

October 8, 2021

**STATE 404 PROGRAM  
PUBLIC NOTICE**

Permit Application No. 0398831-001-SFI/03

**TO WHOM IT MAY CONCERN:** The Department of Environmental Protection has received an application for a State 404 Program permit pursuant to 62-331, Florida Administrative Code, as described below:

**APPLICANT:** DR Horton, Inc.  
Amanda Fussell  
2450 S Hwy 29  
Cantonment, Florida 32533  
[ARFussell@drhotron.com](mailto:ARFussell@drhotron.com)

**LOCATION:** This project is located at the former Hombre Golf Course in Bay County along Grand Heron Drive, Heron Turn, Coyote Pass, S Glades Trail, and Glades Turn, Parcel ID: 34810-030-000, Section 36, Township 3 South, Range 16 West, in Panama City Beach, Florida 32407.

**APPROXIMATE CENTRAL COORDINATES:**  
Latitude 30°11'23.17" N Longitude 85°48'26.86" W

**PROJECT PURPOSE:** Construct a residential subdivision in Walton County.

**PROPOSED WORK:** The applicant seeks authorization to fill 4.27 acres of manmade other surface waters and approximately 4,545 square feet or 0.1 acres of manmade swales/ditches to construct a residential subdivision with associated roadways and stormwater facilities.

**EXISTING CONDITIONS:** The proposed project site consists of  $\pm 67.87$  acres of a  $\pm 103.94$  acre parcel with approximately 11.82 acres of manmade, non-tidal other surface waters and approximately 2.54 acres of palustrine forested wetlands.

**AVOIDANCE AND MINIMIZATION INFORMATION:** Based on information provided by the applicant, the selection of the location for a residential subdivision is acceptable. The applicant provided an alternative sites analysis that provided 4 additional sites. The additional sites had more wetlands on site than the site that is proposed. The applicant has limited the direct impacts to existing manmade surface water ponds and a manmade drainage ditch which will increase surface water area by over 52% and provide enhanced stormwater attenuation. The 2.54 acres of palustrine forested wetlands in the project area will remain untouched and be surrounded by a minimum 25 foot buffer area. It is in the opinion of the Department that the applicant has proposed the least environmentally damaging practicable alternative site for this type of project.

**COMPENSATORY MITIGATION:** The applicant demonstrated that the project will not result in more than minimal individual and cumulative adverse environmental effects and therefore is not proposing mitigation pursuant to State 404 Program Applicant's Handbook, Section 8.3.5 and Applicant's Handbook Volume I, Section 10.2.8.

**CULTURAL RESOURCES:**

The Department has requested review from the State Historic Preservation Officer (SHPO) and those federally recognized Tribes with concerns in Florida and the permit area. On February 17, 2021, DEP initiated coordination with the State Historic Preservation Office (SHPO), the Tribal Historic Preservation Office (THPO), and those federally recognized tribes with concerns in Florida and the Permit Area, by separate letter. A letter was received from SHPO on March 12, 2021 stating that a previous cultural resource assessment survey (CRAS) was conducted and the proposed project is unlikely to affect historic properties and included a specific condition regarding inadvertent discoveries that will be included in the permit.

A letter was received from THPO on March 9, 2021 requesting the area be surveyed for undocumented cultural resources within a Seminole Tribe of Florida (STOF) Area of Interest. The applicant provided a CRAS which was submitted to the STOF THPO. The STOF THPO responded on August 17, 2021 and stated there were no objections or other comments at this time.

Our final determination relative to historic resource impacts is subject to review by and coordination with the State Historic Preservation Officer, the Tribal Historic Preservation Officer (THPO), and those federally recognized tribes with concerns in Florida and the Permit Area.

**FEDERALLY AND STATE-LISTED SPECIES:** The Department requested review from the Florida Fish and Wildlife Conservation Commission (FWC) and the US Fish and Wildlife Service (USFWS) on February 15, 2021. A request for further information was received by FWC on February 23, 2021 and was included in the request for additional information (RAI). Responses were sent to FWC and the Department was provided with a document to include with the public notice.

**OTHER INFORMATION:** None.

**COMMENTS** regarding the potential authorization of the work proposed should be submitted in writing to Whitney Bretana at Florida Department of Environmental Protection, Northwest District Office, 160 W. Government Street, Suite 308, Pensacola, Florida 32502, or by electronic mail at [NWD\\_Epost@FloridaDEP.gov](mailto:NWD_Epost@FloridaDEP.gov) and [Whitney.Bretana@FloridaDEP.gov](mailto:Whitney.Bretana@FloridaDEP.gov), within 30 days from the date of this notice. Written comments will be made part of the record and should reference the above permit application number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Any comments received will be considered by the Department to determine whether to issue, modify, condition, or deny a permit for this proposal. Unless a written request is filed with the Department within the 30-day public comment period, the Department may decide on the application without a public meeting.

**EVALUATION:** The determination as to whether a permit will be issued, or a public meeting held, will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public interest, including, but not limited to, fish, wildlife, historical

resources, and pollution. The specific permit decision criteria can be found in Chapter 62-331, Florida Administrative Code.

The Department is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. To make this consideration, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are also used to determine the need for a public meeting and to determine the overall public interest of the proposed activity.

FOR FURTHER INFORMATION regarding this application, please visit the State 404 Permit File at [https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ST404\\_398831/gis-facility!search](https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ST404_398831/gis-facility!search) or contact the project manager, Whitney Bretana, in writing at Florida Department of Environmental Protection, Northwest District Office, 160 W. Government Street, Suite 308, Pensacola, Florida 32502; by electronic mail at [NWD\\_Epost@FloridaDEP.gov](mailto:NWD_Epost@FloridaDEP.gov) and [Whitney.Bretana@FloridaDEP.gov](mailto:Whitney.Bretana@FloridaDEP.gov); or by telephone at (850)595-0658. Please include the permit application number referenced at the top of this page in any correspondence.

**REQUEST FOR PUBLIC MEETING:** Any person may request a public meeting. The request must be submitted to Whitney Bretana within the designated comment period of the notice and must state the specific reasons for requesting the public meeting.

*Full file can be accessed here:*

[https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ST404\\_398831/gis-facility!search](https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/ST404_398831/gis-facility!search)

August 4, 2021



**Florida Fish and Wildlife Conservation Commission's Public Notice Response  
Hombre Residential Development  
State 404 Permit Application No. 0398831-001-SFI-03, Bay County**

**AVOIDANCE AND MINIMIZATION INFORMATION:** According to the applicant, the proposed site of this development was selected as it would result in the fewest impacts to sensitive habitat of the potential sites assessed. The proposed location is an existing golf course, reducing the potential for listed species habitat to be present onsite. The design proposed by the applicant would avoid all impacts to natural wetland areas and would result in a net increase in surface waters on the site as a result of the planned expansion of existing ponds to serve as stormwater management facilities for the future development.

**FEDERALLY AND STATE-LISTED SPECIES:** The project is located within the U.S. Fish and Wildlife Service's (USFWS) Consultation Area for the red-cockaded woodpecker (*Picoides borealis*, Federally Endangered [FE]) and potential habitat for the reticulated flatwoods salamander (*Ambystoma bishopi*, FE), eastern indigo snake (*Drymarchon corais couperi*, Federally Threatened), gopher tortoise (*Gopherus polyphemus*, State Threatened [ST]), Florida pine snake (*Pituophis melanoleucus*, ST), least tern (*Sternula antillarum*, ST), black skimmer (*Rynchops niger*, ST), snowy plover (*Charadrius nivosus*, ST), little blue heron (*Egretta caerulea*, ST), and tricolored heron (*Egretta tricolor*, ST).

Florida Fish and Wildlife Conservation Commission (FWC) staff has determined the proposed project would have **no effect** for the red-cockaded woodpecker, reticulated flatwoods salamander, and eastern indigo snake.

**Red-Cockaded Woodpecker:** The red-cockaded woodpecker lives and forages in mature pine forests, specifically those with longleaf pines averaging over 80 to 120 years old and loblolly pines averaging 70 to 100 years old. Each family group needs about 200 acres of old pine forest to support its foraging and nesting needs. The applicant indicated that no woodpeckers were observed onsite during field reviews and no potential habitat present within the project area. Use of the *Panhandle Red-Cockaded Woodpecker Effects Determination Key* resulted in the following sequential determination: 1a > 2b = "no effect."

**Reticulated Flatwoods Salamander:** Reticulated flatwoods salamander habitat consists of slash and longleaf pine flatwoods with a wiregrass floor and scattered wetlands west of the Apalachicola River. Breeding occurs in ephemeral ponds and ditches near to appropriate foraging habitat. Per the applicant's submittal, no suitable habitat for this salamander is present onsite. Additionally, there have been no recorded observances of the species near to the project area. Based on this information, FWC staff have determined that this project will have "no effect" on this species.

Eastern Indigo Snake: Over most of its range, the eastern indigo snake inhabits pine flatwoods, scrubby flatwoods, high pine, dry prairie, tropical hardwood hammocks, the edges of freshwater marshes, agricultural fields, coastal dunes, and human-altered habitats. Wherever the eastern indigo snake occurs in xeric habitat, it is often close to or within gopher tortoise burrows. The applicant intends to implement the USFWS Standard Protection Measures for the Eastern Indigo Snake during construction. The potential impacts to the eastern indigo snake were evaluated using the USFWS interim guidance for consultation determinations. In accordance with this guidance, USFWS staff buffered all known eastern indigo snake occurrence locations with a radius of 0.62 miles. As the action area of this project falls outside of this buffer area, the eastern indigo snake is considered not reasonably certain to occur onsite. Based on this guidance and the applicant's commitments, FWC staff have determined that this project will have "no effect" on this species.

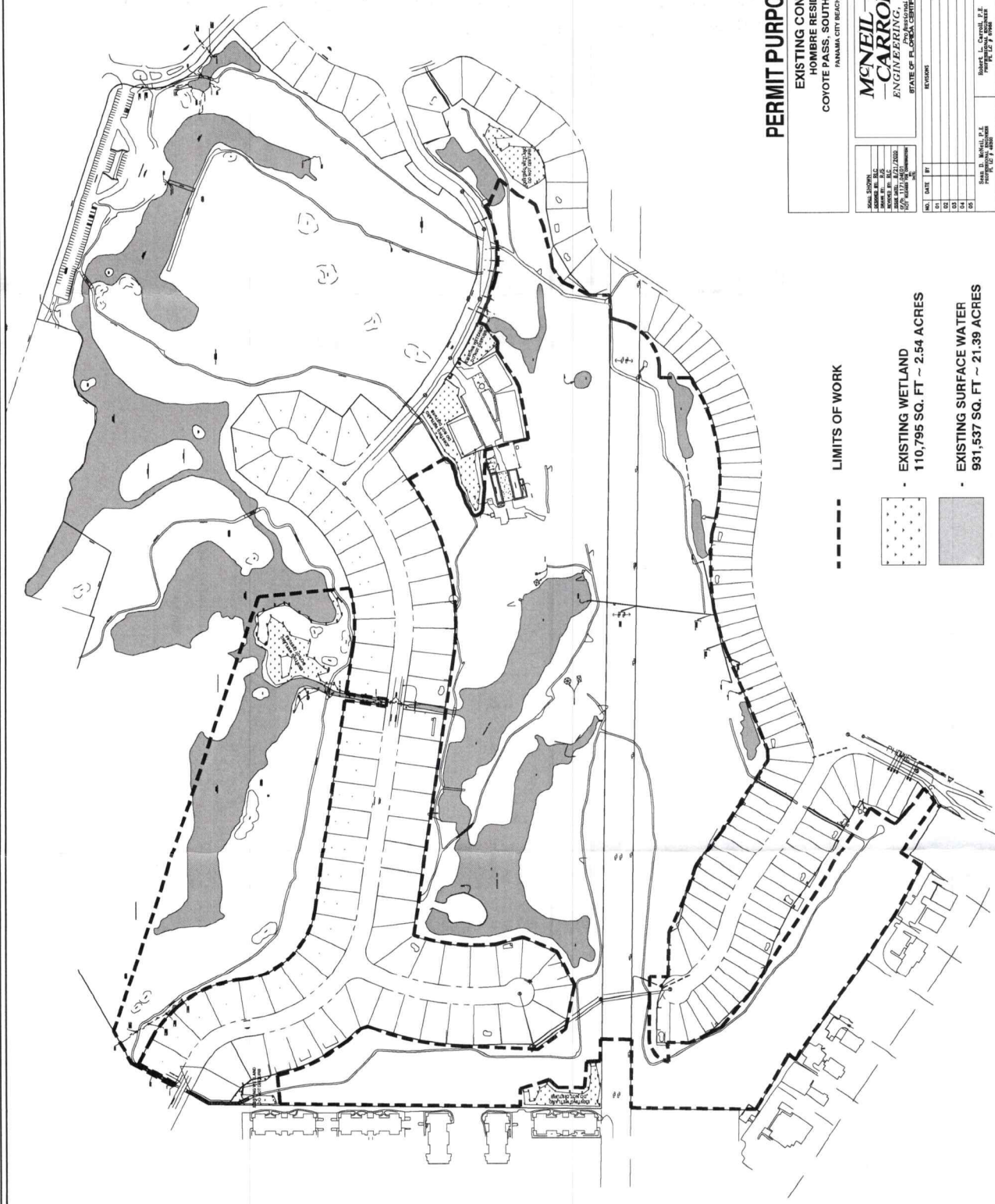
Gopher Tortoise: Gopher tortoises are found in dry, sandy soils in habitats such as sandhills, xeric oak, and dry pine flatwoods. According to the applicant's submittal, pedestrian field surveys performed in June of 2019 and August of 2020 did not identify any gopher tortoises or burrows onsite. A review of the Natural Resources Conservation Service Soil Survey suggests that approximately 11.4% of the project area contains soils suitable for gopher tortoises, but the historic use of the site as a golf course may limit the potential for gopher tortoise presence. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit.

Florida Pine Snake: Florida pine snakes are naturally secretive and can spend up to 80 percent of their lives in underground refuges like stump holes and the burrows formed by gopher tortoises, armadillos, and mice. They traditionally occupy habitats with open canopies and dry, sandy soils. Florida pine snakes have historically occurred in this area, and suitable habitat may occur onsite. Field surveys performed by the applicant in June of 2019 and August of 2020 did not result in any observations of this species and, due to the disturbed nature of the onsite uplands, the applicant does not anticipate that pine snakes will be present within the project boundary. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit based on these commitments.

State-Listed Shorebirds: While the existing site conditions likely do not support shorebird nesting activity, clearing associated with construction may create conditions conducive for beach-nesting state-listed shorebirds, specifically the least tern, black skimmer, and snowy plover. Beach-nesting birds have been documented on a variety of disturbed sites, including construction sites and surface scraping and other clearing activities that precede construction may attract these species. The applicant's submittal indicated no presence of state-listed shorebirds onsite during multiple field surveys. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit.

State-Listed Wading Birds: The surface waters that will be impacted as a result of this project represent potential habitat for state-listed wading birds, specifically the little blue heron and tricolored heron. Field surveys performed by the applicant resulted in no observations of these species, though the applicant did identify suitable foraging habitat within the project area. As designed, the proposed development will result in no impacts to natural wetlands and, following

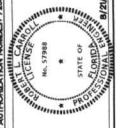
a temporary decrease during construction, will result in a net increase of surface waters onsite. As the applicant is not proposing to negatively impact potential habitat for these species, they anticipate no substantial impacts. FWC staff will work with the applicant to establish any necessary permit conditions for the State 404 permit.



**PERMIT PURPOSES ONLY**

**EXISTING CONDITIONS**  
**HOMBRE RESIDENTIAL**  
**COYOTE PASS, SOUTH GLADES TRAIL**  
 PANAMA CITY BEACH, FLORIDA

**MCNEIL-CARROLL ENGINEERING, INC.**  
 STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 7288  
 17800 Panama City Beach Parkway  
 Panama City Beach, Florida 32413  
 Phone: 850-234-5700  
 Fax: 850-234-9791

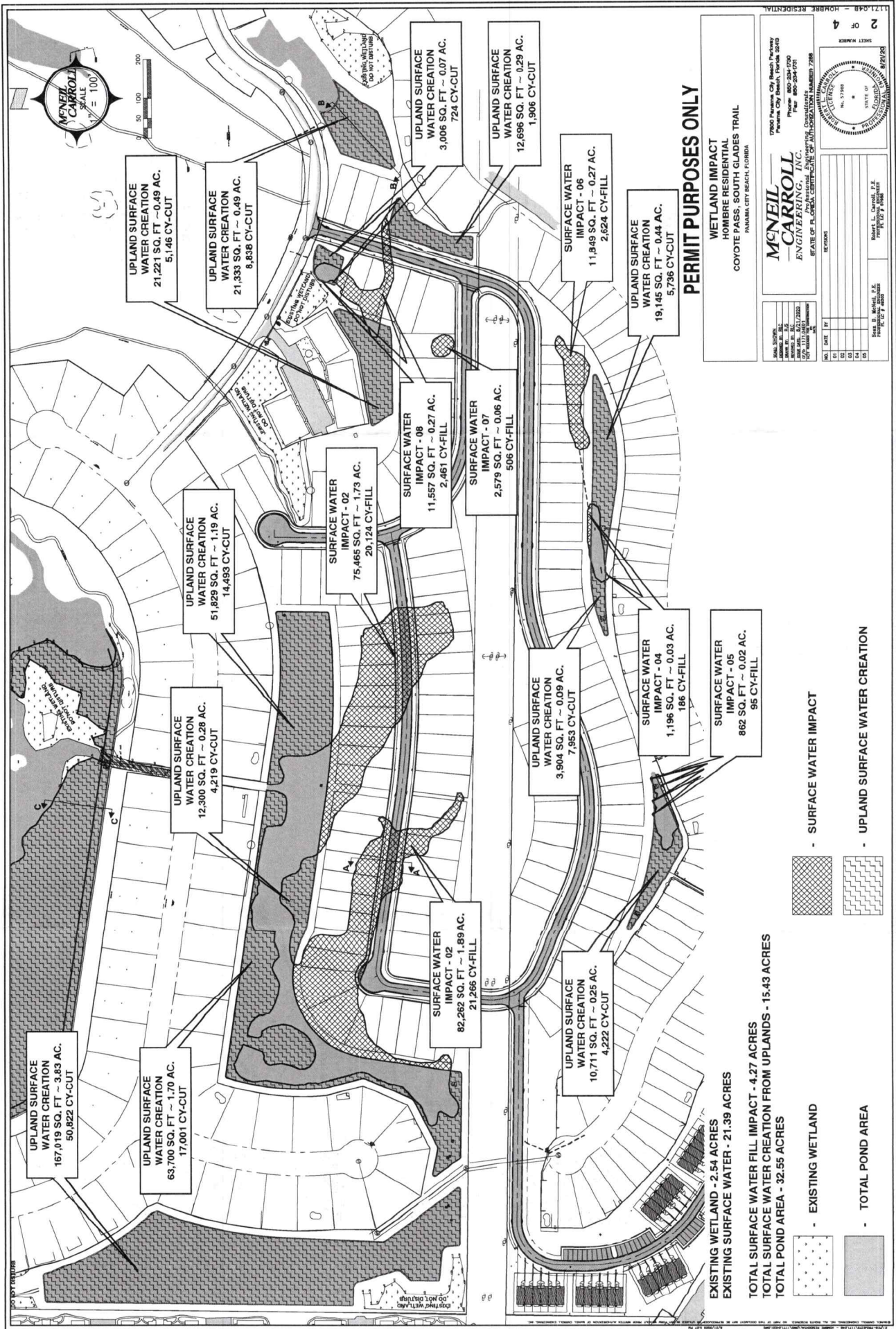


DATE: 01/27/2020  
 DRAWN BY: J. J. [unclear]  
 CHECKED BY: [unclear]  
 PROJECT NUMBER: [unclear]

NO.	DATE	BY	REVISIONS
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**LIMITS OF WORK**

- [Stippled Pattern] **EXISTING WETLAND**  
110,795 SQ. FT ~ 2.54 ACRES
- [Shaded Area] **EXISTING SURFACE WATER**  
931,537 SQ. FT ~ 21.39 ACRES



UPLAND SURFACE  
WATER CREATION  
167,019 SQ. FT. ~ 3.83 AC.  
50,822 CY-CUT

UPLAND SURFACE  
WATER CREATION  
63,700 SQ. FT. ~ 1.70 AC.  
17,001 CY-CUT

UPLAND SURFACE  
WATER CREATION  
12,300 SQ. FT. ~ 0.28 AC.  
4,219 CY-CUT

UPLAND SURFACE  
WATER CREATION  
51,829 SQ. FT. ~ 1.19 AC.  
14,493 CY-CUT

SURFACE WATER  
IMPACT - 02  
75,465 SQ. FT. ~ 1.73 AC.  
20,124 CY-FILL

SURFACE WATER  
IMPACT - 02  
82,262 SQ. FT. ~ 1.89 AC.  
21,268 CY-FILL

SURFACE WATER  
IMPACT - 08  
11,557 SQ. FT. ~ 0.27 AC.  
2,461 CY-FILL

SURFACE WATER  
IMPACT - 07  
2,579 SQ. FT. ~ 0.06 AC.  
506 CY-FILL

UPLAND SURFACE  
WATER CREATION  
3,904 SQ. FT. ~ 0.09 AC.  
7,953 CY-CUT

UPLAND SURFACE  
WATER CREATION  
10,711 SQ. FT. ~ 0.25 AC.  
4,222 CY-CUT

SURFACE WATER  
IMPACT - 04  
1,196 SQ. FT. ~ 0.03 AC.  
186 CY-FILL

SURFACE WATER  
IMPACT - 05  
862 SQ. FT. ~ 0.02 AC.  
95 CY-FILL

UPLAND SURFACE  
WATER CREATION  
21,221 SQ. FT. ~ 0.49 AC.  
5,146 CY-CUT

UPLAND SURFACE  
WATER CREATION  
21,333 SQ. FT. ~ 0.49 AC.  
8,838 CY-CUT

UPLAND SURFACE  
WATER CREATION  
3,006 SQ. FT. ~ 0.07 AC.  
724 CY-CUT

UPLAND SURFACE  
WATER CREATION  
12,696 SQ. FT. ~ 0.29 AC.  
1,906 CY-CUT

SURFACE WATER  
IMPACT - 06  
11,849 SQ. FT. ~ 0.27 AC.  
2,624 CY-FILL

UPLAND SURFACE  
WATER CREATION  
19,145 SQ. FT. ~ 0.44 AC.  
5,736 CY-CUT

EXISTING WETLAND - 2.54 ACRES  
EXISTING SURFACE WATER - 21.39 ACRES

TOTAL SURFACE WATER FILL IMPACT - 4.27 ACRES  
TOTAL SURFACE WATER CREATION FROM UPLANDS - 15.43 ACRES  
TOTAL POND AREA - 32.55 ACRES

- SURFACE WATER IMPACT
- UPLAND SURFACE WATER CREATION
- EXISTING WETLAND
- TOTAL POND AREA

**PERMIT PURPOSES ONLY**

WETLAND IMPACT  
HOMBER RESIDENTIAL  
COYOTE PASS, SOUTH GLADES TRAIL  
MIAMI CITY BEACH, FLORIDA

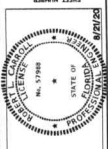
**MCNEIL  
CARROLL**  
ENGINEERING, INC.

19005 Panama City Beach Parkway  
Panama City Beach, Florida 32413  
Phone: 850-254-1750  
Fax: 850-254-1751

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Drawn By: MCNEIL CARROLL  
 Checked By: MCNEIL CARROLL  
 Project No.: 17-000000-0000  
 Sheet No.: 2 OF 4

STATE OF FLORIDA  
 DIVISION OF CONSERVATION  
 WETLANDS PERMIT NO. 17-000000-0000-0000







**WETLAND IMPACT**  
**HOMBRE RESIDENTIAL**  
**COYOTE PASS, SOUTH GLADES TRAIL**  
 PANAMA CITY BEACH, FLORIDA

**McNEIL CARROLL ENGINEERING, INC.**  
 STATE OF FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 7298

1721048 - HOMBRE RESIDENTIAL  
 3 OF 4  
 SHEET NUMBER

DATE: 11/11/2008  
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 PROJECT: HOMBRE RESIDENTIAL

REVISIONS

NO. DATE BY DESCRIPTION

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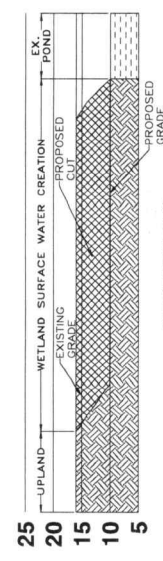
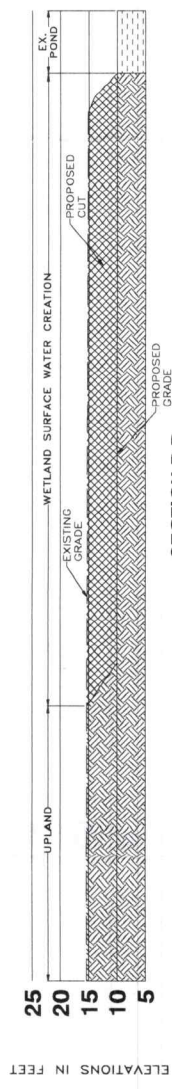
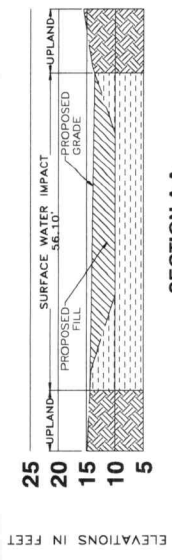
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- PREVIOUSLY PERMITTED DITCH IMPACT
- SURFACE WATER IMPACT
- UPLAND SURFACE WATER CREATION

- EXISTING WETLAND
- TOTAL NEW SURFACE WATER
- PREVIOUSLY PERMITTED DITCH IMPACT
- SURFACE WATER IMPACT
- UPLAND SURFACE WATER CREATION

EXISTING WETLAND - 2.54 ACRES  
 EXISTING SURFACE WATER - 21.39 ACRES  
 TOTAL SURFACE WATER FILL IMPACT - 4.27 ACRES  
 TOTAL SURFACE WATER CREATION FROM UPLANDS - 15.43 ACRES  
 TOTAL NEW SURFACE WATER - 32.55 ACRES



**PERMIT PURPOSES ONLY**  
 WETLAND CROSS SECTIONS  
 HOWERS RESIDENTIAL  
 COYOTE PASS, SOUTH GLADES TRAIL  
 MIAMI CITY SOUTH, FLORIDA

SMALL SCALE  
 DATE: 01/27/2020  
 TIME: 10:00 AM  
 PROJECT: HOWERS RESIDENTIAL  
 SHEET: 4 OF 4

**MCNEIL CARROLL**  
 ENGINEERING, INC.  
 PROFESSIONAL ENGINEERING FIRM  
 STATE OF FLORIDA LICENSE NUMBER: 72988

HOWERS RESIDENTIAL  
 COYOTE PASS, SOUTH GLADES TRAIL  
 MIAMI CITY SOUTH, FLORIDA  
 PHONE: 800-204-7700  
 FAX: 800-204-0791

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