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May 25, 2017

John F. Turbiville, Jr. turbiville]@hillsboroughcounty.org
Hillsborough County Parks Conservation and Recreation Department 15502 Morris Bridge Rd.
Thonotosassa, FL 33592

SUBJECT:

EPC REVIEW # 62717/ MISCELLANEOUS ACTIVITIES IN WETLANDS AUTHORIZATION FOR THE HILLSBOROUGH COUNTY PARKS AND CONSERVATION DEPARTMENT PROPERTY: STALLION HAMMOCK HABITAT RESTORATION PROJECT / FOLIOS 088557.0000 & 088585.0000/ STR 16-31S-21E

Dear Mr. Turbiville:

An environmental review has been conducted for the above described project by the staff of the Wetlands Management Division of the Environmental Protection Commission of Hillsborough County (EPC). Based on this review, EPC staff has determined that the above referenced project, as proposed and conditioned by this authorization, is of nominal consequence to the wetland or other surface water in Hillsborough County and qualifies for approval under Section 1-11.09(1)(c), Rules of the EPC. Therefore, this agency authorizes the regrading, stabilization, and temporary impacts of 13.42 ac. of wetlands for habitat restoration which will provide water quality enhancement for the headwaters of Fishhawk Creek. The project is subject to the following conditions:

- 1. The activities must be conducted as described in the plans received by this agency on February 2, 2017, and April 24, 2017. Any proposed changes or adjustments from the plans must be reviewed and authorized by EPC staff.
- 2. The wetland creation and enhancement as proposed must be for the purposes of water quality enhancement and for providing wetland habitat. It may not, at any time, be used as a "wetland creation/enhancement credit" for future projects.
- 3. The temporary bypass system and construction phase dewatering shall be removed and the areas returned to previous conditions within 180 days after construction completion. Disturbed areas shall be stabilized (Florida native sod, mat, natural revegetation, etc.) following work completion.

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- 4. This authorization shall not cause offsite adverse impacts, including flooding, or otherwise affect the local hydrology so as to adversely affect other wetlands.
- 5. The wetland planting areas must be planted and monitored in accordance with the items listed below:
 - a. The vegetation must be planted within the wetland areas as depicted in the planting plan received by EPC February 2, 2017.
 - b. The area must be replanted no later than 90 days after construction completion.
 - c. Eighty-five percent (85%) coverage of beneficial species must be guaranteed for the planted wetland areas by the end of the monitoring and maintenance time period of one year.
- 6. Operation of all construction equipment and storage of construction materials, outside of the approved project area, shall be confined to upland areas only. The wetland areas outside of the project boundaries shall remain undisturbed.
- 7. All construction related debris must be removed from the wetland area upon completion of the work.
- 8. The EPC reserves the right to inspect all work conducted pursuant to this authorization to insure compliance with these conditions and comments.
- 9. All efforts must be undertaken to prevent any erosion or turbid water from being discharged offsite into wetlands and/or waters of the County. Turbid discharges that exceed 29 Nephelometric Turbidity Units above background levels are a violation pursuant to Chapter 1-5, the EPC Water Quality Rule. The erosion or discharge of sediments into wetlands is a violation of Chapter 1-11, the EPC Wetland Rule. Silt screens or other methods of erosion/turbidity control may be required. It is the responsibility of the owner/developer to insure the installation of adequate erosion control barriers prior to the commencement of any site work. These erosion control devices must be maintained in good condition throughout the construction process and until all loose soils have stabilized. It is strongly recommended that all erosion control devices be regularly inspected during construction and modified if conditions warrant.
- 10. This authorization or a copy must be present on site during the time of construction.
- 11. This authorization shall expire on May 25, 2018, one year from the date of this letter. Requests for extension must be submitted to the EPC in writing 30 days prior to the expiration date.

INFORMATIONAL COMMENTS

It is the responsibility of the applicant to ensure that all operators of equipment, or others
performing the work, know the scope of the project, are provided a copy of this letter of

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authorization and understand the specific conditions of EPC approval contained therein. The operator must be in possession of this letter of authorization at all times during performance of the work. All questions pertaining to this authorization shall be addressed to the EPC (813-627-2600) and should be resolved prior to the commencement of the work.

This approval applies only to the development proposal as submitted, and in no way
does it provide EPC approval to any other aspect of the EPC review process. In addition,
this approval does not imply exemption from obtaining all proper permits from other
governmental agencies.

NOTICE OF RIGHTS

Pursuant to Section 9 of the Hillsborough County Environmental Protection Act, Chapter 84-446, as amended, Laws of Florida, (EPC Act) and Rule 1-2.30, Rules of the Environmental Protection Commission of Hillsborough County (EPC) any person whose interests are protected by Chapter 84-446, Laws of Florida and who is adversely affected or otherwise aggrieved by this action has the right to appeal this agency action/decision. Written Notice of Appeal for a Section 9 Administrative Hearing must be received by the EPC Commission Chair, c/o EPC Legal Department, 3629 Queen Palm Dr., Tampa, Florida 33619 or via electronic mail at legalclerk@epchc.org or via facsimile at (813) 627-2602, within twenty (20) days of receipt of this notice. Pursuant to Section 1-2.30(c), Rules of the EPC, a Notice of Appeal must include the following information:

- (1) The name, address, and telephone number of the Appellant; the name, address, and telephone number of the Appellant's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the Appellant will be aggrieved or how his or her interests will be adversely affected by the Executive Director's decision;
- (2) A statement of when and how the Appellant received notice of the agency decision;
- (3) A statement of all disputed issues of material fact. If there are none, the Notice of Appeal must so indicate;
- (4) The specific facts the Appellant contends warrant reversal or modification of the Executive Director's proposed action;
- (5) A statement of the specific laws or rules the Appellant contends require reversal or modification of the Executive Director's proposed action; and
- (6) A statement of the relief sought by the Appellant, stating precisely the action Appellant wishes the Commission to take with respect to the Executive Director's proposed action or decision.

Pursuant to Section 1-2.31, Rules of the EPC, you may request additional time to file a Notice of Appeal by filing a REQUEST FOR EXTENSION OF TIME TO FILE A NOTICE OF APPEAL. The Request for Extension of Time must include a statement when and how the Appellant received notice of the agency decision and must be sent to and received by the EPC Legal Department at the address, e-mail, or fax noted above within twenty (20) calendar days of receipt

of this notice. By submitting a "Notice of Appeal" or a "Request for Extension of Time to file a Environmental Excellence in a Changing World Mr. Turbiville May 25, 2017 Page **4** of **5**

Notice of Appeal" via e-mail, you are agreeing to service and receipt of correspondences via e-mail at the originating e-mail address identified in the e-mail submission.

This Order is FINAL unless the party timely files, pursuant to Chapter 1-2, Part IV, Rules of the EPC, a Notice of Appeal or files a Request for Extension of Time to file a Notice of Appeal for a formal hearing. Pursuant to Section 1-2.31(e), Rules of the EPC, failure to request an administrative hearing by filing a Notice of Appeal within twenty (20) days after receipt of this Order shall constitute a WAIVER of one's right to have an appeal heard, and this unappealed Order shall automatically become a final and enforceable Order of the Commission.

It is recommended that the Applicant publish at their own expense the following notice of this agency action in a newspaper of general circulation in Hillsborough County, Florida for a minimum of one day so as to provide constructive notice to potentially aggrieved parties. It is also **RECOMMENDED THAT NO WORK** authorized by this action occur until after the time period for challenging this decision has expired:

ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY NOTICE OF MISCELLANEOUS ACTIVITIES IN WETLANDS AUTHORIZATION

The Environmental Protection Commission of Hillsborough County gives notice of agency action of issuance of a "Miscellaneous Activities in Wetlands" authorization issued on May 25, 2017 to Hillsborough County Parks Conservation and Recreation Department pursuant to the EPC Wetlands Rule Chapter 1-11 and Chapter 84-446, Laws of Florida, as amended. The EPC issued permit addresses approval for the regrading, stabilization, and temporary impacts to wetlands for habitat restoration and water quality enhancement on folios #088557.0000 & #088585.0000. The agency action document/permit is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Environmental Protection Commission, 3629 Queen Palm Dr., Tampa, Florida 33619. Pursuant to Section 9, Chapter 84-446, Laws of Florida, and Rule 1-2.30, Rules of the EPC, any person whose interests protected by Chapter 84-446, Laws of Florida, are adversely affected by this action or are otherwise aggrieved by this action, has the right to appeal the decision in accordance with Part IV of Rule 1-2, Rules of the EPC which will be found within the "Notice of Rights" included with the issued document. Written notice of appeal must be received by the EPC Commission Chair, c/o EPC Legal Department, 3629 Queen Palm Dr., Tampa, Florida 33619 or via electronic mail at legalclerk@epchc.org or via facsimile at (813) 627-2602, within 20 days of the date of this publication. Failure to file a notice of appeal within that time shall constitute a WAIVER of one's right to file an appeal.

Upon receipt of a sufficient Notice of Appeal for a Section 9 Administrative Hearing an independent hearing officer will be assigned. The hearing officer will schedule the appeal hearing

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at the earliest reasonable date. Following an evidentiary hearing, the hearing officer will render his/her decision as a recommendation before the EPC. Pursuant to Section 1-2.35, Rules of the EPC, the EPC will take final agency action on the findings of fact and conclusions of law of the hearing officer. A written decision will be provided by the EPC, which affirms, reverses or modifies the hearing officer's decision. Should this final administrative decision still not be in your favor, you may seek review in accordance with Section 9 of the Hillsborough County Environmental Protection Act, Chapter 84-446, as amended, Laws of Florida, and the Administrative Procedure Act, Chapter 120, part II, Florida Statutes, 1961 by filing an appeal under rule 9.110 of the Florida Rules of Appellate Procedure, with the clerk of the Environmental Protection Commission, EPC Legal Department, 3629 Queen Palm Dr., Tampa, FL 33619, and filing a notice of appeal accompanied by the applicable filing fee with the Second District Court of Appeal within 30 days from the date of the final administrative decision becoming an order of the EPC.

Copies of EPC rules referenced in this Order may be examined at any EPC office, may be found on the internet site for the agency at http://www.epchc.org or may be obtained by written request to the EPC Legal Department at 3629 Queen Palm Dr., Tampa, FL 33619.

If you have any questions or need further assistance, please contact Chris Stiens at stiensc@epchc.org or at (813) 627-2600, extension 1225.

Sincerely,

Chris Stiens

Environmental Scientist

Wetlands Management Division

Environmental Protection Commission

of Hillsborough County

Kim Tapley, P.W.S.

General Manager III

Wetlands Management Division

Environmental Protection Commission

of Hillsborough County

CC:

Janie Hagberg (janie.hagberg@swfwmd.state.fl.us)

Brandon Gray (bgray@scheda.com)

Tom Reis (tries@scheda.com)

cs/kmt