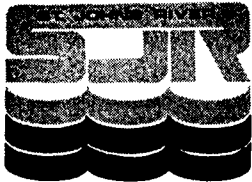




Permit
with conditions
1728



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429

PALATKA, FLORIDA 32178-1429

TELEPHONE 904-329-4500
TDD 904-329-4450

SUNCOM 904-860-4500
TDD SUNCOM 860-4450

FAX (Executive) 329-4125

(Legal) 329-4485

(Permitting) 329-4315

(Administration/Finance) 329-4506

SERVICE CENTERS

618 E. South Street
Orlando, Florida 32801
407-897-4300
TDD 407-897-5960

7775 Baymeadows Way
Suite 102
Jacksonville, Florida 32256
904-730-6270
TDD 904-448-7900

PERMITTING:
305 East Drive
Melbourne, Florida 32904
407-984-4940
TDD 407-722-5368

OPERATIONS:
2133 N. Wickham Road
Melbourne, Florida 32935-8109
407-752-3100
TDD 407-752-3102

REGULATION OF STORMWATER MANAGEMENT SYSTEMS

CHAPTER 40C-42, F.A.C.

PERMIT NO. 42-069-1391NG-ERP

DATE ISSUED APRIL 13, 1999

AUTHORIZATION: A MODIFICATION TO AN EXISTING SYSTEM WITH STORMWATER TREATMENT BY RETENTION AND SWALES TO SERVE NORTH HANCOCK ROAD (PHASE 1A), A 5.90 ACRE PROJECT TO BE CONSTRUCTED AS PER PLANS RECEIVED BY THE DISTRICT ON MARCH 4, 1999.

LOCATION: Section 21,22,27,28; Township 22; Range 26 EAST
LAKE COUNTY

ISSUED TO: LAKE COUNTY DEPT. OF PUBLIC WORKS
ATTN: JIM STIVENDER, PE
123 N. SINCLAIR AVENUE
TAVARES, FL 32778

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 13, 1999. 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.

Dan Roach, CHAIRMAN
FERNANDINA BEACH

Duane Ottenstroer, TREASURER
SWITZERLAND

Otis Mason, SECRETARY
ST. AUGUSTINE

William Kerr
MELBOURNE BEACH

Jeff K. Jennings
MAITLAND

William M. Segal
MAITLAND

Ometrias D. Long
APOPKA

Clay Albright
EAST LAKE WEIR

Reid Hughes
DAYTONA BEACH

42-069-1391NG-ERP

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 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.

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.

42-069-1391NG-ERP

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

Joan B. Budzynski

Joan B. Budzynski, P.E., Lead Engineer - Orlando
Department of Resource Management

Enclosures: As-built Certification Form
Limiting Conditions
Special Condition Sheet, if applicable

cc: District Permit File

VHB, INC.
ATTN: PAUL W. YEARGAIN, PE
135 WEST CENTRAL BLVD., SUITE 1150
ORLANDO, FL 32801-2436

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 42-069-1391NG-ERP

LAKE COUNTY DEPT. OF PUBLIC WORKS

DATED APRIL 13, 1999

1. 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.
2. 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.
3. 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.
4. Prior to commencement of construction, the permittee must submit a copy of the FDOT Drainage Connection Permit.
5. Prior to beginning construction in any future phases, the permittee must obtain the appropriate modification to this permit.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be determined has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District), or may choose to pursue mediation as an alternative remedy under Sections 120.569 and 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in Sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice) or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Chapter 28-106, Florida Administrative Code.
2. If the Governing Board takes action which substantially differs from the notice of District decision, a person whose substantial interests are or may be determined has the right to request an administrative hearing or may choose to pursue mediation as an alternative remedy as described above. Pursuant to District Rule 40C-1.1007, Florida Administrative Code, the petition must be filed at the office of the District Clerk at the address described 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) or within twenty-one (21) days of newspaper publication of the notice of its final agency action (for those persons to whom the District does not mail actual notice). Such a petition must comply with Rule Chapter 28-106, Florida Administrative Code.
3. A substantially interested person has the right to a formal administrative hearing pursuant to Section 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 comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A substantially interested person has the right to an informal 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 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 delivery of the petition to the District Clerk at the District headquarters in Palatka, Florida.
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 (Section 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, and Chapter 28-106, Florida Administrative Code and Section 40C-1.1007, Florida Administrative Code.
8. An applicant with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of his property, has the right to, within 30 days of receipt of notice of the District's written decision regarding a permit application, apply for a special master proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the office of the District Clerk located at District headquarters, P. O. Box 1429, Palatka, FL 32178-1429 (4049 Reid St., Palatka, Florida 32177). A request for relief must contain the information listed in Subsection 70.51(6), Florida Statutes.
9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph no. 1 or 2 above (Paragraph 70.51(10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph no. 1 or 2 above waives the right to a special master proceeding (Subsection 70.51(10)(b), Florida Statutes).
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special master proceeding (Subsection 70.51(3), Florida Statutes).
11. Any substantially affected person who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of the rendering of the final District action, (Section 373.617, Florida Statutes).
12. Pursuant to Section 120.68, Florida Statutes, a person 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 the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action.

NOTICE OF RIGHTS

13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of adoption of a rule or the rendering of the District order.
14. For appeals to the District Court of Appeal, a District action is considered rendered after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames for filing a petition for judicial review described in paragraphs #11 and #12, or for Commission review as described in paragraph #13, will result in waiver of that right to review.

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 DEPT. OF PUBLIC WORKS
ATTN: JIM STIVENDER, PE
123 N. SINCLAIR AVENUE
TAVARES, FL 32778

at 4:00 p.m. this 13TH day of APRIL 1999

Shirley Arrowood
Permit Data Services
for Director, Gloria Lewis

St. Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(904) 329-4152

42-069-1391NG-ERP

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Revised 7/17/98