

CONSENT AGENDA TABLE OF CONTENTS
REGULATORY ITEMS FOR GOVERNING BOARD ACTION
September 9, 2010

| | PAGE |
|--|-------------|
| I DENIALS | |
| BROWARD COUNTY | 1 |
| MARTIN COUNTY | 2 |
| MIAMI-DADE COUNTY | 3 |
| ORANGE COUNTY | 4 |
| OSCEOLA COUNTY | 5 |
| POLK COUNTY | 6 |
| ST LUCIE COUNTY | 7 |
| II CONSENT AGREEMENTS | 8 |
| III CONSERVATION EASEMENT AMENDMENTS AND RELEASES | 9 |

REGULATION AGENDA ITEMS

PERMIT DENIAL: Those listed on the consent agenda are routine in nature and non-controversial. Such denials are typically due to failure of applicant to complete the application. Unique or controversial projects or those requiring a policy decision are normally listed as discussion items. Permit types include:

Environmental Resource (ERP): Permits that consider such factors as the storage of storm water to prevent flooding of a project (upstream or downstream projects); the treatment of stormwater prior to discharge from the site to remove pollutants; and the protection of wetlands on the project site.

Surface Water Management: Permits for drainage systems, which address flood protection, water quality, and environmental protection of wetlands.

Water Use: Permits for the use of ground and/or surface water from wells, canals, or lakes.

Lake Okeechobee Works of the District: Permits that set concentration limits for total phosphorus in surface discharge from individual parcels in the Lake Okeechobee Basin.

EAA Works of the District: Permits to reduce the total phosphorus load from the EAA by 25 percent in water discharged to Works of the District.

Wetland Resource: Permits for dredge and fill activities within Waters of the State and their associated wetlands.

ADMINISTRATIVE HEARING: A case in litigation conducted pursuant to the Administrative Procedures Act (Chapter 120, Florida Statutes) involving the determination of a suit upon its merits. Administrative hearings provide for a timely and cost effective dispute resolution forum for interested persons objecting to agency action.

FINAL ORDER: The Administrative Procedures Act requires the District to timely render a final order for an administrative hearing after the hearing officer submits a recommended order. The final order must be in writing and include findings of fact and conclusions of law.

CONSENT AGREEMENT: A voluntary contractual agreement between the District and a party in dispute which legally binds the parties to the terms and conditions contained in the agreement. Normally used as a vehicle to outline the terms and conditions regarding settlement of an enforcement action.

CONSERVATION EASEMENT: A perpetual fee ownership in real property that retains such land or water area in its predominantly natural, scenic, open, or wooded condition. Conservation easements generally limit the use of the conservation area to passive, recreational activities such as hiking and bicycling. The District will consider as mitigation for the adverse impacts to wetlands or other surface waters functions caused by a proposed project, the preservation, by conservation easement, of wetland ecosystems.

TECHNICAL DENIAL: This action normally takes place when a proposed project design does not meet water management criteria or the applicant does not supply information necessary to complete the technical review of an application.

EMERGENCY ORDER and AUTHORIZATION: An immediate final order issued without notice by the Executive Director, with the concurrence and advice of the Governing Board, pursuant to (Section 373.119(2), Florida Statutes, when a situation arises that requires timely action to protect the public health, safety or welfare and other resources enumerated by rule and statute.

MEMORANDUM OF AGREEMENT/UNDERSTANDING: A contractual arrangement between the District and a named party or parties. This instrument typically is used to define or explain parameters of a long-term relationship and may establish certain procedures or joint operating decisions.

PETITION: An objection in writing to the District, requesting either a formal or an informal administrative hearing, regarding an agency action or a proposed agency action. Usually a petition filed pursuant to Chapter 120, Florida Statutes, challenges agency action, a permit, or a rule. Virtually all agency action is subject to petition by substantially affected persons.

SEMINOLE TRIBE WORK PLAN: The District and the Seminole Indians signed a Water Use Compact in 1987. Under the compact, annual work plans are submitted to the District for review and approval. This plan keeps the District informed about the tribe plans for use of their land and the natural resources. Although this is not a permit, the staff has water resource related input to this plan.

SITE CERTIFICATIONS: Certain types of projects (power plants, transmission lines, etc.) are permitted by the Governor and Cabinet under special one-stop permitting processes that supercede normal District permits. The Water Management Districts, DEP, DCA, FGFWFC, and other public agencies are mandatory participants. DEP usually coordinates these processes for the Governor and Cabinet.

VARIANCES FROM, OR WAIVERS OF, PERMIT CRITERIA: The Florida Administrative Procedures Act provides that persons subject to an agency rule may petition the agency for a variance from, or waiver of, a permitting rule. The Governing Board may grant a petition for variance or waiver when the petitioner demonstrates that 1) the purpose of the underlying statute will be or has been achieved by other means and, 2) when application of the rule would create a substantial hardship or would violate principles of fairness.

DENIALS

MARTIN COUNTY

1. GALLEON ON THE RIVER APPL. NO. 070611-3
SOUTH HUTCHINSON ESTATES LLC PERMIT NO. 43-01523-P
SEC 30,31 TWP 37S RGE 42E ACREAGE: 43.70
LAND USE: RECREATIONAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONSTRUCTION/OPERATION MODIFICATION)
RECEIVING BODY: UNKNOWN
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE APPLICATION
LAST DATE FOR BOARD ACTION: OCTOBER 14, 2010

2. SUMMERFIELD PUD PHASE 6 APPL. NO. 070816-7
THE ZUCKERMAN GROUP PERMIT NO. 43-00687-S
SEC 35 TWP 38S RGE 41E ACREAGE: 9.17
LAND USE: RESIDENTIAL

PERMIT TYPE: SURFACE WATER MANAGEMENT (GENERAL PERMIT MODIFICATION)
RECEIVING BODY: SOUTH FORK OF ST LUCIE RIVER
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE APPLICATION
LAST DATE FOR BOARD ACTION: OCTOBER 14, 2010

DENIALS

MIAMI-DADE COUNTY

1. MIDTOWN DORAL
EUROCON LLC
SEC 29 TWP 53S RGE 40E

APPL. NO. 080703-6
PERMIT NO. N/A
ACREAGE: 4.98
LAND USE: OFFICE BUILDING

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW GENERAL PERMIT)
RECEIVING BODY: UNKNOWN
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE
APPLICATION
LAST DATE FOR BOARD ACTION: SEPTEMBER 9, 2010

DENIALS

OSCEOLA COUNTY

1. NEW COMMUNITY BAPTIST CHURCH
NEW COMMUNITY BAPTIST CHURCH INC
SEC 1 TWP 26S RGE 28E

APPL. NO. 060208-17
PERMIT NO. 49-01630-W
ACREAGE: 1.00
LAND USE: DEWATERING

PERMIT TYPE: WATER USE PROPOSED
WATER SOURCE: WATER TABLE AQUIFER
ALLOCATION: UNKNOWN
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE
APPLICATION
LAST DATE FOR BOARD ACTION: SEPTEMBER 9, 2010

DENIALS

ST LUCIE COUNTY

1. BROOKSIDE
WALTON RIVER LLC
SEC 18 TWP 35S RGE 40E

APPL. NO. 060705-9
PERMIT NO. N/A
ACREAGE: 19.39
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW GENERAL PERMIT)
RECEIVING BODY: UNKNOWN
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE APPLICATION
LAST DATE FOR BOARD ACTION: OCTOBER 14, 2010

2. EAGLE BEND
P280 LAND LLC
SEC 1 TWP 35S RGE 39E

APPL. NO. 060630-53
PERMIT NO. N/A
ACREAGE: 289.23
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (CONCEPTUAL APPROVAL)
RECEIVING BODY: NSLRWCD CANAL 30
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE APPLICATION
LAST DATE FOR BOARD ACTION: OCTOBER 14, 2010

3. TEN MILE CREEK PRESERVE
ST LUCIE COUNTY
SEC 26 TWP 35S RGE 39E

APPL. NO. 080917-25
PERMIT NO. N/A
ACREAGE: 5.70
LAND USE: RESIDENTIAL

PERMIT TYPE: ENVIRONMENTAL RESOURCE (NEW GENERAL PERMIT)
RECEIVING BODY: UNKNOWN
PRIMARY ISSUES: FINAL ORDER TO DENY DUE TO APPLICANT'S FAILURE TO COMPLETE APPLICATION
LAST DATE FOR BOARD ACTION: OCTOBER 14, 2010

CONSENT AGREEMENTS

-
1. RESPONDENT: MAFE INVESTMENTS, INC.
PROJECT: TORRES RANCH

SEC 14 TWP 43S RGE 31E HENDRY COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING UNPERMITTED WATER USE FOR
IRRIGATION

-
2. RESPONDENT: KB HOME ORLANDO, LLC
PROJECT: MABEL BRIDGE

SEC 31 TWP 23S RGE 28E ORANGE COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION FOR FAILURE TO COMPLY WITH PERMIT GENERAL
CONDITIONS.

-
3. RESPONDENT: COURTYARD GARDENS AT WELLINGTON, LLC.
PROJECT: COURTYARD GARDENS AT WELLINGTON

SEC 27 TWP 43S RGE 42E PALM BEACH COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING UNPERMITTED DEWATERING

-
4. RESPONDENT: JERJO, INC.
PROJECT: IBIS CLUB APARTMENTS

SEC 3 TWP 50S RGE 26E COLLIER COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON COMPLIANCE WITH ENVIRONMENTAL
PERMITTING REQUIREMENTS AND FAILURE TO TRANSFER PERMIT TO NEW PROPERTY OWNER

-
5. RESPONDENT: HOMEOWNERS ASSOCIATION OF MANDALAY, INC.
PROJECT: VILLAGES OF MANDALAY

SEC 16 TWP 50S RGE 26E COLLIER COUNTY
SETTLEMENT OF AN ENFORCEMENT ACTION REGARDING NON-COMPLIANCE WITH GENERAL
CONDITION 16 AND SPECIAL CONDITIONS 16, 18, 19 OF THE PERMIT

CONSERVATION EASEMENT AMENDMENTS AND RELEASES

1. PERMITTEE: WEST COAST INVESTORS, LLC
PROJECT: TESORO EAST SIDE

APPROVE TWO PARTIAL RELEASES OF CONSERVATION EASEMENT OVER 0.30 ACRES AND 0.03 ACRES, RESPECTIVELY, WITHIN A PROJECT KNOWN AS TESORO EAST SIDE, APPLICATION 090702-5. THE CONSERVATION EASEMENTS WERE REQUIRED PURSUANT TO PERMIT NUMBER 56-01730-P /APPLICATION NUMBER 061221-3. THE REASON FOR THE RELEASES IS TO ALLOW AN EXISTING GOLF CART BRIDGE AND A PROPOSED BOARDWALK TO BE CONSTRUCTED WITHIN WETLAND PRESERVES. STANDARD PASSIVE RECREATIONAL CONSERVATION EASEMENTS WILL BE RECORDED OVER THESE AREAS AS A REPLACEMENT TO PROVIDE ASSURANCES THE WETLANDS WILL BE PRESERVED IN PERPETUITY. IN ADDITION, THE APPLICANT IS PROVIDING ONSITE MITIGATION TO OFFSET THE WETLAND IMPACTS ASSOCIATED WITH THE GOLF CART BRIDGE AND BOARDWALK. THE STANDARD PASSIVE RECREATIONAL CONSERVATION EASEMENTS AND MITIGATION IS INCLUDED IN APPLICATION NUMBER 090702-5 WHICH HAS RECEIVED STAFF'S RECOMMENDATION FOR APPROVAL.
