Florida Department of
Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

NOTICE OF PERMIT ISSUANCE

October 2, 2007

In the matter of an
Application for a Permit by:

Stuart Appelbaum
Chief of Planning Division
U.S. Army Corp of Engineers
Post Office Box 4970
Jacksonville, Florida 32232
_____/

File No. 15-261437-001-EI
Dixie County

Enclosed is Permit Number 15-261437-001-EI to dredge the channel at McGriff Pass, issued pursuant to Part IV of Chapter 373, and Chapters 253, and 258, Florida Statutes, Title 18 and 62, Florida Administrative Code, and Public Law 92-500.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gregory J. Strong
District Director

AS/ab

CERTIFICATE OF SERVICE

This is to certify that the NOTICE OF PERMIT and all copies were mailed before the close of business on 10/5/07 to the listed persons.

DOCKET # AB

"FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged."
Amy Brocato 10/5/07
Clerk Date

Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Voice 904-807-3300 FAX 904-448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ENVIRONMENTAL RESOURCE PERMIT
AND SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

PERMITTEE:
Stuart Appelbaum
Chief of Planning Division
U.S. Army Corp of Engineers
Post Office Box 4970
Jacksonville, Florida 32232

PERMIT INFORMATION:
Permit Number: 15-261437-001-EI
Date of Issue: August 30, 2007
Expiration Date of Construction Phase
August 30, 2012
County: Dixie
Project: USACOE Suwannee River Dredge Project

This environmental resource permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.) for the regulatory authority to construct, alter, abandon, remove, maintenance, and operate the system [project activity and/or structure(s)] as described in the below Description of Project Activity and/or Structure(s). The appropriate proprietary authorization for the use of state-owned submerged lands is granted in accordance with Chapter 253, F.S., and Chapter 18-21, F.A.C. The activity is not exempt from the requirement to obtain an environmental resource permit nor is the activity exempt form the requirement to obtain proprietary authorization. Pursuant to Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity. In addition, the project has been reviewed under a Coordination Agreement Between the US Army Corps of Engineers, Jacksonville District, and the Department for a State Programmatic General Permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 and Section 401 of the Clean Water Act and may contain Federal authorization to construct and operate the facility as described.

DESCRIPTION OF PROJECT ACTIVITY AND/OR STRUCTURE(S) -

The applicant, U.S. Army Corp of Engineers, applied on January 31, 2006 to the Department of Environmental Protection for an environmental resource permit/water quality certification and requested authorization to use sovereignty submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to dredge approximately 160,000 cubic yards of material from the federally authorized navigation channel McGriff Pass, also known as Wadley Pass, within the open waters of the Gulf of Mexico and the lower Suwannee River, Dixie County. The channel dredge area is to be 2.5 miles long by 75 feet wide by 6 feet deep plus one foot of advanced maintenance dredging plus one foot of overdepth dredging for a total depth of 8 feet from the existing substrate elevation.

The proposed project includes the construction of a 19.05 acre upland dredged material disposal site located approximately 4 miles northeast of the dredge area, 50 feet north from the County Road 349 right-of-way. This site and a majority of the surrounding property, is currently owned by the Suwannee River Water Management District and contains a mixture of habitats including, sandy uplands, swampy open water depressions, yellow pine plantation, herbaceous wetlands, and wastewater spray fields operated by the Suwannee Wastewater Treatment Plant. The disposal area will be constructed to contain up to 250,000 cubic yards of dredged material. The disposal area capacity allows for a bulking factor of approximately 1.5 over the dredged quantity. The disposal area would be periodically offloaded to provide capacity for the maintenance dredging events at seven-year intervals.

The requested authorizations to use sovereignty submerged lands owned by the Board of Trustees for the dredging of the federally authorized navigation channel, and the severance of sovereign material associated with the dredging, was previously approved by the Board of Trustees on May 3, 2003. The proposed project also includes a request for authorization to use sovereignty submerged lands for the temporary placement of a pipeline to transport dredged material from the point of dredging across sovereignty submerged lands, including Salt Creek, to the upland disposal site.

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The dredging activity shall be located in sections 35 and 36, township 13 south, range 11 east, Class II and III waters, within conditionally restricted and prohibited Shellfish Harvesting Area, within the Big Bend Seagrasses Aquatic Preserve, an Outstanding Florida Water excepting the limits of the navigation channel that are not within the boundaries of the aquatic preserve pursuant to section 258.40(2), F.S., Dixie County. The upland disposal site construction activity is located in section 16, Township 13 South, Range 12 East on the East Quadrangle in Dixie County, not within a Shellfish Harvesting Area, not within the Big Bend Seagrasses Aquatic Preserve, and not within an Outstanding Florida Water.

REGULATORY AUTHORIZATION -

This permit constitutes the authority sought under the provisions of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.) to construct and operate the system described above and shown on the attached drawing(s), survey, and/or documents.

This activity requires regulatory authorization under the provisions of Part IV, Chapter 373, Florida Statutes (FS). The above named permittee has affirmatively demonstrated that the project as described above is in compliance with the criteria set forth in section 373.414, FS.

The duration of the construction phase shall be for a period of five (5) years from the date of issuance of this permit, in accordance with section 62-343.110, subsection (1), paragraph (c), F.A.C. The operation and maintenance phase shall be perpetual in accordance with section 62-343.110, subsection (1), paragraph (d), F.A.C.

WATER QUALITY CERTIFICATION

This permit constitutes certification of compliance with water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

PROPRIETARY AUTHORIZATION -

This activity also requires a proprietary authorization, as portions of the activity are located on sovereignty 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. Those activities are 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, 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 Chapter 253, F.S., Chapter 18-21, F.A.C., and section 62-343.075, F.A.C.

As staff to the Board of Trustees, the Department has reviewed those activities located on sovereignty submerged lands, described above, and has determined that those activities qualify for a letter of consent to use state-owned sovereignty submerged lands. This consent is conditioned upon acceptance of and compliance with the attached General Consent Conditions for Authorization.

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USACOE Suwannee River Dredge Project
FDEP File No.: -15-261437-001-EI

PERMIT CONDITIONS -

The above named permittee, U.S. Army Corp of Engineers is hereby authorized to construct the work shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof, pending satisfactory execution of the sovereignty submerged lands authorization documents. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached General Conditions and Specific Conditions which are a binding part of this permit and authorization.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification/authorization, as specifically described below and attached hereto.

Executed in Duval County, Florida.

Issued this 30th day of August, 2007

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gregory J. Strong
District Director

Enclosed
Regulatory General Conditions
Regulatory Specific Conditions
Proprietary General Consent Conditions
Proprietary Specific Conditions as applicable

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT, Department File Number 15-261437-001-EI and all copies were mailed before the close of business on 10/5, 2007 to the listed persons.

"FILED, on this date, pursuant to Section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged."
Amy Brocato 10/5/07
Clerk Date

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DOCKET # AB

GENERAL CONDITIONS
USCOE Suwannee River Dredge Project
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(1) The following general conditions shall be a part of all permits issued pursuant to this chapter and chapter 40B-4, F.A.C., unless waived or modified by the Department upon a determination that the conditions are inapplicable to the activity authorized by the permit

(a) All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

(b) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(c) Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

(d) Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which is incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(e) Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.

(f) At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department an "Environmental Resource Permit Construction Commencement" notice (Form No. 62-343.900(3), F.A.C.) indicating the actual start date and the expected completion date.

(g) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an "Annual Status Report Form" (Form No. 62-343.900(4), F.A.C.). These forms shall be submitted during June of each following year.

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(h) For those systems which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by ss.40B-4.2030(2)(g), F.A.C., and s.40B-4.2035, F.A.C., must be submitted to the Department for approval. Documents meeting the requirements set forth in these subsections of Department rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

(i) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

(j) Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the supplied "Environmental Resource Permit As-Built Certification by a Registered Professional" (Form No. 62-343.900(5), F.A.C.). When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the Department. Submittal of the completed form shall serve to notify the Department that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
6. Existing water elevation(s) and the date determined; and
7. Elevation and location of benchmark(s) for the survey.

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(k) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph (i) above, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department in accordance with s.40B-4.2035 accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee. Until the permit is transferred pursuant to section 62-343.110(1)(d), F.A.C., the permittee shall be liable for compliance with the terms of the permit.

(l) Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the Department of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(m) This permit does not eliminate the necessity to obtain any required federal, state, local and special Department authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee 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 permittee, or convey any rights or privileges other than those specified in the permit and in this chapter and chapter 40B-4, F.A.C.

(n) The permittee is hereby advised that s.253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

(o) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

(p) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under s.373.421(2), F.S., provides otherwise.

(q) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of section 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(r) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(s) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department.

(t) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

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1. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the Department of Environmental Protection at 904-807-3300. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. The following excerpt from **872.05 Unmarked Human Burials is provided for informational purposes:**

   872.05(4) DISCOVERY OF AN UNMARKED HUMAN BURIAL OTHER THAN DURING AN ARCHAEOLOGICAL EXCAVATION.--When an unmarked human burial is discovered other than during an archaeological excavation authorized by the state or an educational institution, **all activity that may disturb the unmarked human burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or the State Archaeologist.**

2. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Department of Environmental Protection, Northeast District, Submerged Lands/Environmental Resources Program, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.

3. All wetland areas or water bodies, which are outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring, excess turbidity, or dewatering. Turbidity curtains, hay bales, and other such erosion/turbidity control devices shall be installed pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, prior to the commencement of dredging, filling, or construction activity. The devices shall remain functional at all times and shall be maintained on a regular basis. Turbidity and/or sedimentation resulting from any activities associated with the project shall not be allowed to enter waters of the State.

4. There shall be no stockpiling of tools, materials (i.e., lumber, pilings, riprap, sheet piles) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit.

5. All cleared vegetation (including logging slash), scrap wood, trash, garbage, construction debris and other foreign debris or material shall be removed from the wetlands and placed in approved landfill or other authorized upland location within 14 days of completion of the work authorized in this permit.

6. Outside the specific limits of construction authorized by this permit, any damage to the wetlands/shoreline/littoral zone as a result of the boardwalk/dock/pier/bulkhead construction shall be repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size and density as that in the adjacent undisturbed wetland or littoral areas.

7. The permittee shall comply with the attached General Conditions For Authorizations To Use Sovereignty Submerged Lands for all activities on sovereign submerged lands.

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8. The permittee shall comply with the attached Standard Manatee Construction Conditions for all in-water activities associated with the project.

9. TURBIDITY. During dredging and disposal operations, turbidity levels in State waters shall not exceed 29 NTUs above background at the edge of the 150 meter mixing zone, as described in the "Monitoring Required" section of this permit. The maximum mixing zone allowed shall be a circle with a radius of 150 meters originating from the dredge, barge/scow, or discharge pipe, as appropriate. Turbidity shall be monitored as described in #1 of the "Monitoring Required" section of this permit.

10. Construction and Operation of the Dredged Material Management Area.
A) An operation and maintenance plan is required to be developed and submitted to DEP by the COE or local sponsor at least 30 days prior to use of the area. The plan shall specify management activities that are required before, during, and following the dredging operation to ensure the long term operation and maintenance of the disposal area. These activities may include site preparation, removal and use of existing dredged material for construction purposes, surface water management, dredged material dewatering, and disposal area reuse management. Accordingly, the plan must be consistent with Chapter 7 of the COE Manual **EM 1110-2-5027** (the Manual) and also cover, at minimum, the following areas of concern:

1. Establishment and Maintenance of Vegetative Cover - Vegetative cover adequate to inhibit wind and water erosion shall be established and maintained on all exposed surfaces of the dike. Such vegetation shall be maintained sufficiently short to allow visual inspection of the soil surfaces in critical areas such as:

- Condition of vegetation on dike and in area for fifty feet (50') downstream from the outside toe.
- Condition of soil surfaces on top and slopes of the dike and in area for fifty feet (50') downstream from the outside toe.
- Condition of drainage ditches in the area of the base of the dike.
- Liquid surface elevation and amount of freeboard.
- Condition of spillways and water level control structures, including all conduits exiting the dikes.

2. Inspection Program - Operation and maintenance of the DMMA is critical to dike safety and requires periodic inspections to check for certain critical conditions that may require the implementation of remedial measures. This is especially important during dredging and associated dewatering operations, during which inspections should be conducted at least once per week.
(a) Critical Inspections - Inspections of the DMMA should be performed to check for conditions that may require remedial measures. The permittee shall maintain documentation of the inspections and implemented remedial actions Any of the following items shall be considered as indicating a critical condition that requires immediate investigation and may require emergency maintenance action:
- Seepage on outer face or downstream from the toe in which there are boils, sand cones or deltas.
- Silt accumulations, boils, deltas, or cones in the drainage ditches at dike bases.
- Cracking of soil surface on crest or either face of the dike.
- Bulging of the downstream face of the dike.
- Seepage, damp area, or boils in vicinity of or erosion around a conduit through the dike.
- Any subsidence of the crest or faces.

If the existence of a critical condition is confirmed, the inspection frequency shall at a minimum be increased to once daily and the permittee shall immediately notify the Department's Northeast District Office at (904) 807-3300 within 24 hours. A written report detailing the condition and the proposed remedial actions shall be submitted to the Department within seven days of confirmation of the critical condition.

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(b) Supplemental Inspections - During the inspections described above, the following items shall be considered indicators of potential areas of concern that should be closely monitored with subsequent inspections and repairs as necessary:

- Overgrowth patches of vegetation on downstream face or close area downstream from the toe.
- Surface erosion, gullying, or wave erosion of the upstream face of the dike.
- Surface erosion, gullying or damp areas on the downstream face of the dike, including the berm and the area downstream from the outside toe.
- Erosion below any conduit exiting the dike.
- Wet areas or soggy soil in downstream face of dike or in natural soil below dike.

3. Post Dredging Operations – Periodic site inspections and continuous site management following the dredging operation are required. Once the dredging operation has been completed and the ponded water has been decanted, site management efforts should be concentrated on maximizing the containment storage capacity gained from continued drying and consolidation of dredged material and foundation soils. To ensure that precipitation does not cause ponding of water, the weir crest elevation must be kept at levels allowing efficient release of runoff water. This will require periodic lowering of the weir crest as the dredged material surface settles. Minimization of ponded water must be accomplished in order to expose the dredged material surface to evaporation and promote the formation of a dried surface crust.

B) Documentation -

1) Pre-Construction. If not previously provided, the permittee shall provide the following information within 7 days of issuance of solicitation for bids for the disposal area.

a) Detailed specifications and plans for the disposal area (e.g. bid documents).
b) Results from a program of soil sampling and testing adequate to determine the characteristics of the foundation material which will support the proposed dike and of the material to be used for construction of the disposal area. Sampling shall include borings or in-place samples from the exposed excavation face. All borings shall be logged using a recognized engineering soil classification system, (such as Unified System) with location and depths of all samples recorded on the log. Include results from any tests conducted for the determination of in-place densities, shear-strength; and permeabilities of the foundation and embankment soils.
c) Calculations or other information documenting the design and specifications meet the minimum safety factors specified in the application for shear at base of fill; for horizontal shear within the fill due to seepage through the outer face; for bearing capacity of foundation soils; for protection against shear failure of any circular arc in either inside or outside slope.
d) Final design and specifications for the seepage controls surrounding the pipes/conduits passing through the embankments.

Any significant differences between final plans and specifications and the conceptual plans described in this permit will be identified by the COE when transmitting the final plans and specifications. Significant differences include changes in:

- Plans for operation of facilities such as water control structures
- Dimensions, size or location of proposed work
- Ability to adhere to permit conditions
- Project Description included in the permit
- Monitoring Plans
- Environmental impacts

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If the Department determines that a modification to the permit is required, then the COE shall apply for and obtain the modification. Department approval of the modification shall be obtained prior to implementing the change, unless the change is determined by the Department to reduce the scope of work from that authorized under the original permit, and will not effect compliance with permit conditions or monitoring requirements.

2) Post Construction. The COE or local sponsor of the disposal area shall maintain a file for 6 years of the following construction records, and subsequent retention of records and/or archives shall be pursuant to COE protocols. These records shall be available to DEP upon request.

1. Aerial photo of construction site in the immediate area prior to construction.
2. Final specifications and plans (e.g. bid documents).
3. Results of all soil tests on foundations and fill materials.
4. Logs of borings and engineering geology reports.
5. Final acceptance letter
6. Aerial photo of completed disposal area taken after construction is completed.
7. Description of all deviations or variances from the bid documents.
8. As-built drawings.

11. Any effluent from the disposal area shall be clarified via settlement or through other appropriate measures so as to reduce the turbidity levels to meet state water quality standards. If the return system is unable to reduce the turbidity levels of the effluent to within 29 NTUs above background within the receiving waterbody mixing zone of 150 meters, the dredging operation shall be suspended until adequate control measures have been installed. It is the permittee's responsibility to inform the Northeast District DEP should the design or discharge location change. Flocculents shall not be used unless approved by the Department.

12. State water quality standards shall be met during loading and transporting of dredged material.

13. MONITORING REQUIRED:

Water Quality Sampling

Turbidity: Nephelometric Turbidity Units (NTUs)

Frequency: Twice daily at least four hours apart during all dredging-related activities in or adjacent to State waters, including dredging, open water disposal, overflow wm filling of any hopper dredge, disposal barge or scow barge, discharge from the dredge material disposal site, or disposal area dike instability problem (i.e., breaks, leaks or turbid runoff).

Location: Background: At mid-depth, at least 150 meters upcurrent from the dredge or disposal site discharge point and clearly outside the influence of any turbidity generated by the project, at the same distance from the shore as the compliance sampling site.

Compliance: At mid-depth, no more than 150 meters downcurrent from the dredge or the disposal site discharge point, within the densest portion of any visible turbidity plume.

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14. During all construction activities, including excavation, dredging, filling, and disposal operations, turbidity levels shall not exceed 29 NTUs above background at the edge of the 150-meter mixing zone. If at any time turbidity at the compliance location rises above 29 NTUs above background at the edge of the 150-meter mixing zone, construction activities shall cease immediately and not resume until modifications or corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the DEP Northeast District Office at (904) 807-3300 within 24 hours of the time the violation is first detected.

15. REPORTING

Turbidity monitoring reports (which are best submitted electronically) shall be submitted to the DEP Northeast District Office on a weekly basis until the dredging is complete. The reports shall be submitted under a cover letter containing the following statement: "This information is provided in partial fulfillment of the monitoring requirements in Permit No. 15-261437-001-EI - USACOE Suwannee River Dredge Project". The cover letter shall summarize any significant or non-compliance issues. Also, please clearly reference permit number 15-261437-001-EI on each page of the report. In addition to analytical results for samples and quality control, the report should also include:

a) time of day samples were taken
b) depth of water body
c) depth of sample
d) antecedent weather conditions
e) tidal stage and direction of flow
f) wind direction and velocity
g) a statement describing the methods used in collection, handling, storage and analysis of the samples
h) turbidity meter calibration
i) a map indicating the location of the current construction activity, the sampling locations (background and compliance), and the visible plume pattern of the 150-meter mixing zone .
j) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

Failure to submit monitoring reports in a timely manner constitutes grounds for revocation of the permit.

16. No less than 90 days prior to the commencement of activities authorized in this permit the permittee shall submit to the Department for review an appropriate groundwater monitoring program consistent with Rule 62.520 F.A.C., and which meets the monitoring requirements outlined therein.

17. No less than 90 days prior to the commencement of activities authorized in this permit the permittee shall submit for Department review a mitigation plan to off-set impacts to wetlands located within the dredged material disposal site. It is acknowledged that the Suwannee River Water Management District shall assist the permittee in providing such plan.

18. Prior to construction final design details shall be submitted to the Department in accordance with the "Confined Disposal of Dredged Material – Engineer Manual" and the "ERP Engineering Review Criteria / Information Needs for Dredged Material Management Areas".

19. Prior to commencement of dredging activities authorized in this permit, permittee shall advise the Department of the method of dredging which will be utilized. In the event clamshell dredging is selected, dredging may be limited to December through February.

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STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

July 2005

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.

d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.

e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) for south Florida.

f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 81/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities.

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FWC Approved Manatee Educational Sign Suppliers

ASAP Signs & Designs
624-B Pinellas Street
Clearwater, FL 33756
Phone: (727) 443-4878
Fax: (727) 442-7573

Wilderness Graphics, Inc.
P. O. Box 1635
Tallahassee, FL 32302
Phone: (850) 224-6414
Fax: (850) 561-3943
www.wildernessgraphics.com

Cape Coral Signs & Designs
1311 Del Prado Boulevard
Cape Coral, FL 33990
Phone: (239) 772-9992
Fax: (239) 772-3848

Municipal Supply & Sign Co.
1095 Fifth Avenue, North
P. O. Box 1765
Naples, FL 33939-1765
Phone: (800) 329-5366 or
(239) 262-4639
Fax: (239) 262-4645
www.municipalsigns.com

Vital Signs
104615 Overseas Highway
Key Largo, FL 33037
Phone: (305) 451-5133
Fax: (305) 451-5163

Universal Signs & Accessories
2912 Orange Avenue
Ft. Pierce, FL 34947
Phone: (800) 432-0331 or
(772) 461-0665
Fax: (772) 461-0669

New City Signs
1829 28th Street North
St. Petersburg, FL 33713
Phone: (727) 323-7897
Fax: (727) 323-1897

United Rentals Highway Technologies
309 Angle Road
Ft. Pierce, FL 34947
Phone: (772) 489-8772
or (800) 489-8758 (FL only)
Fax: (772) 489-8757

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CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision or injury to:

1-888-404-FWCC (1-888-404-3922)

Florida Fish and Wildlife Conservation Commission

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT

NOTICES SUBMITTED TO THE DEPARTMENT

Your permit DEP File No.: 15-261437-001-EI requires you to submit the attached Notices to the Department at the times indicated. Failure to submit these notices will constitute noncompliance with the conditions of your permit and an enforcement action may be brought against you. If you are using a contractor you are responsible for insuring these notices are submitted to the Department.

PLEASE NOTE - References to stormwater management systems in the attached forms refers to the activity or activities authorized in your permit.

CONSTRUCTION COMMENCEMENT NOTICE -- FORM 62-343.900(3)
To be submitted 48 hours PRIOR to the commencement of the activity

ANNUAL STATUS REPORT - Form 62-343.900(4)
To be submitted annually each JUNE whenever the construction period exceeds one year after the construction commencement date.

AS BUILT CERTIFICATION BY A PROFESSIONAL ENGINEER -- FORM NED/AS-BUILT
Written notice to the Department within 30 days of completion of construction of the date the structure was completed is required. Please use the As Built Certification – By a Registered Professional

APPLICATION FOR TRANSFER OF PERMIT -- Form 62-343.900(8)
To be submitted within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or real property at which the system is located.

SUBMIT ALL NOTICES TO: Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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ENVIRONMENTAL RESOURCE PERMIT
CONSTRUCTION COMMENCEMENT NOTICE

PROJECT:_____ PHASE: one (1)

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No.: 15-261437-001-EI has / is expected to commence on _____200____, and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual commencement date is not known, Department staff should be notified in writing in order to satisfy permit conditions.

_____ _____ _____

Permittee or Authorized Agent | Title and Company | Date

_____ _____

Phone | Address

F.A.C.

Commencement Notice

Form #62-343.900(3),

Form Title: Construction

Date: October 3, 1995

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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PROPRIETARY CONDITIONS
DEP File No.: 16-272584-001-EI
Naval Facilities Engineering Company SE

GENERAL CONDITIONS FOR AUTHORIZATIONS TO USE SOVEREIGN SUBMERGED LANDS

All authorizations granted by rule or in writing under Rule 18-21.005; F.A.C., except those for aquaculture activities and geophysical testing, shall be subject to the general conditions as set forth in paragraphs (a) through (i) below. The general conditions shall be part of all authorizations under this chapter, shall be binding upon the grantee, and shall be enforceable under Chapter 253 or Chapter 258, Part II, F.S.

Chapter 18-21.004(7), F.A.C., General Conditions for Authorizations:

(a) Authorizations are valid only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use shall constitute a violation. Violation of the authorization shall result in suspension or revocation of the grantee's use of the sovereignty submerged land unless cured to the satisfaction of the Board.

(b) Authorizations convey no title to sovereignty submerged land or water column, nor do they constitute recognition or acknowledgment of any other person's title to such land or water.

(c) Authorizations may be modified, suspended or revoked in accordance with their terms or the remedies provided in Sections 253.04 and 258.46, F.S., or Chapter 18-14, F.A.C.

(d) Structures or activities shall be constructed and used to avoid or minimize adverse impacts to sovereignty submerged lands and resources.

(e) Construction, use, or operation of the structure or activity shall not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.

(f) Structures or activities shall not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity shall be modified in accordance with the court's decision.

(g) Structures or activities shall not create a navigational hazard.

(h) Structures shall be maintained in a functional condition and shall be repaired or removed if they become dilapidated to such an extent that they are no longer functional. This shall not be construed to prohibit the repair or replacement subject to the provisions of Rule 18-21.005, F.A.C., within one year, of a structure damaged in a discrete event such as a storm, flood, accident, or fire.

(i) Structures or activities shall be constructed, operated, and maintained solely for water dependent purposes, or for non-water dependent activities authorized under paragraph 1821.004(1)(f), F.A.C., or any other applicable law.

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ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

PERMIT NUMBER:

NAME:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or other appropriate individual as authorized by law.

Name (Please print)	Signature of Professional
Company Name	Florida Registration Number
Company Address	Date
City, State, Zip Code	
Telephone Number	(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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STATE OF FLORIDA

APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM

Permit No. _____ Date Issued _____ Date Expires _____

FROM (Name of Current Permit Holder): _____

Mailing Address: _____

_____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

Identification or Name of Facility/Surface Water Management System: _____

_____

_____

_____

Phase of Facility/Surface Water Management System (if applicable): _____

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): _____ Date: _____

TO (Name of Proposed Permit Transferee): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee): _____

Title (if any): _____ Date: _____

Project Engineer Name (if applicable) _____

Mailing Address: _____

Telephone: (____) _____

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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ENVIRONMENTAL RESOURCE PERMIT
ANNUAL STATUS REPORT FORM

Permit No.: 15-261437-001-EI County:_____

Project Name: USACOE Suwannee Dredge Phase: _____ONE (1)_____

the following activity has occurred at the above referenced project during the past year, between June 1, 200____and May 30, 200_____.

Permit Condition Activity	% of Completion	Date of anticipated Completion	Date of Completion

(Use additional Sheets As Necessary)

Benchmark Description (one per major control structure:)

_____Not Applicable_____

_____

_____

_____ _____
Print Name Phone

_____ _____ _____
Permittee's or Authorized Agent's Signature Title and Company Date

This form shall be submitted to the above referenced Department Office During June of each year for activities whose duration of construction exceeds one year.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
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