



Department of Environmental Protection

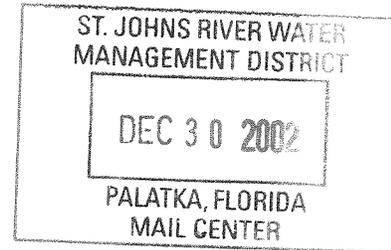
Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

David B. Struhs
Secretary

St. Johns River Water Management District (SJRWMD)
C/o Lance D. Hart
SJRWMD
4049 Reid Street
Palatka, Florida 32178

File No.: 05-133404-001
Modification File No.: 05-133404-002
Brevard



Dear Mr. Hart:

Your request on November 26, 2002 to modify the your Noticed General Permit has been received and reviewed by Department staff. The modification includes a 5 year extension to the original expiration date of December 23, 2002. The expiration date of permit file number: 05-133404-001 is hereby modified to December 23, 2007.

The above change is not expected to adversely affect water quality and will not be contrary to the public interest. Since the proposed modification is not expected to result in any adverse environmental impact or water quality degradation, the permit is hereby modified as requested. By copy of this letter and the attached drawing, we are notifying all necessary parties of the modification(s).

This letter of approval does not alter Specific or General Conditions, or monitoring requirements of the permit. This letter must be attached to the original permit.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the permittee and the parties listed below must be filed within 14 days of receipt of this letter. Petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action; or proposed action;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

"More Protection, Less Process"

- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this letter. Persons whose substantial interests will be affected by any decision of the Department with regard to the permit have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This Notice constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this Notice will not be effective until further Order of the Department. Any party to this letter 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, Tallahassee, Florida 32399-3000; and by filing a copy with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Permit Modification is filed with the Clerk of the Department.

Sincerely,



George Gionis
Program Administrator
Submerged Lands and Environmental
Resources Program

AW
GG/aw/dv

Date: December 23, 2002

cc:
U. S. Army Corps of Engineers, Merritt Island (e)
Brevard County of Natural Resources (e)

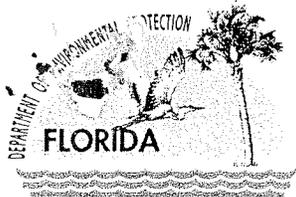
FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9),
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

Jan Murray 12-23-02
Clerk Date

CERTIFICATE OF SERVICE

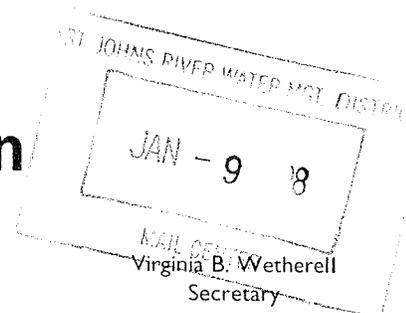
The undersigned certifies that this Modification, including all copies were mailed before the close of
business on 12/24, 2002, to the above listed persons by Vilmarin Diaz



Department of Environmental Protection

Lawton Chiles
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767



**Please Respond to the:
Melbourne Office
13 East Melbourne Avenue
Melbourne, Florida 32901**

NOTICE OF GENERAL PERMIT

St. Johns River Water Management District
c/o Ms. Lisa M. Grant
P. O. Box 1429
Palatka, Florida 32178-1429

File No.: 05-133404-001
Applicant: St. Johns River Water Management District

Dear Ms. Grant:

This is to acknowledge receipt of your notice on December 5, 1997, of intent to use a noticed general permit to finish those projects associated with the previously permitted Upper St. Johns River Basin Project, pursuant to Rule 62-341.485, F.A.C.

Based on the forms, drawings (attached), and documents submitted with your notice, it appears that the project meets the requirements for the noticed general permit listed above. Any activities performed under a noticed general permit are subject to general conditions required in Rule 62-341.215, F.A.C. (attached), and the specific conditions of Rule 62-341.485, F.A.C. (attached). Any deviations from these conditions may subject the permittee to enforcement action and possible penalties.

Please be advised that the construction phase of the noticed general permit must be completed within five years from the date the notice to use the noticed general permit was received by the Department. If you wish to continue this noticed general permit beyond the expiration date, you must notify the Department at least 30 days before its expiration.

In addition, your project occurs on state-owned, sovereign, submerged lands and will require authorization from the Board of Trustees of the Internal Improvement Trust Fund to use public property. As staff to the Board of Trustees, we have reviewed your project as described for the Notice General Permit (NGP), and as long as the work performed is located within the boundaries as described in the NGP and is consistent with the terms and conditions therein, we have no objection to the project. Therefore, consider this letter to also constitute the authority sought under section 253.77, Florida Statutes to pursue this project.

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"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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St. Johns River Water Management District

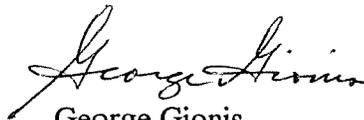
File No. 05-133404-001

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A copy of your notice also has been sent to the U.S. Army Corps of Engineers (USACOE) for review. The USACOE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. For further information, you should contact the Merritt Island Office of the USACOE at 407-453-0210.

If you revise your project after submitting the initial joint application, please contact us as soon as possible. Also, if you have any questions, please contact Brian Poole at the letterhead address or call (407) 984-4800, between the hours of 8:00 a.m. and 5:00 p.m. When referring to this project, please use the file number listed above.

Sincerely,



George Gionis
Environmental Administrator
Submerged Lands and Environmental
Resources Program

Date: December 23, 1997


GG/bp/vq

Enclosures:

Specific Conditions for NGP 62-341.485
General Conditions 62-341.215
General Consent Conditions
Drawings

cc: U.S. Army Corps of Engineers, Merritt Island
Bonnie Wilson, DEP, Tallahassee

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USJRBP
Proposed Construction

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Fort Drum Marsh Conservation Area (FDMCA) - The proposed work in this area includes the completion of Levee 78 from its terminus west of Structure 252A to the western most property boundary of FDMCA. This construction also includes the installation of S-252E & F, a canal for S-252F, borrow pits, access road construction, and recreational component construction. Additionally, construction in this area includes levee breaches and canal plugs to restore the hydrology in the area and vegetation removal to enhance vegetative communities and habitat. This work includes the restoration of the Prince/Rooney properties. Estimated Dredge Area: 5 acre, Estimated Fill Area: 32 acres

Blue Cypress Water Management Area (BCWMA) - The only proposed work in this area is the breaching of some existing levee in the area to restore the hydrology of the isolated parcels. Although not considered dredge or fill, we will make some physical blockages in canals to prevent nutrient movement (i.e., silt screens) Estimated Dredge Area: 1.2 acres

Blue Cypress Marsh Conservation Area (BCMCA) - After the construction of S252 flowway, the only proposed work in this area is the breaching of some existing levee in the area to restore the hydrology of the isolated parcels and the construction of berms to direct flows. This work includes work in Kenansville Lake, and the Gun Club property. Estimated Dredge Area: 2.8 acres, Estimated Fill Area: 4.5 acres

St. Johns Water Management Area (SJWMA) - After the completion of the work that is currently underway, no additional dredge or fill work is proposed for this area.

St. Johns Marsh Conservation Area (SJMCA) - The proposed work in this area includes the installation of canal plugs, modifications to canal plugs, restoration of the Sixmile Creek Restoration Area, and the restoration of the Deseret Addition. Restoration includes pump operation for a five year period to establish desirable wetland vegetation, levee breaches and canal plugs to restore the hydrology. Additionally, downstream improvements will be made at S-250A, C & D. Also, as part of the project, Lakes Hell n Blazes and Sawgrass will be dredged 2 to 3 feet as part of the Florida Freshwater Fish and Game Commission muck removal project. The material will be disposed in Sawgrass Lakes Water Management Area Estimated Dredge Area: 608.28 acres, Estimated Fill Area: 7.0 acres

Three Forks Marsh Conservation Area (TFMCA) - The proposed construction in this area includes installing S-257, levee construction, diversion of the flows from S-96B into this area, canal construction, operation of pump stations for the restoration of the Mary A, Sartori East, Broadmoor Restoration properties, and levee breaches to connect Mary A and Sartori East. The restoration of the Broadmoor project will include some internal modifications to include muck applications, canal plugs, levee breaches, modifications to

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S-255 and S256, and pump operation. Additionally, wildlife habitat island will be constructed throughout TFMCA. Estimated Dredge Area: 39.10 acres, Estimated Fill Area: 34.10 acres

C-1 Rediversion Project - The proposed work the C-1 Rediversion Project area includes construction of Levee 74N, Three Forks Western Levee, C-1 Retention Area North and South levees, S-261, S262, Intermediate Water Control Structure, and emergency outlet, pump stations, excavation of C-1 Retention Area, and internal modifications to the Sawgrass Lakes Water Management Area and C-1 Detention Area. Estimated Dredge Area: 1,287.42 acres, Estimated Fill Volume: 610.6 acres

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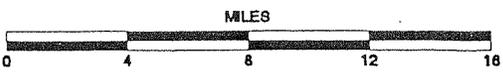
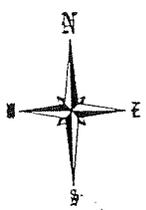
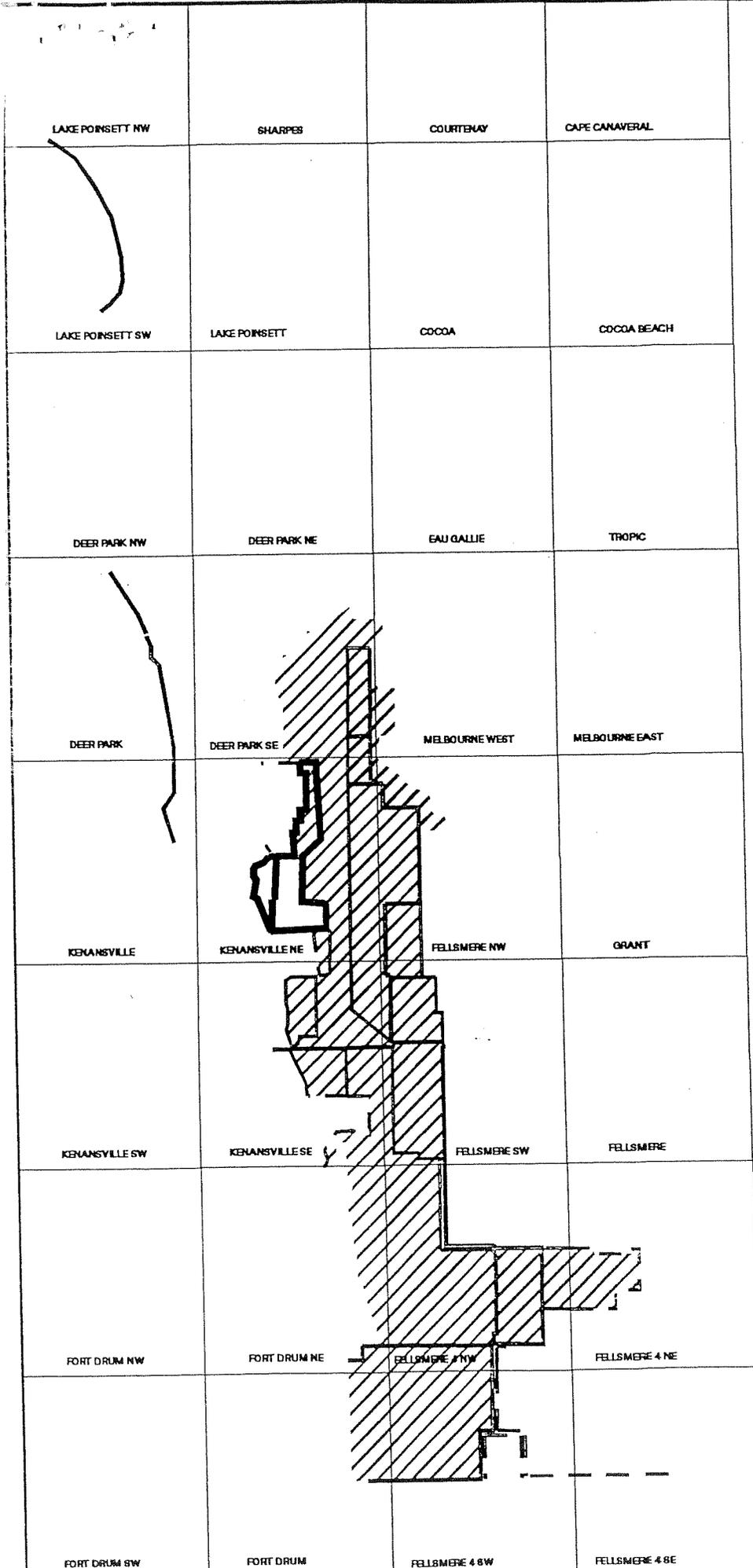
Upper St. Johns River Basin Project On USGS Quad Grid

ATTACHMENT 2.

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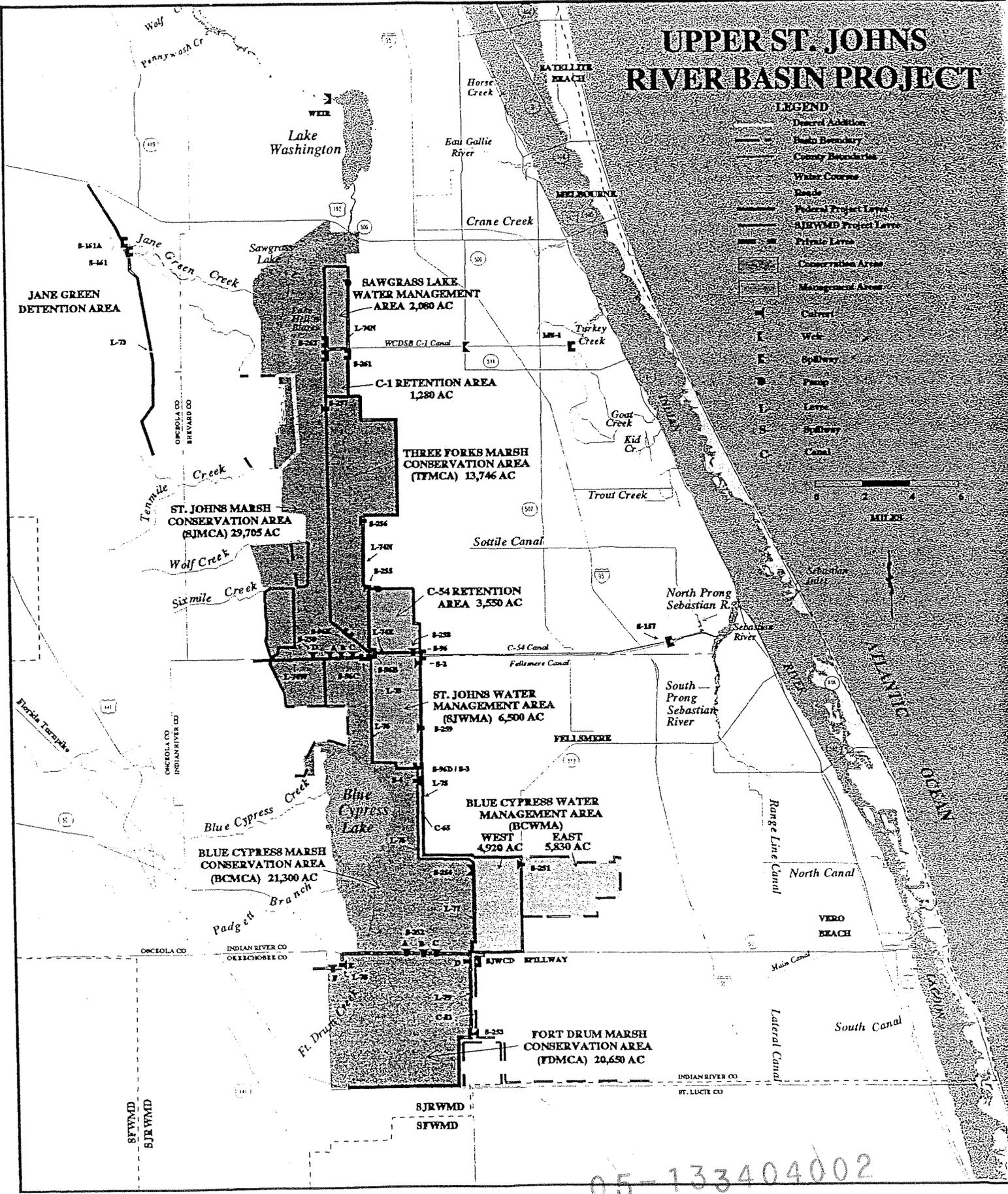
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UPPER ST. JOHNS RIVER BASIN PROJECT

LEGEND

- General Addition
- Basin Boundary
- County Jurisdiction
- Water Course
- Ditch
- Federal Project Limit
- SJRWMD Project Limit
- Private Limit
- Conservation Areas
- Management Areas
- Culvert
- Weir
- Spillway
- Flap
- Levee
- Spillway
- Canal



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