Applicant: Gregory Graham
Walton County Board of County Commissioners
117 Montgomery Circle
DeFuniak Springs, FL 32435
850-892-8101

Project Name: Williams Rd Borrow Pit
Acres Owned: 120.0
Project Acreage: 120.0
County: Walton

STR:

<table>
<thead>
<tr>
<th>Section(s)</th>
<th>Township(s)</th>
<th>Range(s)</th>
</tr>
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<tbody>
<tr>
<td>33</td>
<td>4N</td>
<td>20W</td>
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Receiving Water Body:

<table>
<thead>
<tr>
<th>Name</th>
<th>Class</th>
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<tbody>
<tr>
<td>Big Swamp Creek</td>
<td>III Fresh</td>
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Authority: 62-330.020 (2)(d)
Final O&M Entity: Local Government

ERP Conservation Easements/Restrictions:
Interested Parties: No
Objectors: No

Authorization Statement:

Construction of a borrow pit to excavate sandy clay material for County road projects. The final remediation plan for the site, after removing all acceptable borrow material, is to leave a wet detention pond in place. Stormwater conveyance will consist of sheetflow to the wet detention basin. Outfall from the pond will occur through a concrete weir structure that will discharge into a spreader swale to the wetlands located on the east side of the pond. The Stormwater Management System with stormwater treatment for the Williams Rd Borrow Pit, is to be constructed as per plans received by the District on April 20, 2016.

Recommendation: Approval
Reviewers: Janet Strutzel; Michael Bateman

Engineering Comments:

The County is proposing to construct a borrow pit on a parcel of land approximately 120 acres in size located off of Williams Road, in Walton County, Florida. The reclamation plan for this pit will consist of reclaiming the permitted borrow area as a wet detention
stormwater management facility approximately 48 acres in size calculated at the design normal pool elevation. The remaining acreage is to remain undisturbed with the exception of a 20’ wide haul road to the borrow area approximately 1,140 feet in length. The site is buffered entirely around the perimeter property line with 50 foot buffers with a 150 foot buffer off of a seepage wetland on-site. The normal pool elevation for the pond was set to ensure no dewatering of the adjacent wetlands or surrounding areas. The proposed pit will be excavated in a manner so as to build the wet detention pond as they go. The discharge structure will be installed as part of the first construction. The control elevation will be set at the highest groundwater elevation found on the site through numerous borings at 235. This should precluded any potential for continuous discharge of groundwater since the control elevation is essentially above the water table for most of the year. The reclamation plan will result in no impoundments that can be breached and a stormwater treatment component, consisting of an outfall structure, that will recover no more than ½ the treatment volume within a 60 hour period. Attenuation of the 100 year critical storm event up to 240 hour duration was modeled maintaining a minimum of 1 ½ foot of freeboard below the top of bank elevation. Littoral shelves are part of the reclamation plan and ultimately will result in a habitat creation area occurring naturally over time.

Environmental Comments:

The project is located northwest of DeFuniak Springs in Walton County, north of Williams Road, on the east side of Turkey Creek in Section 33, Township 4 North, Range 20 West. The project site is approximately 120 acres in size. Aerial photographs from 1994 show the property primarily as forested with planted pines. The site has been logged within the last few years.

A seepage slope wetland is located on the eastern third of the property which appears to have been historically connected to Big Swamp Creek, a tributary to the Shoal River. Wetlands on the project site consist of disturbed Baygall seepage wetlands with a canopy of sweetbay (Magnolia virginiana), cypress (Taxodium distichum), and blackgum (Nyssa sylvatica var. biflora); a subcanopy of wax myrtle (Myrica cerifera), highbush blueberry (Vaccinium carymbosum), and black titi (Cliftonia monophylla), and sparse groundcover. Upland communities on the project site are classified using the Florida Land Use, Cover and Forms Classification System (FLUCCS) as 4410 – Coniferous Plantation; and 4430 – Forest Regeneration Areas.

The terrain varies with elevations ranging from approximately 260’ mid-site to approximately 175’ on the west side and 218’ on the east side of the site. Upon review of the topography and geotechnical information the normal pool water table for the west side of the property has been established at elevation 181’ with the east side normal pool water table at 217’

The project has been redesigned to avoid impacts to wetlands. A 150’ wetland buffer area will remain around the wetlands where there is no proposed clearing or earthwork with the exception of the wet detention system outfall structure. Normal pool water levels in the adjacent ponds have been set at an elevation of 235’ NGVD which will eliminate concerns with respect to dewatering the wetlands on-site. Based on the topography of the site much of the surface runoff appears to discharge through the adjacent wetlands and the new pond design has the outfall structures, after attenuation and water quality
treatment within the detention pond, discharging at the head of this wetland to avoid the alteration of surface runoff patterns occurring pre-development.

The Florida Fish and Wildlife Conservation Commission (FWC) requested a listed species survey focusing on the potential presence of gopher tortoise. Gopher tortoise surveys were conducted in accordance with the FWC Gopher Tortoise Permitting Guidelines (FWC, 2008). A total of 16 burrows were discovered, including 10 active and 6 abandoned burrows. Walton County will coordinate with FWC to determine avoidance measures and potential tortoise relocation permit approvals. No other state or federally listed species were noted as a result of the survey.

The Florida Department of State, Division of Historical Resources (DHR) has recommended that the project area be subject to a professional cultural resources assessment survey. Walton County will have a cultural resource survey performed per DHR’s request. The ERP permit will be include a special condition regarding coordination with DHR to assess the property for cultural resources.

The proposed wet pond has been redesigned to meet the criteria for projects located within a Sensitive Karst Area. The project as proposed is not anticipated to have any adverse impacts to wetlands, wildlife, or Sensitive Karst Areas.

Site Description:

Walton County proposes to construct a County maintained and operated borrow pit which will be located north of Williams Road on the east side of Turkey Creek. The project site is approximately 120 acres in size and exists in an undeveloped state. The subject site has primarily been maintained as a pine plantation in which the timber on the site was harvested within the past 5 years, The site is currently undergoing natural pine growth regeneration since the timber was harvested.

Williams Road is located north of DeFuniak Springs between U.S. Highway 331 North and County Highway 1087. This project lines within Section 33, Township 04 North, Range 20 West in Walton County, Florida. The project location is depicted on the construction plans and other supporting maps in this document.

Conditions

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any
deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), “Construction Commencement Notice,” [October 1, 2013], incorporated by reference herein (http://www.flrules.org/Gateway/reference.asp?No=Ref-02505), indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
   1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex “Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
   2. For all other activities “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].
   3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

2. Within 30 days of submittal of the as-built certification, the permittee shall submit “Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity” [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
   1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
   2. Convey to the permittee or create in the permittee any interest in real property;
   3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
   4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

12. The permittee shall notify the Agency in writing:
   1. Immediately if any previously submitted information is discovered to be inaccurate; and
   2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in
residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any 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, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

19. **Record-keeping.** The permittee shall be responsible for keeping records documenting that relevant permit conditions are met. This documentation shall include, at a minimum, the date of each inspection, the name and qualifications of the inspector, any maintenance actions taken, and a determination by the inspector as to whether the system is operating as intended. Inspection documentation must be readily available and shall be provided at the District's request. Submittal of the inspection documentation to the District is not required.
20. Once project construction has been deemed complete, including the re-stabilization of all side slopes, embankments, and other disturbed areas, and before the transfer to the Operation and Maintenance phase, all obsolete erosion control materials shall be removed.

21. If during construction or operation of the stormwater management system, a structural failure is observed that has the potential to cause the direct discharge of surface water into the Floridan Aquifer System, corrective actions designed or approved by a registered professional shall be taken as soon as practical to correct the failure. A report prepared by a registered professional must be provided as soon as practical to the District for review and approval that provides reasonable assurance that the breach will be permanently corrected.

22. If unanticipated limestone formations are encountered during construction of the retention basins, or a sinkhole or solution cavity forms during construction, construction of the basin must be halted immediately and the District must be notified. Remedial action may be required.

23. Inspection by Permittee. The permittee must visually inspect all permitted stormwater systems at least quarterly for the occurrence of sinkholes and keep reports of these inspections. Submittal of the reports to the District is not required; however, they should be made available to the District upon request.

24. The wet detention area shall be inspected periodically for debris and trash built up around the discharge structures. Accumulations of debris and trash that negatively affect the function of the system shall be removed upon discovery.

25. Inspections by a Registered Professional. The stormwater management system shall be inspected by a registered professional to evaluate whether the system is functioning as designed and permitted. The Registered Professional may record his inspection on Form No 62-330.311(1), Operation and Maintenance Inspection Certification or may provide his evaluation in any other format; however any report must be signed and sealed by the Registered Professional. Submittal of the inspection report to the District is not required; but the report shall be made available to the District upon request. Inspections shall be made by the Registered Professional in accordance with this schedule:
   - On the first anniversary of the date of conversion to Operation and Maintenance Phase.
   - Every fifth year on the anniversary of conversion to Operation and Maintenance phase, after the first year of successful operation.

26. Reporting by a Registered Professional. Within 30 days of any failure of the stormwater management system or deviation from the permit, a report shall be submitted to the District on Form 62-330.311(1), Operation and Maintenance Inspection Certification, describing the remedial actions taken to resolve the failure or deviation. This report shall be signed and sealed by a Registered Professional.
27. All wetlands areas or other surface waters that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.

28. All storage or stockpiling of tools or materials (i.e. lumber, pilings, etc.) shall be limited to uplands or within the impact areas authorized by this project. In addition, all equipment being utilized shall be limited to operation and storage in uplands or within the impact areas authorized by this permit.

29. Prior to construction, the limits of the proposed construction shall be demarcated (clearly flagged and/or staked): particularly in areas adjacent to remaining natural wetlands. All construction personnel shall be shown the location(s) of all wetland areas outside of the construction area so as to prevent encroachment form heavy equipment into these areas.

30. Negative impacts to wetland or other surface waters outside of the approved impact area shall be reported immediately to the Northwest Florida Water Management District, Carr Building, Suite 225, 3800 Commonwealth Blvd., MS LS 225, Tallahassee, Florida 32399 and Phone No. (850) 921-5852. Corrective action shall be taken as soon as practicable to restore the impacted areas.

31. This permit does not authorize dewatering activities. Prior to dewatering, the contractor shall submit a dewatering plan to the District for recording in the file.

32. All wetland areas or other surface waters that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring, excess turbidity, dewatering and/or any other action which may negatively impact the water quantity or water quality of those wetlands and other surface waters.

33. The Permittee and its contractors shall adhere to the standard specifications for prevention, control and abatement of erosion and water pollution, as stated in the Florida Erosion and Sediment Control Designer and Reviewer Manual (FDOT and FDEP, 2007), and to any stricter standards required in this permit. The contractors shall be responsible for ensuring that turbidity/erosion control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit until all area that are disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.

34. All wetland areas and water bodies, which are outside the specific limits of construction authorized by this permit, must be protected from erosion, siltation, scouring and/or dewatering using best management practices. Erosion controls shall be positioned at the edge of permitted fill slopes where they are adjacent to wetlands in order to prevent turbid run-off, erosion, and sedimentation. At no time shall there be any discharge in violation of water quality standards in Chapter 62.302, Florida Administrative Code. Turbidity/erosion controls shall be installed prior to any clearing (with the exception of the minimal clearing necessary to install appropriate erosion control device), excavation or placement of fill material...
and shall be maintained in an effective condition at all locations until construction is completed, disturbed areas are stabilized, and turbidity levels have fallen to less than 29 NTU's above background. The District must be notified immediately if turbidity levels have exceeded 29 NTUs above background. Once conditions are met, the turbidity and erosion control devices shall be removed within 14 days.

35. 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 62.346, F.A.C.