



implementation of the \_\_\_\_\_ Water Quality Enhancement Area pursuant to the Department permit number \_\_\_\_\_;

e) Bodily injury or property damage for which [insert WQEA Owner's name] is obligated to pay damages by reason of the assumption of liability in a contract or agreement.

This letter of credit is effective as of \_\_\_\_\_ and shall expire on \_\_\_\_\_ but such expiration date shall be automatically extended without amendment for additional periods of one year from the present or future expiration date unless, at least 120 days before an expiration date, we notify both you and [insert WQEA Owner's name] by certified mail that we have decided not to extend this letter of credit for any such additional period. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 120 days after the date of receipt by both you and [insert WQEA Owner's name] as shown on the signed return receipts.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of the draft directly into the \_\_\_\_\_, in accordance with your instructions.

Name of Trust Fund

We certify that the wording of this letter of credit is substantially similar to the wording specified in Form No. 62-332.550(8) which has been adopted by reference in Rule 62-332.550 of the Florida Administrative Code, as such regulations were constituted on the date shown immediately below.

\_\_\_\_\_  
Signature(s), Title(s) of Official(s) of Issuing Institution

\_\_\_\_\_  
Date

\_\_\_\_\_  
This credit is subject to \_\_\_\_\_

\_\_\_\_\_  
Insert "the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce," or "the Uniform Commercial Code".

CERTIFICATE I  
TO  
BANK OF  
IRREVOCABLE LETTER OF CREDIT NO.

Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Issuing Bank's Name and Address  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Water Quality Enhancement Area Owner's Name and Address  
\_\_\_\_\_

Ladies and Gentlemen:

The undersigned \_\_\_\_\_, the Secretary of the Florida Department of Environmental Protection, hereby certifies to \_\_\_\_\_ (the "Bank") and \_\_\_\_\_, with reference to \_\_\_\_\_ Issuing Bank's Name \_\_\_\_\_ WQEA Owner's Name \_\_\_\_\_ Irrevocable Letter of Credit No. \_\_\_\_\_, dated \_\_\_\_\_, (the "Letter of Credit"), issued by the Bank in favor of the Department as follows:

1. The Department has heretofore provided written notice by U.S. Mail to \_\_\_\_\_ WQEA Owner's Name \_\_\_\_\_ of the Department's present right to draw upon the Letter of Credit in accordance with the provisions of that certain Water Quality Enhancement Permit # \_\_\_\_\_, dated \_\_\_\_\_, issued by the Department in favor of \_\_\_\_\_ WQEA Owner's Name \_\_\_\_\_.
2. \_\_\_\_\_ WQEA Owner's Name \_\_\_\_\_ has failed to comply with the terms and conditions of the Permit.

Funds paid pursuant to the provisions of the Letter of Credit shall be transferred to \_\_\_\_\_, as Trustee (the "Trustee") under the certain Water Quality \_\_\_\_\_ Trustee's Name \_\_\_\_\_ Enhancement Area Standby Trust Fund Agreement to Demonstrate Construction and Operation Financial Assurance, dated as of \_\_\_\_\_, between \_\_\_\_\_ WQEA Owner's Name \_\_\_\_\_ and the Trustee for the benefit of the Department in accordance with the following instructions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, this Certificate has been duly executed and delivered on behalf of the Department as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
\_\_\_\_\_



Funds paid pursuant to the provisions of the Letter of Credit shall be transferred to \_\_\_\_\_, as Trustee (the "Trustee") under that certain Water Quality

Trustee's Name

Enhancement Area Standby Trust Fund Agreement to Demonstrate Financial Assurance for Construction and Implementation, dated as of \_\_\_\_\_, between

WQEA Owner's Name

and the Trustee for the benefit of the Department, in accordance with the following instructions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, this Certificate has been duly executed and delivered on behalf of the Department as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: \_\_\_\_\_

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