

Appendix F

General Conditions

1. All activities authorized by this project approval shall be implemented as set forth in the approved plans, specifications and performance criteria. Any deviation from the project approval and the conditions for undertaking that activity shall constitute a violation of this project approval.

2. This project approval or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the activity. The complete project approval shall be available for review at the work site upon request by the Department staff. The permittee shall require the contractor to review the complete project approval prior to commencement of the activity authorized by this project approval.

3. Activities approved shall be conducted in a manner that does not cause violations of state water quality standards.

4. Immediately prior to, and during construction, the permittee shall implement and maintain erosion and sediment control best management practices required to retain sediment on-site and to prevent violations of state water quality standards. Turbidity barriers shall be installed and maintained at all locations where the possibility exists of transferring suspended solids into the receiving waterbody due to the approved work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual: "A Guide to Sound Land and Water Management" (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved. If project-specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediments beyond those specified in the approved 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" (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 an activity authorized by this project approval, the permittee shall notify the Department of 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 Department on an annual basis. These reports shall address the status of construction for the period beginning March 1 of the previous year through April 30 of the current year, and shall be submitted not later than May 31 of each year following the first year of construction.

8. Within 30 days after completion of construction of the approved system, or independent portion of the system, the permittee shall notify the Department in writing that construction has been completed and the system is ready for inspection.

9. For systems that require engineering or design by a registered professional engineer or other appropriate individual as authorized by law, within 30 days after completion of construction of the approved 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. 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 their 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 approved drawings. However, if deviation from the approved drawings is discovered during the certification process, the certification must be accompanied by a copy of the approved drawings with deviations noted to reflect any changes made during construction. Both the original and 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 licensed surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

- (a) Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
- (b) 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;
- (c) Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
- (d) Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
- (e) Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
- (f) Existing water elevations and the date determined; and
- (g) Elevation and location of benchmarks for the survey.

10. Each phase or independent portion of the approved system must be completed in accordance with the approved plans and conditions prior to the initiation of use of the facility, or the site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the approved plans and conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity. However, in the case of project approvals that involve mitigation or reclamation activities that are not expected to require further earthwork, and that have initially been established and are trending toward success, use

of the site infrastructure and conversion to an operation phase may be authorized prior to all the success and monitoring provisions of the project approval having been met;

11. Submittal of the written notification in accordance with paragraph 8. above, shall serve to notify the Department that the system is ready for inspection. For systems that have been certified to have been constructed in conformance with the terms and conditions of the project approval, the permittee shall, at the same time, also submit a request for transfer of the project approval to an operation phase. At that time, or at any other later time, if the permittee wishes to request transfer of the operation and maintenance phase of the project approval to an entity other than the permittee, the permittee shall make such a request to the Department. Until the project approval is so transferred, the permittee shall be liable for compliance with the all the terms of the project approval for the life of the system. The operation phase of this project approval shall not become effective until:

- (a) The permittee has complied with the requirements of this condition and conditions 8., 9., and 10., above;
- (b) The Department determines the system to be in compliance with the approved plans and specifications; and
- (c) The entity approved by the Department in accordance with the above accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the project approval becomes effective.

12. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this project approval, such easement or deed restriction, together with any other final operation and maintenance documents must be submitted to the Department for approval, as applicable. Deed restrictions, easements, and other operation and maintenance documents that 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 the county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the approved system.

13. Should any other regulatory agency require changes to the approved system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a project approval modification is required.

14. This project approval does not eliminate the need to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this project approval. This project approval 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 this project approval.

15. The permittee is advised that, for activities on sovereign submerged lands that require a lease, easement, management agreement, or other written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund, construction shall not commence until the sovereign submerged lands instrument required by chapter 18-21, F.A.C., has been fully executed.

16. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the project approval.

17. Any delineation of the extent of a wetland or other surface water submitted as part of the project approval application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this project approval or a formal determination under section 62-346.040, F.A.C., provides otherwise.

18. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a system or the real property on which the system is located. The permittee transferring the project approval shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

19. Upon reasonable notice to the permittee, Department-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 project approval.

20. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department.

21. The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

22. This project approval is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the project approval application. Any substantial deviation from the approved drawings, exhibits, specifications, or conditions, including construction outside of the approved project area may constitute grounds for revocation or enforcement action by the Department, unless a modification has been requested. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

23. The issuance of this project approval does not relieve the permittee from any requirements to obtain a consumptive use permit or works of the district permit from the Northwest Florida Water Management District.

24. The permittee is advised that, pursuant to Section 556.105, F.S., excavating contractors are required to provide certain information concerning the excavation that may affect underground facilities through the one-call notification system not less than two, nor more than five, business days before beginning any excavation.