



# St. Johns River

## Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director • Mike Slayton, Deputy Executive Director  
John Jullianna, Palm Bay Service Center Director, Regulatory

525 Community College Parkway S.E. • Palm Bay, FL 32909 • (321) 984-4940  
On the Internet at [floridaswater.com](http://floridaswater.com).

February 8, 2011

Ed Fleis  
Fleis Group LLC  
1275 South Patrick Drive, Suite K  
Satellite Beach, FL 32937

RE: Capron Ridge (A.K.A. St. Patrick, PUD)  
Permit #4-009-67980-2, and Item #1153763  
(Please reference permit and item numbers on all correspondence.)

Dear Mr. Fleis:

Staff from the St. Johns River Water Management District (District) have reviewed the wildfire mitigation plan dated January 14, 2011, that you submitted for the conservation easement within Capron Ridge. Staff have visited the site and determined that, if implemented according to the plan and the following conditions, the proposed wildfire mitigation activities would not violate the terms of the conservation easement recorded in favor of the District in Official Records Book 5374, pages 0771 of the public records of Brevard County. This conservation easement was recorded as a condition of District Permit Number 4-009-67980-2.

The activities would need to be conducted in accordance with all of the following conditions:

1. Trimming of vegetation shall be limited to W-4, W-11, and W-12, and shall be limited to areas that are within 60 feet of occupied dwellings, or within 60 feet of footprints of dwellings about to be constructed.
2. Trimming of the understory shrubs, which include palmetto, gallberry, and holly, such that vegetation post-treatment will be no less than 8 inches high. This condition is necessary to discourage the individual residents from regularly "mowing" any treated areas in order to incorporate them into their yards. Please be advised that regular mowing to convert the area to sod is prohibited.
3. Some unflagged slash pines and other understory trees will be cut a few inches above the ground such that trees greater than 3 inches will average at least 100 trees per acre post treatment.
4. Brazilian pepper trees and other exotics will be cut to ground level and the stump treated with an approved herbicide within 3 minutes of the cut to prevent future growth.
5. All dead bay trees will be cut to the stump.
6. All vegetation resulting from the trimming, all cut trees and exotics, and all dead trees lying on the ground will be hauled out of the areas and disposed off site.
7. It shall be your responsibility to coordinate the treatment with the other residents of the Capron Ridge PUD.

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The District's determination that conducting fire mitigation activities in accordance with the plan and the above conditions would not violate the conservation easement does not relieve the permit holder from the responsibility of obtaining any authorizations that may be required for these activities from federal, state, and/or local agencies. The landowner as the grantor of the conservation easement would be subject to enforcement by the District for any violations of the conservation easement, including activities that are inconsistent with this letter.

Thank you for your cooperation and patience. If you have questions, please contact me at 321-676-6600

Sincerely,

A handwritten signature in black ink, appearing to read "Janice Unger". The signature is written in a cursive, flowing style.

Janice Unger, Director  
Division of Environmental Resource Compliance  
Department of Environmental Resource Permitting

cc: John Julianna  
Jaime Zsiros  
Steven R. Miller  
RIM  
Capron Ridge, LLC - 2060 Highway A1A, Suite 308  
Indian Harbor Beach, FL 32937