



Resilient Environment Department
ENVIRONMENTAL PERMITTING DIVISION
Water and Environmental Licensing Section
1 North University Drive, Mailbox 201, Plantation, Florida 33324
Phone * 954-519-1483 Fax * 954-519-1412

January 13, 2025

Festival Real Estate, LLC
Attention: Yoram Izhak, Manager
696 NE 125th Street
North Miami, FL 33161

RE: FESTIVAL MARKETPLACE
City of Pompano Beach, S/T/R (21-48-42)

This is to notify you of the Resilient Environment Department's (RED) action concerning your application received 07/03/2024. The application has been reviewed for compliance with the following requirements:

MSSW Review - GRANTED

RED has the authority to review the project for compliance with the provisions of Chapter 373, Part IV, Florida Statutes pursuant to an agreement between RED, DEP and the SFWMD. The agreement is outlined in a document entitled "DELEGATION AGREEMENT AMONG THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND BROWARD COUNTY."

Based on the information submitted, Environmental Resource Permit No. 06-00221-S was issued on 01/13/2025.

Should you object to the conditions of the Environmental Resource Permit, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance with the attached "Notice of Rights", we will assume you concur with the action taken by RED.

Broward County Surface Water Management Review - GRANTED

RED has reviewed the project for compliance with the Surface Water Management requirements of Chapter 27, Article V Sec. 27-191 through 27-202 of the Broward County Code.

Based on the information submitted, Surface Water Management License No. SWM2025-002-0 was issued on 01/13/2025. The above named licensee is hereby authorized to perform the work or operate the facility shown on the approved drawing(s), plans, documents and specifications, as submitted by licensee, and made a part hereof.

Please be advised that no Certificate of Occupancy can be issued on this project until released, in writing, by all RED divisions as required. Such release will be pending approval of any engineering certifications required by specific condition No. 15.

The above referenced approvals will remain in effect subject to the following:


1. Not receiving a filed request for a Chapter 120, Florida Statutes administrative hearing;
2. the attached SFWMD Standard Limiting Conditions;
3. the attached SFWMD Special Conditions;
4. the attached Broward County General Conditions;
5. the attached Broward County Specific Conditions;
6. the attached 5 exhibits.

Issuance of the above referenced Broward County license(s) constitutes a final agency determination. A person with a substantial interest may file a petition to request review of or to intervene in a review of a final administrative determination, subject to the provisions of Section 27-14, Broward County Code of Ordinance.

DRC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the Permittee (and the persons listed in the attached distribution list) no later than 5:00 p.m. on 01/13/2025, in accordance with Section 120.60 (3), Florida Statutes.

By:  FOR
Johana Narvaez, M.S., Environmental Program Manager
Surface Water Management Program

Enclosed are the following:

- ☒ executed staff report;
- ☒ set(s) of stamped and approved plans;
- ☒ Notice of Rights; and
- ☒ Inspection Guidelines Brochure.



Surface Water Management Licensing Program

“What to Expect When We Are Inspecting Surface Water Management Systems”

A guideline for **engineers, contractors, and licensees** of surface water management systems when applying for the release of Certificate(s) of Occupancy.

The intent of this document is to establish some guidelines to achieve compliance with the Code while maximizing customer service needs to licensees and their agents and the local building departments by facilitating the Certificate(s) of Occupancy (CO) release procedure for building projects. It is also the intent of this document to encourage licensees and their agents and the local building departments to not put our inspection staff on the “critical path”. ***We recognize that the local building departments must adhere to the requirements of the Florida Building Code and the requirements of Article I of the Broward County Natural Resource Protection Code.***

The Environmental Permitting Division (EPD) - Surface Water Management Licensing program has the responsibility of reviewing designs, licensing, and inspecting surface water management systems within portions of Broward County under the provisions of the Broward County Natural Resource Protection Code, Chapter 27, Section 27-191 through Section 27-201. This includes enforcement for the purpose of protecting our natural resources. This document contains specific information about the EPD’s surface water management inspection procedures, review of record/as-built drawings, and time required to complete the procedure successfully. Please be advised this document may be included with the approved license and may be modified on an as-needed basis.

The following certification package must be submitted at least two (2) weeks prior to the anticipated date of occupancy; exceptions may be made on a case by case basis.

Note: Items 1, 2 & 3 may apply to plans stamped as General Licenses (GL##-###) if approved license is conditioned to provide construction certification.

1. Final Record/As-built Drawings (hard copy and electronic) of the site, lake/canal slopes, control structure(s) or overflow structure(s) (where applicable), and Finished Floor Elevation(s); etc.
2. Signed and sealed letter from a Florida-Registered Professional Engineer certifying all components of the surface water management system were constructed in substantial conformance with the approved plans; and
3. When requesting a partial certification include a \$100 partial certification fee (fees are subject to change). The certifying engineer must indicate that a substantial amount of the water management system has been constructed to serve the partial phase to satisfy the water quality and water quantity requirements of the Code and exactly which lots/buildings are requested for release.

Staff will perform an inspection on a first-come first-served basis of the above items. A successful submittal of the required items will prevent unwanted delays in the inspection and CO release processes.

What we look for During the Record/As-Built Drawing Review and During the Inspection

1. The engineer's letter must contain the appropriate certification language. The suggested wording is located in the Code and in the specific conditions of the license. The letter must be signed and sealed. It is imperative that the engineer of record describe any minor modifications to the system that were made during the construction of the project. However, substantial modifications must have received prior approval by the Surface Water Licensing Program.
2. The as-built/record drawing must document the Finished Floor Elevation(s) showing substantial conformance with approved plans.
3. In addition to rim, manhole, and pipe invert elevations, the plans should contain a sufficient amount of survey information to show that the site grades and perimeter grades were constructed in substantial conformance with the approved plans.
4. If part of the approved system, lake and canal slope as-built plans should contain a substantial number of cross sections (a minimum of 1 section per 50 linear feet is preferred) to show compliance with the Department's slope criteria. The staff reserves the right to require additional slope cross sections as necessary as well as slope regrading. Surface area calculations at the control elevation should be submitted for lakes.
5. Control structure or overflow structure information must show all (as-built) dimensions and elevations.
6. All catch basin and manhole structures must have appropriate mudwork to prevent seepage that could lead to structure/asphalt failures and subsequent turbidity violations.
7. All catch basins, manholes, and pipes must be relatively free of sediment and debris and must be accessible to staff. Arrangements should be made with staff for inspecting basins that are covered with fabric materials for sediment control purposes. Fabric must be removed by the licensee or other appropriate personnel prior to the inspection.
8. Lake, canal, swale, dry detention/retention area slopes must be stabilized through appropriate measures, i.e., no evidence of erosion or sedimentation should be encountered during the inspection. Arrangements should be made with staff with regards to timeliness of sodding or seeding slopes and bottoms of dry detention/retention areas.
9. All baffle mechanisms must be made water tight at all contact surfaces of basin walls by a durable gasket device.

Successful compliance with the above items will insure a timely release of the Certificate(s) of Occupancy from division staff.

Upon completion of the field inspection, arrangements with inspection staff will be made to correct all observed field deficiencies. With your cooperation, the Operation Letter will be released upon correction of all field deficiencies.

Environmental Permitting Division

Surface Water Management Licensing Program
1 North University Drive, Mailbox 201 • Plantation, Florida 33324
Phone 954-519-1483 FAX 954-519-1412

NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the Broward County Environmental Protection and Growth Management Department's (RED, formerly known as Department of Planning and Environmental Protection or DPEP) action under the "Delegation Agreement Among the Florida Department of Environmental Protection, The South Florida Water Management District and Broward County" has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Fla. Stat. Persons seeking a hearing on an RED decision which does or may determine their substantial interests shall file a petition for hearing with the RED Environmental Compliance Administrator, within 21 days of receipt of written notice of the decision, unless the following shorter time period applies: within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), Fla. Stat. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the RED has or intends to take final agency action, or publication of notice that the RED has or intends to take final agency action. Any person who receives written notice of an RED decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions

The Petition must be filed with the RED Enforcement Administration Section's Environmental Compliance Administrator. Filings with the Environmental Compliance Administrator may be made by mail, hand-delivery or facsimile. **Filings by facsimile will not be accepted after October 1, 2014.** A petition for administrative hearing is deemed filed upon receipt during normal business hours by the Environmental Compliance Administrator, at the Broward County government offices in Plantation, Florida. Any document received by the RED Enforcement Administration after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Environmental Compliance Administrator, Enforcement Administration Section, 1 N University Drive, Suite 307, Plantation, FL 33324.
- Filings by hand-delivery must be delivered to the RED Enforcement Administration Section. **Delivery of a petition to the Broward County security desk does not constitute filing. To ensure proper filing, it will be necessary to request the Broward County security officer to contact the Environmental Compliance Administrator's office.** An employee of the Environmental Compliance Administrator's office will receive and file the petition.
- Filings by e-mail must be transmitted to the RED Enforcement Administration Section at epdhotline@broward.org. The filing date for a document transmitted by electronic mail shall be the date the RED Enforcement Administration Section receives the complete document. A party who files a document by e-mail shall (1) represent that the original physically signed document will be retained by that party for the duration of the proceeding and of any subsequent appeal or subsequent proceeding in that cause and that the party shall produce it upon the request of other parties; and (2) be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed.

Initiation of an Administrative Hearing

Pursuant to Rules 28-106.201 and 28-106.301, Fla. Admin. Code, initiation of an administrative hearing shall be made by written petition to the RED in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, RED file number or any other RED identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the RED 's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the RED 's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the RED 's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the RED to take with respect to the RED 's proposed action.

A person may file a request for an extension of time for filing a petition. The RED may, for good cause, grant the request. Requests for extension of time must be filed with the RED prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the RED and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the RED takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law.

Mediation

The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. The RED is not proposing mediation for this agency action under Section 120.573, Fla. Stat., at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final RED action may seek judicial review of the RED 's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the Environmental Compliance Administrator within 30 days of rendering of the final RED action.

Rev. 10/01/14

SFWMD General Conditions

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050 (9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010 (5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities - "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.
7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

SFWMD Special Conditions

1. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
2. Measures shall be taken during construction to insure that sedimentation and/or turbidity problems are not created in the receiving water.
3. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
4. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
5. The conditions outlined in the Broward County Specific Conditions section, except where language specifically relates to Broward County Code, are incorporated into these SFWMD Special Conditions.
6. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.
7. Operation of the surface water management system shall be the responsibility of permittee.
8. All terms, conditions, and exhibits previously stipulated by SFWMD Permit # 06-00221-S will apply to this license unless specifically modified.
9. This permit expires on 1/13/2030.
10. If prehistoric or historic artifacts such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Permittee or other designee should contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at 850-245-6333 or 800-847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources.

In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with section 872.05, Florida Statutes.

Broward County General Condition

1. The terms, conditions, requirements, limitations and restrictions set forth herein are accepted by the Licensee and must be completed by the Licensee and are enforceable by Resilient Environment Department (RED) pursuant to Chapter 27 of the Broward County Code of Ordinances (BCC). RED will review this license periodically and may revoke or suspend the license, and initiate administrative and/or judicial action for any violation of the conditions by the Licensee, its agents, employees, servants or representatives.
2. This license is valid only for the specific uses set forth in the license application and any deviation from the approved uses may constitute grounds for revocation, suspension, and/or enforcement action by RED.
3. In the event the Licensee is temporarily unable to comply with any of the conditions of the license or with Chapter 27 BCC, the Licensee shall notify RED within eight (8) hours or as stated in the specific section of Chapter 27 BCC. Within three (3) working days of the event, the Licensee shall submit a written report to RED that describes the incident, its cause, the measures being taken to correct the problem and prevent its reoccurrence, the owner's intention regarding the repair, replacement and reconstruction of destroyed facilities and a schedule of events leading toward operation with the license condition.
4. The issuance of this license does not convey any vested rights or exclusive privileges, nor does it authorize any injury to public or private property or any invasion of personal rights, or any violation of federal, state or local laws or regulations.
5. This license must be available for inspection on the Licensee's premises during the entire life of the license.
6. By accepting this license, the Licensee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this licensed facility or activity, that are submitted to the county, may be used by the county as evidence in any enforcement proceeding arising under Chapter 27 BCC, except where such use is prohibited by section 403.111, Florida Statutes.
7. The Licensee agrees to comply and shall comply with all provisions of the most current version of Chapter 27 BCC.
8. Any new owner or operator of a licensed facility shall apply by letter for a transfer of license within thirty (30) days after sale or legal transfer. The transferor shall remain liable for performance in accordance with the license until the transferee applies for and is granted a transfer of license. The transferee shall be liable for any violation of Chapter 27 BCC that results from the transferee's activities. The transferee shall comply with the transferor's original license conditions when the transferee has failed to obtain its own license.
9. The Licensee, by acceptance of this license, specifically agrees to allow access and shall allow access to the licensed source, activity or facility at times to RED personnel for the purposes of inspection and testing to determine compliance with this license and Chapter 27 BCC.
10. This license does not constitute a waiver or approval of any other license, approval, or regulatory requirement by this or any other governmental agency that may be required.
11. Enforcement of the terms and provisions of this license shall be at the reasonable discretion of RED, and any forbearance on behalf of RED to exercise its rights hereunder in the event of any breach by the Licensee, shall not be deemed or construed to be a waiver of RED's rights hereunder.

Broward County Specific Conditions

1. The licensee shall allow authorized personnel of the Resilient Environment Department (RED), municipality or local water control district to conduct such inspections at reasonable hours, as are necessary to determine compliance with the requirements of the license and the approved plans and specifications.
2. The responsible entity shall agree to maintain the operating efficiency of the water management works. Except in cases where the responsible entity is a governmental agency, the agreement shall further require that if the water management works is not adequately maintained, the County may undertake the required work and bill all associated costs to the responsible entity. If the payment for such obligations is not satisfied within 30 days, said obligation shall become a lien against the property associated with the water management works. Where ownership of the water management works is separate from property ownership, the RED shall require these agreements to be recorded.
3. The licensee shall execute the work authorized in a manner so as to minimize any adverse impact of the works on fish, wildlife, natural environmental values, and water quality. The licensee shall institute necessary measures during the construction period, including fill compaction of any fill material placed around newly installed structures, to reduce erosion, turbidity, nutrient loading and sedimentation in the receiving waters. Any erosion, shoaling or deleterious discharges due to permitted actions will be corrected promptly at no expense to the County.
4. The licensee shall comply with all applicable local land use and subdivision regulations and other local requirements. In addition, the licensee shall obtain all necessary Federal, State, local and special district authorizations prior to the start of any construction alteration of works authorized by this license.
5. Off-site discharges during construction and development shall be made only through the facilities authorized by this license. Water discharged from the project shall be through structures having a mechanism for regulating upstream water stages. Stages may be subject to operating schedules satisfactory to the appropriate regulatory agency.
6. The licensee shall hold and save the County harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance or use of any facility authorized by the license.
7. The license does not convey property rights nor any rights or privileges other than those specified therein.
8. No construction authorized by the license shall commence until a responsible entity acceptable to the RED has been established and has agreed to operate and maintain the efficiency of the system. The entity must be provided with sufficient ownership so that it has control over all water management facilities authorized therein. Upon receipt of written evidence of the satisfaction of this condition, the RED will issue authorization to commence the construction.
9. No beautification, or erection of any structure that will prohibit or limit access of maintenance equipment or vehicles in the right-of-way or easements will be allowed.
10. Any license which grants any entity the permission to place a structure on property which is owned by Broward County or upon which Broward County has an easement shall be construed to create a revocable license for that structure to remain on the property. Broward County may require removal of such a structure at no cost to the County.
11. The area under license will be maintained in a safe and operating condition at all times. Equipment will be promptly removed from the right-of-way or easement and the right-of-way or easement will be restored to its original or better condition within a reasonable time on termination of the authorized use.

12. The RED will be notified, as required in the license or as indicated on the approved plans, to coordinate and schedule inspections.

13. The operation or construction will be in accordance with the approved details and plans submitted with the application. Any modification must be submitted to the RED in writing and receive prior approval.

14. Monitoring may be required for sites with high pollutant generating potential, such as industrial sites, Class I and II solid waste disposal sites, and projects discharging to areas identified in the Broward County Resource Management Code, Article V, Section 27-200 (b) (1) o. Such monitoring will be under the cognizance of the RED.

15. Upon completion of the construction of a surface water management system or phase thereof licensed by the RED, it is a requirement of the issuance of the license, and hence transfer of operation and maintenance responsibility, that a Florida Registered Professional Engineer certify that the surface water management system was indeed constructed as licensed. Certified record drawings shall accompany the certification. Suggested wording for this is as follows:

I HEREBY CERTIFY TO THE CONSTRUCTION COMPLETION OF ALL THE COMPONENTS OF THE SURFACE WATER MANAGEMENT FACILITIES FOR THE ABOVE REFERENCES PROJECT AND THAT THEY HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE BROWARD COUNTY RED, AND HEREBY AFFIX MY SEAL THIS ____ DAY OF _____, 20 ____.

(SEAL)

16. Water management areas shall be legally reserved to the operation entity and for that purpose by dedication on the plat, deed restrictions, easements, etc., so that subsequent owners or others may not remove such areas from their intended use. Management areas, including maintenance easements, shall be connected to a public road or other location from which operation and maintenance access is legally and physically available.

17. The licensee shall notify the RED in writing within twenty-four (24) hours of the start, finish, suspension, and/or abandonment of any construction or alteration of works authorized by this license.

18. A prorated share of surface water management retention/detention areas, sufficient to provide the required flood protection and water quality treatment, must be provided prior to occupancy of any building or residence.

19. The operation license shall be valid for a specific period of time not to exceed five (5) years from the date the license is transferred to the operation phase. The operation license shall be renewed in accordance with the Broward County Resource Management Code, Article V, Section 27 - 198 (d) (2).

20. The RED reserves the right to require additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.

21. This permit does not constitute the approval required by the Broward County Hazardous Material Code, Article XII, Section 27-353(i), to conduct dewatering operations at or within one-quarter mile radius of a contaminated site. Please contact the Environmental Assessment and Remediation Section at (954) 519-1478 for further information.

22. The licensee shall keep a log of the operation and maintenance schedule for all components of the surface water management system.

23. The surface water management system must be inspected by the RED to verify compliance with Specific Condition No. 15 of the license. In accordance with the Broward County Natural Resource Protection Code, Article I, Sec. 27-66 (f), the County agency or municipal agency charged with issuing a certificate of occupancy (CO) shall not issue a CO until notified of the Broward County RED approval. Partial certifications will be handled in accordance with Specific Condition No. 18.

24. The licensee is advised that he/she is required to submit a Storm Water Notice of Intent (NOI) application at least 48 hours prior to the commencement of construction to the Florida Department of Environmental Protection, NPDES Stormwater Notices Center, MS #3585 at 2600 Blair Stone Road - Tallahassee, Florida 32399-2400.

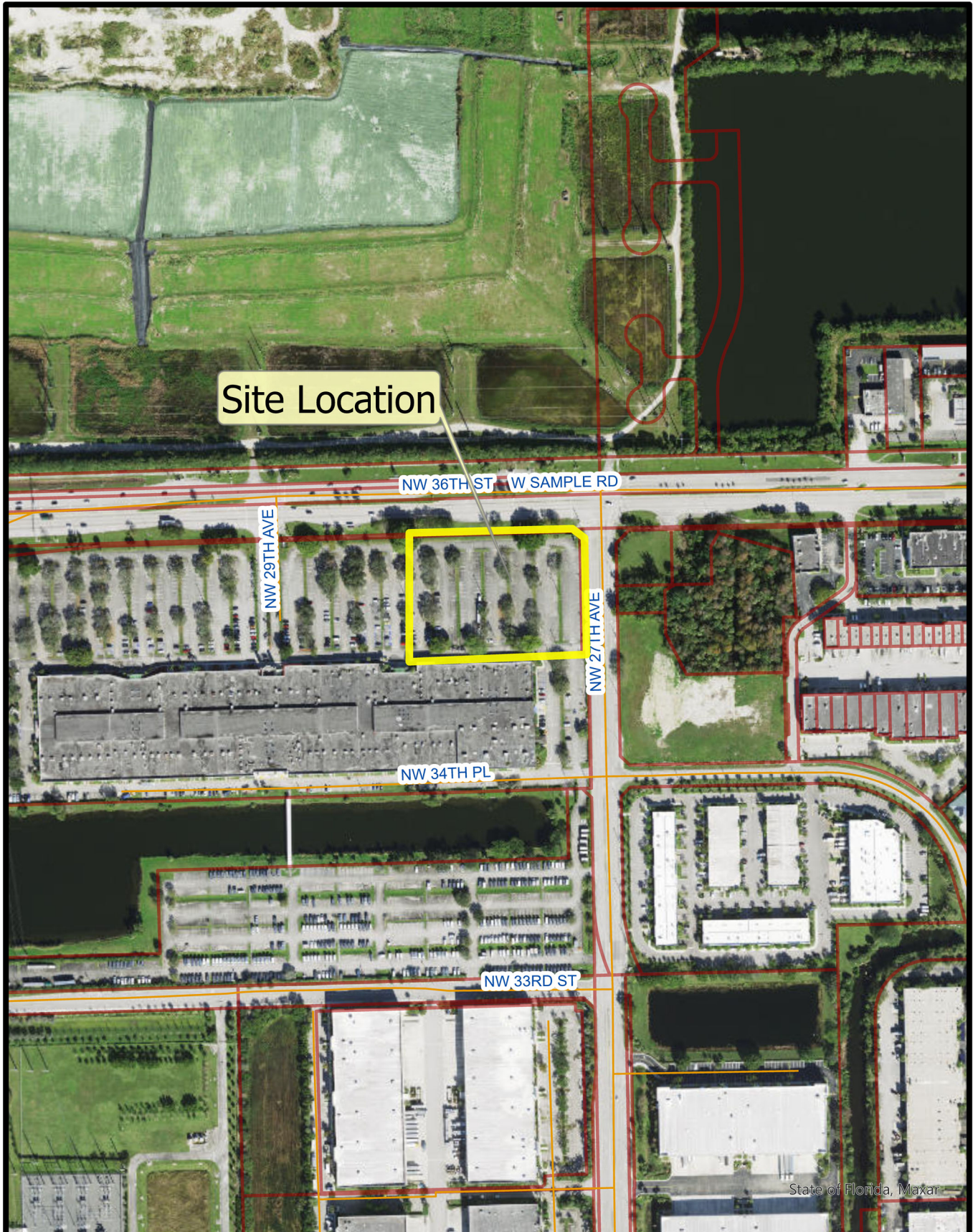
25. All commercial parcel(s) must provide one half (1/2) inch of dry pre-treatment prior to discharging into the wet detention areas of the master drainage system where applicable.

26. All special conditions, exhibits and other materials previously stipulated by permit number 06-00221-S remain in effect unless otherwise revised and shall apply to this modification.

27. Certification of Occupancy shall not be issued for this site until the enforcement action under NOV21-0001 is resolved and a license modification to remove the site area from the master SWM license No. SWM 19-21-48-42 is submitted to and approved by the RED SWM Program following the enforcement action resolution.

LOCATION MAP

SWM2025-002-0
FOLIO: 484221070010



DRC



0 0.03 0.06 0.12 0.18 0.24 Miles

PZ22-12000027

10/01/2025



EXHIBIT - 1

STAFF REPORT

Project Name: FESTIVAL MARKETPLACE

Permit Number: 06-00221-S **License Number:** SWM2025-002-0

Application Number: 240703-60 **Concurrent Application:** L2024-173

Application Type: Surface Water Management Modification (MSSW)

Location: Broward Count **Section-Township-Range:** 21-48-42

Permittee's Name: Festival Real Estate, LLC

Project Area: 2.94 acres **Drainage Area:** 2.94 acres

Project Land Use: Commercial

Drainage Basin: C-14

Receiving Body: On-site Retention

Purpose:

The modification of SFWMD Permit # 06-00221-S and new Broward County Surface Water Management License for the construction and operation of a surface water management system to serve a proposed 2.94-acre commercial development.

Project Evaluation

Project Site Description:

The site is presently developed containing 2.46 acres of paved area and a surface water management system that provides water quality treatment of storm runoff. The site is located at the SW corner of the intersection of W Sample Road and NW 27th Avenue in the City of Pompano Beach.

Proposed Project Design:

The proposed construction will include 0.12 acres of building, 1.38 acres of paved area, and the proposed drainage system. A system of swales, inlets, and culverts will direct the storm runoff to 555 LF of 5'H x 5'W exfiltration trench for water quality treatment and to meet the water quantity requirements of the Code (a minimum of 125 LF is required for water quality purposes). Minimal parking area reconfiguration is also proposed outside of the project site area located within the SE corner of the parcel, however no regrading is proposed and the reconfiguration will result in a net decrease in impervious area.

Documentation was provided noting that the County will be responsible for maintaining the drainage system including 113 LF of 5.5'H x 4'W exfiltration trench located within the County right-of-way.

The applicant's consultant has demonstrated through plans and calculations that proposed project meets the requirements of the Code.

Control Elevation:

Control Elevation = 8 ft, NAVD WSWT Elevation = 8 ft, NAVD

Method of Determination = Existing Permit

Discharge Rate:

A perimeter berm will be provided at elevation 13.22' NAVD, at or above the 25-yr, 3-day design storm stage.

<u>Frequency</u>	<u>Rainfall</u>	<u>Basin Name</u>	<u>Allowable Disch</u>	<u>Method of Determination</u>	<u>Peak Disch.</u>	<u>Peak Stage</u>
25YR-3DAY	16 in.	FESTIVAL MARKETPLACE	0 cfs	Pre-vs-Post	0 cfs	13.22' NAVD

Finished Floors:

The finished floor elevations have been designed to be above the computed 100-yr, 3-day zero discharge stage, the Broward County 100-yr, 3-day flood map elevation and the Broward County Future Conditions 100-yr Flood Elevation of 13.5' NAVD.

<u>Frequency</u>	<u>Rainfall</u>	<u>Basin Name</u>	<u>Peak Stage</u>	<u>Prop. Min. Fin. Floors</u>	<u>BC 100-yr Map Elev.</u>
100YR-3DAY	20 inches	FESTIVAL MARKETPLACE	13.57' NAVD	14' NAVD	12.50' NAVD

Water Quality Design:

Water quality treatment will be provided in the exfiltration trench system for 2.5 inches times the percent impervious over the entire site.

<u>Basin Name</u>	<u>Treatment Type</u>	<u>Treatment Method</u>	<u>Volume Required</u>	<u>Volume Provided</u>
FESTIVAL MARKETPLACE	Treatment	Exfiltration Trench	0.30 ac-ft	0.80 ac-ft
			Total: 0.80 ac-ft	

Environmental Summary:

No wetland areas were identified within the project area and no wetland impacts are anticipated from the development of this parcel. Therefore, no wetland mitigation requirements have been included in the permit for this project. The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest. Based upon the proposed project design, RED has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

Special Concerns

Operating Entity: Festival Real Estate, LLC
Attention: Yoram Izhak, Manager
696 NE 125th Street
North Miami, FL 33161

Waste Water System/Supplier: BCUD #4

STAFF RECOMMENDATION:

South Florida Water Management District and Broward County rules have been adhered to and an Individual Permit should be granted.

06-00221-S; SWM2025-002-0; , STAFF REVIEW:

Surface Water Management Program:

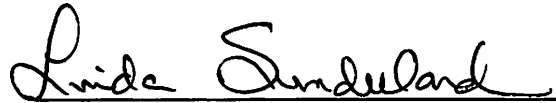


Matthew Ketterer, P.E.

 FOR

Johana Narvaez, M.S., Environmental Program Manager

Aquatic and Wetland Resources Program:



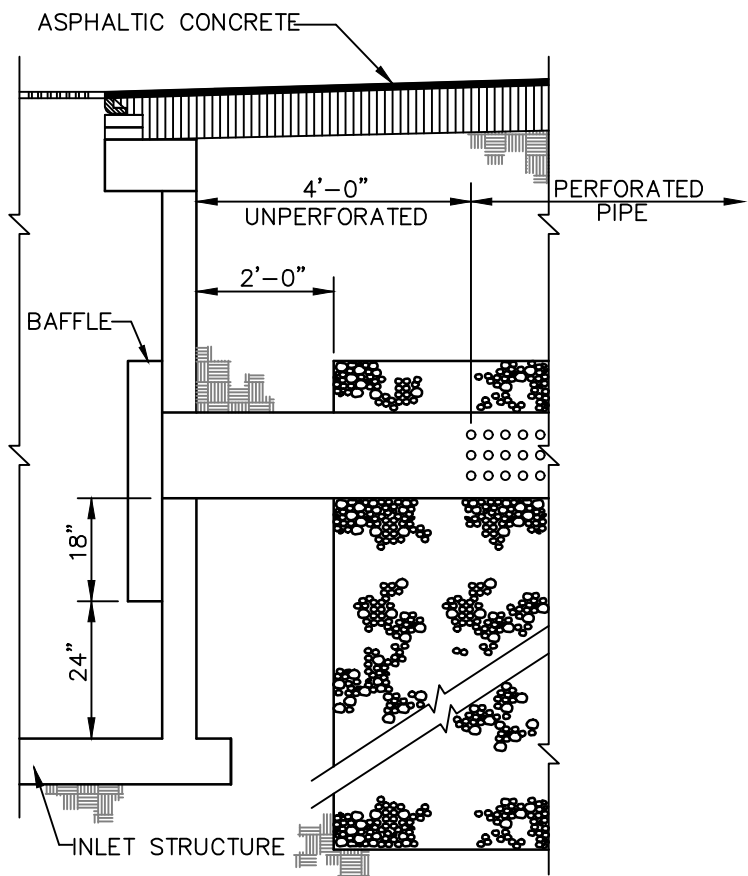
Linda Sunderland, Manager

C:\Users\Ahmad\journal\My Share\Syn\002\Civil\DWG-C-9.0 GRADING AND DRAINAGE DETAILS.dwg 10/11/2024 5:09pm

PZ22-12000027

10/01/2025

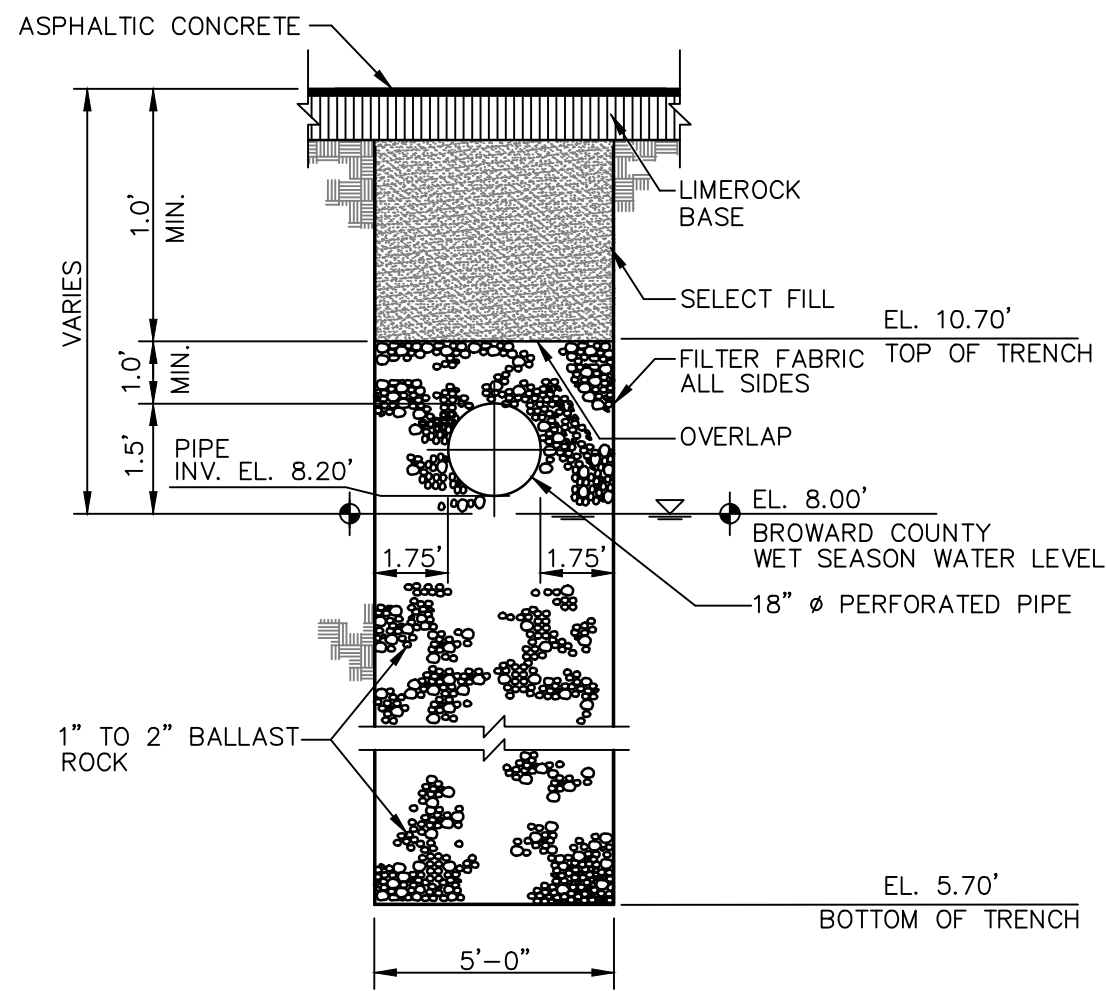
DRC



- NOTES:
1. PROVIDE BAFFLE WHEREVER PIPE ENTERS FRENCH DRAIN.
 2. BAFFLE SHALL BE AS SHOWN ON DETAIL IN THIS SHEET OR APPROVED EQUAL.
 3. SUMP 2'-0" (TYP.) EXCEPT AT POLLUTION CONTROL STRUCTURES SUMP TO BE 3'-6".

**EXFILTRATION TRENCH
CONNECTION DETAIL**

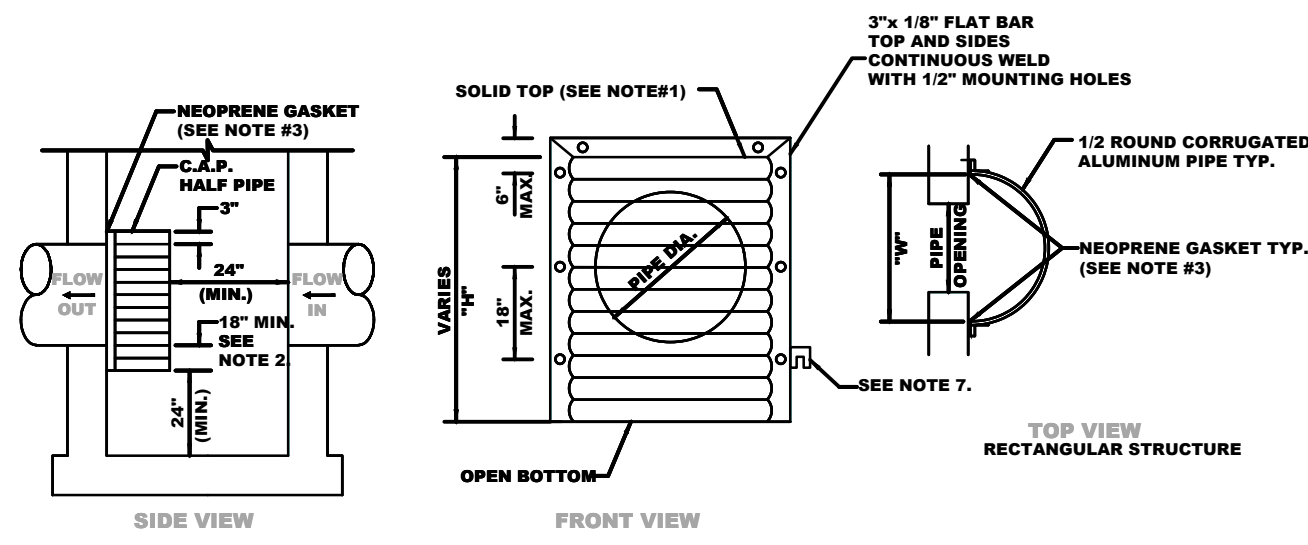
N.T.S.



NOTE: FILTER FABRIC PER FDOT INDEX NO. 199

18" EXFILTRATION TRENCH SECTION (PRIVATE)

N.T.S.



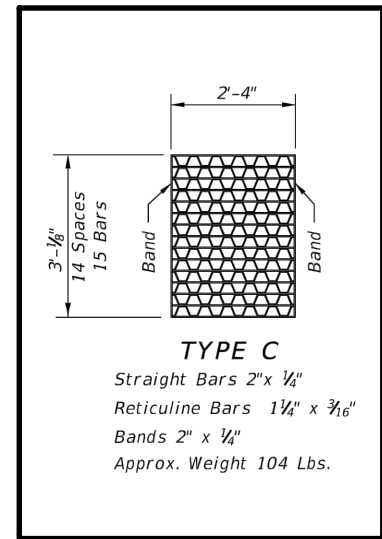
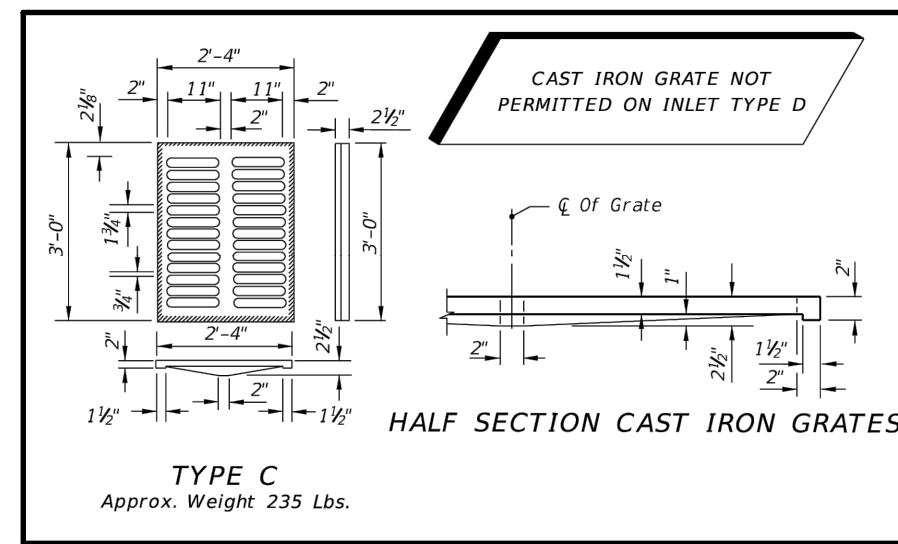
PIPE DIA.	W ³ (IN)	W ² (IN)	T (GAUGE)	H (IN)
15"	21"	21"	16	VARIES
18"	24"	24"	16	VARIES
21"	30"	30"	16	VARIES
24"	36"	36"	16	VARIES
30"	36"	42"	14	VARIES
36"	42"	48"	14	VARIES
42"	48"	54"	14	VARIES
48"	54"	60"	14	VARIES
54"	60"	66"	14	VARIES

1. RECTANGULAR STRUCTURE
2. ROUND STRUCTURE

- NOTES
1. ALUMINUM SHEET OF SAME THICKNESS (GAUGE) AS PIPE SHALL BE WELDED TO CLOSE OPENING AT THE TOP.
 2. THE BOTTOM ELEVATION OF THE POLLUTION RETARDANT BAFFLE MUST BE AT LEAST 1.5' BELOW CONTROL ELEVATION.
 3. NEOPRENE ADHESIVE BACKED GASKET, OR APPROVED EQUAL (1"x2") SHALL BE INSTALLED ON THE SIDES AND TOP ALL.
 4. IMBREMION RETARDANT BAFFLE TO BE FASTENED IN PLACE WITH 3/4" STAINLESS STEEL "RED HEADS" OR APPROVED.
 5. REBURNFILTRATION TRENCHES SHALL HAVE A POLLUTION RETARDANT BAFFLE AT EACH CONNECTION POINT TO A.
 6. RETURNING BRACKETS MAY BE ADDED TO FLAT BARS TO EASE INSTALLATION IN ROUND STRUCTURES. SPACING TO MATCH HOLES IN FLAT BARS.

POLLUTION RETARDANT BAFFLE DETAIL

N.T.S.

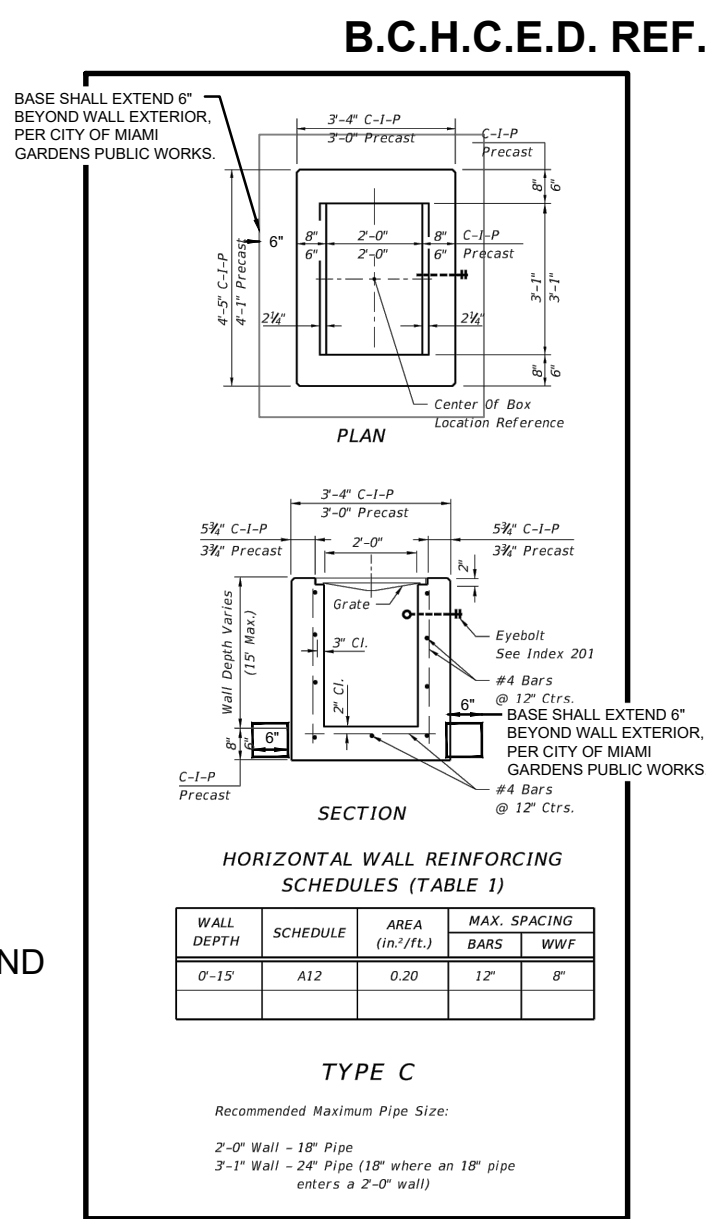


NOTE:

SEE FDOT INDEX 232 FOR COMPLETE DETAIL, NOTES AND SPECIFICATIONS.

FDOT TYPE C INLET

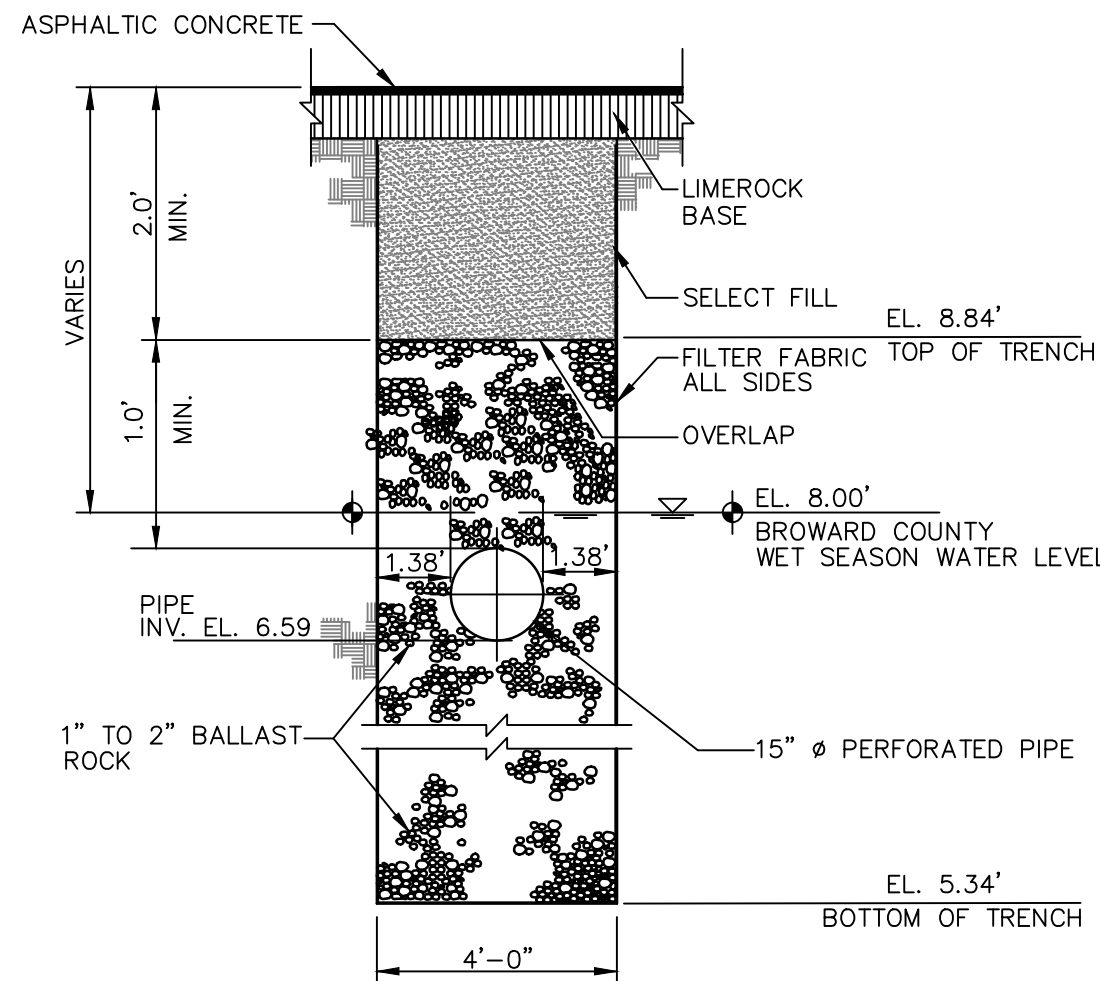
N.T.S.



ELEVATIONS NOTE:

ELEVATIONS ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND ARE BASED ON THE BROWARD COUNTY BENCHMARK #2602752C.

REFER TO BOUNDARY AND TOPOGRAPHIC SURVEY CONDUCTED BY MILLER LEGG.



NOTE: FILTER FABRIC PER FDOT INDEX NO. 199

18" EXFILTRATION TRENCH SECTION (NW 27 AVE)

N.T.S.

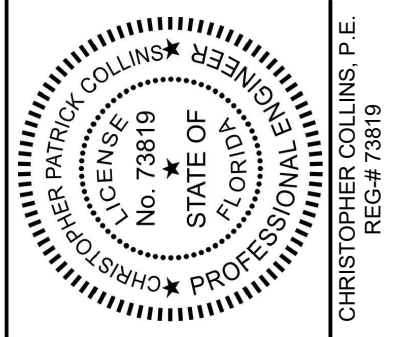
BROWARD COUNTY
Surface Water Management License
No. SWM2025-002-0
ERP No. 06-00221-S
Date 01/13/2025

Sunshine811

Call 811 or visit sunshine811.com two full business days before digging to have buried facilities located and marked.
Check positive response codes before you dig!



666 N.E. 125th STREET,
SUITE 247
NORTH MIAMI, FL 33161
Phone: 305.720.2079
C.O.A. 33221



10/31/2024

This item has been digitally signed and sealed by Christopher P. Collins, P.E. on the date adjacent to the seal.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronics copies.

Revision Date

Comment

Revision Date

Comment

Revision Date

Comment

Revision Date

Comment

Revision Date

Comment

Revision Date

Comment

Designed by:

C.P.C.

Drawn by:

A.T.S.

Checked by:

C.P.C.

Approved by:

C.P.C.

Scale:

N.T.S.

Date:

05/25/2022

Job No.:

1002

© 2024

Plans for

**FESTIVAL
MARKETPLACE**

2900 W SAMPLE ROAD
POMPANO BEACH,
FLORIDA

**GRADING &
DRAINAGE
DETAILS**

Sheet No.

C-9.0

EXHIBIT - 4

STAFF REPORT DISTRIBUTION LIST
ADDRESSES

Owner:

Festival Real Estate, LLC
Attention: Yoram Izhak, Manager
696 NE 125th Street
North Miami, FL 33161

Applicant:

Festival Real Estate, LLC
Attention: Yoram Izhak, Manager
696 NE 125th Street
North Miami, FL 33161

Engineering Consultant:

URBN Design Group LLC
Attention: Christopher Collins, P.E.
666 NE 125th Street, Suite 247
North Miami, FL 33161

Other:

City of Pompano Beach Building Official