**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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HERSCHEL T. VINYARD JR.
SECRETARY

September 8, 2014

Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Re: Capital City Bank vs. Franklin County & DEP
DOAH Case No.: 14-0517
OGC Case No.: 13-1210

Dear Clerk:

Attached for filing are the following documents:

1. Agency Final Order
2. Petitioner's Exceptions to Recommended Order
3. DEP's Responses to Capital City Bank's Exceptions to Recommended Order

If you have any questions, please do not hesitate to contact me at 245-2212 or lea.crandall@dep.state.fl.us.

Sincerely,

*Lea Crandall*

Lea Crandall
Agency Clerk



***Filed September 8, 2014 2:30 PM Division of Administrative Hearings***

**STATE OF FLORIDA**
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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| **CAPITAL CITY BANK,**<br><br>**Petitioner,**<br><br>**vs.**<br><br>**FRANKLIN COUNTY and DEPARTMENT OF ENVIRONMENTAL PROTECTION,**<br><br>**Respondents.** | **OGC CASE NO. 13-1210**<br>**DOAH CASE NO. 14-0517** |

# FINAL ORDER

An administrative law judge ("judge") with the Division of Administrative Hearings ("DOAH"), on July 23, 2014, submitted a Recommended Order ("RO") to the Department of Environmental Protection ("DEP" or "Department") in the above captioned proceeding. The RO is attached hereto as Exhibit A. Copies of the RO were served on counsel for the Petitioner, Capital City Bank ("the Bank"), and counsel for co-Respondents, Franklin County ("the County") and DEP. On August 7, 2014, the Bank filed its Exceptions to Recommended Order, and the DEP responded on August 18, 2014. This matter is now before the Secretary of DEP for final agency action.

## BACKGROUND

The DEP issued a notice to proceed and after-the-fact coastal construction control line ("CCCL") permit, on August 27, 2013, authorizing the County to construct a rock revetment on Alligator Drive. The County currently has two adjoining revetments seaward of the CCCL on Alligator Drive located on Alligator Point in the southeastern

corner of the County. Alligator Drive, situated immediately adjacent to the Gulf of Mexico, is a vulnerable structure and eligible for armoring under the Department's rules. The old revetment is permitted, the new revetment is not. Pursuant to a Department enforcement action directed at both revetments, the County applied for the after-the-fact permit to authorize the construction of the new revetment. The Bank challenged issuance of the permit on the ground that the revetment would have a significant adverse impact on its nearby property.

The Bank's nearby property, acquired in a foreclosure proceeding, abuts that portion of Alligator Drive immediately adjacent to the old revetment. The eastern boundary of the Bank's property is at least 300 feet west of the new revetment and extends westward along Alligator Drive until it intersects Harbor Circle. The entire tract is separated from the old revetment by Alligator Drive, a two-lane paved road. The property was once used as a KOA campground; however, the predecessor owner acquired development rights for a Planned Unit Development, which apparently cannot be fully developed unless the old revetment is raised back to its original height by the County or some other acceptable form of erosion protection is provided by the Bank at its own expense.

The challenge was referred by the Department to DOAH with a request that the matter be set for hearing. The judge conducted the final hearing on April 21, 2014, and issued the RO on July 23, 2014.

**SUMMARY OF THE RECOMMENDED ORDER**

In the RO, the judge recommended that the Department enter a final order approving the County's application for after-the-fact CCCL permit number FR-897. The

judge concluded that the County provided reasonable assurance that the new revetment will comply with all applicable rule and statutory criteria.

The judge found that there were no meaningful differences in height and slope between the two revetments. The old and new revetments will form one continuous armoring structure to provide shoreline protection along Alligator Drive. (RO ¶¶ 27, 28). The judge also found that the new revetment should toll erosion and will not result in a significant adverse impact to the Bank's property. (RO ¶¶ 29, 39).

The judge found that construction of the new revetment will not cause an adverse impact to the old revetment. For all practical purposes, the two revetments have existed side-by-side since 2005. The judge found that the Bank failed to offer any credible evidence that the new revetment has had a significant adverse impact on the old revetment over the last nine years. (RO ¶¶ 30, 39).

The judge concluded that, under sections 120.569 and 120.57, Florida Statutes ("F.S."), the Bank proved that it had substantial interests that reasonably could be affected by the issuance of a permit; and thus had standing to participate in the proceeding. (RO ¶ 33). The judge further concluded that section 403.412(5), F.S., offers a point of entry to persons who will "suffer an injury in fact which is of sufficient immediacy and is of the type and nature intended to be protected by [chapter 403]." Thus, the statute has language limiting its use to proceedings involving licensing or permitting under chapter 403, F.S. The judge concluded, therefore, that since the proposed agency action does not implicate an exercise of the Department's regulatory

powers under chapter 403,[1] the Bank did not have standing under section 403.412(5), F.S. (RO ¶ 32).

**STANDARDS OF REVIEW OF DOAH RECOMMENDED ORDERS**

Section 120.57(1)(l), Florida Statutes, prescribes that an agency reviewing a recommended order may not reject or modify the findings of fact of a judge, "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 on competent substantial evidence." § 120.57(1)(l), Fla. Stat. (2014); *Charlotte Cty. v. IMC Phosphates Co.*, 18 So.3d 1089 (Fla. 2d DCA 2009); *Wills v. Fla. Elections Comm'n*, 955 So.2d 61 (Fla. 1st DCA 2007).

A reviewing agency may not reweigh the evidence presented at a DOAH final hearing, attempt to resolve conflicts therein, or judge the credibility of witnesses. *See, e.g., Rogers v. Dep't of Health,* 920 So.2d 27, 30 (Fla. 1st DCA 2005); *Belleau v. Dep't of Envtl. Prot.*, 695 So.2d 1305, 1307 (Fla. 1st DCA 1997); *Dunham v. Highlands Cty. Sch. Bd.*, 652 So.2d 894 (Fla. 2d DCA 1995). If there is competent substantial evidence to support a judge's findings of fact, it is irrelevant that there may also be competent substantial evidence supporting a contrary finding. *See, e.g., Arand Construction Co. v. Dyer,* 592 So.2d 276, 280 (Fla. 1st DCA 1991); *Conshor, Inc. v. Roberts,* 498 So.2d 622 (Fla. 1st DCA 1986).

The judge's decision to accept the testimony of one expert witness over that of another expert is an evidentiary ruling that cannot be altered by a reviewing agency, absent a complete lack of any competent substantial evidence of record supporting this

[1] CCCL permits are authorized under chapter 161, F.S. (RO ¶ 32).

decision. *See, e.g., Peace River/Manasota Regional Water Supply Authority v. IMC Phosphates Co.*, 18 So.3d 1079, 1088 (Fla. 2d DCA 2009); *Collier Med. Ctr. V. State, Dep't of HRS*, 462 So.2d 83, 85 (Fla. 1st DCA 1985); *Fla. Chapter of Sierra Club v. Orlando Utils. Comm'n*, 436 So.2d 383, 389 (Fla. 5th DCA 1983). In addition, an agency has no authority to make independent or supplemental findings of fact. *See, e.g., North Port, Fla. v. Consol. Minerals*, 645 So.2d 485, 487 (Fla. 2d DCA 1994).

Section 120.57(1)(l), Florida Statutes, authorizes an agency to reject or modify a judge's conclusions of law and interpretations of administrative rules "over which it has substantive jurisdiction." *See Barfield v. Dep't of Health*, 805 So.2d 1008 (Fla. 1st DCA 2001); *L.B. Bryan & Co. v. Sch. Bd. of Broward Cty.*, 746 So.2d 1194 (Fla. 1st DCA 1999); *Deep Lagoon Boat Club, Ltd. v. Sheridan*, 784 So.2d 1140 (Fla. 2d DCA 2001). Considerable deference should be accorded to these agency interpretations of statutes and rules within their regulatory jurisdiction, and such agency interpretations should not be overturned unless "clearly erroneous." *See, e.g., Falk v. Beard*, 614 So.2d 1086, 1089 (Fla. 1993); *Dep't of Envtl. Regulation v. Goldring*, 477 So.2d 532, 534 (Fla. 1985). Furthermore, agency interpretations of statutes and rules within their regulatory jurisdiction do not have to be the only reasonable interpretations. It is enough if such agency interpretations are "permissible" ones. *See, e.g., Suddath Van Lines, Inc. v. Dep't of Envtl. Prot.*, 668 So.2d 209, 212 (Fla. 1st DCA 1996).

Agencies do not have jurisdiction, however, to modify or reject rulings on the admissibility of evidence. Evidentiary rulings of the judge that deal with "factual issues susceptible to ordinary methods of proof that are not infused with [agency] policy considerations," are not matters over which the agency has "substantive jurisdiction."

*See Martuccio v. Dep't of Prof'l Regulation*, 622 So.2d 607, 609 (Fla. 1st DCA 1993); *Heifetz v. Dep't of Bus. Regulation*, 475 So.2d 1277, 1281 (Fla. 1st DCA 1985); *Fla. Power & Light Co. v. Fla. Siting Bd.*, 693 So.2d 1025, 1028 (Fla. 1st DCA 1997). Evidentiary rulings are matters within the judge's sound "prerogative . . . as the finder of fact" and may not be reversed on agency review. *See Martuccio,* 622 So.2d at 609.

## RULINGS ON EXCEPTIONS

A party that files no exceptions to certain findings of fact "has thereby expressed its agreement with, or at least waived any objection to, those findings of fact." *Envtl. Coalition of Fla., Inc. v. Broward Cty.*, 586 So.2d 1212, 1213 (Fla. 1st DCA 1991); *see also Colonnade Medical Ctr., Inc. v. State of Fla., Agency for Health Care Admin.*, 847 So.2d 540, 542 (Fla. 4th DCA 2003). An agency head reviewing a recommended order is free to modify or reject any erroneous conclusions of law over which the agency has substantive jurisdiction, however, even when exceptions are not filed. *See* § 120.57(1)(l), Fla. Stat. (2014); *Barfield v. Dep't of Health,* 805 So.2d 1008 (Fla. 1st DCA 2001); *Fla. Public Employee Council, 79 v. Daniels*, 646 So.2d 813, 816 (Fla. 1st DCA 1994).

## PETITIONERS' EXCEPTIONS

**Exception to Paragraph Three**

The Bank takes exception to paragraph three of the RO, where the judge found that "where the two revetments join, however, height differs by only a foot." The Bank asserts that the judge's finding is not supported by the record. Contrary to the Bank's assertion the judge's finding is supported by competent substantial record evidence in the form of expert testimony from the County's witness. (T. page 42, lines 3-11).

The Bank points to conflicting record evidence in the form of a survey, to support its assertion. The Department cannot reweigh the evidence, however, and when there is competent substantial evidence to support a judge's finding of fact, it is irrelevant that there may also be competent substantial evidence supporting a contrary finding. *See, e.g., Arand Construction Co. v. Dyer*, 592 So.2d 276, 280 (Fla. 1st DCA 1991); *Conshor, Inc. v. Roberts*, 498 So.2d 622 (Fla. 1st DCA 1986).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph three is denied.

**Exception to Paragraph Ten**

The Bank takes exception to paragraph ten, where the judge found that the County was under financial constraints and could not complete the restoration plan or the debris removal plan. The Bank argues that there is no evidence in the record to support this finding. During the course of this proceeding, official recognition was taken of the Department's Final Order in the prior enforcement action against the County (RO pages 2-3). *See Dep't of Envtl. Protection v. Franklin County*, Case No. 12-3276EF (Fla. DOAH Jan. 29, 2013; Fla. DEP April 18, 2013).[2] In addition, the Final Order was admitted into the record as Petitioner Exhibit 17. (RO at page 2). In that enforcement proceeding, the judge found that the County did not undertake the beach renourishment project or complete any work relating to debris removal because the voters of the County rejected the funding mechanism for the project. *Id.*

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[2] *See, e.g., Health Quest Realty XII v. Dep't of Health and Rehab. Services*, 477 So.2d 576, n. 3 (Fla. 1st DCA 1985) (reflecting that administrative agencies may officially recognize certain facts, just as a court is permitted to judicially notice certain facts).

Therefore, the judge's finding is based on competent substantial record evidence, and the Bank's exception to paragraph ten is denied.

**Exception to Paragraph Twelve**

The Bank takes exception to the last sentence in paragraph twelve, where the judge found: "After the debris is removed, the height of the old revetment will vary from between five and eight feet NGVD[3] rather than the original nine-foot height." The Bank argues that the "old revetment prior to debris removal stood between five and eight feet high," and "[o]nce the debris is removed, the height . . . will be less than the five to eight feet NGVD."

The County's expert witness testified, however, that the old revetment is going to "vary between the 5 and 8 foot," which does not include "any debris-related materials." (T. page 66, lines 5-13). Because the judge's finding is supported by competent substantial record evidence, the Bank's exception to paragraph twelve is denied. *See* § 120.57(1)(l), Fla. Stat. (2014).

**Exception to Paragraph Fourteen**

The Bank takes exception to the first sentence of paragraph fourteen, where the judge found:

> 14. Under emergency circumstances, between September 2000 and July 2005 the County placed material, including granite rock boulders and debris material, in a location east of the old revetment, seaward of the CCCL.

The Bank argues that the record does not show that there was such an "emergency circumstance" that spanned nearly a five year period. The judge's finding, however, is

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[3] National Geodetic Vertical Datum.

taken from the parties' stipulated facts in the Joint Pre-hearing Stipulation filed on April 17, 2014, with DOAH. *See* Joint Pre-hearing Stipulation, section (v), paragraph f. at pages 3-4.

Therefore, based on the foregoing reason, the Bank's exception to paragraph fourteen is denied.

**Exception to Paragraph Eighteen**

The Bank takes exception to the last two sentences of paragraph eighteen, where the judge found that, "[t]he height of the new revetment will be around nine feet NGVD, while its slope will be one vertical to three horizontal. The old revetment is not quite as steep, having a slope of one vertical to two horizontal." (RO ¶ 18). The Bank argues that the old revetment is steeper; therefore, the new revetment's toe will extend farther seaward creating additional discontinuity between the two revetments.

The Bank does not cite to any record evidence to support its argument, seeks additional factual findings from the Department, which findings are contrary to the judge's ultimate findings. *See, e.g., North Port, Fla. v. Consol. Minerals*, 645 So.2d 485, 487 (Fla. 2d DCA 1994) (An agency has no authority to make independent or supplemental findings of fact); *Arand Construction Co. v. Dyer,* 592 So.2d 276, 280 (Fla. 1st DCA 1991) (If there is competent substantial evidence to support a judge's findings of fact, it is irrelevant that there may also be competent substantial evidence supporting a contrary finding). The judge's findings are supported by competent substantial record evidence and reasonable inferences from that record evidence (T. page 51, lines 17-20; T. pages 51-52; T. page 158, lines 3-8). *Id.*

Therefore, based on the foregoing reasons, the Bank's exception to paragraph eighteen is denied.

**Exception to Paragraph Twenty-Two**

The Bank takes exception to paragraph twenty-two, by arguing that the judge "merely hypothesizes as to what may be contained in a planned unit development [PUD] and the reason that the development rights under the PUD cannot be fully developed without raising the height of the old revetment." The Bank argues that "[t]here is no evidence to support this."

Contrary to the Bank's argument, the record contains testimony from which the judge made reasonable inferences. *See, e.g.,* Petitioner's Exhibit 27 (Deposition of Steven Fling at pages 13-16); T. page 71 (waiver of 30-year erosion line criteria); T. pages 76-77 (PUD approval); *see also Greseth v. Dep't of Health and Rehab. Services,* 573 So.2d 1004, 1007 (Fla. 4th DCA 1991) (reflecting that an agency is bound by hearing officer's reasonable inferences from the evidence).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph twenty-two is denied.

**Exception to Paragraph Twenty-Three**

The Bank takes exception to the last sentence of paragraph twenty-three, where the judge summarizes the Bank's arguments as: "In sum, the Bank is essentially arguing that unless the two revetments mirror each other in height and slope, and consist of the same construction materials, the after-the-fact permit must be denied." The Bank asserts that the judge "misstates the Bank's position" by framing its argument as stated in the last sentence of paragraph twenty-three. The Bank further asserts that

the judge "downplays the discontinuities" between the two revetments as described in its exceptions to paragraph eighteen and paragraph three.

Contrary to the Bank's assertion, the majority of paragraph twenty-three shows that the judge understood the Bank's arguments, described them in detail, and rejected them in the next series of findings in paragraphs twenty-four through thirty. (RO ¶¶ 23-30). *See, e.g., Greseth v. Dep't of Health and Rehab. Services,* 573 So.2d 1004, 1007 (Fla. 4th DCA 1991) (reflecting that an agency is bound by hearing officer's reasonable inferences from the evidence).

Therefore, based on the foregoing reasons and the rulings on exceptions to paragraphs eighteen and three above, the Bank's exception to paragraph twenty-three is denied.

**Exception to Paragraph Twenty-Four**

The Bank takes exception to the last sentence of paragraph twenty-four, where the judge found that, "the record shows that when the loose and uneven debris is removed from the old revetment, the existing rocks will be moved to an interlocking or 'chinking' configuration that actually enhances the stability and integrity of the structure." (RO ¶ 24). The Bank points out that this finding is based on hearing testimony from the County's expert witness (T. pages 44-45, lines 3-6; T. page 154, lines 18-25); but argues that this statement was offered for the first time at the hearing and should not "suffice as reasonable assurance offered by the County."

The Bank's argument, however, does not recognize the *de novo* nature of the instant administrative proceeding. This is a *de novo* proceeding, intended to formulate final agency action and not to review action taken earlier and preliminarily. *See, e.g., Young*

*v. Dep't of Community Affairs*, 625 So.2d 831, 833 (Fla. 1993); *Hamilton Cnty. Bd. of Cnty. Comm'rs v. Dep't of Envtl. Reg.*, 587 So.2d 1378, 1387 (Fla. 1st DCA 1991); *McDonald v. Dep't of Banking & Fin.*, 346 So.2d 569, 584 (Fla. 1st DCA 1977).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph twenty-four is denied.

**Exception to Paragraph Twenty-Six**

The Bank takes exception to the second and third sentences of paragraph twenty-six, where the judge found

> Mr. Chou further acknowledged that there will be no significant adverse effect on the old revetment during "everyday" winds, waves, and currents. Finally, he agreed that if the toes of the new and old revetments are essentially the same, as the certified engineering plans demonstrate they are, it will "minimize" the discontinuity that he describes.

The Bank essentially argues that these findings are not supported by the record evidence. Contrary to the Bank's arguments, however, the judge's findings are supported by competent substantial record evidence. (T. pages 152-153; T. pages 116-117; Joint Exhibits 1 and 4). *See, e.g.*, § 120.57(1)(l), Fla. Stat. (2014); *Walker v. Bd. of Prof. Eng'rs*, 946 So.2d 604 (Fla. 1st DCA 2006) (If the DOAH record discloses any competent substantial evidence supporting a challenged factual finding of the judge, the agency is bound by such factual finding in preparing the Final Order.).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph twenty-six is denied.

**Exception to Paragraph Twenty-Seven**

The Bank takes exception to the first sentence of paragraph twenty-seven, where the judge found that "[w]hile there are some differences in height and slope between the

two revetments, no meaningful differences from an engineering perspective were shown." (RO ¶ 27). The Bank argues that its engineer presented evidence to the contrary. The Department cannot reweigh the evidence, however, and when there is competent substantial evidence to support a judge's finding of fact, it is irrelevant that there may also be competent substantial evidence supporting a contrary finding (T. pages 50-53; T. page 158, lines 3-8). *See, e.g., Arand Construction Co. v. Dyer,* 592 So.2d 276, 280 (Fla. 1st DCA 1991); *Conshor, Inc. v. Roberts,* 498 So.2d 622 (Fla. 1st DCA 1986).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph twenty-seven is denied.

**Exception to Paragraph Twenty-Nine**

The Bank takes exception to the first sentence of paragraph twenty-nine, where the judge ultimately found that "[t]he County has provided the Department with sufficient information to show that adverse and other impacts associated with the construction are minimized, and the new revetment will not result in a significant adverse impact to the Bank's property." (RO ¶ 29). The Bank essentially argues that the contrary evidence it presented at the hearing shows otherwise. The judge's ultimate finding is based on competent substantial record evidence and reasonable inferences from that evidence. (RO ¶¶ 24-227; T. pages 47 and 155).

In addition, the Department cannot reweigh the evidence and when there is competent substantial evidence to support a judge's finding of fact, it is irrelevant that there may also be competent substantial evidence supporting a contrary finding.

*See, e.g., Arand Construction Co. v. Dyer*, 592 So.2d 276, 280 (Fla. 1st DCA 1991); *Conshor, Inc. v. Roberts*, 498 So.2d 622 (Fla. 1st DCA 1986).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph twenty-nine is denied.

**Exception to Paragraph Thirty**

The Bank takes exception to the last sentence of paragraph thirty, where the judge found that "[t]he Bank failed to offer any credible evidence that the new revetment has had a significant adverse impact on the old revetment over the last nine years." (RO ¶ 30). The Bank argues that the judge failed to take into account events that occurred at the old revetment subsequent to the DOAH hearing (the County removed construction debris from the old revetment).[4] The judge's ultimate finding is based on competent substantial record evidence and reasonable inferences from that evidence. (T. page 155).

Under Section 120.57(1)(l), F.S., the Department's review of a recommended order and hearing record is in the nature of an appellate review. The Bank's attempt to supplement the hearing record with extra-record information is inappropriate. *See, e.g., Agency for Health Care Admin. v. Orlando Reg'l Healthcare Sys., Inc.*, 617 So.2d 385, 389 (Fla. 1st DCA 1993) (stating that it is a basic tenet of the appellate process that an appeal is based only on evidence presented to the lower tribunal); *see also Pedroni v. Pedroni*, 788 So.2d 1138, 1139 n. 1 (Fla. 5th DCA 2001) (stating that where documents

[4] Under the enforcement final order, the County was required to remove the "existing construction debris" from "the [old] rock revetment…" *See Dep't of Envtl. Protection v. Franklin County*, Case No. 12-3276EF (Fla. DOAH Jan. 29, 2013; Fla. DEP April 18, 2013); Petitioner Exhibit 17.

not part of the record are attached to an appellate brief, they will not be considered by the appellate court).

Therefore, based on the foregoing reasons, the Bank's exception to paragraph thirty is denied.

## CONCLUSION

Having considered the applicable law and standards of review in light of the findings and conclusions set forth in the RO, and being otherwise duly advised, It is therefore ORDERED:

A. The Recommended Order (Exhibit A) is adopted in its entirety and incorporated by reference herein.

B. The County's after-the-fact permit and notice to proceed in File No. FR-897 AR ATF, is APPROVED.

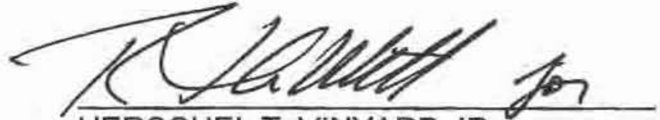
## JUDICIAL REVIEW

Any party to this proceeding has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal.

The Notice of Appeal must be filed within 30 days from the date this Final Order is filed with the clerk of the Department.

DONE AND ORDERED this 8th day of September, 2014, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HERSCHEL T. VINYARD JR.
Secretary

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

FILED ON THIS DATE PURSUANT TO § 120.52, FLORIDA STATUTES, WITH THE DESIGNATED DEPARTMENT CLERK, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED.

Deputy CLERK 9/8/14 DATE

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing Final Order was sent by e-mail to:

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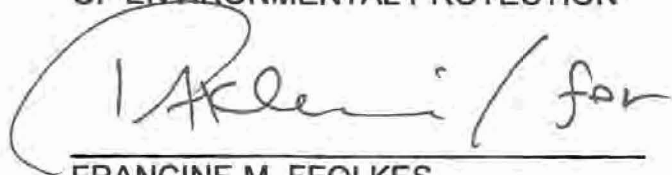
by electronic filing to:

Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

this 8th day of September, 2014.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



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