

DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT CORPS OF ENGINEERS Post Office Box 4970 Jacksonville, Florida 32232-0019

REPLY TO

August 25, 2006

Regulatory Division North Permits Branch Atlantic Permits Section SAJ-2006-3507-NBF

Mr. James Efstathion 3121 Venture Place, Suite 1 Jacksonville, Florida 32257

Dear Mr. Efstathion:

Your application for a Department of the Army permit received on May 10, 2006, has been assigned number SAJ-2006-3507-NBF. A review of the information and drawings provided shows the proposed work is to impact 2.42 acres of waters of the United States to include wetlands associated with a residential commercial development known as Belfort Corners. The project is located in the southwest corner of the intersection of Salisbury Road and A.C. Skinner Parkway, in Section 56, Township 3 South, Range 27 East, Jacksonville, Duval County, Florida.

The Supreme Court handed down a decision on June 19, 2006, in the Rapanos and Carabell cases. That decision addresses the scope of Clean Water Act jurisdiction over certain waters of the United States, including wetlands. We anticipate that the decision will lead the Corps and The U.S. Environmental Protection Agency to make some changes in our scope of jurisdiction.

Your project includes activities, which are regulated under the current interpretation of Federal jurisdiction under Section 404 of the Clean Water Act. Your project includes special conditions that require compensatory mitigation for impacts to areas of Federal jurisdiction. Any changes to our scope of jurisdiction could require reassessment of these mitigation requirements and/or other project modification. You will have an opportunity to re-address the terms or conditions of this authorization following issuance of the anticipated EPA/Army substantive Rapanos/Carabell guidance, if such guidance affects Federal jurisdiction on your permit site.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-90. This authorization is valid until February 10, 2011. Please access the U.S. Army Corps of Engineers' Regulatory web address at http://www.saj.usace.army.mil/permit/permitting/general_permits.htm to view the special and general conditions for SAJ-90, which apply specifically to this authorization. To view the referenced conditions click on the permit number and the general condition column in the row corresponding to the SAJ number noted above. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. The following special conditions are included with this authorization:

- 1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.
- 2. Within 60 days from the date of permit issuance, the permittee shall furnish proof of purchase for 1.13 credits at the Loblolly Mitigation Bank. Submit proof to the address in Special condition #1 and reference DA permit number SAJ-2006-3507-NBF.

Generally, authorization of activities that have commenced or are under contract to commence in reliance of the GP will remain in effect provided the activity is completed within 12 months of the date a GP expired or was revoked. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification will likely be required.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this GP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under \$. 373.069, F.S., or a local government with delegated authority

under §. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereof, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced GP, please contact Norma Fouraker by telephone at 904 232-1679.

Thank you for your cooperation with our permit program. Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:

http://www.saj.usace.army.mil/permit/forms/customer service.htm. Your input is appreciated - favorable or otherwise.

Sincerely,

Frey Cungy
Paul L. Grosskruger
Colonel, U.S. Army District Engineer

Enclosures

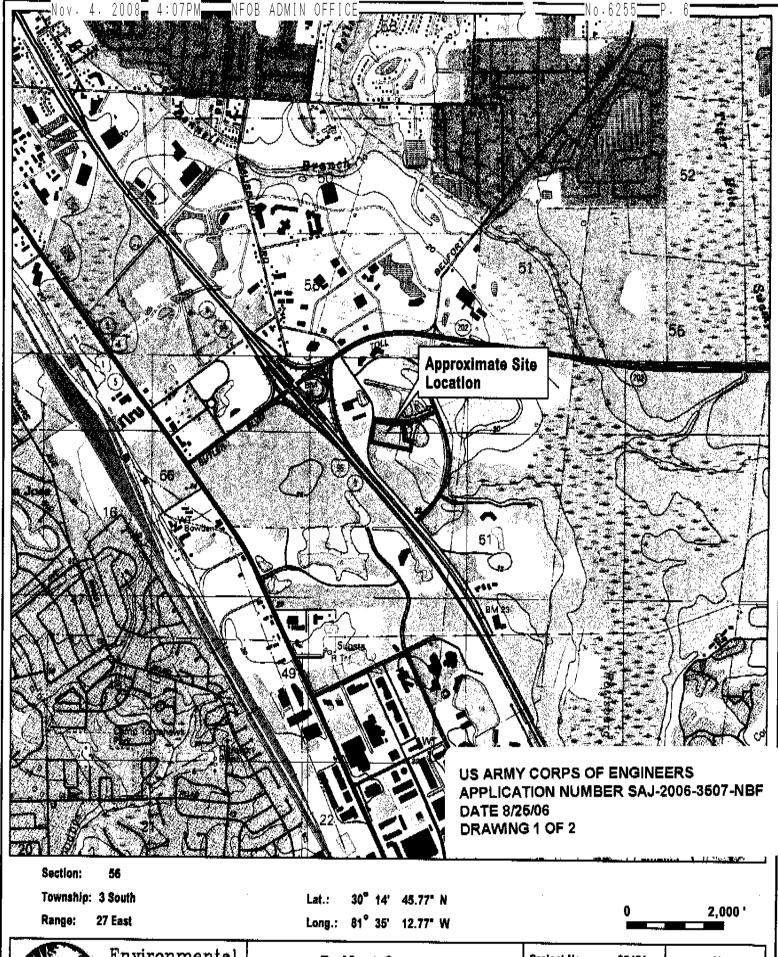
Copies Furnished:

Environmental Resource Solutions, Inc., 1597 The Greens Way, Suite 200, Jacksonville Beach, Florida 32250

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-90
Application Number: SAJ-2006-3507-NBF

	se print or type):
	Date Work Completed:
Description of the Work (e.g., b commercial filling, docks, dredg	ank stabilization, residential or ing, etc.):
Acreage or Square Feet of Impact	s to Waters of the United States:
	f applicable):
	mit (attach drawing(s) depicting the
	,
I certify that all work, and mit	
	Signature of Permittee
	Date





Environmental Resource Solutions Inc.
1607 The Greens Way,
Suits 800
Jacksonville Beach, FL 58260

Beifort Corners Location Map

Source: USGS 7.5' Bayard, FL Topographic Quadrangle
 Project No.:
 05431

 Exhibit No.:
 1

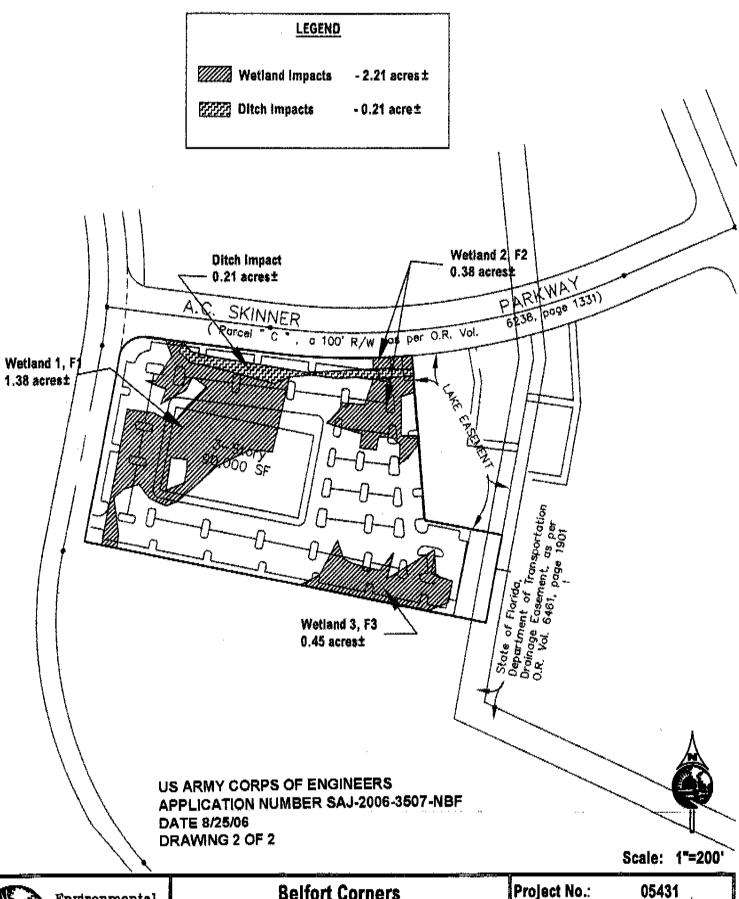
 Date:
 4-26-06

W E

File Name: 05431 loc 4-26-06

Rev. Date:

By: MM



Environmental Resource Solutions Inc.

Belfort Corners Wetland Impact Map Project No.:

4

Date:

4-28-06 Rev.:

Exhibit No.:

Source:

By:: MM File: 05431 impmit 4-28-06



4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500 On the Internet at www.sjrwmd.com.

November 13, 2007

James Efstathion 3121 Venture PI Suite 1 Jacksonville, FL 32257

SUBJECT:

Permit Number 4-031-105485-1

Belfort Corners

Dear Sir/Madam:

Enclosed is your permit as authorized by the Governing Board of the St. Johns River Water Management District on November 13, 2007.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

In the event you sell your property, the permit can be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

Gloria Lewis, Director

Maria Man Jennio

Division of Regulatory Information Management

Enclosures: Permit with EN Form(s), if applicable

cc: District Permit File

Agent:

Environmental Resource Solutions Inc

1597 The Green Way Ste 200 Jacksonville Beach, FL 32250

GOVERNING BOARD

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT Post Office Box 1429 Palatka, Florida 32178-1429

PERMIT NO. 4-031-105485-1
PROJECT NAME: Belfort Corners

DATE ISSUED: November 13, 2007

A PERMIT AUTHORIZING:

Construction of a surface water management system with stormwater treatment by wet detention for Belfort Corners, a 7.32-acre commercial project.

LOCATION:

Section(s):

56

Township(s):

38

Range(s):

27E

Duval County

ISSUED TO:

James Efstathion 3121 Venture PI Suite 1 Jacksonville, FL 32257

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 of 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 November 13, 2007

AUTHORIZED BY: St. Johns River Water Management District

Department of Water Resources

Governing Board

Вγ

Elledge

(Director)

By

Kirby B. Green

(Assistan) Secretary)

"EXHIBIT A" CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-031-105485-1 JAMES EFSTATHION DATED NOVEMBER 13, 2007

- All activities 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.
- 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 do not cause violations of state water quality standards.
- 4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, 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 shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
- 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 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
- 6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
- 7. 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 No. 40C-4.900(4). These forms shall be submitted during June of each year.
- 8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior

to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. 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 governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

- 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 the 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 that phase or portion of the system to local government or other responsible entity.
- 10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed from shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:
 - Dimensions and elevations of all discharge structures including all welrs, slots, gates, pumps, pipes, and oll and grease skimmers;
 - Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 - Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 - 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 - Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 - Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.

- 11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an 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 request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
- 12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
- 13. 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 40C-4 or chapter 40C-40, F.A.C.
- 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 activities authorized by the permit or any use of the permitted system.
- 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 specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., 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 the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
- 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 District.
- 19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
- 20. This permit for construction will expire five years from the date of issuance.
- 21. 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.

- 22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
- 23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
- 24. The proposed surface water management system must be constructed as per Plans received by the District on May 23, 2007.
- 25. All mitigation must be provided and placed under conservation easement in accordance with the mitigation plan submitted to the District on August 18, 2005.
- 26. Prior to initiating any construction for this project, the District must receive a letter of verification from the Lobiolly Mitigation Bank stating that a transaction of 3.52 credits has been completed.
- 27. In the event that the permittee does not successfully complete the transaction to obtain 3.52 credits from the Lobiolly Mitigation Bank, the permittee must obtain a modification to this permit prior to beginning construction to provide suitable alternative mitigation for the proposed wetland impacts.

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT CONSTRUCTION COMMENCEMENT NOTICE

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT POST OFFICE BOX 1429 PALATKA, FL 32178-1429

PROJECT:	PHASE:			
I hereby notify the St. Joh	nns River Water Management District that	the construction of the		
surface water management sy	ystem authorized by Environmental F			
The state of the s	has commenced/is expected	to commence on		
20	, and will require a duration of appr	oximately		
monthsweeks	days to complete. It is und	erstood that should the		
construction term extend beyond	one year, I am obligated to submit the A	nnual Status Report for		
Surface Water Management Sys	tem Construction form no. 40C-4.900(4).	•		
PLEASE NOTE: If the actual cobe so notified in writing in order	onstruction commencement date is not know to satisfy permit conditions.	wn, District staff should		
Permittee's or Authorized Agent's	Title and Company	, Date		
Signature		,		
Phone	Address			

Form No. 40C-4.900(3)

St. Johns River Water Management District ANNUAL STATUS REPORT FOR SURFACE WATER MANAGEMENT SYSTEMS CONSTRUCTION

(Required whenever construction duration exceeds one (1) year)

St. Johns River Water Management District P.O. Box 1429 Palatka, FL 32178-1429

ROJECT NAME:		PHASE:	
Control Structure(s)	% of Completion	Anticipated Date of Completion	Date of Completion
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Surface Water M Works		Anticipated Date of Completion	Date of Completion
Works		Anticipated Date of	
Works se(s) ch(es)/Swale(s)	igt. % of Completion	Anticipated Date of Completion	
Works ke(s) ch(es)/Swale(s) filtr. Trench	igt. % of Completion	Anticipated Date of Completion	
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Works ke(s) ch(es)/Swale(s) filtr Trench y Area(s)	igt. % of Completion	Anticipated Date of Completion	
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MSSW/STORMWATER AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL*

ERMIT NUMBER:				
ROJECT NAME:				
NSPECTION DATE(S):				
SUBSTANTIALLY IN ACCORDANG SUBSTANTIAL DEVIATIONS (NO SYSTEM FROM FUNCTIONING IN APPLICABLE), WHEN PROPERLY OBSERVATION OF THE SYSTEM	IAT ALL COMPONENTS OF THIS CE WITH THE APPROVED PLANS TED BELOW) FROM THE APPROVED BELOW) FROM THE REQUIRED AND OPERATED. I CONDUCTED BY ME OR BY MERTIFIED BY A REGISTERED PROF	AND SPECIFICATIONS VED PLANS AND SPEC IREMENTS OF CHAPTE THESE DETERMINATION Y DESIGNEE UNDER M	AND IS READY FOR CIPICATIONS WILL BRS 40C-4, 40C-41, O DNS HAVE BEEN BA MY DIRECT SUPERV	INSPECTION, ANY NOT PREVENT THE R 40C-42, F.A.C. (AS SED UPON ON-SITE VISION AND/OR MY
ANT CONTRACTOR OF THE STATE OF				
NAME (please print)		SIGNATURE OF PRO	FESSIONAL	
COMPANY NAME		FLORIDA REGISTRA	TION NUMBER	
COMPANY ADDRESS	, ,	DATE		
CITY, STATE, ZIP CODE				
TELEPHONE NUMBER		(Affix Seal)		•
SUBSTANTIAL DEVIATIONS FRO	OM THE APPROVED PLANS AND S	PECIFICATIONS:	<i>t</i>	
	. '			
(NOTE: ATTACH TWO COPIES O	f as-built plans when there	ARE SUBSTANTIAL DE	(ZNOITAIVI	
WITHIN 30 DAYS OF INSPECTION	N OF THE SYSTEM, SUBMIT TWO	COPIES OF THIS FORM	TO:	•
	DIVISION OF PERMIT DATA SEI ST. JOHNS RIVER WATER MAN. P.O. BOX 1429			

** A REGISTERED PROFESSIONAL IS DEFINED IN SUBSECTION 40C-42.021(1) AS "A PROFESSIONAL REGISTERED IN FLORIDA WITH THE NECESSARY EXPERTISE IN THE FIELDS OR HYDROLOGY, DRAINAGE, FLOOD CONTROL, EROSION AND SEDIMENT CONTROL, AND STORMWATER POLLUTION CONTROL TO DESIGN AND CERTIFY STORMWATER MANAGEMENT SYSTEMS". EXAMPLES OF REGISTERED PROFESSIONALS MAY INCLUDE PROFESSIONAL ENGINEERS LICENSED UNDER CHAPTER 471, F.S., PROFESSIONAL LANDSCAPE ARCHITECTS LICENSED UNDER CHAPTER 481, F.S., AND PROFESSIONAL GEOLOGISTS LICENSED UNDER CHAPTER 492, F.S., WHO HAVE THE REFERENCED SKILLS.

PALATKA, FL 32178-1429

FORM 40C-1.181(13)

AS-BUILT CERTIFICATION

PERMIT NUMBER:		
PROJECT NAME:		
MANAGEMENT SYSTEM WITH THE PERMITTED	ERTIFY THAT ALL COMPONENTS I HAVE BEEN BUILT SUBSTANT PLANS AND SPECIFICATIONS. TO ON ON-SITE OBSERVATION OF THE	TALLY IN ACCORDANCE THESE DETERMINATIONS
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	NAME (Please Print)	
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	DATE	,
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	COMPANY/AGENCY ADDRESS	
<u> </u>	CITY, STATE, ZIP CODE	
	TELEPHONE NUMBER	
WITHIN 30 DAYS OF CO FORM TO:	OMPLETION OF THE SYSTEM, SUBI	MIT TWO COPIES OF THIS

DIVISION OF PERMIT DATA SERVICES ST. JOHNS RIVER WATER MANAGEMENT DISTRICT P.O. BOX 1429 PALATKA, FL 32178-1429

FORM 40C-1.181(14)

EFFECTIVE 3/21/93