

**Lee County Board Of County  
Commissioners  
Agenda Item Summary**

Blue Sheet No. 20070758

**1. ACTION REQUESTED/PURPOSE:**

Approve Change Order No. 4 (under B-05-26 Gunnery Road Widening project) to Stevens & Layton, Inc. (Lee Contract #3426), in the amount of \$616,494.06 in order to widen and improve the easterly one mile of Church Rd in Hendry County. Amend CIP project No. 200919 by this same amount along with the FY07 CIP budget.

**2. FUNDING SOURCE:**

Solid Waste CIP Fund – CIP Program – Church Road Extension

**3. WHAT ACTION ACCOMPLISHES:**

Provides Lee County with a contractor to perform the construction and improvements for the easterly one mile of Church Rd. in Hendry County in accordance with previous discussions agreed to between the Boards of Lee and Hendry County Commissioners in a meeting held on September 8, 2006.

**4. MANAGEMENT RECOMMENDATION:** Approve

**5. Departmental Category:** Solid Waste **CSC**

**6. Meeting Date:** 5/29/2007

**7. Agenda:**

Consent

**8. Requirement/Purpose:** (specify)

- Statute
- Ordinance
- Admin Code AC 4-4
- Other

**9. Request Initiated**

**Commissioner:** All  
**Department:** PUBLIC WORKS  
**Division:** Solid Waste  
**By:** Lindsey Sampson *LS*

**10. Background:**

On December 13, 2005, the Board approved the award of B-05-26, Gunnery Rd. Widening to Stevens & Layton, Inc. The scope of work for this project, as it relates to the construction of a two-lane roadway, storm-water conveyances and associated construction requirements is similar to the work required to construct the two-lane Church Road Project. On August 15, 2006 the Board approved Change Order No. 2 with Stevens and Layton to construct the westerly 5 miles of Church Rd in Hendry County. This was done in order to expedite the Church Rd project while utilizing a proven, competent Contractor with competitive pricing.

In September 2006 the Boards of Hendry and Lee Counties met to discuss several items related to the Interlocal Agreement for solid waste disposal including details regarding improvements to the existing paved easterly one mile of Church Rd. The consensus of the Lee Board members present was that Lee County would widen and improve this easterly one mile of Church Rd.

The attached change order No. 4 provides current competitive unit pricing for the work included.

Funds will be made available in account: 20091940102.506540

**Attachments:** Request for Transfer of Funds  
 Draft Change Order No. 4

**11. Required Review:**

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services
	<i>[Signature]</i> 5/14	N/A	DAOS 5/15	S. Row	ehw
Public Works Director			<i>[Signature]</i>	5/15/07	5-16-07
<i>[Signature]</i> 5-14-07					<i>[Signature]</i> 5-16-07

RECEIVED BY COUNTY ADMIN: *[Signature]*  
 5/15 4:35 PM  
 COUNTY ADMIN FORWARDED TO: *[Signature]*  
 5/16/07 3pm

REC. by CoAtty  
 Date: 5/15/07  
 Time: 3:35pm  
 Forwarded To: Admin.  
 5/15/07 4:15pm

**12. Commission Action:**

**REQUEST FOR TRANSFER OF FUNDS**

FUND NAME: Solid Waste Mgmt. DATE: 5/9/07 BATCH NO.: \_\_\_\_\_

FISCAL YEAR: 06/07 FUND NO.: 40102 DOC. TYPE: YB LEDGER TYPE BA

TO: Capital Project - Church Road Capital Projects - Church Road  
 (Division Name) (Program Name)

NOTE: Please list the account number below in the following order:  
 Business Unit (dept/div, program, fund, subfund); Object Account; Subsidiary; Subledger  
 (Example: BB 5120100100.503450)

<u>Account Number</u>	<u>Object Name</u>	<u>DEBIT</u>
20091940102.506540	Improvement Construction	\$616,500

TOTAL TO: \$616,500

FROM: Non Departmental Non Departmental  
 (Division Name) (Program Name)

<u>Account Number</u>	<u>Object Name</u>	<u>CREDIT</u>
GC5890140102.509918	Reserves for Cash Balance	616,500

TOTAL FROM: \$616,500

EXPLANATION:

Increase funding for Church Road project for improving and widening Easterly one mile.

<u>Lindsey J. Sampson</u>	<u>5/14/07</u>	<u></u>	<u>5-14-07</u>
DIVISION DIRECTOR	DATE	DEPARTMENT HEAD	DATE

ADMIN SERVICE DIRECTOR	_____	_____	_____
		ADMIN. SER. DIR. SIGNATURE	DATE

BA. NO \_\_\_\_\_ AUTH CODE \_\_\_\_\_ TRANS DATE \_\_\_\_\_

LEE COUNTY CONSTRUCTION CONTRACT  
CHANGE ORDER

No.: 4

(A Change Order requires approval by the Department Director for expenditures under \$50,000, approval by the County Manger for expenditures between \$50,000.01 and \$100,000, or approval by the Board of County Commissioners for expenditures over \$100,000).

CONTRACT/PROJECT NAME: GUNNERY ROAD WIDENING, SR82 TO LEE BOULEVARD  
 CONTRACTOR: STEVENS & LAYTON PROJECT NO.: 4055 CN 3426  
 CONTRACT NO.: CN 3426 BID NO.: B-05-26  
 CHANGE REQUESTED BY: LEE COUNTY DATE OF REQUEST: 5/7/07

Upon the completion and execution of this Change Order by both parties to the Contract the Contractor is authorized to and shall proceed to make the following changes in the Contract Documents:  
 (If you need space other than what has been provided, please attach additional sheets.)

Description: CHURCH ROADWAY CONSTRUCTION (Eastern one mile)

Purpose of Change Order: ROADWAY WIDENING AND CONSTRUCTION IMPROVEMENTS TO THE EASTERN ONE MILE OF CHURCH ROADWAY IN HENDRY COUNTY.

Attachments: (List documents supporting change)  
 PROPOSED BID SCHEDULE FROM STEVENS & LAYTON  
 PROJECT SCHEDULE, PLANS, Rev. 12/28/06 (Approved APRIL 2, 2007), SFWMD PERMIT APPLICATION

- 2. ALL CONDITIONS, SCOPE, SOIL SURVEY, SPECS, CARRY OVER AND ARE APPLICABLE TO C.O.#4 AS EXIST WITH C.O.#2
- 4. ALL ATTACHMENTS / REFERENCED DOCUMENTS ARE SPECIFIC TO CN3426 C.O. #4 EASTERN ONE MILE OF CHURCH ROAD ONLY

**CHANGE IN CONTRACT PRICE:**  
 Original Contract Price  
 \$ 10,207,288.63  
 Previous Change Order No. 1 to No. 3  
 \$ 6,594,691.25  
 Contract Price prior to this Change Order  
 \$ 16,801,979.88  
 Net Increase (Decrease) of this Change Order  
 \$ 616,494.06  
 Contract Price with all approved Change Orders  
 \$ 17,418,473.94

**CHANGE IN CONTRACT TIME:**  
 Original Contract Time (C.O.#2)  
330 Calendar Days  
 Net Change from previous Change Orders  
0 Calendar Days  
 Contract Time prior to this Change Order  
330 Calendar Days  
 Net Increase (Decrease) of this Change Order  
~~80~~ 90 Calendar Days  
 Contract Time with all approved Change Orders  
420 C.O.#2 + CO.#4 ONLY Calendar Days

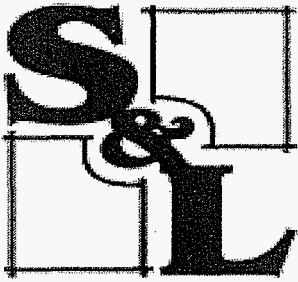
It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

RECOMMENDED:  
 By: N.A. [Signature] Date  
 Consultant (if applicable)  
 By: [Signature] Date 5/14/07  
 Department Director  
 By: [Signature] Date 5/15/07  
 Contracts Management

ACCEPTED  
 By: [Signature]  
 Contractor  
 Date Accepted: 5/15/07  
 (CORPORATE SEAL)

COUNTY APPROVAL:  
 By: \_\_\_\_\_  
 Department Director (Under \$50,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 County Administration (Under \$100,000)  
 Date Approved: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Chair  
 Board of County Commissioners  
 (Over \$100,000)  
 Date Approved: \_\_\_\_\_

APPROVED:  
 County Attorney's Office Date



## BID SCHEDULE

### CHURCH ROAD EXTENSION Final Mile Change Order

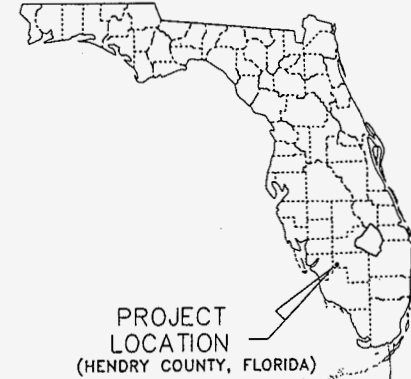
Pay Item	Description	Unit	Quantity	Unit Cost	Total
<b>Roadway</b>					
101-1	Mobilization	LS	1	No Charge	
102-1	Maintenance of Traffic	LS	1	15,200.00	15,200.00
104-10-1	Hay or Straw Baled	EA	100	9.24	924.00
104-13-1	Silt Fence, Staked Type III	LF	10,702	1.60	17,123.20
110-1-1	Clearing & Grubbing (45 Ac)	LS	6.06	3,100.00	18,786.00
120-6	Embankment	CY	3,060		
	Excavation	CY	5,635	7.00	39,445.00
	Fill	CY	3,090	6.00	18,540.00
	Grading	LS	1	20,000.00	20,000.00
160-4	Stabilization Type B	SY	19,333	5.00	96,665.00
285-701	8" Limerock Base	SY	15,135	11.50	174,052.50
286-1	Turnout Construction	SY	56.0	12.00	672.00
331-2-1	Asphaltic Concrete Type S-I 150 lb/sy	SY	14,540.0	7.44	108,177.60
	Asphaltic Concrete Type S-III 100 lb/sy	SY	14,540.0	5.30	77,062.00
430-171-229	Pipe Culvert Optional Material (SS) (Other) (24")	LF	792	72.00	57,024.00
575-1	Sodding	SY	23,784	2.15	51,135.60
	Barb Wire Fence	LF	3,186	12.06	38,423.16
	Credits from Existing Contract				
331-2-1	Asphaltic Concrete Type S-III 150 lb/sy	SY	(12,160.0)	9.60	(116,736.00)
<b>Roadway Sub-Total</b>					<b>616,494.06</b>

Stevens & Layton  
 Church Rd.  
 Change Order No. 4

LEE COUNTY  
 ENVIRONMENTAL SERVICES DIVISION  
 SOLID WASTE MANAGEMENT

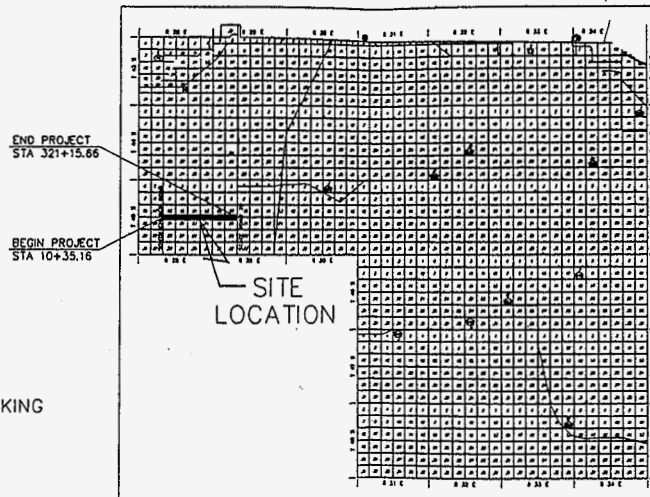
PLANS OF PROPOSED  
**CHURCH ROAD IMPROVEMENT**

LOCATED IN SECTIONS 13 - 16 & 21 - 24,  
 TOWNSHIP 45 SOUTH, RANGE 28 EAST AND  
 SECTIONS 17 - 20, TOWNSHIP 45 SOUTH, RANGE 29 EAST  
 IN HENDRY COUNTY, FLORIDA



INDEX OF ROADWAY PLANS:

SHEET NO.	SHEET DESCRIPTION
0	THIS SHEET
1	KEY SHEET
2 - 5	TYPICAL SECTIONS
6 - 9	SUMMARY OF QUANTITIES
10 - 11	DRAINAGE INFORMATION & SUMMARY
12	GENERAL NOTES AND DETAILS
13 - 33	PLAN AND PROFILES
34 - 35	BOX CULVERT DESIGN
36	SOIL LOGS
37	CONSTRUCTION STAKEOUT, SIGNING & MARKING & MAINTENANCE OF TRAFFIC
27 - 57 OF 61	CROSS-SECTIONS (FROM AIM ENG.)



ORIGINAL SURVEY & PLANS PREPARED BY  
 AIM ENGINEERING

UPDATED BY:

**A** ROCK ENTERPRISES, INC.  
 180 N. BRIDGE ST  
 LABELLE, FLORIDA 33935  
 TEL.: (863) 612-0011  
 FAX: (863) 612-0014

PLANS PREPARED FOR:  
 LEE COUNTY SOLID WASTE DIVISION  
 LINDSEY J. SAMPSON, PE  
 10500 BUCKINGHAM RD  
 FORT MYERS, FLORIDA 33905  
 TELEPHONE: (239) 338-3302  
 FAX: (239) 461-4871

ATTENTION IS DIRECTED TO THE FACT THAT  
 THESE PLANS MAY HAVE BEEN ALTERED IN  
 SIZE BY REPRODUCTION. THIS MUST BE  
 CONSIDERED WHEN OBTAINING SCALED DATA.

LENGTH OF PROJECT

ROADWAY	31058.00 FEET
BRIDGE	22.50 FEET
GROSS LENGTH OF PROJECT	31080.50 FEET

NOTE:  
 PROJECT LENGTH IS BASED ON PROFILE GRADE  
 CONSTRUCTION STATIONING

DUE TO ALIGNMENT CHANGE, ALL  
 STATIONS BETWEEN 64+00 AND END  
 OF PROJECT MUST BE REDUCED BY  
 0.35 FT.

REVISIONS		
DATE	BY	DESCRIPTION
6/12/06	RAA	APPROVED FOR CONSTRUCTION
11/17/06	RAA	REVISED SHEET 26
12/28/06	RAA	AMENDED THE EASTERN ONE MILE

ROADWAY PLANS  
 APPROVED BY: [Signature]

DATE: April 2, 2007

P.E. NO.: 50297



Form 0971  
08/95

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION/  
WATER MANAGEMENT DISTRICTS/  
U.S. ARMY CORPS OF ENGINEERS

JOINT APPLICATION FOR  
ENVIRONMENTAL RESOURCE PERMIT/  
AUTHORIZATION TO USE  
STATE OWNED SUBMERGED LANDS/  
FEDERAL DREDGE AND FILL PERMIT

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*Standard General Permit Modification*  
*April 2, 2007*

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**Church Road Improvement**  
Lee County Board of County Commissioners

By

*Rock Aboujaoudé, P.E.*  
Rock Enterprises, Inc.  
180 N. Bridge Street, Suite B  
LaBelle, Florida 33935  
863/612-0011



Form 0971

## INSTRUCTIONS FOR JOINT APPLICATION FOR ENVIRONMENTAL RESOURCE PERMIT/AUTHORIZATION TO USE STATE OWNED SUBMERGED LANDS/FEDERAL DREDGE AND FILL PERMIT

### INTRODUCTION

Attached is a joint application for:

- 1) activities regulated under Part IV of Chapter 373, F.S.;
- 2) activities which require authorization to use state owned submerged lands; and
- 3) activities which require a federal dredge and fill permit.

Certain activities may qualify for an exemption. If an activity qualifies for an exemption, an application is not required, although the use of this application form is the most expeditious way for the agencies to make the determination that the activity qualifies for an exemption. Attachment 2 lists activities and type of permit required for each activity.

If you have any questions please contact the staff of the nearest office of either the Florida Department of Environmental Protection (DEP) or a Water Management District (WMD).

### PROCESSING AGENCY/DISTRICT SERVICE CENTERS

The Department of Environmental Protection ("Department" or "DEP") permits some types of activities, and the Water Management Districts ("WMDs") permits others. See Attachment 1; DEP/WMD Permitting Responsibilities, if you do not know which agency should receive your application. Environmental Resource Permit Applications shall be made to the appropriate District/Department Service Center serving the area in which the activity is proposed. Attachment 4 designates the appropriate Services Centers for each geographic area.

### COPIES/APPLICATION FEES

Submit an original signed application form plus **four** copies of the form, and **five** complete sets of all the requested drawings and other information to the appropriate DEP or WMD office. Submit the appropriate fee with your application. Application fees are listed in Attachment 3.

### DISTRIBUTION TO THE U.S. ARMY CORPS OF ENGINEERS

When activities are proposed in, on or over wetlands or other surface waters, a copy of the application will be forwarded to the Army Corps of Engineers (ACOE) by the reviewing agency. The ACOE will advise you of any additional information required to obtain a federal dredge and fill permit. It is not necessary for the applicant to submit a separate application to the ACOE. The information requested in this application form may be more than required to make a complete application to the Corps. However, it is useful and essential for subsequent evaluation. Reducing unnecessary paperwork and delays is a continuing Corps goal.

### DISTRIBUTION TO THE DEP FOR STATE LAND APPROVAL

If the applicant checks the box to request authorization to use state owned lands, the WMD will forward a copy of the application to the DEP, which will process the state land approval. Additionally, if at any time during the processing of the application, it appears that the proposed activities may take place on state owned lands, the WMD will send a copy of the application to DEP. For an explanation of state land approval see Attachment 5.

FOR AGENCY USE ONLY

ACOE Application # \_\_\_\_\_ DEP/WMD Application # \_\_\_\_\_  
Date Application Received \_\_\_\_\_ Date Application Received \_\_\_\_\_  
Proposed Project Lat. \_\_\_\_N\_\_\_\_N\_\_\_\_O Fee Received \_\_\_\_\_  
Proposed Project Long. \_\_\_\_N\_\_\_\_N\_\_\_\_O \$ \_\_\_\_\_  
# \_\_\_\_\_  
Fee Receipt

SECTION A

Are any of the activities described in this application proposed to occur in, on, or over wetlands or other surface waters?  yes  no

Is this application being filed by or on behalf of a government entity or drainage district?  
 yes  no

A. Type of Environmental Resource Permit Requested (check at least one)

- Noticed General - include information requested in Section B.
- Standard General (Single Family Dwelling)-include information requested in Sections C and D.
- Standard General (all other projects) - include information requested in Sections C and E.
- Individual (Single Family Dwelling) - include information requested in Sections C and D.
- Individual (all other projects) - include information requested in Sections C and E.
- Conceptual - include information requested in Sections C and E.
- Mitigation Bank Permit (construction) - include information requested in Section C and F.  
( If the proposed mitigation bank involves the construction of a surface water management system requiring another permit defined above, check the appropriate box and submit the information requested by the applicable section. )
- Mitigation Bank (conceptual) - include information requested in Section C and F.

B. Type of activity for which you are applying (check at least one)

- Construction or operation of a new system including dredging or filling in, on or over wetlands and other surface waters.
- Alteration or operation of an existing system which was not previously permitted by a WMD or DEP.
- Modification of a system previously permitted by a WMD or DEP. Provide previous permit numbers. 26-00530-S
  - Alteration of a system  Extension of permit duration  Abandonment of a system
  - Construction of additional phases of a system  Removal of a system

C. Are you requesting authorization to use State Owned Lands.  yes  no  
(If yes include the information requested in Section G.)

D. For activities in, on or over wetlands or other surface waters, check type of federal dredge and fill permit requested:

- Individual  Programmatic General
- General  Nationwide  Not Applicable

E. Are you claiming to qualify for an exemption?  yes  no  
If yes provide rule number if known.



OWNER(S) OF LAND	ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
NAME Lee County	NAME Lee County Environmental Services Division Solid Waste Management
ADDRESS 10500 Buckingham Road	ADDRESS 10500 Buckingham Road
CITY, STATE, ZIP Fort Myers, Florida 33905	CITY, STATE, ZIP Fort Myers, Florida 33905
COMPANY AND TITLE Lee County Government	COMPANY AND TITLE Lee County Government
TELEPHONE (239) 338-3302 FAX (239) 461-4871	TELEPHONE (239) 338-3302 FAX (239) 461-4871
AGENT AUTHORIZED TO SECURE PERMIT (IF AN AGENT IS USED)	CONSULTANT (IF DIFFERENT FROM AGENT)
NAME Rock Aboujaoudé, P.E.	NAME
COMPANY AND TITLE Rock Enterprises, Inc., Pres.	COMPANY AND TITLE
ADDRESS 180 N. Bridge Street, Suite B.	ADDRESS
CITY, STATE, ZIP LaBelle, Florida 33935	CITY, STATE, ZIP
TELEPHONE (863) 612-0011 FAX (863) 612-0014	TELEPHONE ( ) FAX ( )

Name of project, including phase if applicable **Church Road Improvement**

Is this application for part of a multi-phase project?  yes  no

Total applicant-owned area contiguous to the project **54.67** ac

Total project area for which a permit is sought **54.67** ac

Impervious area for which a permit is sought **17.65** ac

What is the total area (metric equivalent for federally funded projects) of work in, on, or over wetlands or other surface waters?

**0** acres **0** square feet **0** hectares **0** square meters

Number of new boat slips proposed. **0**

Project location (use additional sheets, if needed)

County(ies) **Hendry**

Section(s) **13, 14, 15, 16, 21, 22, 23, 24** Township **45S** Range **28E**

Section(s) **17, 18, 19, 20** Township **45S** Range **29E**

Land Grant name, if applicable

Tax Parcel Identification Number

Street address, road, or other location

City, Zip Code if applicable

Describe in general terms the proposed project, system, or activity.

***Modify the existing General Permit to provide for widening the easternmost one mile of Church Road.***

Church Road is located in Sections 13, 14, 15, 16, 21, 22, 23, 24, Township 45S, Range 28E, and Sections 17, 18, 19, 20, Township 45S, Range 29E in Hendry County, Florida. Lee County owns a landfill facility on the north side of the subject road. In an agreement with Hendry County, Lee County agreed to improve Church Road. The nine mile roadway project extends northward from SR82 three miles to a point, and eastward from that point an additional six miles to SR29.

ERP Permit No. 26-00530-S was issued in 1999 and extended in 2004 to construct the eastern 6 miles. Lee County continued to seek roadway right-of-way for the east/west six miles of permitted improvements. It acquired the right-of-way for the construction of the western five miles of new roadway, but was unsuccessful in obtaining the necessary right-of-way for the widening of the eastern one mile of existing roadway. To avoid delay Lee County modified its planned improvement of this one mile section of Church Road. It chose to resurface rather than widen said one mile of roadway, which requires no change of grade or cross-section. This was made the subject of a General Permit Modification which was approved in July 2006. Lee County noted in its application that "the County may construct the widening of [the subject one mile section of the] road at some point in the future, which will require re-modifying this permit to its original intent."

Lee County has obtained the necessary right-of-way to proceed with the road widening of the easternmost one mile of Church Road as originally designed and permitted (5/13/1999), and makes this Application for a General Permit Modification to provide for the construction of same.

If there have been any pre-application meetings, including at the project site, with regulatory staff, please list the date(s), location(s), and names of key staff and project representatives.

**11-20-06 Pre-App (Ft. Myers Office) - Bill Foley, Sr. Eng., and Ed Cronyn, Sr. Env. Analyst**

Please identify by number any MSSW/Wetland resource/ERP/ACOE Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No.\Type of Application	Action Taken
SFWMD	5/13/99	26-00530-S	Const./Operation – Approved
SFWMD	4/14/04	26-00530-S	Permit Extension – Approved
SFWMD	7/19/06	26-00530-S	Permit Mod. – Approved

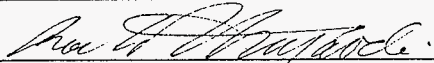
Note: The following information is required **only** for projects proposed to occur in, on or over wetlands that need a federal dredge and fill permit and/or authorization to use state owned submerged lands and is not necessary when applying solely for an Environmental Resource Permit. Please provide the names, addresses and zip codes of property owners whose property directly adjoins the project (excluding applicant). Please attach a plan view showing the owner's names and adjoining property lines. Attach additional sheets if necessary.

1.	2.
3.	4.

By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, and that work prior to approval is a violation. I understand that this application and any permit issued or proprietary authorization issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of my corporation, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant (If no Agent is used) or Agent (If one is so authorized below)

**Rock Aboujaoudé, PE**

By:   
Signature of Applicant/Agent

April 2, 2007  
Date

\_\_\_\_\_  
(Corporate Title if applicable)

**AN AGENT MAY SIGN ABOVE ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:**

I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirement which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

**Keith Howard**

Typed/Printed Name of Applicant

By: 

April 2, 2007  
Date

**Deputy Director, Lee County Solid Waste Division**

(Corporate Title if applicable)

Please note: The applicant's original signature (not a copy) is required above.

**PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:**

I either own the property described in this application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection, the Water Management District and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

**Keith Howard**

Typed/Printed Name of Applicant

By: 

April 2, 2007  
Date

**Deputy Director, Lee County Solid Waste Division**

(Corporate Title if applicable)

**SECTION C**  
**Environmental Resource Permit Notice of Receipt of Application**

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. PLEASE SUBMIT ALL INFORMATION ON PAPER NO LARGER THAN 2' x 3'.

Project Name: Church Road Improvement

County: Hendry

Owner: Lee County

Applicant: Lee County Environmental Services Division

Applicant's Address: 10500 Buckingham Road, Fort Myers, Florida 33905

1. Indicate the project boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); and must be of sufficient detail to allow a person unfamiliar with the site to find it.

**See Attachment C-1, Quad Map**

2. Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve:

**Original application included all wetland references. This request for modification does not impact any wetlands.**

3. Attach a depiction (plan and section views), which clearly shows the works or other facilities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of works.

**See Attachment C-3, Construction Plans.**

4. Briefly describe the proposed project (such as "construct a deck with boatshelter", "replace two existing culverts", "construct surface water management system to serve 150 acre residential development"):

**Applicant seeks to implement the original permit for all 6 east west miles including the eastern one mile of the project. Because applicant was unable to obtain the necessary right-of-way at commencement of construction, it chose to resurface rather than widen said eastern one mile of roadway. This omission was made the subject of a General Permit Modification which was approved July 2006. Having since obtained the necessary right-of-way, applicant now seeks approval to widen said one mile of roadway as originally designed and permitted in May 1999.**

5. Specify the acreage of wetlands or other surface waters, if any, that are proposed to be disturbed, filled, excavated, or otherwise impacted by the proposed activity: **None.**

6. Provide a brief statement describing any proposed mitigation for impacts to wetlands and other surface waters (attach additional sheets if necessary): **Not applicable.**

FOR AGENCY USE ONLY

Application Name:  
Application Number:  
Office where the application can be inspected:

## SECTION E

### INFORMATION FOR STANDARD GENERAL, INDIVIDUAL AND CONCEPTUAL ENVIRONMENTAL RESOURCE PERMITS FOR PROJECTS NOT RELATED TO A SINGLE FAMILY DWELLING UNIT

Please provide the information requested below if the proposed project requires either a standard general, individual, or conceptual approval environmental resource permit and is not related to an individual, single family dwelling unit, duplex or quadraplex. The information listed below represents the level of information that is usually required to evaluate an application. The level of information required for a specific project will vary depending on the nature and location of the site and the activity proposed. Conceptual approvals generally do not require the same level of detail as a construction permit. However, providing a greater level of detail will reduce the need to submit additional information at a later date. If an item does not apply to your project, proceed to the next item. **PLEASE SUBMIT ALL INFORMATION ON PAPER NO LARGER THAN 24" X 36"**.

#### I. Site Information

- A. Provide a map(s) of the project area and vicinity delineating USDA/SCS soil types.

**See, Sheet 36 of 37, Attachment C-3, Construction Plans.**

- B. Provide recent aerials, legible for photo interpretation with a scale of 1" = 400 ft, or more detailed, with project boundaries delineated on the aerial.

**See, Attachment C-3, Construction Plans.**

- C. Identify the seasonal high water or mean high tide elevation and normal pool or mean low tide elevation for each on site wetland or surface water, including receiving waters into which runoff will be discharged. Include dates, datum, and methods used to determine these elevations.

**See previous permit.**

- D. Identify the wet season high water tables at the locations representative of the entire project site. Include dates, datum, and methods used to determine these elevations.

**See previous permit.**

#### II. Environmental Considerations

- A. Provide results of any wildlife surveys that have been conducted on the site, and provide any comments pertaining to the project from the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service.

**Work is proposed in a developed area of Church Road along a segment which is already paved.**

- B. Provide a description of how water quantity, quality, hydroperiod, and habitat will be maintained in on-site wetlands and other surface waters that will be preserved or will remain undisturbed.

**No wetland impacts are anticipated.**

- C. Provide a narrative description of any proposed mitigation plans, including purpose, maintenance, monitoring, and construction sequence and techniques, and estimated costs.

**No additional mitigation is necessary for the proposed modification. Water quality and discharge requirements were met in the original application.**

- D. Describe how boundaries of wetlands or other surface waters were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, a validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.

**See previous permit.**

- E. Impact Summary Tables:

1. For all projects, complete Table 1, 2 and 3 as applicable. **N/A (Tables Attached)**
2. For docking facilities or other structures constructed over wetlands or other surface waters, provide the information requested in Table 4.
3. For shoreline stabilization projects, provide the information requested in Table 5.

### III. Plans

Provide clear, detailed plans for the system including specifications, plan (overhead) views, cross sections (with the locations of the cross sections shown on the corresponding plan view), and profile (longitudinal) views of the proposed project. The plans must be signed and sealed by an appropriate registered professional as required by law. Plans must include a scale and a north arrow. These plans should show the following:

- A. Project area boundary and total land area, including distances and orientation from roads or other land marks;

**See Attachment C-3, Construction Plans. Please note, the original Application was approved based on 90% plans. Attachment C-3, Construction Plans includes the same with plans taken to 100%.**

- B. Existing land use and land cover (acreage and percentages), and on-site natural communities, including wetlands and other surface waters, aquatic communities, and uplands. Use the Florida Land Use Cover & Classification System (FLUCCS)(Level 3) for projects proposed in the South Florida Water Management District, the St. Johns River Water Management District, and the Suwannee River Water Management District and use the National Wetlands Inventory (NWI) for projects proposed in the Southwest Florida Water Management District. Also identify each community with a unique identification number which must be consistent in all exhibits.

**See previous application and permit.**

- C. The existing topography extending at least 100 feet off the project area, and including adjacent wetlands and other surface waters. All topography shall include the location and a description

of known benchmarks, referenced to NGVD. For systems waterward of the mean high water (MHW) or seasonal high water lines, show water depths, referenced to mean low water (MLW) in tidal areas or seasonal low water in non-tidal areas, and list the range between MHW and MLW. For docking facilities, indicate the distance to, location of, and depths of the nearest navigational channel and access routes to the channel.

**See previous application; not proposed to change by this request.**

- D. If the project is in the known flood plain of a stream or other water course, identify the flood plain boundary and approximate flooding elevations; Identify the 100-year flood elevation and floodplain boundary of any lake, stream or other watercourse located on or adjacent to the site;

**N/A**

- E. The boundaries of wetlands and other surface waters within the project area. Distinguish those wetlands and other surface waters that have been delineated by any binding jurisdictional determination;

**See previous application; not proposed to change by this request.**

- F. Proposed land use, land cover and natural communities (acreage and percentages), including wetlands and other surface waters, undisturbed uplands, aquatic communities, impervious surfaces, and water management areas. Use the same classification system and community identification number used in III (B) above.

**See previous application; not proposed to change by this request.**

- G. Proposed impacts to wetlands and other surface waters, and any proposed connections/outfalls to other surface waters or wetlands;

**N/A**

- H. Proposed buffer zones;

**N/A**

- I. Pre and post-development drainage patterns and basin boundaries showing the direction of flows, including any off-site runoff being routed through or around the system; and connections between wetlands and other surface waters;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- J. Location of all water management areas with details of size, side slopes, and designed water depths;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- K. Location and details of all water control structures, control elevations, any seasonal water level regulation schedules; and the location and description of benchmarks (minimum of one benchmark per structure);

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- L. Location, dimensions and elevations of all proposed structures, including docks, seawalls, utility lines, roads, and buildings;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- M. Location, size, and design capacity of the internal water management facilities;

**See, previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- N. Rights-of-way and easements for the system, including all on-site and off-site areas to be reserved for water management purposes, and rights-of-way and easements for the existing drainage system, if any;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- O. Receiving waters or surface water management systems into which runoff from the developed site will be discharged;

#### **Fussel Slough and Cow Slough**

- P. Location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction and all permanent control measures to be implemented in post-development conditions;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**

- Q. Location, grading, design water levels, and planting details of all mitigation areas;

**N/A**

- R. Site grading details, including perimeter site grading;

**See previous application (not proposed to change by this request); and Attachment C-3, Construction Plans.**



- S. Disposal site for any excavated material, including temporary and permanent disposal sites; **N/A**
- T. Dewatering plan details; **N/A**
- U. For marina facilities, locations of any sewage pumpout facilities, fueling facilities, boat repair and maintenance facilities, and fish cleaning stations; **N/A**
- V. Location and description of any nearby existing offsite features which might be affected by the proposed construction or development such as stormwater management ponds, buildings or other structures, wetlands or other surface waters. **N/A**
- W. For phased projects, provide a master development plan. **N/A**

#### IV. Construction Schedule and Techniques

Provide a construction schedule, and a description of construction techniques, sequencing and equipment. This information should specifically include the following:

**The western 5 miles is already under construction and is expected to be completed in July 2007. The Applicant hopes to secure this permit modification prior to July to avoid demobilization. If secured, work will continue until the project is complete.**

- A. Method for installing any pilings or seawall slabs; **N/A**
- B. Schedule of implementation of a temporary or permanent erosion and turbidity control measures; **See Attachment C-3, Construction Plans for erosion and turbidity control notes.**
- C. For projects that involve dredging or excavation in wetlands or other surface waters, describe the method of excavation, and the type of material to be excavated; **N/A**
- D. For projects that involve fill in wetlands or other surface waters, describe the source and type of fill material to be used. For shoreline stabilization projects that involve the installation of riprap, state how these materials are to be placed, (i.e., individually or with heavy equipment) and whether the rocks will be underlain with filter cloth; **N/A**
- E. If dewatering is required, detail the dewatering proposal including the methods that are proposed to contain the discharge, methods of isolating dewatering areas, and indicate the period dewatering structures will be in place (**Note a consumptive use or water use permit may be required**); **N/A**
- F. Methods for transporting equipment and materials to and from the work site. If barges are required for access, provide the low water depths and draft of the fully loaded barge; **N/A**
- G. Demolition plan for any existing structures to be removed; **N/A**
- H. Identify the schedule and party responsible for completing monitoring, record drawings, and as-built certifications for the project when completed.

**As-built drawings will be produced by Lee County; a full set of as-built drawings will be produced concurrently with the work in progress.**

**V. Drainage Information**

- A. Provide pre-development and post-development drainage calculations, signed and sealed by an appropriate registered professional, as follows:

**See previous Application. No change is proposed.**

1. Runoff characteristics, including area, runoff curve number or runoff coefficient, and time of concentration for each drainage basin;
  2. Water table elevations (normal and seasonal high) including aerial extent and magnitude of any proposed water table drawdown;
  3. Receiving water elevations (normal, wet season, design storm);
  4. Design storms used including rainfall depth, duration, frequency, and distribution;
  5. Runoff hydrograph(s) for each drainage basin, for all required design storm event(s);
  6. Stage-storage computations for any area such as a reservoir, close basin, detention area, or channel, used in storage routing;
  7. Stage-discharge computations for any storage areas at a selected control point, such as control structure or natural restriction;
  8. Flood routings through on-site conveyance and storage areas;
  9. Water surface profiles in the primary drainage system for each required design storm event(s);
  10. Runoff peak rates and volumes discharged from the system for each required design storm event(s); and
  11. Tail water history and justification (time and elevation);
  12. Pump specifications and operating curves for range of possible operating conditions (if used in system).
- B. Provide the results of any percolation tests, where appropriate, and soil borings that are representative of the actual site conditions;
- C. Provide the acreage, and percentages of the total project, of the following:
1. impervious surfaces, excluding wetlands, **17.65 Ac.**
  2. pervious surfaces (green areas, not including wetlands), **37.02**
  3. lakes, canals, retention areas, other open water areas, - **N/A**

4. wetlands; - **N/A**

D. Provide an engineering analysis of floodplain storage and conveyance (if applicable), including:

**N/A**

1. Hydraulic calculations for all proposed traversing works;
2. Backwater water surface profiles showing upstream impact of traversing works;
3. Location and volume of encroachment within regulated floodplain(s); and
4. Plan for compensating floodplain storage, if necessary, and calculations required for determining minimum building and road flood elevations.

E. Provide an analysis of the water quality treatment system including:

**See previous Application. No change is proposed.**

1. A description of the proposed storm water treatment methodology that addresses the type of treatment, pollution abatement volumes, and recovery analysis; and
2. Construction plans and calculations that address stage-storage and design elevations, which demonstrate compliance with the appropriate water quality treatment criteria.

F. Provide a description of the engineering methodology, assumptions and references for the parameters listed above, and a copy of all such computations, engineering plans, and specifications used to analyze the system. If a computer program is used for the analysis, provide the name of the program, a description of the program, input and output data, two diskette copies, if available, and justification for model selection.

**See previous Application. No change is proposed.**

## **VI. Operation and Maintenance and Legal Documentation**

A. Describe the overall maintenance and operation schedule for the proposed system.

**Lee County Division of Solid Waste will maintain the roadway in a manner consistent with Public Works' SOP for similar roads.**

B. Identify the entity that will be responsible for operating and maintaining the system in perpetuity if different than the permittee, a draft document enumerating the enforceable affirmative obligations on the entity to properly operate and maintain the system for its expected life, and documentation of the entity's financial responsibility for long term maintenance. If the proposed operation and maintenance entity is not a property owner's association, provide proof of the existence of an entity, or the future acceptance of the system by an entity which will operate and maintain the system. If a property owner's association is the proposed operation and maintenance entity, provide copies of the articles of incorporation for the association and copies of the declaration, restrictive covenants, deed restrictions, or other operational documents that assign responsibility for the operation and maintenance of the system. Provide information ensuring the continued adequate access to the system for maintenance purposes. Before transfer of the system to the operating entity will be approved, the permittee must document that the transferee will be bound by all terms and conditions of the permit.

**Lee County is the maintenance entity for the foreseeable future, but at some future point this responsibility will be transferred to Hendry County per an existing Interlocal Agreement.**

- C. Provide copies of all proposed conservation easements, storm water management system easements, property owner's association documents, and plats for the property containing the proposed system. **N/A**
- D. Provide indication of how water and waste water service will be supplied. Letters of commitment from off-site suppliers must be included. **N/A**
- E. Provide a copy of the boundary survey and/or legal description and acreage of the total land area of contiguous property owned/controlled the applicant.

**See previous Application which is not changed by this modification.**

**VII. Water Use**

- A. Will the surface water system be used for water supply, including landscape irrigation, or recreation. **No.**
- B. If a Consumptive Use or Water Use permit has been issued for the project, state the permit number. **N/A**
- C. If no Consumptive Use or Water Use permit has been issued for the project, indicate if such a permit will be required and when the application for a permit will be submitted. **No.**
- D. Indicate how any existing wells located within the project site will be utilized or abandoned. **N/A**

TABLE ONE: PROJECT WETLAND (WL) AND OTHER SURFACE WATER (SW) SUMMARY

WL & SW ID	WL & SW TYPE	WL & SW SIZE	WL & SW NOT IMPACTED	TEMPORARY WL & SW IMPACTS			PERMANENT WL & SW IMPACTS			MITIGATION ID
				WL & SW TYPE	IMPACT SIZE	IMPACT CODE	WL & SW TYPE	IMPACT SIZE	IMPACT CODE	
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PROJECT TOTALS:		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Church Road

TABLE TWO: PROJECT ON-SITE MITIGATION SUMMARY

WL & SW ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PROJECT TOTALS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

COMMENTS:

CODES (multiple entries per cell not allowed):

Target Type or Type = target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

TABLE THREE: PROJECT OFF-SITE MITIGATION SUMMARY

WL & SW ID	CREATION		RESTORATION		ENHANCEMENT		WETLAND PRESERVE		UPLAND PRESERVE		OTHER	
	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE	AREA	TARGET TYPE
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
PROJECT TOTALS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

COMMENTS:

CODES (multiple entries per cell not allowed):

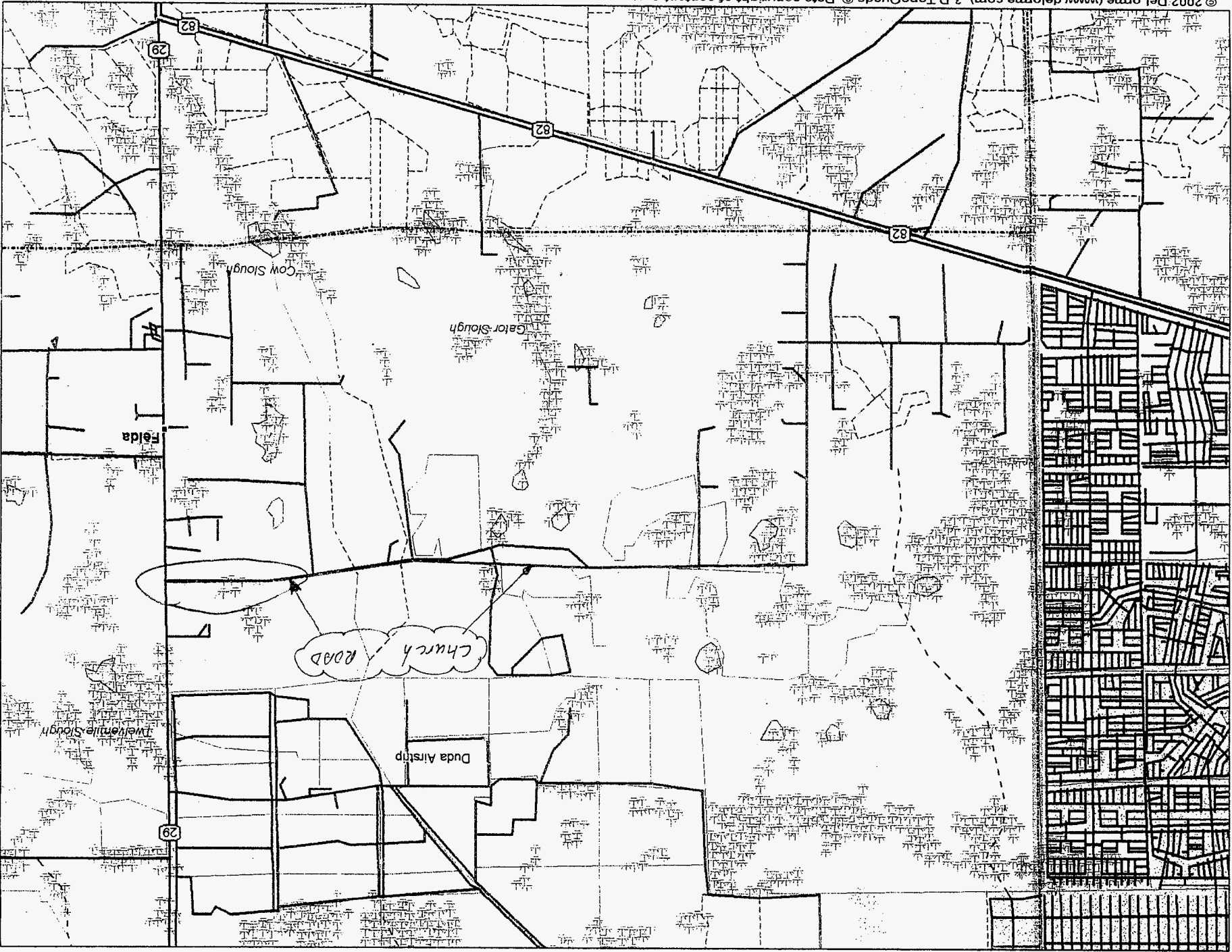
Target Type= target or existing habitat type from an established wetland classification system or land use classification for non-wetland mitigation

*Attachment C-1*

Attachment C-1

Quad Map





7-2

*Attachment C-3*

Attachment C-3

Construction Plans

ROCK HENDRY PERISDC, INC

180 N Bridge Street Suite B LaBelle, FL 33935 Tel: (863) 612-0011 Fax: (863) 612-0014

April 2, 2007

Mr. William Foley, PE, Senior Engineer  
South Florida Water Management District  
Lower West Coast Service Center  
2301 McGregor Boulevard  
Fort Myers, Florida 33901

**Re: General Permit Modification - ERP Permit No. 26-00530-S  
Church Road Improvement, Lee County Government, Applicant  
Sec 13, 14, 15, 16, 21, 22, 23, 24, Township 45, Range 28, and  
Sec 18 and 19, Township 45, Range 29, Hendry County, Florida**

Dear Mr. Foley:

Delivered herewith are the original and four copies of our Environmental Resource Permit Application requesting a General Permit Modification of the captioned permit.

Our original General Permit for Church Road Improvements issued in 1999 included the widening of the existing, easternmost one mile of Church Road by four (4') feet. However, Lee County was having difficulty obtaining the right-of-way easements needed for the roadway widening, and amended the plans to provide for an overlay only of this section of roadway. Accordingly, the General Permit was modified in July 2006 to reduce the total impervious area occasioned by said redesign.

We met on November 20, 2006, to advise that the County has obtained the required right-of-way easements and desires to widen the subject one mile of roadway pursuant to its original design. You advised that we must apply for a General Permit Modification to amend the existing modified Permit because the impervious area is being increased to include the four (4') widening as approved in the original Permit. As such, we enclose our Environmental Resource Permit Application for a General Permit Modification to our existing Permit. All drawings, calculations and mitigation are as originally approved by SFWMD and are incorporated herein by reference.

Please telephone me at (863) 612-0011 or email me at [rock@rockhendry.com](mailto:rock@rockhendry.com) if I may be of any assistance with your review. Thank you.

Sincerely;



Rock Aboujaoudé, PE

Enclosures

cc: Mr. Lindsey Sampson, Director of Lee County Solid Waste Division  
Mr. Shane Parker, Hendry County Engineer