



Permit
with conditions
1728



POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904-329-4500 1-800-451-7106 SUNCOM 904-860-4500
TDD 904-329-4450 TDD SUNCOM 860-4450
FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

SERVICE CENTERS
618 E. South Street 7775 Baymeadows Way PERMITTING: OPERATIONS:
Orlando, Florida 32801 Suite 102 305 East Drive 2133 N. Wickham Road
407-897-4300 Jacksonville, Florida 32256 Melbourne, Florida 32904 Melbourne, Florida 32935-8109
1-877-228-1658 904-730-6270 407-984-4940 407-752-3100
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REGULATION OF STORMWATER MANAGEMENT SYSTEMS

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

PERMIT NO. 42-069-1357NG-ERP DATE ISSUED NOVEMBER 17, 1998

AUTHORIZATION: MODIFICATION TO AN EXISTING SYSTEM UTILIZING SWALES. THE PROJECT IS SOUTH HANCOCK ROAD, A 19.5 ACRE PROJECT TO BE CONSTRUCTED AS PER PLANS RECEIVED BY THE DISTRICT ON OCTOBER 19, 1998 AND AS AMENDED BY SHEETS 3,4,6,9,11, AND 16 RECEIVED BY THE DISTRICT ON NOVEMBER 12, 1998.

LOCATION: Section 3,4,9,10,33,34; Township 23 22; Range 26EAST
Lake COUNTY

ISSUED TO: LAKE COUNTY
C/O DEPT PUBLIC WK/JIM STIVENDER JR
123 N. SINCLAIR AVE.
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 November 17, 1998. 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
William M. Segal MAITLAND
Kathy Chinoy, VICE CHAIRMAN PONTE VEDRA
Griffin A. Greene VERO BEACH
James T. Swann, TREASURER COCOA
James H. Williams OCALA
Otis Mason, SECRETARY ST. AUGUSTINE
Patricia T. Harden SANFORD
Reid Hughes DAYTONA BEACH

LAKE COUNTY
42-069-1357NG-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.

LAKE COUNTY
42-069-1357NG-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, 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, P.E.
135 W. CENTRAL BLVD., SUITE 1150
ORLANDO, FL 32801-2436

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 42-069-1357NG-ERP

LAKE COUNTY

DATED NOVEMBER 17, 1998

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.

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
C/O DEPT PUBLIC WK/JIM STIVENDER JR
123 N. SINCLAIR AVE.
TAVARES, FL 32778

at 4:00 p.m. this 17TH day of NOVEMBER 1998

Shirley Darrowood
Permit Data Services
for Director, Gloria Lewis

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

42-069-1357NG-ERP

NOR.DOC.001
Revised 7/17/98

Technical Staff Report
Chapter 40C-42, F.A.C. General Permit Application

Date Received: 10/19/98

21st Day: 11/09/98

28th Day: 11/16/98

Project Name: South Hancock Road

Application Number: 42-069-1357ANG-ERP

Project Area: 19.5 (acres)

Receiving Water Body: Lake Felter, Johns Lake, and unnamed wetlands

Class: III

O&M Documents Submitted to General Counsel: N/A

Correct Fee Submitted: Yes

Wetland Resource Management Permit Needed: N/A

General Permit Category: (Check only one)

- 40C-42.024(2)(a) Connection into a prior approved system
 40C-42.024(2)(b) Retention Underdrain, Exfiltration, Wet Detention, Swales, or Dry Detention
 40C-42.024(2)(c) Governmental Modification
 40C-42.024(2)(d) Paving of Public Dirt Roads

Type of Development: (Check all applicable)

- Residential
 Single (1)
 Multifamily(2)
 Recreational(3)
 Commercial(4)
 Industrial(5)
 Agricultural(6)
 Institutional(7)
 Roadway(8)
 Other(9)

Type of Treatment: (Check all applicable)

- Retention(1)
 Dry Detention w/Underdrain (2)
 Exfiltration Trench (5)
 Wet Detention (6)
 Swales (7)
 Swales w/ditch blocks (8)
 Pervious Concrete(9)
 Wetlands(10)
 Alternative(11)
 Other(12)
 Dry Detention(13)

Type of System: (Check only one)

- New Stormwater System(1)
 New Discharge Point(2)
 New Regional System(3)
 Modification to Existing System(4) Related permit Numbers: None

Comments: The project involves the paving of an existing dirt road and the installation of two new culverts. No wetlands or surface waters occur within the project boundaries.

November 9, 1995 Special Conditions: 10, 13, 28

Number of Other Conditions _____ (list attached)

Authorizing Statement: A modification to an existing system utilizing swales. The project is (Project Name), a (Project Area) acre project to be constructed as per plans received by the District on 10/19/98 and as amended by Sheets 3, 4, 6, 9, 11, 16, received by the District 11/12/98.

This project as proposed in submitted plans, is consistent with the rules and regulations as set forth in Chapter 40C-42, F.A.C. implemented April 11, 1994.

Reviewer: Ruth E. Gady Date: 11/15/98

Supervising Professional Engineer: Joan B. Budzynski Date: November 16, 1998

Forms to be included with permit

Completion Forms:

- EN-44 (Non-registered)
 EN-45 (Registered Professional)

Inspection Forms:

- EN-47 (Non-reg.)
 EN-46 (Reg. Prof.)
 EN-31 (Littoral Zone)
Other: