



**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
STANDARD GENERAL PERMIT NO. 43-02437-P
DATE ISSUED: July 21, 2011**

Form #0941
08/95

PERMITTEE: MARTIN COUNTY BOARD OF COUNTY
COMMISSIONERS
2401 SE MONTEREY ROAD
STUART, FL 34996

PROJECT DESCRIPTION: Construction and operation of a surface water management system known as Danforth Creek Stormwater Quality Retrofit to serve an existing watershed.

PROJECT LOCATION: MARTIN COUNTY, SEC 23 TWP 38S RGE 40E

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

This is to notify you of the District's agency action concerning Notice of Intent for Permit Application No. 101217-2, dated December 17, 2010. This action is taken pursuant to Rule 40E-1.603 and Chapter 40E-40, Florida Administrative Code (F.A.C.).

Based on the information provided, District rules have been adhered to and an Environmental Resource General Permit is in effect for this project subject to:

1. Not receiving a filed request for a Chapter 120, Florida Statutes, administrative hearing.
2. the attached 19 General Conditions (See Pages : 2 - 4 of 6),
3. the attached 17 Special Conditions (See Pages : 5 - 6 of 6) and
4. the attached 2 Exhibit(s)

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the "Notice of Rights," we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on this 21st day of July, 2011, in accordance with Section 120.60(3), Florida Statutes.

BY: Anita R. Bain

Anita R. Bain

Bureau Chief - Environmental Resource Permitting

Palm Beach Service Center

Certified mail number N/A

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit 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. The complete permit shall be available for review at the work site upon request by 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 and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land 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 professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. 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 are 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" drawings. 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 the 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

GENERAL CONDITIONS

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 must be completed in accordance with the permitted plans and permit conditions prior to 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 other 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 the completion of the system, whichever comes first. Other documents concerning the 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 final 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 the 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 may 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 lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereign 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(3), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit

GENERAL CONDITIONS

application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.

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 the 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 40E-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 the 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 previously submitted information that is later discovered to be inaccurate.

SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on July 21, 2016.
2. Operation of the surface water management system shall be the responsibility of the permittee.
3. Discharge Facilities:

1-100' WIDE SHARP CRESTED weir with crest at elev. 16' NAVD 88.
1-6' W X 3' H RECTANGULAR NOTCH with invert at elev. 13' NAVD 88.

Receiving body : Danforth Creek
Control elev : 13 feet NAVD 88.
4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. 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.
7. 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, unless shown on the plans.
8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or 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.
10. 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.
11. This permit is issued based on the applicant's submitted information which reasonably demonstrates that adverse water resource related impacts will not be caused by the completed permit activity. Should any adverse impacts caused by the completed surface water management system occur, the District will require the permittee to provide appropriate mitigation to the District or other impacted party. The District will require the permittee to modify the surface water management system, if necessary, to eliminate the cause of the adverse impacts.
12. The permittee acknowledges that, pursuant to Rule 40E-4.101(2), F.A.C., a notice of Environmental Resource or Surface Water Management Permit may be recorded in the county public records. Pursuant to the specific language of the rule, this notice shall not be considered an encumbrance upon the property.
13. If 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, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as

SPECIAL CONDITIONS

the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

14. Prior to the commencement of construction, the permittee shall conduct a pre-construction meeting with field representatives, contractors and District staff. The purpose of the meeting will be to discuss construction methods and sequencing, including type and location of turbidity and erosion controls to be implemented during construction, mobilization and staging of contractor equipment, phasing of construction, methods of vegetation clearing, construction dewatering if required, ownership documentation for eminent domain authority, coordination with other entities on adjacent construction projects, wetland/buffer protection methods, endangered species protection with the permittee and contractors. The permittee shall contact District Environmental Resource Compliance staff from the Martin St. Lucie Service Center at (772) 223-2600 to schedule the pre-construction meeting.
15. This permit does not eliminate the need to obtain any and all necessary easements and rights of way prior to the start of any activity approved herein. This permit does not convey to the permittee, or create for the permittee, any property right, or any interest in real property; nor does it authorize any entrance upon, or activities on, property which is not owned or controlled by the permittee; or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
16. The authorization for construction of the surface water management system is issued pursuant to the water quality net improvement provisions referenced in Rule Section 40E-4.303(1), Florida Administrative Code; therefore, the state water quality certification is waived.

Water quality treatment provided by the project authorized under this permit application is for the use of the area defined in the application as a retrofit and cannot be applied to new development that may discharge to the project authorized under this permit application.

17. Silt screens, hay bales, turbidity screens/barriers or other such sediment control measures shall be utilized during construction. The selected sediment control measures shall be installed prior to the commencement of construction in or adjacent to wetlands and other surface waters in accordance with Exhibit No. 2.0 and shall remain in place until all adjacent construction is completed. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into wetlands and surface waters.

40E-4.321 Duration of Permits.

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C., is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. The effective date of the local government's comprehensive plan amendment,
2. The effective date of the local government development order,
3. The date on which the District issues the conceptual approval, or
4. The date on which the District issues a final order pertaining to the resolution of any Section 120.57, F.S., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, the construction phase authorizing construction, removal, alteration or abandonment of a system shall expire five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For an individual or standard general environmental resource permit, the operational phase of the permit is perpetual for operation and maintenance.

(e) For a noticed general permit issued pursuant to Chapter 40E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made by electronic mail at the District's e-Permitting website or in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. The Governing Board takes action on an application for extension of an individual permit, or

2. Staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to paragraph 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of the permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific Authority 373.044, 373.113, 668.003, 668.004, 668.50 FS. Law Implemented 373.413, 373.416, 373.419, 373.426, 668.003, 668.004, 668.50 FS. History--New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4-20-94, 10-3-95, 5-28-00, 10-1-06.

NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Fla. Stat.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions

The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. **Filings by e-mail will not be accepted.** Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. **Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office.** An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. 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 the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

Mediation

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

Last Date For Agency Action: August 6, 2011

GENERAL ENVIRONMENTAL RESOURCE PERMIT STAFF REPORT

Project Name: Danforth Creek Stormwater Quality Retrofit

Permit No.: 43-02437-P

Application No.: 101217-2 **Associated File:** 110125-1 WU Concurrent

Application Type: Environmental Resource (New General Permit)

Location: Martin County, S23/T38S/R40E

Permittee : Martin County Board Of County Commissioners

Operating Entity : Martin County Board Of County Commissioners

Project Area: 11.52 acres

Project Land Use: Other

Drainage Basin: BASIN 6

Receiving Body: DANFORTH CREEK

Class: CLASS III

Special Drainage District: NA

Conservation Easement To District : No

Sovereign Submerged Lands: No

PROJECT PURPOSE:

This application is a request for an Environmental Resource Permit to authorize construction and operation of a stormwater treatment area and surface water management system to serve a portion of the existing Danforth Creek Basin. Approval is granted with conditions.

PROJECT EVALUATION:**PROJECT SITE DESCRIPTION:**

The site of the proposed stormwater treatment area is located along Danforth Creek between SW Leighton Ave and SW 42nd Ave in Palm City, Martin County. Please see the location Map Exhibit 1.0. On the Danforth Creek Basin and Improvements Map (Exhibit 1.1) STA 5 is the project location. The six other STA sites shown were part of the project study, but were not selected for construction.

Danforth Creek is a natural creek in the Palm City area of Martin County that conveys stormwater runoff from approximately 3,847 acres of mixed land uses to the South Fork of the St Lucie River.

Danforth Creek and its contributing watershed (SFWMD Basin 6) have been altered as a result of land use changes and urban development within the watershed. There are 16 road crossings of Danforth Creek between Boat Ramp Road and Martin Downs Boulevard. Danforth Creek discharges to the South Fork of the St Lucie River near the eastern terminus of SW 24th street approximately 1/4 mile north of the Palm City Bridge.

There are no permitted surface water management facilities within the project area. The site is comprised mostly of native pine/palmetto uplands and a 0.41 acre manmade pond located near the eastern property boundary. An existing ditch that drains from the north to Danforth Creek is located along the western property line.

There are no wetlands located within or affected by the proposed project.

PROPOSED PROJECT:

The proposed project will provide additional water quality treatment in the Danforth Creek basin by diverting flows from Danforth Creek into a stormwater treatment area (STA). The STA will detain the storm water and release it back to Danforth Creek via a proposed control structure. Please see the construction plans Exhibit 2.0. The project will provide stormwater treatment and ground water recharge for stormwater runoff that would otherwise flow downstream and directly into the South Fork of the St. Lucie River.

WATER QUANTITY :**Discharge Rate :**

The project is proposing to detain stormwater runoff for treatment purposes in order to improve water quality in the watershed and the St. Lucie River. The engineer of record prepared an ICPR model of the existing system and calibrated the model to stream data collected during Tropical Storm Fay and other recorded storm events in the basin. The post-development model indicates a slight reduction in design storm peak flows with no significant impacts to flood protection. Please see the hydraulic profile of the various design storms (Exhibit 2.1). The most recent watershed study reported to FEMA indicates 1,396 cfs of peak flow at the Martin Downs Boulevard Bridge from a 100 year storm. The applicants existing conditions model predicts 1,392 cfs for a 100 year 3 day storm event at this same location. The system analysis with the proposed STA reduced the 100 year 3 day peak flow rate to 1,332 cfs. The 25 year 3 day peak flow rate at the Martin Downs Boulevard Bridge is predicted to be 1,169 cfs.

Control Elevation :

Basin	Area (Acres)	Ctrl Elev (ft, NAVD 88)	WSWT Ctrl Elev (ft, NAVD 88)	Method Of Determination
Danforth Creek	11.52	13	13.00	Wet Season Soil Borings

Receiving Body :

Basin	Str.#	Receiving Body
Danforth Creek	CS	Danforth Creek

Water Quality Structures: Note: The units for all the elevation values of structures are (ft, NAVD 88)**Bleeders:**

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
Danforth Creek	CS	1	Rectangular Notch	6'	3'				13

Weirs:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
Danforth Creek	CS	1	Sharp Crested	100'				16 (crest)

WATER QUALITY :

No adverse water quality impacts are anticipated as a result of the proposed project. The project is proposing to construct a stormwater treatment area (STA) to improve water quality discharging from Danforth Creek to the St. Lucie River.

The applicant has provided reasonable assurance that water quality standards will not be violated during construction of the proposed work. Best Management Practices (BMPs) will be implemented including placing barriers to contain erosion and turbidity during construction of the proposed project. In addition, a turbidity monitoring plan will be in place during all proposed construction and dredging activities (refer to Exhibit No. 2.0 and Special Conditions). All erosion and turbidity control measures shall remain in place until the completion of onsite construction.

The authorization for construction of the surface water management system is issued pursuant to the water quality net improvement provisions referenced in Rule Section 40E-4.303(1), Florida Administrative Code; therefore, the state water quality certification is waived. Please see special conditions.

WETLANDS:

There are no wetlands located onsite, however an offsite marsh wetland is located immediately north of the dirt road that will be used for construction ingress/egress. Silt fence will be installed and maintained during construction to protect the offsite wetland.

CERTIFICATION AND MAINTENANCE OF THE WATER MANAGEMENT SYSTEM:

It is suggested that the permittee retain the services of a Professional Engineer registered in the State of Florida for periodic observation of construction of the surface water management (SWM) system. This will facilitate the completion of construction completion certification Form #0881 which is required pursuant to Section 10 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, and Rule 40E-4.361(2), Florida Administrative Code (F.A.C.).

Pursuant to Chapter 40E-4 F.A.C., this permit may not be converted from the construction phase to the operation phase until certification of the SWM system is submitted to and accepted by this District. Rule 40E-4.321(7) F.A.C. states that failure to complete construction of the SWM system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization unless a permit extension is granted.

For SWM systems permitted with an operating entity who is different from the permittee, it should be noted that until the permit is transferred to the operating entity pursuant to Rule 40E-1.6107, F.A.C., the permittee is liable for compliance with the terms of this permit.

The permittee is advised that the efficiency of a SWM system will normally decrease over time unless the system is periodically maintained. A significant reduction in flow capacity can usually be attributed to partial blockages of the conveyance system. Once flow capacity is compromised, flooding of the project may result. Maintenance of the SWM system is required to protect the public health, safety and the natural resources of the state. Therefore, the permittee must have periodic inspections of the SWM system performed to ensure performance for flood protection and water quality purposes. If deficiencies are found, it is the responsibility of the permittee to correct these deficiencies in a timely manner.

RELATED CONCERNS:**Water Use Permit Status:**

The applicant has indicated that this project will not require supplemental irrigation water.

The applicant has indicated that dewatering is required for construction of this project. Water use application 110125-1 for short term dewatering is being reviewed concurrently for this project.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation.

CERP:

The proposed project is not located within or adjacent to a Comprehensive Everglades Restoration Project component.

Potable Water Supplier:

Potable water is not required

Waste Water System/Supplier:

Wastewater treatment is not required

Right-Of-Way Permit Status:

A District Right-of-Way Permit is not required for this project.

DRI Status:

This project is not a DRI.

Historical/Archeological Resources:

On January 19, 2011, the District received a letter from the Florida Department of State, Division of Historical Resources (DHR) requesting the applicant to perform a systematic, professional archaeological and historical survey. The applicant performed the requested archaeological and historical survey for the property in March 2011. On May 10, 2011, the District received a letter from the DHR stating they received the survey and concur with the findings of no cultural resources identified within the project area. Therefore, the DHR concludes the proposed project will have no effect on cultural resources. The letters from the DHR can be found in the permit file.

DCA/CZM Consistency Review:

The issuance of this permit constitutes a finding of consistency with the Florida Coastal Management Program.

Third Party Interest:

No third party has contacted the District with concerns about this application.

Enforcement:

There has been no enforcement activity associated with this application.

07/21/2011 8:10 PM

STAFF REVIEW:

DIVISION APPROVAL:

NATURAL RESOURCE MANAGEMENT:

for Shawn McCarthy
Melinda Parrott

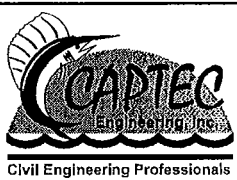
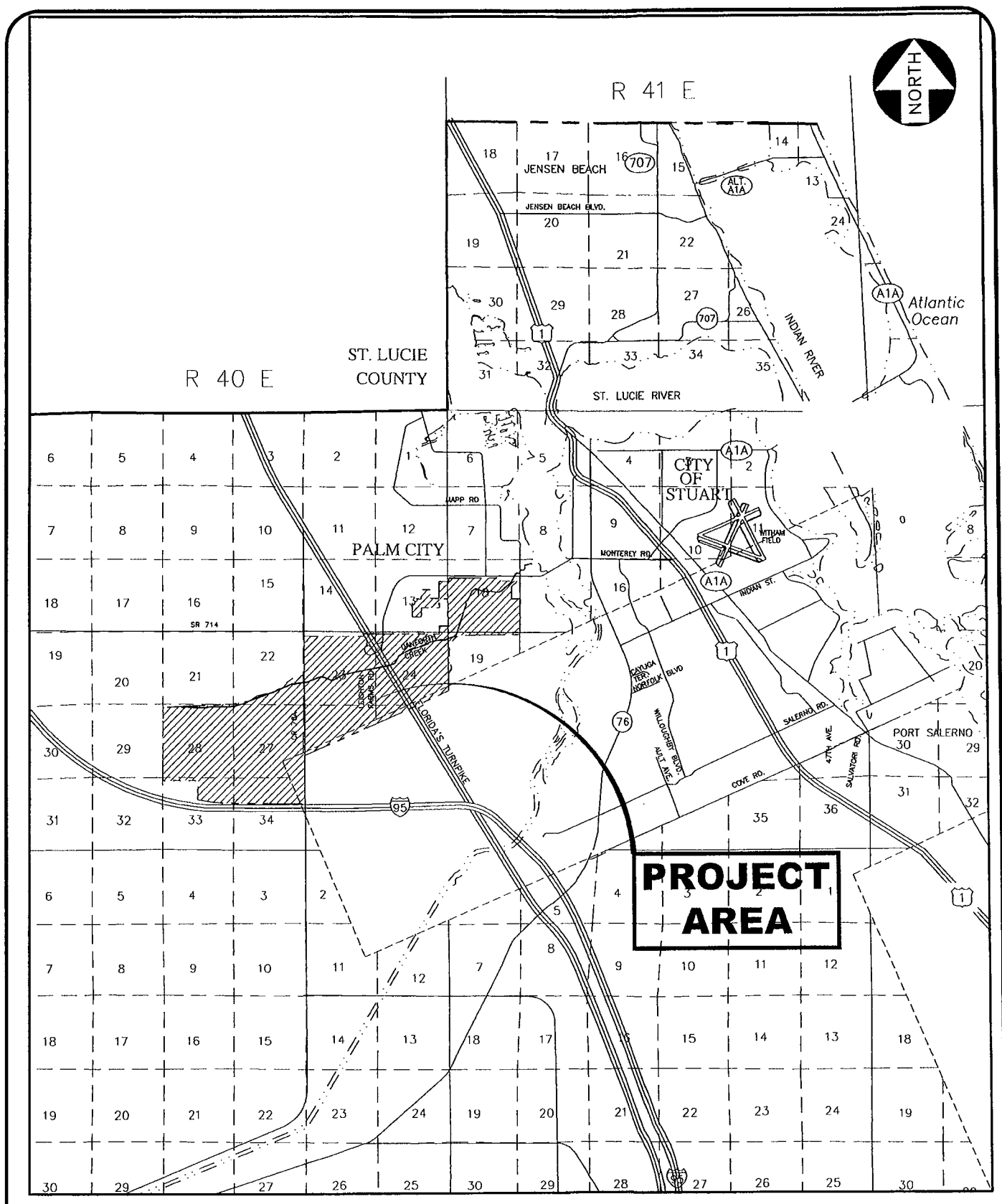
DATE: 12 July 11

SURFACE WATER MANAGEMENT:

Hugo A. Carter
Hugo A. Carter, P.E.

DATE: 18 July 11

Scanned 07/21/2011 8:10 0800



• Joseph W. Capra
301 N.W. Flagler Ave
Stuart, Florida 34994
P.E. No. 37638
Phone: (772) 692-4344
Fax: (772) 692-4341

Engineering Business
No. EB-0607657

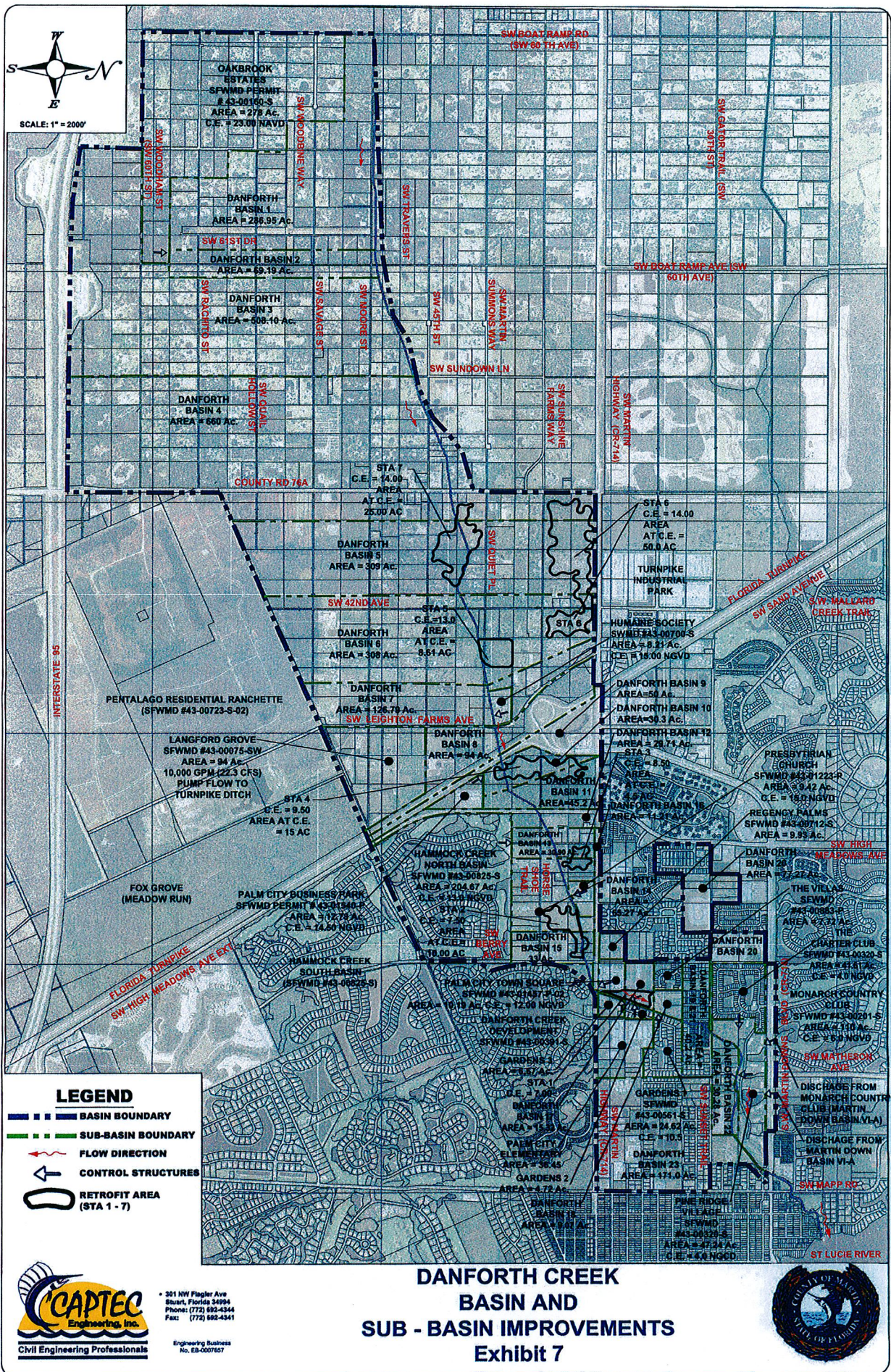
DATE: 12-12-08
DRAWN BY: _____
DESIGNED BY: _____
CHECKED BY: JWC
PROJECT No.: 1207.2
HORZ. SCALE: N.T.S.
VERT. SCALE: N.T.S.
CADD FILE: _____

**DANFORTH CREEK
STORMWATER QUALITY RETROFIT
MARTIN COUNTY, FLORIDA**

EXHIBIT 1 VICINITY MAP
S-13, 22, 23, 27, 28, 33, 34 & T-38 S., R-40 E.
S-18 & 19 T-38 S., R-41 E.

**SCALE
VERIFICATION**

0 ——— 0.5
SOLID BAR IS EQUAL TO
HALF AN INCH ON ORIGINAL
DRAWING. ADJUST ALL
SCALED DIMENSIONS
ACCORDINGLY



0000 01:18 07/21/2011 07:21:18 PM 0000



LOCATION MAP

CONSTRUCTION PLANS OF DANFORTH CREEK STORMWATER QUALITY RETROFIT FOR MARTIN COUNTY LYING IN SECTION 23, TOWNSHIP 38 S., RANGE 40 E. MARTIN COUNTY, FLORIDA



DANFORTH CREEK STORMWATER QUALITY RETROFIT - PROJECT NO. 1207.26

BOARD OF COUNTY COMMISSIONERS

- DISTRICT 1
- DISTRICT 2
- DISTRICT 3
- DISTRICT 4
- DISTRICT 5

ENGINEER

MR. RHETT R. KEENE, P.E.
CAPTEC ENGINEERING, INC.
301 N.W. FLAGLER AVENUE
STUART, FLORIDA 34994
PHONE: (772)-692-4344
FAX: (772)-692-4341

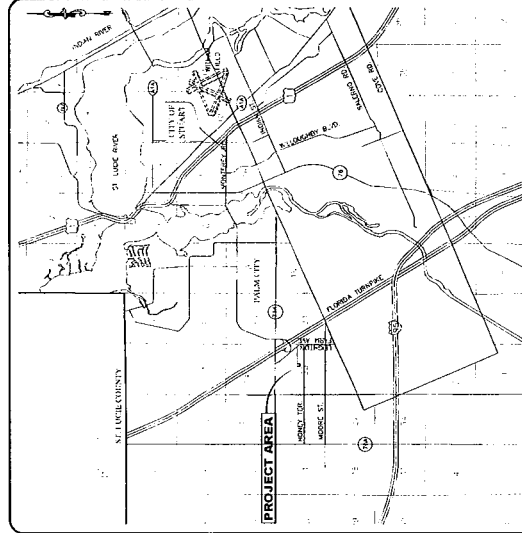


Civil Engineering
Professionals

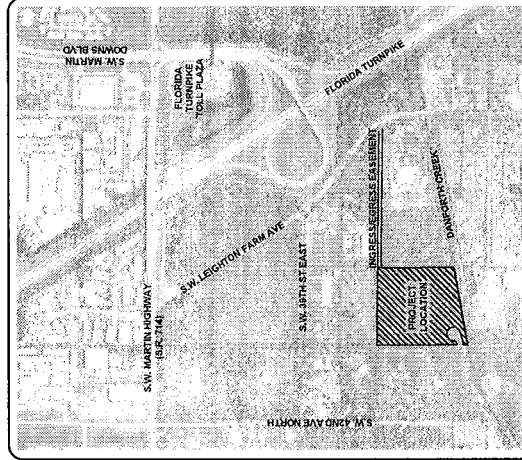
301 N.W. Flagler Avenue
Stuart, FL 34994
Phone: (772) 692-4344
Fax: (772) 692-4341

Civil Engineering Professionals

Engineering Services
No. EA-0007657



VICINITY MAP
N.T.S.



SITE MAP
N.T.S.

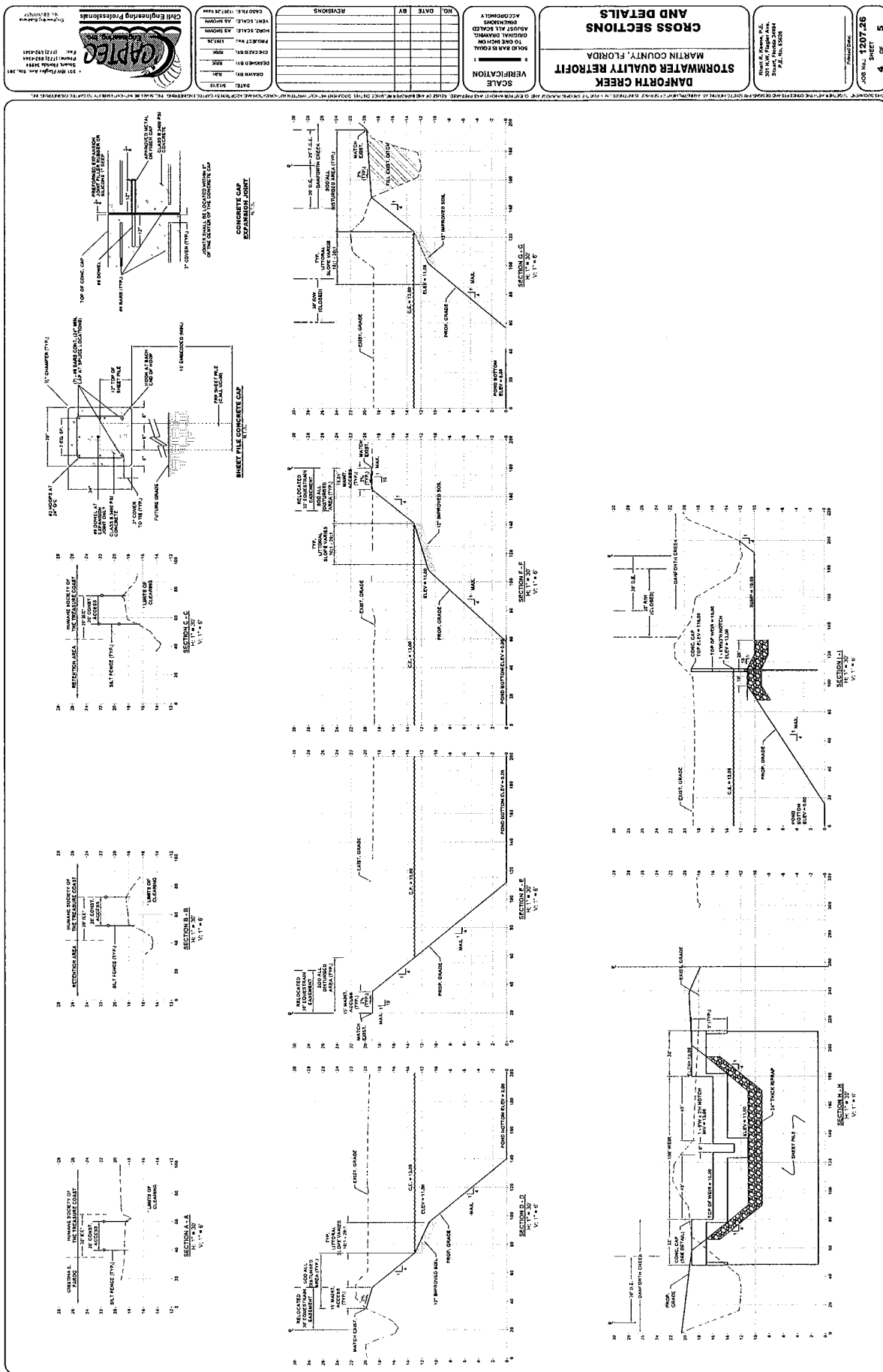
SHEET INDEX

SHEET NUMBER	SHEET TITLE/DESCRIPTION
1	COVER
2	CLEARING AND GRUBBING, AND DEWATERING PLAN
3	SITE OVERVIEW
4	CROSS SECTIONS AND DETAILS
5	GENERAL NOTES

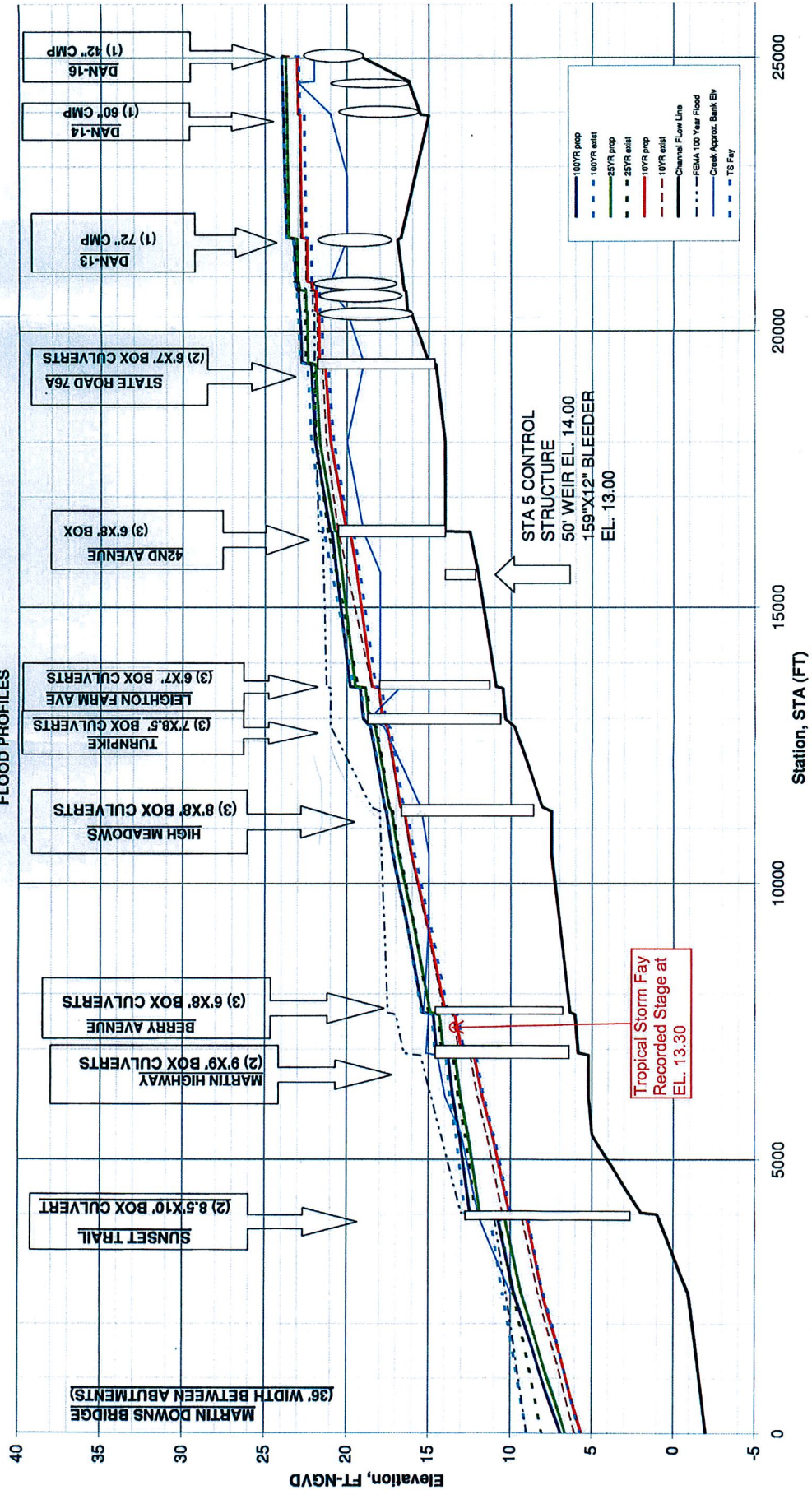
DANFORTH CREEK STORMWATER QUALITY RETROFIT PROJECT NO. 1207.26







DANFORTH CREEK WITH STA 5 (EXHIBIT 8)
EXISTING/PROPOSED
FLOOD PROFILES



STAFF REPORT DISTRIBUTION LIST

DANFORTH CREEK STORMWATER QUALITY RETROFIT

Application No: 101217-2

Permit No: 43-02437-P

INTERNAL DISTRIBUTION

- X Glen J. Gareau, P.E. - 4220
- X Shawn McCarthy - 2261
- X Melinda Parrott - 4250
- X Hugo A. Carter, P.E. - 4220
- X ERC Martin/St. Lucie
- X Permit File

EXTERNAL DISTRIBUTION

- X Permittee - Martin County Board Of County Commissioners
- X Applicant - Martin County Engineering
- X Engr Consultant - Captec Engineering, Inc

GOVERNMENT AGENCIES

- X Div of Recreation and Park - District 7 - FDEP
- X Martin County - County Administrator
- X Martin County - Growth Management Department
- X Martin County Board of County Commissioners
- X Martin County Engineering Dept. - Don G. Donaldson, P.E.

STAFF REPORT DISTRIBUTION LIST

ADDRESSES

Martin County Engineering
2401 Se Monterey Road
Stuart FL 34996

Captec Engineering, Inc
301 Nw Flagler Avenue
Stuart FL 34994

Martin County Board Of County Commissioners
2401 Se Monterey Road
Stuart FL 34996

Div of Recreation and Park - District 7 - FDEP
13798 Se Federal Highway
Hobe Sound FL 33455

Martin County - County Administrator
2401 Se Monterey Road
Stuart FL 34996

Martin County - Growth Management Department
2401 Se Monterey Road
Stuart FL 34996

Martin County Board of County Commissioners
Po Box 9000
Stuart FL 34995-9000

Martin County Engineering Dept. - Don G. Donaldson,
P.E.
2401 Se Monterey Road
Stuart FL 34996