South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
TDD (561) 697-2574

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SHALLOWAY, INC.

Permit No. 50-00761-S

JAN 30 1998 JAN 27 1998

PROJECT # : 91084.DE75

SUB FILE: MASTER PERMITS

January 27, 1998

INDIAN TRAIL IMPROVEMENT DISTRICT
(INDIAN TRAIL IMPROVEMENT DISTRICT M-1 BASIN)
13476 61ST NORTH
WEST PALM BEACH, FL 33412-1915

Dear Permittee:

Enclosed is your Permit as authorized by the Governing Board of the South Florida Water Management District at its meeting on 01/15/98.

Special Conditions to your Permit require reports to be filed with this District. Please read these Conditions and use the enclosed form(s), as applicable, for your submittal of these required reports.

It is requested that you read your Permit thoroughly and understand its contents and conditions. If you have any questions, please do not hesitate to contact this office.

Sincerely,

Vern Kaiser
Deputy Clerk
Regulation Department

Enclosures

THIS DOCUMENT IS A COMPILATION OF:

PERMIT MOD 50-00761-S
ADDENDUM TO STAFF REPORT 1/15/98
12/31/97 STAFF REPORT, (WITH REPLACEMENTS & REVISIONS NOTED PER 1/15/98 ADDENDUM)

Governing Board:
Frank Williamson, Jr., Chairman
Eugene K. Pettis, Vice Chairman
Mitchell W. Berger
Vera M. Carter
William E. Graham
William Hammond
Richard A. Machek
Michael D. Minton
Miriam Singer
Samuel E. Poole III, Executive Director
Michael Slayton, Deputy Executive Director

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
SURFACE WATER MANAGEMENT
PERMIT MODIFICATION NO. 50-00761-S

Form #0115
Rev 08/95

DATE ISSUED: JANUARY 15, 1998

PERMITTEE: INDIAN TRAIL IMPROVEMENT DISTRICT
(INDIAN TRAIL IMPROVEMENT DISTRICT M-1 BASIN)
13476 61ST NORTH,
WEST PALM BEACH , FL 33412-1915

ORIGINAL PERMIT ISSUED: JUNE 12, 1980
ORIGINAL PROJECT DESCRIPTION: CONSTRUCTION AND OPERATION OF A WATER MANAGEMENT SYSTEM SERVING 22,800 ACRES OF RESIDENTIAL LANDS BY A RETENTION AREA, DIKE, PUMP STATION CONSISTING OF 5-100,000 GPM PUMPS, 2-54" ALUMINUM CMP'S WITH 84" FLASHBOARD RISERS DISCHARGING INTO L-8, AN INTERNAL PUMP STATION CONSISTING OF 3-40,000 GPM PUMPS, CANAL ENLARGEMENTS AND ROADWAY IMPROVEMENT, A PLUG WITH 1-72" ALUMINUM CMP WITH 1-96" RISER AND FLASHBOARDS.

APPROVED MODIFICATION : AUTHORIZATION TO REVISE THE OPERATION SCHEDULE FOR OFF-PEAK DISCHARGES FROM ITID'S M-1 BASIN THROUGH THE M-1 CANAL TO THE C-51 CANAL.

PROJECT LOCATION: PALM BEACH COUNTY , SECTION -- TWP 42S RGE 39E
SECTION -- TWP 43S RGE 40E

PERMIT DURATION: Five years from the date issued to complete construction of the surface water management system as authorized herein. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit Modification is approved pursuant to Application No. 970723-4 , dated July 22, 1997. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of any activities authorized by this Permit. This Permit is issued under the provisions of Subsections 373.414(11)-(16), Florida Statutes(F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S. between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit Modification may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.).

This Permit Modification may be transferred pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), F.A.C.

All specifications and special and limiting/general conditions attendant to the original Permit, unless specifically rescinded by this or previous modifications, remain in effect.

This Permit Modification shall be subject to the General Conditions set forth in Rule 40E-4.361, F.A.C., unless waived or modified by the Governing Board. The Application, and the Surface Water Management Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit Modification. All activities authorized by this Permit Modification shall be implemented as set forth in the plans , specifications , and performance criteria as set forth and incorporated in the Surface Water Management Staff Review Summary. 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, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND LIMITING CONDITIONS ARE AS FOLLOWS:
SEE PAGES 2-4 OF 6 - 24 SPECIAL CONDITIONS.
SEE PAGES 5-6 OF 6 - 19 LIMITING CONDITIONS.

PERMIT MODIFICATION APPROVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

FILED WITH THE CLERK OF THE
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

ON 1-23-98

BY _____
DEPUTY CLERK

BY _____
ASSISTANT SECRETARY

SPECIAL CONDITIONS

1. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.

2. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.

3. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.

4. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.

5. THE PROPERTY WHICH IS THE SUBJECT OF THIS PERMIT IS LOCATED IN AN AREA WHICH MAY BE INCLUDED IN A PROPOSED EVERGLADES REGULATORY PROGRAM IN THE FUTURE PURSUANT TO SECTION 373.4592, FLORIDA STATUTES (EVERGLADES FOREVER ACT). THIS SPECIAL CONDITION IS INTENDED TO NOTIFY THE PERMITTEE THAT THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL OR NEW PERMITTING AND/OR WATER QUALITY REQUIREMENTS UPON ADOPTION OR AMENDMENT OF AN EVERGLADES REGULATORY PROGRAM TO INCLUDE ADDITIONAL CONTRIBUTING SURFACE WATER BASINS.

6. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF INDIAN TRAIL IMPROVEMENT DISTRICT.

7. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.

8. A MONITORING PROGRAM SHALL CONTINUE TO EVALUATE SURFACE AND GROUNDWATER LEVELS WITHIN OFFSITE WETLAND AREAS ADJACENT TO THE IMPOUNDMENT. THE MONITORING PROGRAM SHALL INCLUDE WEEKLY MONITORING OF WATER LEVELS IN WETLANDS 1 AND 2 (EXHIBIT 10) FOR A PERIOD OF FIVE (5) YEARS. BASED ON ANALYSIS OF THE MONITORING DATA AFTER THE 5 YEAR PERIOD OR IF THE IMPOUNDMENT PLAN HAS NOT BEEN IN OPERATION FOR AT LEAST TWO YEARS, THE DISTRICT MAY REQUIRE AN EXTENSION OF THE MONITORING PERIOD. MONITORING SHALL UTILIZE CONTINUOUS RECORDER INSTRUMENTATION OR STAFF GAUGES TO MONITOR WATER LEVELS. MONITORING REPORTS SHALL BE SUBMITTED TO DISTRICT POST PERMIT COMPLIANCE STAFF ON A MONTHLY BASIS. IF MONITORING DATA INDICATES THAT HYDROPERIOD IMPACTS ARE OCCURRING TO THESE OR OTHER WETLANDS, THE PERMITTEE SHALL INSTALL ADDITIONAL IMPERMEABLE TRENCHES OR OTHER MEASURES NECESSARY TO PROTECT WETLAND HYDROPERIODS.

9. A MONITORING PROGRAM SHALL CONTINUE TO EVALUATE SURFACE AND GROUNDWATER LEVELS WITHIN THE ADJACENT OFFSITE AREAS SHOWN ON EXHIBIT 8. THE PERMITTEE HAS INSTALLED A TOTAL OF FOUR (4) MONITORING WELLS DESIGNED AND CONSTRUCTED TO RECORD SURFACE AND GROUNDWATER LEVELS. WATER LEVELS SHALL BE RECORDED MONTHLY BETWEEN NOVEMBER 1 AND APRIL 30. WATER LEVELS SHALL BE RECORDED WEEKLY BETWEEN MAY 1 AND OCTOBER 31. WATER LEVEL DATA REPORTS SHALL BE SUBMITTED TO NATURAL RESOURCE MANAGEMENT DIVISION POST PERMIT COMPLIANCE STAFF ON A QUARTERLY BASIS. SHOULD THE DISTRICT DETERMINE FROM THE MONITORING DATA THAT IMPACTS HAVE OCCURRED TO OFFSITE WETLANDS AS A RESULT OF LOWERED GROUNDWATER LEVELS, THE PERMITTEE SHALL PROVIDE A MITIGATION PLAN TO THE DISTRICT FOR OFFSITE WETLAND IMPACTS.

10. MINIMUM BUILDING FLOOR ELEVATION AS SHOWN ON EXHIBIT 6.

11. MINIMUM ROAD CROWN ELEVATION AS SHOWN ON EXHIBIT 6.

12. THE PERMITTEE SHALL CONSTRUCT A ROAD OR DIKE ENTIRELY AROUND THE SERVICE AREA OF THIS WATER MANAGEMENT SYSTEM WITH A MINIMUM TOP WIDTH OF 10' AND A MINIMUM TOP ELEVATION OF 23.5' NGVD. THE FOLLOWING AREAS ARE APPROVED EXCEPTIONS TO THE ELEVATION REQUIREMENT:

    A. A MINIMUM TOP ELEVATION OF 21.5' NGVD SHALL APPLY TO THE ROADS OR DIKES LOCATED ALONG THE PERIMETER OF SECTIONS 33, 34, AND 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, AND SECTIONS 2, 3, 4, 9, 10, AND 11, TOWNSHIP 43 SOUTH, RANGE 41 EAST.

    B. A MINIMUM TOP ELEVATION OF 23.5' NGVD SHALL APPLY TO THE ROAD LOCATED ALONG THE NORTH SECTION LINES OF SECTIONS 33 AND 34, TOWNSHIP 42 , SOUTH, RANGE 41 EAST.

13. UPON COMPLETION OF CONSTRUCTION, AND ON AN ANNUAL BASIS (IN MARCH OF EACH YEAR) THE PERMITTEE SHALL SUBMIT REPORTS TO THE SFWMD FOR STRUCTURAL ADEQUACY OF ALL ABOVE GROUND DIKES, LEVEES AND BERMS BEHIND WHICH WATER IS TO BE CONTAINED AND WHERE FAILURE COULD IMPACT OFF-SITE AREAS. SUCH REPORTS SHALL INCLUDE PROPOSAL OF TECHNIQUE AND SCHEDULE FOR REPAIR OF ANY DEFICIENCIES NOTED, AND SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER.

14. THE PERMITTEE HAS A TELEMETRY MONITORING SYSTEM THAT ELECTRONICALLY RECORDS THE FOLLOWING: UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT THE AMIL GATE, OPENING OF THE AMIL GATE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT THE 40TH STREET STRUCTURE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT PUMP STATION NUMBER 2, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS OF THE L-8 STRUCTURE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS OF THE M-1 IMPOUNDMENT DISCHARGE STRUCTURE, AND UPSTREAM WATER ELEVATIONS OF PUMP STATION #3 (SEE EXHIBIT 9). THE PERMITTEE SHALL SUBMIT STAGE READINGS TO THE SFWMD MONTHLY. ALSO, ITID SHALL SUBMIT TO THE SFWMD ON MARCH 1ST OF EACH YEAR A CERTIFIED STATEMENT BY A FLORIDA REGISTERED ENGINEER THAT EACH STAFF GAUGE IS ACCURATELY SET TO PROVIDE CORRECT NGVD READINGS.

15. THE "L-8 PLAN" SHALL BE OPERATED AND CONDITIONED AS FOLLOWS:

WHEN WATER ELEVATIONS RECEDE TO 15.0' IN THE LOWER BASIN, THE ROACH STRUCTURE AND 40TH STREET STRUCTURE SHALL BE CLOSED OR OPERATED SO THAT NO DISCHARGE BELOW 15.0' IS ALLOWED. THE CONTROL ELEVATIONS OF 15.5' IN THE UPPER BASIN AND 14.5' IN THE LOWER BASIN MAY BE OBTAINED BY PUMPING NORTH FROM PUMP STATION NO. 2 AND WEST FROM PUMP STATION NO. 3 INTO THE M-1 IMPOUNDMENT WHICH DISCHARGES WEST TO THE L-8 CANAL. PUMPING FROM PUMP STATION NO. 3 SHALL OCCUR ONLY WHEN AN EQUAL AMOUNT OF WATER IS PUMPED INTO THE M CANAL FROM THE L-8 TIE BACK CANAL THROUGH THE CITY OF WEST PALM BEACH'S WATER SUPPLY PUMP STATION. IF THE STAGE IN THE L-8 CANAL EXCEEDS ELEVATION 15.0', NO PUMPING FROM PUMP STATION NO. 3 SHALL OCCUR FOR PURPOSES OF REACHING THE CONTROL ELEVATIONS OF 15.5' AND 14.5' IN THE UPPER AND LOWER BASINS RESPECTIVELY. OPERATION OF THE "L-8 PLAN" SHALL ONLY OCCUR WHEN THE CITY OF WEST PALM BEACH IS OPERATING THEIR PUMP STATION IN THE L-8 TIEBACK CANAL (M CANAL) FOR WATER SUPPLY PURPOSES. THE ITID SHALL NOTIFY SFWMD STAFF IN WRITING PRIOR TO OPERATING THIS "L-8 PLAN." IN ADDITION, NO PUMPING SHALL OCCUR IF RELEASES FROM THE CITY OF WEST PALM BEACH'S CLEAR LAKE ARE OCCURING INTO THE C-17 CANAL OR STUB CANAL (C-51 CANAL). TELEMETRY INDICATING THE PUMPS OPERATION SHALL BE INSTALLED AT THE WEST PALM BEACH'S PUMP STATION NO LATER THAN NOVEMBER 1, 1996 TO INSURE THAT THIS CONDITION IS BEING MET. IT IS RECOGNIZED THAT THE ITID AND THE CITY OF WEST PALM BEACH ARE DEVELOPING A PILOT PROGRAM FOR PUMPING DIRECTLY INTO THE M CANAL, THEREBY ELIMINATING THE NEED TO PUMP INTO AND BACK OUT OF THE L-8 CANAL.

16. THE L-8 OPERATION PLAN SPECIFIED IN SPECIAL CONDITION NO. 15 ABOVE AND THE UNIT 11 MITIGATION PROGRAM ESTABLISHED IN SPECIAL CONDITIONS 9 AND 10 OF THE MODIFICATION ISSUED FEBRUARY 15, 1996 SHALL BE PRESENTED TO THE GOVERNING BOARD ANNUALLY FOR CONSIDERATION.

17. THE LOWERED CONTROL ELEVATION OF 16' NGVD IN THE IMPOUNDMENT SHALL ONLY BE ACHIEVED AFTER ITID COORDINATES WITH THE CITY OF WEST PALM BEACH TO DIVERT AS MUCH WATER AS POSSIBLE TO THE WATER CATCHMENT AREA. THIS MAY BE ACCOMPLISHED WHEN THE CITY OF WEST PALM BEACH IS PUMPING FROM THE L-8 CANAL TO THE "M" CANAL OR THROUGH THE PILOT PUMP PROGRAM IF POSSIBLE.

18. THE "5 POINT PLAN" SHALL REMAIN IN PLACE AND NO LONGER REQUIRE RENEWAL ON A YEARLY BASIS UNTIL SUCH TIME AS THE REGIONAL PLANS CURRENTLY BEING DEVELOPED, SUCH AS THE WESTERN C-51 PLAN, SOUTHERN L-8 PLAN OR NORTHERN PALM BEACH COUNTY PLAN, HAVE PROGRESSED TO A STAGE WHERE ITID WILL BE ABLE TO DESIGN IMPROVEMENTS TO THEIR SYSTEM CONSISTENT WITH THE OBJECTIVES OF THESE PLANS. THESE IMPROVEMENTS MAY INCLUDE BUT WOULD NOT BE LIMITED TO ADDITIONAL STORMWATER STORAGE WITHIN THE ITID M-1 BASIN.

19. WATER QUALITY SAMPLES SHALL BE TAKEN IMMEDIATELY UPSTREAM OF THE DISCHARGE STRUCTURES (SEE EXHIBIT 7). A LABORATORY CERTIFIED BY FLORIDA DEP AND/OR HRS SHALL BE RESPONSIBLE FOR ALL WATER QUALITY SAMPLING AND ANALYSES. REPORTS, INCLUDING THE DEP/HRS CERTIFIED LAB NUMBER, SFWMD PERMIT NUMBER, SAMPLE LOCATION, AND FLOW/NO-FLOW OCCURENCE SHALL BE SUBMITTED TO THIS DISTRICT SEMI-ANNUALLY UNLESS REQUESTED ON A MORE FREQUENT BASIS. INITIAL SAMPLING RESULTS SHALL BE REPORTED TO THIS DISTRICT NO LATER THAN 30 DAYS FOLLOWING THE SUBMITTAL OF THE CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OF THE SURFACE WATER MANAGEMENT SYSTEM BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THE DISTRICT WILL EVALUATE MONITORING REQUIREMENTS FOLLOWING TWO YEARS OF DATA COLLECTION AND MAKE A DETERMINATION AS TO WHETHER THE DISCHARGE CONFORMS TO STATE WATER QUALITY STANDARDS AS DEFINED IN CHAPTER 17-302 F.A.C. IF THE WATER QUALITY ANALYSES SHOW LITTLE OR NO CHANGE AND IT IS DETERMINED THAT THERE IS MINIMAL CONTAMINANT POTENTIAL, THE MONITORING PROGRAM MAY BE MODIFIED TO REDUCE THE SAMPLING SCHEDULE AND/OR PARAMETERS. IF WATER QUALITY PROBLEMS DEVELOP, THE DISTRICT RESERVES THE RIGHT TO REQUIRE MORE FREQUENT SAMPLING AND MORE THOROUGH ANALYSES. THE SAMPLES SHALL BE ANALYZED ON A BIMONTHLY BASE FOR THE FOLLOWING PARAMETERS:

PARAMETERS	UNITS
TEMPERATURE	DEG. C
CONDUCTIVITY, FIELD	UMHO/CM
DISSOLVED OXYGEN (DO)	MG/L
CHEMICAL OXYGEN DEMAND (COD)	MG/L
PH (RANGE >6.0 & <8.5)	STANDARD UNIT
ALKALINITY	MG/L
TOTAL SUSPENDED SOLIDS (TSS)	MG/L
OIL AND GREASES	MG/L
TOTAL ORGANIC CARBON (TOC)	MG/L
LEAD	MG/L
MERCURY	UG/L
TURBIDITY, NTU	NTU

ZINC	MG/L
FECAL COLIFORM	C/100
TOTAL COLIFORM	C/100
TOTAL PHOSPHORUS, AS P	MG/L

20. PRIOR TO IMPLEMENTATION OF THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL, FACILITIES FOR RECORDING WATER LEVELS AND RAINFALL AMOUNTS WITHIN THE M-1 CANAL AT OKEECHOBEE BOULEVARD SHALL BE OPERATIONAL. TELEMETRY FOR THESE FACILITIES SHALL BE INSTALLED BY ITID AND OPERATIONAL BY NOVEMBER 1, 1998.

21. ALL TELEMETRY INFORMATION RELATED TO THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL SHALL BE MADE AVAILABLE ELECTRONICALLY TO THE APPROPRIATE SFWMD AND VILLAGE OF ROYAL PALM BEACH STAFF. IT IS THE RESPONSIBILITY OF SFWMD AND THE VRPB TO HAVE THE APPROPRIATE COMPUTER HARDWARE AND SOFTWARE TO ACCESS THIS INFORMATION. ITID WILL PROVIDE THESE AGENCIES WITH APPROPRIATE PASSWORDS FOR ACCESS.

22. THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL SHALL BE REVIEWED BY ITID, SFWMD AND THE VILLAGE OF ROYAL PALM BEACH STAFF ANNUALLY (FEBRUARY OF EACH YEAR). REVISIONS TO THE SCHEDULE, IF JOINTLY DETERMINED NECESSARY, SHALL BE MADE IN THE FORM OF A PERMIT MODIFICATION BY ITID.

23. DURING "CONDITIONAL" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL NOTIFY AND COORDINATE WITH SFWMD STAFF AND NOTIFY THE VILLAGE OF ROYAL PALM BEACH STAFF OF THE CURRENT STATUS OF ITID'S FACILITIES, STAGES, AND PROPOSED OPERATION OF ANY FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL PRIOR TO ACTUAL OPERATION OF THOSE FACILITIES. SFWMD WILL THEN AUTHORIZE ALL ITID DISCHARGES AS REGIONAL CONDITIONS ALLOW DURING THOSE TIMES. DURING "EMERGENCY" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL OPERATE FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL AS AUTHORIZED BY SFWMD.

24. THE TERMS OF THE MEMORANDUM OF AGREEMENT (AS ENTERED INTO ON JULY 10, 1997 BETWEEN ITID AND SFWMD, SEE EXHIBIT 2) SHALL CONTROL SHOULD ANY CONFLICT ARISE BETWEEN THE TERMS OF THIS PERMIT MODIFICATION AND THE TERMS OF THE MEMORANDUM OF AGREEMENT.

LIMITING CONDITIONS

1. THE PERMITTEE SHALL IMPLEMENT THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.

2. WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE WILL BE SUBMITTED TO THE DISTRICT AS REQUIRED BY SECTION 5.9, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994." PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 62-302, F.A.C. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA ON VOLUMES OF WATER DISCHARGED, INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.

3. THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY OBLIGATION TO OBTAIN NECESSARY FEDERAL, STATE, LOCAL OR SPECIAL DISTRICT APPROVALS.

4. THE OPERATION PHASE OF THIS PERMIT WILL NOT BECOME EFFECTIVE UNTIL THE DISTRICT'S ACCEPTANCE OF CERTIFICATION OF THE COMPLETED SURFACE WATER WATER MANAGEMENT SYSTEM. THE PERMITTEE SHALL REQUEST TRANSFER OF THE PERMIT TO THE RESPONSIBLE OPERATIONAL ENTITY ACCEPTED BY THE DISTRICT, IF DIFFERENT FROM THE PERMITTEE. THE TRANSFER REQUEST CAN BE SUBMITTED CONCURRENTLY WITH THE CONSTRUCTION COMPLETION CERTIFICATION.

5. ALL ROAD ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.5, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."

6. ALL BUILDING FLOOR ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.4, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."

7. OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT WILL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT.

8. A PERMIT TRANSFER TO THE OPERATION PHASE SHALL NOT OCCUR UNTIL A RESPONSIBLE ENTITY MEETING THE REQUIREMENT IN SECTION 9.0, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994," HAS BEEN ESTABLISHED TO OPERATE AND MAINTAIN THE SYSTEM. THE ENTITY MUST BE PROVIDED WITH SUFFICIENT OWNERSHIP OR LEGAL INTEREST SO THAT IT HAS CONTROL OVER ALL WATER MANAGEMENT FACILITIES AUTHORIZED HEREIN.

9. THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT NOR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4, FAC.

10. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.

11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITTEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY THE SURFACE WATER MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.

12. WITHIN 30 DAYS OF ISSUANCE OF THIS PERMIT, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE.

13. WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, THE PERMITTEE OR AUTHORIZED AGENT SHALL SUBMIT CONSTRUCTION STATUS REPORTS ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION.

14. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL FILE A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THESE STATEMENTS MUST SPECIFY THE ACTUAL DATE OF CONSTRUCTION COMPLETION AND MUST CERTIFY THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OR EQUIVALENT). THE CONSTRUCTION COMPLETION CERTIFICATION MUST INCLUDE, AT A MINIMUM, EXISTING ELEVATIONS, LOCATIONS AND DIMENSIONS OF THE COMPONENTS OF THE WATER MANAGEMENT FACILITIES. ADDITIONALLY, IF DEVIATIONS FROM THE APPROVED DRAWING ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A

COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.

15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY), IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.

16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.

17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.

18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.

19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.

15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY), IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.

16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.

17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.

18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.

19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified pursuant to Rules 40E-4.331 and 40E-4.441, F.A.C., the duration of a surface water management permit issued under this chapter is as follows:

(a) Two years from the date of issuance for Conceptual Approval, unless within that period an application for a construction and operation permit is filed for any portion of the project. If an application for a construction and operation permit is filed, then the Conceptual Approval remains valid until final action is taken on the application. If the application is granted, then the Conceptual Approval is valid for an additional two years from the date of issuance of the construction and operation permit. Conceptual Approvals which have no applications for construction and operation filed for a period of two years will expire automatically.

(b) Five years from the date of issuance for a construction permit.

(c) Perpetual for an operation permit.

(2) The Governing Board shall issue permit extensions provided that a permittee files a written request with the District showing good cause. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(3) For a Conceptual Approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive amendment, the duration of the Conceptual Approval shall be two years from whichever one of the following occurs a the latest date:

(a) the effective date of the local government's comprehensive plan amendment,

(b) the effective date of the local government development order, or

(c) the date on which the District issues the Conceptual Approval, or

(d) the latest date of the resolution of any Chapter 120 or other legal appeals.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Modifications to construction permits issued pursuant to a formal permit application extend the duration of the permit for three years from the date of issuance of the modification. Construction permit modifications do not extend the duration of a Conceptual Approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416(1) F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94.

SOUTH F' 'RIDA WATER M'ANAGEM' 'NT DISTRICT

Environmental Resource/Surface Water Management Permit Construction Commencement Notice

FORM 0960
08/95

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Field Engineering Division - *Please see page 2 of 2

PROJECT NAME: _____ PHASE: _____

I hereby notify the South Florida Water Management District Field Engineering Division that construction of the surface water management system, authorized by Environmental Resource/Surface Water Management Permit No. _____ under Application No._____ has commenced/is expected to commence on _____ 199___ and will require a duration of approximately _____/months _____/weeks _____/days to complete. Should the construction term extend beyond one year, I will submit Form No. 0961, Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction, to the District.

PLEASE NOTE: If the actual construction commencement date is not known, District staff should be so notified in writing. This will eliminate the necessity of further post permit compliance action concerning satisfaction of the Permit condition.

_____ _____
Permittee's or Authorized Agent's Signature — Title and Company

_____ _____
Phone — Date

SOUTH FI)IDA WATER MANAGEMENT D. TRICT

Environmental Resource/Surface Water Management Permit Annual Status Report for Surface Water Management System Construction

FORM 0961
08/95

(Required whenever construction duration exceeds one (1) year)

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Field Engineering Division - *Please see page 2 of 2

PERMIT NO. _____ APPLICATION NO. _____
PROJECT NAME: _____ PHASE: _____

Control Structure(s)	% of Completion	Date of Anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Benchmark Description (one per major control structure): _____
_____
_____

SWM Facilities	% of Completion	Date of Anticipated Completion	Date of Completion
Lake(s)_____	_____	_____	_____
Ditch(es)/Swale(s)_____	_____	_____	_____
Exfiltr. Trench_____	_____	_____	_____
Dry Area(s)_____	_____	_____	_____
Berm(s)_____	_____	_____	_____
_____	_____	_____	_____

_____ _____ _____
Print Name Phone Date

_____ _____
Permittee's or Authorized Agent's Signature Title and Company

South Florida Water Management District

REQUEST FOR CONVERSION OF ENVIRONMENTAL RESOURCE/SURFACE WATER MANAGEMENT PERMI FROM CONSTRUCTION PHASE TO OPERATION PHASE AND TRANSFER OF PERMIT TO THE OPERATING ENTITY (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY)

Form #0920
08/95

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Field Engineering Division *Please see page 2 of 2

Date_____

It is hereby requested that District Environmental Resource/Surface Water Management Permit No._____ (under Application No(s)._____), authorizing the construction and operation of a surface water management system for the below mentioned project, be converted from the construction phase to the operation phase and be transferred from the construction phase permittee to the operation phase operating entity.

PROJECT: _____

FROM: Name_____
Address_____
City_____State_____Zip_____

TO: Name_____
Address_____
City_____State_____Zip_____

Enclosed is documentary evidence of satisfaction of permit conditions (other than long term monitoring) in accordance with Rule 40E-4.361, **Florida Administrative Code (F.A.C.)**. Also enclosed is a copy of the documents required below, including the document transferring title to the operating entity for the common areas on which the surface water management system is located.

The surface water management facilities are hereby accepted for operation and maintenance in accordance with the engineer's certification and as outlined in the restrictive covenants and articles of incorporation for the operating entity.

The signatory, as representative for the operating entity, hereby agrees that the operating entity will be perpetually bound by all terms and conditions of the permit, including all compliance requirements. Authorization for any proposed modification to the project shall be applied for and obtained prior to conducting such modification.

_____ _____
Operating Entity Name Authorized Signature

_____ _____
Title and Telephone Number of Signatory Printed Name of Signatory

Enclosure:
( ) Documentary evidence of satisfaction of permit conditions (other than long term monitoring)
( ) Copy of recorded transfer of title to surface water management system
( ) Copy of plat(s)
( ) Copy of recorded restrictive covenants, articles of incorporation, certificate of incorporation

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Environmental Resource/Surface Water Management Permit Construction Completion/Construction Certification

FORM 0881
08/95

TO: SOUTH FLORIDA WATER MANAGEMENT DISTRICT
Field Engineering Division *Please see page 2 of 2

SUBJECT: PERMIT NO. _____ APPLICATION NO. _____
PROJECT NAME: _____ PHASE: _____
LOCATION: COUNTY: _____ S _____ T _____ R _____

The subject surface water management system has been designed, constructed and completed as follows: (use additional sheets if needed):

Completion Date: _____
Month Day Year

	PERMITTED		**EXISTING**	
Discharge Structure:				
Weir	Width_____	Crest_____	Width_____	Crest_____
Bleeder	Dimensions_____	Invert_____	Dimensions_____	Invert_____

Type _____

Retention/Detention Area:
(if applicable)

ID	ID	ID	ID
Size_____	Size_____	Size_____	Size_____
Side Slopes_____ (H:V)	Side Slopes_____ (H:V)	Side Slopes_____ (H:V)	Side Slopes_____ (H:V)

Please indicate the location of the appropriate bench mark(s) used to determine the above information on the record drawings (Reference 40E-4.381(1)(f), Florida Administrative Code). All elevations should be according to National Geodetic Vertical Datum (NGVD) (Reference 2.9 of the *Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District*).

I HEREBY NOTIFY THE DISTRICT OF THE COMPLETION OF CONSTRUCTION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCED PROJECT AND CERTIFY THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS PERMITTED BY THE DISTRICT. [A COPY OF THE APPROVED PERMIT DRAWINGS IS ATTACHED WITH DEVIATIONS NOTED, IF APPLICABLE]. I HEREBY AFFIX MY SEAL THIS ____ DAY OF _____ 19 ____.

_____
Engineer's Signature and Seal

_____
Name (Please Print) FLA. Registration No.

YYYY

DRAFT
Subject to Governing Board Approval

SHALLOWAY, INC.

JAN 15 1998 75

PROJECT #: 91084-193

SUB FILE: Permit

ADDENDUM TO STAFF REPORT

INDIAN TRAIL IMPROVEMENT DISTRICT M-1 BASIN
Application Number: 970723-4
Palm Beach County, S--/T42,43S/R39,40,41E

The purpose of this addendum is to correct minor errors and clarify the relationship between this modification and the Memorandum of Agreement only.

1. Exhibit 8 has been revised (see attached) to correct the improper labeling of the ground water monitoring well numbers. ✓

2. The authorization text under section VI on page 9 of the Staff Report has been revised as follows: ✓

   Authorization to revise the operation schedule for <u>off-peak</u> discharges from ITID's M-1 Basin through the M-1 canal to the C-51 canal.

3. Exhibit 3 (pages 2 and 3) and Exhibit 4 (pages 2 and 3) have been revised (see attached revised exhibits) to revise the requirement to apply conditional operations "if measured rain or the total of measured and forecast (by the National Weather Service for the VRPB area) rain in any 24 hour period exceeds the 3 year 24 hour storm (5.3")" and replace it with the requirement to apply conditional operation requirements "if measured rain or the total of measured and forecast (by the National Weather Service for the VRPB area) rain in any 24 hour period exceeds 5 inches." ✓

4. Special Condition No. 23 has been revised as follows:

   23. DURING "CONDITIONAL" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL NOTIFY ~~SFWMD AND~~ <u>AND COORDINATE WITH SFWMD STAFF AND NOTIFY</u> THE VILLAGE OF ROYAL PALM BEACH STAFF OF THE CURRENT STATUS OF ITID'S FACILITIES, STAGES, AND PROPOSED OPERATION OF ANY FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL PRIOR TO ACTUAL OPERATION OF THOSE FACILITIES. <u>SFWMD WILL THEN AUTHORIZE ALL ITID DISCHARGES AS REGIONAL CONDITIONS ALLOW DURING THOSE TIMES.</u> DURING "EMERGENCY" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL OPERATE FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL AS AUTHORIZED BY SFWMD. ✓

5. Special Condition No. 24 is added as follows:

   24. THE TERMS OF THE MEMORANDUM OF AGREEMENT (AS ENTERED INTO ON JULY 10, 1997 BETWEEN ITID AND SFWMD, SEE EXHIBIT 2) SHALL CONTROL SHOULD ANY CONFLICT ARISE BETWEEN THE TERMS OF THIS PERMIT MODIFICATION AND THE TERMS OF THE MEMORANDUM OF AGREEMENT. ✓

6. Special Condition No. 19 has been revised to add Total Phosphorus, as P (mg/L) to the list of sampling parameters.

NATURAL RESOURCE MANAGEMENT DIVISION APPROVAL

DIVISION DIRECTOR

Robert G. Robbins

DATE: 1/15/98

SURFACE WATER MANAGEMENT DIVISION APPROVAL

DIVISION DIRECTOR

Anthony M. Waterhouse, P.E.

DATE: 11/15/98

STAFF REPORT DISTRIBUTION LIST

PROJECT: INDIAN TRAIL IMPROVEMENT DISTRICT M-1 BASIN
APPLICATION NUMBER: 970723-4
PERMIT MODIFICATION NUMBER: 50-00761-S

INTERNAL DISTRIBUTION

Reviewer:
X Damon M. Meiers, P.E.
X Edward Cronyn
X Anita R. Bain
X Damon M. Meiers, P.E.
X K. Ammon - REG
X T. Bates - REG
M. Elsner - UDP
X J. Giddings - LEC
X J. Golden - REG
X K. Loftin - EXO
X F. Lund - UDP
X A. Pankow - OMD
X R. Robbins - NRM
X T. Strowd - OMD
X K. Todd - FE
X L. Wagner - LEC
X P. Walker - GPA
X A. Waterhouse - REG
X Enforcement
X Environmental PPC Reviewer
X Field Engineering
X Office of Counsel

GOVERNING BOARD MEMBERS

Mr. Mitchell W. Berger
Ms. Vera Carter
Mr. William Graham
Mr. William Hammond
Mr. Richard Machek
Mr. Michael Minton
Mr. Eugene K. Pettis
Ms. Miriam Singer
Mr. Frank Williamson, Jr.

DEPT. OF ENVIRONMENTAL PROTECTION

X West Palm Beach

EXTERNAL DISTRIBUTION

X Applicant:
INDIAN TRAIL IMPROVEMENT DISTRICT

X Applicant's Consultant:
SHALLOWAY FOY RAYMAN AND NEWELL INC

X Engineer, County of:
PALM BEACH

X Engineer, City of:
Royal Palm Beach

X Local Drainage District:
ITID

COUNTY

X Palm Beach -Building Division
-Environmental Res Mgmt.
-Health Dept.
-Land Development Div.
-School Brd., Growth Mgt.

BUILDING AND ZONING

X Royal Palm Beach

OTHER

X David Sinclair
X Doug Winter, P.E.
X Elaine Usherson
X F.G.F.W.F.C.
X FDEP
X Florida Audubon - Charles Lee
Indian Trail Water Control District
X Mr. Ed Dailey, President
X Norma Perdue
X Rosa Durando
X Seacoast Utility Authority
X Village of Royal Palm Beach - Manager

STAFF REPORT DISTRIBUTION LIST

ADDRESSES

David Sinclair
11011 Hagan Ranch Road
Boynton Beach, FL 33437

Doug Winter, P.E.
Doug Winter Companies, Inc.
4047 Okeechobee Boulevard
Suite 222
West Palm Beach, FL 33409

Elaine Usherson
Sierra Club, Loxahatchee Group
44 East Court
Royal Palm Beach, FL 33411

FDEP
Div of Recreation and Park - District 7
13798 SE Federal Highway
Hobe Sound, FL 33455

Indian Trail Water Control District
13476 61st Street North
West Palm Beach, FL 33412

Mr. Ed Dailey, President
Water Catchment Area Advisory Committee
Attention: City of West Palm Beach - Eric Olsen
P.O. Box 3506
West Palm Beach, FL 33402

Norma Perdue
1412 Waterway Cove Drive
Wellington, FL 33414

Seacoast Utility Authority
Bruce Gregg
4200 Hood Road
Palm Beach Gardens, FL 33410

91084.75

South Florida Water Management District

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045
TDD (561) 697-2574

December 31, 1997

SHALLOWAY, INC.

JAN 05 1998

91084.103

Permit

Indian Trail Improvement District
13476 61st North
West Palm Beach, FL 33412-1915

Subject: Application No. 970723-4, Indian Trail Improvement District M-1 Basin, Palm Beach County, S---/T42S,43S/R39E,40E,41E

Enclosed is a copy of this District's staff report covering the permit application referenced therein. It is requested that you read this staff report thoroughly and understand its contents. The recommendations as stated in the staff report will be presented to our Governing Board for consideration on January 15, 1998.

Should you wish to object to the staff recommendations or file a petition, please provide written objections, petitions and/or waivers (refer to the attached "Notice of Right") to:

Vern Kaiser, Deputy Clerk
South Florida Water Management District
Post Office Box 24680
West Palm Beach, Florida 33416-4680

The "Notice of Rights" addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. You are advised, however, to be prepared to defend your position regarding the permit application when it is considered by the Governing Board for final agency action, even if you agree with the staff recommendations, as the Governing Board may take final agency action which differs materially from the proposed agency action.

Please contact the District if you have any questions concerning this matter. If we do not hear from you prior to the date on the "Notice of Rights", we will assume you concur with our recommendations.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the addressee this 31st day of December 1997, in accordance with Section 120.60 (3) Florida Statutes.

Sincerely,

Kenneth G. Ammon, P.E.
Deputy Director
Regulation Department

KGA/nc

CERTIFIED Z 179 707 194
RETURN RECEIPT REQUESTED

South Florida Water Management District

Notice Of Rights

Form #0100
Rev. 7/93

NOTICE OF RIGHTS

Enclosed is a copy of the Staff Review Summary regarding the subject permit application, which is this agency's Notice of Proposed Agency Action.

PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action which is proposed in the enclosed Notice of Proposed Agency Action/Staff Review Summary, may petition for an administrative hearing in accordance with the requirements of Rule 40E-1.521, Florida Administrative Code, and be filed with (received by) the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406. Petitions for administrative hearing on the above application must be filed within **fourteen (14) days of actual receipt** of this Notice of Proposed Agency Action. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

A party to the proceeding below may seek review of a Final Order rendered on the permit application before the Land and Water Adjudicatory Commission. Review under section 373.114, Florida Statutes, is initiated by filing a request for review with the Land and Adjudicatory Commission and serving a copy on the Department of Environmental Protection and any person named in the Order within applicable statutory timeframes. This review is appellate in nature and limited to the record below.

DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes, as provided therein. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.

CIRCUIT COURT

Section 373.617(2), Florida Statutes, provides:

> Any person substantially affected by a final action of any agency with respect to a permit may seek review within 90 days of the rendering of such decision and request monetary damages and other relief in the circuit court in the judicial circuit in which the affected property is located; however, circuit court review shall be confined solely to determining whether final agency action is an unreasonable exercise of the state's police power constituting a taking with just compensation. Review of final agency action for the purpose of determining whether the action is in accordance with existing statutes or rules and based on competent substantial evidence shall proceed in accordance with Chapter 120.

40E-1.521 Initiation of Formal Proceedings

(1) Initiation of formal proceedings shall be made by filing a petition with the District Clerk within the applicable timeframes set forth in this chapter. The term petition includes any application or other document which expresses a request for formal proceedings.

(2) All petitions filed under these rules shall contain:

(a) The name and address of the District and the District's file or identification number, if known,

(b) The name and address of the petitioner or petitioners;

(c) An explanation of how each petitioner's substantial interests will be affected by the District's determination;

(d) A statement of when and how petitioner received notice of agency action or notice of proposed agency action;

(e) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(f) A concise statement of the ultimate facts which petitioner believes entitle petitioner to the relief sought as well as the rules and statutes which support petitioner's claim for relief;

(g) A demand for the relief to which the petitioner deems himself entitled; and

(h) Other information which the petitioner contends is material.

(3) Upon receipt of a petition for formal proceedings, the Office of Counsel shall review the petition for compliance with subsection (2). The Board shall accept those petitions in substantial compliance therewith, which have been timely filed, which establish that the petitioner is a substantially affected party, and which state a dispute which is within the jurisdiction of the District to resolve. If accepted, the Board shall designate the presiding officer of the administrative hearing. The District shall promptly give written notice to all parties of the action taken on the petition, and shall state with particularity its reasons therefor.

(7) If the Board designates a Hearing Officer assigned by the Division of Administrative Hearings as the presiding officer, the District Clerk shall forward the petition and all relevant materials filed with the District to the Division of Administrative Hearings, and shall notify all parties of its action.

Specific Authority 373.044, 373.113 F.S.
Law Implemented 120.53(1), 120.57 F.S.
History --- New 9-3-81, Amended 5-11-93.
Formerly 16K-1.09(1), 16K-1.112(1) through (3), 16K-1.12

South Florida Water Management District

Notice Of Rights

Form #0360
Rev. 7/94

NOTICE OF RIGHTS

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(b) The name and address of the petitioner or petitioners;

(c) An explanation of how each petitioner's substantial interests will be affected by the District's determination;

(d) A statement of when and how petitioner received notice of agency action or notice of proposed agency action;

(e) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(f) A concise statement of the ultimate facts which petitioner believes entitle petitioner to the relief sought as well as the rules and statutes which support petitioner's claim for relief;

(g) A demand for the relief to which the petitioner deems himself entitled; and

(h) Other information which the petitioner contends is material.

(3) Upon receipt of a petition for formal proceedings, the Office of Counsel shall review the petition for compliance with subsection (2). The Board shall accept those petitions in substantial compliance therewith, which have been timely filed, which establish that the petitioner is a substantially affected party, and which state a dispute which is within the jurisdiction of the District to resolve. If accepted, the Board shall designate the presiding officer of the administrative hearing. The District shall promptly give written notice to all parties of the action taken on the petition, and shall state with particularity its reasons therefor.

(7) If the Board designates a Hearing Officer assigned by the Division of Administrative Hearings as the presiding officer, the District Clerk shall forward the petition and all relevant materials filed with the District to the Division of Administrative Hearings, and shall notify all parties of its action.

Specific Authority 373.044, 373.113 F.S.
Law Implemented 120.53(1), 120.57 F.S.
History --- New 9-3-81, Amended 5-11-93.
Formerly 16K-1.09(1), 16K-1.112(1) through (3), 16K-1.12

LAST DATE FOR GOVERNING BOARD ACTION:
JANUARY 15, 1998

DRAFT
Subject to Governing Board Approval

SURFACE WATER MANAGEMENT STAFF REVIEW SUMMARY

I. ADMINISTRATIVE

APPLICATION NUMBER: 970723-4

PERMIT NUMBER: 50-00761-S

PROJECT NAME: INDIAN TRAIL IMPROVEMENT DISTRICT M-1 BASIN

LOCATION: PALM BEACH COUNTY, S--/T42S/R39E
S--/T43S/R40E
S--/T43S/R41E

APPLICANT'S NAME: INDIAN TRAIL IMPROVEMENT DISTRICT

OWNERS NAME AND ADDRESS: INDIAN TRAIL IMPROVEMENT DISTRICT
13476 61ST NORTH
WEST PALM BEACH, FL 33412-1915

ENGINEER: SHALLOWAY FOY RAYMAN AND NEWELL INC

II. PROJECT DESCRIPTION

PROJECT AREA: 18527.00 acres **DRAINAGE AREA:** 24399.60 acres

DISTRICT DRAINAGE BASIN: L-8

RECEIVING BODY: L-8 AND C-51 CANALS

CLASSIFICATION: CLASS III

SPECIAL DRAINAGE DISTRICT: ITID

PURPOSE:

This application is a request to revise the operation schedule for discharges from the Indian Trail Improvement District (ITID) M-1 Basin through the M-1 canal to the C-51 canal. Staff recommends approval of the request with conditions.

BACKGROUND:

On April 15, 1976 the Governing Board of the South Florida Water Management District (SFWMD) gave conceptual approval for a surface water management system serving the M-1 Acreage area (Permit No. 50-00761-S). On June 12, 1980 the SFWMD issued construction and operation approval for the M-1 Acreage area.

On December 10, 1992 the SFWMD issued construction and operation of the "5 Point Plan" which approved an operation schedule which varies the control elevations during the wet season in the upper and lower M-1 basins and approved an operating schedule for off-peak discharge to the C-51 canal. On February 10, 1994 the SFWMD issued construction and operation authorization to modify the upper and lower M-1 Basin boundaries and renew the "5 Point Plan" for another year. On February 9, 1995 the SFWMD issued construction and operation authorization to modify the inoperable amil gate in the M-1 canal to add operable screw gates for off-peak discharge to the C-51 canal in accordance with the 40th Street structure's operation schedule and renew the "5 Point Plan" for another year. The inoperable amil gate was to be locked open with three screw gates and one metal plate constructed in front of the amil gate to control discharges. Under that modification, only one of these screw gates is to be operated since the calculated discharge through one gate is approximately equal to the capacity of the existing 40th Street structure facility located upstream.

On February 15, 1996 the SFWMD issued construction and operation authorization to: 1) construct two operable sluice gates at the Roach structure; 2) realignment of the roadway at the Roach structure; 3) modify the inoperable metal plate at the amil gates to be an operable screw gate; 4) lower the wet season control elevations for the upper M-1 basin and lower M-1 basin by 0.5 feet; 5) include in the operation schedule an off-peak discharge plan (L-8 Plan) to lower the wet season water levels to the new lowered control elevations by pumping from the Impoundment to the L-8 canal then pumping at an identical rate from the L-8 canal to the "M" canal; 6) discontinue the yearly renewal of the "5 Point Plan" until regional plans have developed to a point where ITID can modify their SWM system to be consistent with those plans; and 7) provide mitigation for wetland impacts within the M-1 acreage area due to lowered control elevations by restoring wetlands within the ITID's Unit of Development No. 11.

On April 12, 1996 the SFWMD and ITID entered into a Consent Agreement to authorize and develop a Pilot Pump Project. This Pilot Pump Project would allow ITID to pump surface water from the upper M-1 basin to the City of West Palm Beach's "M" canal for purposes of flood protection, water supply, calibration of model development in the region and ecological restoration. The Pilot Pump Project is authorized for two years of operation at which time the ITID may request to modify the permit to include the pumps as part of the M-1 Acreage area SWM system.

On December 12, 1996 the SFWMD issued construction and operation authorization to: 1) lower the wet season control elevation within the M-1 impoundment/

reservoir from 20.0' to 16.0' NGVD; 2) excavate within the M-1 impoundment/ reservoir; and 3) construct impermeable barriers adjacent to the M-1 impoundment/reservoir dike.

On July 10, 1997 the SFWMD and ITID entered into a Memorandum Of Agreement (MOA) which establishes the conditions for discharges into the C-51 canal from the ITID M-1 Basin after completion of the western C-51 project and specifically when structure S-155A becomes operational. The MOA defines and describes allowable discharges from the M-1 canal into the C-51 canal, operational requirements, and agencies' responsibilities for three modes of operation; normal, conditional, and emergency (see Exhibit 2).

The facilities constructed to date are currently in compliance with the permit modifications and other items discussed above.

EXISTING FACILITIES:

The ITID's M-1 Acreage area is broken up into three basins; the lower M-1 basin, the upper M-1 basin and the M-1 impoundment/reservoir (see Exhibit 1). The lower M-1 basin consists of approximately 11 square miles on the north side of the Village of Royal Palm Beach (VRPB) and ranges in elevation from 19' NGVD to 21' NGVD. The upper M-1 basin consists of approximately 17 square miles north and west of the lower M-1 basin and ranges in elevation from 20' NGVD to 22' NGVD. The M-1 impoundment consists of approximately 720 acres west of the upper M-1 basin. The structural control elevations for the dry, transitional and wet months in the lower M-1 basin are 17.0', 15.5' and 14.5' NGVD and in the upper M-1 basin are 17.0', 16.0' and 15.5' NGVD respectively. The structural control elevations for the dry and wet months in the impoundment are 21.0' and 16.0' NGVD respectively. The surface water management system for the lower M-1 basin consists of swales, ditches and canals that convey runoff to pump station #2 which is located on the north end of the lower M-1 basin. Pump station #2 pumps water from the lower M-1 basin to the upper M-1 basin. The surface water management system for the upper M-1 basin consists of swales, ditches and canals that convey runoff to pump station #3 which is located approximately three miles from the west end of the upper M-1 basin. Pump station #3 pumps water from the upper M-1 basin to the M-1 Impoundment. The M-1 Impoundment gravity discharges through control structures to the L-8 canal. According to the current permit, discharges through the 40th Street structure and the Roach structure, located in the lower M-1 basin on the north side of the VRPB, and the operable screw gates, located at the amil gates within the M-1 canal downstream of the 40th Street and Roach structures, are allowed during off-peak periods to the C-51 canal via the M-1 canal which is interconnected with the lake system in the VRPB. A schedule has been established for the operation of these structures which is dependent upon upstream and downstream surface water stages throughout the area. Finally, the Pilot Pump Program, authorized by a consent agreement between the SFWMD and ITID, provides ITID the ability to discharge from the southwest portion of the upper M-1 basin to the City of West Palm Beach's "M" canal via a pump. This water is conveyed by the "M" canal to the City of West Palm Beach's Water Catchment Area. The pump discharge is subject to water quality thresholds, receiving system capacity and City of West Palm Beach and

SFWMD approval. The constructed and permitted outfall facilities as well as their discharge capacities are listed on Exhibit 5.

PROPOSED FACILITIES:

The applicant has requested to revise the operation schedule for discharges from the M-1 basin through their M-1 canal (located within the Village of Royal Palm Beach) to the C-51 canal. In addition, all applicable special conditions have been consolidated into this Staff Report for ease of future reference.

The Memorandum Of Agreement (MOA, see Exhibit 2), which is discussed in the Background section of this report, established conditions for discharge into the C-51 canal from the M-1 basin after structure S-155A (western C-51 project) becomes operational. In accordance with the MOA, ITID has submitted this application with calculations and proposed operational guidelines to incorporate the provisions of the MOA into their surface water management permit. In addition, calculations and proposed operational guidelines have been submitted for the interim period prior to the MOA (structure S-155A operational) becoming effective.

Calculations were submitted (pre and post C-51 West Project) to demonstrate the difference in the M-1 canal water surface profiles for various storm events with and without the proposed discharges from the M-1 basin. The intent of these calculations was to show that under specified conditions and requirements, the proposed discharges do not adversely impact critical areas within the Village of Royal Palm Beach (VRPB) any more than they would be impacted without the proposed discharges. The calculations indicate that the peak water levels in the M-1 canal north of Okeechobee Boulevard may increase slightly (0.0' to 0.7') but are still below critical elevations established in conjunction with VRPB staff. The critical areas south of Okeechobee Boulevard may benefit from the proposed operational guidelines by experiencing lower peak water levels for a shorter duration.

The proposed operation schedules for the existing C-51 conditions and after S-155A becomes operational are broken down into "Normal," "Conditional" and "Emergency" conditions (see Exhibits 3 and 4). During "Normal" conditions, ITID would be authorized to operate the M-1 canal facilities within the guidelines as shown on Exhibit 3 page 2 and Exhibit 4 page 2 without notifying the VRPB or SFWMD.

If a large storm event is anticipated or canal stages increase, the "Conditional" schedule controls how the M-1 canal facilities are to be operated. ITID still would have authorization to operate the M-1 canal facilities within the guidelines as shown on Exhibit 3 page 3 and Exhibit 4 page 3 but must notify the VRPB and SFWMD of the status of the facilities and stages (see Special Condition No. 23).

If canal stages continue to increase or the emergency conditions described in the MOA (Exhibit 2) exist, the "Emergency" schedule controls how the M-1 canal facilities are to be operated. Under "Emergency" conditions, ITID operations

must be coordinated with other operations in the basin and will require authorization from the SFWMD.

The proposed operation schedule includes water levels in the M-1 canal at Okeechobee Boulevard as an indicator for different operation procedures and conditions. In addition, rainfall measurements within the VRPB are also a part of the proposed operations schedule. ITID proposes to add an automatic stage recorder and rainfall tipping gauge with telemetry at Okeechobee Boulevard within the M-1 canal. All the telemetry information necessary for operation of the proposed schedule shall be made available electronically to the SFWMD and the VRPB (see Special Condition No. 20). Prior to implementation of the proposed operation schedule, facilities for recording water levels and rainfall within the M-1 canal at Okeechobee Boulevard shall be installed and operational. In addition, telemetry for these facilities shall be installed and operational by November 1, 1998 (see Special Condition No. 21).

During the review of this application, several meetings and discussions with the VRPB and ITID Staff and consultants were held to coordinate the proposed schedules and conditions as well as review the submitted calculations. In addition, a workshop was held at the VRPB Council chambers to describe the proposed modifications and discuss the concerns of the Council and citizens. Special Condition No. 22 requires that the operation schedule be reviewed by ITID, SFWMD and the VRPB annually to determine how well it is working and to suggest revisions as necessary.

Special Condition's 7 through 19 have been taken from previous permit modifications and updated as appropriate to be consolidated into this Staff Report for future reference. Except for number 18, these special conditions are not directly related to this application and do not require action as a consequence of the proposed modifications. Special Condition 18, which allows the "5 Point Plan" to remain without annual renewal until regional plans are developed, has been revised to include language (added to the end of the condition) that puts ITID on notice that any improvements within the M-1 basin, needed to be consistent with the objectives of these regional plans, may include but would not be limited to additional storage within the M-1 basin.

III. PROJECT EVALUATION

Discharge Rate:

The previously permitted allowable peak discharge from the M-1 Basin impoundment to the L-8 canal remains 274 cfs. No modifications of the discharges to the L-8 canal are proposed as part of this permit modification. Discharges to the C-51 canal will continue pursuant to the schedules shown in Exhibit 3 until S-155A becomes operational. Thereafter, they will be allowed in accordance with Exhibit 2 (Memorandum of Agreement between ITID and SFWMD) which allows 1285 cfs from the M-1 canal for normal operations (1285 cfs includes discharges from the VRPB and ITID's M-1 Basin).

Design Storm Frequency: 10YR-3DAY **Design Rainfall:** 9.90 inches

WATER QUALITY:

Water quality treatment is provided in the road side swales, canals and in the 720 acre impoundment/reservoir. A water quality monitoring plan is in place throughout the M-1 Basin. In addition, an extensive water quality monitoring program is underway in conjunction with the Pilot Pump Program with monitoring locations within the ITID's "L" canal and the City of West Palm Beach's "M" canal. No impacts to water quality are anticipated as a result of the proposed modifications.

IV. ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL SUMMARY:

This application seeks to amend a previous permit (50-00761-S) by incorporating a Memorandum of Agreement (MOA) between Indian Trail Improvement District (ITID) and the South Florida Water Management District establishing operational guidelines for discharges from the M-1 basin. The permit amendment is strictly administrative and operational, to meet one of ITID's obligations under the MOA.

All wetland and other environmental issues have been addressed previously through permit 50-00761-S. Staff review of monitoring reports for wells in the Corbett Wildlife Area and Unit 1 (see Exhibit 8) indicate that, at this time, pumping operations by ITID have not had an adverse impact on wetland hydrology in those parcels.

SYSTEM OPERATION:

Indian Trail Improvement District

PROPOSED LAND USE(S):

Residential

WATER USE PERMIT STATUS:

A Water Use permit is not required for this project at this time.

DRI STATUS:

This project was started and subdivided prior to the commencement of the States's DRI process.

SAVE OUR RIVERS:

The project is adjacent to lands under consideration by the Save Our Rivers program for the Loxahatchee Slough. These lands are known as the Fox Property and Section One. The majority of the Fox Property has been purchased by Palm Beach County for preservation.

SWIM BASIN:

Revisions to the ITID water management system may be required as a result of the Western C-51 Plan (STA-1 East) and the Southern L-8 Conceptual Water Resources Plan, which are intended to be consistent with the objectives of the Everglades Forever Act (373.4592, F.A.C.). The ITID may be required to provide additional water quality treatment for the M-1 Basin to meet the requirements of the Everglades Forever Act (see Special Condition No. 5).

RIGHT-OF-WAY PERMIT STATUS:

A Right-of-Way Permit is not required for this project.

ENFORCEMENT ACTIVITY:

There has been no enforcement activity associated with this application.

THIRD PARTY INTEREST:

The Village of Royal Palm Beach has expressed concerns with this application regarding possible impacts to their swm system. Several meetings have been held with Village Staff and a workshop was held with the Village Council and residents to describe the application request and resolve their concerns.

The Seacoast Utility Authority and Ms. Norma Perdue have requested a copy of this Staff Report prior to Governing Board consideration. In addition, Ms. Elaine Usherson and Ms. Rosa Durando will receive copies of this Staff Report.

WELL FIELD ZONE OF INFLUENCE:

The project is not located within the zone of influence of a wellfield.

PRIMARY ISSUES RESOLVED:

Calculations were provided to address concerns of potential adverse impacts to the Village of Royal Palm Beach's swm system.

V. APPLICABLE LAND AREA

The upper M-1 basin area is 10,767 acres, the lower M-1 basin is 7,040 acres and the M-1 impoundment is 720 acres for a total project area of 18,527 acres. The Kramer parcel (320 ac), Stonewal (960 ac), School Site "H" (50 ac), Pines West Park (16 ac), an area between ITID and Northlake Boulevard (26.6 ac) and a portion of the Corbett Area (4,500 ac) total 5,872.6 acres and drain into the ITID system for a total drainage area of 24,399.6 acres. This modification will not affect the land use breakdown. Therefore, the column for "THIS PHASE" has been left blank.

PROJECT

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	18527.00	18527.00		acres

KEV
1/15/98

VI. STAFF RECOMMENDATION

The Staff recommends that the following be issued:

Authorization to revise the operation schedule for OFF-PEAK discharges from ITID's M-1 Basin through the M-1 canal to the C-51 canal.

Based on the information provided, District rules have been adhered to.

Staff recommendation is for approval subject to the attached Standard Limiting and Special Conditions.

VII. STAFF REVIEW

NATURAL RESOURCE MANAGEMENT DIVISION APPROVAL

ENVIRONMENTAL EVALUATION

Edward Cronyn

SUPERVISOR

Anita R. Bain

DIVISION DIRECTOR:

Robert G. Robbins

DATE: 12/31/97

SURFACE WATER MANAGEMENT DIVISION APPROVAL

ENGINEERING EVALUATION

Damon M. Meiers, P.E.

SUPERVISOR

Damon M. Meiers, P.E.

DIVISION DIRECTOR:

Anthony M. Waterhouse, P.E.

DATE: 12/30/97

LIMITING CONDITIONS

1. THE PERMITTEE SHALL IMPLEMENT THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.

2. WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE WILL BE SUBMITTED TO THE DISTRICT AS REQUIRED BY SECTION 5.9, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994." PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 62-302, F.A.C. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA ON VOLUMES OF WATER DISCHARGED, INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.

3. THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY OBLIGATION TO OBTAIN NECESSARY FEDERAL, STATE, LOCAL OR SPECIAL DISTRICT APPROVALS.

4. THE OPERATION PHASE OF THIS PERMIT WILL NOT BECOME EFFECTIVE UNTIL THE DISTRICT'S ACCEPTANCE OF CERTIFICATION OF THE COMPLETED SURFACE WATER WATER MANAGEMENT SYSTEM. THE PERMITTEE SHALL REQUEST TRANSFER OF THE PERMIT TO THE RESPONSIBLE OPERATIONAL ENTITY ACCEPTED BY THE DISTRICT, IF DIFFERENT FROM THE PERMITTEE. THE TRANSFER REQUEST CAN BE SUBMITTED CONCURRENTLY WITH THE CONSTRUCTION COMPLETION CERTIFICATION.

5. ALL ROAD ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.5, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."

6. ALL BUILDING FLOOR ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.4, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."

7. OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT WILL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT.

8. A PERMIT TRANSFER TO THE OPERATION PHASE SHALL NOT OCCUR UNTIL A RESPONSIBLE ENTITY MEETING THE REQUIREMENT IN SECTION 9.0, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994," HAS BEEN ESTABLISHED TO OPERATE AND MAINTAIN THE SYSTEM. THE ENTITY MUST BE PROVIDED WITH SUFFICIENT OWNERSHIP OR LEGAL INTEREST SO THAT IT HAS CONTROL OVER ALL

WATER MANAGEMENT FACILITIES AUTHORIZED HEREIN.

9. THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT NOR ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4, FAC.

10. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.

11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITTEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY THE SURFACE WATER MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.

12. WITHIN 30 DAYS OF ISSUANCE OF THIS PERMIT, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE.

13. WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, THE PERMITTEE OR AUTHORIZED AGENT SHALL SUBMIT CONSTRUCTION STATUS REPORTS ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION.

14. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL FILE A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THESE STATEMENTS MUST SPECIFY THE ACTUAL DATE OF CONSTRUCTION COMPLETION AND MUST CERTIFY THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/ CONSTRUCTION CERTIFICATION OR EQUIVALENT). THE CONSTRUCTION COMPLETION CERTIFICATION MUST INCLUDE, AT A MINIMUM, EXISTING ELEVATIONS, LOCATIONS AND DIMENSIONS OF THE COMPONENTS OF THE WATER MANAGEMENT FACILITIES. ADDITIONALLY, IF DEVIATIONS FROM THE APPROVED DRAWING ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.

15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY),

IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.

16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.

17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.

18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.

19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

SPECIAL CONDITIONS

1. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.

2. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.

3. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.

4. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.

5. THE PROPERTY WHICH IS THE SUBJECT OF THIS PERMIT IS LOCATED IN AN AREA WHICH MAY BE INCLUDED IN A PROPOSED EVERGLADES REGULATORY PROGRAM IN THE FUTURE PURSUANT TO SECTION 373.4592, FLORIDA STATUTES (EVERGLADES FOREVER ACT). THIS SPECIAL CONDITION IS INTENDED TO NOTIFY THE PERMITTEE THAT THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL OR NEW PERMITTING AND/OR WATER QUALITY REQUIREMENTS UPON ADOPTION OR AMENDMENT OF AN EVERGLADES REGULATORY PROGRAM TO INCLUDE ADDITIONAL CONTRIBUTING SURFACE WATER BASINS.

6. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF INDIAN TRAIL IMPROVEMENT DISTRICT.

7. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.

8. A MONITORING PROGRAM SHALL CONTINUE TO EVALUATE SURFACE AND GROUNDWATER LEVELS WITHIN OFFSITE WETLAND AREAS ADJACENT TO THE IMPOUNDMENT. THE MONITORING PROGRAM SHALL INCLUDE WEEKLY MONITORING OF WATER LEVELS IN WETLANDS 1 AND 2 (EXHIBIT 10) FOR A PERIOD OF FIVE (5) YEARS. BASED ON ANALYSIS OF THE MONITORING DATA AFTER THE 5 YEAR PERIOD OR IF THE IMPOUNDMENT PLAN HAS NOT BEEN IN OPERATION FOR AT LEAST TWO YEARS, THE DISTRICT MAY REQUIRE AN EXTENSION OF THE MONITORING PERIOD. MONITORING SHALL UTILIZE CONTINUOUS RECORDER INSTRUMENTATION OR STAFF GAUGES TO MONITOR WATER LEVELS. MONITORING REPORTS SHALL BE SUBMITTED TO DISTRICT POST PERMIT COMPLIANCE STAFF ON A MONTHLY BASIS. IF MONITORING DATA INDICATES THAT HYDROPERIOD IMPACTS ARE OCCURRING TO THESE OR OTHER WETLANDS, THE PERMITTEE SHALL INSTALL ADDITIONAL IMPERMEABLE TRENCHES OR OTHER MEASURES NECESSARY TO PROTECT WETLAND HYDROPERIODS.

9. A MONITORING PROGRAM SHALL CONTINUE TO EVALUATE SURFACE AND GROUNDWATER LEVELS WITHIN THE ADJACENT OFFSITE AREAS SHOWN ON EXHIBIT 8. THE PERMITTEE HAS INSTALLED A TOTAL OF FOUR (4) MONITORING WELLS DESIGNED AND CONSTRUCTED TO RECORD SURFACE AND GROUNDWATER LEVELS. WATER LEVELS SHALL BE RECORDED MONTHLY BETWEEN NOVEMBER 1 AND APRIL 30. WATER LEVELS SHALL BE RECORDED WEEKLY BETWEEN MAY 1 AND OCTOBER 31. WATER LEVEL DATA REPORTS SHALL BE SUBMITTED TO NATURAL RESOURCE MANAGEMENT DIVISION POST PERMIT COMPLIANCE STAFF ON A QUARTERLY BASIS. SHOULD THE DISTRICT DETERMINE FROM THE MONITORING DATA THAT IMPACTS HAVE OCCURRED TO OFFSITE WETLANDS AS A RESULT OF LOWERED GROUNDWATER LEVELS, THE PERMITTEE SHALL PROVIDE A MITIGATION PLAN TO THE DISTRICT FOR OFFSITE WETLAND IMPACTS.

10. MINIMUM BUILDING FLOOR ELEVATION AS SHOWN ON EXHIBIT 6.

11. MINIMUM ROAD CROWN ELEVATION AS SHOWN ON EXHIBIT 6.

12. THE PERMITTEE SHALL CONSTRUCT A ROAD OR DIKE ENTIRELY AROUND THE SERVICE AREA OF THIS WATER MANAGEMENT SYSTEM WITH A MINIMUM TOP WIDTH OF 10' AND A MINIMUM TOP ELEVATION OF 23.5' NGVD. THE FOLLOWING AREAS ARE APPROVED EXCEPTIONS TO THE ELEVATION REQUIREMENT:

    A. A MINIMUM TOP ELEVATION OF 21.5' NGVD SHALL APPLY TO THE ROADS OR DIKES LOCATED ALONG THE PERIMETER OF SECTIONS 33, 34, AND 35, TOWNSHIP 42 SOUTH, RANGE 41 EAST, AND SECTIONS 2, 3, 4, 9, 10, AND 11, TOWNSHIP 43 SOUTH, RANGE 41 EAST.

    B. A MINIMUM TOP ELEVATION OF 23.5' NGVD SHALL APPLY TO THE ROAD LOCATED ALONG THE NORTH SECTION LINES OF SECTIONS 33 AND 34, TOWNSHIP 42 SOUTH, RANGE 41 EAST.

13. UPON COMPLETION OF CONSTRUCTION, AND ON AN ANNUAL BASIS (IN MARCH OF EACH YEAR) THE PERMITTEE SHALL SUBMIT REPORTS TO THE SFWMD FOR STRUCTURAL ADEQUACY OF ALL ABOVE GROUND DIKES, LEVEES AND BERMS BEHIND WHICH WATER IS TO BE CONTAINED AND WHERE FAILURE COULD IMPACT OFF-SITE AREAS. SUCH REPORTS SHALL INCLUDE PROPOSAL OF TECHNIQUE AND SCHEDULE FOR REPAIR OF ANY DEFICIENCIES NOTED, AND SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER.

14. THE PERMITTEE HAS A TELEMETRY MONITORING SYSTEM THAT ELECTRONICALLY RECORDS THE FOLLOWING: UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT THE AMIL GATE, OPENING OF THE AMIL GATE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT THE 40TH STREET STRUCTURE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS AT PUMP STATION NUMBER 2, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS OF THE L-8 STRUCTURE, UPSTREAM AND DOWNSTREAM WATER ELEVATIONS OF THE M-1 IMPOUNDMENT DISCHARGE STRUCTURE, AND UPSTREAM WATER ELEVATIONS OF PUMP STATION #3 (SEE EXHIBIT 9). THE PERMITTEE SHALL SUBMIT STAGE READINGS TO THE SFWMD MONTHLY. ALSO, ITID SHALL SUBMIT TO THE SFWMD ON MARCH 1ST OF EACH YEAR A CERTIFIED STATEMENT BY A FLORIDA REGISTERED ENGINEER THAT EACH STAFF GAUGE IS ACCURATELY SET TO PROVIDE CORRECT NGVD READINGS.

15. THE "L-8 PLAN" SHALL BE OPERATED AND CONDITIONED AS FOLLOWS:

WHEN WATER ELEVATIONS RECEDE TO 15.0' IN THE LOWER BASIN, THE ROACH STRUCTURE AND 40TH STREET STRUCTURE SHALL BE CLOSED OR OPERATED SO THAT NO DISCHARGE BELOW 15.0' IS ALLOWED. THE CONTROL ELEVATIONS OF 15.5' IN THE UPPER BASIN AND 14.5' IN THE LOWER BASIN MAY BE OBTAINED BY PUMPING NORTH FROM PUMP STATION NO. 2 AND WEST FROM PUMP STATION NO. 3 INTO THE M-1 IMPOUNDMENT WHICH DISCHARGES WEST TO THE L-8 CANAL. PUMPING FROM PUMP STATION NO. 3 SHALL OCCUR ONLY WHEN AN EQUAL AMOUNT OF WATER IS PUMPED INTO THE M CANAL FROM THE L-8 TIE BACK CANAL THROUGH THE CITY OF WEST PALM BEACH'S WATER SUPPLY PUMP STATION. IF THE STAGE IN THE L-8 CANAL EXCEEDS ELEVATION 15.0', NO PUMPING FROM PUMP STATION NO. 3 SHALL OCCUR FOR PURPOSES OF REACHING THE CONTROL ELEVATIONS OF 15.5' AND 14.5' IN THE UPPER AND LOWER BASINS RESPECTIVELY. OPERATION OF THE "L-8 PLAN" SHALL ONLY OCCUR WHEN THE CITY OF WEST PALM BEACH IS OPERATING THEIR PUMP STATION IN THE L-8 TIEBACK CANAL (M CANAL) FOR WATER SUPPLY PURPOSES. THE ITID SHALL NOTIFY SFWMD STAFF IN WRITING PRIOR TO OPERATING THIS "L-8 PLAN." IN ADDITION, NO PUMPING SHALL OCCUR IF RELEASES FROM THE CITY OF WEST PALM BEACH'S CLEAR LAKE ARE OCCURING INTO THE C-17 CANAL OR STUB CANAL (C-51 CANAL). TELEMETRY INDICATING THE PUMPS OPERATION SHALL BE INSTALLED AT THE WEST PALM BEACH'S PUMP STATION NO LATER THAN NOVEMBER 1, 1996 TO INSURE THAT THIS CONDITION IS BEING MET. IT IS RECOGNIZED THAT THE ITID AND THE CITY OF WEST PALM BEACH ARE DEVELOPING A PILOT PROGRAM FOR PUMPING DIRECTLY INTO THE M CANAL, THEREBY ELIMINATING THE NEED TO PUMP INTO AND BACK OUT OF THE L-8 CANAL.

16. THE L-8 OPERATION PLAN SPECIFIED IN SPECIAL CONDITION NO. 15 ABOVE AND THE UNIT 11 MITIGATION PROGRAM ESTABLISHED IN SPECIAL CONDITIONS 9 AND 10 OF THE MODIFICATION ISSUED FEBRUARY 15, 1996 SHALL BE PRESENTED TO THE GOVERNING BOARD ANNUALLY FOR CONSIDERATION.

17. THE LOWERED CONTROL ELEVATION OF 16' NGVD IN THE IMPOUNDMENT SHALL ONLY BE ACHIEVED AFTER ITID COORDINATES WITH THE CITY OF WEST PALM BEACH TO DIVERT AS MUCH WATER AS POSSIBLE TO THE WATER CATCHMENT AREA. THIS MAY BE ACCOMPLISHED WHEN THE CITY OF WEST PALM BEACH IS PUMPING FROM THE L-8 CANAL TO THE "M" CANAL OR THROUGH THE PILOT PUMP PROGRAM IF POSSIBLE.

18. THE "5 POINT PLAN" SHALL REMAIN IN PLACE AND NO LONGER REQUIRE RENEWAL ON A YEARLY BASIS UNTIL SUCH TIME AS THE REGIONAL PLANS CURRENTLY BEING DEVELOPED, SUCH AS THE WESTERN C-51 PLAN, SOUTHERN L-8 PLAN OR NORTHERN PALM BEACH COUNTY PLAN, HAVE PROGRESSED TO A STAGE WHERE ITID WILL BE ABLE TO DESIGN IMPROVEMENTS TO THEIR SYSTEM CONSISTENT WITH THE OBJECTIVES OF THESE PLANS. THESE IMPROVEMENTS MAY INCLUDE, BUT WOULD NOT BE LIMITED TO, ADDITIONAL STORMWATER STORAGE WITHIN THE ITID M-1 BASIN.

19. WATER QUALITY SAMPLES SHALL BE TAKEN IMMEDIATELY UPSTREAM OF THE DISCHARGE STRUCTURES (SEE EXHIBIT 7). A LABORATORY CERTIFIED BY FLORIDA DEP AND/OR HRS SHALL BE RESPONSIBLE FOR ALL WATER QUALITY SAMPLING AND ANALYSES. REPORTS, INCLUDING THE DEP/HRS CERTIFIED LAB NUMBER, SFWMD PERMIT NUMBER, SAMPLE LOCATION, AND FLOW/NO-FLOW OCCURENCE SHALL BE SUBMITTED TO THIS

DISTRICT SEMI-ANNUALLY UNLESS REQUESTED ON A MORE FREQUENT BASIS. INITIAL SAMPLING RESULTS SHALL BE REPORTED TO THIS DISTRICT NO LATER THAN 30 DAYS FOLLOWING THE SUBMITTAL OF THE CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION OF THE SURFACE WATER MANAGEMENT SYSTEM BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THE DISTRICT WILL EVALUATE MONITORING REQUIREMENTS FOLLOWING TWO YEARS OF DATA COLLECTION AND MAKE A DETERMINATION AS TO WHETHER THE DISCHARGE CONFORMS TO STATE WATER QUALITY STANDARDS AS DEFINED IN CHAPTER 17-302 F.A.C. IF THE WATER QUALITY ANALYSES SHOW LITTLE OR NO CHANGE AND IT IS DETERMINED THAT THERE IS MINIMAL CONTAMINANT POTENTIAL, THE MONITORING PROGRAM MAY BE MODIFIED TO REDUCE THE SAMPLING SCHEDULE AND/OR PARAMETERS. IF WATER QUALITY PROBLEMS DEVELOP, THE DISTRICT RESERVES THE RIGHT TO REQUIRE MORE FREQUENT SAMPLING AND MORE THOROUGH ANALYSES. THE SAMPLES SHALL BE ANALYZED ON A BIMONTHLY BASE FOR THE FOLLOWING PARAMETERS:

PARAMETERS	UNITS
TEMPERATURE	DEG. C
CONDUCTIVITY, FIELD	UMHO/CM
DISSOLVED OXYGEN (DO)	MG/L
CHEMICAL OXYGEN DEMAND (COD)	MG/L
PH (RANGE >6.0 & <8.5)	STANDARD UNIT
ALKALINITY	MG/L
TOTAL SUSPENDED SOLIDS (TSS)	MG/L
OIL AND GREASES	MG/L
TOTAL ORGANIC CARBON (TOC)	MG/L
LEAD	MG/L
MERCURY	UG/L
TURBIDITY, NTU	NTU
ZINC	MG/L
FECAL COLIFORM	C/100
TOTAL COLIFORM	C/100
TOTAL PHOSPHORUS (P)	MG/L

ADDED REV. 1/15/98

20. PRIOR TO IMPLEMENTATION OF THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL, FACILITIES FOR RECORDING WATER LEVELS AND RAINFALL AMOUNTS WITHIN THE M-1 CANAL AT OKEECHOBEE BOULEVARD SHALL BE OPERATIONAL. TELEMETRY FOR THESE FACILITIES SHALL BE INSTALLED BY ITID AND OPERATIONAL BY NOVEMBER 1, 1998.

21. ALL TELEMETRY INFORMATION RELATED TO THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL SHALL BE MADE AVAILABLE ELECTRONICALLY TO THE APPROPRIATE SFWMD AND VILLAGE OF ROYAL PALM BEACH STAFF. IT IS THE RESPONSIBILITY OF SFWMD AND THE VRPB TO HAVE THE APPROPRIATE COMPUTER HARDWARE AND SOFTWARE TO ACCESS THIS INFORMATION. ITID WILL PROVIDE THESE AGENCIES WITH APPROPRIATE PASSWORDS FOR ACCESS.

22. THE OPERATION SCHEDULE FOR DISCHARGES TO THE C-51 CANAL SHALL BE REVIEWED BY ITID, SFWMD AND THE VILLAGE OF ROYAL PALM BEACH STAFF ANNUALLY (FEBRUARY OF EACH YEAR). REVISIONS TO THE SCHEDULE, IF JOINTLY DETERMINED NECESSARY, SHALL BE MADE IN THE FORM OF A PERMIT MODIFICATION BY ITID.

REV 1/15/98

~~24. DURING "CONDITIONAL" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL NOTIFY SFWMD AND THE VILLAGE OF ROYAL PALM BEACH STAFF OF THE CURRENT STATUS OF ITID'S FACILITIES, STAGES, AND PROPOSED OPERATION OF ANY FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL PRIOR TO ACTUAL OPERATION OF THOSE FACILITIES. DURING "EMERGENCY" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL OPERATE FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL AS AUTHORIZED BY SFWMD.~~

Special Condition No. 23 has been revised as follows:

23. DURING "CONDITIONAL" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL NOTIFY ~~SFWMD AND~~ AND COORDINATE WITH SFWMD STAFF AND NOTIFY THE VILLAGE OF ROYAL PALM BEACH STAFF OF THE CURRENT STATUS OF ITID'S FACILITIES, STAGES, AND PROPOSED OPERATION OF ANY FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL PRIOR TO ACTUAL OPERATION OF THOSE FACILITIES. SFWMD WILL THEN AUTHORIZE ALL ITID DISCHARGES AS REGIONAL CONDITIONS ALLOW DURING THOSE TIMES. DURING "EMERGENCY" MODES OF OPERATION AS DEFINED BY EXHIBITS 2, 3 AND 4, ITID SHALL OPERATE FACILITIES RELATED TO DISCHARGES TO THE C-51 CANAL AS AUTHORIZED BY SFWMD.

ADDED W/REV. 1/15/98

Special Condition No. 24 is added as follows:

24. THE TERMS OF THE MEMORANDUM OF AGREEMENT (AS ENTERED INTO ON JULY 10, 1997 BETWEEN ITID AND SFWMD, SEE EXHIBIT 2) SHALL CONTROL SHOULD ANY CONFLICT ARISE BETWEEN THE TERMS OF THIS PERMIT MODIFICATION AND THE TERMS OF THE MEMORANDUM OF AGREEMENT.

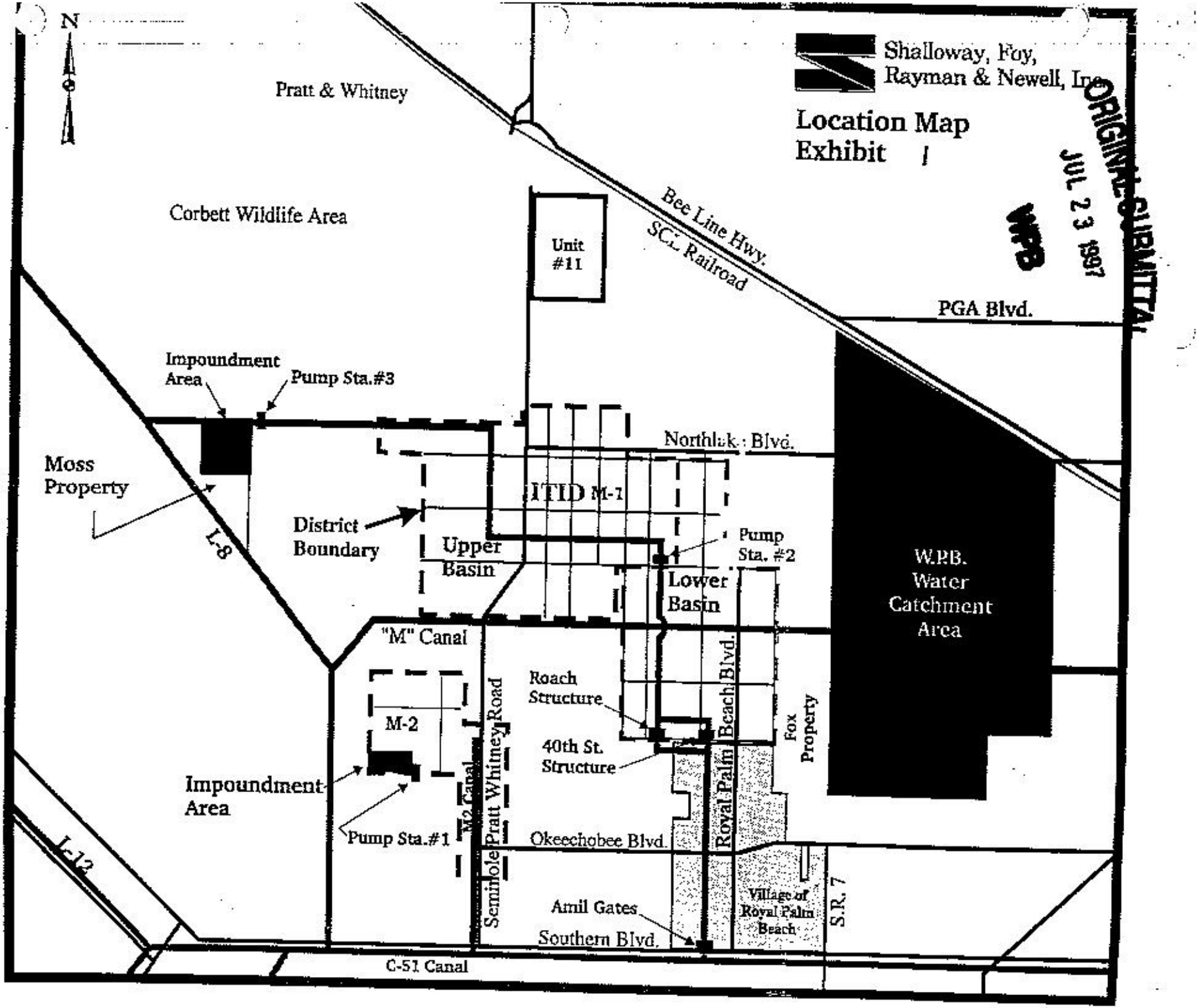


EXHIBIT I

APPLICATION NUMBER 970723-4

WPB

C-8973

EXHIBIT 2

PAGE 1

ORIGINAL SUBMITTAL

JUL 23 1997

WPB

Memorandum of Agreement (MOA)
Between
Indian Trail Improvement District (ITID)
And
South Florida Water Management District (SFWMD)

This MOA becomes effective upon the substantial completion of the western C-51 project and specifically when S-155A becomes operational. The specific conditions of the MOA are as follows.

1. Operations of the ITID that drain stormwater into C-51 via the M-1 canal will occur in one of three modes: normal, conditional, or emergency as defined below. Maximum allowable discharges from the Amil Gates on the M-1 canal, other operational requirements, and agencies' responsibilities are described in the attached table (Exhibit "A") entitled: OPERATIONAL REQUIREMENTS, MAXIMUM ALLOWABLE DISCHARGES, AND AGENCIES' RESPONSIBILITIES.

   Normal Operations

   Normal operations are defined as operations that are allowed at all times except times defined in conditional and emergency operations.

   During normal operations, ITID will have flexibility and ability to manage its operations independently and required communications and coordination efforts with SFWMD will be minimal.

   Conditional Operations

   Conditional operations are defined as operations that occur when water levels anywhere in the western C-51 canal reach a level within 0.5 feet below design stage.

   During conditional operations, ITID will have reduced flexibility and ability to manage its operations independently and required communications and coordination efforts with SFWMD will be moderate.

   Emergency Operations

   Emergency operations are defined as operations that occur when one or more of the following exist:

   A. S-155A must be closed due to operational criteria set by the Corps of Engineers' in the Western C-51 Design Memorandum;

EXHIBIT 2

Page 1 of 5

B. the water level at SFWMD telemetry station known as "WATER" or "WATERVIEW" or "WTVW+STG" at bridge number 934251 on the canal at Congress Avenue exceeds 9.0 feet, NGVD [This elevation will be re-evaluated cooperatively by SFWMD and ITID prior to S-155A becoming operational.];or

C. the water level at any point along the western C-51 (westward of S-155A) exceeds design conditions as specified in the Corps of Engineers' Western C-51 Design Memorandum; or,

D. an emergency has been declared in eastern or western C-51 basin by the Governing Board of the SFWMD pursuant to Sections 120.569(2)(d), 373.119, and 373.439, Florida Statutes, and Rules 40E-4.451 and 40E-1.609(9), Florida Administrative Code.

During emergency operations, ITID operations must be coordinated with other operations in the basin and will require authorization of the SFWMD's Operations Director or the Operations Director's designee. Required communications and coordination efforts with SFWMD will be frequent.

2. At a future date, SFWMD may authorize additional outfall points elsewhere in the system and require that discharges into C-51 be reduced. This is acceptable provided:

A. ITID maintains a discharge equivalent to its permitted discharge from the M-1 Basin.

B. ITID Board of Supervisors agrees.

3. The SFWMD will not tax or assess ITID or its properties or residents to any greater extent than any other properties in the western C-51 basin for flood mitigation provided under this MOA.

4. In order to avoid overdrainage, ITID discharges from the M-1 basin shall not cause violation of control water elevations specified in ITID's SFWMD permits issued pursuant to Part IV, Chapter 373, Florida Statutes.

GENERAL CONDITIONS

This MOA may only be modified upon mutual written agreement by authorized representatives of the parties with approval of their governing bodies.

This MOA is subject to the provisions of Chapter 373, Florida Statutes.

EXHIBIT 2
Page 2 of 5

ITID will seek modification of their surface water management permit (permit # 50-00761-S), in accordance with the SFWMD's applicable regulatory criteria, to incorporate provisions of this agreement that relate to surface water regulatory issues. If such modification is not granted within six months of application, this agreement shall become null and void. This six-month modification approval period may be extended upon mutual agreement of the parties. Approval of this MOA does not guarantee issuance of a permit modification.

Nothing contained in this MOA commits the SFWMD to fund any of the elements of the Operational Requirements imposed upon the ITID relative to the allowable discharges from the Amil Gates on the M-1 Canal.

This MOA does not relieve the ITID or the SFWMD of the need to comply with all applicable federal, state, or local laws, rules or ordinances.

During emergency operations, ITID shall comply with emergency operational instructions issued by SFWMD. SFWMD shall issue operational instructions during emergencies to ITID and others in emergency area specifying water levels and discharges required to coordinate emergency operations.

The limiting and special conditions currently placed or as may be modified in the ITID's permits issued pursuant to Part IV, Chapter 373, Florida Statutes, shall remain in full force and effect during the duration of this MOA.

This MOA does not convey any property right to the ITID, or any rights and privileges other than those specified in this MOA.

This MOA and appropriate permit modification incorporates, embodies, and expresses all agreements and understanding between and among the SFWMD and the ITID concerning settlement of case # 97-4050, U. S. Eleventh Circuit Court of Appeals.

ITID will dismiss with prejudice case # 97-4050, U. S. Eleventh Circuit Court of Appeals upon approval of the permit modification.

This MOA may not be altered except as authorized herein.

EXHIBIT 2
Page 3 of 5

DONE AND SO ORDERED at West Palm Beach, Palm Beach County, Florida, this 10th day of July, 1997.

SOUTH FLORIDA WATER MANAGEMENT BY ITS GOVERNING BOARD

BY: Michael Slaytor
Deputy Executive Director

BOARD OF GOVERNING DISTRICT · STATE OF FLORIDA · SEAL · Established 1949 · SOUTH FLORIDA WATER MANAGEMENT

ATTEST:

BY: [signature]
Assistant Secretary

ON: 7-10-97

LEGAL FORM APPROVED

By: Thomas R. Wolfe

ON: 7-10-97

INDIAN TRAIL IMPROVEMENT DISTRICT

BY: [signature]
President, Board of Supervisors

INDIAN TRAIL IMPROVEMENT DISTRICT · PALM BEACH COUNTY · FLORIDA · SEAL

ATTEST:

BY: [signature]

ON: 7/14/97

LEGAL FORM APPROVED

BY: [signature]

ON: 7-14-97

EXHIBIT 2
Page 4 of 5

MODE OF OPERATIONS	MAXIMUM ALLOWABLE DISCHARGE FROM M-1 CANAL @ AMIL GATES	ITID RESPONSIBILITIES	SFWMD RESPONSIBILITIES
Normal Operations	1,285 cfs	Distribute maximum allowable discharge between M1 basin and Royal Palm Beach basin in accordance with applicable agreements between the Village of Royal Palm Beach and ITID, permits, and applicable provisions of law.	Monitor overall C-51 conditions. Communicate and coordinate with ITID as necessary. Operate as necessary and in compliance with this MOA, the water control manual, and other requirements: (1) S-155A to make western basin to eastern basin discharges to move M-1 basin discharges to tide as needed, (2) S-155 to make discharges to tide, and (3) S-319 to make discharges to Stormwater Treatment Area 1 East.
Conditional Operations	720 cfs plus the conditional discharge. The conditional discharge is defined as the lesser of: (a) the available hydraulic capacity of S-155A, or (b) 565 cfs. [Conditional discharges will be discharged through S-155A to the eastern C-51 basin and to tide as needed.]	Determine maximum allowable discharge and make distribution between M-1 basin and Royal Palm Beach basin in accordance with applicable agreements between the Village of Royal Palm Beach and ITID, permits, and applicable provisions of law.	
Emergency Operations	Maximum allowable discharge will vary and will be set by SFWMD.	Comply with emergency operational instructions issued by SFWMD.	Issue operational instructions to ITID (and others in emergency area) specifying water levels and discharges required to coordinate emergency operations.
All Operations	See specific mode of operation.	1. Make available in real-time to SFWMD by telemetry discharges (or surrogate measures of discharges) from M-1 basin and Amil Gates. 2. Provide a brief, annual report to SFWMD of all discharges from M-1 basin and Amil Gates. 3. Restrict total discharge from the M-1 basin such that the removal rate does not exceed 1 inch per day unless specifically authorized by SFWMD for purposes such as pre- and post-storm event operations.	Make available in real-time to ITID by telemetry discharges at S-155 and S-155A and water levels at: Congress Avenue bridge, S-155A headwater and tailwater, and stations along western C-51.

EXHIBIT 2
Page 5 of 5

Exhibit "A"
C-8973

2

NORMAL OPERATIONS SCHEDULE
ITID'S M-1 BASIN
PRIOR TO S-155A BEING OPERATIONAL

CONDITIONS						DISCHARGE TO		
SEASON	MONTHS	IMPOUND-MENT	UPPER BASIN		LOWER BASIN	L-8	C-51	M-CANAL VIA PILOT PUMP OR L-8 PLANS
WET	JUNE-OCT	≤16	≤16	&	≤15	NO	NO	WHEN AUTHORIZED[1]
		>16	≤16	&	≤15	YES	NO	
		>16	>16	&/OR	>15	YES	YES[2]	
DRY	NOV-APR	≤21	≤17	&	≤17	NO	NO	WHEN AUTHORIZED[1]
		>21	>17	&/OR	>17	YES	YES[2]	
TRAN-SISTION	MAY	≤21	≤16	&	≤15.5	NO	NO	WHEN AUTHORIZED[1]
		>21	>16	&/OR	>15.5	YES	YES[2]	

[1] In accordance with the "L-8 Plan" or the "Pilot Pump Project".
[2] See Exhibit 3, page 2.

EXHIBIT 3
Page 1 of 4

EXISTING C-51

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS				STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT 40TH	M-1 CANAL AT AMIL	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
WATER CONSERVATION	≤10.0'	≤13.5' &	≤13.8' &	≤CONTROL (15.0' WET SEASON 17.0' DRY SEASON)	NO CHANGE	CLOSE ALL OPERABLE STRUCTURES: THE ORDER & RATE OF STRUCTURE CLOSURES SHALL RESULT IN STAGES IN THE VRPB THAT ARE ≥13.5' BUT ≤13.8'		
NORMAL	≤10.0'	≤14.9' &	<14.5' &	> CONTROL		BALANCE ITID INFLOW @ ROACH & 40TH TO= OUTFLOW @ OPERABLE AMIL		
	>10.0' OR	>14.9' OR	>14.5' &			SEE CONDITIONAL FLOW		

EXHIBIT 3

* NORMAL CONDITIONS IN THE VRPB ARE DEFINED BY THE ABOVE STAGES.
HOWEVER CONDITIONAL OPERATIONS SHALL APPLY IF MEASURED RAIN OR THE TOTAL OF MEASURED AND FORECAST (BY THE NATIONAL WEATHER SERVICE FOR THE VRPB AREA) RAIN IN ANY 24 HOUR PERIOD EXCEEDS 5 INCHES.

EXISTING C-51

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS			STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT OKEECHOBEE	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
RAINFALL CONDITIONAL		>13.8' &		N O C H A N G E	OPERATE TO ACHIEVE STAGES OF 13.5'≤VRPB≤13.8' AT OKEECHOBEE	DIMINISH DISCHARGES SO STAGES ARE: 13.5'≤VRPB≤13.8' AT OKEECHOBEE	
CONDITIONAL & EMERGENCY NOT DECLARED OR	>10.0' &	>14.9' &	>17.0' & <19.0'		METER INFLOW INTO & OUT OF M-1 CANAL IN THE VRPB SO M-1 ELEVATIONS DO NOT EXCEED 14.9' @ 40TH OR 14.0' AT AMIL FOR MORE THAN 3 DAYS (72 HOURS) AFTER 72 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
		>15.5' &			SAME AS ABOVE BUT NOT FOR MORE THAN 2 DAYS (48 HOURS) AFTER 48 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
		>16.0' &			SAME AS ABOVE BUT NOT FOR MORE THAN 1 DA (24 HOURS) AFTER 24 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
	DECLARED EMERGENCY	>16.5' OR	>19.0'		SEE EMERGENCY CONDITIONS		

RAINFALL CONDITIONAL IF MEASURED RAIN OR THE TOTAL OF MEASURED AND FORECAST (BY THE NATIONAL WEATHER SERVICE FOR THE VRPB AREA) RAIN IN ANY 24 HOUR PERIOD EXCEEDS 5 INCHES.

EXISTING C-51

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS			STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT OKEECHOBEE	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
EMERGENCY	DECLARED EMERGENCY OR	>16.5' OR	≥19.0'	NO CHANGE	STRUCTURES TO BE OPERATED IN COMPLIANCE WITH INSTRUCTIONS ISSUED BY SFWMD TO ITID (AND OTHERS IN EMERGENCY AREA) SPECIFYING WATER LEVELS AND DISCHARGES		

EXHIBIT 3

Page 4 of 4

NORMAL OPERATIONS SCHEDULE
ITID'S M-1 BASIN
AFTER S-155A BECOMES OPERATIONAL

CONDITIONS						DISCHARGE TO		
SEASON	MONTHS	IMPOUND -MENT	UPPER BASIN		LOWER BASIN	L-8	C-51	M-CANAL VIA PILOT PUMP OR L-8 PLANS
WET	JUNE-OCT	≤16	≤16	&	≤15	NO	NO	WHEN AUTHORIZED[1]
		>16	≤16	&	≤15	YES	NO	
		>16	>16	&/OR	>15	YES	YES[2,3]	
DRY	NOV-APR	≤21	≤17	&	≤17	NO	NO	WHEN AUTHORIZED[1]
		>21	>17	&/OR	>17	YES	YES[2,3]	
TRAN-SISTION	MAY	≤21	≤16	&	≤15.5	NO	NO	WHEN AUTHORIZED[1]
		>21	>16	&/OR	>15.5	YES	YES[2,3]	

1 In accordance with the "L-8 Plan" or the "Pilot Pump Project".
2 See Exhibit 4, page 2.
3 Normal discharge is 1285 cfs, also see Exhibit 2 for additional discharge restrictions under "Conditional" and "Emergency" Conditions.

EXHIBIT 4
Page 1 of 4

AFTER S-155A BECOMES OPERATIONAL

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS				STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT 40TH	M-1 CANAL AT AMIL	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
WATER CONSERVATION	LOWER THAN 0.5' BELOW DESIGN	≤13.5' &	≤13.8' &	≤ CONTROL (15.0' WET SEASON 17.0' DRY SEASON)	N O C H A N G E	CLOSE ALL OPERABLE STRUTURES: THE ORDER & RATE OF STRUCTURE CLOSURES SHALL RESULT IN STAGES IN THE VRPB THAT ARE ≥13.5' BUT ≤13.8'. ≤13.8'.		
NORMAL		≤14.9' &	<14.5' &	> CONTROL		BALANCE ITID INFLOW @ ROACH & 40TH TO = OUTFLOW @ OPERABLE AMIL		
	WITHIN 0.5' BELOW DESIGN TO DESIGN OR	>14.9' OR	>14.5' &			SEE CONDITIONAL FLOW		

* NORMAL CONDITIONS IN THE VRPB ARE DEFINED BY THE ABOVE STAGES.
HOWEVER CONDITIONAL OPERATIONS SHALL APPLY IF MEASURED RAIN OR THE TOTAL OF MEASURED AND FORECAST (BY THE NATIONAL WEATHER SERVICE FOR THE VRPB AREA) RAIN IN ANY 24 HOUR PERIOD EXCEEDS 5 INCHES.

NOTE: THE DISCHARGE AT AMIL GATES SHALL BE AS DEFINED IN THE MOA.

EXHIBIT 4 Page 2 of 4

AFTER S-155A BECOMES OPERATIONAL

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS			STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT OKEECHOBEE	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
*RAINFALL CONDITIONAL		>13.8' &		N	OPERATE TO ACHIEVE STAGES AT 13.5'≤VRPB≤13.8' AT OKEECHOBEE	DIMINISH DISCHARGES SO STAGES ARE: 13.5'≤VRPB≤13.8' AT OKEECHOBEE	
CONDITIONAL	WITHIN 0.5' BELOW DESIGN TO DESIGN OR	>15.0' &	>17.0' & <19.0'	O C H A N G E	METER INFLOW INTO & OUT OF M-1 CANAL IN THE VRPB SO M-1 ELEVATIONS DO NOT EXCEED 14.9' @ 40TH OR 14.0' AT AMIL FOR MORE THAN 3 DAYS (72 HOURS) AFTER 72 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
		>15.5' &			SAME AS ABOVE BUT NOT FOR MORE THAN 2 DAYS (48 HOURS) AFTER 48 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
		>16.0' &			SAME AS ABOVE BUT NOT FOR MORE THAN 1 DAY (24 HOURS) AFTER 24 HOURS CLOSE 40TH & ROACH STRUCTURES UNTIL M-1 CANAL AT 40TH STREET <14.9'		
	> DESIGN OR	>16.5' OR	>19.0'		SEE EMERGENCY CONDITIONS		

EXHIBIT 4, page 3

* RAINFALL CONDITIONAL IF MEASURED RAIN OR THE TOTAL OF MEASURED AND FORECAST (BY THE NATIONAL WEATHER SERVICE FOR THE VRPB AREA) RAIN IN ANY 24 HOUR PERIOD EXCEEDS 5 INCHES.

NOTE: THE DISCHARGE AT AMIL GATES SHALL BE AS DEFINED IN THE MOA.

AFTER S-155A BECOMES OPERATIONAL

MODE OF OPERATIONS	SURFACE WATER ELEVATIONS			STRUCTURE OPERATIONS/CONDITIONS			
	C-51	M-1 CANAL AT OKEECHOBEE	40TH ST. NO. (HEADWATER) ITID M-1 LOWER BASIN	AUTO AMIL	OPERABLE GATES @ AMIL	40TH ST. STRUCTURE	ROACH STRUCTURE
EMERGENCY EXHIBIT 4	DECLARED EMERGENCY PER MOA OR	>16.5' OR	≥19.0'	NO CHANGE	STRUCTURES TO BE OPERATED IN COMPLIANCE WITH INSTRUCTIONS ISSUED BY SFWMD TO ITID (AND OTHERS IN EMERGENCY AREA) SPECIFYING WATER LEVELS AND DISCHARGES		

NOTE: THE DISCHARGE AT AMIL GATES SHALL BE AS DEFINED IN THE MOA.

Page 4 of 4

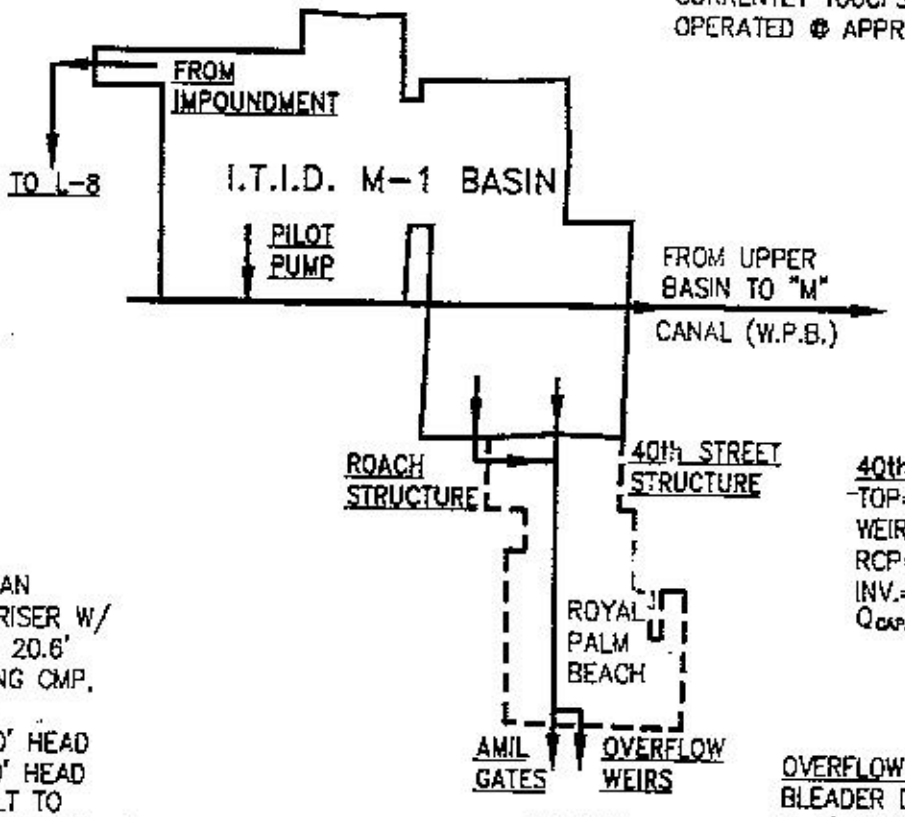
DISCHARGE FACILITIES FRO... THE UPPER AND LOWER M-1 BASINS AND FROM ROYAL PALM BEACH

FROM IMPOUNDMENT
84" RISERS (2)
WEIR L= 18' @ 24.5'
RECTANGULAR BLEEDER
CENTROID= 21.9', W= 6.75', H= 1.75'
PIPE L= 140', 4.5' DIA., n=0.024
INV.= 15.0'

OPERABLE RISER (1)
WEIR L= 18' @ 24.5'
RECTANGULAR BLEEDER
CENTROID=21.0', W=6.75', H=2.0' (CURRENT)
CENTROID=17.03', W=3.23', H=2.0' (PERMITTED)
$Q_{ALLOWABLE}$ =274 CFS @ EL.= 24.5'

L-8 OUTFALL CANAL DISCHARGE
2- 84" RISERS W/ WEIR CRESTS @ 14.16' EAST & 14.02' WEST. TOP OF RISERS ARE 18.16' EAST & 18.04' WEST. THE DISCHARGE PIPES ARE 100'± 72" CMP EAST & 100'± 84" CMP WEST WITH INV. ELEVATIONS= 8.0'±

PILOT PUMP
Q (TO BE DETERIMINED, CURRENTLY 100CFS PUMPS OPERATED @ APPROX. 75 CFS)



ROACH STRUCTURE
EXISTING STRUCTURE IS AN ALUMINUM 8' DIAMETER RISER W/ WEIR CREST @ 23.4', L= 20.6'
PIPE IS 72" DIA. 68' LONG CMP, n= 0.024, & INV.= 11.7'
$Q_{CAPACITY}$ = 277 CFS @ 4.0' HEAD
= 310 CFS @ 5.0' HEAD
PERMITTED BUT NOT BUILT TO REPLACE THE EXIST. STRUCTURE ARE TWO 84" RCP's, INV.= 7.0' WITH SLUICE GATES.
$Q_{CAPACITY}$ = 655 CFS @ 4.0' HEAD
= 732 CFS @ 5.0' HEAD

40th STREET STRUCTURE
TOP= 19.5'
WEIR LENGTH= 84 FT.
RCP= 5' DIA., L= 76'
INV.= 8.0'
$Q_{CAPACITY}$ = 211 CFS, @ 4.0' HEAD
= 235 CFS @ 5.0' HEAD

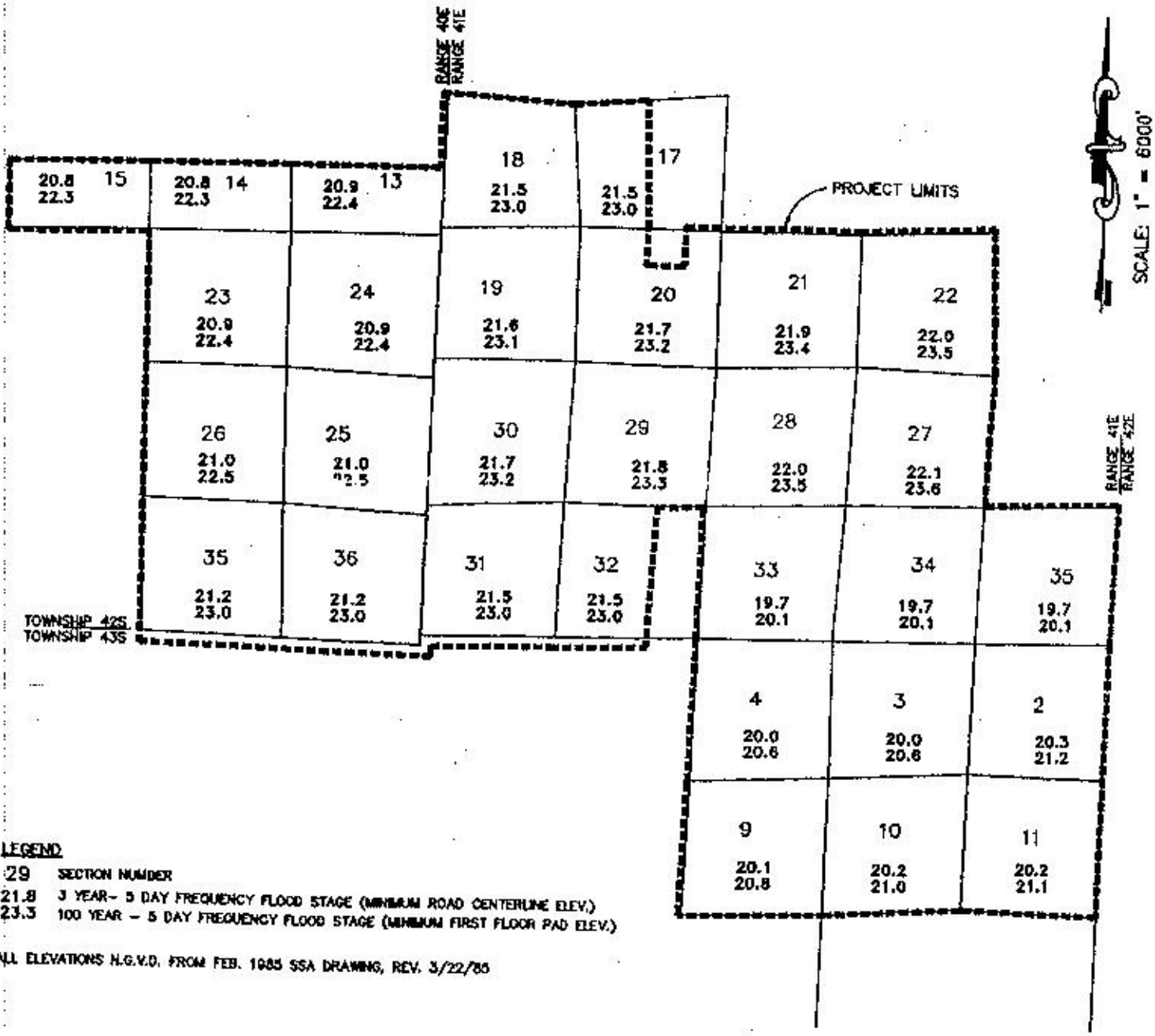
AMIL GATES
1- AUTOMATIC D710
$Q_{ALLOWABLE}$=720 CFS @ 0.5' HEAD
4- VARIABLE GATES
WIDTH= 5.9' (AVG.), OPEN FROM BOTTOM
$Q_{CAPACITY}$ = 1020 CFS, 4 OPEN @ (13.7'- 9.5') 4.2' HEAD
= 820 CFS, 4 OPEN @ (13.7'- 11.0') 2.7' HEAD

OVERFLOW WEIRS
BLEADER DEVICE
2-6' RCP W/ CONCRETE WEIRS @ PIPE MIDLINE
WEST CREST= 13.42'
EAST CREST= 13.56'

EXHIBIT 5

EXHIBIT 5

Shalloway, Foy, Rayman & Newell, Inc.
ENGINEERS - PLANNERS - SURVEYORS
1651 BELVEDERE ROAD, WEST PALM BEACH, FLORIDA 33406, (561)686-1151



LEGEND

29 SECTION NUMBER

21.8 3 YEAR- 5 DAY FREQUENCY FLOOD STAGE (MINIMUM ROAD CENTERLINE ELEV.)

23.3 100 YEAR – 5 DAY FREQUENCY FLOOD STAGE (MINIMUM FIRST FLOOR PAD ELEV.)

ALL ELEVATIONS N.G.V.D. FROM FEB. 1985 SSA DRAWING, REV. 3/22/85

EXHIBIT 6

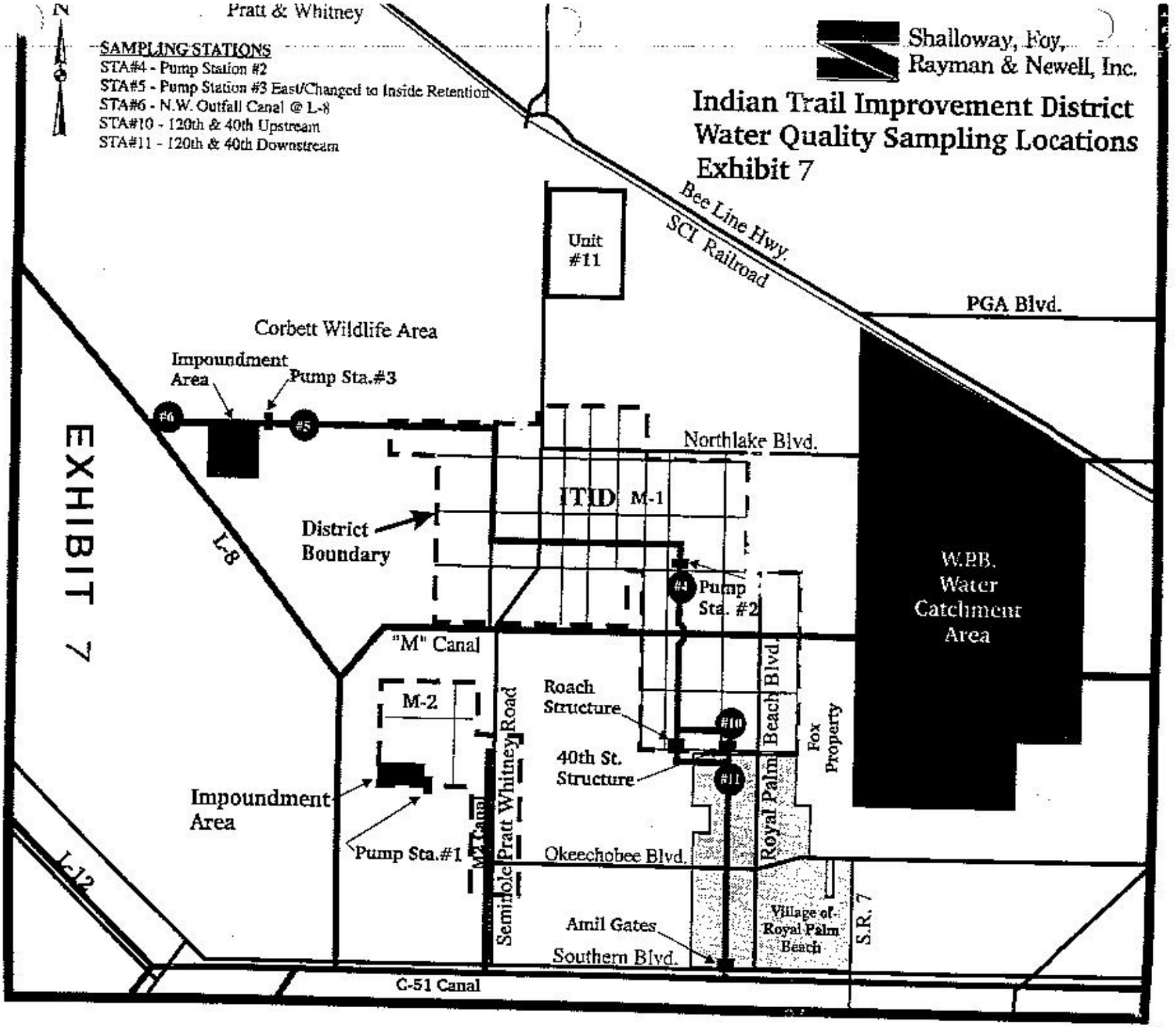
INDIAN TRAIL IMPROVEMENT DISTRICT
M-1 BASIN
DESIGN ELEVATIONS

SFRN #91084.103

7/21/97

Shalloway, Foy, Rayman & Newell, Inc.
GINEERS - PLANNERS - SURVEYORS

EXHIBIT 6


N
Pratt & Whitney
SAMPLING STATIONS
STA#4 - Pump Station #2
STA#5 - Pump Station #3 East/Changed to Inside Retention
STA#6 - N.W. Outfall Canal @ L-8
STA#10 - 120th & 40th Upstream
STA#11 - 120th & 40th Downstream
Shalloway, Foy, Rayman & Newell, Inc.
Indian Trail Improvement District
Water Quality Sampling Locations
Exhibit 7
Bee Line Hwy.
SCI Railroad
Unit #11
PGA Blvd.
Corbett Wildlife Area
Impoundment Area
Pump Sta.#3
#6
#5
Northlake Blvd.
ITID
M-1
District Boundary
L-8
#4
Pump Sta. #2
W.P.B. Water Catchment Area
EXHIBIT 7
"M" Canal
M-2
Roach Structure
#10
Beach Blvd.
Fox Property
40th St. Structure
#11
Royal Palm
Impoundment Area
Pump Sta.#1
M-2 Canal
Pratt Whitney Road
Okeechobee Blvd.
L-12
Seminole
Amil Gates
Southern Blvd.
Village of Royal Palm Beach
S.R. 7
C-51 Canal

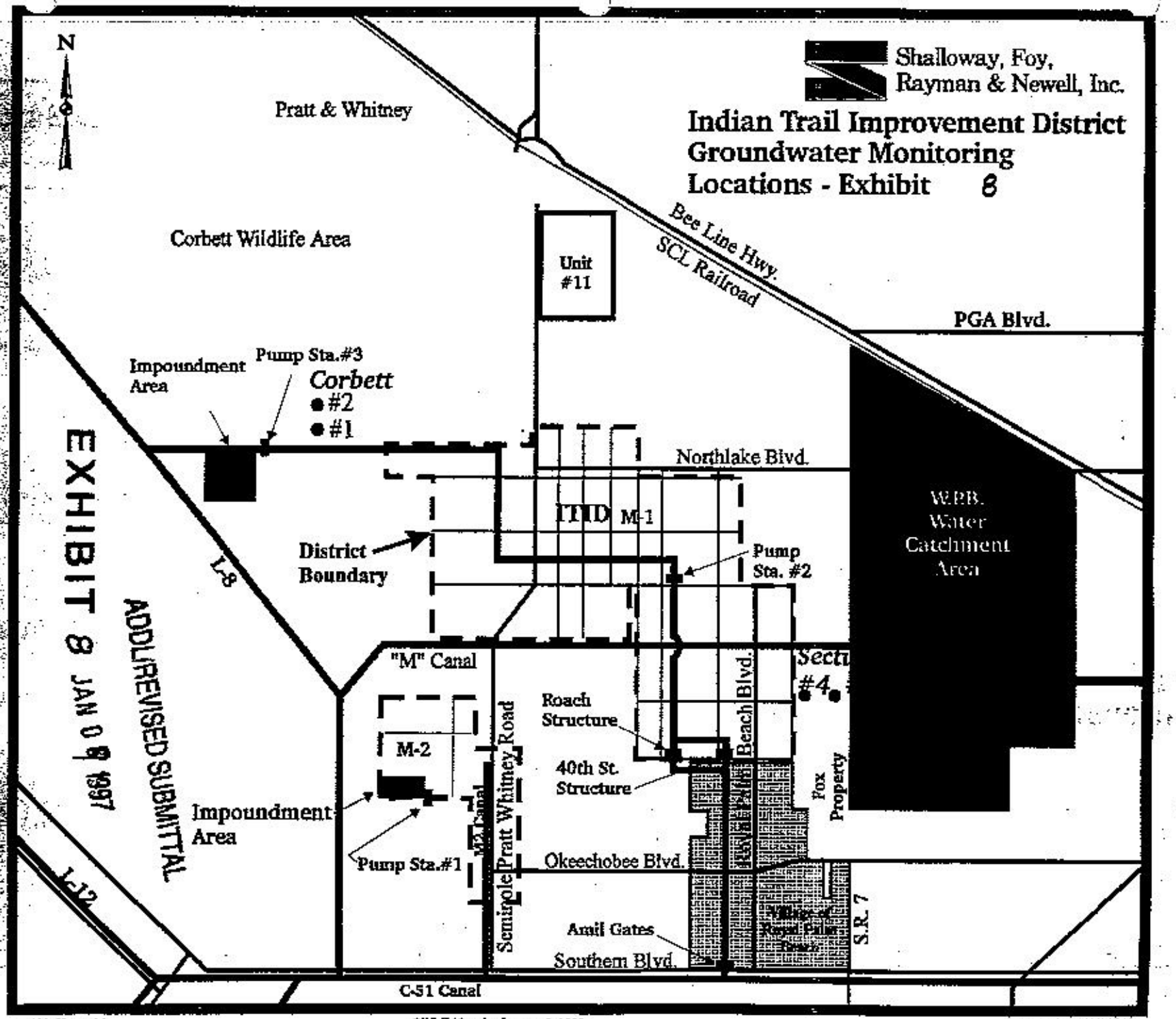


EXHIBIT 8 JAN 0 8 1997

ADDL/REVISED SUBMITTAL

Debbie Haynoski GWML10a.cdr January 8, 1998 SFRN Project #91014.103

KEV 1/15/98

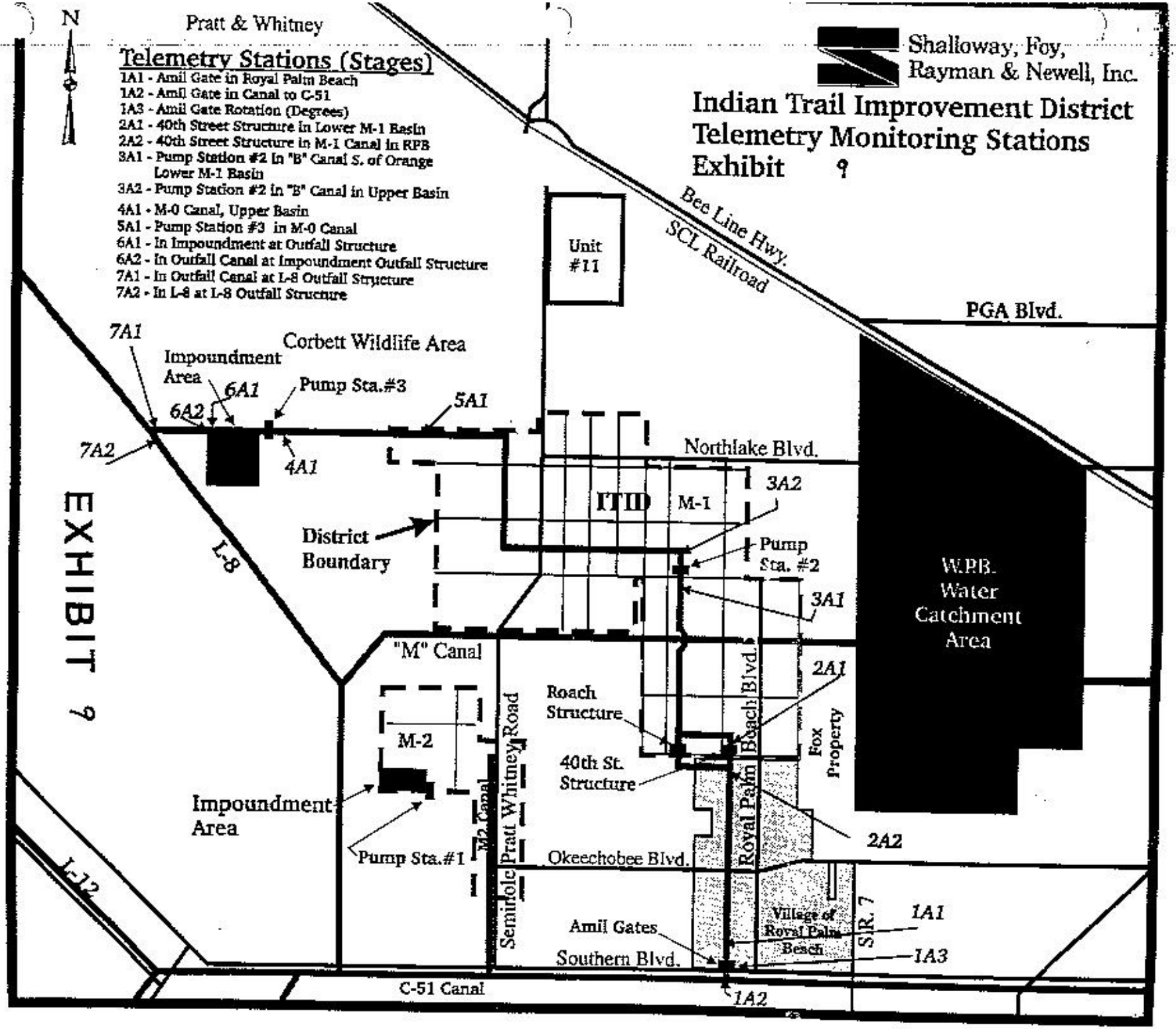

N
Pratt & Whitney
Telemetry Stations (Stages)
1A1 - Amil Gate in Royal Palm Beach
1A2 - Amil Gate in Canal to C-51
1A3 - Amil Gate Rotation (Degrees)
2A1 - 40th Street Structure in Lower M-1 Basin
2A2 - 40th Street Structure in M-1 Canal in RPB
3A1 - Pump Station #2 in "B" Canal S. of Orange Lower M-1 Basin
3A2 - Pump Station #2 in "B" Canal in Upper Basin
4A1 - M-0 Canal, Upper Basin
5A1 - Pump Station #3 in M-0 Canal
6A1 - In Impoundment at Outfall Structure
6A2 - In Outfall Canal at Impoundment Outfall Structure
7A1 - In Outfall Canal at L-8 Outfall Structure
7A2 - In L-8 at L-8 Outfall Structure
Shalloway, Foy, Rayman & Newell, Inc.
Indian Trail Improvement District
Telemetry Monitoring Stations
Exhibit 9
EXHIBIT 9
Bee Line Hwy.
SCL Railroad
Unit #11
PGA Blvd.
7A1
Corbett Wildlife Area
Impoundment Area
6A1
6A2
Pump Sta.#3
5A1
7A2
4A1
Northlake Blvd.
ITID
M-1
3A2
District Boundary
Pump Sta. #2
3A1
L-8
W.P.B. Water Catchment Area
"M" Canal
2A1
Roach Structure
Roach Blvd.
Fox Property
M-2
40th St. Structure
Pratt Whitney Road
Impoundment Area
2A2
Pump Sta.#1
M2 Canal
Okeechobee Blvd.
Royal Palm
Seminole
L-12
Amil Gates
Village of Royal Palm Beach
SR. 7
1A1
Southern Blvd.
1A3
C-51 Canal
1A2

EXHIBIT 10

EXHIBIT 10

STAFF REPORT DISTRIBUTION LIST

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APPLICATION NUMBER: 970723-4
PERMIT MODIFICATION NUMBER: 50-00761-S

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X West Palm Beach

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X Applicant's Consultant:
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PALM BEACH

X Engineer, City of:
Royal Palm Beach

X Local Drainage District:
ITID

COUNTY
X Palm Beach -Building Division
-Environmental Res Mgmt.
-Health Dept.
-Land Development Div.
-School Brd., Growth Mgt.

BUILDING AND ZONING
X Royal Palm Beach

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X Doug Winter, P.E.
X Elaine Usherson
X F.G.F.W.F.C.
X FDEP
X Florida Audubon - Charles Lee
Indian Trail Water Control District
X Mr. Ed Dailey, President
X Norma Perdue
X Rosa Durando
X Seacoast Utility Authority
X Village of Royal Palm Beach - Manager

EXHIBIT 11

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Water Catchment Area Advisory Committee
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EXHIBIT 11