

MEMORANDUM

TO: Governing Board

FROM:  Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director 
Jon Dinges, Department Director 

DATE: January 21, 2010

RE: Denial of Environmental Resource Permit Application 06-0101M

RECOMMENDATION

Staff recommends the Governing Board deny, without prejudice, Individual Environmental Resource Permit application number 06-0101M received from PB&J of Madison, LLC, for Loper Pond Plantation & Estates Phase II in Madison County.

BACKGROUND

Staff has reviewed the application. The applicant failed to supply information necessary to complete the application.

KW/rl

cc: Charlie Houder, Assistant Executive Director



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

January 21, 2010

Patricia Coleburn
PB&J of Madison, LLC
126 SW Sumatra Ave, Suite D
Madison, FL 32340

Subject: Denial of Environmental Resource Permit Application Number
06-0101M, Loper Pond Plantation & Estates Phase II, Madison
County

Dear Ms. Coleburn:

Suwannee River Water Management District (District) staff proposes to recommend to the Governing Board that your project be denied, without prejudice. Staff intends to recommend denial of this permit application because the applicant failed to adequately answer the request for information to complete the application.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on February 9, 2010, which is open to the public.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, Florida Administrative Code. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call the Resource Management Department at 386.362.1001 if you have any questions.

Sincerely,


Jon Dinges, P.E.
Director, Resource Management

JD/rl

Enclosure

cc: Bedenbaugh Land Development
Madison County Board of County Commissioners
Certified Mail Receipt Number: 7009 0820 0000 0505 5018

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 choose 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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

NOTICE OF RIGHTS

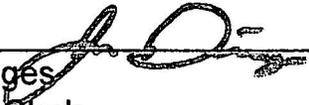
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review 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 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.
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:

**Patricia Coleburn
PB&J of Madison, LLC
126 SW Sumatra Ave, Suite D
Madison, FL 32340**

At 4:00 p.m. this 21 day of Jan., 2010.



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)



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

February 4, 2008

Patricia Coleburn
PB&J, of Madison, LLC
126 SW Sumatra Ave, Suite D
Madison, FL 32340

Subject: RAI Extension, ERP06-0101M, Loper Pond Estates Phase 2,
Madison County

Dear Ms. Coleburn:

This letter is a follow up to the correspondence the Suwannee River Water Management District (District) received on February 4, 2008. Per your written request, we have extended the time for submittal of the requested information. The submittal date for your response is on or before May 4, 2008.

This letter constitutes an extension of a request for additional information pursuant to Chapters 40B-1 and 40B-4, Florida Administrative Code, and Chapters 120 and 373, Florida Statutes. It is a violation of District rules to begin any work on the project before a permit is issued.

If we do not receive the requested information on or before the above stated submittal date, a recommendation to deny the application will be submitted to our Governing Board.

If you have any questions, please call me at 386.362.1001, or toll free at 800.226.1066.

Sincerely,

A handwritten signature in black ink that reads "Kevin Wright".

Kevin Wright
Resource Management Department

KW/rl

cc: Bedenbaugh Land Development

LOUIS SHIVER
Chairman
Mayo, Florida

J.P. MAULTSBY
Vice Chairman
Madison, Florida

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Secretary/Treasurer
Lake City, Florida

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Chieffland, Florida

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Lake Bird, Florida

C. LINDEN DAVIDSON
Lamont, Florida

N. DAVID FLAGG
Gainesville, Florida

OLIVER J. LAKE
Lake City, Florida

SYLVIA J. TATUM
Lawtey, Florida

JERRY A. SCARBOROUGH
Executive Director
Live Oak, Florida

STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Loper Pond Plantation & Estates Phase II

APPLICANT:

PB&J of Madison, LLC
Patricia Coleburn
126 SW Sumatra Ave. ,Suite D
Madison, FL 32340

PERMIT APPLICATION NO.: ERP06-0101M
DATE OF APPLICATION: 09/13/07
APPLICATION COMPLETE: N/A
DEFAULT DATE: N/A

CORPORATE OFFICERS

Registered Agent	Patricia Coleburn
Manager	James Coleburn
Managing Member	Patricia Coleburn

Recommended Agency Action

Staff recommends the denial of the individual Environmental Resource permit because of failure to adequately answer the request for information to complete the application.

SRWMD Project Review Staff

Kevin Wright, Resource Management Staff, reviewed the project application.

Project Location

The project is located off of Little Cat Road, Township 1 North, Range 9 East, Sections 8 and 17, in Madison County.

Project Description

The applicant proposes to construct a 34-lot subdivision on 136.5 acres connected to Loper Pond Plantation & Estates, Phase I. The initial request for information (RAI) was sent on October 12, 2007. The requested information was submitted on May 14, 2008. A second RAI was mailed on June 9, 2008. Information was received on October 1, 2008. A third RAI was mailed on October 31, 2008. An extension to the RAI was sent on February 9, 2009. The requested information was received on May 21, 2009. Staff initially planned to include the permit on the July Governing Board agenda for denial due to failure to complete the application, however the applicant asked for a meeting with staff on June 25, 2009. Additional requests from the consultant for clarification via e-

mail were received on July 16, 2009 and July 22, 2009 and two other meetings were held with staff on August 4, 2009 and August 7, 2009. There have been numerous "draft for comment before sending in actual revisions" versions of possible plan revisions sent to the District after the August meetings (August 17, 2009, August 19, 2009 and August 27, 2009 September 22, 2009, October 19, 2009 and October 26, 2009). It came to the attention of staff that the applicant planned to vacate the plat on November 22, 2009. On November 23, 2009, the engineering consultant for the applicant advised the District that the applicant planned to withdrawal the application. District staff asked for a letter directly from the applicant stating this intention. On December 4, 2009, staff asked the engineering consultant to have applicant submit withdrawal letter or the application would be denied. The applicant has yet to submit a withdrawal letter or information to complete the application.

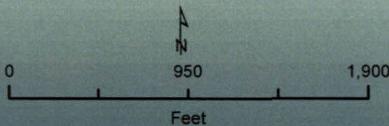


 Project Boundary

Loper Pond Plantation - Phase II

ERP06-0101M

February 2010



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: ^{TS} Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director ^{DS}
Jon Dinges, Department Director ^{JMD}

DATE: January 29, 2010

RE: Initiation of Legal Action Regarding Shaun Ritch and Roy Baker
CE08-0020 and ERP07-0407

RECOMMENDATION

Staff recommends the Governing Board authorize initiation of legal action against Shaun Ritch and Roy Baker because District staff has been unable to obtain cooperation with the involved parties to resolve this violation. Additionally, staff seeks authorization to undertake corrective action and file a lien to recover costs if authorized through legal action.

BACKGROUND

An after-the-fact Environmental Resource Permit (ERP) was issued for the construction, alteration and operation of four ponds and the construction of a remote control racecar track in August 2007. The system has not been properly constructed or maintained. Neighbors have been flooded. There are on-going water quality violations due to failure of erosion and sedimentation control measures.

District staff as well as District legal counsel has had numerous contacts with the parties regarding this matter, each time with little or no success in reaching an arrangement to resolve the violations.

Please refer to the excerpt from the January 2010 Enforcement & Litigation Report prepared by Tom W. Brown, General Counsel.

JD/rl

cc: Charlie Houser, Assistant Executive Director
Attachment

Shaun and Christina Ritch and Roy Baker (CE08-0020)

Received file from District July 17, 2009. After the fact ERP issued for mud bogging August of 2007; but system has not been properly maintained; neighbors have been flooded; staff has not been able to have permittees complete remedial work. Counsel is evaluating District's enforcement options.

File was referred back to District counsel for further enforcement. On August 12, 2009, District counsel received instruction via email of steps necessary to bring the site into compliance. On August 31, 2009, District counsel sent a letter to the Ritches regarding removing the berms and stabilizing the area with written confirmation that the same has been performed within 30 days. If the same is not timely completed, then District counsel will pursue further enforcement action.

File was referred back to District counsel for further enforcement. On August 31, 2009, District counsel sent a letter to the Ritches regarding removing the berms and stabilizing the area with written confirmation that the same has been performed within 30 days. If the same is not timely completed, then District counsel will pursue further enforcement action.

File was referred back to District counsel for further enforcement. On August 31, 2009, District counsel sent a letter to the Ritches requesting removal of the berms and stabilization of the area within 30 days. The Ritches have not responded or completed the removal of the berms. On October 27, 2009, District Counsel spoke to District Staff as to how the District wishes to proceed regarding further enforcement. Upon instructions from the District, District counsel will pursue further enforcement action appropriately.

As of December 1, 2009, Ritches have not responded or completed the removal of the berms and stabilization of the area as per their agreement with the district. District staff is working up a cost projection to consider having the work performed directly. Upon instructions from the District, District counsel will pursue further enforcement action appropriately.

File was referred back to District counsel for further enforcement. Ritches have not responded or completed the removal of the berms and stabilization of the area as per their agreement with the District. On November 25, 2009, District Counsel spoke to District staff and was advised that District staff is attempting to arrive at a cost projection to consider having the work performed directly. Upon instructions from the District, District counsel will pursue further enforcement action appropriately.

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, ^{TS/RU} Senior Professional Engineer

THRU: David Still, Executive Director ^{DS}
Jon Dinges, Department Director ^{JMD}

DATE: January 21, 2010

RE: Florida Department of Transportation Mitigation Plan 2010-2014

RECOMMENDATION

Staff requests that the Governing Board approve the Florida Department of Transportation (FDOT) Mitigation Plan 2010-2014.

BACKGROUND

Florida Statute 373.4137 identifies an environmental mitigation process for transportation projects. The statute requires that mitigation for transportation projects be accomplished through regional, long-term planning instead of on a project-by-project basis. The statute also requires that FDOT fund the mitigation and the District carry out the plans.

Each year, FDOT submits a work plan to the District that identifies environmental impacts from planned transportation projects. District staff is required to develop a mitigation plan capable of securing all state and federal permits for the impacts. The mitigation plan must be updated each year for approval by the District's Governing Board.

This approved plan forms the basis of permit review by the District for state road projects during the year. Along with adequate mitigation, the District is also responsible for securing the Army Corps of Engineers permit, if applicable.

Staff is preparing the Mitigation Plan for printing and will provide the Board with a copy of the plan prior to the Board Meeting.

PW/rl

cc: Charlie Houder, Assistant Executive Director

MEMORANDUM

TO: Governing Board

FROM:  Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director 
Jon Dinges, Department Director 

RE: Final Order Granting Variance and Environmental Resource Permit
Number 06-0508M2

Staff intends to issue Individual Environmental Resource Permit number 06-0508M2 with thirty-one standard conditions and Final Order number 10-0003 granting variance to subsections 40B-4.3030(9) and 40B-4.3030(12)(b), Florida Administration Code, (F.A.C.), to Annette Roesch for Treasure Camp Addition 1 in Levy County.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapters 40B-4 and 40B-400, Florida administrative Code.

PW/rl

cc: Charlie Houder, Assistant Executive Director



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

January 21, 2009

Annette Roesch
4430 NW CR 347
Chiefland, FL 32626

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

JAMES L. FRALEIGH
Madison, Florida

OLIVER J. LAKE
Lake City, Florida

CARL E. MEECE
O'Brien, Florida

DAVID STILL
Executive Director
Lake City, Florida

Subject: Final Order Granting Variance and Environmental Resource Permit Application Number 06-0508M2, Treasure Camp Addition 1, Levy County

Dear Ms. Roesch:

The Suwannee River Water Management District (District) staff intends to issue Individual Environmental Resource Permit Number 06-0508M2 and approve Final Order 10-0003, granting variance for your project in Levy County. This proposed action will be discussed by the Governing Board at their regularly scheduled meeting on February 9, 2010.

It is a violation of District rules to begin any work on the project before a permit is issued.

Persons considered to be affected by this proposed agency action may request an administrative hearing. The request must be written and must adhere to the requirements of Chapter 28-106, F.A.C. Please see the enclosed Notice of Rights. All requests for administrative hearings shall be sent to the District at 9225 County Road 49, Live Oak, Florida 32060. Please call the Resource Management Department at 386.362.1001 if you have any questions.

Sincerely,

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

Jon Dinges, P. E.
Director, Resource Management

JD/rl
Enclosure

cc: Kenneth & Anita Roesch
Levy County Board of County Commissioners
Certified Mail Receipt Number: 7009 0820 0000 0505 5025

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 choose 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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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.

NOTICE OF RIGHTS

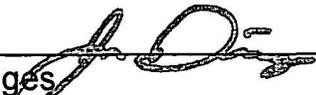
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review 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 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.
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:

**Annette Roesch
4430 NW CR 347
Chiefland, FL 32626**

At 4:00 p.m. this 21 day of Jan, 2010.



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)

**STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION**

DATE: **January 21, 2010**

PROJECT: **Treasure Camp Addition 1**

APPLICANT:

**Annette Roesch
4430 NW CR 347
Chiefland, FL 32626**

**PERMIT APPLICATION NO.: ERP06-0508M2
DATE OF APPLICATION: 11/16/09
APPLICATION COMPLETE: 01/08/10
DEFAULT DATE: 04/08/10**

Recommended Agency Action

Staff intends to issue Environmental Resource Permit Application 06-0508M2 and Final Order number 10-0003 granting variance for subsection 40B-4.3030(9) and 40B-4.3030(12)(b), Florida Administrative Code, (FAC). A copy of the proposed permit and Final Order is attached to this staff report.

SRWMD Project Review Staff

Patrick Webster, Senior Professional Engineer, reviewed the project application.

Project Location

The project is located in Fowlers Bluff within Township 12 South, Range 13 East, Section 32, in Levy County, Florida.

Project Description

The applicant proposes to modify the existing permit to remodel an existing structure partially within the 75-foot setback by removing three exterior walls and replacing it with one wall. The applicant is also adding a roof and raising the existing deck 0.3' feet. The combination of removed walls, raising the deck and adding the roof will reduce blockage within the floodway. The applicant is requesting a variance to the 75-foot setback rule per 40B-4.3030(12)(b), Florida Administrative Code and a waiver of the zero rise certification per 40B-4.3030(9), Florida Administrative Code.

Interagency Coordination

The Florida Fish and Wildlife Conservation Commission, the Florida Department of State, Division of Historical resources and the United States Army Corps of Engineers are aware of the proposed project.

Who is the authorized Operation and maintenance Entity?

Kenneth and Anita Roesch are the authorized Operation and Maintenance entity.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

IN RE:

KENNETH ROESCH,

Petitioner,

ORDER No. 10-0003

v.

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT,**

DRAFT

Respondent.

FINAL ORDER GRANTING VARIANCE

The Suwannee River Water Management District ("District") received a petition on December 7, 2009, from Kenneth Roesch ("Petitioner"), seeking a waiver from Florida Administrative Code ("Fla. Admin. Code") section 40B-4.3030(9) and variance from paragraph 40B-4.3030(12)(b). Petitioner seeks the variance and waiver in connection with an existing structure within a Work of the District in Township 12 South, Range 13 East, Section 32, Levy County.

PROCEDURE AND ALLEGATIONS

1. Pursuant to Fla. Stat. § 120.542, Petitioner seeks a waiver from Fla. Admin. Code section 40B-4.3030(9) and a variance from paragraph 40B-4.3030(12)(b) for file number ERP06-0508M2.
2. The Petition was received on December 7, 2009. A true copy of the Petition for Variance is attached to this Order as Exhibit "A".

3. District caused a notice to be published in the Florida Administrative Weekly (“FAW”) on December 18, 2009, informing the public that District had received the Petition and providing an opportunity to comment or object within fourteen days of the date of publication in the FAW. A true copy of the notice is attached to this Order as Exhibit “B”. District received no comments or objections to the petition.

4. Petitioner’s address is 15411 Northwest 46th Lane, Chiefland, Florida 32626, and the property affected by this order is described as the following parcel identification number: 07739-001-00.

DRAFT

As to Zero-Rise Certification Requirements

5. Petitioner seeks to obtain a waiver from Fla. Admin. Code rule 40B-4.3030(9). Petitioner proposes to repair and replace an existing permitted structure within the 75-foot setback of the Suwannee River. This work will allow for construction of an open-truss roof over the existing deck and building, removal of three substandard walls on the riverfront side of the building, and replacement of a single wall, thereby raising the existing deck level to the current floor elevation of the building. Petitioner alleges that the new roof will be three feet above the 100-year flood.

As to Setback Requirements

6. Petitioner seeks to obtain a variance to Fla. Admin. Code paragraph 40B-4.3030(12)(b) for repair and replacement of an existing permitted structure. Petitioner avers that the existing building, building roof and deck are in need of repair. Petitioner intends to remove a portion of the building walls and replace them with a single wall, thereby creating less restriction in the Suwannee River floodway. Petitioner has demonstrated that there will be no

change in elevation of the lowest horizontal member for the building and the deck will be even with the existing building elevation.

APPLICABLE LAW

7. The variance and waiver are requested pursuant to Fla. Stat. § 120.542, which provides that:

DRAFT

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, “substantial hardship” means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.

8. Petitioner is required to demonstrate that (1) the purpose of the underlying statute will be or has been achieved by other means and (2) that application of Fla. Admin. Code paragraph 40B-4.3030(12)(b) would create a substantial hardship or would violate the principles of fairness.

9. The purpose of Chapter 373 of the Florida Statutes is to prevent harm to the water resources of the state. To achieve this purpose, District is authorized to require permits for the construction of structures within a Work of the District. To obtain a permit under Chapter 373, an applicant must provide reasonable assurance that the construction will not obstruct the free flow of waters of rivers and streams within the District. See, Fla. Stat. § 373.086 (Providing for works of the district).

10. Florida Admin. Code rule 40B-4.3030 became effective as District rule on September 25, 1985, and the most recent amendment became effective on August 8, 2007.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

11. District determined:

A. The original structure was constructed prior to the original effective date of Fla. Admin. Code rule 40B-4.3030(9) and paragraph 40B-4.3030(12)(b);

B. Petitioner intends to remove three existing walls and replace them with one single wall; raise the elevation of the deck such that it is consistent with the building; and repair and reconstruct an open-truss roof which is elevated above the 100-year flood elevation, all of which decrease flow obstructions to the Suwannee River floodway.

A. Petitioner has demonstrated that the principles of fairness would be violated by requiring Petitioner to comply with Fla. Admin. Code rule 40B-4.3030(9) and paragraph 40B-4.3030(12)(b); Petitioner has demonstrated that the underlying statute will be or has been achieved by other means as to the requirement for a zero-rise certification; Petitioner alleges that a substantial hardship would be created by requiring Petitioner to comply with Fla. Admin. Code paragraph 40B-4.3030(12)(b); however, Petitioner has demonstrated that the principles of fairness would be violated by requiring Petitioner to comply with the rules. Therefore, Petitioner has met the requirements for a variance under Fla. Stat. § 120.542.

12. District concludes that the variance and waiver requests should be granted.

DRAFT

IT IS HEREBY ORDERED:

1. The Petition for Waiver from Fla. Admin. Code rule 40B-4.3030(9), is GRANTED for the duration of time that the subject parcel of real estate is owned by Petitioner. At such time that the property is sold or transferred or no longer owned by Petitioner, this variance is void and the structure shall be brought into compliance with District's rules in effect at the time of change of ownership.

2. The Petition for Variance from Fla. Admin. Code rule 40B-4.3030(12)(b), is GRANTED for the duration of time that the subject parcel of real estate is owned by Petitioner. At such time that the property is sold or transferred or no longer owned by Petitioner, this variance is void and the structure shall be brought into compliance with District's rules in effect at the time of change of ownership.

3. A certified copy of this order shall be recorded in the public records of Levy County.

DONE AND ORDERED this ____ day of _____ 2010.

SUWANNEE RIVER WATER
MANAGEMENT DISTRICT

DRAFT

By: _____
Its Chair

RENDERED on this ____ day of _____ 2010.

Jon Dinges
District Clerk

Copies furnished to: Tom Brown
Suzanne Printy, JAPC
Kenneth Roesch

KENNETH M. ROESCH
ANITA ROESCH
15411 N.W. 46TH LANE
CHIEFLAND, FLORIDA 32626
P: 352 490 8790
F: 352 490 6049

November 9, 2009

Suwannee River Water Management District
Mr. Patrick Webster
9225 CR 49
Live Oak, Florida 32060

(a) **Petition for variance modification from Ch40B and 40b-400, Florida Administrative Code**

Subject: Treasure Camp on the Suwannee, ERP06-0508, Levy County

(b) Petitioner: Mr. Kenneth Roesch
15411 N.W. 46th Lane
Chiefland, Florida 32626
P: (352) 490 8790
F: (352) 490 6049

(c) Agent: Annette Roesch
4430 N.W.C.R. 347
Chiefland, Florida
P/F: (352) 490 6020

(d) **The Applicable portion of the rule:**

The portion of the rule in which the variance is requested is Ch.40B-4.3030(12b) and 40B-4.3030(9).

(e) **The citation to the statute the rule is implementing:**

The citation of the statute the rule is implementing is rule Ch. 4013-4.3030(12 b) (No construction, additions or reconstruction shall occur in the front 75 feet of an area immediately adjacent to and including the normally recognized bank of a water) and rule 40B-4.3030(9) (For any structure placed within a floodway, the district shall require as a condition for issuance of a work of the district development permit that an engineer certify that such a structure will not obstruct flows or increase 100-year flood elevations. Such certification shall include step-backwater calculations using the 100-year flood discharge rate.).

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(f) Type of variance requested:

The type of action requested is for a variance from rule Ch. 40B-4.3030(1 2 b) and a waiver from Ch. 40B-4.3030(9). This would allow us to leave the building as it has been for the last 50 years and build an open truss roof over the existing deck and (approx 15') of the existing building, remove three substandard walls on North (river side) end of building, replace with a single wall and raise the existing deck level to the buildings existing floor elevation. Lastly, waive the requirements for having a zero rise certification.

(g) Facts that demonstrate hardship:

The existing building, building roof, and deck are in need of repair. The existing store has 200 square feet that is 51 feet from the top of bank set-back (This is the portion that is to be removed and replaced with a single wall. Thus, taking the building back to its original state, which creates less restriction for the Suwannee River floodway and put the buildings rear/river setback at 70'). The elevation of the existing structure is at 10.09 feet or 1.91 feet below the 100 year flood level of 12 feet. The existing deck is located 27 feet from the top of bank and is at an elevation approximately 2 foot under the 100 year flood elevation (We propose to raise the deck to the same elevation as the building (10.09 feet) and replace the as built piers with 4" pipe to lessen the flow restrictions), the zero rise certification would not be needed since the proposed elevation of the lowest horizontal member for the truss roof 15 feet, or three feet above the 100 year flood elevation.

(h) The reason the variance or waiver requested would serve the purpose of the underlying statute:

Removing the building from within the 75' top of bank set-back is not possible due to the location of large live oak trees, underground petroleum storage tanks, a county building department 50 foot front property line set back, and the location of septic. The remodeling of the existing building would better suit the community needs and keep within Levy County recommendations. Also, the proposed elevation of the new tress roof horizontal member will be above the 100 year flood elevation of 12 feet to an elevation of 15 feet and by removing the 7' off the walls will create less restriction to the Suwannee River floodway and creates a 70' setback from the river. Therefore granting this modification would not interfere with the 100 year flood predictions. Due to the restraints the store faces, we cannot completely comply with Florida Administrative Code, however with the variance request approval, we can and will meet as much of the rule as possible.

(i) Permanent waiver/variance requested

It is our wish that a permanent waiver or variance be granted for the following:

1.) Ch. 40B-4.3030(12 b) (No additions or reconstruction other than those mentioned above shall occur in the front 75 feet of an area immediately adjacent to and including the normally recognized bank of a water). Thus, a permanent variance modification to repair the existing deck and raise to meet the floor of the building

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elevation (10.91 feet) and construct a truss roof over the entire existing deck along with 15' of the existing building with the lowest member being at a 15' elevation.

2.) Wave the requirement for having a zero rise certification 40B-4.3030(9) (For any structure placed within a floodway, the district shall require as a condition for issuance of a work of the district development permit that an engineer certify that such a structure will not obstruct flows or increase 100-year flood elevations. This request is due to the fact that the elevation for the lowest horizontal member for the building will not change and the deck will be even with the existing building elevation. The new truss roof will be 15' which is 3' above the 100 year flood. Also, that the number of columns used to support the deck/truss roof will be less than the number of columns used to support the existing deck. Thus will create less restriction to the River floodway deck should the river reach flood stage.

Please take into consideration the above request for variance. Approval of the request would allow for an existing property to be improved, thus improving the environment, and would provide a better quality of service to the public for enjoying recreational time on the Suwannee River.

Thank you for your consideration.

Sincerely,



Kenneth Roesch

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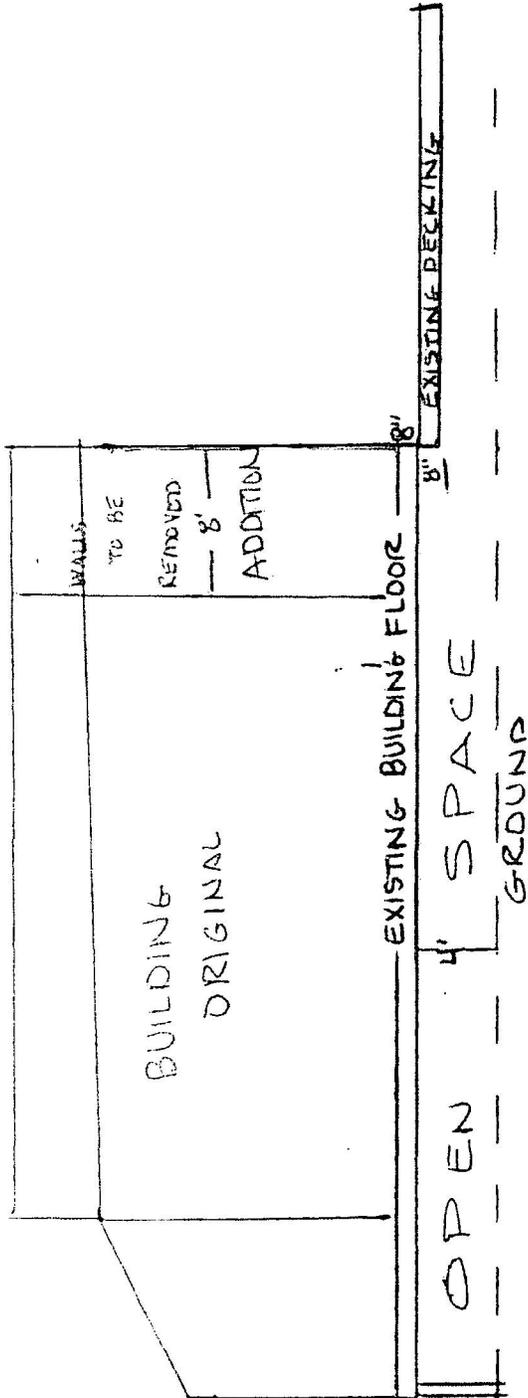
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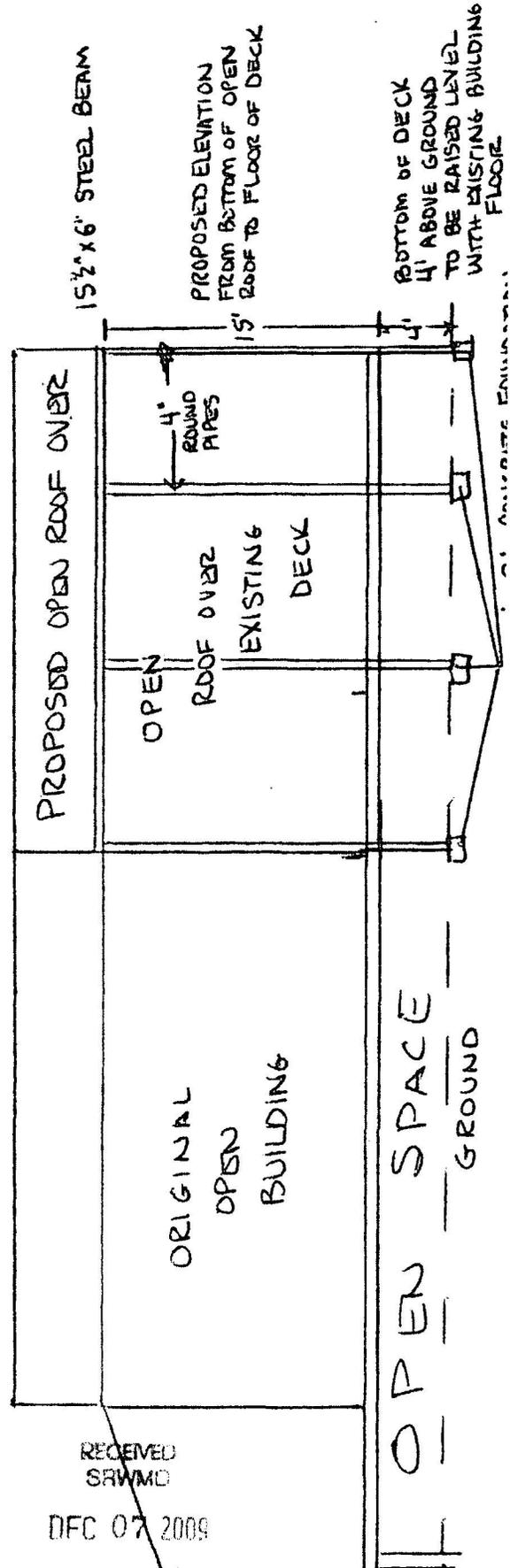
15249 N.W. 46TH LANE
 W¹/₂ OF LOT 8 & E¹/₂ OF LOT 9
 TREASURE CAMP ADDITION 1

KENNETH ROESCH
 352 490 8790

SIDE VIEW EXISTING



PROPOSED VIEW



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ERP06-050844 Exhibit A

(2) The bonus commission will start at \$10,000. In the event no winning jackpot ticket is sold for a FLORIDA LOTTO drawing, the bonus commission amount will increase by \$5,000 per draw until a winning jackpot ticket is sold, at which time the bonus commission will start over at \$10,000.

(3) The bonus commission awarded to retailers that sell a winning \$2.00 or \$3.00 Lotto Plus™ jackpot ticket for a Wednesday or Saturday FLORIDA LOTTO drawing will be continued for Advance Play FLORIDA LOTTO \$2.00 or \$3.00 Jackpot tickets sold on or before October 10, 2009, the date the sale of such tickets will be discontinued.

(4) If multiple winning jackpot tickets are sold for the same FLORIDA LOTTO drawing, the retailers selling such tickets will share the bonus commissions. Each retailer selling a winning jackpot ticket will receive a share of the bonus equal to the number of winning jackpot tickets sold by that particular retailer divided by the total number of winning jackpot tickets sold for that drawing.

(5) Award of a bonus commission is not dependent upon the winning jackpot ticket being claimed by the winner.

(6) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or contract terms.

(7) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer's outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

(8) FLORIDA LOTTO bonus commissions are subject to availability of funds appropriated for retailer incentives. This Program is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state's best interest to use such funds for this purpose.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History--New 12-3-09, Replaces 53ER09-56, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: December 3, 2009

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6526 Section V - Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on December 7, 2009, the Suwannee River Water Management District, received a petition for variance from Kenneth Roesch, 15411 N. W. 46th Lane, Chiefland, FL 32626, pursuant to Section 120.542, F.S. Petitioner is seeking variance from subsection 40B-4.3030(9), F.A.C., as to the zero-rise certification requirement, and paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner intends to repair existing building and deck, located in Levy County, in Township 12 South, Range 13 East, Section 32. These rules are intended to set forth criteria for development activities within a Work of the District. Comments on this petition should be filed with: Jon Dinges, District Clerk, SRWMD, 9225 CR 49, Live Oak, FL 32060, within 14 days of publication of this notice. The petition has been assigned ERP Number 06-0508M, Treasure Camp Addition 1.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

NOTICE IS HEREBY GIVEN THAT on December 2, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That order granted a variance to: Sue O'Connor, Oceans One, Daytona Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until July 1, 2010 (VW 2009-202 and 289).



**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

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

INDIVIDUAL PERMIT

PERMITTEE:
ANNETTE ROESCH
4430 NW CR 347
CHIEFLAND, FL 32626

PERMIT NUMBER: ERP06-0508M2
DATE ISSUED: 02/09/2010
DATE EXPIRES: 02/09/2015
COUNTY: LEVY
TRS: S32/T12S/R13E

PROJECT: TREASURE CAMP ON THE SUWANNEE ADDITION 1

Approved entity to whom operation and maintenance may be transferred pursuant to rule 40B-4.1130, Florida Administrative Code (F.A.C.):

KENNETH & ANITA ROESCH
15411 NW 46TH LANE
CHIEFLAND, FL 32626

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Based on information provided, the Suwannee River Water Management District's (District) rules have been adhered to and an environmental resource individual permit is in effect for the permitted activity description below:

Removal and reconstruction of existing exterior walls within a 1,236 square foot existing structure, the addition of a roof structure over an existing 800 square foot deck, and the raising of an existing deck within the floodway of the Suwannee River in Levy County. All work will be completed pursuant to the conditions specified in District Rule 40B-4.3030, Florida Administrative Code, except for approved variance/waiver in a manner consistent with the application package submitted by Annette Roesch on behalf of Kenneth and Anita Roesch and site plan signed and sealed by Michael Pardue, P.L.S., dated September 22, 2006.

It is your responsibility to ensure that adverse off-site impacts do not occur either during or after construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You or any other substantially affected persons are entitled to request an administrative hearing or

mediation. Please refer to enclosed notice of rights.

This permit is issued under the provisions of chapter 373, F.S., chapter 40B-4, and chapter 40B-400, F.A.C. A general permit authorizes the construction, operation, maintenance, alteration, abandonment, or removal of certain minor surface water management systems. This permit authorizes the permittee to perform the work necessary to construct, operate, and maintain the surface water management system shown on the application and other documents included in the application. This is to notify you of District's agency action concerning Notice Of Intent. This action is taken pursuant to rule 40B-4 and 40B-400, F.A.C.

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Standard Conditions for All Individual Permits:

1. The permittee shall perform all construction authorized in a manner so as to minimize adverse impacts to fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during construction including riprap, reinforcement, or compaction of any fill materials placed around newly installed structures, to minimize erosion, turbidity, nutrient loading, and sedimentation in the receiving waters.
2. Water quality data representative of the water discharged from the permitted system, including, but not limited to, the parameters in chapter 62-302, F.A.C., shall be submitted to the District as required. If water quality data are required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.
3. The operational and maintenance phase of an environmental resource permit will not become effective until the owner or his authorized agent certifies that all facilities have been constructed in accordance with the design permitted by the District. If required by the District, such as-built certification shall be made by an engineer or surveyor. Within 30 days after the completion of construction of the system, the permittee shall notify the District that the facilities are complete. If appropriate, the permittee shall request transfer of the permit to the responsible entity approved by the District for operation and maintenance. The District may inspect the system and, as necessary, require remedial measures as a condition of transfer of the permit or release for operation and maintenance of the system.
4. Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the District. Such discharges may be subject to

operating schedules established by the District.

5. The permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit and chapter 40B-1, F.A.C.

6. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, or development in a Works of the District which is authorized by the permit.

7. The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.

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8. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of local, state, or federal government.

9. The surfacewater management system shall be constructed prior to or concurrent with the development that the system is intended to serve and the system shall be completed within 30 days of substantial completion of the development which the system is intended to serve.

10. Except for General Permits After Notice or permits issued to a unit of government, or unless a different schedule is specified in the permit, the system shall be inspected at least once every third year after transfer of a permit to operation and maintenance by the permittee or his agent to ascertain that the system is being operated and maintained in a manner consistent with the permit. A report of inspection is to be sent to the District within 30 days of the inspection date. If required by chapter 471, F.S., such inspection and report shall be made by an engineer.

11. The permittee shall allow reasonable access to District personnel or agents for the purpose of inspecting the system to insure compliance with the permit. The permittee shall allow the District, at its expense, to install equipment or devices to monitor performance of the system authorized by their permit.

12. The surfacewater management system shall be operated and maintained in a manner which is consistent with the conditions of the permit and chapter 40B-4.2040, F.A.C.

13. The permittee is responsible for the perpetual operation and maintenance of the system unless the operation and maintenance is transferred pursuant to chapter 40B-4.1130, F.A.C., or the permit is modified to authorize a new operation and maintenance entity pursuant to chapter 40B-4.1110, F.A.C.

14. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

15. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

16. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

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17. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

18. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

19. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40B-1.901(14) indicating the actual start date and the expected completion date.

20. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(15). These forms shall be submitted during June of each following year.

21. For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the

system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Paragraph 40B-4.2030(2)(g), F.A.C., and Rule 40B-4.2035, F.A.C., must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

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22. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

23. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, using the supplied As-Built Certification Form No. 40B-1.901(16) incorporated by reference in Subsection 40B-1.901(16), F.A.C. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

a. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;

- b. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
- c. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
- d. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
- e. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
- f. Existing water elevation(s) and the date determined; and
- g. Elevation and location of benchmark(s) for the survey.

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24. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph 23 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Rule 40B-4.2035, F.A.C., accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

25. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

26. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and Chapter 40B-4, F.A.C.

27. The permittee is hereby advised that Section 253.77, F.S., states that a person may not

commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C., provides otherwise.

29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

31. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

Approved by _____ Date Approved _____
District Staff

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Clerk Executive Director

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

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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 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.

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, 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:

ANNETTE ROESCH
4430 NW CR 347
CHIEFLAND, FL 32626

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

DRAFT

Jon M. Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060

Permit No.: ERP06-0508M2

Project: TREASURE CAMP ON THE SUWANNEE ADDITION 1

Page 10 of 10

386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP06-0508M2

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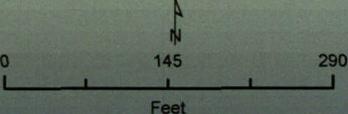


-  Property Boundary
-  Suwannee River Floodway
-  Suwannee River 10-Year Floodplain
-  Suwannee River 100-Year Floodplain

Treasure Camp Addition I

ERP06-0508M2

February 2010



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:  Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director 
Jon Dinges, Department Director 

DATE: January 21, 2010

RE: Environmental Resource Permit Number 08-0047

Staff intends to issue Individual Environmental Resource Permit number ERP08-0047, with thirty-one standard conditions and two special limiting conditions to Richard Brubaker of Suwannee Lake Plantation, Inc., for Suwannee Lake Plantation in Gilchrist County.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapters 40B-4 and 40B-400, Florida Administrative Code.

PW/rl

cc: Charlie Houder, Assistant Executive Director



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

January 21, 2010

Richard Brubaker
Suwannee Lake Plantation, Inc.
11101 Roosevelt Boulevard North
St. Petersburg, FL 33716

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

JAMES L. FRALEIGH
Madison, Florida

OLIVER J. LAKE
Lake City, Florida

CARL E. MEECE
O'Brien, Florida

DAVID STILL
Executive Director
Lake City, Florida

**Subject: Environmental Resource Permit Application Number 08-0047,
Suwannee Lake Plantation, Gilchrist County**

Dear Mr. Brubaker:

The Suwannee River Water Management District (District) staff proposes to issue Individual Environmental Resource Permit Number 08-0047 for your project in Gilchrist County. This proposed action will be discussed by the Governing Board at their regularly scheduled meeting on February 9, 2010.

It is a violation of District rules to begin any work on the project before a permit is issued.

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 blue ink, appearing to read "Jon Dinges".

Jon Dinges, P. E.

Director, Resource Management

Enclosure

JD/rl

cc: Water Resource Association
Gilchrist County Board of Commissioners
CE07-0069

Certified Mail Receipt #: 7008 1300 0001 7732 0012

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

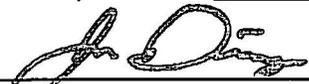
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review 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 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.
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:

Richard Brubaker
Suwannee Lake Plantation, Inc.
11101 Roosevelt Boulevard North
St. Petersburg, FL 33716

At 4:00 p.m. this 10 day of Jan, 2010



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)

STAFF REPORT

ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Suwannee Lake Plantation

APPLICANT

Richard Brubaker
Suwannee Lake Plantation, Inc.
11101 Roosevelt Boulevard North
St. Petersburg, FL 33716

PERMIT APPLICATION NO.: ERP08-0047
DATE OF APPLICATION: 02/14/08
APPLICATION COMPLETE: 12/14/09
DEFAULT DATE: 03/14/10

CORPORATE OFFICERS

Registered Agent	C T Corporation System
Director Chairman	Robert M. Menke
Director President	David K. Meehan
Executive Vice President	Richard M. Brubaker
Director Treasurer	Bradford B. Martz
Assistant Secretary	Nancy C. Haire
Assistant Vice President	Mark E. Winkler

Agency Action

Staff intends to issue an individual permit with thirty-one standard conditions and two special limiting conditions. A copy of the proposed permit is attached to this staff report.

SRWMD Project Review Staff

Patrick Webster, Senior Professional Engineer, and Bill Spencer, Senior Regulatory Scientist, reviewed the project application.

Project Location

The project is located northeast of Trenton, in Township 9 South, Range 15 East, Section 22, in Gilchrist County.

Project Description

The project involves the development of a surface water management system to serve a recreational lodge with 7.91 acres of impervious area consisting of multiple buildings, improved roads and parking on a project area of 51.5 acres.

This project involves impacts to 1.01 acres of wetland with 1.60 acres of proposed mitigation. This is an after the fact permit authorization for existing development with several future structures planned.

Interagency Coordination

Gilchrist County, the Florida Fish and Wildlife Conservation Commission, the Florida Department of State-Division of Historical Resources, and the United States Army Corps of Engineers are aware of the proposed project.

Authorized Operation and Maintenance Entity?

Suwannee Lake Plantation, Inc. is the authorized Operation and Maintenance entity.

WETLAND MITIGATION STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Suwannee Lake Plantation

APPLICANT:

Mr. Richard Brubaker
Suwannee Lake Plantation
11101 Roosevelt Blvd. North
St. Petersburg, FL 33716

PERMIT APPLICATION NO.: ERP08-0047
DATE OF APPLICATION: 2/14/08
APPLICATION COMPLETE: 12/14/09
DEFAULT DATE: 03/14/10

BACKGROUND:

Applicant submitted an after-the-fact application for previously constructed structures with wetland impacts including: 1 dock, 3 decks, 1 boat ramp, 3 frame buildings, and associated fill. The total impact area is 1.01 acres. The existing structures prevented wetland avoidance and impact minimization planning. The Uniform Mitigation Assessment Method (UMAM) (62-345, Florida Administrative Code) was used to determine a Functional Loss of 0.774 units.

Applicant proposes mitigation by creation of 1.6 acres of wetlands from uplands. The natural upland grade elevation of 89.0 feet in the proposed creation area will be excavated to elevation 85.0 feet using a 10:1 slope (every 10 feet of horizontal distance will be reduced by 1 foot elevation creating a gentle slope). The proposed location of created wetlands is adjacent to existing forested wetlands that have a seasonal high water level of 87.8 feet. Proposed wetland creation area will have wetland hydrology upon completion of the grade reduction. The created wetland will be planted with 3,705 trees, shrubs and herbaceous plants. The UMAM was used to determine a Functional Gain of 0.861 units.

The Functional Gain exceeds the Function Loss by 0.087 units, therefore the proposed mitigation is acceptable.

STAFF EVALUATION:

Recommend issuance of permit with thirty-one standard conditions and two special limiting conditions.

Prepared By: William Spencer
William Spencer, Ph.D., Sr. Regulatory Scientist



**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

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

INDIVIDUAL PERMIT

PERMITTEE:

SUWANNEE LAKE PLANTATION, INC
11101 ROOSEVELT BLVD. NORTH
ST. PETERSBURG, FL 33716

PERMIT NUMBER: ERP08-0047

DATE ISSUED: 02/09/2010

DATE EXPIRES: 02/09/2015

COUNTY: GILCHRIST

TRS: S22/T9S/R15E

PROJECT: SUWANNEE LAKE PLANTATION

Approved entity to whom operation and maintenance may be transferred pursuant to rule 40B-4.1130, Florida Administrative Code (F.A.C.):

RICHARD BRUBAKER
SUWANNEE LAKE PLANTATION, INC
11101 ROOSEVELT BLVD. NORTH
ST. PETERSBURG, FL 33716

DRAFT

Based on information provided, the Suwannee River Water Management District's (District) rules have been adhered to and an environmental resource individual permit is in effect for the permitted activity description below:

This is an after the fact permit authorizing the development of a recreational lodge with multiple buildings, paving, parking and recreational amenities along with six future structures. The development involves 7.91 acres of impervious surface on a project area of 51.5 acres and consists of 1.01 acres of wetland impacts which will be mitigated by the creation of 1.60 acres of wetlands onsite. The proposed surface water management system and mitigation site for this development will be implemented in a manner consistent with the application package submitted by Richard Brubaker of Suwannee Lake Plantation, Inc., and plans certified by Clint Cuffle, P.E., of Water Resource Associates, Inc., on December 9, 2009, and mitigation plan submitted by Water Resources Associates, Inc. on April 25, 2008, and mitigation monitoring plan submitted on December 14, 2009.

Please make note to review and adhere to Special Limiting Conditions 32 and 33 within this permit.

It is your responsibility to ensure that adverse off-site impacts do not occur either during or after construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You or any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to enclosed notice of rights.

This permit is issued under the provisions of chapter 373, F.S., chapter 40B-4, and chapter 40B-400, F.A.C. A general permit authorizes the construction, operation, maintenance, alteration, abandonment, or removal of certain minor surface water management systems. This permit authorizes the permittee to perform the work necessary to construct, operate, and maintain the surface water management system shown on the application and other documents included in the application. This is to notify you of District's agency action concerning Notice Of Intent. This action is taken pursuant to rule 40B-4 and 40B-400, F.A.C.

Standard Conditions for All Individual Permits:

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1. The permittee shall perform all construction authorized in a manner so as to minimize adverse impacts to fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during construction including riprap, reinforcement, or compaction of any fill materials placed around newly installed structures, to minimize erosion, turbidity, nutrient loading, and sedimentation in the receiving waters.
2. Water quality data representative of the water discharged from the permitted system, including, but not limited to, the parameters in chapter 62-302, F.A.C., shall be submitted to the District as required. If water quality data are required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.
3. The operational and maintenance phase of an environmental resource permit will not become effective until the owner or his authorized agent certifies that all facilities have been constructed in accordance with the design permitted by the District. If required by the District, such as-built certification shall be made by an engineer or surveyor. Within 30 days after the completion of construction of the system, the permittee shall notify the District that the facilities are complete. If appropriate, the permittee shall request transfer of the permit to the responsible entity approved by the District for operation and maintenance. The District may inspect the system and, as necessary, require remedial measures as a condition of transfer of the permit or release for operation and

maintenance of the system.

4. Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the District. Such discharges may be subject to operating schedules established by the District.

5. The permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit and chapter 40B-1, F.A.C.

6. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, or development in a Works of the District which is authorized by the permit.

7. The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.

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8. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of local, state, or federal government.

9. The surfacewater management system shall be constructed prior to or concurrent with the development that the system is intended to serve and the system shall be completed within 30 days of substantial completion of the development which the system is intended to serve.

10. Except for General Permits After Notice or permits issued to a unit of government, or unless a different schedule is specified in the permit, the system shall be inspected at least once every third year after transfer of a permit to operation and maintenance by the permittee or his agent to ascertain that the system is being operated and maintained in a manner consistent with the permit. A report of inspection is to be sent to the District within 30 days of the inspection date. If required by chapter 471, F.S., such inspection and report shall be made by an engineer.

11. The permittee shall allow reasonable access to District personnel or agents for the purpose of inspecting the system to insure compliance with the permit. The permittee shall allow the District, at its expense, to install equipment or devices to monitor performance of the system authorized by their permit.

12. The surfacewater management system shall be operated and maintained in a manner which is consistent with the conditions of the permit and chapter 40B-4.2040, F.A.C.

13. The permittee is responsible for the perpetual operation and maintenance of the system unless the operation and maintenance is transferred pursuant to chapter 40B-4.1130, F.A.C., or the permit is modified to authorize a new operation and maintenance entity pursuant to chapter 40B-4.1110, F.A.C.

14. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

15. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

16. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

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17. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

18. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

19. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40B-1.901(14) indicating the actual start date and the expected completion date.

20. When the duration of construction will exceed one year, the permittee shall submit construction

status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(15). These forms shall be submitted during June of each following year.

21. For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Paragraph 40B-4.2030(2)(g), F.A.C., and Rule 40B-4.2035, F.A.C., must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

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22. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

23. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, using the supplied As-Built Certification Form No. 40B-1.901(16) incorporated by reference in Subsection 40B-1.901(16), F.A.C. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at

a minimum, shall be verified on the as-built drawings:

- a. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
- b. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
- c. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
- d. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
- e. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
- f. Existing water elevation(s) and the date determined; and
- g. Elevation and location of benchmark(s) for the survey.

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24. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph 23 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Rule 40B-4.2035, F.A.C., accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

25. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

26. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real

property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and Chapter 40B-4, F.A.C.

27. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C., provides otherwise.

29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

31. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

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

32. Please review and adhere to the recommendations as discussed in the attached letter from the Florida Department of State, Division of Historical Resources dated June 26, 2009.

33. A Time-zero monitoring report shall be developed and submitted to the District within 30 days of the completion of the wetland mitigation site. Then, three (3) Annual reports shall be submitted to the District on the anniversary date of the Time-zero report as described in the monitoring plan. Survival of the planted vegetation shall be at least 80%.

Permit No.: ERP08-0047

Project: SUWANNEE LAKE PLANTATION

Page 8 of 11

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

Approved by _____ Date Approved _____
District Staff

DRAFT

Clerk Executive Director

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

DRAFT

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 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.

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, 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:

SUWANNEE LAKE PLANTATION, INC
11101 ROOSEVELT BLVD. NORTH
ST. PETERSBURG, FL 33716

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

DRAFT

Jon M. Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060

Permit No.: ERP08-0047

Project: SUWANNEE LAKE PLANTATION

Page 11 of 11

386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP08-0047

DRAFT



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Patrick Webster
Suwannee River Water Management District
9225 CR 49
Live Oak, Florida 32060

June 26, 2009

Re: DHR No.: 2009-2751/Received by DHR: May 6, 2009
Application No.: ERP08-0047
Applicant: Suwannee Lake Plantation, Inc.
Project: Suwannee Lake Plantation
Gilchrist County

Dear Mr. Webster:

Our office received and reviewed the referenced project in accordance with Chapters 267 and 373, Florida Statutes, Florida's Coastal Management Program, and implementing state regulations, for possible impact to historic properties listed, or eligible for listing, in the *National Register of Historic Places* (NRHP), or otherwise of historical, architectural or archaeological value. The State Historic Preservation Officer is to advise and assist state and federal agencies when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or minimize adverse effects.

A review of the Florida Master Site File indicates that there are no recorded archaeological or historical resources within the project boundaries. However, the absence of recorded cultural resources is not necessarily an indication that no sites are present, since the area for development has never been subjected to professional investigation. In addition, the environment is similar to other portions of Gilchrist County that are known to have yielded archaeological remains.

Since potentially significant archaeological sites may be present, it is the request of this office that the project site be subjected to a professional cultural resource survey. The purpose of this survey will be to locate and assess any cultural resources that may be present. The resultant survey report must conform to the specification set forth in Chapter 1A-46, *Florida Administrative Code*, and will need to be forwarded to *The Division of Historical Resources*, in order to complete the reviewing process for this proposed project and its impacts. The results of the analysis will determine if significant cultural resources would be disturbed by this development. In addition, if significant remains are located, the data described in the report and the consultant's conclusions will assist this office in determining measures that must be taken to avoid, minimize, or mitigate adverse impacts to archaeological sites and historical properties listed, or eligible for listing in the NRHP, or otherwise significant.

RECEIVED
SRWMD

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

Director's Office
(850) 245-6300 • FAX: 245-6436

Archaeological Research
(850) 245-6444 • FAX: 245-6452

Historic Preservation
(850) 245-6333 • FAX: 245-6437

WSRM 57

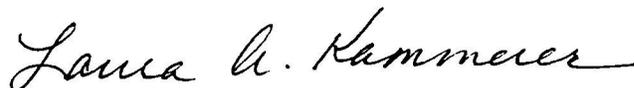
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Mr. Webster
June 26, 2009
Page 2

Because this letter and its contents are a matter of public record, cultural resource consultants who have knowledge of our survey request may contact an applicant or the project agent. This should in no way be interpreted as an endorsement by this agency. The Division of Historical Resources does not maintain a list of professional consultants who are qualified to work in the State of Florida and/or who meet *The Secretary of the Interior's Historic Preservation Professional Standards* [Volume 62, Number 119, page 33707 (June 20, 1997)], ("Professional Qualifications"), or as amended in the future. However, the American Cultural Resources Association (ACRA) maintains a listing of professional consultants (<http://www.acra-crm.org/southeast.html>). In addition, the Register of Professional Archaeologists (RPA) maintains a membership directory for locating professional archaeologists as well as other professional preservation consultants (<http://www.rpanet.org/about.htm>). Many qualified historic preservation professionals are not members of these organizations, and omission from the directories does not imply that someone does not meet the Secretary's Standards or that the resultant work would not be acceptable. Conversely, inclusion on the lists is no guarantee that a product will automatically be acceptable.

If there are any questions concerning our comments or recommendations, please contact Stacey Cahan, Historic Sites Specialist, by phone at (850) 245-6333, or by electronic mail at dscahan@dos.state.fl.us. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,



Laura A. Kammerer
Historic Preservationist Supervisor
Compliance Review Section
Bureau of Historic Preservation

Xc: Mark Farrell, Water Resource Associates
DEP-FCZMP, MS#47

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SRWMD

JUL 01 2009

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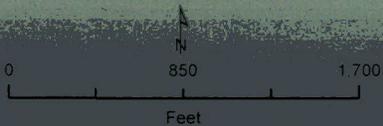


 Project Boundary

Suwannee Lake Plantation

ERP08-0047

February 2010



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:  Tim Sagul, Senior Professional Engineer
/ THRU: David Still, Executive Director 
Jon Dinges, Department Director 
DATE: January 21, 2010
RE: Environmental Resource Permit Number 88-0002M6

Staff intends to issue Individual Environmental Resource Permit number 88-0002M6, with thirty-one standard conditions to The Florida Department of Corrections for Mayo Correctional Institution Water Treatment Plant Expansion in Lafayette County.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapters 40B-4 and 40B-400, Florida Administrative Code.

/rl
cc: Charlie Houder, Assistant Executive Director



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

January 21, 2010

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

JAMES L. FRALEIGH
Madison, Florida

OLIVER J. LAKE
Lake City, Florida

CARL E. MEECE
O'Brien, Florida

DAVID STILL
Executive Director
Lake City, Florida

Bailey Barefoot
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, FL 32399

Subject: Environmental Resource Permit Application Number 88-0002M6,
Mayo Correctional Institution Water Treatment Plant, Lafayette
County

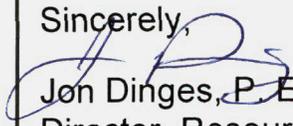
Dear Mr. Barefoot:

The Suwannee River Water Management District (District) staff intends to issue Individual Environmental Resource Permit Number 88-0002M6 for your project in Lafayette County. This proposed action will be discussed by the Governing Board at their regularly scheduled meeting on February 9, 2010.

It is a violation of District rules to begin any work on the project before a permit is issued.

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,


Jon Dinges, P.E.

Director, Resource Management

Enclosure

JD/rl

cc: Hatch Mott MacDonald

Lafayette County Board of Commissioners

Certified Mail Receipt #: 7009 0820 0000 0505 2482

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

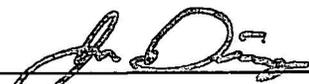
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review 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 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.
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:

Bailey Barefoot
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, FL 32399

At 4:00 p.m. this 21 day of Jan., 2010



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)

STAFF REPORT

ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Mayo Correctional Institution Water Treatment Plant
Expansion

APPLICANT

Bailey Barefoot
Florida Department of Corrections
2601 Blair Stone Road
Tallahassee, FL 32399

PERMIT APPLICATION NO.: ERP88-0002M6

DATE OF APPLICATION: 12/1/09

APPLICATION COMPLETE: 12/1/09

DEFAULT DATE: 3/1/10

Agency Action

Staff intends to issue an individual permit with thirty-one standard conditions. A copy of the proposed permit is attached to this staff report.

SRWMD Project Review Staff

Leroy Marshall, Professional Engineer, reviewed the project application.

Project Location

The project is located in Township 4 South, Range 10 East, Section 15, in Lafayette County. The project is located within the prison walls.

Project Description

The project consists of the expansion of the water treatment plant and a retention pond that is sized for the required water quality and quantity rates and volumes.

Interagency Coordination

The Florida Fish and Wildlife Conservation Commission, the Florida Department of State Division of Historical Resources, the United States Army Corps of Engineers and Lafayette County are aware of the proposed project.

Who is the authorized Operation and Maintenance Entity?

Florida Department of Corrections is the authorized Operation and Maintenance entity.



**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

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

INDIVIDUAL PERMIT

PERMITTEE:
FLORIDA DEPARTMENT OF CORRECTIONS
2601 BLAIR STONE RD.
TALLAHASSEE, FL 32399

PERMIT NUMBER: ERP88-0002M6
DATE ISSUED: 02/09/2010
DATE EXPIRES: 02/09/2015
COUNTY: LAFAYETTE
TRS: S15/T4S/R10E

PROJECT: MAYO CORRECTIONAL INSTITUTE WATER TREATMENT PLANT

Approved entity to whom operation and maintenance may be transferred pursuant to rule 40B-4.1130, Florida Administrative Code (F.A.C.):

FLORIDA DEPARTMENT OF CORRECTIONS
2601 BLAIR STONE RD.
TALLAHASSEE, FL 32399

DRAFT

Based on information provided, the Suwannee River Water Management District's (District) rules have been adhered to and an environmental resource individual permit is in effect for the permitted activity description below:

Previous permit issued for 27.94 acres of impervious surface on 240.00 acres. Modification consists of construction and operation of a surfacewater management system serving 28.07 acres of impervious surface on a total project area of 240.00 acres in a manner consistent with the application package submitted by Hatch Mott MacDonald, certified on November 30, 2009.

It is your responsibility to ensure that adverse off-site impacts do not occur either during or after construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You or any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to enclosed notice of rights.

This permit is issued under the provisions of chapter 373, F.S., chapter 40B-4, and chapter 40B-400,

F.A.C. A general permit authorizes the construction, operation, maintenance, alteration, abandonment, or removal of certain minor surface water management systems. This permit authorizes the permittee to perform the work necessary to construct, operate, and maintain the surface water management system shown on the application and other documents included in the application. This is to notify you of District's agency action concerning Notice Of Intent. This action is taken pursuant to rule 40B-4 and 40B-400, F.A.C.

Standard Conditions for All Individual Permits:

1. The permittee shall perform all construction authorized in a manner so as to minimize adverse impacts to fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during construction including riprap, reinforcement, or compaction of any fill materials placed around newly installed structures, to minimize erosion, turbidity, nutrient loading, and sedimentation in the receiving waters.

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2. Water quality data representative of the water discharged from the permitted system, including, but not limited to, the parameters in chapter 62-302, F.A.C., shall be submitted to the District as required. If water quality data are required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.

3. The operational and maintenance phase of an environmental resource permit will not become effective until the owner or his authorized agent certifies that all facilities have been constructed in accordance with the design permitted by the District. If required by the District, such as-built certification shall be made by an engineer or surveyor. Within 30 days after the completion of construction of the system, the permittee shall notify the District that the facilities are complete. If appropriate, the permittee shall request transfer of the permit to the responsible entity approved by the District for operation and maintenance. The District may inspect the system and, as necessary, require remedial measures as a condition of transfer of the permit or release for operation and maintenance of the system.

4. Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the District. Such discharges may be subject to operating schedules established by the District.

5. The permit does not convey to the permittee any property right nor any rights or privileges other

than those specified in the permit and chapter 40B-1, F.A.C.

6. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, or development in a Works of the District which is authorized by the permit.

7. The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.

8. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of local, state, or federal government.

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9. The surfacewater management system shall be constructed prior to or concurrent with the development that the system is intended to serve and the system shall be completed within 30 days of substantial completion of the development which the system is intended to serve.

10. Except for General Permits After Notice or permits issued to a unit of government, or unless a different schedule is specified in the permit, the system shall be inspected at least once every third year after transfer of a permit to operation and maintenance by the permittee or his agent to ascertain that the system is being operated and maintained in a manner consistent with the permit. A report of inspection is to be sent to the District within 30 days of the inspection date. If required by chapter 471, F.S., such inspection and report shall be made by an engineer.

11. The permittee shall allow reasonable access to District personnel or agents for the purpose of inspecting the system to insure compliance with the permit. The permittee shall allow the District, at its expense, to install equipment or devices to monitor performance of the system authorized by their permit.

12. The surfacewater management system shall be operated and maintained in a manner which is consistent with the conditions of the permit and chapter 40B-4.2040, F.A.C.

13. The permittee is responsible for the perpetual operation and maintenance of the system unless the operation and maintenance is transferred pursuant to chapter 40B-4.1130, F.A.C., or the permit is modified to authorize a new operation and maintenance entity pursuant to chapter 40B-4.1110, F.A.C.

14. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for

undertaking that activity shall constitute a violation of this permit.

15. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

16. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

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17. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

18. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

19. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40B-1.901(14) indicating the actual start date and the expected completion date.

20. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(15). These forms shall be submitted during June of each following year.

21. For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Paragraph 40B-4.2030(2)(g), F.A.C., and Rule 40B-4.2035, F.A.C.,

must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

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22. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

23. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, using the supplied As-Built Certification Form No. 40B-1.901(16) incorporated by reference in Subsection 40B-1.901(16), F.A.C. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

- a. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
- b. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;

- c. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
- d. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
- e. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
- f. Existing water elevation(s) and the date determined; and
- g. Elevation and location of benchmark(s) for the survey.

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24. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph 23 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Rule 40B-4.2035, F.A.C., accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

25. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

26. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and Chapter 40B-4, F.A.C.

27. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent

authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C., provides otherwise.

29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

31. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

Approved by _____ Date Approved _____
District Staff

DRAFT

Clerk

Executive Director

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.

DRAFT

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 choose 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.

3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.

4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

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 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.

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, 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:

FLORIDA DEPARTMENT OF CORRECTIONS
2601 BLAIR STONE RD.
TALLAHASSEE, FL 32399

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

DRAFT

Jon M. Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060

Permit No.: ERP88-0002M6

Project: MAYO CORRECTIONAL INSTITUTE WATER TREATMENT PLANT

Page 10 of 10

386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP88-0002M6

DRAFT

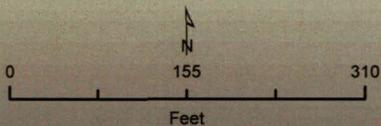


 Approximate Project Area

Mayo Correctional Institution Water Treatment Plant

ERP88-0002M6

February 2010



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: ✍️ Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director *DS*
Jon Dinges, Department Director *JND*

DATE: January 21, 2010

RE: Environmental Resource Permit Number 98-0459M7

Staff intends to issue Individual Environmental Resource Permit number 98-0459M7, with thirty-one standard conditions and one special limiting condition to Columbia County Board of Commissioners for Bascom Norris Drive from US 90 to South CR 250 in Columbia County.

Staff has determined that the application is complete and satisfies the conditions for issuance in Chapters 40B-4 and 40B-400, Florida Administrative Code.

/rl
cc: Charlie Houder, Assistant Executive Director



SUWANNEE RIVER WATER MANAGEMENT DISTRICT

January 21, 2010

Dale Williams
Columbia County Board of Commissioners
PO Box 1529
Lake City, FL 32056

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

JAMES L. FRALEIGH
Madison, Florida

OLIVER J. LAKE
Lake City, Florida

CARL E. MEECE
O'Brien, Florida

DAVID STILL
Executive Director
Lake City, Florida

Subject: Environmental Resource Permit Application Number 98-0459M7,
Bascom Norris Drive from US 90 to CR 250, Columbia County

Dear Mr. Williams:

The Suwannee River Water Management District (District) staff intends to issue Individual Environmental Resource Permit Number 98-0459M7 for your project in Columbia County. This proposed action will be discussed by the Governing Board at their regularly scheduled meeting on February 9, 2010.

It is a violation of District rules to begin any work on the project before a permit is issued.

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,


Jon Dinges, P.E.
Director, Resource Management

Enclosure

JD/rl

cc: HDR Engineering, Inc.

Certified Mail Receipt #: 7009 0820 0000 0505 2499

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

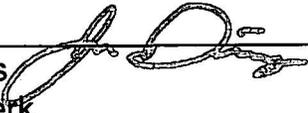
7. The right to an administrative hearing and the relevant procedures to be followed is governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code.
8. Pursuant to Section 120.68, Florida Statutes, a person who is adversely affected by final District action may seek review 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 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.
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:

Dale Williams
Columbia County Board of Commissioners
PO Box 1529
Lake City, FL 32056

At 4:00 p.m. this 21 day of Jan, 2010



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)

STAFF REPORT

ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Bascom Norris Drive from US 90 to South CR 250

APPLICANT

Dale Williams
Columbia County Board of
Commissioners
PO Box 1529
Lake City, FL 32056

PERMIT APPLICATION NO.: ERP98-0459M7

DATE OF APPLICATION: 12/1/09

APPLICATION COMPLETE: 12/1/09

DEFAULT DATE: 3/1/10

Agency Action

Staff intends to issue an individual permit with thirty-one standard conditions and one special condition. A copy of the proposed permit is attached to this staff report.

SRWMD Project Review Staff

Leroy Marshall, P.E., Water Resource Engineer, and Bill Spencer, Environmental Specialist, reviewed the project application.

Project Location

The project is located in Township 3 South, Range 16 East, Sections 25, 35 and 36, in Columbia County. The project will connect US Highway 90 with Lake Jeffery Road.

Project Description

The project consists of the construction, operation and maintenance of a new road and three retention ponds that are sized for the required water quality and quantity rates and volumes.

Interagency Coordination

The Florida Fish and Wildlife Conservation Commission, the Florida Department of State Division of Historical Resources, the United States Army Corps of Engineers and Columbia County are aware of the proposed project.

Who is the authorized Operation and Maintenance Entity?

Columbia County is the authorized Operation and Maintenance entity.

WETLAND MITIGATION STAFF REPORT
ENVIRONMENTAL RESOURCE PERMIT APPLICATION

DATE: January 21, 2010

PROJECT: Bascom Norris Drive from US 90 to South CR 250

APPLICANT:

Dale Williams
Columbia County Board of
Commissioners
PO Box 1529
Lake City, FL 32056

PERMIT APPLICATION NO.: ERP98-0459M7

DATE OF APPLICATION: 09/10/09

APPLICATION COMPLETE: 12/1/09

DEFAULT DATE: 3/1/10

PROPOSED PROJECT:

Applicant proposes to construct approximately 1.5 miles of paved two-lane road connecting Bascom Norris Drive and CR 250 in Columbia County.

After wetland avoidance and minimization planning the project requires an impact of approximately 2.88 acres of Mixed Wetland Hardwood (FLUCC code 6170) forested wetlands (Figure 5-1, Ecological Information Report from Wetland Solutions, Inc., received September 10, 2009). Wetland impact was determined to be 2.86 Functional Loss units using Uniform Mitigation Assessment Method (UMAM). Applicant proposes mitigation by preservation (using a Conservation Easement to the District, November 16, 2009, Request for Additional Information Response from Stephen C. Wilson, P.E., HDR Engineering, Inc., Gainesville, FL) of approximately 80.0 acres of wetlands and 12.7 acres of uplands (Figures 6-1, 6-2, 6-3, and 6-4, and Table 6-1, Ecological Information Report). UMAM analysis showed mitigation will provide approximately 6.3 Functional Gain units. Functional Gain from mitigation exceeds Functional Loss, therefore proposed mitigation is acceptable.

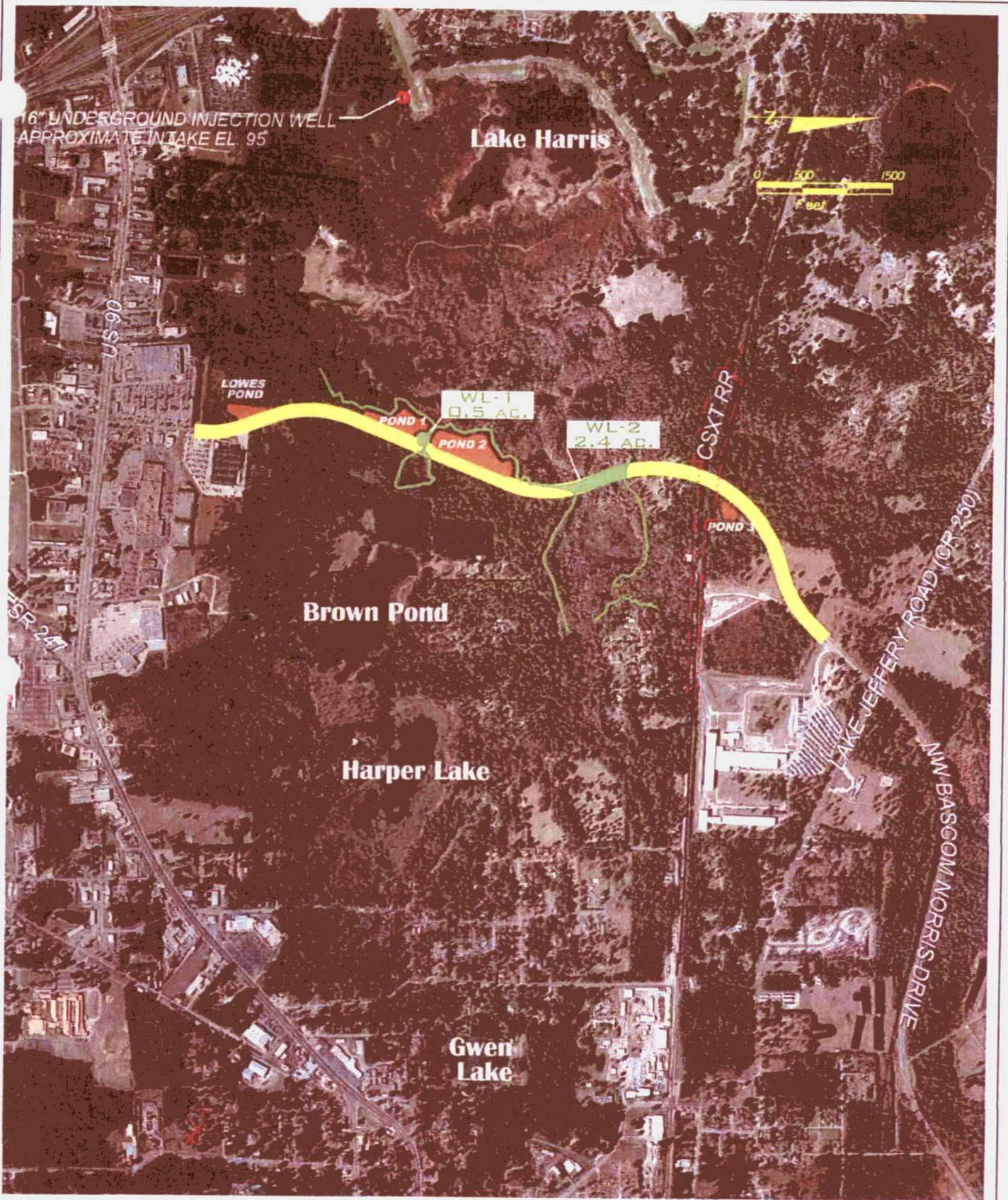
STAFF EVALUATION:

Recommend issuance of permit with special permit condition requiring evidence that Conservation Easement has been recorded with Columbia County.

Prepared By:



William Spencer, Ph.D., Sr. Regulatory Scientist



ENGINEER OF RECORD: STEPHEN C. WILSON, P.E.
P.E. NO.: 37392



HDR Engineering, Inc.
4140 NW 37th Place, Suite A
Gainesville, FL 32606
(352) 642-1100
www.hdrinc.com

License
No. 4213

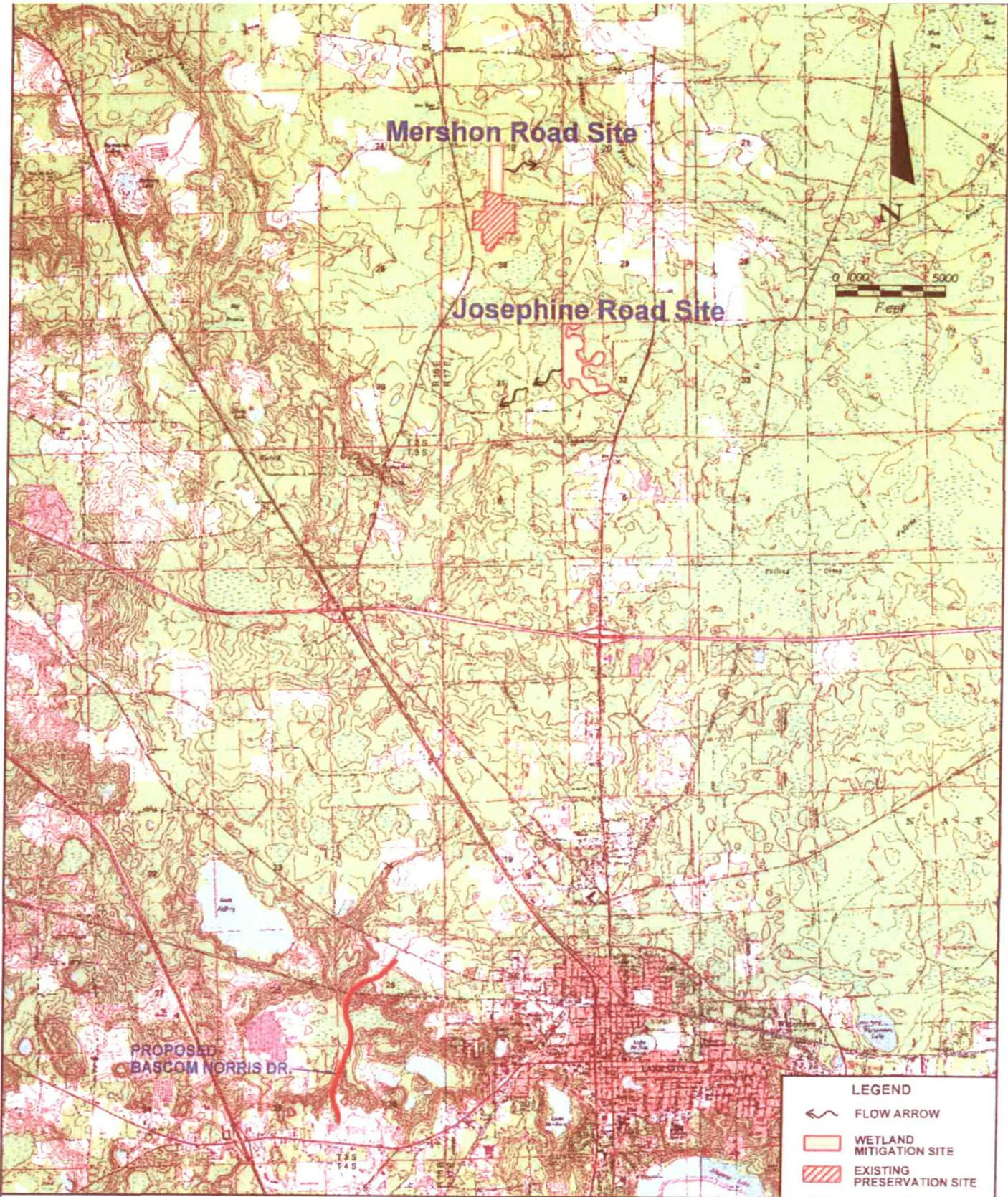
*COLUMBIA
COUNTY*

BASCOM NORRIS DRIVE

WETLAND IMPACT SITES

FIGURE 5-1

DATE: AUGUST
2009



ENGINEER OF RECORD: STEPHEN C WILSON, P.E.
P.E. NO. 37392



HDR Engineering, Inc.
4140 NW 37th Place, Suite A
Gainesville, FL 32606
(352) 642-1100
www.hdrinc.com

License
No. 4213

**COLUMBIA
COUNTY**

BASCOM NORRIS DRIVE

MITIGATION SITES

FIGURE 6-1

DATE: AUGUST
2009

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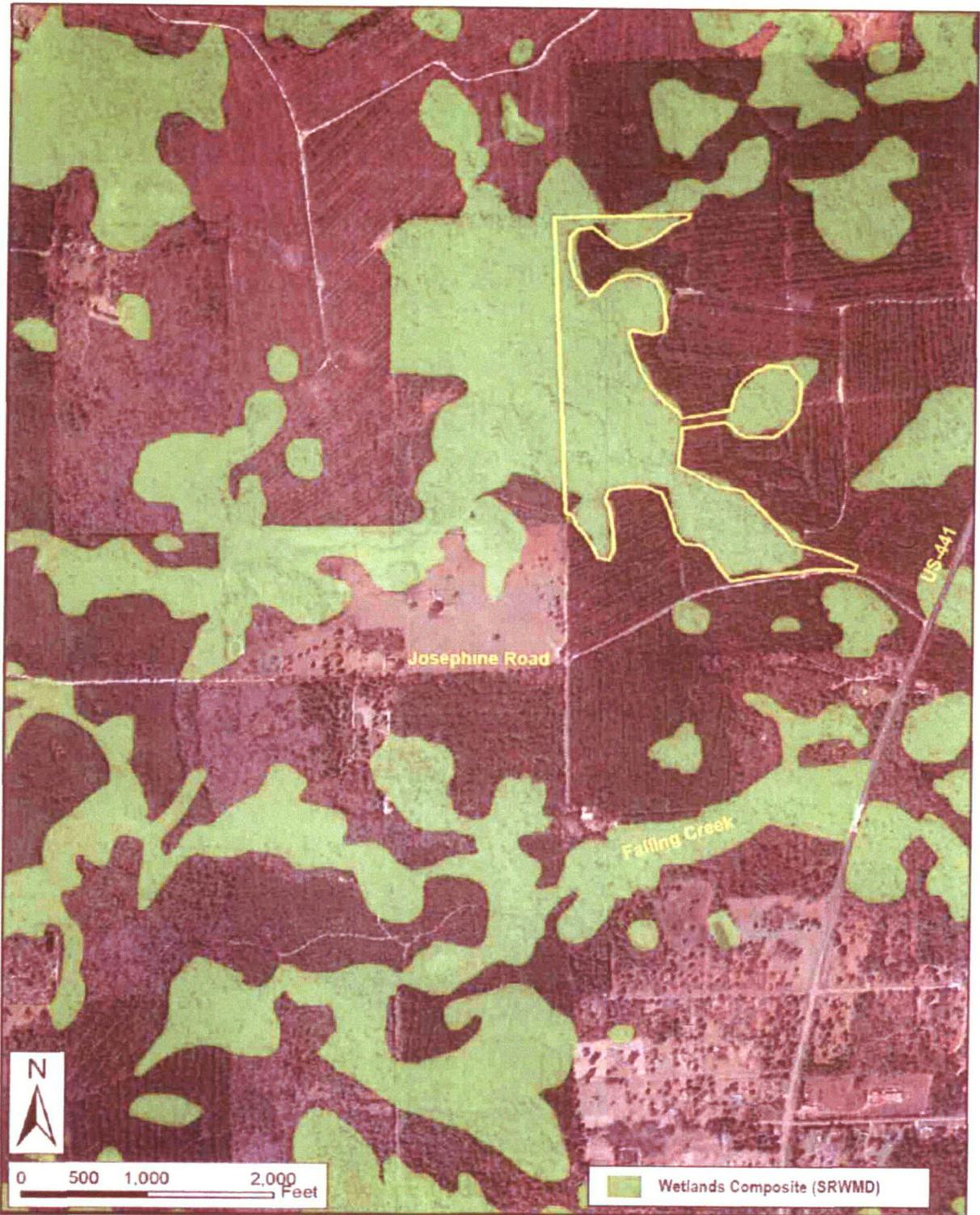


FIGURE 6-2
Josephine Road Preservation Site

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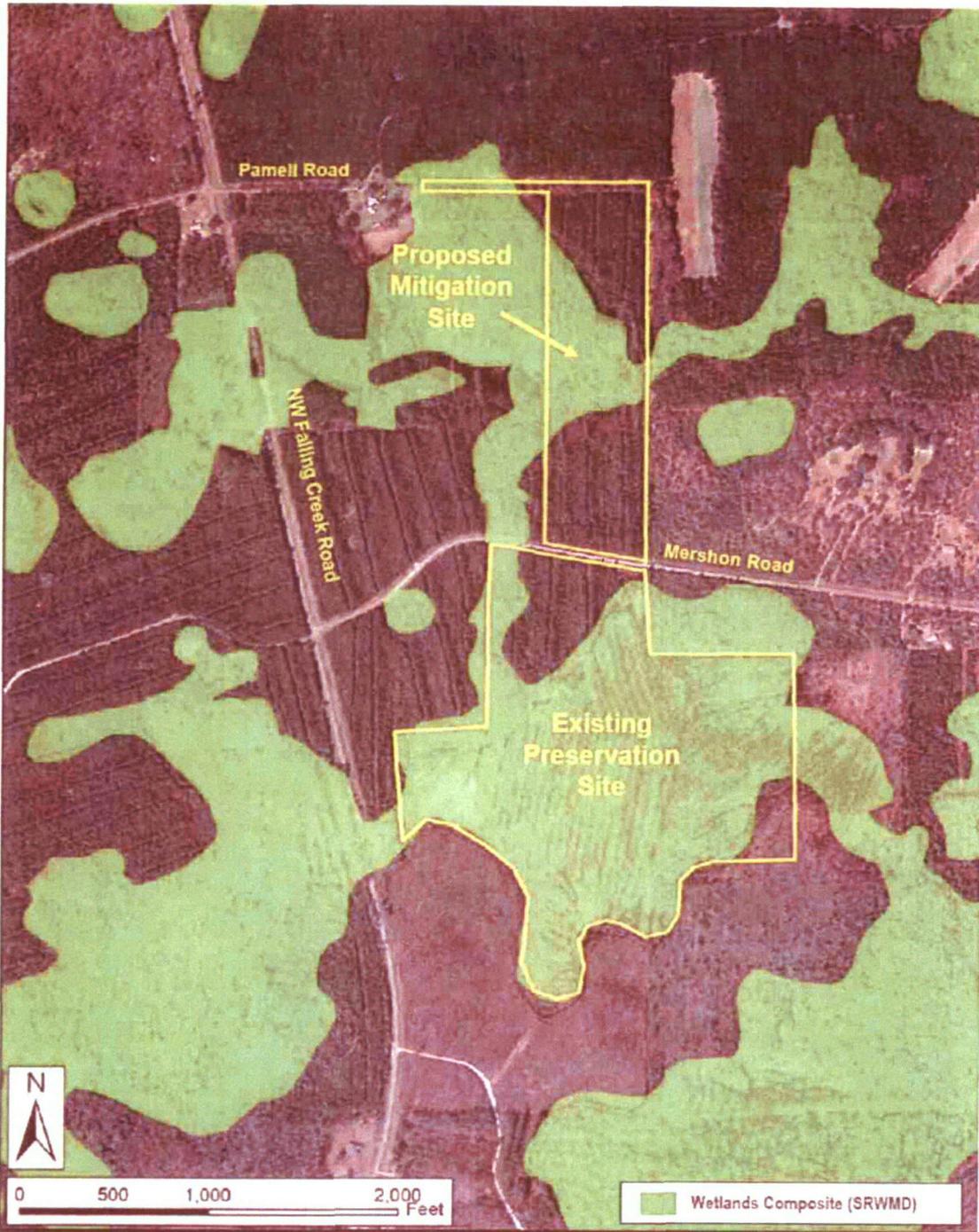


FIGURE 6-3
Mershon Road Preservation Site

ERR 03-0450117

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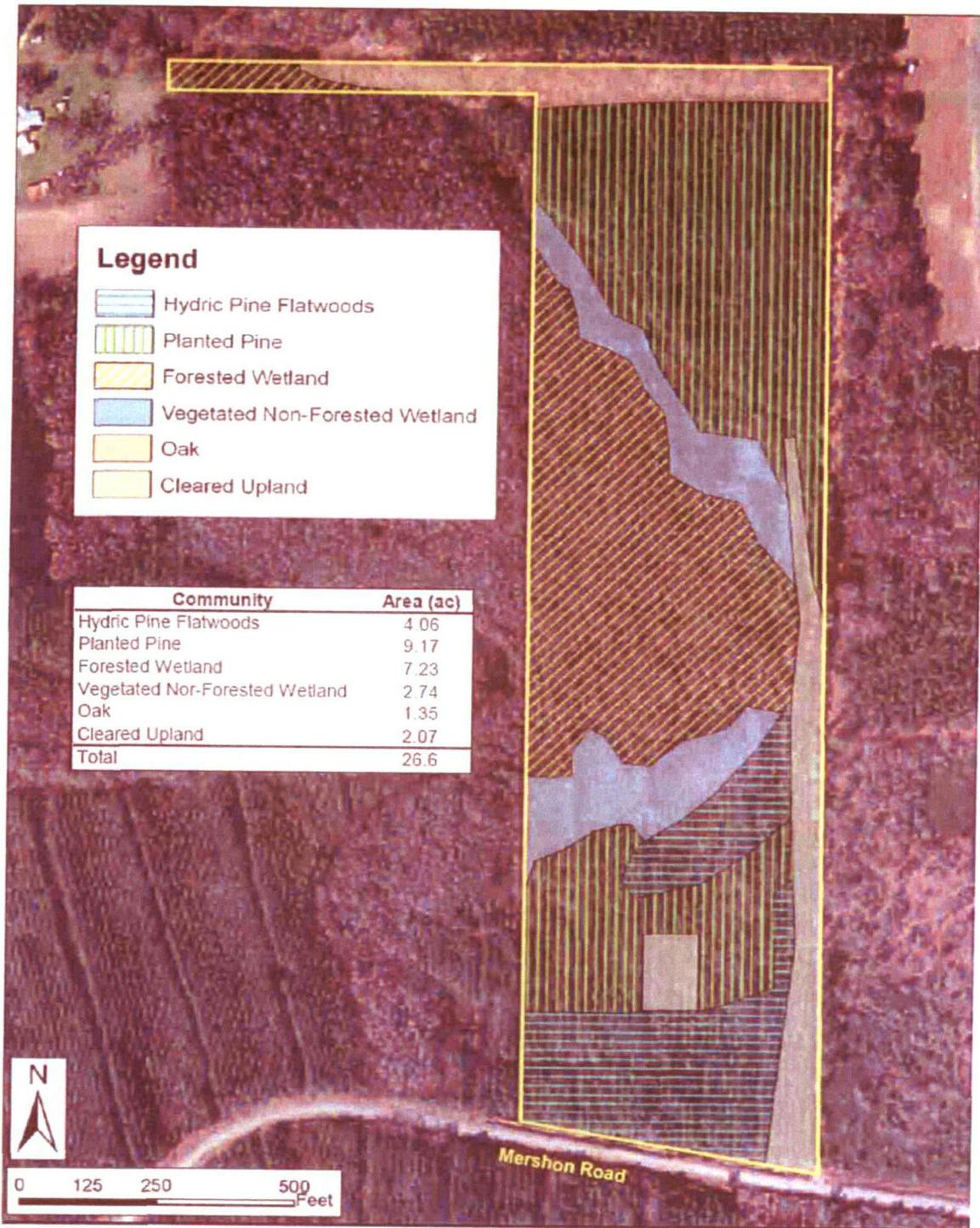


FIGURE 6-4
Plant Communities at the Mershon Road Preservation Site

1912 0454 117

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TABLE 6-1
Summary of UMAM Scores Associated with Preservation of the Josephine Road and Mershon Road Sites

Preservation of Mitigation Sites	UMAM Matrix of Mitigation Areas for Bascom Norris Drive in Columbia County														
	Impact Area Score (ICRS)	UMAM Score with Present Condition			UMAM Score with Proposed Condition			Score with Present Condition	Score with Proposed Condition	Pres. Adjust Factor	Defla. Factor	Risk	Mitigation		
		Location & Landscape Support	Water Env. Structure	Community Structure	Location & Landscape Support	Water Env. Structure	Community Structure						Relative Functional Gain	Functional Gain (Defl)	
Josephine Road Wetland Preservation	60	8	8	0	8	9	9	0.80	0.87	0.50	0.03	1.00	1.0	0.03	2.20
Mershon Road Wetlands and Uplands Preservation															
Mershon Road Forested Wetland Preservation	7.2	8	8	8	8	9	9	0.80	0.87	0.50	0.03	1.00	1.0	0.03	0.24
Mershon Road Non-forested Wetland Preservation	2.7	8	8	8	8	9	9	0.80	0.87	0.50	0.03	1.00	1.0	0.03	0.09
Mershon Road Hydric Flatwoods Preservation	4.1	7	5	0	8	5	5	0.60	0.63	1.00	0.03	1.00	1.0	0.03	0.14
Mershon Road Upland Pine Flatwoods Preservation	9.2	7	0	5	8	0	5	0.60	0.65	1.00	0.05	1.00	1.0	0.05	0.46
Mershon Road Upland Oak Forest Preservation	1.4	8	0	7	9	0	8	0.50	0.57	0.50	0.03	1.00	1.0	0.03	0.06
Mershon Road Cleared Uplands Preservation	2.1	7	0	4	7	0	4	0.37	0.37	0.20	0.00	1.00	1.0	0.00	0.00
Mershon Road Total	26.7														0.97
Total for Josephine Road and Mershon Road Mitigation Sites	92.7														3.2

Time factor:
 1 yr = 1
 2 yr = 1.03
 3 yr = 1.07
 4 yr = 1.1
 5 yr = 1.14

Risk (low) = 1
 Risk (medium) = 2
 Risk (high) = 3

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TABLE 5-1
Summary of Primary and Secondary Wetland Impacts and UMAM Scores

UMAM Matrix of Wetland Impacts for Bascom Norris Drive in Columbia County												
Primary Wetland Impacts	Impact Area (acres)	UMAM Score with Present Condition			UMAM Score with Proposed Condition			Score with Present Condition	Score with Proposed Condition	Delta	Functional Loss	Comments
		Location & Landscape Support	Water Env.	Community Structure	Location & Landscape Support	Water Env.	Community Structure					
Wetland 1	0.51	8	9	8	0	0	0	0.83	0.00	-0.83	0.43	The assessment area is a narrow, well-defined, and intermittent stream channel that connects Browns Pond on the east side to the Lake Harris floodplain on the west side. This is an important drainage feature that conveys water from the east to the Lake Harris floodplain on the west side.
Wetland 2	2.37	8	9	9	0	0	0.87	0.00	-0.87	2.05	The wetland is a forest wetland that conveys water westward through multiple braided channels from the watershed on the north and northeast side of the wetland to the Lake Harris floodplain to the west. There are forested and shrubby wetland areas within this proposed wetland impact area and high quality uplands that surround the wetland. This wetland is an important drainage feature that conveys water from east to west to Lake Harris.	
Total	2.88										2.48	

Secondary Wetland Impacts	Impact Area (acres)	UMAM Score with Present Condition			UMAM Score with Proposed Condition			Score with Present Condition	Score with Proposed Condition	Delta	Functional Loss	Comments
		Location & Landscape Support	Water Env.	Community Structure	Location & Landscape Support	Water Env.	Community Structure					
Wetland 1	0.11	8	9	8	4	5	0.83	0.47	-0.37	0.04	The wetlands within the assessment area for secondary impacts is a constantly wet shrubby wetland on the east side and a high quality forested floodplain on the west side.	
Wetland 2	0.65	8	9	9	4	5	0.87	0.47	-0.40	0.34	The wetlands within the assessment area for secondary impacts is a high quality forested wetland.	
Total	0.76										0.38	

Impact Wetland Summary	FL
Primary Impacts	2.48
Secondary Impacts	0.38
Total	2.86

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**SUWANNEE
RIVER
WATER
MANAGEMENT
DISTRICT**

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

INDIVIDUAL PERMIT

PERMITTEE:
COLUMBIA COUNTY BOARD OF
COMMISSIONERS
POST OFFICE BOX 1529
LAKE CITY, FL 32056

PERMIT NUMBER: ERP98-0459M7
DATE ISSUED: 02/09/2010
DATE EXPIRES: 02/09/2015
COUNTY: COLUMBIA
TRS: S25/T3S/R16E, S35/T3S/R16E,
S36/T3S/R16E

PROJECT: BASCOM NORRIS DRIVE FROM US 90 TO SOUTH CR 250

Approved entity to whom operation and maintenance may be transferred pursuant to rule 40B-4.1130, Florida Administrative Code (F.A.C.):

DALE WILLIAMS
COLUMBIA COUNTY BOARD OF COMMISSIONERS
POST OFFICE BOX 969
LAKE CITY, FL 32056

DRAFT

Based on information provided, the Suwannee River Water Management District's (District) rules have been adhered to and an environmental resource individual permit is in effect for the permitted activity description below:

Previous permit issued for 45.60 acres of impervious surface on 183.30 acres. Modification consists of construction and operation of a surfacewater management system serving a total of 53.56 acres of impervious surface on a total project area of 269.03 acres in a manner consistent with the application package submitted by HDR Engineering Inc., certified on December 21, 2009. A total of 2.88 acres of primary and 0.96 acres of secondary wetland impacts have been approved. Mitigation preservation using a conservation easement to the District of 92.7 acres as described in the November 16, 2009 submittal is required.

It is your responsibility to ensure that adverse off-site impacts do not occur either during or after construction. Any additional construction or alterations not authorized by this permit may result in flood control or water quality problems both on and off site and will be a violation of District rule.

You or any other substantially affected persons are entitled to request an administrative hearing or mediation. Please refer to enclosed notice of rights.

This permit is issued under the provisions of chapter 373, F.S., chapter 40B-4, and chapter 40B-400, F.A.C. A general permit authorizes the construction, operation, maintenance, alteration, abandonment, or removal of certain minor surface water management systems. This permit authorizes the permittee to perform the work necessary to construct, operate, and maintain the surface water management system shown on the application and other documents included in the application. This is to notify you of District's agency action concerning Notice Of Intent. This action is taken pursuant to rule 40B-4 and 40B-400, F.A.C.

Standard Conditions for All Individual Permits:

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1. The permittee shall perform all construction authorized in a manner so as to minimize adverse impacts to fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during construction including riprap, reinforcement, or compaction of any fill materials placed around newly installed structures, to minimize erosion, turbidity, nutrient loading, and sedimentation in the receiving waters.
2. Water quality data representative of the water discharged from the permitted system, including, but not limited to, the parameters in chapter 62-302, F.A.C., shall be submitted to the District as required. If water quality data are required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.
3. The operational and maintenance phase of an environmental resource permit will not become effective until the owner or his authorized agent certifies that all facilities have been constructed in accordance with the design permitted by the District. If required by the District, such as-built certification shall be made by an engineer or surveyor. Within 30 days after the completion of construction of the system, the permittee shall notify the District that the facilities are complete. If appropriate, the permittee shall request transfer of the permit to the responsible entity approved by the District for operation and maintenance. The District may inspect the system and, as necessary, require remedial measures as a condition of transfer of the permit or release for operation and

maintenance of the system.

4. Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the District. Such discharges may be subject to operating schedules established by the District.

5. The permit does not convey to the permittee any property right nor any rights or privileges other than those specified in the permit and chapter 40B-1, F.A.C.

6. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, or development in a Works of the District which is authorized by the permit.

7. The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.

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8. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of local, state, or federal government.

9. The surfacewater management system shall be constructed prior to or concurrent with the development that the system is intended to serve and the system shall be completed within 30 days of substantial completion of the development which the system is intended to serve.

10. Except for General Permits After Notice or permits issued to a unit of government, or unless a different schedule is specified in the permit, the system shall be inspected at least once every third year after transfer of a permit to operation and maintenance by the permittee or his agent to ascertain that the system is being operated and maintained in a manner consistent with the permit. A report of inspection is to be sent to the District within 30 days of the inspection date. If required by chapter 471, F.S., such inspection and report shall be made by an engineer.

11. The permittee shall allow reasonable access to District personnel or agents for the purpose of inspecting the system to insure compliance with the permit. The permittee shall allow the District, at its expense, to install equipment or devices to monitor performance of the system authorized by their permit.

12. The surfacewater management system shall be operated and maintained in a manner which is consistent with the conditions of the permit and chapter 40B-4.2040, F.A.C.

13. The permittee is responsible for the perpetual operation and maintenance of the system unless the operation and maintenance is transferred pursuant to chapter 40B-4.1130, F.A.C., or the permit is modified to authorize a new operation and maintenance entity pursuant to chapter 40B-4.1110, F.A.C.

14. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

15. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

16. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

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17. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

18. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

19. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40B-1.901(14) indicating the actual start date and the expected completion date.

20. When the duration of construction will exceed one year, the permittee shall submit construction

status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(15). These forms shall be submitted during June of each following year.

21. For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by Paragraph 40B-4.2030(2)(g), F.A.C., and Rule 40B-4.2035, F.A.C., must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

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22. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

23. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, using the supplied As-Built Certification Form No. 40B-1.901(16) incorporated by reference in Subsection 40B-1.901(16), F.A.C. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at

a minimum, shall be verified on the as-built drawings:

- a. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
- b. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
- c. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
- d. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
- e. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
- f. Existing water elevation(s) and the date determined; and
- g. Elevation and location of benchmark(s) for the survey.

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24. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph 23 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with Rule 40B-4.2035, F.A.C., accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

25. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

26. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real

property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and Chapter 40B-4, F.A.C.

27. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C., provides otherwise.

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29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

31. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

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

32. Applicant shall submit evidence of the recording of the conservation easement with the Columbia County Property Appraiser's office to the District within 90 days after this permit is issued.

Permit No.: ERP98-0459M7

Project: BASCOM NORRIS DRIVE FROM US 90 TO SOUTH CR 250

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WITHIN 30 DAYS AFTER COMPLETION OF THE PROJECT, THE PERMITTEE SHALL NOTIFY THE DISTRICT, IN WRITING, THAT THE FACILITIES ARE COMPLETE.

Approved by _____ Date Approved _____
District Staff

DRAFT

Clerk Executive Director

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.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal hearing pursuant to Section 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
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.

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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 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.

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, 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:

COLUMBIA COUNTY BOARD OF COMMISSIONERS
POST OFFICE BOX 1529
LAKE CITY, FL 32056

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

DRAFT

Jon M. Dinges
Deputy Clerk
Suwannee River Water Management District
9225 C.R. 49
Live Oak, Florida 32060

Permit No.: ERP98-0459M7

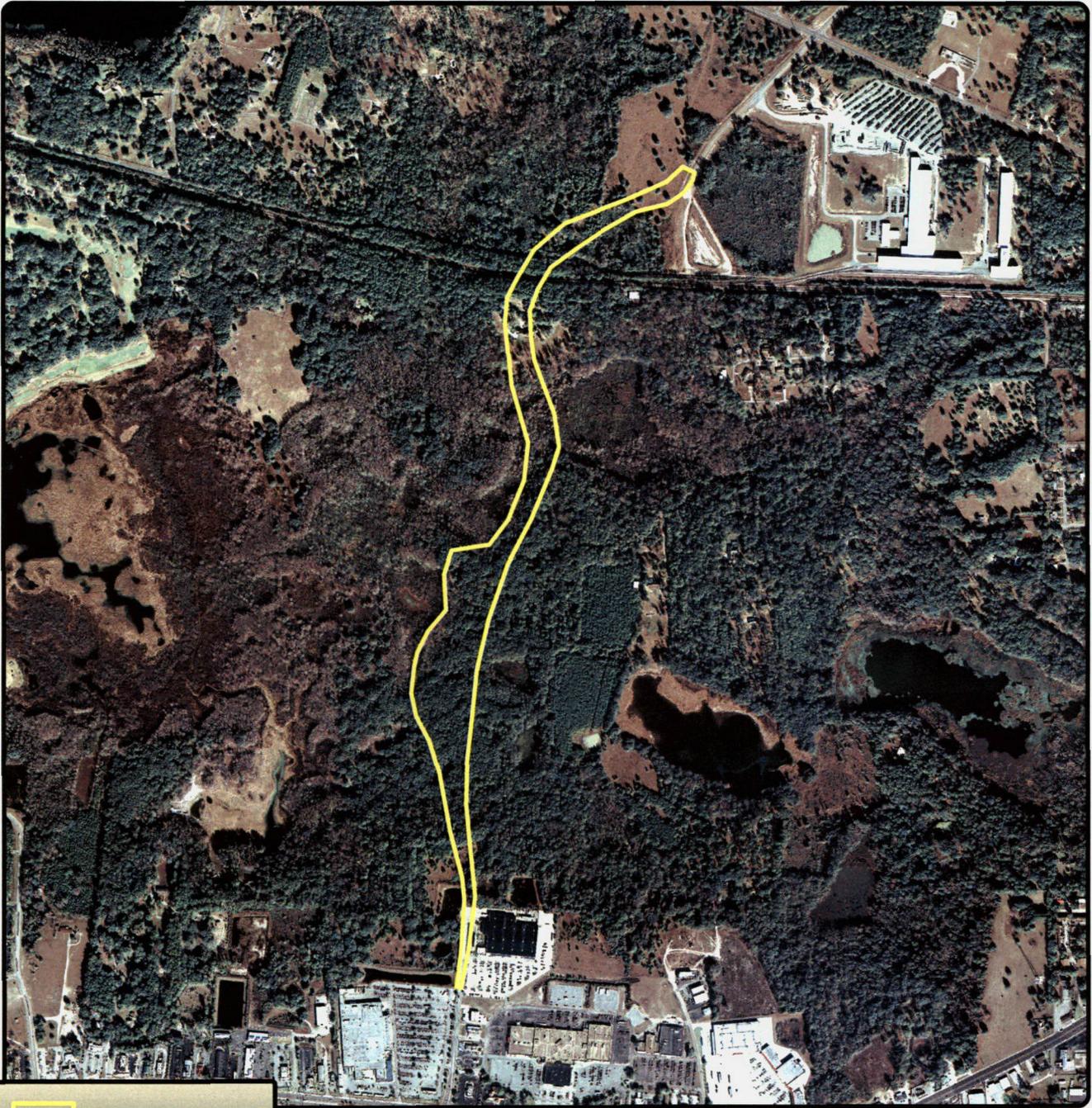
Project: BASCOM NORRIS DRIVE FROM US 90 TO SOUTH CR 250

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386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP98-0459M7

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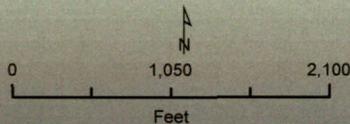


 Project Boundary

**Bascom Norris Drive - U.S. 90
to South C.R. 250**

ERP98-0459M7

February 2010



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, Department Director 

THRU: David Still, Executive Director 

DATE: January 21, 2010

RE: Activity Report, Water Supply and Resource Management

Water Supply Assessment:

- Consultant continues to work on assessment.

Upper Santa Fe River Basin (USFRB) Water Supply Plan:

- Consultant is working on the Water Supply Plan for the Upper Santa Fe River Basin.
- Staff is meeting regularly with St. Johns River Water Management District (SJRWMD) via conference calls to coordinate activities in the water supply planning process.
- Listed below are joint meetings that have been held or will take place in January with SJRWMD:
 - December 12, 2009 – Modeling Subgroup - Palatka
 - January 15, 2010 – Water Conservation Subgroup - Palatka
 - January 21, 2010 – Modeling Subgroup - Palatka
 - January 22, 2010 – Northeast Florida Minimum Flows and Levels (MFLs) Subgroup – Palatka
 - January 29, 2010 – Northeast Florida Water Supply Planning Area Workgroup - Gainesville
- The following meetings are taking place in the near future:
 - Feb. 12, 2010 - Water Conservation Subgroup - Palatka
 - March 9, 2010 - Northeast Florida Alternative Water Supply Subgroup - Green Cove Springs
 - March 12, 2010 - Water Conservation Subgroup - Palatka
 - March 25, 2010 - Modeling Subgroup – Palatka

Springs:

- Staff continues to meet with individuals and groups to discuss and solicit support for The Ichetucknee Partnership (TIP).

Spring Protection, Surfacewater, Groundwater and Biological Monitoring:

- Staff continues to monitor water chemistry monthly at 42 surfacewater stations.
- Staff measured levels of 181 wells, 21 lakes, and 46 river stations.
- Rainfall was recorded at 51 sites.
- Staff is participating in the Santa Fe River Basin Management Action Plan associated with the Total Maximum Daily Load.

Water Use:

- Staff has 96 water use monitoring devices on 31 agricultural operations.
- Staff continues the assessment of water use permits that use between 100,000 and 500,000 gallons per day in the Upper Santa Fe Basin.

Minimum Flows and Levels (MFLs):

- Staff continues to work on reviewing the Upper and Lower Santa Fe River MFL technical documents.
- Efforts continue in the development of an MFL for Lake Sampson in Bradford County.

Suwannee River Partnership (SRP) Activities:

- Staff continues to work with farmers and other partners in the Suwannee and Santa Fe River basins by providing technical assistance to participating farmers in nutrient and irrigation management.
- Staff has participated or will participate in the following workshops during the next month.
 - Sod Rotation Workshop on January 11, 2010, in Live Oak.
 - Santa Fe River Basin Management Action Plan (associated with Total Maximum Daily Load set by DEP) on January 12, 2010, in Fort White.
 - Progressive Farms Meeting on January 20, 2010, at District Headquarters.
 - Crop Management Workshop on February 3, 2010, in Live Oak.

Regulatory Activities:

- Press releases were issued to local media regarding the new water use rules targeting the new landscape irrigation conservation rules. Water Supply and Resource Management staff is available and has been taking calls from the public regarding the new water use landscape irrigation rules.
- Staff reviewed the site certification for the Gainesville Renewable Energy Center with respect to consumptive use of water and sent comments to the Department of Environmental Protection.

December 2009	Issued	Received
Environmental Resource Permits	36	34
Water Use Permits	6	6
Water Well Permits	122	122
Water well permits issued and received according to well use:		
Abandoned/destroyed:	4	Livestock: 3
Agricultural Irrigation:	5	Monitor: 32
Commercial/Industrial:	0	Self-supplied Residential: 71
Landscape Irrigation:	4	Public Supply: 3

- Staff has implemented an environmental resource permit inspection program for construction and as-built certification. Staff inspected 2 projects under construction and 23 projects for as-built compliance. Please see the attached charts for a summary of construction and as-built inspections.
- The Rulemaking Schedule and Compliance and Enforcement Report follow this memorandum.

Quality Communities:

- Edwards Bottomland Wetlands Restoration Project, Bradford County: The Fish and Wildlife Conservation Commission (FWC) has authorized funding for the project for the next funding cycle. District staff has received authorization from the Governing Board to contract with BCI and FWC to proceed with project design. Contracts are being prepared.

- Columbia County Stormwater: The County is in the planning stages with several projects. There will be no construction of projects in fiscal year 2009/2010, because the County and the District mutually agreed to suspend construction due to budget constraints.
- FEMA Map Modernization: The draft contract language, scope of work, and cost break down are being finalized for five (5) consultants.
- Jasper Stormwater: Staff advertised for construction bids on November 13, 2009. The pre-bid meeting was held November 23, 2009. Bids were opened on December 15, 2009.
- Lake City Reuse Project: The project is complete.
- Lake City Reclaimed Water Filter: The agreement has been drafted.
- Monticello Reuse Project: The City has received a draft NPDES permit from the FDEP to allow the use of the existing nursery ponds for reclaimed water storage. The City is expected to advertise for bidding the second week in February and then to open bids 30 days thereafter.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the February 9, 2010, Governing Board meeting if you would like further information.

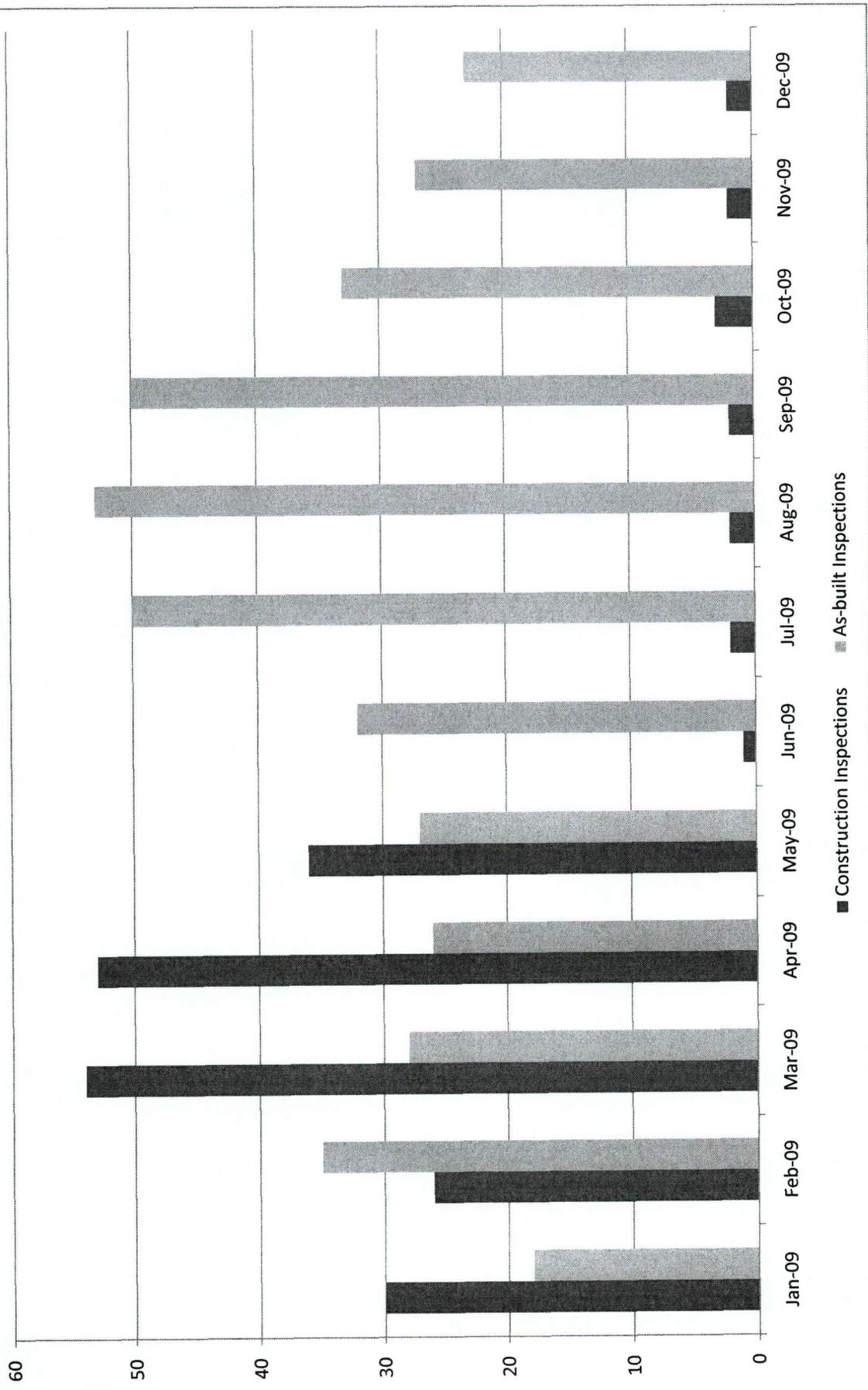
JD/dd

cc: Charlie Houder, Assistant Executive Director

Upcoming Rulemaking

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-1.901	12/8/09 1/12/10	1/22/10	12/8/09 1/12/10	1/29/10	1/19/10	3/1/10	3/22/10
Unincorporate Forms							
40B-2	9/8/09	9/18/09					
Upper Santa Fe River Basin Permit Duration							
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							
40B-4.3020	8/11/09	8/21/09	1/12/10	1/29/10	1/19/10	3/1/10	3/22/10
Works of the District/District Floodway Application-Back Page							
40B-400.046	5/14/09	5/29/09	12/21/09	1/8/10	12/22/09	3/1/10	3/22/10
Petition for Formal Wetland Determination							
40B-400.091	12/9/08	12/19/08					
ERP Handbook-Bald Eagle De-listing							

Construction & As-built Inspections



Compliance and Enforcement

updated 1/20/2010 3:54:15 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	<p>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. Court-ordered mediation held on 6/30/09. Mr. and Mrs. Hill have not yet signed the mediation agreement as of 7/24/09. See the enforcement and litigation report from legal counsel for further information.</p>	Dinges, Jon
CE05-0017	COLUMBIA	4/14/2005		Alteration of dam without a permit.	Jeffery Hill	<p>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. See the enforcement and litigation report from legal counsel for further information.</p>	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	<p>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.</p>	Sagul, Tim

WSRM 107

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE06-0014	COLUMBIA	8/31/2005	8/14/2009	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 1/16/06. 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. Sent letter 7/14/09; 30 days to remove culvert under Brown Road and return to grade. District staff and Tom Brown met with John Colson and Marlin Feagle of Columbia County on 12/4/09. Mr. Colson to submit permit for culvert.	Dinges, Jon
CE05-0046	COLUMBIA	12/5/2005	5/29/2009	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. Mr. Fitzhugh wants an 18 month extension to complete work. Staff to discuss with leadership.	Marshall, Leroy
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. Letter sent by legal counsel on 6/24/09 to Vicki Berman, Esq., stating that District will not accept HOA has O & M entity until developer amends articles & by-laws to allow residents to control HOA. Letter also agrees that based on Third Amendment to Declaration, a separate drainage easement from lot 12 owner is no longer needed. Letter sent from J. Springfield 7/22/09 regarding HOA responsibility. Received HOA documents to transfer O & M 11/18/09 from J. Springfield.	Marshall, Leroy
CE09-0028	COLUMBIA	4/1/2009	1/5/2010	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. Received all sections of as-builts 5/28/09. Several Calls and e-mails to Home Depot in Atlanta including Attorney and Store District Manager. All as built have been received but fine has not been paid. File sent to legal 6/18/09. Letter mailed 12/8/09; 30 days to submit penalty & admin. costs.	Bowden, Jerry
CE09-0027	LEVY	3/1/2009	8/31/2009	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). Mills Engineering has called and is working on the application and plans. Engineer says permit application and plans should be submitted by 12/31/09. Received ERP application 12/18/09.	Webster, Patrick
CE09-0031	DIXIE	3/26/2009	9/24/2009	Unpermitted structure & fill in floodway.	Dale Herring	30 days to submit WOD application. Waiting on WOD application. Reminder letter sent 7/23/09. Received WOD application 7/30/09. Sent RAI 8/25/09; 30 days to submit fee and information to complete submittal.	Hastings, John

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE09-0034	DIXIE	3/31/2009	9/14/2009	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 6/30/09. Called 6/18/09 and left message for Mr. Patterson to call me back. Letter sent 6/24/09. Mr. Patterson called 9/11/09. District will accommodate his request to meet on a Friday during hunting season when he is in town. Waiting for a confirmation call. No contact as of 10/19/09. Will try one more contact before referring to legal. Mr. Patterson agrees (11/17/09) to a field meeting. Contacted Mr. Patterson by phone on 12/15/09. He said he has not been able to schedule a meeting because his family has been sick with the swine flu. Meeting scheduled 1/15/10.	Spencer, William
CE09-0054	ALACHUA	7/1/2009	10/9/2009	Permit conditions violations.	Christopher Almond / Deernaven Citgo	30 days to submit plan, drawings, calculations & timeframe to complete corrective action. Received letter 7/22/09 requesting copy of permit and determination that permit conditions have been violated. Sent revised NOV 7/23/09. 2 weeks to provide requested information. Received correspondence from Mr. Almond questioning violations. Second letter sent from District on August 17, 2009. Mr. Almond is to submit plans and construction schedule for bringing project into compliance by 9/30/09. File to legal 8/28/09. Received letter from Mr. Almond 9/15/09. File to legal 9/16/09. Letter from legal sent 9/22/09; has until 10/9/09 to pay penalty, modify application & submit plans. Meeting with Mr. Almond on 10/01/09. He will hire an engineer to evaluate the site and submit design plans and calculations on or before October 30, 2009. These will be submitted to the District, and after approval, be implemented on or before November 30, 2009. Modification of the permit and action regarding the current legal issues were not resolved at this meeting. Mr. Almond was informed that these issues will be resolved upon completion of the design and construction. Meeting at the District with Mr. Almond and Engineer (Brent Whitman, Madison Engineering) set for 10/21/09. Meeting with Mr. Almond on 10/21/09. He will hire consultant by November 1st, 2009. Sent requested District files on Deernaven via e-mail on 10/29/07. 11-09-09 phone call to Chris Almond requesting return call. 11/10/09 sent e-mail requesting compliance by 11/13/09. 11/16/09 received e-mail asking if Rick from Stillwater Technology contacted District. Return e-mail on 11/17/09 stating no contact and informing Mr. Almond the file would be returned to legal on company is doing survey work for Almond this week. Rick is to contact District with a time frame for data submission prior to 11/24/09. Will update John Hastings and transfer project. Received information from engineer 12/22/09. Made a pending ERP (ERP98-0093M).	Bowden, Jerry
CE09-0059	DIXIE	10/23/2008	9/21/2009	Unpermitted structure within floodway.	Ronald Berg	File to legal 7/28/09. Letter sent from legal 9/4/09; 18 days to pay penalty, restore site & apply for ERP permit. Sent photos to legal 12/14/09. February Governing Board for authorization to file complaint.	Hastings, John
CE09-0057	COLUMBIA	7/9/2009	9/7/2009	Unpermitted structure within floodway.	Wilson Springs, Inc. (Hugh Wilson)	14 days to contact District. Mr. Wilson called on 7/24/09 and said the property no longer belongs to him. He thinks it is owned by an association. Sent 18 day letter 8/29/09. Mr. Wilson contacted me on 8/24/09 and stated he would work with me on getting the dock permitted. I am trying to set up a meeting with Don Thomas. Apparently he owns the dock. Met with Mr. Thomas on 9/9/09 and he will be sending in his application. Mr. Thomas is in the process of buying this property and is the one that had the dock built. Called Mr. Thomas on 10/19/09 and left a message. As of 10/19/09 no application has been received. Spoke with Mrs. Thomas on 11/04/09 and she said Mr. Thomas would contact me on 11/05/09. Mr. Thomas contacted me on 11/05/09 to tell me it will probably take a few more weeks. Called Mr. Thomas on 12/16/09 and was unable to make contact. File to legal 1/06/10.	Robinson, Vince
CE09-0067	DIXIE	5/29/2009	3/22/2010	Non-conformance with permitted plans.	Robert Hawkins	30 days to send in ERP application. WOD application received 9/17/09. Sent RAI 10/16/09. Information received 11/30/09. Sent RAI 12/22/09.	Hastings, John

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE09-0068	LAFAYETTE	8/21/2009	8/7/2009	Unpermitted fill in floodway.	Stephen Douglas	14 days to contact District. Mr. Douglas contacted the District on 09/10/09. Mr. Douglas was advised to submit a WOD permit application, along with participating neighbors, for seawall construction. The fill is planned to be utilized for backfill in a common seawall to be shared between Mr. Douglas and at least two adjacent neighbors. Staff will follow-up on November 6, 2009, and contact Mr. Douglas to discuss a Compliance Agreement. Discussed permitting and engineering with Mr. Douglas on 11/16/09. Mr. Douglas plans to submit application by 11/20/09. Received WOD application 11/16/09. The application is incomplete, and a request for additional information will be sent by 12/17/09 to provide Mr. Douglas and his neighbors some time to obtain their engineering. Spoke with Mr. Douglas on 12/21/09, and he stated that his engineer would visit this week to determine what would be necessary to design/permit a seawall. District staff also determined unpermitted structures existed (docks and decks) on bank, combined with deposition of fill materials to combat erosion. Mr. Douglas was informed of these concerns and will address them in his application. A meeting will be scheduled shortly after the holiday.	Mantini, Louis
CE09-0071	UNION	9/9/2009	9/28/2009	Ditch blocking & disposition of solid waste.	Donald Glenn (deceased) - Linda Glenn (survivor)	14 days to contact District. Received call from Linda Glenn 9/17/09. Louis Mantini to schedule site visit. NOV returned unclaimed 10/7/09. During a September 22, 2009, site visit, it was determined that the upstream neighbor must initiate remedial efforts to: 1) apply for a permit of the intermittent stream crossing, 2) re-direct the flow to its original path, including removal or moving the culvert that has been placed in the existing crossing. Staff will call on November 6, 2009, to set-up a meeting with Ms. Glenn, Jerry Grant (neighbor), and County Commissioner-Wayne Smith to address compliance. District staff met with Mr. Grant, Ms. Glenn, and County Commissioner Wayne Smith to discuss resolution of the drainage concerns associated with this CE-file. A correspondence was mailed to Mr. Smith defining the District's position towards a solution. Since the resolution is contingent upon the County's goodwill and the property owner's cooperation, this file will remain open, and District staff will monitor the site monthly to determine if the problem is solved. Sent letter 11/16/09. Called and left message with Ms. Glenn on 12/22/09 to determine if there has been any activity since our meeting.	Mantini, Louis
CE09-0058	LEVY	8/2/2006	1/30/2009	Unpermitted construction.	Douglas McKoy	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 12/06. 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. McKoy. 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 6/30/09. Received e-mails concerning his intentions. Lack of money has prevented him from moving forward. The environmental consultant and engineer will not move forward until they are paid. October Board meeting for denial of ERP and request for legal action. Item pulled from Board agenda per GB members. Received email 10/15/09. Waiting for Mr. McCoy to set up a meeting to discuss progress on the permit application. Project was on the Governing Board agenda for denial in December, but it was pulled since we received notices that an engineer and surveyor are back working on the plans as of 12/7/09.	Webster, Patrick

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE06-0073	GILCHRIST	9/5/2006	11/19/2009	Unpermitted construction in roadway.	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. Letter sent 5/17/09; 18 days to contact District regarding removal plans. They responded by asking for an extension do to flood damage. Sent letter 8/21/09; 90 day extension due to flooding issues. Received letter 12/12/09; staff to review.	Webster, Patrick
CE06-0086	COLUMBIA		9/11/2008	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. Home construction has restricted 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. Letter from J. Springfield sent 7/24/09; proposed consent agreement sent to Mr. Cole for review and approval. Staff will inspect site work to verify compliance.	Dinges, Jon

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE06-0107	LAFAYETTE	12/12/2006	4/28/2009	Construction without a permit.	Linda Fennell	<p>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 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. Site visit by boat 6/26/09; GPS location. Legal sent letter 7/28/09 to Lafayette County to serve Ms. Fennell.</p>	Marshall, Leroy
CE07-0065	GILCHRIST	5/16/2007	9/5/2008	Unpermitted construction within the floodway.	Steven A. Midyette	<p>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 received May 4, 2009; GB authorized referral to DOAH at 5/14/09 meeting. File sent to DOAH on 5/18/09. Received Abeyance Order on 9/3/09. No Administrative Hearing. Received letter from legal 10/9/09; case in abeyance until further notification. 11/24/09 - Staff (Louis Mantini) responded to Chris Costello, legal counsel - A modification of the Consent Agreement was proposed by the Respondent's consultant, and a compromise Consent Agreement was initiated by District staff. We will wait for a reply. Received updated Order Continuing Case in Abeyance 12/7/09. Letter sent from legal 1/18/10 with Consent Agreement to Mr. Midyette. Response due by 1/27/10.</p>	Mantini, Louis

WORM 112

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE07-0087	MADISON	9/26/2007	8/7/2009	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. Counsel filed complaint with Madison County Clerk of Court. Awaiting return of summons (6/4/09). Return of Service received from legal 6/30/09. Letter sent to Mr. Hicks from legal 7/20/09; all penalties and fees due by 8/7/09.	Robinson, Vince
CE09-0078	DIXIE	10/1/2009	1/4/2010	Failure to submit completion reports.	Fred McKay	NOV being sent 10/2/2009, requiring submittal of completion reports and \$500 penalty. Certified NOV returned unclaimed 10/28/09. Completion reports received 12/1/09. 12/18/09 sent letter requesting \$500 penalty by 1/4/2010 or refer to legal. Staff received letter dated 12/22/09, inquiring what course of action he can take to appeal violation.	Hancock, Gloria
CE09-0091	HAMILTON	10/15/2009	11/20/2009	Dredge & fill in wetlands.	White Springs Agricultural Chemical, Inc.	Satisfied requirement to contact District by 11/20/09. District staff (Louis Mantini) met on-site with Don Dahlgren (Potash Corp), and Greg Isom of Claw Forestry. It was determined that the dredge and fill activity was a firebreak done by DOF. Will prepare follow-up correspondence to PCS and call Keith Osteen (DOF, Lake City; (386) 758-5700) to arrange remediation. Sent letter 11/23/09; DOF to handle violation-corresponded by telephone [(386) 758-5700] and e-mail on and prior to 12/22/09, to Keith Osteen (DOF), osteenk@doacs.state.fl.us - waiting for response.	Mantini, Louis
CE09-0095	GILCHRIST	11/18/2009	12/22/2009	Unauthorized structure within floodway. 1/7/10- Shed reported to be sold and removed, need to verify.	Peter Vitulli & Nancy Fecso	14 days to contact District.	Link, James
CE09-0096	MADISON	12/10/2009	12/11/2009	Unpermitted activity.	Richard & Billie J. Ballard	SWO hand delivered 12/11/09 by Louis. 12/14/09 - Louis to site visit with the Ballards and issue verbal authorization to resume earthwork in order to prevent threats to water quality. Permit will be issued after the fact. Followed-up on 12/21/09 to determine status of activity, and the contractor is waiting for things to dry-out prior to resuming construction of road and agricultural sump.	Mantini, Louis
CE09-0092	GILCHRIST		12/8/2009	Unauthorized dock partially on neighbors property.	Lex & Deborah Walker	14 days to contact District. Received a letter on 12/1/09 agreeing to remove the dock.	Webster, Patrick
CE09-0094	GILCHRIST	12/1/2009	12/27/2009	Unpermitted construction.	DeWayne Yates / Trenton Medical Center	Sent letter requiring work to be stopped and respond with RAI information by deadline of 12/27/09.	Webster, Patrick
CE09-0098	LEVY	12/21/2009		Unpermitted activity on Parcel #11549-000-00.	Marvin Franks / Cedars Airfield, Inc.	Field review 1/12/2010. Staff to inspect.	Mantini, Louis
CE10-0001	COLUMBIA	12/28/2009	1/22/2010	Unpermitted pond construction.	Grady Guy	18 days to submit ERP application.	Mantini, Louis

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
CE08-0035	COLUMBIA	4/15/2008	12/30/2009	Non-conformance with Erosion Control Plan.	Robert F. Jordan / Turkey Creek Subdivision	<p>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 ERP07-00811M 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. 8/6/09 NOV mailed to Mr. Jordan with four issues: 1) Did not install cross drain & swale at Sta 20+33.39 - 2) Road side ditches pond water 3) Irrigation system needs to be certified & Emergency Contact Sign at pump electric panels need to be installed 4) As-Built Certification submitted for only part of the project. Complete work by Sept 1, 2009. Pay fee of \$41,000.00. Contact Rick Johnston by August 21, 2009 to discuss resolving these issues. 8/10/09 Rick Johnston received a telephone call from Robert Jordan. He was in Canada, he received 8/6/09 NOV via his office staff. He will be back to Lake City 8/24/09 and would like to meet the week of 8/31/09. We are in the process of setting a meeting date of 9/10 or 9/11/09. 9/10/09, Rick Johnston, Jon Dinges, Kevin Wright met with Mr. Jordan and Phil Bishop, BB&L, Engineer of Record. Mr. Jordan has completed two of our request and will work on the remaining issues per agreement at this meeting. We told Mr. Jordan we would re-evaluate the penalties based on his good-faith effort to complete deficiencies in a timely manner. We followed up with a letter, 9/16/09, documenting the resolutions established in the meeting. Sent letter 11/20/09 to contact District by 12/4/09 and repair problems by 12/30/09. Received response letter 11/30/09. 11/27/09 received telephone call from Robert Jordan requesting a teleconference with him, Phil Bishop and SRWMD to review As-Built requirements determined in 9/10/09 meeting. We teleconmed on 12/02/09 and determined that Phil Bishop would resubmit As-Built drawings with culvert & swale at Sta 20+33 Locate the second spill way in SWMF Pond # #2 by 12/25/09. Robert Jordan will submit marked up plan drawings showing the irrigation pipe located with the domestic water pipe. Robert Jordan also agreed to grade the roadside ditches to flow property when the ground dries out</p>	Johnston, Rick
CE08-0036	COLUMBIA	4/19/2008	3/31/2010	Construction without a permit	Joanie LeRoy(Secretary/Treasurer)LC Airpark	<p>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 scheduled within 60 days of 9/17/09.</p>	Wright, Kevin

CE #	County	Discovery Date	Date Action Required	Violation Summary	Respondent	Comments	Staff
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. Staff to write letter by 6/30/09. Sent out email on 6/15/09 to Chad Williams, engineer, with photos of the ponds leaking. Mr. Williams is trying to address the issue with the owner. 11/3/09 E-mailed Mr. Williams and no response as of 11/16/09.	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. Received variance request 7/9/09. Being review by Jon Dinges. Variance denied at August 2009 Board. Final Order mailed 8/13/09.	Hastings, John
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. File to legal 7/15/09. February 2010 Board meeting for Admin. Complaint	Dinges, Jon
CE08-0022	SUWANNEE	3/3/2008	12/20/2009	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. Extension granted until 12/20/09.	Marshall, Leroy
CE08-0065	LAFAYETTE	1/4/2010	1/21/2010	Unpermitted structure within floodway. REOPENED CE 1/6/10. UNPERMITTED STRUCTURE (SHED) IN FLOODWAY	Roger Mowry	14 days to contact District. Spoke with Mr. Mowry on 12/1/08. Received \$350 penalty and \$250 WOD application fee 12/8/08. Met with and gave application to Mr. Mowry on 12/08/08. Received WOD application 12/15/08. Close File. RE-OPENED CE FILE 1/6/10. UNPERMITTED STRUCTURE (SHED) IN FLOODWAY. Sent NOV 17/10. 14 days to contact District.	Robinson, Vince
CE08-0066	LAFAYETTE	11/6/2008	3/15/2010	Unpermitted structure within floodway. Closed file 1/12/09. REOPENED CE 12/15/09. UNPERMITTED STRUCTURES & CONSTRUCTION WITHIN 75 FOOT SETBACK.	Richard & Mary Keen	14 days to contact District. Spoke with Mr. Keen on the phone 12/08/08. Should have his application in within two weeks. Tried to contact Mr. Keen by phone on 01/05/09. Received WOD application with fee and penalty of \$350. Closed file on 1/12/09. FILE RE-OPENED 12/14/09; Unpermitted structure within 75 foot setback, oversized deck, unpermitted enclosed structure. NOV sent 12/15/09; penalty & RAI information requested.	Robinson, Vince

<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>
CE08-0072	COLUMBIA	12/16/2008	2/2/2010	Dredging and filling of an approximate 13 acre cypress pond.	Larry R. and Eva Joyce Sigers	<p>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 requesting restoration plan and penalty by 3/18/09. Received letter from Mr. Sigers attorney requesting a 60 day extension. Letter sent 3/19/09; 60 day extension granted. Meeting 5/12/09; consultant working on plan. Working on impact estimate; should have material in by 6/19/09. Met with Mr. Carl Salifrio 7/8/09. Impact map was submitted. Preliminary discussions regarding resolution were continued. Mr. Salifrio will return with a proposed plan. Will send 18-day letter by 8/18/09 requesting information. Contacted consultant 8/24/09. A restoration plan will be submitted this week (8/24/09). Received restoration plan 8/25/09. Draft restoration plan approved with changes and compliance agreement will be drafted by staff. Mr. Salifrio indicated by phone (9/25/09) that an application for the pond will be submitted. ERP application received 10/13/09. RAI letter for ERP sent 11/4/09.</p>	Spencer, William

MEMORANDUM

TO: Governing Board

FROM: ^{TS} Tim Sagul, Senior Professional Engineer

THRU: David Still, Executive Director ^{DS}
Jon Dinges, Department Director ^{JMD}

DATE: January 21, 2010

RE: As-built Compliance Summary

As-Built Summary March 2003-December 2009

Permits Expired	1076
Projects Constructed	800
Projects in Compliance	716
Projects not in Compliance	84
Percentage of Projects in Compliance	88%
<u>For permits expired but not constructed:</u>	
Project Modifications	90
Project Extensions	38
Projects not Constructed	88
Projects in Compliance & Enforcement	51
Projects not Requiring As-Built Certification	48

As-Built Summary January 1998-February 2003

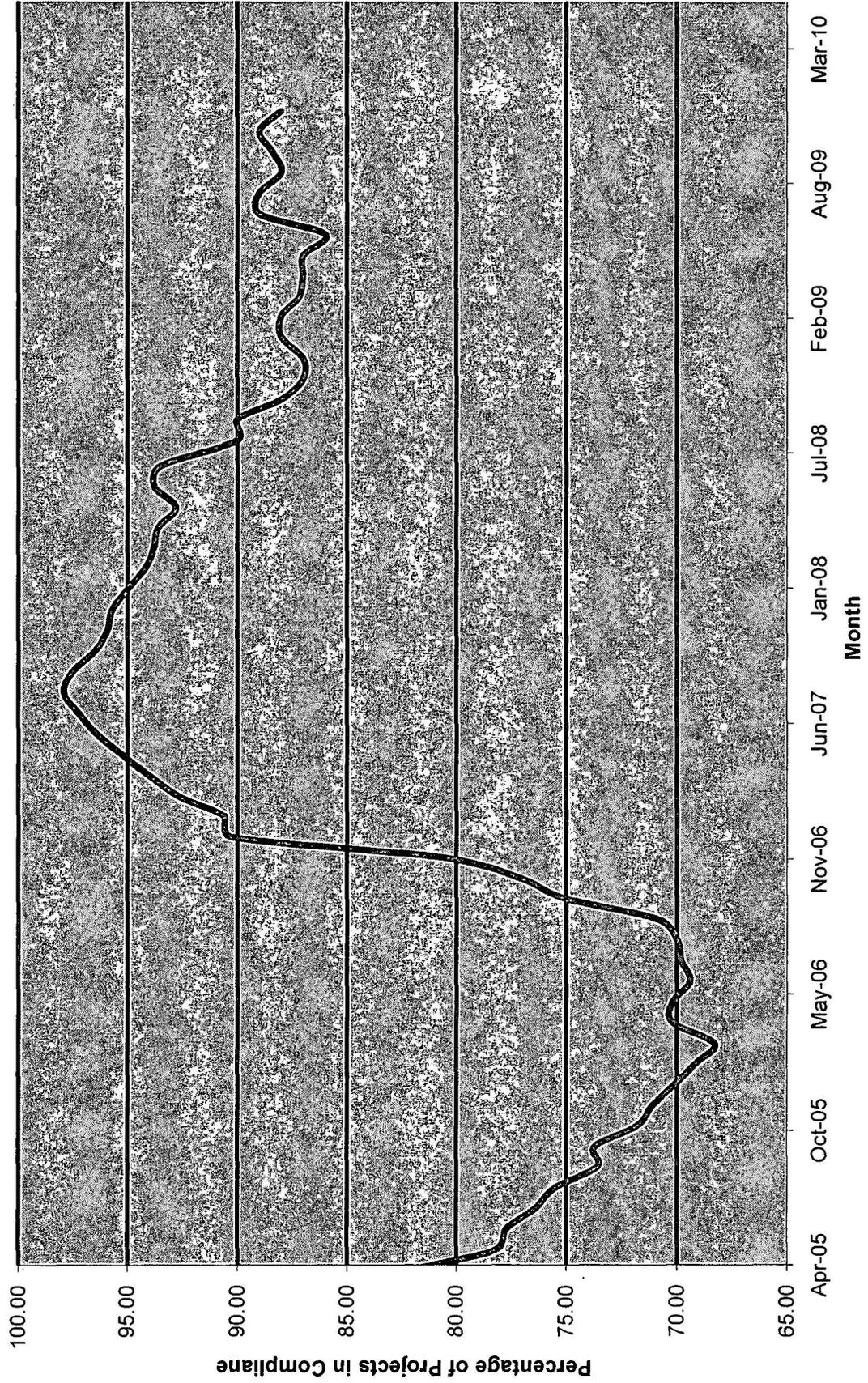
Projects Constructed	712
Projects in Compliance	662
Percentage of Projects in Compliance	88%

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

cc: Charlie Houser, Assistant Executive Director

As-Built Compliance Trend



COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	MISSING FORMS
ALACHUA	GREENS AT WESTEND, PHASE III	ERP00-0070M	8/29/2005	ABC
	WYNDHAM TRACE SUBDIVISION	ERP06-0251	12/27/2009	ABC
	JONES SALES AND SERVICE	ERP06-0640	12/19/2009	ABC
	ALACHUA GATEWAY CENTER	ERP01-0042	6/8/2003	ABC
	BAILEY ESTATES SUBDIVISION MOD	ERP06-0256M	9/11/2009	ABC
	JONES SALES AND SERVICE	ERP06-0640	12/19/2009	ABC
	WALDO 301 TRAVEL CENTER MODIFICATION	ERP05-0578M	8/14/2009	ABC
	ALACHUA GATEWAY CENTER/HERITAGE OAKS	ERP01-0042M2	1/27/2009	C
	COUNTRY WAY SUBDIVISION MODIFICATION #3	ERP01-0043M3	2/22/2008	ABC
	UTOPIA/DALTON PINES/WELCH/WYNDSONG SUBDIVISIONS MOD.	ERP01-0283M	1/13/2009	ABC
	SUN STATE FEDERAL CREDIT UNION	ERP01-0470	10/11/2003	C
	SHOWTIME MOTORSPORTS PARK	ERP02-0045	2/20/2004	ABC
	BRIGHTON BEACH CAR WASH MODIFICATION	ERP02-0243M	1/30/2005	ABC
	BUDD MEDIA & EMERGENCY OPERATIONS CENTER	ERP06-0266	6/28/2009	ABC
	WAL-MART SUPERCENTER #3873 - ALACHUA	ERP05-0518	6/13/2009	ABC
	OAK LEAVES AT HIGH SPRINGS	ERP06-0227	6/20/2009	ABC
	NEWBERRY ELEMENTARY SCHOOL ADDITION	ERP02-0555	2/23/2005	ABC
	PINERIDGE PLACE	ERP03-0026	2/3/2006	AC
	PINE ISLES VILLAS	ERP03-0026M	3/21/2009	ABC
	SANDY PINES ESTATES	ERP03-0033	8/12/2008	ABC
	SPANISH GATES UNIT 2 & 3 MODIFICATION	ERP03-0049M	2/10/2009	ABC
	SAINT FRANCIS HIGH SCHOOL MODIFICATION	ERP03-0083M	9/18/2005	ABC
	ST. FRANCIS HIGH SCHOOL MODIFICATION #2	ERP03-0083M2	2/14/2009	ABC
	COX LUMBER COMPANY	ERP03-0233	7/9/2005	C
	OLD OAK ESTATES SUBDIVISION	ERP04-0378	3/2/2008	ABC
	CHAMBERS INDUSTRIAL SUBDIVISION	ERP04-0495	3/10/2008	ABC
	FLETCHER PARK SUBDIVISION	ERP04-0535	1/24/2008	ABC
	MAUPIN HOUSE PUBLISHERS	ERP05-0229	5/25/2008	ABC
	BARTLEY LANE SUBDIVISION	ERP05-0243	10/27/2008	ABC
	ASHTON RIDGE SUBDIVISION	ERP05-0383	1/25/2009	ABC
	441 MINI WAREHOUSES	ERP05-0384	11/18/2008	ABC
	JONESVILLE PARK SOCCER FACILITY	ERP05-0461	10/31/2008	ABC
	LTD MOTORS PARKING LOT	ERP05-0476	10/20/2008	ABC
	FARNSWORTH PUD OFFICE BUILDING	ERP05-0522	12/7/2008	C
	MORTON BUILDINGS	ERP05-0532	2/9/2009	ABC
	ATM ALACHUA OFFICE PARK	ERP05-0542	11/17/2008	ABC
	WESTON OAKS SUBDIVISION	ERP05-0559	4/5/2009	ABC
	ACE HARDWARE OF HIGH SPRINGS	ERP05-0565	1/9/2009	ABC
	WALDO 301 TRAVEL CENTER	ERP05-0578	1/25/2009	ABC
	SCHERER CONSTRUCTION SPEC BUILDING	ERP06-0008	2/23/2009	ABC
	MEL'S TACK ROOM AT MARLBORO FARMS	ERP06-0061	3/22/2009	ABC
	SAVANNAH STATION PHASE I	ERP06-0064	3/20/2009	ABC
	OAK RIDGE SUBDIVISION	ERP06-0094	3/13/2009	ABC
	CPC INDUSTRIAL PARK	ERP06-0102	3/10/2009	ABC
	HIGH SPRINGS ANTIQUE STORE MODIFICATION	ERP94-0152M	11/18/2007	ABC
	TOWN OF TIOGA-PHASES 8 & 9	ERP95-0126M5	3/9/2009	ABC
	THE TRAILS-UNITS 3 & 4	ERP96-0298M2	3/9/2004	ABC
	FAMILY CHURCH MODIFICATION	ERP96-0303M	1/31/2004	ABC

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	MISSING FORMS
ALACHUA	ST. ALBANS WOOD/MACDOUGALL CONDO MOD	ERP99-0424M	5/31/2008	ABC
	BUDD MEDIA & EMERGENCY OPERATIONS CENTER	ERP06-0266	6/28/2009	ABC
	WAL-MART SUPERCENTER #3873 - ALACHUA	ERP05-0518	6/13/2009	ABC
	OAK LEAVES AT HIGH SPRINGS	ERP06-0227	6/20/2009	ABC
	NEWBERRY GARDENS	ERP99-0525	1/11/2005	C
BRADFORD	MADISON STREET BAPTIST CHURCH MULTI-PURPOSE BUILDING	ERP86-0057M4	10/19/2008	ABC
	SR 18 FROM SR 121 TO BROOKER, FM #'S 2109622, 2079732	ERP06-0271	11/20/2009	ABC
	STARKE SONIC DRIVE-IN	ERP04-0364	10/4/2007	ABC
COLUMBIA	EYE CENTER OF N. FLORIDA / STATE FARM INSURANCE	ERP06-0419	12/8/2009	ABC
	KINGDOM ESTATES SUBDIVISION	ERP06-0522	11/6/2009	ABC
	PROJECT SUNSHINE / TARGET DISTRIBUTION CENTER	ERP06-0603	12/1/2009	ABC
	ISLAMIC CENTER OF LAKE CITY	ERP06-0002	4/25/2009	AC
	LITTLE ROAD BRIDGE REPLACEMENT	ERP06-0364	9/14/2009	ABC
	FOREST COUNTRY SUBDIVISION - 6TH ADDITION	ERP90-0209M	9/11/2009	ABC
	OAK MEADOWS PLANTATION-UNIT 3	ERP96-0036M3	10/12/2009	ABC
	NORTHWEST BASCOM NORRIS DRIVE	ERP98-0459M3	10/12/2009	ABC
	PROJECT SUNSHINE CLEARING & GRUBBING #2	ERP06-0538	10/6/2009	ABC
	WALTER AVENUE BRIDGE REPLACEMENT	ERP06-0363	9/14/2009	ABC
	PINES AT FALLING CREEK	ERP05-0490	8/10/2009	ABC
	STEWARTVILLE ESTATES SUBDIVISION	ERP05-0458	8/30/2009	ABC
	PROJECT SUNSHINE CLEARING & GRUBBING	ERP06-0405	8/8/2009	ABC
	THE HERMITAGE SUBDIVISION	ERP06-0385	8/21/2009	C
	THE OAKS AT WOODBOROUGH	ERP06-0252	8/9/2009	AC
	LAKE CITY MUNICIPAL AIRPORT CONTROL TOWER	ERP00-0290	5/8/2005	ABC
	RED BUD ENTERPRISES SHOP & OFFICE	ERP01-0003	7/23/2004	ABC
	WINDSWEPT INDUSTRIAL S/D, PHASE I	ERP01-0407	12/26/2003	ABC
	PETE RICHARDSON PROJECT MODIFICATION	ERP02-0011M	8/10/2008	ABC
	HAIGHT-ASHBURY SUBDIVISION	ERP02-0021	3/16/2006	ABC
	RECORD STORAGE OF LAKE CITY MODIFICATION	ERP02-0091M	8/17/2008	ABC
	MAGNOLIA PLACE	ERP02-0109	10/24/2004	ABC
	COBBLESTONE SUBDIVISION	ERP02-0437	10/14/2008	ABC
	C.R. 231 FROM S.R. 100 TO BAKER COUNTY LINE	ERP02-0497	3/11/2008	BC
	U.S. 90 WEST CAR WASH	ERP02-0510	2/19/2005	ABC
	S.R. 47 FROM I-75 TO S.R. 25	ERP03-0103	3/9/2009	ABC
	GERALD RIGGLE DEVELOPMENT	ERP03-0144M	6/29/2008	C
	ELLISVILLE SUBDIVISION/MAGNOLIA PLACE	ERP03-0197	10/14/2008	ABC
	HUNNINGTON PLACE SUBDIVISION-PHASE 1	ERP03-0390	9/26/2008	ABC
	CARDINAL FARMS SUBDIVISION	ERP03-0484	3/9/2009	ABC
	BROOK LOOP DRAINAGE	ERP04-0024	2/2/2006	ABC
	COUNTRY SIDE ESTATES	ERP04-0117	4/23/2006	ABC
	M&M FITNESS	ERP04-0161	8/25/2007	ABC
	DEER HAMMOCK SUBDIVISION	ERP05-0025	2/29/2008	ABC

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	MISSING FORMS
COLUMBIA	BULLARD COMMERCIAL BUILDING	ERP05-0159	1/25/2009	ABC
	HIDDEN LAKE	ERP05-0319	4/19/2009	ABC
	HUNTER CREEK SUBDIVISION	ERP05-0401	4/13/2009	ABC
	CHEEK & SCOTT DRUGS-LAKE CITY	ERP05-0439	3/14/2009	ABC
	SUNSET MEADOWS SUBDIVISION	ERP05-0520	4/12/2009	ABC
	ELLISVILLE MINI STORAGE	ERP07-0238	6/25/2009	C
	MILLER BEARING PROJECT	ERP06-0109	6/22/2009	ABC
	HAVEN HOSPICE OF THE SUWANNEE VALLEY	ERP05-0528	1/3/2009	ABC
	ROYAL OAKS SUBDIVISION	ERP05-0572	3/2/2009	ABC
	LAKE CITY AIR AND REFRIGERATION	ERP06-0023	3/10/2009	C
	WINGATE ESTATES	ERP06-0050	2/15/2009	ABC
	HOME TOWN TITLE	ERP86-0003M	3/3/2008	ABC
	WESTFIELD SQUARE ADDITION	ERP86-0062M	3/15/2009	C
	MORRELL'S INC. MODIFICATION	ERP89-0162M2	10/24/2008	ABC
	FIVE POINTS ELEMENTARY MODIFICATION	ERP91-0120M	9/11/2003	ABC
	L & L COMMERCIAL CENTER MODIFICATION	ERP92-0122M	8/18/2008	AC
	EMERALD LAKES SUBDIVISION, UNIT 6	ERP93-0177M2	4/8/2008	ABC
	EPIPHANY CHURCH MULTIPURPOSE COURT	ERP94-0204M3	10/4/2008	ABC
	MINI STORAGE OF LAKE CITY MODIFICATION	ERP96-0357M	3/7/2008	C
	GENESIS MODEL HOME CENTER	ERP97-0044M	12/11/2003	C
	FLORIDA GATEWAY CENTER SOUTH-LOTS 7 & 8 (HAMPTON INN)	ERP97-0044M3	3/21/2008	ABC
	DEER CREEK/LAUREL LAKE SUBDIVISION UNITS 2 & 3	ERP97-0308M2	11/17/2007	ABC
	ACTION SIGNS & GRAPHICS	ERP98-0021M	3/3/2009	ABC
	NEXTRAN TRUCK CENTER	ERP98-0083M2	3/30/2003	ABC
	NEXTRAN SHED ADDITION	ERP98-0083M3	9/30/2004	ABC
DIXIE	SUWANNEE PLACE RESORT, INC.	ERP05-0540	1/30/2009	ABC
	RIVER SHORES AT JENA	ERP06-0214	10/6/2009	ABC
	HUDSON FOOD STORE MODIFICATION 3	ERP92-0138M3	11/14/2004	ABC
	STEINHATCHEE STORAGE-PHASE 1 MODIFICATION	ERP99-0590M	8/15/2008	ABC
	ROYAL COAST CONDOMINIUMS	ERP05-0538	11/28/2008	C
	HIDDEN OAKS SUBDIVISION-FIRST ADDITION	ERP06-0041	3/1/2009	C
	LOUDO ENTERPRISES	ERP06-0400	10/2/2009	ABC
	BELL OAKS SUBDIVISION	ERP06-0344	8/10/2009	ABC
	PINE RIDGE PLANTATION I	ERP06-0086	8/9/2009	ABC
	OAK WALK SUBDIVISION	ERP06-0291	8/15/2009	C
	TROFFER ADDITION	ERP02-0227M	7/2/2004	
	STARETT BUILDING MODIFICATION	ERP03-0464M	4/6/2007	ABC
	QUAIL RUN SUBDIVISION (10/15/21)	ERP04-0257	10/28/2007	ABC
	WACASASSA PLANTATION	ERP05-0188M	11/9/2008	ABC
	FORT FANNING HISTORICAL PARK IMPROVEMENTS	ERP05-0447	10/26/2008	C
	FORT FANNING HISTORICAL PARK TRAILHEAD-PHASE 2	ERP05-0447M	12/15/2008	C
	GILCHRIST COURTHOUSE PARKING & STORAGE MODIFICATION	ERP02-0283M	6/8/2009	ABC
	FOOTHILL FARMS-PHASES I AND II	ERP99-0190	6/8/2004	ABC

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	MISSING FORMS
HAMILTON	ADAMS PEANUT DRYING PLANT MODIFICATION	ERP04-0323M	10/29/2008	ABC
	WARMING ACRES	ERP06-0208	11/3/2009	ABC
	HOLTON CREEK PRIMITIVE CAMPSITE	ERP04-0329	8/10/2009	ABC
	OAK RIDGE ESTATES-HAMILTON COUNTY	ERP00-0377	6/4/2004	ABC
	PCS INDUSTRIAL PARK-HAMILTON COUNTY	ERP00-0440	4/23/2003	BC
	ALTON CHURCH OF GOD MODIFICATION	ERP01-0383M	11/27/2004	ABC
	JOSEPH HART PROJECT	ERP03-0093	3/18/2005	ABC
	THUMPER'S RIVER RUN	ERP03-0277	7/21/2005	ABC
	HAMILTON 48 SUBDIVISION	ERP05-0287	7/7/2008	ABC
	TIMBERLAND OAKS SUBDIVISION	ERP05-0288	7/7/2008	C
	THE STORAGE PLACE-MAYO	ERP05-0412	9/2/2008	ABC
LAFAYETTE	MAYO BAPTIST CHURCH MODIFICATION #2	ERP95-0002M2	12/6/2009	ABC
	AIRLINE BAPTIST CHURCH	ERP06-0119	4/5/2009	ABC
LEVY	MEADOW WOOD SUBDIVISION	ERP05-0593	3/17/2009	ABC
	CHIEFLAND EMS STATION	ERP06-0418	9/1/2009	ABC
	LEVY COUNTY JAIL MODIFICATION	ERP86-0202M2	8/29/2004	ABC
	WHITE CONSTRUCTION	ERP01-0367	9/11/2006	C
	NELSON OFFICE BUILDING MODIFICATION	ERP04-0407M	10/21/2007	ABC
	E & D FARMS SUBDIVISION	ERP04-0529	3/2/2008	C
	ARROWHEAD MEADOWS SUBDIVISION	ERP05-0101	3/3/2008	ABC
	DOLLAR GENERAL-CEDAR KEY	ERP05-0094	3/28/2008	ABC
	WALGREEN'S PHARMACY-CHIEFLAND	ERP95-0109M	5/2/2008	ABC
	SOUTHERN RANCH ESTATES	ERP05-0301	7/5/2008	ABC
	CEDAR KEY PLANTATION MODIFICATION	ERP97-0217M	9/9/2008	ABC
	BEASLEY ACRES	ERP05-0500	11/23/2008	ABC
	WELLINGTON SUBDIVISION	ERP05-0460	1/10/2009	ABC
	CHIEFLAND MIDDLE SCHOOL GYM	ERP06-0039	2/10/2009	ABC
	ROSEWOOD PARK MODIFICATION	ERP97-0113M	2/23/2009	ABC
MADISON	ARBOURS AT MADISON	ERP06-0112	4/3/2009	ABC
	AUCILLA SOLID WASTE FACILITY MOD #3	ERP90-0092M3	11/9/2009	ABC
	MADISON COMMONS RETAIL & OFFICE BUILDING	ERP06-0605	12/28/2009	ABC
	NORTON CREEK SUBDIVISION	ERP04-0409	10/12/2009	ABC
	HAMMOCK RIDGE SUBDIVISION	ERP06-0032	10/11/2009	ABC
	CHERRY LAKE 4H CAMP MODIFICATION	ERP97-0124M4	9/22/2009	ABC
	NFCC DRIVING & FIRING RANGE	ERP06-0345	8/7/2009	ABC
	NFCC SCIENCE BUILDING	ERP89-0190M2	2/10/2009	ABC
	MADISON LIMEROCK STABILIZATION PROJECT	ERP04-0059	3/29/2006	ABC
	ZEPHYRHILLS WATER STATION	ERP02-0138	6/11/2004	C
SUWANNEE	TIMBERWOOD ESTATES	ERP06-0060	4/25/2009	ABC
	DEER LAKE PRESERVE	ERP06-0396	12/20/2009	ABC
	DEER LAKE ESTATES SUBDIVISION-2/14/13	ERP04-0300	12/14/2009	ABC
	NOBLES GREENHOUSE	ERP06-0286	9/15/2009	ABC
	SPIRIT OF THE SUWANNEE HORSE CAMP BATH HOUSE	ERP94-0123M6	8/14/2009	ABC
	K-MART/WALGREENS	ERP92-0182M	10/5/2008	ABC
	SPIRIT OF THE SUWANNEE MODULAR BUILDING	ERP94-0123M5	1/27/2009	ABC
	SUWANNEE RIVER WILDERNESS TRAIL-WOODS FERRY	ERP04-0099	4/13/2009	C

COUNTY	PROJECT NAME	PERMIT NO.	DATE EXPIRED	MISSING FORMS
SUWANNEE	DDJ DEVELOPMENT WEST	ERP00-0353M	7/3/2004	ABC
	PARKER PAVILION	ERP01-0369	8/1/2003	ABC
	POUCHER TRACT WETLANDS	ERP01-0439M	4/9/2004	C
	SPEARS RIVER LOT RESTORATION	ERP02-0279	6/17/2004	ABC
	SUWANNEE BELL ESTATE LOT 98	ERP02-0325	7/25/2004	ABC
	BEACHVILLE MALL	ERP03-0461	12/4/2006	ABC
	KEATON BEACH LANDINGS MODIFICATION	ERP03-0502M	3/9/2009	ABC
	OBRIEN ESTATES	ERP05-0275	8/24/2008	ABC
	EAGLE'S POINTE SUBDIVISION	ERP05-0313	8/9/2008	ABC
	WALGREEN'S-PERRY	ERP05-0494	3/30/2009	ABC
	STEINHATCHEE HIGH POINT SUBDIVISION	ERP06-0053	3/9/2009	ABC
	SEVEN OAKS SUBDIVISION	ERP06-0085	3/13/2009	C
	WADE'S BAILED PINE STRAW	ERP07-0406	7/23/2008	C
	BULLDOG STORAGE MODIFICATION	ERP87-0316M	3/19/2006	ABC
	SUWANNEE COUNTY AIRPORT MODIFICATION	ERP90-0035M2	10/17/2003	ABC
	CAMP WEED YOUTH CABIN	ERP90-0072M3	5/23/2004	C
	GOLD KIST/TRAY PLANT EXPANSION	ERP91-0008M3	3/29/2008	C
	GOLD KIST/TRAY PLANT EXPANSION-PHASE 2	ERP91-0008M4	8/23/2008	ABC
TAYLOR	TRADEWINDS SUBDIVISION	ERP05-0562	2/27/2009	ABC
	FEASTER SUBDIVISION	ERP04-0562	11/22/2009	ABC
	ESTATES OF STEINHATCHEE	ERP06-0439	11/17/2009	ABC
	SEVEN OAKS SUBDIVISION MODIFICATION	ERP06-0085M	10/31/2009	ABC
	BLANTON FARMS SUBDIVISION	ERP05-0244	10/27/2009	ABC
	KEATON BEACH LANDINGS	ERP03-0502	2/12/2006	ABC
	SUMMER POINTE SUBDIVISION	ERP04-0128	6/28/2006	ABC
	GULF COAST ESTATES	ERP04-0153	10/27/2007	ABC
	PREMIER MEDICAL CLINIC ADDITIONS	ERP04-0190	5/7/2006	ABC
	BUCCANEER TRACE SUBDIVISION	ERP04-0311	6/17/2008	ABC
	ECONFINA RESORT INCORPORATED MODIFICATION	ERP04-0494M	5/5/2008	ABC
	STEINHATCHEE GYM	ERP04-0526	11/3/2007	ABC
	MARK SCHUMAKER FILL PROJECT	ERP05-0008	3/1/2008	ABC
	CARROLL WETLAND PROJECT	ERP05-0145M	10/21/2008	ABC
	BIRD SONG SUBDIVISION-FIRST ADDITION	ERP05-0173M	5/19/2008	ABC
UNION	C. R. 241 BRIDGE REPLACEMENT OVER SWIFT CREEK	ERP05-0409	2/28/2009	ABC
	SR 18 FROM SR 121 TO BROOKER, FM #'S 2109622, 2079732	ERP06-0271	11/20/2009	ABC
	WHISPERING OAKS SUBDIVISION	ERP06-0228	10/12/2009	C
	SMUGGLER'S TOWNHOMES	ERP05-0502	11/4/2008	ABC
	GULF BREEZE CONDOMINIUMS	ERP05-0616	2/23/2009	ABC
	MARTIN MARIETTA MOD	ERP99-0481M	7/10/2006	ABC
	PRITCHETT TRUCKING OFFICE AND PARKING ADDITION	ERP93-0180M	12/12/2008	ABC
	BUTLER TOWNHOMES, LLC.	ERP05-0389	10/17/2008	ABC
	OAK RIDGE ESTATES	ERP05-0302	10/12/2008	ABC
	CHASTAIN-SEAY PARK MODIFICATION	ERP00-0409M	1/9/2006	ABC
	HOWARD BROTHERS FARM	ERP01-0623	12/18/2004	ABC