



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director
David Dewey, Altamonte Springs Service Center Director

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On the Internet at www.sjrwmd.com.

June 10, 2009

Mr. James A. Stivender, Jr., P.E., P.L.S.
Lake County Department of Public Works
437 Ardice Avenue
Eustis, FL 32726

**RE: Hartwood Marsh Road – Phase II
Application No. 40-069-114354-1**

Dear Mr. Stivender:

Staff has reviewed your response to the District's Request for Additional Information (RAI) letter. Unfortunately, the following technical information is lacking to sufficiently review the possible impacts the project may have on the surrounding area. This information is again being requested pursuant to the authority vested in the St. Johns River Water Management District under subsection 373.413(2), Florida Statutes (F.S.), and sections 40C-4.101 and 40C-4.301, Florida Administrative Code (F.A.C.).

In order to expedite the review of your application, please use the application number referenced above on all correspondence, and submit **three (3) copies** of all requested information unless otherwise indicated by a specific information request.

1. Comment No. 1 of the RAI was not adequately addressed. In demonstrating that Pond 3 (interconnected Ponds 3A and 3B) is designed in accordance with District water quality treatment criteria and land locked criteria, please address the following:
 - a. The revised calculations indicate that the basin area and impervious area for Pond 3 are 48.67 acres and 15.89 acres, respectively, which equates to a treatment volume of 4.06 ac-ft. The submitted PONDS recovery analysis; however, was based on a treatment volume of 2.27 ac-ft, which is incorrect. Accordingly, please provide a revised PONDS recovery analysis demonstrating that the required treatment volume will be recovered within 72 hours.
 - b. The entire runoff volume for the 25-year, 96-hour storm event is 25.66 ac-ft according to the ICPR storm routing analysis included with the initial submittal. The storage capacity in the pond appears to be 24.33 ac-ft based on a weir invert elevation of 118 feet. The submitted PONDS recovery analysis for the storage capacity was based a volume of 25.56 ac-ft. Accordingly, please clarify the storage capacity for Pond 3. If the intent is to retain the entire runoff volume generated by the 25-year, 96-hour storm event, please provide revisions indicating such.
 - c. The base of aquifer (BOA) and seasonal high water table (SHWT) elevations currently assumed in the PONDS recovery analyses are inconsistent with the calculated values shown

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on Page 10 of the report. Accordingly, provide revised recovery analyses for consistency with the calculated values shown.

[40C-4.301(1)(a),(b),(c),(e),(i),(k); 40C-42.026(1), F.A.C.; Sections 10.3, 10.4, A.H.:MSSW]

2. The response to Comment No. 2.c of the RAI is incomplete. Specifically, the flood plain compensating storage calculations were based on a 10-year flood plain elevation of 96.9 feet for John's Lake; however, supporting documentation for this elevation was not included with the submitted information. Accordingly, please provide supporting documentation for the 10-year flood plain elevation for John's Lake and verify whether this elevation is based on a vertical datum of NGVD 1929 or NAVD 1988. The elevation of 96.9 feet currently assumed in the calculations appears to be inconsistent with District water level elevations for this lake, which are based on a vertical datum of NGVD 1929.

In addition, please provide cross-sectional view details for the compensating storage pond demonstrating that the pond is sufficiently sized to compensate for the fill impacts within the 10-year flood plain as shown in the cross-sectional view details on Pages 46 and 47 of the report. Please include supporting documentation for the SHWT elevation for the compensating storage pond, as previously requested, so that the compensating storage volume may be verified. Also, the compensating storage pond must have an open hydraulic connection to the floodplain encroached upon and the storage must be available during the flood event. The construction plans provided are not clear in this regard. Provide plan revisions and details, as necessary, for clarification.

[40C-4.301(1)(a),(b),(c),(i),(k); 40C-42.026(1), F.A.C.; Section 10.5, A.H.:MSSW]

3. The response to Comment No. 3.a of the RAI is insufficient. Specifically, the response states that the SHWT and BOA elevations were corrected based on Boring AB-P15; however, the submitted PONDS recovery analyses for Pond 6 were not corrected versions. Likewise, the response to Comment No. 3.c of the RAI states that the SHWT and BOA elevations were corrected based on Boring AB-P19; however, corrected PONDS recovery analyses for Pond 7 were not submitted. Accordingly, please provide revised recovery analyses for Ponds 6 and 7 for consistency with the site-specific information, as previously requested. [40C-4.301(1)(a),(b),(c),(e),(i),(k); 40C-42.026(1), F.A.C.; Sections 10.3, 10.4, A.H.:MSSW]

Please be aware that suggestions or other direction provided by District staff are offered to assist applicants in complying with District rules. However, applicants bear the burden of demonstrating that their application meets the applicable rule requirements. Although District staff may provide suggestions to applicants that would allow staff to recommend approval of an application to the District Governing Board or senior staff, the final decision regarding the issuance or denial of a permit is up to the District Governing Board or senior staff. Applicants are hereby advised that the Governing Board and senior staff are not bound by previous statements or recommendations of District staff regarding an application.

If the applicant wishes to dispute the necessity for any information requested on an application form or in a letter requesting additional information, he or she may, pursuant to section 373.4141, Florida Statutes, request that District staff process the application without the requested information. If the applicant is then unsatisfied with the District's decision regarding issuance or denial of the application, the applicant may

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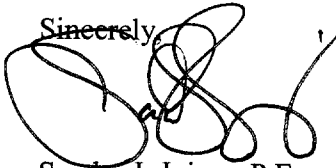
request a section 120.569, Florida Statutes, hearing pursuant to Chapter 28-106 and section 40C-1.1007, F.A.C.

Please be advised, pursuant to subsection 40C-1.1008, F.A.C., the applicant shall have 120 days from receipt of a request for additional information regarding a permit or license application undergoing review by the District to submit that information to the District. If an applicant requires more than 120 days in which to complete an application, the applicant may notify the District in writing of the circumstances and for good cause shown, the application shall be held in active status for additional periods commensurate with the good cause shown. Any application which has not been completed by the applicant within the given time period following a request for additional information by the District shall be subject to denial. Denial of an application due to failure to submit requested additional information shall be a denial without prejudice to the applicant's right to file a new application.

In addition, no construction shall begin on the proposed project until a permit is issued by the St. Johns River Water Management District. This is pursuant to subsection 40C-4.041(1), F.A.C., which states in relevant part, "...Unless expressly exempt, an individual or general environmental resource permit must be obtained from the District under Chapter 40C-4, 40C-40, 40C-42, 40C-44 or 40C-400, F.A.C., prior to the construction, alteration, operation, maintenance, abandonment or removal of any stormwater management system, dam, impoundment, reservoir, appurtenant work or works, including dredging or filling, and for the maintenance and operation of existing agricultural surface water management systems or the construction of new agricultural surface water management systems..."

If you should have questions, please do not hesitate to call me at (407) 659-4871.

Sincerely,



Sandra J. Joiner, P.E.

Department of Water Resources

cc: RIM/RAIL(2), David Dewey, Margie Cook, Steve Williams

Melinda S. Fischi, P.E., HNTB Corporation
300 Primera Blvd., Suite 200, Lake Mary, FL 32746