



# MANATEE COUNTY

June 4, 2012

All Interested Bidders:

SUBJECT: Invitation for Bid #12-1310-OV  
SWWRF Lake Filtration System and North Pond Improvements  
Bradenton, FL, Manatee County Project No.: 6079180

## **ADDENDUM #3**

**Bidders are hereby notified that this Addendum shall be acknowledged on page 00300-1 of the Bid Form and made a part of the above named bidding and contract documents. Bids submitted without acknowledgement of the Addendum will be considered incomplete.**

The following items are issued to add to, modify, and clarify the bid and contract documents. These items shall have the same force and effect as the original bidding and contract documents, and cost involved shall be included in the bid prices. Bids to be submitted on the specified bid date, shall conform to the additions and revisions listed herein.

### **Bidders Note:**

**Bid Opening Date Has Been Revised:**

**From: June 7, 2012 at 2:00 PM**

**To: June 20, 2012 at 11:00 AM**

**The stated deadline of May 11, 2012 to submit all inquiries concerning interpretation, clarification or additional information pertaining to this bid has lapsed.** This deadline has been established to maintain fair treatment for all potential bidders, while maintaining the expedited nature of the Economic Stimulus that the contracting of this work may achieve.

### **Bidders Note:**

- (1). Attached Environmental Resources Permit for DEP Project No. 41-0221256-003. (48 Total Pages)
- (2). Attached Domestic Wastewater Treatment Facility Permit, No. FLA012619. (31 Total Pages)

These Permits from the Florida Department of Environmental Protection Agency are made a part of the Bidding / Specification documents for the above referenced project.

Financial Management Department - Purchasing Division  
1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205  
Phone: 941-749-3055 - Fax: 941-749-3034

LARRY BUSTLE \* MICHAEL GALLEN \* JOHN R. CHAPPIE \* ROBIN DISABATINO \* DONNA G. HAYES \* CAROL WHITMORE \* JOE McCLASH  
*District 1                      District 2                      District 3                      District 4                      District 5                      District 6                      District 7*

June 4, 2012 / Addendum No. 3  
Invitation for Bid #12-1310-OV  
SWWRF Lake Filtration System and North Pond Improvements  
Bradenton, FL, Manatee County Project No.: 6079180  
Page 2

**Bidders Also Note:**

**Addendum No. 4** replying to Contractor's Questions and clarifications to the Bid and Specification documents will be forthcoming.

If you have submitted a bid prior to receiving this addendum, you may request in writing that your original, sealed bid be returned to your firm. All sealed bids received will be opened on the date stated.

**END OF ADDENDUM #3**

Bids will be received at the **Manatee County Purchasing Division, 1112 Manatee Avenue West, Suite 803, Bradenton, FL 34205** (note new date and time) until 11:00 A.M. on June 20, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa M. Wendel", followed by a horizontal line and the word "for" written in a cursive style.

Melissa M. Wendel, CPPO, Purchasing Official  
Manatee County Purchasing Division

/OV (79 Total Pages Attached)



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

APR - 9 2012

## ENVIRONMENTAL RESOURCES PERMIT FOR DEP PROJECT 41-0221256-003

Manatee County  
c/o Mr. Daniel T. Gray, Director  
Manatee County Utilities Department  
4410 66<sup>th</sup> Street  
Bradenton, FL 34210

File No.: 41-0221256-003

Dear Mr. Gray:

Enclosed is the Environmental Resource Permit, DEP Project No. 41-0221256-003, issued pursuant to Part IV of Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code.

Appeal rights for you and for any affected third party are described in the text of the permit along with conditions that must be met when authorized activities are undertaken.

You, as the applicant, are responsible for all aspects of permit compliance. You should therefore review this permit document carefully to ensure compliance with the general and specific conditions contained herein. Please be aware of permit specific condition numbers 2 and 3, which respectively state that:

- The erosion control methods depicted in the attached permit drawings shall be in place prior to construction.
- A dewatering plan must be approved prior to beginning the work authorized by the permit.

If you have any questions about this document, please contact me at (813) 632-7600, ext. 470.

Thank you for your participation in the permit process and in managing the natural resources of the State of Florida.

Sincerely yours,

A handwritten signature in cursive that reads 'Dennis Pierson'.

Dennis Pierson,  
Engineering Specialist,  
Submerged Lands and Environmental  
Resource Management

Enc: Environmental Resource Permit with attachments (46 pages).



**Florida Department of  
Environmental Protection**

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**Permittee/Authorized Entity:**

Manatee County  
c/o Mr. Daniel T. Gray, Director  
Manatee County Utilities Department  
4410 66<sup>th</sup> Street  
Bradenton, FL 34210

**Manatee County South West Water Reclamation Facility  
Lake Filtration System & North Pond Improvements  
Manatee County**

**Environmental Resource Permit**

**U.S. Army Corps of Engineers Authorization –  
Separate Corps Authorization Required**

**Permit No.: 41-0221256-003**

**Permit Issuance Date: APR - 9, 2012**

**Permit Construction Phase Expiration Date: APR - 9, 2017**



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

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Secretary

## Environmental Resource Permit

Permittee: Manatee County Utilities Department

Permit No: 41-0221256-003

Permit Issuance Date: APR - 9, 2012

Permit Construction Phase Expiration Date: APR - 9, 2017

### AUTHORIZATIONS

#### Project Description

The permittee is authorized to construct a surface water management system (SWMS) with a dry retention pond to provide ½-inch of water quality treatment and discharge rate attenuation for the stormwater runoff from 1.17-acre drainage basin with 0.08 acres of new impervious surface. The 1.17-acre drainage basin is shown on Figure 6 of the attached permit drawings. The project is located at the existing 329-acre Manatee County Southwest Water Reclamation Facility (SWWRF). Construction within the 1.17-acre drainage basin will also include the installation of a stormwater culvert under a pervious stone access road. The SWMS will discharge north through a skimmer-equipped control structure to an existing roadside ditch along an SWWRF access road and conveyed off-site to the Cedar Hammock Drainage Canal.

Other facility modifications will be made outside of the 1.17-acre drainage basin for the retention pond, and within a 50.95-acre over-all project area at the SWWRF that is shown on Figure 1 of the attached permit drawings. The other modifications include new access roads and entry ramps, the removal and replacement of existing paved surfaces, and a new 1,110 square foot paved maintenance access area from which stormwater runoff will sheet flow to a drainage swale with a check dam. This swale will retain ½-inch of water quality treatment volume and discharge north to the SWWRF access road ditch. Flood plain compensation is not required. Authorized activities are depicted on the attached exhibits.

The project described above may only be conducted accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

### State-owned Submerged Lands Authorization

As staff to the Board of Trustees, the Department has reviewed the activity described above and has determined that the activity is not located on submerged lands owned by the State of Florida. Therefore, your project is not subject to the requirements of Chapter 253, Florida Statutes (F.S.).

### Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

### Coastal Zone Management

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

### Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

### Other Authorizations

You are advised that authorizations or permits for this project may be required by other federal, state or local entities, including the municipality/county in which the project is located. Please be sure to contact the local county building and environmental department to obtain these required authorizations. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

## PROJECT LOCATION

The activities authorized by this permit are located at the Manatee County Southwest Water Reclamation Facility, 5101 65<sup>th</sup> Street West, Bradenton, FL 34210, Section 8, Township 35 South, Range 17 East, Manatee County.

## PERMIT CONDITIONS

The activities described herein must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions, and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to commencing the authorized activities, and to ensure that the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor should also read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions shall constitute grounds for revocation of the permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization as specifically described herein.

### SPECIFIC CONDITIONS

1. Submittals required herein (e.g., progress reports, as-built drawings, etc.) shall include the permittee's name and permit number 41-0221256-003 and shall be directed by e-mail to [SW\\_ERP@dep.state.fl.us](mailto:SW_ERP@dep.state.fl.us) with a subject line of compliance permit number 41-0221256-003, or by mail to:

Department of Environmental Protection  
Southwest District  
Submerged Lands and Environmental Resource Program  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

**PRIOR TO CONSTRUCTION CONDITIONS** (The permittee shall comply with the following conditions prior to commencement of any construction activities.)

2. Best management practices for erosion control shall be implemented prior to construction commencement and shall be maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards (>29 NTU's above background, pursuant to Rule 62-302, F.A.C.). Erosion control methods shall be implemented as depicted in Sheets C-0.2 and C-0.8 of the attached permit drawings.
3. The permittee shall submit a dewatering plan for Department approval prior to beginning the work authorized by this permit and in accordance with the dewatering notes provided on Drawing C-0.2 of the attached permit drawings. Proposed dewatering activities may require modification of the environmental resource permit.

**CONSTRUCTION CONDITIONS**

4. Wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, sedimentation, siltation, scouring, excess turbidity, and/or dewatering. There shall be no discharge in violation of the water quality standards in Chapter 62-302, F.A.C. Turbidity/erosion controls shall be installed prior to clearing, excavation or placement of fill material shall be maintained until construction is completed, disturbed areas are stabilized, and turbidity levels have fallen to less than 29 NTU's above background. The turbidity and erosion control devices shall be removed within 14 days once these conditions are met.
5. Areas of exposed soils shall be isolated from wetlands or other surface waters to prevent erosion and deposition of these soils into wetlands or other surface waters during construction and operation of permitted activities.
6. Side slopes, exposed and/or disturbed land surfaces shall be stabilized with sod, seed or mulch within 48 hours following completion of final grades at the project site to prevent erosion, sedimentation, and siltation or scouring.
7. The authorized surface water management system shall be completed prior to or simultaneously with associated upland development. Occupation of the site shall be in accordance with General Condition 12.

**CONSTRUCTION COMPLETION CONDITIONS** (The permittee shall comply with the following conditions prior to the transfer to operation phase of the facility. All documentation required below shall be included with the permittee's request to transfer the project to the operation phase [Form No. 62-343.900(7), F.A.C.] )

8. The permittee shall submit two copies of signed, dated and sealed as-built drawings to the Department for review and approval within 30 days of completion of construction. The as-built drawings shall be based on the Department permitted construction drawings, which should be revised to reflect changes made during construction. Both the original design and constructed elevation must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. Surveyed dimensions and elevations required shall be verified and signed, dated and sealed by a Florida registered surveyor or engineer. *As-builts shall be submitted to the Department regardless of whether or not deviations are present. In addition to the "As-built Certification" form; the permittee shall submit the "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" form as required in General Condition #13.*

The following information shall be verified on the as-built drawings from the engineering drawings signed and sealed by Mr. Travis Terpstra, P.E., #71412:

Manatee County Utilities Department – SWWRF Improvements

File No.: 41-0221256-003

Page 4 of 13



<u>Plan View/Cross-Section</u>	<u>Drawing Number</u>	<u>Date</u>
Yard Piping No. 3	C-0.16	November 03, 2011
Yard Piping No. 5	C-0.18	November 03, 2011
Grading Plans Nos. 1 - 7	C-1.1 – C-1.7 (7 pages)	November 03, 2011
Grading Plan Nos. 8 – 10	C-1.8 – C-1.10 (3 pages)	February 1, 2012
Typical Pond Sections No. 2	C-1.12	November 03, 2011
Pond Sections Nos. 1 - 7	C-1.13 – C-1.19 (7 pages)	November 03, 2011

**MONITORING/REPORTING REQUIREMENTS/ OPERATING CONDITIONS** (The permittee shall comply with the following operation conditions for the life of the facility.)

9. The retention pond and retention swale are intended to become dry within 72 hours after a rainfall event. A system that is regularly wet shall not be considered in compliance with this permit and possible modifications to the system may be required.
10. The maintenance of the SWMS shall be in accordance with the attached "Operation & Maintenance Plan". It is the responsibility of the permittee to ensure that that the surface water management system is functioning as designed.
11. Beginning 24 months after operation is authorized and every 24 months thereafter, the Operation and Maintenance Entity shall inspect the SWMS and submit inspection reports in the form required by the Department (see attached FDEP Inspection Certification Form, 62-343.900(6), F.A.C.)

**GENERAL CONDITIONS**

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner that does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction and permanent control measures shall be completed within seven

days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

4. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the Department as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.
5. Department staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the Department as a permit modification prior to the dewatering event. The permittee is advised that the rules of the Southwest Florida Water Management District state that a water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.
6. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.
7. Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operation schedules satisfactory to the Department.
8. The permittee shall complete construction of all aspects of the SWMS, including wetland compensation (grading mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

9. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
  - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
  - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
  - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
10. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.
11. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a written notification of commencement using an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.
12. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
13. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.), and "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form 62-343-900(7), F.A.C.). Additionally, if deviations from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

14. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the Department, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
15. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the Department until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the Department, if different from the permittee. Until a transfer is approved by the Department pursuant to Section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.
16. Should any other regulatory agency require changes to the permitted system, the Department shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.
17. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.
18. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.
19. The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the

permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

20. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
22. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
23. Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with Department rules, regulations and conditions of the permits.
24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department and the Florida Department of State, Division of Historical Resources.
25. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

### NOTICE OF RIGHTS

This permit is hereby final unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57 of the Florida Statutes as provided below. The procedures for petitioning for a hearing are set forth below.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the

Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Because the administrative hearing process is designed to re-determine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the permit or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this permit automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities under this permit until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rule 62-110.106(3) F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing

within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This permit constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed

within 30 days from the date when the final order is filed with the Clerk of the Department. The applicant, or any party within the meaning of Section 373.114(1)(a), F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1), F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the final order is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



William L. Vorstadt  
Program Administrator  
Submerged Lands and Environmental  
Resource Program  
Southwest District

WLV/drp

**Attachments:**

Commencement notice /62-343.900(3) (1 page)  
As-built certification/62-343.900(5) (1 page)  
Inspection certification/62-343.900(6) (1 page)  
Transfer construction to operation phase/62-343.900(7) (1 page)  
Application for transfer of an ERP /62-343.900(8) (1 page)  
Project Location Map (1 page)  
Permit Drawings (25 pages)  
Operation and Maintenance Instructions (2 pages)

**Copies furnished to:**

Manatee County, c/o Mr. Daniel T. Gray, Director, Manatee County Utilities Department, 4410  
66<sup>th</sup> Street, Bradenton, FL 34210  
McKim & Creed, P.A., c/o Mr. Travis Terpstra, P.E., Project Engineer, 160 Cypress Point  
Parkway, Suite C214, Palm Coast, FL 32164  
Florida Department of Environmental Protection, Southwest District, c/o Mr. Jeff Hilton, P.E.,  
Manager, Domestic Wastewater Program, 13051 North Telecom Parkway, Temple Terrace, FL  
33637-0926  
U.S. Army Corps of Engineers  
File

Manatee County Utilities Department – SWWRF Improvements

File No.: 41-0221256-003

Page 12 of 13





Form #62-343.900(3) FAC
Form Title: Construction Commencement Notice
Effective Date: October 3, 1995

## ENVIRONMENTAL RESOURCE PERMIT Construction Commencement Notice

Project:

Phase:

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit Number \_\_\_\_\_ has commenced / is expected to commence on \_\_\_\_\_ and will require a duration of approximately \_\_\_\_\_ months \_\_\_\_\_ weeks \_\_\_\_\_ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for surface Water Management System Construction.

**PLEASE NOTE:** If the actual construction commencement date is not known, Department staff should be so notified in writing in order to satisfy permit conditions.

\_\_\_\_\_  
Permittee or Authorized Agent

Title and Company

Date

Phone

Address

Form #62-343.900(5), F.A.C.  
Form Title: As-Built Certification by a  
Registered Professional  
Effective Date: October 3, 1995

**ENVIRONMENTAL RESOURCE PERMIT  
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL**

Permit Number:

Project Name:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

Name (please print)

\_\_\_\_\_  
Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

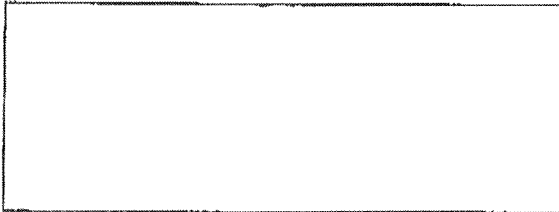
Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:



Form #62-343.900(6) FAC  
Form Title: Inspection Certification  
Effective Date: October 3, 1995

### ENVIRONMENTAL RESOURCE PERMIT INSPECTION CERTIFICATION

Permit Number:

Project Number:

Inspection Date(s):

Inspection results: (check one)

I hereby certify that I or my designee under my direct supervision have inspected the system at the above referenced project and that the system appears to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable).

The following necessary maintenance was conducted:

I hereby certify that I or my designee under my direct supervision has inspected the system at the above referenced project and that the system does not appear to be functioning in accordance with the requirements of the permit and Chapter 373 F.S. (as applicable). I have informed the operation and maintenance entity of the following: (a) that the system does not appear to be functioning properly, (b) that maintenance is required to bring the system into compliance, and (c) if maintenance measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to Department approval.

Name

\_\_\_\_\_  
Signature of Professional Engineer

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(affix seal)

Within 30 days of completion of the inspection, submit two copies of the form to the following Department Office:

Department of Environmental Protection

Form #: 62-353.900(7)F.A.C. Form Title: Request for Transfer to Operation Phase Effective Date: September 23, 1995
---

## Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase

(To be completed and submitted by the operating entity)

Florida Department of Environmental Protection

It is requested that Department Permit Number \_\_\_\_\_ authorizing the construction and operation of a surface water management system for the below mention project be transferred from the construction phase permittee to the operation phase operating entity.

Project:

From: Name:  
 Address:  
 City: State: Zip:

To: Name:  
 Address:  
 City: State: Zip:

The surface water management facilities are hereby accepted for operation and maintenance in accordance with the engineers certification and as outlined in the restrictive covenants and articles of incorporation for the operating entity. Enclosed is a copy of the document transferring title of the operating entity for the common areas on which the surface water management system is located. Note that if the operating entity has not been previously approved, the applicant should contact the Department staff prior to filing for a permit transfer.

The undersigned hereby agrees that all terms and conditions of the permit and subsequent modifications, if any, have been reviewed, are understood and are hereby accepted. Any proposed modifications shall be applied for and obtained prior to such modification.

Operating Entity:

\_\_\_\_\_  
 Name Title:

Telephone:

Enclosure

- copy of recorded transfer of title surface water management system
- Coy of plat(s)
- Copy of recorded restrictive covenants, articles of incorporation, and certificate of incorporation.



APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM

Permit No. \_\_\_\_\_ Date Issued \_\_\_\_\_ Date Expires \_\_\_\_\_

FROM (Name of Current Permit Holder) \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Identification or Name of Facility/Surface Water Management System: \_\_\_\_\_

Phase of Facility/Surface Water Management System (if applicable): \_\_\_\_\_

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: \_\_\_\_\_

Title (if any): \_\_\_\_\_ Date: \_\_\_\_\_

TO (Name of Proposed Permit Transferee): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee): \_\_\_\_\_

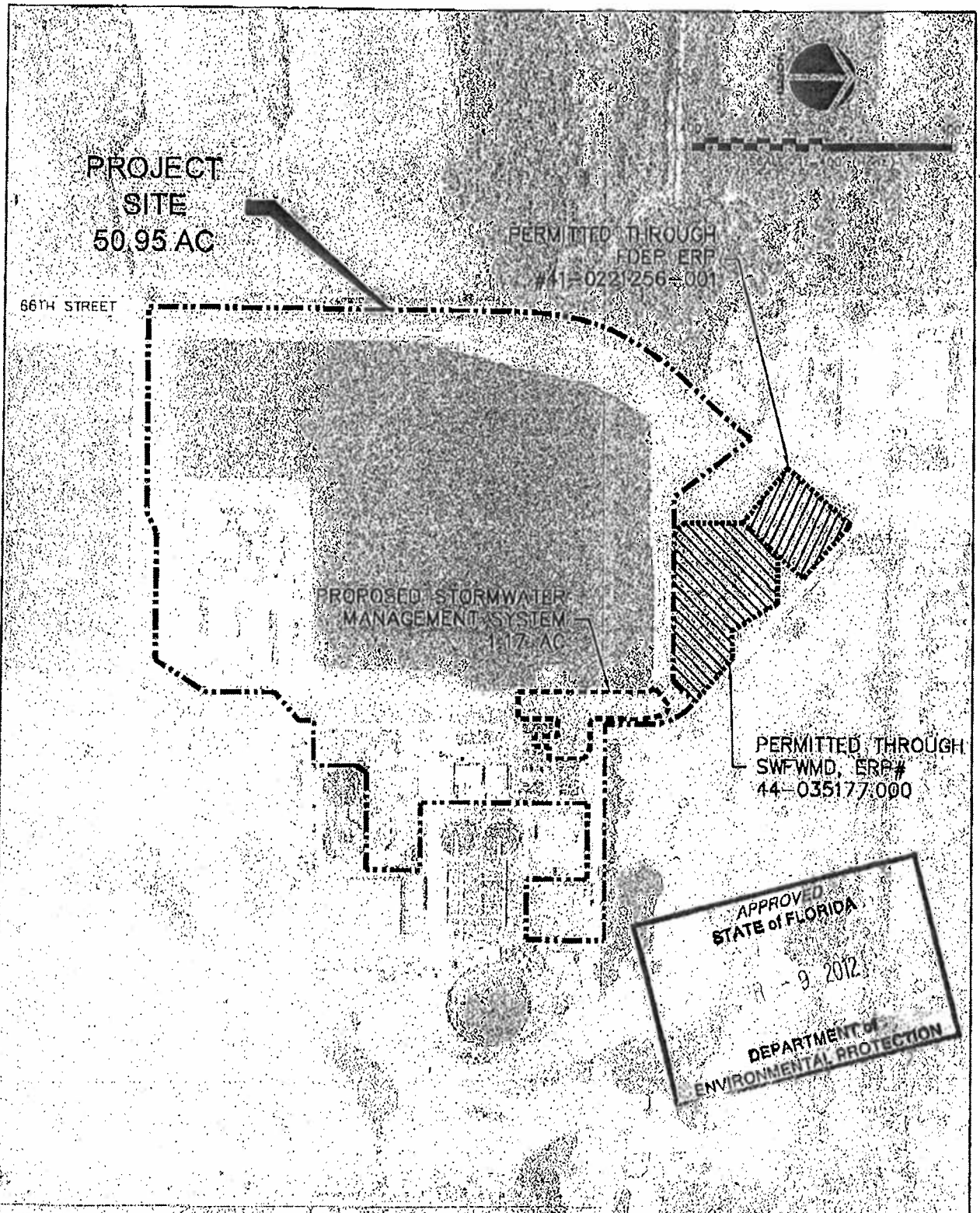
Title (if any): \_\_\_\_\_ Date: \_\_\_\_\_

Project Engineer Name (if applicable) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_





S:\1024\0147\80-Drawings\ERP\Figure-1\_Project Site Map.dwg, 11/3/2011 11:13:56 AM, Brian Naught

APPROVED  
 STATE OF FLORIDA  
 APR 9 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION



MANATEE COUNTY

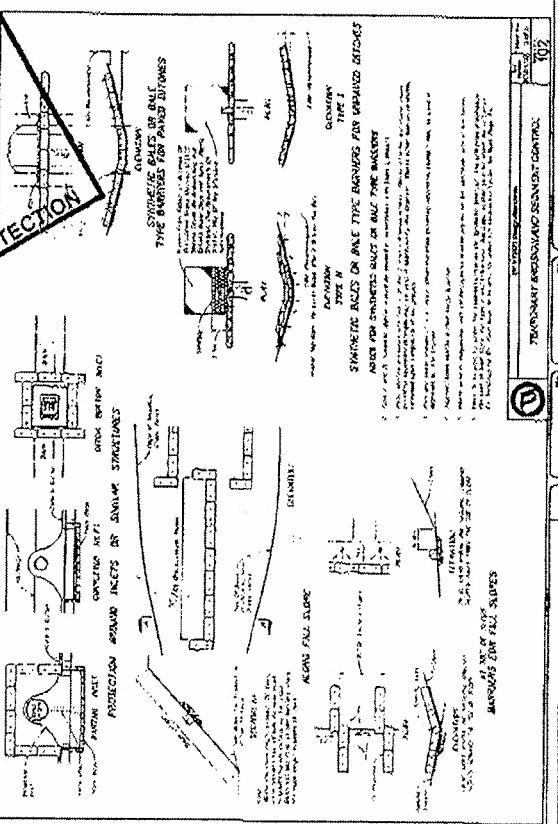
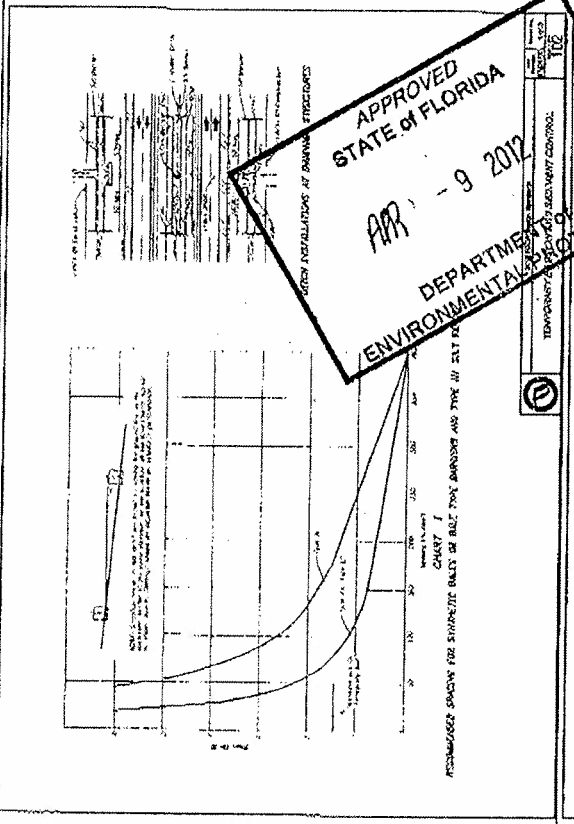
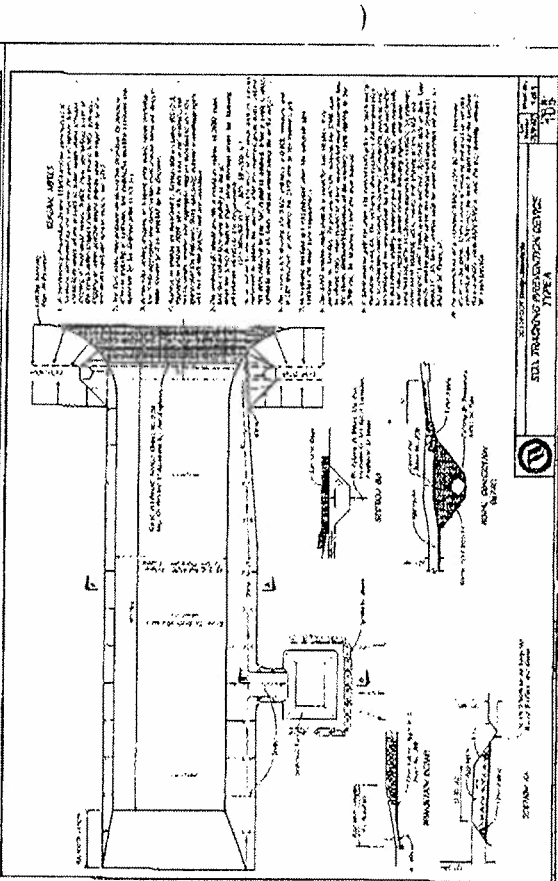
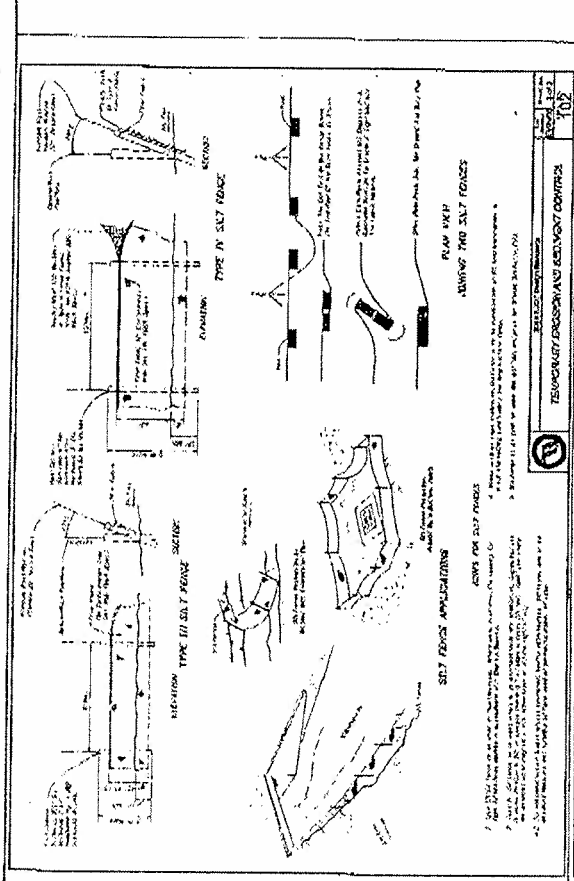
SWWRF LAKE FILTRATION & N. IMPROVEMENTS ERP

FIGURE 1 - PROJECT SITE AERIAL









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 STATE OF FLORIDA  
 APR - 9 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION

**SWARTZ LAKE FILTRATION AND NORTH POND IMPROVEMENTS**

CIVIL DETAILS NO. 3

MANATEE COUNTY, FLORIDA

SCALE: AS SHOWN

DATE: 04/17/12

DRAWN BY: [Signature]

CHECKED BY: [Signature]

DATE: 04/17/12

PROJECT NO. 1003 SUBMITTA

**MCKIM & CREED**

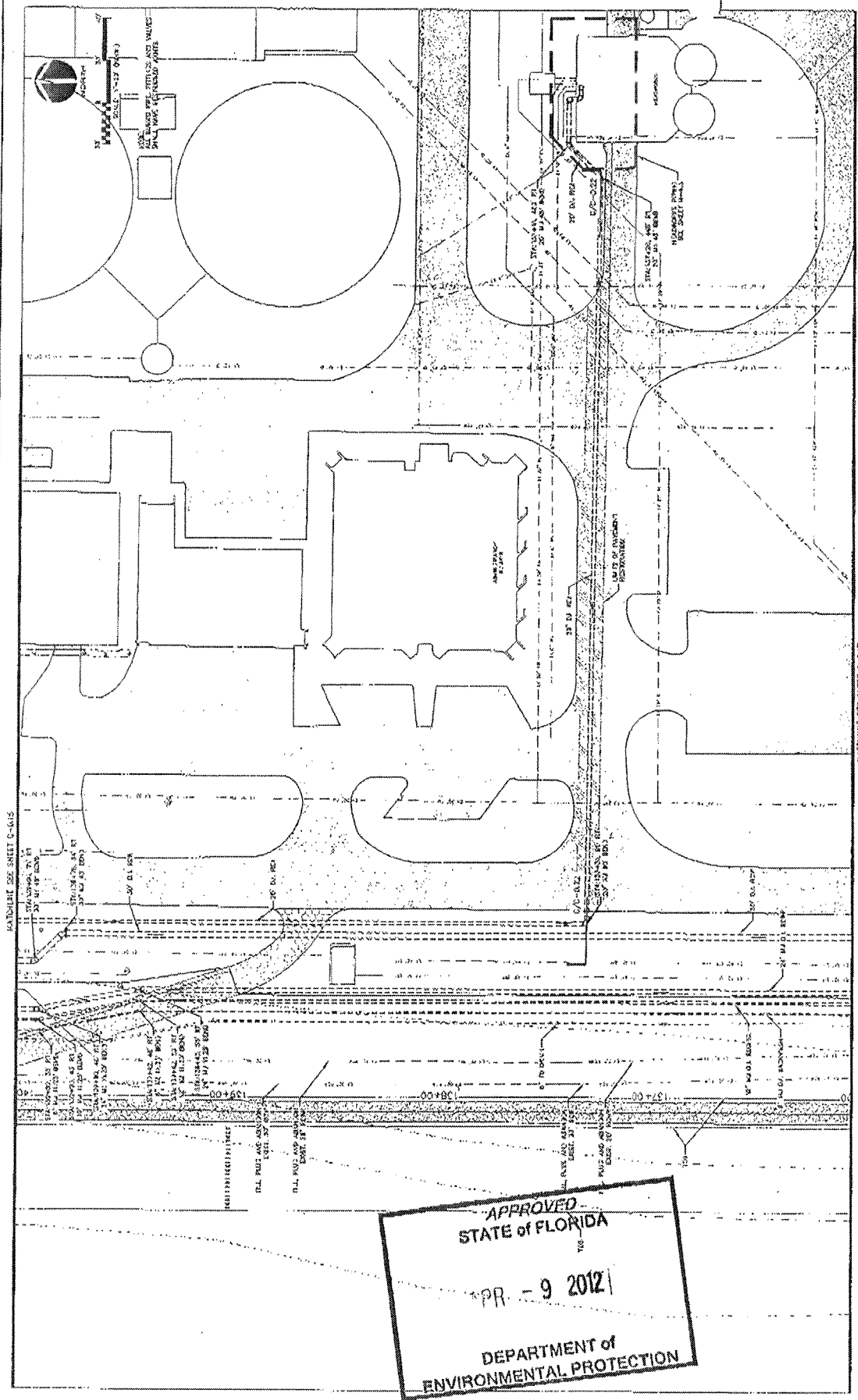
1000 N. GULF BLVD., SUITE 200  
 TAMPA, FLORIDA 33604  
 PHONE: (813) 281-1100 FAX: (813) 281-1101  
 WWW.MCKIMANDCREED.COM

DATE: 04/17/12

DRAWN BY: [Signature]

CHECKED BY: [Signature]

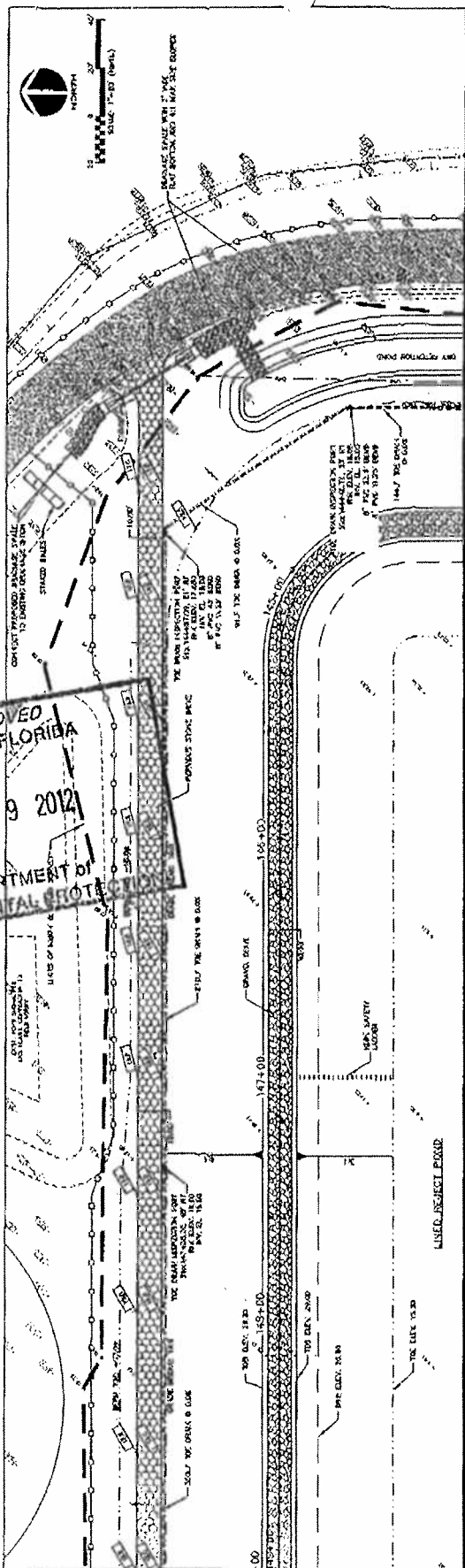
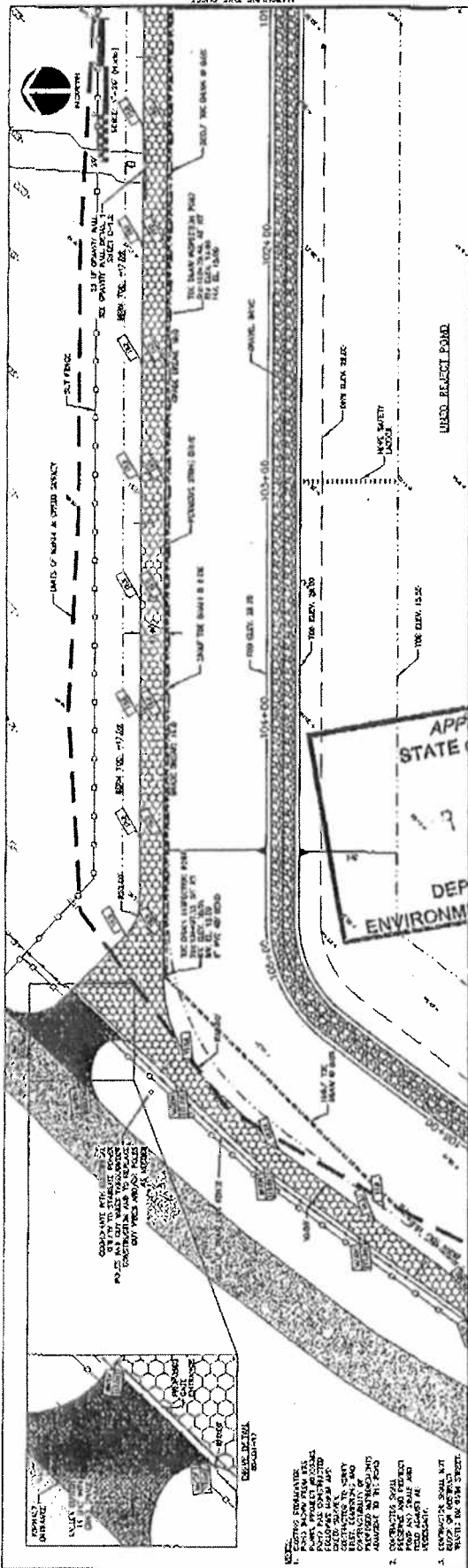
DATE: 04/17/12



<p>DATE: 04/17/12          PROJECT: SWRAF LAKE FILTRATION AND NORTH POND IMPROVEMENTS          SHEET: C-0.16</p>	
<p>SCALE: 1" = 20'</p>	
<p>100% SUBMITTAL</p>	
<p>SWRAF LAKE FILTRATION AND NORTH POND IMPROVEMENTS          YARD PIPING No. 3</p>	
<p>MANATEE COUNTY, FLORIDA</p>	
<p><b>MKIM &amp; CREED</b>          Consulting Engineers, Inc.          10000 US Highway 90, Suite 200          Ft. Myers, FL 33907          Phone: (813) 744-1199, Fax: (813) 744-1387</p>	
<p>APPROVED          STATE OF FLORIDA          APR - 9 2012          DEPARTMENT of ENVIRONMENTAL PROTECTION</p>	







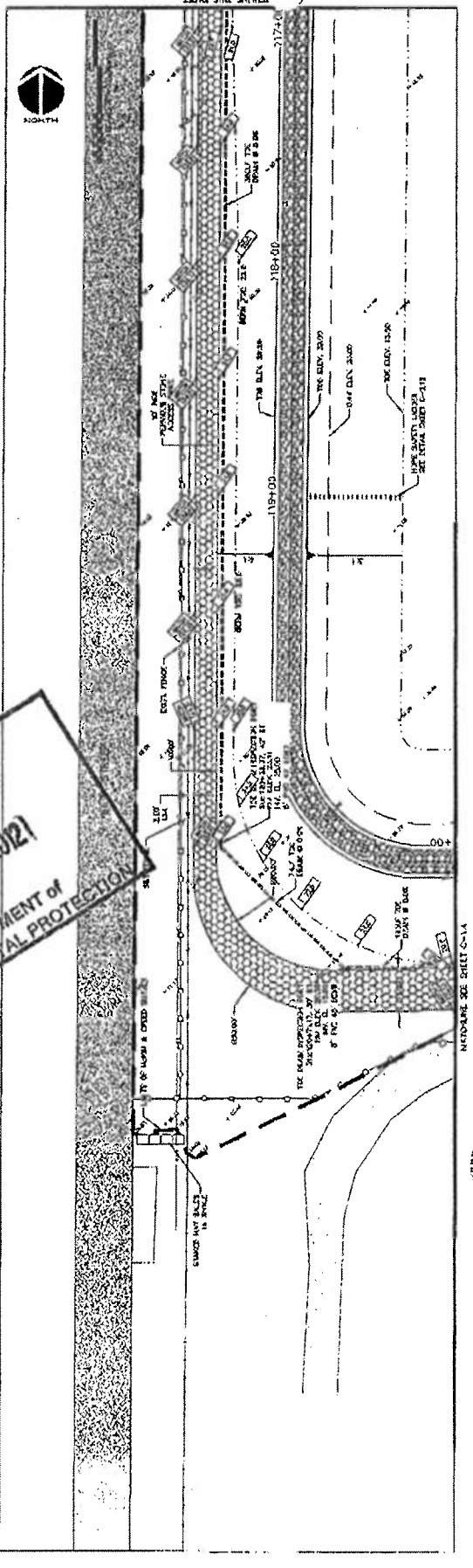
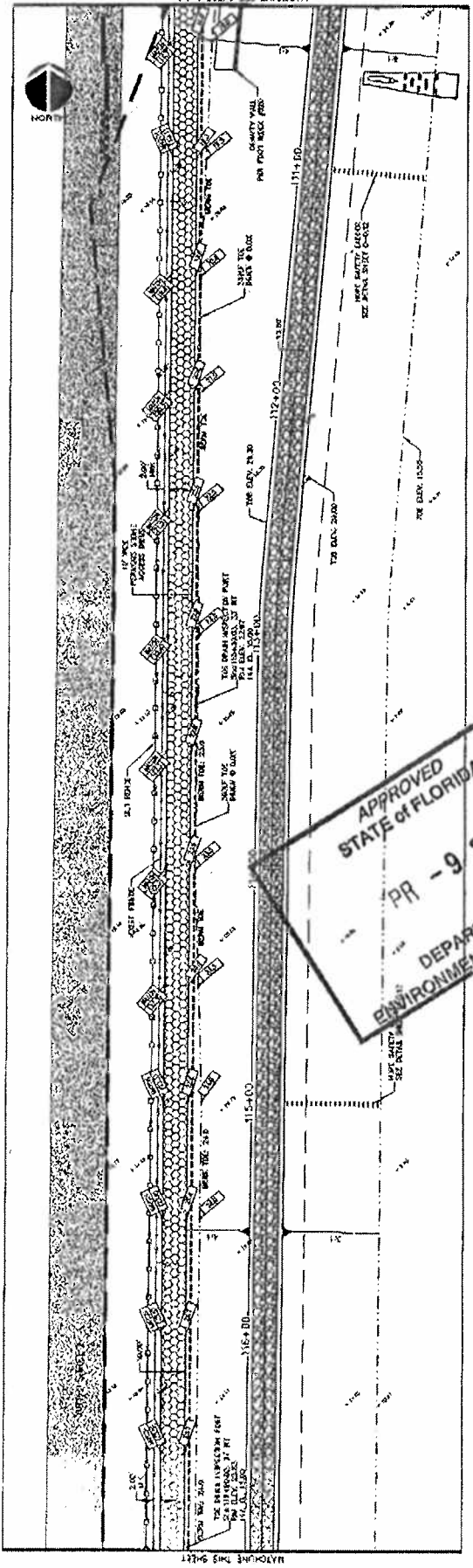
APPROVED  
 STATE OF FLORIDA  
 12 - 9 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION

1. CONTRACTOR SHALL NOT REMOVE ANY EXISTING CURB OR DRIVE.
2. CONTRACTOR SHALL CONSTRUCT CURB AND DRIVE AS SHOWN ON THIS PLAN AND SHALL MAINTAIN THE EXISTING CURB AND DRIVE AS MUCH AS POSSIBLE.
3. CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND DRIVE AS MUCH AS POSSIBLE.
4. CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND DRIVE AS MUCH AS POSSIBLE.
5. CONTRACTOR SHALL MAINTAIN THE EXISTING CURB AND DRIVE AS MUCH AS POSSIBLE.

 NORTH	 SCALE 1" = 20' (HORIZ.) SCALE 1" = 10' (VERT.)	DATE: _____ DRAWN BY: _____ CHECKED BY: _____ IN CHARGE: _____ PROJECT NO.: _____ SHEET NO.: _____	C-11 100% SUBMITTAL
<b>SWAMP LAKE FILTRATION AND NORTH POND IMPROVEMENTS</b>			
GRADING PLAN No. 1			
MANATEE COUNTY, FLORIDA			
<b>MFKIM &amp; CREED</b> PROFESSIONAL ENGINEERS 1100 W. MANATEE AVENUE, SUITE 200 PALM BAY, FLORIDA 32909 PHONE: (321) 941-1100 FAX: (321) 941-1107 WWW.MFKIMANDCREED.COM			
MATCHLINE SEE SHEET C-17			







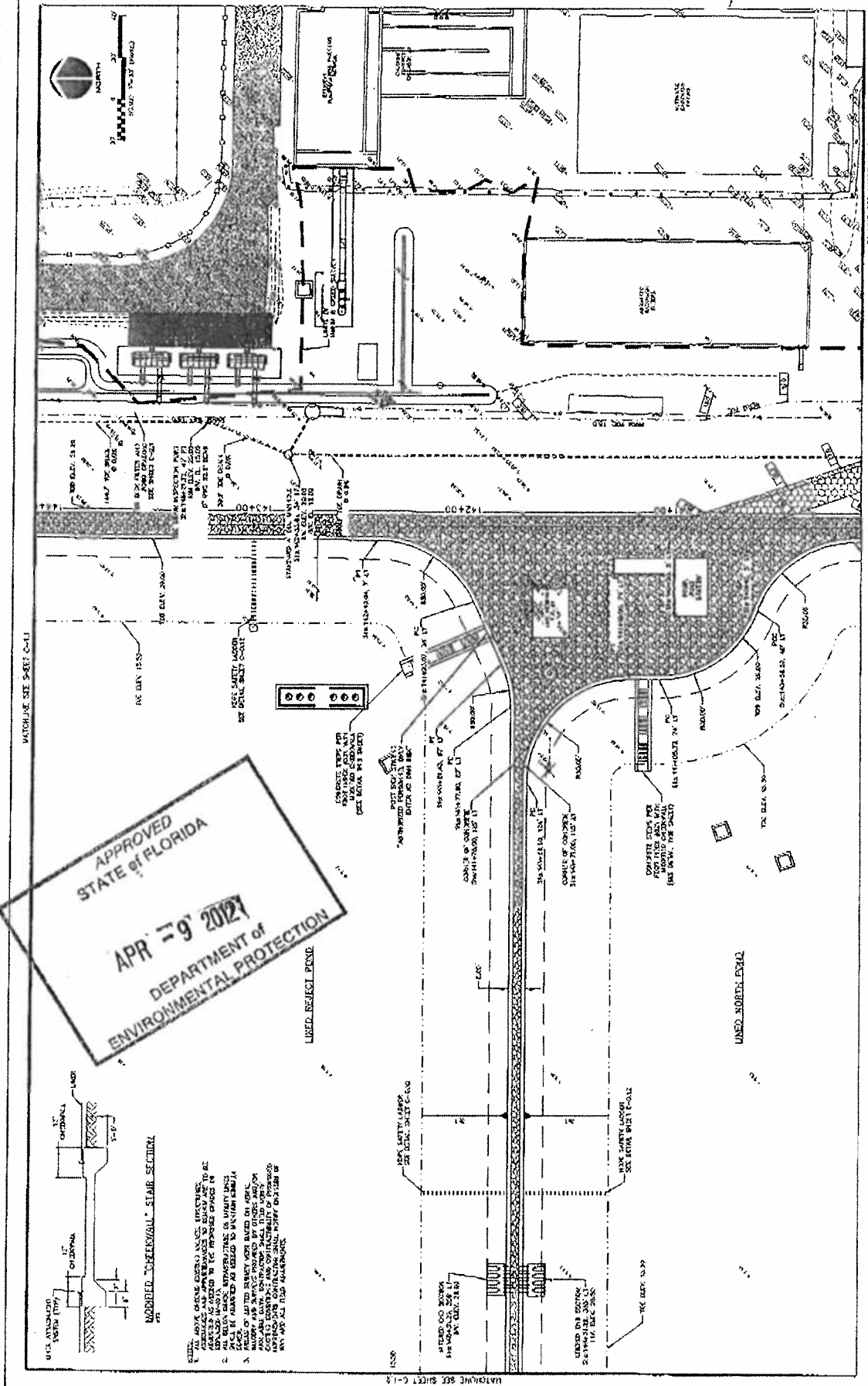
APPROVED  
STATE OF FLORIDA  
PR - 9 2012  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

<b>MCKIM &amp; CREED</b> 1255 MARKET AVENUE SUITE 200 TAMPA, FL 33602 (813) 281-1111		<b>MANATEE COUNTY, FLORIDA</b> 	
<b>SWWRFL LAKE FILTRATION AND NORTH POND IMPROVEMENTS</b>		<b>GRADING PLAN No. 3</b>	
SHEET NO. C-13		TOTAL SHEETS 100	
DATE: 04/17/12		PROJECT NO. 12-0000000000	
DRAWN BY: [Name]		CHECKED BY: [Name]	
IN CHARGE: [Name]		APPROVED: [Name]	

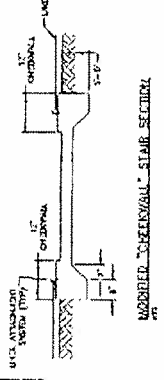






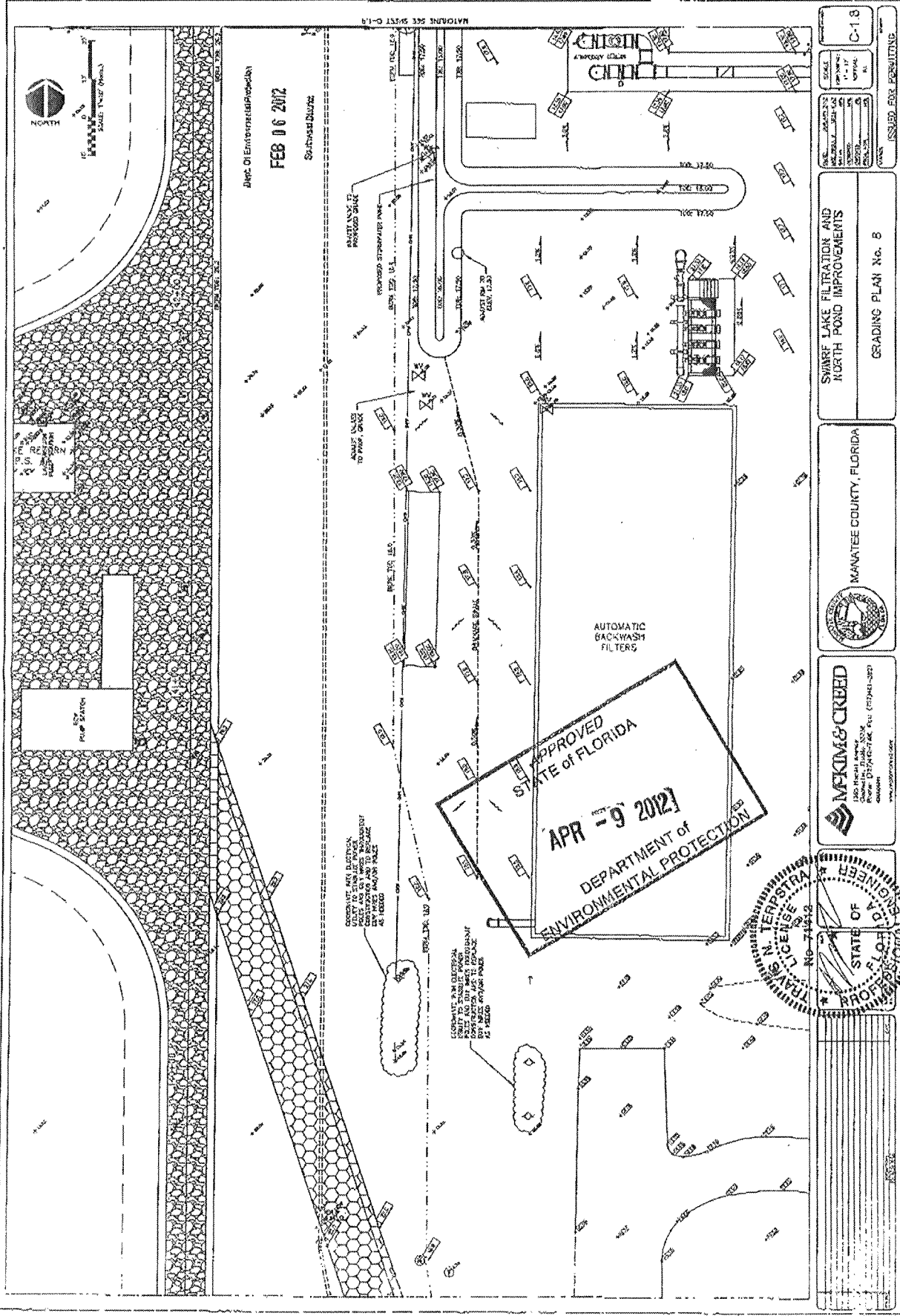


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STATE OF FLORIDA  
APR - 9 2021  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION



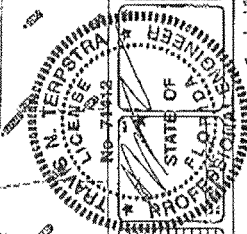
- NOTE:
1. ALL ABOVE GRADE CONCRETE STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE FLORIDA BUILDING CODE, AS AMENDED, AND THE FLORIDA ELECTRICAL CODE, AS AMENDED.
  2. ALL REEFCE WALLS, INTERPRETATIONS, IS UNUSUAL, SHALL BE ADVISED AS SOON AS POSSIBLE TO THE DESIGNER.
  3. ALL FIELD OF LAYERS SHALL BE BASED ON ADEQUATE SURVEY DATA AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE DESIGNER'S INTENT AND THE CONTRACT DOCUMENTS.
  4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

		100% SUBMITTAL DATE: _____ DRAWN BY: _____ CHECKED BY: _____ PROJECT NO.: _____ SHEET NO.: _____	
MATCHLINE SEE SHEET C-1.6		MATCHLINE SEE SHEET C-1.2	
SAWRFF LAKE FILTRATION AND NORTH POND IMPROVEMENTS		GRADING PLAN No. 7	
MANATEE COUNTY, FLORIDA			
MKM & CREED 1000 W. US HWY 90, SUITE 2000 TAMPA, FLORIDA 33606 (813) 974-1000 FAX (813) 974-1001		PROJECT NO. 17-001-0007	



APPC OF ENVIRONMENTAL PROTECTION  
 FEB 06 2012  
 SWAMP LAKE

APPROVED  
 STATE OF FLORIDA  
 APR -9 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION



**MCKIM & CREED**  
 1500 Beach Boulevard  
 Palm Beach Gardens, FL 33418-3000  
 www.mckimandcreed.com

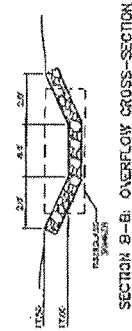
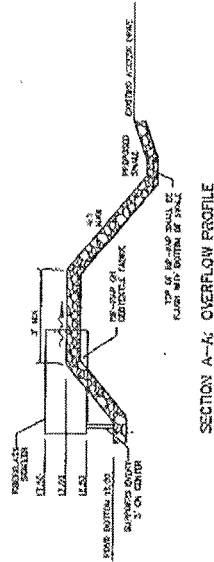
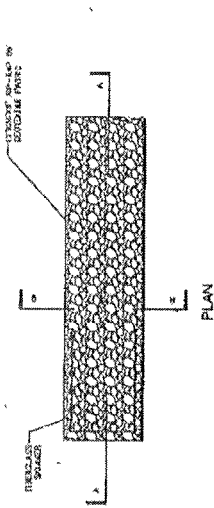
MANATEE COUNTY, FLORIDA

SWAMP LAKE FILTRATION AND  
 NORTH POND IMPROVEMENTS  
 GRADING PLAN No. 8

ISSUED FOR PERMITTING  
 SCALE: HORIZONTAL: 1" = 10'  
 VERTICAL: 1" = 10'  
 DATE: 02/06/12  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NO.: [Number]  
 SHEET NO.: C-18

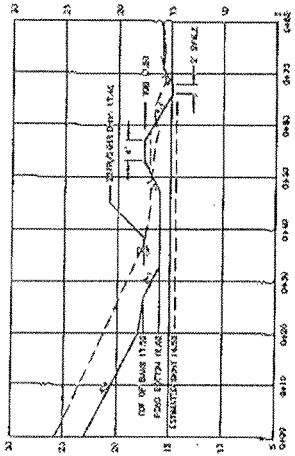
21-1-2



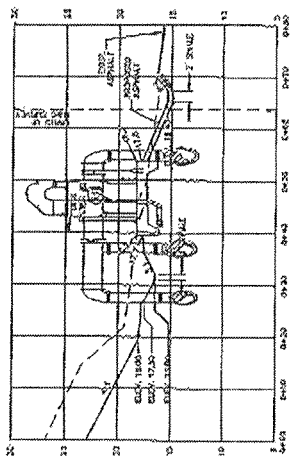


POND RIMLET DETAIL

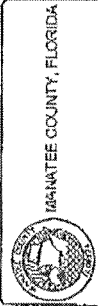
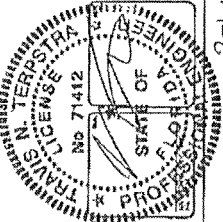
APPROVED  
STATE of FLORIDA  
APR - 9, 2012  
DEPARTMENT of  
ENVIRONMENTAL PROTECTION



A: SECTION A-A



B: SECTION B-B



SWANEE LAKE FILTRATION AND  
NORTH POND IMPROVEMENTS  
GRADING DETAILS AND SECTIONS

DATE	ISSUED FOR PERMITTING
SCALE	AS SHOWN
PROJECT NO.	C-110
DATE	
BY	
CHECKED	
APPROVED	
DESIGNED	
DRAWN	
SCALE	

NOTES:  
1. ALL GRADING SHALL BE TO FINISH GRADE UNLESS OTHERWISE NOTED.  
2. EXISTING POND IS NOT TO BE DELETED FROM ANY

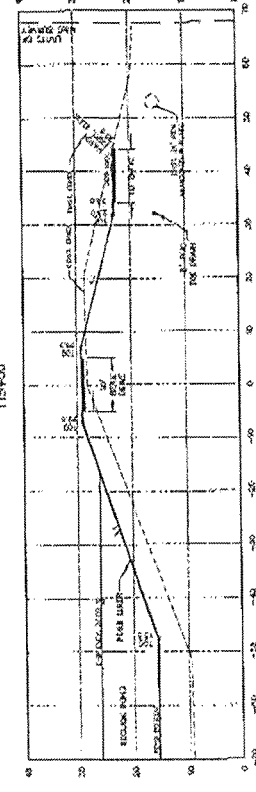
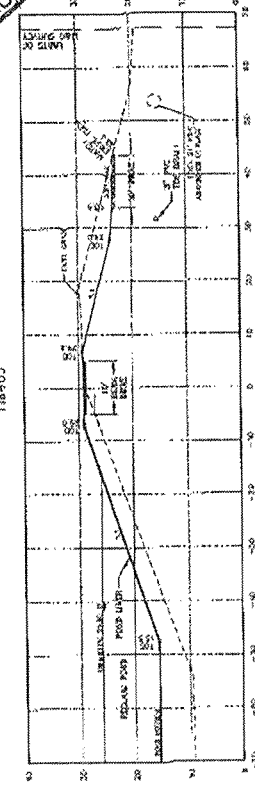
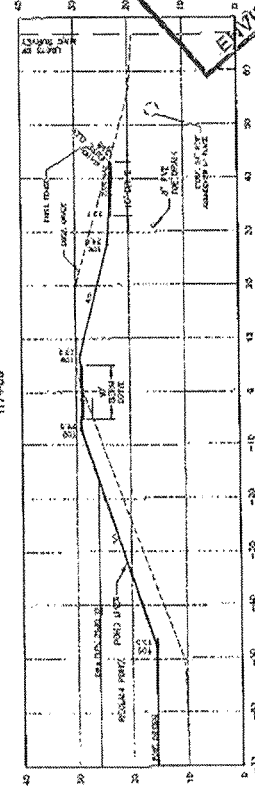
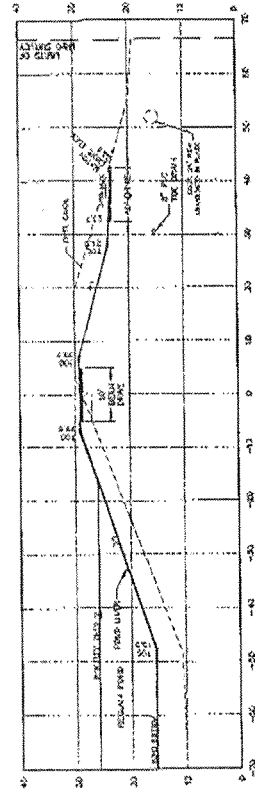
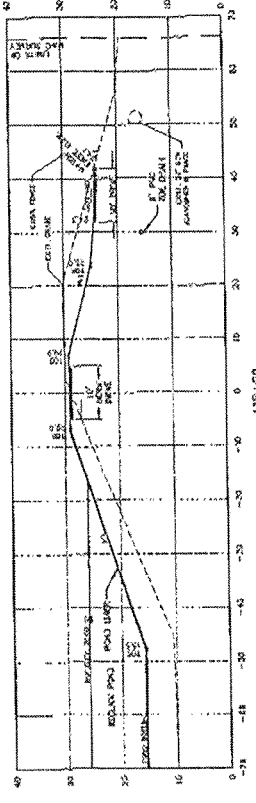
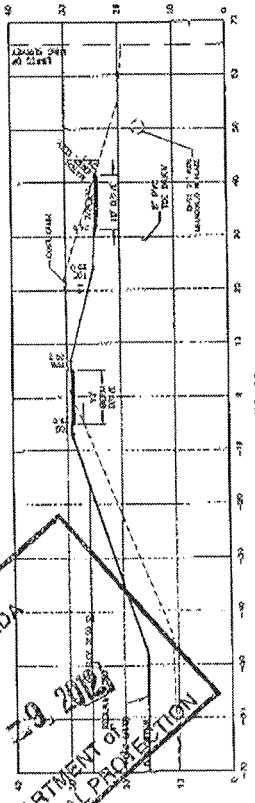
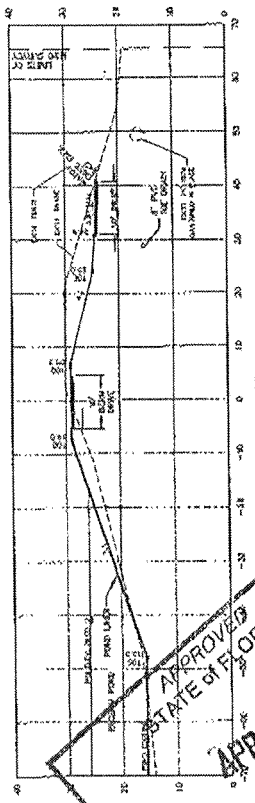
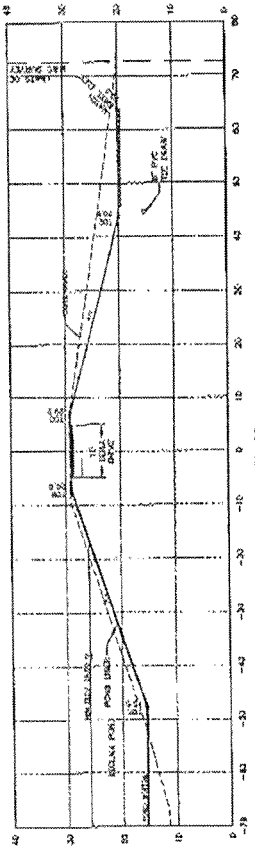
21-2







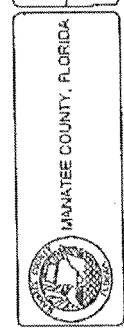




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 STATE OF FLORIDA  
 APR 29 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION

DATE	APPROVED BY	SCALE	C-1.15
DATE	APPROVED BY	SCALE	C-1.15
DATE	APPROVED BY	SCALE	C-1.15
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SWINE LAKE FILTRATION AND  
NORTH POND IMPROVEMENTS

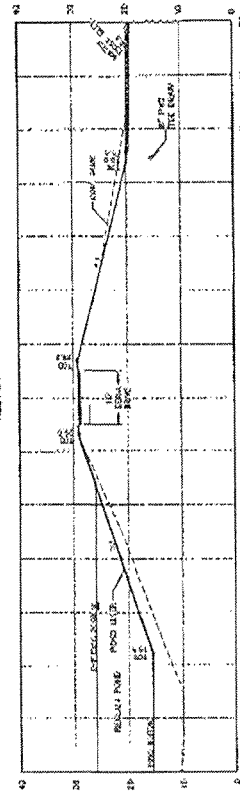
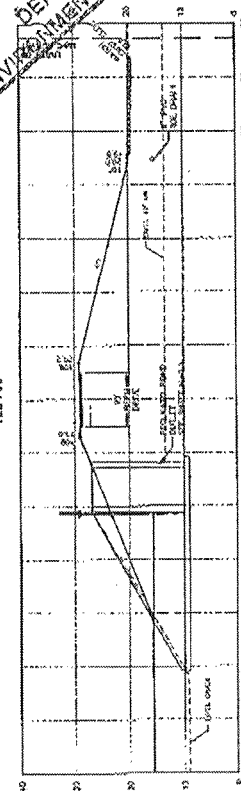
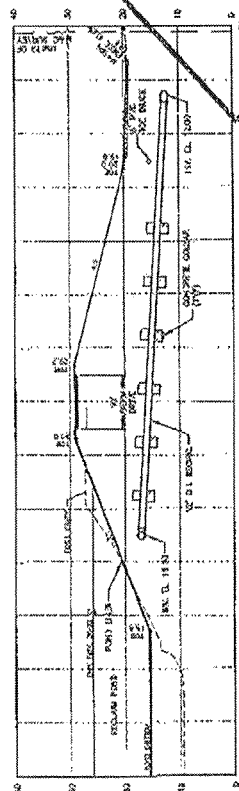
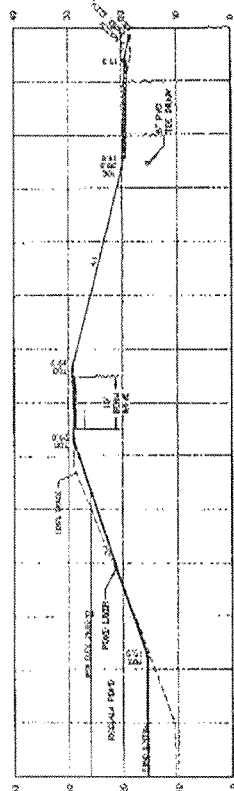
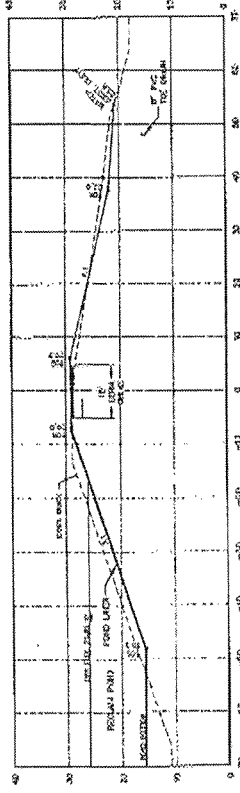
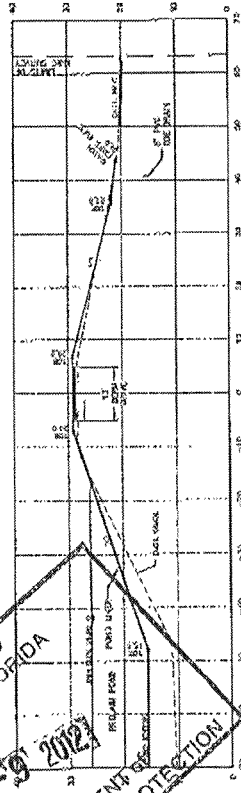
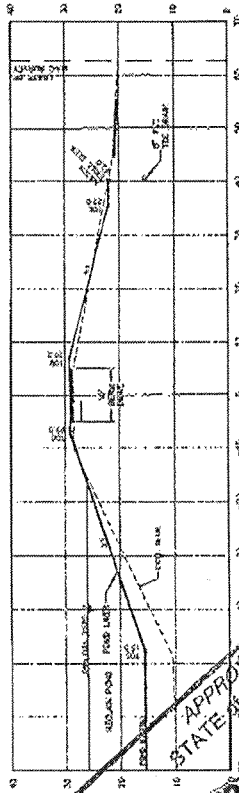
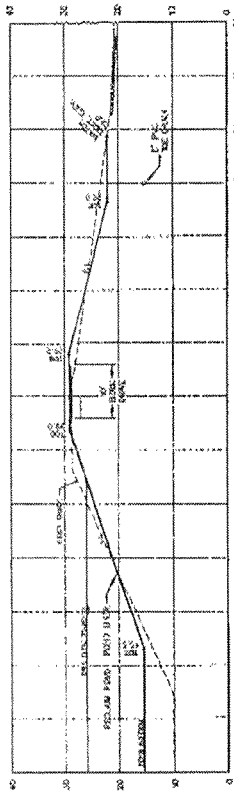


MANATEE COUNTY, FLORIDA



100% SUBMITTAL

MFKIM & CREED  
 2000 W. 1st St., Suite 200  
 Manatee County, FL 34680  
 Phone: (813) 940-7151 Fax: (813) 940-3711  
 www.mfkimcreed.com



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 STATE OF FLORIDA  
 APR 19 2012  
 DEPARTMENT OF  
 ENVIRONMENTAL PROTECTION

<p><b>M&amp;C CREED</b>          1205 BERRY AVE. SUITE 1100          TAMPA, FL 33604-2934          TEL: (813) 973-2334 FAX: (813) 973-2337          WWW.M&amp;CCREED.COM</p>	<p>MANATEE COUNTY, FLORIDA</p>	<p>SWRFF LAKE FILTRATION AND          NORTH POND IMPROVEMENTS</p>	<p>SCALE</p> <p>DATE</p> <p>BY</p> <p>CHECKED</p> <p>APPROVED</p> <p>DATE</p> <p>BY</p>
			<p>PROJECT NO. 121-00</p> <p>DATE</p> <p>BY</p> <p>CHECKED</p> <p>APPROVED</p> <p>DATE</p> <p>BY</p>
<p>121-00</p>		<p>POND SECTIONS No. 4</p>	<p>LOGS SUBMITTED</p>









**SWWRF LAKE FILTRATION AND NORTH POND IMPROVEMENT PROJECT**  
**Operation and Maintenance Instructions For the**  
**Surface Water Management System (SWMS)**

The following normal maintenance items, including cleaning or replacement of the various elements of the system, will be required for the surface water management system to continue to operate as designed. It is the Owner's responsibility to inspect and maintain the SWMS on a regular basis.

General Maintenance:

1. All surface water management system pipes, inlets, catch basins, manholes, flumes, swales, and ponds as well as inflow and outfall structures (including oil skimmers), and discharge pipes should be inspected on a regular basis (monthly) and following significant storm events. They should be maintained by removing built-up debris and vegetation and repairing deteriorating structures.
2. Chemicals, oils, greases, or similar wastes are NOT to be disposed of in the surface water management system or through storm sewers. Treatment ponds are designed to treat normal road, parking lot, roof, and yard runoff only. Some chemicals may interfere with a treatment pond's functions or kill vegetation and wildlife. Dispose of these potentially dangerous materials properly by taking them to recycling facilities or to collection locations sponsored by many local governments.

Also do not dispose of grass clippings in a surface water management system. Grass clippings pose problems by smothering desirable vegetation, clogging outfall structures and, when they decompose, may cause unsightly algae blooms that can fill fish.

3. Accumulated pond sediments may contain heavy metals such as lead, cadmium and mercury, as well as other potentially hazardous materials. Therefore, sediments removed from surface water management system inlets, pipes, and ponds should be disposed of at an approved facility (check with your County Solid Waste Department or the Florida Department of Environmental Protection for disposal facilities approved to accept treatment pond sediment).
4. During any repair or maintenance activity, use care to avoid causing erosion or siltation to adjacent or off-site areas.
5. Alterations (filling, enlarging, etc.) of any part of the surface water management system are not permitted without prior approval from the Department and all other applicable governing agencies.
6. It is usually more cost effective to monitor and perform routine maintenance on a surface water management system rather than let it fail and have to reconstruct the entire system.

7. Notify the Department within 24 hours of observation of sinkhole development within any of the retention areas of the surface water management system.

Dry Retention Ponds and Swales:

1. On a quarterly basis and following a storm event, the entity responsible for maintenance shall inspect the retention pond and outfall structure to ensure that the system is operating properly. If standing water persists longer than 72 hours after a normal summer rain event, or if wetland vegetation such as cattails grow in the retention areas, the surface water management system may be in need of repair. Repairs may be as simple as scarifying or raking the pond bottom, or may consist of removing the bottom sediment (approximately the top foot of soil) and replacing the soil with clean sand.
2. Annually, inspect the SWMS ponds and swales for the following and repair as needed:
  - (1) Determine the bottom elevation of the ponds and swales. If any pond bottom has accumulated four (4) or more inches of material, the excess material shall be removed and properly disposed of (please refer to Item #3 above). If any swale has accumulated material that will hinder conveyance, the excess material shall be removed and properly disposed of (please refer to Item #3 above.)
3. The retention areas shall be kept grassed and mowed frequently enough to prevent thatch buildup. Clippings and debris will be removed after mowing. Limit fertilizer use around the retention areas and do not fertilize the retention area bottoms.
4. Re-sod any of the retention areas (sides or bottom) where grass or sod has been removed or eroded.
5. Notify the Department within 24 hours of observation of sinkhole development within any of the retention areas of the surface water management system.  
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