

Application for Utilities and Connection to District or Use of Facilities

Fellsmere, FL 32948

(for district use only)

FELLSMERE WATER CONTROL DISTRICT

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SPECIAL CONDITIONS (for District use only)

STANDARD PROVISOS

1. Permittee shall remove or repair any erosion to or shoaling in the District's canal or levee due to Permittee's work at no expense to the District
2. Permittee will prevent the discharge of any hyacinths or aquatic growth into the District's canal through the permitted connection.
3. Permittee will neither plant trees or shrubs nor allow trees or shrubs to grow nor erect any structure that will prohibit or limit the existing access of District equipment or vehicles without securing proper authorization thereof.
4. Permittee assumes full responsibility for any construction, operation or maintenance of District property or right-of-way subject to this permit and shall save and hold harmless District from any expense, loss, damage or claim in regard thereto, and the District assumes and shall have no liability in connection therewith.
5. This permit may not be assigned or subletted to a third party, and any transfer of Permittee's property abutting District's property or right of way shall insofacto and without move, cancel, nullify and revoke this permit.
6. This permit is subject always to the paramount right of the District to keep and maintain its drainage district functions and operations. The District may, on thirty days written notice to permittee, require removal and/or alteration of any installation or construction on District right-of-way.
7. In no event shall the District be liable for any Damages done or caused by the District to the public, to Permittee or any other person using the right-of-way or property subject to this permit, and permittee shall save the District, its officers, agents, supervisors and employees harmless from any costs, charge or expense of claim or demand of any person against the District arising from or pertaining to any use made of the property of right-of-way subject to this permit. Permittee shall, at any time upon request of District, provide to District evidence, satisfactory to District, of liability insurance coverage, in amounts and with companies as may be required by District, protecting the interests of District and naming District as an additional insured.
8. Any construction and clean-up on District right-of-way or property shall be completed by permittee within ten days after completion of construction of installation in a workmanlike manner with minimum disturbance to existing berm, channel slopes and grade with proper restoration and planting of any disturbed areas to prevent erosion.
9. Permittee shall advise District's office prior to commencement and upon completion of all construction (772-571-0640).
10. Permittee shall not discharge any pollutants, contaminants or deleterious materials into waters or structures owned or maintained by, or subject to the jurisdiction of district, nor permit anything to obstruct the flow of water, and shall save and hold district harmless from any expense, loss or damage to District or others by any such discharge or obstruction remedying or removing the same immediately upon request of District.

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11. Permittee, as a condition to the continuance of this permit, shall reimburse district immediately upon demand, for any review, inspection, testing or other cost or expenses to District associated with or arising from Permittee's use of District facilities.
12. Applicant is cautioned that electrical, water and sewer, or other installations or utilities may be located within the construction area, and applicant shall use diligent efforts to first detect and locate all such installations and shall coordinate construction with all other lawful users of said right-of-way. Applicant shall be liable for all damages proximately resulting from its interference with or interruption of service provided by other lawful right-of-way users.
13. This permit shall be considered to be a license only, for the limited purpose of installation, placement and maintenance of the improvements specified on the face hereof, and does not convey any other right, title or interest of the District in the subject right of-way property.
14. This permit is valid for six months from the date of approval. An inspection must be requested within this timeframe or the permit will expire and become null and void. All permit fees will be forfeited.
15. Application subject to all other permitting agencies approval.
16. An as-built/location certification of all culverts/structure installation within the District's canals right- of-way shall be performed by a Florida Registered Professional Surveyor and Mapper on form provided by the District, and submitted to the District with thirty (30) days following completion of installation. If an as-built certification is not received within thirty days of installation, the District will either have certification completed at owner/applicants expense or order removal of the installation.

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PERMITTING POLICIES

1. For all new development/projects (exempting individual single family residences), a stormwater discharge limitation of 2 inches/24 hours for a 25 year-24hour storm event shall be provided. The limitation applies to the first 72 hours during and after a 24 hour storm event. The analysis shall include the receiving water boundary condition as determined by the Fellsmere Water Control District East Master Drainage Plan and stormwater Hydrologic Analysis of the gravity drainage system prepared by Carter Associates Inc, dated December 2003 (or latest version). This information will be provided through FWCD by District's engineer upon request on a site specific basis.
2. Indian River County and the City of Fellsmere shall be granted an exemption from the 2" discharge limitation for the paving of existing roads or the expansion of existing roads. In the future, any new road right of ways created by lands subdivided by plat shall be required to comply with the 2" discharge limitation. The public right of way area will be allowed 4"/day and the development area will be allowed 2"/day.
3. Any development project which is designed to provide stormwater management facilities for a public road, which existed prior to the development, may commingle the discharges from the development and the road in a single system.
4. All new culvert installations and/or replacement culverts within (roadway/driveway crossings) or drainage system requires a permit from the District. The installation of such culverts shall be in accordance with the replacements and conditions of the permit (i.e. size, grade, and treatments grading, compaction and stabilization) to maintain compliance with the District's policies to keep and maintain the existing capacity and function of the District's facilities. The end (outfall) section of all drainage discharge pipes into the canal system shall extend through the bank of the District's canal to the toe of the slope of said canal to minimize erosion of the canal bank. No flap gates or back flow preventers are permitted on outfall discharge pipe or structures. An as built/location certification of all culvert/structure installations within the District's canals/right-of-way shall be performed by a Florida Registered Professional Surveyor or Mapper on form provided by the District, and submitted to the District within thirty (30) days following completion of installation. If as- built certification is not received within thirty (30) day of installation, the District will either have certification completed at owner's/ applicant's expense or order removal of the installation.
5. The design, layout and construction of new or replacement projects along (abutting) and adjacent to any existing District sub-lateral canal shall provide a minimum clear maintenance path width of twenty- five (25) feet, along the side of the sub-lateral canal containing the historical maintenance path, as measured landward from the adjacent top of the said canal. An easement or fee simple dedication of the maintenance berm shall be provided in favor of the District for both new and replacement culverts.
6. On projects requiring professional review for approval by the Board of Supervisors of the Fellsmere Water Control District (FWCD) a \$1,000.00 deposit is required on submission whether or not an application is made for construction. Any amount of the project review deposit not expended for professional services on the District's behalf in the review process will be refunded. Any costs in excess of the deposit for review will be payable by the permittee prior to release of the permit.
7. Flood Plain Storage must be maintained. Cut and fill calculations demonstrating that compensating storage volume is being created to offset any proposed fill in the flood plain shall be prepared by an engineer registered and currently licensed to practice Civil Engineering in the State of Florida. Calculations shall be in accordance with Indian River County Stormwater Management Flood protection ordinance. (ref. Chapter 930.07) the FEMA Flood Insurance Rate Maps and a topographic survey (based on 1929 NGVD) of the subject site, prepared by a surveyor registered and currently licensed to practice surveying in the State of Florida, which shall be used to establish the basis for the calculations. The FWCD may allow the use of the 100 year storm event results as they are developed utilizing the Stormwater study noted in Item no. 1 above.

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8. Aerial utility crossing a minimum of 45 feet clearance shall be maintained between canal maintenance berm surface and the lowest electrical conductor. All other (non-electrical conductors) aerial utility crossings shall maintain a minimum of 38' clearance above the maintenance berm.
9. Underground utilities shall be by directional bore method and so installed with a minimum of five (5) feet clearance as measured from the top of the utility conduit to the design bottom elevations of each sub-lateral canal, and (8) eight feet clearance as measured from the top of the utility conduit to the design bottom elevation of the laterals and Main Canal.
10. No utility shall be constructed across, under, along over or within a canal or right-of-way over which the Fellsmere Water Control District (FWCD) has jurisdiction unless a valid application for construction permit has been approved by the District.
11. Any utility installed under a valid construction permit shall be subject to inspection by the District to assure compliance with the construction permit before the permit to use the utility will be granted.
12. A scaled drawing showing the existing cross-section of the canal and right of way at the location of the proposed crossing shall be submitted with the application for construction permit. After installation, all underground crossings shall be marked by the applicant/permittee by placing permanent above-ground markers or signs over the line at each canal right-of-way line. The markers must identify the type of utility buried and must be clearly visible.
13. Any buried utility which generally parallels either the canal or the right-of-way must be installed in a manner that will not limit the District's use of the right-of-way. Specific requirements controlling the installation will be determined by examination of the proposal in the light of District needs and any existing authorized use in the area. The minimum acceptable cover over a buried utility shall be 30 inches.
14. Aerial lines generally paralleling the canal or the right-of-way shall be installed in a manner to insure a minimum vertical clearance under the lowest wire which will be consistent with accepted safety practices and will recognize existing facilities and uses. Standards and criteria for these aerial lines shall be determined independently for each application by the District in consultation with the applicant.
15. Permits issued by the District for facilities installed under this category shall require the applicant/permittee to relocate or modify its facility as the District may require to accommodate improvements or modifications to its water control system.

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Please note:

If you think that you have tripped any of the criteria of the Florida Administrative Code (see excerpt below), please contact the following agencies.

Department of Environmental Protection
Environmental Specialist
Central District 3319 Maguire Blvd
Suite 232
Orlando, Florida 32903-3767
407-893-7863

Fax 407 893-3075
SJRWMD
525 Community College Parkway SW
Palm Bay, FL 32909
(321)676-6600
Fax (321)722-5357

Florida Administrative Code - 40C-42.022 Permits Required

1) A permit is required under this chapter for construction (including operation and maintenance) of a stormwater management system which serves a project that exceeds any of the following thresholds:

- a. Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways and loading zones.
- b. Construction of more than 9,000 square feet total of impervious surface or,
- c. Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts putting greens, driving ranges, or ball fields.

2) A permit is required under this chapter for alteration, removal, reconstruction, or abandonment of existing stormwater management systems which serve a project which maybe expected to result in any of the following.

- a. Increase pollutant loading(including sediment) in stormwater, runoff from the project
- b. Increase in peak discharge rate
- c. Decrease in onsite or in stream detention storage
- d. Replacement of roadside swales with curb and gutter
- e. Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways, and loading zones.
- f. Construction of more than 9,000 square feet total of impervious surface or
- g. Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts, putting greens driving ranges, or ball fields.

3) These thresholds include all cumulative activities which occur on or after September 25, 1991.

4) For purpose of this section, the calculation of the amount of impervious surface shall not include water bodies.

5) Permits issued by the District for systems which no longer require a permit pursuant to subsection (1) or (2) above may either be abandoned, or relinquished by the permittee subject to the following.

- a. Local Governments may have concurrent jurisdiction with the District over a stormwater system. The permittee is not relieved by this rule of the responsibility to comply with any other applicable rules or ordinances with may govern such systems.
- b. The permittee provides reasonable assurance that there will not be a violation of state water quality standards as set forth in Chapters 62-302 and 62-550., FAC;
- c. The permittee must apply to the District for and receive written authorization from the District prior to abandonment of the system.

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The names on this list are not in any order and are for your convenience only. The District does not recommend one over the other. The contractors are not vetted for insurance or license. That is the responsibility of the individual landowner.

Culvert Providers

Cameron Brother's	(321) 723 2946
Con Tec	(772) 464-4400
	(800) 881-1100
Tropical Breeze Grading, Inc.	(772) 633-1145

Contractors

Double R LLC	(772) 713-2427
J.G. Trucking, Inc.	(772) 473-0239
	(772) 571-0537
R & R Land Clearing	(321) 508-2591
Tropical Breeze Grading, Inc.	(772) 633-1145
Two Directions Cattle & Tractor	(772)-480-2893