

# DEPARTMENT OF THE ARMY

#### **JACKSONVILLE DISTRICT CORPS OF ENGINEERS**

Post Office Box 4970

Jacksonville, Florida 32232-0019

September 24, 2007

#### REPLY TO ATTENTION OF

Regulatory Division South Permits Branch West Permits Section SAJ-2006-6519(IP-MFN)

Grady C. Pridgen, Managing General Partner Post Publishing, Inc. 9741 International Court North St. Petersburg, Florida 33716-4807

Dear Mr. Pridgen:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
  - c. The date of final completion.

This information should be mailed to the Enforcement Section of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Enforcement Section is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

David Hobbie

Chief, Regulatory Division

Enclosures

Copy Furnished:

Jeff Churchill Environmental Analysis and Permitting, Inc. 299 Ninth Street North St. Petersburg, FL 33701-3126

### DEPARTMENT OF THE ARMY PERMIT

Permittee: POST PUBLISHING, INC.

Permit No. SAJ-2006-6519 (IP-MFN)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: To discharge clean fill in 2.15 acres of wetlands and temporarily impact 0.45 acres of impact to construct this facility which would also include a retail/office component. All work is to be completed in accordance with the attached plans numbered SAJ-2006-6519(IP-MFN) in 9 sheets dated 2/5/2007.

Project Location: The project is located in tidally influenced wetlands adjacent to Old Tampa Bay, at the intersection of 118th Avenue North and 9th Street North, in Section 12, Township 30 South, Range 16 East, St, Petersburg, Pinellas County, Florida.

Latitude: 27.88025°N, Longitude: 82.64866°W

### Permit Conditions:

### General Conditions:

- 1. The time limit for completing the work authorized ends on 11 September 2012. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity

or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

### Special Conditions:

The attached Specific Conditions of Water Quality Certification/Permit number 43008227.005 issued by the Southwest Florida Water Management District (SWFWMD) on August 28, 2007, address the conditions that the District Engineer (DE) has determined are necessary to satisfy legal and public interest requirements for issuance of this permit. Therefore, all of the SWFWMD permit specific conditions are hereby incorporated into this Department of the Army (DA) permit including the mitigation plan shown on page 2 of the SWFWMD of the permit.

# Further Information:

- 1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
- ( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

- (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
- 2. Limits of this authorization.
- a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.
- 3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.

- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permitted, indicates that you accept and agree to comply with the terms and conditions of this permit.

(PERMITTEE)

(DATE)

This permit becomes affective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

(DATE)

Paul L. Grosskruger Colonel, U.S. Army

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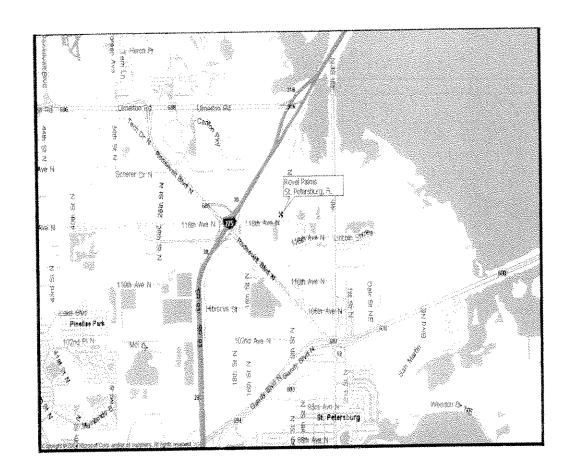
### DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: \_SAJ-2006-6519(IP-MFN)\_\_\_\_

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida, 32232-0019.

TRANSFEREE-SIGNATURE	DATE					
(NAME-PRINTED)		UBDIVISION)				
(ADDRESS)	(Lot #)	(Block #)				
(CITY, STATE, AND ZIP CODE)						
(TELEPHONE NUMBER W/AREA CODE)	andres.					

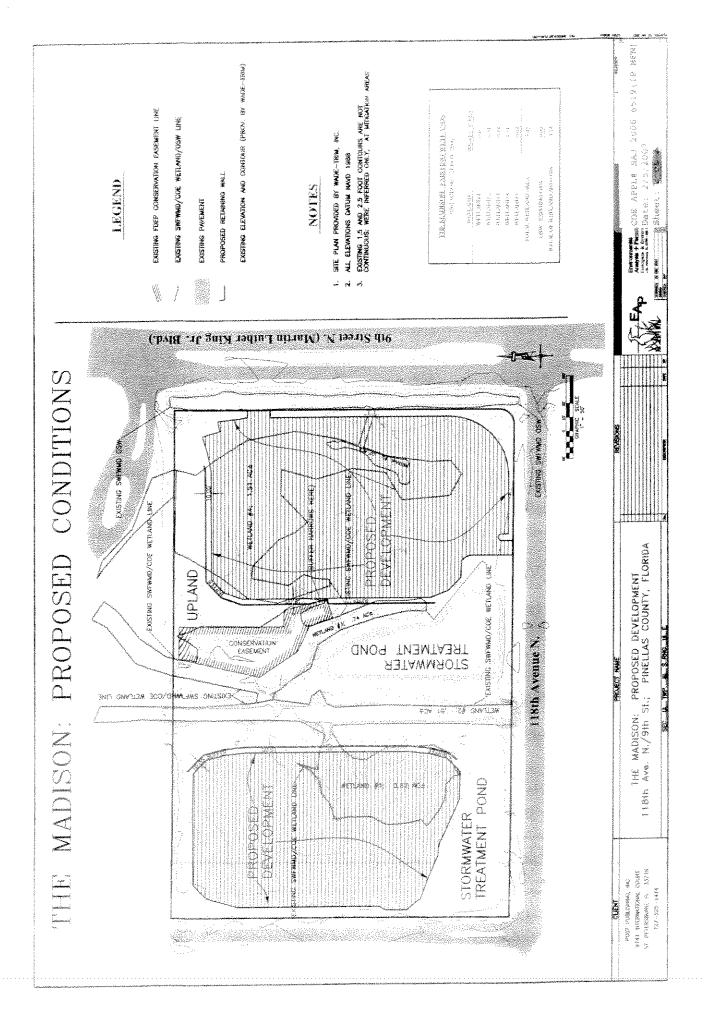


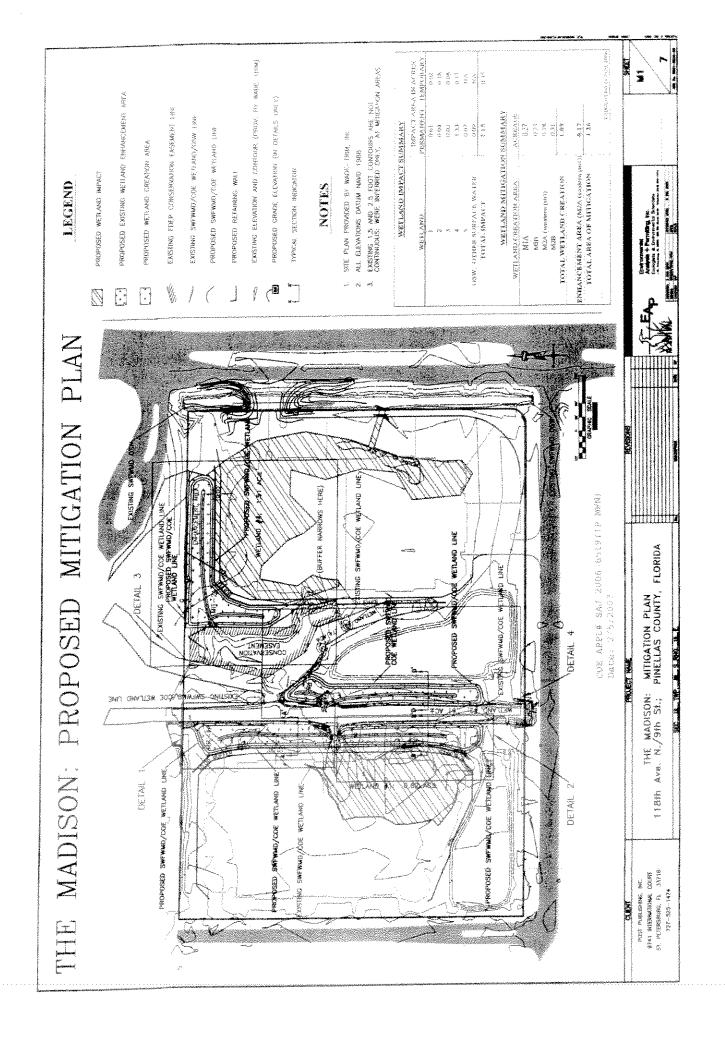
COE APPL# SAL -2006 -8519 (1P-NFS) Date: 2/5/2007

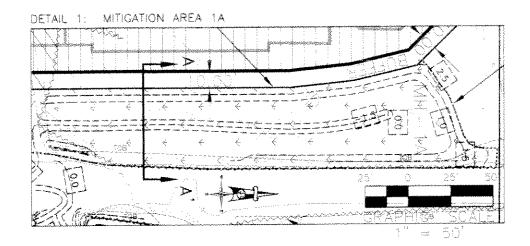
Local Site Victality Map Royal Palms Property St. Petersburg, Florida

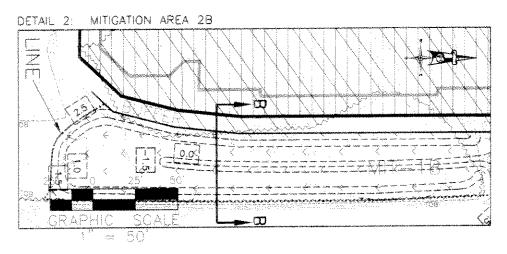
Project No
SG05134
Scale:
As Shown
Figure No.:

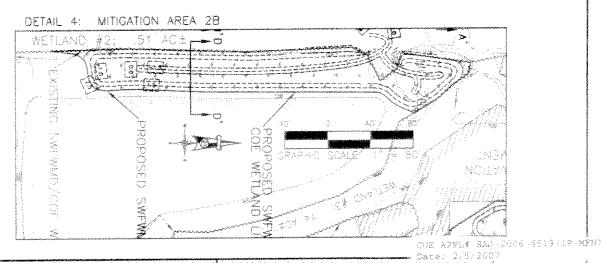
FES Group, inc. 9515 International Court St. Petersburg, Florida PH: (727)-576-2000 FX: (727)-576-2022













Environmental Analysis + Permitting, Inc. Eastopists & Environmental Scientists

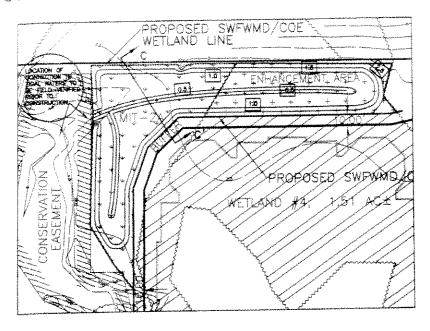
299 Off Street North St. Patersburg, Ft. 33701 Metephone, 77271 894—4643 FAX. (727) 222—2919

MITIGATION PLAN DETAILS: THE MADISON 118TH AVE/9TH ST, ST. PETERSBURG, FLA.

M2 OF 7

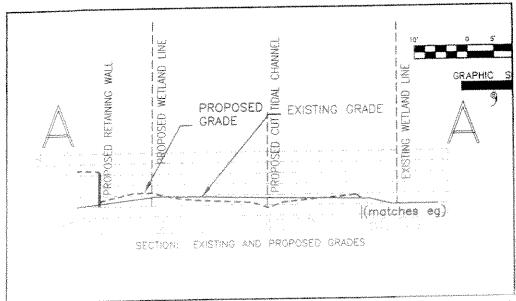


# DETAIL 3: MITIGATION AREA 2A AND ENHANCEMENT AREA



(DETAIL 5: SEE PAGE M6)

DETAIL 6: SECTION A-A', MIT. AREA 1A



COE APPL# SAJ-2005-8519-12 MENT

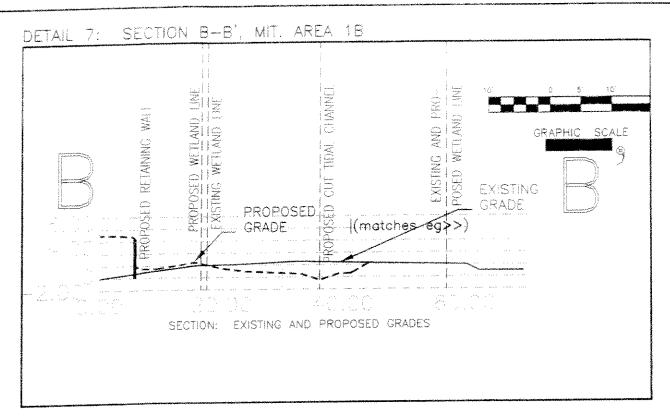


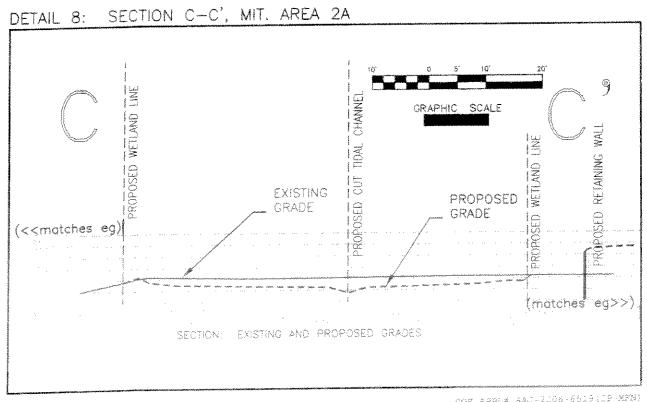
### Environmental Analysis + Permitting, Inc. Ecologists & Environmental Scientists

MITIGATION PLAN DETAILS: THE MADISON 118TH AVE/9TH ST, ST. PETERSBURG, FLA.

M3 OF 7 sheet







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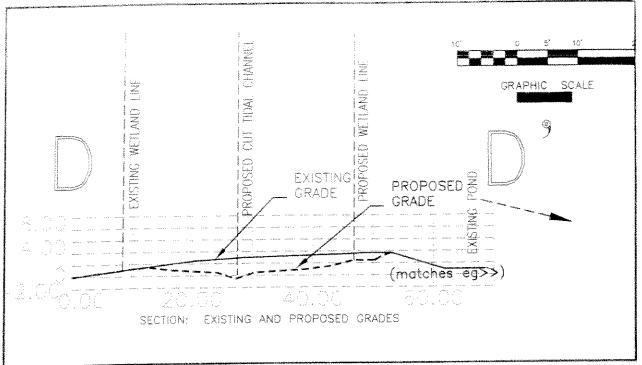
# Environmental Analysis + Permitting, Inc. Ecologists & Environmental Scientists

299 9th Street North St. Petersburg, FL 33701 (elephone: (727) 894-4643 FAX: (727) 822-2919 MITIGATION PLAN DETAILS:

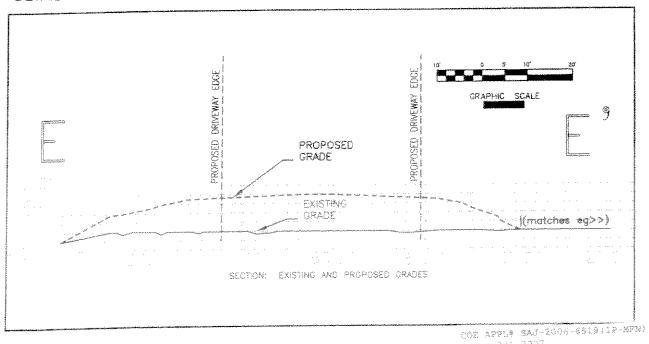
THE MADISON

118TH AVE/9TH ST, ST. PETERSBURG, FLA. M4 OF 7 sheet





DETAIL 10: SECTION E-E', SWFWMD OSW AND PROPOSED DRIVEWAY



## Environmental Analysis + Permitting, Inc. Ecologists & Environmental Scientists

299 9th Street North St. Petersburg, FL 33701 Telephone: (727) 894-4643 FAX: (727) 822-2919

MITIGATION PLAN DETAILS: THE MADISON

118TH AVE/9TH ST, ST. PETERSBURG, FLA.

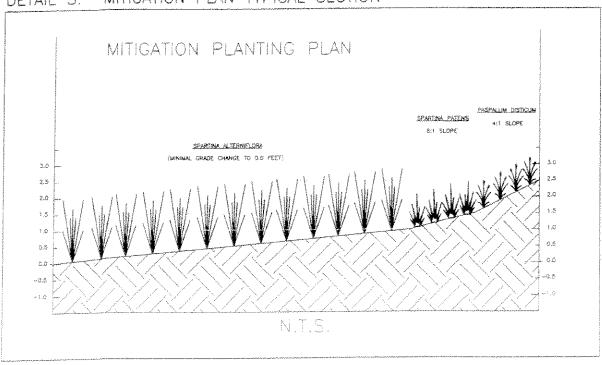
M5 OF 7 sheet

# PLANTING PLAN SPECIFICATIONS (TYP.) (ALL MITIGATION AREAS)

# Annual An

	Sangaran da sangaran sa				
ELEVATION	BOTANICAL NAME	COMMON NAME	SPACING	: SIZE	TOTALS
1.5 - 2.5	<u>Fospaium disticum</u>	Knotgrass	<u> </u>	4 incres or better	1,131
1.0 - 1.5	Sparting patens	Salt meedow cord grass	3' OC	4 inches or better	1,129
<1.0		Sait marsh card grass	<u> 3, 0c</u>	4 inches or better	3,699

#### MITIGATION PLAN TYPICAL SECTION DETAIL 5:



COE APPL# GAT-3006-6519119 MMPN) Date: 2-5-2001



# Environmental Analysis + Permitting, Inc.

Ecologists & Environmental Scientists

299 9th Street horth St. Petersburg, Ft. 33701 Petersburg, 707) 694-4641 FAX: (727) 622-2919

MITIGATION PLAN DETAILS: THE MADISON 118TH AVE/9TH ST. ST. PETERSBURG, FLA.

sheet



M6 OF 7

# MITIGATION CONSTRUCTION OBSERVATION

- 1. All mitigation construction activities will be coordinated with the project ecologist.
- 2. The project ecologist must be experienced in the construction of tidal wetland mitigation projects.
- 3. Prior to construction, all connection points to existing wetlands are to be staked and reviewed by the project ecologist. The project ecologist may recommend field adjustments to the connection points to minimize temporary impacts or to assure proper hydrologic
- 4. The project ecologist should review any available as built survey data and conduct a field inspection once grading is completed, prior to the initiation of planting.
- 5. The project ecologist shall approve the plant materials for installation and must approve any substitutions.
- 6. Once the mitigation planting is completed the project ecologist will review the site prior to the approval of final payment to the contractor.

#### MONITORING

Monitoring and reporting will be conducted for each of the proposed mitigation areas. These efforts are being conducted to provide the regulatory agencies with information so that they may assess the ability of the wetland mitigation areas to meet the success criteria specified below and to determine if any remedial actions are necessary. Statistical sampling will be conducted in the summer months and reported annually until the mitigation areas are deemed successful.

Within each of the mitigation areas, data collection will be conducted utilizing the line intercept method as described in Daubenmire (1968). The location of the transect will be permanently marked in the field during the first sampling episode for relocation during subsequent monitoring events. As specified in the method, all plants will be recorded by species and position on the line as encountered. This will include both installed species and any additional volunteer species.

Reports will include an introduction, methods, results and discussion sections. The discussion will utilize the data to classify each of the mitigation areas according to Cowardin et al. (1979). The relative abundance of species within the mitigation areas will also be included. Changes in any of the mitigation area(s) since the previous monitoring will be noted and explained to the extent possible, and the investigator may recommend remedial action if appropriate. The results and discussion sections may be combined at the discretion of the investigator as long as the above referenced information is included.

In addition to the results of the statistical sampling, field observations will be made of water level at the time of the sampling, evidence of water level fluctuations will be noted, and a qualitative assessment of the % cover for the entire mitigation area will be made. Observations of wildlife, fish and/or bird utilization will be noted. Monitoring is to be conducted at 3, 6, 9, 12, 18 and 24 months, and to be repeated annually. Other observations which provide information on the function of the mitigation area(s) may also be included. Photographs of each of the mitigation areas will be appended to the report.

# SUCCESS CRITERIA

The purpose of the proposed mitigation areas is to compensate for the loss of wetland benefits which may result from the proposed project. In order to be considered successful the 1.26 acres of the mitigation area must be classified using the classification system in Cowardin et al. (1979). Percent cover by non-nuisance, non-exotic wetland species should be greater than 80%. Wetland species shall be those species listed in Florida Administrative Code (F.A.C.). Nuisance species should provide less than 5% cover within the mitigation area(s). These species include Mikania scandens, Typha spp., Ludwigia peruviana, Schinus terebinthifolius, and other exotic species.

When the mitigation area(s) meet the criteria listed in the above paragraph, the permittee shall notify the District and discontinue any manipulation (i.e. irrigation, maintenance etc.) of the mitigation area(s) and the final year will begin. The subsequent annual report must demonstrate that success has been maintained. If success has been maintained then the monitoring for the mitigation area can be discontinued. The time for completion may be different for each area or may be the same depending on the rate of establishment.

### MAINTENANCE

Maintenance of the mitigation area(s) will be required during the establishment period. Immediately following construction of the mitigation area(s), site inspections are recommended monthly to determine the need for maintenance. Maintenance is to include the removed of nuisance and exotic vegetation and is to be conducted frequently to allow for the growth of desirable plants. After the first growing season, site inspections can be less frequent. Its recommended that inspections and maintenance as necessary be conducted just after the start of the growing season, during the middle of the growing season and at the end of the growing season.

COB APPL: SAN -2006 -4519 (TP-MFN) Date: 2/5/2007

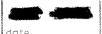


### Environmental Analysis + Permitting, inc. Ecologists & Environmental Scientists

299 9th Street North St. Petersburg, FL 33701 Telephone: (727) 694-4643 FAX: (727) 822-2919

MITIGATION PLAN DETAILS: THE MADISON 118TH AVE/9TH ST, ST. PETERSBURG, FLA.

sheet



### SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE INDIVIDUAL CONSTRUCTION PERMIT NO. 43008227.005

Expiration Date: August 28, 2012 PERMIT ISSUE DATE: August 28, 2007

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME:

The Madison

GRANTED TO:

Post Publishing, Inc.

9741 International Court North St. Petersburg, FL 33716-4807

ABSTRACT: This Individual permit authorization is for the construction of a mixed-use community consisting of multi-story condominiums and retail space. The project site is located on approximately 12.70 acres in Section 12, Township 30 South, and Range 16 East in Pinellas County. The project is bordered by Dr. Martin Luther King, Jr. Street on the east, 118th Avenue on the south, 10th Way North on the west and the Bay isle Key development on the north. The site consists of two lots, Lot 1 and Lot 2, that are separated by a 100-foot drainage easement over a tidal canal. The proposed work for each lot will include multi-story complexes with courtyards and associated parking. Each lot will have a pond that will provide water quality treatment. The water quality treatment method will be effluent filtration. Attenuation is not required since the project discharges to tidal waters. It was demonstrated that the design high water elevations for the 25-year/24-hour storm event will be contained within the pond banks. Operation and maintenance of the surface water management system will be the responsibility of The Madison Condominium Association.

There are 3.80 acres of wetlands and upland cut surface waters within the project area. There will be 2.07 acres of wetlands and 0.09-acre of upland cut surface waters permanently impacted for the development. The wetland impacts will be offset by the wetland mitigation of 1.18 acres of wetlands creation and 0.17-acre of wetland enhancement. The wetland impacts and the mitigation were reviewed using Unified Mitigation Assessment Method (UMAM)

OP. & MAINT, ENTITY:

The Madison Condominium Association

COUNTY:

Pinellas

SEC/TWP/RGE:

12/30S/16E

**TOTAL ACRES OWNED** 

OR UNDER CONTROL:

12.70

Permit No.: 43008227.005 Project Name: The Madison

Mitigation Information	Count of Mitigation: 2							
Mitigation Name	Creation/Restoration		Enhancement		Preservation		Other	
	Acres	Functional Gain	Açres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
M1-A, M1-B, M2-A 8 M2-B	1.18	0.55	0.00	0.00	0.00	0.00	0.00	0.00
Enhancement M2-A	0.00	0.00	0.17	0.05	0,00	0.00	0.00	0.00
TOTAL	1.18	0.55	0.17	0.05	0.00	0.00	0.00	0.00

Mitigation Comments: The 2.07 acres of permanent wetland impacts will be offset by the creation of 1.18-acre of saltwater marsh in four mitigation areas and the enhancement of 0.17-acre of a Brazilian pepper dominated wetland. The wetland mitigation was reviewed utilizing the UMAM and the wetland creation areas and the wetland enhancement area will provide 0.60 functional gain units to offset the 0.57 functional loss units for the wetland impacts. The 0.03-unit of excess functional gain will offset any secondary impact of the project and there will be no functional gain units available from this project for future use.

### Wetland impacts and related mitigation:

Wetland: Wetland 1 Impact Area(s): 1-1

Mitigation: M1-A, M1B, M2A, & M2B

Wetland: Wetland 2 Impact Area(s): 2-1

Mitigation: M1-A, M1B, M2A, & M2B

Wetland: Wetland 3 Impact Area(s): 3-1

Mitigation: M1-A, M1B, M2A, & M2B

Wetland: Wetland 4 impact Area(s): 4-1

Mitigation: M1-A, M1B, M2A, & M2B

Wetland: Wetland 5 Impact Area(s): 5-1

Mitigation: M1-A, M1B, M2A, & M2B, Enhancement M2A

A regulatory conservation easement is not required.

A proprietary conservation easement is not required.

### SPECIFIC CONDITIONS

- If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Section 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
- Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

Permit No.: 43008227.005 Project Name: The Madison

- D. Species composition of recruiting wetland vegetation is indicative of the wetland type specified in criterion "A".
- Coverage by nuisance or exotic species does not exceed five percent at any location in the mitigation site and five percent for the entire mitigation site.
- F. The wetland mitigation area can be determined to be a wetland or other surface water according the Chapter 62-340, F.A.C.

This criterion must be achieved within three years of mitigation area construction. The Permittee shall complete any activities necessary to ensure the successful achievement of the mitigation requirements by the deadline specified. Any request for an extension of the deadline specified shall be accompanied with an explanation and submitted as a permit letter modification to the District for evaluation.

The mitigation area may be released from monitoring and reporting requirements and be deemed successful at any time during the monitoring period if the Permittee demonstrates that the conditions in the mitigation area have adequately replaced the wetland and surface water functions affected by the regulated activity and that the site conditions are sustainable.

- 7 The Permittee shall monitor and maintain the wetland mitigation areas until the criteria set forth in the Wetland Mitigation Success Criteria Conditions above are met. The Permittee shall perform corrective actions identified by the District if the District identifies a wetland mitigation deficiency.
- 8. The Permittee shall undertake required maintenance activities within the wetland mitigation areas as needed at any time between mitigation area construction and termination of monitoring, with the exception of the final year. Maintenance shall include the manual removal of all nuisance and exotic species, with sufficient frequency that their combined coverage at no time exceeds the Wetland Mitigation Success Criteria Conditions above. Herbicides shall not be used without the prior written approval of the District.
- 9. A Wetland Mitigation Completion Report shall be submitted to the District within 30 days of completing construction and planting of the wetland mitigation areas. Upon District inspection and approval of the mitigation areas, the monitoring program shall be initiated with the date of the District field inspection being the construction completion date of the mitigation areas. Monitoring events shall occur between March 1 and November 30 of each year. An Annual Wetland Monitoring Report shall be submitted upon the anniversary date of District approval to Initiate monitoring.

Annual reports shall provide documentation that a sufficient number of maintenance inspection/activities were conducted to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above. Note that the performance of maintenance inspections and maintenance activities will normally need to be conducted more frequently than the collection of other monitoring data to maintain the mitigation areas in compliance with the Wetland Mitigation Success Criteria Conditions above.

Monitoring Data shall be collected semi-annually.

- 10. Termination of monitoring for the wetland mitigation areas shall be coordinated with the District by:
  - A. notifying the District in writing when the criteria set forth in the Wetland Mitigation Success Criteria Conditions have been achieved;

Permit No. 43008227.005 Project Name: The Madison

- 18. Rights-of-way and easement locations necessary to construct, operate and maintain all facilities, which constitute the permitted surface water management system, shall be shown on the final plat recorded in the County Public Records. Documentation of this plat recording shall be submitted to the District with the Statement of Completion and Request for Transfer to Operation Entity Form, and prior to beneficial occupancy or use of the site. The plat shall include the locations and limits of the following:
  - A. all wetlands, and B wetland buffers.
- 19. Copies of the following documents in final form, as appropriate for the project, shall be submitted to the Tampa Regulation Department:
  - A. homeowners, property owners, master association or condominium association articles of incorporation, and
  - B. declaration of protective covenants, deed restrictions or declaration of condominium

The Permittee shall submit these documents either: (1) within 180 days after beginning construction or with the Statement of Completion and as-built construction plans if construction is completed prior to 180 days, or (2) prior to any lot or unit sales within the project served by the surface water management system, whichever occurs first.

20. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing effluent filtration or exfiltration or systems utilizing effluent filtration or exfiltration and retention or wet detention, the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter.

- 21. Prior to installation of the filter media, the Permittee's contractor shall submit a certified test of the media to the Permittee's Professional Engineer and the District. The test shall address the following parameters: uniformity coefficient, effective grain size, sieve analysis, percent silts, clays and organic matter, and permeability testing (constant head). If testing indicates the actual permeability rate is less than the value specified in the permitted design, a permit modification will be required to lengthen the effluent filtration system. The Permittee shall also notify the Surface Water Regulation Manager, Tampa Regulation Department, at least 48 hours prior to commencement of construction of the effluent filtration system, so that District staff may observe this construction activity.
- 22. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.
- 23. This permit is issued based upon the design prepared by the Permittee's consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any