



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 31, 2017

Robinson Preserve Expansion II-B Restoration
% Charlie Hunsicker
Manatee County Parks and Natural Resources Department
5502 33rd Avenue Drive West
Bradenton, FL, 34209
charlie.hunsicker@mymanatee.org

File No.: 41-0328524-007-EM
Project Name: Robinson Preserve Expansion Phase II-B Restoration

Dear Mr. Hunsicker:

Your request to modify permit number 41-0328524-006-EM has been reviewed by Department staff. The modification is to revise the seagrass mitigation success criteria. The above change is not expected to adversely affect water quality and will not be contrary to the public interest provided the following activity description and permit specific conditions are amended/added (~~strike throughs~~ are deletions and underlines are additions) to the permit as issued:

SPECIFIC CONDITIONS – MONITORING REQUIREMENTS FOR MANGROVE/SEAGRASS CREATION AREAS

40. The mangrove and seagrass creation areas shall be deemed successful when the below criteria have been continuously met for a period of at least one (1) year, without intervention in the form of irrigation, removal of undesirable vegetation, or replanting of desirable vegetation.
 - a. Naturally recruited and/or planted wetland species within the 8.8-acre mangrove creation area have become established on at least 1.1 acres of the creation area. Within the approximate 1.1 acres of established mangrove forest area, the mangrove species have achieved greater than 50 percent cover.
 - b. Naturally recruited and/or planted seagrass species within the 6.5-acre seagrass creation area have become established on at least ~~4.3~~ 0.64 acres of the creation area. Within the approximate ~~4.3~~ 0.64 acres of established seagrass area, the seagrass species have achieved at least ~~50~~ 60 percent cover.
 - c. Total contribution to percent cover by non-native wetland species and species not listed in 62-340.450, F.A.C. shall be maintained below 5%.
 - d. The Department's State Lands and Environmental Resource Program staff has

inspected the mangrove and seagrass creation areas and determined that the project meets the above success criteria.

Since the proposed modification with the above permit conditions is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter and the attached drawings, we are notifying all necessary parties of the modification(s).

This letter of approval does not alter the original construction phase expiration date, the remaining Specific Conditions, General Conditions, or monitoring requirements of the permit. This letter and accompanying drawings must be attached to the original permit.

RIGHTS OF AFFECTED PARTIES

This permit modification is hereby granted. This action is final and effective on the date filed with the Clerk of the Department 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. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department.

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 of the Florida Statutes. 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.

Under rule 62-110.106(4) of the Florida Administrative Code, 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.

If 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. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rule 62-110.106(3), Florida Administrative Code, petitions for an administrative hearing by the applicant must be filed within 14 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 14 days of publication of the notice or within 14 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 14 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.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, 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 permit modification constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, 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 order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a) or 373.4275 of the Florida Statutes, may also seek appellate review of the order before the Land and Water Adjudicatory Commission under section 373.114(1) or 373.4275 of the Florida Statutes. 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 order is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Pamala Vazquez
Program Administrator
Permitting and Waste Cleanup Program
Southwest District

Copies furnished to:

U.S. Army Corps of Engineers tampareg@usace.army.mil

Beth Andrews, Stantec; beth.andrews@stantec.com

Attachments:

ERP File No. 41-0328524-004-EI (60 pages)

ERP File No. 41-0328524-006-EM (5 pages)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit modification, including all copies, were mailed before the close of business on July 31, 2017, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.



Clerk

July 31, 2017

Date



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway, Suite 101
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 14, 2017

Robinson Preserve Expansion II-B Restoration
% Charlie Hunsicker
Manatee County Parks and Natural Resources Department
5502 33rd Avenue Drive West
Bradenton, FL, 34209
charlie.hunsicker@mymanatee.org

File No.: 41-0328524-006-EM
Project Name: Robinson Preserve Expansion Phase II-B Restoration

Dear Mr. Hunsicker:

Your request to modify permit number 41-0328524-004-EI has been reviewed by Department staff. The modifications are to revise the turbidity monitoring requirements, and revise the mitigation success criteria. The above changes are not expected to adversely affect water quality and will not be contrary to the public interest provided the following activity description and permit specific conditions are amended/added (~~strike throughs~~ are deletions and underlines are additions) to the permit as issued:

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

12. Monitoring for turbidity shall be conducted for the duration of the project, and shall be conducted in accordance with the turbidity monitoring plan illustrated and described on Sheet 31 of 32 of the attached project drawings. ~~Sampling will commence prior to initiation of any dredging or filling activities. Samples shall be taken every 4 hours during dredging construction activities as described below.~~

~~Background samples shall be collected at a minimum of two locations for the dredging activities. These samples as well as the compliance samples shall be collected at surface, mid depth, and one foot above bottom. Mid depth samples are sufficient in water that is less than five feet deep. The two background sites will be marked by temporary buoys and shall be maintained for the duration of the sampling program; these sites shall not be changed without specific written authorization by the Department.~~

~~Samples shall be collected with a Kemmerer, Van Dorn or a similar sampler that is designed to collect in situ water samples. Samples shall be analyzed immediately after collection with a turbidimeter that produces results in Nephelometric measurements. The field sample results shall be accurately recorded to the precision capabilities (decimal place) of the instrument. Field turbidimeter results shall be rounded to the next whole number (ex. 15.23 NTUs shall be recorded; however the results shall be interpreted as 16.00 NTUs).~~

13. ~~A minimum of two sampling locations shall be established within the dredge area. The first site shall be located at the construction limits within three meters of the required turbidity~~

~~_____ curtains within the most visible portion of the plume down current of the turbidity source.~~
~~_____ This site will be used to collect the compliance samples (CS); a second compliance sample~~
~~_____ site shall be located at the construction limits within three meters of the required turbidity~~
~~_____ curtains, up current from the turbidity source so that samples may be collected during each~~
~~_____ tidal cycle.~~

23a. The removal and transplantation of seagrass from donor sites, to be planted in the seagrass creation areas authorized in this permit, will require a separate permit authorization from the Department.

SPECIFIC CONDITIONS – MONITORING REQUIREMENTS FOR MANGROVE/SEAGRASS CREATION AREAS

40. The mangrove and seagrass creation areas shall be deemed successful when the below criteria have been continuously met for a period of at least one (1) year, without intervention in the form of irrigation, removal of undesirable vegetation, or replanting of desirable vegetation.
- a. Naturally recruited and/or planted wetland species within the 8.8-acre mangrove creation area have become established on at least ~~2.2~~-1.1 acres of the creation area. Within the approximate ~~2.2~~ 1.1 acres of established mangrove forest area, the mangrove species have achieved greater than 50 percent cover.
 - b. Naturally recruited and/or planted seagrass species within the 6.5-acre seagrass creation area have become established on at least 1.3 acres of the creation area. Within the approximate 1.3 acres of established seagrass area, the seagrass species have achieved at least 50 percent cover.
 - c. Total contribution to percent cover by non-native wetland species and species not listed in 62-340.450, F.A.C. shall be maintained below 5%.
 - d. The Department's State Lands and Environmental Resource Program staff has inspected the mangrove and seagrass creation areas and determined that the project meets the above success criteria.

Since the proposed modification with the above permit conditions is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter and the attached drawings, we are notifying all necessary parties of the modification(s).

This letter of approval does not alter the original construction phase expiration date, the remaining Specific Conditions, General Conditions, or monitoring requirements of the permit. This letter and accompanying drawings must be attached to the original permit.

RIGHTS OF AFFECTED PARTIES

This permit modification is hereby granted. This action is final and effective on the date filed with the Clerk of the Department 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. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a

timely and sufficient petition, this action will not be final and effective until further order of the Department.
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- (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.

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Under sections 120.569(2)(c) and (d) of the Florida Statutes, 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 permit modification constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, 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 order is filed with the Clerk of the Department. The applicant, or any party within the meaning of section 373.114(1)(a) or 373.4275 of the Florida Statutes, may also seek appellate review of the order before the Land and Water Adjudicatory Commission under section 373.114(1) or 373.4275 of the Florida Statutes. 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 order is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



For Pamela Vazquez
Program Administrator
Permitting and Waste Cleanup Program
Southwest District

Copies furnished to:

U.S. Army Corps of Engineers tampareg@usace.army.mil

Beth Andrews, Stantec; beth.andrews@stantec.com

Attachments:

ERP File No. 41-0328524-004-EI

Sheet 31 of the project drawings (BMP's/Turbidity Monitoring Plan)

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit modification, including all copies, were mailed before the close of business on **July 14, 2017**, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

<u>Mandakini Patel</u>	<u>July 14, 2017</u>
Clerk	Date



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

December 30, 2016

Robinson Preserve Expansion II-B Restoration
c/o Charlie Hunsicker
Manatee County Parks and Natural Resources Department
5502 33rd Avenue Drive West
Bradenton, FL, 34209
charlie.hunsicker@mymanatee.org

Dear Mr. Hunsicker:

Enclosed is the Environmental Resource Permit, DEP Project No. 41-0328524-004-EI, 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 conditions and specific conditions contained herein.

Please be aware of permit General Condition number 4, which states, "At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice"."

If you have any questions about this document, please contact me at ryan.p.martin@dep.state.fl.us or (813) 470-5944.

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

Sincerely,

A handwritten signature in blue ink that reads "Ryan P. Martin".

Ryan P. Martin, P.E.
Engineering Specialist IV
Permitting and Waste Cleanup Program

cc: U.S. Army Corps of Engineers; tampareg@usace.army.mil
Damon Moore, Manatee County Parks & Natural Resources Department, damon.moore@mymanatee.org
R. Quince Sellers, Stantec Consulting Services, Inc., quince.sellers@stantec.com
Michael Burton, Stantec Consulting Services, Inc., mike.burton@stantec.com
Dan J. Bond, Stantec Consulting Services, Inc., dan.bond@stantec.com

Enclosure: Environmental Resource Permit with Attachments (60 pages)



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

Permittee/Authorized Entity:

Manatee County Parks and Natural Resources Department
c/o Charlie Hunsicker, Director
5502 33rd Avenue Drive West
Bradenton, FL, 34209

Robinson Preserve Expansion Phase II-B Restoration

Authorized Agent:

Stantec Consulting Services
c/o Quince R. Sellers, Senior Project Engineer
6900 Professional Parkway East
Sarasota, FL, 34240

Individual Environmental Resource Permit

State-owned Submerged Lands Authorization – Not Approved

U.S. Army Corps of Engineers Authorization – Not Approved

Permit No.: 41-0328524-004-EI

Permit Issuance Date: 12/30/2016

Permit Construction Phase Expiration Date: 12/30/2021



Florida Department of Environmental Protection

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

Rick Scott
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Carlos Lopez-Cantera
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Jonathan P. Steverson
Secretary

Environmental Resource Permit

Permittee: Manatee County Parks and Natural Resource Department
Permit No: 41-0328524-004-EI

PROJECT LOCATION

The activities authorized by this permit are located at 10350 9th Avenue NW, Bradenton, Florida 34209, in Section 23 & 26, Township 34, Range 16 East in Manatee County, at latitude 27° 30' 34.90"/longitude 82° 39' 59.25".

PROJECT DESCRIPTION

The permittee is authorized to perform Phase II-B of the Robinson Preserve restoration project. Those activities include the restoration and creation of: approximately 25-acres of wetland habitats, including freshwater marsh, saltmarsh, and mangrove; approximately 43-acres of open water habitat, including estuarine waters, freshwater ponds, oyster bars, and tidal flats; approximately 10-acres of landscaping and passive recreation areas, including native trees and groundcover; and approximately 58-acres of upland habitat, including live oak hammock, pine flatwoods, cedar hammock, coastal/tropical hammock, cabbage palm hammock, and native wildflower meadow. The proposed activities also include the dredging of a "flushing cut" between the tidal backwater canal of Perico Bayou and the open waters of Palma Sola Bay, a Class II, Outstanding Florida Waterbody.

The permittee is authorized to construct an expanded parking area, kayak launch loop and access drive. These are the only areas of the project that will be subject to stormwater treatment. With this construction, a 1.36-acre dry detention area with effluent filtration will provide water quality treatment for a 5.74-acre basin. A portion of the basin associated with the kayak launch loop will not drain to the 1.36-acre dry detention area due to the design elevations. Therefore, a separate dry detention area with control structure and effluent filtration will be constructed to capture runoff from the paved kayak launch loop. These dry detention areas will treat the first 0.75 inches of stormwater runoff from the basin due to its discharge into Perico Bayou, an Outstanding Florida Water. Discharge rate attenuation is not required due to the project discharging into a tidal waterbody. Authorized activities are depicted on the attached exhibits.

Unavoidable permanent impacts to 0.45-acres of mangrove forest (FLUCCS 612) and 0.32-acres of seagrass habitat (FLUCCS 645) will be more than offset by the creation of 8.88-acres of mangrove habitat and 6.5-acres of seagrass habitat. Habitat creation will be achieved by both planting and natural recruitment.

AUTHORIZATIONS

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Sovereignty Submerged Lands Authorization

The activity is located on sovereignty submerged lands owned by the State of Florida. It therefore also requires authorization from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Section 253.77, F.S. As staff to the Board of Trustees under Sections 253.002, F.S., the Department has determined that the activity qualifies for and requires a public easement, as long as the work performed is located within the boundaries as described and is consistent with the terms and conditions herein.

The final documents required to execute the public easement will be sent to the permittee by the Department's Division of State Lands for execution. The Department intends to issue the public easement, upon satisfactory execution of those documents, including payment of required fees and compliance with the conditions in the attached permit. **You may not begin construction of the activities described until you receive a copy of the executed public easement from the Department.**

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **Shall be required** from the Corps. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

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

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT CONDITIONS

The activities described 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 beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as described.

SPECIFIC CONDITIONS

1. Submittals required herein (e.g., progress reports, as-built drawings, etc.) shall include the permittee's name and permit number 41-0328524-004-EI and shall be directed by e-mail to SW_ERP@dep.state.fl.us with a subject line of "Compliance: permit number 41-0328524-004-EI", or by mail to:

Department of Environmental Protection
Southwest District
ATTN: ERP Compliance Assurance
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
2. The work authorized by this permit shall not be conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.
3. In the event the permittee files for bankruptcy prior to completion of work permitted and required by this permit, the permittee must notify the Department within 30 days of filing.

The notification shall identify the bankruptcy court and case number and shall include a copy of the bankruptcy petition.

SPECIFIC CONDITIONS - PRIOR TO ANY CONSTRUCTION

4. The terms, conditions, and provisions of the required public easement shall be met. Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all required public easement (BOT No: 410240413) have been executed to the satisfaction of the Department.
5. 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 the ambient turbidity levels of the surrounding Outstanding Florida Waters. Methods may include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, staged construction and the installation of turbidity screens around the immediate project site. Erosion control methods shall be implemented as depicted in Sheet 31 of 32 of the attached permit drawings.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

6. Wetland areas or waterbodies 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.
7. 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.
8. The permittee shall be responsible for ensuring erosion control devices/procedures are inspected and maintained daily during all phases of construction authorized by this permit until areas disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
9. Staked filter cloth shall be positioned at the edge of the permitted fill slopes adjacent to wetlands to prevent turbid run-off and erosion.
10. A floating turbidity apron/curtain shall be installed around the waterward boundary of the construction area, in the locations where such barrier is necessary, prior to construction and shall remain in place until construction is complete and turbidity levels within the work area have returned to background levels.

11. The following measures shall be taken immediately by the permittee when turbidity levels within waters of the State surrounding the project site exceed the ambient water quality levels of the Outstanding Florida Waters:

- a. Immediately cease work contributing to the water quality violation.
- b. Stabilize exposed soils contributing to the violation. Modify the work procedures responsible for the violation, install additional turbidity containment devices and repair non-functioning turbidity containment devices.
- c. Notify the Department within 24 hours of the time the violation is first detected.

12. Monitoring for turbidity shall be conducted for the duration of the project. Sampling will commence prior to initiation of any dredging or filling activities. Samples shall be taken every 4 hours during dredging construction activities as described below.

Background samples shall be collected at a minimum of two locations for the dredging activities. These samples as well as the compliance samples shall be collected at surface, mid-depth, and one-foot above bottom. Mid-depth samples are sufficient in water that is less than five feet deep. The two background sites will be marked by temporary buoys and shall be maintained for the duration of the sampling program; these sites shall not be changed without specific written authorization by the Department.

Samples shall be collected with a Kemmerer, Van Dorn or a similar sampler that is designed to collect in situ water samples. Samples shall be analyzed immediately after collection with a turbidimeter that produces results in Nephelometric measurements. The field sample results shall be accurately recorded to the precision capabilities (decimal place) of the instrument. Field turbidimeter results shall be rounded to the next whole number (ex. 15.23 NTUs shall be recorded; however the results shall be interpreted as 16.00 NTUs).

13. A minimum of two sampling locations shall be established within the dredge area. The first site shall be located at the construction limits within three meters of the required turbidity curtains within the most visible portion of the plume down-current of the turbidity source. This site will be used to collect the compliance samples (CS); a second compliance sample site shall be located at the construction limits within three meters of the required turbidity curtains, up current from the turbidity source so that samples may be collected during each tidal cycle.
14. The permittee shall comply with the following Quality Assurance/ Quality Control (QA/QC) requirements:
 - a. The instrument shall be calibrated each morning and each time the instrument is turned on, and recalibrated every four hours thereafter.

- b. Calibrations shall be performed against a blank, and at least one formazin or gel-type standard. The standard value shall be in the same range as the sample readings.
 - c. Calibration procedures shall be recorded in a permanent QA/QC logbook, and copies shall be submitted with the data.
15. Turbidity monitoring reports shall be submitted to the Department each Monday following project commencement. The reports shall include the permittee's name and permit number, and a cover page that states: "This information is being provided in partial fulfillment of the monitoring requirements in Permit No. 41-0328524-004-EI." Failure to submit reports in a timely manner shall constitute a violation of the permit and shall be grounds for revocation.

Monitoring data shall contain the following information:

- a. Permit number
- b. Dates of sampling and analysis
- c. A statement describing the methods used in collection and analysis of the samples
- d. A map showing the sampling locations, along with the latitude and longitude of the sampling locations
- e. Copies of the QA/QC log, and
- f. A statement by the individual responsible for implementation of the sampling program certifying the authenticity, precision and accuracy of the data

Monitoring reports shall also include the following information for each sample that is taken:

- a. Time of day samples were taken
 - b. Depth of water body
 - c. Depth of sample
 - d. Tidal stage and direction of flow, and
 - e. Antecedent weather conditions, including wind direction and velocity at the time the sample was taken.
16. Dredging shall be limited to day light; no dredging or dewatering activities are authorized to be conducted at night.

17. The dredged material shall be placed in a self-contained, upland site, which will prevent the escape of dredged material and associated effluent into wetlands and surface waters.
18. All dredged materials removed from State-owned submerged lands shall be used in the construction of this project, or for other public projects, or taken to a landfill for disposal, pursuant to Paragraph 18-21.011(3)(c), F.A.C.
19. Areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings. The dewatering/staging area shall be constructed in a manner which shall prevent the escape of dredged material and associated effluent into wetlands and surface waters. Discharge of water or dredged material to waters of the State shall not be allowed during transport.
20. Watercraft associated with the construction of the permitted activities shall operate within waters of sufficient depth to preclude bottom scouring/ prop dredging. There shall be a minimum 12-inch clearance between the deepest draft of the vessel (with the motor in the down position) and the top of submerged resources as measured at mean low water.
21. This permit does not authorize the installation of water, sewer, cable or utility lines within wetlands or waterbodies.
22. Unauthorized impacts to wetlands or shoreline as a result of the authorized construction shall be reported to the Department within 24 hours.
23. Storage or stockpiling of tools and materials (i.e., lumber, pilings, debris) within wetlands or other surface waters is prohibited.

SPECIFIC MANATEE CONDITIONS

24. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with, and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
25. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.
26. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall not impede manatee movement.
27. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, shall be shutdown if a

manatee comes within 50 feet of the operation. Activities shall not resume until every manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes has elapsed wherein a manatee has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

28. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida.
29. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Please see the Florida Fish and Wildlife Conservation Commission website for information on how to obtain appropriate signs: http://www.myfwc.com/docs/WildlifeHabitats/Manatee_EducationalSign.pdf

SPECIFIC CONDITIONS- CONSTRUCTION COMPLETION

(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. 62-330.310(2), F.A.C.])

30. The permittee shall submit one set of signed, dated and sealed as-built drawings to the Department via email at SW_ERP@dep.state.fl.us for review and approval within 30 days of completion of construction. (Please contact the Department for files that are too large to email for alternative means of submitting electronically.) The as-built drawings shall be based on the Department permitted construction drawings and any pertinent specific conditions, which should be revised to reflect changes made during construction. Both the original design and constructed elevations 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 professional. *As-builts shall be submitted to the Department regardless of whether or not deviations are present. In addition, the permittee shall submit the "As-Built Certification and Request for Conversion to Operation Phase" form (Ch. 62-330.310(1), F.A.C.); as required in General Condition #6.*

The following information shall be verified on the as-built drawings from the engineering drawings signed and sealed by R. Quince Sellers, P.E. #49374, on November 1, 2016:

Plan View/ Cross Section Name	Drawing Number
Grading and Drainage Plan	11 through 18 of 32

Grading Cross Sections	19 through 22 of 32
Construction Details	29 of 32

SPECIFIC CONDITIONS – SWMS MONITORING/REPORTING REQUIREMENTS

31. The dry detention pond is 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.
32. 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 the surface water management system is functioning as designed.
33. The SWMS conveyance pipes shall be maintained and free of blockage. Ponds must be kept free of obstructions or blockage by sediment. Any scouring or erosion at these locations must be repaired.
34. All ditches and swales from the point at which they receive runoff from the project area and through their entire downstream length shall be well maintained and stabilized to ensure that they are not subject to erosion.
35. The permitted SWMS shall only be used for the purpose of controlling surface water runoff from the site, and shall not be used to dispose of or store any solid/liquid waste or products generated or used during operation or construction of the facility.
36. The permittee shall notify the Department of any sinkhole development in the SWMS within 24 hours after discovery, and must submit a detailed sinkhole evaluation and repair plan for approval by the Department within 30 days of discovery.
37. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing effluent filtration or exfiltration or systems utilizing effluent filtration or exfiltration and retention or wet detention, the inspections shall be performed 24 months after operation is authorized and every 24 months thereafter.

The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the District.

Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), “Operation and Maintenance Inspection Certification” describing the remedial actions taken to resolve the failure or deviation.

**SPECIFIC CONDITIONS – MONITORING REQUIREMENTS FOR
MANGROVE/SEAGRASS CREATION AREAS**

38. A "Time Zero" Monitoring Report shall be submitted within 30 days of completion of construction and shall include the following:
- a. Date construction was completed;
 - b. Color photographs to provide an accurate representation of each mangrove and seagrass creation area. The photographs shall be taken from fixed reference points and directions which are shown on a scaled plan view drawing, and
 - c. A table depicting numbers, spacing, percent cover, and sizes (including tree height or blade length) of each species.
39. Subsequent monitoring reports referenced in specific condition 38 of this permit shall be submitted annually for five years.

The Monitoring reports shall include the following for each creation area:

- a. Color photographic prints taken from the reference points established in the Time Zero Monitoring Report.
- b. Detailed description of statistical methods used which must include the following:
 - i. Subsample method and map of sampling locations
 - ii. Method used to determine percent cover and growth
 - iii. Statistical analyses used to determine valid subsample size and to analyze results of sampling
- c. Total percent cover by any planted species.
- d. Plant species composition with estimates of the contribution of each species to percent cover.
- e. Plan view depicting the locations of specimens replanted. (Indicate numbers of each species replanted, if any).
- f. Growth data for tree species. Data shall include measurements of height, diameter, at breast height (dbh) and mean annual growth rate to date.
- g. Data documenting the hydrologic regime (seasonal high and normal pool; ordinary high; or mean high and low water elevations).
- h. Description of the pertinent climatological conditions preceding the monitoring event.

- i. Description of the soil moisture condition in the mitigation area(s), i.e., soil appears dry, saturated with water or with so many inches of standing water.
40. The mangrove and seagrass creation areas shall be deemed successful when the below criteria have been continuously met for a period of at least one (1) year, without intervention in the form of irrigation, removal of undesirable vegetation, or replanting of desirable vegetation.
 - a. Naturally recruited and/or planted wetland species within the 8.8-acre mangrove creation area have become established on at least 2.2-acres of the creation area. Within the approximate 2.2 acres of established mangrove forest area, the mangrove species have achieved greater than 50 percent cover.
 - b. Naturally recruited and/or planted seagrass species within the 6.5-acre seagrass creation area have become established on at least 1.3 acres of the creation area. Within the approximate 1.3 acres of established seagrass area, the seagrass species have achieved at least 50 percent cover.
 - c. Total contribution to percent cover by non-native wetland species and species not listed in 62-340.450, F.A.C. shall be maintained below 5%.
 - d. The Department's State Lands and Environmental Resource Program staff has inspected the mangrove and seagrass creation areas and determined that the project meets the above success criteria.
41. The responsibility to assess if the creation areas are meeting the permit-specified success criteria shall not fall solely on the Department. In the event the permittee becomes aware the project is not meeting the success criteria (based on either site observations or review of monitoring reports), the permittee, no later than six months before the permit construction phase expiration date, shall submit an alternative habitat creation plan to the Department for review and approval.
42. The permittee shall implement the alternative plan no later than 60 days after receiving Department approval.
43. Failure of the Department to notify the permittee of project failure does not prevent the Department from requiring the permittee to meet the success criteria as defined in specific condition No. 40.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference [in](#) paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. 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 Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

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. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing 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, any email address, any facsimile number, 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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.

The petition 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. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 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), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition 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, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) 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.

Extension of Time

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 for filing a petition for an administrative hearing. 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.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

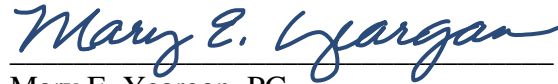
The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 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 this action is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Mary E. Yeargan, PG
Director
Southwest District

Attachments:

Project Drawings and Design Specs., (33 pages)
Construction Commencement Notice 62-330.350(1) (1 page)
As-built Certification and Request for Conversion to Operational Phase/ Form 62-330.310(1) (2 pages)
Request for Transfer to the Perpetual Operation Entity/Form 62-330.310(2) (1 page)
Request to Transfer Permit/Form 62-330.340(1) (2 pages)
Operation and Maintenance Inspection Certification 62-330.311(1) (2 Pages)
O&M Instructions (2 pages)

Copies furnished to:

U.S. Army Corps of Engineers; tampareg@usace.army.mil
Damon Moore, Manatee County Parks & Natural Resources Department, damon.moore@mymanatee.org
R. Quince Sellers, Stantec Consulting Services, Inc., quince.sellers@stantec.com
Michael Burton, Stantec Consulting Services, Inc., mike.burton@stantec.com
Dan J. Bond, Stantec Consulting Services, Inc., dan.bond@stantec.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit, including all copies, were mailed before the close of business on **December 30, 2016**, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

Rhonda Hughes
Clerk

December 30, 2016
Date

PART OF SECTIONS 23 AND 26, TOWNSHIP 34 SOUTH, RANGE 16 EAST,
MANATEE COUNTY, FLORIDA

**BOARD OF COUNTY COMMISSIONERS,
MANATEE COUNTY, FL
1112 MANATEE AVENUE WEST
BRADENTON, FL 34205
(941) 748-4501**

GENERAL SITE CONSTRUCTION NOTES:

-
- Map of Manatee County, Florida, showing the project location. The map includes major roads like U.S. 90, SR 41, SR 70, SR 67, SR 68, SR 69, SR 71, SR 72, SR 73, SR 74, SR 75, SR 76, SR 77, SR 78, SR 79, SR 80, SR 81, SR 82, SR 83, SR 84, SR 85, SR 86, SR 87, SR 88, SR 89, SR 90, SR 91, SR 92, SR 93, SR 94, SR 95, SR 96, SR 97, SR 98, SR 99, SR 100. It also shows the Manatee River, Manatee Bay, and the Gulf of Mexico. A red circle and arrow point to the project location near the intersection of Manatee Ave. S and Cortez Rd. A scale bar indicates 0 to 1 mile. A north arrow is also present.

PROJECT LOCATION

LAT: N 27.509383
LONG: W 82.66605

ROBINSON PRESERVE

17TH AVE NW

Palma Sola Airport

9TH AVE NW

Perico Bayou

Anna Maria Sound

MANATEE AVE

Sarasota Pass

BRADENTON

PERICO BAY BLVD

FLAMINGO CRK DR

Palma Sola Bay

SCALE: 1"=2500'

0' 625' 1,250' 2,500' 5,000'

6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

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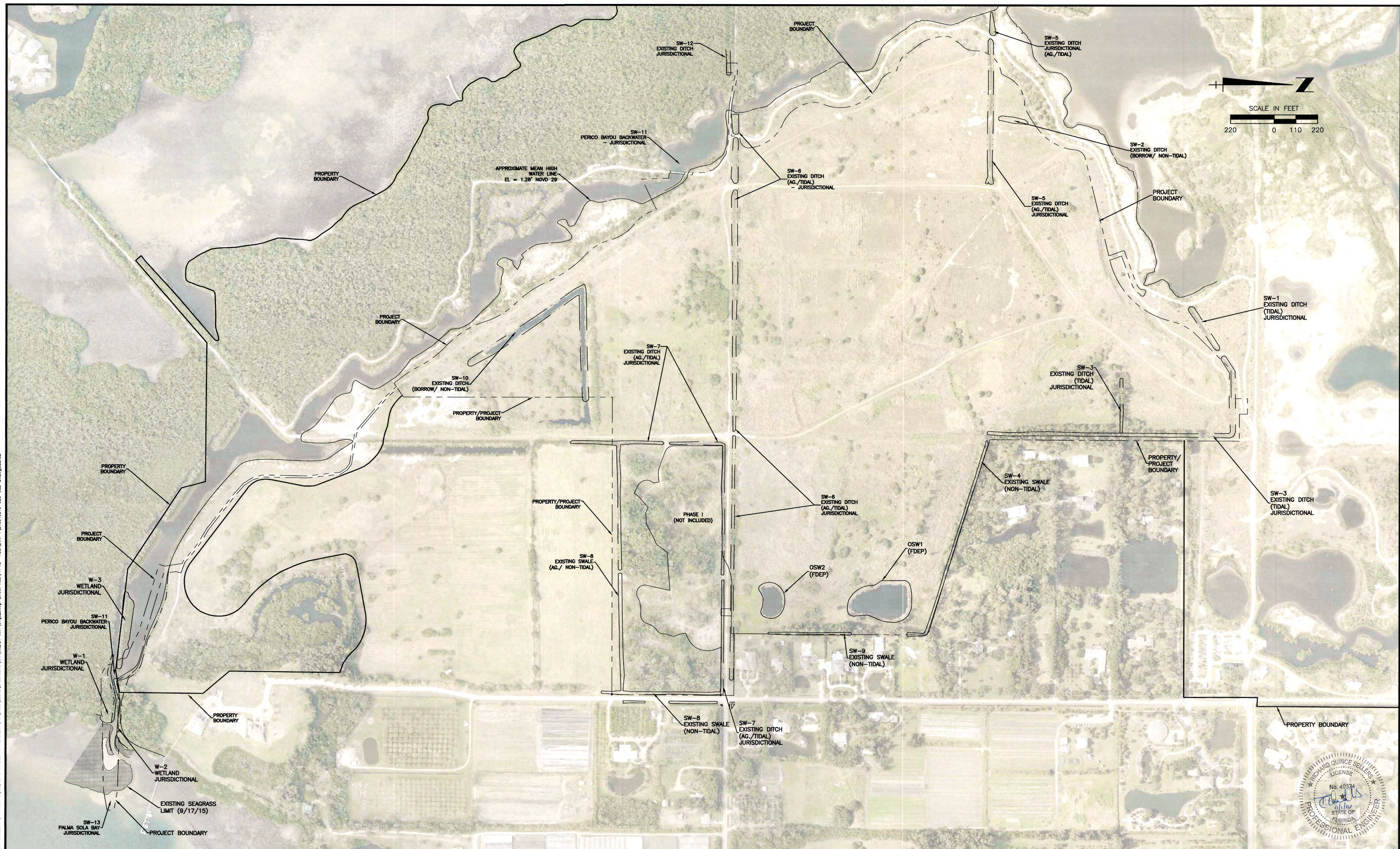
ENGINEERING TECH -	PROJECT ECOLOGIST RYAN HORSTMAN	PROJECT MANAGER R. QUINCE SELLERS, P.E. FLORIDA LICENSE NO. 49374
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DATE _____ CHECKED BY _____

RESERVED FOR STATUS AND DATE STAMPS

A circular professional engineer seal for Richard Quince Sellers. The outer ring contains the text "RICHARD QUINCE SELLERS" at the top and "PROFESSIONAL ENGINEER" at the bottom, separated by two stars. The inner circle contains the word "LICENSE" at the top, the license number "No. 49374" in the center, and "STATE OF FLORIDA" at the bottom. A signature is written across the center of the seal.

INDEX NUMBER
D-215510519-02C-001



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PHASE II SITE PLAN
PERMITTED BY FDEP UNDER
SWERP# 410328524-001

SHEET 9

SHEET 7

SHEET 5

SHEET 4

SHEET 6

SHEET 8

PROPERTY BOUNDARY

PROJECT BOUNDARY

APPROXIMATE MEAN HIGH WATER LINE
EL = 1.28' NGVD29

BENCH MARK JP 101-50
MAG NAIL AND DISCK
LB#7866
SET IN WOOD BRIDGE
WINGWALL
EL = 5.64' NGVD 1929

POND 1

POND 2

POND 3

POND 4

POND 5

POND 6

BRIDGE 1

BRIDGE 2

BRIDGE 3

BRIDGE 4

PHASE I AREA
(NOT INCLUDED)

SCALE IN FEET
200 0 100 200













LEGEND

- = EXISTING HARD SURFACE
- = EXISTING SOFT SURFACE
- EL. = ELEVATION
- EX. = EXISTING
- FL. = FLOW ELEVATION
- GB. = GRADE BRAKE
- INV. = INVERT ELEVATION
- MES. = MITERED END SECTION
- NG. = NATURAL GROUND
- RCP. = ROUND CONCRETE PIPE
- STR. = STORM STRUCTURE
- TOB. = TOP OF BANK
- XCL. = EXISTING CENTER LINE
- XEC. = EXISTING EDGE OF CONCRETE
- XEP. = EXISTING EDGE OF PAVEMENT
- = BLOW OFF
- = STORM INLET
- = STORM MANHOLE
- = SANITARY MANHOLE
- = CLEAN OUT
- = VALVE BOX
- = WATER RISER/HOSE BIBB
- = FIRE HYDRANT
- = WELL
- = METER
- = FIRE DEPT. CONNECTION
- = PEDESTRIAN CROSSING
- = PARKING METER
- = TRAFFIC CONTROL BOX
- = IRRIGATION CONTROL BOX
- = SPRINKLER HEAD
- = MONITOR WELL
- = MAIL BOX
- = METER POLE
- = YARD DRAIN
- = MITERED END
- = FLOOD LIGHT
- = SIGN
- = TELEVISION CABLE RISER
- = TELEPHONE RISER/METER
- = TELEPHONE MANHOLE
- = GAS RISER/METER
- = ELECTRICAL PANEL
- = ELECTRIC MANHOLE
- = ELECTRICAL HAND HOLE
- = ELECTRICAL TRANSFORMER PAD
- = ELECTRIC RISER
- = LIGHT POST
- = TRAFFIC LIGHT POLE
- = UTILITY POLE
- = CONCRETE UTILITY POLE
- = GUY ANCHOR

- - - - - = PROJECT BOUNDARY
- . - . - = OVERHEAD UTILITY LINES
- - - - - = DITCH TOP OF BANK (EXISTING)
- - - - - = DITCH TOE OF BANK (EXISTING)
- - - - - = LIMIT OF CONSTRUCTION
- - - - - = CENTERLINE OF SWALE
- - - - - = CENTERLINE OF INVERTED CROWN
- - - - - = GRADE CONTOUR
- - - - - = PROJECT BOUNDARY
- 0.0 = ELEVATION
- ▶ = GRADE SLOPE
- ▨ = 12' WIDE TRAIL BRIDGE

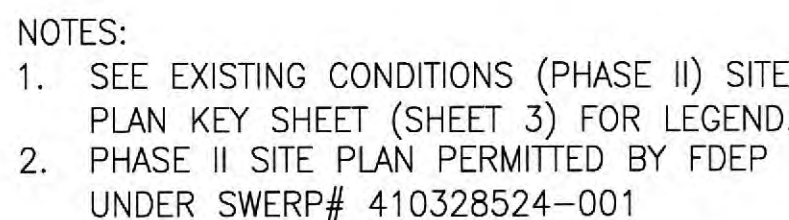
STATE OF FLORIDA
RICHARD QUINCE-SELLERS
No. 49374
Professional Engineer


0.0.30	=	EXISTING HARD SURFACE
	=	EXISTING SOFT SURFACE
EL.	=	ELEVATION
EX.	=	EXISTING
FL.	=	FLOW ELEVATION
GB	=	GRADE BRAKE
INV	=	INVERT ELEVATION
MES	=	MITERED END SECTION
NG	=	NATURAL GROUND
RCP	=	ROUND CONCRETE PIPE
STR	=	STORM STRUCTURE
TOB	=	TOP OF BANK
XCL	=	EXISTING CENTER LINE
XEC	=	EXISTING EDGE OF CONCRETE
XEP	=	EXISTING EDGE OF PAVEMENT
	=	BLOW OFF
	=	STORM INLET
	=	STORM MANHOLE
	=	SANITARY MANHOLE
	=	CLEAN OUT
	=	VALVE BOX
	=	WATER RISER/HOSE BIBB
	=	FIRE HYDRANT
	=	WELL
	=	METER
	=	FIRE DEPT. CONNECTION
	=	PEDESTRIAN CROSSING
	=	PARKING METER
	=	TRAFFIC CONTROL BOX
	=	IRRIGATION CONTROL BOX
	=	SPRINKLER HEAD
	=	MONITOR WELL
	=	MAIL BOX
	=	METER POLE
	=	YARD DRAIN
	=	MITERED END
	=	FLOOD LIGHT
	=	SIGN
	=	TELEPHONE CABLE RISER
	=	TELEPHONE RISER/METER
	=	TELEPHONE MANHOLE
	=	GAS RISER/METER
	=	ELECTRICAL PANEL
	=	ELECTRIC MANHOLE
	=	ELECTRICAL HAND HOLE
	=	ELECTRICAL TRANSFORMER PAD
	=	ELECTRIC RISER
	=	LIGHT POST
	=	TRAFFIC LIGHT POLE
	=	UTILITY POLE
	=	CONCRETE UTILITY POLE
	=	GUY ANCHOR

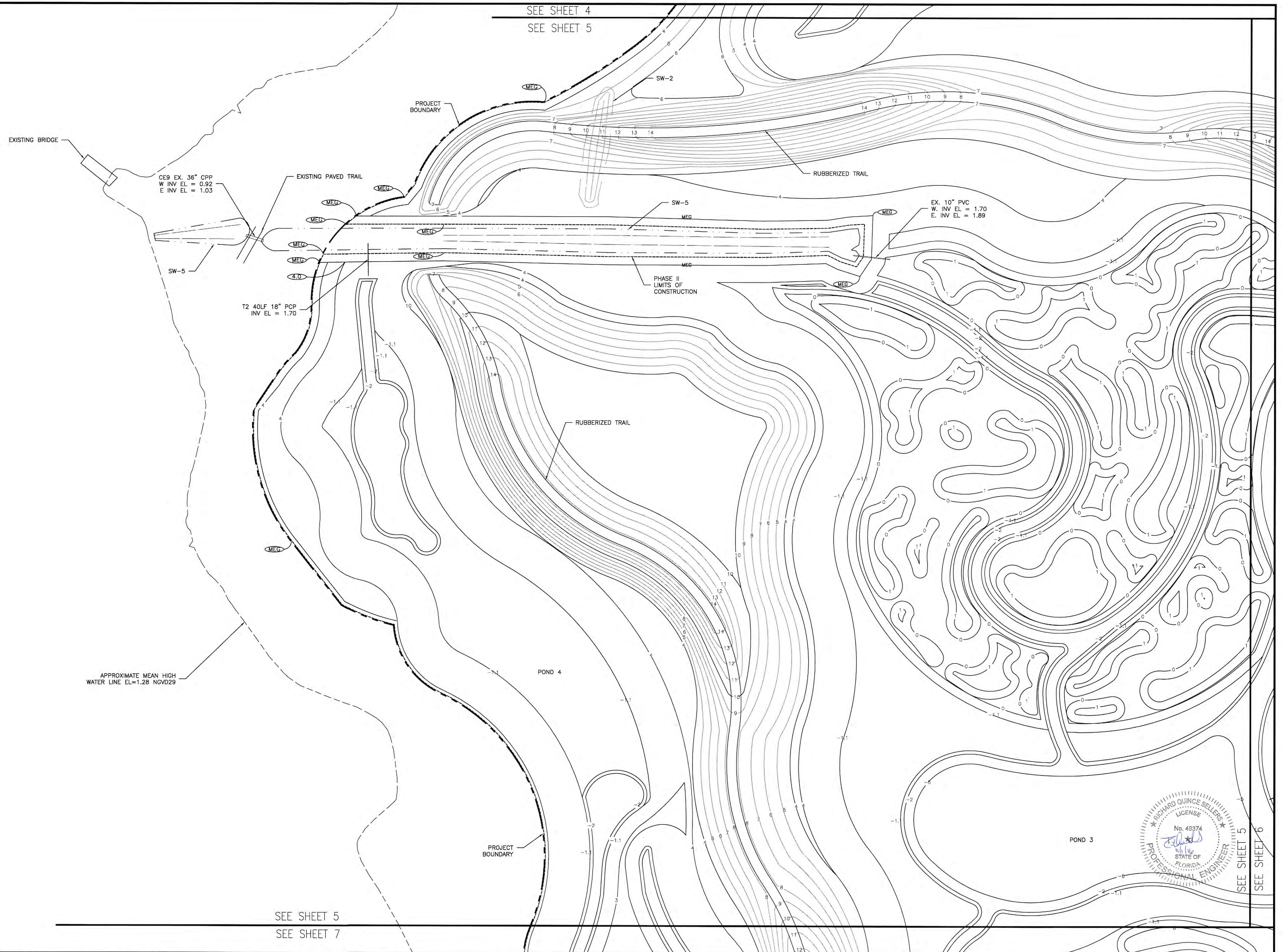
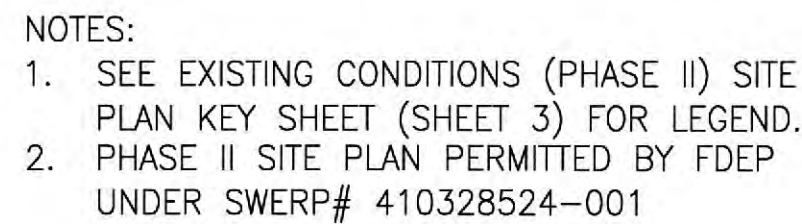
	=	PROJECT BOUNDARY
	=	OVERHEAD UTILITY LINES
	=	DITCH TOP OF BANK (EXISTING)
	=	DITCH TOE OF BANK (EXISTING)
	=	LIMIT OF CONSTRUCTION
	=	CENTERLINE OF SWALE
	=	CENTERLINE OF INVERTED CROWN
	=	GRADE CONTOUR
	=	PROJECT BOUNDARY
	=	ELEVATION
	=	GRADE SLOPE
	=	12' WIDE TRAIL BRIDGE




						ACTIVITY		INITIALS/EMP. NO.		DATE		<div><div><div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div></div><div></div></div><div><div></div><div></div></div></div><div><div></div><div></div></div><div><div></div><div></div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> <div><div></div><div></div></div> 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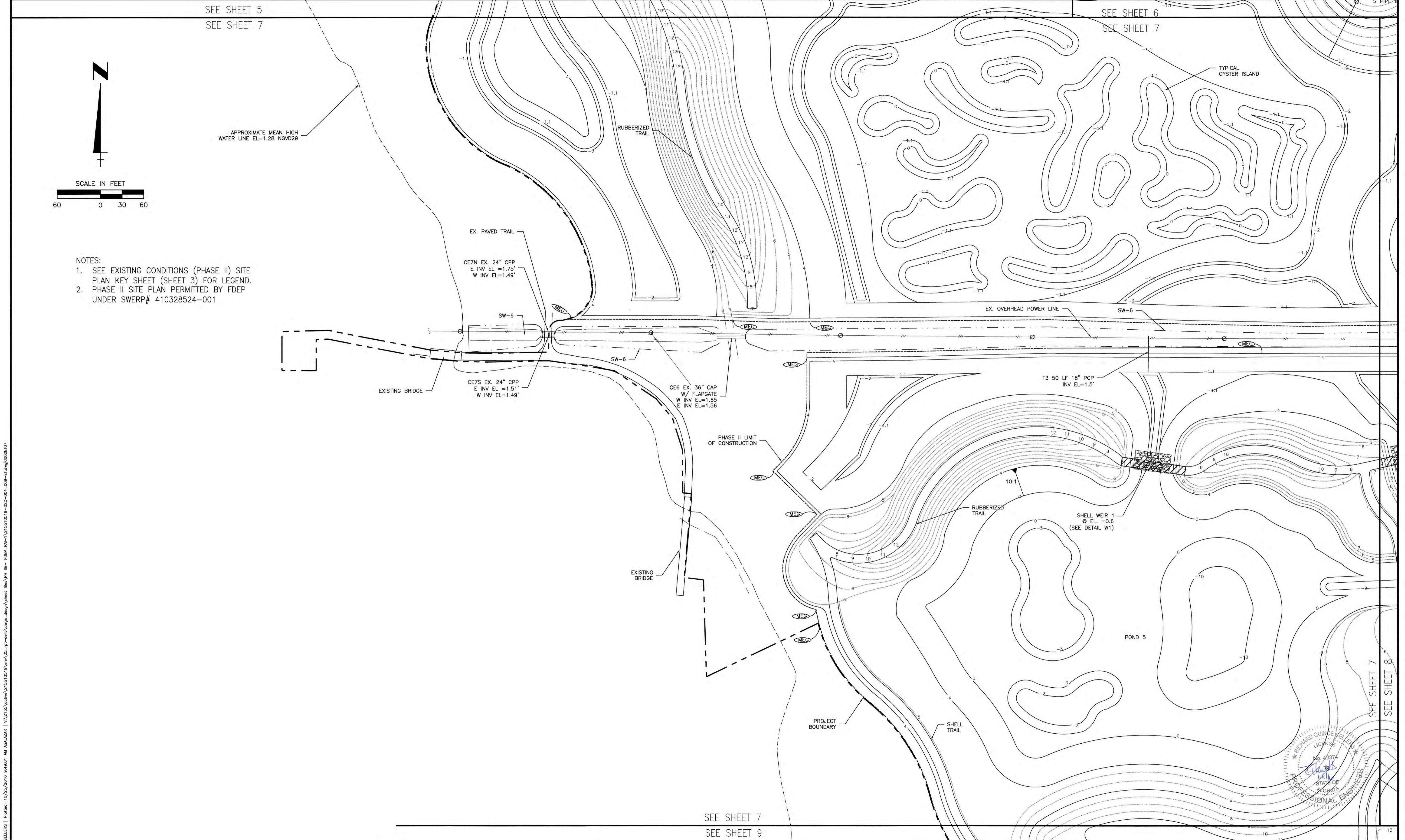


				ACTIVITY		INITIALS/EMP. NO.		DATE		<div><div></div><div><div>Stantec</div><div>6900 Professional Parkway East, Sarasota, FL 34240-8414</div><div>Phone: 941-907-6900 • Fax: 941-907-6910</div><div>Certificate of Authorization #27019 • www.stantec.com</div></div><div><div>The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing. Any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.</div></div></div>										CLIENT:		MANATEE BOARD OF COUNTY COMISSIONERS				DATE: MARCH 2016		TITLE: EXISTING CONDITIONS (PHASE II) SITE PLAN				R. QUINCE SELLERS, P.E. FLORIDA LICENSE NO. 49374			
				DESIGNED BY:		RQS/89561		03/2016												HORIZONTAL SCALE:				INDEX NUMBER:											
				DRAWN BY:		AS/102871		03/2016												VERTICAL SCALE:															
				CHECKED BY:																PROJECT:				ROBINSON PRESERVE EXPANSION PHASE IIB RESTORATION				SECTION: TWP: RGE: 26 34S 16E		CROSS REFERENCE FILE NO.:		PROJECT NUMBER: 215510519		SHEET NUMBER: 4 OF 32	
1 REVISE PHASE IIB PROJECT BOUNDARY				SEP/16		AS/102871		RQS/89561		CONTRACT ADMIN. BY:																									
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ACTIVITY	INITIALS/EMP. NO.	DATE
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CHECKED BY:		
CONTRACT ADMIN. BY:		
WM APPROVED BY:		



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PROJECT:	ROBINSON PRESERVE EXPANSION PHASE IIB RESTORATION	HORIZONTAL SCALE:		VERTICAL SCALE:		INDEX NUMBER:
		SEC. TWP. RGE:	23 34S 16E	CROSS REFERENCE FILE NO.:		SHEET NUMBER:
				PROJECT NUMBER:	215510519	7 OF 32