



St. Johns River Water Management District

Kirby B Green III Executive Director David W Fisk Assistant Executive Director

4049 Reid Street • PO Box 1429 • Palatka, FL 32178 1429 • (386) 329 4500
On the Internet at www.sjrwmd.com

September 3, 2009

Lake County Department of Public Works
C/O Jim Stivender, Jr, P E / P L S
437 Ardice Avenue
Eustis, FL 32726

SUBJECT Permit Number 40-069-114354-2
Hartwood Marsh Road-Phase II

Dear Sir/Madam

Enclosed is your general permit as authorized by the staff of the St Johns River Water Management District on September 3, 2009

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

Please be advised that the District has not published a notice in the newspaper advising the public that it is issuing a permit for this proposed project. Publication using the District form, notifies members of the public (third parties) of their rights to challenge the issuance of the general permit. If proper notice is given by publication, third parties have a 21-day time limit on the time they have to file a petition opposing the issuance of the permit. If you do not publish, a party's right to challenge the issuance of the general permit extends for an indefinite period of time. If you wish to have certainty that the period for filing such a challenge is closed, then you may publish, at your own expense, such a notice in a newspaper of general circulation. A copy of the form of the notice and a list of newspapers of general circulation is attached for your use.

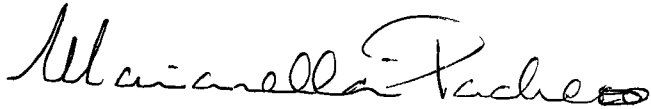
In the event you sell your property, the permit will be transferred to the new owner if we are notified by you within thirty days of the sale and if you provide the information required by 40C-1 612, F A C. Please assist us in this matter so as to maintain a valid permit for the new property owner.

GOVERNING BOARD

Susan N Hughes CHAIRMAN PONTE VEDRA	W Leonard Wood VICE CHAIRMAN FERNANDINA BEACH	Hersey Herky Huffman SECRETARY ENTERPRISE	Hans G Tanzler III TREASURER JACKSONVILLE
Douglas C Bourmique VERO BEACH	Michael Ertel OVIEDO	Maryam H Ghyabi ORMOND BEACH	Richard G Hamann GAINESVILLE
			Arlen N Jumper FORT McCOY

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

Sincerely,



Marianella Pacheco
Regulatory Information Management Specialist II
Division of Regulatory Information Management

Enclosures Permit with As-built Certification Form
 Notice of Rights
 List of Newspapers for Publication

cc District Permit File

Consultant HNTB Corporation
 C/O Karen Van den Avont PE
 300 Primera Blvd Ste 200
 Lake Mary, FL 32746

ST JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO 40-069-114354-2

DATE ISSUED September 3, 2009

PROJECT NAME Hartwood Marsh Road-Phase II

A PERMIT AUTHORIZING

Construction and operation of a Surface Water Management System for a 78 68-acre roadway expansion project known as Hartwood Marsh Road-Phase II The proposed surface water management system must be constructed in accordance with the plans received by the District on March 2, 2009 and as amended by Sheets 1, 21, 28, 29, 96, 97-98 101-103, 111, 112 135-149, 204-208, received by the District on May 15 2009, and Sheets 22 96A and 99, received by the District on September 2 2009 This permit does not authorize any work in, on or over surface waters or wetlands

LOCATION

Section(s) 1 2, 3, 10, 11 Township(s) 23S Range(s) 26E

Lake County

Lake County Department of Public Works
C/O Jim Stivender, Jr , P E / P L S
437 Ardice Avenue
Eustis, FL 32726

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 hereof

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies 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

PERMIT IS CONDITIONED UPON

See conditions on attached "Exhibit A", dated September 3, 2009

AUTHORIZED BY St Johns River Water Management District
Department of Resource Management

By 
(Service Center Director - Altamonte Springs)
David Dewey

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-069-114354-2
LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
DATED SEPTEMBER 3, 2009

- 1 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.
- 2 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.
- 3 Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
- 4 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 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 specifications 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.
- 5 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 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- 6 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. 40C-4 900(3) indicating the actual start date and the expected completion date.
- 7 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. 40C-4 900(4). These forms shall be submitted during June of each year.
- 8 For those systems which will be operated or maintained by an entity which will require 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 subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance

documents which require recordation either with the Secretary of State or the 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.

- 9 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 the 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 local government or other responsible entity.
- 10 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, utilizing As Built Certification Form 40C-1 181(13) or 40C-1 181(14) supplied with this permit. 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 drawings 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:
 - 1 Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers,
 - 2 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,
 - 3 Dimensions, elevations, contours or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate,
 - 4 Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system,
 - 5 Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system,
 - 6 Existing water elevation(s) and the date determined, and Elevation and location of benchmark(s) for the survey.
- 11 The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7 1 1 through 7 1 4 of the Applicant's Handbook Management and Storage of Surface Waters accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an 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 responsible approved operation and maintenance entity, if different from the permittee Until the permit is transferred pursuant to section 7 1 of the Applicant's Handbook Management and Storage of Surface Waters the permittee shall be liable for compliance with the terms of the permit

- 12 Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required
- 13 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-4 or chapter 40C-40, F A C
- 14 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
- 15 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 rule 40C-1 1006, F A C provides otherwise
- 16 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 40C-1 612 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
- 17 Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit
- 18 If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District
- 19 The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate
- 20 This permit for construction will expire five years from the date of issuance
- 21 At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities To prevent reduction in storage volume and percolation rates all accumulated sediment must be removed from the storage area prior to final grading and stabilization
- 22 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

- 23 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.
- 24 The permit does not authorize any work in, on, or over wetlands or other surface waters.
- 25 The proposed surface water management system must be constructed in accordance with the plans received by the District on March 2, 2009, and as amended by Sheets 1, 21, 28, 29, 96, 97-98, 101-103, 111, 112, 135-149, 204-208, received by the District on May 15, 2009, and Sheets 22, 96A and 99, received by the District on September 2, 2009.
- 26 The operation and maintenance entity shall inspect the stormwater or surface water management system within one year after the completion of construction and every year 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 on form number 40C-42 900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
- 27 Contained within the as-built report, the permittee must submit a soils analysis for Ponds 3A and 3B verifying that the design permeability rate of 19.5 feet/day (minimum) is provided. If the design permeability rate cannot be verified, the permittee must obtain a modification of this permit demonstrating that the design criteria and objectives of Chapter 40C-4 and 40C-42, F.A.C. are met.

Notice Of Rights

- 1 A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St Johns River Water Management District (District) Pursuant to Chapter 28-106 and Rule 40C-1 1007 Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P O Box 1429, Palatka Florida 32178-1429 (4049 Reid St , Palatka FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of intended District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail or email actual notice) A petition must comply with Sections 120 54(5)(b)4 and 120 569(2)(c) Florida Statutes, and Chapter 28-106, Florida Administrative Code The District will not accept a petition sent by facsimile (fax), as explained in paragraph no 5 below Mediation pursuant to Section 120 573, Florida Statutes, is not available
- 2 If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation Pursuant to Chapter 28-106 and Rule 40C-1 1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no 1 above within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice) or within twenty-one (21) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice) A petition must comply with Sections 120 54(5)(b)4 and 120 569(2)(c), Florida Statutes and Chapter 28-106, Florida Administrative Code Mediation pursuant to Section 120 573 Florida Statutes, is not available
- 3 A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 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 also comply with the requirements set forth in Rule 28-106 201, Florida Administrative Code
- 4 A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120 569 and 120 57(2), Florida Statutes where no material facts are in dispute A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106 301, Florida Administrative Code

Notice Of Rights

- 5 A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
- 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. (Rule 28-106.111, Florida Administrative Code)
- 7 The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
- 8 Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District 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 Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
- 9 A District action is considered rendered, as referred to in paragraph no. 8 above, after it is signed on behalf of the District, and is filed by the District Clerk.
- 10 Failure to observe the relevant time frames for filing a petition for judicial review as described in paragraph no. 8 above will result in waiver of that right to review.

Notice Of Rights
Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U S Mail to

Lake County Department of Public Works
C/O Jim Stivender, Jr , P E / P L S
437 Ardice Avenue
Eustis, FL 32726

At 4 00 p m this 3rd day of September, 2009



Division of Regulatory Information Management
Gloria Lewis, Director

St Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(386) 329-4152
Permit Number 40-069-114354-2
Revised 7/16/09