

**PERMITTEE'S AFFIDAVIT REGARDING POLLUTION**

This sworn statement is submitted to Indian River County for the following project (list project name and site address): \_\_\_\_\_  
\_\_\_\_\_.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally before me the undersigned authority, appeared \_\_\_\_\_, who upon oath duly administered, stated as follows:

1. This sworn statement is submitted by the PERMITTEE, \_\_\_\_\_, whose business address is \_\_\_\_\_  
\_\_\_\_\_.

and (if applicable) its Federal Identification No.(FEIN) is \_\_\_\_\_.

2. My name is \_\_\_\_\_ and my relationship to the entity named above is \_\_\_\_\_.  
*(If signing as Owner's Agent, attach Letter of Authorization to Sign from Owner)*

3. Permittee understands and agrees that in addition to complying with the terms and conditions of the Stormwater Management System Permit issued by Indian River County, Permittee is responsible for complying with the terms and conditions of the following as applicable to the site:

- (a) State of Florida Generic Permit for Stormwater Discharge From Large and Small Construction Activities (for projects one acre or larger),
- (b) Stormwater Pollution Prevention Plan (regardless of project size),
- (c) St. Johns River Water Management District permit(s) (regardless of project size),
- (d) Florida Department of Environmental Protection permit(s) (regardless of project size),
- (e) All other permits required for this project not specifically listed herein, and
- (f) All Codes and Ordinances of Indian River County.

4. Permittee understands and agrees that "pollution" as defined by Florida Statutes Chapter 403.031(7) includes: ". . . the presence in the outdoor atmosphere or waters of the state of any substances, contaminants, noise, or manmade or human-induced

impairment of air or waters or alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation unless authorized by applicable law.”

5. Permittee understands and agrees that in addition to the definition set forth in Item 4 above, “pollution” is also defined by Florida Administrative Code 62-302.530 and as may be further defined in the Indian River County permit(s).
6. Permittee understands that Indian River County requires the design, installation, and maintenance of proper erosion control measures at all times during construction until complete stabilization is achieved at the project site. Permittee understands that this requirement is for this project regardless of the project size.
7. Permittee understands that there are civil and criminal penalties for pollution listed in Florida Statutes Ch. 403.141 and Ch. 403.161 and that there are other penalties listed in Indian River County’s permits, including but not limited to, Indian River County issuing a Cease and Desist Order for the project. Permittee understands that it may be liable for these and other penalties if offsite pollution occurs as a result of activities associated with the Project.
8. Transfer of Ownership or County Issued Permits:
  - (a) Transfer of Interest in Real Property: Within twenty-one (21) days of any transfer of ownership or control of the real property at which the permitted activity, facility, or system is located or authorized, the Permittee shall notify in writing, both the Indian River County Engineering Division and the Indian River County Stormwater Division of the transfer. Permittee shall provide the name, mailing address, and telephone number of the transferee and a copy of the instrument effectuating the transfer. Said notification is in addition to notifying the County Attorney’s Office as required by County Code.
  - (b) Transfer of a County Permit. To transfer a County issued permit, Permittee must provide (1) the information required in Item 8(a); (2) a written statement from the proposed transferee that it will be bound by all terms and conditions of the permit; and (3) a new “Permittee’s Affidavit” form properly executed by the transferee. Upon proper receipt of these items the County shall transfer the permit to the transferee.
  - (c) Permittee is encouraged to request a permit transfer prior to the sale or legal transfer of the real property at which a permitted facility, system, or activity is located or authorized. However, the transfer shall not be effective prior to the sale or legal transfer.
  - (d) An “Illicit Discharge Sign” must be present at the site at the time of transfer. Replacement or additional signs may be obtained from the Indian River County Public Works Department at a cost of \$30.00 per sign.

Under penalty of perjury, Permittee declares that it has read the foregoing affidavit and the facts stated in it are true.

FURTHER AFFIANT SAYETH NAUGHT

Permittee: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_  
*(If signing as Owner's Agent, attach Letter of Authorization to Sign from Owner)*

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

The foregoing instrument was subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, who is personally known to me or has produced \_\_\_\_\_ as identification and who did take oath.

\_\_\_\_\_  
Notary Public State of Florida at Large

My Commission expires: \_\_\_\_\_