

Suwannee River Water Management District

Governing Board Materials

Water Supply and Resource Management

The following materials have been reviewed and approved for distribution to the Governing Board and the public.

Director of Water Supply and Resource Management *JWD*

Assistant Executive Director *Charlie Horden*

Executive Director *David Stief*

## MEMORANDUM

TO: Governing Board

FROM: Jerry Bowden, Senior Professional Engineer

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

DATE July 22, 2010

RE: Authorization to Negotiate and Execute Contract with the Top-Ranked Design/Build Firm for the O'Leno State Park Trailhead

### RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to negotiate and execute a contract with Causseaux, Hewett, & Walpole, Inc., and O'Steen Bros., Inc., for the design and construction of the trailhead at O'Leno State Park for a cost not to exceed \$125,000.

### BACKGROUND

On May 14, 2010, the District issued Request For Qualifications (RFQ) 09/10-034RM requesting sealed qualifications from engineering consultant/construction contractor teams or design/build firms for the design and construction of the trailhead at O'Leno State Park.

All qualification packages were opened on May 28, 2010, at 4:00 p.m., at the District headquarters. Ten teams/firms responded to the RFQ.

The selection committee (Charlie Houder, Jon Dinges and Tim Sagul) met for review and ranking of the respondents in a public meeting on June 4, 2010, and selected three teams/firms deemed to be the most highly qualified to perform the required services. The selection committee ranked the three teams/firms as follows:

1. Causseaux, Hewett, & Walpole, Inc./O'Steen Bros., Inc.

2. George F. Young, Inc./JMJ Consulting/Universal Engineering Sciences/John C. Hipp Construction Company
3. Florida Fill & Grading, Inc./Madison Engineering, LLC/Daniel & Gore, LLC

Upon Governing Board approval, negotiations will begin with the number one ranked firm to negotiate a scope of work and associated cost for completion of the proposed project. If a mutual agreement cannot be reached with the number one ranked firm, the District will invite the second ranked firm for contract negotiations and so forth.

JB/kc

cc: Charles H. Houder, III, Assistant Executive Director

## MEMORANDUM

TO: Governing Board

FROM: Megan Wetherington, Senior Professional Engineer

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

DATE July 22, 2010

RE: Authorization to Enter into a Contract with Consultant in Order of Ranking for Surfacewater Quality Collections, Biological Collections, and Laboratory Analyses

### RECOMMENDATION

Staff recommends the Governing Board authorize the Executive Director to enter into a contract with Water & Air Research, Inc., for an amount not to exceed \$500,000.

### BACKGROUND

The District established the water monitoring network in 1989 to evaluate the status of water bodies and identify changing conditions in water quality. Monitoring includes water sampling, flow measurement, water chemistry sampling, aquatic biology sampling and analysis, and data management at 77 stations. Typical parameters include nitrate, phosphorus, dissolved oxygen, and biological diversity. The existing contract expires at the end of Fiscal Year 2010. The proposed contract will be renewable on an annual basis for a total term of up to three years.

On May 21, 2010, the District issued Request for Proposal, (RFP) 09/10-033WR, for the biological and chemical analysis of groundwater and surfacewater collected from an established data monitoring network on District wells, rivers, and springs.

All proposals were opened on June 4, 2010, at 4:00 p.m., at the District headquarters. Three companies responded to the RFP. The selection committee (Jon Dinges, Tim Sagul, and Charlie Houser) met for presentations

and ranking of the proposals on July 7, 2010. The selection committee rankings are as follows:

<u>Firm</u>	<u>Rank</u>	<u>Proposed Cost</u>
Water & Air Research, Inc.	1	\$441,513.00
ENTRIX, Inc.	2	\$542,073.00
Environmental Services, Inc.	3	\$425,433.50

If a mutual agreement cannot be reached with the number one ranked firm, the District will invite the second ranked firm for contract negotiations.

The initial contract value with Water & Air Research will be for their proposed cost of \$441,513. Staff requests that the Governing Board authorize an additional \$58,747 that could be used in the event of unforeseen events requiring additional monitoring and laboratory analysis, such as extreme hydrological events, fish kills, pollution concerns, or the loss of stations currently monitored by other agencies. Expenditures over the \$441,513 contract value would require the approval of the Executive Director.

Funds for this contract are in the proposed FY11 Springs Protection and Management budget in Fund Code 36.

/dd

cc: Charlie H. Houder, III, Assistant Executive Director

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

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

DATE: July 22, 2010

RE: Denial of General Works of the District Permit Application Number  
02-0300M3

RECOMMENDATION

Staff recommends that the Governing Board authorize denial, without prejudice, of General Works of the District Permit application number 02-0300M3 to Robert Hawkins for Robert Hawkins Works of the District Modification 3 in Dixie County.

BACKGROUND

Staff has reviewed the permit application. The application is incomplete because the applicant did not supply information needed to complete the review.

JH/rl

cc: Charles H. Houder, III, Assistant Executive Director

July 22, 2010

Robert Hawkins  
2878 NE 340 Highway  
Branford, FL 32008

Subject: Denial of ERP02-0300M3, Robert Hawkins General Works of the  
District Modification 3, Dixie County

Dear Mr. Hawkins:

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 of failure to supply information necessary to complete the application.

This proposed action is subject to final decision of the Governing Board at their regularly scheduled meeting on August 10, 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 permitting staff at 386.362.1001 if you have any questions.

Sincerely,

Jon Dinges, P. E.  
Department Director

JD/rl

Enclosure

cc: Dixie County Board of Commissioners  
Certified Mail Receipt Number: 7009 0820 0000 0505 5384

## 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.

## 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, 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:

**Robert Hawkins**  
**2878 NE 340 Highway**  
**Branford, FL 32008**

At 4:00 p.m. this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

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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  
GENERAL WORKS OF THE DISTRICT PERMIT APPLICATION**

**DATE:** July 22, 2010

**PROJECT:** Robert Hawkins Works of the District Modification 3

**APPLICANT:**

Robert Hawkins  
2878 NE 340 Highway  
Branford, FL 32008

**PERMIT APPLICATION NO.:**ERP02-0300M3

**DATE OF APPLICATION:** 09/17/09

**APPLICATION COMPLETE DATE:** N/A

**DEFAULT DATE:** N/A

**Recommended Agency Action**

District staff recommends denial, without prejudice, of the General Works of the District permit application because the applicant did not supply the information needed to complete the review.

**SRWMD Project Review Staff**

John Hastings, P.E., reviewed the project application.

**Project Location**

The project is located on the Suwannee River just downstream of the County Road 340 Bridge, in Township 8 South, Range 14 East, Section 16, in Dixie County.

**Project Description**

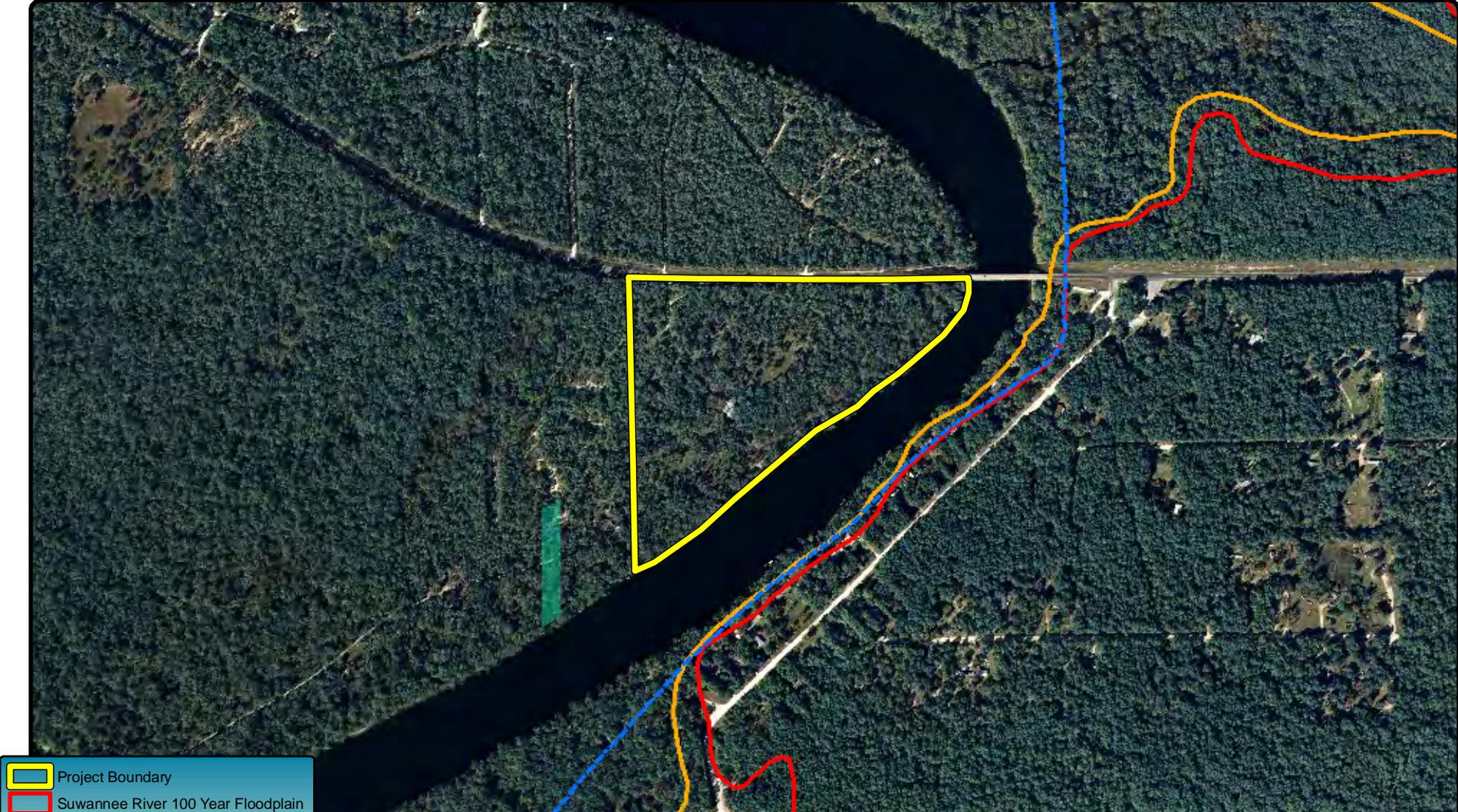
The applicant constructed three picnic shelters with access boardwalks outside the 75-foot setback but within the regulatory floodway without a permit. Upon notification, an after-the-fact permit application was submitted. A certified site plan and zero-rise certification was requested by staff. This information has not been received.

**Interagency Coordination**

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

**Site inspection to ensure project was not constructed**

The project was constructed without a permit.



-  Project Boundary
-  Suwannee River 100 Year Floodplain
-  Suwannee River 10 Year Floodplain
-  Suwannee River Floodway
-  SRWMD Ownership

## Robert Hawkins Works Of the District Modification

ERP02-0300M3  
August 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 warrant 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: July 22, 2010

RE: Activity Report, Water Supply and Resource Management

### Water Supply Assessment:

- Consultant continues to work on assessment. The draft Water Supply Assessment will be available for review by the Governing Board in September 2010.

### Upper Santa Fe River Basin Water Supply Plan:

- Consultant continues work on the Water Supply Plan for the Upper Santa Fe River Basin.
- Staff is meeting regularly with St. Johns River Water Management District via conference calls to coordinate activities in the water supply planning process.
- The St. Johns River Water Management District has postponed completion of their Water Supply Plan until the spring of 2011.
- Future meeting dates remain tentative based upon the completion of tasks by St. Johns River Water Management District staff.

### Springs:

- Staff continues to meet with individuals and groups to discuss and solicit support for The Ichetucknee Partnership (TIP).
- Staff continues to revise and update its website pages for springs.
- Staff continues to monitor and update The Ichetucknee Partnership's Facebook page, which now has 298 fans and receives an average of 200-300 views per week.

### Spring Protection, Surfacewater, Groundwater and Biological Monitoring:

- Staff collected water chemistry samples at 20 groundwater sites.
- Staff observed levels and maintained gaging stations at 181 wells, 21 lakes, and 16 river stations.
- Staff measured discharge at 10 sites, including Falmouth, Royal, Owens, and Charles springs.
- Rainfall from 38 telemetered sites was reported to the Southeast River Forecast Center.

#### Water Use Monitoring:

- Staff monitored 118 telemetered water use monitoring devices on 38 agricultural operations. Water use on monitored wells was 843 million gallons, averaging 28 million gallons per day.
- 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 meet with St. Johns River Water Management District staff and consultants on development of water use permitting criteria for the Upper Santa Fe and Suwannee rivers.
- Staff is reviewing and commenting on work products prepared by the St. Johns River Water Management District related to minimum flows and levels, water supply assessment, and planning.
- Staff continues to work on MFL implementation in water use permitting.
- Staff continues to develop a scope of work for revisions to the North Florida Groundwater Model.

#### Suwannee River Partnership Activities:

- Staff helped coordinate the 2010 CARES Dinner which was held at the UF-Institute of Food and Agricultural Sciences Research Center near Live Oak. Twenty-five farmers were recognized for their work in implementing BMPs. Over 600 farmers, elected officials, and others attended.
- Staff is continuing to develop contracts and complete related administrative items while working with interested farmers for the BMP Crop Tools cost share program that the District's Governing Board is funding.
- Staff gave presentations at county Farm Bureaus, Soil and Water Conservation Districts, and Cattlemen's meetings.
- 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 continued to assist farmers in taking crop tissue, soil, and manure samples to determine nutrient levels and adjust fertilizer management.
- Staff continues to work with UF-Institute of Food and Agricultural Sciences staff to develop crop irrigation and fertilizer BMP demonstrations at the research center and on progressive farms.
- Staff continues to assist with the Partnership BMP Implementation Assurance program to help verify farmers are continuing to use BMPs and to assist them with issues that arise.

#### Regulatory Activities:

##### Water Use

- Staff met with the City of Chiefland to develop a plan to reduce their per capita water use.

- Staff met with both City of Hampton and City of Lawtey to assist with completing their Water Use Permit.
- Staff is continuing to coordinate with other Water Management Districts regarding quantities of water allocated for pasture irrigation.

Environmental Resource Permitting

- Staff is participating in the Statewide Storm Water Treatment rule development through meetings and conference calls.

Permitting Activities:

- The following table summarizes permitting activities during the month of June.

June 2010	Received			Issued		
	Noticed General	General	Individual	Noticed General	General	Individual
Environmental Resource Permits	12	13	1	20	14	3
Water Use Permits	8			4		
Water Well Permits	149			149		
Water well permits issued and received according to well use:						
Abandoned/destroyed:	3	Livestock:		1		
Agricultural Irrigation:	5	Monitor:		15		
Aquaculture:	3	Nursery:		0		
Fire Protection	2	Other:		2		
Garden (Non Commercial)	3	Public Supply:		2		
Landscape Irrigation:	8	Self-supplied Residential:		105		

- Staff has implemented an environmental resource permit inspection program for construction and as-built certification. Staff inspected 5 projects under construction and 38 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.
- Edwards Road Bottomlands Wetlands Restoration Project, Bradford County: The District has received a survey, legal description, and title opinion from the City of Starke. Contracts with BCI Engineers and with the Florida Fish and Wildlife Conservation Commission have been executed. The District is still working with the City of Starke to complete the Interlocal Agreement.

- 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. Staff is working with land acquisition staff on the purchase of lands for the Clay Hole Creek flood abatement project.
- FEMA Map Modernization: Levy County: Staff received the results of the Bronson Stormwater Drainage Ditch restudy by URS Corporation on June 25, 2010. The floodplain elevation near downtown Bronson is approximately 0.6 feet lower in the Follow-up Study. However, due to rounding, the base flood elevations from the Follow-up Study are 1 foot lower than the Original Study. Steve Minnis has been coordinating with the Town of Bronson at several meetings and has another set up on July 16, 2010, to further explain that the study does incorporate their concerns.

Bradford County: FEMA posted notice in the Bradford County Telegraph on June 24 and July 1, 2010, that the Base Flood Elevation established in the September 30, 2009, Preliminary Digital Flood Insurance Rate Map is posted on their website. The 90-day appeal period began on July 1, 2010. The District posted a press release about the appeal period.

- Jasper Stormwater: The District has received the performance bond from the contractor. The pre-construction meeting was held June 16, 2010. Shop drawings were approved. Construction is expected to begin July 19, 2010.
- Lake City Reclaimed Water Project: The storage tank is complete. Delivery of the filter is expected in mid-August.
- Monticello Reuse Project: The wet weather storage pond is approximately 30% complete. Tie-in of the new pipe from the existing force main to the pond is about 80% complete.
- Greenville Stormwater: The District is developing an Interlocal Agreement (ILA) with the Town of Greenville (Town) to provide financial aid for the Town's efforts in solving its stormwater problems. The ILA will provide matching funds, upon Town's purchase and request for reimbursement, of construction materials used to enhance and improve its drainage problems. The District's matching funds will not exceed \$50,000.

Thank you for your attention to this summary of current activities. Please feel free to contact staff prior to the August 10, 2010, Governing Board meeting if you would like further information.

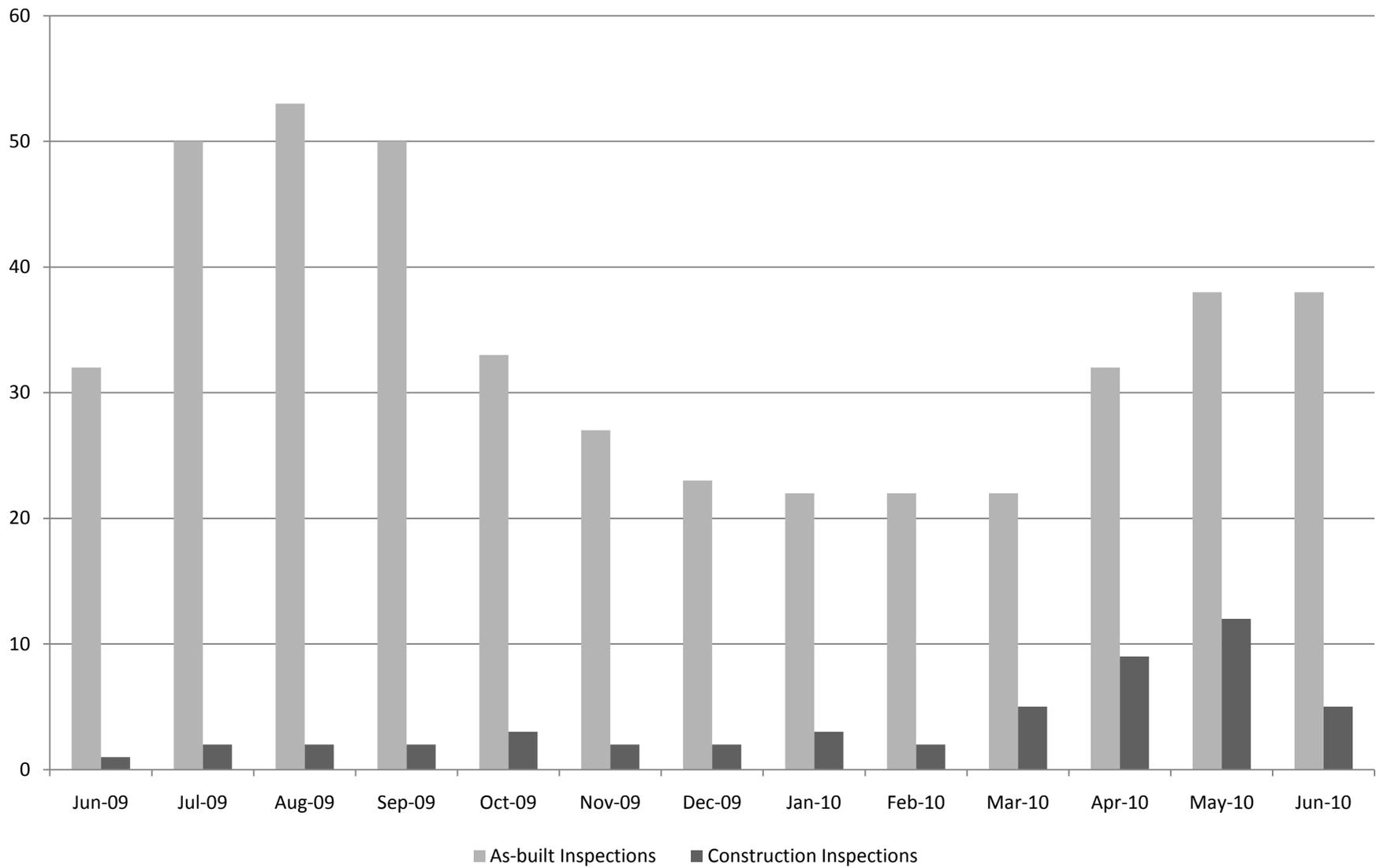
/dd

cc: Charles H. Houder, III, 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)
<b>40B-1.703</b>	8/10/10	8/20/10	8/10/10	8/27/10			
Water Use Permit-Thresholds to Board							
<b>40B-2</b>	9/8/09	9/18/09					
Upper Santa Fe River Basin Permit Duration							
<b>40B-2.025</b>	5/13/10	6/4/10	5/13/10	6/11/10	6/7/10	<b>7/19/10</b>	<b>8/9/10</b>
Review of Unsolicited Information							
<b>40B-2.041</b>	8/10/10	8/20/10	8/10/10	8/27/10			
Water Use Permit-Thresholds to Board							
<b>40B-2.901</b>	5/13/10	6/4/10	5/13/10	6/11/10	6/7/10	<b>7/19/10</b>	<b>8/9/10</b>
Repeal of Rule							
<b>40B-3.902</b>	2/10/09	2/27/09					
Water Well Construction Application							
<b>40B-4.1070</b>	5/13/10	6/4/10	5/13/10	6/11/10	6/7/10	<b>7/19/10</b>	<b>8/9/10</b>
Exemptions from Permitting							
<b>40B-4.1090</b>	6/8/10	6/18/10	6/8/10				
Incorporation of Hamilton and Madison FEMA Flood Studies							
<b>40B-4.2010</b>	5/14/09	5/29/09					
Noticed General Permit Application							
<b>40B-4.3030</b>	5/13/10	6/4/10	5/13/10	6/11/10	6/7/10	<b>7/19/10</b>	<b>8/9/10</b>
Diseased Vegetation Determination							
<b>40B-400.091</b>	12/9/08	12/19/08					
ERP Handbook-Bald Eagle De-listing							

## Construction & As-built Inspections



# Compliance and Enforcement

updated 7/15/2010 1:57:42 PM

<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>
CE04-0025	COLUMBIA	10/8/2004		Stormwater system not constructed as permitted.	Jeffrey Hill/Smithfield Estates	Enforcement documentation sent to attorney 9/22/05 and 12/9/05. 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.	Dinges, Jon
CE05-0017	COLUMBIA	4/14/2005		Alteration of dam without a permit.	Jeffery Hill	Staff met with Respondant & Tom Brown 1/11/06 to discuss violations. Staff met with Mr. Hill 3/1/06 and discussed violations and solutions. Jennifer Springfield prepared Circuit Court Complaint. Received copy via mail 5/26/06. Hearing date for temporary injunction 7/11/06. Hearing rescheduled for District motion for temporary injunction set to 11/7/06. 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 attended bankruptcy hearing for El Rancho No Tengo, Inc., on 3/25/09. See the enforcement and litigation report from legal counsel for further information.	Dinges, Jon
CE05-0031	COLUMBIA	6/13/2005	8/8/2008	Failure to maintain stormwater system as permitted.	Ray Sessions/Commander Row & Cannon Creek North	Draft Notice of Violation received from Jennifer Springfield on 4/20/06. Staff reviewed the Notice and returned 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 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 who is working on the flooding problem as part of a master plan for the entire basin. In the event Mr. Bailey's plan is approved and constructed, it will also address the compliance issue under this permit.	Sagul, Tim

<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>
CE05-0046	COLUMBIA	12/5/2005	7/1/2010	Failure to maintain stormwater system.	Justin Fitzhugh	Application received 8/11/06. Redesign submitted 11/29/06. RAI mailed 11/29/06. Extension letter mailed 3/22/07. Denied at October Board. Site inspection 3/20/08. Sent NOV 3/26/08; 60 days to submit as-built and pay penalties and fees. 18 day letter sent 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 given 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. Sent letter 5/21/10; deadline of 7/1/10 to fix retention pond. Met Mr. Fitzhugh on site on 5/26/10. Work to begin prior to 7/1/10. Staff inspected site on 7/7/10. Construction had not begun. File to legal 7/9/10.	Marshall, Leroy
CE09-0027	LEVY	3/1/2009	7/21/2010	Unpermitted development.	Marvin Franks / Cedars Airfield, Inc.	14 days to contact District. Spoke with Mr. Franks on 3/10/09. Met with Mr. Franks on 3/19/09. Mills Engineering hired and will submit application and plans by 12/31/09. Received ERP application 12/18/09. As of 5/12/10, we have not received any additional information as requested. Mitigation plans, UMAM & engineering information due 7/21/10.	Webster, Patrick
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. 3/9/10; Board approved authorization to file complaint. Legal preparing Administrative Complaint. 5/17/10; staff sent Mr. Berg an engineers list.	Hastings, John
CE09-0067	DIXIE	5/29/2009	6/14/2010	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. Sent reminder letter 5/14/10.	Hastings, John
CE06-0058	LEVY	8/2/2006	7/10/2010	Unpermitted construction.	Douglas McKoy	45 days to submit application package. Due 9/14/06. Received permit application 9/15/06. RAI mailed on 10/4/06. 12/18/06 received request for time extension. 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. Mr. McKoy 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; Met with Mr. McKoy on 2/13/08. Wetland jurisdictional conducted at the site on 3/11/08. Waiting on determination to arrive from Mr. McKoy. Received determination 4/28/08. Bill Spencer visited site on 5/1/08 to inspect wetland delineation. Recommend that wetland line be placed on site plan survey. RAI sent on 5/12/08. RAI sent 7/25/08; Received letter from Mr. McKoy on 8/28/08; working on the survey. 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. McKoy 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. Per email date 3/12/09, an engineer has been hired and they are working on submittal. Received e-mails; lack of money has prevented him from moving forward. Issue went to the October 2009 Board for denial of ERP and request for legal action. Item pulled from Board agenda per GB members. Received email 10/15/09. Project pulled from December 2009 Board agenda since we received notices that an engineer and surveyor are back working on the plans as of 12/7/09. Received email from engineer, and he said that nothing has happened since December, 2009. Tabled at April 2010 Board (denial) until May Board meeting. Received emails from applicants engineer stating that he has been authorized to move forward with design. Will be discussed at the May GB meeting. Permit denial was pulled from the Governing Board agenda. Talked to engineer on 6/18/10, and said that he was waiting for additional survey information. He was told he should receive the information next week.	Webster, Patrick

<i>CE #</i>	<i>County</i>	<i>Discovery Date</i>	<i>Date Action Required</i>	<i>Violation Summary</i>	<i>Respondent</i>	<i>Comments</i>	<i>Staff</i>
CE06-0107	LAFAYETTE	12/12/2006	4/28/2009	Construction without a permit.	Linda Fennell	90 days to remove structure from setback & submit WOD application. Received application 12/15/06. 3/14/07; sent RAI. 4/13/07; sent 18 day or deny letter. Denied at June 2007 Board meeting. 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 & application fee (no application was included) on 1/23/08. RAI sent 1/25/08. Variance faxed to legal 4/10/08. 4/28/08; 18 days to submit information. 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 application. Application received 8/14/08 for dock; no agent letter received. Sent RAI 8/22/08. Application denial to November 2008 Board with approval to initiate enforcement action. Received letter from Mr. Buckels 11/10/08. Denied at November Board Meeting without prejudice. Staff to investigate property ownership. Quit Claim deed and property information to legal 11/24/08. Memo to Board 12/4/08, updating status of project. Legal verified ownership to Linda Fennell. County to provide documentation of construction by 1/13/09. Sent NOV to Ms. Fennell via Process Server on 1/28/09; 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 2009 Board, requesting authorization to file complaint in Circuit Court. Staff prepared 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, for GPS points. Legal sent letter 7/28/09 to Lafayette County to serve Ms. Fennell. Received Notice of Filing return of service on 5/12/10. Ms. Fennell was served and requested a 6/4/10 deadline to respond. Meeting 6/28/10 with legal; working on resolution.	Marshall, Leroy
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. Mr. Hicks contacted the District on 2/20/08. Staff conducted site visit on 5/8/08; structures are still on site. Site visit 8/14/08, structure still on site. Called Mr. Hicks on 8/19/08, he plans to write an extension letter and apply for a variance. 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. Memo to May 2009 Board requesting authorization to file complaint in circuit court. Approved for circuit court. Counsel filed complaint with Madison County Clerk of Court. Return of Service received from legal 6/30/09. See the enforcement and litigation report from legal counsel for further information.	Robinson, Vince
CE09-0098	LEVY	12/21/2009		Unpermitted activity on Parcel #11549-000-00.	Marvin Franks / Cedars Airfield, Inc.	Field review 1/12/10. Meeting 2/11/10, with the property owners' environmental consultants to reach a consensus regarding jurisdictional wetland boundaries. The owners are considering their options within the deadline of their ERP- RAI. A discussion with the applicant's environmental consultant was on 04/23/10. A draft wetland mitigation plan was received from Rob Garren, Ecologist, on 6/3/10, and the District made recommendations for the final plan. Rob responded on 06/07/10, and the final mitigation plan is forthcoming. Meeting on-site with Louis Mantini, Mr. Franks, and his partner (Fred Miner), on 07/02/10 - We engaged in a discussion regarding fine-tuning the mitigation plan, and they are expecting the engineering to be completed soon. We should have a response to RAI by 8/1/10.	Mantini, Louis
CE10-0006	GILCHRIST	1/25/2010	2/10/2010	Unpermitted structure within floodway.	Everett & Marie Masters	14 days to contact District. Met Mr. Masters on his property on 3/2/10. I gave him an application and a copy of the rules. I will not be able to completely evaluate the site until river levels go down. Spoke with Mr. Masters by phone on 5/11/10 and he said that the river level is still to high to make an evaluation. As of 6/21/10 there has been no change at the Master's site.	Robinson, Vince
CE10-0014	DIXIE		3/4/2010	Failure to maintain structure within floodway.	Terrance McCue	14 days to contact District. Meet McCues at their property on 2/26/10 to discuss options. After meeting the McCues at their river lot they have decided the way to address the problem. In the near future they will be submitting seawall plans along with engineering.	Robinson, Vince

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CE10-0004	SUWANNEE	1/25/2010	3/25/2010	Unpermitted fill in floodway	Tillman Richardson	14 days to contact District. Resent NOV with updated address 3/11/10. Second NOV returned for incorrect address 3/15/10. No contact from Respondent. Sent to legal 4/29/10. Legal sent letter 5/11/10; 30 days to pay fees, remove fill and permit structures. See the enforcement and litigation report from legal for further information.	Robinson, Vince
CE10-0009	BRADFORD	1/27/2010		Unpermitted water well. No license. Problems with well.	Paul Moody	File to legal 2/17/10. Letter from legal sent 4/8/10; 30 days to bring in to compliance and pay all fines and fees. Please see legal enforcement report. July 2010 Board meeting for authorization to file with legal.	Herd, Carlos
CE10-0016	JEFFERSON	2/9/2010	4/5/2010	Unpermitted construction.	Judy Miller	45 days to submit ERP modification or restore site. The Respondent(s) have hired Environmental Consulting and Technology (ECT) from Tallahassee, to determine how to bring the dam into compliance with District rules. Louis Mantini was contacted by a representative from ECT on 03/8/10, and informed of their being retained for this work. No designs have been received as of 03/12/10. 4/19/10; compliance meeting between District staff and the property owner's engineering consultant, Ronald Potts. Plans are forthcoming, as of 05/13/10 - conceptually, there will be additional culverts added to the dam for drainage. A visit was conducted at the request of Mr. Tuten on 06/01/10, to make a rough-estimate of the additional culvert cross-sectional area that might be required for the site. Discussion regarding the results are pending as of 06/21/10, but it remains necessary that the Respondent will require the services of a P.E.	Mantini, Louis
CE10-0012	MADISON		5/24/2010	Unpermitted structure within floodway.	Teresa Beaver	30 days to remove structure. RAI mailed 2/25/10. As of 5/11/10 we have not received all the information that was requested. As of 6/14/10 Mrs. Beaver has not moved her unpermitted structure.	Robinson, Vince
CE10-0026		4/20/2010 9:35:18 AM	5/10/2010	Unpermitted construction.	Sam Oosterhoudt-Lake City Developers, LLC.	SWO had delivered 4/20/10. NOV sent 4/26/10. 14 days to contact District. File sent to legal 5/21/10. Call from Mr. Oosterhoudt on 5/26/10. Engineer has been hired and no other work to be done until permit is modified. Informed legal to hold off.	Marshall, Leroy
CE10-0032	BRADFORD	7/6/2010	7/21/2010	Unpermitted drainage ditch.	Charles L. Coburn	14 days to contact District.	Mantini, Louis
CE10-0029	LEVY	5/25/2010	6/17/2010	Wetland impacts.	Anthony & Stephanie Beckham	14 days to contact District. Met on-site on Tuesday, Tue 5/25/2010, with Mr. Anthony Beckham and made an initial assessment of the impacts. I (Louis) spoke with Ms. Beckham on 6/8/10, and discussed both submittal for a General ERP and fine-tuning the District's approximation of wetland boundaries to alleviate the requirement for mitigation. An example General ERP engineered site plan was e-mailed to Ms. Beckham similar to hers and her husband's project on 06/08/10.	Mantini, Louis

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CE07-0050	COLUMBIA	3/25/2006	7/17/2008	No as-builts.	Frank Soucinek / Countryside Estates	File to legal 7/18/07. Letter sent from legal 8/3/07 requesting all fees & as-builts by 8/17/07. Received a phone call from Nelson Bedenbaugh on 8/15/07 stating he was working on finishing up some survey work to complete as-builts. 8/29/07; District received a copy of Section C of the as-built. Inspection was conducted on 9/5/07 and the pond on Country Club Road is not in compliance. Staff emailed legal to make them aware of this. Susan from the office called on 9/19/07 and staff emailed her a copy of the Section C and explained what needed to be done to bring the project into compliance. 12/7/07; inspection conducted and no work has been done. Received call from legal regarding this project at the beginning of February and received a message to call Mr. Soucinek. Called Mr. Soucinek and left a message for him to call me back. As of 2/20/08, no return phone call. 2/20/08; inspection conducted and no work has been done. 3/18/08; site inspection revealed no work has been done. 4/2/08; let Nelson know that he would need to apply for a permit modification in order to change the pond to a wet pond. 5/6/08; Tom Brown called and Frank Soucinek stated that Nelson will be dropping off new plans by Friday 5/9/08. Calculations received 5/9/08. Received call from Marinda Kane 6/3/08 and she will be hand delivering application. 6/4/08; application and fee received. 6/17/08 RAI sent. Received call from Nelson Bedenbaugh 6/25/08; soil borings have been done to determine how to construct a properly functioning dry pond. 8/28/08; received email from Nelson Bedenbaugh stating that they planned on cleaning the pond and possibly over excavating and backfilling. No confining layer was found in the borings. 9/24/08; site inspection. Site visit 9/25/08. No work has been done. 11/4/08; site visit, vegetation cut and cleared. Copy of inspection report & pictures sent to legal 11/7/08. Met with respondent 11/21/08; seeking different engineering services. Site visit 1/13/09. No contact from Soucinek regarding engineer. Staff referred back to legal by 5/22/09. Permit application denied at July 2009 Board. Updated administrative costs and copy of file with last inspection report (7/22/09) sent to legal. ERP & CE file taken by Leroy to Matt Mitchell 1/13/10. See the enforcement and litigation report from legal counsel for further information.	Dinges, Jon
CE04-0003				Unpermitted construction.	Jeff Hill / Haight Ashbury	Administrative complaint served 8/13/07 by process server. 30 days to complete construction of SW system. Hill filed with the District a Request for Hearing on 8/27/07. The District issued an Order Denying Hearing, served 9/22/07. Petition to enforce agency final order pending with Circuit Court. Hearing scheduled with Judge Leandra Johnson on 9/8/08. Hearing 11/17/08 before Judge Johnson. Motion to re-hear filed 12/1/08. 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.	Dinges, Jon
CE08-0043	LAFAYETTE	6/26/2008	6/30/2009	Unpermitted construction.	Derrick Freeman	90 to days to remove structure. Staff to follow up by 4/15/09. Site visit 3/26/09. Sent reminder letter 3/30/09. Staff to inspect by 6/15/10. Sent letter 5/24/10; 30 days to remove structure.	Marshall, Leroy

<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>
CE08-0035	COLUMBIA	4/15/2008	12/30/2009	Non-conformance with Erosion Control Plan.	Robert F. Jordan / Turkey Creek Subdivision	3 days to correct violation. Email received 4/16/08. Staff inspected 4/25/08. Received email 4/23/08 regarding status of partial completion & discussion with engineer. 4/24/08; staff teleconference to discuss changes to ESC plan. Chad Williams will draft & send to Kevin. 4/29/08; letter sent, \$5,000 per day penalty until site is in compliance. 4/29/09 & 4/30/09; work with Engineer to update ESC 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; 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; email to Mr. Jordan requesting him to send a letter to J. Dinges explaining how he brought the works permitted by ERP07-0081M into conformance. 6/2/08; Mr. Jordan responded that he would get us a letter by the weekend. 6/5/08; Mr. Jordan responded. 06/17/08; NOV mailed, 5 days to reinstall or repair silt fence, clean sediment, & stabilize site. Staff continued to monitor during construction. 8/6/09; NOV mailed to Mr. Jordan. Complete work by 9/1/08. Pay fee of \$41,000. 8/10/09; 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. 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. 1/27/10; received as-built plans. 3/11/10; no update. 4/4/10; Mr. Jordan has prepared his portion of the as-built drawings, BB&L has submitted their portion. Jerry Bowden is reviewing.	Johnston, Rick
CE08-0037	BRADFORD	8/2/2006	6/1/2010	Non-functioning pond.	Bill McCans	30 days to repair erosion problems and provide as-builts. 6/4/08 talked with Sam Smith, Chad Williams is working on a plan to get the ponds in compliance. Respondent working on resolution. Sent out email on 6/15/09 to Chad Williams, engineer, with photos of the ponds leaking. 11/3/09; emailed Mr. Williams with no response. Second NOV 1/28/10; 18 days to contact District with plans. Spoke with Chad Williams on 2/23/10. Owner agrees to move forward with fix outlined by engineer. Engineer said that he would get back to me with the required plan to fix the site around 3/23/10. Inspected site on 5/12/10, no fix has been implemented. They have been pumping out the pond, but permanent fix has to be implemented. 18 day deadline letter sent 5/13/10. 6/1/10 deadline to respond. File sent to legal 6/21/10.	Webster, Patrick
CE08-0040	DIXIE	6/2/2008	8/14/2010	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 11/2/08 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. Reviewed by Jon Dinges. Variance denied at August 2009 Board. Final Order mailed 8/13/09. Sent RAI letter 5/12/10; 30 days to submit RAI material. Received RAI response 7/14/10. Staff reviewing material.	Hastings, John

<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>
CE08-0022	SUWANNEE	3/3/2008	9/13/2010	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. 3/15/10; applicant wants to withdraw application. File to legal. Sent letter 7/13/10; fine of \$8,000 reinstated and permits conditions must be met by 9/13/10.	Marshall, Leroy
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	14 days to contact District. Met w/ Mr. Sigers and Tim Sagul 1/6/08. Called 1/22/09 to schedule meeting for 1/28/09 but got no answer and no answering machine. Met onsite on 2/11/09 with Mr. Sigers, Jon Dinges, Tim Sagul and Bill Spencer. Verified presence of hydric soils and hydrophytic vegetation. Discussed the need to either restore or permit after the fact with mitigation. We were asked to leave his property. Staff preparing letter to Mr. Sigers. Letter sent 2/18/09 requiring restoration plan and penalty by 3/18/09. Received letter from Mr. Sigers attorney requesting a 60 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. Contacted consultant 8/24/09. Received restoration plan 8/25/09. Draft restoration plan approved with changes. ERP application received 10/13/09. RAI letter for ERP sent 11/4/09. Mailed Consent Agreements to Mr. Sigers for signature 3/29/10. No response as of 5/10/10. Received email from FDEP on 6/24/10 indicating FDEP was not interested in taking land donation as mitigation preservation. Emailed respondent's consultant 6/25/10.	Spencer, William
CE10-0024	BRADFORD	3/22/2010	5/18/2010	Unpermitted pond and fill in a flood hazard area that is shared by the adjacent neighbor	Richard Oldham	Site visit 3/30/10, with Mr. Oldham. During the site visit it was determined that Mr. Oldham extended a pond into an adjacent upland site without a permit. This activity can be permitted. However, spoils from the excavation were deposited within the floodplain mapped on the Oldham's property that could potentially jeopardize his neighbor, who is likely the individual that called-in the complaint. The complaint was a flooding complaint. Mr. Oldham was mailed a request for a compliance schedule, due on 05/18/10, addressing pond permitting and fill removal from the floodplain. Called and left message on 07/07/10, requesting a return call to discuss compliance. No return call was received in response to the 07/07/10, phone call. Called and left message on 07/13/10, requesting a return call and advising that District staff will refer enforcement to legal counsel and set a compliance deadline with a Compliance Agreement. Mr. Oldham promptly returned the 07/13/10, phone call and stated that he was slowly moving the fill material. Staff informed him that a deadline must be established and is drafting an Enforcement Worksheet. In the meantime, Mr. Oldham is contacting local contractors to determine if they can assist in fill removal for a more timely compliance schedule. District staff will give Mr. Oldham the chance to draft a contract for the fill removal prior to referring enforcement to legal counsel.	Mantini, Louis
CE10-0028	GILCHRIST	5/28/2010	6/29/2010	Fill in floodway.	Alex Stevens	Contacted the District on 6/8/10. Conducted field meeting with owner on 6/18/10. Owner provided staff an email stating that the unauthorized fill would be removed by 6/29/10. Staff will conduct an inspection by 7/16/10.	Webster, Patrick
CE10-0030	SUWANNEE	6/8/2010	7/20/2010	Unpermitted dock.	John D. & Marcia K. Miller	14 days to contact District.	Robinson, Vince
CE10-0033	BRADFORD	7/6/2010	7/23/2010	Unpermitted drainage ditch.	Nathan D. Thornton	14 days to contact District. Mr. Thornton contacted the District on 07/13/10, and a site visit 07/19/10, with the County Road Department.	Mantini, Louis

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

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

DATE: July 22, 2010

RE: As-built Compliance and Works of the District Permit Summaries

**As-Built Summary January 2005 thru June 2010**

Permits Issued For Construction	774
Projects in Compliance	619
Projects not in Compliance	155
• Projects in Enforcement	1
Project Extensions (Senate Bill 1752)	3

**Works of the District Summary January 2009-July 2009**

Permits Issued	23
Projects Constructed	12
Projects Inspected/Updated	11

Please see the attached report for a detailed list of as-builts not in compliance from January 2005 to June 2010. Also attached are Works of the District permits issued from January 2009 to July 2009.

JB/rl  
cc: Charles H. Houder, III, Assistant Executive Director

**AS-BUILT LIST**

<b>COUNTY</b>	<b>PERMIT NUMBER</b>	<b>PROJECT NAME</b>	<b>DATE EXPIRES</b>
ALACHUA	ERP99-0525	NEWBERRY GARDENS	1/11/05
	ERP05-0559	WESTON OAKS SUBDIVISION	4/5/09
	ERP07-0036	ARCHER COMMUNITY CENTER	3/12/10
	ERP07-0045	IFAS-MILLHOPPER FISHERIES	3/5/10
	ERP07-0064	AMERIS BANK	5/11/10
	ERP06-0094	OAK RIDGE SUBDIVISION	3/13/09
	ERP04-0233	SANATINO VILLAS	10/20/07
	ERP05-0243	BARTLEY LANE SUBDIVISION	10/27/08
	ERP03-0026M	PINE ISLES VILLAS	3/21/09
	ERP06-0185	CREEL - WILCOX 2006 SPEC BUILDING	5/17/09
	ERP04-0378	OLD OAK ESTATES SUBDIVISION	3/2/08
	ERP06-0241	SHERER STUDIO, INC.	6/12/09
	ERP06-0251	WYNDHAM TRACE SUBDIVISION	12/27/09
	ERP07-0221	CARMEL SUBDIVISION	6/20/10
	ERP07-0230	41 COMMERCE PARK / LOT 6	6/12/10
	ERP04-0535	FLETCHER PARK SUBDIVISION	1/24/08
	ERP05-0578M	WALDO 301 TRAVEL CENTER	8/14/09
	ERP06-0424	BROOKE POINTE OFFICE PARK	5/7/10
	ERP06-0256M	BAILEY ESTATES SUBDIVISION MOD	9/11/09
	ERP05-0229	MAUPIN HOUSE PUBLISHERS	5/25/08
	ERP06-0472	LONCALA, INC	10/24/09
	ERP05-0383	ASHTON RIDGE SUBDIVISION	1/25/09
	ERP05-0384	441 MINI WAREHOUSES	11/18/08
	ERP06-0640	JONES SALES AND SERVICE	12/19/09
	ERP07-0516	FARNSWORTH PARK - PHASE 1	1/7/10
	ERP05-0476	LTD MOTORS PARKING LOT	10/20/08
	ERP05-0522	FARNSWORTH PUD OFFICE BUILDING	12/7/08
	ERP03-0049M	SPANISH GATES UNIT 2 & 3	2/10/09
	ERP06-0008	SCHERER CONSTRUCTION SPEC	2/23/09
	ERP05-0532	MORTON BUILDINGS	2/9/09
	ERP06-0176	WACO PROPERTIES BUILDING 200	5/8/09
	ERP06-0678	HERITAGE HEIGHTS CONDOMINIUMS	1/30/10
	ERP07-0088	WHITFIELD WINDOW & DOOR, INC.	3/19/10
BRADFORD	ERP07-0015	DUCKY'S CAR WASH	2/22/10
	ERP07-0056	FLORIDA RETAIL DEVELOPMENT STARKE	3/20/10
	ERP07-0160	PINE RIDGE SUBDIVISION	5/29/10
	ERP06-0271	SR 18 FROM SR 121 TO BROOKER, FM	11/20/09
	ERP07-0222	GEORGETOWN HEIGHTS / ALLIGATOR	5/24/10
	ERP06-0399	PRATT STREET DRAINAGE	3/5/10
COLUMBIA	ERP07-0571	DUARTE MEDICAL OFFICE	1/16/10
	ERP05-0556	PRESERVES AT BETHEA LAKE	3/13/10
	ERP06-0002	ISLAMIC CENTER OF LAKE CITY	4/25/09
	ERP98-0192M2	STILL WATERS ALF	1/31/10

COLUMBIA	ERP06-0679	SW SEAGROVE COURT SUBDIVISION	6/20/10
	ERP06-0050	WINGATE ESTATES	2/15/09
	ERP07-0097	WOOD GRILL BUFFET	6/11/10
	ERP03-0435	FOXWOOD SUBDIVISION	5/12/10
	ERP05-0400M	BRANFORD CROSSING MODIFICATION	5/11/09
	ERP03-0484	CARDINAL FARMS SUBDIVISION	3/9/09
	ERP04-0476	SUWANNEE VALLEY FARMS	2/8/10
	ERP05-0512	RESERVES AT JEWEL LAKE	7/25/09
	ERP06-0395	WHISPERING HOLLOW SUBDIVISION	2/28/10
	ERP90-0209M	FOREST COUNTRY SUBDIVISION - 6TH	9/11/09
	ERP06-0178	ENTERPRISE PARK	7/24/09
	ERP06-0226	BRIDGES WETLAND ENHANCEMENT	7/13/09
	ERP07-0198	MICROTEL INN & SUITES - LAKE CITY	5/30/10
	ERP02-0535	LAKE CITY WATER TREATMENT PLANT	7/13/09
	ERP04-0412	RIVER RISE SUBDIVISION	3/8/10
	ERP06-0252	THE OAKS AT WOODBOROUGH	8/9/09
	ERP06-0302	DOLLAR GENERAL STORE LAKE CITY (34-	7/17/09
	ERP07-0238	ELLISVILLE MINI STORAGE	6/25/09
	ERP02-0437M	COBBLESTONE SUBDIVISION	6/14/10
	ERP06-0495	GREENBRIER HILLS SUBDIVISION	1/18/10
	ERP05-0319	HIDDEN LAKE	4/19/09
	ERP06-0522	KINGDOM ESTATES SUBDIVISION	11/6/09
	ERP06-0619	DIXIE VILLA	5/24/10
	ERP05-0490	PINES AT FALLING CREEK	8/10/09
	ERP05-0528	HAVEN HOSPICE OF THE SUWANNEE	1/3/09
	ERP06-0654	WEST 90 COMMERCIAL CENTER DOLLAR	3/2/10
	ERP05-0520	SUNSET MEADOWS SUBDIVISION	4/12/09
	ERP07-0033	FAIRFIELD INN & SUITES - LAKE CITY	2/22/10
	ERP06-0109	MILLER BEARING PROJECT	6/22/09
	ERP96-0357M	MINI STORAGE OF LAKE CITY	3/7/08
DIXIE	ERP06-0077M	FALLS RV PARK REAPPLICATION	1/18/10
	ERP06-0147	MAPLE HOLLOW SUBDIVISION	5/10/09
	ERP06-0214	RIVER SHORES AT JENA	10/6/09
	ERP99-0590M	STEINHATCHEE STORAGE-PHASE 1	8/15/08
	ERP05-0538	ROYAL COAST CONDOMINIUMS	11/28/08
	ERP05-0482	SUWANNEE SUNSET CONDOMINIUMS &	1/25/09
GILCHRIST	ERP06-0523	FORT FANNING PLANTATION PHASE 1	2/20/10
	ERP05-0447M	FORT FANNING HISTORICAL PARK	12/15/08
	ERP05-0076	DEER MEADOWS SUBDIVISION PHASES1-	6/14/10
	ERP04-0257	QUAIL RUN SUBDIVISION (10/15/21)	10/28/07
	ERP05-0188M	WACASASSA PLANTATION	11/9/08
	ERP06-0291	OAK WALK SUBDIVISION	8/15/09
	ERP06-0086	PINE RIDGE PLANTATION I	8/9/09
	ERP06-0217	MARTIN MANOR	7/18/09
	ERP06-0331	BRYANT SUBDIVISION	7/20/09

GILCHRIST	ERP06-0344	BELL OAKS SUBDIVISION	8/10/09
	ERP06-0400	LOUDO ENTERPRISES	10/2/09
	ERP06-0584	GREENWAY PALMS	1/29/10
HAMILTON	ERP07-0058	WOODHAVEN ESTATES	5/25/10
	ERP07-0091	JASPER GARDENS SUBDIVISION	6/27/10
	ERP06-0115M	JOHN STANFORD PROJECT	3/15/10
	ERP05-0287	HAMILTON 48 SUBDIVISION	7/7/08
	ERP06-0208	WARMING ACRES	11/3/09
	ERP96-0213M2	CHRISTIAN DELIVERANCE CENTER	3/5/10
	ERP06-0609	HILLANDALE SUBDIVISION	1/19/10
LAFAYETTE	ERP06-0119	AIRLINE BAPTIST CHURCH	4/5/09
	ERP05-0412	THE STORAGE PLACE-MAYO	9/2/08
	ERP07-0020	FT. ATKINSON PROJECT PHASE I	5/25/10
	ERP06-0244	BYRD'S RETAIL STORE	7/10/09
	ERP07-0020M	FORT ATKINSON PLANTATION AIRPARK	1/30/10
LEVY	ERP06-0039	CHIEFLAND MIDDLE SCHOOL GYM	2/10/09
	ERP07-0057	PARK WEST SUBDIVISION	5/2/10
	ERP04-0477	S. R. 24 FROM ROSEWOOD TO U. S. 19	3/8/10
	ERP95-0109M	WALGREEN'S PHARMACY-CHIEFLAND	5/2/08
	ERP01-0226M2	NATURE'S LANDING CONDOMINIUM	6/14/10
	ERP06-0030	HIERS ESTATES	5/11/10
	ERP06-0356	NATURE COAST MIDDLE SCHOOL	3/5/10
	ERP05-0094	DOLLAR GENERAL-CEDAR KEY	3/28/08
	ERP06-0418	CHIEFLAND EMS STATION	9/1/09
	ERP97-0113M	ROSEWOOD PARK MODIFICATION	2/23/09
	ERP05-0301	SOUTHERN RANCH ESTATES	7/5/08
	ERP95-0159M2	SUWANNEE PLAZA RETAIL EXPANSION	5/6/10
	ERP06-0618	CIRCLE K SELF STORAGE	1/10/10
	ERP05-0500	BEASLEY ACRES	11/23/08
MADISON	ERP07-0093	JBDIV COMMERCIAL DEVELOPMENT	6/15/10
	ERP06-0605	MADISON COMMONS RETAIL & OFFICE	12/28/09
	ERP07-0071	CITIZEN'S BANK OF PERRY - MADISON	5/21/10
	ERP04-0409	NORTON CREEK SUBDIVISION	10/12/09
	ERP06-0281	SONIC FAST FOODS - MADISON	6/5/09
	ERP06-0332	ROGERS DENTAL OFFICE	7/20/09
	ERP06-0345	NFCC DRIVING & FIRING RANGE	8/7/09
	ERP06-0032	HAMMOCK RIDGE SUBDIVISION	10/11/09
SUWANNEE	ERP07-0001	THE VISTAS AT CANYON VISTAS	3/22/10
	ERP04-0252	TYLER'S TRAIL/SAVANNAH'S WALK	3/8/10
	ERP05-0313	EAGLE'S POINTE SUBDIVISION	8/9/08
	ERP91-0008M4	GOLD KIST/TRAY PLANT EXPANSION-	8/23/08
	ERP05-0405	THE PLANTATIONS RESIDENTIAL	11/30/08
	ERP05-0441	SILAS OAKS APARTMENTS	10/21/08
	ERP04-0300	DEER LAKE ESTATES SUBDIVISION-	12/14/09
	ERP04-0219	FIELDS OF MCALPIN SUBDIVISION	5/12/10

SUWANNEE	ERP07-0206	CERTIFIED HYDRAULICS	6/19/10
	ERP06-0286	NOBLES GREENHOUSE	9/15/09
	ERP06-0396	DEER LAKE PRESERVE	12/20/09
	ERP06-0410	NATHAN OAKS RESIDENTIAL	1/16/10
	ERP05-0275	OBRIEN ESTATES	8/24/08
TAYLOR	ERP04-0526	STEINHATCHEE GYM	11/3/07
	ERP04-0311	BUCCANEER TRACE SUBDIVISION	6/17/08
	ERP06-0137	PIRATES COVE SUBDIVISION	5/4/09
	ERP04-0153	GULF COAST ESTATES	10/27/07
	ERP06-0126	STEINHATCHEE COTTAGES SUBDIVISION	7/20/09
	ERP06-0673	GRAND OAKS ESTATES SUBDIVISION	3/16/10
	ERP06-0199	HOLY MACKEREL SUBDIVISION	1/17/10
	ERP05-0008	MARK SCHUMAKER FILL PROJECT	3/1/08
	ERP06-0330	FLAMINGO FIELDS RV PARK	7/19/09
	ERP06-0403	TEMPLE OF GOD BAPTIST CHURCH	1/23/10
	ERP06-0439	ESTATES OF STEINHATCHEE	11/17/09
	ERP06-0085M	SEVEN OAKS SUBDIVISION	10/31/09
	ERP06-0664	THE ESTUARY	2/20/10
	ERP05-0616M	GULF BREEZE CONDOMINIUMS	2/22/10
	ERP05-0502	SMUGGLER'S TOWNHOMES	11/4/08
UNION	ERP06-0271	SR 18 FROM SR 121 TO BROOKER, FM	11/20/09
	ERP05-0302	OAK RIDGE ESTATES	10/12/08

**District Floodway Projects**

County	Permit Number	Project Name	Issue Date
DIXIE	ERP08-0361M	BEARDSLEY WORKS OF THE DISTRICT MODIFICATION	16-Mar-09
	ERP08-0271	CR 349 SEAWALL/SALT CREEK BYPASS	15-Jan-09
	ERP08-0230M	JOHN TYRONE WORKS OF THE DISTRICT MODIFICATION	14-May-09
	ERP07-0550M	EDWARD LEWIS WORKS OF THE DISTRICT MODIFICATION	09-Mar-09
	ERP09-0075	CLINTON RAY WORKS OF THE DISTRICT PROJECT	15-May-09
	ERP09-0130	MARK WEVER WORKS OF THE DISTRICT PROJECT	08-Jun-09
HAMILTON	ERP09-0119	H. J. RAULERSON WORKS OF THE DISTRICT PROJECT	23-Jun-09
LEVY	ERP99-0159M	VONA HORNE WORKS OF THE DISTRICT PROJECT MODIFICATION	21-May-09
MADISON	ERP09-0046	NORMA FOURAKER WORKS OF THE DISTRICT PROJECT	02-Apr-09
SUWANNEE	ERP07-0372	FOSTER, METTE, MINSHEW & JOHNS WORKS OF THE DISTRICT	19-Jun-09
	ERP05-0086M	AULETTA WORKS OF THE DISTRICT RESIDENCE MODIFICATION	25-Mar-09

MEMORANDUM

TO: Governing Board

FROM: Tim Sagul, Senior Professional Engineer

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

DATE: July 22, 2010

RE: Environmental Resource Permits Issued by Staff

The following Individual Environmental Resource Permits were issued by staff, pursuant to 373.079(4)(a), Florida Statutes.

<b>ERP Number</b>	<b>Project Name</b>	<b>County</b>	<b>Issue Date</b>
ERP01-0131M3	Lafayette County Blue Springs State Park Modification 3	Lafayette	6/10/2010
ERP89-0255M2	New River Regional Landfill	Union	6/24/2010
ERP09-0159M	Advent Christian-Carter House Parking Lot Modification	Suwannee	6/30/2010

Enclosed is a copy of the staff reports and maps for each project.

/rl

cc: Charles H. Houder, III, Assistant Executive Director



**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 ENVIRONMENTAL  
PROTECTION  
3540 THOMASVILLE RD.  
TALLAHASSEE, FL 32309

**PERMIT NUMBER:** ERP01-0131M3  
**DATE ISSUED:** 06/10/2010  
**DATE EXPIRES:** 06/10/2015  
**COUNTY:** LAFAYETTE  
**TRS:** S21/T4S/R11E

**PROJECT:** LAFAYETTE BLUE SPRINGS STATE PARK MODIFICATION 3

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 ENVIRONMENTAL PROTECTION  
3540 THOMASVILLE RD.  
TALLAHASSEE, FL 32309

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:

**Modification consists of construction and operation of a river access system consisting of boardwalks, landings, concrete pads and stairs. The project shall be constructed in a manner consistent with the application package submitted by Hargraves Engineering, LLC, certified on May 13, 2010.**

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.
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.
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.

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.

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.

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.

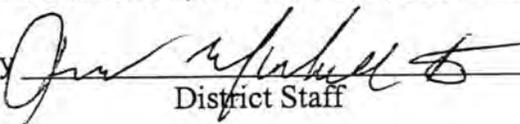
28. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under 40B-400.046, F.A.C.,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

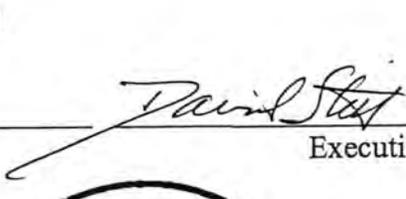
29. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements 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 6/10/10  
District Staff

 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.

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 ENVIRONMENTAL PROTECTION  
3540 THOMASVILLE RD.  
TALLAHASSEE, FL 32309

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



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

Permit No.: ERP01-0131M3

Project: LAFAYETTE BLUE SPRINGS STATE PARK MODIFICATION 3

Page 10 of 10

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386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP01-0131M3



**SUWANNEE  
RIVER  
WATER  
MANAGEMENT  
DISTRICT**

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

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT  
SOVEREIGNTY SUBMERGED LANDS MANAGEMENT  
GENERAL CONDITIONS FOR  
CONSENT OF USE**

**LAFAYETTE BLUE SPRINGS STATE PARK MODIFICATION 3  
34040520101**

1. No activities other than those set forth in the attached letter dated June 10, 2010, are authorized. Any additional activities on state-owned sovereignty submerged lands must receive further consent from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (hereinafter the "Board") or their properly designated agent.
2. Grantee agrees that all title and interest to all lands lying below the historical mean high water line or ordinary high water line are vested in the Board, and shall make no claim of title or interest in said lands by reason of the occupancy or use thereof.
3. Grantee agrees to use or occupy the subject premises for those purposes specified herein, and Grantee shall not permit the premises or any part thereof to be used or occupied for any other purpose or knowingly permit or suffer any nuisances or illegal operations of any kind on the premises.
4. Grantee agrees to maintain the premises in good condition in the interest of the public health, safety and welfare. The premises are subject to inspection by the Board or its designated agent at any reasonable time.
5. Grantee agrees to indemnify, defend, and hold harmless, the Board and the State of Florida from all claims, actions, lawsuits, and demands arising out of this consent.
6. No failure or successive failures, on the part of the Board to enforce any provision, waiver, or successive waivers on the part of the Board of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Board to enforce the same in the event of subsequent breach.

LAFAYETTE BLUE SPRINGS STATE PARK MODIFICATION 3  
34040520101

7. Grantee binds itself and its successors and assigns to abide by the provisions and conditions set forth herein. In the event Grantee fails or refuses to comply with the provisions and condition of this consent, the Consent of Use may be terminated by the Board after written notice to the Grantee. Upon receipt of such notice, the Grantee shall have thirty (30) days in which to correct the violation. Failure to correct the violations within this period shall result in the automatic revocation of this Letter of Consent.
8. All costs, including attorneys' fees, incurred by the Board in enforcing the terms and conditions of this consent shall be paid by the Grantee. Grantee agrees to accept service by certified mail of any notice required by Chapter 18-14, Florida Administrative Code, at the address shown on the attached Consent of Use letter and further agrees to notify the Board in writing of any change of address at least ten days before the change becomes effective.
9. Grantee agrees to assume responsibility for all liabilities that accrue to the sovereignty submerged land or to the Improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be lawfully assessed and levied against the property during the effective period of this consent.
10. Grantee agrees that any dispute arising from matters relating to this consent shall be governed by the laws of Florida.
11. The Letter of Consent associated with these General consent conditions, as well as these conditions themselves, are subject to modification after five years in order to reflect any applicable changes in statutes, rule, or policies of the Board or its designated agent.
12. In the event that any part of the structure(s) consented to herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, Grantee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this consent and shall be grounds for its immediate termination.

General Consent Conditions  
Notice of Rights



**ALLEN MILL POND**



-  Project Boundary
-  Suwannee River 100 Year Floodplain
-  Suwannee River 10 Year Floodplain
-  Suwannee River Floodway
-  SRWMD Ownership

### Lafayette Blue Springs State Park Modification III

ERP01-0131M3  
August 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 warrant 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.



**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:**

NEW RIVER SOLID WASTE ASSOCIATION  
POST OFFICE BOX 647  
RAIFORD, FL 32083-0647

**PERMIT NUMBER:** ERP89-0255M2

**DATE ISSUED:** 06/24/2010

**DATE EXPIRES:** 06/24/2013

**COUNTY:** UNION

**TRS:** S33/T4S/R21E

**PROJECT:** NEW RIVER LANDFILL STORMWATER MANAGEMENT

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

DARRELL O'NEAL  
NEW RIVER SOLID WASTE ASSOCIATION  
POST OFFICE BOX 647  
RAIFORD, FL 32083-0647

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 treatment and attenuation of runoff from cells 1, 2, 3, 4, 5, and 6. Modification consists of construction and operation of a surfacewater management system serving 159.40 acres of impervious surface consisting of a 20.3 acre expansion of cell 6 on a total project area of 209.30 acres in a manner consistent with the application package submitted by Alan C. Foley, P.E., of Jones Edmunds, certified on May 28, 2010.**

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.
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.

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.
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.

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.

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 *John H. [Signature]* Date Approved 6-24-10  
District Staff

*[Signature]* Clerk *David Stull* 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.

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:

NEW RIVER SOLID WASTE ASSOCIATION  
POST OFFICE BOX 647  
RAIFORD, FL 32083-0647

At 4:00 p.m. this 1 day of July, 2010.



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

Permit No.: ERP89-0255M2

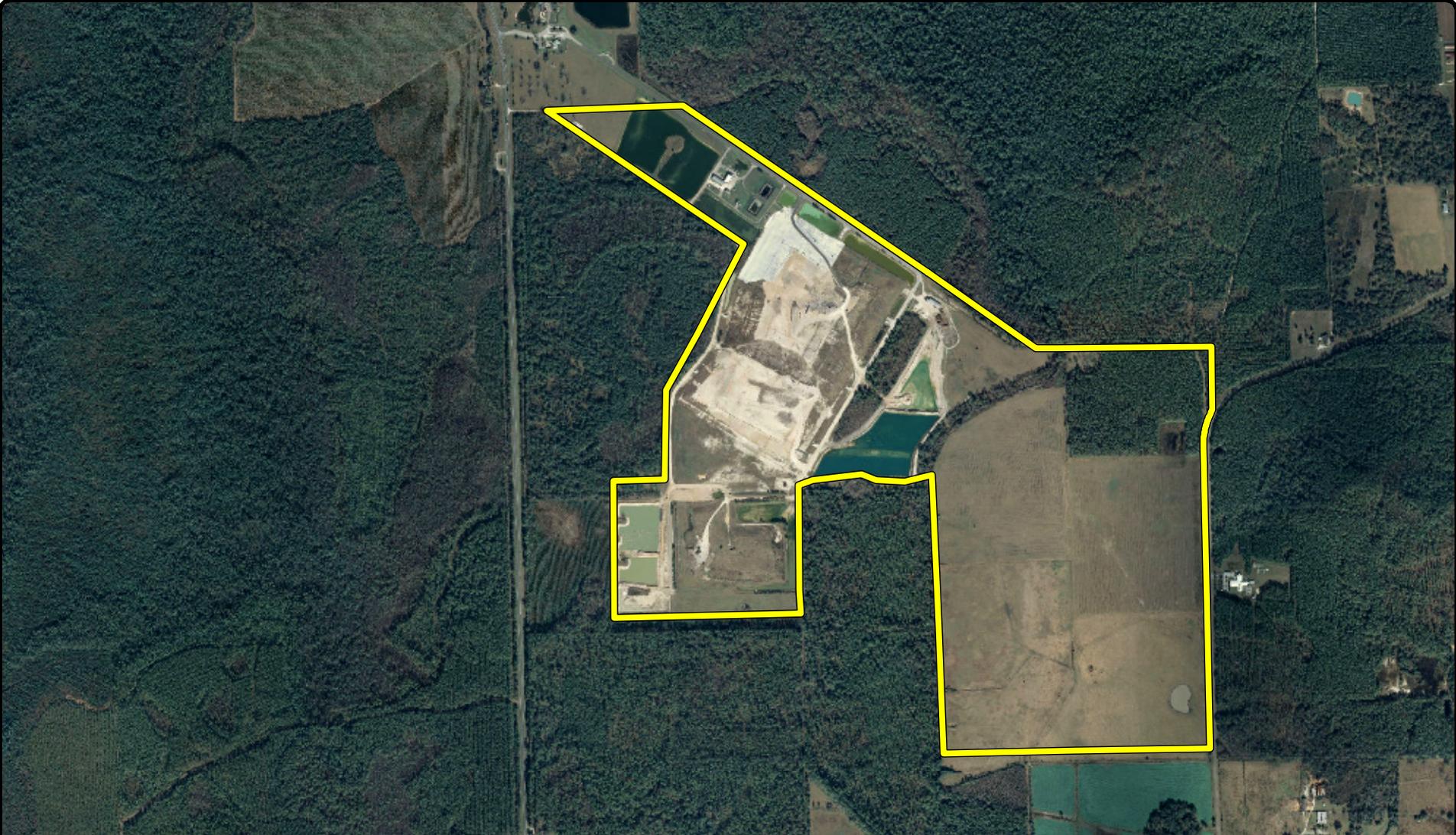
Project: NEW RIVER LANDFILL STORMWATER MANAGEMENT

Page 10 of 10

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386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP89-0255M2



# New River Landfill Stormwater Management

ERP89-0255M2  
June 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 makes no warranty, 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.



**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:**  
VILLAGE PROPERTIES, LLC  
PO BOX 4329  
DOWLING PARK, FL 32064

**PERMIT NUMBER:** ERP09-0159M  
**DATE ISSUED:** 06/30/2010  
**DATE EXPIRES:** 06/30/2015  
**COUNTY:** SUWANNEE  
**TRS:** S5/T3S/R11E

**PROJECT:** ADVENT CHRISTIAN-CARTER HOUSE PARKING LOT MODIFICATION

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

JAMES SCHENCK  
VILLAGE PROPERTIES, LLC  
PO BOX 4329  
DOWLING PARK, FL 32064

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:

**The previous permit consisted of the re-construction of a retaining wall, stormwater system, and bank restoration on the Suwannee River in Suwannee County without the use of fill. The modification consists of the removal, reconfiguration and construction of a parking lot and drive in a manner consistent with the application package submitted by Hatch Mott MacDonald, LLC, certified on June 25, 2010.**

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.
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.
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.

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.

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.

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.

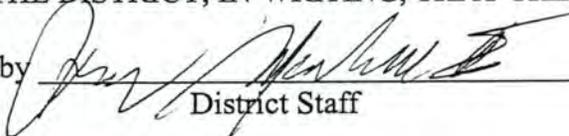
30. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.

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. The contractor hired to install the pervious concrete shall be certified by the National Ready Mixed Concrete Association to install pervious concrete.

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 6/30/10  
District Staff

Permit No.: ERP09-0159M

Project: ADVENT CHRISTIAN-CARTER HOUSE PARKING LOT MODIFICATION

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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.

Permit No.: ERP09-0159M

Project: ADVENT CHRISTIAN-CARTER HOUSE PARKING LOT MODIFICATION

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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:

VILLAGE PROPERTIES, LLC  
PO BOX 4329  
DOWLING PARK, FL 32064

At 4:00 p.m. this 13 day of July, 2010.



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

Permit No.: ERP09-0159M

Project: ADVENT CHRISTIAN-CARTER HOUSE PARKING LOT MODIFICATION

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386.362.1001 or 800.226.1066 (Florida only)

cc: File Number: ERP09-0159M

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

**IN RE:**

**ADVENT CHRISTIAN VILLAGE, INC.,**

**PETITIONER,**

**ORDER No. 10-0008**

**v.**

**SUWANNEE RIVER WATER  
MANAGEMENT DISTRICT,**

**Respondent.**

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**FINAL ORDER GRANTING VARIANCE**

The Suwannee River Water Management District ("District") received a petition on April 30, 2010, from Advent Christian Village, Inc. ("Petitioner"), seeking a variance from Florida Administrative Code ("Fla. Admin. Code") rule 40B-4.3030(9) and paragraph 40B-4.3030(12)(b). Petitioner seeks this variance for parking lot modification within a Work of the District in Township 3 South, Range 11 East, Section 5, Suwannee County.

**PROCEDURE AND ALLEGATIONS**

1. Pursuant to Fla. Stat. § 120.542, Petitioner seeks a variance from Fla. Admin. Code rule 40B-4.3030(9) and paragraph 40B-4.3030(12)(b) for file number ERP09-0159M.
2. The Petition for Variance was received on April 30, 2010. 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 May 14, 2010, informing the public that District had received the Petition for

Variance 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 Post Office Box 4329, Dowling Park, FL 32064, and the property affected by this order is described as the following parcel identification number: 05-3S-11E-1134400.2000.

**As to Zero-Rise Certification Requirements**

5. Petitioner seeks to obtain a variance to Fla. Admin. Code rule 40B-4.3030(9). Petitioner proposes to modify the existing parking lot layout and provide additional stormwater treatment by utilizing pervious concrete and a larger stormwater management facility. Petitioners allege that no fill is being added in any portion of the project, and there will be a net decrease in impervious area.

**As to Setback Requirements**

6. Petitioner seeks to obtain a variance to Fla. Admin. Code paragraph 40B-4.3030(12)(b) to modify the existing parking lot layout and provide additional stormwater treatment by utilizing pervious concrete and a larger stormwater management facility. Petitioner avers that the project is within the calculated 200-foot setback utilizing the methodology provided by SRWMD staff, and that granting a variance will allow Petitioner to modify the current parking lot to make it more user friendly, while also reducing the impervious area.

**APPLICABLE LAW**

7. The variance is requested pursuant to Fla. Stat. § 120.542, which provides

that:

Variations 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 rules 40B-4.3030(9) and (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 parking lot 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. Petitioners intend to modify the existing parking lot layout and provide additional stormwater treatment by utilizing pervious concrete and a larger stormwater management facility;

C. The removal and replacement of the parking lot will be a public and natural system benefit by reducing the impervious surface area by replacing much of the aging surface area with pervious concrete, adding green space, and expanding the stormwater management facility;

D. 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); a zero-rise certification will result in identical solutions for pre and post conditions, based on how the model is performed; 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, Petitioners have met the requirements for a variance under Fla. Stat. § 120.542.

12. District concludes that the variance request should be granted.

**IT IS HEREBY ORDERED:**

1. The Petition for Variance from Fla. Admin. Code rule 40B-4.3030(9) is GRANTED.
2. The Petition for Variance from Fla. Admin. Code paragraph 40B-4.3030(12)(b), is GRANTED.

DONE AND ORDERED this 13 day of July 2010.

SUWANNEE RIVER WATER  
MANAGEMENT DISTRICT

By: *David Still*  
Executive Director

RENDERED on this 13 day of July 2010.

*J. Dinges*  
Jon Dinges  
District Clerk

Copies furnished to: Tom Brown  
Suzanne Printy, JAPC  
Advent Christian Village, Inc.



April 26, 2010

Mr. Jon Dinges, P.E.  
Director, Resource Management Department  
Suwannee River Water Management District  
9225 County Road 49  
Live Oak, Florida 32060

**(a) Petition for variance from Ch 40B-4 and 40B-400, Florida Administrative Code**

Subject: ACV Parking Lot Modification, ERP #09-0159M, Suwannee County, Florida

(b) Petitioner: Jim Schenck, Vice President  
Village Properties, LLC  
P.O. Box 4329  
Dowling Park, Florida 32064  
(386) 658-5319  
[jschenck@acvillage.net](mailto:jschenck@acvillage.net)

(c) Agent: N/A

(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. 40B-4.3030(12b)

(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

**Attachment A**  
WSRM 71

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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.).

(f) Type of variance requested:

The type of action requested is for a variance from rule Ch. 40B-4.3030(12b) and Ch. 40B-4.3030(9). This would allow us to reduce the impervious area by modifying the existing parking lot layout and provide additional stormwater treatment by utilizing pervious concrete and a larger stormwater management facility. Lastly, waive the requirement for having a zero rise certification since no fill is being added in any portion of the project.

(g) Facts that demonstrate hardship:

The pavement in this area is aging and will soon be in need of repair / replacement. This project will reconfigure the parking layout and reduce the net impervious area.

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

This project will reduce the net impervious area of the existing parking lot and add additional greenspace to the area. By utilizing pervious concrete and an expanded stormwater management facility, the area will meet or exceed the

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APR 30 2010

Attachment A WSRM 72

ORIGINAL TO FILE ERP09-0159M

current standards of the Suwannee River Water Management District (SRWMD). A zero rise calculation is not necessary for this project since there will be no fill added and a net decrease in impervious area.

(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(12b) (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). This project is within the calculated 200-ft setback utilizing the methodology provided by SRWMD staff. Thus, a permanent variance is requested to modify the current parking lot layout to make it more user friendly, while also reducing the impervious area.

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 project will require no fill and there will be a net decrease in impervious area. The stormwater discharge will also be controlled by on-site treatment to prevent excess water from leaving the project site.

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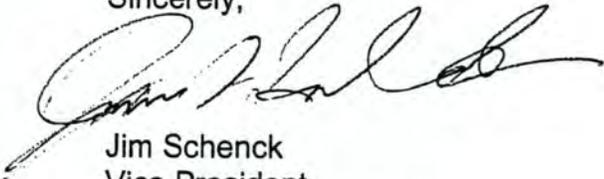
Attachment 3

ORIGINAL TO FILE CRP09-0159M

Please take into consideration the above request for variance. Approval of the request would allow for the existing area to be improved by reducing the net impervious area of the existing parking lot.

Thank you for your consideration.

Sincerely,



Jim Schenck  
Vice President  
Village Properties, LLC  
(386) 658-5319  
[jschenck@acvillage.net](mailto:jschenck@acvillage.net)

**Attachment A**

WSRM 74

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(5) Bonus commissions 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 commission(s), if any.

(6) Powerball with Power Play 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)(j), 24.109(1) FS. Law Implemented 24.105(9)(j), 24.112(1) FS. History—New 4-28-10. Replaces 53ER09-16, 53ER09-23 and 53ER09-55, FAC.

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: April 28, 2010

**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 April 9, 2010, the Suwannee River Water Management District, received a petition for variance from Cheryl & Michael Mahan, P. O. Box 848, Live Oak, FL 32064, pursuant to Section 120.542, F.S. Petitioner is seeking variance from paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirement. Petitioner seeks to permit existing deck, in Suwannee County, located in Township 7 South, Range 14 East, Section 4. 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,

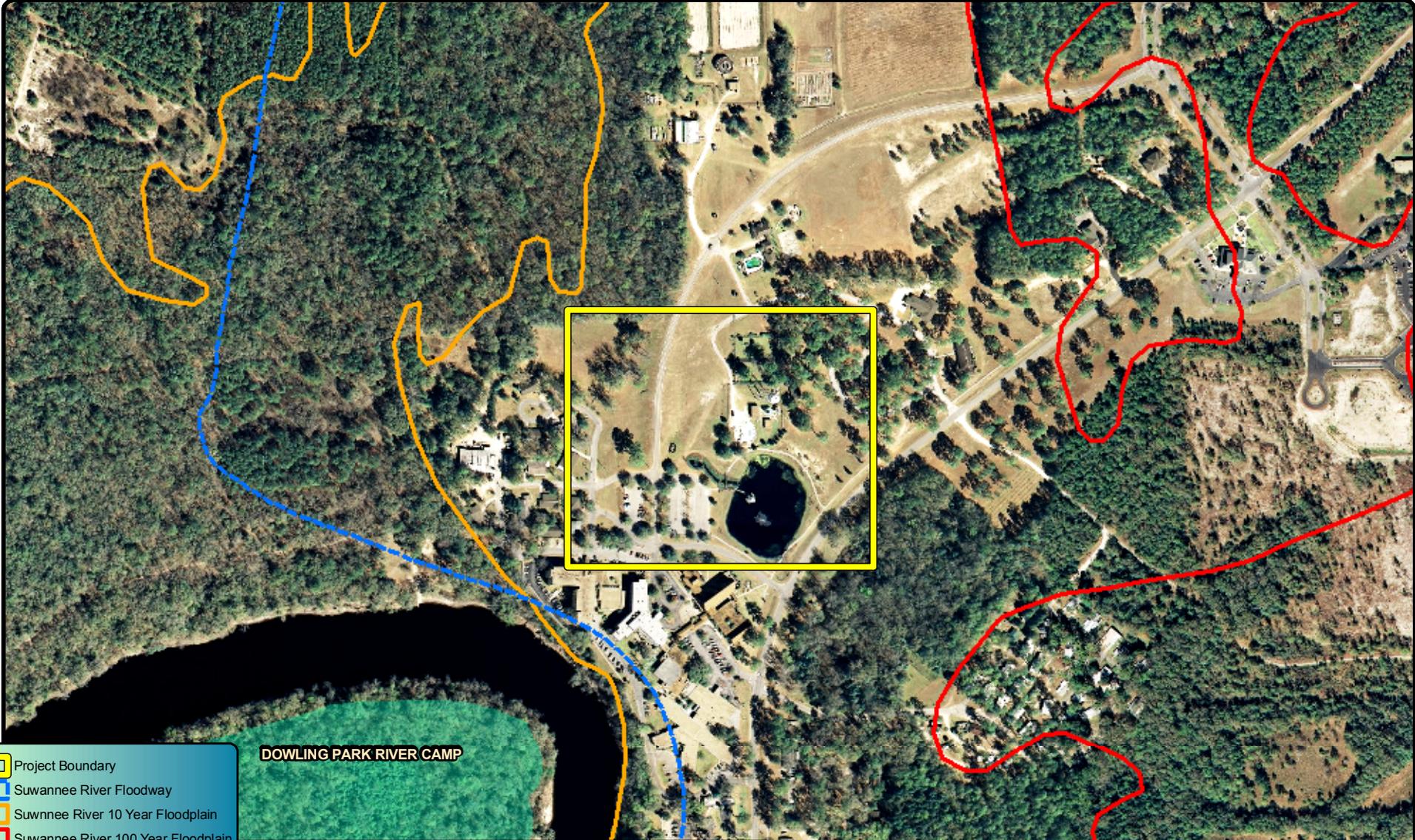
within 14 days of publication of this notice. The petition has been assigned ERP number 09-0090, and the project name is C. Mahan Works of the District Deck.

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.

NOTICE IS HEREBY GIVEN that on April 30, 2010, the Suwannee River Water Management District, received a petition for variance from Village Properties, LLC, P. O. Box 4329, Dowling Park, FL 32064, 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 reduce impervious area by modifying existing parking lot and provide additional stormwater treatment, in Suwannee County, in Township 3 South, Range 11 East, Section 5. 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 09-0159M, and the project name is Advent Christian Village Carter Parking Lot Modification.

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.

NOTICE IS HEREBY GIVEN that on April 27, 2010, the South Florida Water Management District (District), received a petition for waiver from Florida Department of Transportation regarding a Modification of Right of Way Occupancy Permit No. 13397, Application No. 10-0415-2M, for utilization of Works or Lands of the District known as the North New River Canal for proposed pedestrian signs and picket rail guardrail, and an existing fence and guardrail associated with a previously permitted linear park within the north right of way of the North New River Canal located between SW 136 Avenue and University Drive, Sections 2, 3 & 7, Township 50 South, Range 40 & 41 East, Broward County. The petition seeks relief from subsections 40E-6.011(4) and (6) & paragraph 40E-6.221(2)(j), F.A.C., which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank and within designated equipment staging areas within Works or Lands of the District.



**Advent Christian-Carter House  
Parking Lot Modification**

ERP09-0159M  
July 2010



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