

**FLORIDA LAND AND WATER ADJUDICATORY COMMISSION  
AGENDA**

**May 13, 2009**

**1. Request approval of Rule Chapter 42MMM-1 establishing the Wiregrass Community Development District. Petitioner: Locust Branch, LLC (FLWAC Case No. CDD-08-003).**

On April 18, 2008, Locus Branch, LLC, submitted a Petition to the Commission requesting creation of the Wiregrass Community Development District in Pasco County, Florida. (The Petition was supplemented with additional information at the request of the Secretary of the Commission.) The land area proposed to be served by the District comprises approximately 3,974.216 acres. There are no parcels within the proposed external boundaries of the District which are to be excluded. The Petitioner either owns or has written consent to establish the District from the owners of 100% of the real property located within the proposed District. The Petitioner seeks authorization for the District “to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate and maintain systems, facilities and basic infrastructures that may include, without limitation: water management and control, water supply, sewer, wastewater management, reclamation and reuse or any combination thereof, bridges or culverts, District roads and street lights, transportation facilities, parking improvements, environmental remediation and cleanup, conservation areas, mitigation areas and wildlife habitat, parks and facilities for indoor and outdoor recreational, cultural and educational uses, fire prevention and control, schools, security, mosquito control, waste collection and disposal, or any other project, within or without the boundaries of the District as required by a development order issued by a local government or subject of an agreement between the District and a governmental entity.”

Upon request of the Secretary, the Department of Community Affairs (DCA) reviewed the Petition from the standpoint of their programs and responsibilities, and the requirements of section 190.005(1)(e), F.S. The DCA submitted a comment letter on July 8, 2008, indicating a review of the Petition had been completed and the Department had identified no potential inconsistency with Chapters 163, Part II, and 380, F.S.

Pursuant to Chapter 190, F.S., a local public hearing was conducted by the Division of Administrative Hearings on August 15, 2008. Judge Johnston submitted a Report to the Commission on September 2, 2008.

The Commission authorized publishing of a Notice of Proposed Rule to establish the Wiregrass Community Development District at the March 10, 2009, Cabinet meeting. On April 3, 2009, a Notice of Proposed Rule was published in the Florida Administrative Weekly. The Commission did not receive any comments or a request for a public hearing in response to the notice.

**Staff Recommendation:**

Approve the proposed final rule chapter and authorize the Secretary to file for final rule adoption.

**Back-Up:**

Petition and Supplement to the Petition received on April 18, 2008, and May 29, 2008, respectively. (Previously distributed with the February 10, 2009, agenda package.)

DCA's comment letter received on July 8, 2008. (Previously distributed with the February 10, 2009, agenda package.)

Division of Administrative Hearings Report received on September 2, 2008. (Previously distributed with the February 10, 2009, agenda package.)

Proposed Rule Chapter 42MMM-1, Wiregrass Community Development District. (Previously distributed with the February 10, 2009, agenda package.)

Final Rulemaking Package.