

4-069-0296A



Compliance Submittal

1721

ADMINISTRATIVE APPLICATION PROCESSING SHEET

Application Number: 4-069-0296A Reviewer(s): COOK EUNICE

Date Received: 1/24/94

Applicant: ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P.

MAPPING INFORMATION:

Date Mapped: 1-27-94 UTM: YES NO
Basin: EB LB OB UB WB WP

MAP NUMBER

QUAD

32

SORRENTO

Comments: Related 40-069-0119A

APPLICATION DATA ENTRY INFORMATION:

<u>FILE</u>	<u>DATE</u>	<u>INITIALS</u>
Main	<u>1-26-94</u>	<u>OSJ</u>
Address	<u>1-26-94</u>	<u> </u>
Location	<u>1-26-94</u>	<u> </u>
Mapped	<u>2-2-94</u>	<u>OSJ</u>
Fee **	_____	_____

** Fee is entered during the Electronic Assignment Sheet Process.



**WATER
MANAGEMENT
DISTRICT**

August 8, 1994

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director
Charles T. Myers III, Deputy Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904/329-4500 SUNCOM 904/860-4500
TDD 904/329-4450 TDD SUNCOM 860-4450
FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

FIELD STATION			
618 E. South Street Orlando, Florida 32801 407/897-4300 IDD 407/897-5960	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-6270 IDD 904/730-7900	PERMITTING: 305 East Drive Melbourne, Florida 32904 407/984-4940 IDD 407/722-5368	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407/254-1762 IDD 407/253-1203

Mr. Duane K. Booth, P.E.
Farner Barley and Associates, Inc.
350 North Sinclair Avenue
Tavares FL 32778

1994

Re: Cross-Tie Ranch Phase II; Permit Number 4-069-0296

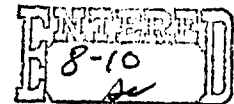
Dear Mr. Booth:

The St. Johns River Water Management District is in receipt of the Erosion Control plan for the above-referenced permit. The plan, received on June 24, 1994, satisfies Condition 23 of Permit Number 4-069-0296.

If you have any questions, please do not hesitate to call me at 407/897-4316.

Sincerely,

Marjorie D. Cook, P.E.
Department of Resource Management



MDC:db

- cc: PDS-CI
- PDS-Orlando
- Pat Frost
- Joan B. Budzynski, P.E.
- David Dewey

RECEIVED
JUL 15 1994
4-069-0896A

ST. JOHNS RIVER WATER MGMT DISTRICT
JUN - 8 1994
ST. JOHNS RIVER

94

CO

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

IN RE:

Estate of Herbert
Mayer/Cross-Tie Ranch L.P.
518 Pleasant Street
Northampton MA 01060

FILE OF RECORD NO. 94-¹⁴⁷⁸~~1477~~

CONSENT ORDER

ENTERED

This Consent Order is entered between Estate of Herbert Mayer/Cross-Tie Ranch, L.P ("Respondent") and the St. Johns River Water Management District ("District") to settle certain matters at issue between them under Chapter 373, Florida Statutes (F.S.), and Chapters 40C-4, and 40C-42, Florida Administrative Code (F.A.C.)

FINDINGS OF FACT

1. The District, a special taxing district created by Chapter 373, Florida Statutes (F.S.), is empowered to administer and enforce the provisions of Chapter 373, F.S., and the rules promulgated thereunder and Chapters 40C-4 and 40C-42, Florida Administrative Code (F.A.C.):

2. The District is specifically authorized to administer and enforce the permitting programs established pursuant to Sections 373.413 and 373.416, F.S. The District has implemented the program through promulgation of Chapters 40C-4 and 40C-42, F.A.C.

3. Respondent owns or controls approximately 690 acres of real property in Section 58, Township 19 South, Range 28 East, Lake County, Florida.

4. On January 19, 1994, the District issued a Management and Storage of Surface Waters ("MSSW") permit (no. 40-069-0119) for the construction of Phase I. This permit required Respondent to obtain future permits prior to construction of additional phases. Permit condition number 17 requires that the proposed surface water management system must be constructed as per plans received by the District on December 9, 1992. These plans only authorized construction activity within Phase I. (A copy of permit no. 40-069-0119 is attached as Exhibit 1).

5. On January 24, 1994, the District received a permit application for Phase II of Cross-Tie Ranch L.P.

6. On February 16, 1994, District staff inspected Phase II of the project site. This inspection revealed that construction of road right-of-ways, grading of roads and installation of the surface water management system began prior to the issuance of the District permit. A representative of the permittee previously had contacted staff at the Orlando Field Office and notified them of the unauthorized construction and stated the unauthorized work had ceased. No unauthorized construction was occurring during the inspection of February 16, 1994.

7. On February 28 and March 9, 1994, District staff met with project representatives, at the Orlando field office and on-site

respectively. During the meeting, District staff stated that the unauthorized work was a violation of the District's rules and that an administrative penalty would be sought in accordance with Chapter 373, F.S. Also, District staff recommended that no further construction occur until a permit was issued.

8. On March 16, 1994, the District sent a letter to the application documenting the non-compliance of the District's rules. A copy of letter is attached as Exhibit 2.

CONCLUSIONS OF LAW

9. The District has jurisdiction over this matter, the Respondent and the subject property. Section 373.069(2)(c), F.S.; Rules 40C-4.041(2)(b)2 and 40C-42.022(2), F.A.C.

10. Respondent's activities described herein constitute the construction of works under Chapters 40C-4 and 40C-42, F.A.C. The commencement of such construction without first obtaining an MSSW permit from the District constituted a violation of Chapter 373, F.S. and Rule 40C-4.041(2)(b), F.A.C. In addition, the unauthorized construction is a violation of condition number 17 of permit number 4-069-0296 which only authorized construction for Phase I.

11. The District is authorized to commence a cause of action in circuit court and seek a civil penalty in an amount not exceeding Ten Thousand Dollars (\$10,000.00) per offense for

violation of Chapter 373, F.S., and Chapters 40C-4 and 40C-42, F.A.C. Section 373.129(5), F.S.

12. The District is authorized to recover investigative costs and reasonable attorneys' fees expended in the enforcement of its programs. See, Section 373.129(6), F.S.

CORRECTIVE ACTION

13. Respondent shall not undertake or authorize any further construction on the subject property except as authorized by District permit.

14. Respondent agrees to pay a settlement penalty of One Thousand Two Hundred and No/100 Dollars (\$1,200.00) due to the violation of Chapters 40C-4 and 40C-42, F.A.C. Respondent also agrees to reimburse the District for its investigative costs and attorneys' fees incurred by the District in resolving this matter in the amount of Two Hundred Ninety Two and 75/100 Dollars (\$292.75). Respondent shall deliver to the District a cashier's check or money order for a total amount of One Thousand Four Hundred Ninety Two and 75/100 Dollars (\$1,492.75) payable to the St. Johns River Water Management District. The sum of One Thousand Four Hundred Ninety Two and 75/100 Dollars (\$1,492.75) will be paid within ten (10) days of rendition of this Consent Order. Any sums unpaid within the time frame provided herein shall bear interest at the rate of 1.5 percent per month until paid.

15. Respondent shall allow all authorized District representatives access to the subject property at reasonable times for the purpose of determining compliance with the terms of this Consent Order.

16. The District agrees, for and in consideration of the complete and timely performance of the obligations set forth in this Consent Order, that said performance is dispositive of the violations contained herein, and the District waives its rights seek judicial imposition of damages or civil or criminal penalties for the violations contained herein.

17. By executing this Consent Order, Respondent waives its rights to judicial review or an administrative hearing on the terms of this Order.

18. The District expressly reserves the right to initiate appropriate legal action to prohibit any future violations of Chapter 373, F.S., or the rules of the District.

19. Performance of the Consent Order does not relieve Respondent of any need to comply with applicable federal, state, or local laws, rules or ordinances. In addition, the rights of substantially affected persons as defined in Chapter 120, F.S., who are not parties to this Order, are not abrogated by matters agreed to herein.

20. This Consent Order will become effective after rendition (filing) by the District Clerk, which will occur after its

execution by Respondent and the Chairman of the Governing Board on behalf of the District.

21. Upon rendition, this Consent Order will constitute a final administrative order of the District, and the terms and conditions set forth may be enforced in a court of competent jurisdiction pursuant to Sections 373.129 and 120.69, F.S.

22. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both the Respondent and the District.

ESTATE OF HERBERT MAYER/
CROSS-TIE RANCH, L.P.

6/6/94
(DATE)

BY: Herbert Mayer Jr.
Resident Sun Sound Audio, Inc. GP

ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT

7/13/94
(DATE)

By: Patricia T. Harden
PATRICIA T. HARDEN, Chair
Governing Board

RENDERED this 14th day of July, 1994.

Patricia C. Schultz
PATRICIA C. SCHULTZ
DISTRICT CLERK

G:\user\legal\adm-enf\crosstie\crosstie.co



POST OFFICE BOX 1420 PALATKA, FLORIDA 32178-14
 TELEPHONE 904/312-1125 SUNCOM 904/860-4500
 FAX (EXECUTIVE/LEGAL) 322-4125 (PERMITTING) 322-4315 (ADMINISTRATION/FINANCE) 322-

FIELD STATIONS

618 E. South Street Orlando, Florida 32801 407/894-5423	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-6270	PERMITTING: 305 East Drive Melbourne, Florida 32904 407/284-4940	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32931 407/254-1762
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PERMIT NO. 40-069-0119

DATE ISSUED January 19, 1993

A PERMIT AUTHORIZING:

CONSTRUCTION OF A SURFACE WATER MANAGEMENT SYSTEM CONSISTING OF THREE, DRY RETENTION PONDS TO SERVE A 116 ACRE SINGLE FAMILY SUBDIVISION KNOWN AS CROSS-TIE, PHASE I. THE PROJECT IS LOCATED WITHIN THE WEKIVA RIVER HYDROLOGIC BASIN.

LOCATION:

Sections 5 & 8, Township 19 South, Range 28 East, Lake County

ISSUED TO:

ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P.
 518 PLEASANT ST.
 NORTHAMPTON, MA 01060

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 January 19, 1993

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

By: *Jeff Elledge*
 (DIRECTOR)
 JEFF ELLEDGE

Governing Board
 By: *Henry Dean*
 (ASSISTANT SECRETARY)
 HENRY DEAN

Joe E. Hill, CHAIRMAN
 LEESBURG
 Meritt C. Fore
 Ocala

Joseph D. Collins, VICE CHAIRMAN
 JACKSONVILLE
 Ralph E. Simmons
 FERNANDINA BEACH

Jesse J. Parrish, III, TREASURER
 TITUSVILLE
 Sandra H. Gray
 DE BARY
 Patricia T. Harden
 SANFORD

Lonora N. McCullagh SECRETARY
 ORANGE PARK
 James H. Williams
 Ocala

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-069-0119

ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P.

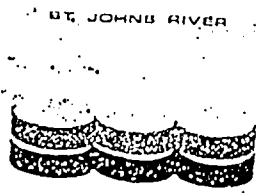
JANUARY 19, 1993

1. 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.
2. All construction, operation and maintenance shall be as set forth in the plans, specifications and performance criteria as approved by this permit.
3. District authorized staff, upon proper identification, will have permission to enter, inspect and observe the system to insure conformity with the plans and specifications approved by the permit.
4. Turbidity barriers must be installed at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the proposed work. Turbidity barriers must remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee will be responsible for the removal of the barriers.
5. The operation phase of the permit shall not become effective until a Florida Registered Professional Engineer certifies that all facilities have been constructed in accordance with the design approved by the District. Within 30 days after completion of construction of the surface water management system, the permittee shall submit the following: completion certification report signed and sealed by the P.E.; and when the completed system substantially differs from permitted plans, two sets of record (as built) plans which reflect the surface water management system as actually constructed. This submittal will serve to notify the District staff that the facilities are ready for inspection and approval. The permit cannot be transferred to the responsible operation and maintenance entity approved by the District until construction of the completed surface water management system is approved by the District.

6. If any other regulatory agency should require revisions or modification to the permitted project, the District is to be notified of the revisions so that a determination can be made whether a permit modification is required.
7. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a permitted system or facility or within 30 days of any transfer of ownership or control of the real property at which the permitted system or facility is located. All transfers of ownership or transfers of a permit are subject to the requirements of chapter 40C-1.
8. The permittee must require the contractor to review and maintain a copy of this permit, complete with all conditions, attachments, exhibits, and permit modifications in good condition and posted at the same location as other agency permits on the construction site. The complete permit copy shall be available for review upon request by District representatives.
9. This permit for construction will expire five years from the date of issuance.
10. Construction or alteration of the surface water management system must be completed and all disturbed areas must be stabilized in accordance with permitted plans and permit conditions prior to any of the following events (whichever occurs first): issuance of a certificate of occupancy; use of the infra-structure for its intended use; or transfer of responsibility for operation and maintenance to a local government or other responsible entity.
11. 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.
12. All wetland areas or water bodies that are outside of the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
13. 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, is a violation of this permit.
14. Permittee must select, implement, and operate all erosion and sediment control measures required to retain sediment on-site and to prevent violations of water quality standards as specified in chapters 17-301, 17-302, and 17-4, F.A.C. The permittee

is encouraged to use appropriate Best Management Practices for erosion and sediment control as described in the Florida Land Development Manual: A Guide to Sound Land and Water Management (DER, 1988).

15. The permittee must construct and maintain a permanent protective vegetative and/or artificial cover for erosion and sediment control on all land surfaces exposed or disturbed by construction or alteration of the permitted project. Unless modified by another condition of this permit or specified otherwise on a District-approved erosion and sediment control plan, this protective cover must be installed within fourteen (14) days after final grading of the affected land surfaces. A permanent vegetative cover must be established within 60 days after planting or installation. The permittee must maintain cover on adjacent ground surfaces which may be impacted by construction activities until the District receives the P.E. certification that the project is constructed according to the permitted plans.
16. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.
17. The proposed surface water management system must be constructed as per plans received by the District on December 9, 1992.



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director

John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429
TELEPHONE 904/329-4500

PALATKA, FLORIDA 32178-1429
SUNCOM 904/860-4500

FAX (EXECUTIVE/LEGAL) 329-4125

(PERMITTING) 329-4315

(ADMINISTRATION/FINANCE) 329-4500

FIELD STATIONS

618 E. South Street
Orlando, Florida 32801
407/897-4300

7775 Baymeadows Way
Suite 102
Jacksonville, Florida 32256
904/730-6270

PERMITTING:
305 East Drive
Melbourne, Florida 32904
407/984-4940

OPERATIONS:
2133 N. Wickham Road
Melbourne, Florida 32935-810
407/254-1762

March 16, 1994

Mr. Jim Modica, President
Modica and Associates
P.O. Box 1090
Minneola FL 34755

Re: Cross-Tie Phase II, Permit Application No. 4-069-0296A

Dear Mr. Modica:

This letter is a result of our meeting (February 28, 1994) and site inspection (March 9, 1994) concerning the project referenced above. As indicated, District staff's inspections of Phase II revealed that construction has started on the project prior to the issuance of a permit. The unauthorized construction, which the District presently is reviewing a permit application, included land clearing, clearing and grading of roads and the installation of drainage structures such as culverts and connector boxes.

The unauthorized construction is a non-compliance of section 40C-4.041, F.A.C., which states: "unless expressly exempt by statute or rule, a surface water management permit must be obtained from the District prior to construction." In addition, the unauthorized work is non-compliance with condition number 17 of permit number 40-069-0119 which states that the proposed surface water management system must be constructed as per plans received by the District on December 9, 1992.

Since no permits have been issued for Phase II, it is recommended that you advise your client to cease all unauthorized construction activity until all the proper District permits have been obtained. It is my understanding that you have advised your client that all unauthorized work has ceased.

During the meeting, I indicated that the District will be seeking a penalty for the non-compliance of the Districts rules in accordance with section 373.129, F.S. and reimbursement of staff's investigative costs. The District will prepare a Consent Order which will include a settlement penalty. As you are aware, in determining a penalty, the District reviews many factors such as extent of deviation from the rule, harm to the water resource, and past history of non-compliance. In determining the penalty amount, the staff will recognize that you contacted the District once you become aware of the unauthorized work

Patricia T. Harden, CHAIR
SANFORD

Lenore N. McCullagh, VICE CHAIR

Jesse J. Parrish III

Reid Hughes
DAYTONA BEACH

Dan Roach
FERNANDINA BE.

William Segal, SECRETARY
MAYLAND

James H. Williams
OCALA

Mr. Jim Modica, President
March 15, 11994
Page 2

and had all construction stopped. Once the Consent Order has been prepared, it will be sent to your client for signature. Upon his signature, it is to be returned to the District and it will be acted on by the District's Governing Board.

Please contact me at (407) 897-4328, if you have any questions.

Sincerely,



David A. Dewey, Compliance Manager
Department of Resource Management

DAD:rc

cc: Pat Frost *pk*
~~Ken Torman~~
David Eunice
PDS/VP
Orlando Permit File

Mr. Herb Mayer
518 Pleasant Street
North Hampton MA 01060

people's bank

CASHIER'S CHECK

13897 2729256

026-33827

CROSS TIE RANCH

JUN 07, 1994

Pay *****1,492.75*****

One Thousand Four Hundred Ninety-Two Dollars And 75 Cents

To The

Order Of ***** ST. JOHNS RIVER WATER*****
***** MANAGEMENT DISTRICT*****

Notice To Customers: The purchase of an indemnity bond may be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

Theresa P. Poy
Authorized Signature

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

P.O. Box 1429
Palatka, Florida 32178-1429

P 13897

DATE 6/8 1994

RECEIVED FROM Cross Tie Ranch
FOR SPRUND DOLLARS \$ 1492.75
THE SUM OF FOUR THOUSAND SEVENTY FIVE
AND SEVENTY FIVE CENTS

AMOUNT OF ACCOUNT \$ _____
AMOUNT PAID.....\$ _____
BALANCE DUE.....\$ _____
 CASH CHECK M.O. CREDIT CARD

Thank You!

BY *B. Keenan*

COMPLIANCE MEMO

19367-1

TO: Margie Cook

THRU: Jean Buszynski, P.E. *JB 7/12/94*

FROM: DAVID DEWEY
COMPLIANCE MANAGER *DD*

DATE: 7/13/94

PROJECTNAME: Crossties Ranch Phase II

PERMITNUMBER: 4-069-0296

PERMIT DETERMINATION: PLEASE REVIEW AND PREPARE LETTER BY _____

MODIFICATION DETERMINATION: PLEASE REVIEW AND DETERMINE WHETHER:

SUBSTANTIAL CHANGES: PERMIT MODIFICATION REQUIRED

NONSUBSTANTIAL CHANGES: PROCESS ADMINISTRATIVELY

WETLAND CREATION AREA MONITORING REPORT: PLEASE REVIEW, SEND APPROPRIATE CORRESPONDENCE AND COPY ME ON ANY LETTERS BY _____

CONSERVATION EASEMENT DOCUMENT: PLEASE REVIEW AND LET ME KNOW IF THE CORRECT AREA IS IN THE EASEMENT BY _____

GENERAL COMPLIANCE INSPECTION: INSPECT PROJECT AND CHECK FOR COMPLIANCE WITH ALL OF THE PERMIT CONDITIONS BY _____

OTHER: Please review by 8/13/94 for compliance permit conditions. Please copy me on any correspondence you send

RESOURCE MANAGEMENT COMPLIANCE ROUTING SHEET

Application Number: 4-069-0296A

Date : 6/24/94

Date Received: 6/24/94

Appl. Received: 1/24/94

Date Issued: 5/10/94

Related Permit: _____

Mail Type: COMPLIANCE INFO.

F.O.R.:

1994

Project Name: CROSS-TIE RANCH PHASE II

 * Name Job Title Office *

 * FOR COUNTY COMPLIANCE COORDINATORS INFORMATION ONLY *
 * THIS COMPLIANCE INFORMATION HAS BEEN RECEIVED *
 * CONTACT YOUR COMPLIANCE COORD. FOR MORE INFO *

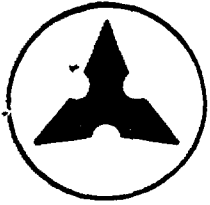
DAVID DEWEY COMPLIANCE MANAGER ORL

GENERAL COUNSEL:

Comments:

2 SETS PLANS (3PGS), 1 SET TO DAVE D.

Copied and Routed By: CD on 6/24
 MAIL ROUTED FROM: ORL PROCESSED BY: LW



FARNER BARLEY

AND ASSOCIATES, INC.

ENGINEERS ▲ SURVEYORS ▲ PLANNERS

RECEIVED
JUN 24 1994
4-069-02 96 A
RECORDS
ORLANDO

VIA CERTIFIED MAIL
RETURN RECEIPT # P 406 019 420

June 21, 1994

Mr. David Dewey
St. Johns River Water Management District
618 East South Street
Orlando, Florida 32801

RE: CROSS-TIE RANCH PHASE II MSSW PERMIT NO. 4-069-0296

Dear Mr. Dewey:

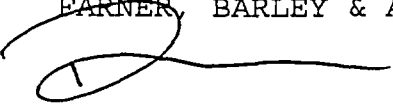
Please accept the enclosed erosion and sediment control plan for compliance with Condition 23 of our Stormwater Management Permit.

The erosion control plan as submitted is in conformance with the erosion and sediment control principles as set forth in Section 18.2 and 18.3 of the Applicant's Handbook for Management and Storage of Surface Waters.

Please accept this erosion control plan for permit compliance and approval. Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

FARNER, BARLEY & ASSOCIATES, INC.


Duane K. Booth, P.E.
Project Engineer

DKB/km

Enclosures

cc: Marjorie Cook, SJRWMD
Mr. Mark Carson



WATER MANAGEMENT DISTRICT

May 27, 1994

1994

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director
Charles T. Myers III, Deputy Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904/329-4500 SUNCOM 904/860-4500
FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

FIELD STATIONS

618 E. South Street
Orlando, Florida 32801
407/897-4300

7775 Baymeadows Way
Suite 102
Jacksonville, Florida 32256
904/730-6270

PERMITTING:
305 East Drive
Melbourne, Florida 32904
407/984-4940

OPERATIONS:
2133 N. Wickham Road
Melbourne, Florida 32935-8109
407/254-1762

Mr. Herbert Mayer
Cross-Tie Ranch L.P.
518 Pleasant Street
Northampton MA 01060

Re: Cross-Tie Ranch Phase II; Permit Number 4-069-0296
(Please reference the above number on any submittal)

Dear Mr. Mayer:

The District issued your organization a permit for the above-referenced project on May 10, 1994. In order to avoid being subjected to civil penalties, please read carefully the conditions that are part of your permit, and comply with the requirements of those conditions.

Also, we would like to offer our assistance in assuring that the project is constructed in accordance with the District's permit. We can offer our assistance by attending any pre-construction meetings that may be scheduled for the project. We ask that you notify us at least 10 days prior to the scheduled meeting. This will make it possible for us to obtain needed information concerning your permit. This pre-construction meeting can be one that you schedule with other individuals, or it can be a separate meeting with only District staff.

Please call me at 407/897-4312, for notice of any pre-construction meetings, if you would like to arrange for a meeting with District staff, if you have not received a copy of your permit, or if you have questions concerning your permit. Thank you for your assistance.

Sincerely,

Karen B. Davis, Executive Staff Assistant
Department of Resource Management



KBD:db

cc: PDS-CI, PDS-Orlando, Pat Frost, David Dewey, Marjorie Cook, David Eunice

Thomas J. McCann, P.E., Farner, Barley and Associates, Inc.
350 North Sinclair Avenue, Tavares FL 32778

Patricia T. Harden, CHAIRMAN SANFORD	Lenore N. McCullagh, VICE CHAIRMAN ORANGE PARK	Jesse J. Parrish, III, TREASURER TITUSVILLE	William Segal, SECRETARY MAITLAND
Reid Hughes DAYTONA BEACH	Dan Roach FERNANDINA BEACH	Denise M. Prescod JACKSONVILLE	James H. Williams OCALA
		Joe E. Hill LEESBURG	

The Daily Commercial

Leesburg, Lake County, Florida

RECEIVED

MAY 12 1994

ua 780
4-069-0296A

Case No. _____

PERMIT, DATA AND ACTION Notice Here
Palatka

STATE OF FLORIDA COUNTY OF LAKE

Before the undersigned authority personally appeared Grady Smith, who on oath says that he is Advertising Director of The Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

Legal ad # 4LBN00100
in the matter of intended agency
action

in the _____

Court was published in said newspaper in the issues of _____

April 24, 1994

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither said nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signed Grady Smith
Grady Smith, Advertising Director

The foregoing instrument was acknowledged before me this April 28, 1994 by Grady Smith, Advertising Director, who personally known to me and who did take an oath.

(seal)

Elizabeth K. Newberry
Elizabeth K. Newberry, Notary Public
Notary Public, State of Florida at Large
My Commission Expires Aug. 28, 1994

Commission Expires _____

ST. JOHNS RIVER
WATER MANAGEMENT
DISTRICT

Gives Notice of Intended
Agency Action
The District gives notice of

Its intent to issue a permit to the following applicant(s) on May 10, 1994.

LEISURE COMMUNITIES, L.T.D., 146 HORIZON COURT, LAKE LAND, FL 33813, application #4-069-0158AM5. The project is located in Lake County, Section 19, Township 19 South, Range 24 East. The application is for modification to the previously issued permits to serve a single-family subdivision known as Pennbrooke, Phase 1G. The receiving waterbody is an on-site dry stormwater pond.

LEISURE COMMUNITIES, LTD. 146 HORIZON COURT, LAKE LAND, FL 33813, application #4-069-0158AM6. The project is located in Lake County, Section 19, Township 19 South, Range 24 East. The application is for modification of the previously permitted mitigation for the Pennbrooke Fairways.

PACKING HOUSE BY-PRODUCTS CO., d/b/a MISSION INN, 10400 C.R. 48, HOWEY-IN-THE HILLS, FL 34737, application #4-069-0252AM. The project is located in Lake County, Sections 22, 23, 26 & 27, Township 20 South, Range 25 East. The application is for modification of the existing permit for seven on-site wetland retention & detention ponds, swales & apurtenant collection to serve the Mission Inn Golf Course. The receiving waterbody is Lake Harris.

ESTATE OF HERBERT MAYER/CROSS-TIE RANCH L.P., 518 PLEASANT STREET, NORTHAMPTON, MA 01060, application #4-069-0296A. The project is located in Lake County, Sections 05 & 08.

Township 19 South, Range 28 East. The application is for construction of a surface water management system associated with Phase II of a subdivision known as Cross-Tie Ranch.

The file(s) containing each of the above-listed application(s) are available for inspection Monday through Friday, except for legal holidays, 8:00 a.m. to 5:00 p.m. at the St. Johns River Water Management District Headquarters or the appropriate field office. The District will take action on each permit application listed above unless a petition for an administrative proceeding (hearing) is filed pursuant to the provision of section 120.57, F.S., and section 40C-1.511, F.A.C. A person whose substantial interests are affected by any of the District's proposed permitting decisions identified above may petition for an administrative hearing in accordance with section 120.57, F.S. Petitions must comply with the requirements of Florida Administrative Code Rules 40C1.111 and 40C1.521 and be filed with (received by) the District Clerk, P.O. Box 1429, Palatka, Florida 32078-1429. Petitions for administrative hearing on the above application(s) must be filed within fourteen (14) days of publications of this notice or within fourteen (14) days of actual receipt of this intent, whichever first occurs. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under section 120.57, F.S., concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to

dismissal.
Shannon Barican
Sr. Permit Data
Technician
Permit Data Service
Division
St. Johns River Water Management District

No. 4LBN00100
April 24, 1994