

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: PETITION FOR RULE)
CREATION - HUNTINGTON HAMMOCKS) Case No. 07-2527
COMMUNITY DEVELOPMENT DISTRICT)
_____)

ADMINISTRATIVE LAW JUDGE'S REPORT TO THE FLORIDA LAND
AND WATER ADJUDICATORY COMMISSION

Pursuant to notice, a local public hearing was held in this case in Brooksville, Florida, on August 6, 2007, before Donald R. Alexander, an Administrative Law Judge of the Division of Administrative Hearings.

APPEARANCES

For Petitioner: Brian A. Crumbaker, Esquire
Hopping, Green & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314-6526

STATEMENT OF THE ISSUE

The issue is whether the Petition to Establish the Huntington Hammocks Community Development District (Petition) meets the applicable criteria set forth in Chapter 190, Florida Statutes (2006)¹, and Florida Administrative Code Rule Chapter 42-1. The purpose of the hearing was to gather information in anticipation of quasi-legislative rulemaking by the Florida Land and Water Adjudicatory Commission (Commission).

PRELIMINARY STATEMENT

On May 22, 2007, Petitioner, Seville, LLC, filed its Petition with the Secretary of the Commission. Prior to that time, on May 15, 2007, Petitioner submitted a copy of the Petition and its exhibits, along with the requisite filing fee, to Hernando County (County), the county in which the property is located.

On June 4, 2007, the Secretary of the Commission certified that the Petition contained all required elements, as defined in Section 190.005(1)(a), Florida Statutes, and forwarded it to the Division of Administrative Hearings for the purpose of holding the public hearing required under Section 190.005(1)(d), Florida Statutes.

On August 2, 2007, Petitioner pre-filed the testimony of its four witnesses. The local public hearing was held in Brooksville, Florida, on August 6, 2007. Petitioner published notice of the local public hearing in accordance with Section 190.005(1)(d), Florida Statutes.

At the local public hearing, Petitioner presented the testimony of Craig A. Wrathell, a consultant retained by Petitioner to assist in the preparation of the Petition and Statement of Estimated Regulatory Costs (SERC); Ryan Rase, who represents Seville, LLC; Cliff Manuel, Jr., a

professional engineer with Coastal Engineering Associates, Inc.; and Joseph P. Quinn of Coastal Engineering Associates, Inc., a certified land planner. Also, it offered Hearing Exhibits A-K, which were received in evidence. Those exhibits are the Petition and eight attached exhibits filed with the Commission (Exhibit A); the agency referral letter to the Department of Community Affairs (Department)(Exhibit B); the agency referral letter to the Division of Administrative Hearings (Exhibit C); the letter of response from the Department (Exhibit D); the affidavit and proof of publication of the notice of hearing (Exhibit E); the pre-filed testimony of witnesses Rase, Wrathell, Manuel, and Quinn (Exhibits F-I); the letter of no objection from the County (Exhibit J); and Chapter 187, Florida Statutes (Exhibit K). No other person or entity presented any witnesses or exhibits, and no members of the public attended the public hearing.

The land to be included within the proposed District is located entirely within the unincorporated part of the County. Section 190.005(1)(c), Florida Statutes, provides that the county containing all or a portion of the lands within a proposed district has the option to hold a public hearing within forty-five days of the filing of a petition. In this case, the County chose not to hold a public hearing

and transmitted its letter of no objection to the establishment of the District to Petitioner on June 5, 2007.

The Transcript of the local public hearing was filed on August 16, 2007. On the same date, Petitioner filed a Proposed Report of Findings and Conclusions, which has been considered in the preparation of this Report.

SUMMARY OF THE RECORD

A. Petition and Related Matters

1. Petitioner is seeking the adoption of a rule by the Commission to establish a community development district (District), which will consist of approximately 1,036.71 acres located wholly within an unincorporated part of the County. The property lies in the northern part of the County where it abuts the Citrus County-Hernando County line. The property is east of U.S. Highway 19, west of U.S. Highway 98 and the Suncoast Parkway, and appears to be around 8 or 9 miles north of Brooksville. The proposed name for the new District is the Huntington Hammocks Community Development District.

2. There are 83 existing platted lots within the external boundaries of the proposed District (mainly in an enclave in the southwestern portion of the property) which are to be excluded from the District. Seventy-nine of

these parcels are owned by a number of individuals and are already provided with the infrastructure and services necessary to serve their property. Two parcels are road right-of-ways owned by the County, one is a future electric utility site, while the last parcel is a water treatment well site owned by the County. A list of the properties which are to be excluded from the District can be found in Petition Exhibit 2.

3. The estimated cost of the infrastructure facilities and services, which are presently expected to be provided to the lands within the District, was included in the Petition. The total cost is estimated to exceed \$69,000,000.00. These costs are set out in detail in Petition Exhibit 4A. The infrastructure construction timetable is described in Petition Exhibit 4B.

4. The Petition indicates that the five persons designated to serve as initial members of the Board of Supervisors are Garrett Bender, Marty Friend, Craig Sternberg, Ryan Rase, and Rick Robinson. Although the Petition reflects that each member currently resides in the State of Florida, it does not indicate if they are citizens of the United States.²

5. Petition Exhibit 6 is the SERC, which indicates that it was prepared in accordance with Section 120.541, Florida Statutes.

6. Petition Exhibit 7 contains the written consent of the landowners within the proposed District, which comprises one hundred percent of land to be included within the District.

7. Finally, Petition Exhibit 8 indicates that Craig A. Wrathell and Michal Szymonowicz have been designated as agents for Petitioner.

8. The sole purpose of the proceeding was to consider the establishment of the District as proposed by Petitioner. Information relating to the managing and financing of the service-delivery function of the proposed District was considered. Section 190.005, Florida Statutes, contains the statutory criteria to be considered. Therefore, a summary of the evidence relating to each enumerated section of the statute is set forth below.

SUMMARY OF EVIDENCE AND TESTIMONY

A. Whether all statements contained within the Petition have been found to be true and correct.

9. Petitioner's Hearing Exhibit A consists of the Petition and its Exhibits as filed with the Commission. Mr. Rase, a professional engineer who is employed by one of

the partners of Seville, LLC, testified in his pre-filed written testimony that he was familiar with the Petition as filed. Mr. Rase also generally described the exhibits to the Petition. Finally, Mr. Rase testified that he had reviewed the content of the Petition and that the factual contents in the Petition were true and correct to the best of his knowledge.

10. Mr. Rase further testified in his pre-filed testimony that the Petition was prepared by the firm of Wrathell, Hart, Hunt and Associates, LLC, under his supervision. Mr. Rase further testified that he had also retained the same firm to prepare the SERC.

11. Mr. Manuel, who is also a professional engineer, testified in his pre-filed testimony that he had visited the site of the proposed District, that he had assisted Petitioner with the review and compilation of some of the exhibits filed with the Petition, and that he had reviewed the Petition. Mr. Manuel further testified that all engineering related statements contained in the Petition and exhibits thereto were true and correct to the best of his knowledge.

12. Mr. Wrathell, who is the managing partner of a management and financial consulting firm, testified that he had prepared Exhibit 6 to the Petition (the SERC) and that

he had provided consulting services to Petitioner with respect to the establishment of the proposed District. Mr. Wrathell also testified that the SERC was true and correct to the best of his knowledge. Finally, the witness testified that he is familiar with the Petition and that the contents of the Petition and the attached exhibits are true and correct to the best of his knowledge.

13. The testimony is that the Petition and its Exhibits are true and correct.

B. Whether the establishment of the proposed District is inconsistent with any applicable element or portion of the State Comprehensive Plan or of the effective local government comprehensive plan.

14. Mr. Quinn, Mr. Wrathell, and Mr. Manuel reviewed the proposed District in light of the requirements of the State Comprehensive Plan, which is codified in Chapter 187, Florida Statutes, and the County's Comprehensive Plan. A copy of the State Comprehensive Plan was received into evidence as Hearing Exhibit K.

15. From a planning perspective, Mr. Wrathell indicated that five subjects of the State Comprehensive Plan apply directly to the establishment of the proposed District as do the policies supporting those subjects. From an engineering perspective, Mr. Manual indicated that

two subjects and the policies supporting those subjects apply directly to this matter.

16. According to Mr. Wrathell, Subject 15, Land Use, recognizes the importance of locating development in areas with the fiscal ability and service capacity to accommodate growth. § 187.201(15), Fla. Stat. Mr. Wrathell testified that the proposed District will have the fiscal ability to provide services and facilities and will help provide infrastructure in a fiscally responsible manner in an area which can accommodate development within a designated growth area in the County.

17. Both Mr. Quinn and Mr. Manuel cited Subject 17, Public Facilities, as also being relevant. That subject encourages the efficient and orderly financing of new facilities. § 187.201(17), Fla. Stat. In particular, Policy 3 provides that the cost of new public facilities should be allocated to existing and future residents on the basis of benefits received. Policy 5 provides that the financial self-sufficiency of local government in providing public facilities should be encouraged. Policy 6 provides that fiscally sound and cost-effective techniques for financing public facilities should be encouraged. Policy 7 provides that the development, use, and coordination of capital improvement plans by all levels of government

should be encouraged. Finally, Policy 9 provides that stable revenue sources should be identified and used, which are also responsive to growth for financing public facilities. Mr. Manuel and Mr. Quinn testified that the proposed District will further these goals and related policies.

18. Mr. Manuel and Mr. Quinn also cited Subject 19, Transportation, as being relevant. That subject encourages future transportation improvements to aid in the management of growth. § 187.201(19), Fla. Stat. Particularly, Policy 6 promotes timely resurfacing and repair of roads and bridges to minimize costly reconstruction and to enhance safety. Both Mr. Manuel and Mr. Quinn testified that the proposed District will provide a stable revenue source for the maintenance of District roadways.

19. Mr. Quinn further noted that Subject 20, Governmental Efficiency, should be considered. It is the goal of that subject that the amount and quality of services required by the public are provided economically and efficiently. § 187.201(20), Fla. Stat. Mr. Quinn also discussed Policy 2, which allows for the creation of independent special taxing districts. These special taxing districts have general law standards and procedures which do not overburden other governments and their taxpayers.

At the same time, Policy 8 promotes the replacement of economically inefficient local public facilities with more economic and efficient regional facilities. Mr. Quinn testified that the proposed District is a direct application of Policy 2 and that the proposed District provides for the use of regional systems, facilities, and services.

20. Finally, Mr. Quinn testified that Subject 25, Plan Implementation, is relevant. That subject provides that systematic planning shall be integrated into all levels of government, with emphasis on intergovernmental coordination and citizen involvement. § 187.201(25), Fla. Stat. In particular, Policy 6 encourages citizen participation at all levels of policy development, planning, and operations. Mr. Quinn testified that the proposed District ensures that the local citizens of the District actively participate in the operations of the community systems, facilities, and services with the District. Additionally, Mr. Wrathell pointed out that the District meetings will be publicly advertised and open to the public, so that all District property owners and residents can be involved in planning for improvements.

21. Mr. Manuel and Mr. Quinn reviewed the proposed District in light of the requirements of the County

Comprehensive Plan. Mr. Quinn testified that, from a planning perspective, several chapters (elements) and their underlying goals, objectives, and policies apply directly to the establishment of the proposed District, including Chapter 1, Future Land Use; Chapter 3, Transportation; and Chapter 13, Capital Improvements. In his pre-filed written testimony, Mr. Quinn expounds upon each of these Chapters and further explains their application to the proposed District, concluding that the proposed District will not be inconsistent with any applicable element or portion of the County Comprehensive Plan.

22. The Department was notified of the Petition and reviewed it for compliance with its various programs and responsibilities. After conducting a review of the Petition for consistency with Chapters 163 and 380, Florida Statutes, and the approved County Comprehensive Plan, in a letter dated June 21, 2007, the Department stated that it found no potential inconsistency with Chapters 163 and 380, Florida Statutes, and determined that the proposed land uses within the proposed District are consistent with the County Comprehensive Plan.

23. The testimony and exhibits indicate that the proposed District will not be inconsistent with any

applicable element or portion of the State Comprehensive Plan or County Comprehensive Plan.

C. Whether the area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.

24. The proposed District will include approximately 1,036.71 acres located entirely within an unincorporated area of the County. The testimony of witnesses Wrathell, Manuel, and Quinn indicate that from engineering, financial, and management perspectives, the area of land to be included in the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as a single functionally interrelated community.

25. The testimony was that Petitioner has demonstrated that the proposed District will be of sufficient size, sufficiently compact, and sufficiently contiguous to be developed as a single functionally interrelated community.

D. Whether the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed District.

26. Hearing Exhibit A and attached Petition Exhibits 4A and 4B indicate that it is presently anticipated that the proposed District will construct or provide for certain

infrastructures, which include public roads, provisions for water and sewer facilities, and environmental and water management facilities, as outlined in the Petition.

27. According to Mr. Rase, it is anticipated that the proposed District will finance these improvements with proceeds of tax-exempt bonds which will be payable from collections of non-ad valorem special assessments levied against the developable property within the proposed District and benefit from the provision of these improvements. He further indicated that there will be no bond obligation of the County or the State of Florida.

28. In their pre-filed testimony, Mr. Wrathell and Mr. Rase indicated that there are alternatives to the use of a community development district. For example, facilities and services might be provided by private means such as a homeowners' association. Also, the County might provide facilities and services through county government, funded through a Municipal Services Taxing Unit or Municipal Service Benefit Unit, or managed and financed by a dependent district on behalf of the County. Information was provided by all witnesses as to each alternative, analyzing each from a planning and development perspective, an engineering perspective, and a financial perspective.

29. According to Mr. Quinn, from a planning perspective, the following considerations are used to judge the best alternatives to the use of a community development district: (1) anticipated quality of facilities and services; (2) responsiveness to community needs for facilities and services; (3) long-term commitment to the community; and (4) ability to appropriately and adequately manage and fund community facilities and services.

30. Mr. Quinn added that relative to planning consideration 1, anticipated quality of facilities and services, the proposed District is the best option because of its local nature and knowledge of the local systems, facilities, and services. While a homeowners' association would also be considered local, it usually does not have the expertise available to provide the needed services. A county government does possess the necessary expertise, but it lacks the quality of service attainable by a local, focused organization. Mr. Quinn further testified that from a planning perspective, focused management enhances the intrinsic value of the property.

31. Mr. Quinn also testified that as to planning consideration 2, responsiveness to community needs for facilities and services, the proposed District is the best alternative because the supervisors of the proposed

District are initially elected by the property owners and then by the residents of the proposed District and therefore need be responsive only to them.

32. Relative to planning condition 3, long-term commitment to provide and serve the facility needs of the community, Mr. Quinn indicated that the proposed District is the best alternative because it will provide personal concern, interest, and commitment to the long-term welfare of the community with the backing of Chapter 190, Florida Statutes. While a homeowners' association could provide this intimate commitment to the long-term welfare of the community, it does not possess statutory duties and powers. It would be difficult for a county government to provide such intimate commitment to the long-term welfare of the community.

33. Regarding planning condition 4, ability to appropriately and adequately manage and fund community facilities and services, Mr. Quinn testified that the proposed District is the best alternative because it has the statutory powers to manage projects, raise funds, and finance projects.

34. Mr. Manuel stated that from an engineering perspective, the proposed District is the best alternative for providing community facilities and services because:

(1) the proposed area's size, compact and contiguous nature, and land features are amenable to construction and maintenance of efficient and effective community services systems; (2) the costs of the community systems, services, and facilities would be born by the users; (3) the costs can be appropriately apportioned among the users; (4) revenue generated by the proposed District will be used only to provide community services and facilities to the users; (5) the proposed District's Board of Supervisors is elected by the landowners to make the decisions regarding their community systems, services, and facilities; (6) the proposed District has sufficient powers to ensure appropriate maintenance and funding of the community systems, services, and facilities; (7) the proposed District has more local, detailed knowledge of and the duty to provide the community systems, services, and facilities; (8) the proposed District will be more responsive to the community needs due to its concentrated location and specific responsibilities for all indicated systems, services, and facilities; and (9) some of the proposed District's community systems, services, and facilities are unique to the community and best served by a local, knowledgeable entity.

35. From an economic perspective, Mr. Wrathell testified that the proposed District is the best alternative for providing community facilities, infrastructures, and services because it can access the tax-exempt public capital markets, thus funding at a lower cost than the alternative of developer funding. Furthermore, a community development district can fund large capital improvement programs by assessing property and collecting other revenue, which a homeowners' association cannot. With regard to the operations and maintenance of community facilities and services, the witness stated that the proposed District is preferable over a homeowners' association because it collects funds directly from assessments collected with property taxes, which make for a more assured income. He added that the proposed District is preferable over a homeowners' association because the proposed District, as a unit of local government, must hold public meetings and bid out its contracts. A county government, with its competing interests and broad responsibilities, lacks the level of focus to provide the community with services, facilities, and maintenance.

36. Mr. Manuel, Mr. Quinn, Mr. Wrathell, and Mr. Rase all testified in their pre-filed written testimony that a

community development district is the best alternative to providing community facilities and services to the Huntington Hammocks community.

37. The testimony is that Petitioner has demonstrated that the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed District.

E. Whether the community development services and facilities of the proposed District will be incompatible with the capacity and uses of existing local and regional community development services and facilities.

38. Mr. Quinn testified that the systems, services, and facilities that will be created within the proposed District are not incompatible with the capacity and uses of existing local and regional community facilities. In particular, the existing roadways adjacent to the proposed District will be modified and right-of-ways will be constructed on Seville Parkway. He also indicated that the existing water and wastewater lines are of adequate size to support the proposed District. Finally, he noted that the future storm water facilities are designed and engineered as to not have any adverse effects on existing facilities.

39. According to Mr. Quinn, the County will operate and maintain the water and sewer systems, facilities, and

services while the proposed District will manage District roadways and other community facilities. This arrangement is consistent with the policies addressed in the County Comprehensive Plan.

40. Mr. Wrathell testified that there is no duplication of the proposed District's services or facilities with any available regional service or facilities within the proposed District.

41. The testimony is that the community development services and facilities of the proposed District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities.

F. Whether the area that will be served by the proposed District is amenable to separate special-district government.

42. From a planning perspective, Mr. Quinn indicated that the land area to be included in the proposed District is sufficiently compact, contiguous, and of sufficient size to be developed as one functional interrelated community, and it is compatible with existing or proposed local or regional facilities.

43. From an engineering perspective, Mr. Manuel testified that a review of the land contained in the proposed District calls for consideration of special

features of the area, beyond size or shape, that would present any special difficulty in developing and providing community improvements and facilities such as water, sewer, and roads. He added that there are no special or unusual difficulties with providing the improvements and facilities and a separate special district government will be capable of providing local, responsive services to meet the needs of the proposed District.

44. Mr. Wrathell testified that from a professional management perspective, the area to be serviced in the proposed District is amenable to separate special-district governance because the area of land included in the proposed District is of sufficient size, of sufficient compactness, and of sufficient continuity.

45. The testimony is that from planning and development, engineering, and management perspectives, the area that will be served by the District is amenable to separate special-district government.

G. Other requirements imposed by statute or rule.

46. Chapter 190, Florida Statutes, and Florida Administrative Code Rule Chapter 42-1 impose specific requirements regarding the petition and other information to be submitted to the Commission.

a. Elements of the Petition

47. The Commission has certified that the Petition meets all of the requirements of Section 190.005(1)(a), Florida Statutes.

b. Statement of Estimated Regulatory Costs

48. According to Petition Exhibit 6, the SERC contains an estimate of the costs and benefits to all persons directly affected by the proposed rule to establish the District, including the State of Florida and its citizens, the County and its citizens, the Petitioner, and consumers.

49. The same exhibit indicates that the State will only incur modest costs from establishing the proposed District. These costs relate strictly to the receipt and processing of various reports that the proposed District is required to file with the State and its various entities. It further states that the costs to the State agencies that receive and process the various reports are very small and are offset by the annual fee the proposed District must pay to the Department.

50. Petition Exhibit 6 further states that costs incurred by the County are modest. These modest costs are offset by the required filing fee to the County. The only annual costs the County faces are the minimal costs of

receiving and reviewing the various reports that the District is required to provide to the County.

51. According to Petition Exhibit 6, future landowners may be required to pay non-ad valorem special assessments to repay the debt incurred to finance the construction of District facilities and also to fund on-going operation and maintenance of such District facilities. Location in the proposed District by new residents is voluntary. Benefits to consumers in the area within the District will include a higher level of public services, which in most cases will be sustained over a longer period of time than would otherwise be the case, assurance that the community facilities will be completed concurrently with the development of lands, and assurance of a sustained level of service of community infrastructure.

52. Section 190.005(1)(a), Florida Statutes, requires the petition to include a SERC which meets the requirements of Section 120.541, Florida Statutes. Mr. Wrathell has testified that the Petition contains a SERC and meets all requirements of the statute.

c. Other Requirements

53. According to Mr. Rase, Petitioner has complied with the provisions of Section 190.005(1)(b)1, Florida

Statutes, in that a copy of the Petition was filed with the County with the requisite \$15,000.00 filing fee.

54. Section 190.005(1)(d), Florida Statutes, requires Petitioner to publish notice of the local public hearing in a newspaper of general circulation in the County for four consecutive weeks prior to the hearing. Petitioner published notice of the local public hearing in the St. Petersburg Times (Hernando County Edition), for four consecutive weeks, on July 9, 16, 23, and 30, 2007.

d. Public Comment During the Hearing

55. No public comment was received during the hearing.

APPLICABLE LAW

56. This proceeding is governed by Chapters 120 and 190, Florida Statutes, and Florida Administrative Code Rule Chapter 42-1.

57. Section 190.005(1), Florida Statutes, provides that the exclusive method for establishing a community development district with a size of more than 1,000 acres shall be by rule adopted by the Commission.

58. The evidence was that the proceeding was properly noticed pursuant to Section 190.005(1)(d), Florida Statutes, by publication of an advertisement in a newspaper of general paid circulation in the County and of general

interest and readership once each week for the four consecutive weeks immediately prior to the hearing.

59. The evidence was that Petitioner has met the requirements of Section 190.005(1)(b), Florida Statutes, regarding the submission of the Petition and satisfaction of filing fee requirements.

60. Petitioner bears the burden of establishing that the petition meets the relevant statutory criteria set forth in Section 190.005(1)(e), Florida Statutes.

61. The evidence was that all portions of the Petition and other submittals have been completed and filed as required by law.

62. The evidence was that all statements contained within the Petition as corrected and supplemented at the hearing are true and correct. § 190.005(1)(e)1., Fla. Stat.

63. The evidence was that the establishment of the District is not inconsistent with any applicable element or portion of the State Comprehensive Plan or the effective County Comprehensive Plan. § 190.005(1)(e)2., Fla. Stat.

64. The evidence was that the area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable

as one functional interrelated community.

§ 190.005(1)(e)3., Fla. Stat.

65. The evidence was that the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the District. § 190.005(1)(e)4., Fla. Stat.

66. The evidence was that the community development services and facilities of the proposed District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities. § 190.005(1)(e)5., Fla. Stat.

67. The evidence was that the area to be served by the proposed District is amenable to separate special district government. § 190.005(1)(e)6., Fla. Stat.

CONCLUSION

Section 190.005(1)(e), Florida Statutes, provides that the Commission "shall consider the entire record of the local hearing, resolutions adopted by the local general-purpose governments," and the factors listed in subparagraphs 1. through 6. of the statute. Based on the record evidence, the Petition appears to meet all statutory requirements, and there appears to be no reason not to grant the Petition to Establish the Huntington Hammocks Community Development District as requested by Petitioner.

For purposes of drafting a rule, a copy of the metes and bounds description of the District is found in Petition Exhibit 1A.

DONE AND ENTERED this 27th day of August, 2007, in Tallahassee, Leon County, Florida.

S

DONALD R. ALEXANDER
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 27th day of August, 2007.

ENDNOTES

1/ All references are to the 2006 version of the Florida Statutes.

2/ In Ryan Rase's testimony, however, he indicates that the five persons designated to serve as the initial Board of Supervisors are citizens of the United States.

COPIES FURNISHED:

Jerry McDaniel, Secretary
Florida Land and Water
Adjudicatory Commission
The Capitol, Room 1802
Tallahassee, Florida 32399-0001

Barbara Leighty, Clerk
Florida Land and Water
Adjudicatory Commission
The Capitol, Room 1801
Tallahassee, Florida 32399-0001

Paul C. Huck, Jr., General Counsel
Office of the Governor
The Capitol, Room 209
Tallahassee, Florida 32399-0001

Brian A. Crumbaker, Esquire
Hopping, Boyd & Sams, P.A.
Post Office Box 6526
Tallahassee, Florida 32314-6526

Shaw P. Stiller, General Counsel
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100