FELLSMERE WATER CONTROL DISTRICT

P.O. Box 438 / 109 N. Willow Street
Fellsmere, Florida 32948 fwcd@bellsouth.net
772-571-0640, 772-571-0203fax

Application for Utilities and Connection to District or Use of Facilities

DATE:_____Permit # _____

APPLICANT INFORMATION: Name: _____

Address: _____

Authorized Agent and Title: _____

Telephone Number: _____

PROPOSED CONNECTION USE OF: (check appropriate box or boxes) NON-Refundable

Culvert connection to District canal for irrigation or drainage.	$100.00
Pump connection to District canal for irrigation or drainage.	$300.00
Culvert and /or control structure in District canal for crossing and/or water storage.	$100.00
UTILITIES:	$100.00 to $1,000.00

Plus additional Engineering costs

Circle one or more: Electric, Telephone, Gas, Cable, Water, Sewer, Other (specify)

C. LOCATION: TRACT # _____SECTION _____TOWNSHIP ____ RANGE_____CANAL #___

Other appropriate description:_____

Property I.D. Parcel No. _____

Attach drawing to show details (include acreage to be served)

D. DETAILS OF PROPOSED CONSTRUCTION: (Give diameter and length of culvert diameter and rated capacity of pump; height and width of riser or other details on water control structure)

E. Special Conditions: (for district use only)

F. Estimated date of Construction: _____

Estimated date of Completion: _____ _

G. As the Applicant for permit, I do understand and agree that, the use of , or construction within, the right-of-way of the Fellsmere Water Control District will be in accordance with the details of the approved sketch and/or permit conditions shown hereon, supporting this application; and if any changes are required, same will be cleared with the District. {Conditions on back}

Signed:_____ Date: _____

Applicant

(For District's Use Only)

Application approved by: _____ Superintendent FWCD

Application Approved By:_____ Carter Associates, District Engineer

Date of Approval:_____ Expiration date of Application_____

Permission, when granted will be subject to the standard provisos set forth on the reverse hereof.

Application subject to all other permitting agencies approval.

1. **I accept full responsibility for any erosion to or shoaling in the District's canal or levee due to my work and I shall remove or repair same promptly and at no expense to the District; and I will prevent the discharge of any hyacinths or aquatic growth into the District's canal through my connection.**
2. **I will neither plant trees or shrubs nor erect any structure that will prohibit of limit the existing access of District equipment or vehicles without securing proper authorization thereof.**
3. **It is further understood and agreed that any other requirement of the District are binding upon me the application, and I do hereby indicate acceptance of this notice thereof.**
4. **It is further understood and agreed that the lands to be benefited by this request are, or may be subject to flooding during periods of high water due to heavy rains or other acts of God, and that the permit will be accepted subject to this possibility which is recognized not to be within the control of the District.**

STANDARD PROVISOS

1. **Permittee assumes full responsibility for any construction, operation or maintenance of District property or right-of-way subject to this permit and shall save and hold harmless District from any expense, loss, damage or claim in regard thereto, and the District assumes and shall have no liability in connection therewith.**
2. **This permit may not be assigned or sub-letted to a third party and any transfer of Permittee's property abutting District's property of right of way shall insofacto and without move, cancel, nullify and revoke this permit.**
3. **This permit is subject always to the paramount right of the District to keep and maintain its drainage district functions and operations, and is subject to revocation and cancellation upon thirty day's notice from District to Permittee.**
4. **In no event shall the District be liable for any Damages done or caused by the District to the public, to Permittee or any other person using the right-of-way or property subject to this permit, and permittee shall save the District, its officers, agents, supervisors and employees harmless from any costs, charge or expense of claim or demand of any person against the District arising from or pertaining to any use made of the property of right-of-way subject to this permit. Permittee shall, at any time upon request of District, provide to District evidence, satisfactory to District, of liability insurance coverage, in amounts and with companies as may be required by District, protecting the interests of District and naming District as an additional insured.**
5. **The District may, on thirty days, written notice to permittee, require removal and/or alteration of any installation or construction on District right-of-way.**
6. **Any construction on District right-of-way or property and clean up shall be completed promptly by permittee and in a workmanlike manner with minimum disturbance to existing berm, channel slopes and grade with proper restoration and planting of any disturbed areas to prevent erosion within ten days after completion of construction of installation.**
7. **Permittee shall advise District's office prior to commencement and upon completion of all construction (772-571-0640).**
8. **Permittee shall not discharge any pollutants, contaminants or deleterious materials into waters or structures owned or maintained by, or subject to the jurisdiction of district, nor permit anything to obstruct the flow of water, and shall save and hold district harmless from any expense, loss or damage to District or others by any such discharge or obstruction remedying or removing the same immediately upon request of District.**
9. **Permittee, as a condition to the continuance of this permit, shall reimburse district immediately upon demand, for any testing or other cost or expenses to District associated with or arising from Permittee's use of District facilities.**
10. **Applicant is cautioned that electrical, water and sewer, or other installations or utilities may be located within the construction area, and applicant shall use diligent efforts to first detect and locate all such installations and shall corrdinate construction with all other lawful users of said right-of-way. Applicant shall be liable for all damages proximately resulting from its interference with or interruption of service provided by other lawful right-of-way users.**
11. **This permit shall be considered to be a license only, for the limited purpose of installation, placement and maintenance of the improvements specified on the face hereof, and does not convey any other right, title or interest of the District in the subject right of-way property.**
12. **An as-built/location certification of all culverts/structure installation within the District's canals right-of-way shall be performed by a Florida Registered Professional Surveyor and Mapper on form provided by the District, and submitted to the District with thirty (30) days following completion of installation. If an as-built certification is not received within thirty days of installation, the District will either have certification completed at owner/applicants expense or order removal of the installation.**

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Updated Fellsmere Water Control District Permitting Policies

1. **For all new development/projects (exempting single family residences), a stormwater discharge limitation of 2 inches/24 hours for a 25 year-24hour storm event shall be provided. The limitation applies to the first 72 hours during and after a 24 hour storm event. The analysis shall include the receiving water boundary condition as determined by the Fellsmere Water Control District East Master Drainage Plan and stormwater Hydrologic Analysis of the gravity drainage system prepared by Carter Associates Inc, dated December 2003 (or latest version). This information will be provided through FWCD by District's engineer upon request on a site specific basis.**
2. **Indian River County and the City of Fellsmere shall be granted an exemption from the 2" discharge limitation for the paving of existing roads or the expansion of existing roads. In the future, any new road right of ways created by lands subdivided by plat shall be required to comply with the 2" discharge limitation.**

   Any development project which is designed to provide stormwater management facilities for a public road, which existed prior to the development, may comingle the discharges from the development and the road in a single system. The public right of way area will be allowed 4"/day and the development area will be allowed 2"/day.

3. **UTILITY CROSSINGS**
   a. **Aerial crossing a minimum of 45 feet clearance shall be maintained between canal maintenance berm surface and the lowest electrical conductor. All other Non-electrical conductors) aerial crossings shall maintain a minimum of 38' clearance above the maintenance berm.**
   b. **Underground Utilities shall be by directional bore method and so installed with a minimum of five (5) feet clearance as measured from the top of the utility conduit to the design bottom elevations of each sub-lateral canal, and eight (8) feet clearance as measured from the top of the utility conduit to the design bottom elevation of the laterals and Main Canal.**
4. **All new culvert installations and/or replacement culverts within (roadway/driveway crossings) or drainage system requires permit from the District. The installation of such culverts shall be in accordance with the replacements and conditions of the permit.(i.e. size, grade and treatments grading. Compaction and stabilization) to maintain compliance with the District's policies to keep and maintain the existing capacity and function of the District's facilities. The end (outfall) section of all drainage discharge pipes into the canal system shall be a corrugated metal pipe extending through the bank of the District's canal to the toe of the slope of said canal to minimize erosion of the canal bank.**
   No flap gates or back flow preventers are permitted on outfall discharge pipe or structures. An as built/location certification of all culvert/structure installations within the District's canals/right0of-way shall be performed by a Florida Registered Professional Surveyor or Mapper on form provided by the District, and submitted to the District within thirty(30) days following completion of installation. If as-built certification is not received within thirty(30) day of installation, the District will either have certification completed at owner's/ applicant's expense or order removal of the installation.
5. **The design, layout and construction of new projects along (abutting)and adjacent to any existing District sub-lateral canal shall provide a minimum clear maintenance berm width of twenty-five(25)feet, along the side of the sub-lateral canal containing the historical maintenance berm, as measured landward from the adjacent top of the said canal.**
6. **On projects requiring professional review for approval by the Board of Supervisors of the Fellsmere Water Control District (FWCD) a $1,000.00 deposit is required on submission whether or not an application is made for construction. Any amount of the project review deposit not expended for professional services on the District's behalf in the review process will be refunded, following review to the party submitting any excess expended for professional services in review over $1,000.00 will be payable by the permittee making a submission requiring professional review.**
7. **Flood Plain Storage must be maintained cut and fill calculations demonstrating that compensating storage volume is being created to offset any proposed fill in the flood plain shall be prepared by an engineer registered and currently licensed to practice Civil Engineering in the State of Florida calculations shall be in accordance with Indian River County Stormwater Management Flood protection ordinance. (ref. Chapter 930.07) the FEMA Flood Insurance Rate Maps and a topographic survey (based on 1929 NGVD) of the subject site, prepared by a surveyor registered and currently licensed to practice surveying in the State of Florida, shall be used to establish the basis for the calculations. The FWCD may allow the use of the 100 year storm event results as they are developed utilizing the Stormwater study noted in Item no. 1 above.**

Instructions and Regulations Governing Applications for Utility Construction Permits

1. **Permit Required;**
   No utility shall be constructed across, under; along over or within a canal or right-of-way over which the Fellsmere Water Control District (FWCD) has jurisdiction unless valid applications for construction permit has been approved by the District.
   If this is in reference to a lease please see the Permit Manual.
2. **Inspection;**
   Any utility installed under a valid construction permit shall be subject to inspection by the District to assure compliance with the construction permit before the permit to use the utility will be granted.
3. **Construction Criteria;**
   The following criteria shall govern the installation of utilities within the District jurisdiction.
4. **Aerial Crossing**
   Electrical crossing minimum elevation 45' above maintenance berm on canal bank.
   All others; minimum elevation 38' above maintenance berm on canal bank.
5. **Underground Crossing ;**
   Underground crossing shall be constructed to a depth with shall provide a minimum cover over the utility of five (5) feet as measured from the top of the utility to the design bottom elevation of the canal. Criteria in determining the design bottom elevation of the affected canal may be secured from the District.
   A scaled drawing showing the existing cross-section of the canal and right of way at the location of the proposed crossing shall be submitted with the application for construction permit. After installation, all underground crossings shall be marked by the applicant/permittee by placing permanent above-ground markers or signs over the line at each canal right-of-way line. The markers must identify the type of utility buried and must be clearly visible.
6. **Utilities Paralleling Canal or right-of-way;**
   Any buried utility which generally parallels either the canal or the right-of-way must be installed in a manner that will not limit the District's use of the right-of-way. Specific requirements controlling the installation will be determined by examination of the proposal in the light of District needs and any existing authorized use in the area. The minimum acceptable cover over a buried utility shall be 30 inches.

   Aerial lines generally paralleling the canal or the right-of-way shall be installed in a manner to insure a minimum vertical clearance under the lowest wire which will be consistent with accepted safety practices and will recognize existing facilities and uses. Standards and criteria for these aerial lines shall be determined independently for each application by the District in consultation with the applicant.
   Permits issued by the District for facilities installed under this category shall require the applicant/permittee to relocate or modify its facility as the District may require to accommodate improvements or modifications to its water control system.

Please note:
If you think that you have tripped any of the criteria below please contact the following agencies.

Department of Environmental Protection
Lisa Prather Environmental Specialist
Central District 3319 Maguire Blvd
Suite 232
Orlando, Florida 32903-3767
407-893-7863
Fax 407 893-3075

SJRWMD
Janice V. Unger Director
525 Community College Parkway SW
Palm Bay, FL 32909
(321)676-6600
Fax (321)722-5357

Florida Administrative Code
40C-42.022 Permits Required

1) **A permit is required under this chapter for construction (including operation and maintenance) of a stormwater management system which serves a project that exceeds any of the following thresholds:**
   a. **Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways and loading zones.**
   b. **Construction of more than 9,000 square feet total of impervious surface or,**
   c. **Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts putting greens, driving ranges, or ball fields.**
2) **A permit is required under this chapter for alteration, removal, reconstruction, or abandonment of existing stormwater management systems which serve a project which maybe expected to result in any of the following.**
   a. **Increase pollutant loading(including sediment) in stormwater, runoff from the project**
   b. **Increase in peak discharge rate**
   c. **Decrease in onsite or in stream detention storage**
   d. **Replacement of roadside swales with curb and gutter**
   e. **Construction of 4,000 square feet or more of impervious or semi-impervious surface area subject to vehicular traffic, such as roads, parking lots, driveways, and loading zones.**
   f. **Construction of more than 9,000 square feet total of impervious surface or**
   g. **Construction of 5 acres or more of recreational area. Recreation areas include but are not limited to golf courses, tennis courts, putting greens driving ranges, or ball fields.**
3) **These thresholds include all cumulative activities which occur on or after September 25, 1991.**
4) **For purpose of this section, the calculation of the amount of impervious surface shall not include water bodies.**
5) **Permits issued by the District for systems which no longer require a permit pursuant to subsection (1) or (2) above may either be abandoned, or relinquished by the permittee subject to the following.**
   a. **Local Governments may have concurrent jurisdiction with the District over a stormwater system. The permittee is not relieved by this rule of the responsibility to comply with any other applicable rules or ordinances with may govern such systems.**
   b. **The permittee provides reasonable assurance that there will not be a violation of state water quality standards as set forth in Chapters 62-302 and 62-550., FAC;**
   c. **The permittee must apply to the District for and receive written authorization from the District prior to abandonment of the system.**

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

Culvert Providers

Cameron Brothers (321)723-2946 Palm Bay
Con Tec (772)464-4400 (800) 881-1100 Ft. Pierce

Contractors

Double R LLC.
Mike Ruehman (772)713-2427

J.G. Trucking Inc., (772)-473-0239

R & R Land Clearing (321)-508-2591

Two Directions Cattle & Tractor Service (772)480-2893

Tommy Hinkle (772) 473-8880