

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
Office of Agricultural Water Policy
Nathan Mayo Building
407 South Calhoun Street
Tallahassee, Florida 32399**

BINDING DETERMINATION

FDACS Clerk No. B25227

Re: C & K Family Trust Property / Leased and Operated by White Water Farms, Inc., / Approximately 80.16 Acres Located in Lake County, Florida / Parcel Numbers: 07-19-28-0004-000-02000 (39.36 acres), 08-19-28-0003-000-01700 (0.65 acres); and 08-19-28-0003-000-02000 (40.15 acres) (the "Property")

Introduction:

Pursuant to section 373.407, Florida Statutes, a water management district or landowner may request that the Florida Department of Agriculture and Consumer Services (FDACS) make a binding determination as to whether an existing or proposed agricultural activity qualifies for a permitting exemption under section 373.406(2), Florida Statutes. In order to be eligible for a FDACS binding determination, all of the following conditions must exist:

- a. There must be a dispute between the landowner and the water management district as to the applicability of the exemption.
- b. The activities in question must be on lands classified as agricultural by the county property appraiser pursuant to Section 193.461, Florida Statutes.
- c. The activities in question must not have not been previously authorized by an environmental resource permit (ERP) or a management and storage of surface water (MSSW) permit issued pursuant to Part IV, Chapter 373, Florida Statutes, or by a dredge and fill permit issued pursuant to Chapter 403, Florida Statutes.

See also FLA. ADMIN. CODE r. 5M-003 (2020). The St. Johns River Water Management District (the District) has requested that FDACS conduct a binding determination regarding operations on the Property, and the conditions described above have been met.

Background:

The Property was purchased by C & K Family Trust on January 31, 2020. The Warranty Deed and Lake County property records describe three adjacent parcels (Parcel Numbers: 07-19-28-0004-000-02000; 08-19-28-0003-000-01700; and 08-19-28-0003-000-02000) comprising approximately 80.16 acres, which are classified as agriculture pursuant to 2020 Lake County Property Appraiser information. The Property is leased and operated by White Water Farms, Inc (WWF).

On or about April 1, 2020, fill began to be trucked offsite from excavation activities being undertaken by WWF on the subject site.

On April 2, 2020, Chris Leiffer, acting in his role as President of WWF, executed Purchase Agreement No. 121902-016 with SEMA Construction, Inc., for the delivery of fill material from excavations being undertaken on the subject site. The Purchase Agreement provided for the sale of 700,000 total cubic yards of fill for \$2.17 million.

On April 3, 2020, Lake County filed an Emergency Petition for Temporary Injunction in the Circuit Court for the 5th Judicial Circuit, to stop WWF's excavation activities on the Property. Lake County cited the fact that WWF failed to obtain a permit from the county as the basis for the injunction. The Temporary Injunction was granted on April 8, 2020.

On April 6, 2020, the District sent WWF representatives a Warning Letter notifying them that the land clearing and excavation activities on the Property may require an Environmental Resource Permit (ERP) pursuant to Part IV of ch. 373, Florida Statutes.

On April 9, 2020, WWF submitted an "Agricultural Management and Improvement Plan" (the Agricultural Plan) to the Lake County Property Appraiser requesting the "retention / establishment of the Agricultural Classification" on the subject Property. The Plan proposed to clear and mass grade an upland portion of the site, and to prepare, plant and manage a commercial blueberry farm on the remainder. This Agricultural Plan had neither been submitted to, nor approved by FDACS as meeting the applicable statutory and regulatory requirements for enrollment in the FDACS Best Management Practice (BMP) regulatory program.

On April 10, 2020, C & K Family Trust attorney, Jimmy Crawford, filed an Emergency Motion to Dissolve Order regarding Lake County's Emergency Petition for Temporary Injunction.

On April 16, 2020, WWF consultant, Ted Wicks, P.E., responded to the April 6, 2020 District Warning Letter stating that the project is a bona fide farming operation and exempt under Section 373.406, Florida Statutes.

On April 17, 2020, WWF consultant, Bill Ray, AICP, provided the District with a copy of the proposed Agricultural Plan.

On April 22, 2020, FDACS employee Jody Lee met with Kirk Leiffer (owner) and Bill Ray (consultant) on the Property to discuss the proposed Agricultural Plan and to determine whether the operation was eligible for enrollment in the FDACS BMP program. Mr. Lee's analysis concluded that there were no agricultural activities on site that could be enrolled in the FDACS BMP program given that the landowner was engaged in the mining of fill, and not agricultural production. Mr. Lee informed Leiffer and Ray that the activities being undertaken on the subject Property would remain ineligible for enrollment until such time as the mining activities were completed and the site was ready to be prepared for agricultural production. Further, Mr. Lee emphasized the importance of coordinating with the District regarding the need for an ERP, given the fact that alterations and improvements on the Property altered onsite hydrology.

Mr. Lee's recommendation was made pursuant to the requirements of Section 4.0 of the Water Quality / Quantity Best Management Practices for Florida Specialty Fruit and Nut

Crops Manual adopted by rule in Chapter 5M-13, Florida Administrative Code. Similar requirements are found in each of the BMP manuals that have been adopted by FDACS. Mr. Lee indicated the willingness of FDACS to re-engage with the landowner and their representatives at such time as the operation was eligible for enrollment in the FDACS program.

On April 28, 2020, the District issued an Administrative Complaint and Proposed Order against the C & K Family Trust representatives, Christopher and Kirk Leiffer, with a copy provided to their attorney, Jimmy Crawford.

On May 11, 2020, Mr. Crawford, on behalf of C & K Family Trust, filed a Request for a Formal Administrative Hearing on the District's Administrative Complaint with the Florida Division of Administrative Hearings (DOAH).

On May 26, 2020, the District sent a letter to FDACS requesting that a binding determination be undertaken regarding the activities occurring on the Property.

On June 9, 2020, a site inspection was undertaken by FDACS employees Bill Bartnick and Jody Lee for the purposes of gathering additional information regarding the binding determination.

On June 15, 2020, Bill Ray sent an email to Mr. Bartnick attaching a Mass Grading Plan prepared by Wicks Engineering Services, depicting hay production on 40+ acres, and an excavation of up to thirty (30) feet on the adjacent portion of the Property, labeled "Overburden to be Removed." Given the previous recommendation that had been provided to Mr. Ray and WWF regarding the need to work with the District to determine the necessity of a permit for the activities and excavation occurring onsite, FDACS declined to provide additional comment until such time as the permitting issues with the District were resolved.

Site Inspection Findings:

On June 9, 2020, a site inspection was performed by FDACS employees Bill Bartnick from the Office of Agricultural Water Policy (OAWP) and Area Supervisor Jody Lee, who met with WWF representatives Kirk Leiffer and Bill Ray. The entire 80 acres were inspected and approximately 20 photographs were taken to document conditions existing at the time.

At the start of the site visit, WWF representatives presented FDACS employees with a revised copy of the Agricultural Plan that had been submitted to the Lake County Property Appraiser dated June 9, 2020. The revised Agricultural Plan was intended to supersede the original plan prepared by Wicks Engineering Services, Inc. provided to the District on April 17, 2020. The revised plans depicted different side slopes (4:1) and a tailwater pond near the eastern boundary to manage irrigation and stormwater. Staff review of this revised Agricultural Plan concluded that it did not meet the requirements for enrollment in the FDACS BMP program. Staff also noted that the landowner had not coordinated with FDACS to determine the BMPs that were applicable to the subject parcel given the agricultural commodity being proposed.

FDACS staff documented active mining operations on the Property and several large trucks entering, and leaving the Property with mined fill material. There was no evidence of blueberry plants on the Property. Based upon these observations, staff concluded that enrollment in the FDACS BMP program was premature as agricultural production on those areas of the Property where hydrologic alterations were occurring had not yet commenced.

An analysis of aerial photographs taken between 1994 and 2018 revealed that the Property was formerly a pine plantation, and had recently been timbered, de-stumped and cleared shortly after its purchase by C & K Family Trust. OAWP staff later determined that the Property had never been enrolled in the applicable BMPs for silviculture production. Approximately 50 acres of the Property had been recently disked, leveled, and planted with sprigs of Tifton 44 bermudagrass as a precursor to the development of permanent hay fields. The hay field production areas are on natural ground elevation(s) and are not part of the mass grading or excavation area which is currently being used to mine, load, and transport fill material offsite.

The excavation area consists of six (6) separate fields of approximately five-acres each. The excavation work taking place at the time was documented on the three southernmost fields. WWF representatives stated that they should reach their target elevation of 60 feet in Field 1 by summer. FDACS staff noted that despite recent rain events, most of the Property was dry except for the excavated pit, which contained a pool of standing water.

The entire site is mapped by USDA-NRCS as Candler fine sand, a well-drained soil with deep sands and no restrictive layer down to 80 inches or beyond. The contour (topographic) map shows an approximate predevelopment slope from west to east of 2%. There were no wetlands or sinkholes observed on the Property.

A ten-foot high perimeter berm has been constructed around the entire outside edge of the excavation area. The berm is vegetated with millet/bermudagrass mix and is considered stable. A historic irrigation pumphouse was also observed which contained an existing 18-inch cased well. According the St. Johns River Water Management District, no Consumptive Use Permit has been issued for this well.

Application of Statutory Criteria:

The Florida Legislature has clearly stated that it is a policy of the State to provide for the management of water and related land resources. See section 373.016(3), Florida Statutes. To help implement this policy, water management districts are authorized to require permits and impose such reasonable conditions as are necessary to assure that the construction or operation of any stormwater management systems, ditches, culverts, structures, filling, excavation, or other construction that connects to, draws water into, or is placed in or across waters in the State will comply with statutes and applicable rules and will not be harmful to the water resources of the district. See e.g., sections 373.413, 373.416, and 373.430(1)(b), Florida Statutes.

Section 373.406(2), Florida Statutes, provides that

"...nothing herein, or in any rule, regulation, or order adopted pursuant hereto, shall be construed to affect the right of any person engaged in the occupation of agriculture, silviculture, floriculture, or horticulture to alter the topography of any tract of land, including, but not limited to, activities that may impede or divert the flow of surface waters or adversely impact wetlands, for purposes consistent with the normal and customary practice of such occupation in the area. However, such alteration or activity may not be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands. This exemption applies to lands classified as agricultural pursuant to section 193.461, Florida Statutes, and to activities requiring an environmental resource permit pursuant to this part. This exemption does not apply to any activities previously authorized by an environmental resource permit or a management and storage of surface water permit issued pursuant to this part or a dredge and fill permit issued pursuant to chapter 403, Florida Statutes. This exemption has retroactive application to July 1, 1984."

In the event of a dispute as to the applicability of an exemption pursuant to this Section, a water management district or landowner may request that FDACS make a binding determination as to whether an existing or proposed activity qualifies for an agricultural-related exemption. See section 373.407 Florida Statutes. To that end and in accordance therewith, FDACS and each water management district have entered into agreements which set forth processes and procedures by which FDACS undertakes its review, makes a determination, and provides notice of its determination to the applicable water management district or landowner. FDACS has exclusive authority to make this determination, and to adopt rules to implement the process.

The applicable rule in this case, rule 5M-15.005(1), Florida Administrative Code, provides that in order for alterations or activities to be exempt from permitting under section 373.406(2), FDACS must determine that all of the following criteria are met: (a) The landowner must be engaged in the occupation of agriculture, silviculture, floriculture, or horticulture; (b) Alterations to the topography of the land must be for purposes consistent with the normal and customary practice of such occupation in the area; and (c) The alteration or activity may not be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands.

In accordance with the above referenced statutes and rule, FDACS must evaluate the operations on the Property for compliance with each of these three criteria, commonly referred to as the "three-pronged test." This evaluation must be undertaken with consideration of the legal requirement that statutory exceptions be construed narrowly. See e.g., *Samara Dev. Corp. v. Marlow*, 556 So. 2d 1097, 1100 (Fla. 1990).

Analysis and Findings

First, we must evaluate whether the landowner or operator is "engaged in the occupation of agriculture, silviculture, floriculture, or horticulture." As observed and reported by FDACS staff during the site visits on April 22 and June 9, 2020, there are two separate and distinct operations that are currently active on the Property. One, on an approximately 50-acre portion of the Property, consists of a hay field production area that has recently been disked, leveled, and planted with sprigs of Tifton 44 bermudagrass. This production area is on natural ground elevation. The other operation is being conducted on approximately 30 acres, and entails a large scale, mass grading and excavation area consisting of six (6) separate fields of five acres each, with final elevations proposed between 60 and 70 feet (east to west). Excavation work is ongoing with large dump trucks being observed entering and exiting the Property throughout the day. Although the owner asserts that blueberry production will be the ultimate use on this portion of the Property, there were no blueberry plants observed on site. Because of these two disparate operations on the Property, the Department will analyze the two operations separately.

(a) *"Is the landowner engaged in the occupation of agriculture, silviculture, floriculture, or horticulture?"*

YES. FDACS finds that White Water Farms is engaged in the occupation of agriculture as it relates to the hay fields. This finding is based on the landowner having an agricultural classification for the property from the Lake County Property Appraiser's office, recently conducting a silvicultural harvest, and having planted bermudagrass sprigs to develop a permanent hay field. This finding is limited to the areas of the property where bermudagrass has been planted.

NO. FDACS finds that White Water Farms is not engaged in the occupation of agriculture as it relates to the purported blueberry production areas. This finding is based on the current and ongoing sand mining activities in this area, the fact that no Consumptive Use Permit has been issued by the District, and that no blueberry plants were evident on site in preparation for planting. Further, the existing agricultural classification as timber does not support the proposed production scheme. The extent of the excavation and alteration of the site's hydrology indicate that the activities undertaken are consistent with the occupation of sand mining, and not that of a *bona fide* agricultural activity.

Second, in order to determine whether an exemption applies, we must consider whether the activities or alterations to the topography of the land was for purposes consistent with the normal and customary practice of such occupation in the area. Chapter 373, Florida Statutes, is silent on the definition of "normal and customary practice in the area" and therefore we look to adopted rules for guidance. Rule 5M-15.001 (1), Florida Administrative Code, provides that the "normal and customary practice in the area" are those generally accepted agricultural activities for the type of operation and the region. In

A. Duda and Sons, Inc., v. St. Johns River Management Dist., 17 So. 3d 738 (5th DCA 2009) ("Duda 1"), the court applied this prong by asking whether the alteration of the topography is consistent with the practice of agriculture. In Paul and Kathleen Still v. Dept. of Agriculture and Consumer Services, Case No. 15-5750 at 7 (DOAH Feb. 2, 2016; DACS Apr. 27, 2016) ("Still"), the administrative law judge found, and FDACS articulated in its final order, that the dispositive issue for the second prong of the analysis is whether the activity in question, **and its corresponding alterations to the topography of the land**, were for purposes consistent with the normal and customary practice of such occupation in the area. See Still, Case No. 15-5750 at 7 (emphasis added).

In Florida Statutes regarding the use of water in farming and forestry activities, specific provisions enumerate normal and customary practices for agricultural activities including "site preparation, clearing, fencing, contouring to prevent soil erosion, soil preparation, plowing, planting, cultivating, harvesting, fallowing, leveling, construction of access roads, placement of bridges and culverts, and implementation of best management practices adopted by the Department of Agriculture and Consumer Services or practice standards adopted by the United States Department of Agriculture's Natural Resources Conservation Service..." See Section 403.927(4)(a), Florida Statutes. In the case of the hay field operation, the activities on the Property comport with these normal and customary practices.

In the case of the blueberry production areas, however, the analysis is more complicated. A massive excavation project is not the equivalent of leveling or contouring to prevent erosion. Instead of excavating nearly 30 feet of soil to create a near-level ground surface for the proposed planting of blueberries, a normal and customary option would have been to design the blueberry rows to follow the land's natural contours. Contour farming is usually defined as a conservation-based method of farming in which all farming activities (for example, tillage and planting) are performed across the slope. Ideally, each crop row is planted at right angles to the prevailing ground slope, in this instance, from west to east. In fact, USDA-NRCS Conservation Practice Standard Contour Farming (Code 330, Revised January, 2015) states under its "General Considerations" section that contour farming is most effective on slopes between 2% and 10%. Designing the blueberry operation in this manner would have avoided excess hydrological alterations (and thus creating less fill material), which would be consistent with historical practices of farms across the state that balance excavation and fill volume.

FDACS employees with experience conducting site inspections in this area indicate that excavations such as those observed on the Property are not normal and customary, either for the typical agricultural practice or in this specific geographic area where the activities took place. Further, the water quality BMPs contained within the 2011 Manual of Water Quality/Quantity Best Management Practices for Florida Specialty Fruit and Nut Crops (Manual) do not support such excavation activities for blueberry farming. In fact, the Manual clearly requires that a landowner meet with a Water Management District to determine if a permit is required when activities that involve hydrologic impacts are proposed, particularly when a stormwater management system is being constructed. The activities taking place at WWF are consistent with hydrologic alterations to the land

requiring consultation with a Water Management District regarding the necessity of an ERP under state law, and with activities undertaken for the purposes of providing fill for an existing contract for nearby roadway construction.

(b) *"Are the alterations (or proposed alterations) to the topography of the land for purposes consistent with the normal and customary practice of such occupation in the area?"*

YES. FDACS finds that the alterations to the topography of the land resulting from the disking and leveling of the property while maintaining natural ground elevations are normal and customary practices to facilitate the development of hay production. Hydrologic elevations have been minimized throughout the approximately 50-acre area of the subject parcel. This finding is limited to the areas of the property where bermudagrass has been planted.

NO. WWF has excavated between fifteen to thirty feet of Chandler Fine Sand soils to create terraced fields to arrive at the targeted elevations in the farm plan. This activity is not a normal and customary practice for growing blueberries in the area. Preparation for most blueberry plantings in the state include the use of native soils and existing landforms (grades), and augmenting soils with 6 to 8 inches of pine bark material to create slightly raised beds, an increase in soil organic matter, and a lower (acidic) pH environment that is conducive to blueberry production.

Third, to qualify for the exemption, the alterations cannot be for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands. Again, Chapter 373 of Florida Statutes is silent on the meaning of "sole or predominant purpose," and so we again look to the applicable rule and case law. Rule 5M-15.001 (3), Florida Administrative Code, defines "sole or predominant purpose" as the primary function of the activity in question. As articulated above, the primary function of alterations in the hay field portion of the Property is to prepare the land for, and to plant bermudagrass for hay production. The primary function of the significant excavation activities on the blueberry farm portion of the Property - 30 feet of excavation when contour farming would require minimal grading - is for the mining activity itself. The diversion of surface water flow caused by these alterations is not required, or normal and customary for the use proposed.

In *Duda I, supra*, the court rejected an interpretation that it is the property owner's "intent or purpose" in altering the topography of the land that must be consistent with agricultural practices to be exempt. *Duda* at 742. Instead the court discussed the "purpose" of the action and opined that it was the action's objective effect or function that was determinative, and not the actor's subjective intent. *Id.* The court concluded that it is unlikely that the Legislature would intend that entitlement to the agricultural exemption be determined by the landowner's subjective intentions. To permit an agricultural landowner to avoid regulations based on subjective intentions would be inconsistent with the Legislature's granting of broad powers to the State's water management districts. *Id.*

at 743. Consequently, the fact that WWF has stated their intent to farm blueberries and submitted a plan to that effect is not determinative.

The Duda court also considered the meaning of "predominant" and favored the plain meaning, rejecting a simply "more than incidental" interpretation. *Id.* The plain meaning of predominant is something that is more important or more noticeable in a set of things. See e.g., www.collinsdictionary.com/us/dictionary/english/predominant. The Oxford Dictionary defines predominant as "present as the strongest or main element." See www.lexico.com/en/definition/predominant. In the instant case, the most noticeable and main element present on the proposed blueberry farm portion of the Property is a diversion of surface water flow for mining activities.

(c) *"Are the alterations (or proposed alterations) for the sole or predominant purpose of impeding or diverting the flow of surface waters or adversely impacting wetlands?"*

NO. The alterations undertaken on the approximately 50-acre portion of the Property that resulted from the disking and leveling in preparation for hay fields were normal and customary for the area. The sole and predominant purpose of the activities under a *Duda 1* objective analysis is not to impede or divert the flow of surface waters given the predominant function or effect of the alterations. Planting of bermudagrass is not an impediment or diversion of surface water. This finding is limited to the approximately 50 acres of the property where bermudagrass is planted.

YES. The excavation of up to thirty feet of soils on the subject parcel is tied to an existing contract to supply materials for road construction that pre-dated any proposal of agricultural production. Moreover, the excavation has significantly altered the existing hydrology in a manner exceeding normal and customary for blueberry production on the 30-acre portion of the Property.

The construction of a highly engineered and managed surface water management system is for the sole or predominant purpose of altering the hydrology and impeding the flow of surface waters on the Property as a result of mining activities. The borrow pit excavations and the capture of runoff water and its reuse for irrigation would also impede the flow of surface waters to downstream receiving systems east of the WWF Property. These facts are corroborated by comparing the pre-development contour (topographical) map with the post-development elevations that now exist in the mining pit areas.

Finally, most agricultural tailwater recovery ponds used in *bona fide* agricultural operations use either above-ground impoundments, as typical in South and Southwest Florida, or shallow trenches no deeper than 5 to 6 feet below natural land surface elevation on average.

Multiple alternative options existed regarding the proposed blueberry production area that would have minimized the hydrologic impacts to the property and allowed for enrollment in applicable BMPs within the FDACS regulatory program. The existing activities onsite clearly fall within those sections of the applicable BMP manuals that require landowners to coordinate with the applicable Water Management District regarding the need for a permit prior to the alteration of hydrology on a specific parcel.

Conclusion:

Based upon the aforementioned facts, site-specific characteristics, historical land use, documented industry practices, and objective review, FDACS has determined that the agriculture activities associated with the production of bermudagrass hay on approximately 50 acres qualifies for an exemption under section 373.406(2), Florida Statutes, and that the proposed blueberry production area of approximately 30 acres does not qualify for an exemption under section 373.406(2), Florida Statutes

Nothing herein relieves the landowner from applying for and obtaining any applicable federal, state, or local authorization. This determination does not constitute a finding as to compliance with applicable Best Management Practices.

A determination by FDACS that an activity is not exempt from permitting does not preclude the landowner and the water management district from agreeing to modifications to the activity that would render it exempt.

Notice of Rights:

If you wish to contest this action, you have the right to request an administrative hearing to be conducted in accordance with sections 120.569 and 120.57, Florida Statutes, and to be represented by counsel or other qualified representative. Mediation is not available. Your request for hearing must contain:

1. Your name, address, and telephone number, and facsimile number (if any).
2. The name, address, and telephone number, and facsimile number of your attorney or qualified representative (if any) upon whom service of pleadings and other papers shall be made.
3. A statement that you are requesting an administrative hearing and dispute the material facts alleged by FDACS, in which case you must identify the material facts that are in dispute (formal hearing); or that you request an administrative hearing and that you do not dispute the facts alleged by FDACS (informal hearing).
4. A statement of when (date) you received this Notice and the file number of this Notice.

Your request for a hearing must be received at: The Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun St. MS-E1, Tallahassee, Florida 32399, within twenty-one (21) days of receipt of this Notice.

If you fail to request an administrative hearing within the twenty-one (21) day deadline you waive your right to a hearing.

Supporting Documents:

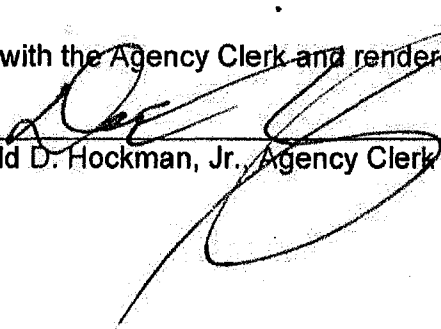
- (1) Section 373.406, Florida Statutes
- (2) Chapter 5M-15, Florida Administrative Code
- (3) Aerial Photography, 1994 to 2019
- (4) Purchase Agreement No. 121902-016 between SEMA and WWF
- (5) Site Visit Digital Photographs
- (6) 2020 Lake County Property Appraiser Information Card
- (7) USDA-NRCS Soil Survey Maps
- (8) USDA-NRCS Conservation Practice Standard 330
- (9) Topographical Map, five-foot contours
- (10) April 22, 2020 site visit summary and pictures by Jody Lee
- (11) Submittal package from District dated May 26, 2020
- (12) Additional information from Consultant Bill Ray dated June 15, 2020

Signed this 24th day of July, 2020



Christopher Pettit, Director, OAWP

Filed with the Agency Clerk and rendered this 24th day of July, 2020.



Donald D. Hockman, Jr., Agency Clerk

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Binding Determination has been furnished by e-mail and U.S. mail on this 29th day of July, 2020 to: Suzanne Archer, sarcher@sjrwmd.com, St. Johns River Water Management District, Maitland Service Center, 601 South Lake Destiny Road, Suite 200, Maitland, Florida 32751, and Cristopher and Kirk Leiffer, via their attorney of record, Jimmy Crawford, jcrawford@cmhlawyers.com, Crawford, Modica & Holt, 702 W. Montrose Street, Clermont, Florida, 34711.



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