



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.

September 11, 2006

CERTIFIED MAIL NO: 7005 3110 0001 0566 1565

Mr. Scott M. Gentry, P.E.
Kelly, Collins & Gentry, Inc.
1700 North Orange Avenue, Suite 400
Orlando, FL 32804

Re: 7-Eleven @ S.R. 50 and Hancock Road; Application Number 42-069-67971-2
Associated Permit Number 42-069-67971-1

Dear Mr. Gentry:

The St. Johns River Water Management District is in receipt of your August 14, 2006, letter requesting a Letter of Modification to the above referenced project, 7-Eleven @ S.R. 50 and Hancock Road. Please be advised that this application has been given the status of a Standard Stormwater ERP application pursuant to section 3.3, Applicant's Handbook (A.H.) and will require an application submittal by the applicant.

This project has been given a Standard Stormwater ERP Permit application status because it does not qualify for a Letter of Modification Pursuant to 40C-4.331 (1)(b) 12., Florida Administrative Code (F.A.C.). Based on the information provided, staff has determined that the proposed modification is a substantial change to the permitted system that alters the previously permitted design performance of the treatment facility. Specifically, the addition of retaining walls to the existing retention pond will reduce the pervious surface area originally available for recovery. This effectively reduces the original infiltration capacity of the permitted system. As such, the proposed activity cannot be authorized as requested in your letter.

Upon preliminary review of the proposed project, the following technical information is required to sufficiently review the possible impacts the project may have on the surrounding area. This information is being requested pursuant to the authority vested in the St. Johns River Water Management District under chapter 373, Florida Statutes, and sections 40C-42.023 and 40C-42.024, Florida Administrative Code.

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.

GOVERNING BOARD

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|---|--|------------------------------------|---|-------------------------------------|
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1. Please submit a new application form (Section A) and include the information listed in Sections C and E (**3 copies each**) and any other information necessary to demonstrate conformance with applicable District criteria. [40C-4.900(1); 40C-42, F.A.C.]
2. The application fee for a Standard Stormwater ERP is \$350.00 for project areas greater than one acre and \$200.00 for project areas less than or equal to one acre. Please note that the \$150.00 fee submitted with the August 14, 2006, Letter of Modification request has been applied to the application fee for the standard permit. Accordingly, please clarify the project acreage.
 - a. If the proposed project is greater than one acre, please submit a check for the \$150.00 balance due to the St. Johns River Water Management District. [40C-4.900(1); 40C-42, F.A.C.]
 - b. If the proposed project is less than or equal to one acre, please submit a check for the \$50.00 balance due to the St. Johns River Water Management District.

[40C-1.603(6)(a)(b), F.A.C.]
3. Please clarify the owner(s) of the existing retention pond. Is it the Solo Development Corporation (as indicated on the District permit) or the Maury L. Carter Management Corporation (as indicated in the authorization letter)? If in the event that the pond is owned by the Solo Development Corporation, provide documentation from a duly authorized representative of that corporation allowing the proposed modifications to their stormwater management system. [40C-42.027; 40C-42.028, F.A.C.]
4. Please provide a revised *Sheet C-4* of the construction plans (**3 copies**) drawn with a clearer print quality and including the following information:
 - Clearly delineate the limits of the proposed modifications.
 - Clearly show all pertinent information and invert elevations relating to the proposed modifications, including the area encompassing the pond outfall weir/structure.
 - Ensure consistency with the parameters utilized in the routing calculations.

Be advised that this information is necessary to validate the parameters utilized in the calculations. [40C-42.023(1)(2); 40C-42.026(1), F.A.C.]
5. Please address and/or provide the following with respect to the water quality and quantity analyses submitted:
 - a. Please provide a copy of the site-specific soils information to support the parameters utilized in the recovery analysis.

- b. The pond bottom elevation (200.00 feet) utilized in the water quality and quantity analyses does not appear to be consistent with that (201.00 feet) indicated on the construction plans. Please clarify and revise where appropriate, for accuracy with the post development condition.
- c. The plans submitted indicate that retaining walls will encompass portions of the modified pond. It also appears that the recovery analysis did not incorporate an average horizontal hydraulic conductivity value due to the presence of the stormwater pond retaining walls. Please clarify, and revise the recovery analysis to account for the presence of the retaining walls.

You may wish to reference the *PONDS 3.2 Technical Memo*, 1st issue date: June 20, 2001, 2nd issue date: January 25, 2002, subject: *How to model the horizontal hydraulic conductivity value to model the effect of a partially penetrating or completely penetrating retaining wall/clay core around a retention pond* for further clarification on this issue.

Submit any revised plans and calculations. [40C-42.023(1)(2); 40C-42.026(1)(c), F.A.C.]

6. The plans submitted indicate that retaining walls (*structural design by others*) will encompass portions of the modified pond. Accordingly:
 - a. Please provide all assumptions and calculations used in the design of the proposed retaining walls. Include a stability analysis.
 - b. Provide the construction plans for the retaining walls.

Be advised that this information is needed to demonstrate that the proposed stormwater pond retaining walls are adequately stable and do not have the potential for failure. [40C-42.023(1)(c); 40C-42.026(1), F.A.C.]

7. The erosion and sediment control best management practices to be utilized during construction of the proposed modifications appears to include the use of hay bales. Please note that the District has found that staked hay bales are an ineffective measure for erosion, sediment, and turbidity control. Accordingly, please remove from the plans all details and reference notes indicating that the staked hay bale measures will be utilized for erosion and sediment control. [40C-42.025(1), F.A.C.]

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

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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 recommended for denial at the next regularly scheduled Board meeting. 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-40.042(2), F.A.C., which states, "No construction, operation, maintenance, alteration, abandonment or removal shall be commenced until the permittee receives a written authorization to proceed from the District"; and subsection 40C-42.024(1), F.A.C, which states in relevant part, "No construction, alteration, removal, operation, maintenance, or abandonment of a stormwater management system shall be undertaken without a valid standard general or individual environmental resource stormwater permit as required pursuant to this section."

If you have any questions, or if the District can be of further assistance, please do not hesitate to call me at 407-659-4844.

Sincerely,



Ruth E. Grady, E.I.
Department of Water Resources

cc: PDS-RAIL-1, David Dewey, Margie Cook, Victoria Nations

Maury L. Carter Management Corporation; Attn: Daryl M. Carter, President
3333 South Orange Avenue, Suite 200; Orlando, FL 32806-8500

Solo Development Corporation; 908 South Delaney Avenue; Orlando, FL 32806