224.57 administrative costs. Penalty and admin. Costs paid on 4/10/09. Completion report received on 4/13/09. Consent agreement mailed to Respondent on 4/15/09 for signature. When the consent agreement is executed, a final order will be presented to the Governing Board for execution. Consent agreement received and executed on 4/28/2009; a final order will be heard at the May 2009 Governing Board.	Hancock, Gloria

Complaint Database Inquiry List

Complaint Number	Complainant / Property Owner	Complaint Description	Date Opened	Initial Response Date	Staff	Date Closed	County
CMP09-0031	Nancy Raisler / James Larry Philmon	Wetland filling, flooding, Flooding concerns	4/1/2009	4/1/2009	Spencer, William	4/8/2009	DIXIE
CMP09-0032	Jennifer(Management Specialist) for Ms. Mora / Robert Lash	Ditch Concerns	4/1/2009	4/1/2009	Bowden, Jerry	4/14/2009	ALACHUA
CMP09-0033	Nathan Kendrick / Larue Tlippet	Flooding Concerns	4/2/2009	4/7/2009	Spencer, William	4/14/2009	MADISON
CMP09-0034	N. Raysbrook / Ricky & Wayne Philmon	Wetland Concerns	4/3/2009	4/6/2009	Spencer, William	4/6/2009	DIXIE
CMP09-0035	George Bishop / Mr. Dicks	Flooding Concerns	4/3/2009	4/3/2009	Mantini, Louis		COLUMBIA
CMP09-0036	Sergio Reyes / Gary Almond--- son Chris	Runoff Concerns	4/6/2009	4/9/2009	Bowden, Jerry		ALACHUA
CMP09-0037	Anonymous / Unknown	Clearing Concerns	4/8/2009	4/8/2009	Robinson, Vince	4/8/2009	DIXIE
CMP09-0038	Comm. Dewey Weaver (Mr. Pender) / Robert Wilson	Sediment Concerns, Fill concerns	4/14/2009	4/20/2009	Spencer, William	5/4/2009	COLUMBIA
CMP09-0039	Johnny Porter / David Whitfield	Pond Concerns	4/15/2009	4/15/2009	Mantini, Louis	4/20/2009	SUWANNEE
CMP09-0040	Ed Pourbaix / Susan Drigger	Creek Concerns	4/15/2009	4/16/2009	Mantini, Louis	4/20/2009	COLUMBIA
CMP09-0041	Anonymous / Anonymous	Creek Concerns	4/15/2009	4/15/2009	Mantini, Louis	5/11/2009	SUWANNEE
CMP09-0042	Sharon Cheney / Rayonier	Dumping Concerns	4/17/2009	4/17/2009	Jensen, Don	4/17/2009	BRADFORD
CMP09-0043	Harry Artz(Otter Creek POA) / Tracy Allen & Patrick Wilson	Dumping Concerns	4/20/2009	4/22/2009	Mantini, Louis	5/11/2009	LEVY

Complaint Number	Complainant / Property Owner	Complaint Description	Date Opened	Initial Response Date	Staff	Date Closed	County
CMP09-0044	Michael Metz / Jimmy Taylor	Floodplain Concerns	4/21/2009	4/23/2009	Hastings, John	4/23/2009	TAYLOR
CMP09-0045	Tony Deluca / Tony Deluca	Well Concerns	4/23/2009	4/23/2009	Hancock, Gloria	4/23/2009	COLUMBIA
CMP09-0046	SRWMD(DAS) Wrede / Howard Thomas	Flooding Concerns	4/28/2009	4/28/2009	Robinson, Vince	5/12/2009	LAFAYETTE
CMP09-0047	Anonymous / Century Park	Retention Pond Concerns	4/28/2009	4/28/2009	Johnston, Rick		COLUMBIA
CMP09-0048	Carla Roberts / Neighbor	Flooding & Culvert Concerns	4/29/2009	4/29/2009	Mantini, Louis		JEFFERSON
CMP09-0049	John Berchold / LakeButlerDryClean Ron Tuberville	Retention Pond Concerns	4/30/2009	5/7/2009	Johnston, Rick		UNION
CMP09-0050	Jim Stevenson / Amelia Landings	Earthwork Concerns	4/30/2009	4/30/2009	Johnston, Rick	5/1/2009	COLUMBIA
CMP09-0051	SRWMD (DAS) / Eldon Sadler	Mudbogging Concerns	4/30/2009	4/30/2009	Kruse, John		TAYLOR

MEMORANDUM

TO: Governing Board

FROM: Jerry Bowden, Water Resources Engineer ^{JB/rl}

THRU: David Still, Executive Director ^{DAF}
 Jon Dinges, Director, Resource Management ^{JMD}

DATE: May 22, 2009

RE: As-built Compliance Summary

As-Built Summary March 2003-April 2009

Permits Expired	996
Projects Constructed	771
Projects in Compliance	666
Projects not in Compliance	105
Percentage of Projects in Compliance	86%
<u>For permits expired but not constructed:</u>	
Project Modifications	82
Project Extensions	38
Projects not Constructed	72
Projects in Compliance & Enforcement	6
Projects not Requiring As-Built Certification	22

As-Built Summary June 1998-February 2003

Projects Constructed	650
Projects in Compliance	538
Percentage of Projects in Compliance	83

Please see the attached report for a detailed list of as-builts from March 2003 to present. Section A is filled out by the applicant and states the project is complete, section B by the accepted operation and maintenance entity, section C (As-built certification) by a registered professional engineer, and section D (Transfer to Operation and Maintenance Entity) by District staff.

JB/rl

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	AS-BUILT STATUS	MISSING FORMS
ALACHUA	GREENS AT WESTEND, PHASE III	ERP00-0070M	8/29/2005	INCOMPLETE	ABC
	ALACHUA GATEWAY CENTER	ERP01-0042	6/8/2003	INCOMPLETE	ABC
	ALACHUA GATEWAY CENTER/HERITAGE OAKS	ERP01-0042M2	1/27/2009	INCOMPLETE	ABC
	UTOPIA/DALTON PINES/WELCH/WYNDSONG SUBDIVISIONS MOD.	ERP01-0283M	1/13/2009	INCOMPLETE	ABC
	SUN STATE FEDERAL CREDIT UNION	ERP01-0470	10/11/2003	INCOMPLETE	ABC
	BRIGHTON BEACH CAR WASH MODIFICATION	ERP02-0243M	1/30/2005	INCOMPLETE	ABC
	NEWBERRY ELEMENTARY SCHOOL ADDITION	ERP02-0555	2/23/2005	INCOMPLETE	ABC
	PINERIDGE PLACE	ERP03-0026	2/3/2006	INCOMPLETE	ABC
	PINE ISLES VILLAS	ERP03-0026M	3/21/2009	INCOMPLETE	ABC
	SPANISH GATES UNIT 2 & 3 MODIFICATION	ERP03-0049M	2/10/2009	INCOMPLETE	ABC
	SAINT FRANCIS HIGH SCHOOL MODIFICATION	ERP03-0083M	9/18/2005	INCOMPLETE	ABC
	ST. FRANCIS HIGH SCHOOL MODIFICATION #2	ERP03-0083M2	2/14/2009	INCOMPLETE	ABC
	COX LUMBER COMPANY	ERP03-0233	7/9/2005	INCOMPLETE	ABC
	OLD OAK ESTATES SUBDIVISION	ERP04-0378	3/2/2008	INCOMPLETE	ABC
	FLETCHER PARK SUBDIVISION	ERP04-0535	1/24/2008	INCOMPLETE	ABC
	MAUPIN HOUSE PUBLISHERS	ERP05-0229	5/25/2008	INCOMPLETE	ABC
	BARTLEY LANE SUBDIVISION	ERP05-0243	10/27/2008	INCOMPLETE	ABC
	ASHTON RIDGE SUBDIVISION	ERP05-0383	1/25/2009	INCOMPLETE	ABC
	441 MINI WAREHOUSES	ERP05-0384	11/18/2008	INCOMPLETE	ABC
	JONESVILLE PARK SOCCER FACILITY	ERP05-0461	10/31/2008	INCOMPLETE	ABC
	LTD MOTORS PARKING LOT	ERP05-0476	10/20/2008	INCOMPLETE	ABC
	FARNSWORTH PUD OFFICE BUILDING	ERP05-0522	12/7/2008	INCOMPLETE	ABC
	MORTON BUILDINGS	ERP05-0532	2/9/2009	INCOMPLETE	ABC
	ACE HARDWARE OF HIGH SPRINGS	ERP05-0565	1/9/2009	INCOMPLETE	ABC
	WALDO 301 TRAVEL CENTER	ERP05-0578	1/25/2009	INCOMPLETE	ABC
	SCHERER CONSTRUCTION SPEC BUILDING	ERP06-0008	2/23/2009	INCOMPLETE	ABC
	MEL'S TACK ROOM AT MARLBORO FARMS	ERP06-0061	3/22/2009	INCOMPLETE	ABC
	SAVANNAH STATION PHASE I	ERP06-0064	3/20/2009	INCOMPLETE	ABC
	OAK RIDGE SUBDIVISION	ERP06-0094	3/13/2009	INCOMPLETE	ABC
	CPC INDUSTRIAL PARK	ERP06-0102	3/10/2009	INCOMPLETE	ABC
	HIGH SPRINGS ANTIQUE STORE MODIFICATION	ERP94-0152M	11/18/2007	INCOMPLETE	ABC
	TOWN OF TIOGA-PHASES 8 & 9	ERP95-0126M5	3/9/2009	INCOMPLETE	ABC
	THE TRAILS-UNITS 3 & 4	ERP96-0298M2	3/9/2004	INCOMPLETE	ABC
	FAMILY CHURCH MODIFICATION	ERP96-0303M	1/31/2004	INCOMPLETE	ABC
	ST. ALBANS WOOD/MACDOUGALL CONDO MOD	ERP99-0424M	5/31/2008	INCOMPLETE	ABC
	NEWBERRY GARDENS	ERP99-0525	1/11/2005	INCOMPLETE	ABC
	SANDY PINES ESTATES	ERP03-0033	8/12/2008	INCOMPLETE	AC
	COUNTRY WAY SUBDIVISION MODIFICATION #3	ERP01-0043M3	2/22/2008	INCOMPLETE	C
	SHOWTIME MOTORSPORTS PARK	ERP02-0045	2/20/2004	INCOMPLETE	C
	CHAMBERS INDUSTRIAL SUBDIVISION	ERP04-0495	3/10/2008	INCOMPLETE	C
	ATM ALACHUA OFFICE PARK	ERP05-0542	11/17/2008	INCOMPLETE	C
	WESTON OAKS SUBDIVISION	ERP05-0559	4/5/2009	INCOMPLETE	ABC
	HILLTOP ANIMAL HOSPITAL MODIFICATION	ERP01-0471M	4/19/2009	INCOMPLETE	ABC
BRADFORD	MADISON STREET BAPTIST CHURCH MULTI-PURPOSE BUILDING	ERP86-0057M4	10/19/2008	INCOMPLETE	ABC
	STARKE SONIC DRIVE-IN	ERP04-0364	10/4/2007	INCOMPLETE	C
COLUMBIA	LAKE CITY MUNICIPAL AIRPORT CONTROL TOWER	ERP00-0290	5/8/2005	INCOMPLETE	ABC
	RED BUD ENTERPRISES SHOP & OFFICE	ERP01-0003	7/23/2004	INCOMPLETE	ABC
	WINDSWEPT INDUSTRIAL S/D, PHASE I	ERP01-0407	12/26/2003	INCOMPLETE	ABC
	RECORD STORAGE OF LAKE CITY MODIFICATION	ERP02-0091M	8/17/2008	INCOMPLETE	ABC
	MAGNOLIA PLACE	ERP02-0109	10/24/2004	INCOMPLETE	ABC
	COBBLESTONE SUBDIVISION	ERP02-0437	10/14/2008	INCOMPLETE	ABC
	C.R. 231 FROM S.R. 100 TO BAKER COUNTY LINE	ERP02-0497	3/11/2008	INCOMPLETE	ABC
	U.S. 90 WEST CAR WASH	ERP02-0510	2/19/2005	INCOMPLETE	ABC
	S.R. 47 FROM I-75 TO S.R. 25	ERP03-0103	3/9/2009	INCOMPLETE	ABC
	GERALD RIGGLE DEVELOPMENT	ERP03-0144M	6/29/2008	INCOMPLETE	ABC

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	AS-BUILT STATUS	MISSING FORMS
COLUMBIA	ELLISVILLE SUBDIVISION/MAGNOLIA PLACE	ERP03-0197	10/14/2008	INCOMPLETE	ABC
	CARDINAL FARMS SUBDIVISION	ERP03-0484	3/9/2009	INCOMPLETE	ABC
	BROOK LOOP DRAINAGE	ERP04-0024	2/2/2006	INCOMPLETE	ABC
	M&M FITNESS	ERP04-0161	8/25/2007	INCOMPLETE	ABC
	DEER HAMMOCK SUBDIVISION	ERP05-0025	2/29/2008	INCOMPLETE	ABC
	BULLARD COMMERCIAL BUILDING	ERP05-0159	1/25/2009	INCOMPLETE	ABC
	BRANFORD CROSSING	ERP05-0400	11/4/2008	INCOMPLETE	ABC
	CHEEK & SCOTT DRUGS-LAKE CITY	ERP05-0439	3/14/2009	INCOMPLETE	ABC
	HAVEN HOSPICE OF THE SUWANNEE VALLEY	ERP05-0528	1/3/2009	INCOMPLETE	ABC
	ROYAL OAKS SUBDIVISION	ERP05-0572	3/2/2009	INCOMPLETE	ABC
	LAKE CITY AIR AND REFRIGERATION	ERP06-0023	3/10/2009	INCOMPLETE	ABC
	WINGATE ESTATES	ERP06-0050	2/15/2009	INCOMPLETE	C
	HOME TOWN TITLE	ERP86-0003M	3/3/2008	INCOMPLETE	ABC
	WESTFIELD SQUARE ADDITION	ERP86-0062M	3/15/2009	INCOMPLETE	ABC
	MORRELL'S INC. MODIFICATION	ERP89-0162M2	10/24/2008	INCOMPLETE	ABC
	L & L COMMERCIAL CENTER MODIFICATION	ERP92-0122M	8/18/2008	INCOMPLETE	ABC
	EMERALD LAKES SUBDIVISION, UNIT 6	ERP93-0177M2	4/8/2008	INCOMPLETE	ABC
	MINI STORAGE OF LAKE CITY MODIFICATION	ERP96-0357M	3/7/2008	INCOMPLETE	ABC
	GENESIS MODEL HOME CENTER	ERP97-0044M	12/11/2003	INCOMPLETE	ABC
	DEER CREEK/LAUREL LAKE SUBDIVISION UNITS 2 & 3	ERP97-0308M2	11/17/2007	INCOMPLETE	ABC
	ACTION SIGNS & GRAPHICS	ERP98-0021M	3/3/2009	INCOMPLETE	ABC
	HUNNINGTON PLACE SUBDIVISION-PHASE 1	ERP03-0390	9/26/2008	INCOMPLETE	BC
	FLORIDA GATEWAY CENTER SOUTH-LOTS 7 & 8 (HAMPTON INN)	ERP97-0044M3	3/21/2008	INCOMPLETE	AC
	EPIPHANY CHURCH MULTIPURPOSE COURT	ERP94-0204M3	10/4/2008	INCOMPLETE	C
	COUNTRY SIDE ESTATES	ERP04-0117	4/23/2006	INCOMPLETE	C
	NEXTRAN SHED ADDITION	ERP98-0083M3	9/30/2004	INCOMPLETE	C
	PETE RICHARDSON PROJECT MODIFICATION	ERP02-0011M	8/10/2008	INCOMPLETE	C
	NEXTRAN TRUCK CENTER	ERP98-0083M2	3/30/2003	INCOMPLETE	C
	FIVE POINTS ELEMENTARY MODIFICATION	ERP91-0120M	9/11/2003	INCOMPLETE	C
	HAIGHT-ASHBURY SUBDIVISION	ERP02-0021	3/16/2006	INCOMPLETE	AC
	SUNSET MEADOWS SUBDIVISION	ERP05-0520	4/12/2009	INCOMPLETE	ABC
	HUNTER CREEK SUBDIVISION	ERP05-0401	4/13/2009	INCOMPLETE	ABC
	HIDDEN LAKE	ERP05-0319	4/19/2009	INCOMPLETE	ABC
	ISLAMIC CENTER OF LAKE CITY	ERP06-0002	4/25/2009	INCOMPLETE	ABC
DIXIE	ROYAL COAST CONDOMINIUMS	ERP05-0538	11/28/2008	INCOMPLETE	ABC
	SUWANNEE PLACE RESORT, INC.	ERP05-0540	1/30/2009	INCOMPLETE	ABC
	HUDSON FOOD STORE MODIFICATION 3	ERP92-0138M3	11/14/2004	INCOMPLETE	ABC
	STEINHATCHEE STORAGE-PHASE 1 MODIFICATION	ERP99-0590M	8/15/2008	INCOMPLETE	ABC
GILCHRIST	TROFFER ADDITION	ERP02-0227M	7/2/2004	INCOMPLETE	ABC
	STARETT BUILDING MODIFICATION	ERP03-0464M	4/6/2007	INCOMPLETE	C
	WACASASSA PLANTATION	ERP05-0188M	11/9/2008	INCOMPLETE	ABC
	FORT FANNING HISTORICAL PARK IMPROVEMENTS	ERP05-0447	10/26/2008	INCOMPLETE	ABC
	FORT FANNING HISTORICAL PARK TRAILHEAD-PHASE 2	ERP05-0447M	12/15/2008	INCOMPLETE	ABC
	HIDDEN OAKS SUBDIVISION-FIRST ADDITION	ERP06-0041	3/1/2009	INCOMPLETE	ABC
	QUAIL RUN SUBDIVISION (10/15/21)	ERP04-0257	10/28/2007	INCOMPLETE	C
	FOOTHILL FARMS-PHASES I AND II	ERP99-0190	6/8/2004	INCOMPLETE	C
HAMILTON	OAK RIDGE ESTATES-HAMILTON COUNTY	ERP00-0377	6/4/2004	INCOMPLETE	ABC
	THUMPER'S RIVER RUN	ERP03-0277	7/21/2005	INCOMPLETE	ABC
	ADAMS PEANUT DRYING PLANT MODIFICATION	ERP04-0323M	10/29/2008	INCOMPLETE	ABC
	HAMILTON 48 SUBDIVISION	ERP05-0287	7/7/2008	INCOMPLETE	ABC
	TIMBERLAND OAKS SUBDIVISION	ERP05-0288	7/7/2008	INCOMPLETE	ABC
	PCS INDUSTRIAL PARK-HAMILTON COUNTY	ERP00-0440	4/23/2003	INCOMPLETE	C
LAFAYETTE	JOSEPH HART PROJECT	ERP03-0093	3/18/2005	INCOMPLETE	ABC
	THE STORAGE PLACE-MAYO	ERP05-0412	9/2/2008	INCOMPLETE	ABC
	ALTON CHURCH OF GOD MODIFICATION	ERP01-0383M	11/27/2004	INCOMPLETE	C

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	AS-BUILT STATUS	MISSING FORMS
LAFAYETTE	AIRLINE BAPTIST CHURCH	ERP06-0119	4/5/2009	INCOMPLETE	BC
LEVY	WHITE CONSTRUCTION	ERP01-0367	9/11/2006	INCOMPLETE	ABC
	NELSON OFFICE BUILDING MODIFICATION	ERP04-0407M	10/21/2007	INCOMPLETE	C
	E & D FARMS SUBDIVISION	ERP04-0529	3/2/2008	INCOMPLETE	ABC
	DOLLAR GENERAL-CEDAR KEY	ERP05-0094	3/28/2008	INCOMPLETE	ABC
	ARROWHEAD MEADOWS SUBDIVISION	ERP05-0101	3/3/2008	INCOMPLETE	ABC
	SOUTHERN RANCH ESTATES	ERP05-0301	7/5/2008	INCOMPLETE	ABC
	BEASLEY ACRES	ERP05-0500	11/23/2008	INCOMPLETE	ABC
	MEADOW WOOD SUBDIVISION	ERP05-0593	3/17/2009	INCOMPLETE	ABC
	CHIEFLAND MIDDLE SCHOOL GYM	ERP06-0039	2/10/2009	INCOMPLETE	ABC
	LEVY COUNTY JAIL MODIFICATION	ERP86-0202M2	8/29/2004	INCOMPLETE	ABC
	WALGREEN'S PHARMACY-CHIEFLAND	ERP95-0109M	5/2/2008	INCOMPLETE	ABC
	ROSEWOOD PARK MODIFICATION	ERP97-0113M	2/23/2009	INCOMPLETE	ABC
	WELLINGTON SUBDIVISION	ERP05-0460	1/10/2009	INCOMPLETE	C
	CEDAR KEY PLANTATION MODIFICATION	ERP97-0217M	9/9/2008	INCOMPLETE	C
MADISON	ZEPHYRHILLS WATER STATION	ERP02-0138	6/11/2004	INCOMPLETE	ABC
	MADISON LIMEROCK STABILIZATION PROJECT	ERP04-0059	3/29/2006	INCOMPLETE	ABC
	NFCC SCIENCE BUILDING	ERP89-0190M2	2/10/2009	INCOMPLETE	ABC
	ARBOURS AT MADISON	ERP06-0112	4/3/2009	INCOMPLETE	ABC
SUWANNEE	PARKER PAVILION	ERP01-0369	8/1/2003	INCOMPLETE	ABC
	POUCHER TRACT WETLANDS	ERP01-0439M	4/9/2004	INCOMPLETE	ABC
	SPEARS RIVER LOT RESTORATION	ERP02-0279	6/17/2004	INCOMPLETE	ABC
	SUWANNEE BELL ESTATE LOT 98	ERP02-0325	7/25/2004	INCOMPLETE	ABC
	BEACHVILLE MALL	ERP03-0461	12/4/2006	INCOMPLETE	ABC
	OBRIEN ESTATES	ERP05-0275	8/24/2008	INCOMPLETE	C
	EAGLE'S POINTE SUBDIVISION	ERP05-0313	8/9/2008	INCOMPLETE	ABC
	TAYLORVILLE RESIDENTIAL SUBDIVISION	ERP05-0395	9/14/2008	INCOMPLETE	ABC
	WADE'S BAILED PINE STRAW	ERP07-0406	7/23/2008	INCOMPLETE	ABC
	BULLDOG STORAGE MODIFICATION	ERP87-0316M	3/19/2006	INCOMPLETE	ABC
	SUWANNEE COUNTY AIRPORT MODIFICATION	ERP90-0035M2	10/17/2003	INCOMPLETE	ABC
	CAMP WEED YOUTH CABIN	ERP90-0072M3	5/23/2004	INCOMPLETE	ABC
	GOLD KIST/TRAY PLANT EXPANSION	ERP91-0008M3	3/29/2008	INCOMPLETE	ABC
	GOLD KIST/TRAY PLANT EXPANSION-PHASE 2	ERP91-0008M4	8/23/2008	INCOMPLETE	ABC
	K-MART/WALGREENS	ERP92-0182M	10/5/2008	INCOMPLETE	ABC
	SPIRIT OF THE SUWANNEE MODULAR BUILDING	ERP94-0123M5	1/27/2009	INCOMPLETE	ABC
	DDJ DEVELOPMENT WEST	ERP00-0353M	7/3/2004	INCOMPLETE	C
	SUWANNEE RIVER WILDERNESS TRAIL-WOODS	ERP04-0099	4/13/2009	INCOMPLETE	ABC
	TIMBERWOOD ESTATES	ERP06-0060	4/25/2009	INCOMPLETE	ABC
TAYLOR	KEATON BEACH LANDINGS	ERP03-0502	2/12/2006	INCOMPLETE	ABC
	KEATON BEACH LANDINGS MODIFICATION	ERP03-0502M	3/9/2009	INCOMPLETE	ABC
	PREMIER MEDICAL CLINIC ADDITIONS	ERP04-0190	5/7/2006	INCOMPLETE	ABC
	BUCCANEER TRACE SUBDIVISION	ERP04-0311	6/17/2008	INCOMPLETE	ABC
	MARK SCHUMAKER FILL PROJECT	ERP05-0008	3/1/2008	INCOMPLETE	ABC
	CARROLL WETLAND PROJECT	ERP05-0145M	10/21/2008	INCOMPLETE	ABC
	BIRD SONG SUBDIVISION-FIRST ADDITION	ERP05-0173M	5/19/2008	INCOMPLETE	ABC
	WALGREEN'S-PERRY	ERP05-0494	3/30/2009	INCOMPLETE	ABC
	SMUGGLER'S TOWNHOMES	ERP05-0502	11/4/2008	INCOMPLETE	ABC
	TRADEWINDS SUBDIVISION	ERP05-0562	2/27/2009	INCOMPLETE	ABC
	GULF BREEZE CONDOMINIUMS	ERP05-0616	2/23/2009	INCOMPLETE	ABC
	STEINHATCHEE HIGH POINT SUBDIVISION	ERP06-0053	3/9/2009	INCOMPLETE	ABC
	MARTIN MARIETTA MOD	ERP99-0481M	7/10/2006	INCOMPLETE	ABC
	GULF COAST ESTATES	ERP04-0153	10/27/2007	INCOMPLETE	C
	STEINHATCHEE GYM	ERP04-0526	11/3/2007	INCOMPLETE	C
	SUMMER POINTE SUBDIVISION	ERP04-0128	6/28/2006	INCOMPLETE	C
	ECONFINA RESORT INCORPORATED MODIFICATION	ERP04-0494M	5/5/2008	INCOMPLETE	C
	SEVEN OAKS SUBDIVISION	ERP06-0085	3/13/2009	INCOMPLETE	C
UNION	CHASTAIN-SEAY PARK MODIFICATION	ERP00-0409M	1/9/2006	INCOMPLETE	ABC
	HOWARD BROTHERS FARM	ERP01-0623	12/18/2004	INCOMPLETE	ABC

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	AS-BUILT STATUS	MISSING FORMS
UNION	OAK RIDGE ESTATES	ERP05-0302	10/12/2008	INCOMPLETE	ABC
	BUTLER TOWNHOMES,LLC.	ERP05-0389	10/17/2008	INCOMPLETE	ABC
	C. R. 241 BRIDGE REPLACEMENT OVER SWIFT CREEK	ERP05-0409	2/28/2009	INCOMPLETE	ABC
	FELLOWSHIP BAPTIST CHURCH MODIFICATION- RAIFORD	ERP93-0004M	8/5/2008	INCOMPLETE	ABC
	PRITCHETT TRUCKING OFFICE AND PARKING ADDITION	ERP93-0180M	12/12/2008	INCOMPLETE	ABC

As-Built Compliance Trend

