



Jeb Bush  
Governor

321 - 453 - 5220

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

**CERTIFIED - RETURN RECEIPT REQUESTED**

February 5, 1999

U. S. Army Corps of Engineers  
c/o Mr. Richard E. Bonner, P.E.  
Jacksonville District  
Post Office Box 4970  
Jacksonville, Florida 32232-0019

Permit No. 0129260-001-JC (formerly File No. 052874529)  
U. S. Army Corps of Engineers, Jacksonville District  
Canaveral Harbor Maintenance Dredging

Dear Mr. Bonner:

Your request for a Joint Coastal Permit, issued pursuant to Chapter 161 and Part IV of Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code, has been approved by the Department. Please read the enclosed permit and permit conditions closely before starting construction. Particularly note the permit conditions pertaining to written reports which must be submitted to the Department at specified times.

Please direct any questions regarding this document to me by letter at the above address (add Mail Station 300), or by telephone at (850) 487-4471, ext. 141.

Sincerely,

Lauren P. Milligan  
Environmental Specialist  
Bureau of Beaches and Coastal Systems

cc: George Gionis, DEP, Central District  
Florida Marine Patrol  
✓ Mark White, USACOE, Jacksonville  
Joe LaPolla, Canaveral Port Authority  
George Isiminger, Gee & Jenson, Inc.  
BBCS Permit Information Center

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# Department of Environmental Protection

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3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

## CONSOLIDATED JOINT COASTAL PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

<b>PERMITTEE/AUTHORIZED ENTITY:</b>	<b>Permit/Authorization No.:</b> 0129260-001-JC
U. S. Army Corps of Engineers	<b>Date of Issue:</b> February 5, 1999
c/o Mr. Richard E. Bonner, P.E.	<b>Expiration Date:</b> February 5, 2009
Jacksonville District	<b>County:</b> Brevard
Post Office Box 4970	<b>Project:</b> Canaveral Harbor
Jacksonville, Florida 32232-0019	Maintenance Dredging

This permit is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act, and certification of compliance with state water quality standards pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapters 253 and 258, F.S., Chapters 18-20 and 18-21, F.A.C., Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined that the activity qualifies for a consent to use sovereign, submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

The U. S. Army Corps of Engineers (Corps) is hereby authorized to construct the work in accordance with the permit project description and conditions, including the water quality monitoring requirements, and other application documents attached hereto or on file with the Department and specifically made a part hereof.

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In the event that beach disposal is identified as a viable dredged material management option, the Department will enter into a contractual agreement with the local project sponsor, under which the local sponsor will be responsible for conducting monitoring and beach maintenance activities for the protection of nesting marine turtles, their hatchlings and their habitat. The agreement will be enforceable against the sponsor and is independent of this permit.

**PROJECT DESCRIPTION:**

The project is to maintenance dredge approximately 700,000 cubic yards of material annually from the Canaveral Harbor Entrance Channel, Inner Channel, Trident Turning Basin, Middle Turning Basin, West Turning Basin, and Barge Canal and place the near beach quality material in a nearshore disposal area at Cocoa Beach. Alternatively, the permittee may place beach-compatible sand within the beach disposal area of the Canaveral Harbor Sand Bypassing Project (Permit DBS9A0316 BE M2) between the Department's reference monument R-1 and reference monument R-14. Other dredged materials will be disposed of at an EPA-designated Ocean Dredged Material Disposal Site (Canaveral Harbor ODMDS) or an upland disposal area adjacent to the Barge Canal on Merritt Island. The Entrance Channel and Inner Channel will be maintained to a depth of -46 (MLW) and -48 ft. (Cut 2) and width of 400 ft., the Trident, Middle and West Turning Basins to a depth of -43 ft., and the Barge Canal to a depth of -14 ft. and width of 125 ft. The Entrance Channel will also be modified by enlarging the bend widener, constructing a settling basin, and deepening Cut 2.

**LOCATION:**

Located north of Cocoa Beach, from the Atlantic Ocean westward across the Canaveral Peninsula, Banana River, Merritt Island, and Indian River to the Atlantic Intracoastal Waterway, Brevard County, adjacent to the Banana River Aquatic Preserve and Merritt Island National Wildlife Refuge (Outstanding Florida Waters), Class III Waters.

**GENERAL CONDITIONS:**

1. All activities approved shall be implemented as set forth in the drawings incorporated by reference and in compliance with the conditions and requirements of this document. The Corps shall notify the Department in writing of any anticipated significant deviation from this authorization prior to implementation so that the Department can determine whether a modification is required. If the Department determines that a deviation is significant, then the Corps or the local sponsor, as appropriate, shall apply for and obtain the modification prior to its implementation.

2. If, for any reason, the Corps does not comply with any condition or limitation specified herein, the Corps shall immediately provide the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. Compliance with the provisions of this condition shall not

preclude the Department from taking any enforcement action allowed under state law to the extent that federal sovereign immunity has been waived under 33 U.S.C. 1323 and 1344(t).

3. The Corps shall obtain any applicable licenses or permits which may be required by federal, state, local or special district laws and regulations. Nothing herein constitutes a waiver or approval of other Department permits or authorizations that may be required for other aspects of the total project. Projects shall not proceed until any other required permits or authorizations have been issued by the responsible agency.
4. Nothing herein conveys title to land or water, constitutes State recognition or acknowledgment of title, or constitutes authority for the use of sovereign land of Florida seaward of the mean high-water line, or, if established, the erosion control line, unless herein provided, and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State.
5. Any delineation of the extent of a wetland or other surface water submitted as part of the application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this authorization or a formal determination under section 373.421(2), F.S., provides otherwise.
6. Nothing herein conveys to the Corps or creates in the Corps any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the Corps or local sponsor, or convey any vested rights or any exclusive privileges.
7. This document or a copy thereof, complete with all conditions, attachments, modifications, and time extensions shall be kept at the work site on the authorized activity. The Corps shall require the contractor to review this document prior to commencement of the authorized activity.
8. The Corps specifically agrees to allow Department personnel with proper identification, at reasonable times and in compliance with Corps specified safety standards access to the premises where the authorized activity is located or conducted for the purpose of ascertaining compliance with the terms of this document and with the rules of the Department and to have access to and copy any records that must be kept; to inspect the facility, equipment, practices, or operations regulated or required; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance. Reasonable time may depend on the nature of the concern being investigated.
9. At least forty-eight (48) hours prior to the commencement of authorized activity, the Corps shall submit to the Department a written notice of commencement of activities indicating the anticipated start date and the anticipated completion date.

10. If historic or archaeological artifacts are discovered at any time on the project site, the Corps shall immediately notify the State Historic Preservation Officer, and if a significant deviation is necessary, shall also notify the Department.

11. Within a reasonable time after completion of project construction or a periodic maintenance dredging event, the Corps shall submit to the Department a written statement of completion. This statement shall notify the Department that the work has been completed as authorized and shall include a description of the actual work completed. The Department shall be provided, if requested, a copy of any as-built drawings required of the contractor or survey performed by the Corps.

**SPECIFIC CONDITIONS:**

1. Prior to each dredging event, the Corps will provide two copies of final construction plans and specifications for all authorized activities, a proposed schedule of dredging for the event, and two copies of the Contractor's Environmental Protection Plan submitted in accordance with Section 01130, Para. 4.1 of the project specifications.

2. At least 7 days prior to the planned commencement date of each maintenance dredging event to be conducted during the term of this permit, the Corps shall schedule a pre-construction conference to review the specific conditions and monitoring requirements of this permit with the Corps' contractors, work crews, the Department's permit staff representative, and the marine turtle permit holder (if applicable). The permittee shall provide a minimum 7 days advance written notification to the following offices advising of the date, time, and location of the pre-construction conference:

DEP Bureau of Beaches and Coastal Systems  
Mail Station 300  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000  
phone: (850) 487-4471

DEP Central District Office  
Submerged Lands and Environmental Resources Program  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
phone: (407) 894-7555

**\*\* If future dredging events include a beach disposal option. \*\***

DEP Bureau of Protected Species Management  
Mail Station 245  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

phone: (850) 922-4330

3. The permittee and the Department, within their respective authorities and funding, shall ensure that beach compatible dredged material is placed on Florida's beaches to the extent economically feasible, consistent with Florida's beach management plan adopted pursuant to Chapter 161, F.S. and other beneficial uses criteria as may be specified by the Department and applicable federal standards. To further the parties' goals for sediment management, prior to each dredging event the Corps shall provide the Department with existing geotechnical information characterizing the sediments to be dredged and alternative disposal options with projected costs to allow the Department to participate in funding alternative disposal options over the least costly method.

4. In the event that beach disposal is identified as a viable dredged material management option pursuant to the above condition, the Department will enter into a contractual agreement with the local project sponsor for performance of all necessary marine turtle protection and monitoring requirements. If the local sponsor does not conduct the required activities, the Corps is still responsible for those marine turtle protection measures specified by the applicable U. S. Fish and Wildlife Service Biological Opinion and Section 01130 of the project specifications.

5. This permit authorizes the disposal of dredged material containing up to 20% fines at the nearshore disposal area. A visual estimation of the fines content of the dredged material shall be made during dredging in accordance with Section 02325, Para. 12 of the project specifications. If turbidity monitoring indicates that the disposal of dredged material containing up to 20% fines at the nearshore disposal area causes turbidity to be elevated above 29 NTUs over background levels outside of the mixing zone established for this project, disposal of dredged material containing up to 20% fines at the nearshore disposal area shall be discontinued. Thereafter, the fines content of the dredged material placed at the nearshore disposal area shall be reduced to a level which does not cause violations of the turbidity standard for Class III waters, pursuant to Rule 62-302, F.A.C.

Dredged material from the Canaveral Harbor Entrance Channel, Inner Channel, Trident Turning Basin, Middle Turning Basin, and West Turning Basin containing greater than 20% fines (or an acceptable fraction thereof) shall be placed at the Canaveral ODMDS. Material dredged from the Barge Canal will be placed in the Merritt Island upland disposal area.

6. This permit is a major modification of Permits Nos. 051513579 and 052605239, combining the Canaveral Harbor maintenance dredging authorized in both documents. This permit supersedes and replaces Permits Nos. 051513579 and 052605239 in its entirety.

**MONITORING REQUIRED:**

**Water Quality - Turbidity - Nephelometric Turbidity Units (NTUs)**

Frequency: Every 4 hours during all daylight dredging and upland and nearshore disposal operations.

Location:

Background: At mid-depth, at least 200 meters upcurrent from the dredge or point of discharge and outside of any turbidity generated by this project.

Compliance: 1. At all locations except as noted in No. 2 below: At mid-depth, no more than 150 meters downcurrent of the point of discharge and in the densest portion of any visible turbidity plume.

2. In the Banana River section of the Barge Canal:

a. At mid-depth, north along the Barge Canal and Merritt Island National Wildlife Refuge (OFW) border and in the densest portion of any visible turbidity plume.

b. At mid-depth, no more than 150 meters downcurrent of the point of discharge and in the densest portion of any visible turbidity plume.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at the compliance site greater than or equal to 29 NTUs above turbidity levels at the corresponding background site or if dredging the Barge Canal causes turbidity levels to exceed background in adjacent Outstanding Florida Waters, construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels.

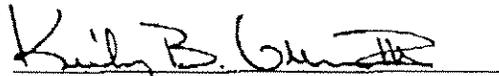
The following measures shall be taken by the permittee whenever turbidity levels at the limit of the mixing zone exceed the standards described in the Monitoring Required section, pursuant to Rule 62-302, F.A.C.:

- a. Immediately cease all work contributing to the water quality violation.
- b. Modify the work procedures that were responsible for the violation.
- c. Notify the Bureau of Beaches and Coastal Systems at (850) 487-4471 and the DEP Central District Office at (407) 894-7555 within 24 hrs. of the time the violation is first detected.

Copies of all reports (Turbidity Monitoring Test Reports, Section 01131, Appendices A and B, Plans and Specifications) shall be submitted to the Bureau of Beaches and Coastal Systems in Tallahassee and DEP Central District Office in Orlando on a weekly basis within seven days of collection. The data shall be submitted under a cover letter containing the following information: (1) permit number; (2) a statement describing the methods used in collection, handling, storage and analysis of the samples; (3) a map indicating the sampling locations; and (4) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

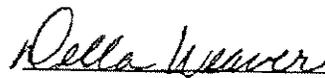
Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Kirby B. Green, III, Deputy Secretary

FILING AND ACKNOWLEDGMENT

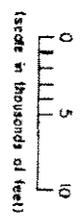
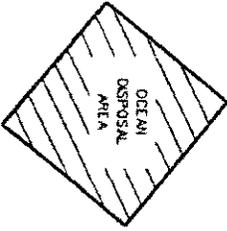
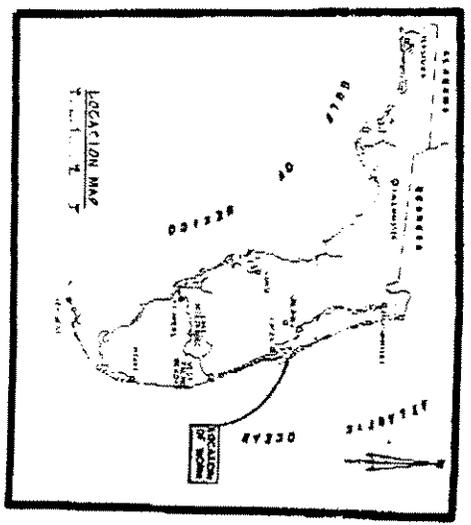
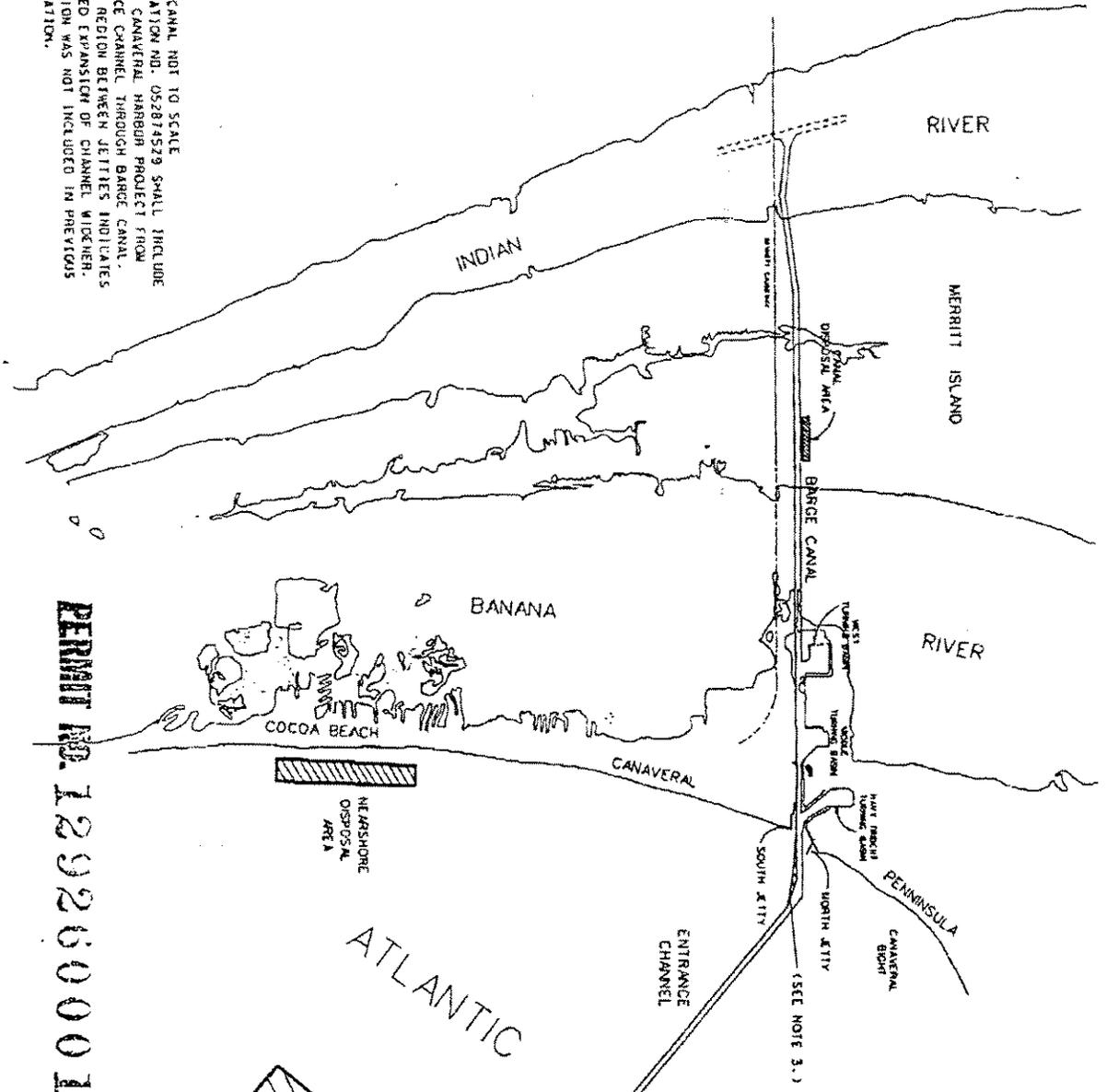
FILED, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 2/5/99  
Deputy Clerk Date

NOTES:  
 1. BARGE CANAL NOT TO SCALE  
 2. APPLICATION NO. 052874529 SHALL INCLUDE ENTIRE CANAVERAL HARBOR PROJECT FROM ENTRANCE CHANNEL THROUGH BARGE CANAL. SHADED REGION BETWEEN JETTIES INDICATES PROPOSED EXPANSION OF CHANNEL WIDTHEN. EXPANSION WAS NOT INCLUDED IN PREVIOUS APPLICATION.

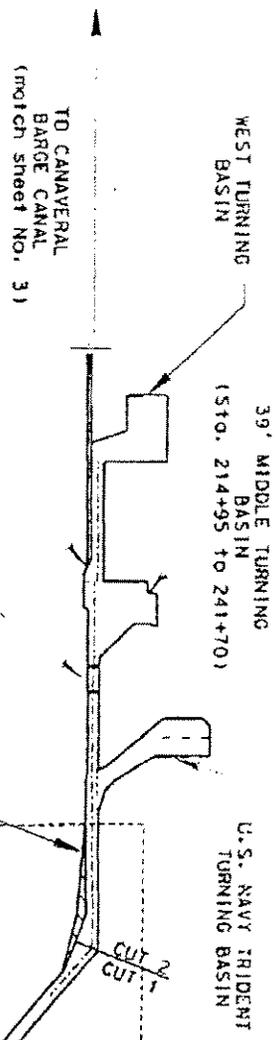
VICINITY MAP

PERMIT NO. 129260001-5C



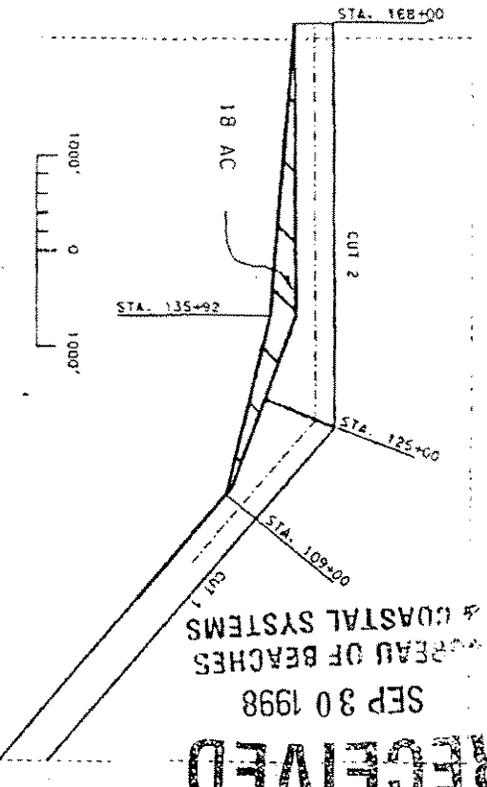
U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA	
VICINITY AND LOCATION MAPS	
JULY 1998	CREATED BY: B BRIDCH
WQC DRAWING NO. 1 OF 17	CHECKED BY:

1605.000  
 1515.000  
 1425.000  
 1335.000  
 1245.000  
 1155.000



.475,000  
 START OF BARGE CANAL  
 (Sta. 141+70)  
 CUT 3  
 (Station 207+00 to 214+95)

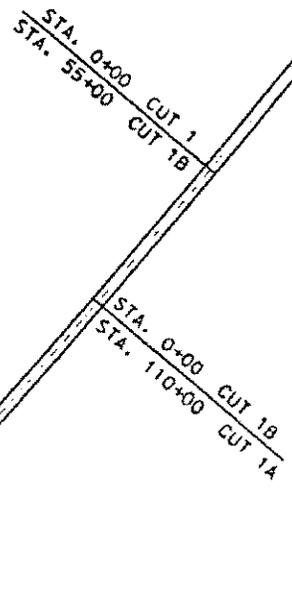

 SHADED REGION IS NEW FOR  
 WQC APPLICATION



**RECEIVED**  
 SEP 30 1998  
 BUREAU OF BEACHES  
 & COASTAL SYSTEMS

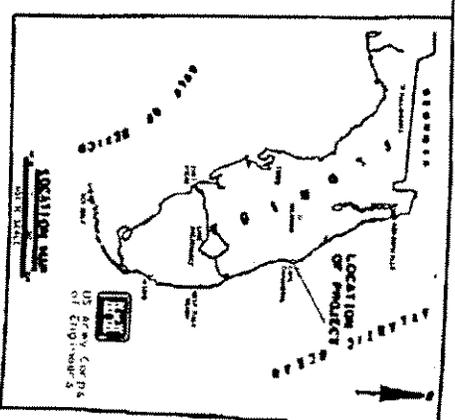
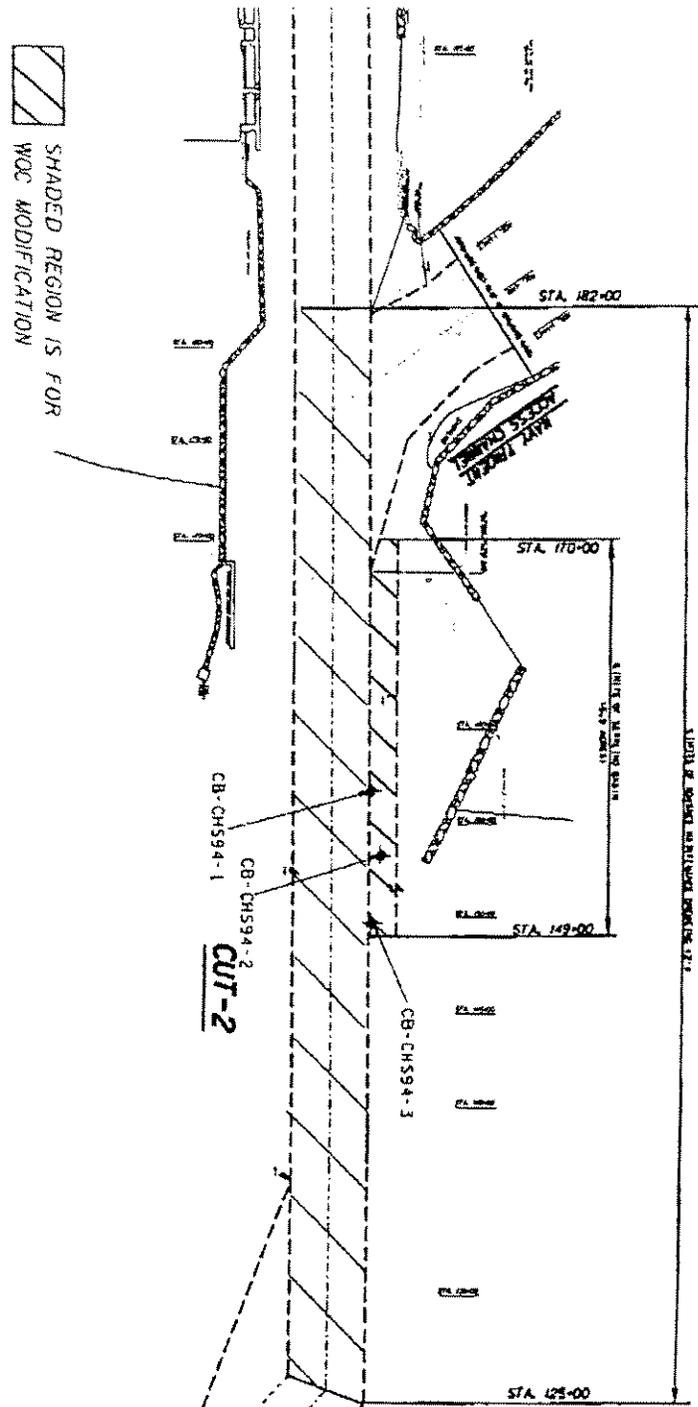
(Scale in thousands of feet)  
 2 0 2 4

**PERMIT NO. 129260001-5C**



U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA ENT. CHANNEL & TURNING BASINS AND WIDENER	
JULY 1998	ORATED BY: B. BROOKS CHECKED BY:
WQC DRAWING NO. 29 OF 17	

# CANAVERAL HARBOR, FLORIDA (ADVANCE MAINTENANCE)



PERMIT NO. 129260001-5C

GRAPHIC SCALE  
200' 0 200' 400'  
1" = 200'

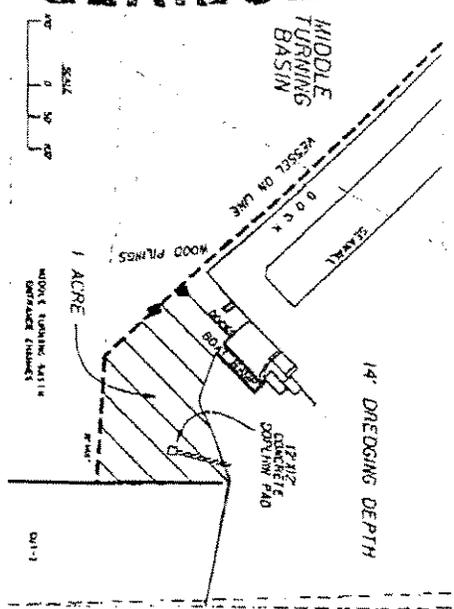
U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA ENTRANCE CHANNEL, CUT-2 SETTLING BASIN	
JULY 1998	B. BRIDGER
WOC DRAWING NO. 26 OF 17	

X=605.000  
 X=515.000  
 X=525.000  
 X=535.000  
 X=645.000  
 X=55.000

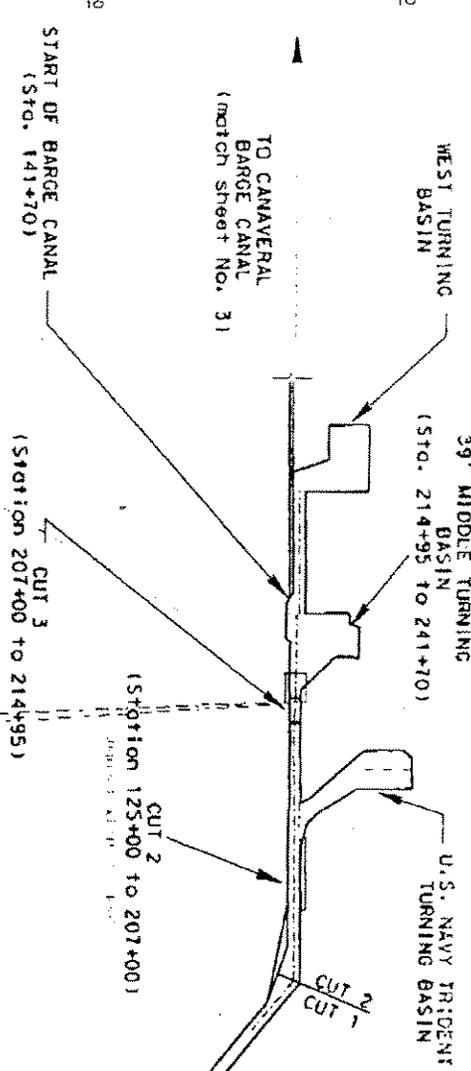
485.000  
 475.000  
 465.000

BUREAU OF BEACHES  
 COASTAL SYSTEMS  
 SEP 30 1998

**RECEIVED**



SHADED REGION IS FOR  
 WQC MODIFICATION



(scale in thousands of feet)



PRINT NO. 129260001-5C

STA. 0+00 CUT 1A  
 STA. 55+00 CUT 1B  
 STA. 0+00 CUT 1B  
 STA. 110+00 CUT 1A



U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA MIDDLE TURNING BASIN NAVY BOAT RAMP	
JULY 1998	CREATED BY: B. BRODZHL CHECKED BY:
WQC DRAWING NO. 2c OF 17	

X=55.000  
X=55.000  
X=55.000  
X=55.000  
X=55.000

Y=1,490,000

Y=1,485,000

Y=1,480,000

Y=1,475,000

CUT 4  
(Sto. 502+41 to 543+05)  
canal width is 125'

CUT 2  
(Sto. 418+00 to 452+25)  
canal width is 125'

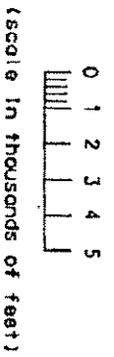
CUT 3  
(Sto. 452+26 to 502+00)  
canal width is 125'

CUT 1  
(Station 0+00 to 418+00)  
canal width is 125'

(see drawing No. 5)

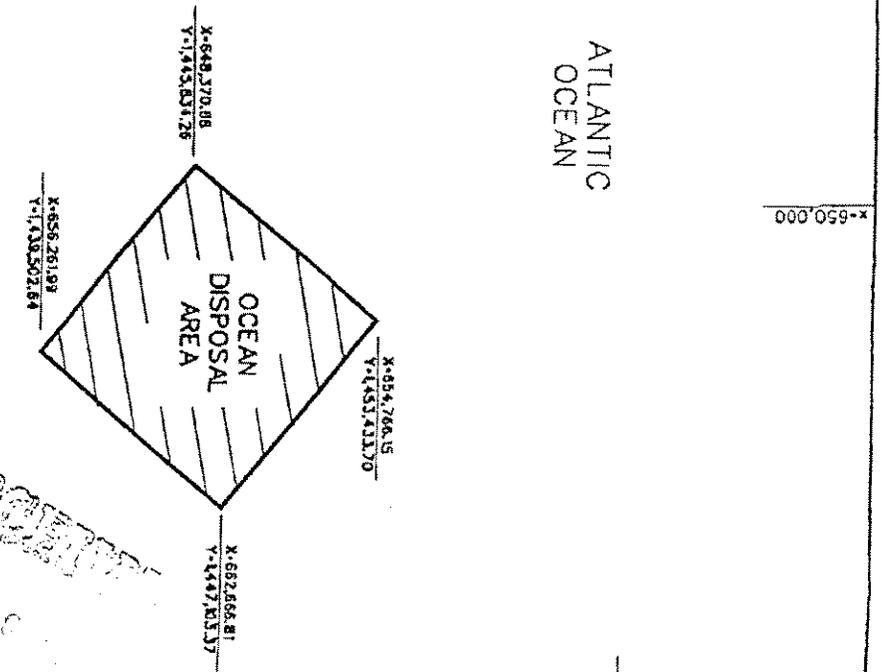
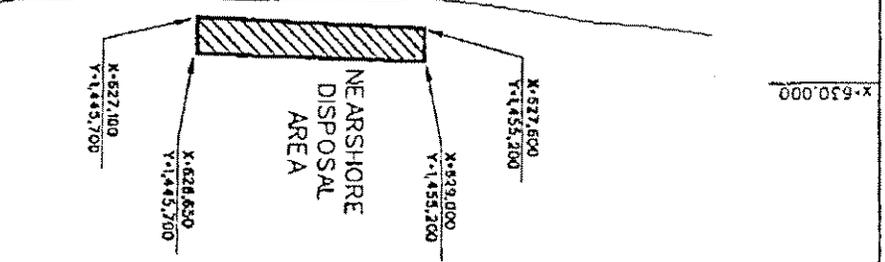
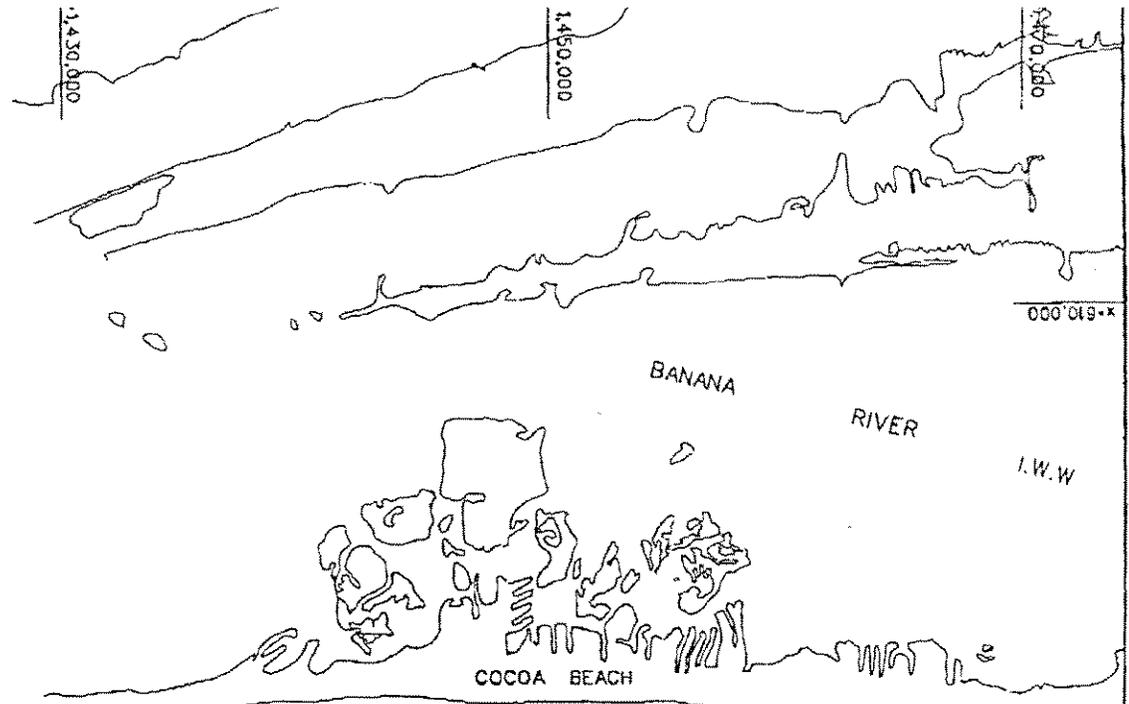
EXISTING BARGE CANAL  
DISPOSAL AREA

TO ENTRANCE CHANNEL  
AND TURNING BASINS  
(match sheet No. 2)



PERMIT NO. 129260001-5C

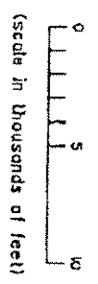
U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA BARGE CANAL	
JUNE 1996	CREATED BY: R. BERSON CHECKED BY: [Signature]
WQC DRAWING NO. 3 OF 17	



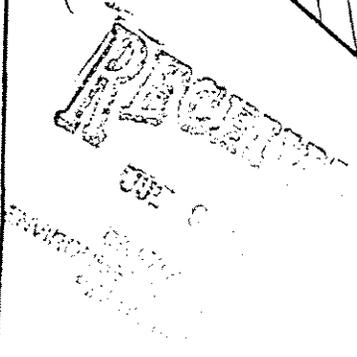
ATLANTIC OCEAN

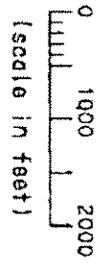
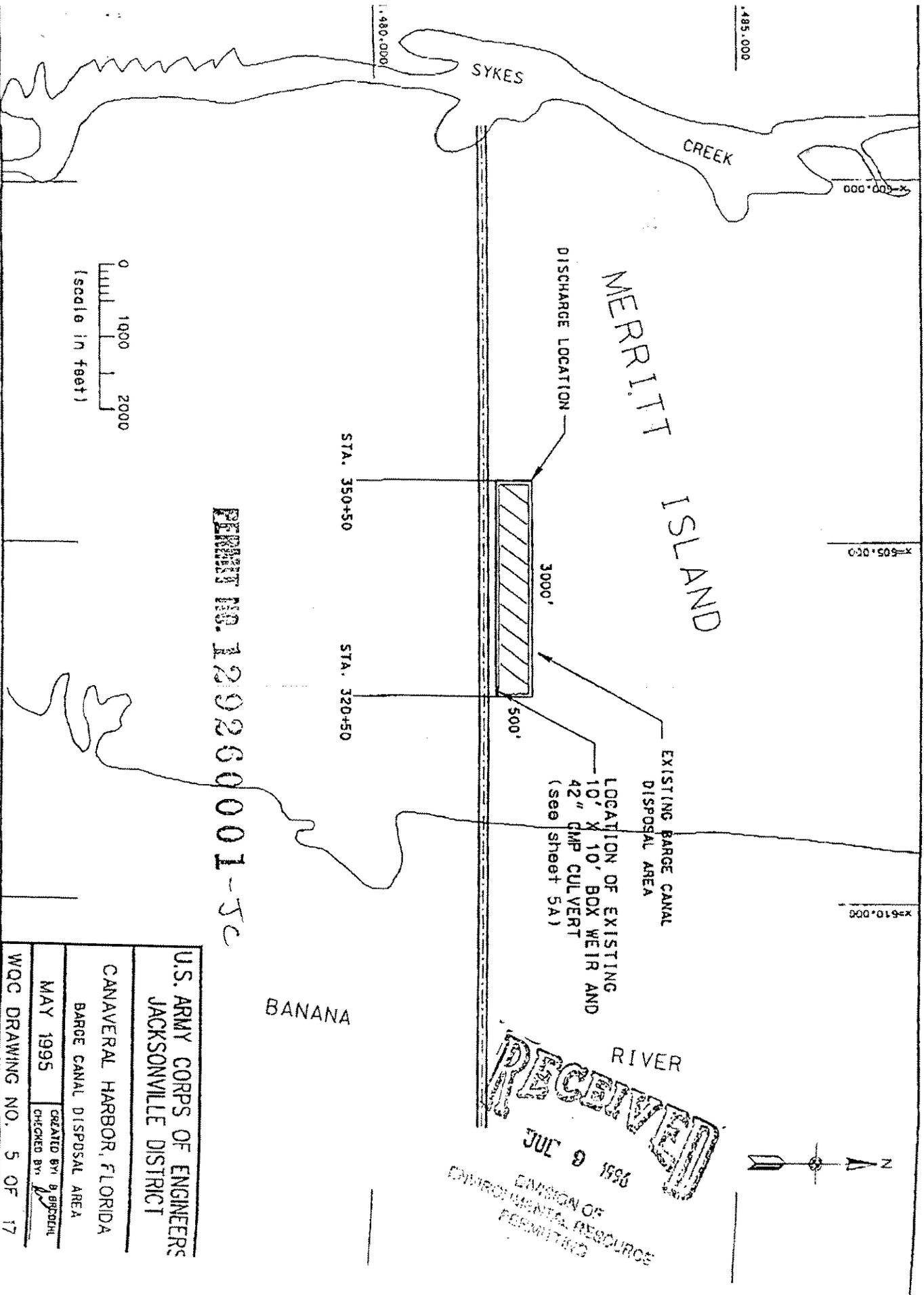


PERMIT NO. 129260001-SC



U.S. ARMY CORPS OF ENGINEER  
 JACKSONVILLE DISTRICT  
 CANAVERAL HARBOR, FLORIDA  
 OCEAN & NEARSHORE DISPOSAL AREAS  
 JUNE 1996  
 WQC DRAWING NO. 4 OF 17  
 CREATED BY: B. BRODEK  
 CHECKED BY: A





PERMIT NO. 129260001-5c

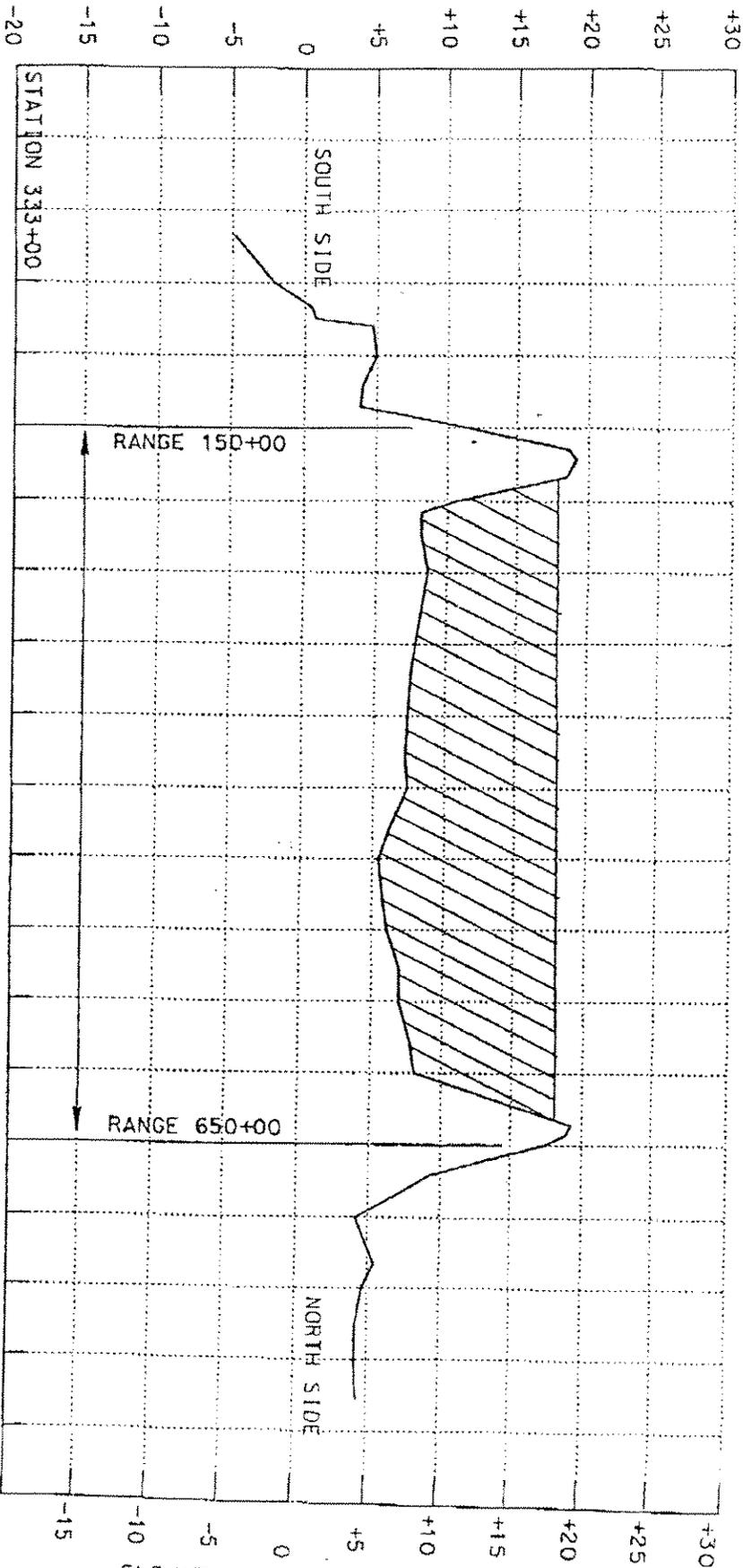
U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT	
CANAVERAL HARBOR, FLORIDA	
BARGE CANAL DISPOSAL AREA	
MAY 1995	CREATED BY: g.jrc/eph CHECKED BY: [Signature]
WQC DRAWING NO. 5 OF 17	

**RECEIVED**  
JUL 9 1996

ENVIRONMENTAL RESOURCE  
COMMISSION PERMITTING



ELEVATION IN FEET - MEAN LOW WATER



ELEVATION IN FEET - MEAN LOW WATER

SHADED PORTION INDICATES PROPOSED FILL AREA

GRAPHIC SCALES



TYPICAL CROSS SECTION  
FOR  
PENNY NO. 129260001-5C

CANAVERAL BARGE CANAL  
DISPOSAL AREA

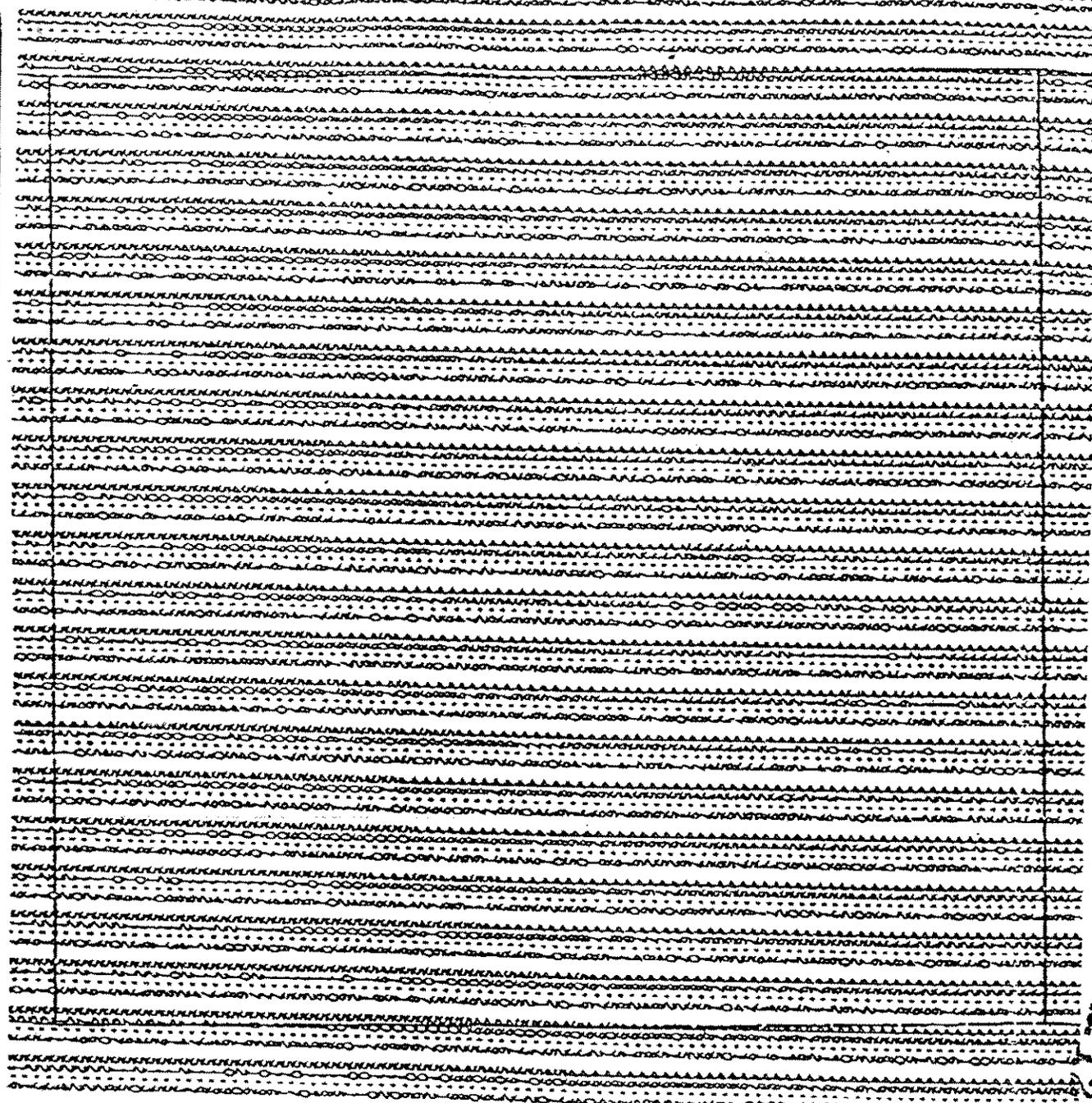
U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT

CANAVERAL HARBOR, FLORIDA  
CROSS-SECTION, UPLAND DISPOSAL AREA

MAY 1995

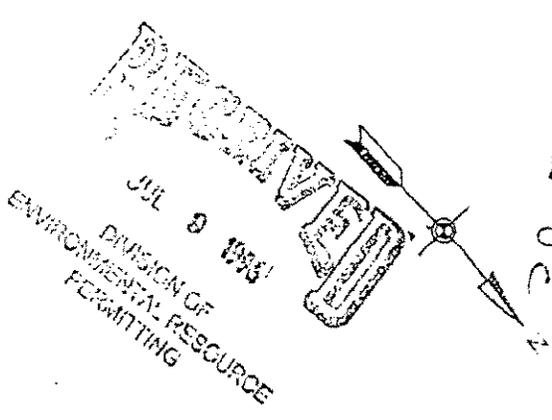
CREATED BY: B. PROBERT  
CHECKED BY: M

WQC DRAWING NO. 15 OF 17



PERMIT NO. 19260001-02

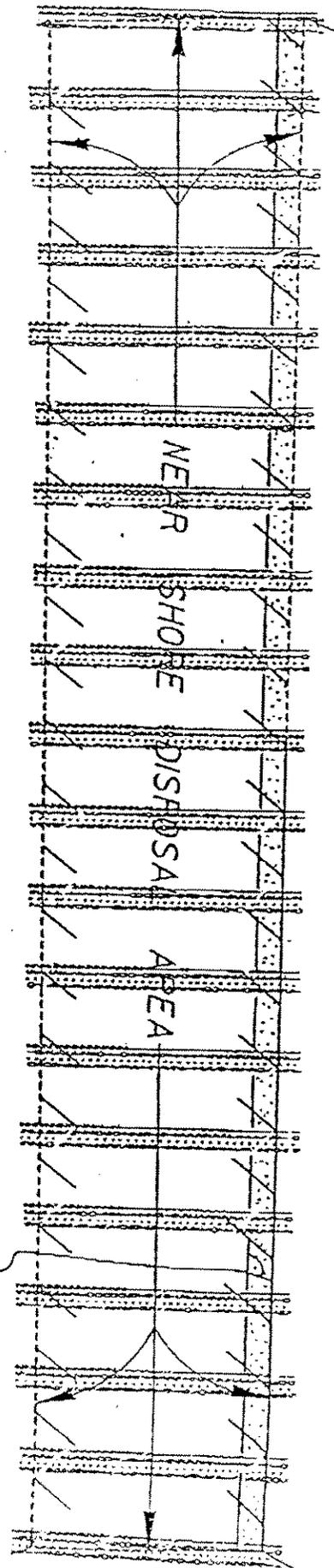
19260001-02



SEE DRAWING NO. 4  
FOR COORDINATES

1 inch = 1560 ft

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT  
CANAVERAL HARBOR, FLORIDA  
OCEAN DISPOSAL AREA  
MAY 1995  
CREATED BY: B. STODOL  
CHECKED BY: AJL  
WQC DRAWING NO. 16 OF 17



PERMIT NO. 129260001-JC

SEE DRAWING NO. 4  
FOR COORDINATES

1 inch = 970 ft

U.S. ARMY CORPS OF ENGINEERS  
JACKSONVILLE DISTRICT  
CANAVERAL