



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

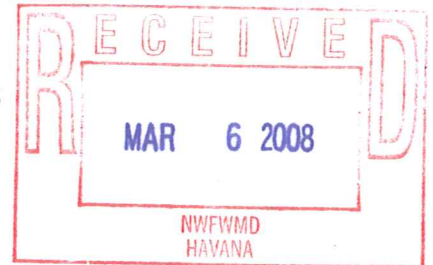
Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 6, 2008



Mr. Douglas E. Barr
Northwest Florida Water Management District
81 Water Management Drive
Havana, FL 32333

Dear Mr. Barr:

Permit No. 0227351-001, Washington County
Sand Hill Lakes Mitigation Bank

Your request to modify this permit has been received, reviewed and approved by Department staff. The modification is to release 59.6 credits for the completion of community restoration activities and hydrologic enhancements in accordance with Specific Conditions 10 and 12 (as modified 5/23/06).

Specific Condition 10 details the requirements for the initial community restoration activities. These activities include the removal of planted sand pine and reduction of planted slash pine to less than 200 trees/acre over about 400 acres within the bank. This was accomplished over a period of about 1 ½ years, finishing in January, 2008. In addition, the permit required the reduction of inappropriate woody shrubs and oaks within the sandhill and flatwoods communities. This was accomplished by individual felling of oaks, harvesting activities, gyrotrack, and other brush reduction methods. Longleaf pine seedlings were planted in the appropriate communities. In addition, all construction areas (described below) were planted with appropriate trees and wiregrass groundcover. These activities are allocated 12.3 flatwoods credits, 14.6 mixed hardwood credits and 2.9 herbaceous credits.

Specific Condition 12 defined the activities required for hydrologic enhancements. These activities included road removal, bridge or culvert installations, control structure restoration and erosion control. All disturbed areas were appropriately stabilized and vegetated. These activities were also conducted over about 2 years, and the Department was appropriately noticed and updated through progress reports and engineering as-built drawings. These activities are allocated 12.3 flatwoods credits, 14.6 mixed hardwood credits and 2.9 herbaceous credits.

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The Department conducted site inspections on June 13, 2007 and February 11, 2008. In addition a compliance review was conducted. Minor ledger deficiencies were corrected, and the file updated.

Therefore, in accordance with Specific Condition 19 of your permit, the ledger is hereby debited per your request.

By copy of this letter and accompanying ledger, we are notifying all necessary parties of the modification.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the permittee and the parties listed below must be filed within 21 days of receipt of this letter. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action; or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this letter. Persons whose substantial interests will be affected by any decision of the Department with regard to the permit have the right to petition to

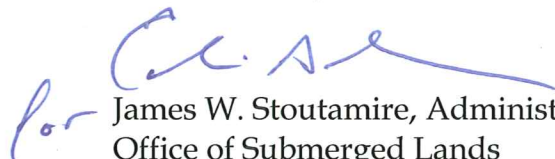
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become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This Notice constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition. Upon timely filing of a petition or a request for an extension of time this Notice will not be effective until further Order of the Department.

Any party to this letter has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Permit Modification is filed with the Clerk of the Department.

Sincerely,


for James W. Stoutamire, Administrator
Office of Submerged Lands
and Environmental Resources

Attachment - ledger

cc (by email):

Barbara Ruth, Larry O'Donnell, DEP, Northwest District
Dale Beter, COE, Panama City
Cecilia Harper, EPA, Atlanta
Hildreth Cooper, FWS, Panama City