



St. Johns River

Water Management District

Ann B. Shortelle, Ph.D., Executive Director

601 South Lake Destiny Road, Suite 200 • Maitland, FL 32751 • 407-659-4800
On the internet at www.sjrwmd.com.

October 7, 2020

Stoney Brunson
City of Clermont
335 Hancock Road
Clermont, FL 34711
Sent via email: SBrunson@Clermontfl.org

Re: City of Clermont Public Works Operations Facility
Application Number: 164231-1
(Please reference the application number on all correspondence.)

Dear Mr. Brunson:

The St. Johns River Water Management District (District) has received your Individual Environmental Resource Permit application. Upon review of the proposed project, the following technical information is needed to sufficiently review the application. This information is being requested under the authority granted to the District by sections 373.413(2) and 373.4131, Florida Statutes (F.S.), and rules 62-330.054, 62-330.060, 62-330.301 and 62-330.302, Florida Administrative Code (F.A.C.).

In order to expedite the review of your application, please use the application number referenced above and respond electronically through e-Permitting at sjrwmd.com/permitting or submit all requested information to the District.

1. Please identify the operation and maintenance entity of the proposed stormwater management system. For a joint-use pond, please provide an agreement between the land owner and the City of Clermont that specifies operation and maintenance responsibilities pursuant to Section 12.4, A.H. Vol I.
[62-330.310(1), (2), (3), (4), F.A.C.; Section 12.4, A.H. Vol I]
2. Please provide legal authorization from Duke energy allowing the construction of the stormwater pipe within their easement and use of their easement for access to the pond. Please include essential language for future maintenance access of the storm water management system, as necessary.
[62-330.301(1), F.A.C.; Section 12.3, A.H. Vol. I]
3. In demonstrating the retention pond will recover the storage capacity for the 25-year, 96-hour storm event in 14 days, please revise the slug load volume to correspond to the volume at the weir elevation of 140 feet.
[62-330.301(1)(a),(b),(c), F.A.C.; Section 3.2.1, A.H. Vol II]

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****Please note, as of October 1, 2017, the U.S Army Corps of Engineers (Corps) is no longer participating in the Joint Application process. If your project does not qualify for federal authorization pursuant to the State Programmatic General Permit V-R1 (SPGP V-R1) Coordination Agreement, you may need to apply separately to the Corps using the appropriate federal application form for activities under federal jurisdiction. Please see the Corps' [Jacksonville District Regulatory Sourcebook](#) for more information about federal permitting. Please call your local Corps office if you have questions about federal permitting.****

Please be aware, 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's Executive Director or delegatee, the final decision regarding the approval of a permit application is up to the District's Executive Director or delegatee. If an application is recommended for substantive denial, the application will be scheduled for consideration by the District's Governing Board. Applicants are hereby advised the Governing Board and the Executive Director or delegatee are not bound by previous statements or recommendations of District staff regarding an application.


If the applicant desires 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, F.S, and section 5.5.3.6, Environmental Resource Permit Applicant's Handbook Volume I (ERP A.H. Volume I) 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 request a section 120.569, F.S. hearing pursuant to chapter 28-106 and rule 40C-1.1007, F.A.C.

Please be advised that under section 5.5.3.5, ERP A.H. Volume I, the applicant has 90 days from the date the District makes a timely request for additional information to submit that information to the District. If an applicant requires more than 90 days to respond, it must notify the District in writing of the circumstances, at which time the application shall remain in active status for one additional period of up to 90 days. The District will grant additional extensions for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information, and that the additional time period is both reasonable and necessary to supply the information will be considered good cause. In such case, the District will grant a specified amount of additional time.

If the applicant chooses not to, or is unable to, respond to the request for additional information within the above time frames, the application will be administratively denied. An administrative denial is not a determination of the merit of an application and does not preclude the applicant from reapplying at a later time. However, the applicant will not receive a refund of processing fees submitted, and the District will not apply those processing fees to a subsequently submitted permit application or notice. If an applicant cannot provide the information within the applicable time frames, the applicant may wish to withdraw the application in accordance with section 5.5.3.7, ERP A.H. Volume I. Please note, pursuant to Rule 62-330.020(2), F.A.C., no construction may begin on the proposed project until a permit is issued by the District.

If you have any questions, please contact the District at (407) 659-5912 or by e-mail:
LXu@sjrwmd.com.

Sincerely,



Lei Xu
Engineer II
Division of Regulatory Services

CC: Regulatory File

John K. Keating, Clermont Commerce Park, LLC
Sent via email: correct.me@baeonline.com

Carlos M. Rexach, Bentley Architects + Engineers, Inc.
Sent via email: crexach@baeonline.com