

BEFORE THE GOVERNING BOARD OF THE  
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
SWF 13-029

SRQUS, LLC,

Petitioner,

vs.

DOAH Case No. 12-2161  
ERP No. 44040881.000

CITY OF SARASOTA and  
SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT,

Respondents,

and

SARASOTA COUNTY,

Intervenor.

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**FINAL ORDER**

THIS CAUSE was heard by the Governing Board of the Southwest Florida Water Management District ("District") pursuant to Sections 120.569 and 120.57(1), Florida Statutes ("F.S."), for the purpose of issuing a final order in the above-styled proceeding, including consideration of the Recommended Order of Administrative Law Judge ("ALJ") D.R. Alexander, the Exceptions to the Recommended Order filed by Petitioner, SRQUS, LLC ("SRQUS"), and the responses to SRQUS's exceptions filed by Sarasota County (the "County") and the District.

**A. Statement of the Issue**

1. The issue is whether reasonable assurance has been provided for the issuance of Environmental Resource Permit ("ERP") No. 44040881.000, authorizing the proposed alteration of a drainage ditch in the City of Sarasota (the "City"), and whether

SRQUS was entitled to receive notice of the application pursuant to Rule 40D-1.603(9)(a) and (b), Florida Administrative Code (“F.A.C.”).

### **B. Post-Hearing Procedural History**

2. On May 7, 2013, the ALJ issued his Recommended Order in this matter, a copy of which is attached hereto as Exhibit “A”.

3. On May 21, 2013, SRQUS timely filed Exceptions to the Recommended Order, a copy of which is attached hereto as Exhibit “B”.

4. On May 24, 2013, the County timely filed a response to SRQUS’s Exceptions, a copy of which is attached hereto as Exhibit “C”.

5. On May 29, 2013, the District timely filed a response to SRQUS’s Exceptions, a copy of which is attached hereto as Exhibit “D”.

6. The record consists of all notices; pleadings; motions; intermediate rulings; evidence admitted and matters officially recognized; the transcript of the proceedings; proposed findings, exceptions and responses; stipulations of the parties; and the Recommended Order.

### **C. Standard of Review**

7. Section 120.57(1)(l), F.S., provides in pertinent part:

The agency may adopt the recommended order as the final order of the agency. The agency in its final order may reject or modify the conclusions of law over which it has substantive jurisdiction and interpretation of administrative rules over which it has substantive jurisdiction. When rejecting or modifying such conclusions of law or interpretation of an administrative rule, the agency must state with particularity its reasons for rejecting or modifying such conclusion of law or interpretation of administrative rule and must make a finding that its substituted conclusion of law or interpretation of administrative rule is as or more reasonable than that which was rejected or modified. Rejection or modification of conclusions of law may not form the basis for rejection or modification of findings

of fact. The agency may not reject or modify the findings of fact unless the agency first determines from a review of the entire record, and states with particularity in the order, that the findings of fact were not based upon competent substantial evidence or that the proceedings on which the findings were based did not comply with essential requirements of law.

§ 120.57(1)(I), Fla. Stat. (2012).

8. The District may not reweigh evidence and may reject the ALJ's findings of fact in the Recommended Order only if, after a thorough review of the record, no competent substantial evidence exists to support the finding. Charlotte County v. IMC Phosphates Co., 18 So. 3d 1089, 1092 (Fla. 2d DCA 2009) (citing Brogan v. Carter, 671 So. 2d 822, 823 (Fla. 1st DCA 1996)); see also Walker v. Bd. of Prof'l Eng'rs, 946 So. 2d 604 (Fla. 1st DCA 2006) (an agency cannot modify or substitute new findings of fact if competent substantial evidence exists to support the ALJ's findings of fact).

9. Competent substantial evidence is defined as "evidence that will establish a substantial basis of fact from which the fact at issue can be reasonably inferred." DeGroot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1957) (citing Becker v. Merrill, 20 So. 2d 912, 914 (Fla. 1943)). The evidence must be sufficiently relevant and must be such that "a reasonable mind would accept as a conclusion" and "[t]o this extent the 'substantial' evidence should also be 'competent.'" Id. Competent substantial evidence

does not relate to the quality, character, convincing power, probative value or weight of the evidence but refers to the existence of some evidence (quantity) as to each essential element and as to the legality and admissibility of that evidence. 'Competency of evidence' refers to its admissibility under legal rules of evidence. 'Substantial' requires that there be some (more than a mere iota or scintilla), real, material, pertinent, and relevant evidence (as distinguished from ethereal, metaphysical, speculative, or merely theoretical evidence or hypothetical possibilities) having definite probative value (that is, "tending to prove") as to each essential element ...".

Scholastic Book Fairs, Inc. v. Unemployment Appeals Comm'n, 671 So. 2d 287, 289 n.3 (Fla. 1st DCA 1996) (citing Dunn v. State, 454 So. 2d 641, 649 n. 11 (Fla. 5th DCA 1984)). An ALJ may rely on the testimony of one witness, even if that testimony contradicts testimony of other witnesses. Lantz v. Smith, 106 So. 3d 518, 521 (Fla. 1st DCA 2013).

10. If findings of fact are supported by record evidence, the agency is bound by the ALJ's findings of fact. Charlotte County, 18 So. 3d at 1092 (citing Fla. Dep't of Corrs. v. Bradley, 510 So. 2d 1122, 1123 (Fla. 1st DCA 1987)). The District has no authority to reweigh the evidence, build a new case or make new factual findings. N.W. v. Dep't of Children & Family Svcs., 981 So. 2d 599, 602 (Fla. 3d DCA 2008); Lawnwood Med. Ctr., Inc. v. Agency for Health Care Admin., 678 So. 2d 421, 425 (Fla. 1st DCA 1996).

11. An agency may reject or modify an ALJ's conclusions of law and application of agency policy; however, when doing so, the agency must make a finding that its substituted conclusion of law is as or more reasonable than that which was rejected or modified. Charlotte County, 18 So. 3d at 1092.

#### **D. The Recommended Order and Exceptions**

12. The Recommended Order recommends that the Governing Board enter a final order approving the issuance of ERP No. 44040881.000 to the City and County as joint permittees. The Governing Board has reviewed the Recommended Order and it is hereby adopted and incorporated herein by reference.

13. The Governing Board has reviewed the Exceptions filed by SRQUS and the responses thereto filed by the County and the District, and rejects the Exceptions for the reasons set forth in the Ruling on SRQUS's Exceptions to the Recommended Order, which is attached hereto and incorporated herein by reference as Exhibit "E".

**WHEREFORE**, the Governing Board hereby issues ERP No. 44040881.000 to the City of Sarasota and Sarasota County, a copy of which is attached hereto as Exhibit "F".

**DONE AND ORDERED** by the Governing Board of the Southwest Florida Water Management District this 25<sup>th</sup> day of June, 2013, in Tampa, Hillsborough County, Florida.

SOUTHWEST FLORIDA WATER  
MANAGEMENT DISTRICT

By:

Carlos Beruff, Chair

Attest:

Randall S. Maggard, Secretary

(Seal)

Approved as to Legal Form and Content  
*Amy Wells Brennan*  
Amy Wells Brennan, Senior Attorney

Filed this 25<sup>th</sup> day of  
June, 2013.

*Amy Wells Brennan*  
Deputy Agency Clerk

**NOTICE OF RIGHTS**

In accordance with Section 120.569(1), F.S., a party who is adversely affected by final agency action may seek judicial review of the action in the appropriate District Court of Appeal pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

**SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
ENVIRONMENTAL RESOURCE  
GENERAL CONSTRUCTION  
PERMIT NO. 44040881.000**

**EXPIRATION DATE:** June 25, 2018

**PERMIT ISSUE DATE:** June 25, 2013

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapters 40D-4 and 40D-40, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

**PROJECT NAME:** City of Sarasota - US 41 Drainage Outfall Canal Improvements

**GRANTED TO:** City of Sarasota Public Works  
Attn: Doug Jeffcoat  
1761 12th Street  
Sarasota, FL 34236

**OTHER PERMITTEES:** Sarasota County Public Works Department  
Attn: Adnan Javed  
1001 Sarasota Center Boulevard  
Sarasota, FL 34240

**ABSTRACT:** This permit authorizes the construction of a 0.49 acre drainage retrofit project - consisting of the reconstruction and lining an existing tidal canal in order to alleviate localized flooding. A permanent sediment sump is proposed at the outfall of an existing 42" culvert that discharges into the canal. The site is located on the west side of U.S. Highway 41, approximately 170 feet south of Fruitville Road, in Sarasota County, Florida. Information regarding the surface water management system, 100-year floodplain, wetlands and/or surface waters is stated below and on the permitted construction drawings for the project.

**OP. & MAIN. ENTITY:** City of Sarasota Public Works

**OTHER OP. & MAIN. ENTITY:** N/A

**COUNTY:** SARASOTA

**SEC/TWP/RGE:** S19/T36S/R18E, S24/T36S/R17E

**TOTAL ACRES OWNED  
OR UNDER CONTROL:**

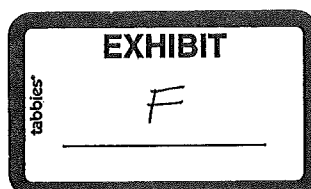
0.49

**PROJECT SIZE:** 0.49 Acres

**LAND USE:** Government

**DATE APPLICATION FILED:** September 08, 2011

**AMENDED DATE:** N/A



## I. Water Quantity/Quality

Drainage modeling for the contributory 46 acre watershed demonstrates the proposed improvements will reduce peak flood stage by 1.75' for the 100-yr 24-hr design storm (at the downstream end of the existing 42" culvert at U.S. Highway 41).

The receiving waterbody body (WBID 1951, Direct Runoff to Little Sarasota Bay) is impaired for mercury in fish tissue.

A temporary mixing zone for turbidity during construction is granted.

A variance is not required.

## II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
0.00	0.00	No Encroachment	N/A

The FEMA floodplain is due to tidal surge; no floodplain impacts are proposed.

\*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

## III. Environmental Considerations

### Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
Mangrove Ditch	0.45	0.00	0.45	0.08	0.00	0.00
<b>Total:</b>	<b>0.45</b>	<b>0.00</b>	<b>0.45</b>	<b>0.08</b>	<b>0.00</b>	<b>0.00</b>

\* For impacts that do not require mitigation, their functional loss is not included.

### Wetland/Other Surface Water Comments:

There are 0.45 acre of wetlands (FLUCCS 612) located within the project area for this ERP. Permanent filling impacts to 0.45 acre of a mangrove ditch (FLUCCS 612) will occur for construction of stormwater structures and rip rap. Permanent filling impacts to 0.45 acre of qualifying wetlands (FLUCCS 612) were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the UMAM analysis indicate a functional loss of 0.08 units due to the permanent impacts proposed. There are no other surface water features located within the project area.

### Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement +Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Curry Creek ROMA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.08
<b>Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.08</b>

### Mitigation Comments:

Wetland mitigation for permanent filling impacts will be provided by the purchase of 0.08 Mangrove credits from the Curry Creek Regional Offsite Mitigation Area (ROMA), ERP No. 44027089.000. The results of the UMAM analysis indicate a relative functional gain of 0.08 units. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat.

## Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit shall terminate, pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.
2. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to the Regulation Department at the District Service Office that services this permit. The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.
3. The Permittee shall retain the design engineer, or other professional engineer registered in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the professional engineer so employed. This information shall be submitted prior to construction.
4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Regulation Department at the District Service Office that services this permit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1, F.A.C., and signed, dated, and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.
5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.
6. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:  
  
wetland areas  
  
limits of approved wetland impacts  
  
The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.
7. All wetland boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District.
8. All construction is prohibited within the permitted project area until the Permittee acquires legal ownership or legal control of the project area as delineated in the permitted construction drawings.
9. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.



10. The District, upon prior notice to the Permittee, may conduct on-site inspections to assess the effectiveness of the erosion control barriers and other measures employed to prevent violations of state water quality standards and avoid downstream impacts. Such barriers or other measures should control discharges, erosion, and sediment transport during construction and thereafter. The District will also determine any potential environmental problems that may develop as a result of leaving or removing the barriers and other measures during construction or after construction of the project has been completed. The Permittee must provide any remedial measures that are needed.
11. This permit is issued based upon the design prepared by the Permittee's consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform and construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system.
12. The Permittee shall ensure that prior to the construction of wetland impacts, a modification Short Form for the Curry Creek ROMA ERP No. 44027089.000 shall be submitted to the District requesting the withdrawal of 0.08 Mangrove credits for the City of Sarasota - US 41 Drainage Outfall Canal Improvements project. The modification Short Form request shall reference the project name, "City of Sarasota - US 41 Drainage Outfall Canal Improvements" and ERP No. 44040881.000. Failure to submit this modification Short Form requesting a credit withdrawal from the Curry Creek ROMA prior to the commencement of wetland impacts shall be a violation of this permit.

**GENERAL CONDITIONS**

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

**Michelle K. Hopkins, P.E.**

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Authorized Signature

## EXHIBIT A

### GENERAL CONDITIONS:

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. For general permits authorizing incidental site activities, the following limiting general conditions shall also apply:
  - a. If the decision to issue the associated individual permit is not final within 90 days of issuance of the incidental site activities permit, the site must be restored by the permittee within 90 days after notification by the District. Restoration must be completed by re-contouring the disturbed site to previous grades and slopes re-establishing and maintaining suitable vegetation and erosion control to provide stabilized hydraulic conditions. The period for completing restoration may be extended if requested by the permittee and determined by the District to be warranted due to adverse weather conditions or other good cause. In addition, the permittee shall institute stabilization measures for erosion and sediment control as soon as practicable, but in no case more than 7 days after notification by the District.
  - b. The incidental site activities are commenced at the permittee's own risk. The Governing Board will not consider the monetary costs associated with the incidental site activities or any potential restoration costs in making its decision to approve or deny the individual environmental resource permit application. Issuance of this permit shall not in any way be construed as commitment to issue the associated individual environmental resource permit.
4. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the District as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume dis-charged from the property or into surface waters of the state.
6. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

7. 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.
8. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.
9. The permittee shall complete construction of all aspects of the surface water management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.
10. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
  - a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
  - b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
  - c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.
11. All surface water management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property .
12. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a written notification of commencement indicating the actual start date and the expected completion date.
13. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of 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 permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.
14. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1, F.A.C. Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.
15. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.
16. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the

District until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the District, if different from the permittee. Until a transfer is approved by the District, the permittee shall be liable for compliance with the terms of the permit.

17. Should any other regulatory agency require changes to the permitted system, the District shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.
18. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.
19. This permit 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 the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.
20. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
21. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
22. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40D-4.351, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
23. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with District rules, regulations and conditions of the permits.
24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District and the Florida Department of State, Division of Historical Resources.
25. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

SOUTHWEST FLORIDA  
WATER MANAGEMENT DISTRICT

**NOTICE OF  
AUTHORIZATION  
TO COMMENCE CONSTRUCTION**

City of Sarasota - US 41 Drainage Outfall Canal Improvements

PROJECT NAME

Government

PROJECT TYPE

SARASOTA

COUNTY

S19/T36S/R18E, S24/T36S/R17E

SEC(S)/TWP(S)/RGE(S)

City of Sarasota Public Works / Sarasota County Public Works Department

PERMITTEE

APPLICATION ID/PERMIT NO: 654522 / 44040881.000

DATE ISSUED: June 25, 2013



Michelle K. Hopkins, P.E.

Issuing Authority

**THIS NOTICE SHOULD BE CONSPICUOUSLY  
DISPLAYED AT THE SITE OF THE WORK**