



St. Johns River Water Management District

Kirby B. Green III, Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

June 9, 2010

L & D, LLC
c/o Lisa Rutzebeck
Post Office Box 97
Bell, FL 32619

Subject: Transfer of an Environmental Resource Permit
Permit Number: 42-069-113199-2
Project Name: Springs at Cherry Lake
Original Permit Issued: April 28, 2010 (Permitted as 42-069-113199-1)

The District has received a copy of the Warranty Deed naming L & D, LLC as the owner of the parcel of property formerly owned by Lila L. Cason, Et Al.

The above referenced permit is hereby transferred to L & D, LLC. As the new permit holder, you are required to comply with all the conditions as noted in the permit. If you have any questions concerning the conditions of your permit, please contact **Bill Carlie**, Compliance Manager, in the Altamonte Springs Service Center at 407-659-4800.

Thank you for your cooperation with this matter. If you have any questions or if the District can be of further assistance, please do not hesitate to contact us.

Sincerely,

Robert Presley, Director
Division of Regulatory Information Management

Enclosures: Permit with conditions

cc: District Permit File
Bill Carlie, Compliance Manager, Altamonte Springs Service Center
Lila L. Cason, Et Al, 1850 Wycliff Drive, Orlando, FL 32803

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**ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
REGULATION OF STORMWATER MANAGEMENT SYSTEMS
CHAPTER 40C-42, F.A.C.**

PERMIT NO. 42-069-113199-2

ORIGINAL PERMIT ISSUED: April 28, 2010

TRANSFER PERMIT ISSUED: June 9, 2010

PROJECT NAME: Springs at Cherry Lake

A PERMIT AUTHORIZING:

Construction of a stormwater management system with stormwater treatment by retention for Springs at Cherry Lake, a 36.09-acre, single-family residential project to be constructed as per plans received by the District on December 22, 2009 and amended Sheets 4 and 5B, received by the District on March 31, 2010 and amended Sheets 5A and 7, received by the District on April 26, 2010.

LOCATION:

Section: 3
Lake County

Township: 22 South

Range: 25 East

ISSUED TO:

L & D, LLC
Post Office Box 97
Bell, FL 32619

This document shall serve as the formal permit for construction and operation of stormwater management system in accordance with Chapter 40C-42, F.A.C., issued by the staff of the St. Johns River Water Management District on April 28, 2010. This permit is subject to the standard limiting conditions and other special conditions approved by the staff. These conditions are enclosed.

This permit is a legal document and should be kept with your other important records. The permit requires the submittal of an As-built certification and may require submittal of other documents. All information provided in compliance with permit conditions should be submitted to the District office from which the permit was issued. An As-built certification form is attached. Complete this form within 30 days of completion of construction of the permitted system, including all site work.

Upon receipt of the As-built certification, staff will inspect the project site. Once the project is found to be in compliance with all permit requirements, the permit may be converted to its operation phase and responsibility transferred to the operation and maintenance entity in accordance with Chapter 40C-42.028, F.A.C.

Permit issuance does not relieve you from the responsibility for obtaining permits from any federal, state, and/or local agencies asserting concurrent jurisdiction over this work. Please note that if dewatering is to occur during any phase of construction or thereafter and the surface water pump(s), wells, or facilities are capable of withdrawing one million gallons of water per day or more, or an average of 100,000 gallons per day or more over a year, and any discharge is to be off-site, you must apply for and obtain a Consumptive Use Permit (40C-2) from the District prior to starting the dewatering. Please contact the District if you need additional information or application materials.

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part thereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified, or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

In the event you sell your property, the permit will be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation, and if this office can be of any further assistance to you, please do not hesitate to contact us.

A handwritten signature in black ink, appearing to read "Mike Register".

for Mike Register, Division Director - Palatka
Department of Water Resources

Enclosures: As-built Certification Form
Exhibit A

cc: District Permit File

40C-1.612 TRANSFER OF OWNERSHIP OF PERMIT

- (1) **Transfer of Permitted Facility.** Within (30) days of any sale, conveyance, or other transfer of a facility, system, or well permitted by the District, the existing permittee must notify the District, in writing, of such transfer, giving the name and address of the transferee and providing a copy of the instrument effectuating the transfer.
- (2) **Transfer of Interest in Real Property.** Within 30 days of any transfer of ownership or control of the real property at which any permitted facility, system, consumptive use, or activity is located the permittee must notify the District, in writing, of the transfer, giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer.
- (3) **Transfer of Permit.** To transfer a permit, the permittee must provide the information required in subsections (1) and (2), together with a written statement from the proposed transferee that it will bound by all terms and conditions of the permit. Additionally, where applicable, the transferee must demonstrate that it is capable of constructing, operating and maintaining the permitted facility, system, consumptive use, well or activity. Once the required information has been provided, the District may transfer the permit to the transferee.

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 42-069-113199-2
L & D, LLC
ORIGINAL PERMIT DATED APRIL 28, 2010
TRANSFER PERMIT DATED JUNE 9, 2010

1. This permit for construction will expire five years from the date of issuance unless otherwise specified by a special condition of the permit.
2. Permittee must obtain a permit from the District prior to beginning construction of subsequent phases or any other work associated with this project not specifically authorized by this permit.
3. Before any off-site discharge from the stormwater management system occurs, the retention and detention storage must be excavated to rough grade prior to building construction or placement of impervious surface within the area served by those systems. Adequate measures must be taken to prevent siltation of these treatment systems and control structures during construction or siltation must be removed prior to final grading and stabilization.
4. The permittee must maintain a copy of this permit complete with all conditions, attachments, exhibits, and permit modification in good condition at the construction site. The complete permit must be available for review upon request by District representatives. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
5. 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 be considered a violation of this permit.
6. District authorized staff, upon proper identification, must be granted permission to enter, inspect and observe the system to insure conformity with the plans and specifications approved by the permit.
7. 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 chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are hereby incorporated by reference, 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 specification in chapter 6 of the Florida Land Development Manual: A guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
8. If the permitted system was not designed by a registered professional, within 30 days after completion of the stormwater system, the permittee must submit to the District the following: District Form No. 40C-1.181(14) (As built Certification), signed by the permittee and two (2) sets of "As Built" drawings when required by a special condition of this permit, or when the completed system substantially differs from permitted plans.

This submittal will serve to notify the District staff that the system is ready for inspection and approval.

9. If the permitted system was designed by a registered professional, within 30 days after completion of the stormwater system, the permittee must submit to the District the following: District Form No. 40C-1.181(13) (As built Certification By a Registered Professional), signed and sealed by an appropriated professional registered in the State of Florida, and two (2) sets of "As Built" drawings when a) required by a special condition of this permit, b) the professional uses "As Built" drawings to support the As Built Certification, or c) when the completed system substantially differs from permitted plans. This submittal will serve to notify the District staff that the system is ready for inspection and approval.
10. 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 (7) days before the construction activity in that portion of the site has temporarily or permanently ceased.
11. 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.
12. Within thirty (30) days after sale or conveyance of the permitted stormwater management system or the real property on which the system is located, the owner in whose name the permit was granted shall notify the District of such change of ownership. Transfer of the permit shall be in accordance with the provisions of section 40C-612, F.A.C. All terms and conditions of this permit shall be binding upon the transferee. 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.
13. The stormwater management system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure. The system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the stormwater management system to a local government or other responsible entity.
14. The operation phase of the permit shall not become effective until the permittee has submitted the appropriate As-Built Certification Form, the District determines that the system complies with the permitted plans, and the entity approved by the District in accordance with section 40C-42.027, F.A.C., accepts responsibility for operation and maintenance of the system. The permit cannot be transferred to such an approved, responsible operation and maintenance entity until the requirements of section 40C-42.028, F.A.C., are met, and the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District in accordance with section 40C-42.028, F.A.C., the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to subsection 40C-42.028 (4) F.A.C., the permittee shall be liable for compliance with the terms of the permit.
15. Prior to lot or unit sales, or upon completion of construction of the system, whichever occurs first, the District must receive the final operation and maintenance document(s) approved by the District and recorded, if the latter is appropriate. 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 government entity, Failure to submit the appropriate final document will result in the permittee remaining personally liable for carrying out maintenance and operation of the permitted system.

16. 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 Chapter 40C-42.028, F.A.C.
17. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
18. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
19. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
20. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
21. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
22. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any time the system is not functioning as designed and permitted, then within 14 days the entity shall submit an Exceptions Report to the District, on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
23. The proposed surface water management system shall be constructed and operated in accordance with the plans received by the District on December 22, 2009 and amended Sheets 4, and 5B, received by the District on March 31, 2010 and amended Sheets 5A and 7, received by the District on April 26, 2010.
24. This permit does not authorize work in, on or over wetlands or other surface waters.