

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
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Permit No. 36-04314-P
Application No. 001027-4

October 18, 2002

STATE ROAD 80 LLC
(VERANDAH)
3451 BONITA BAY BOULEVARD SW SUITE 202
BONITA SPRINGS, FL 34134-4395

Dear Permittee:

Enclosed is your Permit as authorized by the Governing Board of the South Florida Water Management District at its meeting on October 10, 2002.

Special Conditions to your Permit require reports to be filed with this District. Please read these Conditions and use the enclosed form(s), as applicable, for your submittal of these required reports.

It is requested that you read your Permit thoroughly and understand its contents and conditions. If you have any questions, please do not hesitate to contact this office.

Sincerely,

Jennifer Krumlauf
Deputy Clerk
Environmental Resource Regulation Department

Enclosures

RECEIVED

OCT 25 2002

BONITA BAY
PROPERTIES, INC.
EXECUTIVE OFFICE

GOVERNING BOARD

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**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
 ENVIRONMENTAL RESOURCE PERMIT NO. 36-04314-P
 DATE ISSUED: OCTOBER 10, 2002**

FORM 80145
 Rev. 06/95

PERMITTEE: STATE ROAD 80 LLC
 (VERANDAH)
 3451 BONITA BAY BOULEVARD SW, SUITE 202
 BONITA SPRINGS, FL 34134-4395

PROJECT DESCRIPTION: AN ENVIRONMENTAL RESOURCE PERMIT TO AUTHORIZE CONCEPTUAL APPROVAL OF A 1455.4 ACRE MIXED RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITH GOLF COURSES, CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE 618.8 ACRES OF THE DEVELOPMENT AND CONSENT OF L AUTHORIZATION FOR THE CONSTRUCTION OF 29 OBSERVATION PIERS OVER THE ORANGE RIVER. THE SYST DISCHARGES TO THE ORANGE RIVER.

PROJECT LOCATION: LEE COUNTY, SECTION 25,26 TWP 43S RGE 25E
 SECTION 28-33 TWP 43S RGE 26E

PERMIT DURATION: See Special Condition No:1. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit is issued pursuant to Application No. 001027-4, dated October 17, 2000. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes (F.S.), and the Operating Agreement Concerning Regulation Under Part Chapter 373 F.S., between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 40. Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsection 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit may be transferred pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.351(1), (2), and (4), F.A.C.

This Permit shall be subject to the General Conditions set forth in Rule 40E-4.381, F.A.C., unless waived or modified by Governing Board. The Application, and the Environmental Resource Permit Staff Review Summary of the Application, include all conditions, and all plans and specifications incorporated by reference, are a part of this Permit. All activities authorized by this Permit shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. 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, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

- SEE PAGES 2 - 12 OF 16 (31 SPECIAL CONDITIONS).
- SEE PAGES 13 - 15 OF 16 (19 GENERAL CONDITIONS).
- SEE PAGES 16 - 16 OF 16 (12 CONSENT OF USE CONDITIONS).

FILED WITH THE CLERK OF THE SOUTH
 FLORIDA WATER MANAGEMENT DISTRICT

SOUTH FLORIDA WATER MANAGEMENT
 DISTRICT, BY ITS GOVERNING BOARD

ON 16-Oct-2002

BY Jennifer Krumlauf
 DEPUTY CLERK



By [Signature]
 ASSISTANT SECRETARY

SPECIAL CONDITIONS

1. The conceptual phase of this permit shall expire on October 10, 2004.
The construction phase of this permit shall expire on October 10, 2007.
2. Operation of the surface water management system shall be the responsibility VERANDAH COMMUNITY ASSOCIATION, INC. The permittee shall submit a copy of recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association concurrent with the engineering certification of construction completion.

3. Discharge Facilities:

Basin: A/CM, Structure: CS-A3A

1-6" W X 12" H RECTANGULAR ORIFICE with invert at elev. 4.9' NGVD.
314 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin B

Control elev : 4.9 feet NGVD. /4.9 FEET NGVD DRY SEASON.

Basin: A/CM, Structure: CS-A3B

1-15" W X 12" H RECTANGULAR ORIFICE with invert at elev. 4.9' NGVD.
540 LF of 30" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin B

Control elev : 4.9 feet NGVD. /4.9 FEET NGVD DRY SEASON.

Basin: A/CM, Structure: CS-A8

1-15" W X 12" H RECTANGULAR ORIFICE with invert at elev. 4.9' NGVD.

Receiving body : Basin E1A (Flowway)

Control elev : 4.9 feet NGVD. /4.9 FEET NGVD DRY SEASON.

Basin: B, Structure: CS-B

1-4" W X 4" H RECTANGULAR ORIFICE with invert at elev. 4' NGVD.

Receiving body : Orange River

Control elev : 4 feet NGVD. /4 FEET NGVD DRY SEASON.

Basin: B, Structure: CS-B

1-48" W X 1.6' H BROAD CRESTED weir with crest at elev. 4.8' NGVD.
400 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Orange River

Control elev : 4 feet NGVD. /4 FEET NGVD DRY SEASON.

Basin: E1

1-24" W X 1.6' H BROAD CRESTED weir with crest at elev. 5' NGVD.
1-4" W X 4" H RECTANGULAR ORIFICE with invert at elev. 4' NGVD.

Receiving body : E1A and E1B (Flowway)

Control elev : 4 feet NGVD. /4 FEET NGVD DRY SEASON.

Basin: E2

1-' W X ' H DROP INLET weir with crest at elev. 5.1' NGVD.
1-5" W X 5" H RECTANGULAR ORIFICE with invert at elev. 4.7' NGVD.
1036 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin E1

Control elev : 4.7 feet NGVD. /4.7 FEET NGVD DRY SEASON.

Basin: F, Structure: CS-F

1-3" W X 7.2" H RECTANGULAR NOTCH with invert at elev. 3.5' NGVD.

Receiving body : Orange River

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: F, Structure: CS-F

1-12" W X 2.2' H RECTANGULAR NOTCH weir with crest at elev. 4.1' NGVD.
420 LF of 30" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Orange River

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: F1, Structure: CS-F1

1-4.8" W X 10.8" H RECTANGULAR NOTCH with invert at elev. 3.5' NGVD.

Receiving body : Orange River

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: F1, Structure: CS-F1

1-28.8" W X 2.4" H RECTANGULAR NOTCH weir with crest at elev. 4.4' NGVD.
91 LF of 42" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Orange River

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: G, Structure: CS-G1

1-12" W X 6" H RECTANGULAR ORIFICE with invert at elev. 6.5' NGVD.
211 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin A (subbasin A5)

Control elev : 6.5 feet NGVD. /6.5 FEET NGVD DRY SEASON.

Basin: G, Structure: CS-G2

1-3' dia. CIRCULAR ORIFICE with invert at elev. 6.5' NGVD.
30 LF of 18" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Wetland

Control elev : 6.5 feet NGVD. /6.5 FEET NGVD DRY SEASON.

Basin: H, Structure: CS-H1

1-18" W X 8" H RECTANGULAR ORIFICE with invert at elev. 5.8' NGVD.
250 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin A (subbasin A8)

Control elev : 5.8 feet NGVD. /5.8 FEET NGVD DRY SEASON.

Basin: H, Structure: CS-H14

1-6" W X 6" H RECTANGULAR ORIFICE with invert at elev. 5.8' NGVD.
110 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin L

Control elev : 5.8 feet NGVD. /5.8 FEET NGVD DRY SEASON.

Basin: H, Structure: CS-H8

1-15" W X 8" H RECTANGULAR ORIFICE with invert at elev. 5.8' NGVD.
156 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin E2

Control elev : 5.8 feet NGVD. /5.8 FEET NGVD DRY SEASON.

Basin: K (Irrigation lake)

1-' W X ' H DROP INLET weir with crest at elev. 9.5' NGVD.
425 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin H (subbasin H5)

Control elev : 6.8 feet NGVD. /6.8 FEET NGVD DRY SEASON.

Basin: L/N

1-12" W X 4.8" H RECTANGULAR NOTCH with invert at elev. 6' NGVD.
980 LF of 30" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin E2

Control elev : 6 feet NGVD. /6 FEET NGVD DRY SEASON.

Basin: M Conceptual, Structure: CS-M

1-3' dia. CIRCULAR ORIFICE with invert at elev. 3.5' NGVD.

Receiving body : Basin F1

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: M Conceptual, Structure: CS-M

1-' W X ' H DROP INLET weir with crest at elev. 4.8' NGVD.
217 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin F1

Control elev : 3.5 feet NGVD. /3.5 FEET NGVD DRY SEASON.

Basin: O Conceptual, Structure: CS-O

1-6" W X 7.2" H RECTANGULAR NOTCH with invert at elev. 6.5' NGVD.

Receiving body : Basin L

Control elev : 6.5 feet NGVD. /6.5 FEET NGVD DRY SEASON.

Basin: O Conceptual, Structure: CS-O

1-10" W X 1.6' H RECTANGULAR NOTCH weir with crest at elev. 7.1' NGVD.
400 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin L

Control elev : 6.5 feet NGVD. /6.5 FEET NGVD DRY SEASON.

Basin: P Conceptual, Structure: CS-P1

1-24" W X 18" H RECTANGULAR ORIFICE with invert at elev. 5' NGVD.
600 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Orange River

Control elev : 5 feet NGVD. /5 FEET NGVD DRY SEASON.

Basin: P Conceptual, Structure: CS-P4

1-24" W X 12" H RECTANGULAR ORIFICE with invert at elev. 5' NGVD.
700 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Orange River

Control elev : 5 feet NGVD. /5 FEET NGVD DRY SEASON.

Basin: P Conceptual, Structure: CS-P5 const

1-6" W X 6" H RECTANGULAR ORIFICE with invert at elev. 5' NGVD.
378 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin F1

Control elev : 5 feet NGVD. /5 FEET NGVD DRY SEASON.

Basin: Q Conceptual, Structure: CS-Q1A

1-6" W X 6" H RECTANGULAR ORIFICE with invert at elev. 7.4' NGVD.
50 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin L

Control elev : 7.4 feet NGVD. /7.4 FEET NGVD DRY SEASON.

Basin: Q Conceptual, Structure: CS-Q1C

1-6" W X 6" H RECTANGULAR ORIFICE with invert at elev. 7.4' NGVD.
100 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin O

Control elev : 7.4 feet NGVD. /7.4 FEET NGVD DRY SEASON.

Basin: Q Conceptual, Structure: CS-Q4

1-12" W X 12" H RECTANGULAR ORIFICE with invert at elev. 7.4' NGVD.
400 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin O

Control elev : 7.4 feet NGVD. /7.4 FEET NGVD DRY SEASON.

Basin: R Conceptual, Structure: CS-RA

1-15" W X 15" H RECTANGULAR ORIFICE with invert at elev. 9.3' NGVD.
250 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin S (subbasin S5)

Control elev : 9.3 feet NGVD. /9.3 FEET NGVD DRY SEASON.

Basin: R Conceptual, Structure: CS-RB

1-18" W X 10" H RECTANGULAR ORIFICE with invert at elev. 9.3' NGVD.
500 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin S (subbasin S1)

Control elev : 9.3 feet NGVD. /9.3 FEET NGVD DRY SEASON.

Basin: S Conceptual, Structure: CS-S1

1-10" W X 15" H RECTANGULAR ORIFICE with invert at elev. 8' NGVD.
100 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin Q (subbasin Q4)

Control elev : 8 feet NGVD. /8 FEET NGVD DRY SEASON.

Basin: S Conceptual, Structure: CS-S2

1-24" W X 15" H RECTANGULAR ORIFICE with invert at elev. 8' NGVD.
150 LF of 30" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin T (subbasin T2)

Control elev : 8 feet NGVD. /8 FEET NGVD DRY SEASON.

Basin: T Conceptual

1-36" W X 15" H RECTANGULAR ORIFICE with invert at elev. 6.8' NGVD.
1200 LF of 42" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin P (subbasin P1)

Control elev : 6.8 feet NGVD. /6.8 FEET NGVD DRY SEASON.

Basin: U Conceptual

1-30" W X 12" H RECTANGULAR ORIFICE with invert at elev. 10.5' NGVD.
700 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin R (subbasin R1A)

Control elev : 10.5 feet NGVD. /10.5 FEET NGVD DRY SEASON.

Basin: W Conceptual

1-24" W X 12" H RECTANGULAR ORIFICE with invert at elev. 9.2' NGVD.
150 LF of 36" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin T (subbasin T2)

Control elev : 9.2 feet NGVD. /9.2 FEET NGVD DRY SEASON.

Basin: X Conceptual

1-6" W X 6" H RECTANGULAR ORIFICE with invert at elev. 8' NGVD.

Receiving body : Orange River via wetlands

Control elev : 8 feet NGVD. /8 FEET NGVD DRY SEASON.

Basin: Y Conceptual

1-3' dia. CIRCULAR ORIFICE with invert at elev. 8' NGVD.

Receiving body : Orange River via wetlands

Control elev : 8 feet NGVD. /8 FEET NGVD DRY SEASON.

Basin: Z Conceptual

1-36" W X 12" H RECTANGULAR ORIFICE with invert at elev. 11.5' NGVD.
150 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin U (subbasin U6)

Control elev : 11.5 feet NGVD. /11.5 FEET NGVD DRY SEASON.

Basin: AA Conceptual

1-9" W X 12" H RECTANGULAR ORIFICE with invert at elev. 10.3' NGVD.
400 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin R (subbasin R1A)

Control elev : 10.3 feet NGVD. /10.3 FEET NGVD DRY SEASON.

Basin: BB Conceptual

1-12" W X 12" H RECTANGULAR ORIFICE with invert at elev. 9.5' NGVD.
400 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin W (subbasin W2)

Control elev : 9.5 feet NGVD. /9.5 FEET NGVD DRY SEASON.

Basin: Offsite1 Conceptual, Structure: CS-OS1-H5 (const)

1-' W X ' H DROP INLET weir with crest at elev. 7.5' NGVD.

Receiving body : Basin H (subbasin H5)

Basin: Offsite1 Conceptual, Structure: CS-OS1-Q2 (concep)

1- ' W X ' H DROP INLET weir with crest at elev. 7.5' NGVD.

Receiving body : Basin Q (subbasin Q2)

Basin: Offsite2 Conceptual

20 LF of 24" dia. REINFORCED CONCRETE PIPE culvert.

Receiving body : Basin W (subbasin W4)

4. The permittee shall be responsible for the correction of any erosion, shoaling, water quality problems that result from the construction or operation of the sub water management system.
5. Measures shall be taken during construction to insure that sedimentation and turbidity violations do not occur in the receiving water.
6. The permittee shall be responsible for the successful completion of the mitigation work, including the monitoring and maintenance of the mitigation areas for duration of the plan. The mitigation area shall not be turned over to operation entity until the mitigation work is accomplished as permitted and District Environmental Resource Compliance staff has concurred.
7. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
8. A mitigation program for the onsite and offsite preservation areas shall be implemented in accordance with Exhibit Nos. 47-51, 52A-52K and 53A-53G. The permittee shall enhance and preserve 125.82 acres of onsite wetlands, 215.07 acres of offsite wetlands, 51.45 acres of onsite uplands and 88.54 acres of offsite uplands.
9. A monitoring program shall be implemented in accordance with Exhibit No. 47-51, 52K and 53A-53G, for the onsite and offsite mitigation areas. The monitoring program shall extend for a period of 5 years with annual reports submitted to District staff. At the end of the first monitoring period the mitigation area shall contain an 80% survival of planted vegetation. The 80% survival rate shall be maintained throughout the remainder of the monitoring program, with replanting as necessary. If native wetland, transitional, and upland species do not achieve a 50% coverage within the initial two years of the monitoring program, native species shall be planted in accordance with the maintenance program. At the end of the 5 year monitoring program the entire mitigation area shall contain an 80% survival of planted vegetation and an 80% coverage of desirable obligate and facultative wetland species.
10. A maintenance program shall be implemented in accordance with Exhibit No. 47-51, 52A-52K and 53A-53G, for the onsite and offsite preserved/enhanced wetland/upland areas. Maintenance shall be conducted on a regular basis to ensure the integrity and viability of those areas as permitted. Maintenance shall be conducted in perpetuity to ensure that the conservation areas are maintained free from Category 1 exotic vegetation (as defined by the Florida Exotic Pest Plant Council at the time of permit issuance) immediately following maintenance activity. Coverage of exotic and nuisance plant species shall not exceed 5% of total cover between maintenance activities. In addition, the permittee shall manage the conservation areas such that exotic/nuisance plant species do not dominate any one section of those areas.
11. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, as shown on the plans.

12. The permittee shall instruct all personnel associated with the project of potential presence of manatees and the need to avoid collision with manatees. construction personnel are responsible for observing water-related activities the presence of manatee(s).

The permittee shall advise all construction personnel that there are civil criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973 and the Florida Manatee Sanctuary Act.

Siltation barriers shall be made of material in which manatees cannot be entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where draft of the vessel provides less than four-foot clearance from the bottom. construction vessels shall follow routes of deep water whenever possible.

If manatees or sea turtles are seen within 100 yards of the active dredging construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee or sea turtle. The precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee or sea turtle. Operation of any equipment closer than 50 feet of a manatee or sea turtle shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee or sea turtle has departed the project area of its own volition.

Any collision with and/or injury to a manatee shall be reported immediately to Florida Marine Patrol at 1-800-dial-fmp (1-800-342 5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Vero Beach (1-407-562-3909).

Temporary signs concerning manatees shall be posted prior to and during construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least three (3) feet by four (4) feet which reads "Caution: Manatee Area" will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches and should read "Caution: Manatee Habitat". Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of operation. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-dial-fmp (1-800-342-5367). U.S. Fish and Wildlife Service should also be contacted in Vero Beach (1-561-53909)."

13. Permanent physical markers designating the preserve status of the wetland preservation areas and buffer zones shall be placed as shown on the plans. markers shall be maintained in perpetuity.
14. The successful completion of the mitigation plan is heavily dependent on proper grading. Therefore, prior to demobilizing equipment from the site and prior to planting, the permittee shall schedule an inspection by District Environmental Resource Compliance staff to ensure that appropriate elevations and slopes have been achieved.
15. Prior to the commencement of construction, the perimeter of the wetland and upland preservation areas shall be fenced to prevent encroachment into the protected areas. The permittee shall notify the District's Environmental Resource Compliance staff in writing upon completion of fencing and schedule an inspection of this work. The fencing shall be subject to District staff approval. The permittee shall modify the

fencing if District staff determines that it is insufficient or is not conformance with the intent of this permit. Fencing shall remain in place until adjacent construction activities are complete.

16. The observation pier and walkway pilings shall be constructed of plastic, concrete or greenheart, non-CCA treated wood or wood wrapped in 30 to 60 mil pvc.
17. Any docking facility proposed in the future shall require approval by the District through a modification to the existing Environmental Resource Permit. The permittee is hereby notified that due to very shallow water depths at the site, and based on current District environmental permitting criteria, any proposed docking facility may only be permitted in limited scope or may not be permissible. The permittee is also advised to notify potential unit owners that purchase of a unit does not guarantee that any onsite docking facilities will be available in the future.
18. Endangered species, threatened species and/or species of special concern have been observed onsite and/or the project contains suitable habitat for these species. It shall be the permittee's responsibility to coordinate with the Florida Fish and Wildlife Conservation Commission and/or the U.S. Fish and Wildlife Service for appropriate guidance, recommendations and/or necessary permits to avoid impact on listed species.
19. No later than January 10, 2003, the permittee shall provide to the District fully executed and recorded Conservation Easement documents depicted in Exhibits 54A-54F and 56A-56G, to this staff report.
20. Facilities other than those stated herein shall not be constructed without approved modification of this permit.
21. A stable, permanent and accessible elevation reference shall be established on site within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
22. The permittee shall provide routine maintenance of all of the components of the surface water management system in order to remove all trapped sediments/debris. All materials shall be properly disposed of as required by law. Failure to properly maintain the system may result in adverse flooding conditions.
23. Minimum building floor elevation:

BASIN: A/CM -	8.30 feet NGVD.
BASIN: B -	8.00 feet NGVD.
BASIN: F -	9.00 feet NGVD.
BASIN: F1 -	9.00 feet NGVD.
BASIN: G -	9.60 feet NGVD.
BASIN: H -	9.50 feet NGVD.
BASIN: M Conceptual -	10.00 feet NGVD.
BASIN: O Conceptual -	10.00 feet NGVD.
BASIN: P Conceptual -	10.00 feet NGVD.
BASIN: Q Conceptual -	10.00 feet NGVD.
BASIN: R Conceptual -	11.40 feet NGVD.
BASIN: S Conceptual -	11.00 feet NGVD.
BASIN: T Conceptual -	10.10 feet NGVD.
BASIN: U Conceptual -	13.00 feet NGVD.
BASIN: W Conceptual -	12.20 feet NGVD.
BASIN: X Conceptual -	12.10 feet NGVD.
BASIN: Y Conceptual -	12.10 feet NGVD.
BASIN: Z Conceptual -	13.40 feet NGVD.
BASIN: AA Conceptual -	12.50 feet NGVD.
BASIN: BB Conceptual -	12.60 feet NGVD.
24. Minimum road crown elevation:

Basin: A/CM -	6.30 feet NGVD.
Basin: B -	5.60 feet NGVD.

Basin: F - 5.50 feet NGVD.
 Basin: F1 - 5.50 feet NGVD.
 Basin: G - 7.60 feet NGVD.
 Basin: H - 7.30 feet NGVD.
 Basin: M Conceptual - 5.50 feet NGVD.
 Basin: O Conceptual - 7.80 feet NGVD.
 Basin: P Conceptual - 6.50 feet NGVD.
 Basin: Q Conceptual - 8.30 feet NGVD.
 Basin: R Conceptual - 10.10 feet NGVD.
 Basin: S Conceptual - 9.20 feet NGVD.
 Basin: T Conceptual - 8.20 feet NGVD.
 Basin: U Conceptual - 11.50 feet NGVD.
 Basin: W Conceptual - 10.40 feet NGVD.
 Basin: X Conceptual - 9.60 feet NGVD.
 Basin: Y Conceptual - 9.70 feet NGVD.
 Basin: Z Conceptual - 12.30 feet NGVD.
 Basin: AA Conceptual - 11.20 feet NGVD.
 Basin: BB Conceptual - 10.70 feet NGVD.

25. Minimum parking lot elevation: Basin: A/CM - 6.30 feet NGVD.
 Basin: B - 5.60 feet NGVD.
 Basin: F - 5.50 feet NGVD.
 Basin: F1 - 5.50 feet NGVD.
 Basin: G - 7.60 feet NGVD.
 Basin: H - 7.30 feet NGVD.
 Basin: M Conceptual - 5.50 feet NGVD.
 Basin: O Conceptual - 7.80 feet NGVD.
 Basin: P Conceptual - 6.50 feet NGVD.
 Basin: Q Conceptual - 8.30 feet NGVD.
 Basin: R Conceptual - 10.10 feet NGVD.
 Basin: S Conceptual - 9.20 feet NGVD.
 Basin: T Conceptual - 8.20 feet NGVD.
 Basin: U Conceptual - 11.50 feet NGVD.
 Basin: W Conceptual - 10.40 feet NGVD.
 Basin: X Conceptual - 9.60 feet NGVD.
 Basin: Y Conceptual - 9.70 feet NGVD.
 Basin: Z Conceptual - 12.30 feet NGVD.
 Basin: AA Conceptual - 11.20 feet NGVD.
 Basin: BB Conceptual - 10.70 feet NGVD.
26. The commercial parcel in Basin A/CM shall provide a minimum 1/2" of dry storage treatment storage of the stormwater run-off prior to discharging into the mass surface water management system. The parcel is limited to 80% impervious surface.
27. Prior to any filling within the historic storage areas on the site, the appropriate compensating storage must be provided and available.
28. Activities associated with the implementation of the mitigation, monitoring and maintenance plan(s) shall be completed in accordance with the work schedule attached as Exhibit No. 57. Any deviation from these time frames will require prior approval from the District's Environmental Resource Compliance staff. Such requests must be made in writing and shall include (1) reason for the change, (2) proposed start/finish and/or completion dates; and (3) progress report on the status of project development or mitigation effort.
29. Prior to any changes to the grading or improvements with the FP&L easement performed by the permittee or FP&L, a permit modification shall be obtained which shows that proposed work will not adversely affect the conveyance of off-site flow through the easement.
30. Prior to the continuation of agricultural operations on the site, a construction

and operation permit shall be obtained which includes the construction of drain structures, reservoirs, berms and other surface water management facilities.

31. A permit modification shall be obtained for any improvements proposed by Riverdale High School and this shall be addressed in any formal lease agreement between the permittee and the school.

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in plans, specifications and performance criteria as approved by this permit. Deviation from the permitted activity and the conditions for undertaking any activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
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. A complete permit shall be available for review at the work site upon request of District 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 which 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 the start of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into a 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. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Stormwater Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. 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. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. 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 supplied Environmental Resource Permit Construction Completion/Certification Form Number 0881. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "As-built" or "Record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with permitted plans and specifications; and the entity approved by the District in

- accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.
8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system shall be completed in accordance with the permitted plans and permit conditions prior to the transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
 9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, prior to lot or units sales or prior to completion of the system, whichever comes first. Other documents concerning establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
 10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
 11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. 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 this permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
 12. The permittee is hereby advised that Section 253.77, F.S. states that a person shall not commence any excavation, construction, or 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 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.
 13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(4), F.A.C., also known as the "No Notice" Rule.
 14. The permittee shall hold and save the District harmless from any and all damage, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by this permit.
 15. Any delineation of the extent of a wetland or other surface water submitted as part

the permit application, including plans or other supporting documentation, shall be considered binding, unless a specific condition of this permit or a final determination under Section 373.421(2), F.S., provides otherwise.

16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previous submitted information that is later discovered to be inaccurate.

CONSENT OF USE CONDITIONS

1. No activities other than those set forth in Application No. 001027-4 and in the permit are authorized. Any additional activities on state-owned sovereignty submerged lands must receive further consent from the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (hereinafter the "Board") or the properly designated agent.
2. Grantee agrees that all title and interest to all lands lying below the historical mean high water line or ordinary high water line are vested in the Board, and shall make no claim of title or interest in said lands by reason of the occupancy or use thereof.
3. Grantee agrees to use or occupy the subject premises for those purposes specified herein, and grantee shall not permit the premises or any part thereof to be used for any other purpose or knowingly permit or suffer any nuisances or illegal operations of any kind of the premises.
4. Grantee agrees to maintain the premises in good condition in the interest of public health, safety and welfare. The premises are subject to inspection by the Board or its designated agent at any reasonable time.
5. Grantee agrees to indemnify, defend and hold harmless the Board and the State of Florida from all claims, actions, lawsuits and demands arising out of this consent.
6. No failure, or successive failures, on the part of the Board to enforce any provision herein, or waiver or successive waivers on the part of the Board of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Board to enforce the same in the event of subsequent breach.
7. Grantee binds itself and its successors and assigns to abide by the provisions, conditions and terms set forth herein. In the event grantee fails or refuses to comply with the provisions and conditions of this consent, the consent of use may be terminated by the Board after written notice to the grantee. Upon receipt of such notice, the grantee shall have thirty (30) days in which to correct the violation. Failure to correct the violation(s) within this period shall result in the automatic revocation of the consent of use.
8. All costs, including attorneys' fees, incurred by the Board in enforcing the terms and conditions of this consent shall be paid by the grantee. Grantee agrees to accept service by certified mail of any notice required by Chapter 18-14, Florida Administrative Code, at the address shown on page one of this permit and further agrees to notify the Board in writing of any change of address at least ten days before the change becomes effective.
9. Grantee agrees to assume responsibility for all liabilities that accrue to sovereignty submerged land or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are or may be hereafter lawfully assessed and levied against the property during the effective period of this consent.
10. Grantee agrees that any dispute arising from matters relating to this consent shall be governed by the laws of Florida and initiated only in Leon County, Florida.
11. The consent of use associated with these general consent conditions as well as the conditions themselves are subject to modification after 5 years in order to reflect any applicable changes in statutes, rule or policies of the Board or its designated agent.
12. In the event that any part of the structure(s) consented to herein is determined by final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent riparian rights, grantee agrees to either obtain written consent for the offending structure from the affected riparian owner or to remove the interference or encroachment within 60 days from the date of the adjudication. Failure to comply shall constitute a material breach of this consent and shall constitute grounds for its immediate termination.