



Florida Department of Environmental Protection

Northwest District Branch Office
2353 Jenks Avenue
Panama City, Florida 32405-4389

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 7, 2007

Mr. Tommy Cook
P.O. Box 607
Chipley, FL 32428

Re: SR79 / Strickland Road to North of Reedy Branch
Washington County, 67-278545-2-RG

Dear Mr. Cook:

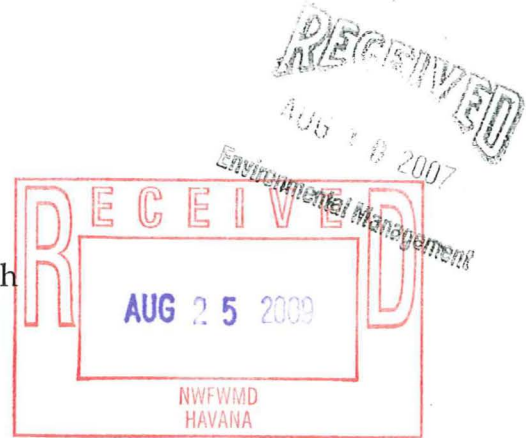
We have reviewed your Notice of General Permit received by the Submerged Lands and Environmental Resources Program on July 18, 2007, concerning the above referenced project. The project appears to qualify for the general permit specified by Rule 62-25.801, Florida Administrative Code (F.A.C.).

Please note that due to the current workload, no site inspection has been performed; therefore, the Department has made no determination as to whether jurisdictional wetlands are present on the site, or whether, based on the proposed scope of work, a wetland resource permit may be required. Any subsequent determination that such a permit is required may result in a need to obtain a new stormwater permit, and may also lead to possible enforcement action by the Department for any unauthorized work conducted in jurisdictional wetlands.

Please thoroughly review and be aware of the conditions associated with the general permit (enclosed). Your particular attention is directed to the statement contained in the general permit which states that this general permit does not relieve you, the permittee, from obtaining a dredge and fill, collection system or distribution system permit where it is required.

We wish to point out that Rule 62-25.801; F.A.C. also requires that the permittee file an As-Built Certification with the Submerged Lands and Environmental Resources Program within thirty (30) days after the facility's completion. This certification is included as Page 4 of DEP Form 62-1.215(2), the General Permit for Stormwater Discharge Facilities.

Additionally, it appears that the proposed scope of work may result in a stormwater discharge to surface waters of the State or a municipal separate storm sewer system,



and disturb (which includes clearing, grading and excavation) one (1) or more acres of land. Enclosed for your information and action as appropriate, is a brochure describing Florida's National Pollutant Discharge Elimination (NPDES) stormwater program for construction activities.

If you have any questions about the need to obtain additional permits, or any other matters, please call Phil Mount at (850) 872-4375, extension 117.

Sincerely,

A handwritten signature in cursive script that reads "Marlane Castellanos".

Marlane Castellanos
Panama City Branch Manager

JMC:pmm

Enclosures

cc: Leon Nobles, P.E.
Peter Herbert, Washington County
Jessica Kleinfelter, NPDES, DEP Tallahassee



Florida Department of Environmental Protection

Northwest District Branch Office
2353 Jenks Avenue
Panama City, Florida 32405-4389

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

62-25.801 GENERAL PERMIT FOR NEW STORMWATER DISCHARGE FACILITIES

1. Your project appears to qualify for a general permit to construct a new stormwater discharge facility that has been designed in accordance with the standards and criteria set forth in Florida Administrative Code Rule 62-25.025.
2. This general permit is subject to the general conditions of Rules 62-4.540 (see reverse side) and 62-25.801.
3. The permittee or his engineer of record shall file with the Department within 30 days of completion of construction a certification of construction in accordance with the approved plans and specifications and compliance with the Florida Administrative Code Rule 62-25.025.
4. This general permit does not relieve you, the permittee, from obtaining a dredge and fill permit where it is required. SPECIFIC AUTHORITY 403.814(1), 403.912, F.S. LAW IMPLEMENTED 403.061, 403.087, 403.088, 403.121, 403.141, 403.161, 403.182, 403.502, 403.702, 403.814, 403.908, F.S. HISTORY – New 5-8-85. Previous Number 17-4.71. Formerly 17-4.710. Formerly 17-25.801.

62-4.540 General Conditions for all General Permits

1. The terms, conditions, requirements, limitations, and restrictions set forth in this Part are “general and specific permit conditions” and are binding upon the permittee. The conditions are enforceable under Chapter 403, F.S.
2. The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit. The permittee is placed on notice that violation of the permit may result in suspension or revocation of the permittee’s use of the general permit and may result in institution of legal proceedings, as the Department may consider appropriate.
3. The general permit does not convey any vested rights or any exclusive privileges. It does not authorize any infringement of federal, state or local laws or regulations. It does not obviate the necessity for obtaining any other federal, state or local permits that may be required or operate to allow the permittee to violate any more stringent standards established by federal or local law.
4. The general permit does not relieve the permittee from liability and the penalties therefore when the construction or the operation of the permitted activity causes harm or injury to human health or welfare; causes harm or injury to animal, plant or aquatic life; or cause harm or injury to property. It does not allow the permittee to cause pollution in contravention of Florida Statutes and Department rules.
5. The general permit conveys no title to land or water, nor does it constitute State recognition or acknowledgment of submerged lands. Only the Board of Trustees of the Internal Improvement Trust Fund may express State opinion as to Title.
6. No general permit shall authorize the use of state owned lands without the prior consent of the Board of Trustees of the Internal Improvement Trust Fund pursuant to Section 253.77, F.S.
7. The general permit may be modified, suspended or revoked in accordance with Chapter 120, Florida Statutes, if the Secretary determines that there has been a violation of any of the terms or conditions of the permit; there has been a violation of state water quality standards or state air quality standards; or the permittee has submitted false, incomplete or inaccurate data or information.
8. The general permit shall not be transferred to a third party except pursuant to Florida Administrative Code Rule 62-4.120.
9. The general permit authorizes construction and where applicable operation of the permitted facility.
10. The permittee agrees in accepting the general permit to make every reasonable effort to conduct the specific activity or construction authorized by the general in a manner that will minimize any adverse impact on the adjacent property of public use of the adjacent property, where applicable, and on the environment, including fish, wildlife, natural resources of the area, water quality or air quality.
11. The permittee agrees in accepting the general permit to allow a duly authorized representative of the Department access to the permitted facility or activity at reasonable times for the purpose of inspection and testing to determine compliance with the permit and the Department rules.
12. The permittee agrees to maintain any permitted facility, or activity in good condition and in accordance with the plans submitted to the Department under Rule 62-4.530(1).

62-25.035 Stormwater General Permits

1. This general permit shall not expire and shall not be subject to Section 62-4.540(13) unless suspended or revoked in accordance with Section 62-4.530(5).

SPECIFIC AUTHORITY 403.814(1), F.S. LAW IMPLEMENT 253.123, 253.124, 403.061.