

January 2001

Notice of violation - 2001-01-24

Audubon Lake Okeechobee Watershed Campaign Office

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3001 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
 Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

CON 24-06-04

January 24, 2001

Mr. Haynes E. Williams
 208 North Parrott Avenue
 Okeechobee, Florida 34972

Dear Mr. Williams:

NOTICE OF VIOLATION

**Subject: Construction Without a Permit,
 101 Ranch - Sod Farm
 Okeechobee County Sec. 8 / Twp. 44S / Rng. 40E**

A field inspection by District Staff indicates that you have violated Section 373.323, Florida Statutes, (Water Well Contractor Licensing), Rule 40E-3.041, Florida Administrative Code, (Water Well Construction Permitting), and Section 373.219 (Water Use Permitting), for the unpermitted construction and use of one eight (8) inch diameter, 180-foot deep water well in violation of the permitting criteria for the South Florida Water Management District. The information that you provided indicates that a non-licensed water well contractor drilled this well, and a well construction permit was not obtained prior to construction of the well. In addition, the unpermitted well is being used to both irrigate the existing sod farm and provide water for cattle located adjacent to the sod fields without benefit of a water use permit.

You are directed to immediately stop all withdrawals. Any further unauthorized use of this well or any other non-permitted source of water will be treated as an additional violation. Furthermore, your recent request to initiate the construction of one of the two Floridan wells requested in your permit application as a test well is denied. Construction of the proposed Floridan wells will be authorized, only after approval of the Water Use Permit by the Governing Board. You are also directed to immediately have the unpermitted well properly plugged and abandoned by a licensed water well contractor, pursuant to Rule 40E-3.531, Florida Administrative Code.

As a result of this violation, the District will seek civil penalties and recovery of staff investigation costs. The specific terms for resolution of this violation will be forwarded to you shortly in the form of a settlement letter. Please be advised that the District is authorized under Section 373.129, Florida Statutes, to seek civil penalties and to recover costs such as staff investigative time and attorney fees.

If you have any questions please contact Mr. Jeff Rosenfeld at (561) 682-6922. Your attention and cooperation in this matter is appreciated.

Sincerely,


 Rudy Smith, Senior Regulatory Supervisor
 Environmental Resource Compliance Department

Certified Mail No. 7099 3400 0000 6147 8251

EXHIBIT B

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