

LEON COUNTY DEPARTMENT OF GROWTH AND ENVIRONMENTAL MANAGEMENT

ENVIRONMENTAL MANAGEMENT PERMIT

TO SPEAK TO AN ENVIRONMENTAL INSPECTOR CALL (850) 606-1300

PERMIT EXPIRES: 10/19/2015

Printed By: DUNKLING

PERMIT EXPIRES THIRTY-SIX (36) MONTHS FROM ISSUANCE PER ARTICLES 5, SECTION 7-41 (4) (a) (1), ENVIRONMENTAL MANAGEMENT ACT

PERMIT #: LEM1200029
PROJECT NAME: KILLEARN LAKES GREENWAY 1B
Location: KILLEARN LAKES UNIT 2 & 3
PERMITTEE: LEON COUNTY PUBLIC WORKS
DATE ISSUED: 10/19/2012
PARCEL TAX ID#: 88-88-88-8888

FEE INFORMATION:
Short Form A Non Res: \$0.00
Short Form B High: \$4,075.59
Short Form B Low: \$0.00
Standard Form: \$0.00
Tree: \$484.36
Landscape: \$0.00
App/Resubmittal: \$0.00
General Utility: \$0.00
Discovery After the Fact: \$0.00

TOTAL FEES: \$4,559.95
TOTAL PAYMENTS: \$4,559.95
BALANCE: \$0.00




John P. Kravnak, Director Environmental
Compliance Division

ACCEPTANCE OF THIS PERMIT ACKNOWLEDGES PERMISSION FOR LEON COUNTY PERSONNEL TO INSPECT AT REASONABLE TIMES THE PROPERTY AND WORK ASCRIBED IN THIS PERMIT. FAILURE TO POST THE PERMIT PLACARD IN A CONSPICUOUS PLACE ON-SITE OR FAILURE TO HAVE THE APPROVED PERMIT AND PLANS AVAILABLE ON-SITE MAY RESULT IN THE IMMEDIATE ISSUANCE OF A STOP-WORK ORDER.

**BOARD OF COUNTY COMMISSIONERS
LEON COUNTY
DEPARTMENT OF DEVELOPMENT SUPPORT AND
ENVIRONMENTAL MANAGEMENT**

**KILLEARN LAKES GREENWAY
MAINTENANCE – PHASE 1B**

**ENVIRONMENTAL MANAGEMENT PERMIT
LEM12-00029**

**-A Pre-Construction Conference with the County Environmental Inspector is Required-
(Contact Fred Riggs @ 606-1358 or 544-0828)**

This environmental management permit authorizes primary stormwater conveyance system improvements to the within the Killearn Lakes Greenways. Improvements include regrading the existing stormwater conveyance channels, as well as pipe additions or replacements at Tuscavilla Road, Bithlo Lane, Folkstone Road, and Broken Bow Trail. Additional authorized work includes limited roadway paving and patching associated with the pipe installations and tree removal associated with the conveyance improvements. The improvements are primarily located within the Leon County right-of-way (ROW) at the roadway crossings, Leon County drainage easements, and Killearn Lakes Homeowners' Association greenways in Units 2 and 3 within Leon County with limited work and staging within acquired easements on adjacent parcels, consistent with the following attachments and exhibits:

Attachment A: Permit Conditions
Exhibit A: Approved Plan (Permit Plan Set)

The permittee should be familiar with the permit conditions and all other attachments and exhibits included in this permit prior to the commencement of development activity. Failure to conform to this permit may cause appropriate enforcement action to be taken that could include a "Stop Work Order" or a "Notice of Violation".

Approved By:



John Kraynak, P.E., Director
Environmental Compliance
AMP

10/19/12

Date

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ATTACHMENT “A”
PERMIT CONDITIONS:
KILLEARN LAKES GREENWAYS MAINTENANCE – PHASE 1B

GENERAL CONDITIONS:

1. The permittee shall conduct all development activity consistent with the “Environmental Management Act,” Article VII, Chapter 10 of the Leon County Land Development Code. **Reference Section 10-4.105.**
2. *Posting of placards.* A placard indicating issuance of a valid permit shall be posted in a conspicuous place on site at all times during the development activity. **Reference Section 10-4.203(c)(1).**
3. *Permit and plans on-site.* A copy of the approved permit and plans (Exhibit “A” and subsequent approved contractor “Shop Drawings”) shall be available on site at all times when any development activity is occurring on the site. **Reference Section 10-4.203(c)(2).**
4. *Notice of intent to proceed and Pre-Construction Conference.* A notice of intent to proceed shall be filed with the Director at least three (3) working days prior to initiation of any physical development activity on the site. The notice shall specify the site location and the permit number(s) applicable to the activity and shall specify the date and approximate time at which such physical development activity is to commence. A pre-construction conference will be scheduled and required prior to the commencement of any development activity. **Reference Section 10-4.203(c)(3).**
5. *Environmental Management Officer.* This individual shall be in responsible charge of all on-going work on the site and ensure that all work is proceeding according to the approved plans and permit. The designated environmental management officer must ensure that during such time as the officer is not personally present on the site a designated alternate remains in responsible charge of the project. For this project, the Environmental Management Officer shall be determined at the pre-construction conference. **Reference Section 10-4.203(c)(6).**
6. *Permit Expiration.* This Environmental Management Permit expires 36 months after issuance. **Reference Section 10-4.214(1)(a).**
7. *Extensions.* Permits may be extended, by request of the applicant and approval of the Director, for successive periods of time not to exceed 36 months each, provided the request for extension is made prior to the expiration of the prior approval and provided continuous good faith efforts have been made to complete the development. **Reference Section 10-4.214(1)(b).**
8. *Early expiration for cause.* If no substantial and readily observable site development activity has taken place within 18 months of the issuance of the permit or, once development is started, if no such development activity occurs for any 12 consecutive months, the Director may, after notifying the permittee and providing an opportunity for hearing, determine the permit to be expired and shall so notify the permittee. Such a permit may not thereafter be extended. **Reference Section 10-4.214(1)(c).**
9. *Effect of permit expiration.* Once a permit has expired, no further development activity may proceed on the permitted development site unless and until a new permit is received for the development site and activity. **Reference Section 10-4.214(3).**

10. *Continued responsibility under expired permit.* An expired permit shall not relieve the permittee from the responsibility of continued compliance with this permit and the Code. Where development has commenced and no final inspection completed before expiration of a permit, the permittee may be required to submit, and obtain the Director's approval of a new environmental management permit application or an application for amendment of the expired permit. As an option, the permittee may be required to complete and maintain the landscaping, trees, or stormwater management systems and facilities which were required by the expired permits, as necessary to prevent significant adverse environmental impacts as a result of development activity which has occurred on the site. **Reference Section 10-4.214(3).**
11. *Notice of transfer of permit.* No later than ten (10) days after the sale or legal transfer of property upon which a stormwater management facility has been, or is approved to be, constructed pursuant to a permit issued by the County, a notice of transfer of permit shall be submitted to the Director. The notice shall be made using a form provided by the Director. **Reference Section 10-4.214(5)(a).**
12. *Transfer liability.* Until a proper notice of permit transfer is provided to the Director, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions required as a result of any violations occurring prior to transfer. For facilities that have received final inspection approval prior to the time of legal transfer, the original permittee shall remain liable for performance of warranty obligations as set forth in **Section 4.208(d)**, absent an express assumption of liability as to such warranty obligations by the subsequent holder of the property. **Reference Section 10-4.214(5)(b).**
13. *Amendments.* Any minor change or deviation from the approved plans shall require an amendment to this permit. Substantial changes, including significant increases in impervious area, changes in intended land use, modification of stormwater management system, new phases of development, or other additions, shall not be treated as amendments, but shall require a new permit application. **Reference Section 10-4.215.**
14. *During development.* All environmental management controls and facilities shall be maintained in a manner which will ensure proper functioning and protection from unnecessary environmental degradation, throughout the development process. **Reference Section 10-4.210(a).**
15. *Post-development.* Upon completion of development activities and construction, the permittee shall ensure that each site is properly stabilized, and that swales and other stormwater management features shown in the permit are in place in a manner consistent with the permit, approved plans and specifications. **Reference Section 10-4.210(b).**
16. *Post-construction inspection.* Prior to requesting a final inspection by the Director, the permittee shall have a qualified professional to personally inspect the site and facilities and certify as provided for in **Section 10-4.208(b).**

SPECIFIC CONDITIONS:

1. *Permit Scope.* As shown in Exhibit "A" (the permit plan set), this permit authorizes primary stormwater conveyance system improvements to the within the Killearn Lakes Greenways. Improvements include regrading the existing stormwater conveyance channels, as well as pipe additions or replacements at Tuscavilla Road, Bithlo Lane, Folkstone Rd, and Broken Bow Trail. Additional authorized work includes limited roadway paving and patching associated with the pipe installations and tree removal associated with the conveyance improvements. The improvements are primarily located within the Leon County right-of-way (ROW) at the roadway crossings, Leon County drainage easements, and Killearn Lakes Homeowners' Association greenways in Units 2 and 3 within Leon County with limited work and staging within acquired easements on adjacent parcels. Existing stormwater swales are to be maintained and/or restored to provide conveyance of stormwater through the primary stormwater management system.
2. *Licensed contractors.* All excavation, grading work, and other site work shall be performed under the supervision of a certified or registered general contractor, building contractor, residential contractor, commercial or residential pool/spa contractor, or underground utility contractor, or by an excavation, grading and site contractor duly licensed by the County Contractors Licensing Board. **Reference Section 10-4.203(c)(5).**
3. *Notification of Easements.* A copy of any required easements, with proof of recording, shall be provided to the Director prior to final inspection. Where transfer of title for any affected parcel is proposed, the owner shall provide clear information to each prospective buyer prior to execution of any contracts, about the existence, impacts, and responsibilities associated with any easements on the property. A copy of the applicable easements shall be provided by the owner to each prospective purchaser prior to closing, and the copy shall be initialed by the parties and attached to such closing documents upon execution. **Reference Section 10-4.203(c)(8).**
4. *Stormwater management facility operating permit.* No stormwater management facility shall be utilized until a stormwater management operating permit is obtained. An operating permit is not required for facilities which have as their primary function the conveyance of stormwater, facilities under construction as part of an approved development plan, and temporary facilities which are part of an erosion and sediment control plan. **Reference Section 10-4.209(a).**
5. *Required disclaimers.* Any contract for the conveyance of title to land for which stormwater management is provided by a system or facility not maintained by the County or the City of Tallahassee shall contain the following statement: "Neither Leon County nor the City of Tallahassee is responsible for the maintenance, upkeep or improvement of any stormwater management facility utilized by the land described herein. Title to this property carries with it the requirement that the current and all subsequent owners or their authorized agent obtain a stormwater management facility operating permit from the County. The owner of this property shall be legally responsible, jointly with other owners using the facility and based on pro rata share, for compliance with all stormwater management facility operating permit maintenance and operation requirements, as well as all other permit conditions, unless such maintenance and operation obligations have been specifically assumed by some other entity pursuant to Director approval and appropriate documentation recorded in the public records of Leon County." **Reference Section 10-4.210(d).**
6. *Landscape and tree maintenance, if applicable.* All landscaping, landscaped areas, landscape development, buffer areas, and trees required as part of this permit shall be maintained and used pursuant to **Sections 10-4.348(b), 10-4.355, 10-4.209(f)(1)(h), 10-4.209(g)(7) and 10-4.211** of the Land Development Code and shall be checked for compliance during the operating permit renewal process.
7. *Stormwater Facility Performance.* The stormwater management system for the development activity permitted herein shall conform to the "Stormwater Management Plan" (Exhibit A).

8. *System Evaluation & Redesign.* At any time, should the County determine that the stormwater management system, stormwater pollution prevention plan, landscape plan, or any maintenance program is not functioning as designed, the County may request a system evaluation to determine compliance. The Permittee shall have thirty (30) days to evaluate the discrepancy and respond. Should the Permittee verify that a discrepancy exists, then the Permittee shall have sixty (60) days to redesign and implement the appropriate redesign necessary to correct the discrepancy. This process does not apply to any event of noncompliance with the permit and approved plans, in which case the enforcement provisions of the Environmental Management Act shall apply.
9. *Intergovernmental Transfer.* If at any time, the City of Tallahassee (the "City") annexes the permitted development into its corporate boundary, then this permit shall be transferred to the City with all provisions fully enforceable by the City. The City shall assume the role of the County in each provision of this permit.
10. *Termination of Permit.* The requirements, responsibilities and obligations of the Permittee in the General Conditions, Specific Conditions, and Special Conditions shall never expire with this permit. The Permittee may terminate such requirements, responsibilities and obligations either by an appropriate transfer as prescribed in Paragraph 12 of the General Conditions or by closing the development in a manner guaranteeing the preservation of natural areas, conservation easement areas, and/or other protected areas. Such closure shall require the submittal and approval of a short form environmental management permit which states appropriate plans to close the project in manner that will ensure compliance with the Environmental Management Act upon and after termination of responsibility. **Reference Section 10-4.214(1)(c).**
11. *Other Permits.* This permit is issued with the condition that the applicant procure and comply with all other necessary federal, state, and local agency permits, including but not limited to the Florida Department of Environmental Protection (FDEP) permit, Florida Department of Transportation (FDOT) drainage and/or access connection permits, NPDES permit and Leon County driveway connection permit. These permits must be provided prior to the start of construction. **Reference Section 10-4.201(f).**
12. *Construction Sequence.* All stormwater facilities shall be constructed and functioning prior to any clearing (with the exception of clearing for the stormwater ponds), and prior to the start of the building construction, roadway construction or any other development activity as defined in the Environmental Management Act. Phased stormwater facility construction may be allowed with prior written consent by the Director provided that each phase is fully sustainable, meets the applicable stormwater standards and provides no adverse downstream impacts. This condition supersedes any other permit conditions and plans related to this topic. In the event of a conflict between this condition and any other condition in the permit or plans, this condition will overrule.
13. *Noise Ordinance No. 08-08.* Construction or repair of buildings, excavation of streets and highways: The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 am and 8:00 pm on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In non-emergency situations, the County Administrator, or his/her designee may issue a permit upon application, if the County Administrator, or his/her designee, determines that the public health and safety, as affected by loud and raucous noise caused by the construction or repair of buildings or excavation of streets and highways between the hours of 8:00 pm and 7:00 am will not be impaired, and if the County Administrator, or his/her designee further determines that loss or inconvenience would result to a party in interest. The permit shall grant permission in non-emergency cases for a period of not more than three (3) days. The permit may be renewed once for a period of three (3) days or less.

SPECIAL CONDITIONS:

This permit covers environmental review for primary stormwater conveyance system improvements to the within the Killearn Lakes Greenways. Improvements include regrading the existing stormwater conveyance channels, as well as pipe additions or replacements at Tuscavilla Road, Bithlo Lane, Folkstone Road, and Broken Bow Trail. Additional authorized work includes limited roadway paving and patching associated with the pipe installations and tree removal associated with the conveyance improvements. The improvements are primarily located within the Leon County right-of-way (ROW) at the roadway crossings, Leon County drainage easements, and Killearn Lakes Homeowners' Association greenways in Units 2 and 3 within Leon County with limited work and staging within acquired easements on adjacent parcels. Existing stormwater swales are to be maintained and/or restored to provide conveyance of stormwater through the primary stormwater management system.

1. As used herein, the term "permittee" shall refer to the Leon County Department of Public Works. This permit may be transferred to another party in accordance with the General Conditions. Upon the Director's approval of a Notice of Transfer of Permit, the term "permittee" shall refer to the new property owner(s) identified in this approval notice. The permittee shall ensure that all contractors and other agents authorized by the permittee to conduct the permitted development activities abide by the terms and conditions of this permit.
2. The permittee or permittee's authorized agent shall contact the County Environmental Inspector to arrange a pre-construction conference. The County Environmental Inspector for this project will be Mr. Fred Riggs who may be contacted at (850) 606-1358 or (850) 544-0828.
3. It is recommended that a Killearn Lakes HOA representative attend the pre-construction conference.
4. **Written approval for the proposed project from the Killearn Lakes Homeowners' Association must be received prior to scheduling the pre-construction conference.**
5. During the pre-construction conference, and prior to commencement of construction, copies of permits from other agencies as required (i.e., NPDES, FDOT, NFWMD, etc.) shall be submitted to the County Environmental Inspector.
6. During the pre-construction meeting, and prior to commencement of construction, the Stormwater Management Control Officer shall be identified and their local addresses and telephone numbers shall be provided to the County Environmental Inspector.
7. **The construction sequences, entrances and access points, haul routes, and disposal sites, as well as associated sediment and erosion control plans, construction entrance stabilization, and soil tracking prevention devices shall be discussed at the pre-construction conference and approved by the County Environmental Inspector.**
8. Project staging activity in areas outside of the areas shown in Exhibit A may require a separate Environmental Management Permit from Leon County Development Support and Environmental Management (LCDSEM). LCDSEM should be contacted regarding any proposed staging activity outside of the project area prior to construction commencement.
9. **Tree mitigation outside the limits of the Leon County ROW, Killearn Lakes HOA green space, or Leon County drainage easement is only permitted with prior written permission from the property owner. This permittee shall supply copies of the written approval to the County Environmental Inspector prior to conducting the tree mitigation.**

10. The permittee shall acquire all necessary property rights, right-of-way, and easement acquisitions prior to construction commencement. The permittee shall supply copies of legal documents to LCDSEM prior to the pre-construction conference demonstrating that sufficient property rights, right-of-way, and easement acquisition have been obtained to conduct the permitted work.
11. **Tree removal methods shall be discussed with and approved by the County Environmental Inspector.**
12. **All invasive exotic species identified within the greenways and/or project limits shall be removed. The trees or plants to be removed as well as the treatment and removal methods and management plan, prepared by a Certified Arborist shall be approved by LCDSEM prior to any invasive exotic species treatment or removal.**
13. **The species, quantities, and locations of all proposed plantings shall be coordinated with LCDSEM prior to installation.**
14. Additional silt fences or other sediment and erosion control devices and measures (i.e., silt curtains at proposed culvert discharges to the SWMFs, floating turbidity barriers, additional tree barricades around protected trees, etc.) may be required during project construction, as specified by the County Environmental Inspector.
15. Sediment control measures shall be sufficient to prevent the tracking or direct flow of mud and sediments onto public or private streets or drainage ditches. Any sediments or mud spilled, dropped, washed, or tracked from any vehicles onto the public or private streets or into the public drainage system shall be recovered and cleaned-up immediately.
16. **Final tree replanting within the project areas shall result in a density of 40 trees per acre.**
17. Notwithstanding the general and specific conditions contained in this permit, this project will require submittal of as-built plans (record drawings) with specific topographic information, signed/sealed by a Florida licensed Land Surveyor, and a compliance certification signed/sealed by a Florida licensed Professional Engineer. These should be submitted to the Director at least 20 days prior to the permittee/applicant's request for final inspection. All landscaping shall be completed prior to final inspection.
18. **An inspection shall be performed 1 year from the date of the final inspection to check for invasive exotic species and to develop a plan for their control.**