

waived any objection to” this finding of fact. *Envtl. Coal. of Fla., Inc.*, at 1213. As the ALJ expressly found that STILL’s improper purpose applied to both the DISTRICT and the COUNTY, both the DISTRICT and the COUNTY are entitled to an award of reasonable costs and a reasonable attorney’s fee pursuant to Section 120.595(1)(b), F.S.

ORDER

Having reviewed the RO and the record of the proceeding before DOAH, and having considered the applicable law and being otherwise duly advised, it is ORDERED that:

- A. The RO is adopted in its entirety, and incorporated herein by reference.
- B. The DISTRICT hereby approves the December 10, 2019, Environmental Resource Permit (ERP): Exemption, ERP-007-233697-2, determining that activities related to the repair of Southwest 101st Avenue in Bradford County, Florida, met the criteria to be an exempt activity pursuant to Rule 62-330.051(4)(e), F.A.C.;
- C. Pursuant to Section 120.595(1), F.S., the COUNTY is hereby awarded its reasonable costs and reasonable attorney’s fees incurred in this proceeding.
- D. Pursuant to Section 120.595(1), F.S., the DISTRICT is hereby awarded its reasonable costs and reasonable attorney’s fees incurred in this proceeding.
- E. This case is hereby remanded to the Division of Administrative Hearings for the limited purpose of (1) determining the award of reasonable costs and reasonable attorney’s fees to the COUNTY; and (2) determining the award of reasonable costs and reasonable attorney’s fees to the DISTRICT.

JUDICIAL REVIEW

Any party to this proceeding has the right to seek judicial review of this Final Order