



An Equal
Opportunity
Employer

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

TDD only: 1-800-231-6103 (FL only)

On the Internet at WaterMatters.org

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
6750 Fruitville Road
Sarasota, Florida 34240-9711
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

August 25, 2011

Robert L. Rains
Northwood Commons, LLC
12147 Old Walnut Road
Ojai, CA 93023

Subject: **Processing Notice – Failure to Submit**
Project Name: NORTHWOOD COMMONS
Permit No.: 40000843.000
Compliance No.: 336559
County: PINELLAS

Dear Mr. Rains:

On December 22, 2010 and June 15, 2011, the Southwest Florida Water Management District (the District) sent letters to you identifying the unresolved need to submit information, as associated with the subject Environmental Resource Permit.

To date, this issue has not been adequately addressed, and you are currently in non-compliance with District rules and the conditions of your permit. Due to the time elapsed and a lack of complete resolution at the staff level, this file has now been transferred to the District's Legal Department to proceed with enforcement action.

If you have questions, please contact me at extension 2030 in the Tampa Service Office.

Sincerely,

Charles L. Wood, E.I.
Tampa Regulation Department

CLW:kls

Enclosures: Copy of District Letters dated December 22, 2010 and June 15, 2011
cc: File of Record 40000843.000/CT 336559
Adrienne Vining, Office of General Counsel



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December 22, 2010

Robert L. Rains
Northwood Commons, LLC
12147 Old Walnut Road
Ojai, CA 93023

Subject: **Permit Condition Violation**

Project Name: Northwood Commons
Permit No.: 40000843.000
CT No.: 336559
Sec/Twp/Rge: 33/28S/16E
County: Pinellas

Dear Mr. Rains:

The District issued Permit No. 40000843.000 on May 28, 1986 and transferred it to you on November 10, 2010. The Permit authorized the construction of a commercial project and the associated stormwater management facilities. District staff recently made a site visit and noted several deviations from the permitted plans. The following deviations were observed:

1. There was significant erosion on the southern side of the control structure for Pond A, allowing stormwater to leave the pond without water quality treatment or water quantity attenuation.
2. There was significant erosion at the outfall from Pond B, as it discharges into Pond A.
3. All three ponds had standing water and/or appear to stay hydrated for extended periods of time, instead of drawing down within the required 36 hours.
4. The roof drains along the northern side of Pond C were being piped through Pond C and discharge directly into the creek, without first receiving water quality treatment or water quantity attenuation.
5. The pipe connecting Pond C and Pond B was exposed in the bottom of the creek, affecting the flow of water within the creek.

Condition No. 7 of the Permit states that, "Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District." Therefore, since the surface water management system does not appear to discharge stormwater through the facilities authorized by this permit, you are considered in violation of Condition No. 7 of the Permit. Also, Condition No. 11 of the Permit states that, "This permit is issued based on the applicant's submitted information which reasonably demonstrates the adverse off-site water resource related impacts will not be caused by the completed permit activity." Since it appears the deviations noted will cause adverse water quality and water quantity impacts to the off-site water resource, you are considered in violation of Condition No. 11 of the Permit.

- Ronald E. Oakley**
Chair, Pasco
- Hugh M. Gramling**
Vice Chair, Hillsborough
- H. Paul Senft, Jr.**
Secretary, Polk
- Douglas B. Tharp**
Treasurer, Sumter
- Neil Combee**
Former Chair, Polk
- Todd Preseman**
Former Chair, Pinellas
- Judith C. Whitehead**
Former Chair, Hernando
- Jeffrey M. Adams**
Pinellas
- Carlos Beruff**
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- Bryan K. Beswick**
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- Jennifer E. Closshey**
Hillsborough
- Albert G. Joergler**
Sarasota
- Maritza Rovira-Forino**
Hillsborough
- David L. Moore**
Executive Director
- William S. Bilenky**
General Counsel



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June 15, 2011

Robert L. Rains
Northwood Commons, LLC
12147 Old Walnut Road
Ojai, CA 93023

Subject: **Permit Condition Violation – Second Notice**
Project Name: Northwood Commons
Permit No.: 40000843.000
CT No.: 336559
Sec/Twp/Rge: 33/28S/16E
County: Pinellas

Dear Mr. Rains:

The District issued Permit No. 40000843.000 on May 28, 1986 and transferred it to you on November 10, 2010. The Permit authorized the construction of a commercial project and the associated stormwater management facilities. District staff recently made a site visit and noted several deviations from the permitted plans. The following deviations were observed:

1. There was significant erosion on the southern side of the control structure for Pond A, allowing stormwater to leave the pond without water quality treatment or water quantity attenuation.
2. There was significant erosion at the outfall from Pond B, as it discharges into Pond A.
3. All three ponds had standing water and/or appear to stay hydrated for extended periods of time, instead of drawing down within the required 36 hours.
4. The roof drains along the northern side of Pond C were being piped through Pond C and discharge directly into the creek, without first receiving water quality treatment or water quantity attenuation.
5. The pipe connecting Pond C and Pond B was exposed in the bottom of the creek, affecting the flow of water within the creek.

Condition No. 7 of the Permit states that, "Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District." Therefore, since the surface water management system does not appear to discharge stormwater through the facilities authorized by this permit, you are considered in violation of Condition No. 7 of the Permit. Also, Condition No. 11 of the Permit states that, "This permit is issued based on the applicant's submitted information which reasonably demonstrates the adverse off-site water resource related impacts will not be caused by the completed permit activity." Since it appears the deviations noted will cause adverse water quality and water quantity impacts to the off-site water resource, you are considered in violation of Condition No. 11 of the Permit.

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