

LEE COUNTY HEARING EXAMINER

PUBLIC HEARING

Case No. DCI2008-00045

Applicant: Bonita Springs Utilities, Inc., in  
reference to BBR East Water Storage Tank

Transcript of proceedings before Richard  
Gescheidt, Hearing Examiner, 1500 Monroe  
Street Fort Myers, Florida, on February 24,  
2010, commencing at 10:00 a.m.

APPEARANCES:

NEALE MONTGOMERY, Esquire  
representing the Applicant

JOHN FREDYMA, Assistant County Attorney  
representing Lee County

CHAHRAM BADAMTCHIAN, Senior Planner  
Department of Community Development  
Division of Zoning

LEE COUNTY  
HEARING EXAMINER  
2010 MAR - 1 PM 3:15

---

MARTINA REPORTING SERVICES  
Courtney Building, Suite 201  
2069 First Street  
Fort Myers, Florida 33901  
OFFICE (239) 334-6545  
FAX (239) 332-2913

COPY

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPLICANT:

PATRICK VANASSE

Page 10

MIKE MYERS

Page 34

By Ms. Montgomery

Page 37, 41

By Ms. Derheimer

Page 38

MICHAEL LIGGINS

Page 43

STAFF:

CHAHRAM BADAMTCHIAN

Page 77

SUZIE DERHEIMER

Page 80

By Ms. Montgomery

Page 83

PUBLIC:

Samuel R. Snell

Page 102

Byron Liles

Page 112

1 THE HEARING EXAMINER: Ladies and gentlemen, my  
2 name is Richard Gescheidt. I'm a Lee County Hearing  
3 examiner and I'm here to hear case number  
4 DCI2008-00045. The applicant is Bonita Springs  
5 Utilities. They're requesting a rezoning of a  
6 14-acre parcel to a CFPD to allow a water storage  
7 tank and associated accessory uses for the property  
8 located at 13471 Snell Lane in Bonita Springs.

9 I believe we have members of the public present,  
10 so I'm going to ask the county attorney to make a  
11 statement.

12 MR. FREDYMA: Good morning. Thank you,  
13 Mr. Hearing Examiner. My name is John Fredyma. I'm  
14 an assistant county attorney. I represent the Board  
15 of County Commissioners, but I'm also here to assist  
16 county staff, the applicant and the hearing examiner  
17 to ensure that the record in this case is complete.  
18 If you would like to participate in today's hearing  
19 or obtain a copy of the hearing examiner's  
20 recommendation, we ask you fill out one of the white  
21 forms. It's on the small table over against the wall  
22 on that side of the room. Once completed, if you  
23 would turn that form into the hearing examiner. At  
24 the conclusion of the applicant and the staff's  
25 presentations the hearing examiner will open the

1 floor to public participation. It is at this time  
2 that you will have an opportunity to address the  
3 hearing examiner. All public comment or testimony  
4 will be taken from the podium up in the front here.

5 When you approach we ask that you state your  
6 name and address for the record and tell the hearing  
7 examiner if you reside or own property in the area  
8 and then you can explain to the hearing examiner what  
9 questions or concerns or comments you have with  
10 respect to the project.

11 Today's hearing is not the final action on this  
12 matter. As a result of the evidence and testimony  
13 that's taken here today the hearing examiner will be  
14 preparing a recommendation that will then be sent  
15 forward to the Board of County Commissioners for a  
16 second public hearing. That will probably happen in  
17 a month, month and a half to two months from now.

18 If you would like to have your thoughts  
19 considered in this matter, you need to speak here  
20 today. More importantly, if you want to be able to  
21 speak to the Board of County Commissioners when they  
22 hold their final hearing you must speak here today to  
23 preserve that right. If you don't speak here, you  
24 can't speak there.

25 With that much of an introduction complete we'll

1 simply go around --

2 MR. LILES: Sir, if I filled out one of those on  
3 the one that was canceled do we need to fill that out  
4 again?

5 MR. FREDYMA: No, you should be okay. That  
6 should still be here. It wasn't canceled, it was  
7 continued, so I believe that should be here. If for  
8 some reason when the hearing examiner asks for public  
9 comment, if he doesn't read your name, shoot your  
10 hand up in the air and he'll be more than happy to  
11 let you be heard and we'll have you fill out a new  
12 form if for some reason he doesn't have it.

13 With that much of an introduction on my part,  
14 we'll identify the parties at the table and then go  
15 back to the hearing examiner and begin the process.  
16 Again, I'm John Fredyma. I'm an assistant county  
17 attorney.

18 MR. BADAMTCHIAN: Good morning. Chahram  
19 Badamtchian from Zoning.

20 MR. VANASSE: Patrick Vanasse with RWA.

21 MS. MONTGOMERY: I'm Neale Montgomery. I'm an  
22 attorney representing the applicant.

23 MR. FREDYMA: And, Mr. Hearing Examiner, the  
24 proceedings are once again yours.

25 THE HEARING EXAMINER: Okay. Ladies and

1 gentlemen, how we're going to proceed is the  
2 applicant is going to make a presentation through  
3 their witnesses and exhibits. They're going to be  
4 subject to examination by the county attorney and  
5 county staff. Following those presentations and in  
6 like fashion the county will be making a  
7 presentation. They'll have their witnesses and their  
8 exhibits and they will be subject to examination by  
9 the county attorney and the applicant. Following  
10 that I open this hearing up to the public at which  
11 time you can come forward and ask any questions that  
12 you have or make any statements with regard to the  
13 application that you may have. The only limitation  
14 is that it has to be relevant to the issue before me  
15 or the request before me.

16 With that said I'm going to ask that if you have  
17 a cell phone or pager that you turn it off so we're  
18 not disrupted during this proceeding.

19 Florida law requires that everything that's said  
20 before me must be under oath, so I'm going to swear  
21 in everybody in mass and ask that when you come  
22 forward you identify yourself by giving me your name,  
23 your address and indicating whether or not you have  
24 taken an oath. With that, everybody that's going to  
25 testify before me today please raise their right

1 hands.

2 (Present witnesses were placed under oath.)

3 THE HEARING EXAMINER: And with that I'll turn  
4 it over to Neale.

5 MS. MONTGOMERY: Thank you very much. I'm going  
6 to -- we'll talk more about this later, but it's a  
7 question I just kind of want to put out there. Mr.  
8 Fredyma indicated that it would be a month or month  
9 and a half down the road before we get to the Board  
10 of County Commissioners. One of the things you will  
11 hear later today is that we are under a certain time  
12 constraint because there is \$500,000 that BSU will  
13 get if they start construction and finish  
14 construction this year. In order to do that they  
15 actually need to start in March and so we're -- my  
16 apologies to Janet, we're probably going to want to  
17 expedite the transcript to do whatever we need to in  
18 an effort to get a decision sooner rather than later,  
19 presuming that the hearing examiner agrees with the  
20 staff and the applicant that this should be approved.  
21 So that is an issue or concern for them. Like I  
22 said, you will hear more about it. I just wanted to  
23 point that out right up front, and when I heard John  
24 say the month and a half, it's like no.

25 MR. FREDYMA: Typically.

1 MS. MONTGOMERY: The property, you can't exactly  
2 tell from the aerials that are up there, the easiest  
3 way to get there is you go out Martin Luther King and  
4 you go down I-75, you get off on the Bonita Beach  
5 Road exit and you go east and then you turn north on  
6 Bonita Grande Road. You can either turn down Snell  
7 Lane, the brand-new fire station is there, and go to  
8 the end, or if the gate's open you can go up to,  
9 there's a little gate with a path, you can see the  
10 path actually on the aerial, that's just south of the  
11 canal, and go to the property that way. You can  
12 actually see into the property better if you go on  
13 the path along the canal. So when it comes time to  
14 go out there that's a better way to get a view of the  
15 property, but either way gets you there.

16 With that we would like to call our first  
17 witness which is Patrick Vanasse. He has been  
18 qualified before, I believe, here in this forum as an  
19 expert in planning and zoning and we would ask that  
20 he be so accepted here today.

21 THE HEARING EXAMINER: Can I have your name and  
22 address, sir.

23 MR. VANASSE: Yes. For the record, Patrick  
24 Vanasse, certified planner with RWA.

25 THE HEARING EXAMINER: You took an oath?

1 MR. VANASSE: Excuse me?

2 THE HEARING EXAMINER: You took an oath?

3 MR. VANASSE: Yes, took an oath. And the  
4 address is 1542 Carson Street, Fort Myers.

5 THE HEARING EXAMINER: Thank you.

6 MR. FREDYMA: Excuse me. Is your mike working?

7 MR. VANASSE: Yes.

8 THE HEARING EXAMINER: Can everybody hear him?

9 Okay. Go ahead, sir. Sorry to interrupt you  
10 again.

11 MR. VANASSE: It's a pleasure to be here today.

12 MS. MONTGOMERY: Wait a minute. Was he accepted  
13 as an expert and I missed it?

14 THE HEARING EXAMINER: No.

15 MS. MONTGOMERY: You guys are trying to be  
16 sneaky.

17 THE HEARING EXAMINER: Have you been accepted as  
18 an expert in this forum in the past?

19 MR. VANASSE: Last time I was here I couldn't  
20 remember if I had gone through a hearing in Lee  
21 County, I know several times in Bonita Springs, so I  
22 provided my resume and we can go through the question  
23 process.

24 THE HEARING EXAMINER: Okay. So you have never  
25 testified in this forum.

1 MR. VANASSE: Not that I recollect.

2 THE HEARING EXAMINER: Okay. And I've got a  
3 copy of -- this is your latest resume?

4 MR. VANASSE: Yes.

5 THE HEARING EXAMINER: Okay, sir. Before we get  
6 to the testimony I'm going to ask if your attorney  
7 has any questions with regard to your expertise.

8 MS. MONTGOMERY: Yes, sir.

9 Patrick, can you let -- please for the record  
10 indicate your educational background and your  
11 experience background.

12 MR. VANASSE: Yes. Educational background, I  
13 hold a bachelor's degree in economics and a master's  
14 in urban and regional planning. I have worked as a  
15 professional planner for approximately 12 years,  
16 eleven of those years in Florida, southwest Florida.

17 MS. MONTGOMERY: Now, during that time have you  
18 ever had occasion to testify before a local  
19 government?

20 MR. VANASSE: Yes. Not Lee County, but pretty  
21 much every local jurisdiction in the six-county  
22 region.

23 MS. MONTGOMERY: And have you been accepted as  
24 an expert in those occasions?

25 MR. VANASSE: Yes.

1 MS. MONTGOMERY: Have you worked on projects in  
2 Lee County even though you may not have actually  
3 provided testimony on those projects?

4 MR. VANASSE: Yes, I have, and the majority  
5 being in Bonita Springs.

6 MS. MONTGOMERY: Bonita Springs before or after  
7 they --

8 MR. VANASSE: Both before and after.

9 MS. MONTGOMERY: So you've had occasion to work  
10 for Bonita Springs when they were still using the Lee  
11 County regulations.

12 MR. VANASSE: Yes.

13 MS. MONTGOMERY: Do you have familiarity then  
14 with Lee County regulations?

15 MR. VANASSE: Yes, I do.

16 MS. MONTGOMERY: I have no further questions.

17 THE HEARING EXAMINER: County have any  
18 questions?

19 MR. FREDYMA: Just a couple, if I may. John  
20 Fredyma, assistant county attorney.

21 Patrick, you previously were a principal in  
22 Vanasse and Daylor; is that correct?

23 MR. VANASSE: No, that is not correct. Not  
24 related. Just the same last name. Since I have been  
25 in southwest Florida I have worked with RWA and no --

1 MR. FREDYMA: No relationship.

2 MR. VANASSE: -- no link to Vanasse.

3 MR. FREDYMA: You testified, you said in the  
4 City of Bonita Springs.

5 MR. VANASSE: Uh-huh.

6 MR. FREDYMA: Any particular cases that come to  
7 mind that we might be aware of?

8 MR. VANASSE: Some of the more significant ones,  
9 we did several recent ones for Bonita Bay Group and  
10 Ronto Group for Sections 1 and 2 at the end of Bonita  
11 Beach Road and the annexation also for that property,  
12 I was involved in that.

13 MR. BADAMTCHIAN: I've known him for a long  
14 time. I worked on several projects with him.

15 MR. FREDYMA: Any objection?

16 MR. BADAMTCHIAN: No, not at all.

17 MR. FREDYMA: County has no objection to his  
18 being qualified.

19 THE HEARING EXAMINER: Sir, where did you get  
20 your undergraduate degree?

21 MR. VANASSE: Undergraduate was in Montreal,  
22 Concordia University.

23 THE HEARING EXAMINER: And your master's?

24 MR. VANASSE: Master's degree at York University  
25 in Toronto.

1 THE HEARING EXAMINER: And what's the area you  
2 desire to be declared an expert in?

3 MR. VANASSE: In urban and regional planning.

4 THE HEARING EXAMINER: Any objection? Hearing  
5 none, the witness is declared to be an expert in the  
6 field he indicated. And I will also admit, if nobody  
7 has any objection, his resume into evidence as  
8 Applicant Exhibit 1.

9 Go on.

10 MR. VANASSE: I was saying it's a pleasure to be  
11 here today and discuss the Bonita Beach Road East  
12 water storage tank rezoning petition. In light of a  
13 favorable staff report and recommendation for  
14 approval I'll try to keep this pretty concise;  
15 however, I'm going to touch upon all the major  
16 components of our application. As part of my  
17 presentation I'll describe the property briefly, talk  
18 about the location, talk about the requested uses,  
19 development standards, buffers and setbacks and  
20 deviations. Will also talk about compatibility  
21 issues, consistency with the LDC and Lee Plan, and  
22 lastly I'll clarify a few items that we highlighted  
23 in our 24-hour letter and I'll go through those as I  
24 do my presentation. Also as I go through the  
25 presentations on certain items I will defer to other

1 witnesses, so I might touch upon them very quickly  
2 but the detail will come from other folks.

3 As mentioned, the request is for a rezone from  
4 CFPD to CFPD. The property is roughly 14.4 acres.  
5 It's part of a larger property owned by BSU, a  
6 30-acre property that was rezoned in 1992 to CFPD.  
7 Nothing was ever built on the property, so the MCP  
8 vacated in 1997. Essentially we are here today to  
9 reestablish that MCP to allow for a water tank and  
10 other ancillary water facility uses on the property.

11 The first exhibit we have is a general location  
12 map. And as we can see from that map, the subject  
13 property is highlighted in yellow and the property  
14 highlighted in red was the overall zoning for CFPD,  
15 the overall BSU property.

16 The property is generally located north of  
17 Bonita Beach Road, east of I-75 and more specifically  
18 east of Bonita Grande and south of East Terry Street.  
19 It is in the south Lee County DR/GR area in close  
20 proximity to the boundary with Bonita Springs. As  
21 can be seen from that aerial, the general vicinity  
22 has a mix of different types of uses. There along  
23 Bonita Beach Road there are some more intense planned  
24 developments, residential planned developments. At  
25 the intersection of Bonita Grande and Bonita Beach

1 Road there is an approved commercial planned  
2 development. Some of the uses in closer proximity to  
3 the property, as you can see, there's a lot of  
4 disturbed land. We've got some borrow pits and also  
5 some vacant uses, some ag uses, and also in the  
6 general vicinity we have several Community Facility  
7 uses. And I have an exhibit here that shows some of  
8 those, some pictures of those uses.

9 MS. MONTGOMERY: For the record, the aerial that  
10 was just introduced, the one that's the larger scale  
11 is Exhibit 2.

12 THE HEARING EXAMINER: Yeah, the location map.  
13 Any objection? The location map will go in as  
14 Applicant Exhibit 2. And while we're at it, how many  
15 photos do you have there, six?

16 MR. VANASSE: Yeah.

17 THE HEARING EXAMINER: Okay. Any objection to  
18 their introduction?

19 I'll admit the six photos entitled Existing  
20 Public Facility Uses in the DR/GR as Applicant  
21 Composite Exhibit 3.

22 MR. VANASSE: What this exhibit shows is some  
23 similar Community Facility uses within the general  
24 area of our site. We look at the top row, we have  
25 two photos depicting the YMCA property that is

1 located along East Terry Street. On the second row  
2 it's fire station number 4, the Bonita Springs fire  
3 station located approximately 2,000 feet from our  
4 subject property. It's at the intersection of Bonita  
5 Grande and Snell Lane. And just a little north of  
6 that fire station, and the picture's depicting that  
7 facility, is the Kehl Canal weir and we have two  
8 photos showing that. And another Community Facility  
9 that we're not showing on those photos, but just  
10 north of Kehl Canal also there is the RMC building  
11 which is not very far which is an educational  
12 training type of facility for migrant workers.

13 So I'll move on to the next exhibit which is an  
14 up-close look at our property and a tighter shot of  
15 the vicinity.

16 THE HEARING EXAMINER: Any objection to the  
17 introduction of that aerial photograph?

18 MR. FREDYMA: No, sir.

19 THE HEARING EXAMINER: Being no objection, the  
20 aerial photograph will be admitted as Applicant  
21 Exhibit 4.

22 MR. VANASSE: As we can see from this exhibit,  
23 the area delineated by the red boundary again is the  
24 property owned by BSU, roughly 30 acres, zoned CFPD  
25 with a vacated MCP. The area delineated in yellow is

1 our subject property, 14.4 acres, approximately  
2 328 feet of frontage along the Snell Lane  
3 right-of-way, and the depth is just a little over  
4 1,200 linear feet from Snell Lane to Kehl Canal.

5 Access to the property is via Snell Lane. A  
6 portion near the fire station is paved. Then we have  
7 an improved dirt road that reaches the single-family  
8 property south of our subject property but stops  
9 about 350 feet short of our subject property.

10 The area in blue depicted within our subject  
11 property is the location of the proposed water  
12 storage tank. The nearest residential property from  
13 that tank is just over 650 feet away. That house is  
14 about 210 feet from our property, the boundary to our  
15 property.

16 The adjacent uses to the north, we have Kehl  
17 Canal and beyond Kehl Canal we have the CREW lands  
18 and state-owned lands. To the west we have a portion  
19 owned by BSU. We have a large plant nursery in that  
20 area. And beyond that we have I believe two  
21 single-family homes and then the fire station. To  
22 the east we have state-owned lands and a vacant  
23 parcel on the lower part of the property. That  
24 parcel is zoned ag with a mobile home overlay,  
25 currently vacant. To the south of that we have the

1 Saldevar migrant worker mobile home park and that's  
2 to the southeast. To the southwest we have a  
3 single-family residence.

4 To characterize the area, comprised mostly of  
5 large lots. The area, a lot of the area is currently  
6 disturbed. Some of the parcels have been improved.  
7 In doing a site visit I witnessed some illegal  
8 dumping in the area and it appears as though several  
9 of the property owners use their property for storage  
10 of heavy machinery, vehicles and also construction  
11 equipment.

12 I've got a few photos also showing the --  
13 up-close photos of the vicinity.

14 Also I just want to point out that I have some  
15 smaller versions of all these exhibits that I will  
16 pass out for the record.

17 If you look at the top row, the two photos we  
18 have there, the one to the left basically was taken  
19 from the end of Snell road, the improved portion of  
20 Snell road and looking toward Bonita Grande. The one  
21 to the right is basically if we turned 180 degrees  
22 and look the other direction and that's the  
23 unimproved right-of-way of Snell. And in the further  
24 distance there's a telephone pole, and you probably  
25 can't see it at that scale but you can see it a

1 little better on the handout, and that's where our  
2 subject property begins.

3 On the second row of photos, to the left is a  
4 photo of the parcel to the immediate east of us. The  
5 next one on that row on the right side is taken from  
6 the property boundary looking southeast and in the  
7 distance you can see the mobile home park. And on  
8 the last row we have photos taken from Snell Lane  
9 looking at the single-family property. That's the  
10 entrance to the single-family property that is  
11 located southwest of our property. And the last  
12 photo remaining is immediately adjacent to us on the  
13 western side and that is the existing plant nursery.

14 THE HEARING EXAMINER: Any objection to the  
15 introduction of the photos into evidence?

16 MR. FREDYMA: Just a question, if I may.

17 Patrick, did you take the photos?

18 MR. VANASSE: Actually they were taken I believe  
19 by Mike Liggins at BSU.

20 MR. FREDYMA: Have you been out on the property  
21 to see those areas?

22 MR. VANASSE: Yes, I have.

23 MR. FREDYMA: Are those photos accurate in terms  
24 of what they show and what you witnessed to be out  
25 there?

1 MR. VANASSE: Yes, they are. They were taken  
2 very recently and I was out there actually last  
3 Friday.

4 MR. FREDYMA: No objection.

5 THE HEARING EXAMINER: Being no objection, the  
6 photos will be admitted as Applicant Composite  
7 Exhibit 5.

8 MR. VANASSE: The following exhibit is a  
9 colorized master concept plan on an aerial, and the  
10 reason we did that was to facilitate the discussion.  
11 Just to orient everyone, north is this way. That  
12 would be fine.

13 MR. FREDYMA: Everything else is that way.

14 MR. VANASSE: North is towards the Kehl Canal.  
15 The area depicted in color is the area subject of  
16 Phase I of this project. And as we can see, we've  
17 got the water storage tank identified in the beige  
18 color. Associated with that is a 1,600-square-foot  
19 accessory building which houses the mechanicals to  
20 the tank and also provides storage area. In gray we  
21 see the access drive leading to the tank. We also  
22 have in that area the buffer to the western property.  
23 We have a water detention area and we also have a  
24 preserve area in the dark green.

25 The uses that we are asking for this property

1 are identified on page 2 of the staff report. Not  
2 going to go through all these uses, but they allow  
3 the Essential Service Facility Group II for the tank,  
4 but also allow other accessory uses to this project.

5 I would like to clarify some things that we  
6 requested in our 24-hour letter to be added to the  
7 schedule of uses. Due to some recent reports, news  
8 reports that we're seeing and some security, national  
9 security concerns and according to some of these news  
10 reports, apparently there might be an imminent attack  
11 on U.S. soil by terrorists within six months to a  
12 year. Therefore, we're not currently planning on  
13 putting a gatehouse and gate on the property, but we  
14 see the potential for maybe having requirements from  
15 Homeland Security at some point to include that.  
16 That's something that we did not have in our list of  
17 uses and we would like to include, so we have put  
18 that in our 24-hour letter, so the uses are the  
19 gatehouse and the gate.

20 Also when it comes to the staff report, we have  
21 Essential Services Facilities Group II listed and  
22 there's a notation, parentheses, saying "Subject to  
23 condition number 10." We'll discuss that a little  
24 further and other people will touch upon the subject,  
25 but the condition number 10, we respectfully request

1 that that condition be removed. The condition deals  
2 with potential future facilities regarding  
3 underground storage tanks and permits and review that  
4 is needed as part of those uses and we'll address  
5 that in further detail later.

6 Also we would request -- well, it's more of a  
7 clarification, but we would like to have it  
8 explicitly stated within the MCP. When it comes to  
9 essential services and Essential Service Facilities  
10 Group I, those are allowed in all zoning districts  
11 and that is pursuant to Section 34-1612. I think  
12 it's implicit that we would be allowed to have those  
13 uses. However, just to avoid any confusion in the  
14 future with future phases, we would like to state  
15 that those uses are allowed.

16 As mentioned, also when looking at the site, the  
17 colorized area also depicts a drainage swale that  
18 leads from the detention area, goes towards Kehl  
19 Canal, and the large area adjacent to Kehl Canal  
20 shown in green, what that is basically is there was a  
21 spoil area that essentially formed a berm along that  
22 edge of the property. We have gone through the ERP  
23 process and we have been requested to remove that  
24 spoil area, to regrade that area to make it  
25 consistent with the existing grade. That is what is

1 depicted there and that's why we show it in green,  
2 and that's going to be further touched upon by our  
3 BSU representative who is an engineer also.

4 So everything in color is Phase I. The area  
5 outside of that is considered Phase II. At this time  
6 plans for Phase II are undetermined. Obviously it's  
7 going to be related to public facilities. BSU is  
8 examining what those opportunities are and based on  
9 demand and conditions they'll move forward with that  
10 in the future.

11 When it comes to site development regulations,  
12 required setbacks for a water storage tank pursuant  
13 to Section 10-351 is for a hundred feet of setback.  
14 In all directions we exceed that setback. Let me  
15 pull my exhibit here and see the exact numbers. But  
16 to the -- from the water storage tank to the eastern  
17 boundary we have 101.29 feet. To Snell Lane we have  
18 approximately 450 feet, 447. From the water tank to  
19 the eastern boundary we have approximately 125 feet.  
20 And I don't have an exact measurement to Kehl Canal,  
21 but we far exceed the minimum requirement.

22 When it comes to accessory structures the  
23 required setback is 30 feet. We exceed that in every  
24 direction also for accessory structure. The closest  
25 proximity to a boundary is on the western side and we

1 provide 82 feet.

2 The requested height for the water tank is  
3 50 feet and that's measured at the top of the dome  
4 and for accessory structures 35 feet.

5 With regards to buffers we are providing a  
6 30-foot type F buffer on the western side. We are  
7 providing on the eastern side a type D buffer, 15  
8 foot. And as you can see, that's right adjacent to  
9 the tank in that brighter green color, that's  
10 adjacent to a right-of-way easement. That's why it's  
11 a type D buffer. And to the south of that, and I'll  
12 go into it when I address the deviations, we are  
13 asking for a deviation and we are asking that the  
14 preserve shown in the dark green act as a buffer to  
15 the property.

16 With regards to open space, the requirement on  
17 the property is for 3.8 acres. We are providing 4.3  
18 and exceeding that requirement.

19 With regards to indigenous native vegetation,  
20 the requirement, we are meeting that requirement  
21 through preserving existing native vegetation that's  
22 on site and also providing enhanced plantings in the  
23 preserve area and also in the compensating storage  
24 area that we are showing close to Kehl Canal.

25 I would like to make another clarification also

1 that we addressed in our 24-hour letter. We  
2 respectfully request that a condition be added to the  
3 MCP with regards to open space, and again this is I  
4 believe implicit, but we would like to have it stated  
5 somewhere that the open space that is provided as  
6 part of this first space can be counted towards the  
7 overall open space of the MCP in that cumulative open  
8 space that is provided. And again we think it's  
9 explicit, but just to avoid any confusion in the  
10 future we would like to have it as part of our  
11 approval.

12 With regards to deviations, we have five  
13 deviations. The first one is a deviation from LDC  
14 Section 10-292(2), and that is a requirement for a  
15 type A paved road to our property. I'm not going to  
16 go into detail. Mike Liggins is going to talk about  
17 the operation of the facility, but it's an unmanned  
18 facility and we're going to have one trip per week  
19 for someone to go in and inspect the property, so we  
20 really don't see the need for that type of facility,  
21 so we're asking for a deviation to provide a type D  
22 unpaved road with a T turnaround. Also the T  
23 turnaround, again we're not going to have any heavy  
24 machinery going to that site. It's going to be one  
25 person doing a weekly inspection. We don't need the

1 type -- the T turnaround should be sufficient. And  
2 what we have done is we have, we ran that by the fire  
3 district and they provided a letter saying that that  
4 was sufficient.

5 With regards to the maintenance of the road,  
6 it's understood that there's a condition in the staff  
7 report that says that BSU will have to enter a  
8 maintenance covenant. We have requested in our  
9 24-hour letter that additional language be added to  
10 that condition. Basically the concern is that BSU  
11 should be responsible for their share of the  
12 maintenance. However, if there was an MSTU or an  
13 MSBU formed in the future and it became a public road  
14 or there was another entity maintaining the road,  
15 that those responsibilities should be removed from  
16 BSU.

17 The next deviation deals with Section 10-261  
18 which is for on-site garbage containers or dumpsters.  
19 Mike Liggins is going to touch upon the operations of  
20 the site, but again, you're going to have one person  
21 visiting there doing inspection once a week. We  
22 don't think dumpsters are appropriate. Any garbage  
23 that this person generates he'll make sure he puts  
24 that in his truck and disposes of that appropriately  
25 when he goes back to the BSU headquarters.

1           The next deviation - actually the next three  
2 deviations deal with buffers. The first one -- and  
3 they're all deviations from Section 10-416. The  
4 first one is the buffer that deals with where we have  
5 our preserve and basically what we are asking is that  
6 the preserve act as a buffer. The preserve is going  
7 to far exceed the buffer width and the screening  
8 provided by the required buffer and will actually be  
9 an enhancement to the area. So we think it's going  
10 to provide more than adequate buffering and screening  
11 from adjacent properties.

12           The next buffer deviation is for the western  
13 boundary where we have common ownership towards the  
14 north where basically our subject property is  
15 immediately adjacent to property owned by BSU. We  
16 understand that staff has put a condition in there  
17 that if the adjacent property owned by BSU were to be  
18 sold to another party that a buffer would be  
19 required. We completely understand that. However,  
20 at this point that buffer would be futile. There's  
21 nothing being proposed. That's part of Phase II. No  
22 improvements on that property, plus putting a buffer  
23 there would probably lead to BSU having to remove  
24 that buffer in the future as it moves forward with  
25 future development on that property.

1           Deviation number 5 is for the buffer requirement  
2 along Kehl Canal. The requirement will be for either  
3 type C or type F buffer. Given that there is a canal  
4 easement and an access easement that runs along that  
5 property, we don't think it's appropriate to have  
6 that rigid buffer. What we have done is we are  
7 proposing an enhanced planting area that falls within  
8 the area shown in green on the exhibit and we have  
9 provided a planting plan for that area that staff has  
10 reviewed and supports. We believe that the enhanced  
11 plantings are more appropriate for that area and  
12 provide more than ample buffering and shielding from  
13 adjacent properties. Mike Myers with Passarella is  
14 going to address the plantings and the details of  
15 those plantings in more detail.

16           The next section I want to cover is issues of  
17 compatibility with surrounding properties. We agree  
18 with staff, with their finding that we are  
19 compatible. We meet and exceed all performance and  
20 locational standards. Our buffers and setbacks  
21 exceed minimum requirements and we believe that the  
22 deviations that we are requesting actually provide a  
23 benefit to the property and enhance conditions. We  
24 believe that the area for this use is appropriate.  
25 As mentioned, there are other Community Facility uses

1 in the area. It's an area that is somewhat removed  
2 from more intense residential uses. However, it's in  
3 close proximity to those uses to provide an efficient  
4 delivery of utilities.

5 Lastly, the buffers and setbacks will provide  
6 sufficient buffering and separation from adjacent  
7 uses. And I would just like to point out that again  
8 this is a passive use, that we're going to have one  
9 person visiting on a weekly basis and we don't expect  
10 any disturbance created or generated from that use.

11 With regards to consistency with the LDC and the  
12 Lee Plan, as noted by staff, we are consistent with  
13 the DR/GR Policy 1.4.5. This is an allowed use  
14 within the DR/GR Future Land Use designation. Also  
15 part of our property has the wetlands designation  
16 which is identified in Policy 1.5. We are consistent  
17 with that. We are not proposing any impacts  
18 whatsoever to wetlands. Actually our preserve will  
19 be -- within our preserve we will be removing exotics  
20 and enhancing that area with native plants.

21 With regards to Goal 53 of the Lee Plan which  
22 deals with potable water infrastructure, we believe  
23 we further that goal and that we further the  
24 objectives and policies under 5.3 by providing a  
25 facility which is needed which is going to increase

1 the water capacity and fire flows. It will provide a  
2 health and public safety benefit to the residents of  
3 Bonita Springs, and Mr. Liggins will discuss that in  
4 further detail.

5 And lastly, as I have expressed, we believe we  
6 meet or exceed all locational standards and  
7 development standards identified in the LDC.

8 With that said, I'll turn things over to Mike  
9 Myers who will discuss environmental regulations on  
10 the property.

11 THE HEARING EXAMINER: Hold on just a second,  
12 sir.

13 Any objection to the introduction of the exhibit  
14 with the master concept plan superimposed on an  
15 aerial photo?

16 MR. FREDYMA: No, sir.

17 THE HEARING EXAMINER: Hearing none, it will go  
18 in as Applicant Exhibit 6.

19 Neale, do you have any questions of your  
20 witness?

21 MS. MONTGOMERY: I do not have any questions at  
22 this moment.

23 THE HEARING EXAMINER: County staff, county  
24 attorney have any questions?

25 MR. BADAMTCHIAN: I don't have a question per se

1 but I'm going to address the 24-hour letter. We have  
2 areas of disagreement that he didn't touch on.

3 THE HEARING EXAMINER: Why don't you do that in  
4 your presentation.

5 I don't have any questions. Thank you, sir.  
6 Next witness.

7 MR. VANASSE: Thank you.

8 MS. MONTGOMERY: Mike Myers. Mike Myers has  
9 testified here before. His resume is on file. He  
10 has been accepted as an expert in wetlands and  
11 wildlife ecology and we would ask that Mike be  
12 accepted again today.

13 THE HEARING EXAMINER: Any objections?

14 MR. BADAMTCHIAN: No, sir.

15 MR. FREDYMA: No, sir.

16 THE HEARING EXAMINER: Hearing none, the witness  
17 is declared to be an expert in wetlands and wildlife  
18 ecology.

19 MS. MONTGOMERY: Before we -- I guess as a point  
20 of order, Patrick promised you that he would give you  
21 the smaller versions. Do you want to get those now  
22 to make sure you have them all?

23 THE HEARING EXAMINER: Yeah, please.

24 MR. VANASSE: How many copies would you like?

25 THE HEARING EXAMINER: I just want one, but

1 county attorney and staff might want one.

2 MR. FREDYMA: The advantage to the smaller  
3 copies also is when it goes to the Board is they can  
4 put those on the overhead rather than try to deal  
5 with the large poster boards. That way each of the  
6 commissioners get to see it on their display, plus it  
7 goes on the overhead for the public.

8 MS. MONTGOMERY: I want you to have those before  
9 we move on with Mike and I give you new ones. This  
10 is already up there. I'll give you that now for your  
11 record.

12 MR. MYERS: Good morning. For the record, my  
13 name is Michael Myers. I'm a senior ecologist with  
14 Passarella and Associates. We are located at 13620  
15 Metropolis Avenue. That's Suite 200 in Fort Myers.  
16 As mentioned, I have given expert testimony here in  
17 the past on environmentally-related type issues. The  
18 county does have a copy of my resume on record. And  
19 here's a copy of my business card with the other  
20 information.

21 THE HEARING EXAMINER: Okay. Thank you, sir.

22 MR. MYERS: Passarella can be tough to spell  
23 sometimes.

24 The project area consists of a combination of  
25 disturbed uplands, wetlands and the Kehl Canal as

1 identified on the FLUCCS and wetlands map overlaid on  
2 the aerial.

3 Hopefully I don't take out Chahram's eye here  
4 with the laser.

5 The northern boundary of the site is formed by  
6 the Kehl Canal as previously noted. There's some  
7 historically cleared upland areas as well as a spoil  
8 area located in the northwest portion of the project.  
9 There's also a sliver of forested melaleuca located  
10 along the right side and that comprises two-thirds of  
11 the northern portion of the property. The southern  
12 one-third again includes this historically cleared  
13 area as well as some additional forested uplands and  
14 wetlands. The wetlands occur in two areas. One is  
15 located here in the southeast corner of the property  
16 and the other is a thin sliver here along the south  
17 property line. They show up a little more clearer.  
18 It's the cross hatch areas on the smaller maps.  
19 Those areas combined total one acre. And all of the  
20 forested habitats on site are heavily invaded with  
21 exotics consisting primarily of melaleuca.

22 A Lee County protected species survey was  
23 conducted by Passarella and Associates. The results  
24 of the survey found one active gopher tortoise burrow  
25 which is located in the spoil area here and

1 represented by the white dot on the map. During the  
2 survey also one squirrel nest was found along the  
3 east side of the property on the forested melaleuca  
4 area. However, no Big Cypress fox squirrels have  
5 been observed on site. To date only gray squirrels  
6 have been observed in the region.

7 The project, as previously mentioned, proposes  
8 absolutely no wetland impacts. Those will all be  
9 left untouched. Construction activities will also  
10 remain over 25 feet from the active gopher tortoise  
11 burrow located here, which is the recommended buffer  
12 distance per the Florida Fish and Wildlife  
13 Conservation Commission's guidelines.

14 A 1.6-acre preserve will be established in the  
15 southeast corner which is the green area here on  
16 RWA's master concept plan. That includes .76 acres  
17 of wetlands and .84 acres of uplands. This area will  
18 be preserved by being placed under a recorded  
19 conservation easement granted to the South Florida  
20 Water Management District as well as Lee County.  
21 This area will be further enhanced through exotic  
22 vegetation removal and supplemental plantings. The  
23 specifics on the exact planting types are outlined in  
24 ES staff's Exhibit Number 1.

25 The U.S. Army Corps of Engineers as well as the

1 U.S. Fish and Wildlife Service have reviewed the  
2 project and approved it. The U.S. Army Corps of  
3 Engineers issued their permit on January 14 and the  
4 applicant is also in the process of obtaining an  
5 environmental resource permit from the South Florida  
6 Water Management District and I believe we just got  
7 their staff report, so the permit shouldn't be too  
8 much further behind.

9 To buffer the northern half of the Kehl Canal  
10 here the applicant -- well, the northern half of the  
11 Kehl Canal as well as CREW land, which is Corkscrew  
12 Regional Ecosystem Watershed, supplemental plantings  
13 will be installed in the compensating storage area  
14 identified by green here on the master concept plan.  
15 And again the specifics, the numbers, planting types,  
16 that sort of thing are also provided in ES staff's  
17 Exhibit Number 1.

18 At this point I would just like to take a moment  
19 to thank county staff and particularly Suzie  
20 Derheimer for working so diligently with us to bring  
21 the project before you here today. Generally I think  
22 we're in agreement with many of the environmental  
23 conditions. However, there are some modifications  
24 and I would just like to touch on environmental  
25 conditions 3B and 3C. For 3B we ask that the hearing

1 examiner consider allowing the applicant a little  
2 more flexibility in the future relocation options for  
3 the gopher tortoise by not prioritizing on-site  
4 versus off-site relocation. Since Bonita Springs  
5 Utilities really doesn't know what the plans are for  
6 their additional property at this point in time, it  
7 conceivably could be in the tortoise's best interest  
8 in the future to be relocated off site to a regional  
9 conservation bank, which there are some available  
10 now. So today to dictate on-site relocation first be  
11 attempted may actually create unnecessary delays in  
12 permitting later on as well as additional expense to  
13 the applicant, so we would ask that we just be  
14 allowed to have flexibility. The applicant is  
15 certainly going to adhere to any of the Florida Fish  
16 and Wildlife Conservation guidelines for the gopher  
17 tortoise at the time. An alternate language for this  
18 condition has been included in the 24-hour letter.

19 And then finally just condition 3C, it's just  
20 some minor wordsmithing to clarify things. The  
21 squirrel nest located on the east side of the  
22 property, we will be doing another survey, but any  
23 squirrel nests that are found we just want it  
24 understood that it's up to five days of surveying  
25 that may be required. If we do go out and watch --

1 when we go out and watch the squirrel nest, if a gray  
2 squirrel goes in day one, for example, then no  
3 further surveying is required, so that's just minor  
4 clarification. And again that wordage is in the  
5 24-hour letter.

6 And that concludes my portion of the  
7 presentation. Short and sweet. So I'll be happy to  
8 address any questions the hearing examiner, county  
9 staff or the general public may have.

10 THE HEARING EXAMINER: Neale.

11 EXAMINATION

12 BY MS. MONTGOMERY:

13 Q. Mike, I want to ask you a question. One of the  
14 items in the 24-hour letter relates to the deletion of  
15 language that says any related permit requirement  
16 regarding listed species included in a state or federal  
17 permit will be incorporated as a condition of the local  
18 DO. In your dealing with both federal and the state  
19 agencies that have control over these issues, do they tend  
20 to have long-standing interpretations as to how their  
21 conditions are applied?

22 A. Yes.

23 Q. And if we incorporate these and the county  
24 decides to have a different interpretation of the state  
25 and federal permit conditions, does that create on

1 occasion Catch-22s and difficulties in reconciling those  
2 differing interpretations?

3 A. It has that potential, yes.

4 Q. Is that a concern that the applicant has in  
5 regards to that language?

6 A. Yes.

7 Q. So the applicant's not asking not to comply with  
8 those federal and state permits.

9 A. No, they're not.

10 Q. In fact, they have to comply with them.

11 A. That is correct.

12 Q. As applied by those agencies.

13 A. Correct.

14 MS. MONTGOMERY: I don't have any other  
15 questions.

16 THE HEARING EXAMINER: Questions by staff or  
17 county attorney?

18 MR. BADAMTCHIAN: I don't. Suzie may have some.

19 THE HEARING EXAMINER: Suzie.

20 EXAMINATION

21 BY MS. DERHEIMER:

22 Q. For the record, Suzie Derheimer, Lee County  
23 Environmental Sciences.

24 Actually, Mike, I'm going to need you to answer  
25 some questions for me.

1 A. What's that?

2 Q. I need you to answer some questions for me here.

3 With regards to the gopher tortoise comments  
4 during your presentation, you said that there are some  
5 banks available for off-site gopher tortoise relocation.  
6 Can you tell me the location of those banks?

7 A. I can't tell you the exact location. I believe  
8 they're located in Osceola County and there are two, there  
9 are two regional conservation banks that -- you're allowed  
10 to cover, those banks are allowed to cover a hundred miles  
11 north or south in any direction, east or west, and their  
12 range does cover Lee County and specifically the project  
13 location here.

14 Q. Okay. Are those banks, the actual boundaries of  
15 those banks located in Lee County?

16 A. No, they're not.

17 Q. During the Florida Fish and Wildlife process for  
18 relocation, does the Florida Fish and Wildlife require the  
19 applicant to look at options of relocation on-site?

20 A. There's the flexibility to look at options  
21 on-site as well as off-site.

22 Q. If the applicant applies for an off-site  
23 relocation permit to the Fish and Wildlife Service does  
24 the Fish and Wildlife Service any time during that review  
25 look at the ability for the applicant to relocate on-site?

1           A.    Yes, I think that it will be part of the process  
2 to consider whether there is suitable habitat on-site  
3 versus off-site.

4           Q.    With regards to the state and federal permitting  
5 for listed species and the review of their permits, you  
6 said that the Fish and Wildlife Service has reviewed and  
7 approved this permit?

8           A.    That's correct.

9           Q.    And you said the Corps has reviewed and approved  
10 this permit?

11          A.    That's correct.

12          Q.    Have the permits been made available or  
13 submitted to Lee County?

14          A.    Not at this point, no.

15          Q.    Okay. In your federal permit approvals are  
16 there any conditions for listed species?

17          A.    Yes, there's a condition for the Florida  
18 panther.

19          Q.    Okay. And at the local government review, in  
20 your working with, generally working with the county in  
21 terms of permitting process and development order review,  
22 does the county in that review require you to submit  
23 documents showing you have met the federal permit  
24 requirements?

25          A.    Yes. That's the standard typical protocol based

1 on my experience.

2 MS. DERHEIMER: That's all the questions I have.

3 THE HEARING EXAMINER: Neale.

4 MS. MONTGOMERY: I have a few follow-up  
5 questions.

6 FURTHER EXAMINATION

7 BY MS. MONTGOMERY:

8 Q. Mr. Myers, when the Fish and Wildlife  
9 Conservation Commission looks at where gopher tortoises  
10 end up, are they looking at that issue from what's not  
11 necessarily the best interest of the county or the  
12 applicant, but do they look at it from the best interests  
13 of the tortoise or the listed species?

14 A. I believe it would be the best interest of the  
15 tortoise. Typically these areas that are identified as  
16 conservation banks now for gopher tortoises are usually  
17 large areas of suitable habitat that are already occupied  
18 by other gopher tortoises.

19 Q. And is there a benefit to that from procreation  
20 and a variety in the gene pool?

21 A. Yes, there is. My experience has been on  
22 smaller sites these tortoise populations are usually very  
23 small in number and have a tendency to be isolated and the  
24 habitat fragmented.

25 Q. Is that in the best interest of the tortoise?

1           A.    I can't speak for the tortoise, but based on my  
2 experience I don't think so.  Normally over time these  
3 small preserves, the tortoises, if they have the ability,  
4 usually vacate the premises.  Where they go, who knows.

5           Q.    Now, I know that the county staff is concerned  
6 because these regional banks are not located in Lee  
7 County.  Is that your understanding?

8           A.    I believe that's correct.

9           Q.    And does the county have the ability if it wants  
10 to keep tortoises in the county to create a suitable bank  
11 for these tortoises to be relocated in the county?

12          A.    I'm not aware of currently any permitted  
13 regional bank in Lee County at this time.

14          Q.    But the county does have the ability if they  
15 want to to create one.

16          A.    Yes.

17          Q.    Have they done that?

18          A.    Not to my knowledge, no.

19          Q.    To your knowledge have they been looking at this  
20 issue for several years?

21          A.    Yes.

22          Q.    But they haven't taken any action.

23          A.    No.

24                MS. MONTGOMERY:  I have no further questions.

25                THE HEARING EXAMINER:  Anyone else from staff or

1 county attorney?

2 MR. FREDYMA: No.

3 THE HEARING EXAMINER: I have no questions.

4 Thank you, sir.

5 Anybody have any objection to the introduction  
6 of this witness' aerial photograph into evidence?

7 Hearing none, it will be admitted as Applicant  
8 Exhibit 7.

9 Your next witness.

10 MS. MONTGOMERY: The next witness we have is  
11 Mr. Mike Liggins, so we have our version of Mike and  
12 Mike in the morning. I have Mr. Liggins' resume I  
13 have just handed to you and to Chahram.

14 Mr. Liggins, could you just go through a little  
15 bit of your educational and work background.

16 THE HEARING EXAMINER: Before you do that give  
17 me your address, sir.

18 MR. LIGGINS: I work with Bonita Springs  
19 Utilities whose address is 11860 East Terry Street,  
20 Bonita Springs.

21 THE HEARING EXAMINER: You took an oath?

22 MR. LIGGINS: Yes, sir.

23 THE HEARING EXAMINER: Go ahead.

24 MR. LIGGINS: I'm currently the Director of  
25 Engineering with Bonita Springs Utilities with 15

1 years experience in civil and environmental  
2 engineering, including a couple years in city  
3 government, five years as a consultant and now eight  
4 with the Bonita Springs Utilities. I have a  
5 bachelor's of science in environmental engineering  
6 from the University of Central Florida and I'm  
7 registered as a Florida Professional Engineer,  
8 registration number 57523.

9 MS. MONTGOMERY: We would ask Mr. Liggins be  
10 accepted as an expert in the area of engineering  
11 particularly as it relates to utilities.

12 THE HEARING EXAMINER: Are there any questions  
13 by county staff or county attorney?

14 MR. FREDYMA: I'm sorry, you probably said this  
15 and I was just trying to see, how long with Bonita  
16 Springs Utilities? I guess since --

17 MR. LIGGINS: Approximately eight years.

18 MR. FREDYMA: Eight years. Okay.

19 THE HEARING EXAMINER: Any other questions?

20 MR. FREDYMA: No, I have no questions.

21 THE HEARING EXAMINER: Any objections to  
22 declaring the witness to be an expert in the field  
23 indicated?

24 MR. FREDYMA: No, sir.

25 THE HEARING EXAMINER: Witness is declared to be

1 an expert in the fields that have been indicated by  
2 applicant's attorney. And does anybody have any  
3 objection to the introduction of Mr. Liggins' resume  
4 into evidence? Hearing none, that resume will go in  
5 as Applicant Exhibit 8.

6 MR. FREDYMA: Would note for the record it's  
7 nice to see a Golden Knight instead of a Gator for a  
8 change.

9 MR. LIGGINS: Go Knights. Second time I had the  
10 chance to say that today. I like that.

11 MS. MONTGOMERY: And look, the hearing examiner  
12 came dressed in your colors.

13 MR. LIGGINS: Yes, gold and black. I appreciate  
14 that, too.

15 THE HEARING EXAMINER: Any time. Just call  
16 ahead and I'll dress appropriately.

17 MR. LIGGINS: Well, Bonita Springs Utilities, as  
18 you would guess, provides water and sewer services to  
19 the City of Bonita Springs and southern portions of  
20 unincorporated Lee County. Based upon minimum levels  
21 of service our master planning has indicated a need  
22 for water storage in the southeast quadrant of our  
23 service area. This will allow us to maintain minimum  
24 levels of service during peak day and peak hour  
25 demands that may be coincident with fire flow. Now,

1 fires never happen when you want, so therefore the  
2 utility has planned for our demands to be when a fire  
3 might occur. So when a peak demand may be for usage,  
4 a potable usage, that's when we add on to the fire  
5 demand and that's where we come up with some of the  
6 master planning that dictates the storage and pipe  
7 sizing.

8 MS. MONTGOMERY: You're required to do that,  
9 aren't you?

10 MR. LIGGINS: Yes, yes. FDP minimums, as well  
11 as South Florida Water Management District maximums  
12 are what we have to comply with. And, finally, this  
13 master plan is reviewed and approved by our  
14 utilities' governing board.

15 The timing and construction of this, really  
16 what's at stake here is about a half million dollars  
17 in funding if this tank isn't operational by the end  
18 of this year, 2010. We're proceeding as  
19 expeditiously as possible. For example, as you have  
20 heard, we already have received most of the permits  
21 required to move forward. We have obtained the Army  
22 Corps of Engineers' permit. We have received the Lee  
23 County Department of Health permit. We have the  
24 staff report from the district. The DO has been  
25 submitted, reviewed and another submittal is

1       forthcoming and the building permit. We have already  
2       submitted the building permit. It's been reviewed  
3       and is approved and just waiting on zoning and DO  
4       approval. As you can see, this is not the typical  
5       shallow hurry-up-and-wait request, but a sincere  
6       effort to accomplish this work this year and I need  
7       your help in order to get this done. This is really  
8       the last major approval we need to move forward.  
9       Staff has been great through this.

10               And I would like to thank your assistance,  
11       Chahram, in keeping this moving forward.

12               At our risk we have a contractor on board  
13       already and have already bid this project out to  
14       subcontractors. I plan on requesting approval from  
15       the utilities' governing board on Tuesday to enter  
16       into contracts with their subcontractors if, that is,  
17       you should see favorably upon this. We do understand  
18       the risk involved with this fast track, but it will  
19       also allow us to work out some of the procurement,  
20       manufacturing and mobilization schedules while final  
21       authorizations are made. And again, I really need  
22       your help in providing this necessary service to the  
23       benefit of the public health, safety and welfare  
24       while developer funding assistance is available.

25               In regards to deviation 1 and the access roads,

1 Snell Lane, BSU plans on this facility being an  
2 unmanned facility. Even though it is unmanned, we  
3 will continuously control and monitor the tank with  
4 our STATA controls and video surveillance. We only  
5 plan on weekly trips to perform equipment checks,  
6 preventative maintenance and such. Therefore, the  
7 vehicular impact is expected to be less than a  
8 residential development and also less than even a  
9 single-family residence. We have every intention of  
10 mitigating our impact to the road and providing our  
11 share in the upkeep of the road. We agree to staff's  
12 recommendation to enter into a maintenance covenant.  
13 We do understand our neighbors may at some point  
14 desire to enter into an MSTU or MSBU or it's possible  
15 they have development plans, and we only ask that  
16 flexibility be allowed in that maintenance covenant  
17 in light of those possibilities.

18 We have concurrence from the fire department, as  
19 you have heard, that permits us to eliminate the  
20 cul-de-sac. Our plan provides for proper access and  
21 the ability for their trucks to turn around and this  
22 will only avoid the costly cul-de-sac that will only  
23 encourage people to park out there and trespass  
24 really. If you go out there and take a look you will  
25 see signs of ATV use of private property. If you

1 drive around you will see bumpers and some of the  
2 blockades that have been put up to try to deter that  
3 use. And we appreciate any assistance that you can  
4 provide us on that matter.

5 Trash disposal. Again, as you have heard, that  
6 the trash generated on site such as during these  
7 preventative maintenance checks will be brought out,  
8 brought back by our mechanic or instrumentation  
9 technician. It's not going to be manned. It's not  
10 going to be generating a lot of trash and we don't  
11 want to leave any trash on site, so we hope you agree  
12 that's not an issue.

13 Regarding the vacated MCP, the utility does  
14 understand that we're allowing a vacated MCP to exist  
15 on a portion of our property and we understand that  
16 additional zoning action will be required to  
17 reinstate or adopt a valid master concept plan or to  
18 add any uses for the property that we do -- is not  
19 already designated. We do have long-range plans,  
20 conceptual plans, but we do not have the level of  
21 detail that staff requires for an MCP nowadays. For  
22 us the most important thing is to obtain and utilize  
23 the half million dollars in funding made available to  
24 us and, two, to ensure that our conceptual uses on  
25 this plan are on this plan, thereby ensuring anybody

1 who might buy property or pursue development plans  
2 has the opportunity to know what is planned for the  
3 property.

4 There's been some significant discussion about  
5 the open space. The BSU members have made an  
6 investment in this property and due to the difficulty  
7 in obtaining land along Bonita Beach Road we have  
8 chosen to use this property. This will leave less  
9 land available for future plans and BSU is requesting  
10 that the open space we're providing today within the  
11 context of this MCP can be made available for the  
12 future and any of the future remainder of the  
13 property when BSU seeks to reinstate and revise the  
14 master concept plan.

15 As I noted before, BSU can't move forward until  
16 we have the additional detail and I just need to  
17 officially and carefully maximize our member  
18 customers' investment in this property. We are a  
19 member-owned, not-for-profit and our members pay for  
20 any additional burden.

21 In regards to condition number 10, as it was  
22 initially written it required county approval for  
23 items currently not under the jurisdiction of the  
24 county. As an engineering manager I need to inform  
25 my consultants how to proceed with projects, but in

1           this case the county doesn't have any rules,  
2           regulations or policies and I have no way of  
3           determining what standards the consultant would have  
4           to meet. The condition was open-ended and just not  
5           acceptable. The zoning condition already requires us  
6           to be in compliance with the LDC under condition  
7           number 6 and further the Land Development Code  
8           requires us to be in compliance with all rules and  
9           regulations of local, state and federal agencies.  
10          Therefore, we have requested either revision or  
11          deletion of this section or condition.

12                 Unless there are any other questions I don't  
13          have anything.

14                 THE HEARING EXAMINER: Neale.

15                 MS. MONTGOMERY: No, sir.

16                 THE HEARING EXAMINER: Questions by staff,  
17          county attorney?

18                 MR. FREDYMA: No, sir.

19                 THE HEARING EXAMINER: I have none. Thank you,  
20          sir.

21                 MS. MONTGOMERY: At this time I want to kind of  
22          briefly go through the 24-hour letter. I believe we  
23          covered everything but I want to just touch on it.

24                 MR. FREDYMA: Do you have another copy?

25                 MS. MONTGOMERY: Pardon me?

1 MR. FREDYMA: By any chance do you have another  
2 copy of the letter? I wasn't provided with one.

3 MS. MONTGOMERY: I'm sorry.

4 The first issue is the addition of the entrance  
5 gates and gatehouses that Mr. Vanasse testified to  
6 and the deletion of condition 10 and the addition of  
7 Group I as Essential Service Facilities.

8 THE HEARING EXAMINER: Hold on a second, Neale.  
9 Chahram, do you want to go through this right  
10 now or do you want to --

11 MR. BADAMTCHIAN: I can do it right now if you  
12 want to do that.

13 THE HEARING EXAMINER: Let's go through it right  
14 now.

15 MS. MONTGOMERY: We don't want to build a gate  
16 or a gatehouse, but if we're required to by a higher  
17 power we just want to be able to do that.

18 Condition 10 we have struck through, which you  
19 can see on page 2, and the reason is because the way  
20 the condition's written it suffers from being an  
21 unlawful delegation because the county has no rules,  
22 no standards. It's just kind of reviewed and  
23 approved based on whatever you think is best. Well,  
24 we can't live with that. Now, I will say that we  
25 submitted alternative language that says we're more

1 than happy to submit a copy of those permit  
2 applications to the county. The county always has  
3 the right, and they do it very well on some  
4 occasions, is to get themselves on the mailing list  
5 from whatever the other agency is and be a  
6 participant in the process. We have no objection to  
7 them being a participant in the process then and  
8 reviewing it in accordance with the rules of the  
9 agency that does have jurisdiction. So we either  
10 need condition 10 modified or eliminated.

11 THE HEARING EXAMINER: Okay. Chahram, do you  
12 have any objection to the --

13 MR. BADAMTCHIAN: This condition came from  
14 Natural Resources and I talked to them. They don't  
15 want to delete it; however, they can live with the  
16 condition proposed second from the last page of the  
17 letter at the bottom.

18 MS. MONTGOMERY: If we reword condition 10 to  
19 say that, then we don't have to strike it out on page  
20 2, but we need one or the other.

21 MR. BADAMTCHIAN: Staff has no objection  
22 replacing it with proposed language but not delete it  
23 altogether.

24 THE HEARING EXAMINER: Okay.

25 MS. MONTGOMERY: Do you have a problem with

1 entrance gates or gatehouses?

2 MR. BADAMTCHIAN: As a use, no.

3 MS. MONTGOMERY: And adding the word "Group I"  
4 under Essential Service Facilities?

5 MR. BADAMTCHIAN: That's fine.

6 MS. MONTGOMERY: And essential services. We  
7 have to have pipes that go to the tank.

8 MR. FREDYMA: That's one of those categories  
9 that ironically if you didn't ask for it you would  
10 still get it by staff.

11 MS. MONTGOMERY: Today's staff. If Chahram gets  
12 hit by a bus - perish the thought -.I don't want to  
13 end up with somebody later going you have a nice tank  
14 but no pipes.

15 MR. FREDYMA: You'd still get it but there's  
16 certainly no objection to adding it.

17 MR. BADAMTCHIAN: I'm not the only one around  
18 here, so --

19 MS. MONTGOMERY: And then on the next page, the  
20 asterisk at the bottom, the concern is the hundred  
21 foot accessory structure setback to Snell Lane. If  
22 we have a gate or gatehouses for, you know, pipes,  
23 there's some question, at least in the mind of some  
24 folks, as to whether or not those would have to be  
25 set back. Obviously you can't have a functioning

1 storage tank if your pipes have to be subject to that  
2 hundred foot setback. So what we're essentially  
3 asking for here is an exception for those items.

4 MR. BADAMTCHIAN: I have no problem with it  
5 provided that the language be amended. They are  
6 saying the following accessory structure are exempt  
7 from setback requirement? I don't like that  
8 language. However, they are subject to Section  
9 34-1748 and 34-1613.

10 MS. MONTGOMERY: Do you have suggested  
11 rewording? How do you want that to read?

12 MR. BADAMTCHIAN: I don't know. Maybe we can  
13 say the setback for gatehouse and gate subject to  
14 Section 34-17 and for Essential Facilities Group I  
15 subject to 34-1613.

16 MR. FREDYMA: Does it say that now, though?

17 MR. BADAMTCHIAN: Well, it says they are exempt  
18 from --

19 MS. MONTGOMERY: What we're trying to say, maybe  
20 inartfully, we're trying to say we're exempt from the  
21 hundred foot setback identified above but still  
22 subject to those regulations. That's what we're  
23 trying to say.

24 MR. BADAMTCHIAN: Maybe we should say like the  
25 above setback does not apply to these uses. These

1 uses are subject to setbacks established.

2 MS. MONTGOMERY: I'm okay with that. More  
3 direct statement then.

4 THE HEARING EXAMINER: All right. Here's what  
5 I'll do. I'll leave the record open until Friday and  
6 you folks can prepare the appropriate condition, the  
7 language for the condition.

8 MR. FREDYMA: I think even if you didn't say it  
9 I think it would be --

10 MS. MONTGOMERY: I would like if we can rework  
11 it here today so we don't have to keep it open.

12 MR. FREDYMA: A gatehouse by its nature is  
13 usually on the perimeter or close so it's not --

14 MS. MONTGOMERY: I know, so I think what Chahram  
15 said -- maybe we'll take a break and we'll write  
16 something up and hand it to you. Let's just see if  
17 we can't do that.

18 The next one is the deletion in 3A of the last  
19 sentence. That last sentence is any related permit  
20 requirements regarding listed species included in the  
21 state or federal permit or resulting from direct  
22 consultation with the appropriate wildlife agency  
23 will be incorporated as a condition of the local  
24 development order.

25 I have no problem in the local development order

1           indicating as the regulations require that the  
2           applicant has to comply with any state or federal  
3           permits. My problem is if you take those conditions,  
4           pull them out of those permits and put them into the  
5           county's DO, now all of a sudden we're at risk of,  
6           you know, decades-long interpretation that those  
7           agencies apply to what that language means and the  
8           county staff going well, I don't think it really  
9           means that, I think it means this, and we get  
10          whip-sawed between the two and never get out or find  
11          ourselves in a violation at the county level when  
12          we're not in a violation at the state or federal  
13          level, so I'm just trying to avoid --

14                 MR. FREDYMA: Has it been a problem in the past?

15                 MS. MONTGOMERY: It's becoming somewhat of a  
16          problem and I would like to avoid it.

17                 MR. BADAMTCHIAN: This condition is from Suzie.

18                 MS. DERHEIMER: I'm going to address that in a  
19          minute.

20                 THE HEARING EXAMINER: Okay. You're going to  
21          address it when you testify?

22                 MS. DERHEIMER: Yes.

23                 THE HEARING EXAMINER: Okay. Next.

24                 MS. MONTGOMERY: The next one is the one that  
25          Mike Myers talked about. And I'm assuming Suzie is

1 going to address it, but the county wants to keep  
2 gopher tortoises in the county. The problem is the  
3 county doesn't have regional banks. The tortoises  
4 fare better when there is more of them and they have  
5 friends. They have no friends when they're isolated  
6 like this, so that's basically the concern.

7 I believe for 3C we're in agreement.

8 And 7, when you go out there you will see that  
9 the people who have been maintaining the dirt portion  
10 of the road have done a terrific job and we  
11 certainly, BSU intends to do just as good a job in  
12 working with that road. The problem I have that Mike  
13 Liggins mentioned is, they're going to have one trip  
14 a week and so if those folks, like the plant nursery,  
15 other folks out there, you will see some heavy  
16 equipment, you know, tear the road up, we don't want  
17 to be in the situation where it's not BSU's use  
18 that's tearing the road up, it's someone else's and  
19 they call and say, well, it's time for BSU to fix the  
20 road for us again.

21 The other thing is, should somebody decide to  
22 develop their property in a more intense fashion,  
23 again, we don't want BSU to be the ones to have to  
24 maintain the road for someone else. Certainly  
25 willing to always pay their fair share. So that's a

1 concern we're trying to address. Definitely want to  
2 mitigate and maintain our impacts but not other  
3 people's, so this is an attempt to address that  
4 situation.

5 In condition --

6 THE HEARING EXAMINER: Wait a minute.

7 MR. BADAMTCHIAN: Can I address this?

8 THE HEARING EXAMINER: Yeah.

9 MR. BADAMTCHIAN: Okay. What you're proposing  
10 is adding language saying the maintenance covenant  
11 will require BSU to address their wear and tear on  
12 the portion of Snell Lane. The question is how do  
13 you prove is their share of the -- I mean they were  
14 the one tearing the road up or somebody else and how  
15 do you do that? There's no way unless we have  
16 someone sitting there and watching the road. We  
17 require -- we were asking them to pave the road and  
18 they said since they are not going to pave it they're  
19 going to gravel it. And we said okay, then we have a  
20 condition that you maintain it and that's the reason  
21 we said that it's okay to have a gravel road, not a  
22 paved road, but not turn it around and saying that  
23 they don't want to be responsible for the maintenance  
24 of the road. I understand that they're saying  
25 they're going to be responsible for their share, but

1           what does that mean? What is their share? Who's  
2           going to be judge of that? What portion of that wear  
3           and tear is their share? This is a dead end road and  
4           mostly leading to their property. The road comes and  
5           it ends here. The road doesn't exist right now.

6           THE HEARING EXAMINER: But the road's always  
7           going to be on their property.

8           MR. BADAMTCHIAN: The road that ends somewhere  
9           in here. They are extending the road, a gravel road.  
10          I mean other people may use it. I'm not saying they  
11          are not going to use it, but it's basically their  
12          road. Unless they have a MSTU, MSBU, they should be  
13          responsible for maintaining it unless they want to  
14          pave it.

15          MS. MONTGOMERY: I understand, Chahram, what  
16          you're saying. And I'm not an engineer or a  
17          contractor. In my mind it seems logical that you'd  
18          have some kind of a routine maintenance schedule, I'm  
19          going to go out and every so often, but if it gets  
20          torn up outside of normal maintenance schedule --

21          THE HEARING EXAMINER: Who owns the property  
22          that that road's located on?

23          MS. MONTGOMERY: It's an easement. I don't know  
24          who owns the underlying easement.

25          THE HEARING EXAMINER: Does the easement run in

1 favor of any other property owner?

2 MS. MONTGOMERY: Yes. That's the problem. And  
3 if you drive out that road you will see that the  
4 plant nursery doesn't run exactly the neatest,  
5 cleanest operation. And there are other folks out  
6 there with large vehicles and there's clear ATV use,  
7 and the problem with that is, having lived on a dirt  
8 road, ATVs tear it up. They don't care whose  
9 property it is. And so BSU could be out there every  
10 week trying to maintain the road when they didn't  
11 cause the damage.

12 THE HEARING EXAMINER: But what happens if you  
13 get somebody that goes out there, causes damage, you  
14 don't know who caused the damage? May not even be an  
15 adjacent property owner, may be just someone that's  
16 out there on an ATV. It still has to get repaired.

17 MS. MONTGOMERY: And you're right. And you know  
18 what normally happens in that kind of situation when  
19 you have multiple property owners? They all get  
20 together and they all pay their share. What you're  
21 saying is from now on nobody has to pay their fair  
22 share, nobody has to really kick those ATVers off  
23 because we've got the insurance policy that says BSU  
24 is going to fix it. It's sort of like neighbors get  
25 together and then they kind of police the area when

1 they can, but there's no need to police it any  
2 longer.

3 MR. FREDYMA: What should happen is as the other  
4 properties develop they would be required to also  
5 participate and join in the maintenance.

6 MS. MONTGOMERY: And I agree with you and that  
7 would be more fair, but as that's written you would  
8 never do that because you've already got BSU on the  
9 hook.

10 MR. FREDYMA: No, on the contrary, right now  
11 that is what we would do. Before any other  
12 development would be approved we would require them  
13 to participate in the maintenance of that roadway.  
14 It's clearly not fair to expect one property owner to  
15 bear the burden.

16 MS. MONTGOMERY: Right. And that's my concern.  
17 That what I was trying to address with this  
18 condition.

19 THE HEARING EXAMINER: Well, I've had matters  
20 that have come through here where we do, where we do  
21 require those joint agreements between the property  
22 owners as to maintenance of roads.

23 MS. MONTGOMERY: We're just responding to the  
24 condition as written. I do agree with Chahram, they  
25 didn't make them pave it or haven't asked them to

1 because that's going to have such minimal usage, not  
2 even the level a single-family home would have.

3 MR. BADAMTCHIAN: This condition is in response  
4 to their request for deviation number I, not to have  
5 the road paved, and that's the condition. Under that  
6 condition we are agreeing to support the deviation.  
7 If this condition is not going to be here, then we  
8 are not in favor of recommending approval of the  
9 deviation.

10 THE HEARING EXAMINER: I'm not inclined to do  
11 anything with regard to something that may or may not  
12 happen in the future and you don't know what other  
13 uses are going out there or how that road's going to  
14 be used by adjacent property owners.

15 MS. MONTGOMERY: But there are other uses out  
16 there now.

17 THE HEARING EXAMINER: Yeah, but you're the one  
18 that wants to build the road.

19 MS. MONTGOMERY: Extend the road and use it,  
20 yes.

21 THE HEARING EXAMINER: So the county wants to  
22 look to somebody to maintain that road. And, you  
23 know, if you want to expand that by an agreement with  
24 other parties, that's your prerogative.

25 MS. MONTGOMERY: Let me ask this. Maybe we can

1 get to the same place this way. If they go out and  
2 put, you know, once a year they put new rock on it,  
3 you know, and compact it, is that enough so that it's  
4 not, you know, a once-a-month thing that they're  
5 doing?

6 MR. FREDYMA: It may only need to be to have  
7 somebody run a York rake on it once or twice a year.

8 MS. MONTGOMERY: If we could agree to that, then  
9 they have the known quantity again. They're not --

10 MR. FREDYMA: But it's an unknown quantity.

11 THE HEARING EXAMINER: I'm not going to agree to  
12 a condition in there. I don't want to get specific  
13 as to the maintenance of the road because we don't  
14 know what the road will require.

15 MS. MONTGOMERY: I don't either. That's why it  
16 was written this way that BSU would address their  
17 wear and tear on the road.

18 MR. BADAMTCHIAN: The fire department, they came  
19 and they had their rezoning, we asked them to pave  
20 the road and they did. Now you don't want to pave  
21 the road and the argument is you're not going to use  
22 it that much. At least you should be responsible for  
23 maintaining it.

24 MS. MONTGOMERY: I hear what you say, but when  
25 you go -- if you go during the day and you drive by

1 the fire station you're going to see 20, at least,  
2 potential cars there and a multitude of trucks. I  
3 definitely see the fire station where they have  
4 significant daily usage is different than one truck a  
5 week.

6 THE HEARING EXAMINER: Yeah, I don't have a  
7 problem with the gravel or rock road, okay. I just  
8 want to make sure it's maintained. And if your  
9 concern is that the applicant should be maintaining  
10 only the road for the damage that, or the wear and  
11 tear that is inflicted on the road by the applicant,  
12 my comment is what happens if somebody goes out there  
13 and does some damage, we don't know who it is. It's  
14 your -- you still have to maintain that road.

15 MS. MONTGOMERY: And the answer would be we do  
16 the same thing we do now and that is the people who  
17 use the road would have to get together and address  
18 the situation without government intervention and say  
19 you pay it.

20 THE HEARING EXAMINER: If you can do that, you  
21 know, there's nothing, nothing in this condition that  
22 limits you to do -- from doing that.

23 MS. MONTGOMERY: Yes, because if I'm a neighbor  
24 and I know that condition's there, why would I agree  
25 to help you? You're already on the hook. That's the

1           problem. I hear what you're saying, but that's what  
2           the concern is, it makes them responsible.

3           THE HEARING EXAMINER: It makes them responsible  
4           for the road that they are constructing.

5           MS. MONTGOMERY: No. As the staff interprets  
6           that it makes them responsible for the entire road  
7           from the paved portion that the fire station did all  
8           the way to their site.

9           MR. BADAMTCHIAN: Section 10-296 requires them  
10          to have a paved road. In exchange for not paving the  
11          road, we are asking them to maintain it. It's as  
12          simple as this, either pave the road or if you want  
13          to keep it gravel, then maintain it.

14          THE HEARING EXAMINER: Okay. Let's go on.

15          MS. MONTGOMERY: Okay. And before we go on,  
16          they have no problem doing all the maintenance from  
17          where the gravel ends to their site because they  
18          should be the only ones using that portion, so that's  
19          not the problem.

20          The underground storage, if you look at  
21          condition 10 as it's worded in the staff report, what  
22          it says is any proposed underground water storage  
23          facility must be reviewed and approved by Lee County  
24          Natural Resources Division in addition to any state  
25          and federal agencies. And Chahram doesn't want to

1 take that out, but I believe I did hear him say  
2 earlier that he doesn't have a problem with our  
3 rewording. So if you don't have a problem with our  
4 rewording, then I think we're okay.

5 THE HEARING EXAMINER: I think that depends on  
6 what the rewording says, but probably not, probably  
7 don't.

8 MS. MONTGOMERY: Then on condition 11, I don't  
9 know if this got addressed or not, but the word  
10 "north" should be "west". And I think Chahram agrees  
11 with that.

12 MR. BADAMTCHIAN: Yeah, that's a typo. Sorry.  
13 It should say west.

14 MS. MONTGOMERY: Then the other change is to the  
15 open space, and because there is, according to the  
16 testimony, excess open space, we want it to be able  
17 to count later. We don't want it to forever be okay,  
18 you already set that aside for Phase I, so it doesn't  
19 count when you do Phase II or the rest of it. We're  
20 not asking not to meet the county requirements. We  
21 just want the ability not to have that forever be  
22 lost.

23 MR. BADAMTCHIAN: Do we really need this  
24 condition? I mean that's how --

25 MS. MONTGOMERY: Well, yeah, I think we do, and

1 I'll tell you why. Because I think everybody here  
2 has been in other circumstances where it's kind of  
3 like wait a minute, you already set that aside, so  
4 even though you might have done more, too bad, so  
5 sad. And there's not a lot of opportunities, as Mr.  
6 Liggins testified, to acquire a site for utility  
7 facilities in and around the Bonita Springs area, so  
8 they need to be able to utilize this in accordance  
9 with the county regulations and not have excess open  
10 space.

11 MR. BADAMTCHIAN: You are going to come back and  
12 amend it if you want to have more land, so we're  
13 going to start the review all over again. I really  
14 don't see the need for this condition. I don't know.

15 MR. FREDYMA: By way of clarification, are you  
16 talking about the open space calculation that you  
17 have done thus far would cover this MCP site and are  
18 you talking about whatever you have calculated thus  
19 far, because I know they have other property there,  
20 would be allowed to be used towards something beyond  
21 this? Is that what you're asking?

22 MS. MONTGOMERY: Yes. Mr. Vanasse testified in  
23 his testimony that the required open space is 3.8  
24 acres under the county regulations for the current  
25 MCP, but what's being provided is 4.3. So when the

1 rest of the site comes in they still want to be able  
2 to count the differential between the 3.8 and 4.3 to  
3 the overall development, so it's not just -- we're  
4 trying to avoid saying okay, you don't get to revisit  
5 that, the 4.3 is just for Phase I. So when Phase II  
6 or Phase III comes in, you got to start from ground  
7 zero.

8 MR. FREDYMA: Stop right there. When you say  
9 Phase II are you talking about up here?

10 MS. MONTGOMERY: Yes.

11 MR. FREDYMA: Because what I wasn't clear on is  
12 whether you're talking about this MCP or whether  
13 you're talking about --

14 MS. MONTGOMERY: A future MCP.

15 MR. FREDYMA: But something beyond the existing  
16 boundaries that are shown here. Because that's a  
17 whole different issue.

18 MS. MONTGOMERY: Well, both.

19 Go ahead and speak up.

20 MR. VANASSE: Right now the requirements for  
21 this subject property, and we provide enough open  
22 space for the entire subject property, so if  
23 something came in as Phase II there's sufficient open  
24 space.

25 MR. FREDYMA: Where is Phase II?

1 MR. VANASSE: Phase II is the noncolorized area.

2 MR. FREDYMA: Still within the bounds of the MCP  
3 we're talking about.

4 MR. VANASSE: We're talking about if we expanded  
5 this MCP and added more land than what is currently  
6 shown on there.

7 MR. LIGGINS: The currently vacated MCP adjacent  
8 to and contiguous to the property.

9 THE HEARING EXAMINER: Oh, another parcel.

10 MR. VANASSE: Yeah.

11 MR. BADAMTCHIAN: Add another parcel, another  
12 review and it's become another rezoning.

13 THE HEARING EXAMINER: Wouldn't it depend on how  
14 you filed the application? If you came in and added  
15 the other -- incorporated this, the property that's  
16 before me today with another parcel, then it would  
17 all be reviewed together, but isn't it possible that  
18 the applicant can come in with another master concept  
19 plan for that property to the west that doesn't refer  
20 at all to this property?

21 MS. MONTGOMERY: No, because the county has a  
22 rule that they apply that says if you own contiguous  
23 property they would force you to bring that property  
24 into this property.

25 MR. BADAMTCHIAN: We don't want them to --

1 MS. MONTGOMERY: I've had them try to do that  
2 even if you had no plans for the other property, so  
3 they would definitely make you bring it in together.

4 MR. BADAMTCHIAN: We don't want them to sell the  
5 property to somebody else, another entity, and they  
6 say well, the open spaces were provided on the other  
7 phase. If it comes as one project we cannot review  
8 it anyway. Suzie may be able to --

9 MS. DERHEIMER: I think I'm more confused than  
10 everybody else here. For the record, Suzie  
11 Derheimer, Lee County Environmental Sciences.

12 Their concern with the open space not counting  
13 towards Phase II I don't think is justified given the  
14 zoning, the requested zoning approval. The requested  
15 zoning approval is for the 15-acre site. The way the  
16 MCP is identified it shows this open space is  
17 provided for the 15-acre site. So when they come in  
18 for Phase II, the zoning approval should be --

19 MR. FREDYMA: Accounted for.

20 MS. DERHEIMER: Exactly. Now, with regards to  
21 additional area being added, as Chahram said, that  
22 would cause -- that would require an amendment to the  
23 existing planned development. And when you bring  
24 property in, again, now we're going to be looking at  
25 whatever how much acreage they bring in and then

1 they're going to be required that much open space,  
2 but they're bringing in the existing part that has  
3 open space which counts for the -- it will count for  
4 the whole, say it will be 30 acres once they bring in  
5 the rest of the parcel.

6 MS. MONTGOMERY: And that's what we're trying to  
7 accomplish, make sure it gets --

8 MS. DERHEIMER: I agree with Chahram, this  
9 condition is not necessary because that's how it's  
10 reviewed. Chapter 10-415 presents the criteria for  
11 open space. If that area meets the definition of  
12 open space and indigenous open space, then it's going  
13 to count towards that. You should be assured by the  
14 code itself, the LDC.

15 MR. FREDYMA: But, Suzie, unless or until you  
16 have something else to look at beyond what's  
17 presented here today, you have no idea whether or not  
18 the amount of open space that might be on this site  
19 is adequate to serve not only this site, but whatever  
20 they might add to it.

21 MS. MONTGOMERY: That's not the question. Suzie  
22 has already answered the question that we're  
23 concerned about and we're not trying to do less open  
24 space. We just want to make sure that all the open  
25 space --

1 THE HEARING EXAMINER: You want to get credit  
2 for it.

3 MS. MONTGOMERY: Right. And she just said on  
4 the record that we will.

5 MS. DERHEIMER: If it meets the definition of  
6 what your -- if it meets the LDC code, then it will  
7 count as open space.

8 MR. FREDYMA: So what you have presented here as  
9 a single site, you have a calculation for open space  
10 that is deemed to be appropriate for this site,  
11 albeit you don't have the specific details of those  
12 parts of it. Is that correct?

13 MS. DERHEIMER: I'm not really sure. I didn't  
14 understand what you said.

15 MR. FREDYMA: This site as it is right now, as  
16 it's drawn, has a calculation for open space that you  
17 have accepted as adequate.

18 MS. DERHEIMER: Correct.

19 MR. FREDYMA: And I guess the number is slightly  
20 larger than what would otherwise be the minimum.

21 MS. DERHEIMER: The minimum requirement,  
22 correct.

23 MR. FREDYMA: That number is going to stay the  
24 same even though they're going to come in at some  
25 point, I assume, to tell you what specifically

1 they're going to do in Phase II or III or whatever,  
2 again within this site.

3 MS. DERHEIMER: Within that site, yes.

4 MR. FREDYMA: So the amount of open space is --

5 MS. DERHEIMER: They have exceeded the open  
6 space requirement for that 15-acre site.

7 MR. FREDYMA: Then I guess I would agree with  
8 Chahram. I don't think you need the condition that  
9 Neale's proposing.

10 MS. DERHEIMER: I agree with Chahram.

11 MR. FREDYMA: That's how it would be considered.  
12 Now, this is a single site with a single calculation,  
13 albeit it has phases, but the calculation is  
14 determined based on that and deemed to be  
15 appropriate.

16 MS. MONTGOMERY: If you follow the code and do  
17 exactly what you said, you're right, we don't need  
18 it. If it's a what-have-you-done-for-me-lately kind  
19 of situation happens --

20 MR. FREDYMA: We follow the code, Neale. We  
21 follow the code.

22 MS. MONTGOMERY: No, I get the it's the minimum  
23 and you need to do more speech very often when it  
24 comes to open space. That's what we're trying to  
25 protect against.

1 MS. DERHEIMER: And that's at the zoning stage.  
2 You're talking about coming in for phasing at DO  
3 stage. DO stage will look at the approved master  
4 concept plan, what the approved open space area is.  
5 They don't ask for more at the DO stage, they go by  
6 the master concept plan.

7 THE HEARING EXAMINER: I think what they're  
8 saying, Susie, though, is if we bring in additional  
9 property into either -- into this as an amended  
10 master concept plan, are we getting credit for the  
11 open space that we originally provided?

12 MS. DERHEIMER: When they bring in additional  
13 property again, then we'll look at instead of a  
14 15-acre site, say a 30-acre site. That 4.3 acres of  
15 open space that's provided on this site will be added  
16 to, you know, added to what they need for the 30-acre  
17 site.

18 MR. FREDYMA: And the determination of whether  
19 or not it's enough or not based on the regulation.

20 MS. MONTGOMERY: That's what we're trying to  
21 assure.

22 MR. FREDYMA: But you get that -- the process  
23 gives you that anyway even without your additional  
24 language.

25 MS. MONTGOMERY: Not always.

1 MR. FREDYMA: You keep saying that but I don't  
2 think that's true.

3 THE HEARING EXAMINER: I'm not going to deal  
4 with other cases. I'm just going to deal with this  
5 case right here. And I've got to tell you, based on  
6 what staff has told me, I don't see the need for the  
7 additional condition. Okay. Now, whatever happens  
8 out there in other cases I don't care about.

9 MS. MONTGOMERY: No. And I hear what you're  
10 saying and obviously I'm glad we had this discussion,  
11 although you may not be, because then I can get a  
12 copy of this transcript and I can bring it back later  
13 and say this is how we said it was going to be, so I  
14 feel better and protected just because we've had the  
15 discussion.

16 THE HEARING EXAMINER: Okay. Thank you, Suzie.  
17 Is there any other conditions we got to go over?

18 MS. MONTGOMERY: No, sir.

19 THE HEARING EXAMINER: Folks, I'm going to  
20 ask -- well, I'll deal with this at the end.

21 Applicant have any other witnesses?

22 MS. MONTGOMERY: No, sir.

23 THE HEARING EXAMINER: Chahram.

24 By the way, there's a master concept plan up on  
25 the board. Is that the applicant's?

1 MR. BADAMTCHIAN: This is staff's. They have  
2 the same thing colored there.

3 MR. FREDYMA: That's the same one that appears  
4 in the revised --

5 THE HEARING EXAMINER: I just wanted to make  
6 sure whether we were going to admit that as an  
7 applicant exhibit or a staff exhibit. It will go in  
8 as a staff exhibit at the proper time.

9 MR. FREDYMA: There's one other applicant --  
10 staff, rather, has one other exhibit at least.

11 THE HEARING EXAMINER: We'll do that when he  
12 gets to those. So you can dig for it before the  
13 hearing is over. I don't have a copy, a smaller copy  
14 of Applicant Exhibit 3 which was six photographs.  
15 I've got the six that are the surrounding areas.

16 MR. FREDYMA: Existing public facility uses.

17 MS. MONTGOMERY: Yeah, I already marked it as 3.

18 THE HEARING EXAMINER: Okay. Chahram.

19 MR. BADAMTCHIAN: Good morning. Chahram  
20 Badamtchian from Lee County Zoning. My resume is on  
21 file and I was recognized as an expert in land use  
22 and zoning. I would like to be recognized as such at  
23 this time.

24 THE HEARING EXAMINER: Any objection?

25 MS. MONTGOMERY: No, sir.

1 THE HEARING EXAMINER: Witness is declared to be  
2 an expert in the field he indicated. Go on.

3 MR. BADAMTCHIAN: The case before you is for  
4 14.4 acres which is zoned CFPD. It was zoned in  
5 1992. The master concept plan has expired. The  
6 future land use designation is DR/GR and wetlands.  
7 They are proposing to build a water storage tank and  
8 some unknown deep well injection or underground  
9 storage.

10 The staff report, page 1, contains a typo. I  
11 apologize. Originally this site started as thirty  
12 something acres, then went down to five acres and  
13 then became 14 acres. In my staff report, page 1,  
14 under existing zoning and land use, under north it  
15 says vacant, Bonita Springs Utilities Property. It  
16 should say Kehl Canal and state-owned properties.

17 They are basically asking for a few uses. Today  
18 they added gatehouse and gate and Essential Service  
19 Facilities Group 1. Staff has no problem with those  
20 uses to be added.

21 Staff has a list of conditions that as we  
22 earlier discussed that staff would like to keep all  
23 of them, and we agree that Condition 10 can be  
24 modified to read as they have it on the last -- next  
25 to last page of the 24-hour letter. And staff

1 recommends approval of all five deviation that's  
2 requested subject to staff conditions. And as  
3 earlier discussed, if they don't want to be  
4 responsible for the maintenance of the dirt road,  
5 then staff cannot support Deviation No. 1.

6 With that, staff reviewed this and they are in  
7 full compliance with relevant Lee Plan policies and  
8 goals and objectives. They are in compliance with  
9 1.4 -- Policy 1.4.5, Objective 1.5, Policy 1.5.1,  
10 1.5.2, 1.5.3 and 1.7.6, 2.1.3, and they are in  
11 compliance with Goal 53, Objective 52.1 and Policy --  
12 I'm sorry, and Policy 5.1.5.

13 And staff believes that it's the right place for  
14 this use, and this area was designated for such uses  
15 since 1992, so it's not a new zoning. In '92 it was  
16 deemed to be appropriate and they had the zoning and  
17 they are basically doing much less than what was  
18 approved in 1992. At that time they had the  
19 wastewater treatment plant for here. Now it's just a  
20 water tank. And surrounding areas are mostly vacant  
21 or very large lots with vegetation that would buffer  
22 the tank. And trafficwise they are going to generate  
23 much less than any other use that could go on that  
24 land.

25 And with that, staff recommends approval of this

1 rezoning subject to all the staff conditions and  
2 deviations as modified here.

3 THE HEARING EXAMINER: Thank you. Questions by  
4 county attorney?

5 MR. FREDYMA: No, sir. The only other questions  
6 I have relate just to a couple things on the 24-hour  
7 letter that I think we'll end up working out, so I  
8 don't have any other questions for Chahram.

9 MS. MONTGOMERY: I don't think I have any  
10 questions.

11 THE HEARING EXAMINER: I don't have any  
12 questions.

13 Any objection to the introduction of the Master  
14 Concept Plan as Exhibit 1, the large aerial  
15 photograph as Exhibit 2 and the smaller aerial  
16 photographs of which there are two on one sheet of  
17 paper as Staff Composite Exhibit 3? Hearing none,  
18 those are all in evidence.

19 Thank you, Chahram. I don't have any other  
20 questions.

21 MR. BADAMTCHIAN: Suzie is here, she wants to  
22 make a presentation.

23 THE HEARING EXAMINER: I know that.  
24 Suzie.

25 MS. DERHEIMER: Hi. For the record, Suzie

1 Derheimer, Lee County Environmental Sciences. I have  
2 been sworn. I have been tendered as an expert  
3 witness in environmental planning in the past and I  
4 request to do so today.

5 MS. MONTGOMERY: No objections.

6 THE HEARING EXAMINER: Hearing no objections,  
7 the witness is declared to be an expert in the field  
8 she indicated.

9 MS. DERHEIMER: Staff has submitted an  
10 environmental staff report with an exhibit which is  
11 attached to the overall staff report as Attachment C.  
12 The overall environmental staff report concurs with  
13 staff's recommendation of approval with some  
14 conditions in order to ensure compliance and  
15 consistency with the code and the Lee Plan. So what  
16 I'm going to do is basically just address the  
17 applicant's 24-hour letter and our concerns with some  
18 changes recommended by the applicant.

19 I think it's condition 3A, during the review  
20 environmental staff identified that the applicant  
21 applied for a Corps permit with the U.S. Army Corps  
22 of Engineers and through that permitting process  
23 sought consultation with the U.S. Fish and Wildlife  
24 Service for potential impacts to listed species.  
25 Staff obtained a letter written by the applicant's

1 agent, Passarella, to the U.S. Fish and Wildlife  
2 Service requesting consultation on the Florida  
3 panther and the wood stork and I believe it was the  
4 Indigo. And this letter is dated July 7, 2009.

5 I have copies. I'm just going to reference it.  
6 If you want it made available, I'll be happy to give  
7 it to you. Okay.

8 So based upon our review of the letter we were  
9 made aware the applicant was seeking comment from  
10 Fish and Wildlife Service. This is the last  
11 communication that we've had or that we have  
12 obtained, and staff wrote the recommended condition  
13 3B in order to ensure that any recommendations that  
14 U.S. Fish and Wildlife Service made with regard to  
15 the listed species were reviewed and met prior to any  
16 local government agency approvals for this  
17 development. And this is not only to ensure that the  
18 applicant's compliant with the requirements, but also  
19 make sure we're not issuing any permits that would  
20 not be compliant with the state and federal  
21 requirements. In order to, do that, the condition's  
22 written that prior to -- given that we don't know  
23 exactly what the permit -- at this time we don't know  
24 what the recommendations are of the Fish and Wildlife  
25 Service or of their sister agency, the Corps, I

1 wanted to write the condition to ensure that at the  
2 time of local development order any conditions that  
3 were required by these agencies were reviewed for and  
4 met as conditions of any local government approvals.

5 That was the intention of the condition. I  
6 believe that it's important given -- based upon the  
7 applicant's testimony there are conditions with  
8 regards to the panther and mitigation requirements  
9 and I want to make sure that this condition's in here  
10 to ensure that the development order staff are aware  
11 of it and need to look for it in any local government  
12 approvals.

13 THE HEARING EXAMINER: Okay. Before you go on,  
14 is that all your testimony with regard to 3A?

15 MS. DERHEIMER: Yes. I'm sorry, 3A. Yes. I  
16 referenced 3B. I apologize. Yes, 3A.

17 THE HEARING EXAMINER: I'm going to split this  
18 up because it's just easier. I don't want to deal  
19 with 3B.

20 Do you have any questions or comments with  
21 regard to --

22 MS. MONTGOMERY: Yeah.

23 EXAMINATION

24 BY MS. MONTGOMERY:

25 Q. What my question is, are you concerned about

1 whether or not the applicant has those permits? Is that  
2 the concern?

3 A. Concern about -- yeah, we require the permits  
4 prior to development order, but also that the conditions  
5 of the permits are met prior to the county issuing any  
6 permits to move forward with the development.

7 Q. Obviously sometimes you can't meet the permit's  
8 conditions until you get a development order.

9 A. Well, and that's why it's a condition of the  
10 development order. I'm not saying prior to development  
11 order they have to be met, but the review for it at the  
12 time of the development order and they would be  
13 conditioned prior to any vegetation clearing approvals,  
14 which is the final approval.

15 Q. Let me ask you a question, Suzie. Do you  
16 already have regulations in Chapter 34 and in 10 that  
17 requires all applicants to be in compliance with all other  
18 state and federal permits?

19 A. It's a general statement, yes.

20 Q. So we already have to be consistent with all  
21 state and federal permits, which includes the ERP from the  
22 district and the 404 permit from the Corps. So, one, we  
23 have to because those agencies say we do; two, we have to  
24 because you have regulations that say we do. So why do we  
25 need to actually incorporate all those conditions into the

1 DO if we're already required to comply with those permits?

2 A. The way it's written is to ensure that the  
3 county has reviewed for those, make sure that they're  
4 compliant for.

5 Q. As it's written it gives you enforcement power  
6 and the ability to reinterpret their conditions.

7 A. And that's, again, that's -- if you look at our  
8 codes we do have -- and I'll read, in terms of the Lee  
9 Plan we asked for --

10 Q. Tell me where you are and I'll try to flip there  
11 and read with you.

12 A. On the environmental staff report, page 2 of 7,  
13 Policy 107.4.4 restricts the potential use of protected  
14 plant and wildlife species habitat and which is compatible  
15 with the requirements of endangered and listed species and  
16 species of special concern. New developments must protect  
17 remnants of viable habitat when listed vegetation and  
18 wildlife species inhabit a tract for development except  
19 where equivalent mitigation is provided. We need to  
20 review and make sure that equivalent mitigation is  
21 provided.

22 Q. And again, I don't have any problem, Suzie, with  
23 you doing that, so if we've got to submit to you the Corps  
24 permit and the ERP before we can get our DO, I totally  
25 understand that. If that's what you want us to do I don't

1 have a problem. My problem isn't with that, and I agree  
2 with you, you do need to do that. My problem is in your  
3 taking and lifting all those conditions out of those  
4 permits and then putting them in your DO.

5           And I guess I have another question, because  
6 there's an "or" in there and -- let me ask it this way.  
7 Does the Corps always accept all the recommendations of  
8 Fish and Wildlife Conservation Commission and put them in  
9 their permits?

10           A. I can't say always.

11           Q. And I can't either. And so as you have it  
12 written, you would have to comply with all the conditions  
13 the Corps says you have to and anything that the  
14 commission might have said during consultations that the  
15 Corps didn't accept. I don't know that that's an issue in  
16 this case, but if this kind of thing becomes a  
17 standardized condition I really can have some heartburn  
18 with that.

19           So I guess I still come back to, if you want to  
20 know whether or not the issues are being addressed because  
21 you have to under the comp plan, I totally get that and  
22 you're totally legitimate in asking for a copy of the ERP  
23 and the 404. I don't see where you need to list the  
24 conditions up and put them in the DO. That's where I'm  
25 having the heartburn. And I'm being slow today, I guess,

1 because I totally don't understand what it is we're trying  
2 to accomplish that isn't already accomplished.

3 A. So your heartburn is with incorporated as a  
4 condition into the local development order.

5 Q. That's my heartburn.

6 A. I'm trying to help ensure that at the time of DO  
7 or the vegetation permit approval that those conditions  
8 are reviewed and approved.

9 THE HEARING EXAMINER: Aren't they reviewed and  
10 approved by the appropriate federal agency?

11 MS. DERHEIMER: From the permits, but I want to  
12 make sure that the county at the development order  
13 stage makes sure that they are looking for the  
14 correct permits. Do you understand? Because the  
15 Corps permit's not always required, just the ERP, and  
16 they're not actually having wetland impacts on-site,  
17 and when the county reviews we look for Corps permits  
18 when there's wetland impacts on-site. So they're not  
19 actually impacting wetlands. I want to make sure  
20 that the environmental staff person that's reviewing  
21 it looks for the Corps permit and the requirements of  
22 the Corps permit.

23 THE HEARING EXAMINER: I think what the  
24 applicant is getting at is that your proposed  
25 language gives you the ability to enforce conditions

1 imposed by federal agencies.

2 MS. MONTGOMERY: Correct.

3 THE HEARING EXAMINER: And isn't it the federal  
4 agency that should have the exclusive right to  
5 enforce those provisions? I mean you can review it  
6 to see that they have been enforced, but why should  
7 you be enforcing federal law?

8 MS. DERHEIMER: And that's what I'm looking at.  
9 So if there's a question in the interpretation of  
10 incorporated as a condition --

11 THE HEARING EXAMINER: When you incorporate as a  
12 condition then you can enforce it.

13 MS. MONTGOMERY: Right.

14 MS. DERHEIMER: We do have the ability -- if you  
15 read the code, though, in terms of -- we have -- if  
16 you read --

17 THE HEARING EXAMINER: If you've got the ability  
18 to do it as far as the code goes, then why do we have  
19 to have it as a condition?

20 MS. DERHEIMER: Because I want to make sure in  
21 this specific case -- like I said, there's no wetland  
22 impact, so I want to make sure that the staff person  
23 is making sure they cover everything at the time of  
24 development order. Like we don't look for the Corps  
25 permit when there's no wetland impacts or we don't

1 require it when there's no wetland impacts, but in  
2 this case a permit was required upon review of the --

3 THE HEARING EXAMINER: I don't have a problem  
4 with the condition that they have to get the  
5 appropriate federal permit. That's not my problem.  
6 My problem is taking the conditions out of the  
7 federal permit and giving the county the right to  
8 enforce those, because along with that goes the issue  
9 of what happens if county staff disagrees with the  
10 feds as far as with an interpretation of that permit.  
11 And the general rule is that the issuing agency is  
12 the exclusive determining body as to what's said in  
13 their own permits.

14 MR. FREDYMA: I think that would still be true.  
15 I don't think staff would be looking to do something  
16 over and above --

17 THE HEARING EXAMINER: When you've got -- you  
18 could interpret it that if you add that as a  
19 condition to this approval, they've got the right to  
20 go enforce it as they see fit, but I think what, what  
21 you're saying is you really want to review to  
22 see that they --

23 MS. DERHEIMER: Make sure they've met the  
24 requirements of the permit.

25 MS. MONTGOMERY: Can't you do that internally?

1 I mean this is a dumb question, but it sounds like a  
2 communication issue between the zoning staff and the  
3 development review staff.

4 MS. DERHEIMER: Well, staff changes. The  
5 applicant has this argument all the time. This can  
6 not come back. Like Phase II is going to come back,  
7 you know, so --

8 MS. MONTGOMERY: You're right, you're right.

9 THE HEARING EXAMINER: Take a look at just the  
10 first sentence of that condition. Isn't that just  
11 what you want, is for them to submit copies of the  
12 approved permits?

13 MS. DERHEIMER: Yes, I do want that.

14 THE HEARING EXAMINER: Do you want anything  
15 beyond that?

16 MS. DERHEIMER: Well, that they're reviewed for  
17 the appropriate requirements of those permits.

18 THE HEARING EXAMINER: The feds do that. If  
19 it's a fed permit and a condition of the fed permit  
20 it's --

21 MS. DERHEIMER: We need to make sure that those  
22 requirements have been met before we issue a local  
23 development order or vegetation permit because if  
24 we're issuing --

25 MS. MONTGOMERY: I have an idea.

1 MS. DERHEIMER: -- a permit that hasn't met  
2 those requirements, then that could be a problem for  
3 the county.

4 MS. MONTGOMERY: Rather than say what we have  
5 here, I think, if I hear you right, what you're  
6 saying is: And the county will not issue any  
7 development order that's inconsistent with the  
8 conditions of the environmental resource permit or  
9 the Army Corps permit. That's really what you're  
10 trying to say is we shouldn't issue a permit that's  
11 inconsistent with that, and I don't have any problem  
12 saying that either, I mean.

13 MR. FREDYMA: I think she's -- I take it more if  
14 you're required to have certain permits from other  
15 entities in order to get your DO, staff looks to see  
16 that you have satisfied the requirements of those  
17 permits before they cut your DO free.

18 MS. MONTGOMERY: Because I never will have  
19 satisfied the conditions of the permits before I can  
20 get my DO because I can't do anything --

21 MS. DERHEIMER: It's not saying prior to DO.  
22 It's just saying --

23 MS. MONTGOMERY: -- until I get my DO. So the  
24 only thing you can review the DO for is to make sure  
25 it's consistent with those permits. I don't have any

1           problem with that. Once I issue the DO then I can  
2           actually go do the work that those permits already  
3           say I can do.

4           MS. DERHEIMER: What if we said - and I see  
5           you're having problems with incorporated as a  
6           condition - but will be met prior to the issuance of  
7           any clearing permit approvals?

8           MS. MONTGOMERY: I still can't -- a lot of times  
9           the conditions may require certain clearing  
10          requirements in terms of how I do it. I can't  
11          actually meet it until I do it, so I'm just trying to  
12          avoid that. I really don't mind saying something  
13          that says "Yo, DO reviewer, you must make sure that  
14          the DO that gets issued is consistent with those  
15          permits," in nice legal language, of course. But  
16          that's what I hear you're concerned about. You're  
17          concerned that the DO staff aren't going to pick  
18          those permits up and make sure all the documents are  
19          consistent. And I don't mind putting something in  
20          that says, "DO reviewer, please make sure you review  
21          the DO for consistency with those permits after you  
22          get them."

23          THE HEARING EXAMINER: Okay. I'm going to  
24          resolve this at the end of this. Let's go on to the  
25          next one.

1 MS. DERHEIMER: The condition 3B, with regard to  
2 the gopher tortoise on the site, and Mr. Myers kind  
3 of summarized the issue with the gopher tortoise and  
4 where it's at on the property, and reviewing the  
5 application for the rezoning we did review it as a  
6 Phase I, Phase II project and acknowledged that the  
7 area where the gopher tortoise is is in the area of  
8 Phase II, so most likely through Phase I it's going  
9 to be avoided by the appropriate Fish and Wildlife  
10 boundaries. In the area of Phase II, given that  
11 where the tortoise is located is not proposed to be  
12 preserved, then the tortoise, again, if it's there at  
13 the time, will be required to be relocated. In the  
14 environmental staff report, on page 3 of 7, staff  
15 quotes Lee Plan objectives and policies in the county  
16 and I would like to read them.

17 Objective 107.8, gopher tortoise, the county  
18 will protect gopher tortoises through the enforcement  
19 of the protected species regulations. Policy 107.8.1  
20 requires to protect gopher tortoise burrows wherever  
21 they are found through avoidance or on-site  
22 relocation and allowing off-site mitigation in  
23 accordance with FWC only if conflicts are  
24 unavoidable.

25 And staff understands that Phase I will -- they

1 have chosen, have shown to avoid the gopher tortoise  
2 burrow, which is allowed and is consistent with the  
3 Lee Plan.

4 Phase II, again, is in an area of development.  
5 If the tortoise is still located there, will be  
6 required to be relocated.

7 Staff's condition 3B is asking that when  
8 pursuing relocation activities with FWC, that they  
9 pursue looking into on-site relocation, if possible,  
10 through FWC's review and review for suitable habitat,  
11 given there is a preserve on-site and given that  
12 again sometime in the future if the property's  
13 expanded there could be suitable habitat for the  
14 tortoise to pursue with them possible doing on-site  
15 relocation. If FWC determines that on-site is not  
16 suitable, then an off-site permit will be pursued.

17 Staff's concern with the off-site permit and  
18 asking for to pursue on-site is given that the Lee  
19 Plan, first of all, specifies pursuing on-site  
20 activities, on-site relocation activities. And the  
21 Lee Plan also states that the objective of wildlife  
22 is to maintain and enhance fish and wildlife  
23 diversity and distributions within Lee County for the  
24 benefit of a balance in ecological systems.

25 So we're asking to pursue keeping the tortoise

1 within Lee County given that all the relocation sites  
2 are out of Lee County and we're asking them to pursue  
3 on-site with FWC until FWC determines that it cannot  
4 be pursued on-site and has to be taken off site.

5 MS. MONTGOMERY: Suzie, I'm really glad you're  
6 as paranoid about what's going to happen in Phase II  
7 as I am, but for the same reasons you just kind of  
8 nixed me and said we'll deal with Phase II when we  
9 get to Phase II, I guess I have the same question.  
10 Why wouldn't we just wait until we get to Phase II in  
11 the hopes actually that by then the county has  
12 pursued a regional bank here in the county, because  
13 if we do that --

14 MS. DERHEIMER: This is my -- this review is for  
15 Phase I and Phase II, so I have to --

16 MS. MONTGOMERY: But I thought I heard you say  
17 that there's no activity around the burrow right now,  
18 so it's likely not going to be an issue until Phase  
19 II.

20 THE HEARING EXAMINER: When Phase II comes in,  
21 though, you're going to have to come in with an  
22 amended master concept plan.

23 MS. DERHEIMER: No, not Phase II, for when you  
24 expand the project.

25 MS. MONTGOMERY: But that area is blank right

1 now. It doesn't have anything on Phase II. So it's  
2 a Phase II issue and I'm really hoping -- I mean you  
3 guys -- how many years have you guys been talking  
4 about doing a bank in the county?

5 MS. DERHEIMER: I'm not involved in that  
6 communication, so I can't, I can't tell you.

7 MS. MONTGOMERY: If I told you it's at least  
8 three, would you be surprised?

9 MS. DERHEIMER: Again, I'm not involved in that  
10 communication, so I can't tell you.

11 THE HEARING EXAMINER: My problem is, from what  
12 I know from what I've heard in this hearing, the best  
13 interest of the tortoise to generally to relocate it  
14 in proximity to other tortoises in a bank.

15 MS. DERHEIMER: I have a response to that.

16 THE HEARING EXAMINER: And you got a lonely  
17 little tortoise out here who has no friends and --

18 MS. DERHEIMER: Can I answer that real quick?

19 THE HEARING EXAMINER: Yeah.

20 MS. DERHEIMER: Actually the survey just shows  
21 one tortoise on that site, but there's actually  
22 tortoises on the adjacent property. There's habitat  
23 on the adjacent property. And this is DR/GR, meaning  
24 there's very limited development in the surrounding  
25 property. So, yes, I could understand if this was a

1 commercial site in the middle of multicommercial  
2 properties, but this is not. It's a specific  
3 situation. At this time this hasn't really been  
4 reviewed in a larger scale to say whether or not it's  
5 suitable habitat, and I'm not saying that it is. I'm  
6 asking through the review, the relocation review  
7 process that it be taken in consideration in that  
8 relocation process. And I can -- and I'm asking that  
9 the county be made aware of that it's actually  
10 pursued, because when you apply for a relocation  
11 permit with Fish and Wildlife Service you apply for  
12 an on-site relocation permit or you apply for an  
13 off-site relocation permit. If you apply for an  
14 off-site relocation, then the FWC is going to review  
15 for off-site relocation. And again, they look on a  
16 grand scale, so they're going to look at where --  
17 they don't have a problem with the tortoises going up  
18 to Osceola County or Highlands County. The fact that  
19 there's nothing available in Lee County is not  
20 really -- because we're within that region. It's not  
21 really an overconcern for Fish and Wildlife. We're  
22 looking at Lee County. If there's suitable habitat  
23 and the tortoise has suitable foraging habitat, he  
24 has tortoise population adjacent in surrounding  
25 areas, and I'm asking that to be taken into

1 consideration given that they do have some  
2 off-site -- on-site preserve and the surrounding  
3 area. And if FWC, again if FWC determines it's not  
4 suitable, then that's what we need to be made aware  
5 of in the communication process, that FWC has made  
6 that determination in the review.

7 And I have actually come up with some revised  
8 language that might alleviate your concerns because  
9 it takes us out of the process and it does say -- if  
10 you don't mind I would like to --

11 MS. MONTGOMERY: Yeah, give it to Mike in  
12 particular.

13 MS. DERHEIMER: All it does is ask me to pursue  
14 with FWC based upon FWC's review. It doesn't --

15 THE HEARING EXAMINER: Let me make a suggestion,  
16 because we've got several conditions here that you  
17 folks seem to be close on. You understand where I'm  
18 coming from, I think, in most of them, and I'm going  
19 to suggest that you just -- we leave the record open  
20 for a day or two --

21 MS. MONTGOMERY: Okay.

22 THE HEARING EXAMINER: -- and you guys iron that  
23 out. And if you can't, I'll do it, but I just think  
24 you're close enough on these issues that we don't  
25 have to waste hearing time but you can arrive at an

1 acceptable condition to everybody.

2 MS. MONTGOMERY: I think we can come up with  
3 one -- I think they have come up with one where we  
4 can agree on accessory structures.

5 THE HEARING EXAMINER: Let's do that and I'll  
6 make a ruling at the end of the hearing.

7 MS. DERHEIMER: I believe that was --

8 MR. FREDYMA: 3C you're okay with?

9 MS. DERHEIMER: 3C I'm fine with the applicant's  
10 changes to the language.

11 THE HEARING EXAMINER: 3C is okay.

12 MS. DERHEIMER: And I do -- the applicant's  
13 proposed condition 11 I don't think is necessary, and  
14 if I alleviated Neale's concerns based upon my  
15 testimony about the open space, then I don't think  
16 the condition's necessary.

17 MS. MONTGOMERY: But based upon her testimony on  
18 condition 11 we should deal with Phase II at Phase  
19 II's time, I think we should do that with regards to  
20 3B as well.

21 MS. DERHEIMER: May I ask Chahram a question?

22 THE HEARING EXAMINER: Sure.

23 MS. DERHEIMER: Would amending -- proposing  
24 development in Phase II, would that require a public  
25 hearing process or is that administrative amendment?

1 MR. BADAMTCHIAN: The master concept plan?

2 MS. DERHEIMER: The master concept plan Phase  
3 II, are we requiring them to come back in as an  
4 amendment to the master concept plan?

5 MR. BADAMTCHIAN: I believe it's going to be a  
6 public hearing because --

7 MS. MONTGOMERY: Well, there's nothing there  
8 now, so yeah, it would have to be a public hearing.

9 MR. BADAMTCHIAN: If they were adding a minor  
10 little thing is one thing, but now they have --

11 MS. DERHEIMER: Well, in terms of the tortoise I  
12 don't agree that's the same because the tortoise does  
13 move. I wanted it in for Phase I, too, because if it  
14 so happens you go to develop in Phase I, he's  
15 actually now in your development area --

16 MS. MONTGOMERY: If that happens we're  
17 definitely going to move, want to relocate him.

18 MS. DERHEIMER: Definitely. You're going to  
19 have to either way, but I don't think we can hold off  
20 the tortoise condition until Phase II given --

21 MS. MONTGOMERY: Mike went to look for him, he  
22 didn't find him.

23 THE HEARING EXAMINER: Didn't make an  
24 appointment, did he?

25 MS. MONTGOMERY: No. We were there. He wasn't

1 there.

2 MS. DERHEIMER: But I think the tortoise  
3 condition does need to be in Phase I just because he  
4 does move and he could be in Phase I when it comes  
5 time.

6 THE HEARING EXAMINER: Any other items?

7 MS. DERHEIMER: No.

8 THE HEARING EXAMINER: Any other questions of  
9 Suzie?

10 MS. DERHEIMER: No.

11 THE HEARING EXAMINER: Thank you.

12 Any other witnesses from staff?

13 MR. BADAMTCHIAN: No, sir.

14 THE HEARING EXAMINER: At this point in time I'm  
15 going to go to the public hearing unless anybody has  
16 something we should attend to beforehand.

17 Ladies and gentlemen, members of the public,  
18 this is your opportunity to speak with regard to the  
19 request that's before me today. Please realize, as  
20 the county attorney's previously indicated, I prepare  
21 a recommendation in this matter which goes to the  
22 Board of County Commissioners. The Board of County  
23 Commissioners has another hearing on that and they  
24 also have a public time where members of the public  
25 can come forward and make comments or whatever. The

1 only requirement is that you must have made a  
2 presentation or spoken at this hearing. If you do  
3 not speak at this hearing you waive your right to  
4 speak before the Board of County Commissioners.

5 With that -- and, sir, you asked a question and  
6 I don't seem to have -- at least I can't put my hands  
7 on it real quick. Wait a minute. I do have public  
8 participation forms for two individuals. I'm going  
9 to call them first and then if there's anyone else  
10 we'll bring you forward.

11 With that I would like -- is Sam Snell here?

12 MR. SNELL: Yes, sir.

13 THE HEARING EXAMINER: Mr. Snell, come forward,  
14 please. Okay. Can I have your full name and  
15 address, please.

16 MR. SNELL: Samuel R. Snell, 13410 Snell Lane,  
17 Bonita Springs.

18 THE HEARING EXAMINER: And you took an oath?

19 MR. SNELL: Yes, I did.

20 THE HEARING EXAMINER: Thank you, sir. Go  
21 ahead.

22 MR. SNELL: All right. I'm here as a contiguous  
23 property owner and I'm probably going to be the only  
24 one that gets to get up in the morning and look at  
25 this tank.

1 THE HEARING EXAMINER: Why don't you go to one  
2 of those aerial photographs and show us where your  
3 property is.

4 MR. SNELL: This will be my house right here.

5 THE HEARING EXAMINER: Okay.

6 MR. SNELL: I really kind of wanted to address  
7 the road issue. I've been there about 20 years and I  
8 originally built the road probably, I think in about  
9 1980. Since I've been there the area has flooded and  
10 gone under water twice and consequently the road will  
11 go under water. In the past at which times I would  
12 usually put some cones out at the road to keep people  
13 from coming down there because obviously you travel a  
14 gravel road when it's under water it's just going to  
15 tear it up.

16 Do I think we need to have a road with curbs and  
17 sidewalks and all this and everything? No,  
18 absolutely not. However, I do think at the very  
19 minimum the road should be brought up to above flood  
20 standards. I mean I wouldn't be opposed to see some  
21 blacktop on it but I'm not going there with that.

22 The only other thing is I really didn't realize  
23 there was going to be a second and third addition to  
24 this. I thought we were going to do the water tank  
25 and that was it. We don't know what the second and

1 third is going to be, so we have no idea how much  
2 impact this is going to make on the road in the  
3 future. I would like to be sure that I do in the  
4 future have some say-so and that whatever we decide  
5 on the road at this time is not a hundred percent for  
6 the future down the road. Quite possibly, we don't  
7 know, I mean they may have some kind of parking come  
8 up, some kind of parking area for some of their  
9 vehicles or something like this and consequently  
10 we're going to have a higher use rate of the road. I  
11 understand it's minimal now, but during construction  
12 there too, during construction there's going to be a  
13 lot of heavy equipment, roads, trucks coming in and  
14 out and consequently the road is going to have to be  
15 brought back up to standards then.

16 MS. MONTGOMERY: The condition requires it to  
17 meet Class C standards, so that's going to have  
18 certain elevation and compaction requirements even  
19 for a gravel road. I mean and, you know, and you're  
20 right, they're going to have to address whatever  
21 impacts they have due to their construction. And, as  
22 I understand it, the deviation to allow it to be  
23 gravel has only been issued for this impact, and if  
24 they have increased impact the county's going to come  
25 back, and Chahram can confirm, they're going to come

1 back and relook at that issue and we would expect  
2 them to, and you will get a chance to come back here  
3 and talk about it.

4 MR. SNELL: Like I say, the way it stands now, I  
5 am basically the only one that uses that road and  
6 consequently I have been the one that's pretty much  
7 done a hundred percent of the upkeep of it. I  
8 bushhog the sides of it. That's always been that way  
9 for me and --

10 MS. MONTGOMERY: And you have done a good job  
11 and I think BSU wants to work with you. They just  
12 don't --

13 MR. SNELL: I have had some discussions with  
14 them and, yes, I think we are going in the right  
15 direction, absolutely.

16 One other thing that I only thought of today  
17 sitting here. I'm sure you all know what the CREW  
18 project is. Back in, I believe it was '02, water  
19 management had taken all the property owners in this  
20 area and -- well, 6,000 acres, I believe, went to  
21 court and got the right of eminent domain on this  
22 property. Now, four months ago I did receive a  
23 letter in the mail that's saying water management was  
24 no longer interested in the properties in the south  
25 half of Section 31 and 32, which this is incorporated

1 in that.

2 THE HEARING EXAMINER: This property or your  
3 property or both?

4 MR. SNELL: Pardon?

5 THE HEARING EXAMINER: Does that -- you said  
6 they're no longer interested in this property. Do  
7 you mean Bonita Springs Utilities' property or your  
8 property or both?

9 MR. SNELL: Well, both actually. They're  
10 saying -- they stipulated everybody in the south half  
11 of -- well, from the Kehl Canal south to Bonita Beach  
12 Road and 31 and 32 they're no longer interested in.

13 My question is, this has never gone back before  
14 the court and a judge and I find it hard to believe  
15 that just them writing this letter legally turns all  
16 this property loose from eminent domain. I mean a  
17 judge has ruled on this. I find it hard to believe  
18 water management can overrule the court just by  
19 writing a letter.

20 MS. MONTGOMERY: Here's my understanding of the  
21 situation. Well, one, the government, certain  
22 governments have the right of eminent domain and can  
23 exercise it if it's for a public purpose, so you're  
24 right, that right still exists with a variety of  
25 governments. It's my understanding that the district

1 has officially changed the area they're buying and  
2 going to use and inundate, and as I understand it,  
3 the areas south of the canal are no longer going to  
4 be part of that inundation project or drainage  
5 project. That's my understanding, so --

6 MR. SNELL: That's exactly what I understand the  
7 letter I got, but what I'm saying --

8 MS. MONTGOMERY: Can they change their mind?  
9 Yes.

10 MR. SNELL: -- the court has not ruled on this.  
11 They have just said this.

12 THE HEARING EXAMINER: Is there litigation  
13 pending?

14 MS. MONTGOMERY: Not on any of these.

15 MR. FREDYMA: They had set up the process for  
16 eminent domain of the area but I think what's  
17 happened, as Neale indicated and Mr. Snell has  
18 indicated, is they have changed the goal or the  
19 intended result, that they're not going to pursue  
20 targeting this area.

21 THE HEARING EXAMINER: If there's no pending  
22 litigation, then their letter's not violating any  
23 court order because there is no court order.

24 MR. FREDYMA: I would believe that to be  
25 correct.

1 THE HEARING EXAMINER: All they're doing is  
2 telling you that in the future, at least right now,  
3 they're not interested in that property, they're  
4 interested in the other parcel.

5 MR. SNELL: That's right. But according to the  
6 last ruling of the court I could have a letter today  
7 in the mail saying I've got 60 days to move, and that  
8 being the case, that would be all the properties in  
9 31 and 32 south half.

10 THE HEARING EXAMINER: I don't know. I don't  
11 know enough about what --

12 MR. FREDYMA: As Neale said, I think they  
13 changed their goal for the overall project.

14 MR. SNELL: They supposedly, they're drawing a  
15 new boundary line.

16 MR. FREDYMA: Correct.

17 THE HEARING EXAMINER: Sir, you'd have to  
18 contact --

19 MR. SNELL: But you would have to go back to the  
20 court to get that boundary line changed because the  
21 judge ruled on the original concept of the project  
22 and now it's been changed, so it has to be ruled on  
23 again.

24 MR. FREDYMA: If they choose to pursue a  
25 different boundary or different project and different

1 target areas for eminent domain, yes.

2 MR. SNELL: I guess what I'm saying is I find it  
3 hard to believe they're going to spend this kind of  
4 money here when quite possibly water management could  
5 walk in and say hey, we want this by what the court  
6 ruled on.

7 MS. MONTGOMERY: Here would be my easy answer to  
8 that. The water management district has reviewed  
9 this and is going to issue a permit. If they were  
10 going to buy it in 60 days I don't think they would  
11 have done that. I understand what you're saying.

12 MR. SNELL: I understand.

13 THE HEARING EXAMINER: It's well beyond the  
14 scope of this hearing. If you want any additional  
15 information I suggest you contact the South Florida  
16 Water Management District because I don't know  
17 anything about it. I don't know anything about the  
18 pending litigation, so I just don't want to give you  
19 wrong information. I think you should get it from  
20 the horse's mouth which is the South Florida Water  
21 Management District.

22 MR. SNELL: I understand. I guess kind of what  
23 I'm asking for is can somebody maybe possibly get  
24 behind us as property owners and help push this thing  
25 and get this squared away with water management?

1 MR. FREDYMA: Probably need to talk to your  
2 commissioner as a starting point.

3 MR. SNELL: I mean I have been in contact with  
4 water management. They say we sent you a letter,  
5 that's all we have to do. I find that hard to  
6 believe, like I say, the water management can  
7 overrule --

8 THE HEARING EXAMINER: Do you have an attorney  
9 representing you in this?

10 MR. SNELL: Pardon?

11 THE HEARING EXAMINER: Do you have an attorney?

12 MR. SNELL: Yes, Bill Moore was our attorney for  
13 that.

14 THE HEARING EXAMINER: From Sarasota?

15 MR. SNELL: Yes, sir.

16 MR. FREDYMA: I don't know that -- they're not  
17 overruling the court. They're just saying their  
18 original plan of eminent domain, they're altering  
19 their interest, and they're free to do that at any  
20 time. If the county chooses to -- you know, we start  
21 a proceeding to acquire a road right-of-way and we  
22 change the plan, we can do that.

23 THE HEARING EXAMINER: John, I'm afraid of  
24 giving any more advise because we don't know anything  
25 about the litigation. And I don't want to tell you

1 something that's wrong. My gut, my immediate gut  
2 reaction is get on the phone with Bill Moore --

3 MR. FREDYMA: I would agree.

4 THE HEARING EXAMINER: -- and chat with him. I  
5 mean I don't want to go any further with this because  
6 I think it may be detrimental to you that we're going  
7 to tell you something --

8 MR. SNELL: I didn't expect it to be settled  
9 here today or anything. I just wanted to bring it to  
10 your attention that this is the way things has been  
11 done in the past, and technically by law it's not  
12 settled in my mind. I'm not a lawyer, but in my mind  
13 it's not settled, so --

14 THE HEARING EXAMINER: I don't know, and you're  
15 not going to get an answer today here, unfortunately.

16 MR. SNELL: I just wanted, by being here I  
17 wanted to guarantee I could have further input in  
18 this whether it be before the county commission or  
19 what.

20 THE HEARING EXAMINER: Do you have any objection  
21 to their application?

22 MR. SNELL: No, sir.

23 THE HEARING EXAMINER: Okay.

24 MR. SNELL: No, sir, not really.

25 THE HEARING EXAMINER: Anything else?

1 MR. SNELL: I think that will do it. Thank you.

2 THE HEARING EXAMINER: Thank you. Any questions  
3 by applicant or staff?

4 MS. MONTGOMERY: No, sir.

5 THE HEARING EXAMINER: Next individual I have is  
6 Byron Liles.

7 Come on forward, Mr. Liles, and give me your  
8 name and full address, please.

9 MR. LILES: My name is Byron Liles. I live at  
10 13101 Snell Lane in Bonita Springs and I am an  
11 adjacent property owner to the project.

12 THE HEARING EXAMINER: Okay.

13 MS. MONTGOMERY: Can you show us where you are?

14 THE HEARING EXAMINER: You took an oath, sir?

15 MR. LILES: Yes, I did.

16 THE HEARING EXAMINER: Go ahead.

17 MR. LILES: Well, basically I own one half of  
18 this property jointly with my brother and I own all  
19 this property back to here, I mean from, you know,  
20 from here back to here.

21 MS. MONTGOMERY: Where is your house? Because I  
22 can't -- can you show us?

23 MR. LILES: My house is right there.

24 And basically I'll just start by saying I have  
25 no real objection to the project. I feel like the

1 water company has covered anything I would have  
2 objected to regarding the buffer, which is -- I did  
3 want a clarification, though, on what is a class F  
4 buffer. Can anyone tell me that? There's a lot of  
5 initials are used in these applications and we need a  
6 guideline on what the initials are.

7 MS. DERHEIMER: For the record, Suzie Derheimer.  
8 The type of buffer is 30 feet wide and it has 10  
9 trees per hundred linear feet and it has a  
10 double-staggered hedgerow and it's planted at I think  
11 48 inches, to be maintained at 60 inches high, so  
12 five feet high. Okay?

13 MR. LILES: That would sound like an adequate  
14 buffer. I wish the fire department had adhered to a  
15 similar thing. I don't know what happened back then  
16 on the buffers.

17 And primarily the reason I wanted to speak at  
18 this particular hearing is the rule that you can't  
19 speak at the county's session unless you have spoken  
20 at this one, which is -- well, I disagree with the  
21 rule but that's neither here nor there, that  
22 particular -- I was taught my lesson on the fire  
23 department in that they changed a significant thing  
24 from this hearing in the county's section with no  
25 notice to the property owners and that really stuck

1 with me.

2 I admired this hearing. This hearing seemed to  
3 really be out to protect me as a property owner. But  
4 the county commissioners didn't seem to care and so I  
5 regretted not being at that particular hearing or  
6 session.

7 So also I would like a clarification on what is  
8 a class D road. What is a description of a class D?  
9 Is it raised, what I want to know, is it raised, is  
10 it stabilized and does it have -- you say gravel.  
11 Okay. But is it raised and stabilized?

12 MR. BADAMTCHIAN: It is raised and stabilized,  
13 stabilized subgrade, lime rock with gravel on it.

14 MR. LILES: Yeah, I realize the road potentially  
15 could benefit me. I own property the entire length  
16 of it. But Sam built the road that is there right  
17 now, he built it 30 years ago out of his own pocket.  
18 I didn't participate in it that I remember. And he  
19 has maintained it ever since. As far as the  
20 maintenance goes, you all made a big issue of  
21 maintenance. Sam told me he grades the road twice a  
22 year. It has been under water, as he says, two times  
23 that I'm aware of. And Sam has a swamp buggy with  
24 which he can get in and out. Basically the road  
25 currently is a 1,300-foot driveway to Sam's house.

1 As far as my property, we do not use the road. You  
2 mentioned the nursery. Anybody going to the nursery  
3 goes through my driveway. They don't use that road.  
4 That's not to say we won't eventually use it, but we  
5 don't at this time, so none of the property owners  
6 but Sam uses that road and we probably won't.

7 So I would like to -- I'm satisfied with your  
8 change to that particular -- any time they have a  
9 variation in request that's always a red flag to me  
10 and that was my red flags, was the variations, and  
11 I'm satisfied with your solution for the variations  
12 as stated. Thank you.

13 THE HEARING EXAMINER: Thank you, sir. Any  
14 questions by staff, county attorney or applicant?

15 Thank you, sir.

16 Are there any other members of the public that  
17 desire to speak? I don't have any other public  
18 participation forms, so is there anyone else going to  
19 speak? Going once, going twice. Okay. I'll close  
20 the public session of this, public portion of this  
21 hearing.

22 I don't know that there's anything by way of  
23 rebuttal that we have to go over, is there?

24 MS. MONTGOMERY: No. I think just on condition  
25 7, let me go back to the road improvement. In light

1 of the fact it is just BSU and Mr. Snell, I think  
2 they can work together. And I got a note that says  
3 we'll go ahead and ask not to include the sentence  
4 that the staff finds objectionable about the  
5 maintenance covenant, but we would like to keep the  
6 latter one, that if in fact an MSBU or TU is  
7 established that addresses maintenance, then this  
8 condition is no longer of course in effect.

9 MR. BADAMTCHIAN: That's fine.

10 THE HEARING EXAMINER: Okay. Here's what I'm  
11 going to suggest. I'm going to leave the record open  
12 for the changes in the conditions. You folks can get  
13 together. I know you wanted a short turnaround time  
14 on this, but how long do you need for the conditions  
15 to leave the record open? Until Friday?

16 MS. MONTGOMERY: Can we get it wrapped up by  
17 Friday everybody? Yes? Michael will be mad at us if  
18 we don't.

19 THE HEARING EXAMINER: Close of business on  
20 Friday. Now, what I'm going to ask is that somebody,  
21 either staff or the applicant provide me with agreed  
22 conditions. I'm also asking if you don't agree to  
23 the conditions that you tell me which conditions you  
24 don't agree to and a short one or two sentences about  
25 the position of each party on that condition and then

1 I'll make a decision. I've heard enough here to know  
2 what's going on with those issues.

3 MS. MONTGOMERY: Let me ask in terms of trying  
4 to help you look at it sooner than later, would it  
5 help if we expedite the transcript, and if we  
6 expedite the transcript, when can we get it?

7 MR. FREDYMA: Neale will be willing to write  
8 your recommendation, if you like.

9 THE HEARING EXAMINER: Huh?

10 MR. FREDYMA: Sorry.

11 THE HEARING EXAMINER: I'm sure they would.

12 MR. FREDYMA: Well, they do it in court orders  
13 all the time.

14 THE HEARING EXAMINER: I know they do. I can't  
15 tell you how many favorable orders I've written over  
16 the years.

17 MS. MONTGOMERY: I would be happy to do that.  
18 I'll have that by close of business today.

19 MR. FREDYMA: Actually I don't think we're that  
20 far off.

21 MS. MONTGOMERY: I don't think so either.

22 THE HEARING EXAMINER: No, you're not far,  
23 you're not far off.

24 It would help if you expedited the transcript.  
25 How long do you think it would take?

1 I have another hearing I'm working on, have been  
2 working on for I don't know how long. It's getting  
3 close. It's coming out in two volumes, to give you  
4 an idea.

5 MS. MONTGOMERY: What's a reasonable time we can  
6 get it expedited and not kill you?

7 THE HEARING EXAMINER: Let me go a step further.  
8 When do you need this by?

9 MS. MONTGOMERY: We have to get to the Board in  
10 March so they can start construction in March, so  
11 that leaves us -- we won't make the first Monday, so  
12 that leaves us the third Monday because I don't think  
13 there is a fifth Monday, or is there?

14 MR. FREDYMA: Yes, there is, the 1st, 15th and  
15 29th.

16 MS. MONTGOMERY: So I guess in order to make --  
17 that means --

18 THE HEARING EXAMINER: When do you need the  
19 recommendation if you had to make it for the second  
20 Monday, which is what, the 15th?

21 MR. FREDYMA: The 15th. The problem is  
22 advertising is usually the thing that backs up the  
23 time frame.

24 MS. MONTGOMERY: Can we advertise it knowing  
25 we're going to get it? I mean everybody that's

1 interested is here.

2 MR. FREDYMA: We kind of did that with the Red  
3 Sox.

4 MS. MONTGOMERY: It's a beautiful precedent.  
5 This is more in the public health, safety and  
6 interest than the Red Sox.

7 MR. FREDYMA: The 29th, I don't think you will  
8 have a problem, but if you're trying for the 15th I  
9 think we need to talk with staff to see when they  
10 need it by.

11 THE HEARING EXAMINER: I only say the 15th  
12 because I want a date for me. If you want it to go  
13 before the Board on the 15th when do you have to get  
14 my recommendation?

15 MR. FREDYMA: I don't know. I don't know.

16 MS. MONTGOMERY: Should we tell you that when we  
17 give you the conditions on Friday?

18 MR. BADAMTCHIAN: We are just two weeks away or  
19 20 away from March 15th.

20 MR. FREDYMA: We're really tight. And I don't  
21 know if they would accept to do the advertising  
22 without having the recommendation done.

23 MS. MONTGOMERY: But they just did it for the  
24 Red Sox.

25 MR. FREDYMA: I understand they did. I know

1 these folks are under a time constraint as well.  
2 We're trying to do what we can to help them along.

3 Can we tell you on Friday or this afternoon?

4 (Discussion off the record.)

5 THE HEARING EXAMINER: Let me do this. I'm not  
6 going to make any -- I'm not going to tell you when  
7 I'm going to be able to produce a recommendation but  
8 I will judicially try to expedite this. I'm going to  
9 leave the record open until close of business on this  
10 coming Friday which is February 26th --

11 MR. FREDYMA: Yes, sir.

12 THE HEARING EXAMINER: -- at 5:00 p.m. for staff  
13 and/or the applicant to submit a revised set of  
14 conditions or revisions to the current conditions.  
15 And I have indicated what I want in them.

16 Is there any other issues with regard to this  
17 case that has to come before me?

18 MR. BADAMTCHIAN: No, sir.

19 MS. MONTGOMERY: No, sir.

20 THE HEARING EXAMINER: I'll conclude these  
21 hearings, and, ladies and gentlemen, I thank you all  
22 for attending.

23 (Hearing concluded at 12:40 p.m.)  
24  
25

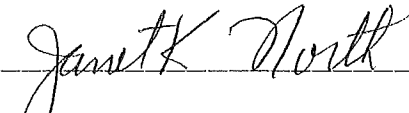
1 STATE OF FLORIDA

2 COUNTY OF LEE

3 I, Janet K. North, RPR, do certify that I was  
4 authorized to and did stenographically report the  
5 foregoing proceedings and that the typewritten transcript,  
6 consisting of pages numbered 1 through 120, is a true  
7 record.

8 Dated this 1<sup>st</sup> day of March, 2010.

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

  
\_\_\_\_\_  
Janet K. North

\$	20 [3] 65/1 103/7 119/19 200 [1] 32/15	77 [1] 2/8
\$500,000 [1] 7/12	2009 [2] 1/11 82/4	8
'	201 [1] 1/22 2010 [2] 46/18 121/8	80 [1] 2/9 82 [1] 24/1 83 [1] 2/10
'02 [1] 105/18	2069 [1] 1/23	A
'92 [1] 79/15	210 [1] 17/14 22s [1] 38/1 239 [2] 1/24 1/24	a.m [1] 1/11 ability [10] 39/25 42/3 42/9 42/14 48/21 67/21 85/6 87/25 88/14 88/17 able [7] 4/20 52/17 67/16 68/8 69/1 71/3 120/7 about [36] 7/6 7/22 13/18 13/18 13/20 17/9 17/14 25/16 46/16 50/4 57/25 68/16 68/18 69/9 69/12 69/13 70/3 70/4 72/23 75/2 76/8 83/25 84/3 92/16 95/6 96/4 99/11 103/7 103/8 105/3 108/11 109/17 109/17 110/25 116/4 116/24 above [4] 55/21 55/25 89/16 103/19 absolutely [3] 34/8 103/18 105/15 accept [3] 86/7 86/15 119/21 acceptable [2] 51/5 99/1 accepted [8] 8/20 9/12 9/17 10/23 31/10 31/12 44/10 73/17 access [5] 17/5 20/21 28/4 47/25 48/20 accessory [9] 3/7 20/19 21/4 23/22 23/24 24/4 54/21 55/6 99/4 accomplish [3] 47/6 72/7 87/2 accomplished [1] 87/2 accordance [3] 53/8 68/8 93/23 according [3] 21/9 67/15 108/5 Accounted [1] 71/19 accurate [1] 19/23 acknowledged [1] 93/6 acquire [2] 68/6 110/21 acre [10] 3/6 14/6 33/19 34/14 71/15 71/17 74/6 75/14 75/14 75/16 acreage [1] 71/25 acres [14] 14/4 16/24 17/1 24/17 34/16 34/17 68/24 72/4 75/14 78/4 78/12 78/12 78/13 105/20 act [2] 24/14 27/6 action [3] 4/11 42/22 49/16 active [2] 33/24 34/10 activities [4] 34/9 94/8 94/20 94/20 activity [1] 95/17 actual [1] 39/14 actually [25] 7/15 8/10 8/12 11/2 19/18 20/2 27/1 27/8 28/22 29/18 36/11 38/24 84/25 87/16 87/19 92/2 92/11 95/11 96/20 96/21 97/9 98/7 100/15 106/9 117/19 add [5] 46/4 49/18 70/11 72/20 89/18 added [10] 21/6 25/2 26/9 70/5 70/14 71/21 75/15 75/16 78/18 78/20 adding [4] 54/3 54/16 59/10 100/9 addition [4] 52/4 52/6 66/24 103/23 additional [13] 26/9 33/13 36/6 36/12 49/16 50/16 50/20 71/21 75/8 75/12 75/23 76/7 109/14 address [27] 4/2 4/6 6/23 8/22 9/4 22/4 24/12 28/14 31/1 37/8 43/17 43/19 57/18 57/21 58/1 59/1 59/3 59/7 59/11 62/17 64/16 65/17 81/16 102/15 103/6 104/20 112/8 addressed [3] 25/1 67/9 86/20 addresses [1] 116/7 adequate [4] 27/10 72/19 73/17 113/13 adhere [1] 36/15 adhered [1] 113/14 adjacent [17] 17/16 19/12 22/19 24/8 24/10 27/11 27/15 27/17 28/13 29/6 61/15 63/14 70/7 96/22 96/23 97/24 112/11 administrative [1] 99/25 admired [1] 114/2
0	25 feet [1] 34/10 261 [1] 26/17 26th [1] 120/10 2913 [1] 1/24 292 [1] 25/14 296 [1] 66/9 29th [2] 118/15 119/7	
00045 [2] 1/4 3/4		
1	3	
1,200 [1] 17/4	3.8 [3] 24/17 68/23 69/2 30 [2] 72/4 114/17 30 acres [1] 16/24 30 feet [2] 23/23 113/8 30-acre [3] 14/6 75/14 75/16 30-foot [1] 24/6 31 [3] 105/25 106/12 108/9 32 [3] 105/25 106/12 108/9 328 feet [1] 17/2 332-2913 [1] 1/24 334-6545 [1] 1/24 33901 [1] 1/23 34 [2] 2/4 84/16 34-1612 [1] 22/11 34-1613 [2] 55/9 55/15 34-17 [1] 55/14 34-1748 [1] 55/9 35 feet [1] 24/4 350 feet [1] 17/9 351 [1] 23/13 37,41 [1] 2/5 38 [1] 2/5 3A [5] 56/18 81/19 83/14 83/15 83/16 3B [8] 35/25 35/25 82/13 83/16 83/19 93/1 94/7 99/20 3C [6] 35/25 36/19 58/7 99/8 99/9 99/11	
1,300-foot [1] 114/25		
1,600-square-foot [1] 20/18		
1.4 [1] 79/9		
1.4.5 [2] 29/13 79/9		
1.5 [2] 29/16 79/9		
1.5.1 [1] 79/9		
1.5.2 [1] 79/10		
1.5.3 [1] 79/10		
1.6-acre [1] 34/14		
1.7.6 [1] 79/10		
10 [12] 2/3 21/23 21/25 50/21 52/6 52/18 53/10 53/18 66/21 78/23 84/16 113/8		
10-261 [1] 26/17		
10-292 [1] 25/14		
10-296 [1] 66/9		
10-351 [1] 23/13		
10-415 [1] 72/10		
10-416 [1] 27/3		
101.29 [1] 23/17		
107.4.4 [1] 85/13		
107.8 [1] 93/17		
107.8.1 [1] 93/19		
10:00 [1] 1/11		
11 [3] 67/8 99/13 99/18		
11860 [1] 43/19		
12 [1] 10/15		
120 [1] 121/6		
125 [1] 23/19		
12:40 [1] 120/23		
13101 [1] 112/10		
13410 [1] 102/16		
13471 [1] 3/8		
13620 [1] 32/14		
14 [1] 35/3		
14 acres [1] 78/13		
14-acre [1] 3/6		
14.4 [2] 17/1 78/4		
14.4 acres [1] 14/4		
15 [2] 24/7 43/25		
15-acre [4] 71/15 71/17 74/6 75/14		
1500 [1] 1/9		
1542 [1] 9/4		
15th [7] 118/14 118/20 118/21 119/8 119/11 119/13 119/19		
1612 [1] 22/11		
1613 [2] 55/9 55/15		
17 [1] 55/14		
1748 [1] 55/9		
180 [1] 18/21		
1980 [1] 103/9		
1992 [4] 14/6 78/5 79/15 79/18		
1997 [1] 14/8		
1st [1] 118/14		
2	4	
2,000 feet [1] 16/3	4.3 [5] 24/17 68/25 69/2 69/5 75/14 404 [2] 84/22 86/23 415 [1] 72/10 416 [1] 27/3 43 [1] 2/6 447 [1] 23/18 450 feet [1] 23/18 48 inches [1] 113/11	
2.1.3 [1] 79/10		
	5	
	5.1.5 [1] 79/12 5.3 [1] 29/24 50 feet [1] 24/3 52.1 [1] 79/11 53 [2] 29/21 79/11 57523 [1] 44/8 5:00 p.m [1] 120/12	
	6	
	6,000 [1] 105/20 60 [3] 108/7 109/10 113/11 650 feet [1] 17/13 6545 [1] 1/24	
	7	
	75 [2] 8/4 14/17	

<p><b>A</b></p> <p>admit [3] 13/6 15/19 77/6  admitted [3] 16/20 20/6 43/7  adopt [1] 49/17  advantage [1] 32/2  advertise [1] 118/24  advertising [2] 118/22 119/21  advise [1] 110/24  aerial [12] 8/10 14/21 15/9 16/17 16/20  20/9 30/15 33/2 43/6 80/14 80/15 103/2  aerials [1] 8/2  afraid [1] 110/23  after [3] 11/6 11/8 92/21  afternoon [1] 120/3  ag [2] 15/5 17/24  again [32] 5/4 5/16 5/24 9/10 16/23 25/3  25/8 25/23 26/20 29/7 31/12 33/12 35/15  37/4 47/21 49/5 58/20 58/23 64/9 68/13  71/24 74/2 75/13 85/7 85/22 93/12 94/4  94/12 96/9 97/15 98/3 108/23  against [2] 3/21 74/25  agencies [8] 37/19 38/12 51/9 57/7 66/25  83/3 84/23 88/1  agency [8] 53/5 53/9 56/22 82/16 82/25  87/10 88/4 89/11  agent [1] 82/1  ago [2] 105/22 114/17  agree [18] 28/17 48/11 49/11 62/6 62/24  64/8 64/11 65/24 72/8 74/7 74/10 78/23  86/1 99/4 100/12 111/3 116/22 116/24  agreed [1] 116/21  agreeing [1] 63/6  agreement [3] 35/22 58/7 63/23  agreements [1] 62/21  agrees [2] 7/19 67/10  ahead [7] 9/9 43/23 45/16 69/19 102/21  112/16 116/3  air [1] 5/10  albeit [2] 73/11 74/13  all [54] 4/3 12/16 13/15 18/15 21/2 22/10  23/14 27/3 28/19 30/6 31/22 33/19 34/8  41/2 51/8 56/4 57/5 61/19 61/20 66/7 66/16  68/13 70/17 70/20 72/24 78/22 79/1 80/1  80/18 83/14 84/17 84/17 84/20 84/25 86/3  86/7 86/12 90/5 92/18 94/19 95/1 98/13  102/22 103/17 105/17 105/19 106/15 108/1  108/8 110/5 112/18 114/20 117/13 120/21  alleviate [1] 98/8  alleviated [1] 99/14  allow [7] 3/6 14/9 21/2 21/4 45/23 47/19  104/22  allowed [10] 22/10 22/12 22/15 29/13  36/14 39/9 39/10 48/16 68/20 94/2  allowing [3] 36/1 49/14 93/22  along [13] 8/13 14/22 16/1 17/2 22/21  28/2 28/4 33/10 33/16 34/2 50/7 89/8 120/2  already [19] 32/10 41/17 46/20 47/1 47/13  47/13 49/19 51/5 62/8 65/25 67/18 68/3  72/22 77/17 84/16 84/20 85/1 87/2 92/2  also [41] 3/15 12/11 13/6 13/20 13/24 15/4  15/5 16/10 18/10 18/12 18/14 20/20 20/21  20/23 21/4 21/20 22/6 22/16 22/17 23/3  23/24 24/22 24/23 24/25 25/22 29/14 32/3  33/9 34/2 34/9 35/4 35/16 47/19 48/8 62/4  82/18 84/4 94/21 101/24 114/7 116/22  altering [1] 110/18  alternate [1] 36/17  alternative [1] 52/25  although [1] 76/11  altogether [1] 53/23  always [9] 53/2 58/25 60/6 75/25 86/7  86/10 87/15 105/8 115/9  am [3] 95/7 105/5 112/10  amend [1] 68/12</p>	<p>amended [3] 55/5 75/9 95/22  amending [1] 99/23  amendment [3] 71/22 99/25 100/4  amount [2] 72/18 74/4  ample [1] 28/12  ancillary [1] 14/10  and/or [1] 120/13  annexation [1] 12/11  another [18] 16/8 24/25 26/14 27/18 36/22  46/25 51/24 52/1 70/9 70/11 70/11 70/12  70/16 70/18 71/5 86/5 101/23 118/1  answer [6] 38/24 39/2 65/15 96/18 109/7  111/15  answered [1] 72/22  any [96] 6/11 6/12 10/7 11/17 12/6 12/15  13/4 13/7 15/13 15/17 16/16 19/14 22/13  25/9 25/23 26/22 29/10 29/17 30/13 30/19  30/21 30/24 31/5 31/13 36/15 36/22 37/8  37/15 38/14 39/11 39/24 40/16 42/12 42/22  43/5 44/12 44/19 44/21 45/2 45/15 49/3  49/11 49/18 50/12 50/20 51/1 51/12 52/1  53/12 56/19 57/2 61/1 62/1 62/11 66/22  66/24 76/17 76/21 77/24 79/23 80/8 80/9  80/11 80/13 80/19 82/13 82/15 82/19 83/2  83/4 83/11 83/20 84/5 84/13 85/22 91/6  91/11 91/25 92/7 101/6 101/8 101/12  107/14 107/22 109/14 110/19 110/24 111/5  111/20 112/2 115/8 115/13 115/16 115/17  120/6 120/16  anybody [5] 43/5 45/2 49/25 101/15 115/2  anyone [4] 42/25 102/9 113/4 115/18  anything [13] 51/13 63/11 86/13 90/14  91/20 96/1 109/17 109/17 110/24 111/9  111/25 113/1 115/22  anyway [2] 71/8 75/23  apologies [1] 7/16  apologize [2] 78/11 83/16  apparently [1] 21/10  APPEARANCES [1] 11/13  appears [2] 18/8 77/3  applicant [46] 1/6 1/14 2/3 3/4 3/16 3/24  5/22 6/2 6/9 7/20 13/8 15/14 15/20 16/20  20/6 30/18 35/4 35/10 36/1 36/13 36/14  38/4 39/19 39/22 39/25 41/12 43/7 45/5  57/2 65/9 65/11 70/18 76/21 77/7 77/9  77/14 81/18 81/20 82/9 84/1 87/24 90/5  112/3 115/14 116/21 120/13  applicant is [1] 35/4  applicant's [9] 38/7 45/2 76/25 81/17  81/25 82/18 83/7 99/9 99/12  applicants [1] 84/17  application [5] 6/13 13/16 70/14 93/5  111/21  applications [2] 53/2 113/5  applied [3] 37/21 38/12 81/21  applies [1] 39/22  apply [7] 55/25 57/7 70/22 97/10 97/11  97/12 97/13  appointment [1] 100/24  appreciate [2] 45/13 49/3  approach [1] 4/5  appropriate [13] 26/22 28/5 28/11 28/24  56/6 56/22 73/10 74/15 79/16 87/10 89/5  90/17 93/9  appropriately [2] 26/24 45/16  approval [16] 13/14 25/11 47/4 47/8 47/14  50/22 63/8 71/14 71/15 71/18 79/1 79/25  81/13 84/14 87/7 89/19  approvals [6] 40/15 82/16 83/4 83/12  84/13 92/7  approved [16] 7/20 15/1 35/2 40/7 40/9  46/13 47/3 52/23 62/12 66/23 75/3 75/4  79/18 87/8 87/10 90/12  approximately [6] 10/15 16/3 17/1 23/18  23/19 44/17</p>	<p>approximately 125 [1] 23/19  are [113] 5/24 7/11 8/2 9/15 14/8 14/23  19/23 20/1 20/25 21/1 21/18 22/10 22/15  23/6 23/8 24/5 24/6 24/12 24/13 24/17  24/20 24/24 26/22 27/5 28/6 28/11 28/18  28/22 28/25 29/12 29/16 29/17 32/14 33/21  34/23 35/16 35/23 36/5 36/9 36/23 37/21  39/4 39/8 39/9 39/10 39/14 40/15 41/10  41/15 41/16 41/17 41/22 42/6 44/12 46/12  47/21 49/25 50/18 51/12 55/5 55/6 55/8  55/17 56/1 59/18 60/9 60/11 61/5 63/6 63/17  63/13 63/15 66/4 66/11 68/11 68/15 68/17  69/9 69/16 75/10 77/15 78/7 78/17 79/3  79/8 79/10 79/17 79/20 79/22 80/16 80/18  82/24 83/7 83/10 83/25 84/5 85/10 86/20  87/8 87/13 92/18 93/21 93/23 95/2 100/3  105/14 107/3 112/13 113/5 113/6 115/16  119/18 120/1  area [67] 4/7 13/1 14/19 15/24 16/23 16/25  17/10 17/20 18/4 18/5 18/5 18/8 20/15  20/15 20/20 20/22 20/23 20/24 22/17 22/18  22/19 22/21 22/24 22/24 23/4 24/23 24/24  27/9 28/7 28/8 28/9 28/11 28/24 29/1 29/18  29/20 32/24 33/8 33/13 33/25 34/4 34/15  34/17 34/21 35/13 44/10 45/23 61/25 68/7  70/1 71/21 72/11 75/4 79/14 93/7 93/7  93/10 94/4 95/25 98/3 100/15 103/9 104/8  105/20 107/1 107/16 107/20  areas [13] 19/21 31/2 33/7 33/14 33/18  33/19 41/15 41/17 77/15 79/20 97/25 107/5  109/1  aren't [3] 46/9 87/9 92/17  argument [2] 64/21 90/5  Army [5] 34/25 35/2 46/21 81/21 91/9  around [7] 5/1 48/21 49/1 54/17 59/22  68/7 95/17  arrive [1] 98/25  as [152]  aside [2] 67/18 68/3  ask [25] 3/10 3/20 4/5 6/11 6/16 6/21 8/19  10/6 31/11 35/25 36/13 37/13 44/9 48/15  54/9 63/25 75/5 76/20 84/15 86/6 98/13  99/21 116/3 116/20 117/3  asked [4] 62/25 64/19 85/9 102/5  asking [22] 20/25 24/13 24/13 25/21 27/5  38/7 55/3 59/17 66/11 67/20 68/21 78/17  86/22 94/7 94/18 94/25 95/2 97/6 97/8  97/25 109/23 116/22  asks [1] 5/8  assist [1] 3/15  assistance [3] 47/10 47/24 49/3  assistant [4] 1/15 3/14 5/16 11/20  associated [2] 3/7 20/18  Associates [2] 32/14 33/23  assume [1] 73/25  assuming [1] 57/25  assure [1] 75/21  assured [1] 72/13  asterisk [1] 54/20  attached [1] 81/11  Attachment [1] 81/11  attack [1] 21/10  attempt [1] 59/3  attempted [1] 36/11  attend [1] 101/16  attending [1] 120/22  attention [1] 111/10  attorney [21] 1/15 3/10 3/14 5/17 5/22 6/7  6/9 10/6 11/20 30/24 32/1 38/17 43/1 44/1  45/2 51/17 80/4 110/8 110/11 110/12  115/14  attorney's [1] 101/20  ATV [3] 48/25 61/6 61/16  ATVers [1] 61/22  ATVs [1] 61/8</p>
--	---	--

<p><b>A</b></p> <p>authorizations [1] 47/21  authorized [1] 121/4  available [9] 36/9 39/5 40/12 47/24 49/23  50/9 50/11 82/6 97/19  Avenue [1] 32/15  avoid [8] 22/13 25/9 48/22 57/13 57/16  69/4 92/12 94/1  avoidance [1] 93/21  avoided [1] 93/9  aware [7] 12/7 42/12 82/9 83/10 97/9 98/4  114/23  away [4] 17/13 109/25 119/18 119/19</p>	<p>believe [29] 3/9 5/7 8/18 17/20 19/18 25/4  28/10 28/21 28/24 29/22 30/5 35/6 39/7  41/14 42/8 51/22 58/7 67/1 82/3 83/6 99/7  100/5 105/18 105/20 106/14 106/17 107/24  109/3 110/6  believes [1] 79/13  benefit [6] 28/23 30/2 41/19 47/23 94/24  114/15  berm [1] 22/21  best [7] 36/7 41/11 41/12 41/14 41/25  52/23 96/12  better [5] 8/12 8/14 19/1 58/4 76/14  between [4] 57/10 62/21 69/2 90/2  beyond [7] 17/17 17/20 68/20 69/15 72/16  90/15 109/13  bid [1] 47/13  big [2] 34/4 114/20  Bill [2] 110/12 111/2  bit [1] 43/15  black [1] 45/13  blacktop [1] 103/21  blank [1] 95/25  blockades [1] 49/2  blue [1] 17/10  board [14] 3/14 4/15 4/21 7/9 32/3 46/14  47/12 47/15 76/25 101/22 101/22 102/4  118/9 119/13  boards [1] 32/5  body [1] 89/12  Bonita [38] 1/6 3/4 3/8 8/4 8/6 9/21 11/5  11/6 11/10 12/4 12/9 12/10 13/11 14/17  14/18 14/20 14/23 14/25 14/25 16/2 16/4  18/20 30/3 36/4 43/18 43/20 43/25 44/4  44/15 45/17 45/19 50/7 68/7 78/15 102/17  106/7 106/11 112/10  borrow [1] 15/4  both [6] 11/8 37/18 69/18 106/3 106/8  106/9  bottom [2] 53/17 54/20  boundaries [3] 39/14 69/16 93/10  boundary [12] 14/20 16/23 17/14 19/6  23/17 23/19 23/25 27/13 33/5 108/15  108/20 108/25  bounds [1] 70/2  brand [1] 8/7  brand-new [1] 8/7  break [1] 56/15  briefly [2] 13/17 51/22  brighter [1] 24/9  bring [11] 35/20 70/23 71/3 71/23 71/25  72/4 75/8 75/12 76/12 102/10 111/9  bringing [1] 72/2  brother [1] 112/18  brought [4] 49/7 49/8 103/19 104/15  BSU [30] 7/12 14/5 14/15 16/24 17/19  19/19 23/3 23/7 26/7 26/10 26/16 26/25  27/15 27/17 27/23 48/1 50/5 50/9 50/13  50/15 58/11 58/19 58/23 59/11 61/9 61/23  62/8 64/16 105/11 116/1  BSU's [1] 58/17  buffer [24] 20/22 24/6 24/7 24/11 24/14  27/4 27/6 27/7 27/8 27/12 27/18 27/20  27/22 27/24 28/1 28/3 28/6 34/11 35/9  79/21 113/2 113/4 113/8 113/14  buffering [3] 27/10 28/12 29/6  buffers [6] 13/19 24/5 27/2 28/20 29/5  113/16  buggy [1] 114/23  build [3] 52/15 63/18 78/7  building [5] 1/22 16/10 20/19 47/1 47/2  built [4] 14/7 103/8 114/16 114/17  bumpers [1] 49/1  burden [2] 50/20 62/15  burrow [4] 33/24 34/11 94/2 95/17  burrows [1] 93/20</p>	<p>bus [1] 54/12  bushhog [1] 105/8  business [4] 32/19 116/19 117/18 120/9  buy [2] 50/1 109/10  buying [1] 107/1  Byron [2] 112/6 112/9</p>
<p><b>B</b></p> <p>bachelor's [2] 10/13 44/5  back [21] 5/15 26/25 49/8 54/25 68/11  76/12 86/19 90/6 90/6 100/3 104/15 104/25  105/1 105/2 105/18 106/13 108/19 112/19  112/20 113/15 115/25  background [4] 10/10 10/11 10/12 43/15  backs [1] 118/22  bad [1] 68/4  BADAMTCHIAN [4] 1/17 2/8 5/19 77/20  balance [1] 94/24  bank [6] 36/9 42/10 42/13 95/12 96/4  96/14  banks [9] 39/5 39/6 39/9 39/10 39/14  39/15 41/16 42/6 58/3  based [13] 23/8 40/25 42/1 45/20 52/23  74/14 75/19 76/5 82/8 83/6 98/14 99/14  99/17  basically [15] 18/18 18/21 22/20 26/10  27/5 27/14 58/6 60/11 78/17 79/17 81/16  105/5 112/17 112/24 114/24  basis [1] 29/9  Bay [1] 12/9  BBR [1] 1/6  be [199]  Beach [8] 8/4 12/11 13/11 14/17 14/23  14/25 50/7 106/11  bear [1] 62/15  beautiful [1] 119/4  became [2] 26/13 78/13  because [49] 7/12 42/6 52/19 52/21 61/23  62/8 63/1 64/13 65/23 66/17 67/15 68/1  68/19 69/11 69/16 70/21 72/9 76/11 76/14  83/18 84/23 84/24 86/5 86/20 87/1 87/14  88/20 89/8 90/23 91/18 91/20 95/12 97/10  97/20 98/8 98/16 100/6 100/12 100/13  101/3 103/13 107/23 108/20 109/16 110/24  111/5 112/21 118/12 119/12  become [1] 70/12  becomes [1] 86/16  becoming [1] 57/15  been [39] 8/17 9/17 10/23 11/24 18/6  19/20 22/23 31/10 34/5 34/6 36/18 40/12  41/21 42/19 45/1 46/24 47/2 47/9 49/2 50/4  57/14 58/9 68/2 81/2 81/2 88/6 90/22 96/3  97/3 103/7 103/9 104/23 105/6 105/8  108/22 110/3 111/10 114/22 118/1  before [33] 1/8 6/14 6/15 6/20 6/25 7/9  8/18 10/5 10/18 11/6 11/8 31/9 31/19 32/8  35/21 43/16 50/15 62/11 66/15 70/16 77/12  78/3 83/13 85/24 90/22 91/17 91/19 101/19  102/4 106/13 111/18 119/13 120/17  beforehand [1] 101/16  begin [1] 5/15  begins [1] 19/2  behind [2] 35/8 109/24  beige [1] 20/17  being [16] 11/5 12/18 16/19 20/5 27/21  34/18 48/1 52/20 53/7 68/25 71/21 86/20  86/25 108/8 111/16 114/5</p>	<p>believe [29] 3/9 5/7 8/18 17/20 19/18 25/4  28/10 28/21 28/24 29/22 30/5 35/6 39/7  41/14 42/8 51/22 58/7 67/1 82/3 83/6 99/7  100/5 105/18 105/20 106/14 106/17 107/24  109/3 110/6  believes [1] 79/13  benefit [6] 28/23 30/2 41/19 47/23 94/24  114/15  berm [1] 22/21  best [7] 36/7 41/11 41/12 41/14 41/25  52/23 96/12  better [5] 8/12 8/14 19/1 58/4 76/14  between [4] 57/10 62/21 69/2 90/2  beyond [7] 17/17 17/20 68/20 69/15 72/16  90/15 109/13  bid [1] 47/13  big [2] 34/4 114/20  Bill [2] 110/12 111/2  bit [1] 43/15  black [1] 45/13  blacktop [1] 103/21  blank [1] 95/25  blockades [1] 49/2  blue [1] 17/10  board [14] 3/14 4/15 4/21 7/9 32/3 46/14  47/12 47/15 76/25 101/22 101/22 102/4  118/9 119/13  boards [1] 32/5  body [1] 89/12  Bonita [38] 1/6 3/4 3/8 8/4 8/6 9/21 11/5  11/6 11/10 12/4 12/9 12/10 13/11 14/17  14/18 14/20 14/23 14/25 14/25 16/2 16/4  18/20 30/3 36/4 43/18 43/20 43/25 44/4  44/15 45/17 45/19 50/7 68/7 78/15 102/17  106/7 106/11 112/10  borrow [1] 15/4  both [6] 11/8 37/18 69/18 106/3 106/8  106/9  bottom [2] 53/17 54/20  boundaries [3] 39/14 69/16 93/10  boundary [12] 14/20 16/23 17/14 19/6  23/17 23/19 23/25 27/13 33/5 108/15  108/20 108/25  bounds [1] 70/2  brand [1] 8/7  brand-new [1] 8/7  break [1] 56/15  briefly [2] 13/17 51/22  brighter [1] 24/9  bring [11] 35/20 70/23 71/3 71/23 71/25  72/4 75/8 75/12 76/12 102/10 111/9  bringing [1] 72/2  brother [1] 112/18  brought [4] 49/7 49/8 103/19 104/15  BSU [30] 7/12 14/5 14/15 16/24 17/19  19/19 23/3 23/7 26/7 26/10 26/16 26/25  27/15 27/17 27/23 48/1 50/5 50/9 50/13  50/15 58/11 58/19 58/23 59/11 61/9 61/23  62/8 64/16 105/11 116/1  BSU's [1] 58/17  buffer [24] 20/22 24/6 24/7 24/11 24/14  27/4 27/6 27/7 27/8 27/12 27/18 27/20  27/22 27/24 28/1 28/3 28/6 34/11 35/9  79/21 113/2 113/4 113/8 113/14  buffering [3] 27/10 28/12 29/6  buffers [6] 13/19 24/5 27/2 28/20 29/5  113/16  buggy [1] 114/23  build [3] 52/15 63/18 78/7  building [5] 1/22 16/10 20/19 47/1 47/2  built [4] 14/7 103/8 114/16 114/17  bumpers [1] 49/1  burden [2] 50/20 62/15  burrow [4] 33/24 34/11 94/2 95/17  burrows [1] 93/20</p>	<p><b>C</b></p> <p>calculated [1] 68/18  calculation [5] 68/16 73/9 73/16 74/12  74/13  call [4] 8/16 45/15 58/19 102/9  came [5] 45/12 53/13 64/18 69/23 70/14  can [77] 4/8 6/11 8/6 8/8 8/9 8/11 8/21 9/2  9/22 10/9 14/12 14/21 15/3 16/22 18/25  19/7 20/16 24/8 25/6 32/3 32/22 39/6 47/4  49/3 50/11 52/11 52/19 53/15 55/12 56/5  56/10 59/7 62/1 63/25 65/20 70/18 76/11  76/12 77/12 78/23 85/24 86/17 88/5 88/12  90/5 91/19 91/24 92/1 92/3 96/18 97/8  98/25 99/2 99/4 100/19 101/25 102/14  104/25 106/18 106/22 107/8 109/23 110/7  110/22 112/13 112/22 113/4 114/24 116/2  116/12 116/16 117/6 118/5 118/10 118/24  120/2 120/3  can't [24] 4/24 8/1 18/25 39/7 42/1 50/15  52/24 54/25 56/17 84/7 86/10 86/11 89/20  91/20 92/8 92/10 96/6 96/6 96/10 98/23  102/6 112/22 113/18 117/14  canal [21] 8/11 8/13 16/7 16/10 17/4 17/17  17/17 20/14 22/19 22/19 23/20 24/24 28/2  28/3 32/25 33/6 35/9 35/11 78/16 106/11  107/3  canceled [2] 5/3 5/6  cannot [3] 71/7 79/5 95/3  capacity [1] 30/1  card [1] 32/19  care [3] 61/8 76/8 114/4  carefully [1] 50/17  cars [1] 65/2  Carson [1] 9/4  case [11] 1/4 3/3 3/17 51/1 76/5 78/3  86/16 88/21 89/2 108/8 120/17  cases [3] 12/6 76/4 76/8  Catch [1] 38/1  Catch-22s [1] 38/1  categories [1] 54/8  cause [2] 61/11 71/22  caused [1] 61/14  causes [1] 61/13  cell [1] 61/17  Central [1] 44/6  certain [6] 7/11 13/25 91/14 92/9 104/10  106/21  certainly [4] 36/15 54/16 58/11 58/24  certified [1] 8/24  certify [1] 121/3  CFPD [7] 3/6 14/4 14/4 14/6 14/14 16/24  78/4  CHAHRAM [24] 1/17 2/8 5/18 43/13 47/14  52/9 53/11 54/11 56/14 60/15 62/24 66/25  67/10 71/21 72/8 74/8 74/10 76/23 77/18  77/19 80/8 80/19 99/21 104/25  Chahram's [1] 33/3  chance [3] 45/10 52/1 105/2  change [5] 45/8 67/14 107/8 110/22 115/1  changed [6] 107/1 107/18 108/13 108/20  108/22 113/23  changes [4] 81/18 90/4 99/10 116/12  Chapter [2] 72/10 84/16  characterize [1] 18/4  chat [1] 111/4  checks [2] 48/5 49/7  choose [1] 108/24  chooses [1] 110/20</p>

C		
<p>chosen [2] 50/8 94/1  circumstances [1] 68/2  city [3] 12/4 44/2 45/19  civil [1] 44/1  clarification [6] 22/7 24/25 37/4 68/15 113/3 114/7  clarify [3] 13/22 21/5 36/20  class [4] 104/17 113/3 114/8 114/8  cleanest [1] 61/5  clear [2] 61/6 69/11  cleared [2] 33/7 33/12  clearer [1] 33/17  clearing [3] 84/13 92/7 92/9  clearly [1] 62/14  close [13] 14/19 16/14 18/13 24/24 29/3 56/13 98/17 98/24 115/19 116/19 117/18 118/3 120/9  closer [1] 15/2  closest [1] 23/24  code [9] 51/7 72/14 73/6 74/16 74/20 74/21 81/15 88/15 88/18  codes [1] 85/8  coincident [1] 45/25  color [4] 20/15 20/18 23/4 24/9  colored [1] 77/2  colorized [2] 20/9 22/17  colors [1] 45/12  combination [1] 32/24  combined [1] 33/19  come [26] 6/11 6/21 12/6 14/2 46/5 62/20 68/11 70/18 71/17 73/24 86/19 90/6 90/6 95/21 98/7 99/2 99/3 100/3 101/25 102/13 104/7 104/24 104/25 105/2 112/7 120/17  comes [12] 8/13 21/20 22/8 23/11 23/22 60/4 69/1 69/6 71/7 74/24 95/20 101/4  coming [6] 75/2 98/18 103/13 104/13 118/3 120/10  commencing [1] 1/11  comment [4] 4/3 5/9 65/12 82/9  comments [4] 4/9 39/3 83/20 101/25  commercial [2] 15/1 97/1  commission [4] 41/9 86/8 86/14 111/18  Commission's [1] 34/13  commissioner [1] 110/2  commissioners [9] 3/15 4/15 4/21 7/10 32/6 101/22 101/23 102/4 114/4  common [1] 27/13  communication [5] 82/11 90/2 96/6 96/10 98/5  Community [5] 1/17 15/6 15/23 16/8 28/25  comp [1] 86/21  compact [1] 64/3  compaction [1] 104/18  company [1] 113/1  compatibility [2] 13/20 28/17  compatible [2] 28/19 85/14  compensating [2] 24/23 35/13  complete [2] 3/17 4/25  completed [1] 3/22  completely [1] 27/19  compliance [7] 51/6 51/8 79/7 79/8 79/11 81/14 84/17  compliant [3] 82/18 82/20 85/4  comply [6] 38/7 38/10 46/12 57/2 85/1 86/12  components [1] 13/16  Composite [3] 15/21 20/6 80/17  comprised [1] 18/4  comprises [1] 33/10  conceivably [1] 36/7  concept [18] 20/9 30/14 34/16 35/14 49/17 50/14 70/18 75/4 75/6 75/10 76/24</p>	<p>78/5 80/14 95/22 100/1 100/2 100/4 108/21  conceptual [2] 49/20 49/24  concern [14] 7/21 26/10 38/4 54/20 58/6 59/1 62/16 65/9 66/2 71/12 84/2 84/3 85/16 94/17  concerned [5] 42/5 72/23 83/25 92/16 92/17  concerns [5] 4/9 21/9 81/17 98/8 99/14  concise [1] 13/14  conclude [1] 120/20  concluded [1] 120/23  concludes [1] 37/6  conclusion [1] 3/24  Concordia [1] 12/22  concurrence [1] 48/18  concurs [1] 81/12  condition [71] 21/23 21/25 22/1 22/1 25/2 26/6 26/10 27/16 36/18 36/19 37/17 40/17 50/21 51/4 51/5 51/6 51/11 52/6 52/18 53/10 53/13 53/16 53/18 56/6 56/7 56/23 57/17 59/5 59/20 62/18 62/24 63/3 63/5 63/6 63/7 64/12 65/21 66/21 67/8 67/24 68/14 72/9 74/8 76/7 78/23 81/19 82/12 83/1 83/5 84/9 86/17 87/4 88/10 88/12 88/19 89/4 89/19 90/10 90/19 92/6 93/1 94/7 99/1 99/13 99/18 100/20 101/3 104/16 115/24 116/8 116/25  condition's [5] 52/20 65/24 82/21 83/9 99/16  conditioned [1] 84/13  conditions [38] 23/9 28/23 35/23 35/25 37/21 37/25 40/16 57/3 76/17 78/21 79/2 80/1 81/14 83/2 83/4 83/7 84/4 84/8 84/25 85/6 86/3 86/12 86/24 87/7 87/25 89/6 91/8 91/19 92/9 98/16 116/12 116/14 116/22 116/23 116/23 119/17 120/14 120/14  conducted [1] 33/23  cones [1] 103/12  confirm [1] 104/25  conflicts [1] 93/23  confused [1] 71/9  confusion [2] 22/13 25/9  consequently [4] 103/10 104/9 104/14 105/6  conservation [8] 34/13 34/19 36/9 36/16 39/9 41/9 41/16 86/8  consider [2] 36/1 40/2  consideration [2] 97/7 98/1  considered [3] 4/19 23/5 74/11  consistency [4] 13/21 29/11 81/15 92/21  consistent [8] 22/25 29/12 29/16 84/20 91/25 92/14 92/19 94/2  consisting [2] 33/21 121/6  consists [1] 32/24  constraint [2] 7/12 120/1  constructing [1] 66/4  construction [9] 7/13 7/14 18/10 34/9 46/15 104/11 104/12 104/21 118/10  consultant [2] 44/3 51/3  consultants [1] 50/25  consultation [3] 56/22 81/23 82/2  consultations [1] 86/14  contact [3] 108/18 109/15 110/3  containers [1] 26/18  contains [1] 78/10  context [1] 50/11  contiguous [3] 70/8 70/22 102/22  continued [1] 5/7  continuously [1] 48/3  contractor [2] 47/12 60/17  contracts [1] 47/16  contrary [1] 62/10  control [2] 37/19 48/3  controls [1] 48/4  copies [4] 31/24 32/3 82/5 90/11</p>	<p>copy [1] 3/19 10/3 32/18 32/19 51/23 52/2 53/1 76/12 77/13 77/13 86/22  Corkscrew [1] 35/11  corner [2] 33/15 34/15  Corps [18] 34/25 35/2 40/9 46/22 81/21 81/21 82/25 84/22 85/23 86/7 86/13 89/15 87/15 87/17 87/21 87/22 88/24 91/9  correct [14] 11/22 11/23 38/11 38/13 40/8 40/11 42/8 73/12 73/18 73/22 87/14 88/2 107/25 108/16  costly [1] 48/22  could [14] 36/7 43/14 61/9 64/8 79/23 89/18 91/2 94/13 96/25 101/4 108/6 109/4 111/17 114/15  couldn't [1] 9/19  count [6] 67/17 67/19 69/2 72/3 72/13 73/7  counted [1] 25/6  counting [1] 71/12  counts [1] 72/3  county [108] 1/1 1/15 1/16 3/2 3/10 3/14 3/15 3/16 4/15 4/21 5/16 6/4 6/5 6/6 6/8 7/10 9/21 10/20 10/21 11/2 11/11 11/14 11/17 11/20 12/17 14/19 30/23 30/23 32/1 32/18 33/22 34/20 35/19 37/8 37/23 38/17 38/22 39/8 39/12 39/15 40/13 40/20 40/22 41/11 42/5 42/7 42/9 42/10 42/11 42/13 42/14 43/1 44/13 44/13 45/20 46/23 50/22 50/24 51/1 51/17 52/21 53/2 53/2 57/8 57/11 58/1 58/2 58/3 63/21 66/23 67/20 68/9 68/24 70/21 71/11 77/20 80/4 81/1 84/5 85/3 87/12 87/17 89/7 89/9 91/3 91/6 93/15 93/17 94/23 95/1 95/2 95/11 95/12 96/4 97/9 97/18 97/18 97/19 97/22 101/20 101/22 101/22 102/4 110/20 111/18 114/16 115/14 121/2  county's [4] 57/5 104/24 113/19 113/24  couple [3] 11/19 44/2 80/6  course [2] 92/15 116/8  court [11] 105/21 106/14 106/18 107/10 107/23 107/23 108/6 108/20 109/5 110/17 117/12  Courtney [1] 1/22  covenant [5] 26/8 48/12 48/16 59/10 116/5  cover [6] 28/16 39/10 39/10 39/12 68/17 88/23  covered [2] 51/23 113/1  create [4] 36/11 37/25 42/10 42/15  created [1] 29/10  credit [2] 73/1 75/10  CREW [3] 17/17 35/11 105/17  criteria [1] 72/10  cross [1] 33/18  cul [2] 48/20 48/22  cul-de-sac [2] 48/20 48/22  cumulative [1] 25/7  curbs [1] 103/16  current [2] 68/24 120/14  currently [9] 17/25 18/5 21/12 42/12 43/24 50/23 70/5 70/7 114/25  customers' [1] 50/18  cut [1] 91/17  Cypress [1] 34/4</p>
		<p><b>D</b></p> <p>daily [1] 65/4  damage [5] 61/11 61/13 61/14 65/10 65/11  dark [2] 20/24 24/14  date [2] 34/5 119/12  dated [2] 82/4 121/8  day [5] 37/2 45/24 64/25 98/20 121/8  Daylor [1] 11/22  days [3] 36/24 108/7 109/10  DCI2008 [2] 1/4 3/4</p>

<p><b>D</b></p> <p>DCI2008-00045 [2] 1/4 3/4</p> <p>de [2] 48/20 48/22</p> <p>dead [1] 60/3</p> <p>deal [8] 27/2 32/4 76/3 76/4 76/20 83/18 95/8 99/18</p> <p>dealing [1] 37/18</p> <p>deals [4] 22/1 26/17 27/4 29/22</p> <p>decades [1] 57/6</p> <p>decades-long [1] 57/6</p> <p>decide [2] 58/21 104/4</p> <p>decides [1] 37/24</p> <p>decision [2] 7/18 117/1</p> <p>declared [6] 13/2 13/5 31/17 44/25 78/1 81/7</p> <p>declaring [1] 44/22</p> <p>deemed [3] 73/10 74/14 79/16</p> <p>deep [1] 78/8</p> <p>defer [1] 13/25</p> <p>definitely [5] 59/1 65/3 71/3 100/17 100/18</p> <p>definition [2] 72/11 73/5</p> <p>degree [3] 10/13 12/20 12/24</p> <p>degrees [1] 18/21</p> <p>delays [1] 36/11</p> <p>delegation [1] 52/21</p> <p>delete [2] 53/15 53/22</p> <p>deletion [4] 37/14 51/11 52/6 56/18</p> <p>delineated [2] 16/23 16/25</p> <p>delivery [1] 29/4</p> <p>demand [3] 23/9 46/3 46/5</p> <p>demands [2] 45/25 46/2</p> <p>department [6] 1/17 46/23 48/18 64/18 113/14 113/23</p> <p>depend [1] 70/13</p> <p>depends [1] 67/5</p> <p>depicted [3] 17/10 20/15 23/1</p> <p>depicting [2] 15/25 16/6</p> <p>depicts [1] 22/17</p> <p>depth [1] 17/3</p> <p>Derheimer [8] 2/5 2/9 35/20 38/21 38/22 71/11 81/1 113/7</p> <p>describe [1] 13/17</p> <p>description [1] 114/8</p> <p>designated [2] 49/19 79/14</p> <p>designation [3] 29/14 29/15 78/6</p> <p>desire [3] 13/2 48/14 115/17</p> <p>detail [7] 14/2 22/5 25/16 28/15 30/4 49/21 50/16</p> <p>details [2] 28/14 73/11</p> <p>detention [2] 20/23 22/18</p> <p>deter [1] 49/2</p> <p>determination [2] 75/18 98/6</p> <p>determined [1] 74/14</p> <p>determines [3] 94/15 95/3 98/3</p> <p>determining [2] 51/3 89/12</p> <p>detrimental [1] 111/6</p> <p>develop [3] 58/22 62/4 100/14</p> <p>developer [1] 47/24</p> <p>development [36] 1/17 13/19 15/2 23/11 27/25 30/7 40/21 48/8 48/15 50/1 51/7 56/24 56/25 62/12 69/3 71/23 82/17 83/2 83/10 84/4 84/6 84/8 84/10 84/10 84/12 85/18 87/4 87/12 88/24 90/3 90/23 91/7 94/4 96/24 99/24 100/15</p> <p>developments [3] 14/24 14/24 85/16</p> <p>deviation [14] 24/13 25/13 25/21 26/17 27/1 27/12 28/1 47/25 63/4 63/6 63/9 79/1 79/5 104/22</p> <p>deviations [8] 13/20 24/12 25/12 25/13 27/2 27/3 28/22 80/2</p> <p>dictate [1] 36/10</p> <p>dictates [1] 46/6</p> <p>did [18] 12/9 12/19 19/17 20/10 21/16</p>	<p>64/20 66/7 67/1 93/5 100/24 102/19 105/22 112/15 113/2 119/2 119/23 119/25 121/4</p> <p>didn't [13] 31/2 54/9 56/8 61/10 62/25 73/13 86/15 100/22 100/23 103/22 111/8 114/4 114/18</p> <p>different [7] 14/22 37/24 65/4 69/17 108/25 108/25 108/25</p> <p>differential [1] 69/2</p> <p>differing [1] 38/2</p> <p>difficulties [1] 38/1</p> <p>difficulty [1] 50/6</p> <p>dig [1] 77/12</p> <p>diligently [1] 35/20</p> <p>direct [2] 56/3 56/21</p> <p>direction [4] 18/22 23/24 39/11 105/15</p> <p>directions [1] 23/14</p> <p>Director [1] 43/24</p> <p>dirt [4] 17/7 58/9 61/7 79/4</p> <p>disagree [1] 113/20</p> <p>disagreement [1] 31/2</p> <p>disagrees [1] 89/9</p> <p>discuss [4] 13/11 21/23 30/3 30/9</p> <p>discussed [2] 78/22 79/3</p> <p>discussion [5] 20/10 50/4 76/10 76/15 120/4</p> <p>discussions [1] 105/13</p> <p>display [1] 32/6</p> <p>disposal [1] 49/5</p> <p>disposes [1] 26/24</p> <p>disrupted [1] 6/18</p> <p>distance [3] 18/24 19/7 34/12</p> <p>distributions [1] 94/23</p> <p>district [10] 26/3 34/20 35/6 46/11 46/24 84/22 106/25 109/8 109/16 109/21</p> <p>districts [1] 22/10</p> <p>disturbance [1] 29/10</p> <p>disturbed [3] 15/4 18/6 32/25</p> <p>diversity [1] 94/23</p> <p>Division [2] 1/18 66/24</p> <p>do [141]</p> <p>documents [2] 40/23 92/18</p> <p>does [24] 32/18 37/25 39/12 39/18 39/23 40/22 42/9 42/14 45/2 49/13 53/9 55/16 55/25 60/1 60/25 65/13 86/7 98/9 98/13 100/12 101/3 101/4 106/5 114/10</p> <p>doesn't [13] 5/9 5/12 36/5 51/1 58/3 60/5 61/4 66/25 67/2 67/18 70/19 96/1 98/14</p> <p>doing [12] 18/7 25/25 26/21 36/22 64/5 65/22 66/16 79/17 85/23 94/14 96/4 108/1</p> <p>dollars [2] 46/16 49/23</p> <p>domain [6] 105/21 106/16 106/22 107/16 109/1 110/18</p> <p>dome [1] 24/3</p> <p>don't [115] 4/23 23/20 25/20 25/25 26/22 28/5 29/9 30/25 31/3 31/5 33/3 38/14 38/18 42/2 49/10 51/12 52/15 53/14 53/19 54/12 55/7 55/12 56/11 57/8 58/16 58/23 59/23 60/23 61/8 61/14 63/12 64/12 64/13 64/15 64/20 65/6 65/13 67/3 67/7 67/8 67/17 68/14 68/14 69/4 70/25 71/4 71/13 73/11 74/8 74/17 75/5 76/1 76/6 76/8 77/13 79/3 80/8 80/9 80/11 80/19 82/22 82/23 83/18 85/22 85/25 86/15 86/23 87/1 88/24 88/25 89/3 89/15 91/11 91/25 92/12 92/19 97/17 98/10 98/24 99/13 99/15 100/12 100/19 102/6 103/1 103/25 104/6 105/12 108/10 108/10 109/10 109/16 109/17 109/18 110/16 110/24 110/25 111/5 111/14 113/15 115/3 115/5 115/17 115/22 116/18 116/22 116/24 117/19 117/21 118/2 118/12 119/7 119/15 119/15 119/20</p> <p>done [13] 26/2 28/6 42/17 47/7 58/10 68/4 68/17 74/18 105/7 105/10 109/11 111/11 119/22</p> <p>dot [1] 34/1</p>	<p>double-staggered [1] 113/10</p> <p>down [6] 7/9 8/4 8/6 78/12 103/13 104/5</p> <p>DR [6] 14/19 15/20 29/13 29/14 78/6 98/23</p> <p>DR/GR [6] 14/19 15/20 29/13 29/14 73/6 96/23</p> <p>drainage [2] 22/17 107/4</p> <p>drawing [1] 108/14</p> <p>drawn [1] 73/16</p> <p>dress [1] 45/16</p> <p>dressed [1] 45/12</p> <p>drive [4] 20/21 49/1 61/3 64/25</p> <p>driveway [2] 114/25 115/3</p> <p>due [3] 21/7 50/6 104/21</p> <p>dumb [1] 90/1</p> <p>dumping [1] 18/8</p> <p>dumpsters [2] 26/18 26/22</p> <p>during [13] 6/18 10/17 34/1 39/4 39/17 39/24 45/24 49/6 64/25 81/19 86/14 104/1 104/12</p> <p><b>E</b></p> <p>each [2] 32/5 116/25</p> <p>earlier [3] 67/2 78/22 79/3</p> <p>easement [7] 24/10 28/4 28/4 34/19 69/23 60/24 60/25</p> <p>easier [1] 83/18</p> <p>easiest [1] 8/2</p> <p>east [13] 1/6 8/5 13/11 14/17 14/18 14/19 16/1 17/22 19/4 34/3 36/21 39/11 43/19</p> <p>eastern [3] 23/16 23/19 24/7</p> <p>easy [1] 109/7</p> <p>ecological [1] 94/24</p> <p>ecologist [1] 32/13</p> <p>ecology [2] 31/11 31/18</p> <p>economics [1] 10/13</p> <p>Ecosystem [1] 35/12</p> <p>edge [1] 22/22</p> <p>educational [4] 10/10 10/12 16/11 43/10</p> <p>effect [1] 116/8</p> <p>efficient [1] 29/3</p> <p>effort [2] 7/18 47/6</p> <p>eight [3] 44/3 44/17 44/18</p> <p>either [13] 8/6 8/15 28/2 51/10 53/9 64/13 66/12 75/9 86/11 91/12 100/19 116/21 117/21</p> <p>elevation [1] 104/18</p> <p>eleven [1] 10/16</p> <p>eliminate [1] 48/19</p> <p>eliminated [1] 53/10</p> <p>else [10] 20/13 42/25 58/24 59/14 71/5 71/10 72/16 102/9 111/25 115/18</p> <p>else's [1] 58/18</p> <p>eminent [6] 105/21 106/16 106/22 107/10 109/1 110/18</p> <p>encourage [1] 48/23</p> <p>end [11] 8/8 12/10 18/19 41/10 46/17 54/13 60/3 76/20 80/7 92/24 99/6</p> <p>endangered [1] 85/15</p> <p>ended [1] 51/4</p> <p>ends [3] 60/5 60/8 66/17</p> <p>enforce [5] 87/25 88/5 88/12 89/8 89/20</p> <p>enforced [1] 88/6</p> <p>enforcement [2] 85/5 93/18</p> <p>enforcing [1] 88/7</p> <p>engineer [3] 23/3 44/7 60/16</p> <p>engineering [5] 43/25 44/2 44/5 44/10 50/24</p> <p>Engineers [3] 34/25 35/3 81/22</p> <p>Engineers' [1] 46/22</p> <p>enhance [2] 28/23 94/22</p> <p>enhanced [4] 24/22 28/7 28/10 34/21</p> <p>enhancement [1] 27/9</p> <p>enhancing [1] 29/20</p> <p>enough [6] 64/3 69/21 75/19 98/24 108/1</p>
--	---	--

<p><b>E</b></p> <p>enough... [1] 117/1  ensure [9] 3/17 49/24 81/14 82/13 82/17 83/1 83/10 85/2 87/6  ensuring [1] 49/25  enter [4] 26/7 47/15 48/12 48/14  entire [3] 66/6 69/22 114/15  entities [1] 91/15  entitled [1] 15/19  entity [2] 26/14 71/5  entrance [3] 19/10 52/4 54/1  environmental [17] 30/9 35/5 35/22 35/24 38/23 44/1 44/5 71/11 81/1 81/3 81/10 81/12 81/20 85/12 87/20 91/8 93/14  environmentally [1] 32/17  environmentally-related [1] 32/17  equipment [4] 18/11 48/5 58/16 104/13  equivalent [2] 85/19 85/20  ERP [5] 22/22 84/21 85/24 86/22 87/15  ES [2] 34/24 35/16  Esquire [1] 1/14  essential [9] 21/3 21/21 22/9 22/9 52/7 54/4 54/6 55/14 78/18  essentially [3] 14/8 22/21 55/2  established [3] 34/14 56/1 116/7  even [11] 11/2 48/2 48/8 56/8 61/14 63/2 68/4 71/2 73/24 75/23 104/18  eventually [1] 115/4  ever [3] 10/18 14/7 114/19  every [5] 10/21 23/23 48/9 60/19 61/9  everybody [9] 6/21 6/24 9/8 68/1 71/10 99/1 106/10 116/17 118/25  everyone [1] 20/11  everything [6] 6/19 20/13 23/4 51/23 88/23 103/17  evidence [6] 4/12 13/7 19/15 43/6 45/4 80/18  exact [4] 23/15 23/20 34/23 39/7  exactly [6] 8/1 61/4 71/20 74/17 82/23 107/6  examination [6] 6/4 6/8 37/11 38/20 41/6 83/23  examiner [18] 1/1 1/9 3/3 3/13 3/16 3/23 3/25 4/3 4/7 4/8 4/13 5/8 5/15 5/23 7/19 36/1 37/8 45/11  examiner's [1] 3/19  examining [1] 23/8  example [2] 37/2 46/19  exceed [7] 23/14 23/21 23/23 27/7 28/19 28/21 30/6  exceeded [1] 74/5  exceeding [1] 24/18  except [1] 85/18  exception [1] 55/3  excess [2] 67/16 68/9  exchange [1] 66/10  exclusive [2] 88/4 89/12  Excuse [2] 9/1 9/6  exempt [3] 55/6 55/17 55/20  exercise [1] 106/23  exhibit [29] 13/8 14/11 15/7 15/11 15/14 15/21 15/22 16/13 16/21 16/22 20/7 20/8 23/15 28/8 30/13 30/18 34/24 35/17 43/8 45/5 77/7 77/7 77/8 77/10 77/14 80/14 80/15 80/17 81/10  exhibits [3] 6/3 6/8 18/15  exist [2] 49/14 60/5  existing [9] 15/19 19/13 22/25 24/21 69/15 71/23 72/2 77/16 78/14  exists [1] 106/24  exit [1] 8/5  exotic [1] 34/21  exotics [2] 29/19 33/21  expand [2] 63/23 95/24</p>	<p>expanded [2] 70/4 94/13  expect [4] 29/9 62/14 105/1 111/8  expected [1] 48/7  expedite [4] 7/17 117/5 117/6 120/8  expedited [2] 117/24 118/6  expeditiously [1] 46/19  expense [1] 36/12  experience [5] 10/11 41/1 41/21 42/2 44/1  expert [16] 8/19 9/13 9/18 10/24 13/2 13/5 31/10 31/17 32/16 44/10 44/22 45/1 77/21 78/2 81/2 81/7  expertise [1] 10/7  expired [1] 78/5  explain [1] 4/8  explicit [1] 25/9  explicitly [1] 22/8  expressed [1] 30/5  Extend [1] 63/19  extending [1] 60/9  eye [1] 33/3</p>	<p>65/3 66/7 113/14 113/22  fires [1] 46/1  first [13] 1/23 8/16 14/11 25/6 25/13 27/12 27/4 36/10 52/4 90/10 94/19 102/9 113/14  fish [19] 34/12 35/1 36/15 39/17 39/18 39/23 39/24 40/6 41/8 81/23 82/1 82/10 82/14 82/24 86/8 93/9 94/22 97/11 97/21  fit [1] 89/20  five [6] 25/12 36/24 44/3 78/12 79/1 113/12  fix [2] 58/19 61/24  flag [1] 115/9  flags [1] 115/10  flexibility [4] 36/2 36/14 39/20 48/16  flip [1] 85/10  flood [1] 103/19  flooded [1] 103/9  floor [1] 4/1  Florida [20] 1/10 1/23 6/19 10/16 10/16 11/25 34/12 34/19 35/5 36/15 39/17 39/18 40/17 44/6 44/7 46/11 82/2 109/15 109/20 121/1  flow [1] 45/25  flows [1] 30/1  FLUCCS [1] 33/1  folks [10] 14/2 54/24 56/6 58/14 58/15 61/5 76/19 98/17 116/12 120/1  follow [4] 41/4 74/16 74/20 74/21  follow-up [1] 41/4  following [4] 6/5 6/9 20/8 55/6  foot [7] 20/18 24/6 24/8 54/21 55/2 55/21 114/25  foraging [1] 97/23  force [1] 70/23  foregoing [1] 121/5  forested [4] 33/9 33/13 33/20 34/3  forever [2] 67/17 67/21  form [2] 3/23 5/12  formed [3] 22/21 26/13 33/5  forms [3] 3/21 102/8 115/18  Fort [4] 1/10 1/23 9/4 32/15  forthcoming [1] 47/1  forum [3] 8/18 9/18 9/25  forward [14] 4/15 6/11 6/22 23/9 27/24 46/21 47/8 47/11 50/15 84/6 101/25 102/11 102/13 112/7  found [4] 33/24 34/2 36/23 93/21  four [1] 105/22  fox [1] 34/4  fragmented [1] 41/24  frame [1] 118/23  FREDYMA [5] 1/15 3/13 5/16 7/8 11/20  free [2] 91/17 110/19  Friday [8] 20/3 56/5 116/15 116/17 116/20 119/17 120/3 120/10  friends [3] 58/5 58/5 96/17  front [2] 4/4 7/23  frontage [1] 17/2  full [3] 79/7 102/14 112/8  functioning [1] 54/25  funding [3] 46/17 47/24 49/23  further [17] 11/16 18/23 21/24 22/5 23/2 29/23 29/23 30/4 34/21 35/8 37/3 41/6 42/24 51/7 111/5 111/17 118/7  futile [1] 27/20  future [22] 22/2 22/14 22/14 23/10 25/10 26/13 27/24 27/25 29/14 36/2 36/8 50/9 50/12 50/12 63/12 69/14 78/6 94/12 104/3 104/4 104/6 108/2  FWC [10] 93/23 94/8 94/15 95/3 95/3 97/14 98/3 98/3 98/5 98/14  FWC's [2] 94/10 98/14</p>
	<p><b>F</b></p> <p>facilitate [1] 20/10  facilities [9] 21/21 22/2 22/9 23/7 52/7 54/4 55/14 68/7 78/19  facility [17] 14/10 15/6 15/20 15/23 16/7 16/8 16/12 21/3 25/17 25/18 25/20 28/25 29/25 48/1 48/2 66/23 77/16  fact [4] 38/10 97/18 116/1 116/6  fair [4] 58/25 61/21 62/7 62/14  falls [1] 28/7  familiarity [1] 11/13  family [7] 17/7 17/21 18/3 19/9 19/10 48/9 63/2  far [12] 16/11 23/21 27/7 68/17 68/19 88/18 89/10 114/19 115/1 117/20 117/22 117/23  fare [1] 58/4  fashion [2] 6/6 58/22  fast [1] 47/18  favor [2] 61/1 63/8  favorable [2] 13/13 117/15  favorably [1] 47/17  FAX [1] 1/24  FDP [1] 46/10  February [2] 1/10 120/10  February 26th [1] 120/10  fed [2] 90/19 90/19  federal [21] 37/16 37/18 37/25 38/8 40/4 40/15 40/23 51/9 56/21 57/2 57/12 66/25 82/20 84/18 84/21 87/10 88/1 88/3 88/7 89/5 89/7  feds [2] 89/10 90/18  feel [2] 76/14 112/25  feet [18] 16/3 17/2 17/4 17/9 17/13 17/14 23/13 23/17 23/18 23/19 23/23 24/1 24/3 24/4 34/10 113/8 113/9 113/12  few [4] 13/22 18/12 41/4 78/17  field [4] 13/6 44/22 78/2 81/7  fields [1] 45/1  fifth [1] 118/13  file [2] 31/9 77/21  filed [1] 70/14  fill [3] 3/20 5/3 5/11  filled [1] 5/2  final [4] 4/11 4/22 47/20 84/14  finally [2] 36/19 46/12  find [6] 57/10 100/22 106/14 106/17 109/2 110/5  finding [1] 28/18  finds [1] 116/4  fine [4] 20/12 54/5 99/9 116/9  finish [1] 7/13  fire [18] 8/7 16/2 16/2 16/6 17/6 17/21 26/2 30/1 45/25 46/2 46/4 48/18 64/18 65/1</p>	<p>65/3 66/7 113/14 113/22  flow [1] 45/25  flows [1] 30/1  FLUCCS [1] 33/1  folks [10] 14/2 54/24 56/6 58/14 58/15 61/5 76/19 98/17 116/12 120/1  follow [4] 41/4 74/16 74/20 74/21  follow-up [1] 41/4  following [4] 6/5 6/9 20/8 55/6  foot [7] 20/18 24/6 24/8 54/21 55/2 55/21 114/25  foraging [1] 97/23  force [1] 70/23  foregoing [1] 121/5  forested [4] 33/9 33/13 33/20 34/3  forever [2] 67/17 67/21  form [2] 3/23 5/12  formed [3] 22/21 26/13 33/5  forms [3] 3/21 102/8 115/18  Fort [4] 1/10 1/23 9/4 32/15  forthcoming [1] 47/1  forum [3] 8/18 9/18 9/25  forward [14] 4/15 6/11 6/22 23/9 27/24 46/21 47/8 47/11 50/15 84/6 101/25 102/11 102/13 112/7  found [4] 33/24 34/2 36/23 93/21  four [1] 105/22  fox [1] 34/4  fragmented [1] 41/24  frame [1] 118/23  FREDYMA [5] 1/15 3/13 5/16 7/8 11/20  free [2] 91/17 110/19  Friday [8] 20/3 56/5 116/15 116/17 116/20 119/17 120/3 120/10  friends [3] 58/5 58/5 96/17  front [2] 4/4 7/23  frontage [1] 17/2  full [3] 79/7 102/14 112/8  functioning [1] 54/25  funding [3] 46/17 47/24 49/23  further [17] 11/16 18/23 21/24 22/5 23/2 29/23 29/23 30/4 34/21 35/8 37/3 41/6 42/24 51/7 111/5 111/17 118/7  futile [1] 27/20  future [22] 22/2 22/14 22/14 23/10 25/10 26/13 27/24 27/25 29/14 36/2 36/8 50/9 50/12 50/12 63/12 69/14 78/6 94/12 104/3 104/4 104/6 108/2  FWC [10] 93/23 94/8 94/15 95/3 95/3 97/14 98/3 98/3 98/5 98/14  FWC's [2] 94/10 98/14</p> <p><b>G</b></p> <p>garbage [2] 26/18 26/22</p>

<b>G</b>	grand [1] 97/16	115/21 118/1 120/3
gate [7] 8/9 21/13 21/19 52/15 54/22 55/13 78/18	Grande [5] 8/6 14/18 14/25 16/5 18/20	hearings [1] 120/21
gate's [1] 8/8	granted [1] 34/19	heartburn [4] 86/17 86/25 87/3 87/5
gatehouse [6] 21/13 21/19 52/16 55/13 56/12 78/18	gravel [11] 59/19 59/21 60/9 65/7 66/13 66/17 103/14 104/19 104/23 114/10 114/13	heavily [1] 33/20
gatehouses [3] 52/5 54/1 54/22	gray [3] 20/20 34/5 37/1	heavy [4] 18/10 25/23 58/15 104/13
gates [2] 52/5 54/1	great [1] 47/9	hedgerow [1] 113/10
Gator [1] 45/7	green [8] 20/24 22/20 23/1 24/9 24/14 28/8 34/15 35/14	height [1] 24/2
gene [1] 41/20	ground [1] 69/6	help [9] 47/7 47/22 65/25 87/6 109/24 117/4 117/5 117/24 120/2
general [7] 14/11 14/21 15/6 15/23 37/9 84/19 89/11	Group [9] 12/9 12/10 21/3 21/21 22/10 52/7 54/3 55/14 78/19	her [1] 99/17
generally [4] 14/16 35/21 40/20 96/13	guarantee [1] 111/17	here [69] 3/3 3/15 4/4 4/13 4/19 4/22 4/23 5/6 5/7 8/18 8/20 9/11 9/19 13/11 14/8 15/7 23/15 31/9 32/16 33/3 33/15 33/16 33/25 34/11 34/15 35/10 35/14 35/21 39/2 39/13 46/16 54/18 55/3 56/11 60/5 60/9 62/20 63/7 68/1 69/9 69/16 71/10 72/17 73/8 76/5 79/19 80/2 80/21 83/9 91/5 95/11 96/17 98/16 102/11 102/22 103/4 105/2 105/17 109/4 109/7 111/9 111/15 111/16 112/19 112/20 112/20 113/21 117/1 116/1
generate [1] 79/22	guess [12] 31/19 44/16 45/18 73/19 74/7 86/5 86/19 86/25 95/9 109/2 109/22 118/16	here's [4] 32/19 56/4 106/20 116/10
generated [2] 29/10 49/6	guideline [1] 113/6	hey [1] 109/5
generates [1] 26/23	guidelines [2] 34/13 36/16	Hi [1] 80/25
generating [1] 49/10	gut [2] 111/1 111/1	high [2] 113/11 113/12
gentlemen [4] 3/1 6/1 101/17 120/21	guys [4] 9/15 96/3 96/3 98/22	higher [2] 52/16 104/10
Gescheidt [1] 3/2	<b>H</b>	Highlands [1] 97/18
Gesheidt [1] 1/9	habitat [11] 40/2 41/17 41/24 85/14 85/17 94/10 94/13 96/22 97/5 97/22 97/23	highlighted [3] 13/22 14/13 14/14
get [54] 7/9 7/13 7/18 8/3 8/4 8/14 10/5 12/19 31/21 32/6 47/7 53/4 54/10 54/15 57/9 57/10 61/13 61/16 61/19 61/24 64/1 64/12 65/17 69/4 73/1 74/22 75/22 76/11 84/8 85/24 86/21 89/4 91/15 91/20 91/23 92/22 95/9 95/10 102/24 105/2 108/20 109/19 109/23 109/25 111/2 111/15 114/24 116/12 116/16 117/6 118/6 118/9 118/25 119/13	had [18] 9/20 10/18 11/9 45/9 62/19 64/19 71/1 71/2 76/10 76/14 79/16 79/18 82/11 105/13 105/19 107/15 113/14 118/19	him [8] 9/8 12/13 12/14 67/1 100/17 100/21 100/22 111/4
get that [1] 75/22	half [11] 4/17 7/9 7/24 35/9 35/10 46/16 49/23 105/25 106/10 108/9 112/17	historically [2] 33/7 33/12
gets [7] 8/15 54/11 60/19 72/7 77/12 92/14 102/24	hand [2] 5/10 56/16	hit [1] 54/12
getting [3] 75/10 87/24 118/2	handed [1] 43/13	hold [5] 4/22 10/13 30/11 52/8 100/19
give [10] 31/20 32/9 32/10 43/16 82/6 98/11 109/18 112/7 118/3 119/17	handout [1] 19/1	home [4] 17/24 18/1 19/7 63/2
given [12] 28/3 32/16 71/13 82/22 83/6 93/10 94/11 94/11 94/18 95/1 98/1 100/20	hands [2] 7/1 102/6	Homeland [1] 21/15
gives [3] 75/23 85/5 87/25	happen [5] 4/16 46/1 62/3 63/12 95/6	homes [1] 17/21
giving [3] 6/22 89/7 110/24	happened [2] 107/17 113/15	hook [2] 62/9 65/25
glad [2] 76/10 95/5	happens [8] 61/12 61/18 65/12 74/19 76/7 89/9 100/14 100/16	hope [1] 49/11
go [63] 5/1 5/14 8/3 8/4 8/5 8/7 8/8 8/11 8/12 8/14 9/9 9/22 13/9 13/23 13/24 15/13 21/2 24/12 25/16 25/19 30/17 36/25 37/1 42/4 43/14 43/23 45/4 45/9 48/24 51/22 52/9 52/13 54/7 58/8 60/19 64/1 64/25 64/25 66/14 66/15 69/19 75/5 76/17 77/7 78/2 79/23 83/13 89/20 92/2 92/24 100/14 101/15 102/20 103/1 103/11 108/19 111/5 112/16 115/23 115/25 116/3 118/7 119/12	happy [5] 5/10 37/7 53/1 82/6 117/17	hoping [1] 96/2
goal [5] 29/21 29/23 79/11 107/18 108/13	hard [4] 106/14 106/17 109/3 110/5	horse's [1] 109/20
goals [1] 79/8	has [70] 6/14 8/17 10/7 12/17 13/7 14/22 27/16 28/9 29/15 31/8 31/10 36/18 38/3 38/4 40/6 40/9 41/21 45/21 46/2 46/24 47/9 50/2 52/21 53/2 53/21 57/2 57/14 61/16 61/21 61/22 68/2 70/21 72/2 72/22 73/16 74/13 76/6 77/10 78/5 78/19 78/21 81/9 84/1 85/3 90/5 95/4 95/11 96/17 97/23 97/24 98/5 101/15 101/23 103/9 104/23 106/13 106/17 107/1 107/10 107/17 108/22 109/8 111/10 113/1 113/8 113/9 114/19 114/22 114/23 120/17	hour [14] 13/23 21/6 21/18 25/1 26/9 31/1 36/18 37/5 37/14 45/24 51/22 78/25 80/6 81/17
goes [12] 22/18 26/25 32/3 32/7 37/2 61/13 65/12 88/18 89/8 101/21 114/20 115/3	hasn't [2] 91/1 97/3	house [5] 17/13 103/4 112/21 112/23 114/25
going [122]	hatch [1] 33/18	houses [1] 20/19
gold [1] 45/13	have [315]	how [23] 6/1 15/14 31/24 37/20 44/15 50/25 55/11 59/12 59/14 63/13 67/24 70/14 71/25 72/9 74/11 76/13 92/10 96/3 104/1 116/14 117/15 117/25 118/2
Golden [1] 45/7	haven't [2] 42/22 62/25	however [10] 13/15 22/13 26/12 27/19 29/2 34/4 35/23 53/15 55/8 103/18
gone [4] 9/20 22/22 103/10 106/13	having [7] 21/14 27/23 61/7 86/25 87/16 92/5 119/22	huh [2] 12/5 117/9
good [6] 3/12 5/18 32/12 58/11 77/19 105/10	he [25] 5/9 5/12 8/17 8/20 9/12 13/6 26/23 26/25 31/2 31/9 31/20 67/2 77/11 78/2 97/23 100/21 100/24 100/25 101/3 101/4 114/17 114/18 114/21 114/22 114/24	hundred [8] 23/13 39/10 54/20 55/2 55/21 104/5 105/7 113/9
gopher [17] 33/24 34/10 36/3 36/16 39/3 39/5 41/9 41/16 41/18 58/2 93/2 93/3 93/7 93/17 93/18 93/20 94/1	he'll [2] 5/10 26/23	hundred feet [1] 23/13
got [22] 10/2 15/4 18/12 20/17 35/6 61/23 62/8 67/9 69/6 76/5 76/17 77/15 85/23 88/17 89/17 89/19 96/16 98/16 105/21 107/7 108/7 116/2	he's [1] 100/14	hurry [1] 47/5
governing [2] 46/14 47/15	headquarters [1] 26/25	hurry-up-and-wait [1] 47/5
government [8] 10/19 40/19 44/3 65/18 82/16 83/4 83/11 106/21	health [4] 30/2 46/23 47/23 119/5	<b>I</b>
governments [2] 106/22 106/25	hear [10] 3/3 7/11 7/22 9/8 64/24 66/1 67/1 76/9 91/5 92/6	I'll [26] 7/3 13/14 13/17 13/22 13/23 15/19 16/13 24/11 30/8 32/10 37/7 45/16 56/5 56/5 68/1 76/20 82/6 85/8 85/10 98/23 98/1 112/24 115/19 117/1 117/18 120/20
GR [6] 14/19 15/20 29/13 29/14 78/6 96/23	heard [8] 5/11 7/23 46/20 48/19 49/5 95/16 96/12 117/1	I'm [87] 3/2 3/3 3/10 3/13 3/15 5/16 5/16 5/21 5/21 6/16 6/20 7/5 10/6 13/15 25/15 31/1 32/13 38/24 42/12 43/24 44/6 44/14 52/3 54/17 56/2 57/13 57/18 57/25 60/10 60/16 60/18 63/10 64/11 65/23 71/9 73/13 76/3 76/4 76/10 76/19 79/12 81/16 82/5 83/15 83/17 84/10 86/24 86/25 87/6 88/8 92/11 92/23 95/5 96/2 96/5 96/9 97/5 97/6 97/8 97/25 98/17 98/18 99/9 101/14 102/8
grade [1] 22/25	hearing [53] 1/1 1/2 1/9 3/2 3/13 3/16 3/18 3/19 3/23 3/25 4/3 4/6 4/8 4/11 4/13 4/16 4/22 5/8 5/15 5/23 6/10 7/19 9/20 13/4 30/17 31/16 35/25 37/8 43/7 45/4 45/11 77/13 80/17 81/6 96/12 98/25 99/6 99/25 100/6 100/8 101/15 101/23 102/2 102/3 109/14 113/18 113/24 114/2 114/2 114/5	
grades [1] 114/21		

I	intense [3] 14/23 29/2 58/22 intention [2] 48/9 83/5 interest [7] 36/7 41/11 41/14 41/25 96/13 110/19 119/6 interested [6] 105/24 106/6 106/12 108/3 108/4 119/1 interests [1] 41/12 internally [1] 89/25 interpret [1] 89/18 interpretation [4] 37/24 57/6 88/9 89/10 interpretations [2] 37/20 38/2 interprets [1] 66/5 interrupt [1] 9/9 intersection [2] 14/25 16/4 intervention [1] 65/18 introduced [1] 15/10 introduction [9] 4/25 5/13 15/18 16/17 19/15 30/13 43/5 45/3 80/13 inundate [1] 107/2 inundation [1] 107/4 invaded [1] 33/20 investment [2] 50/6 50/18 involved [4] 12/12 47/18 96/5 96/9 iron [1] 98/22 ironically [1] 54/9 is [337] isn't [6] 46/17 70/17 86/1 87/2 88/3 90/10 isolated [2] 41/23 58/5 issuance [1] 92/6 issue [21] 6/14 7/21 41/10 42/20 49/12 52/4 69/17 86/15 89/8 90/2 90/22 91/6 91/10 92/1 93/3 95/18 96/2 103/7 105/1 109/9 114/20 issued [3] 35/3 92/14 104/23 issues [8] 13/21 28/16 32/17 37/19 86/20 98/24 117/2 120/16 issuing [4] 82/19 84/5 89/11 90/24 it [243] it's [94] 3/21 7/6 7/24 9/11 13/10 14/5 16/2 16/4 22/6 22/12 23/6 24/10 25/8 25/17 25/24 26/6 27/9 28/5 29/1 29/2 33/18 36/19 36/24 45/6 47/2 48/14 49/9 49/9 52/22 56/13 57/15 58/17 58/18 58/19 59/21 60/11 60/23 61/24 62/14 64/3 64/10 65/8 65/13 66/11 66/21 68/2 69/3 70/12 72/9 72/12 73/16 74/18 74/22 75/19 79/13 79/15 79/19 81/19 83/6 83/18 84/9 84/19 85/2 85/5 90/19 90/20 91/21 91/22 91/25 93/4 93/8 93/12 95/18 96/1 96/7 97/2 97/4 97/9 97/20 98/3 100/5 103/14 103/14 104/11 106/23 106/25 108/22 109/13 111/11 111/13 113/10 118/2 118/3 119/4 items [6] 13/22 13/25 37/14 50/23 55/3 101/6 its [1] 56/12 itself [1] 72/14	35/24 36/13 36/19 36/19 36/23 37/3 43/15 43/14 44/15 45/15 47/3 50/16 51/4 51/23 52/17 52/22 56/16 57/13 58/11 61/15 62/25 65/7 67/21 69/3 69/5 72/24 73/3 76/4 76/14 77/5 79/19 80/6 81/16 82/5 83/18 87/15 90/9 90/10 91/22 92/11 95/7 95/10 96/20 98/19 98/23 101/3 103/14 105/11 106/15 106/18 107/11 109/18 110/17 111/9 111/13 112/24 115/24 116/1 119/18 119/23 justified [1] 71/13
I'm... [22] 102/22 102/23 103/21 105/17 107/7 109/2 109/23 110/23 111/12 114/23 115/7 115/11 116/10 116/11 116/20 116/22 117/11 118/1 120/5 120/6 120/7 120/8 I've [13] 10/2 12/13 18/12 62/19 71/1 76/5 77/15 96/12 103/7 103/9 108/7 117/1 117/15 I-75 [2] 8/4 14/17 idea [4] 72/17 90/25 104/1 118/4 identified [10] 20/17 21/1 29/16 30/7 33/1 35/14 41/15 55/21 71/16 81/20 identify [2] 5/14 6/22 II [33] 21/3 21/21 23/5 23/6 27/21 67/19 69/5 69/9 69/23 69/25 70/1 71/13 71/18 74/1 90/6 93/6 93/8 93/10 94/4 95/6 95/8 95/9 95/10 95/15 95/19 95/20 95/23 96/1 96/2 99/18 99/24 100/3 100/20 II's [1] 99/19 III [2] 69/6 74/1 illegal [1] 18/7 immediate [2] 19/4 111/1 immediately [2] 19/12 27/15 imminent [1] 21/10 impact [6] 48/7 48/10 88/22 104/2 104/23 104/24 impacting [1] 87/19 impacts [9] 29/17 34/8 59/2 81/24 87/16 87/18 88/25 89/1 104/21 implicit [2] 22/12 25/4 important [2] 49/22 83/6 importantly [1] 4/20 imposed [1] 88/1 improved [3] 17/7 18/6 18/19 improvement [1] 115/25 improvements [1] 27/22 inartfully [1] 55/20 Inc [1] 1/6 inches [2] 113/11 113/11 inclined [1] 63/10 include [3] 21/15 21/17 116/3 included [3] 36/18 37/16 56/20 includes [3] 33/12 34/16 84/21 including [1] 44/2 inconsistent [2] 91/7 91/11 incorporate [3] 37/23 84/25 88/11 incorporated [7] 37/17 56/23 70/15 87/3 88/10 92/5 105/25 increase [1] 29/25 increased [1] 104/24 indicate [1] 10/10 indicated [11] 7/8 13/6 44/23 45/1 45/21 78/2 81/8 101/20 107/17 107/18 120/15 indicating [2] 6/23 57/1 indigenous [2] 24/19 72/12 Indigo [1] 82/4 individual [1] 112/5 individuals [1] 102/8 inflicted [1] 65/11 inform [1] 50/24 information [3] 32/20 109/15 109/19 infrastructure [1] 29/22 inhabit [1] 85/18 initially [1] 50/22 initials [2] 113/5 113/6 injection [1] 78/8 input [1] 111/17 inspect [1] 25/19 inspection [2] 25/25 26/21 installed [1] 35/13 instead [2] 45/7 75/13 instrumentation [1] 49/8 insurance [1] 61/23 intended [1] 107/19	intense [3] 14/23 29/2 58/22 intention [2] 48/9 83/5 interest [7] 36/7 41/11 41/14 41/25 96/13 110/19 119/6 interested [6] 105/24 106/6 106/12 108/3 108/4 119/1 interests [1] 41/12 internally [1] 89/25 interpret [1] 89/18 interpretation [4] 37/24 57/6 88/9 89/10 interpretations [2] 37/20 38/2 interprets [1] 66/5 interrupt [1] 9/9 intersection [2] 14/25 16/4 intervention [1] 65/18 introduced [1] 15/10 introduction [9] 4/25 5/13 15/18 16/17 19/15 30/13 43/5 45/3 80/13 inundate [1] 107/2 inundation [1] 107/4 invaded [1] 33/20 investment [2] 50/6 50/18 involved [4] 12/12 47/18 96/5 96/9 iron [1] 98/22 ironically [1] 54/9 is [337] isn't [6] 46/17 70/17 86/1 87/2 88/3 90/10 isolated [2] 41/23 58/5 issuance [1] 92/6 issue [21] 6/14 7/21 41/10 42/20 49/12 52/4 69/17 86/15 89/8 90/2 90/22 91/6 91/10 92/1 93/3 95/18 96/2 103/7 105/1 109/9 114/20 issued [3] 35/3 92/14 104/23 issues [8] 13/21 28/16 32/17 37/19 86/20 98/24 117/2 120/16 issuing [4] 82/19 84/5 89/11 90/24 it [243] it's [94] 3/21 7/6 7/24 9/11 13/10 14/5 16/2 16/4 22/6 22/12 23/6 24/10 25/8 25/17 25/24 26/6 27/9 28/5 29/1 29/2 33/18 36/19 36/24 45/6 47/2 48/14 49/9 49/9 52/22 56/13 57/15 58/17 58/18 58/19 59/21 60/11 60/23 61/24 62/14 64/3 64/10 65/8 65/13 66/11 66/21 68/2 69/3 70/12 72/9 72/12 73/16 74/18 74/22 75/19 79/13 79/15 79/19 81/19 83/6 83/18 84/9 84/19 85/2 85/5 90/19 90/20 91/21 91/22 91/25 93/4 93/8 93/12 95/18 96/1 96/7 97/2 97/4 97/9 97/20 98/3 100/5 103/14 103/14 104/11 106/23 106/25 108/22 109/13 111/11 111/13 113/10 118/2 118/3 119/4 items [6] 13/22 13/25 37/14 50/23 55/3 101/6 its [1] 56/12 itself [1] 72/14	35/24 36/13 36/19 36/19 36/23 37/3 43/15 43/14 44/15 45/15 47/3 50/16 51/4 51/23 52/17 52/22 56/16 57/13 58/11 61/15 62/25 65/7 67/21 69/3 69/5 72/24 73/3 76/4 76/14 77/5 79/19 80/6 81/16 82/5 83/18 87/15 90/9 90/10 91/22 92/11 95/7 95/10 96/20 98/19 98/23 101/3 103/14 105/11 106/15 106/18 107/11 109/18 110/17 111/9 111/13 112/24 115/24 116/1 119/18 119/23 justified [1] 71/13
J	Janet [3] 7/16 121/3 121/12 January [1] 35/3 January 14 [1] 35/3 job [3] 58/10 58/11 105/10 JOHN [6] 1/15 3/13 5/16 7/23 11/19 110/23 join [1] 62/5 joint [1] 62/21 jointly [1] 112/18 judge [4] 60/2 106/14 106/17 108/21 judicially [1] 120/8 July [1] 82/4 jurisdiction [3] 10/21 50/23 53/9 just [80] 7/7 7/22 8/10 11/19 11/24 15/10 16/5 16/9 17/3 17/13 18/14 19/16 20/11 22/13 25/9 29/7 30/11 31/25 35/6 35/18	K keep [9] 13/14 42/10 56/11 58/1 66/13 76/1 78/22 103/12 116/5 keeping [2] 47/11 94/25 Kehl [17] 16/7 16/10 17/4 17/16 17/17 20/14 22/18 22/19 23/20 24/24 28/2 32/28 33/6 35/9 35/11 78/16 106/11 kick [1] 61/22 kill [1] 118/6 kind [17] 7/7 51/21 52/22 60/18 61/18 61/25 68/2 74/18 86/16 93/2 95/7 103/6 104/7 104/8 109/3 109/22 119/2 King [1] 8/3 Knight [1] 45/7 Knights [1] 45/9 know [56] 9/21 36/5 42/5 50/2 54/22 55/12 56/14 57/6 58/16 60/23 61/14 61/17 63/18 63/23 64/2 64/3 64/4 64/14 65/13 65/21 65/24 67/9 68/14 68/19 75/16 80/23 82/28 82/23 86/15 86/20 90/7 96/12 103/25 104/7 104/19 105/17 108/10 108/11 109/16 109/17 110/16 110/20 110/24 111/14 112/19 113/15 114/9 115/22 116/13 117/3 117/14 118/2 119/15 119/15 119/21 119/24 knowing [1] 118/24 knowledge [2] 42/18 42/19 known [2] 12/13 64/9 knows [1] 42/4
	L ladies [4] 3/1 5/25 101/17 120/21 land [12] 15/4 29/14 35/11 50/7 50/9 51/7 68/12 70/5 77/21 78/6 78/14 79/24 lands [3] 17/17 17/18 17/22 Lane [13] 3/8 8/7 16/5 17/2 17/4 17/5 19/2 23/17 48/1 54/21 59/12 102/16 112/10 language [16] 26/9 36/17 37/15 38/5 52/25 53/22 55/5 55/8 56/7 57/7 59/10 75/24 87/25 92/15 98/8 99/10 large [8] 17/19 18/5 22/19 32/5 41/17 51/6 79/21 80/14 larger [4] 14/5 15/10 73/20 97/4 laser [1] 33/4 last [13] 9/19 11/24 19/8 19/11 20/2 47/8 53/16 56/18 56/19 78/24 78/25 82/10 105/4 lastly [3] 13/22 29/5 30/5 lately [1] 74/18 later [9] 7/6 7/11 7/18 22/5 36/12 54/13 67/17 76/12 117/4 latest [1] 10/3 latter [1] 116/6 law [3] 6/19 88/7 111/11 lawyer [1] 111/12 LDC [7] 13/21 25/13 29/11 30/7 51/6 72/4 73/6 lead [1] 27/23 leading [2] 20/21 60/4 leads [1] 22/18 least [7] 54/23 64/22 65/1 77/10 96/7 102/6 108/2 leave [7] 49/11 50/8 56/5 98/19 116/11 116/15 120/9 leaves [2] 118/11 118/12 LEE [39] 1/1 1/16 3/2 9/20 10/20 11/2	L ladies [4] 3/1 5/25 101/17 120/21 land [12] 15/4 29/14 35/11 50/7 50/9 51/7 68/12 70/5 77/21 78/6 78/14 79/24 lands [3] 17/17 17/18 17/22 Lane [13] 3/8 8/7 16/5 17/2 17/4 17/5 19/2 23/17 48/1 54/21 59/12 102/16 112/10 language [16] 26/9 36/17 37/15 38/5 52/25 53/22 55/5 55/8 56/7 57/7 59/10 75/24 87/25 92/15 98/8 99/10 large [8] 17/19 18/5 22/19 32/5 41/17 51/6 79/21 80/14 larger [4] 14/5 15/10 73/20 97/4 laser [1] 33/4 last [13] 9/19 11/24 19/8 19/11 20/2 47/8 53/16 56/18 56/19 78/24 78/25 82/10 105/4 lastly [3] 13/22 29/5 30/5 lately [1] 74/18 later [9] 7/6 7/11 7/18 22/5 36/12 54/13 67/17 76/12 117/4 latest [1] 10/3 latter [1] 116/6 law [3] 6/19 88/7 111/11 lawyer [1] 111/12 LDC [7] 13/21 25/13 29/11 30/7 51/6 72/4 73/6 lead [1] 27/23 leading [2] 20/21 60/4 leads [1] 22/18 least [7] 54/23 64/22 65/1 77/10 96/7 102/6 108/2 leave [7] 49/11 50/8 56/5 98/19 116/11 116/15 120/9 leaves [2] 118/11 118/12 LEE [39] 1/1 1/16 3/2 9/20 10/20 11/2

<b>L</b>	<p>LEE... [33] 11/10 11/14 13/21 14/19 29/12 29/21 33/22 34/20 38/22 39/12 39/15 40/13 42/6 42/13 45/20 46/22 66/23 71/11 77/20 79/7 81/1 81/15 85/8 93/15 94/3 94/18 94/21 94/23 95/1 95/2 97/19 97/22 121/2</p> <p>left [3] 18/18 19/3 34/9</p> <p>legal [1] 92/15</p> <p>legally [1] 106/15</p> <p>legitimate [1] 86/22</p> <p>length [1] 114/15</p> <p>less [6] 48/7 48/8 50/8 72/23 79/17 79/23</p> <p>lesson [1] 113/22</p> <p>let [11] 5/11 10/9 23/14 63/25 84/15 86/6 98/15 115/25 117/3 118/7 120/5</p> <p>Let's [5] 52/13 56/16 66/14 92/24 99/5</p> <p>letter [25] 13/23 21/6 21/18 25/1 26/3 26/9 31/1 36/18 37/5 37/14 51/22 52/2 53/17 78/25 80/7 81/17 81/25 82/4 82/8 105/23 106/15 106/19 107/7 108/6 110/4</p> <p>letter's [1] 107/22</p> <p>level [4] 49/20 57/11 57/13 63/2</p> <p>levels [2] 45/20 45/24</p> <p>lifting [1] 86/3</p> <p>LIGGINS [10] 2/6 19/19 25/16 26/19 30/3 43/11 43/14 44/9 58/13 68/6</p> <p>Liggins' [2] 43/12 45/3</p> <p>light [3] 13/12 48/17 115/25</p> <p>like [46] 3/18 4/18 6/6 7/21 7/24 8/16 21/5 21/17 22/7 22/14 24/25 25/4 25/10 29/7 31/24 35/18 35/24 45/10 47/10 55/7 55/24 56/10 57/16 58/6 58/14 61/24 68/3 77/22 78/22 88/21 88/24 90/1 90/6 93/16 98/10 102/11 104/3 104/9 105/4 110/6 112/25 113/13 114/7 115/7 116/5 117/8</p> <p>likely [2] 93/8 95/18</p> <p>LILES [6] 5/2 112/6 112/7 112/9 112/9 112/15</p> <p>lime [1] 114/13</p> <p>limitation [1] 6/13</p> <p>limited [1] 96/24</p> <p>limits [1] 65/22</p> <p>line [3] 33/17 108/15 108/20</p> <p>linear [2] 17/4 113/9</p> <p>link [1] 12/2</p> <p>list [4] 21/16 53/4 78/21 86/23</p> <p>listed [10] 21/21 37/16 40/5 40/16 41/13 56/20 81/24 82/15 85/15 85/17</p> <p>litigation [4] 107/12 107/22 109/18 110/25</p> <p>little [10] 8/9 16/5 17/3 19/1 21/23 33/17 36/1 43/14 96/17 100/10</p> <p>live [3] 52/24 53/15 112/9</p> <p>lived [1] 61/7</p> <p>local [13] 10/18 10/21 37/17 40/19 51/9 56/23 56/25 82/16 83/2 83/4 83/11 87/4 90/22</p> <p>located [18] 3/8 14/16 16/1 16/3 19/11 32/14 33/8 33/9 33/15 33/25 34/11 36/21 39/8 39/15 42/6 60/22 93/11 94/5</p> <p>location [8] 13/18 14/11 15/12 15/13 17/11 39/6 39/7 39/13</p> <p>locational [2] 28/20 30/6</p> <p>logical [1] 60/17</p> <p>lonely [1] 96/16</p> <p>long [8] 12/13 37/20 44/15 49/19 57/6 116/14 117/25 118/2</p> <p>long-range [1] 49/19</p> <p>long-standing [1] 37/20</p> <p>longer [6] 62/2 105/24 106/6 106/12 107/3 116/8</p> <p>look [25] 15/24 16/14 18/17 18/22 39/19 39/20 39/25 41/12 45/11 48/24 63/22 66/20 72/16 75/3 75/13 83/11 85/7 87/17 88/24 90/9 97/15 97/16 100/21 102/24 117/4</p>	<p>looking [12] 18/20 19/6 19/9 22/16 41/10 42/19 71/24 87/13 88/8 89/15 94/9 97/22</p> <p>looks [3] 41/9 87/21 91/15</p> <p>loose [1] 106/16</p> <p>lost [1] 67/22</p> <p>lot [7] 15/3 18/5 49/10 68/5 92/8 104/13 113/4</p> <p>lots [2] 18/5 79/21</p> <p>lower [1] 17/23</p> <p>Luther [1] 8/3</p>	<p>98/13 98/15 101/19 105/9 112/7 113/4 114/1 114/3 114/15 114/21 115/9 115/36 116/21 116/23 117/3 118/7 119/12 120/10 120/17</p> <p>mean [17] 59/13 60/1 60/10 67/24 88/3 90/1 91/12 96/2 103/20 104/7 104/19 106/7 106/16 110/3 111/5 112/19 118/25</p> <p>meaning [1] 96/23</p> <p>means [4] 57/7 57/9 57/9 118/17</p> <p>measured [1] 24/3</p> <p>measurement [1] 23/20</p> <p>mechanic [1] 49/8</p> <p>mechanicals [1] 20/19</p> <p>meet [7] 28/19 30/6 51/4 67/20 84/7 92/11 104/17</p> <p>meeting [1] 24/20</p> <p>meets [3] 72/11 73/5 73/6</p> <p>melaleuca [3] 33/9 33/21 34/3</p> <p>member [2] 50/17 50/19</p> <p>member-owned [1] 50/19</p> <p>members [6] 3/9 50/5 50/19 101/17 101/24 115/16</p> <p>mentioned [7] 14/3 22/16 28/25 32/13 34/7 58/13 115/2</p> <p>met [9] 40/23 82/15 83/4 84/5 84/11 89/24 90/22 91/1 92/6</p> <p>Metropolis [1] 32/15</p> <p>MICHAEL [3] 2/6 32/13 116/17</p> <p>middle [1] 97/1</p> <p>might [11] 12/7 14/1 21/10 32/1 46/3 50/4 68/4 72/18 72/20 86/14 98/8</p> <p>migrant [2] 16/12 18/1</p> <p>mike [20] 2/4 9/6 19/19 25/16 26/19 28/15 30/8 31/8 31/8 31/11 32/9 37/13 38/24 43/11 43/11 43/12 57/25 58/12 98/11 100/21</p> <p>miles [1] 39/10</p> <p>million [2] 46/16 49/23</p> <p>mind [9] 12/7 54/23 60/17 92/12 92/19 98/10 107/8 111/12 111/12</p> <p>minimal [2] 63/1 104/11</p> <p>minimum [8] 23/21 28/21 45/20 45/23 73/20 73/21 74/22 103/19</p> <p>minimums [1] 46/10</p> <p>minor [3] 36/20 37/3 100/9</p> <p>minute [5] 9/12 57/19 59/6 68/3 102/7</p> <p>missed [1] 9/13</p> <p>mitigate [1] 59/2</p> <p>mitigating [1] 48/10</p> <p>mitigation [4] 83/8 85/19 85/20 93/22</p> <p>mix [1] 14/22</p> <p>mobile [3] 17/24 18/1 19/7</p> <p>mobilization [1] 47/20</p> <p>modifications [1] 35/23</p> <p>modified [3] 53/10 78/24 80/2</p> <p>moment [2] 30/22 35/18</p> <p>Monday [4] 118/11 118/12 118/13 118/20</p> <p>money [1] 109/4</p> <p>monitor [1] 48/3</p> <p>Monroe [1] 1/9</p> <p>MONTGOMERY [6] 1/14 2/5 2/10 5/21 41/7 83/24</p> <p>month [6] 4/17 4/17 7/8 7/8 7/24 64/4</p> <p>months [3] 4/17 21/11 105/22</p> <p>Montreal [1] 12/21</p> <p>Moore [2] 110/12 111/2</p> <p>more [29] 4/20 5/10 7/6 7/22 12/8 14/17 14/23 22/6 27/10 28/11 28/12 28/15 29/2 33/17 36/2 52/25 56/2 58/4 58/22 62/7 63/4 68/12 70/5 71/9 74/23 75/5 91/13 110/24 119/5</p> <p>morning [6] 3/12 5/18 32/12 43/12 77/19 102/24</p> <p>most [4] 46/20 49/22 93/8 98/18</p> <p>mostly [3] 18/4 60/4 79/20</p>
<b>M</b>	<p>machinery [2] 18/10 25/24</p> <p>mad [1] 116/17</p> <p>made [13] 40/12 47/21 49/23 50/5 50/11 82/6 82/9 82/14 97/9 98/4 98/5 102/1 114/20</p> <p>mail [2] 105/23 108/7</p> <p>mailing [1] 53/4</p> <p>maintain [10] 45/23 58/24 59/2 59/20 61/10 63/22 65/14 66/11 66/13 94/22</p> <p>maintained [3] 65/8 113/11 114/19</p> <p>maintaining [5] 26/14 58/9 60/13 64/23 65/9</p> <p>maintenance [21] 26/5 26/8 26/12 48/6 48/12 48/16 49/7 59/10 59/23 60/18 60/20 62/5 62/13 62/22 64/13 66/16 79/4 114/20 114/21 116/5 116/7</p> <p>major [2] 13/15 47/8</p> <p>majority [1] 11/4</p> <p>make [38] 3/10 6/2 6/12 22/24 24/25 26/23 31/22 62/25 65/8 71/3 72/7 72/24 77/5 80/22 82/19 83/9 85/3 85/20 87/12 87/19 88/20 88/22 89/23 90/21 91/24 92/13 92/18 92/20 98/15 99/6 100/23 101/25 104/2 117/1 118/11 118/16 118/19 120/6</p> <p>makes [4] 66/2 66/3 66/6 87/13</p> <p>making [2] 6/6 88/23</p> <p>management [13] 34/20 35/6 46/11 105/19 105/23 106/18 109/4 109/8 109/16 109/21 109/25 110/4 110/6</p> <p>manager [1] 50/24</p> <p>manned [1] 49/9</p> <p>manufacturing [1] 47/20</p> <p>many [5] 15/14 31/24 35/22 96/3 117/15</p> <p>map [6] 14/12 14/12 15/12 15/13 33/1 34/1</p> <p>maps [1] 33/18</p> <p>March [5] 7/15 118/10 118/10 119/19 121/8</p> <p>March 15th [1] 119/19</p> <p>marked [1] 77/17</p> <p>Martin [1] 8/3</p> <p>MARTINA [1] 1/22</p> <p>mass [1] 6/21</p> <p>master [20] 20/9 30/14 34/16 35/14 45/21 46/6 46/13 49/17 50/14 70/18 75/3 75/6 75/10 76/24 78/5 80/13 95/22 100/1 100/2 100/4</p> <p>master's [3] 10/13 12/23 12/24</p> <p>matter [4] 4/12 4/19 49/4 101/21</p> <p>matters [1] 62/19</p> <p>maximize [1] 50/17</p> <p>maximums [1] 46/11</p> <p>may [23] 6/13 11/2 11/19 19/16 36/11 36/25 37/9 38/18 45/25 46/3 48/13 60/10 61/14 61/15 63/11 63/11 64/6 71/8 76/11 92/9 99/21 104/7 111/6</p> <p>maybe [7] 21/14 55/12 55/19 55/24 56/15 63/25 109/23</p> <p>MCP [18] 14/7 14/9 16/25 22/8 25/3 25/7 49/13 49/14 49/21 50/11 68/17 68/25 69/12 69/14 70/2 70/5 70/7 71/16</p> <p>me [40] 6/14 6/15 6/20 6/22 6/25 9/1 9/6 23/14 38/25 39/2 39/6 43/17 51/25 63/25 70/16 74/18 76/6 84/15 85/10 86/6 95/8</p>		

<p><b>M</b></p> <p>mouth [1] 109/20  move [11] 16/13 23/9 32/9 46/21 47/8  50/15 84/6 100/13 100/17 101/4 108/7  moves [1] 27/24  moving [1] 47/11  MR [7] 5/2 5/23 7/7 68/5 68/22 112/9  112/15  Mr. [14] 3/13 30/3 41/8 43/11 43/12 43/14  44/9 45/3 52/5 93/2 102/13 107/17 112/7  116/1  Mr. Hearing [1] 3/13  Mr. Liggins [3] 30/3 43/14 44/9  Mr. Liggins' [2] 43/12 45/3  Mr. Liles [1] 112/7  Mr. Mike [1] 43/11  Mr. Myers [2] 41/8 93/2  Mr. Snell [3] 102/13 107/17 116/1  Mr. Vanasse [1] 52/5  Ms [6] 2/5 2/5 2/10 38/21 41/7 83/24  MSBU [4] 26/13 48/14 60/12 116/6  MSTU [3] 26/12 48/14 60/12  much [12] 4/25 5/13 7/5 10/21 35/8 64/22  71/25 72/1 79/17 79/23 104/1 105/6  multicommercial [1] 97/1  multiple [1] 61/19  multitude [1] 65/2  must [6] 4/22 6/20 66/23 85/16 92/13  102/1  my [53] 3/1 3/13 5/13 7/15 9/22 13/16  13/24 23/15 32/12 32/18 32/19 37/6 41/1  41/21 42/1 42/18 50/25 57/3 60/17 62/16  65/12 77/20 78/13 83/25 86/1 86/2 87/5  89/5 89/6 91/20 91/23 95/14 96/11 99/14  102/6 103/4 106/13 106/20 106/25 107/5  109/7 111/1 111/1 111/12 111/12 112/9  112/18 112/23 113/22 115/1 115/3 115/10  119/14  Myers [13] 1/10 1/23 2/4 9/4 28/13 30/9  31/8 31/8 32/13 32/15 41/8 57/25 93/2</p>	<p>next [17] 16/13 19/5 26/17 27/1 27/1 27/12 occur [2] 33/14 46/3  28/16 31/6 43/9 43/10 54/19 56/18 57/23  57/24 78/24 92/25 112/5  nice [3] 45/7 54/13 92/15  nixed [1] 95/8  no [92] 1/4 5/5 7/24 9/14 11/16 11/23  11/25 12/1 12/2 12/16 12/17 16/18 16/19  20/4 20/5 27/21 30/16 31/14 31/15 34/4  34/8 37/2 38/9 39/16 40/14 42/18 42/23  42/24 43/2 43/3 44/20 44/20 44/24 51/2  51/15 51/18 52/21 52/22 53/6 53/21 54/2  54/14 54/16 55/4 56/25 58/5 59/15 62/1  62/10 66/5 66/16 70/21 71/2 72/17 74/22  76/9 76/18 76/22 77/25 78/19 79/5 80/5  81/5 81/6 88/21 88/25 89/1 95/17 95/23  96/17 100/25 101/7 101/10 101/13 103/17  104/1 105/24 106/6 106/12 107/3 107/21  107/23 111/22 111/24 112/4 112/25 113/24  115/24 116/8 117/22 120/18 120/19  nobody [3] 13/6 61/21 61/22  noncolorized [1] 70/1  none [8] 13/5 30/17 31/16 43/7 45/4 51/19  80/17 115/5  normal [1] 60/20  normally [2] 42/2 61/18  north [13] 8/5 14/16 16/5 16/10 17/16  20/11 20/14 27/14 39/11 67/10 78/14 121/3  121/12  northern [4] 33/5 33/11 35/9 35/10  northwest [1] 33/8  not [135]  not-for-profit [1] 50/19  notation [1] 21/22  note [2] 45/6 116/2  noted [3] 29/12 33/6 50/15  nothing [6] 14/7 27/21 65/21 65/21 97/19  100/7  notice [1] 113/25  now [40] 4/17 10/17 31/21 32/10 36/10  41/16 42/5 44/3 45/25 52/10 52/11 52/14  52/24 55/16 57/5 60/5 61/21 62/10 63/16  64/20 65/16 69/20 71/20 71/24 73/15 74/12  76/7 79/19 95/17 96/1 100/8 100/10 100/15  104/11 105/4 105/22 108/2 108/22 114/17  116/20  nowadays [1] 49/21  number [14] 3/3 16/2 21/23 21/25 28/1  34/24 35/17 41/23 44/8 50/21 51/7 63/4  73/19 73/23  numbered [1] 121/6  numbers [2] 23/15 35/15  nursery [6] 17/19 19/13 58/14 61/4 115/2  115/2</p>	<p>off [21] 6/17 8/4 36/4 36/8 39/5 39/21  39/22 40/3 61/22 93/22 94/16 94/17 95/4  97/13 97/14 97/15 98/2 100/19 117/20  117/23 120/4  off-site [12] 36/4 39/5 39/21 39/22 40/3  93/22 94/16 94/17 97/13 97/14 97/15 98/2  OFFICE [1] 1/24  officially [2] 50/17 107/1  often [2] 60/19 74/23  Oh [1] 70/9  okay [43] 5/5 5/25 9/9 9/24 10/2 10/5  15/17 32/21 39/14 40/15 40/19 44/18 53/17  53/24 56/2 57/20 57/23 59/9 59/19 59/21  65/7 66/14 66/15 67/4 67/17 69/4 76/7  76/16 77/18 82/7 83/13 92/23 98/21 99/8  99/11 102/14 103/5 111/23 112/12 113/12  114/11 115/19 116/10  on-site [21] 26/18 36/3 36/10 39/19 39/21  39/25 40/2 87/16 87/18 93/21 94/9 94/11  94/14 94/15 94/18 94/19 94/20 95/3 95/4  97/12 98/2  once [9] 3/22 5/24 26/21 64/2 64/4 64/7  72/4 92/1 115/19  once-a-month [1] 64/4  one [58] 3/20 5/2 5/3 7/10 15/10 18/18  18/20 19/5 25/13 25/18 25/24 26/20 27/2  27/4 29/8 31/25 32/1 33/12 33/14 33/19  33/24 34/2 37/2 37/13 42/15 52/2 53/20  54/8 54/17 56/18 57/24 58/13 59/14  62/14 63/17 65/4 71/7 77/3 77/9 77/10  80/16 84/22 92/25 96/21 99/3 99/3 100/10  102/24 103/1 105/5 105/6 105/16 108/21  112/17 113/20 116/6 116/24  one-third [1] 33/12  ones [5] 12/8 12/9 32/9 58/23 66/18  only [22] 6/13 34/5 48/4 48/15 48/22 48/23  54/17 64/6 65/10 66/18 72/19 80/5 82/17  91/24 93/23 102/1 102/23 103/22 104/23  105/5 105/16 119/11  open [45] 3/25 6/10 8/8 24/16 25/3 25/5  25/7 25/7 50/5 50/10 51/4 56/5 56/11 67/15  67/16 68/9 68/16 68/23 69/21 69/23 71/6  71/12 71/16 72/1 72/3 72/11 72/12 72/12  72/18 72/23 72/24 73/7 73/9 73/16 74/4  74/5 74/24 75/4 75/11 75/15 98/19 99/15  116/11 116/15 120/9  open-ended [1] 51/4  operation [2] 25/17 61/5  operational [1] 46/17  operations [1] 26/19  opportunities [2] 23/8 68/5  opportunity [3] 4/2 50/2 101/18  opposed [1] 103/20  options [3] 36/2 39/19 39/20  order [25] 7/14 31/20 40/21 47/7 56/24  56/25 81/14 82/13 82/21 83/2 83/10 84/4  84/8 84/10 84/11 84/12 87/4 87/12 88/24  90/23 91/7 91/15 107/23 107/23 118/16  orders [2] 117/12 117/15  orient [1] 20/11  original [2] 108/21 110/18  originally [3] 75/11 78/11 103/8  Osceola [2] 39/8 97/18  other [54] 13/25 14/2 14/10 18/22 21/4  21/24 28/25 32/19 33/16 38/14 41/18 44/11  51/12 53/5 53/20 58/15 58/21 59/2 60/10  61/1 61/5 62/3 62/11 63/12 63/15 63/24  67/14 68/2 68/19 70/15 71/2 71/6 76/4 76/8  76/17 76/21 77/9 77/10 79/23 80/5 80/8  80/19 84/17 91/14 96/14 101/6 101/8  101/12 103/22 105/16 108/4 115/16 115/17  120/16  otherwise [1] 73/20  our [52] 8/16 13/16 13/23 15/24 16/3</p>
<p><b>N</b></p> <p>name [11] 3/2 3/13 4/6 5/9 6/22 8/21 11/24  32/13 102/14 112/8 112/9  national [1] 21/8  native [3] 24/19 24/21 29/20  Natural [2] 53/14 66/24  nature [1] 56/12  NEALE [12] 1/14 5/21 7/4 30/19 37/10  41/3 51/14 52/8 74/20 107/17 108/12 117/7  Neale's [2] 74/9 99/14  near [1] 17/6  nearest [1] 17/12  neatest [1] 61/4  necessarily [1] 41/11  necessary [4] 47/22 72/9 99/13 99/16  need [42] 4/19 5/3 7/15 7/17 25/20 25/25  38/24 39/2 45/21 47/6 47/8 47/21 50/16  50/24 53/10 53/20 62/1 64/6 67/23 68/8  68/14 74/8 74/17 74/23 75/16 76/6 83/11  84/25 85/19 86/2 86/23 90/21 98/4 101/3  103/16 110/1 113/5 116/14 118/8 118/18  119/9 119/10  needed [2] 22/4 29/25  neighbor [1] 65/23  neighbors [2] 48/13 61/24  neither [1] 113/21  nest [3] 34/2 36/21 37/1  nests [1] 36/23  never [6] 9/24 46/1 57/10 62/8 91/18  106/13  new [7] 5/11 8/7 32/9 64/2 79/15 85/16  108/15  news [2] 21/7 21/9</p>	<p><b>O</b></p> <p>oath [9] 6/20 6/24 7/2 8/25 9/2 9/3 43/21  102/18 112/14  objected [1] 113/2  objection [22] 12/15 12/17 13/4 13/7  15/13 15/17 16/16 16/19 19/14 20/4 20/5  30/13 43/5 45/3 53/6 53/12 53/21 54/16  77/24 80/13 111/20 112/25  objectionable [1] 116/4  objections [4] 31/13 44/21 81/5 81/6  objective [4] 79/9 79/11 93/17 94/21  objectives [3] 29/24 79/8 93/15  observed [2] 34/5 34/6  obtain [2] 3/19 49/22  obtained [3] 46/21 81/25 82/12  obtaining [2] 35/4 50/7  obviously [5] 23/6 54/25 76/10 84/7  103/13  occasion [3] 10/18 11/9 38/1  occasions [2] 10/24 53/4  occupied [1] 41/17</p>	

<p><b>O</b></p> <p>our... [47] 16/14 17/1 17/8 17/9 17/10 17/14 17/14 19/1 19/11 21/6 21/16 21/18 23/2 25/1 25/10 25/15 26/8 27/5 27/14 28/20 29/15 29/18 29/19 43/11 45/21 45/22 46/2 46/13 47/12 48/4 48/10 48/10 48/13 48/20 49/8 49/15 49/24 50/17 50/19 59/2 67/2 67/3 81/17 82/8 85/7 85/24 110/12 ourselves [1] 57/11</p> <p>out [52] 3/20 5/2 5/3 5/11 7/7 7/23 8/3 8/14 18/14 18/16 19/20 19/24 20/2 29/7 33/3 36/25 37/1 47/13 47/19 48/23 48/24 49/7 53/19 57/4 57/10 58/8 58/15 60/19 61/3 61/5 61/9 61/13 61/16 63/13 63/15 64/1 65/12 67/1 76/8 80/7 86/3 89/6 95/2 96/17 98/9 98/23 103/12 104/14 114/3 114/17 114/24 118/3</p> <p>outlined [1] 34/23</p> <p>outside [2] 23/5 60/20</p> <p>over [14] 3/21 7/4 17/3 17/13 30/8 34/10 37/19 42/2 68/13 76/17 77/13 89/16 115/23 117/15</p> <p>overall [7] 14/14 14/15 25/7 69/3 81/11 81/12 108/13</p> <p>overconcern [1] 97/21</p> <p>overhead [2] 32/4 32/7</p> <p>overlaid [1] 33/1</p> <p>overlay [1] 17/24</p> <p>overrule [2] 106/18 110/7</p> <p>overruling [1] 110/17</p> <p>own [7] 4/7 70/22 89/13 112/17 112/18 114/15 114/17</p> <p>owned [9] 14/5 16/24 17/18 17/19 17/22 27/15 27/17 50/19 78/16</p> <p>owner [6] 61/1 61/15 62/14 102/23 112/11 114/3</p> <p>owners [8] 18/9 61/19 62/22 63/14 105/19 109/24 113/25 115/5</p> <p>ownership [1] 27/13</p> <p>owns [2] 60/21 60/24</p>	<p>111/11</p> <p>path [3] 8/9 8/10 8/13</p> <p>PATRICK [8] 2/3 5/20 8/17 8/23 10/9 11/21 19/17 31/20</p> <p>pave [7] 59/17 59/18 60/14 62/25 64/19 64/20 66/12</p> <p>paved [6] 17/6 25/15 59/22 63/5 66/7 66/10</p> <p>paving [1] 66/10</p> <p>pay [5] 50/19 58/25 61/20 61/21 65/19</p> <p>peak [3] 45/24 45/24 46/3</p> <p>pending [3] 107/13 107/21 109/18</p> <p>people [6] 21/24 48/23 58/9 60/10 65/16 103/12</p> <p>people's [1] 59/3</p> <p>per [4] 25/18 30/25 34/12 113/9</p> <p>percent [2] 104/5 105/7</p> <p>perform [1] 48/5</p> <p>performance [1] 28/19</p> <p>perimeter [1] 56/13</p> <p>perish [1] 54/12</p> <p>permit [45] 35/3 35/5 35/7 37/15 37/17 37/25 39/23 40/7 40/10 40/15 40/23 46/22 46/23 47/1 47/2 53/1 56/19 56/21 81/21 82/23 84/22 85/24 87/7 87/21 87/22 88/25 89/2 89/5 89/7 89/10 89/24 90/19 90/19 90/23 91/1 91/8 91/9 91/10 92/7 94/16 94/17 97/11 97/12 97/13 109/9</p> <p>permit's [2] 84/7 87/15</p> <p>permits [32] 22/3 38/8 40/5 40/12 46/20 48/19 57/3 57/4 82/19 84/1 84/3 84/5 84/6 84/18 84/21 85/1 86/4 86/9 87/11 87/14 87/17 89/13 90/12 90/17 91/14 91/17 91/19 91/25 92/2 92/15 92/18 92/21</p> <p>permitted [1] 42/12</p> <p>permitting [4] 36/12 40/4 40/21 81/22</p> <p>person [6] 25/25 26/20 26/23 29/9 87/20 88/22</p> <p>petition [1] 13/12</p> <p>phase [46] 20/16 23/4 23/5 23/6 27/21 67/18 67/19 69/5 69/5 69/6 69/9 69/23 69/25 70/1 71/7 71/13 71/18 74/1 90/6 93/6 93/6 93/8 93/8 93/10 93/25 94/4 95/6 95/8 95/9 95/10 95/15 95/15 95/18 95/20 95/23 96/1 96/2 99/18 99/18 99/24 100/2 100/13 100/14 100/20 101/3 101/4</p> <p>phases [2] 22/14 74/13</p> <p>phasing [1] 75/2</p> <p>phone [2] 6/17 111/2</p> <p>photo [3] 19/4 19/12 30/15</p> <p>photograph [4] 16/17 16/20 43/6 80/15</p> <p>photographs [3] 77/14 80/16 103/2</p> <p>photos [14] 15/15 15/19 15/25 16/8 16/9 18/12 18/13 18/17 19/3 19/8 19/15 19/17 19/23 20/6</p> <p>pick [1] 92/17</p> <p>picture's [1] 16/6</p> <p>pictures [1] 15/8</p> <p>pipe [1] 46/6</p> <p>pipes [4] 54/7 54/14 54/22 55/1</p> <p>pits [1] 15/4</p> <p>place [2] 64/1 79/13</p> <p>placed [2] 7/2 34/18</p> <p>plan [37] 13/21 20/9 28/9 29/12 29/21 30/14 34/16 35/14 46/13 47/14 48/5 48/20 49/17 49/25 49/25 50/14 70/19 75/4 75/6 75/10 76/24 78/5 79/7 80/14 81/15 85/9 86/21 93/15 94/3 94/19 94/21 95/22 100/1 100/2 100/4 110/18 110/22</p> <p>planned [6] 14/23 14/24 15/1 46/2 50/2 71/23</p> <p>planner [3] 1/17 8/24 10/15</p> <p>planning [7] 8/19 10/14 13/3 21/12 45/21 46/6 81/3</p> <p>plans [9] 23/6 36/5 48/1 48/15 49/19 49/20</p>	<p>50/1 50/9 71/2</p> <p>plant [6] 17/19 19/13 58/14 61/4 79/19 85/14</p> <p>planted [1] 113/10</p> <p>planting [4] 28/7 28/9 34/23 35/15</p> <p>plantings [6] 24/22 28/11 28/14 28/16 34/22 35/12</p> <p>plants [1] 29/20</p> <p>please [8] 6/25 10/9 31/23 92/20 101/19 102/14 102/15 112/8</p> <p>pleasure [2] 9/11 13/10</p> <p>plus [2] 27/22 32/6</p> <p>pocket [1] 114/17</p> <p>podium [1] 4/4</p> <p>point [13] 7/23 18/14 21/15 27/20 29/7 31/19 35/18 36/6 40/14 48/13 73/25 101/14 110/2</p> <p>pole [1] 18/24</p> <p>police [2] 61/25 62/1</p> <p>policies [4] 29/24 51/2 79/7 93/15</p> <p>policy [9] 29/13 29/16 61/23 79/9 79/9 79/11 79/12 85/13 93/19</p> <p>pool [1] 41/20</p> <p>population [1] 97/24</p> <p>populations [1] 41/22</p> <p>portion [13] 17/6 17/18 18/19 33/8 33/11 37/6 49/15 58/9 59/12 60/2 66/7 66/15 115/20</p> <p>portions [1] 45/19</p> <p>position [1] 116/25</p> <p>possibilities [1] 48/17</p> <p>possible [5] 46/19 48/14 70/17 94/9 96/14</p> <p>possibly [3] 104/6 109/4 109/23</p> <p>poster [1] 32/5</p> <p>potable [2] 29/22 46/4</p> <p>potential [6] 21/14 22/2 38/3 65/2 81/26 85/13</p> <p>potentially [1] 114/14</p> <p>power [2] 52/17 85/5</p> <p>precedent [1] 119/4</p> <p>premises [1] 42/4</p> <p>prepare [2] 56/6 101/20</p> <p>preparing [1] 4/14</p> <p>prerogative [1] 63/24</p> <p>present [2] 3/9 7/2</p> <p>presentation [9] 6/2 6/7 13/17 13/24 31/4 37/7 39/4 80/22 102/2</p> <p>presentations [3] 3/25 6/5 13/25</p> <p>presented [2] 72/17 73/8</p> <p>presents [1] 72/10</p> <p>preserve [12] 4/23 20/24 24/14 24/23 27/6 27/6 27/6 29/18 29/19 34/14 94/11 98/2</p> <p>preserved [2] 34/18 93/12</p> <p>preserves [1] 42/3</p> <p>preserving [1] 24/21</p> <p>presuming [1] 7/19</p> <p>pretty [3] 10/20 13/14 105/6</p> <p>preventative [2] 48/6 49/7</p> <p>previously [4] 11/21 33/6 34/7 101/20</p> <p>primarily [2] 33/21 113/17</p> <p>principal [1] 11/21</p> <p>prior [8] 82/15 82/22 84/4 84/5 84/10 84/13 91/21 92/6</p> <p>prioritizing [1] 36/3</p> <p>private [1] 48/25</p> <p>probably [11] 4/16 7/16 18/24 27/23 44/14 67/6 67/6 102/23 103/8 110/1 115/6</p> <p>problem [31] 53/25 55/4 56/25 57/3 57/14 57/16 58/2 58/12 61/2 61/7 65/7 66/1 66/16 66/19 67/2 67/3 78/19 85/22 86/1 86/1 86/1 89/3 89/5 89/6 91/2 91/11 92/1 96/11 97/11 118/21 119/8</p> <p>problems [1] 92/5</p> <p>proceed [2] 6/1 50/25</p> <p>proceeding [3] 6/18 46/18 110/21</p>
<p><b>P</b></p> <p>p.m [2] 120/12 120/23</p> <p>page [18] 2/3 2/4 2/5 2/5 2/6 2/8 2/9 2/10 21/1 52/19 53/16 53/19 54/19 78/10 78/13 78/25 85/12 93/14</p> <p>pager [1] 6/17</p> <p>pages [1] 121/6</p> <p>panther [3] 40/18 82/3 83/8</p> <p>paper [1] 80/17</p> <p>paranoid [1] 95/6</p> <p>parcel [9] 3/6 17/23 17/24 19/4 70/9 70/11 70/16 72/5 108/4</p> <p>parcels [1] 18/6</p> <p>Pardon [3] 51/25 106/4 110/10</p> <p>parentheses [1] 21/22</p> <p>park [3] 18/1 19/7 48/23</p> <p>parking [2] 104/7 104/8</p> <p>part [12] 5/13 13/16 14/5 17/23 22/4 25/6 25/10 27/21 29/15 40/1 72/2 107/4</p> <p>participant [2] 53/6 53/7</p> <p>participate [4] 3/18 62/5 62/13 114/18</p> <p>participation [3] 4/1 102/8 115/18</p> <p>particular [6] 12/6 98/12 113/18 113/22 114/5 115/8</p> <p>particularly [2] 35/19 44/11</p> <p>parties [2] 5/14 63/24</p> <p>parts [1] 73/12</p> <p>party [2] 27/18 116/25</p> <p>pass [1] 18/16</p> <p>Passarella [5] 28/13 32/14 32/22 33/23 82/1</p> <p>passive [1] 29/8</p> <p>past [6] 9/18 32/17 57/14 81/3 103/11</p>		

P	quotes [1] 93/15	relevant [2] 6/14 79/7
<p>proceedings [3] 1/8 5/24 121/5  process [17] 5/15 9/23 22/23 35/4 39/17  40/1 40/21 53/6 53/7 75/22 81/22 97/7 97/8  98/5 98/9 99/25 107/15  procreation [1] 41/19  procurement [1] 47/19  produce [1] 120/7  professional [2] 10/15 44/7  profit [1] 50/19  project [21] 4/10 20/16 21/4 32/24 33/8  34/7 35/2 35/21 39/12 47/13 71/7 93/6  95/24 105/18 107/4 107/5 108/13 108/21  108/25 112/11 112/25  projects [4] 11/1 11/3 12/14 50/25  promised [1] 31/20  proper [2] 48/20 77/8  properties [8] 27/11 28/13 28/17 62/4  78/16 97/2 105/24 108/8  property [123]  property's [1] 94/12  proposed [8] 17/11 27/21 53/16 53/22  66/22 87/24 93/11 99/13  proposes [1] 34/7  proposing [6] 28/7 29/17 59/9 74/9 78/7  99/23  protect [5] 74/25 85/16 93/18 93/20 114/3  protected [4] 33/22 76/14 85/13 93/19  protocol [1] 40/25  prove [1] 59/13  provide [11] 24/1 25/21 27/10 28/12 28/22  29/3 29/5 30/1 49/4 69/21 116/21  provided [17] 9/22 11/3 25/5 25/8 26/3  27/8 28/9 35/16 52/2 55/5 68/25 71/6 71/17  75/11 75/15 85/19 85/21  provides [3] 20/20 45/18 48/20  providing [8] 24/5 24/7 24/17 24/22 29/24  47/22 48/10 50/10  provisions [1] 88/5  proximity [5] 14/20 15/2 23/25 29/3 96/14  public [29] 1/2 3/9 4/1 4/3 4/16 5/8 6/10  15/20 23/7 26/13 30/2 32/7 37/9 47/23  77/16 99/24 100/6 100/8 101/15 101/17  101/24 101/24 102/7 106/23 115/16 115/17  115/20 115/20 119/5  pull [2] 23/15 57/4  purpose [1] 106/23  pursuant [2] 22/11 23/12  pursue [9] 50/1 94/9 94/14 94/18 94/25  95/2 98/13 107/19 108/24  pursued [4] 94/16 95/4 95/12 97/10  pursuing [2] 94/8 94/19  push [1] 109/24  put [12] 7/7 21/17 27/16 32/4 49/2 57/4  64/2 64/2 86/8 86/24 102/6 103/12  puts [1] 26/23  putting [4] 21/13 27/22 86/4 92/19</p>	<p><b>R</b>  raise [1] 6/25  braised [4] 114/9 114/9 114/11 114/12  rake [1] 64/7  ran [1] 26/2  range [2] 39/12 49/19  rate [1] 104/10  rather [4] 7/18 32/4 77/10 91/4  reaches [1] 17/7  reaction [1] 111/2  read [8] 5/9 55/11 78/24 85/8 85/11 88/15  88/16 93/16  real [3] 96/18 102/7 112/25  realize [3] 101/19 103/22 114/14  really [26] 25/20 36/5 46/15 47/7 47/21  48/24 57/8 61/22 67/23 68/13 73/13 86/17  89/21 91/9 92/12 95/5 96/2 97/3 97/20  97/21 103/6 103/22 111/24 113/25 114/3  119/20  reason [6] 5/8 5/12 20/10 52/19 59/20  113/17  reasonable [1] 118/5  reasons [1] 95/7  rebuttal [1] 115/23  receive [1] 105/22  received [2] 46/20 46/22  recent [2] 12/9 21/7  recently [1] 20/2  recognized [2] 77/21 77/22  recollect [1] 10/1  recommendation [11] 3/20 4/14 13/13  48/12 81/13 101/21 117/8 118/19 119/14  119/22 120/7  recommendations [3] 82/13 82/24 86/7  recommended [3] 34/11 81/18 82/12  recommending [1] 63/8  recommends [2] 79/1 79/25  reconciling [1] 38/1  record [22] 3/17 4/6 8/23 10/9 15/9 18/16  32/11 32/12 32/18 38/22 45/6 56/5 71/10  73/4 80/25 98/19 113/7 116/11 116/15  120/4 120/9 121/7  recorded [1] 34/18  red [7] 14/14 16/23 115/9 115/10 119/2  119/6 119/24  reestablish [1] 14/9  refer [1] 70/19  reference [2] 1/6 82/5  referenced [1] 83/16  regard [9] 6/12 10/7 63/11 82/14 83/14  83/21 93/1 101/18 120/16  regarding [5] 22/2 37/16 49/13 56/20  113/2  regards [16] 24/5 24/16 24/19 25/3 25/12  26/5 29/11 29/21 38/5 39/3 40/4 47/25  50/21 71/20 83/8 99/19  region [3] 10/22 34/6 97/20  regional [9] 10/14 13/3 35/12 36/8 39/9  42/6 42/13 58/3 95/12  registered [1] 44/7  registration [1] 44/8  regrade [1] 22/24  regretted [1] 114/5  regulation [1] 75/19  regulations [13] 11/11 11/14 23/11 30/9  51/2 51/9 55/22 57/1 68/9 68/24 84/16  84/24 93/19  reinstate [2] 49/17 50/13  reinterpret [1] 85/6  relate [1] 80/6  related [5] 11/24 23/7 32/17 37/15 56/19  relates [2] 37/14 44/11  relationship [1] 12/1</p>	<p>relocate [3] 39/25 96/13 100/17  relocated [4] 36/8 42/11 93/13 94/6  relocation [20] 36/2 36/4 36/10 39/5 39/13  39/19 39/23 93/22 94/8 94/9 94/15 94/20  95/1 97/6 97/8 97/10 97/12 97/13 97/14  97/15  relook [1] 105/1  remain [1] 34/10  remainder [1] 50/12  remaining [1] 19/12  remember [2] 9/20 114/18  remnants [1] 85/17  removal [1] 34/22  remove [2] 22/23 27/23  removed [3] 22/1 26/15 29/1  removing [1] 29/19  repaired [1] 61/16  replacing [1] 53/22  report [15] 13/13 21/1 21/20 26/7 35/7  46/24 66/21 78/10 78/13 81/10 81/11 84/11  85/12 93/14 121/4  REPORTING [1] 1/22  reports [3] 21/7 21/8 21/10  represent [1] 3/14  representative [1] 23/3  represented [1] 34/1  representing [4] 1/14 1/16 5/22 110/9  request [10] 6/15 14/3 21/25 22/6 25/12  47/5 63/4 81/4 101/19 115/9  requested [9] 13/18 21/6 22/23 24/2 26/5  51/10 71/14 71/14 79/2  requesting [5] 3/5 28/22 47/14 50/9 82/2  require [13] 39/18 40/22 57/1 59/11 59/17  62/12 62/21 64/14 71/22 84/3 89/1 92/9  99/24  required [21] 23/12 23/23 27/8 27/19  36/25 37/3 46/8 46/21 49/16 50/22 52/16  62/4 68/23 72/1 83/3 85/1 87/15 89/2 91/14  93/13 94/6  requirement [13] 23/21 24/16 24/18 24/20  24/20 25/14 28/1 28/2 37/15 55/7 73/21  74/6 102/1  requirements [18] 21/14 28/21 40/24  56/20 67/20 69/20 82/18 82/21 83/8 85/15  87/21 89/24 90/17 90/22 91/2 91/16 92/10  104/18  requires [8] 6/19 49/21 51/5 51/8 66/9  84/17 93/20 104/16  requiring [1] 100/3  reside [1] 4/7  residence [2] 18/3 48/9  residential [4] 14/24 17/12 29/2 48/8  residents [1] 30/2  resolve [1] 92/24  resource [2] 35/5 91/8  Resources [2] 53/14 66/24  respect [1] 4/10  respectfully [2] 21/25 25/2  responding [1] 62/23  response [2] 63/3 96/15  responsibilities [1] 26/15  responsible [9] 26/11 59/23 59/25 60/13  64/22 66/2 66/3 66/6 79/4  rest [3] 67/19 69/1 72/5  restricts [1] 85/13  result [2] 4/12 107/19  resulting [1] 56/21  results [1] 33/23  resume [9] 9/22 10/3 13/7 31/9 32/18  43/12 45/3 45/4 77/20  review [28] 22/3 39/24 40/5 40/19 40/21  40/22 68/13 70/12 71/7 81/19 82/8 84/11  85/20 88/5 89/2 89/21 90/3 91/24 92/20  93/5 94/10 94/10 95/14 97/6 97/6 97/14</p>
<p><b>Q</b>  quadrant [1] 45/22  qualified [2] 8/18 12/18  quantity [2] 64/9 64/10  question [18] 7/7 9/22 19/16 30/25 37/13  54/23 59/12 72/21 72/22 83/25 84/15 86/5  88/9 90/1 95/9 99/21 102/5 106/13  questions [33] 4/9 6/11 10/7 11/16 11/18  30/19 30/21 30/24 31/5 37/8 38/15 38/16  38/25 39/2 41/2 41/5 42/24 43/3 44/12  44/19 44/20 51/12 51/16 80/3 80/5 80/8  80/10 80/12 80/20 83/20 101/8 112/2  115/14  quick [2] 96/18 102/7  quickly [1] 14/1  quite [2] 104/6 109/4</p>		

<p><b>R</b></p> <p>review... [2] 98/6 98/14  reviewed [20] 28/10 35/1 40/6 40/9 46/13  46/25 47/2 52/22 66/23 70/17 72/10 79/6  82/15 83/3 85/3 87/8 87/9 90/16 97/4 109/8  reviewer [2] 92/13 92/20  reviewing [3] 53/8 87/20 93/4  reviews [1] 87/17  revise [1] 50/13  revised [3] 77/4 98/7 120/13  revision [1] 51/10  revisions [1] 120/14  revisit [1] 69/4  reword [1] 53/18  rewording [4] 55/11 67/3 67/4 67/6  rework [1] 56/10  rezone [1] 14/3  rezoned [1] 14/6  rezoning [6] 3/5 13/12 64/19 70/12 80/1  93/5  Richard [2] 1/8 3/2  right [49] 4/23 6/25 7/23 17/3 18/21 18/23  19/5 24/8 24/10 33/10 52/9 52/11 52/13  53/3 56/4 60/5 61/17 62/10 62/16 69/8  69/20 73/3 73/15 74/17 76/5 79/13 88/4  88/13 89/7 89/19 90/8 90/8 91/5 95/17  95/25 102/3 102/22 103/4 104/20 105/14  105/21 106/22 106/24 106/24 108/2 108/5  110/21 112/23 114/16  right-of-way [4] 17/3 18/23 24/10 110/21  rigid [1] 28/6  risk [3] 47/12 47/18 57/5  RMC [1] 16/10  road [86] 7/9 8/5 8/6 12/11 13/11 14/17  14/23 15/1 17/7 18/19 18/20 25/15 25/22  26/5 26/13 26/14 48/10 48/11 50/7 58/10  58/12 58/16 58/18 58/20 58/24 59/14 59/16  59/17 59/21 59/22 59/24 60/3 60/4 60/5  60/8 60/9 60/9 60/12 61/3 61/8 61/10 63/5  63/18 63/19 63/22 64/13 64/14 64/17 64/20  64/21 65/7 65/10 65/11 65/14 65/17 66/4  66/6 66/10 66/11 66/12 79/4 103/7 103/8  103/10 103/12 103/14 103/16 103/19 104/2  104/5 104/6 104/10 104/14 104/19 105/5  106/12 110/21 114/8 114/14 114/16 114/21  114/24 115/1 115/3 115/6 115/25  road's [3] 60/6 60/22 63/13  roads [3] 47/25 62/22 104/13  roadway [1] 62/13  rock [3] 64/2 65/7 114/13  Ronto [1] 12/10  room [1] 3/22  roughly [2] 14/4 16/24  routine [1] 60/18  row [6] 15/24 16/1 18/17 19/3 19/5 19/8  RPR [1] 121/3  rule [4] 70/22 89/11 113/18 113/21  ruled [5] 106/17 107/10 108/21 108/22  109/6  rules [4] 51/1 51/8 52/21 53/8  ruling [2] 99/6 108/6  run [3] 60/25 61/4 64/7  runs [1] 28/4  RWA [3] 5/20 8/24 11/25  RWA's [1] 34/16</p>	<p>Saldevar [1] 18/1  Sam [5] 102/11 114/16 114/21 114/23  115/6  Sam's [1] 114/25  same [9] 11/24 64/1 65/16 73/24 77/2 77/3  95/7 95/9 100/12  Samuel [1] 102/16  Sarasota [1] 110/14  satisfied [4] 91/16 91/19 115/7 115/11  sawed [1] 57/10  say [39] 7/24 45/10 52/24 53/19 55/13  55/16 55/19 55/20 55/23 55/24 56/8 58/19  64/24 65/18 67/1 67/13 69/8 71/6 72/4  75/14 76/13 78/16 84/23 84/24 86/10 91/4  91/10 92/3 95/16 97/4 98/9 104/4 105/4  109/5 110/4 110/6 114/10 115/4 119/11  say-so [1] 104/4  saying [31] 13/10 21/22 26/3 55/6 59/10  59/22 59/24 60/10 60/16 61/21 66/1 69/4  75/8 76/1 76/10 84/10 89/21 91/6 91/12  91/21 91/22 92/12 97/5 105/23 106/10  107/7 108/7 109/2 109/11 110/17 112/24  says [14] 26/7 37/15 52/25 55/17 61/23  66/22 67/6 70/22 78/15 86/13 92/13 92/20  114/22 116/2  scale [4] 15/10 18/25 97/4 97/16  schedule [3] 21/7 60/18 60/20  schedules [1] 47/20  science [1] 44/5  Sciences [3] 38/23 71/11 81/1  scope [1] 109/14  screening [2] 27/7 27/10  se [1] 30/25  second [10] 4/16 16/1 19/3 30/11 45/9  52/8 53/16 103/23 103/25 118/19  section [12] 22/11 23/13 25/14 26/17 27/3  28/16 51/11 55/8 55/14 66/9 105/25 113/24  Sections [1] 12/10  security [3] 21/8 21/9 21/15  see [39] 8/9 8/12 14/12 15/3 16/22 18/25  18/25 19/7 19/21 20/16 20/21 21/14 23/15  24/8 25/20 32/6 44/15 45/7 47/4 47/17  48/25 49/1 52/19 56/16 58/8 58/15 61/3  65/1 65/3 68/14 76/6 86/23 88/6 89/20  89/22 91/15 92/4 103/20 119/9  see that [1] 89/22  seeing [1] 21/8  seeked [1] 81/23  seeking [1] 82/9  seeks [1] 50/13  seem [3] 98/17 102/6 114/4  seemed [1] 114/2  seems [1] 60/17  seen [1] 14/21  sell [1] 71/4  senior [2] 1/17 32/13  sent [2] 4/14 110/4  sentence [4] 56/19 56/19 90/10 116/3  sentences [1] 116/24  separation [1] 29/6  serve [1] 72/19  service [19] 21/3 22/9 35/1 39/23 39/24  40/6 45/21 45/23 45/24 47/22 52/7 54/4  78/18 81/24 82/2 82/10 82/14 82/25 97/11  services [5] 1/22 21/21 22/9 45/18 54/6  session [3] 113/19 114/6 115/20  set [5] 54/25 67/18 68/3 107/15 120/13  setback [9] 23/13 23/14 23/23 54/21 55/2  55/7 55/13 55/21 55/25  setbacks [5] 13/19 23/12 28/20 29/5 56/1  settled [3] 111/8 111/12 111/13  several [7] 9/21 12/9 12/14 15/6 18/8  42/20 98/16  sewer [1] 45/18  shallow [1] 47/5</p>	<p>share [9] 26/11 48/11 58/25 59/13 59/22  60/1 60/3 61/20 61/22  she [3] 73/3 80/21 81/8  she's [1] 91/13  sheet [1] 80/16  shielding [1] 28/12  shoot [1] 5/9  short [4] 17/9 37/7 116/13 116/24  shot [1] 16/14  should [28] 5/5 5/6 5/7 7/20 26/1 26/11  26/15 47/17 55/24 58/21 60/12 62/3 64/22  65/9 66/18 67/10 67/13 71/18 72/13 73/16  88/4 88/6 99/18 99/19 101/16 103/19  109/19 119/16  shouldn't [2] 35/7 91/10  show [6] 19/24 23/1 33/17 103/2 112/13  112/22  showing [5] 16/8 16/9 18/12 24/24 40/23  shown [6] 22/20 24/14 28/8 69/16 70/6  94/1  shows [4] 15/7 15/22 71/16 96/20  side [9] 3/22 19/5 19/13 23/25 24/6 24/7  33/10 34/3 36/21  sides [1] 105/8  sidewalks [1] 103/17  significant [4] 12/8 50/4 65/4 113/23  signs [1] 48/25  similar [2] 15/23 113/15  simple [1] 66/12  simply [1] 5/1  since [7] 11/24 36/4 44/16 59/18 79/15  103/9 114/19  sincere [1] 47/5  single [10] 17/7 17/21 18/3 19/9 19/10  48/9 63/2 73/9 74/12 74/12  single-family [7] 17/7 17/21 18/3 19/3  19/10 48/9 63/2  sir [39] 5/2 8/22 9/9 10/5 10/8 12/19 13/13  30/12 30/16 31/5 31/14 31/15 32/21 43/4  43/17 43/22 44/24 51/15 51/18 51/20 70/11  76/22 77/25 80/5 101/13 102/5 102/12  102/20 108/17 110/15 111/22 111/24 112/4  112/14 115/13 115/15 120/11 120/18  120/19  sister [1] 82/25  site [71] 15/24 18/7 22/16 23/11 24/22  25/24 26/18 26/20 33/5 33/20 34/5 36/3  36/4 36/8 36/10 39/5 39/19 39/21 39/21  39/22 39/25 40/2 40/3 49/6 49/11 66/8  66/17 68/6 68/17 69/1 71/15 71/17 72/18  72/19 73/9 73/10 73/15 74/2 74/3 74/6  74/12 75/14 75/14 75/15 75/17 78/11 87/11  87/18 93/2 93/21 93/22 94/9 94/11 94/14  94/15 94/16 94/17 94/18 94/19 94/20 95/3  95/4 95/4 96/21 97/1 97/12 97/13 97/14  97/15 98/2 98/2  sites [2] 41/22 95/1  sitting [2] 59/16 105/17  situation [7] 58/17 59/4 61/18 65/18 74/19  97/3 106/21  six [6] 10/21 15/15 15/19 21/11 77/14  77/15  six-county [1] 10/21  sizing [1] 46/7  slightly [1] 73/19  sliver [2] 33/9 33/16  slow [1] 86/25  small [3] 3/21 41/23 42/3  smaller [7] 18/15 31/21 32/2 33/18 41/22  77/13 80/15  sneaky [1] 9/16  Snell [21] 3/8 8/6 16/5 17/2 17/4 17/5  18/19 18/20 18/23 19/8 23/17 48/1 54/21  59/12 102/11 102/13 102/16 102/16 107/11  112/10 116/1</p>
<p><b>S</b></p> <p>sac [2] 48/20 48/22  sad [1] 68/5  safety [3] 30/2 47/23 119/5  said [26] 6/16 6/19 7/22 12/3 30/8 39/4  40/6 40/9 44/14 56/15 59/18 59/19 59/21  71/21 73/3 73/14 74/17 76/13 86/14 88/21  89/12 92/4 95/8 106/5 107/11 108/12</p>		

<b>S</b>		
so [112] 3/10 5/7 6/17 6/20 7/15 7/21 8/13 8/20 9/21 9/24 11/9 14/1 14/7 16/13 21/17 21/18 23/4 25/19 25/21 27/9 35/7 35/20 36/10 36/13 37/3 37/7 38/7 42/2 43/11 46/1 46/3 49/11 53/9 54/18 55/2 56/11 56/13 56/14 57/13 58/6 58/14 58/25 59/3 60/19 61/9 63/21 64/3 66/18 67/3 67/18 68/3 68/4 68/7 68/12 68/25 69/3 69/5 69/22 71/2 71/17 73/8 74/4 76/13 77/12 79/15 80/7 81/4 81/15 82/8 84/20 84/22 84/24 85/23 86/11 86/19 87/3 87/18 88/9 88/22 90/7 91/23 92/11 93/8 94/25 95/15 95/18 96/1 96/6 96/10 96/25 97/16 100/8 100/14 104/1 104/4 104/17 106/23 107/5 108/22 109/18 111/13 113/11 114/4 114/7 115/5 115/7 115/18 117/21 118/10 118/10 118/11 118/16	split [1] 83/17 spoil [4] 22/21 22/24 33/7 33/25 spoken [2] 102/2 113/19 Springs [24] 1/6 3/4 3/8 9/21 11/5 11/6 11/10 12/4 14/20 16/2 30/3 36/4 43/18 43/20 43/25 44/4 44/16 45/17 45/19 68/7 78/15 102/17 106/7 112/10 square [1] 20/18 squared [1] 109/25 squirrel [5] 34/2 36/21 36/23 37/1 37/2 squirrels [2] 34/4 34/5 stabilized [4] 114/10 114/11 114/12 114/13 staff [76] 2/8 3/16 6/5 7/20 13/13 21/1 21/20 26/6 27/16 28/9 28/18 29/12 30/23 32/1 35/7 35/19 37/9 38/16 42/5 42/25 44/13 46/24 47/9 49/21 51/16 53/21 54/10 54/11 57/8 66/5 66/21 76/6 77/7 77/8 77/10 78/10 78/13 78/19 78/21 78/22 78/25 79/2 79/5 79/6 79/13 79/25 80/1 80/17 81/9 81/10 81/11 81/12 81/20 81/25 82/12 83/10 85/12 87/20 88/22 89/9 89/15 90/2 90/3 90/4 91/15 92/17 93/14 93/14 93/25 101/12 112/3 115/14 116/4 116/21 119/9 120/12	submit [5] 40/22 53/1 85/23 90/11 120/11 submittal [1] 46/25 submitted [5] 40/13 46/25 47/2 52/25 84/13 such [5] 48/6 49/6 63/1 77/22 79/14 sudden [1] 57/5 suffers [1] 52/20 sufficient [4] 26/1 26/4 29/6 69/23 suggest [3] 98/19 109/15 116/11 suggested [1] 55/10 suggestion [1] 98/15 suitable [10] 40/2 41/17 42/10 94/10 94/13 94/16 97/5 97/22 97/23 98/4 Suite [2] 1/22 32/15 summarized [1] 93/3 superimposed [1] 30/14 supplemental [2] 34/22 35/12 support [2] 63/6 79/5 supports [1] 28/10 supposedly [1] 108/14 sure [27] 26/23 31/22 65/8 72/7 72/24 73/13 77/6 82/19 83/9 85/3 85/20 87/12 87/13 87/19 88/20 88/22 88/23 89/23 90/21 91/24 92/13 92/18 92/20 99/22 104/3 105/17 117/11 surprised [1] 96/8 surrounding [6] 28/17 77/15 79/20 98/24 97/24 98/2 surveillance [1] 48/4 survey [5] 33/22 33/24 34/2 36/22 93/23 surveying [2] 36/24 37/3 Susie [1] 75/8 SUZIE [20] 2/9 35/19 38/18 38/19 38/22 57/17 57/25 71/8 71/10 72/15 72/21 76/16 80/21 80/24 80/25 84/15 85/22 95/5 101/9 113/7 swale [1] 22/17 swamp [1] 114/23 swear [1] 6/20 sweet [1] 37/7 sworn [1] 81/2 systems [1] 94/24
soil [1] 21/11 sold [1] 27/18 solution [1] 115/11 some [53] 5/8 5/12 12/8 14/23 15/2 15/4 15/5 15/5 15/7 15/8 15/22 18/6 18/7 18/14 21/5 21/7 21/8 21/9 21/15 33/6 33/13 35/23 36/9 36/20 38/18 38/25 39/2 39/4 46/5 47/19 48/13 49/1 50/4 53/3 54/23 54/23 58/15 60/18 65/13 73/24 78/8 81/13 81/17 86/17 98/1 98/7 103/12 103/20 104/4 104/7 104/8 104/8 105/13 somebody [10] 54/13 58/21 59/14 61/13 63/22 64/7 65/12 71/5 109/23 116/20 someone [5] 25/19 58/18 58/24 59/16 61/15 something [15] 21/16 56/16 63/11 68/20 69/15 69/23 72/16 78/12 89/15 92/12 92/19 101/16 104/9 111/1 111/7 sometime [1] 94/12 sometimes [2] 32/23 84/7 somewhat [2] 29/1 57/15 somewhere [2] 25/5 60/8 sooner [2] 7/18 117/4 sorry [7] 9/9 44/14 52/3 67/12 79/12 83/15 117/10 sort [2] 35/16 61/24 sound [1] 113/13 sounds [1] 90/1 south [18] 8/10 14/18 14/19 17/8 17/25 24/11 33/16 34/19 35/5 39/11 46/11 105/24 106/10 106/11 107/3 108/9 109/15 109/20 southeast [5] 18/2 19/6 33/15 34/15 45/22 southern [2] 33/11 45/19 southwest [4] 10/16 11/25 18/2 19/11 Sox [3] 119/3 119/6 119/24 space [35] 24/16 25/3 25/5 25/6 25/7 25/8 50/5 50/10 67/15 67/16 68/10 68/16 68/23 69/22 69/24 71/12 71/16 72/1 72/3 72/11 72/12 72/12 72/18 72/24 72/25 73/7 73/9 73/16 74/4 74/6 74/24 75/4 75/11 75/15 99/15 spaces [1] 71/6 speak [14] 4/19 4/21 4/22 4/23 4/24 42/1 69/19 101/18 102/3 102/4 113/17 113/19 115/17 115/19 special [1] 85/16 species [13] 33/22 37/16 40/5 40/16 41/13 56/20 81/24 82/15 85/14 85/15 85/16 85/18 93/19 specific [4] 64/12 73/11 88/21 97/2 specifically [3] 14/17 39/12 73/25 specifics [2] 34/23 35/15 specifies [1] 94/19 speech [1] 74/23 spell [1] 32/22 spend [1] 109/3	staff's [8] 3/24 34/24 35/16 48/11 77/1 81/13 94/7 94/17 stage [5] 75/1 75/3 75/3 75/5 87/13 staggered [1] 113/10 stake [1] 46/16 standard [1] 40/25 standardized [1] 86/17 standards [9] 13/19 28/20 30/6 30/7 51/3 52/22 103/20 104/15 104/17 standing [1] 37/20 stands [1] 105/4 start [7] 7/13 7/15 68/13 69/6 110/20 112/24 118/10 started [1] 78/11 starting [1] 110/2 STATA [1] 48/4 state [19] 4/5 17/18 17/22 22/14 37/16 37/18 37/24 38/8 40/4 51/9 56/21 57/2 57/12 66/24 78/16 82/20 84/18 84/21 121/1 state-owned [3] 17/18 17/22 78/16 stated [3] 22/8 25/4 115/12 statement [3] 3/11 56/3 84/19 statements [1] 6/12 states [1] 94/21 station [9] 8/7 16/2 16/3 16/6 17/6 17/21 65/1 65/3 66/7 stay [1] 73/23 stenographically [1] 121/4 step [1] 118/7 still [14] 5/6 11/10 54/10 54/15 55/21 61/16 65/14 69/1 70/2 86/19 89/14 92/8 94/5 106/24 stipulated [1] 106/10 Stop [1] 69/8 stops [1] 17/8 storage [19] 1/6 3/6 13/12 17/12 18/9 20/17 20/20 22/3 23/12 23/16 24/23 35/13 45/22 46/6 55/1 66/20 66/22 78/7 78/9 stork [1] 82/3 Street [6] 1/10 1/23 9/4 14/18 16/1 43/19 strike [1] 53/19 struck [1] 52/18 structure [3] 23/24 54/21 55/6 structures [3] 23/22 24/4 99/4 stuck [1] 113/25 subcontractors [2] 47/14 47/16 subgrade [1] 114/13 subject [23] 6/4 6/8 14/12 16/4 17/1 17/8 17/9 17/10 19/2 20/15 21/22 21/24 27/14 55/1 55/8 55/13 55/15 55/22 56/1 69/21 69/22 79/2 80/1	<b>T</b> table [2] 3/21 5/14 take [10] 19/17 33/3 35/18 48/24 56/15 57/3 67/1 90/9 91/13 117/25 taken [13] 4/4 4/13 6/24 18/18 19/5 19/8 19/18 20/1 42/22 95/4 97/7 97/25 105/19 takes [1] 98/9 taking [2] 86/3 89/6 talk [8] 7/6 13/17 13/18 13/20 25/16 105/3 110/1 119/9 talked [2] 53/14 57/25 talking [9] 68/16 68/18 69/9 69/12 69/13 70/3 70/4 75/2 96/3 tank [25] 1/6 3/7 13/12 14/9 17/12 17/13 20/17 20/20 20/21 21/3 23/12 23/16 23/18 24/2 24/9 46/17 48/3 54/7 54/13 55/1 78/7 79/20 79/22 102/25 103/24 tanks [1] 22/3 target [1] 109/1 targeting [1] 107/20 taught [1] 113/22 tear [7] 58/16 59/11 60/3 61/8 64/17 65/11 103/15 tearing [2] 58/18 59/14 technically [1] 111/11 technician [1] 49/9 telephone [1] 18/24 tell [18] 4/6 8/2 39/6 39/7 68/1 73/25 76/5 85/10 96/6 96/10 110/25 111/7 113/4 116/23 117/15 119/16 120/3 120/6 telling [1] 108/2 tend [1] 37/19 tendency [1] 41/23

<p><b>T</b></p> <p>tendered [1] 81/2</p> <p>terms [7] 19/23 40/21 85/8 88/15 92/10 100/11 117/3</p> <p>terrific [1] 58/10</p> <p>terrorists [1] 21/11</p> <p>Terry [3] 14/18 16/1 43/19</p> <p>testified [6] 9/25 12/3 31/9 52/5 68/6 68/22</p> <p>testify [3] 6/25 10/18 57/21</p> <p>testimony [11] 4/3 4/12 10/6 11/3 32/16 67/16 68/23 83/7 83/14 99/15 99/17</p> <p>than [17] 5/10 7/18 27/10 28/12 32/4 48/7 48/8 53/1 65/4 70/5 71/9 73/20 79/17 79/23 91/4 117/4 119/6</p> <p>thank [21] 3/12 7/5 9/5 31/5 31/7 32/21 35/19 43/4 47/10 51/19 76/16 80/3 80/19 101/11 102/20 112/1 112/2 115/12 115/13 115/15 120/21</p> <p>that [550]</p> <p>that's [93] 4/13 6/19 6/24 8/10 8/14 15/10 18/1 18/22 19/1 19/9 21/16 23/1 23/2 24/3 24/8 24/9 24/10 24/21 27/21 32/15 37/3 40/8 40/11 40/25 41/2 42/8 46/4 46/5 49/12 54/5 54/8 55/22 58/6 58/18 58/25 59/20 61/2 61/15 62/7 62/16 63/1 63/5 63/24 64/15 65/25 66/1 66/18 67/12 67/24 69/16 70/15 72/6 72/9 72/21 74/11 74/24 75/1 75/15 75/20 76/2 77/3 79/1 84/9 85/7 85/7 85/25 86/15 86/24 87/5 87/20 88/8 89/5 91/7 91/9 91/10 92/16 98/4 100/12 101/19 104/17 105/6 105/8 105/23 107/5 107/6 108/5 110/5 111/1 113/21 115/4 115/9 116/9 118/25</p> <p>that's the [1] 15/10</p> <p>their [48] 4/22 6/3 6/7 6/7 6/25 15/18 18/9 26/11 28/18 32/6 35/3 35/7 36/6 37/20 39/11 40/5 47/16 48/21 58/22 58/25 59/11 59/13 59/25 60/1 60/3 60/4 60/7 60/11 61/20 61/21 63/4 64/16 64/19 66/8 66/17 71/12 82/25 85/6 86/9 89/13 104/8 104/21 107/8 107/22 108/13 110/17 110/19 111/21</p> <p>them [39] 7/21 14/1 31/22 38/10 53/7 53/14 57/4 57/4 58/4 59/17 62/12 62/25 62/25 64/19 66/2 66/3 66/6 66/9 66/11 70/25 71/1 71/4 78/23 86/4 86/8 86/24 90/11 92/22 93/16 94/14 95/2 98/18 100/3 102/9 105/2 105/14 106/15 120/2 120/15</p> <p>themselves [1] 53/4</p> <p>then [48] 4/8 4/14 5/14 8/5 11/13 17/6 17/21 36/19 37/2 53/7 53/19 54/19 56/3 59/19 61/25 63/7 64/8 66/13 67/4 67/8 67/14 70/16 71/25 72/12 73/6 74/7 75/13 76/11 78/12 78/13 79/5 86/4 88/12 88/18 91/2 92/1 93/12 94/16 95/11 97/14 98/4 99/15 102/9 104/15 107/22 113/15 116/7 116/25</p> <p>there [92] 4/24 7/7 7/12 8/2 8/3 8/7 8/14 8/15 14/22 14/23 15/1 15/15 16/10 18/18 19/25 20/2 21/10 22/20 23/1 26/12 26/14 26/21 27/16 27/23 28/3 28/25 32/10 35/23 36/9 39/4 39/8 39/8 40/2 40/16 41/19 41/21 44/12 48/23 48/24 51/12 58/4 58/8 58/15 59/16 61/5 61/6 61/9 61/13 61/16 63/13 63/15 63/16 64/12 65/2 65/12 65/24 67/15 68/19 69/8 70/6 76/8 76/17 77/2 80/16 83/7 85/10 86/6 93/12 94/5 94/11 94/13 100/7 100/25 101/1 103/7 103/9 103/13 103/21 103/23 104/12 107/12 107/23 112/23 113/21 114/16 115/16 115/18 115/23 118/13 118/13 118/14 120/16</p> <p>there's [39] 8/9 15/3 18/24 21/22 26/6 27/20 33/6 33/9 39/20 40/17 50/4 54/15 54/23 59/15 61/6 62/1 65/21 68/5 69/23</p>	<p>76/24 77/9 86/6 87/18 88/21 88/25 89/1 95/17 96/21 96/22 96/24 97/19 97/22 100/7 102/9 104/12 107/21 113/4 115/22</p> <p>thereby [1] 49/25</p> <p>therefore [4] 21/12 46/1 48/6 51/10</p> <p>these [19] 18/15 21/2 21/9 37/19 37/23 41/15 41/22 42/2 42/6 42/11 49/6 55/25 55/25 83/3 98/24 107/14 113/5 120/1 120/20</p> <p>they [137]</p> <p>they'll [2] 6/7 23/9</p> <p>they're [39] 3/5 6/3 27/3 38/9 39/8 39/16 58/5 58/13 59/18 59/24 59/25 64/4 64/9 72/1 72/2 73/24 74/1 75/7 85/3 87/16 87/18 90/16 97/16 104/20 104/25 106/6 106/9 106/12 107/1 107/19 108/1 108/3 108/3 108/14 109/3 110/16 110/17 110/18 110/19</p> <p>they've [2] 89/19 89/23</p> <p>thin [1] 33/16</p> <p>thing [16] 35/16 49/22 58/21 64/4 65/16 77/2 86/16 91/24 100/10 100/10 103/22 105/16 109/24 113/15 113/23 118/22</p> <p>things [6] 7/10 21/5 30/8 36/20 80/6 111/10</p> <p>think [62] 22/11 25/8 26/22 27/9 28/5 35/21 40/1 42/2 52/23 56/8 56/9 56/14 57/8 57/9 67/4 67/5 67/10 67/25 68/1 71/9 71/13 74/8 75/7 76/2 80/7 80/9 81/19 87/23 89/14 89/15 89/20 91/5 91/13 98/18 98/23 99/2 99/3 99/13 99/15 99/19 100/19 101/2 103/8 103/16 103/18 105/11 105/14 107/16 108/12 109/10 109/19 111/6 112/1 113/10 115/24 116/1 117/19 117/21 117/25 118/12 119/7 119/9</p> <p>third [4] 33/12 103/23 104/1 118/12</p> <p>thirds [1] 33/10</p> <p>thirty [1] 78/11</p> <p>this [202]</p> <p>those [68] 5/2 6/5 10/16 10/24 11/3 13/23 15/8 15/8 16/9 19/21 19/23 22/4 22/10 22/12 22/15 23/8 26/15 28/15 29/3 31/21 32/4 32/8 33/19 34/8 38/1 38/8 38/12 39/6 39/10 39/14 39/15 48/17 53/1 54/8 54/24 55/3 55/22 57/3 57/4 57/6 58/14 61/22 62/21 73/11 77/12 78/19 80/18 84/1 84/23 84/25 85/1 85/3 86/3 86/3 87/7 88/5 89/8 90/17 90/21 91/2 91/16 91/25 92/2 92/14 92/18 92/21 103/2 117/2</p> <p>though [10] 11/2 18/8 48/2 55/16 68/4 73/24 75/8 88/15 95/21 113/3</p> <p>thought [4] 54/12 95/16 103/24 105/16</p> <p>thoughts [1] 4/18</p> <p>three [2] 27/1 96/8</p> <p>through [24] 6/2 9/20 9/22 13/23 13/24 21/2 22/22 24/21 34/21 43/14 47/9 51/22 52/9 52/13 52/18 62/20 81/22 93/8 93/18 93/21 94/10 97/6 115/3 121/6</p> <p>thus [2] 68/17 68/18</p> <p>tight [1] 119/20</p> <p>tighter [1] 16/14</p> <p>time [42] 4/1 6/11 7/11 8/13 9/19 10/17 12/14 23/5 36/6 36/17 39/24 42/2 42/13 45/9 45/15 51/21 58/19 77/8 77/23 79/18 82/23 83/2 84/12 87/6 88/23 90/5 93/13 97/3 98/25 99/19 101/5 101/14 101/24 104/5 110/20 115/5 115/8 116/13 117/13 118/5 118/23 120/1</p> <p>times [4] 9/21 92/8 103/11 114/22</p> <p>timing [1] 46/15</p> <p>today [26] 4/13 4/20 4/22 6/25 7/11 8/20 9/11 13/11 14/8 31/12 35/21 36/10 45/10 50/10 56/11 70/16 72/17 78/17 81/4 86/25 101/19 105/16 108/6 111/9 111/15 117/18</p> <p>today's [3] 3/18 4/11 54/11</p> <p>together [7] 61/20 61/25 65/17 70/17 71/3</p>	<p>116/2 116/13</p> <p>told [3] 76/6 96/7 114/21</p> <p>too [5] 35/7 45/14 68/4 100/13 104/12</p> <p>took [6] 8/25 9/2 9/3 43/21 102/18 113/14</p> <p>top [3] 15/24 18/17 24/3</p> <p>torn [1] 60/20</p> <p>Toronto [1] 12/25</p> <p>tortoise [31] 33/24 34/10 36/3 36/17 39/5 39/5 41/13 41/15 41/22 41/25 42/1 93/2 93/3 93/7 93/11 93/12 93/17 93/20 94/1 94/5 94/14 94/25 96/13 96/17 96/21 97/23 97/24 100/11 100/12 100/20 101/2</p> <p>tortoise's [1] 36/7</p> <p>tortoises [12] 41/9 41/16 41/18 42/3 42/10 42/11 58/2 58/3 93/18 96/14 96/22 97/17</p> <p>total [1] 33/19</p> <p>totally [4] 85/24 86/21 86/22 87/1</p> <p>touch [7] 13/15 14/1 21/24 26/19 31/2 35/24 51/23</p> <p>touched [1] 23/2</p> <p>tough [1] 32/22</p> <p>toward [1] 18/20</p> <p>towards [7] 20/14 22/18 25/6 27/13 68/20 71/13 72/13</p> <p>track [1] 47/18</p> <p>tract [1] 85/18</p> <p>trafficwise [1] 79/22</p> <p>training [1] 16/12</p> <p>transcript [7] 1/8 7/17 76/12 117/5 117/9 117/24 121/5</p> <p>trash [4] 49/5 49/6 49/10 49/11</p> <p>travel [1] 103/13</p> <p>treatment [1] 79/19</p> <p>trees [1] 113/9</p> <p>trespass [1] 48/23</p> <p>trip [2] 25/18 58/13</p> <p>trips [1] 48/5</p> <p>truck [2] 26/24 65/4</p> <p>trucks [3] 48/21 65/2 104/13</p> <p>true [3] 76/2 89/14 121/6</p> <p>try [6] 13/14 32/4 49/2 71/1 85/10 120/3</p> <p>trying [21] 9/15 44/15 55/19 55/20 55/23 57/13 59/1 61/10 62/17 69/4 72/6 72/23 74/24 75/20 87/1 87/6 91/10 92/11 117/3 119/8 120/2</p> <p>TU [1] 116/6</p> <p>Tuesday [1] 47/15</p> <p>turn [8] 3/23 6/17 7/3 8/5 8/6 30/8 48/24 59/22</p> <p>turnaround [4] 25/22 25/23 26/1 116/13</p> <p>turned [1] 18/21</p> <p>turns [1] 106/15</p> <p>twice [4] 64/7 103/10 114/21 115/19</p> <p>two [19] 4/17 15/25 16/7 17/20 18/17 33/10 33/14 39/8 39/9 49/24 57/10 80/16 84/23 98/20 102/8 114/22 116/24 118/3 119/18</p> <p>two-thirds [1] 33/10</p> <p>type [12] 16/12 24/6 24/7 24/11 25/15 25/20 25/21 26/1 28/3 28/3 32/17 113/8</p> <p>types [3] 14/22 34/23 35/15</p> <p>typewritten [1] 121/5</p> <p>typical [2] 40/25 47/4</p> <p>Typically [2] 7/25 41/15</p> <p>typo [2] 67/12 78/10</p>
<p><b>U</b></p> <p>U.S [8] 21/11 34/25 35/1 35/2 81/21 81/23 82/1 82/14</p> <p>Uh [1] 12/5</p> <p>Uh-huh [1] 12/5</p> <p>unavoidable [1] 93/24</p> <p>under [18] 6/20 7/2 7/11 29/24 34/18 50/23 51/6 54/4 63/5 68/24 78/14 78/14 86/21 103/10 103/11 103/14 114/22 120/1</p>		

<p><b>U</b></p> <p>undergraduate [2] 12/20 12/21  underground [4] 22/3 66/20 66/22 78/8  underlying [1] 60/24  understand [22] 27/16 27/19 47/17 48/13  49/14 49/15 59/24 60/15 73/14 85/25 87/1  87/14 96/25 98/17 104/11 104/22 107/2  107/6 109/11 109/12 109/22 119/25  understanding [4] 42/7 106/20 106/25  107/5  understands [1] 93/25  understood [2] 26/6 36/24  undetermined [1] 23/6  unfortunately [1] 111/15  unimproved [1] 18/23  unincorporated [1] 45/20  University [3] 12/22 12/24 44/6  unknown [2] 64/10 78/8  unlawful [1] 52/21  unless [7] 51/12 59/15 60/12 60/13 72/15  101/15 113/19  unless we [1] 59/15  unmanned [3] 25/17 48/2 48/2  unnecessary [1] 36/11  unpaved [1] 25/22  until [12] 50/15 56/5 72/15 84/8 91/23  92/11 95/3 95/10 95/18 100/20 116/15  120/9  untouched [1] 34/9  up [42] 4/4 5/10 6/10 7/23 8/2 8/8 16/14  18/13 32/10 33/17 36/24 41/4 41/10 46/5  47/5 49/2 54/13 56/16 58/16 58/18 59/14  60/20 61/8 69/9 69/19 76/24 80/7 83/18  86/24 92/18 97/17 98/7 99/2 99/3 102/24  103/15 103/19 104/8 104/15 107/15 116/16  118/22  up-close [2] 16/14 18/13  upkeep [2] 48/11 105/7  upland [1] 33/7  uplands [3] 32/25 33/13 34/17  upon [13] 13/15 14/1 21/24 23/2 26/19  45/20 47/17 82/8 83/6 89/2 98/14 99/14  99/17  urban [2] 10/14 13/3  us [21] 19/4 19/12 35/20 45/23 47/19  48/19 49/4 49/22 49/24 51/5 51/8 58/20  85/25 98/9 103/2 109/24 112/13 112/22  116/17 118/11 118/12  usage [4] 46/3 46/4 63/1 65/4  use [28] 18/9 28/24 29/8 29/10 29/13  29/14 48/25 49/3 50/8 54/2 58/17 60/10  60/11 61/6 63/19 64/21 65/17 77/21 78/6  78/14 79/14 79/23 85/13 104/10 107/2  115/1 115/3 115/4  used [3] 63/14 68/20 113/5  uses [37] 3/7 13/18 14/10 14/22 15/2 15/5  15/5 15/7 15/8 15/20 15/23 17/16 20/25  21/2 21/4 21/7 21/17 21/18 22/4 22/13  22/15 28/25 29/2 29/3 29/7 49/18 49/24  55/25 56/1 63/13 63/15 77/16 78/17 78/20  79/14 105/5 115/6  using [2] 11/10 66/18  usually [6] 41/16 41/22 42/4 56/13 103/12  118/22  utilities [11] 1/6 3/5 29/4 36/5 43/19 43/25  44/4 44/11 44/16 45/17 78/15  utilities' [3] 46/14 47/15 106/7  utility [3] 46/2 49/13 68/6  utilize [2] 49/22 68/8</p>	<p>valid [1] 49/13  VANASSE [8] 2/3 5/20 8/17 8/24 11/22  12/2 52/5 68/22  variation [1] 115/9  variations [2] 115/10 115/11  variety [2] 41/20 106/24  vegetation [8] 24/19 24/21 34/22 79/21  84/13 85/17 87/7 90/23  vehicles [3] 18/10 61/6 104/9  vehicular [1] 48/7  version [1] 43/11  versions [2] 18/15 31/21  versus [2] 36/4 40/3  very [10] 7/5 14/1 16/11 20/2 41/22 53/3  74/23 79/21 96/24 103/18  via [1] 17/5  viable [1] 85/17  vicinity [4] 14/21 15/6 16/15 18/13  video [1] 48/4  view [1] 8/14  violating [1] 107/22  violation [2] 57/11 57/12  visit [1] 18/7  visiting [2] 26/21 29/9  volumes [1] 118/3</p>	<p>we're [5] 6/1 6/17 7/15 7/16 15/14 16/3  21/8 21/12 25/18 25/21 25/23 29/8 35/22  46/18 49/14 50/10 52/16 52/25 55/2 55/19  55/20 55/20 55/22 57/5 57/12 58/7 59/1  62/23 67/4 67/19 68/12 69/3 70/3 70/4  71/24 72/6 72/22 72/23 74/24 75/20 82/19  85/1 87/1 90/24 94/25 95/2 97/20 97/21  100/16 104/10 111/6 117/19 118/25 119/21  120/2  we've [7] 15/4 20/16 61/23 76/14 82/11  85/23 98/16  wear [4] 59/11 60/2 64/17 65/10  week [5] 25/18 26/21 58/14 61/10 65/5  weekly [3] 25/25 29/9 48/5  weeks [1] 119/18  weir [1] 16/7  welfare [1] 47/23  well [37] 22/6 33/7 33/13 34/20 34/25  35/10 35/11 36/12 39/21 45/17 46/10 52/23  53/3 55/17 57/8 58/19 62/19 67/25 69/18  71/6 76/20 78/8 84/9 90/4 90/16 99/20  100/7 100/11 105/20 106/9 106/11 106/24  109/13 112/17 113/20 117/12 120/1  went [3] 78/12 100/21 105/20  were [18] 7/2 11/10 11/21 19/18 20/1  27/17 59/13 59/17 71/6 77/6 82/8 82/15  83/3 83/3 100/9 100/25 103/24 109/9  west [5] 17/18 39/11 67/10 67/13 70/19  western [5] 19/13 20/22 23/25 24/6 27/19  wetland [6] 34/8 87/16 87/18 88/21 88/23  89/1  wetlands [11] 29/15 29/18 31/10 31/17  32/25 33/1 33/14 33/14 34/17 78/6 87/19  what [99] 4/8 15/22 19/24 19/24 22/20  22/25 23/8 26/2 27/5 28/6 36/5 46/12 50/2  51/3 55/2 55/19 55/22 56/4 56/14 57/7 59/5  60/1 60/1 60/2 60/15 61/12 61/18 61/20  62/3 62/11 62/17 63/12 64/14 64/24 65/12  66/1 66/1 66/21 67/6 68/21 69/11 70/5 72/8  73/6 73/8 73/14 73/20 73/25 74/17 74/18  74/24 75/4 75/7 75/16 75/20 76/6 76/9  79/17 81/15 82/23 82/24 83/25 85/25 87/14  87/23 88/8 89/9 89/20 89/20 90/11 91/4  91/5 91/9 92/4 92/16 96/11 96/12 98/4  103/25 105/17 107/6 107/7 108/11 109/2  109/5 109/11 109/22 111/19 113/3 113/6  113/15 114/7 114/8 114/9 116/10 116/20  118/20 120/2 120/15  what your [1] 73/6  what's [11] 13/1 39/1 41/10 46/16 68/25  72/16 89/12 95/6 107/16 117/2 118/5  what-have-you-done-for-me-lately [1]  74/18  whatever [11] 7/17 52/23 53/5 68/18  71/25 72/19 74/1 76/7 101/25 104/4 104/21  whatsoever [1] 29/18  when [62] 4/5 4/21 5/8 6/21 7/23 8/13  11/10 21/20 22/8 22/16 23/11 23/22 24/12  26/25 32/3 37/1 41/8 46/1 46/2 46/3 46/4  50/13 57/11 57/21 58/4 58/5 58/8 61/10  61/18 61/25 64/24 67/19 68/25 69/5 69/8  71/17 71/23 74/23 75/12 77/11 85/17 87/14  87/18 88/11 88/25 89/1 89/17 94/7 95/8  95/20 95/23 97/10 101/4 103/14 109/4  117/6 118/8 118/18 119/9 119/13 119/16  120/6  where [29] 12/19 19/1 27/4 27/13 27/14  41/9 42/4 46/5 58/17 62/20 62/20 65/3  66/17 68/2 69/25 85/10 85/19 86/23 86/24  93/4 93/7 93/11 97/16 98/17 99/3 101/24  103/2 112/13 112/21  wherever [1] 93/20  whether [12] 6/23 40/2 54/24 69/12 69/12  72/17 75/18 77/6 84/1 86/20 97/4 111/18  which [36] 6/10 8/17 16/11 16/11 16/13</p>
<p><b>V</b></p> <p>vacant [5] 15/5 17/22 17/25 78/15 79/20  vacate [1] 42/4  vacated [5] 14/8 16/25 49/13 49/14 70/7</p>	<p><b>W</b></p> <p>wait [6] 9/12 47/5 59/6 68/3 95/10 102/7  waiting [1] 47/3  waive [1] 102/3  walk [1] 109/5  wall [1] 3/21  want [69] 4/20 7/7 7/16 18/14 28/16 31/21  31/25 32/1 32/8 36/23 37/13 42/15 46/1  49/11 51/21 51/23 52/9 52/10 52/12 52/15  52/17 53/15 54/12 55/11 58/16 58/23 59/1  59/23 60/13 63/23 64/12 64/20 65/8 66/12  66/25 67/16 67/17 67/21 68/12 69/1 70/25  71/4 72/24 73/1 79/3 82/6 83/9 83/18 85/25  86/19 87/11 87/19 88/20 88/22 89/21 90/11  90/13 90/14 100/17 109/5 109/14 109/18  110/25 111/5 113/3 114/9 119/12 119/12  120/15  wanted [10] 7/22 77/5 83/1 100/13 103/6  111/9 111/16 111/17 113/17 116/13  wants [6] 42/9 58/1 63/18 63/21 80/21  105/11  was [47] 5/3 5/6 9/12 9/19 12/12 12/21  13/10 14/6 14/7 14/14 15/10 18/18 20/2  20/10 22/20 26/4 26/12 26/14 33/22 34/2  44/15 50/21 51/4 62/17 64/16 76/13 77/14  77/21 78/4 79/14 79/15 79/17 82/3 82/9  83/5 89/2 96/25 99/7 103/23 103/25 105/18  105/23 110/12 113/22 115/10 115/10 121/3  wasn't [4] 5/6 52/2 69/11 100/25  waste [1] 98/25  wastewater [1] 79/19  watch [2] 36/25 37/1  watching [1] 59/16  water [38] 1/6 3/6 13/12 14/9 14/10 17/11  20/17 20/23 23/12 23/16 23/18 24/2 29/22  30/1 34/20 35/6 45/18 45/22 46/11 66/22  78/7 79/20 103/10 103/11 103/14 103/24  105/18 105/23 106/18 109/4 109/8 109/16  109/20 109/25 110/4 110/6 113/1 114/22  Watershed [1] 35/12  way [27] 8/3 8/11 8/14 8/15 17/3 18/23  20/11 20/13 24/10 32/5 51/2 52/19 59/15  64/1 64/16 66/8 68/15 71/15 76/24 85/2  86/6 100/19 105/4 105/8 110/21 111/10  115/22  we [302]  we'll [14] 4/25 5/11 5/14 7/6 21/23 22/4  56/15 56/15 75/13 77/11 80/7 95/8 102/10  116/3</p>	<p>we're [5] 6/1 6/17 7/15 7/16 15/14 16/3  21/8 21/12 25/18 25/21 25/23 29/8 35/22  46/18 49/14 50/10 52/16 52/25 55/2 55/19  55/20 55/20 55/22 57/5 57/12 58/7 59/1  62/23 67/4 67/19 68/12 69/3 70/3 70/4  71/24 72/6 72/22 72/23 74/24 75/20 82/19  85/1 87/1 90/24 94/25 95/2 97/20 97/21  100/16 104/10 111/6 117/19 118/25 119/21  120/2  we've [7] 15/4 20/16 61/23 76/14 82/11  85/23 98/16  wear [4] 59/11 60/2 64/17 65/10  week [5] 25/18 26/21 58/14 61/10 65/5  weekly [3] 25/25 29/9 48/5  weeks [1] 119/18  weir [1] 16/7  welfare [1] 47/23  well [37] 22/6 33/7 33/13 34/20 34/25  35/10 35/11 36/12 39/21 45/17 46/10 52/23  53/3 55/17 57/8 58/19 62/19 67/25 69/18  71/6 76/20 78/8 84/9 90/4 90/16 99/20  100/7 100/11 105/20 106/9 106/11 106/24  109/13 112/17 113/20 117/12 120/1  went [3] 78/12 100/21 105/20  were [18] 7/2 11/10 11/21 19/18 20/1  27/17 59/13 59/17 71/6 77/6 82/8 82/15  83/3 83/3 100/9 100/25 103/24 109/9  west [5] 17/18 39/11 67/10 67/13 70/19  western [5] 19/13 20/22 23/25 24/6 27/19  wetland [6] 34/8 87/16 87/18 88/21 88/23  89/1  wetlands [11] 29/15 29/18 31/10 31/17  32/25 33/1 33/14 33/14 34/17 78/6 87/19  what [99] 4/8 15/22 19/24 19/24 22/20  22/25 23/8 26/2 27/5 28/6 36/5 46/12 50/2  51/3 55/2 55/19 55/22 56/4 56/14 57/7 59/5  60/1 60/1 60/2 60/15 61/12 61/18 61/20  62/3 62/11 62/17 63/12 64/14 64/24 65/12  66/1 66/1 66/21 67/6 68/21 69/11 70/5 72/8  73/6 73/8 73/14 73/20 73/25 74/17 74/18  74/24 75/4 75/7 75/16 75/20 76/6 76/9  79/17 81/15 82/23 82/24 83/25 85/25 87/14  87/23 88/8 89/9 89/20 89/20 90/11 91/4  91/5 91/9 92/4 92/16 96/11 96/12 98/4  103/25 105/17 107/6 107/7 108/11 109/2  109/5 109/11 109/22 111/19 113/3 113/6  113/15 114/7 114/8 114/9 116/10 116/20  118/20 120/2 120/15  what your [1] 73/6  what's [11] 13/1 39/1 41/10 46/16 68/25  72/16 89/12 95/6 107/16 117/2 118/5  what-have-you-done-for-me-lately [1]  74/18  whatever [11] 7/17 52/23 53/5 68/18  71/25 72/19 74/1 76/7 101/25 104/4 104/21  whatsoever [1] 29/18  when [62] 4/5 4/21 5/8 6/21 7/23 8/13  11/10 21/20 22/8 22/16 23/11 23/22 24/12  26/25 32/3 37/1 41/8 46/1 46/2 46/3 46/4  50/13 57/11 57/21 58/4 58/5 58/8 61/10  61/18 61/25 64/24 67/19 68/25 69/5 69/8  71/17 71/23 74/23 75/12 77/11 85/17 87/14  87/18 88/11 88/25 89/1 89/17 94/7 95/8  95/20 95/23 97/10 101/4 103/14 109/4  117/6 118/8 118/18 119/9 119/13 119/16  120/6  where [29] 12/19 19/1 27/4 27/13 27/14  41/9 42/4 46/5 58/17 62/20 62/20 65/3  66/17 68/2 69/25 85/10 85/19 86/23 86/24  93/4 93/7 93/11 97/16 98/17 99/3 101/24  103/2 112/13 112/21  wherever [1] 93/20  whether [12] 6/23 40/2 54/24 69/12 69/12  72/17 75/18 77/6 84/1 86/20 97/4 111/18  which [36] 6/10 8/17 16/11 16/11 16/13</p>

<p><b>W</b></p> <p>which... [31] 20/19 26/18 29/16 29/21 29/25 29/25 33/25 34/11 34/15 35/11 36/9 52/18 72/3 77/14 78/4 80/16 81/10 84/14 84/21 85/14 94/2 101/21 103/11 105/25 109/20 113/2 113/20 114/24 116/23 118/20 120/10 while [3] 15/14 47/20 47/24 whip [1] 57/10 whip-sawed [1] 57/10 white [2] 3/20 34/1 who [11] 23/3 30/9 42/4 50/1 58/9 60/21 60/24 61/14 65/13 65/16 96/17 Who's [1] 60/1 whole [2] 69/17 72/4 whose [2] 43/19 61/8 why [12] 23/1 24/10 31/3 64/15 65/24 68/1 84/9 84/24 88/6 88/18 95/10 103/1 wide [1] 113/8 width [1] 27/7 wildlife [25] 31/11 31/17 34/12 35/1 36/16 39/17 39/18 39/23 39/24 40/6 41/8 56/22 81/23 82/1 82/10 82/14 82/24 85/14 85/18 86/8 93/9 94/21 94/22 97/11 97/21 will [81] 3/25 4/2 4/4 4/13 4/14 4/16 6/6 6/8 7/10 7/12 7/22 13/6 13/20 13/25 14/2 15/13 16/20 18/15 20/6 21/24 26/7 27/8 28/2 29/5 29/18 29/19 30/1 30/3 30/9 30/17 34/8 34/9 34/14 34/17 34/21 35/13 36/22 37/17 40/1 43/7 45/4 45/23 47/18 48/3 48/22 48/22 48/24 49/1 49/7 49/16 50/8 52/24 56/23 58/8 58/15 59/11 61/3 64/14 72/3 72/4 73/4 73/6 75/3 75/15 77/7 91/6 91/18 92/6 93/13 93/18 93/25 94/5 94/16 103/4 103/10 105/2 112/1 116/17 117/7 119/7 120/8 willing [2] 58/25 117/7 wish [1] 113/14 within [14] 15/23 17/10 21/11 22/8 28/7 29/14 29/19 50/10 70/2 74/2 74/3 94/23 95/1 97/20 without [3] 65/18 75/23 119/22 witness [12] 8/17 13/5 30/20 31/6 31/16 43/9 43/10 44/22 44/25 78/1 81/3 81/7 witness' [1] 43/6 witnessed [2] 18/7 19/24 witnesses [6] 6/3 6/7 7/2 14/1 76/21 101/12 won't [3] 115/4 115/6 118/11 wood [1] 82/3 word [2] 54/3 67/9 wordage [1] 37/4 worded [1] 66/21 wordsmithing [1] 36/20 work [8] 11/9 43/15 43/18 47/6 47/19 92/2 105/11 116/2 worked [4] 10/14 11/1 11/25 12/14 worker [1] 18/1 workers [1] 16/12 working [8] 9/6 35/20 40/20 40/20 58/12 80/7 118/1 118/2 would [93] 3/18 3/23 4/18 7/8 8/16 8/19 20/12 21/5 21/17 22/6 22/7 22/12 22/14 24/25 25/4 25/10 27/18 27/20 27/23 29/7 31/11 31/20 31/24 35/18 35/24 36/13 41/14 44/9 45/6 45/18 47/10 51/3 54/9 54/24 56/9 56/10 57/16 62/4 62/7 62/7 62/11 62/12 62/12 63/2 64/16 65/15 65/17 65/24 68/17 68/20 70/16 70/23 71/3 71/22 71/22 73/20 74/7 74/11 77/22 78/22 79/21 82/19 84/12 86/12 89/14 89/15 93/16 96/8 98/10 99/23 99/24 100/8 102/11 103/11 104/3 105/1 107/24 108/8 108/19 109/7 109/10 111/3 113/1 113/13 114/7 115/7 116/5 117/4</p>	<p>117/11 117/17 117/24 117/25 119/21 wouldn't [3] 70/13 95/10 103/20 wrapped [1] 116/16 write [3] 56/15 83/1 117/7 writing [2] 106/15 106/19 written [11] 50/22 52/20 62/7 62/24 64/16 81/25 82/22 85/2 85/5 86/12 117/15 wrong [2] 109/19 111/1 wrote [1] 82/12</p> <p><b>Y</b></p> <p>yeah [16] 15/12 15/16 31/23 59/8 63/17 65/6 67/12 67/25 70/10 77/17 83/22 84/3 96/19 98/11 100/8 114/14 year [7] 7/14 21/12 46/18 47/6 64/2 64/7 114/22 years [12] 10/15 10/16 42/20 44/1 44/2 44/3 44/17 44/18 96/3 103/7 114/17 117/16 yellow [2] 14/13 16/25 yes [50] 8/23 9/3 9/7 10/4 10/8 10/12 10/20 10/25 11/4 11/12 11/15 19/22 20/1 37/22 38/3 38/6 40/1 40/17 40/25 41/21 42/16 42/21 43/22 45/13 46/10 46/10 57/22 61/2 63/20 65/23 68/22 69/10 74/3 83/15 83/15 83/16 84/19 90/13 96/25 102/12 102/19 105/14 107/9 109/1 110/12 110/15 112/15 116/17 118/14 120/11 YMCA [1] 15/25 Yo [1] 92/13 York [2] 12/24 64/7 you [360] you want [1] 52/10 you'd [3] 54/15 60/17 108/17 you're [41] 26/20 39/9 46/8 57/20 59/9 60/16 61/17 61/20 63/17 64/21 65/1 65/25 66/1 68/21 69/12 69/13 74/17 75/2 76/9 86/22 89/21 90/8 90/8 91/5 91/9 91/14 92/5 92/16 92/16 95/5 95/21 98/24 99/8 100/18 104/19 106/23 109/11 111/14 117/22 117/23 119/8 you've [4] 11/9 62/8 88/17 89/17 your [59] 4/5 4/18 5/9 5/9 6/22 6/23 8/21 9/6 10/3 10/6 10/7 10/10 10/10 12/20 12/23 30/19 31/4 32/10 37/18 39/4 40/15 40/20 42/7 42/19 43/9 43/15 43/17 45/12 47/7 47/10 47/22 55/1 63/24 65/8 65/14 73/6 75/23 83/14 86/2 86/4 87/3 87/24 91/15 91/17 98/8 100/15 101/18 102/3 102/14 103/2 106/2 106/7 110/1 111/10 112/7 112/21 115/7 115/11 117/8 yours [1] 5/24 yourself [1] 6/22</p> <p><b>Z</b></p> <p>zero [1] 69/7 zoned [4] 16/24 17/24 78/4 78/4 zoning [19] 1/18 5/19 8/19 14/14 22/10 47/3 49/16 51/5 71/14 71/14 71/15 71/18 75/1 77/20 77/22 78/14 79/15 79/16 90/2</p>
---	--