

M E M O R A N D U M

April 11, 2000

TO: DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF LEGAL SERVICES (VAN LEUVEN) *DTV*
RE: DOCKET NO. 000079-SU - COMPLAINT BY SUNSET VENTURES OF
KEY WEST, INC. AGAINST K W RESORT UTILITIES CORP. FOR
DISCONTINUANCE OF SERVICE IN VIOLATION OF SERVICE
AVAILABILITY AGREEMENT IN MONROE COUNTY.

Please place the attached letter dated April 10, 2000, and its
attachments, in the above-referenced docket file.

DTV/lw

Attachment

cc: Division of Water and Wastewater (Rendell)

g:\memorec.dtv

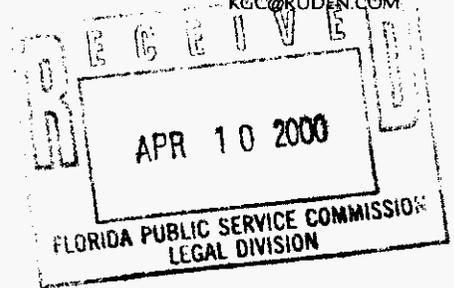
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DOCUMENT NUMBER-DATE
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FPSC-RECORDS/REPORTING

RUDEN
MCCLOSKEY
SMITH
SCHUSTER &
RUSSELL, P.A.
ATTORNEYS AT LAW

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SUITE 815
TALLAHASSEE, FLORIDA 32301

(850) 681-9027
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KGC@RUDEN.COM



April 10, 2000

Hand Delivery

Tyler Van Leuven, Esq.
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 000079-SU
Complaint by Sunset Ventures of Key West, Inc. against K.W. Resort Utilities Corp. for discontinuance of service in violation of service availability agreement in Monroe County.

Dear Mr. Van Leuven:

Enclosed is Sunset Ventures of Key West's response to Staff's information request of February 10, 2000.

1. Sunset Ventures is unsure of when it began transmitting and delivering wastewater to the Utility from the marina dock master building, but it was after the Utility turned on power to lift station #2. DEP approved the wastewater collection/transmission system certificate of completion for the commercial marina on September 8, 1999.
2. To the best of Sunset Ventures' knowledge and belief, the point of delivery is located at the manhole located in the driving range of the golf course (located approximately 225 - 300 yards from Sunset Venture development's property line), which Sunset Ventures believes to be in the Utility's certificated territory.
3. Sunset Ventures is aware of the provisions of Rule 25-30.320(2)(j), F.A.C.
4. Sunset Ventures considers the Contract for Wastewater Treatment to contain two irreconcilable provisions, that is, Sunset was required to pay service availability charges in the amount of \$75,060 for 139 boat slips, but the boat slips are not allowed to have their wastes treated by the Utility. Notwithstanding Sunset's

TAL:31112:1

FORT LAUDERDALE ■ MIAMI ■ NAPLES ■ ST. PETERSBURG ■ SARASOTA ■ TALLAHASSEE ■ TAMPA ■ WEST PALM BEACH

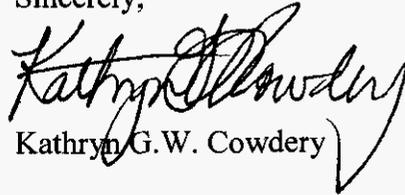
having paid service availability it agreed not to discharge any boat slip waste into the Utility collection system, pending resolution of this complaint.

5. See Attachment "A" (DEP permit authorizing construction and operation of pumpout station at marina), general condition "17."
6. See Attachment "B" (Dates and amount of gallons of the discharge of wastewater from boat slip into collection system occurring between October 25, 1999 and January 16, 2000.)
7. Wastewater has never been delivered from the transmission lines connected to the condominium units to the Utility. At the time wastewater was delivered to the Utility from the transmission line connected to the marina, sales and service, and future restaurant, the wastewater lines had been tested and certified by FDEP. See Attachment "C" (DEP Sept. 8, 1999 (commercial marina) and Jan. 21, 2000 (condominium) approval for use of wastewater collection/transmission system certificate of completion.)
8. Pursuant to the Contract, Sunset Ventures owns and the Utility maintains the collection lines, and lift stations referenced therein. The manhole at the point of delivery on the golf course driving range is owned by the Utility. It was installed at that location prior to the commencement of Sunset's development, and presumably in expectation of receiving wastewater from that project.
9. Sunset does not pay K.W. Resort a fee or maintenance charge because this is the manner in which the developer agreement drafted and presented to Sunset by the Utility. Sunset anticipates that ultimately the facilities referenced will be turned over to the Utility, even though the current developer's agreement does not so provide.
10. Although Sunset has not independently analyzed the service territory of the Utility, it is Sunset's understanding from the Utility that it is not in the existing certificated service territory of K.W. Resort.
11. As stated in the Complaint: "The manhole, which was the point of such discharge, has not been locked and it is impossible to make such discharge."
12. See Attachment "D" (copies of the building permits for each condominium building and the clubhouse.) No building permit has been issued for the restaurant.
13. See Attachment "E" (copy of certificate of occupancy for condominium unit 4.)

Letter to Tyler Van Leuvei.
April 10, 2000
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Please let me know if you have any additional questions.

Sincerely,



Kathryn G.W. Cowdery

KGWC/ldv
Enclosures

cc: John Jenkins (w/enc.)

RECEIVED

JUN - 5 1995

Olsen Associates, Inc.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

C E R T I F I E D

In the Matter of an
Application for Permit by:

Norman Wood and Mr. Bernie Papy, Jr.
c/o Erik J. Olsen, P.E.
Olsen Associates, Inc.
4438 Herschel Street
Jacksonville, Florida 32210

DEP File No. 442341799
Monroe County

Enclosed is Permit Number 442341799, issued pursuant to Chapters 373 and 403, Florida Statutes.

Any party to the Order (Permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION


Virginia B. Wetherell, Secretary

Attachment "A"

Notice of Final Permit
Norman Wood and Mr. Bernie Papy, Jr.
Permit No. 442341799
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CC:

Gordon Romeis, DEP, South District
Florida Marine Patrol
U.S. Army Corps of Engineers, Jacksonville
Game and Fresh Water Fish Commission
Submerged Lands and Environmental Resources Permit File
Leigh O'Shields, DEP, State Lands
Monroe County Property Appraiser

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed to the listed persons before the close of business on this 31 day of May, 1995.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Camela A. Rudolph 5/31/95
Clerk Date



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

PERMITTEE:

Norman Wood & Mr. Bernie Papy, Jr.
c/o Erik J. Olsen, P.E.
Olsen Associates, Inc.
4438 Herschel Street
Jacksonville, Florida 32210

Permit Number 442341799
Date of Issue: 05/31/95
Expiration Date: 05/31/2008
County: Monroe
Project: Wetland Resource
8 years

This permit is issued under the provisions of Chapters 373 and 403, Florida Statutes, Public Law 92-500, Title 17, and Rule 62-312, Florida Administrative Code. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

PROJECT DESCRIPTION:

To construct a 139 fixed slip commercial marina and remove upland berms to connect four man-made basins (A, B, C and D), by:

1. Grading the 0.2 ac. fill berm between Cow Key Channel and Basin A to elevation -1.5 ft. NGVD;
2. Removing 0.06 ac. of fill berms to elevation -0.9 ft. NGVD to connect a currently impounded mangrove basin adjacent to Basin A to Cow Key Channel;
3. Removing 0.165 ac. of fill berm, including 0.27 ac. of mangroves, to elevations -5.0 to -8.0 ft. NGVD, to connect Basins A and B, and installing a bridge (100 ft. long by 30 ft. wide) or a multiple box culverted road;
4. Grading a 0.21 ac. fill spit, including .07 ac. of mangroves, within Basin B to elevation -0.8 ft. NGVD, to enhance flushing within the basin;
5. Dredging 0.46 ac. in Basin B to -8.0 ft., NGVD, and using this material to fill 0.59 ac. of submerged bottoms within the same basin to an elevation of -8.0 ft. NGVD.
6. Placing 250 linear ft. of filter cloth and clean riprap (3:2 slope) along the eastern shore of Basin B;
7. Removing 0.48 ac. of the fill berm and 0.09 ac. of mangroves between Basins B and C, (0.43 ac. to elevation -8.0 ft. NGVD and 0.05 ac. to elevation - 1.3 ft. NGVD) to allow navigation and improve flushing between both basins;
8. Dredging 0.65 ac. in Basin C to -8.0 ft., NGVD, and filling the two existing boat ramps (0.2 ac. of fill);

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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9. Removing all pilings and docks from the existing marina in Basin C;
10. Repairing or replacing 660 linear feet of existing bulkhead in Basin C, and placing 660 linear ft. of filter cloth and clean riprap (3:2 slope) at the toe of the marina bulkhead;
11. Constructing 13 floating piers with 2 boardwalks in two basins (B and C) for a total of 139 fixed boat slips, and installing 69 pilings for mooring;
12. Constructing two floating breakwaters; and
13. Removing not greater than 0.26 ac. of the western and northern upland berms of Basin D to surrounding depths to make it intertidal.

PROJECT LOCATION:

The project site is located by man-made basins north of Junior College Road on Stock Island, City of Key West, Monroe County, Section 27, Township 67 South, Range 25 East, adjacent to Florida Bay, which is Class III Outstanding Florida Waters (Florida Keys Special Waters).

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have

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been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for

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any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 17-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500).

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the

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application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used; and
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Environmental Protection under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Florida Administrative Code Rule 16Q-14, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.

2. If historical or archaeological artifacts, such as Indian canoes, are discovered at any time within the project site the permittee shall immediately notify the district office and the Bureau of Historic Preservation, Division of Historical Resources, R. A. Gray Building, 500 S. Bronough St., Tallahassee, Florida 32399-0250.

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3. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources in Tallahassee, and the South District office in Fort Myers, in writing of this commencement.

4. All reports, notifications, and documentations required by the specific conditions or monitoring section of this permit shall be submitted to the Department's Bureau of Submerged Lands, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 (904-488-0130) with a copy to the Department's South Florida District Office, 2295 Victoria Avenue, Fort Myers, Florida 33901 (813-332-6975).

5. Prior to the commencement of any construction authorized by this permit, double floating turbidity curtains with weighted skirts extending to the bottoms shall be properly installed at the entrance of each of the basins where work will be done to isolate adjacent waters from the work area. The floating turbidity curtains shall remain in place, be inspected daily and be maintained in good working order until the proposed work within each of the basins is complete, and turbidity levels in the project area are within 29 NTUs of background levels.

The following measures shall be taken immediately by the permittee whenever turbidity levels within waters of the State surrounding the project site exceed State water quality standards established pursuant to Rule 62-302, F.A.C.:

- a. Cease all work contributing to the water quality violation.
- b. Stabilize all exposed soils contributing to the violation, modify the work procedures that were responsible for the violation, install more turbidity containment devices if necessary and repair any non-functioning turbidity containment devices.
- c. Notify the Department's South District office in Ft. Myers within 24 hrs. of the time the violation is first detected.

6. Grading of the berms in Basins A, B, C and D and removal of the existing dry slip and boat maintenance facilities shall be completed prior to the commencement of construction of the new docking facilities. Upon completion of this work, the permittee shall notify the Department.

7. The adjacent uplands that support the dry slip and boat maintenance facilities do not currently have any stormwater treatment. The permittee shall provide for stormwater treatment for this area as part of marina re-design. No work authorized by this permit shall commence until the stormwater treatment retrofit

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plan has been approved by either the South Florida Water Management District or the Department and has been fully constructed and functional. The permittee shall notify the Department of compliance with this condition.

8. The 0.46 ac. area of basin B and 0.65 ac. area of basin C shall be dredged with a backhoe. The 0.59 ac. deep area of Basin B shall be filled only with the material dredged from this basin. All other spoil resulting from this activity shall be deposited in a self-enclosed upland spoil disposal area. There shall be no discharge from the upland spoil area to waters of the state.

9. Removal of existing pilings shall be accomplished by pulling or cutting at the sediment level. The existing piling, decking and other material shall be deposited in an approved upland disposal site. All new pilings shall be driven into augured holes. The placement of pilings by any other method is specifically not authorized by this permit.

10. At least 30 days prior to construction, the permittee shall arrange for a site inspection by Department staff to verify that the proposed access walkway alignments in Basins B and C avoid the seagrass beds and are located in gaps within the mangrove fringe. The alignments shall be adjusted as necessary to avoid impacts to seagrasses and mangroves. The final alignment of these docks shall be shown on 8 1/2 by 11 inch drawings, signed and sealed by a professional engineer. The drawings shall be submitted to the Department prior to any construction of the access walkways.

11. Construction of the access walkways shall be accomplished by the use of land-based equipment, while construction of the dock, observation decks and finger piers shall be accomplished with barge-based equipment. No dredging for barge access is authorized by this permit.

12. The restoration of the berms to wetland or submerged grade shall be conducted in a manner to avoid impacts to the mangroves proposed to be preserved, as shown on the attached permit drawings (10 of 26, 16 of 26 and 25 of 26). Only small-scale mechanical equipment and hand operated tools may be used for this work. The berms around basin D shall not be removed in entirety in order to prevent potential turbidity violations in adjacent water bodies and no mangroves shall be impacted in association with the basin D berm removal.

13. The floating concrete breakwaters shall include navigation lighting, as shown on sheet 20 of 26 of the attached permit drawings. The lights shall be operational prior to any slip occupancy and shall remain operational for the life of the facility, in order to provide navigational safety.

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14. Over-water fish cleaning facilities or disposal of the fish wastes in the water shall be prohibited at the marina for the life of the facility.

15. Boat maintenance or repair activities requiring removal of a vessel from the water or removal of any major portions of the vessel, including the engine, for purposes of routine repair or maintenance on site, shall be prohibited for the life of the facility, except where removal is necessitated by emergency conditions which have resulted or can result in the sinking of a vessel. Specifically prohibited shall be any discharges of oils or greases associated with engine and hydraulic repairs, and the discharge and release of metal-based bottom paints associated with hull scraping and cleaning. Minor repairs and boat maintenance that cannot cause or contribute to the release of water pollutants, performed by owners or qualified marine service personnel, shall be allowed.

16. Navigation between basins A and B shall be prohibited and precluded by the installation of a chain barrier or similar mechanism at this location. The barrier must remain in place in perpetuity.

17. Prior to any new slip occupancy, a sewage pumpout station shall be constructed, installed, and connected to a regional wastewater treatment facility. The sewage pumpout system shall be operational for the life of the facility and shall be available for use by the general public.

18. The proposed fueling facility shall be constructed as shown on Sheet 20 of 26 of the attached permit drawings. The fuel spill contingency plan included as attachment to this permit shall govern the operation of the proposed fueling facilities and the procedures to be followed in the event of a spill. The fuel spill response equipment referenced in Attachment A shall be maintained as on-hand inventory at the site throughout the life of the facility. The dockmaster shall be trained in the use and deployment of the equipment and shall be responsible for marina staff receiving training in the use and deployment of all fuel spill equipment.

19. No liveaboards shall be allowed to dock at the marina for the life of the facility. A liveboards shall be defined as a vessel docked at the facility that is inhabited by a person or persons for any two consecutive days or a total of seven days within a 30 day period.

20. The permittee shall adhere to the following conditions to provide protection to manatees during construction and operation of the facility:

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- a. The permittee shall ensure that the contractor instructs all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees.
- b. The permittee shall ensure that all construction personnel are advised that there are civil and criminal penalties for harming, harassing or killing manatees, which are protected under the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, and the Florida Manatee Sanctuary Act. The permittee and/or contractor shall be held responsible for any manatee harmed, harassed or killed as a result of construction activities.
- c. Floating turbidity curtains shall be made of materials in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entrapment. These screens shall not block manatee entry to or exit from essential habitat.
- d. The permittee shall ensure that all vessels associated with the project operate at "no wake/idle" speeds at all times while in water, where the draft of the vessel provides less than a four foot clearance from the bottom and that vessels shall follow routes of deep water whenever possible.
- e. The permittee shall ensure that all construction activities in open water cease upon the sighting of a manatee(s) within 100 yards of the project area. Construction activities shall not resume until the manatee(s) has departed the project area.
- f. The permittee shall ensure that any collision with and/or injury to a manatee is reported immediately to the Florida Marine Patrol (1-800 DIAL-FMP) and to the U.S. Fish and Wildlife Service, Vero Beach Field Office (407/562-3909).
- g. Prior to commencement of construction each vessel involved in the construction shall display in a prominent location, and visible to the operator, a 3 ft. by 4 ft. temporary placard reading, "Manatee Habitat/Idle Speed in Construction Area". In the absence of a vessel the placard shall be located prominently adjacent to the issued construction permit. A second temporary 3 ft. by 4 ft. placard reading, "Warning: Manatee Area" shall be posted in a location prominently visible to water related construction crews. A temporary construction sign sheet (temporary notices are constructed by the permittee) is attached to this permit. Temporary notices may be removed by the permittee upon completion of construction.

- h. The permittee shall ensure that the contractor maintains a log detailing sightings, collisions, or injuries to manatees should they occur during the contract period. No later than 30 days after project completion, a report summarizing incidents and sightings shall be submitted to the Florida Department of Environmental Protection, Marine Research Institute, Office of Protected Species Research, 100 Eighth Avenue, Southeast, St. Petersburg, Florida 33701-5095; to the U.S. Fish and Wildlife Service Office, 3100 University Boulevard, Jacksonville, Florida 32216, and to the Bureau of Wetland Submerged Lands and Environmental Resources (Attn.: Compliance) in Tallahassee.
- i. Permanent manatee awareness signs that read "Caution: Manatee Area" shall be installed and maintained at the docking facilities. Prior to the docking facilities beginning operations, the permittee shall send a project site plan to the FDEP Marine Mammals Section (address above). FDEP will then specify on the site plan permanent locations for the "Caution: Manatee Area" and the "Information Display" signs.
- j. The permanent "Caution: Manatee Area" and "Information Display" signs shall be 3 ft. by 4 ft., 125 gauge 61TS aluminum, covered with white, engineer grade, reflecting sheeting with black screened lettering and design, and orange, engineer grade, reflective circle and border (see enclosed sheets). These signs shall conform to the Florida Uniform Waterway Marking System in accordance with Section 327.40-1, F.S. The installation of these signs shall be made in accordance with the FDEP specifications for such signs.
- k. The permittee shall ensure that a permanent "Information Display" consisting of two signs ("West Indian Manatee Fact Sheet" and "Manatee Basics for Boaters" - copies of both signs enclosed) is installed prior to mooring occupancy at a prominent location (facing land) to increase the awareness of boaters using the facility of the presence of manatees and of the need to minimize the threat of boats to these animals. The number of "Information Displays" (sets) required will depend on the docking facility design. Permanent "Information Display" locations will be specified by FDEP personnel when permanent sign locations are designated (i. above). A list of suppliers of the "Information Displays" will be forwarded with permanent site plans. The "Information Display" signs remain the responsibility of the owner(s) and are to be maintained for the life of the docking facility in a manner acceptable to FDEP.

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1. Verification that permanent signs have been installed at designated locations shall be provided to FDEP Protected Species Management (address above) and a copy to the Bureau of Submerged Lands and Environmental Resources (Attn.: Compliance) in Tallahassee, before the marina facility begins operations. Signs and pilings remain the responsibility of the owner(s) and are to be maintained for the life of the facility in a manner acceptable to FDEP.

21. Within 30 days of permit issuance, the permittee shall enter into a binding long-term agreement with the Department, using the document attached to this permit. This agreement shall evidence the obligation of the permittee to comply with Specific Condition Nos. 13, 14, 15, 16, 17, 18, 19, 20j, 20k and 20l for the life of the facility, notwithstanding the fact that this permit will expire in 8 years. This agreement shall be submitted to the Department for final review and execution. Upon written approval by the Department, the fully executed agreement shall be recorded by the permittee in the Public Records of Monroe County, and proof of its recording shall be submitted to the Department within 60 days of permit issuance.

MONITORING REQUIRED:

Type: Turbidity, NTU's

Frequency: Daily during dredging, filling and in-water construction until work is finished and turbidity levels in compliance at which time the screens may be removed.

Locations:

Background: At least 150 meters from the work areas, outside of any influence of this project, at mid-depth

Compliance: No more than 10 meters outside the turbidity screen, adjacent to the work site, at mid-depth, in the most dense portion of the turbidity plume, in any.

All monitoring data shall be submitted within one week of analysis with documents containing the following information: (1) permit number; (2) dates of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) a map indicating the sampling locations; (5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data; and (6) documentation that the laboratory performing the sampling and analyses has an approved quality control and assurance plan on file with the DEP.

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Monitoring reports shall also include the following information for each sample that is taken:

- (a) time of day samples taken;
- (b) depth of water body;
- (c) depth of sample;
- (d) antecedent weather conditions;
- (e) tidal stage and direction of flow; and
- (f) wind direction and velocity.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at the compliance site greater than background (for those activities contiguous with the OFW) or 29 NTU's of background turbidity levels (for those activities totally within the man-made basins), construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the Department's SLER Program, South District office in Ft. Myers and Marathon Branch office.

Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. When submitting this information to the DEP, please clearly include, at the top of each page or as a cover page to the submittal: "This information being provided in fulfillment of the monitoring requirements in Permit No. 442341799".

Recommended by

Constance Berek

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Virginia B. Wetherell for
Virginia B. Wetherell, Secretary

_____ pages attached.

MAKINA SPORTS CLUB FACILITY

INDEX

THE JOINT APPLICATION FOR
DREDGE & FILL PERMIT FOR WOOD/PAPY
(Formerly Permit No. 441029069)

<u>SHEET</u>	<u>TITLE</u>
1	Index
2	Regional Map
3	Location Map
4	Boundary Survey
5	Existing Mangroves/Wetlands
6	Proposed Cut & Fill, Overall Site Plan
7	Proposed Water Use Plan
8	Existing Conditions, Area "A"
9	Proposed Conditions, Area "A"
10	Proposed Berm Modifications, Area "A"
11	Proposed Bridge at Grade, Details
12	Existing Conditions, Area "B"
13	Proposed Conditions, Area "B"
14	Proposed Section Views, Area "B"
15	Proposed Stabilization Detail, Area "B"
16	Proposed Berm Modifications Details, Area "B"
17	Marina Facility, Overall Plan, Area "B"
18	Existing Conditions, Area "C"
19	Proposed Conditions, Area "C"
20	Marina Facility, Overall Plan, Area "C"
21	Typical Floating Dock Section
22	Floating Breakwater Schematic
23	Existing and Proposed Bulkhead Conditions, Area "C"
24	Existing Conditions, Area "D"
25	Proposed Conditions, Area "D"
26	Proposed Sections Views, Area "D"

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SUB. LANDS & ENV. RES.

S 27/Twn 67S/Rge 25E

City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: Index

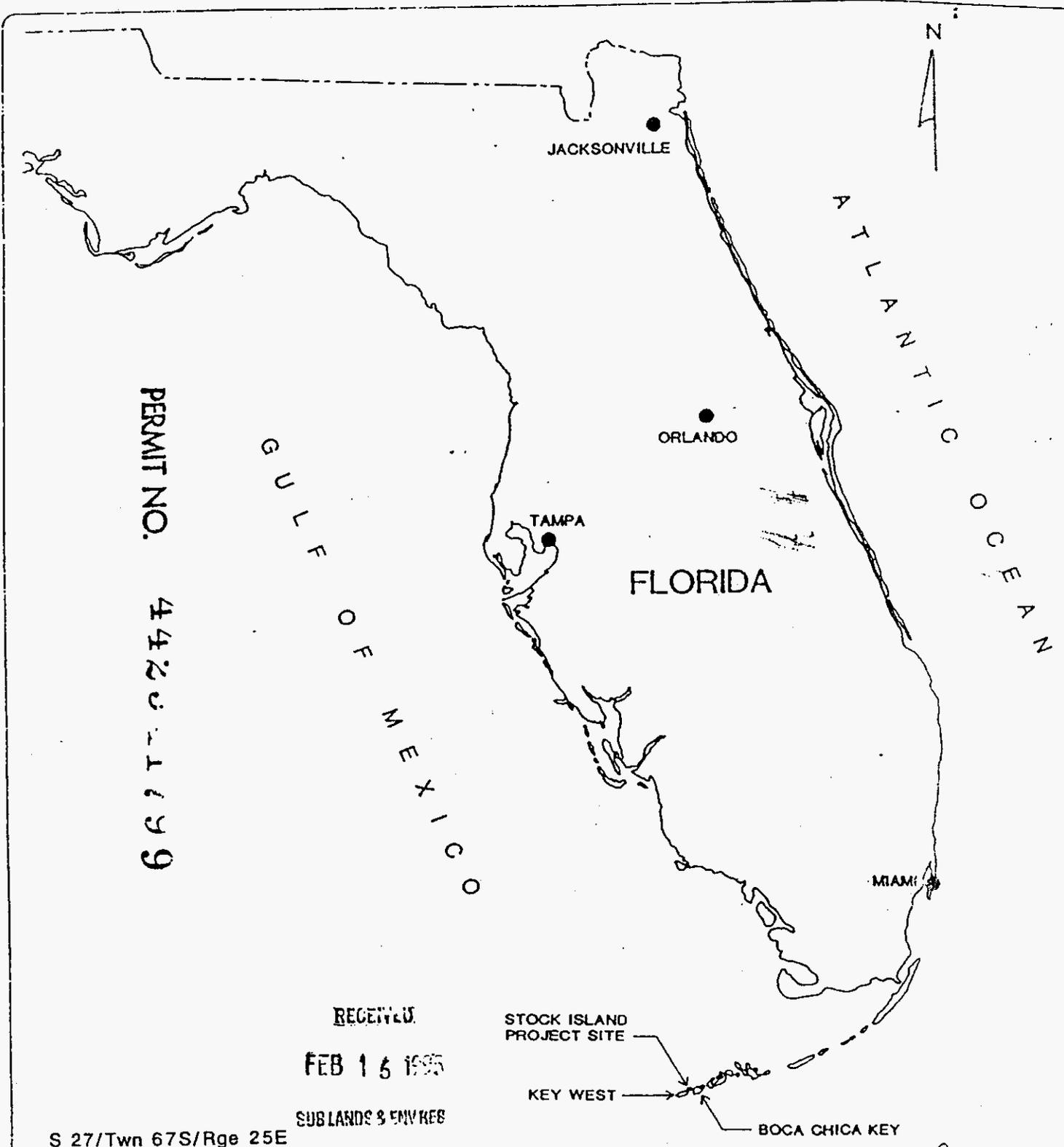
Sheet: 1/26 Rev.1 2/94 Date: 11/93

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SUBLANDS & ENV RES

[Handwritten Signature]
DEC 9 - 1994



PERMIT NO. 4420-1-99

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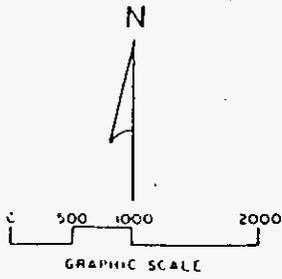
STOCK ISLAND PROJECT SITE

KEY WEST

BOCA CHICA KEY

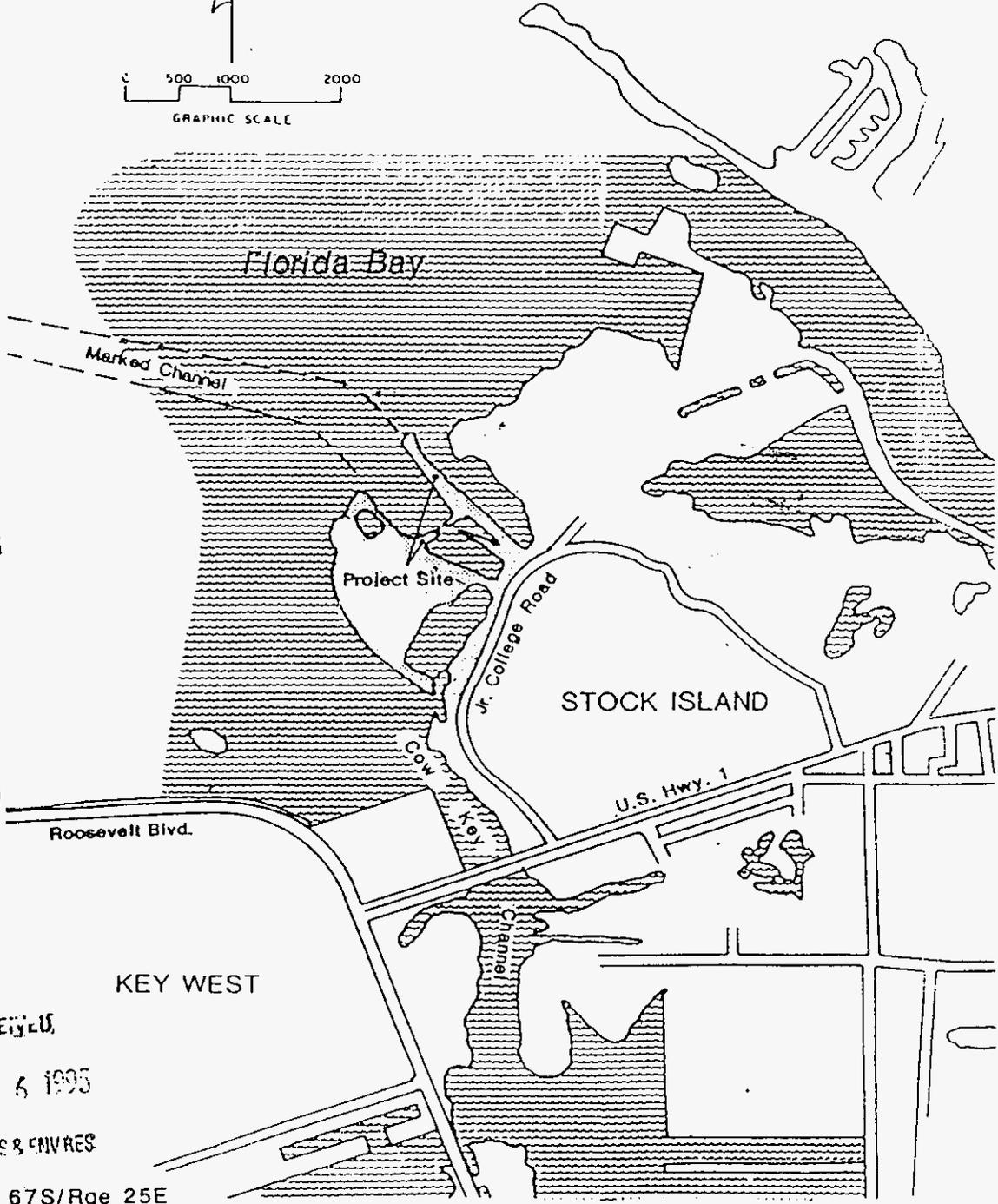
City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: REGIONAL MAP
 Sheet: 2/26
 Rev. Date: 11/93

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442341799

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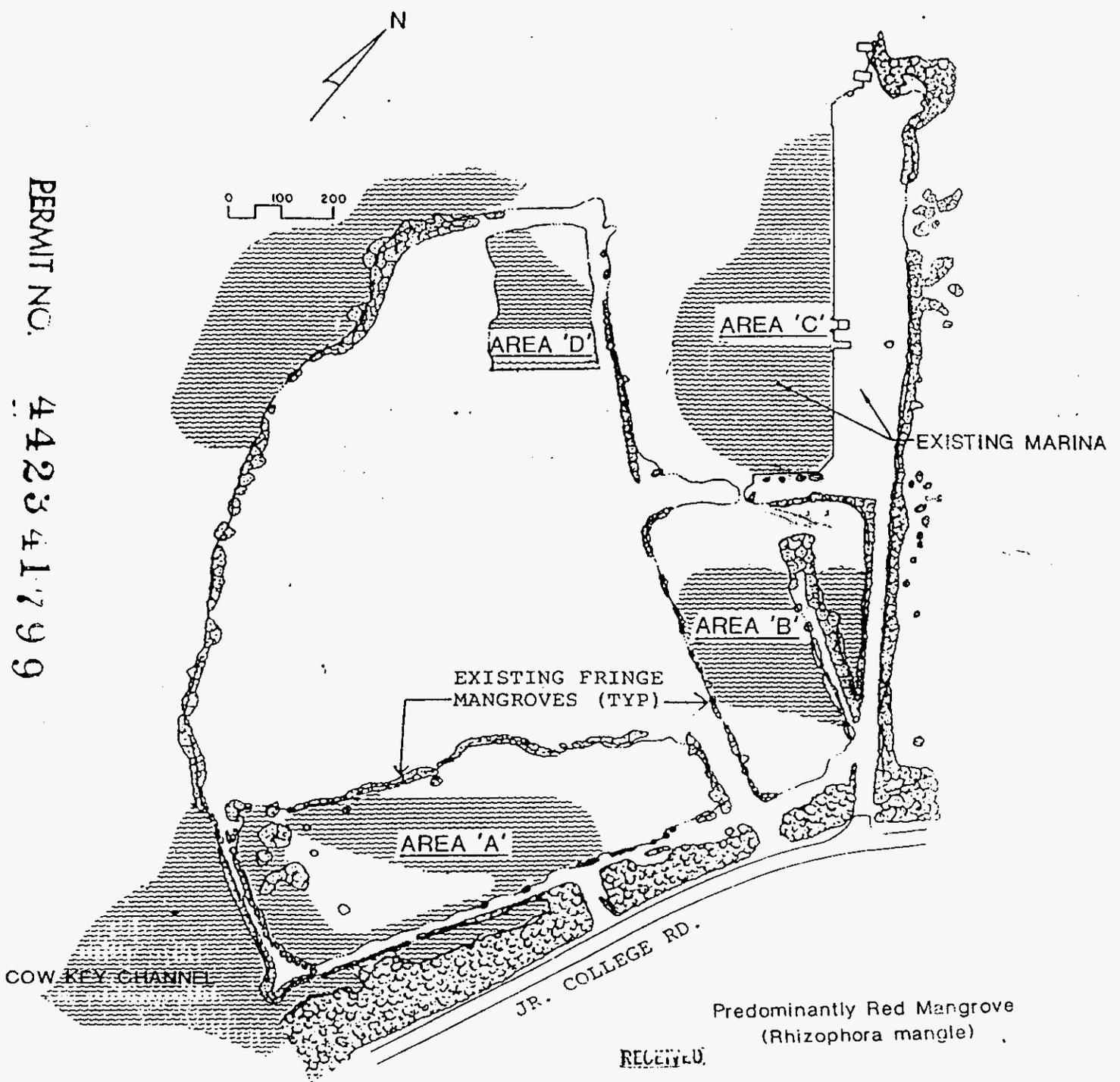
S 27/Twn 67S/Rge 25E

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: LOCATION MAP
 Sheet: 3/26

Rev. 1
 Date: 11/93

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PERMIT NO. 442341799



Predominantly Red Mangrove (Rhizophora mangle)

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SUBLANDS & ENVRES

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City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: EXISTING MANGROVES/WETLANDS

Sheet: 5/26

Rev. 1
 Date: 11/93

Rev 2.-2/94

LEGEND:

CUT

FILL

EXIST. SHORELINE

N

0 100 200

PERMIT NO. 442341799

Modify all berms FOR FLUSHING

EBB

FLOOD

D

C

PROPOSED CUT FOR MARINA

REHABILITAT. EXISTING BULKHEAD

FILL IN BOAT RAMPS

PROPOSED CUT

Fill deep areas

PROPOSED CUT FOR MARINA

PROPOSED CUT FOR LOW BRIDGE

PROPOSED CUT FOR WETLANDS ENHANCEMENT

B

A

Berm Modification FOR FLUSHING

Berm Removal
JR. COLLEGE RD.

COW KEY CHANNEL

SEE OTHER SHEETS FOR DETAIL IN RELEVANT AREAS AND SUMMARY SHEET FOR CUT AND FILL QUANTITIES

City of Key West, Monroe County, Florida
Applicant: Wood/PAPY
Title: PROPOSED CUT AND FILL, OVERALL SITE PLAN

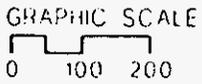
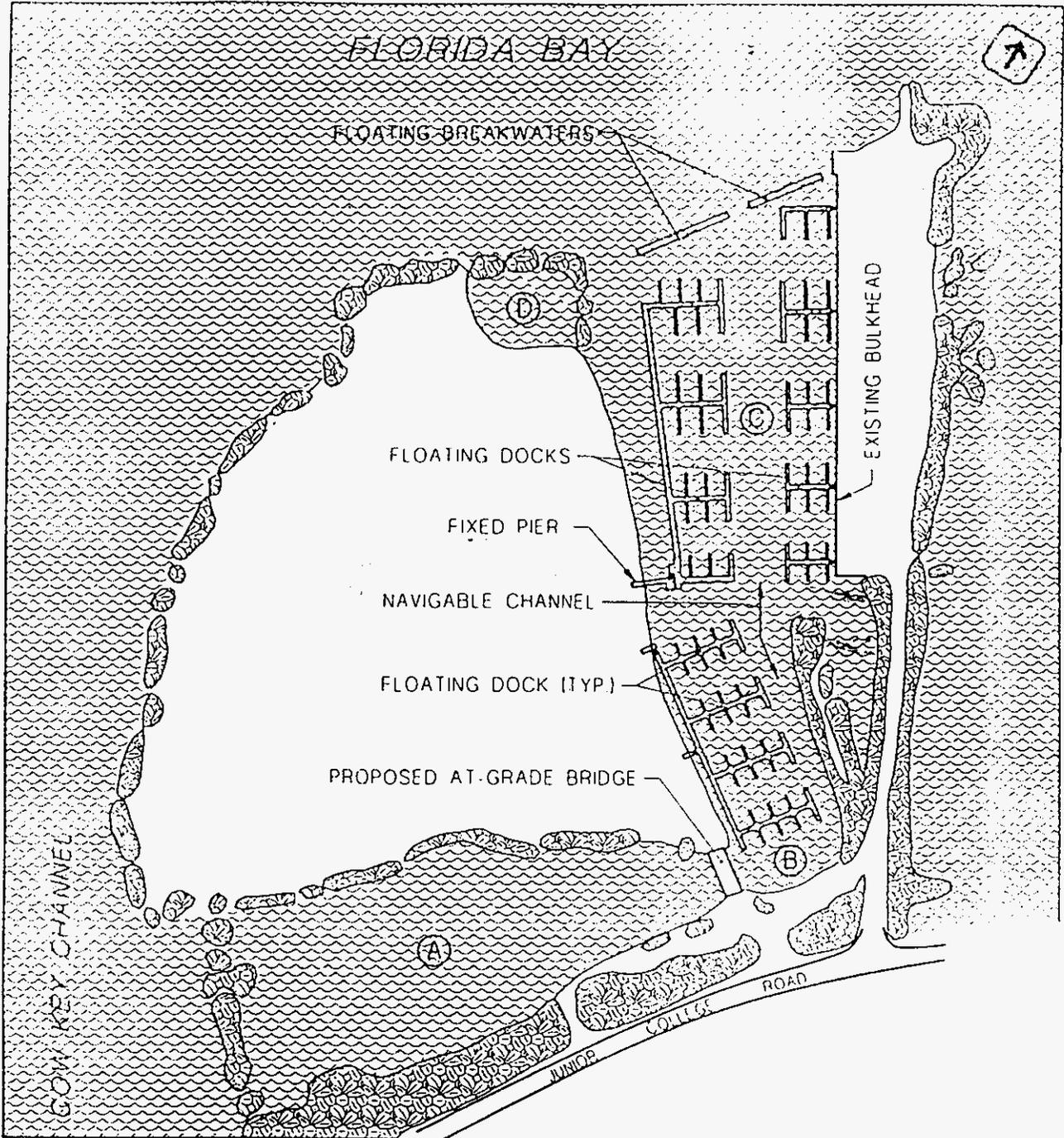
Sheet: 6/26

Rev. 1
Date: 11/93

Rev. 2(3/95)

MAR 21 1995

PERMIT NO. 442341799



S 27/Twn 67S/Rge 25E

City of Key West, Monroe County, Florida
Applicant Wood/Papy
Title Proposed Water Use Plan

Sheet 7/26

Rev. Date. 12/94

Rev 3

Date. 11/94

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SUB LAND & ENV RES

[Handwritten Signature]
DEC 9 1994

1994

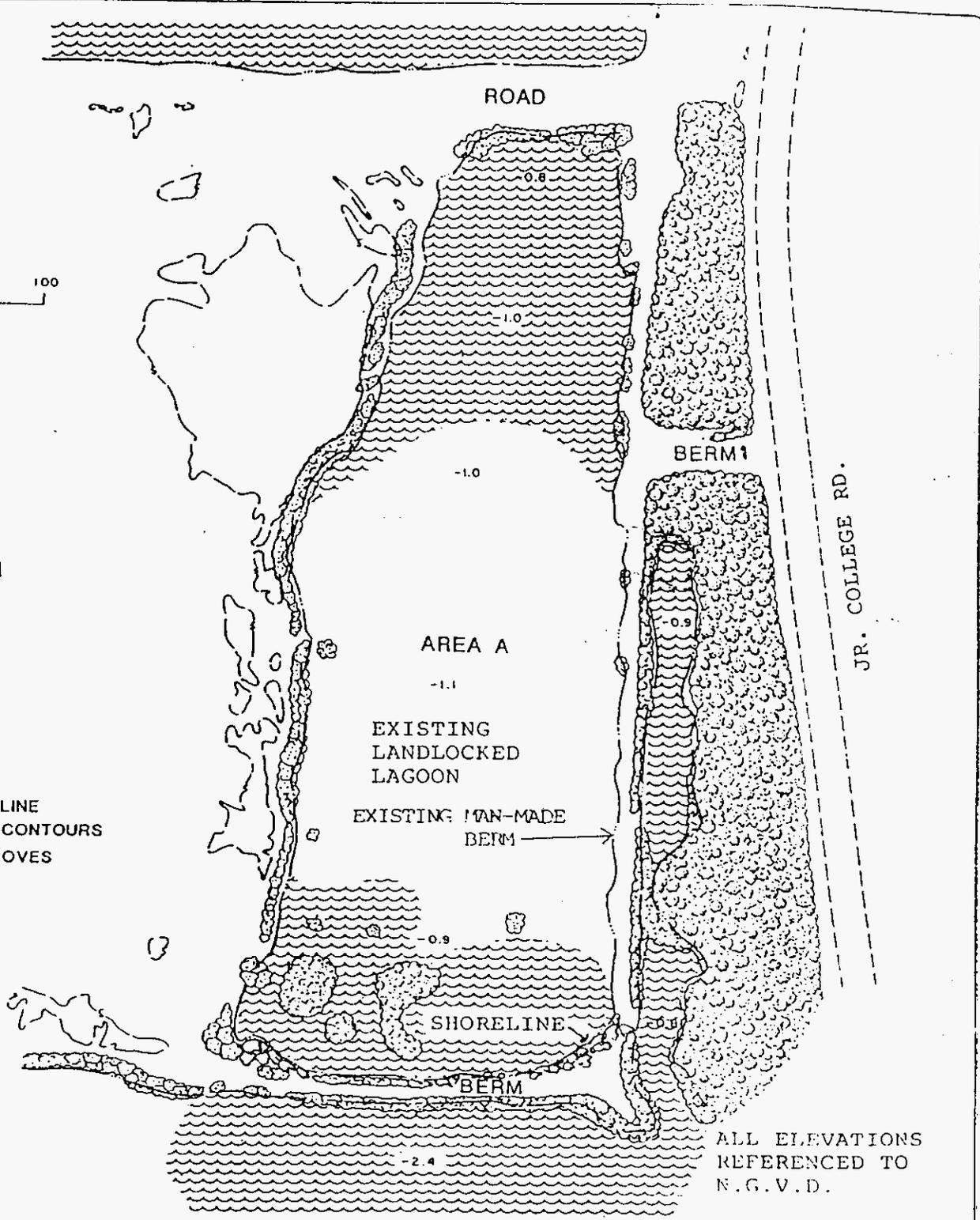
PERMIT NO. 442341799



TIDAL DATUM
MHW +0.64
NGVD 0.0
MLW -0.18

LEGEND:

- SHORELINE
- EXIST. CONTOURS
- MANGROVES



ALL ELEVATIONS REFERENCED TO N.G.V.D.

City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: EXISTING CONDITIONS, AREA 'A'

Sheet: 8/26

Rev. Date: 11/93

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SEE SHEET FOR
DETAIL OF CUT

100' Of Berm, Removed

JR. COLLEGE RD.

REMOVE
EXISTING
BERM

AREA A

EXISTING DEPTHS
TO REMAIN
UNDISTURBED

OPEN LAGOON
TO COW KEY
CHANNEL

REMOVE EXISTING
BERM DOWN TO

ADJACENT BOTTOM
DEPTHS



PERMIT NO.

442341799

LEGEND:

-  CUT
-  FILL

-  SHORELINE
-  EXISTING CONTOUR
-  PROPOSED CONTOUR

Proposed dredge and fill for The Village at Key West Resort
 City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED CONDITIONS, AREA 'A'

Sheet: 9/26

Rev.
Date: 11/93

[Handwritten Signature]
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FEB 16 1995

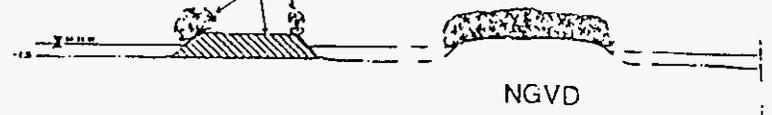
REMOVE BERM DOWN TO ADJACENT
BOTTOM DEPTHS IN ORDER TO
PERMIT FLUSHING OF LAGOON

Section A-1

LEGEND:

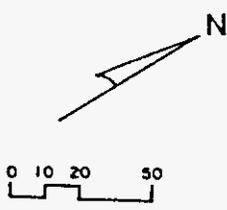
- ☐ CUT
- 🌿 MANGROVE

- - - EXISTING SHORELINE
- — — PROPOSED SHORELINE

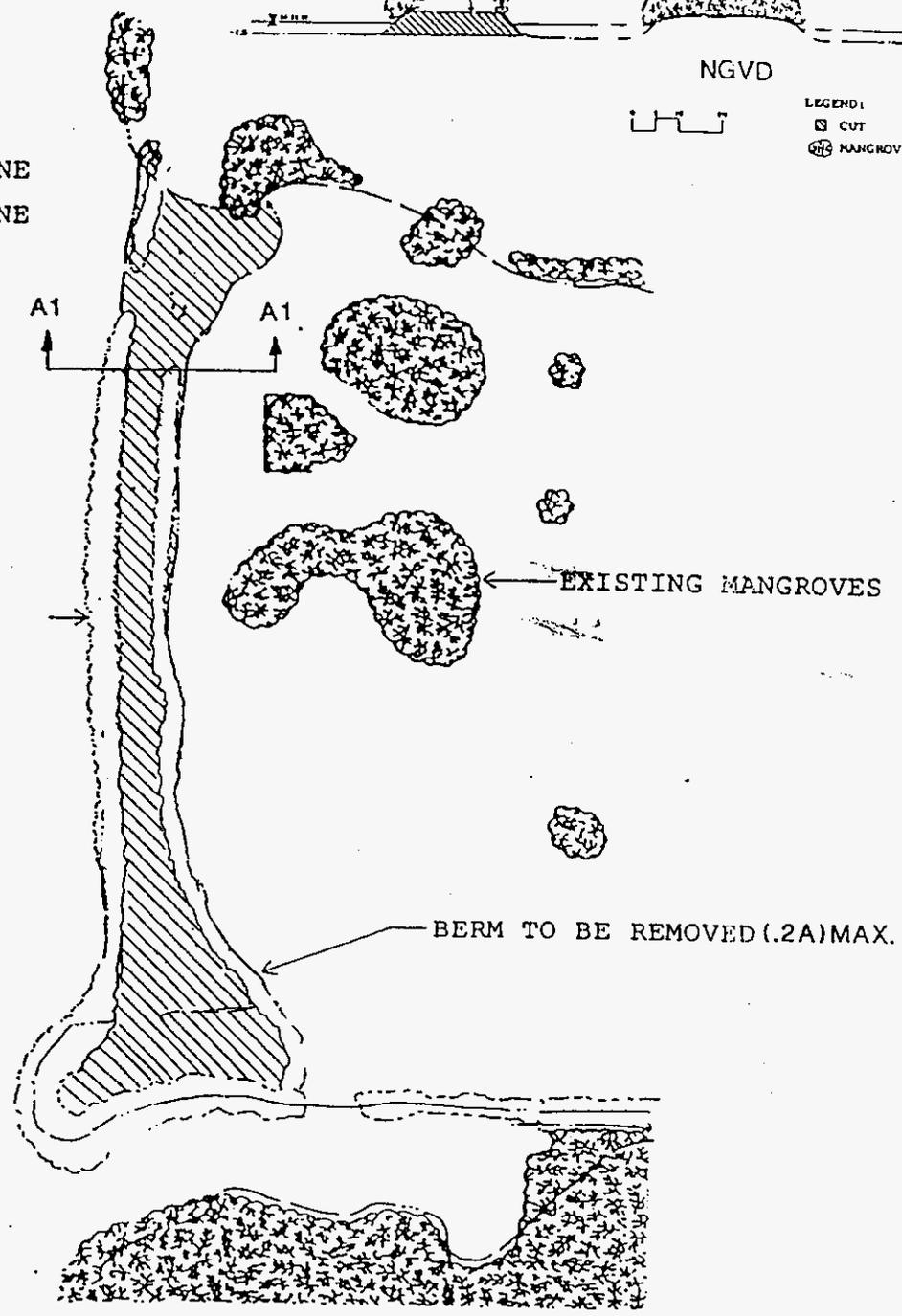


- ☐ CUT
- 🌿 MANGROVE

PERMIT NO. 442341155



MANGROVES TO REMAIN



City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title:

Sheet: 10/26

Rev. 2.-2/94

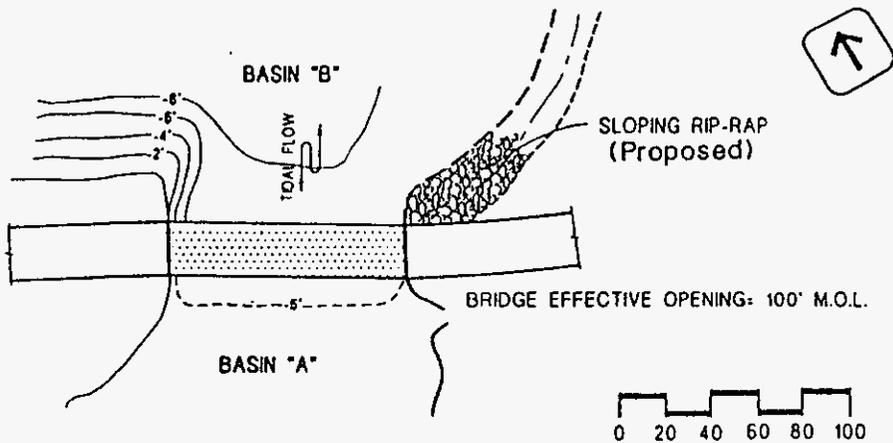
Rev. 1
Date: 11/93

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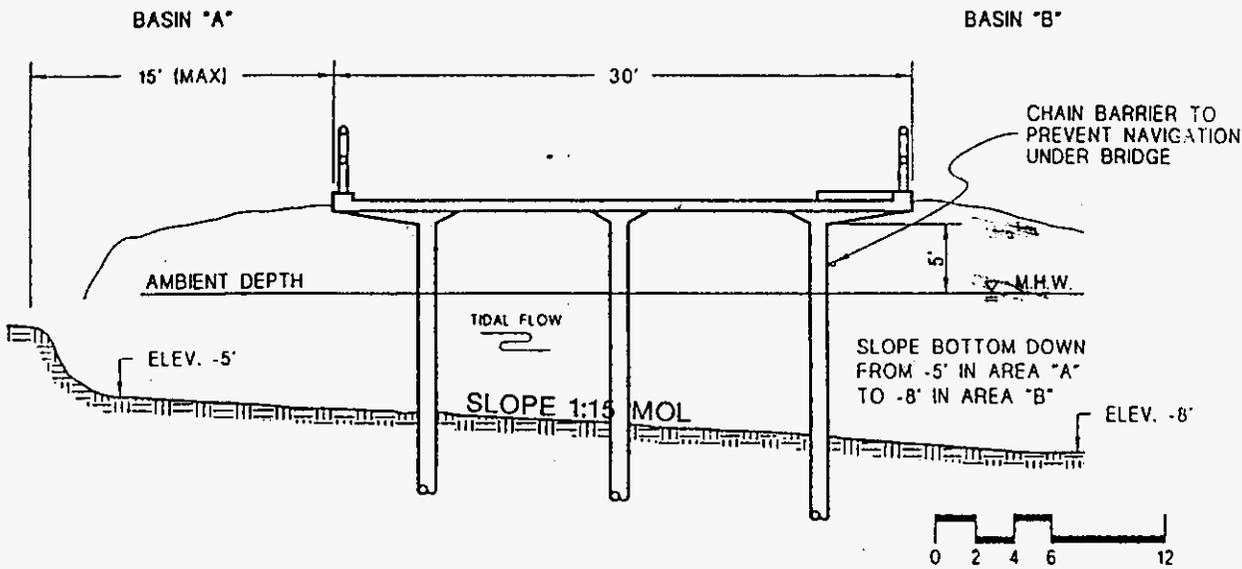
 FEB 16 1995
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PERMIT NO.

442341799



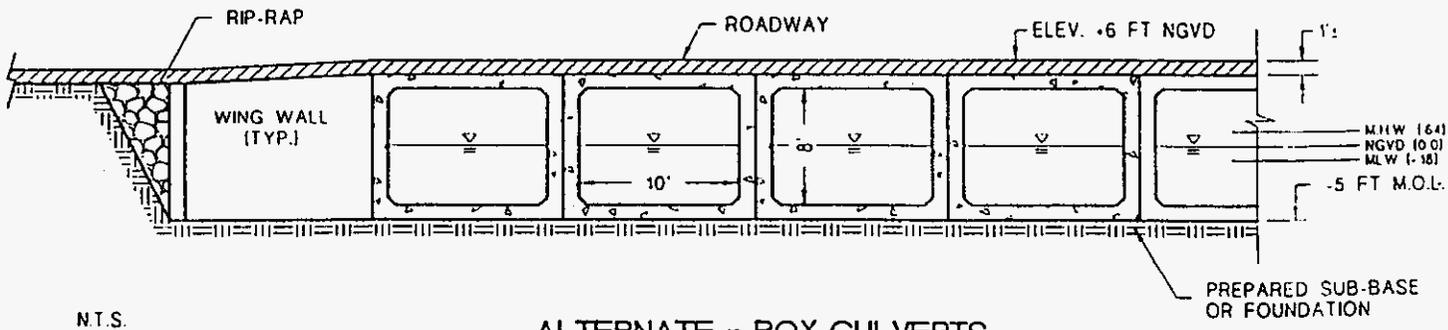
PLAN VIEW BRIDGE AT GRADE



SECTION VIEW B-1 BRIDGE AT GRADE

ALL ELEVATIONS REFERENCED TO N.G.V.D.

NOTE: BOX CULVERTS ARE AN ACCEPTABLE SUBSTITUTE FOR A FIXED BRIDGE (W/ 100 FT OPENING)



N.T.S.

ALTERNATE - BOX CULVERTS (EFFECTIVE OPENING OF 100 FT.)

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED BRIDGE AT GRADE, DETAILS AND ALTERNATE
 Sheet 11/26

Rev. Date: 11/93

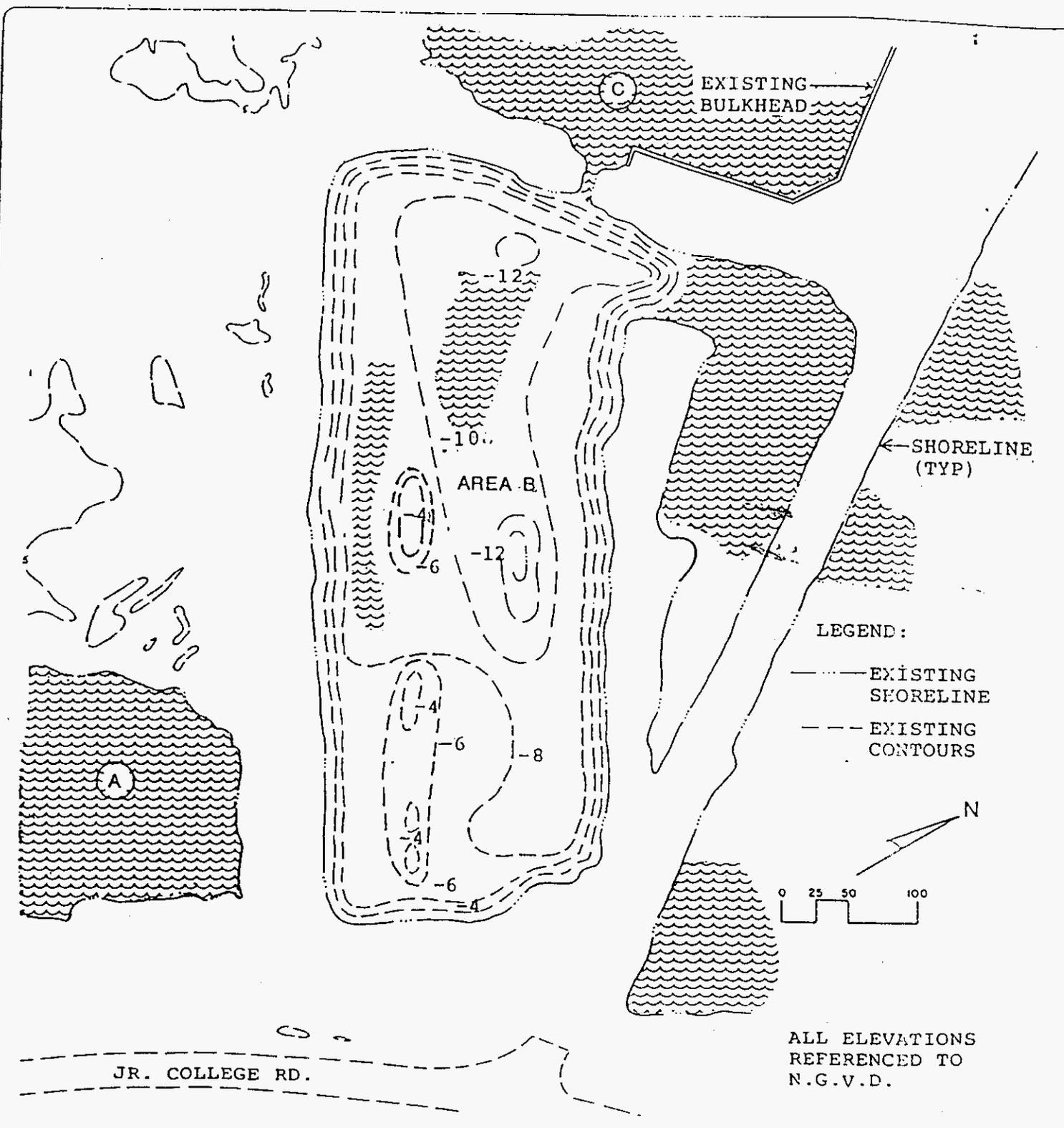
Rev.1 2/94

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4493 1700



City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: EXISTING CONDITIONS, AREA 'B'

Sheet: 12/26

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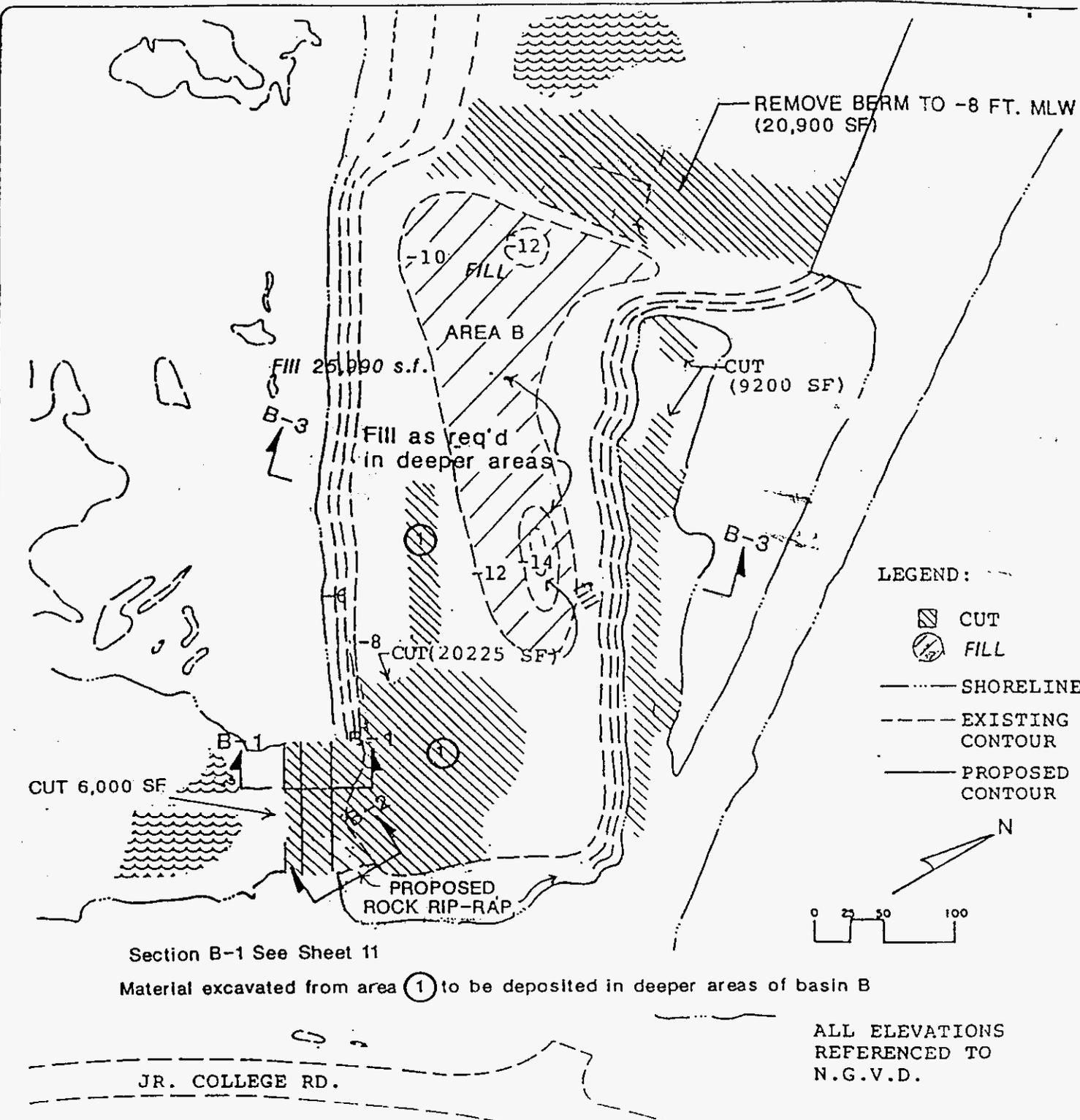
Rev. Date: 11/93

FEB 16 1993

[Handwritten Signature]

DEC 9 1994

PERMIT NO. 442341790



Section B-1 See Sheet 11

Material excavated from area ① to be deposited in deeper areas of basin B

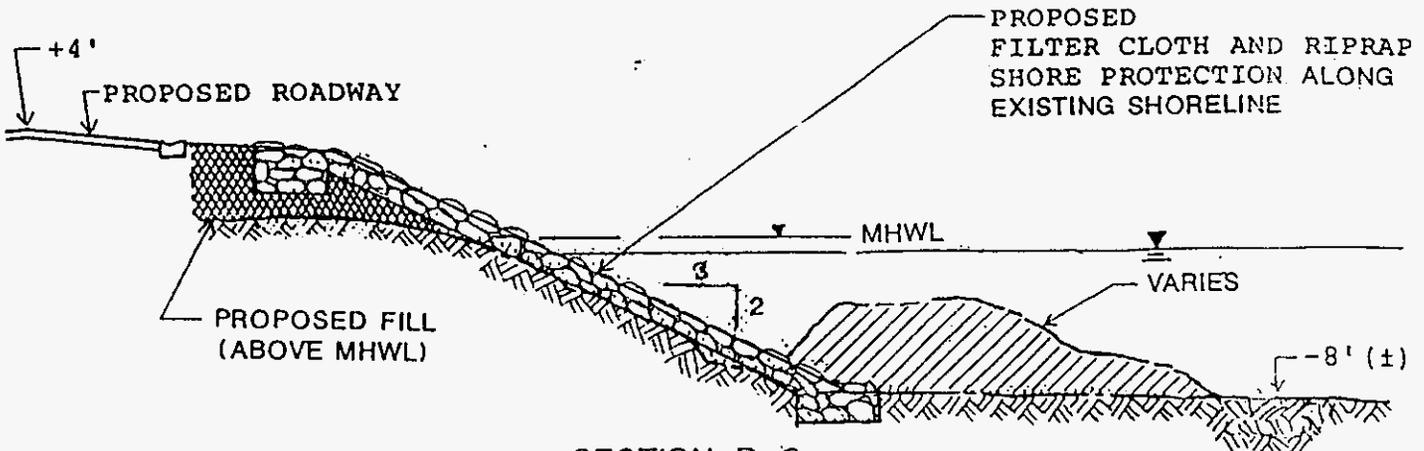
ALL ELEVATIONS REFERENCED TO N.G.V.D.

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED CONDITIONS, AREA 'B'
 Sheet: 13/26

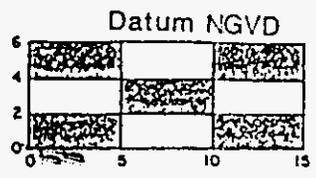
RECEIVED
 FEB 16 1995
 Rev. Date: 11/93

[Handwritten Signature]
 DEC 9 1994

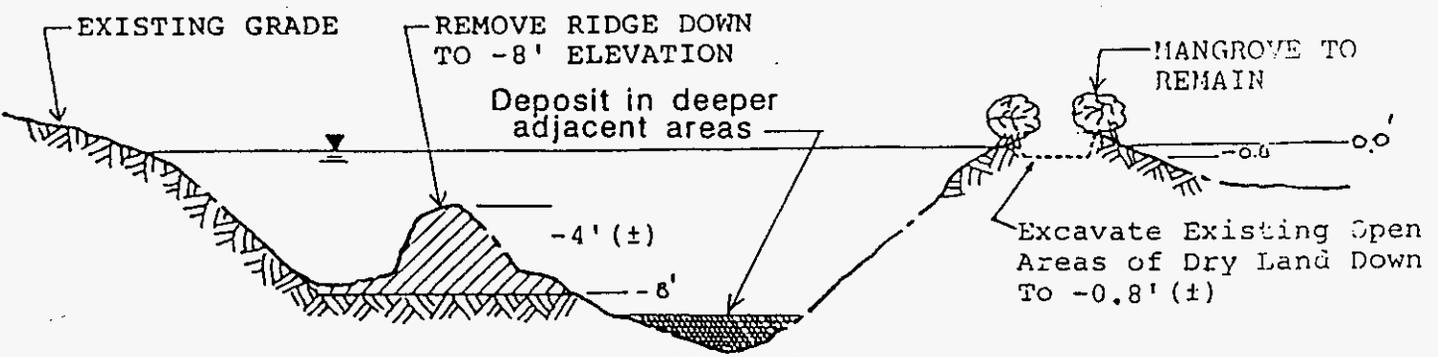
PERMIT NO. 442341790



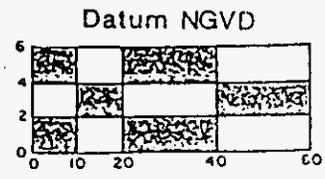
SECTION B-2
SECTION THROUGH PROPOSED FILL AREA



GRAPHIC SCALE



SECTION B-3
SECTION THROUGH AREA 'B' BASIN



GRAPHIC SCALE

- LEGEND:
- CUT
 - FILL

ALL ELEVATIONS REFERENCED TO N.G.V.D.

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED SECTION VIEWS, AREA 'B'

Sheet: 14/26
 Rev.1 2/94

Rev. RECEIVED Date: 11/93

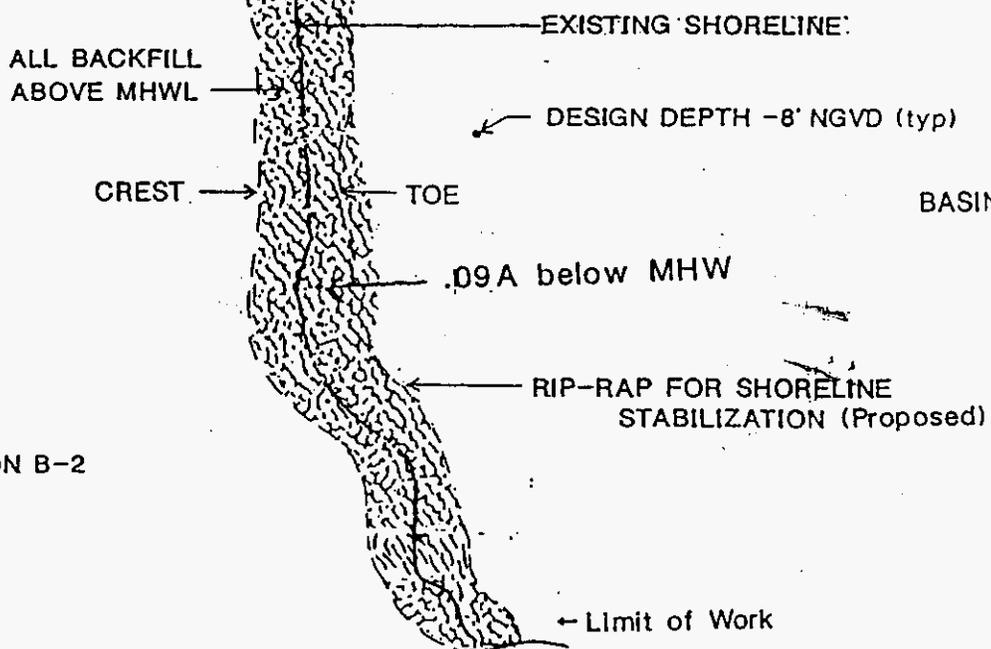
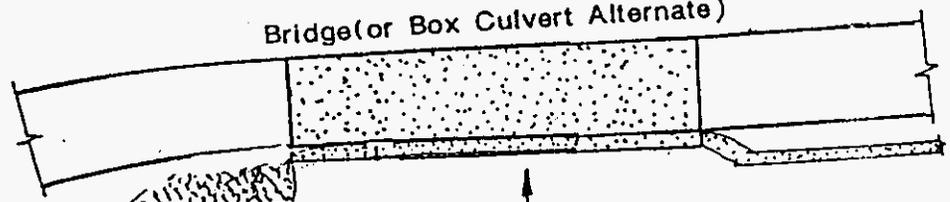
[Handwritten Signature]
 DEC 9 1994

FEB 16 1994

PERMIT NO. 44204

BASIN A

Bridge (or Box Culvert Alternate)



BASIN B

REF: SECTION B-2

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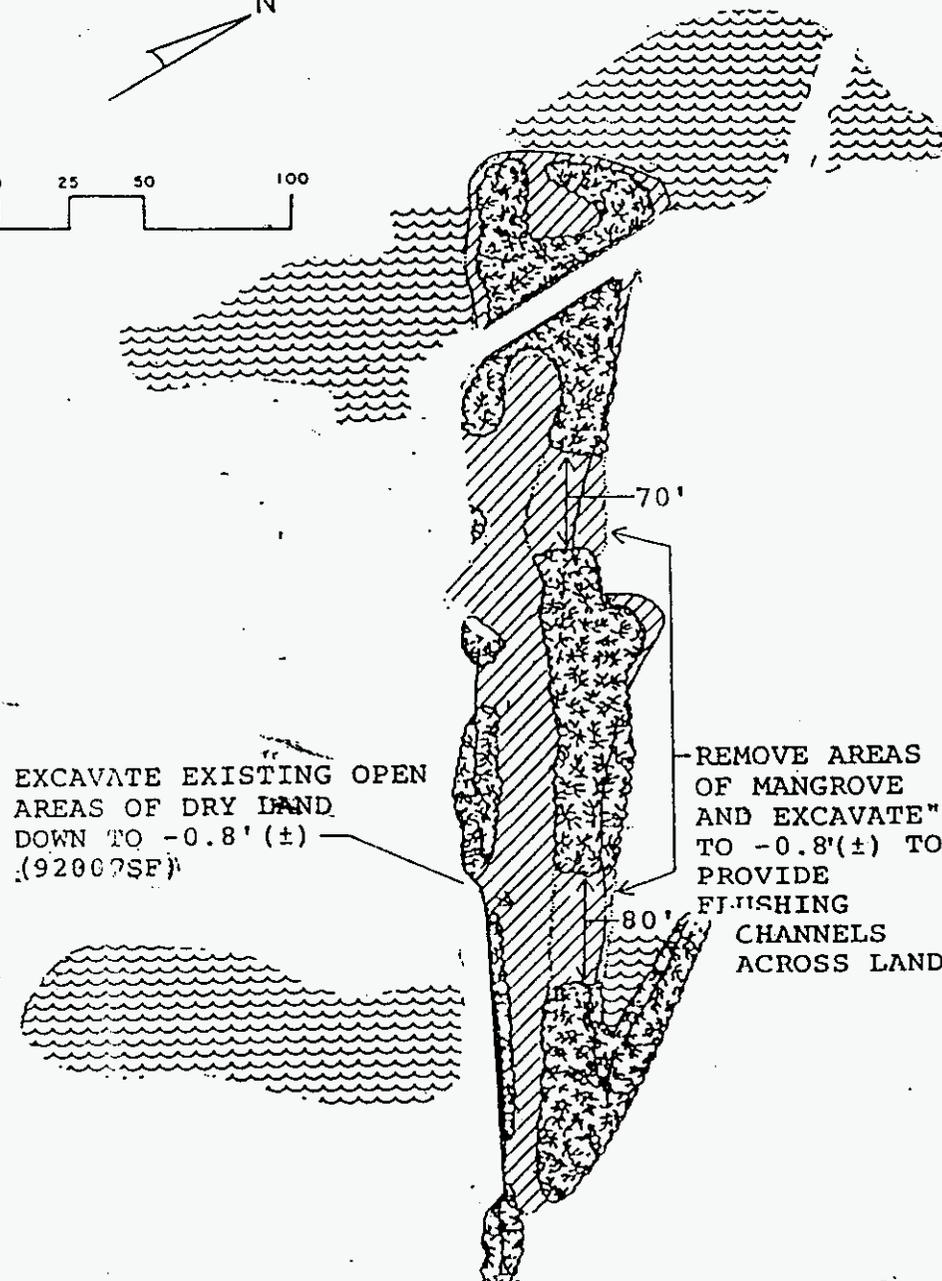
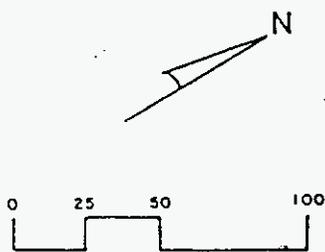
City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: DETAILS, AREA 'B'

Sheet: 15/26

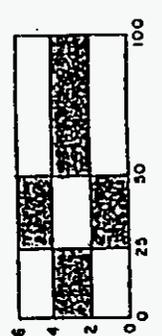
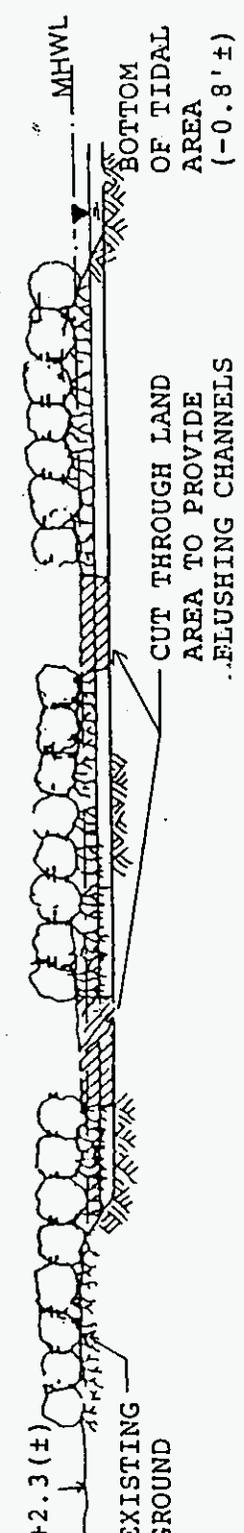
Rev.1 2/94

Rev. Date: 11/93

DEPMIT INC
442341799



PLAN VIEW OF LAND SPIT IN AREA 'B'



PROPOSED ELEVATION OF LAND
ALL ELEVATIONS REFERENCED TO N.G.V.D.

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SUBLAND RES

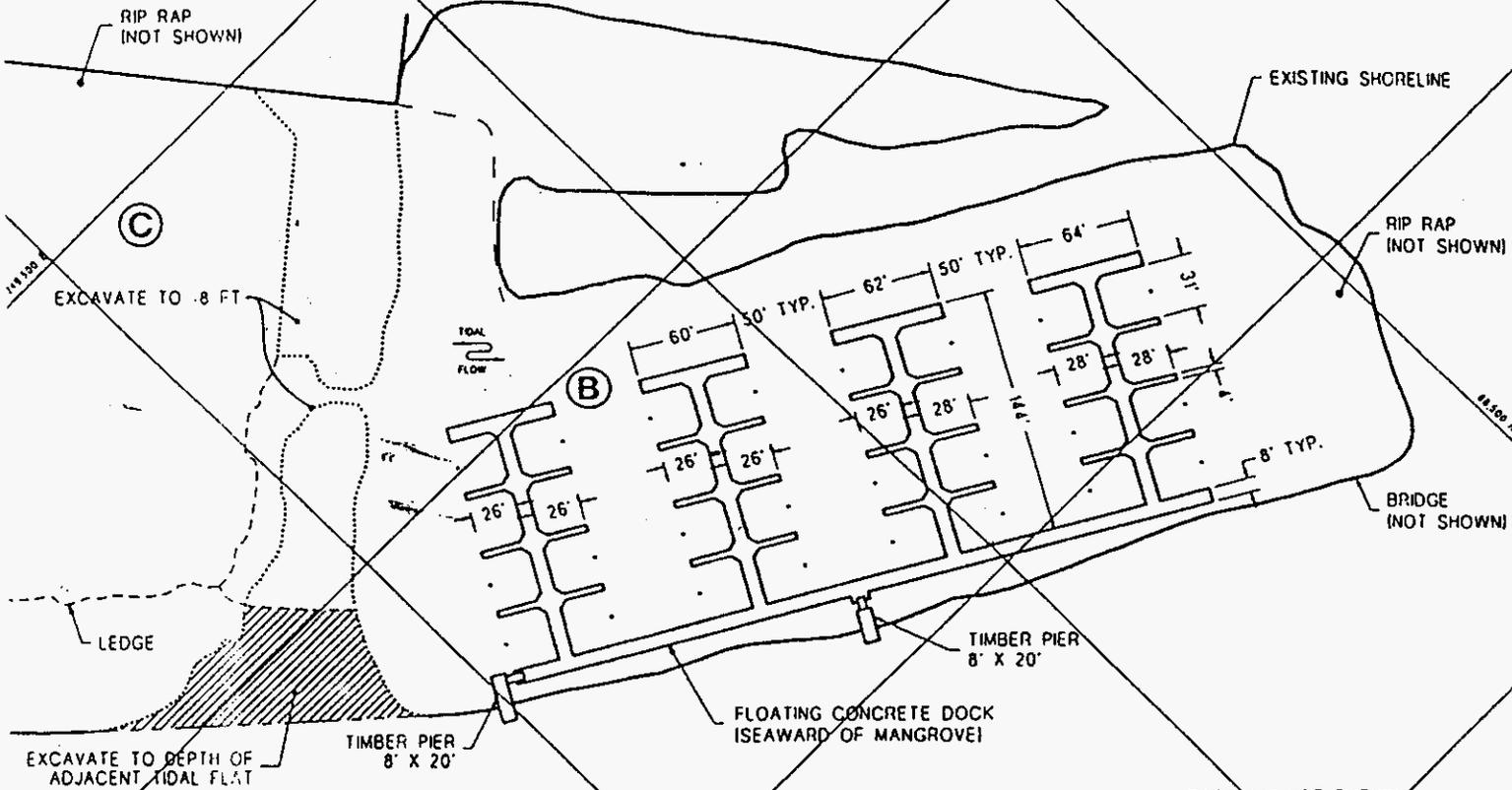
City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: AREA B - BERM ENHANCEMENT

Sheet: 16/26

Rev. Date: 11/93

DEC 9 1994

PERMIT NO. 442341799



BASIN "B" MIX	
LENGTH	BOATS
26'	40
28'	24
TOTAL	64

BASIN "A" NOT SHOWN



NOTE:
 1 SLIP COUNTS DO NOT INCLUDE T-HEAD OR ALONGSIDE BERTHAGE
 2 FLOATING CONCRETE DOCK/BREAKWATER MOORING PILES NOT SHOWN

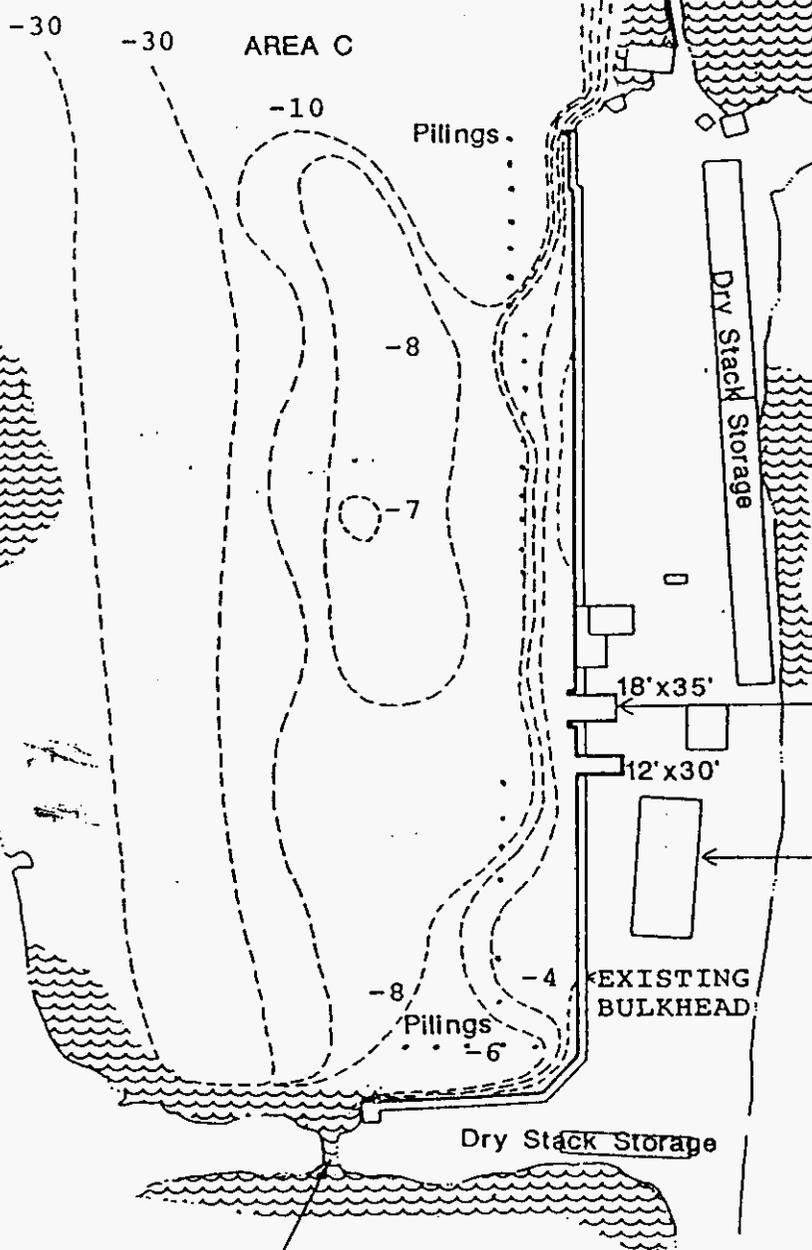
City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED MARINA FACILITY - AREA "B"
 Sheet: 17/26

Rev:
 Date: 11/94

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 DEC 9 1994
 [Signature]

EXISTING SHORELINE

PERMIT NO. 4420-1799



LEGEND:

- EXISTING SHORELINE
- - - EXISTING CONTOURS

BOAT RAMPS (TO BE REMOVED)

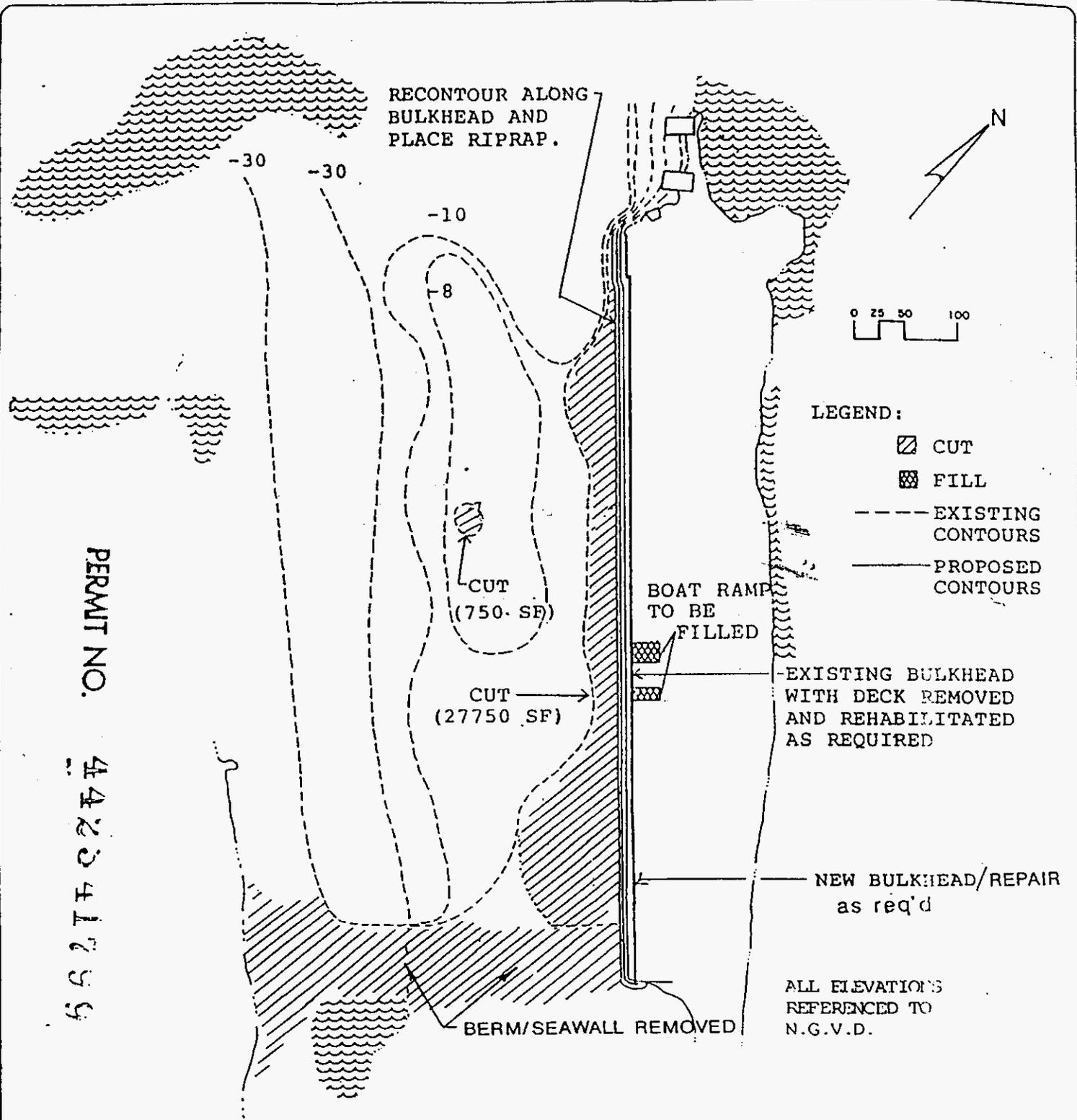
EXISTING BUILDINGS ON SITE (TYP) TO BE REMOVED IN LATER PHASES OF CONSTRUCTION

ALL ELEVATIONS REFERENCED TO N.G.V.D.

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: EXISTING CONDITIONS, AREA 'C'
 Sheet: 18/26
 Rev.1 2/94
 Rev. Date: 11/93
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[Signature]
 DEC 9 1994



PERMIT NO. 442041299

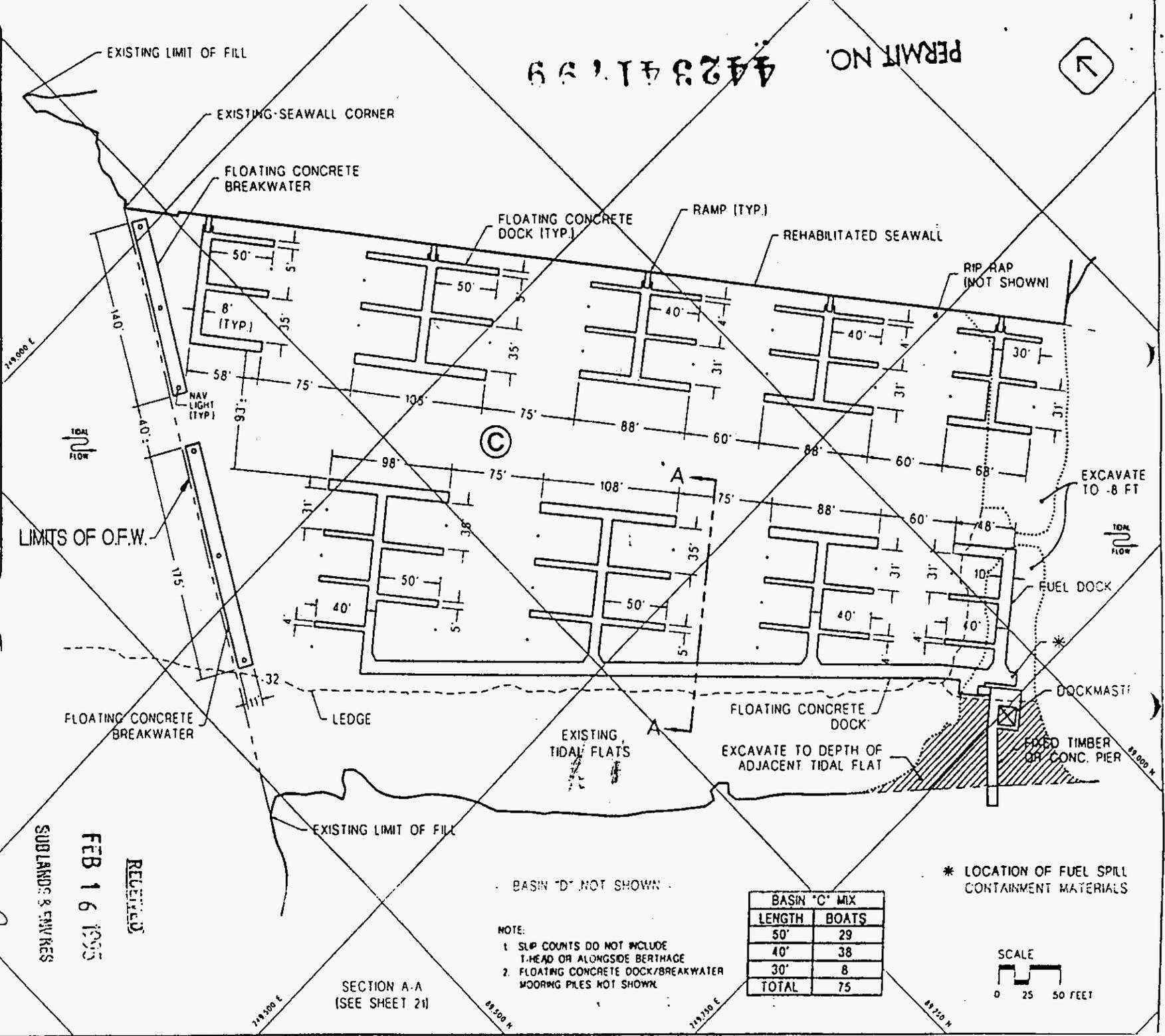
City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED CONDITIONS, AREA 'C'
 Sheet: 19/26
 Rev. Date: 11/93
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FEB 16 1994

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City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: MARINA FACILITY OVERALL PLAN AREA "C"
 Rev:
 Sheet: 20/26
 Date: 11/94

PERMIT NO. 442341169



FLORIDA BAY

DEC 8 1994

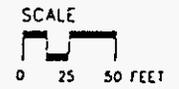
RECEIVED
 FEB 16 1995
 SUBLANDS & ENVARES

BASIN "D" NOT SHOWN

- NOTE:
1. SLIP COUNTS DO NOT INCLUDE T-HEAD OR ALONGSIDE BERTHAGE
 2. FLOATING CONCRETE DOCK/BREAKWATER MOORING PILES NOT SHOWN

BASIN "C" MIX	
LENGTH	BOATS
50'	29
40'	38
30'	8
TOTAL	75

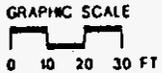
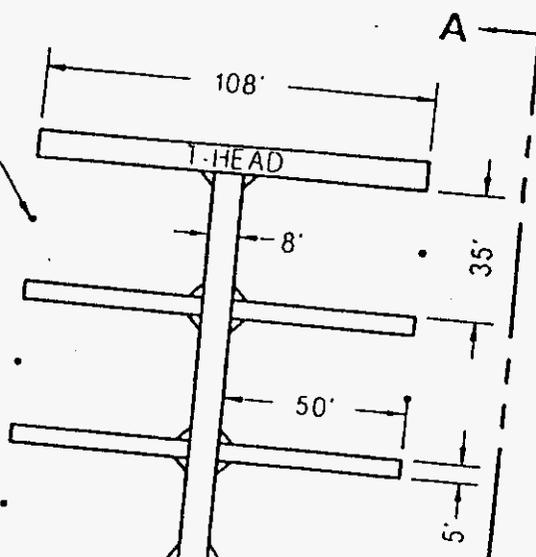
* LOCATION OF FUEL SPILL CONTAINMENT MATERIALS



SECTION A-A
 (SEE SHEET 21)



MOORING PILE (TYP.)



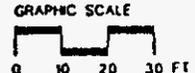
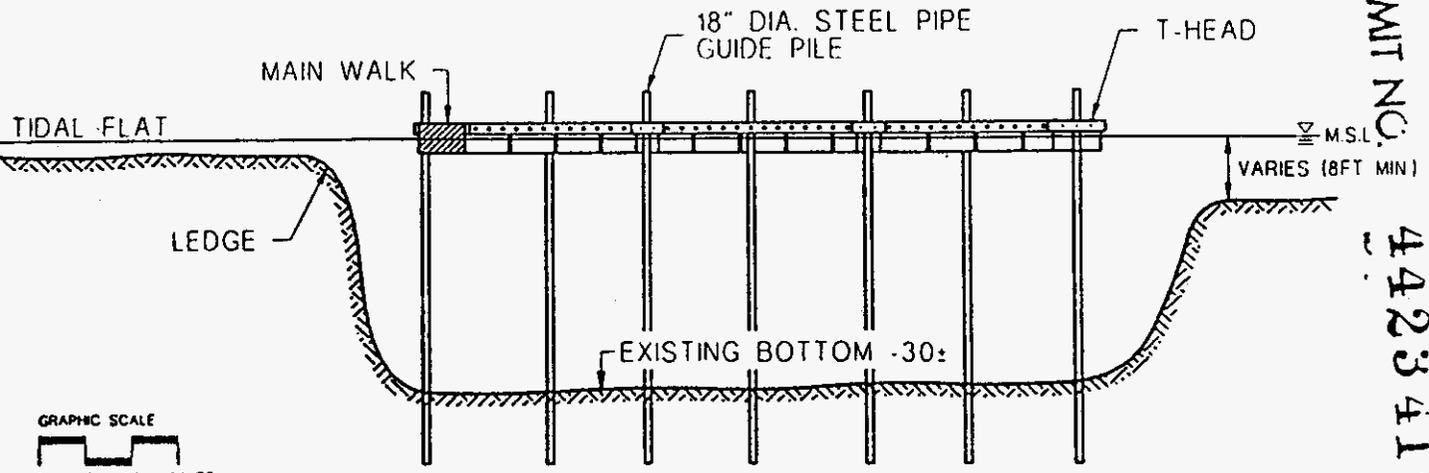
MAINWALK

TIDAL FLAT

LEDGE

FLOATING CONCRETE DOCK

A



SECTION A-A

PERMIT NO. 442341799

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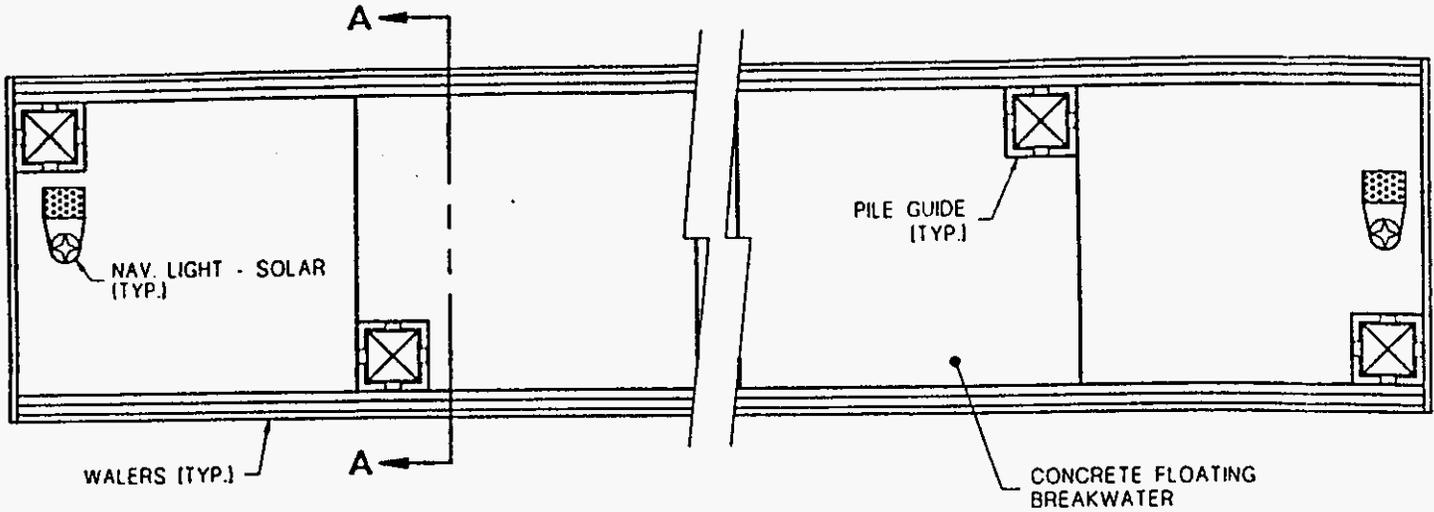
FEB 16 1995

SUBLANDS & ENVRES

DEC 9 1994

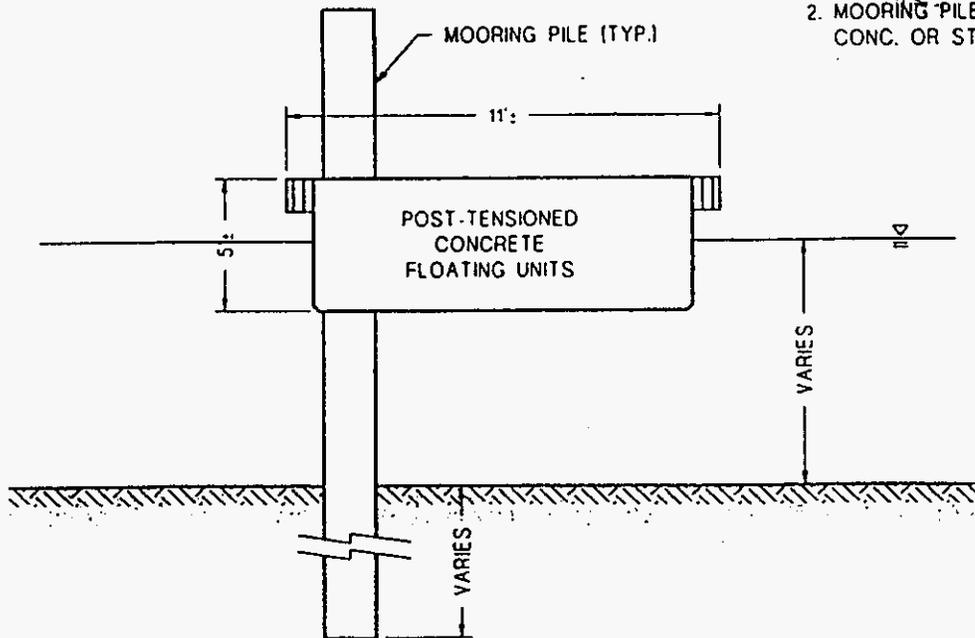
City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: TYPICAL FLOATING DOCK SECTION
Sheet: 21/26
Rev:
Date: 11/94

TYPICAL DETAILS



PLAN VIEW

- NOTES:
1. NUMBER, DIMENSIONS, AND LOCATIONS OF PILES VARY.
 2. MOORING PILES TO BE CONC. OR STEEL



SECTION A-A

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FEB 16 1995

SUB LANDS & ENVRES

[Handwritten Signature]
 DEC 9 1994

PERMIT NO.

442341799

NOT TO SCALE

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: FLOATING BREAKWATER SCHEMATIC
 Sheet: 22/26

Rev:
 Date: 11/94

PERMIT NO. 419941

REMOVE EXISTING DECK

REMOVE EXISTING PILING

M.H.W. (+0.64)

M.L.W. (-0.18)

REHABILITATE EXISTING BULKHEAD WHERE NECESSARY

REPLACE AS REQ'D

EXISTING SLOPE VARIES

EXISTING SECTION

POUR NEW CAP

M.H.W. (+0.64)

M.L.W. (-0.18)

RECONTOUR SLOPE ADJACENT TO BULKHEAD AND PLACE RIPRAP ALONG BULKHEAD TOE

FILTER CLOTH

ALL ELEVATIONS REFERENCED TO N.G.V.D.

PROPOSED SECTION

RECEIVED

FEB 16 1995

City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: EXISTING AND PROPOSED BULKHEAD CONDITIONS, AREA 'C'

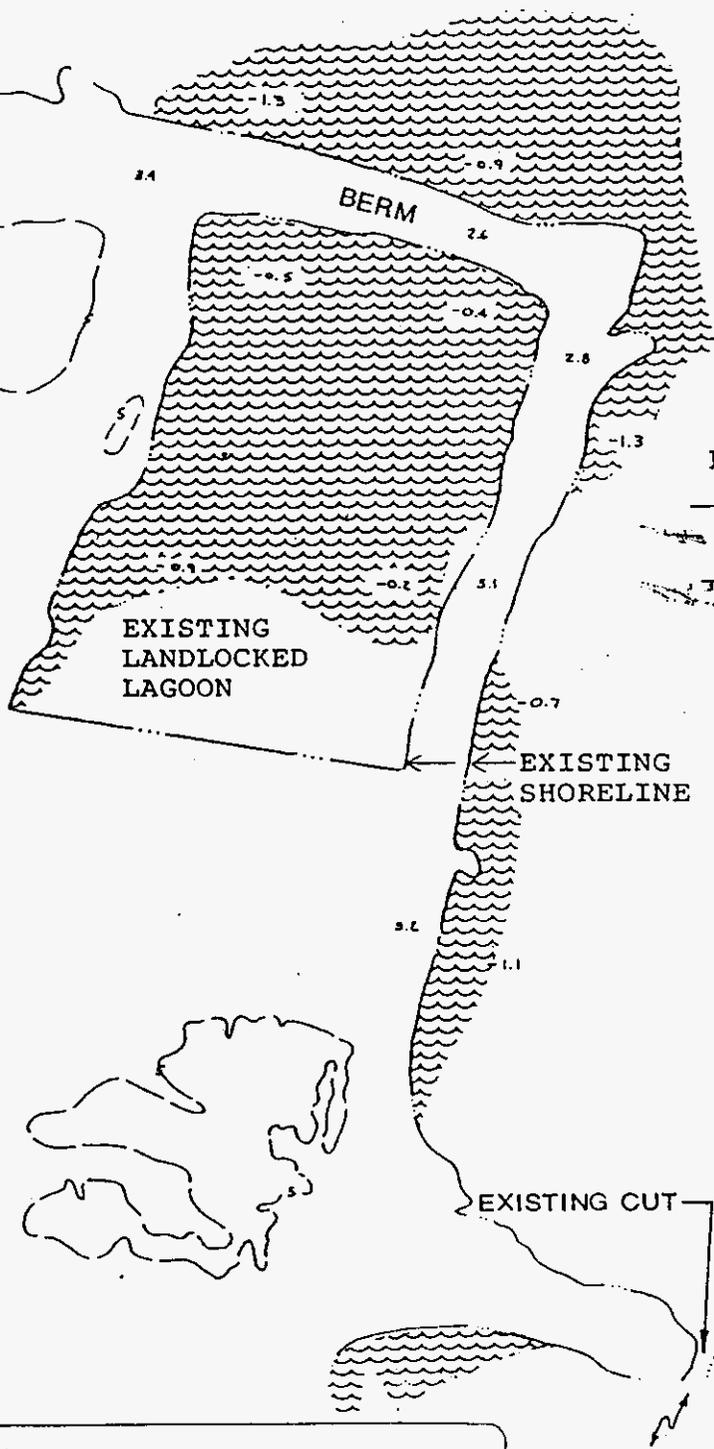
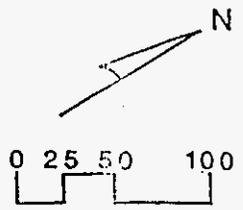
Sheet: 23/26

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Date: 11/93

SUBVISED BY
[Signature]
DEC 9 1994

PERMIT NO. 442341799

ALL ELEVATIONS REFERENCED TO N.G.V.D.



LEGEND:
— — — — — EXISTING SHORELINE
- - - - - EXISTING CONTOURS

City of Key West, Monroe County, Florida
Applicant: Wood/Papy
Title: EXISTING CONDITIONS, AREA 'D'
Sheet: 24/26

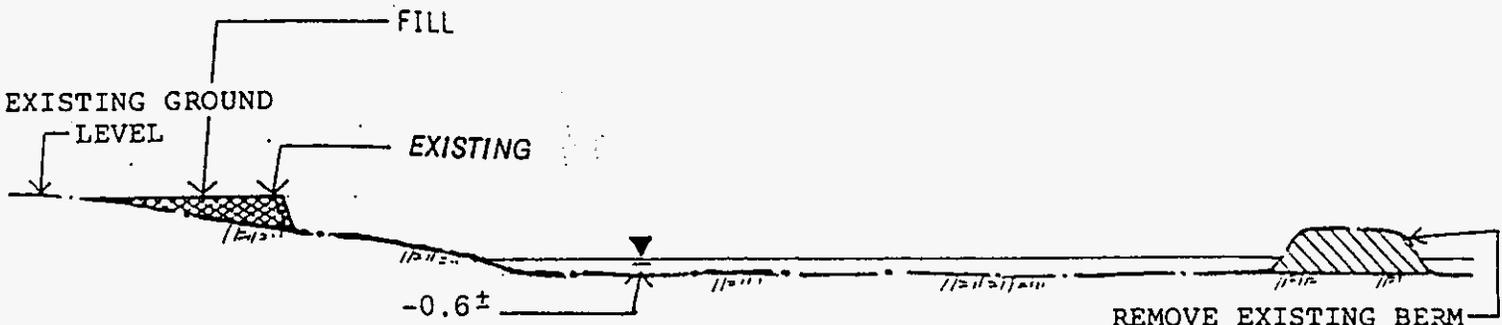
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FEB 16 1993
Rev. 1
Date: 11/93

El Jorg
DEC 9 1994

PERMIT NO. 442841799

City of Key West, Monroe County, Florida
Applicant: Wood/PAPY
Title: PROPOSED SECTION VIEWS, AREA 'D'
Sheet: 26/26

Rev. 1
Date: 11/93
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SECTION D-1



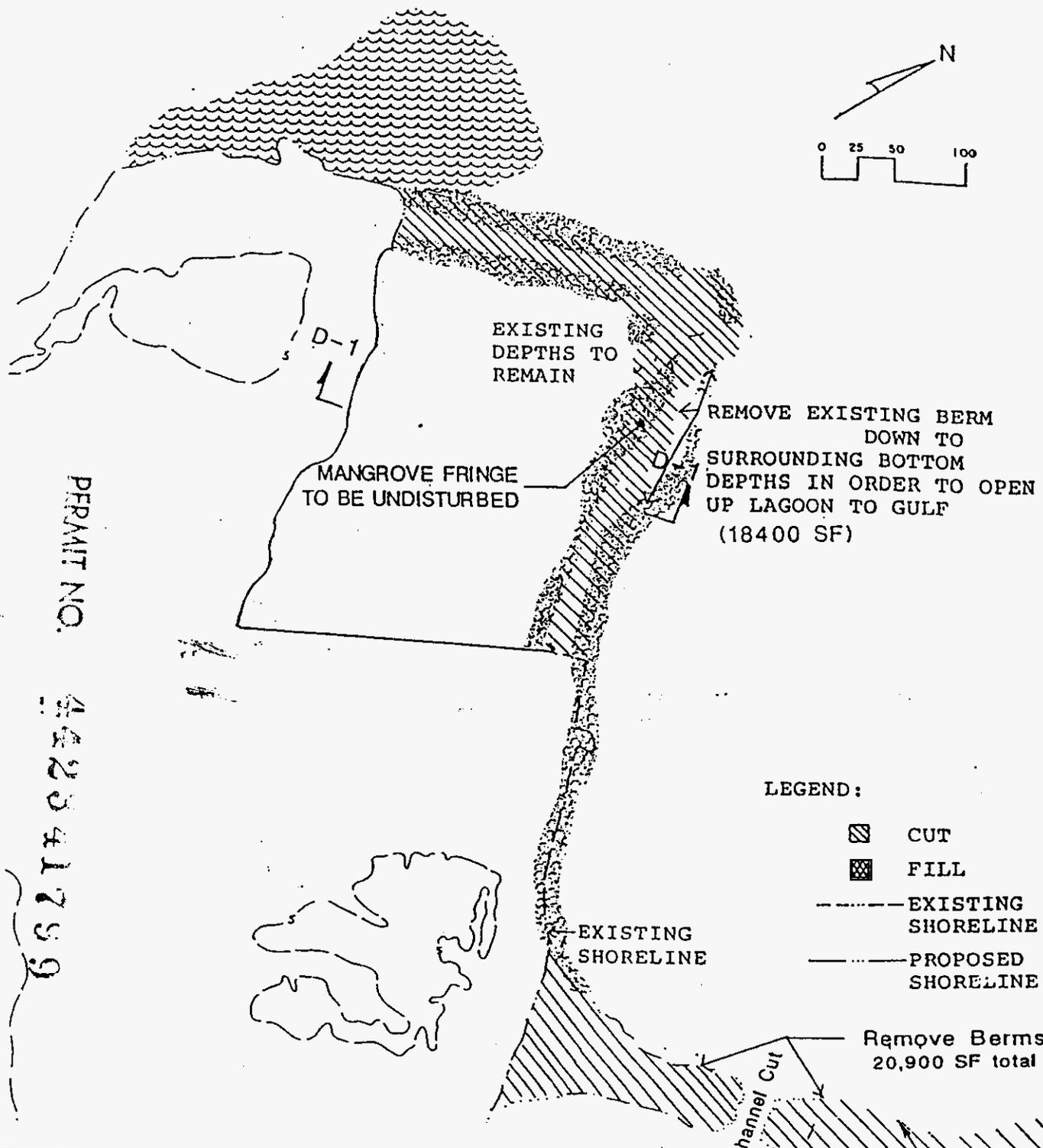
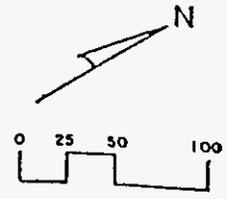
REMOVE EXISTING BERM
DOWN TO ADJACENT
BOTTOM DEPTHS

ALL ELEVATIONS
REFERENCED TO
N.G.V.D.

[Handwritten Signature]

DEC 9 1994

FRR 1 2 1

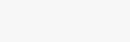


PERMIT NO.

442341759

LEGEND:

-  CUT
-  FILL

-  EXISTING SHORELINE
-  PROPOSED SHORELINE

Remove Berms
20,900 SF total

City of Key West, Monroe County, Florida
 Applicant: Wood/Papy
 Title: PROPOSED CONDITIONS, AREA 'D'

Sheet: 25/26

Rev. 1
 Date: 11/93

Rev.2(3/95)

REMOVE BULKHEAD
 (AS REQ'D)

442341759

ATTACHMENT B

PROJECT ACREAGE SUMMARY

(REVISION #1 - MARCH, 1995)

FILL REMOVAL

1.	Basin "A" Berm Removal	0.43 Ac
2.	Basin "B" Spit Removal (E-W Spit)	0.21 Ac
3.	Basin "B" and "C" Spit Removal Between Basins	0.48 Ac
4.	Basin "D" Berm Removal	<u>0.42 Ac</u>
	Total Fill Removal	1.54 Ac

AREAS OPENED TO INCREASED TIDAL FLUSHING

1.	Mangroves between Basin "A" and Jr. College Road	3.10 Ac
2.	Basin "A" Impoundment	6.20 Ac
3.	Basin "B" Impoundment	4.80 Ac
4.	Basin "D" Impoundment	<u>1.40 Ac</u>
	Total Area Opened	15.50 Ac.

MANGROVE IMPACT AREA

1.	Bridge Site	0.18 Ac
2.	Removal of Spits between Basins "B" and "C"	<u>0.12 Ac</u>
	Total	0.30 Ac

AREA OF EXISTING MARINE WITHOUT STORM WATER
TREATMENT FACILITIES

2.30 Ac

VILLAGE AT KEY WEST

APPLICATION NO. 442341799
(WOOD/PAPY)

FUEL DOCK DESIGN GUIDELINES (GENERAL)

- Contract with qualified Oil Spill Clean-up firm.
- Properly posted safety regulations,
- Dispensing of fuel only by trained employees,
- Emergency fire and spill containment plan posted,
- Fire protection equipment operable, proximate to dock and correct size and number,
- Fuel line shut off (manual and automatic),
- Tie up line cutter (i.e., axe, knife, wire cutters),
- Alarm systems,
- Fuel spill booms and absorbent material readily available at fuel dock,
- Adequate lighting,
- Proximate location of harbormaster office.

FUEL DOCK MANAGEMENT GUIDELINES

- Electrical connections approved and maintained in safe conditions,
- Main fuel lines kept in safe condition,
- Storage tanks properly located and installed (double wall fiberglass tanks installed in-ground, or concrete vaulted above ground tanks),
- Storage tanks vented and monitored,
- Personnel training (operation, spill containment, fire fighting, etc.), kept up to date,
- Enforcement of all governmental regulations.

SYSTEM SAFETY COMPONENTS

- Doublewall flex-type piping with leak detection,
- Doublewall storage tanks with leak detection,
- Emergency fuel cut-off valves,
- Dispenser sumps with leak detection,
- Fully integrated alarm/monitoring system.

RECEIVED

FEB 12 1994
SUB. LANDS & ENV. RES.

RECEIVED

FEB 16 1994

PUMP OUT HISTORY
OCTOBER 22, 1999 - PRESENT

	<u>Date</u>	<u>Gallons</u>
1	10/25/99	8
2	12/02/99	2
3	12/02/99	10
4	12/05/99	1
5	12/10/99	80
6	12/30/99	20
7	12/31/99	20
8	01/01/00	35
9	01/06/00	60
10	01/06/00	15
11	01/06/00	40
12	01/06/00	65
13	01/06/00	70
14	01/12/00	16
15	01/13/00	10
16	01/13/00	5
17	01/13/00	30
18	01/14/00	30
19	01/16/00	<u>8</u>

525

TO: 0006 BELL



Florida Department of Environmental Protection
Twin Towers Office Bldg., 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEMS
CERTIFICATION OF COMPLETION OF CONSTRUCTION

INSTRUCTIONS: This form is to be completed and submitted to the Department, prior to placing the system into operation. A collection/transmission system should not be placed into operation without prior Department approval. All information is to be typed or printed in ink and all blanks must be filled.

Construction Permit No.: CS 63485-002 DWC Dated: 12/14/99

Name of Project: Sunset Marina

Name of Owner: Sunset Ventures of Key West, Inc.

Name of design engineer and Florida registration number (if different from engineer signing certification):
DAMES & MOORE, Daniel P. Johnson, P.E.

Date(s) construction to existing system or treatment plant: 9/16/99

Treatment plant serving project
Name: Key West Resort Utilities Corporation WWTP

County: Monroe City: Key West

DEP Identification Number (also known as WAFR or GMS Identification Number): 5244PO3384

Substantial deviations from the approved plans and specifications (attach additional sheets if required):

- Installation of Lift Station No. 1
- Installation of 745 L.F. 8" PVC
- Installation SMH 1,2,3,4,5
- Installation of 550 L.F. 4" PVC Force Main

This will complete all sanitary sewer installation

Department of Environmental Protection
Wastewater Collection/Transmission System
Certification of Completion

APPROVAL FOR USE

Signed: *[Signature]* Date: 12/14/99

Rec'd
1-6-00
S. DIST.
DEP.
[Signature]

DEP Form 62-WH (04/7/00)
Effective June 1, 1992

Northwest District
1400 Governmental Center
Tallahassee, Florida 32311-1700
Tel: 904-438-3322

Central District
1922 Berrymanhouse Way, Suite 9, 30C
Tallahassee, Florida 32310-1700
Tel: 904-438-3300

South District
1319 Martin Blvd, Suite 112
Tallahassee, Florida 32302-2797
Tel: 904-438-3301

Eastern District
3601 Colonial Palms Drive
Tallahassee, Florida 32311-1700
Tel: 904-438-3302

West District
7701 Vantage Ave, Suite 100
Fort Walton, Florida 32921
Tel: 904-438-3303

Southwest District
400 N. Congress Ave., P. O. Box 12471
Tallahassee, Florida 32311
Tel: 904-438-3304





Florida Department of Environmental Protection
Twin Towers Office Bldg., 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEMS
CERTIFICATION OF COMPLETION OF CONSTRUCTION

INSTRUCTIONS: This form is to be completed and submitted to the Department, prior to placing the system into operation. A collection/transmission system should not be placed into operation without prior Department approval. All information is to be typed or printed in ink and all blanks must be filled.

Construction Permit No.: CS 63485-002 DWC Dated: 8/19/99

Name of Project: Sunset Marina

Name of Owner: Sunset Ventures of Key West, Inc.

Name of design engineer and Florida registration number (if different from engineer signing certification):
Dames & Moore, Daniel P. Johnson, P.E.

Date(s) connection to existing system or treatment plant: 8/20/99 or upon approval

Treatment plant serving project

Name: Key West Resort Utilities Corporation WWTF

County: Monroe City: Key West

DEP Identification Number (also known as WAFR or GMS Identification Number): 5244P03384

Substantial deviations from the approved plans and specifications (attach additional sheets if required):

Work completed to date:

Installation of Lift Station No. 2

Installation of 316 L.F. 8" PVC

Installation SMH 6, 7, & 8

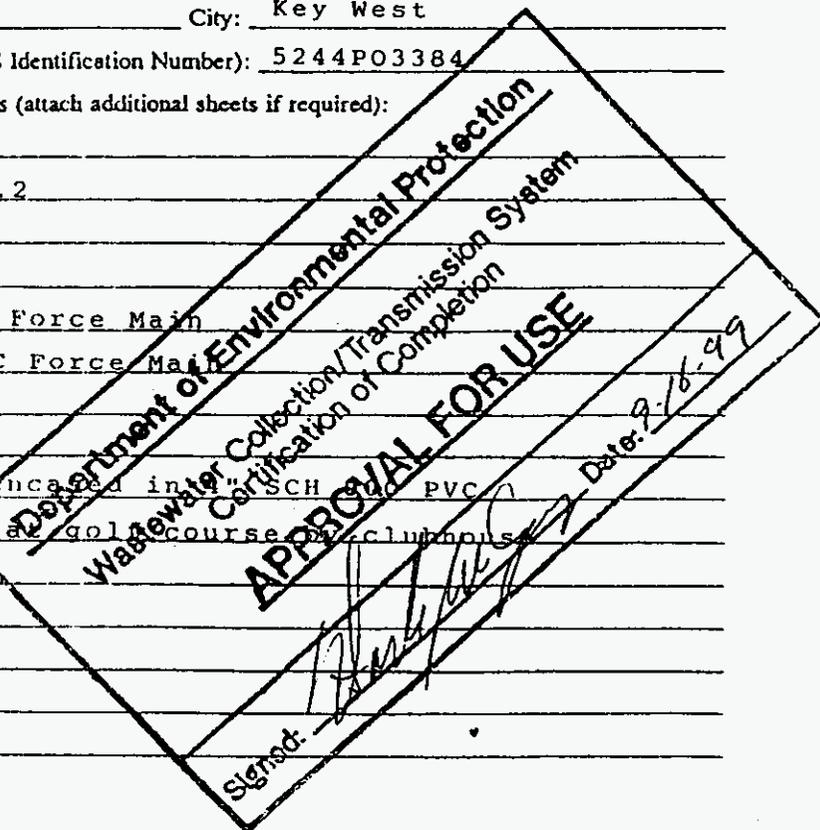
Installation of 847 L.F. 2" PVC Force Main

Installation of 1252 L.F. 4" PVC Force Main

Deviations:

Placed Force Main on boardwalk encased in SCH 40 PVC

Tied Lift Station into Man Hole at golf course clubhouse



RECEIVED

SEP - 8 1999

D.E.P. - South District

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT BUILDING PERMIT

PERMIT # 98-00001717-000-000-NBD-00 ISSUED 7/23/98
 LICENSE# 99-10546 EXPIRES 7/14/00
 GENERAL COMMERCIAL
 APPLICATION BY... PAUROWSKI, HENRY
 ON PROPERTY OF... POPY BERNIE C JR ET AL
 FOR A PERMIT TO.. PHASE FOUR - ONE THREE STORY/15-UNIT

BUILDING INCLUDING: AUGER HOLES.
 CONCRETE PILECAPS, CONCRETE COLUMNS
 POURED IN PLACE POST TENSION FOR 3 FLRS,
 POURED CONCRETE ROOF, CONCRETE PARKING.
 ELEVATOR, 2 STAIRWELLS. INTERIOR TO BE
 METAL FRAMING WITH DRYWALL, KEYSTONE
 STUCCO AND HARDY PLANK SIDING, PAINTING
 PER PLANE ON FILE. NEEDS A "V" ZONE
 CERTIFICATE.

NOTE: IMPACT FEES FOR BLDG #4 ONLY

PERMIT # 98-00001717-000-000-NBD-00 ISSUED 7/23/98
 LICENSE# 99-10546 EXPIRES 7/14/00
 GENERAL COMMERCIAL

Permit void if construction is not started within 90 days.

PAUROWSKI, HENRY
 POPY BERNIE C JR ET AL
 AS OF 8/25/99 CONTRACTOR CHANGED FROM
 BRASWELL TO HENRY PAUROWSKI

Permit void if zoning is violated.

IMPORTANT NOTICE

5601 COLLEGE RD

The person accepting this permit shall conform to the terms of the application on file in the office of the Building and Zoning Department of Key West and construction shall conform to the requirements of the City of Key West Building Codes.

This card must be displayed on street side of lot in a PERMANENT, SUBSTANTIAL MANNER, AND IN A CONSPICUOUS, SHELTERED LOCATION, ACCESSIBLE TO THE INSPECTOR. Card must remain displayed until after final inspections.

NO INSPECTIONS will be made unless a set of plans, each sheet stamped with the approval of the Building Department, is available for the inspector on the job site.

Work must be substantially completed within two years.

Call **292-8151** For Inspections

Inspection Must Be Made Before Proceeding With Subsequent Work.

Building Official
CITY OF KEY WEST, FLORIDA

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT

BUILDING PERMIT

PERMIT # 98-00003469-000-000-NBD-00 ISSUED 11/06/98
 INSE# 99-10546 EXPIRES 10/28/00
 GENERAL COMMERCIAL
 APPLICATION BY... PAUROWSKI, HENRY
 PROPERTY OF... SUNSET VENTURES OF KEY WEST IN
 A PERMIT TO... PHASE III, 15 UNITS BUILDING, CONCRETE
 PARKING, ELEVATOR, 2 STAIR WELLS & PAINT
 AS OF 8/25/99 CONTRACTOR CHANGED FROM
 BRASWELL TO HENRY PAUROWSKI

COLLEGE RD

9/20/99 3rd Floor 2nd to 1st floor

Permit void if construction is not
started within 90 days.

Permit void if zoning
is violated.

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Work must be substantially completed within two years.

Call **292-8151** For Inspections
 Inspection Must Be Made Before
 Proceeding With Subsequent Work.

Building Official
 CITY OF KEY WEST, FLORIDA

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT BUILDING PERMIT

PERMIT # 98-03249
GENERAL COMMERCIAL

EXPIRES 10/22/00

APPLICATION BY... BRASWELL, EDGAR
ON PROPERTY OF... SUNSET VENTURES OF KEY WEST IN
FOR A PERMIT TO... PHASE III, 15 UNITS BUILDING, CONCRETE
PARKING, ELEVATOR, 2 STAIR WELLS & PAINT
WILL NEED A "V" ZONE CERTIFICATE

5701 COLLEGE RD

Permit # 98-3469

*Need safety
Handrails 5/11/99
Johal*

- 3/5/99 Partial Anchor pins / Rows A-F TR
- 3/7/99 Partial Anchor pins ok TF
- 3/10/99 Partial Anchor ok TF
- 3/11/99 Partial Anchor ok TF
- 3/12/99 Partial Anchor ok / LAST 8 ANCHORS TF
- 3/21/99 5 PILE CAPS ok / See Field Drawings for Locations TF
- 3/24/99 Partial Columns ok / See Field Drawings for Locations TF
- 3/24/99 4 Pile Caps ok / See Field Drawings for Locations TF
- 4/6/99 8 Columns ok to post TF

Permit void if construction is not started within 90 days.

Permit void if zoning is violated.

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Inspection Must Be Made Before Proceeding With Subsequent Work.

**Building Official
CITY OF KEY WEST, FLORIDA**

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT

BUILDING PERMIT

PERMIT # 99-00002284-000-000-NBD-00 ISSUED 6/30/99
 LICENSE# 99-10546 EXPIRES 6/21/01
 GENERAL COMMERCIAL
 APPLICATION BY... PAUROWSKI, HENRY
 ON PROPERTY OF... SUNSET VENTURES KEY WEST INC
 FOR A PERMIT TO.. CONSTRUCT NEW THREE (3) STORY ABOVE
 PARKING *FIVE (5) RESIDENTIAL UNITS
 PER FLOOR *TOTAL UNITS 15
 BUILDING #2 TM
 5603 COLLEGE RD

Permit void if construction is not
 started within 90 days.

Permit void if zoning
 is violated.

IMPORTANT NOTICE

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NO INSPECTIONS will be made unless a set of plans, each sheet stamped with the approval of the Building Department, is available for the inspector on the job site.

Work must be substantially completed within two years.

Call **292-8151** For Inspections

Inspection Must Be Made Before
 Proceeding With Subsequent Work.

Building Official
 CITY OF KEY WEST, FLORIDA

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT BUILDING PERMIT

PERMIT # 99-00002282-000-000-NBD-00 ISSUED 6/30/99
 LICENSE# 99-10546 EXPIRES 6/21/01
 GENERAL COMMERCIAL
 APPLICATION BY... PAUROWSKI, HENRY
 ON PROPERTY OF... SUNSET VENTURES OF KEY WEST IN
 FOR A PERMIT TO... CONSTRUCT NEW 3 STORY ABOVE PARKING
 FIVE (5) RESIDENTIAL UNITS PER FLOOR
 TOTAL OF 15 UNIT TM
 RE: BUILDING #1

5601 COLLEGE RD

Permit void if construction is not started within 90 days.

Permit void if zoning is violated.

IMPORTANT NOTICE

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Work must be substantially completed within two years.

Call **292-8151** For Inspections

Inspection Must Be Made Before Proceeding With Subsequent Work.

**Building Official
CITY OF KEY WEST, FLORIDA**

CITY OF KEY WEST BUILDING AND ZONING DEPARTMENT BUILDING PERMIT

PERMIT # 99-00002285-000-000-NSTR-00 ISSUED 7/20/99
LICENSE# 99-10546 EXPIRES 7/11/01
PLANNED REDEVELOPMENT
APPLICATION BY... PAUROWSKI, HENRY
ON PROPERTY OF... SUNSET VENTURES KEY WEST INC
FOR A PERMIT TO.. CONSTRUCT A ONE (1) STORY CONDO CLUB-
HOUSE & OFFICE BUILDING TM
5604 COLLEGE RD

(on pile cap + 9 columns insp by PSI rep.)
remaining 9 columns & elevator pit slab OK TC 11-3-99
Callahan AP/PLC 12/1/99
The Board AP/PLC 12/2/99

Permit void if construction is not started within 90 days.

Permit void if zoning is violated.

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Work must be substantially completed within two years.

Call **292-8151** For Inspections
Inspection Must Be Made Before
Proceeding With Subsequent Work.

Building Official
CITY OF KEY WEST, FLORIDA

CERTIFICATE OF OCCUPANCY

PERMANENT

Issue Date 1/18/00

Parcel Number 0007-2080-001400- -

Property Address 5601 COLLEGE RD
KEY WEST FL 33040

Subdivision Name

Legal Description 47-5112 BAYVIEW & FILLED BAYVIEW
NW 1/4 OF
STOCK ISLAND (A/SUNSET MARIN
A LEASE)

Property Zoning GENERAL COMMERCIAL

Owner ~~XXXXXXXXXXXXXXXXXXXX~~
Sunset Ventures Of Key West Inc.

Contractor WROGSKI HENRY
98-296-7654

Application number 98-0001717 000 000

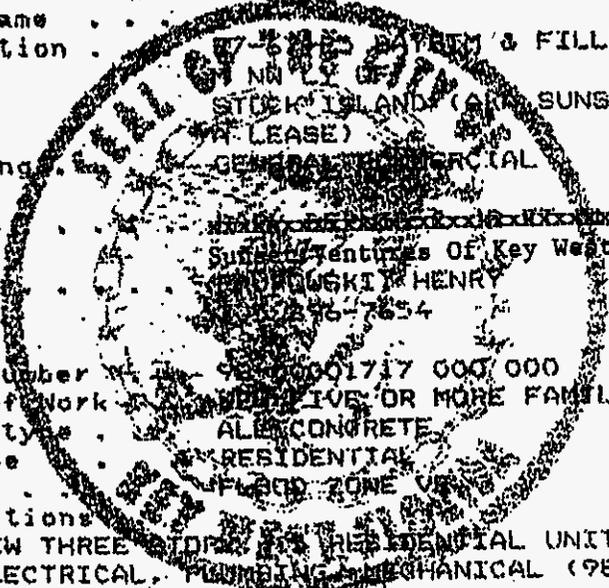
Description of Work NEW FIVE OR MORE FAMILY

Construction type ALL CONCRETE

Occupancy type RESIDENTIAL

Flood Zone FLOOD ZONE VE

Special conditions NEW THREE STORY RESIDENTIAL UNIT BUILDING INCLUDING
ELECTRICAL, PLUMBING, MECHANICAL (98-3469) AND ROOFING.



Approved *Carlton Hardy*
Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL

[Signature]
City Engineer

[Signature]
City Planner

[Signature]
City Landscape

[Signature]
City Fire Marshall Approval