



Florida Department of Environmental Protection

Southeast District
400 N. Congress Avenue, Suite 200
West Palm Beach, Florida 333401

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary-Designee

January 19, 2007

Ms. Marie G. Burns
Chief, Environmental Branch
Department of the Army
Jacksonville District Corps of Engineers
Jacksonville, FL 32232-0019

Re: File Name: Kissimmee River Restoration – Headwaters Revitalization Project – Permit
Extension
New File No.: EI - 0272791-001
Modification of Permit No.: 49,532831259

Dear Ms. Burns,

Your request dated October 17, 2006, to modify DEP Permit No.: 49,532831259 by extending its expiration date, has been received and reviewed by Department staff. A time extension is needed to allow for additional construction projects and work activities for the long-term environmental enhancement and restoration of the Kissimmee River. As the proposed time extension is not expected to result in any adverse environmental impacts or water quality degradation, the expiration date of permit 49,532831259 (new permit No.: EI - 0272791-001) is hereby extended until January 19, 2012.

The Department will issue this modification unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. The optional mediation proceedings described under section 120.573 will not be available.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions must be filed within twenty-one days of receipt of this written notice.

The petitioner shall mail a copy of the petition to the permittee at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination

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(hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in the notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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

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appeal. The notice of appeal must be filed within thirty days after this order if filed with the clerk of the Department.

The permittee, or any other party within the meaning of section 373.114(1)(a) of the Florida Statutes, may also seek appellate review of this order before the Land and Water Adjudicatory Commission under section 373.114(1) of the Florida Statutes. Requests for the review before the

Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department and on any person named in this order, as described in section 373.114(1)(a), within 20 days from the date when the final order is filed with the Clerk of the Department.

This letter of approval does not alter the permittee's need to comply with the permit's general and specific conditions, and the monitoring requirements of this permit. This modification letter must be attached to the original permit. By copy of this letter, we are notifying all necessary parties of the modification.

If you have any questions concerning this Modification Approval to the issued permit, please contact Robyn Begley at 561-681-6604.

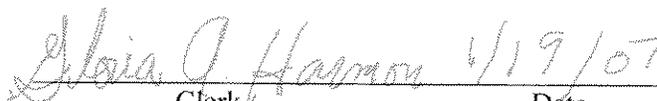
Sincerely,



Timothy Rach
Acting District Director
Florida Department of Environmental Protection
Southeast District

FILING AND ACKNOWLEDGMENT

FILED, on this date, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk Date

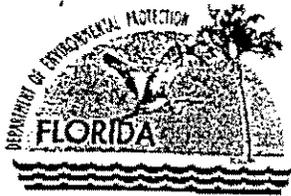
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Cc: Jim McAdams, USACE (email)
Debbie Scerno, EPJV (email)
Marie Burns, USACE (email)
Jeffery Couch, USACE (email)
Javier Cortes USACE (email)
Shelley Yaun, FDEP (email)
Jerry Brooks, FDEP (email)
Inger Hansen, FDEP (email)
Robyn Begley, FDEP (email)
Kennedy, Chad, FDEP (email)
Darla Fousek, FWS (email)
Catherine Byrd, USACE (email)
Victoria Foster, EPA (email)
Joe Walsh, FFWCC (email)



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

PERMITTEE/AUTHORIZED ENTITY:

U. S. Army Corps of Engineers, Jacksonville District
P. O. Box 4970
Jacksonville, Florida 32232-0019

PROJECT NAME: Kissimmee River Headwaters Revitalization Project

TYPE OF PERMIT: Individual Environmental Resource Permit

PERMIT/AUTHORIZATION NUMBER: 49, 532831259

DATE OF ISSUE: March 3, 1997

EXPIRATION DATE, CONSTRUCTION PHASE: March 3, 2007

COUNTIES: Osceola, Polk

INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT

This permit is issued under the authority of Part IV of Chapter 373, F.S. and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain a permit. 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.

Issuance of this permit also constitutes certification of compliance with state water quality standards under Section 404 of the Clean Water Act, 33 U.S.C. 1344.

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.

ACTIVITY DESCRIPTION:

The project is to accomplish the hydrologic restoration and long-term environmental enhancement and restoration of approximately 14,000 ac., including approximately 7,236 ac. of former littoral wetlands in the vicinity of the Kissimmee Chain of Lakes. The work necessary to accomplish the proposed project involves excavating a series of 100 ft. gaps at (approximate) 1,000 ft. intervals in five local farm levees (Bronson Levee at Cypress Lake, Sparks-Chandler and Rolling Meadows Levees at Lake Hatchineha, Overstreet and Oasis Levees at Lake Kissimmee). Approximately 30 gaps are to be excavated, totaling approximately 75,000 cu. yds. of excavated. Material excavated from the levees is to be placed in the adjacent borrow ditches.

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To increase the extent and duration of inundation in the project area, the water level regulation schedule for Lake Kissimmee is to be modified to allow water levels to reach a maximum stage elevation of 54.0, NGVD. The modified regulation schedule is also designed to allow greater fluctuations in water levels in the project area.

To maintain flood control and flood protection in the vicinity of the project, the C-36 and C-37 Canals are to be widened and the discharge capacity of the existing S-65 water control structure is to be increased. In addition, shoal material within the S-35, S-36, and S-37 Canals is to be maintenance dredged. The canal work involves dredging a total of approximately 1,158,000 cy from the C-35, C-36, and C-37 Canals. The dredged material from the canals is to be placed on existing spoil mounds adjacent to the canals.

The proposed work at the S-65 water control structure involves the construction of an additional two-bay spillway immediately adjacent to the existing spillway structure. The additional spillway will increase the maximum discharge capacity of the S-65 water control structure from 11,000 cfs to 18,000 cfs. This work involves excavating approximately 94,000 cy of material from uplands and the emerged/submersed area in the vicinity of the existing structure.

The scope of work for the project also includes construction of a domestic wastewater treatment facility and septic system improvements as mitigation for possible flood impacts to existing septic systems; however, the construction and operation of wastewater facilities and/or septic system improvements was not included in the permit application and is not authorized by this permit.

ACTIVITY LOCATION:

The project is located in the vicinity of the Kissimmee Chain of Lakes, in Osceola and Polk Counties. The project involves dredging activities in the C-35, C-36, and C-37 Canals, breaching existing levees at Cypress Lake, Lake Hatchineha, and lake Kissimmee, and enlarging the existing S-65 water control structure at the south end of Lake Kissimmee. All of the dredging and/or filling activities associated with this project occur within Class III Waters. The project does not involve activities directly within, but is adjacent to Outstanding Florida Waters (Lake Kissimmee State Park, Prairie Lakes State Preserve, Three Lakes/Prairie Lakes CARL area addition), pursuant to Rule 62-302.700(9), F.A.C.

GENERAL CONDITIONS:

1. All activities authorized by this permit 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 and Part IV, Chapter 373, F.S.

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2. 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 the Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbed exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the Department of the anticipated construction start date within 30 days of the date that this permit is issued. 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.
5. 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.). Status Report Forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, 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.). The statement of completion and certification shall be based on on-site observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the Department that the system is ready for inspection. Additionally, if deviation from the approved

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drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and 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.

7. The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above; has submitted a "Request for Transfer of Environmental Resource Permit Construction Phase to Operation Phase" (Form No. 62-343.900(7), F.A.C.); the Department determines the system to be in compliance with the permitted plans and specifications; and the entity approved by the Department in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, accepts responsibility for operation and maintenance of the system. The permit shall 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 initiate transfer of the permit to the approved responsible 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.

8. 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 the phase or portion of the system to a local government or other responsible entity.

9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the Department along with any other final operation and maintenance documents required by sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District - August 1995, prior to lot or unit sales or prior to the completion of the system, whichever occurs first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State where appropriate. For those systems which are proposed to be maintained by the 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 government entity. Failure to submit the appropriate final documents will result in the

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permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.

10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the Department in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district 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 Chapter 40E-4 or Chapter 40E-40, F.A.C.
12. The permittee is hereby advised that Section 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.
13. The permittee is advised that the rules of the South Florida Water Management District require the permittee to obtain a water use permit from the South Florida Water Management District prior to construction dewatering, unless the work qualifies for a general permit pursuant to subsection 40E-20.302(4), F.A.C., also known as the "No Notice" rule.
14. The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.
15. 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 binding unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on 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

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transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.

17. 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.

18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate Department office.

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

SPECIFIC CONDITIONS:

1. After selection of the contractor(s) to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee shall schedule a preconstruction conference with representatives of the contractor and the Department to review the specific conditions and monitoring requirements of the permit. Not less than 10 days prior to the scheduled date of the preconstruction conference, the permittee shall provide written notice to the Department's Division of Water Facilities, Everglades Technical Support Section, 2600 Blair Stone Road, MS 3560, Tallahassee, Florida, 32399-2400, telephone (904) 487-1855 and to the Department's Central District Office, Submerged Lands and Environmental Resources Program, 3319 Maguire Boulevard, Suite 232, Orlando, Florida, 32803-3767, telephone (407) 894-7555, of the date, time, and location of the preconstruction conference. If the work is contracted for and is to be constructed in phases, a pre-construction conference shall be scheduled prior to the commencement of each phase of the project.

2. The "Construction Commencement Notice" (form no. 62-343.900[3], F.A.C.) required by General Condition No. 4 of this permit, the "Annual Status Report" required by General Condition No. 5 of this permit (form no. 62-343.900[4], F.A.C.), and the "Inspection Certification" required by General Condition No. 6 of this permit (form no. 62-343.900[5], F.A.C.) shall be submitted to the Department at the addresses listed in Specific Condition No. 1.

3. The project shall be operated in accordance with the "Water Control Plan" included in the Kissimmee River, Florida Headwaters Revitalization Project, Integrated Project Modification Report and Supplement to the Final Environmental Impact Statement, (SEIS) U. S. Army Corps of Engineers, Jacksonville District, January, 1996. However, the project shall not be operated in accordance with the revised water control plan until and unless the necessary land acquisition has been completed and the necessary legal consent from all of those property owners identified in the SEIS having property or

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real estate interests in the project area potentially affected by the revised water control plan has been obtained by the permittee or the project's local sponsor.

Not less than 30 days prior to operating the project in accordance with the revised water control plan, the permittee or the project's local sponsor shall submit an affidavit to the Department at the addresses listed in Specific Condition No. 1 indicating that all of the necessary land acquisition has been completed and that the necessary legal consent has been obtained from those property owners. Additionally, the permittee shall complete and submit form no. 62-343.900[7], F.A.C. ("Request for Transfer to Operation Phase") required by General Condition No. 7 of this permit. A transmittal sheet labeled "This information submitted in accordance with the requirements of Specific Condition No. 3 of Permit No. 49, 532831259" shall be attached to the affidavit and the "Request for Transfer to Operation Phase" form when submitted to the Department.

4. Within 30 days after the completion of project construction, the permittee or the project's local sponsor shall provide copies of the "Operation, Maintenance, Repair, Replacement and Rehabilitation (OMRR&R) Manual" required by Article VIII of the Project Cooperation Agreement for this project to the Department at the addresses listed in Specific Condition No. 1.
5. Record drawings, including plan view drawings showing the number and locations of the breaches in the levees and typical cross-sectional view drawings of the breaches shall be provided to the Department at the addresses listed in Specific Condition No. 1 with the "Inspection Certification" required by General Condition No. 6 of this permit (form no. 62-343.900[5], F.A.C.).
6. Prior to the placement of excavated material in the disposal sites adjacent to the canals to be dredged and in the vicinity of the S-65 water control structure, the permittee shall flag the proposed locations of the disposal sites for Department inspection. The permittee shall notify the Department offices listed in Specific Condition No. 1 to schedule an inspection of the disposal sites. Prior to the placement of any excavated material, Department staff must concur with the permittee that the location and orientation of the disposal sites will not impact any adjacent wetlands or surface waters and will provide sufficient buffers protecting adjacent wetlands and surface waters from construction activities.
7. Prior to the initiation of any of the canal dredging work or excavation work necessary to modify the S-65 water control structure authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed in the water around the dredging/construction area. The screens shall remain in place around the dredging/construction area to ensure that turbidity levels outside the dredging/construction area do not exceed 29 nephelometric turbidity units (NTU)s above background pursuant to Rule 62-302.530(70), F.A.C. Turbidity barriers shall be utilized

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in the dredging/construction area for the duration of the project, and shall be relocated as necessary during dredging/construction to prevent violations of the water quality standard for turbidity. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order. Turbidity shall be monitored as described in the monitoring portion of this permit.

The following measure shall be taken by the permittee whenever turbidity levels within waters surrounding the project site exceed 29 NTUs above background levels:

- a. Immediately cease all work contributing to the water quality violation;
- b. Stabilize all exposed soils contributing to the water quality violation, modify the work procedures that were responsible for the violation, and install additional turbidity control devices and repair any non-functioning turbidity control devices;
- c. Notify the Department's Central District Office at the address and telephone number listed in Specific Condition No. 1 within 24 hours of the time the violation is first detected.

8. All work in wetlands or surface waters to be conducted pursuant to this permit shall be limited to those areas indicated on the permit drawings. All wetland areas or water bodies which are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring and/or dewatering. Turbidity barriers and erosion control devices shall be installed prior to any excavation or placement of fill material and shall be maintained in effective condition at all locations until construction is completed and disturbed areas are stabilized; thereafter, the permittee must remove the turbidity/erosion controls. At no time shall there be any discharge in violation of the water quality standards in Chapter 62-302, Florida Administrative Code. Turbidity/erosion controls shall be installed prior to any clearing, excavation, or placement of fill material and shall be maintained in an effective condition at all locations until construction is completed, disturbed areas are stabilized, and turbidity levels have fallen to less than 29 nephelometric turbidity units (NTUs) above background levels. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected/maintained daily during all phases of construction authorized by this permit. Once these conditions are met, the turbidity and erosion control devices shall be removed within 14 days.

9. There shall be no temporary access through or storage or stockpiling of tools, materials (e.g. lumber, pilings, debris), or construction equipment within wetlands adjacent to the construction areas.

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10. Grass seed and mulch or sod shall be installed and maintained on all exposed slopes within 48 hours of completing final grade, and at any other time as necessary, to prevent erosion, sedimentation or turbid discharges into waters of the state and/or adjacent wetlands. A vegetative cover that stabilizes and prevents erosion of the excavated material shall be established within 60 days of sodding or seeding. Upon establishment of a substantial vegetative cover, all turbidity barriers/erosion control devices shall be removed.

MONITORING REQUIRED:

Parameter: Turbidity (Nephelometric Turbidity Units - NTUs)

Frequency: Twice daily. The first sample shall be collected two hours after the commencement of construction activities; the second sample shall be collected four hours after the first sample. Background samples shall be collected concurrently with compliance samples.

Locations:

Background: At a point no less than 100 m. upcurrent of the construction area, in the middle of the canals, outside of any visible turbidity plume, at mid-depth.

Compliance: C-35, C-36 and C-37 Canals - At a point 150 m. downcurrent of the dredging area, in the middle of the canal, in the densest portion of any visible turbidity plume, at mid-depth.

S-65 Structure (C-38 Canal) - At a point 150 m. downcurrent of the construction area, in the densest portion of any visible turbidity plume, at the surface.

A summary of the monitoring data shall be submitted with the "Annual Status Report" notice required by General Condition No. 5 with documents containing the following information: (1) permit number; (2) dates of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) maps indicating the sampling locations; and, (5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

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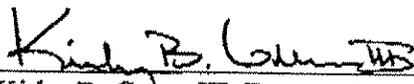
Monitoring reports shall also include the following information for each sample that is taken:

- a. time of day samples taken;
- b. depth of sample;
- c. antecedent weather conditions.

The compliance locations given above shall be considered the maximum limits of the temporary mixing zone for turbidity allowed during construction (150 m. radius, originating from the dredging or construction area). If monitoring reveals turbidity levels at the compliance site(s) greater than or equal to 29 NTUs above background turbidity levels at the corresponding background site, construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the DEP Central District office in Orlando at the address and telephone number listed in Specific Condition No. 1.

Executed in Tallahassee, Florida

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Kirby B. Green III, Deputy Secretary

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Prepared by: 
Eric L. Bush

Number of pages attached: 7

- Copies furnished to: Kathy Freeman, The Nature Conservancy
- Patricia Strayer, SFWMD, West Palm Beach
- Michael Ornella, USACOE, Jacksonville
- Glenn Schuster, USACOE, Jacksonville
- David Crowley, Esq., FDEP Office of General Counsel
- George Gionis, FDEP, Orlando
- Barbara Bess, FDEP, Orlando
- Ann Ertman, FDEP, Tallahassee

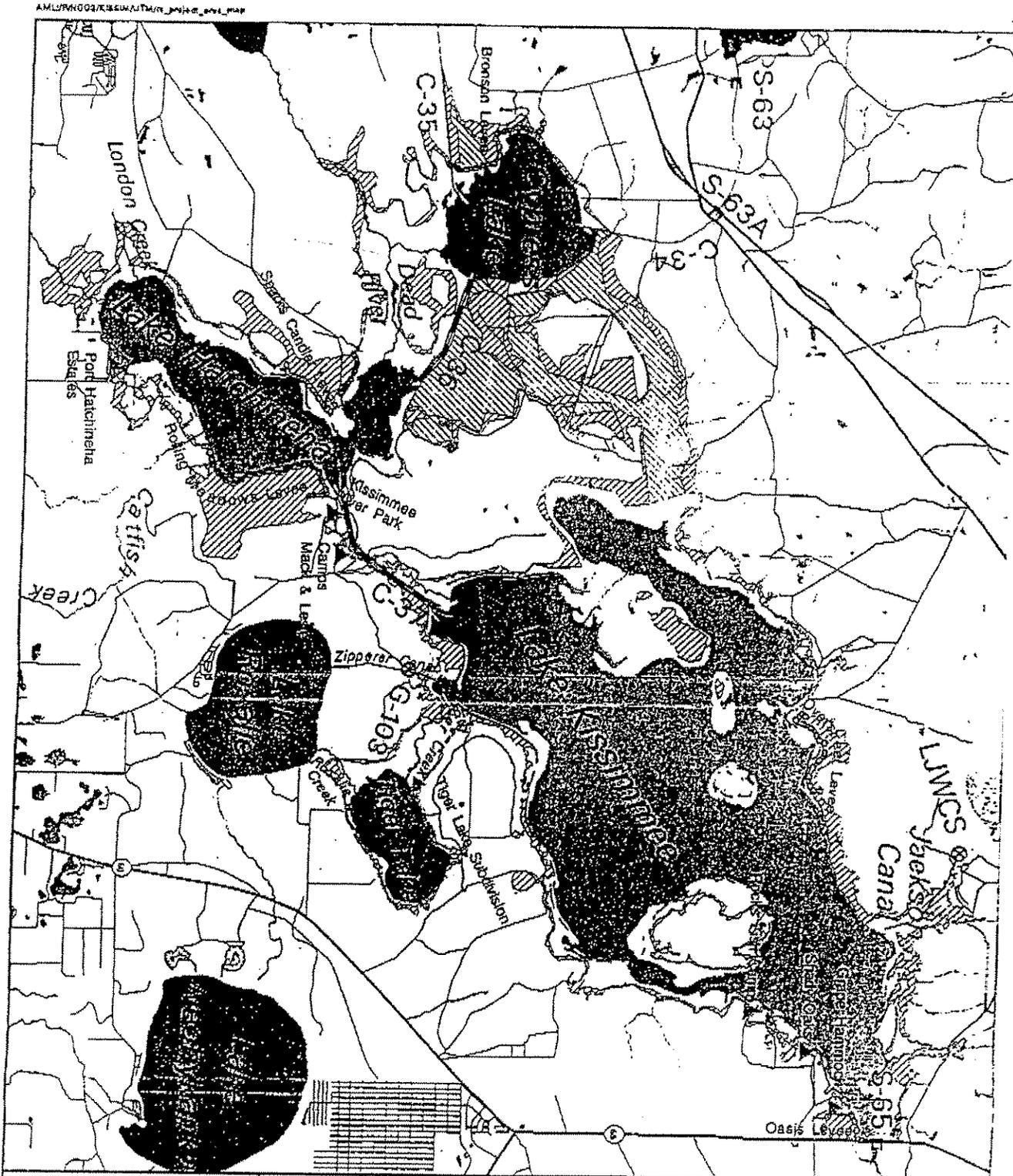
CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this PERMIT, and all true and correct copies, were mailed before the close of business on March 4, 1997, to the above-listed persons.

FILING AND ACKNOWLEDGMENT

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

Kristi J. Mader Clerk 3/4/97 Date



PROJECT AREA MAP
DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA
DATE: AUGUST 1995

CENTRAL AND SOUTHERN FLORIDA PROJECT
ASSUMED POWER
RECONSTRUCTING INITIATION

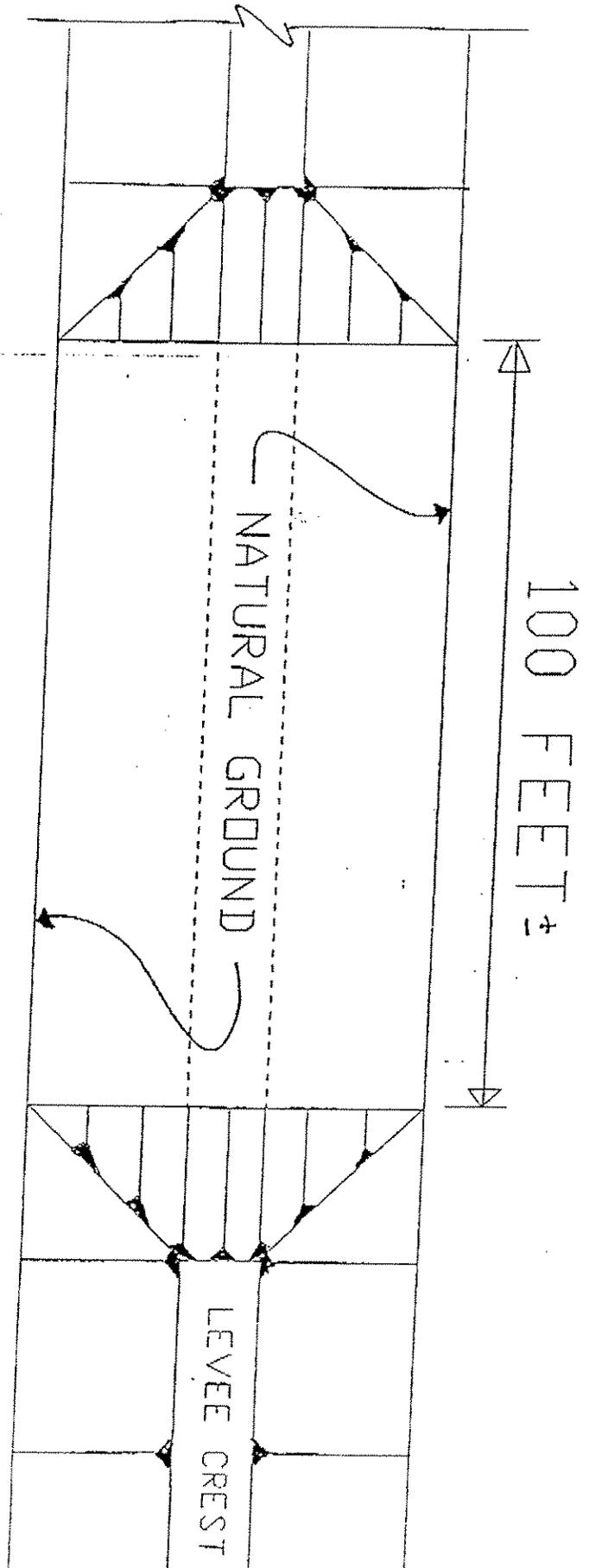
North

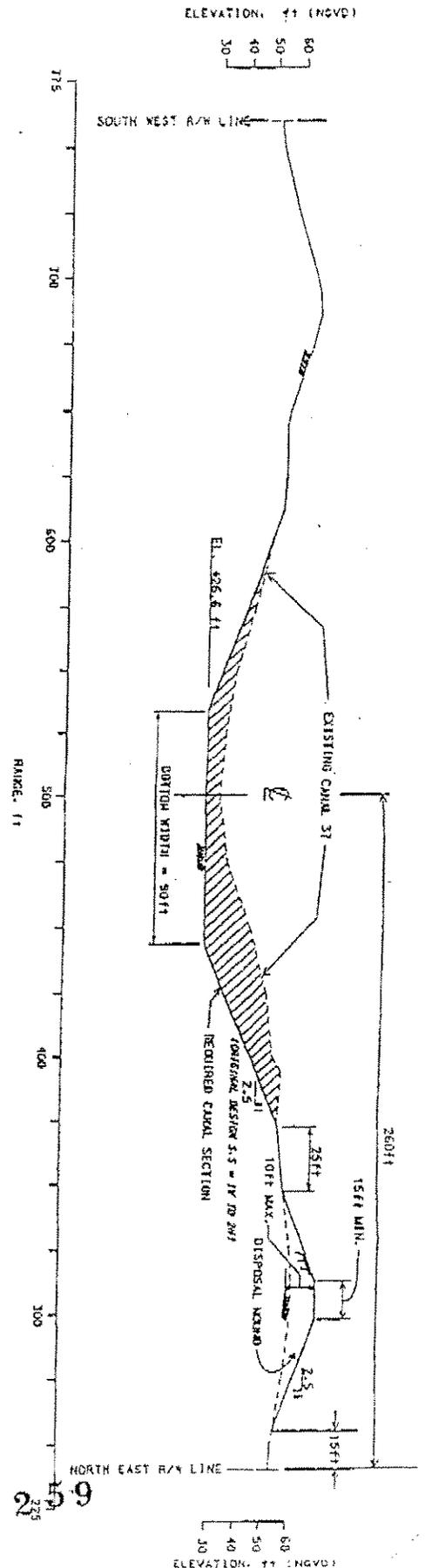
LEGEND

- Existing gated spillway
- Gated spillway modification
- Nonfederal vertical structure
- Major Residential Area
- Major road
- Road
- Canal or stream
- Farm lands to be partially delineated
- Canal improvements
- Water body
- Lands required for project 52.5 - 54.0 ft.
- Lands required for project below 52.5 ft. (pavedness only)

PLATE B-1

KISSIMMEE RIVER PROJECT
LOCAL LEVEE GAPS (TYPICAL)
4/26/95





NOTES:

1. The area shown within the required canal section represents the material to be removed during both maintenance and widening operations.
2. All dredged material will be placed on the north east side of the canal.

SECTION AT STA. 130+00, TYPICAL FROM STAS. 100+00 TO 175+00

532831259

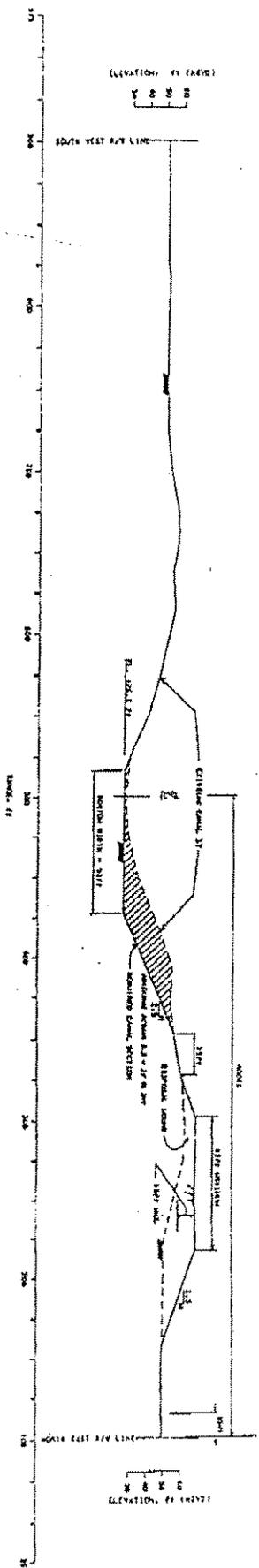
PERMIT NO.

DESIGN DATE	DEPARTMENT OF THE ARMY
DESIGN BY	JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
APPROVED BY	KISSIMEE RIVER HEADWATERS REHABILITATION
	CANAL 37 SECTION
	SECTION AT STA. 130+00
	D. P. R. M.

DI ATC

- NOTES:
1. The area shown within the required canal location represents the material to be removed during both maintenance and widening operations.
 2. All dropped material will be placed on the north east side of the canal.

SECTION AT STA. 75+00, TYPICAL FROM STA. 0+00 TO 80+00 AND 100+00 TO 210+00



DESIGN DATE	DEPARTMENT OF THE ARMY
DESIGN BY	JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
DESIGN NO.	KISSIMEE RIVER HEADWATERS REVITALIZATION
APPROVED BY	CANAL 37 SECTION
	SECTION AT STA. 75+00

PERMIT NO. 532831259



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

May 3, 1999

Mr. Richard E. Bonner, P. E.
Deputy District Engineer for Project Management
U. S. Army Corps of Engineers, Jacksonville District
P. O. Box 4970
Jacksonville, Florida 32232-0019

Re: FDEP Permit/Water Quality Certification No.: 49, 532831259

Dear Mr. Bonner:

We have received a request to verify whether additional maintenance dredging in the C-35 and C-36 Canals is authorized by the existing permit/water quality certification (FDEP File No. 49, 532831259) issued to the Corps of Engineers March 3, 1997. The permit/water quality certification expires March 3, 2007.

In addition to other activities associated with the Kissimmee River Restoration Headwaters Revitalization Project, the permit/water quality certification authorizes maintenance dredging of the C-35, C-36, and C-37 Canals and widening of the C-37 Canal. If the shoal material at the mouths of the C-35 and C-36 Canals in Cypress Lake is within the federal navigation project, then the permit/water quality certification authorizes maintenance dredging to the approved depths, provided that disposal and monitoring practices are as outlined in the permit/water quality certification. If the shoal material is outside of the federal navigation project, then it is not maintenance dredging per our understanding of that term, and is not authorized by the permit/water quality certification. In that case, a permit or permit modification issued by the Department would be required to conduct the necessary dredging.

We hope that this clarifies what is authorized by the existing permit/water quality certification. If you have additional questions or require further information, please contact me at (904) 232-3410.

Sincerely,

Eric L. Bush
Environmental Administrator

ELB

cc: Kim Brooks-Hall, USACE, Jacksonville
~~Mark Shafer, USACE, Jacksonville~~
Patricia Strayer, SFWMD, West Palm Beach
George Gionis, FDEP, Orlando
Barbara Bess, FDEP, Orlando



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

December 29, 2000

U. S. Army Corps of Engineers, Jacksonville District
c/o Richard E. Bonner, P. E., Deputy District Engineer
P. O. Box 4970
Jacksonville, Florida 32232-0019

Re: Modification of FDEP Permit/Authorization No.: 49, 53-283125-9
Kissimmee River Restoration, Headwaters Revitalization Project

Dear Mr. Bonner:

Your requests to modify this permit have been received and reviewed by Department staff. Two modification requests have been received. The first request, dated June 21, 2000 is to perform oxbow restoration adjacent to the C-37 Canal in the vicinity of Camp Mack on the Polk County side of the C-37 Canal. The second request, dated December 1, 2000 is for the installation of riprap on the banks of the C-35 Canal. The C-35 Canal is between Lake Tohopekaliga and Cypress Lake in Osceola County.

The proposed oxbow restoration work was initiated at the request of the South Florida Water Management District, the Corps of Engineers' non-federal sponsor for the Kissimmee River Restoration project. The two oxbows proposed to be restored were identified subsequent to the issuance of the permit/water quality certification on March 3, 1997 for the Headwaters Revitalization phase of the Kissimmee River Restoration project. The proposed oxbow restoration work involves dredging approximately 7,000 cubic yards of organic muck and sediments accumulated in two oxbow channels. The dredged material is to be placed in existing dredged material disposal sites on the banks of the C-37 Canal. It is intended that this work be accomplished as part of the maintenance dredging and widening of the C-37 Canal already authorized by the above-referenced permit. The purpose of the oxbow restoration is to complement the overall Kissimmee River Restoration project by restoring the oxbows to more natural (pre-channelization) conditions and to improve recreational usage of the oxbow runs.

The proposed riprap installation was also initiated at the request of the South Florida Water Management District. The C-35 Canal banks were damaged during previous high water conditions in May 1998 causing canal bank erosion. The work is to be performed by the South Florida Water Management District under a grant from the Federal Emergency Management Agency. The riprap installation involves grading approximately 2.75 miles of canal bank and installing riprap from the waters' edge to the top of bank.

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

Printed on recycled paper.

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

**Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000**

The proposed riprap work does not involve any impacts to wetlands. Impacts to water quality in the C-35 Canal during bank grading and riprap installation are expected to be insignificant.

Specific Condition no. 7 of the permit states:

7. Prior to the initiation of any of the canal dredging work or excavation work necessary to modify the S-65 water control structure authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed in the water around the dredging/construction area. The screens shall remain in place around the dredging/construction area to ensure that turbidity levels outside the dredging/construction area do not exceed 29 nephelometric turbidity units (NTUs) above background pursuant to Rule 62-302.530(70), F.A.C. Turbidity barriers shall be utilized in the dredging/construction area for the duration of the project, and shall be relocated as necessary during dredging/construction to prevent violations of the water quality standard for turbidity. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order. Turbidity shall be monitored as described in the monitoring portion of this permit.

The following measures shall be taken whenever turbidity levels within the waters surrounding the project site exceed 29 NTUs above background levels:

- a. Immediately cease all work contributing to the water quality violation;
- b. Stabilize all exposed soils contributing to the water quality violation, modify the work procedures that were responsible for the violation, and install additional turbidity control devices and repair any non-functioning control devices;
- c. Notify the Department's Central District Office at the address and telephone number listed in Specific Condition no.1 within 24 hours of the time the violation is first detected.

Specific Condition no. 8 of the permit states:

8. All work in wetlands or surface waters to be conducted to this permit shall be limited to those areas indicated on the permit drawings. All wetland areas or water bodies which are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring, and/or dewatering.

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

**Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000**

Turbidity barriers and erosion control devices shall be installed prior to any excavation or placement of fill material and shall be maintained in effective condition at all locations until construction is completed and disturbed areas stabilized; thereafter, the permittee must remove the turbidity/erosion controls. At no time shall there be any discharge in violation of the water quality standards in Chapter 62-302, Florida Administrative Code. Turbidity/erosion controls shall be installed prior to any clearing, excavation, or placement of fill material and shall be maintained in an effective condition at all locations until construction is completed, disturbed areas are stabilized, and turbidity levels have fallen to less than 29 nephelometric turbidity units (NTUs) above background levels. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected/maintained daily during all phases of construction authorized by this permit. Once these conditions are met, the turbidity and erosion control devices shall be removed within 14 days.

The monitoring requirements for this project as stated in the permit are as follows:

Parameter: Turbidity (Nephelometric Turbidity Units – NTUs)

Frequency: Twice daily. The first sample shall be collected two hours after the commencement of construction activities; the second sample shall be collected four hours after the first sample. Background samples shall be collected concurrently with compliance samples.

Locations:

Background: At a point no less than 100 m. upcurrent of the construction area, in the middle of the canals, outside of any visible turbidity plume at mid-depth.

Compliance: C-35, C-36, and C-37 Canals - At a point 150 m. downcurrent of the construction area, in the densest portion of any visible turbidity plume, at the surface.

S-65 Structure (C-38 Canal) – At a point 150 m. downcurrent of the construction area, in the densest portion of any visible turbidity plume, at the surface.

A summary of the monitoring data shall be submitted with the “Annual Status Report” notice required by General Condition No. 5 with documents containing the following information: (1) permit number; (2) dates of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) maps indicating the sampling locations; and, (5) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

**Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000**

Monitoring reports shall also include the following information for each sample that is taken:

- (a) time of day samples taken;
- (b) depth of sample;
- (c) antecedent weather conditions.

The compliance locations given above shall be considered the maximum limits of the temporary mixing zone for turbidity allowed during construction (150 m. radius, originating from the dredging or construction area). If monitoring reveals turbidity levels at the compliance site(s) greater than or equal to 29 NTUs above background turbidity levels at the corresponding background site, construction activities shall cease immediately and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the DEP Central District Office in Orlando at the address and telephone number listed in Specific Condition No. 1.

To ensure that water quality standards are maintained during construction activities associated with the two requested permit modifications, the U. S. Army Corps of Engineers is hereby advised that the above-stated permit conditions and monitoring requirements will also apply to the oxbow dredging (when connecting to the C-37 Canal), placement of dredged material, canal bank grading, and placement of riprap authorized by this permit modification.

Since the proposed modification is expected to be in the public interest pursuant to Section 373.414(1)(a), F.S. and is not expected to cause degradation of surface water quality in the vicinity of the activity, the permit is hereby modified. By copy of this letter, we are notifying all necessary parties of the modification.

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

If there are further changes to the project which differ from that which was submitted, this modification may no longer be valid. Please contact us prior to construction if additional changes are necessary.

Anyone who might be affected by your project may request a hearing under Chapter 120, Florida Statutes (see enclosed Notice Of Rights).

If you have any questions, please contact me at (904) 232-3410. When referring to your project please use the DEP File number listed above.

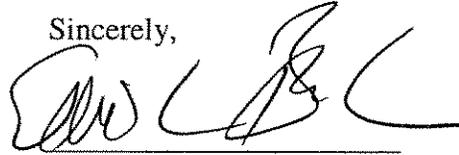
Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project

December 28, 2000

Sincerely,



Eric L. Bush
Environmental Administrator

Executed in Jacksonville, Florida.

Attachments (drawings): C-37 Oxbows: 5 pages
C-35 Canal Bank Riprap: 9 pages

Copies furnished to:

Kim Brooks-Hall, USACE, Jacksonville
Mark Shafer, USACE, Jacksonville
Paul Whalen, SFWMD, West Palm Beach
Lou Toth, SFWMD, West Palm Beach
Bob Stetler, FDEP, Southwest District, Tampa
George Gionis, FDEP, Central District, Orlando
Terry Zable, FDEP, Central District, Orlando
Rich Bray, FDEP, Everglades Technical Support, Tallahassee
File

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000

NOTICE OF RIGHTS OF AFFECTED PARTIES

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the 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, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any other person must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant'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 the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in the notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

**Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000**

Any person may elect to pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the applicant, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Department's action or proposed action. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought; and
- (d) Either an explanation how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any person who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- (h) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in the settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interest will be affected by

Notice of Permit Modification

U. S. Army Corps of Engineers, Jacksonville District

**Permit/Authorization No.: 49, 53-283125-9, Kissimmee River Restoration, Headwaters Revitalization Project
December 28, 2000**

such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within fourteen days of receipt of this notice of intent. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply.

Lake
Hatchineha

Osceola
County

C-37
Canal

Continued on Plate 2

Oxbows

Lake
Rose



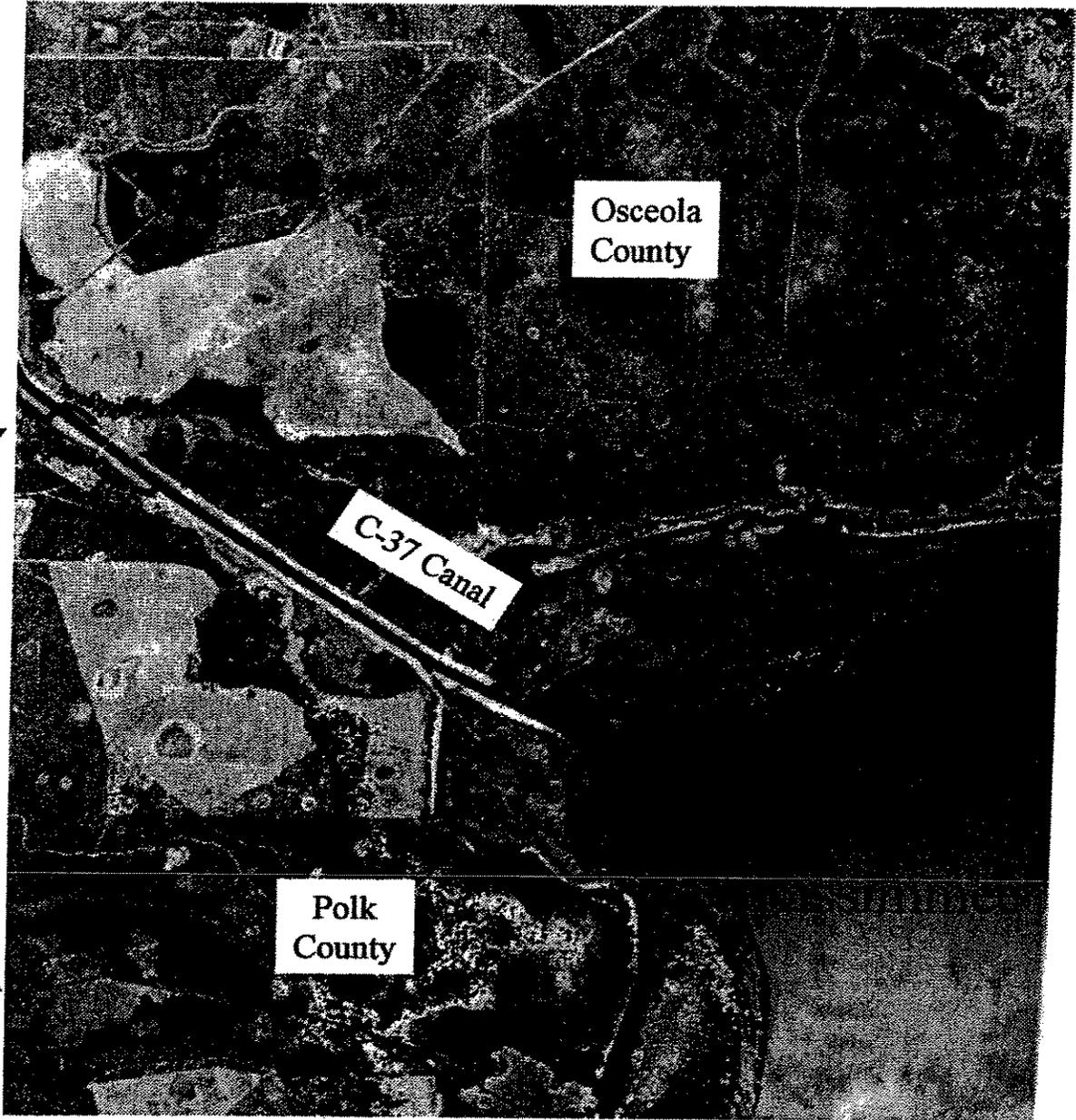
Kissimmee River Restoration

C-37 Oxbow Restoration

1" = approximately 0.61 statute miles

General Location Map
Plate 1

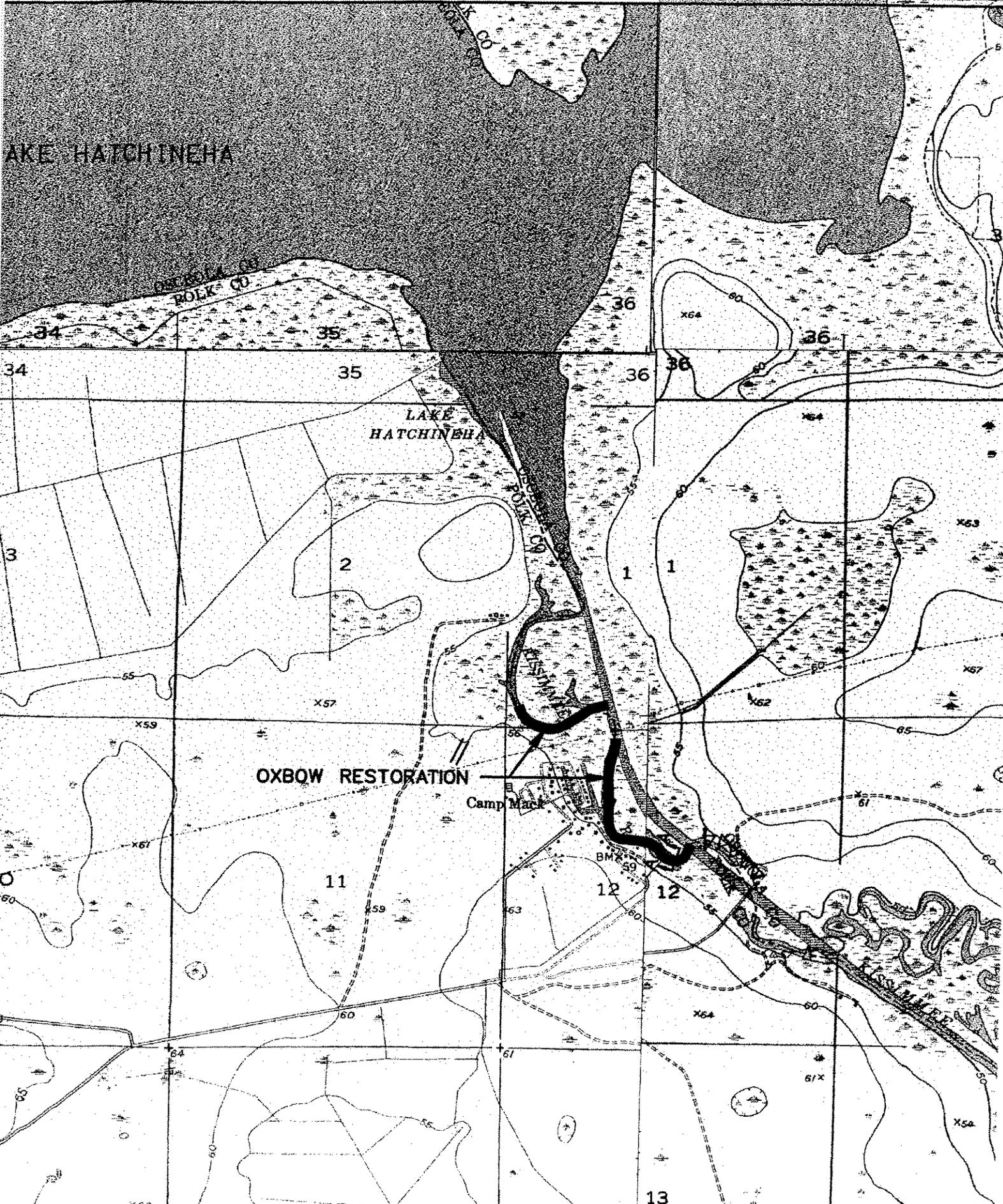
Oxbow (continued from Plate 1)

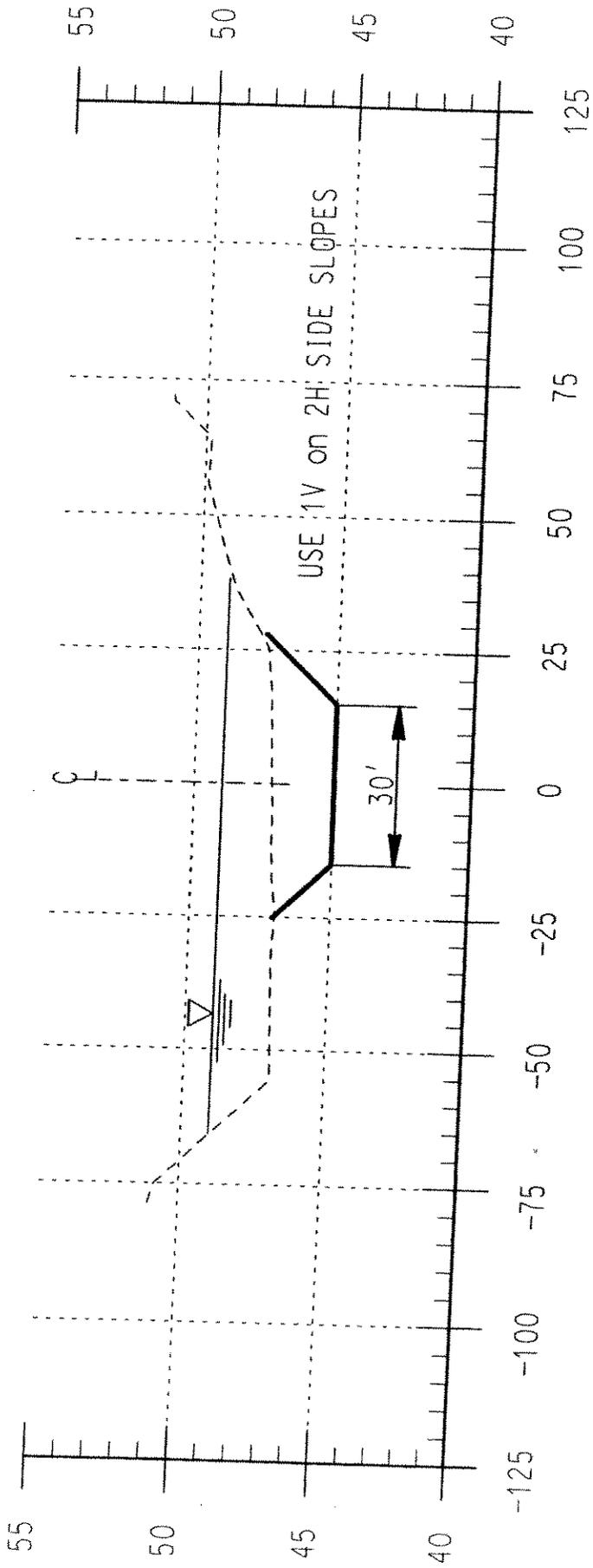


Kissimmee River Restoration

C-37 Oxbow Restoration

1" = approximately 0.61 statute miles

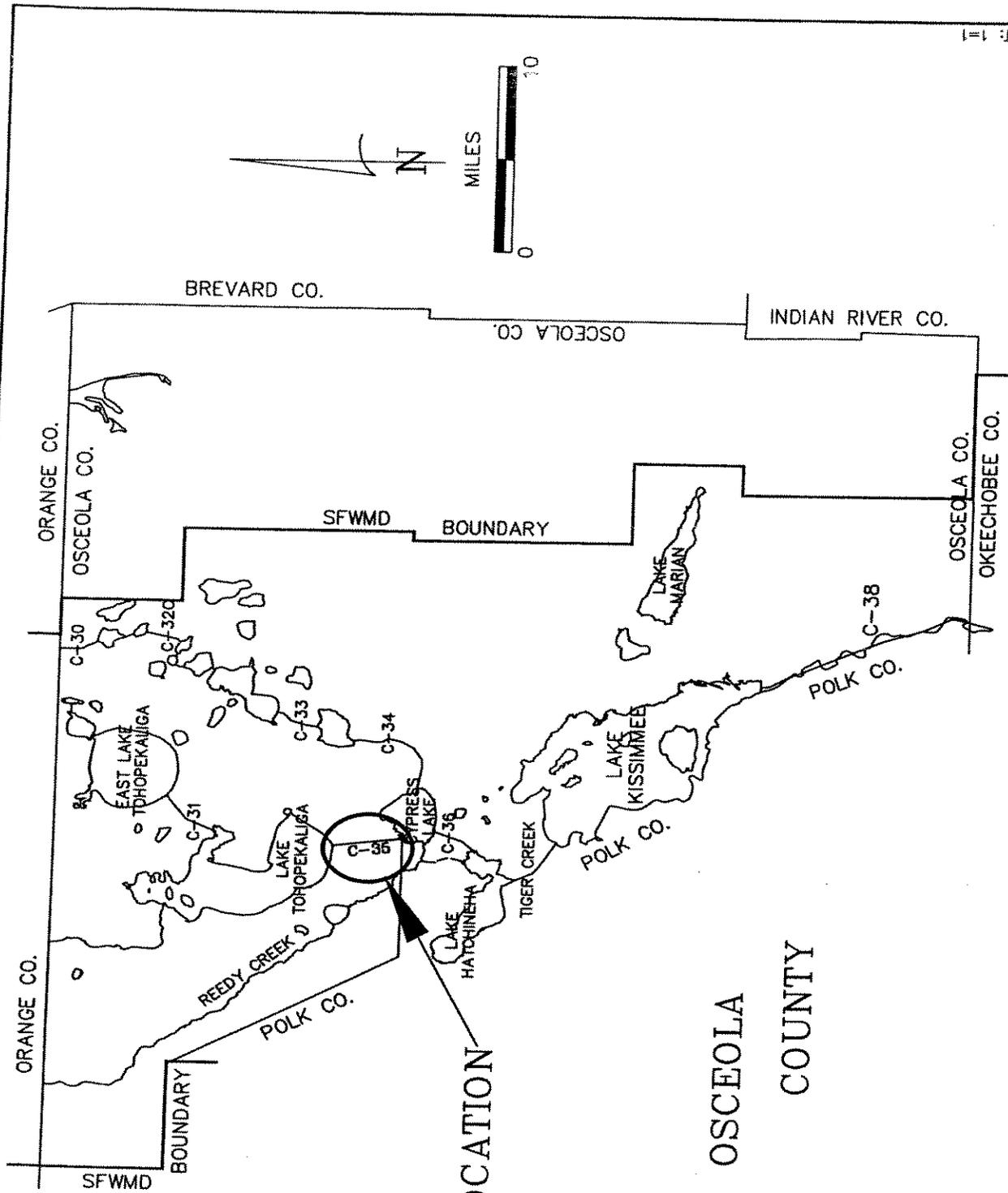




SECTION A-A

PROJECT LOCATION

OSCEOLA COUNTY



PLOT: 1=1

APPLICANT: **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**
 WATER BODY: CANAL 35
 COUNTY: OSCEOLA COUNTY
 DATUM:

C-35 BANK RESTORATION LOCATION MAP
 ORIGINAL WORK MAINTENANCE
 SHEET NO. 1 OF 9
 DATE 11-01-00
 DRAWING NAME: A. TALAVERA

DESIGNED UNDER SUPERVISION OF
 ART SENGUPTA, P.E.
 FLA. ENGINEER CERT. NO. 55509

DATE: _____

CYPRESS LAKE

5/28/30

1/27/30

C-35 CANAL

1/27/30

SITE



LAKE TOHOPEKALIGA

APPLICANT: SOUTH FLORIDA
WATER MANAGEMENT DISTRICT

WATER BODY: CANAL 35
COUNTY: OSCEOLA COUNTY
DATUM:

C-35 BANK RESTORATION
OVERALL SITE PLAN

ORIGINAL WORK MAINTENANCE

SHEET NO. 2 OF 9

DATE 11-01-00

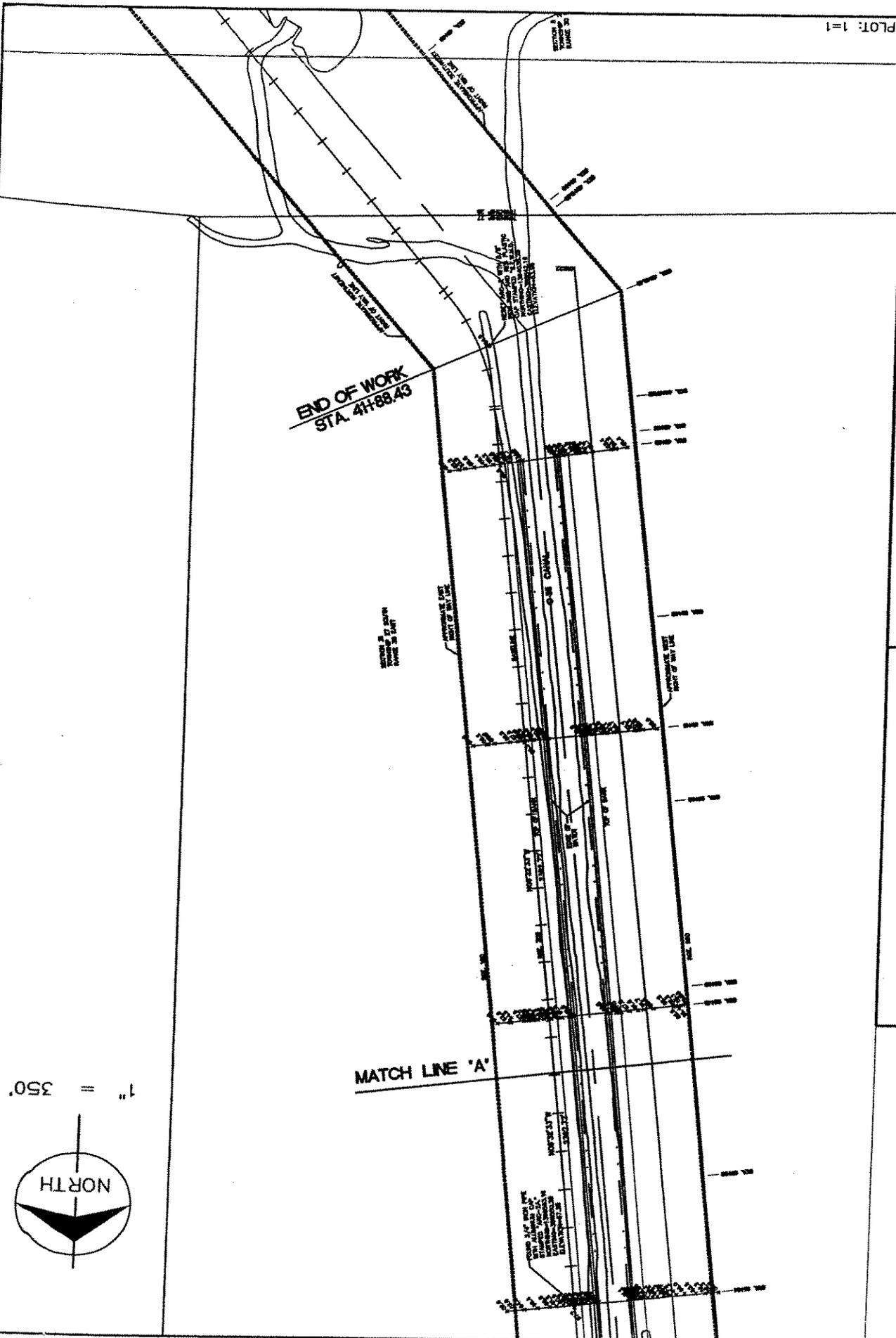
DRAWING NAME: A. TALAYERA

DESIGNED UNDER SUPERVISION OF
ART SENGUPTA, P.E.
FLA. ENGINEER CERT. NO. 55509

DATE:

NAME: R:\C35BANK RESTORATION\PERMIT\C35PERM3\C35PERM2.DWG DATE: NOV 09, 2000

1" = 350'



PL0T: 1=1

DESIGNED UNDER SUPERVISION OF
 ART SENGUPTA, P.E.
 FLA. ENGINEER CERT. NO. 55509

DATE:

C-35 BANK RESTORATION

ORIGINAL WORK MAINTENANCE

SHEET NO. 3 OF 9

DATE 11-01-00

DRAWING NAME: A. TALAVERA

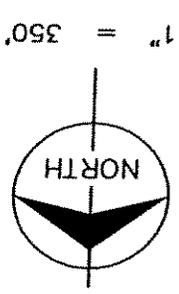
APPLICANT: SOUTH FLORIDA
 WATER MANAGEMENT DISTRICT

WATER BODY: CANAL 35

COUNTY: OSCEOLA COUNTY

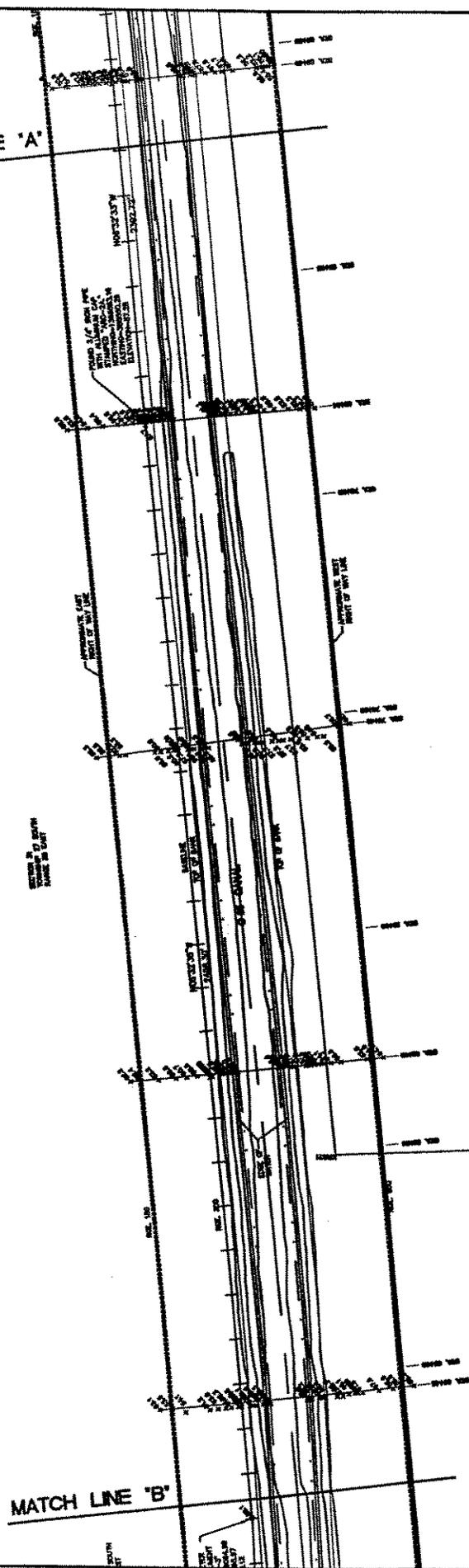
DATUM:

NAME: R:\C35BANK RESTORATION\PERMIT\C35PERM3\C35PERM4.DWG DATE: NOV 09, 2000



MATCH LINE 'A'

MATCH LINE 'B'



PLOT: 1=1

DESIGNED UNDER SUPERVISION OF
 ART SENGUPTA, P.E.
 FLA. ENGINEER CERT. NO. 55509

DATE: _____

C-35 BANK RESTORATION

ORIGINAL WORK MAINTENANCE

SHEET NO. 4 OF 9

DATE 11-01-00

DRAWING NAME: A. TALAVERA

APPLICANT: SOUTH FLORIDA
 WATER MANAGEMENT DISTRICT

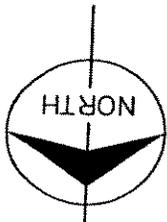
WATER BODY: CANAL 35

COUNTY: OSCEOLA COUNTY

DATUM: _____

NAME: R:\C35BANK RESTORATION\PERMIT\C35PERM3\C35PERM4.DWG DATE: NOV 09, 2000

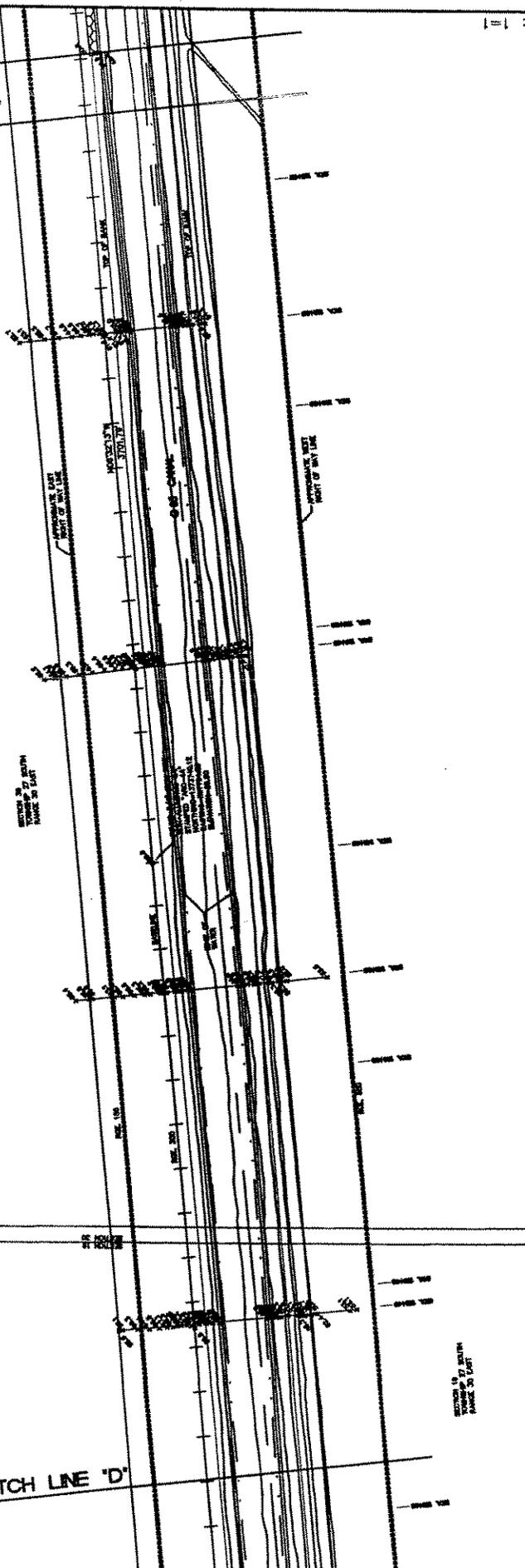
1" = 350'



LIMIT OF WORK STA. 121+90

MATCH LINE 'C'

MATCH LINE 'D'



PL01: 11

DESIGNED UNDER SUPERVISION OF
 ART SENGUPTA, P.E.
 FLA. ENGINEER CERT. NO. 55509

DATE: _____

C-35 BANK RESTORATION

ORIGINAL WORK MAINTENANCE

SHEET NO. 6 OF 9

DATE 11-01-00

DRAWING NAME: A. TALAYERA

APPLICANT: **SOUTH FLORIDA**
WATER MANAGEMENT DISTRICT

WATER BODY: CANAL 35

COUNTY: OSCEOLA COUNTY

DATUM: _____

NAME: R:\C35BANK RESTORATION\PERMIT\C35PERM3\C35PERM4.DWG DATE: NOV 09, 2000

