SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SURFACE WATER MANAGEMENT
GENERAL PERMIT NO. 49-00477-S-03
DATE ISSUED: January 13, 2009

PERMITTEE: DEERFIELD LAND CORPORATION
14901 S ORANGE BLOSSOM TRAIL
ORLANDO, FL 32837

PROJECT DESCRIPTION: Modification for construction of a 1.32 acre project known as OCC Lot 3 Roads Phase II and mass grading of 15.91 acres served by an existing master surface water management system.

PROJECT LOCATION: OSCEOLA COUNTY, SEC 3 TWP 25S RGE 29E


This is to notify you of the District's agency action concerning Permit Application No. 070702-13, dated July 2, 2007. This action is taken pursuant to Rule 40E-1.906 and Chapter 40E-40, Florida Administrative Code (F.A.C.).

Based on the information provided, District rules have been adhered to and a Surface Water Management 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 18 Standard Limiting Conditions (See Pages : 2 - 3 of 5),
3. the attached 18 Special Conditions (See Pages : 4 - 5 of 5) and
4. the attached 4 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 13th day of January, 2009, in accordance with Section 120.60(3), Florida Statutes.

BY: Edward Yanin, P.E.
Director, Orlando Regulatory Division
Orlando Service Center
Certified mail number 7008 1300 0001 2001 5604
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.

40E-4.331 Modification of Permits.
An application for modification of an environmental resource, or surface water management permit shall be processed in accordance with this rule, unless the permit has expired or has been otherwise revoked or suspended.

(1) Applications to modify a conceptual approval may be made for an alteration of the design of the permitted surface water management system. Those portions of the modified project, and any additional areas impacted by the modification(s), shall be reviewed in accordance with the same criteria in effect at the time of said modification.

(2) Applications to modify environmental resource, or surface water management individual or standard general permits shall be made by the following methods:
(a) District permit application as described in Rule 40E-4.101, F.A.C. Permit modification applications shall be reviewed using the same criteria as new applications for those portions of the project proposed for, or affected by, the modification;
(b) By letter, provided the requested modification does not:
1. Substantially modify the permit authorization, or any permit conditions;
2. Increase the authorized off-site discharge;
3. Impact the environmental features of the project including wetlands and other surface waters;
4. Decrease the required retention/detention;
5. Decrease the required flood control elevations for roads or buildings; or
6. Decrease pollution removal efficiency.
(c) Modifications pursuant to paragraph (2)(b) above are acknowledged and approved by letter from the Regulation Department Director or designee through correspondence to the permittee.

(3) The same review time and informational requirements which apply to initial permit applications shall apply to all applications to modify an existing valid permit.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.413, 373.416(1) FS. History–New 12-1-82, Formerly 16K-2.031(1), 16K-2.032(1)(a), Amended 7-1-86, 11-21-89,
STANDARD LIMITING CONDITIONS

1. The permittee shall implement the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The permittee shall institute necessary measures during the construction period, including full compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters.

2. Water quality data for the water discharged from the permittee's property or into surface waters of the State will be submitted to the District as required by Section 5.9, "Basis of Review for Surface Water Management Permit Applications within South Florida Water Management District". Parameters to be monitored may include those listed in Chapter 62-302, F.A.C.. If water quality data is required, the permittee shall provide data on volumes of water discharged, including total volume discharged during the days of sampling and total monthly discharges from the property or into surface waters of the State.

3. This permit shall not relieve the permittee of any obligation to obtain necessary federal, State, local or special district approvals.

4. The operation phase of this permit will not become effective until the District's acceptance of certification of the completed surface water management system. The permittee shall request transfer of the permit to the responsible operation entity accepted by the District, if different from the permittee. The transfer request can be submitted concurrently with the construction completion certification.

5. All road elevations shall be set in accordance with the criteria set forth in Section 6.5, "Basis of Review for Surface Water Management Permit Applications within South Florida Water Management District".

6. All building floor elevations shall be set in accordance with the criteria set forth in Section 6.4, "Basis of Review for Surface Water Management Permit Applications within South Florida Water Management District".

7. Off-site discharges during construction and development will be made only through the facilities authorized by this permit.

8. A permit transfer to the operation phase shall not occur until a responsible entity meeting the requirement in Section 9.0, "Basis of Review for Surface Water Management Permit Applications within South Florida Water Management District" has been established to operate and maintain the system. The entity must be provided with sufficient ownership or legal interest so that it has control over all water management facilities authorized herein.

9. The permit does not convey to the permittee any property rights or privileges other than those specified in the permit and Chapter 40E-4, F.A.C..

10. 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, operation, maintenance or use of any facility authorized by the permit.

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. Within 30 days of issuance of this permit, the permittee or authorized agent shall notify the District (via the supplied construction commencement notice or equivalent) of the actual or anticipated construction start date and the expected completion date.
STANDARD LIMITING CONDITIONS

13. When the duration of construction exceeds one year, the permittee or authorized agent shall submit construction status reports on an annual basis (via the supplied annual status report or equivalent) beginning one year after the initial commencement of construction.

14. Within 30 days after completion of construction of the surface water management system, the permittee or authorized agent shall file a written statement of completion and certification by a Florida registered professional engineer. These statements must specify the actual date of construction completion and must certify that all facilities have been constructed in substantial conformance with the plans and specifications approved by the District (via the supplied construction completion/certification or equivalent).

The construction completion certification must include, at a minimum, existing elevations, locations and dimensions of the components of the water management facilities. Additionally, if deviations from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

15. Within 30 days of any sale, conveyance or other transfer of any of the land which is proposed for development under the authorization of this permit, the permittee shall notify the District of such transfer in writing via either Form 0483, Request for Permit Transfer; or Form 0920, Request for Transfer of Surface Water Management Construction Phase to Operation Phase (to be completed and submitted by the operating entity), in accordance with Sections 40E-1.6105 AND 40E-4.351, F.A.C..

16. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

17. 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.

18. It is the responsibility of the permittee to insure that adverse off-site water resource related impacts do not occur during construction.

19. 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.
SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on January 13, 2014.

2. Operation of the surface water management system shall be the responsibility of DEERFIELD LAND CORPORATION.


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. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.

8. 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.

9. 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. An average 25' wide, minimum 15', buffer of undisturbed upland vegetation shall be maintained between the proposed development and existing wetlands.

12. Silt screens, turbidity screens/barriers or other such sediment control measures shall be utilized during construction. The selected sediment control measure shall be installed landward of the upland buffer zones around all protected wetlands and shall be properly "trenched" etc. All areas shall be stabilized and vegetated immediately after construction to prevent erosion into the wetlands and upland buffer zones.

13. The wetland conservation areas and upland buffer zones and/or upland preservation areas shown on Exhibit 3.2 and as attached by reference, may in no way be altered from their natural or permitted state. Activities prohibited within the conservation areas include, but are not limited to:
   (a) construction or placing of buildings, roads, signs, billboards or other advertising, utilities or other structures on or above the ground;
   (b) dumping or placing soil or material as landfill or dumping or placing of trash, waste, or unsightly or offensive materials;
   (c) removal or destruction of trees, shrubs, or other vegetation - with the exception of exotic and nuisance vegetation removal;
   (d) excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substances in such manner as to affect the surface;
   (e) surface use except for purposes that permit the land or water area to remain predominantly in its natural condition;
   (f) activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation, including but not limited to ditching, diking or fencing;
   (g) acts or uses detrimental to such retention of land or water areas; and
SPECIAL CONDITIONS

(h) acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

14. Prior to the commencement of construction and in accordance with the work schedule in Exhibit No. 3, the permittee shall submit two certified copies of the recorded conservation easement and associated buffers. The data shall be supplied in a digital ESRI Geodatabase (mdb), ESRI Shapefile (shp) or AutoCAD Drawing Interchange (dxf) file format using Florida State Plane coordinate system, East Zone (3601), Datum NAD33, HARN with the map units in feet. This data shall be submitted as a paper map depicting the Conservation Easement over the best available satellite or aerial imagery. This data shall also reside on a CD or floppy disk and be submitted to the District's Environmental Resource Compliance Division in the service area office where the application was submitted.

The recorded easement shall utilize the Exhibit attached as reference. Any proposed modifications to the approved form must receive prior written consent from the District. The easement must be free of encumbrances or interests in the easement which the District determines are contrary to the intent of the easement. In the event it is later determined that there are encumbrances or interests in the easement which the District determines are contrary to the intent of the easement, the permittee shall be required to provide release or subordination of such encumbrances or interests.

15. The following exhibit for the permit is incorporated by reference herein and is located in the permit file:

Exhibit No. 3.2 Conservation Easement

16. Submittal of the legal documents (Conservation easement documents) associated with the construction of the surface water management system shall be completed in accordance with the schedule attached as Exhibit No. 3. 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 the project development.

17. 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.

18. The exhibits and special conditions in this permit apply only to this application. They do not supersede or delete any requirements for other applications covered in Permit No. 49-00477-S unless otherwise specified herein.
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 to 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's Governing Board 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: 13-JAN-2009

GENERAL SURFACE WATER MANAGEMENT STAFF REPORT

Project Name: Occ Lot 3 Roads - Phase II
Permit No.: 49-00477-S-03
Application No.: 070702-13
Application Type: Surface Water Management (General Permit Modification)
Location: Osceola County, S3/T25S/R29E
Permittee: Deerfield Land Corporation
Operating Entity: Deerfield Land Corporation
Project Area: 17.23 acres
Project Land Use: Roadway
Drainage Basin: LAKE TOHOPEKALIGA
Receiving Body: Existing Master SWM System
Sovereign Submerged Lands: No

Special Drainage District: NA
Conservation Easement To District: Yes

PROJECT PURPOSE:
Modification of a Surface Water Management Permit to authorize construction of a 1.32 acre project known as OCC Lot 3 Roads - Phase II and mass grading of 15.91 acres. The proposed project will be served by an existing master surface water management system. Staff recommends approval with conditions.
PROJECT EVALUATION:

PROJECT SITE DESCRIPTION:

The site is located south of the Central Florida Greenway and west of the Florida Turnpike in Osceola County. More specifically, the site is located at the southwest corner of Osceola Parkway and John Young Parkway.

The proposed site is located in the southwest quadrant of a larger development known as Osceola Corporate Center (OCC). There is a master surface water management routing model for all of Osceola Corporate Center which has been modified with this application. The proposed site is located in the southwest quadrant of the master model in which stormwater from this quadrant is conveyed to the north and then to the east through a series of surface water management systems. There are several projects located within this southwest quadrant which have been permitted for construction. These projects are Walgreens (appl. no. 030416-21), Lot 3 Roads (appl. no. 060712-7), Best Buy (appl. no. 060922-16), Olive Garden (appl. no. 070117-14), Perkins Restaurant (appl. no. 070525-25), and Cornerstone Office Complex (appl. no. 030902-5). However, please note that the Cornerstone Office Complex was never constructed and its permit application has since expired.

Installation of stormwater management facilities required the release of a portion of the previously recorded conservation easement (approved November 2009 Governing Board meeting). The applicant has added additional upland buffer area to compensate for the reduced conservation easement (Exhibit 3 -map). In addition, the conceptual permit for Osceola Corporate Center dictated final buffer acreages for all preserved wetlands. Under this application, the applicant will record a conservation easement over the total buffer area required for the wetlands in this project area (Exhibit 3-Table). There are no additional wetlands located within or affected by the proposed project.

PROPOSED PROJECT:

The construction activities proposed with this application consists of constructing Phase II of the Lot 3 internal road system (0.80 acres within Basin 302 and 0.52 acres within Basin 300), mass grading of 15.91 acres within Basin 300 to serve future development, and adding collection stormpipe.

With this application, the internal road system for OCC Lot 3 will be completed which will connect Osceola Parkway to the north to Centerview Blvd to the south.

Within Basin 300, the anticipated project areas and impervious cover for the Future Lots have been revised (see Exhibit 4). This adjustment in the Future Lots allocation has allowed the control structure to remain the same (see LAND USE section below for further details).

Within Basin 302, the previously permitted impervious cover for the OCC Lot 3 Roads Phase II (fka -Future Roads) has not been exceeded with this application. In fact, the impervious cover is less. In addition, the anticipated project areas and impervious cover for the Future Lots within Basin 302 have been revised (see Exhibit 4). This adjustment in the Future Lots allocation has allowed the control structure to remain the same (see LAND USE section below for further details).

See the PROJECT SITE DESCRIPTION, LAND USE, WATER QUANTITY, and WATER QUALITY sections of this permit for further details.

LAND USE:

Under the Basin table below, the "Total Basin" column represents the build-out conditions for Basin 300 and Basin 302.
LAND USE:

The "Previously Permitted" column consists of the previously permitted projects. Within Basin 302, there is Walgreens (appl. no. 030416-21), Lot 3 Roads (appl. no. 060712-7), Best Buy (appl. no. 060922-16), Olive Garden (appl. no. 070117-14), and Perkins Restaurant (appl. no. 070525-25).

The "This Phase" column represents the proposed project. The "Other" category under this column represents the mass graded area which is also pervious.

Please see Exhibit 4 for the acreage breakdown of the Future Lots within Basin 300 and Basin 302. If these future anticipated acreages are exceeded, the control structure for Pond 300 and Pond 302 may need to be modified in order to handle the increase in basin area or impervious surfaces added. The CN value for Basin 300 and Basin 302 within the routings may also need to be modified to reflect the new acreages.

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Basin: Basin 300

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Basin: Basin 302

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</table>
WATER QUANTITY:

There are NO changes to the previously permitted control structures for Pond 300 and Pond 302 from Permit Application No. 060922-16 (Best Buy).

Discharge Rate:

The allowable discharge was analyzed at the location in which stormwater leaves the southwest quadrant of the Osceola Corporate Center (south of Osceola Parkway & west of John Young Parkway). This point of discharge is out of Pond 302 from the master Osceola Corporate Center routings. Pond 302 discharges through its existing structure and then existing pipes which run under Osceola Parkway and connect to Pond 303 to the north.

The allowable discharge rate shown below was taken from Permit Application No. 060712-7 (Lot 3 Roads @ Osceola Corporate Center). This allowable discharge rate of 76.16 cfs should NOT be exceeded with future permit modifications because the existing downstream developments (located to the north) have been modeled based on this known flow.

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

Discharge Storm Frequency : 25 YEAR-3 DAY  Design Rainfall : 11.7 inches

<table>
<thead>
<tr>
<th>Basin</th>
<th>Allow Disch (cfs)</th>
<th>Method Of Determination</th>
<th>Peak Disch (cfs)</th>
<th>Peak Stage (ft, NGVD 29)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin 302</td>
<td>76.16</td>
<td>Previously Permitted</td>
<td>64.94</td>
<td>88.9</td>
</tr>
</tbody>
</table>

Finished Floors:

The peak stage for Pond 300 and Pond 302 have been modified with this application. Please note that the peak stages increased by less than one-tenth (0.10) of a foot from the previously approved peak stages.

There are currently NO existing or proposed buildings within Basin 300. The previously permitted Cornerstone Office Complex was never constructed and its permit application has since expired.

There are NO buildings within Basin 302 proposed with this application. However, within Basin 302, the previously permitted minimum finished floor elevations for the Walgreens, Best Buy, Olive Garden, and Perkins are still above the new peak stage.

As shown in the following table and the attached exhibits, minimum finished floor elevations have been set at or above the calculated design storm flood elevation.

Building Storm Frequency : 100 YEAR-3 DAY  Design Rainfall : 14.4 inches

<table>
<thead>
<tr>
<th>Basin</th>
<th>Peak Stage (ft, NGVD 29)</th>
<th>Proposed Min. Finished Floors (ft, NGVD 29)</th>
<th>FEMA Elevation (ft, NGVD 29)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin 302</td>
<td>89.2</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Basin 300</td>
<td>89.5</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Road Design:

The peak stage for Pond 300 and Pond 302 have been modified with this application. Please note that the peak stages increased by less than one-tenth (0.10) of a foot from the previously approved peak stages.

The proposed minimum road elevations listed below are for this application.

There were no roads previously permitted within Basin 300.

However, within Basin 302, the previously permitted minimum road elevation for the Lot 3 Roads development is still above the new peak stage.

As shown in the following table and the attached exhibits, minimum road center lines have been set at or above the calculated design storm flood elevation.

<table>
<thead>
<tr>
<th>Basin</th>
<th>Peak Stage (ft, NGVD 29)</th>
<th>Proposed Min. Road Crown (ft, NGVD 29)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin 302</td>
<td>88.5</td>
<td>90.77</td>
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<tr>
<td>Basin 300</td>
<td>88.8</td>
<td>89.72</td>
</tr>
</tbody>
</table>

Parking Lot Design:

The peak stage for Pond 300 and Pond 302 have been modified with this application. Please note that the peak stages increased by less than one-tenth (0.10) of a foot from the previously approved peak stages.

There are currently NO existing or proposed parking lots within Basin 300. The previously permitted Cornerstone Office Complex was never constructed and its permit application has since expired.

There are NO parking lots within Basin 302 proposed with this application. However, within Basin 302, the previously permitted minimum parking lot elevations for the Walgreens, Best Buy, Olive Garden, and Perkins are still above the new peak stage.

As shown in the following table and the attached exhibits, minimum parking lot elevations have been set at or above the calculated design storm flood elevation.

<table>
<thead>
<tr>
<th>Basin</th>
<th>Peak Stage (ft, NGVD 29)</th>
<th>Proposed Min. Parking Elev. (ft, NGVD 29)</th>
</tr>
</thead>
<tbody>
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<td>Basin 302</td>
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</tr>
<tr>
<td>Basin 300</td>
<td>88.8</td>
<td>n/a</td>
</tr>
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</table>

Control Elevation:

<table>
<thead>
<tr>
<th>Basin</th>
<th>Area (Acres)</th>
<th>Ctrl Elev (ft, NGVD 29)</th>
<th>WSWT Ctrl Elev (ft, NGVD 29)</th>
<th>Method Of Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin 302</td>
<td>30.06</td>
<td>87.4</td>
<td>87.40</td>
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</tr>
<tr>
<td>Basin 300</td>
<td>22.90</td>
<td>87.8</td>
<td>87.80</td>
<td>Previously Permitted</td>
</tr>
</tbody>
</table>

WATER QUALITY:

App.no.: 070702-13
Although there are NO changes proposed to the existing control structures for Pond 300 and Pond 302, the required water quality treatment volume is still being provided for these basins. Therefore, no adverse water quality impacts are anticipated as a result of the proposed project.

<table>
<thead>
<tr>
<th>Basin</th>
<th>Treatment Method</th>
<th>Vol Req'd (ac-ft)</th>
<th>Vol Prov'd</th>
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</thead>
<tbody>
<tr>
<td>Basin 302</td>
<td>Treatment</td>
<td>2.86</td>
<td>2.89</td>
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<tr>
<td>Basin 300</td>
<td>Treatment</td>
<td>2.64</td>
<td>2.78</td>
</tr>
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</table>

**LEGAL ISSUES:**

Previous permits for the Osceola Corporate Center project have required a conservation easement be placed over the wetlands and a minimum 15', average 25' upland buffer. Under this application, 0.057 acres of previously recorded conservation easement will be released to allow for stormwater facilities to be constructed. The release of Conservation Easement was approved during the November 2009 Governing Board meeting. A conservation easement (Exhibit 3.2 incorporated by reference) will be recorded with an additional 1.086 acres of buffer area to offset the released portion, plus fulfill the required buffer areas for the conceptual permit for Osceola Corporate Center (Table) (Exhibit 3).

**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:

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, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

Historical/Archeological Resources:

No information has been received that indicates the presence of archaeological or historical resources or that the proposed activities could cause adverse impacts to archaeological or historical resources.

DCA/CZM Consistency Review:

The District has not received a finding of inconsistency from the Florida Department of Environmental Protection or other commenting agencies regarding the provisions of the federal Coastal Zone Management Plan.

Enforcement:

There has been no enforcement activity associated with this application.

STAFF REVIEW:

DIVISION APPROVAL:

SURFACE WATER MANAGEMENT:

[Signature]

Mark S. Daron, P.E.

DATE: 1/9/09

NATURAL RESOURCE MANAGEMENT:

[Signature]

Marc S. Ady

DATE: 1/9/9
## OSCEOLA CORPORATE CENTER
### CONSERVATION EASEMENT AND AVERAGE BUFFER ACREAGE FOR REGIONAL AND NON REGIONAL WETLANDS
**Revised 10/02/08**

<table>
<thead>
<tr>
<th>Wetland Number</th>
<th>Wetland Size (Acres)</th>
<th>Minimum Buffer (Acres)</th>
<th>Upland Buffer (Acreage Landward of Minimum)</th>
<th>Total Buffer Area Required (Average Buffer) (Acres)</th>
<th>Total Buffer Area Provided (Average Buffer) (Acres)</th>
<th>SFWMDC Application #</th>
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<tr>
<td>1-NR</td>
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<td>0.12*</td>
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<td>2.29</td>
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<td></td>
</tr>
</tbody>
</table>

**ADDITIONAL INFORMATION:**

**OCT 06 2008**

**ORLANDO SERVICE CORP.**

Application #070702-13  Exhibit 3  Page 2 of 3
Application No : 070702-13

Project Work Schedule: ENTIRE PROJECT
Activity: SUBMIT RECORDED CONSERVATION EASEMENT
Due Date: 14-MAR-09
## Basin 302 - Post Development Curve Numbers

**Project:** Cascoola Corporate Center - Lot 3 Roads Phase II  
**P.M.:** 614 S002  
**Br.:** JIM  
**Date:** May 12, 2008

<table>
<thead>
<tr>
<th>BASIN</th>
<th>Impervious Pavement</th>
<th>Impervious Buildings</th>
<th>Impervious Water Management</th>
<th>Pervious Area</th>
<th>TOTAL AREA (acres)</th>
<th>WEIGHTED CN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walgreens</td>
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<td>7.12</td>
<td>3.81</td>
<td>13.01</td>
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### Basin 300 - Post Development Curve Numbers

**Project:** Osceola Corporate Center - Lot 3 Roads Phase II  
**P.N.:** 6145002  
**P.:** MF9  
**Date:** August 7, 2005  

<table>
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<th>BASIN</th>
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<th>Impermeable Building</th>
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<th>Paved Area</th>
<th>TOTAL AREA</th>
<th>WEIGHTED CN</th>
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<td><strong>3.20</strong></td>
<td><strong>22.90</strong></td>
<td><strong>92.63</strong></td>
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**Notes:**
STAFF REPORT DISTRIBUTION LIST

OCC LOT 3 ROADS - PHASE II
Application No: 070702-13
Permit No: 49-00477-S

INTERNAL DISTRIBUTION
X Illeana Pearson - 2250
X Nicole Gough - 2250
X Marc S. Ady - 2250
X Mark S. Daron, P.E. - 1640
X A. Lee - 6850
X ERC Engineering - 6850
X ERC Environmental - 6850
X Permit File

EXTERNAL DISTRIBUTION
X Permittee - Deerfield Land Corporation
X Engr Consultant - Harris Civil Engineers LLC

GOVERNMENT AGENCIES
X Div of Recreation and Park - District 6 - FDEP
X Florida Fish & Wildlife Conservation Commission - Imperiled Species Mgmt Section
X Osceola County Engineer

OTHER INTERESTED PARTIES
X Sierra Club - Central Florida Group P.O. Box 941692