

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
POST OFFICE BOX 1429
PALATKA, FLORIDA 32978-1429

PERMIT NO. 4-025-021503

DATE ISSUED FEBRUARY 13, 1996

A PERMIT AUTHORIZING:

MODIFICATION OF THE PREVIOUSLY PERMITTED MASTER SURFACE WATER
MANAGEMENT SYSTEM WITHIN A PORTION OF GROUP 2 AND WITHIN ALL OF
GROUP 3 AND 4 OF THE EASTWOOD DEVELOPMENT MASTER PLAN.

LOCATION:

SECTION 02, TOWNSHIP 22 SOUTH, RANGE 31 EAST
ORANGE COUNTY

ISSUED TO:
(OWNER)

BENGE CORPORATION
316 E. PINE STREET
ORLANDO, FL 32801

PERMITTEE AGREES TO HOLD AND SAVE THE ST. JOHNS RIVER WATER MANAGEMENT
DISTRICT AND ITS SUCCESSORS HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS,
OR LIABILITIES WHICH MAY ARISE FROM PERMIT ISSUANCE. SAID APPLICATION,
INCLUDING ALL PLANS AND SPECIFICATIONS ATTACHED THERETO, IS BY REFERENCE
MADE A PART HEREOF.

THIS PERMIT DOES NOT CONVEY TO PERMITTEE ANY PROPERTY RIGHTS NOR ANY
RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED HEREIN, NOR RELIEVE THE
PERMITTEE FROM COMPLYING WITH ANY LAW, REGULATION OR REQUIREMENT
AFFECTING THE RIGHTS OF OTHER BODIES OR AGENCIES. ALL STRUCTURES AND
WORKS INSTALLED BY PERMITTEE HEREUNDER SHALL REMAIN THE PROPERTY OF THE
PERMITTEE.

THIS PERMIT MAY BE REVOKED, MODIFIED OR TRANSFERRED AT ANY TIME PURSUANT
TO THE APPROPRIATE PROVISIONS OF CHAPTER 373, FLORIDA STATUTES:

PERMIT IS CONDITIONED UPON:

SEE CONDITIONS ON ATTACHED "EXHIBIT A", DATED FEBRUARY 13, 1996

AUTHORIZED BY: ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

DEPARTMENT OF RESOURCE MANAGEMENT

BY: 
(DIRECTOR)
JEFF ELLEDGE

GOVERNING BOARD

BY: 
(ASSISTANT SECRETARY)
HENRY DEAN

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-095-0215H3

BENGE CORPORATION

DATED FEBRUARY 13, 1996

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Stokes

FII 2/27/96

1. PRIOR TO LOT OR UNIT SALES, OR UPON COMPLETION OF CONSTRUCTION OF THE SYSTEM, WHICHEVER OCCURS FIRST, THE DISTRICT MUST RECEIVE THE FINAL OPERATION AND MAINTENANCE DOCUMENT(S) APPROVED BY THE DISTRICT AND RECORDED, IF THE LATTER IS APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY 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 DOCUMENT WILL RESULT IN THE PERMITTEE REMAINING PERSONALLY LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM.
2. ALL CONSTRUCTION, OPERATION AND MAINTENANCE SHALL BE AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT.
3. DISTRICT AUTHORIZED STAFF, UPON PROPER IDENTIFICATION, WILL HAVE PERMISSION TO ENTER, INSPECT AND OBSERVE THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
4. THE PERMITTEE MUST IMPLEMENT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES (BEST MANAGEMENT PRACTICES) REQUIRED TO RETAIN SEDIMENT ON-SITE AND TO PREVENT VIOLATIONS OF THE WATER QUALITY CRITERIA AND STANDARDS IN CHAPTERS 17-4, 17-302, F.A.C. ALL PRACTICES MUST BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS IN SECTION 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL: A GUIDE TO SOUND LAND AND WATER MANAGEMENT (FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION 1988) UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT IN WHICH CASE THE PRACTICES MUST BE IN ACCORDANCE WITH THE PLAN. IF SITE SPECIFIC CONDITIONS REQUIRE ADDITIONAL MEASURES DURING ANY PHASE OF CONSTRUCTION OR OPERATION TO PREVENT EROSION OR CONTROL SEDIMENT, BEYOND THOSE SPECIFIED IN THE EROSION AND SEDIMENT CONTROL PLAN, THE PERMITTEE MUST IMPLEMENT ADDITIONAL BEST MANAGEMENT PRACTICES AS NECESSARY, IN ACCORDANCE WITH THE SPECIFICATIONS IN SECTION 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL: A GUIDE TO SOUND LAND AND WATER MANAGEMENT (FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988).

5. STABILIZATION MEASURES SHALL BE INITIATED FOR EROSION AND SEDIMENT CONTROL ON DISTURBED AREAS AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, BUT IN NO CASE MORE THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED.
6. THE OPERATION PHASE OF THE PERMIT SHALL NOT BECOME EFFECTIVE UNTIL A FLORIDA REGISTERED PROFESSIONAL ENGINEER CERTIFIES THAT THE SYSTEM, OR INDEPENDENT PORTION OF A SYSTEM, HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE PERMIT ISSUED BY THE DISTRICT, AND THE PERMITTEE RECEIVES WRITTEN NOTIFICATION BY DISTRICT STAFF THAT THE CONSTRUCTION, ALTERATION, OR MAINTENANCE HAS BEEN COMPLETED ACCORDING TO THE PERMIT. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, OR INDEPENDENT PORTION OF THE SYSTEM, THE PERMITTEE SHALL SUBMIT THE CERTIFICATION OR ONE SET OF PLANS WHICH REFLECT THE SURFACE WATER MANAGEMENT SYSTEM AS ACTUALLY CONSTRUCTED. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. THE PERMIT MAY NOT BE TRANSFERRED TO AN OPERATION AND MAINTENANCE ENTITY APPROVED BY THE DISTRICT UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE.
7. IF ANY OTHER REGULATORY AGENCY SHOULD REQUIRE REVISIONS OR MODIFICATION TO THE PERMITTED PROJECT, THE DISTRICT IS TO BE NOTIFIED OF THE REVISIONS SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
8. THE DISTRICT MUST BE NOTIFIED, IN WRITING, WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF A PERMITTED SYSTEM OR FACILITY OR WITHIN 30 DAYS OF ANY TRANSFER OF OWNERSHIP OR CONTROL OF THE REAL PROPERTY AT WHICH THE PERMITTED SYSTEM OR FACILITY IS LOCATED. ALL TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF SECTION 40C-1.612, F.A.C.
9. THE PERMITTEE MUST REQUIRE THE CONTRACTOR TO REVIEW AND MAINTAIN A COPY OF THIS PERMIT, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS IN GOOD CONDITION AT THE CONSTRUCTION SITE. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW UPON REQUEST BY DISTRICT REPRESENTATIVES.
10. CONSTRUCTION OR ALTERATION OF EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SURFACE WATER MANAGEMENT SYSTEM (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 COMPLETE IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THAT PHASE OR PORTION OF THE SYSTEM TO LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.

11. TO THE EXTENT PERMITTED BY FLORIDA LAW, THE PERMITTEE MUST HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL LIABILITY ARISING FROM PROPERTY DAMAGE OR PERSONAL INJURY AS A RESULT OF THE PERMITTED ACTIVITIES.
12. NOTHING CONTAINED HEREIN RELIEVES THE PERMITTEE FROM TIMELY COMPLYING WITH APPLICABLE LAWS OR OTHER FEDERAL, STATE, OR LOCAL GOVERNMENTS.
13. IF AN ENTITY OTHER THAN THE PERMITTEE HAS BEEN APPROVED AS THE OPERATION AND MAINTENANCE ENTITY, THE PERMITTEE MAY REQUEST TRANSFER OF THE PERMIT FOR A COMPLETED SYSTEM OR INDEPENDENT PORTION OF A SYSTEM TO THE DISTRICT APPROVED OPERATION AND MAINTENANCE ENTITY AT THE TIME OF SUBMITTAL OF THE AS-BUILTS OR PROFESSIONAL ENGINEER CERTIFICATION FOR CONSTRUCTION OF THE PERMITTED SURFACE WATER MANAGEMENT SYSTEM.
14. THIS PERMIT FOR CONSTRUCTION WILL EXPIRE FIVE YEARS FROM THE DATE OF ISSUANCE.
15. AT A MINIMUM, ALL RETENTION AND DETENTION STORAGE AREAS MUST BE EXCAVATED TO ROUGH GRADE PRIOR TO BUILDING CONSTRUCTION OR PLACEMENT OF IMPERVIOUS SURFACE WITHIN THE AREA TO BE SERVED BY THOSE FACILITIES. TO PREVENT REDUCTION IN STORAGE VOLUME AND PERCOLATION RATES, ALL ACCUMULATED SEDIMENT MUST BE REMOVED FROM THE STORAGE AREA PRIOR TO FINAL GRADING AND STABILIZATION.
16. THE OPERATION AND MAINTENANCE ENTITY SHALL SUBMIT INSPECTION REPORTS TO THE DISTRICT TWO YEARS AFTER THE OPERATION PHASE PERMIT BECOMES EFFECTIVE AND EVERY TWO YEARS THEREAFTER ON DISTRICT FORM EN-46. THE INSPECTION FORM MUST BE SIGNED AND SEALED BY AN APPROPRIATE REGISTERED PROFESSIONAL.
17. THE SURFACE WATER MANAGEMENT SYSTEM MUST BE CONSTRUCTED PER PLANS RECEIVED BY THE DISTRICT ON DECEMBER 19, 1995.
18. PRIOR TO THE CONSTRUCTION OF THE INDIVIDUAL TRACTS WITHIN THE EASTHOOD DEVELOPMENT, A GENERAL MANAGEMENT AND STORAGE OF SURFACE WATERS MUST BE OBTAINED. THE GENERAL PERMIT APPLICATIONS MUST DEMONSTRATE THAT THE PROPOSED CONSTRUCTION CONFORMS TO THE MASTER PLAN.

20. COMPENSATING STORAGE FOR THE 100-YEAR FLOODPLAIN SHALL BE PROVIDED BY EACH DEVELOPMENT TRACT IF ENCROACHMENT INTO THE FLOODPLAIN IS PROPOSED. THE COMPENSATING STORAGE MAY BE PROVIDED WITHIN THE DEVELOPMENT TRACT OR THE MASTER SYSTEM. IF APPLICABLE, AN APPLICANT SHALL PROVIDE A CUMULATIVE TOTAL OF REQUIRED COMPENSATING STORAGE FROM PREVIOUS APPLICATIONS TO VERIFY ADEQUATE STORAGE IS AVAILABLE FOR ANY NEW DEVELOPMENT.