



# St. Johns River Water Management District

Michael A. Register, P.E., Executive Director

---

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500 • [www.sjrwmd.com](http://www.sjrwmd.com)

April 1, 2022

Steve Gaudet – *Sent via email:* [stevegaudet2000@gmail.com](mailto:stevegaudet2000@gmail.com)  
502 S Palmetto Ave  
Green Cv Spgs, FL 32043-4336

Re: Notice of Issuance of Formal Wetland Determination(FWD) No. 172087-1

Dear Mr. Gaudet:

Enclosed is the FWD issued by the District. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action.

The District will not publish a notice in the newspaper advising the public that it has issued your FWD. If you wish to have certainty that the period for filing a challenge to the District's agency action is closed, you may publish, at your own expense, a notice in a newspaper of general circulation. (Chapter 120, Florida Statutes). A FWD does not authorize construction on the subject property.

If you have any questions concerning this FWD, please contact Michelle Reiber at (321) 409-2129 or [mreiber@sjrwmd.com](mailto:mreiber@sjrwmd.com).

Sincerely,

A handwritten signature in cursive script that reads "Michelle Reiber".

Michelle Reiber, Bureau Chief  
Environmental Resource Regulation

Enclosures: Formal Wetland Determination  
Stamped Approved Certified Survey  
Notice of Rights

CC: Agent: Jesse Boudreaux – *Sent via email:* [jboudreaux@onsiteec.com](mailto:jboudreaux@onsiteec.com)  
Onsite Environmental Consulting  
Consultant: Adam Hoyles – *Sent via email:* [wetlandguy@onsiteec.com](mailto:wetlandguy@onsiteec.com)  
Onsite Environmental Consulting

---

**GOVERNING BOARD**

Rob Bradley, CHAIR  
FLEMING ISLAND

Ryan Atwood  
MOUNT DORA

Maryam H. Ghyabi-White, VICE CHAIR  
ORMOND BEACH

Doug Bourmique  
VERO BEACH

Douglas Burnett  
ST. AUGUSTINE

J. Chris Peterson, SECRETARY  
WINTER PARK

Cole Oliver  
MERRITT ISLAND

Ron Howse, TREASURER  
COCOA

Janet Price  
FERNANDINA BEACH

**FORMAL WETLAND DETERMINATION AUTHORIZATION**

**PETITION NO:** 172087-1

**DATE ISSUED:** April 1, 2022

**PROPERTY NAME:** Gaudet S. Orange Ave

**DETERMINATION STATEMENT:**

Formal Wetland Determination Authorization Statement: The formal determination of the landward extent of wetlands and other surface waters as determined by the District and as depicted on the one-sheet certified survey stamped as approved by the District on March 28, 2022, for the 1.49-acre property known as Gaudet S. Orange Ave, located in Section 38, Township 6 South, Range 26 East, Clay County. A Formal Wetland Determination (FWD) does not authorize construction on the subject property.

**LOCATION:**

SECTION(S): 38

TOWNSHIP(S): 6S

RANGE(S): 26E

Clay County

**ISSUED TO:**

Steve Gaudet  
502 S Palmetto Ave  
Green Cv Spgs, FL 32043-4336

This document and the enclosed survey serve as the FWD issued by the District. As required by the FWD, the District must be notified within 30 days of sale or transfer of this property. This FWD may be transferred after the receipt of written notification of transfer of ownership or control of the real property.

This FWD is binding for a period of five (5) years from the issuance date provided physical conditions on the property do not change so as to alter the wetland boundaries during that period. The District's Governing Board may revoke the FWD upon finding that the petitioner has submitted inaccurate information to the District.

**AUTHORIZED BY:** St. Johns River Water Management District

By: 

---

Tanya McHale  
Supervising Regulatory Scientist

## Notice of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at [Clerk@sjrwmd.com](mailto:Clerk@sjrwmd.com), within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

## Notice of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at [www.sjrwmf.com](http://www.sjrwmf.com). These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

**Notice of Rights**

**Certificate of Service**

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Steve Gaudet  
502 S Palmetto Ave  
Green Cv Spgs, FL 32043-4336

This 1st day of April 2022.



Michelle Reiber, Bureau Chief

Permit Number: 172087-1