



Jeb Bush
Governor

Department of Environmental Protection

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3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

CONSOLIDATED JOINT COASTAL PERMIT AND INTENT TO GRANT SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:	Permit/Authorization No.: 0158721-001-JC
St. Johns County	Date of Issue: May 4, 2000
c/o Mr. Kenneth R. Craig, P.E.	Expiration Date: May 4, 2005
Taylor Engineering, Incorporated	County: St. Johns County
9000 Cypress Green Drive, Suite 200	Project: St. Johns County Erosion Control
Jacksonville, Florida 32256	Project

This permit is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62 and 40, Florida Administrative Code (F.A.C.). 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.

PROJECT DESCRIPTION:

The project involves placement of an estimated 3.7 million cubic yards of fill material on St. Augustine Beach, between 600 feet north of R-137A and 600 feet south of R-151, in St. Johns County. The St. Augustine Inlet Ebb Shoal is the proposed borrow site. This is the initial construction phase of the 50-year, USACE, St. Johns County Erosion Control Project authorized by WRDA 1986, and detailed in the GRR with final EA dated March 1998. The GRR proposes a 5-year renourishment interval for the 50-year life of the project. This application request was for a 5-year permit encompassing the initial construction phase described in the GRR, which includes debris removal for site preparation and a one-time fill placement event using the St. Augustine Inlet ebb shoal as the borrow source.

Beach Restoration

1. Location of beach fill: Between approximately 600 feet north of Department of Environmental Protection's DNR reference monument R-137A and 600 feet south of Department of Environmental Protection's DNR reference monument R-151.
2. Design fill volume: Approximately 3.7 million cubic yards.
3. Berm elevation: +9.85 ft. NGVD.
4. Construction berm width: A maximum of 813.6 feet at R-141.

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Borrow Area

1. Location of dredging: St. Augustine Inlet ebb shoal.
2. Water depths at the borrow area: Between 5 ft. and 30 ft. NGVD.
3. Dimensions: Approximately 413 acres.
4. Depth of dredging: -20 ft. MLW for ebb-shoal area proper, and -30 ft. MLW for 600-foot wide navigation channel portion.
5. Volume of available material: 5.1 million cubic yards.

The applicant has also requested a variance from Rule 62-4.244(5)(c), F.A.C., to establish a temporary mixing zone greater than 150 meters within an area of Class III Waters, and from Rule 62-4.242(2)(a)2.b., F.A.C., to allow a temporary elevation of turbidity, not exceeding 29 nephelometric turbidity units (NTUs) above background conditions, within the Anastasia State Recreation Area (Outstanding Florida Waters). The final order for this variance (file no. 0158721-002-EV) will be issued separately.

LOCATION:

Located immediately seaward of St. Augustine Inlet and south of the Inlet between 600 feet north of R-137A and 600 feet south of R-151, St. Johns County, Atlantic Ocean, Class III Waters, Anastasia State Recreational Area, Outstanding Florida Waters.

This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act. This permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Department has the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, Section 62-312.065, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described below, and has determined that the activity qualifies for a consent to use sovereign, submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent

with the terms and conditions herein. Therefore, consent is hereby granted, pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

As staff to the Board of Trustees, the Department has reviewed the proposed borrow area described below, and has determined that the activity requires a public easement for the use of those lands, pursuant to Chapter 253.77, F.S. The final documents required to execute the public easement have been sent to the Division of State Lands. The Department intends to issue the public easement, upon satisfactory execution of those documents. **You may not begin construction of this activity on state-owned, sovereign submerged lands until the public easement has been executed to the satisfaction of the Department.**

A copy of this authorization 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. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the 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.

GENERAL CONDITIONS:

1. All activities authorized by this permit shall be implemented as set forth in the drawings incorporated by reference and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required.
2. If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Bureau of Beaches and Coastal Systems (Bureau) and the appropriate District office of the Department with a written report containing the

following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits which may be required by federal, state, local or special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high-water line, or, if established, the erosion control line, unless herein provided and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State. The permittee is responsible for obtaining any necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state-owned lands.

5. 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 section 373.421(2), F.S., provides otherwise.

6. 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. The issuance of this permit does not convey any vested rights or any exclusive privileges.

7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

8. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times and in compliance with specified safety standards, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary

to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

9. At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Bureau and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date.

10. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the State Historic Preservation Officer and the Bureau.

11. Within a reasonable time after completion of construction, the permittee shall submit to the Bureau of Beaches and Coastal Systems and the appropriate District office of the Department a written statement of completion and certification by a licensed professional engineer registered in the state of Florida. *(NOTE: Certification by a licensed professional engineer registered in the State of Florida is not required for written statements of completion submitted by the U.S. Army Corps of Engineers).* This certification shall state that: all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on two copies of as-built drawings submitted to the Department.

SPECIFIC CONDITIONS:

1. Prior to commencement of construction, the permittee must obtain a written notice to proceed from the Department. Prior to issuance of the notice to proceed the permittee shall submit two copies of detailed final construction plans and specifications for all authorized activities, including all appurtenant structures and utilities.

2. The terms, conditions, and provisions of the required easement shall be met. Construction of this activity shall not commence on sovereign submerged lands, title to which is held by the Board of Trustees of the Internal Improvement Trust Fund, until all easement documents have been executed to the satisfaction of the Department.

3. At least 14 days prior to the commencement date, the permittee shall schedule a pre-construction conference to review the specific conditions and monitoring requirements of this permit with the permittee's contractors, and Department staff representatives. The permittee shall

provide a minimum 7 days advance written notification to the following offices advising of the date, time, and location of the pre-construction conference.

FDEP, Office of Beaches and Coastal Systems
Environmental Permitting Section
c/o Program Administrator
3900 Commonwealth Boulevard, Mail Station 300
Tallahassee, Florida 32399-3000
telephone: (850) 487-4475
facsimile: (850) 488-5257

FWCC Bureau of Protected Species Management
Office of Environmental Services
Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
telephone: (850) 922-4330
facsimile: (850) 921-6988

DEP-Northeast District Office
Submerged Lands and Environmental Resources Program
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7577
phone: (904) 448-4340

4. The permittee shall maintain a shore-parallel sand dike at the beach disposal area during hydraulic discharge. The discharge point at the end of the pipeline shall be landward of the dike and the dike shall be maintained a certain distance beyond the discharge area so that sufficient deposition of suspended solids can occur on the beach prior to flow into the Atlantic Ocean.
5. Pursuant to Chapter 161.141, prior to construction of the beach restoration project, the board of trustees must establish the line of mean high water for the area to be restored to establish the boundary line between sovereignty lands of the state bordering on the Atlantic Ocean and the upland properties. No work shall commence until the Erosion Control Line has been executed to the satisfaction of the Department.
6. The Anastasia beach mouse (*Peromyscus polionotus phasma*), a Federally listed endangered species, is located in the primary and secondary dunes. In order to ensure that the Anastasia beach mouse is not adversely affected by the construction activities authorized by this permit, the permittee shall adhere to the following conditions:

a. At least 5 days prior to any construction activities within 10 feet of dune vegetation, the permittee shall initiate a trapping and relocation program pursuant to the guidelines of the U. S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWCC). Contact USFWS and FWCC to determine the location, number, and frequency of setting and checking traps and the locations for relocation.

b. The Contractor shall be aware that this endangered species is in the project area and will avoid disturbing this mouse's habitat by keeping all equipment seaward of any dune vegetation. Anastasia State Recreation Area park personnel and/or personnel from the Department of Environmental Protection will monitor the work site to trap and remove any beach mice in areas where intrusion into the dune vegetation may be necessary.

c. Within 30 days following completion of any construction activities within 10 feet of any dune vegetation, the permittee shall submit to the Office of Beaches and Coastal Systems, USFWS, and FWCC a report summarizing the number of trap nights and the number of beach mice captured and relocated.

d. If a dead beach mouse is found during construction, the specimen should be frozen and the contractor shall contact Ms. Alice Baird and Mr. Don Palmer of the USFWS' Jacksonville Field Office (904/232-2580; extension 115).

7. In order to ensure that manatees are not adversely affected by the construction activities authorized by this permit, the permittee shall adhere to the following conditions:

a. The contractor instructs all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s), and shall implement appropriate precautions to ensure protection of the manatee(s).

b. All construction personnel are advised that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.

c. Prior to commencement of construction, the prime contractor involved in the construction activities shall construct and display at least two temporary signs (placards) concerning manatees. For all vessels, a temporary sign (at least 8.5" X 11") reading "**Manatee Habitat/Idle Speed In Construction Area**" will be placed in a prominent location visible to employees operating the vessels. In the absence of a vessel, a temporary sign (at least 2' X 2') reading "**Warning: Manatee Habitat**" will be posted in a location prominently visible to land based,

water-related construction crews.

A second temporary sign (at least 8.5" X 11") reading "**Warning, Manatee Habitat: Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL-FMP**" will be located prominently adjacent to the displayed issued construction permit. Temporary notices are to be removed by the permittee upon completion of construction.

d. Siltation barriers shall be properly secured so that manatees cannot become entangled, and are monitored at least daily to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

e. All vessels associated with the project operate at "idle speed/no wake" at all times while in the construction 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.

f. If manatees are seen within 100 yards of the active daily construction/dredging operation all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment.

g. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol (1-800-DIAL-FMP) and to the FWCC Bureau of Protected Species Management (850) 922-4330.

h. The contractor maintains a log detailing sightings, collisions, or injuries to manatees should they occur during the contract period. A report summarizing incidents and sightings shall be submitted to the FWCC Bureau of Protected Species Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, and to the U. S. Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216-0912. This report must be submitted within 90 days of completion of the activities conducted in accordance with the permit.

8. In order to ensure that marine turtles are not adversely affected by the construction activities authorized by this permit, the permittee shall adhere to the following conditions:

a. All fill material placed shall be sand that is similar to that already existing at the beach site in both coloration and grain size distribution. All such fill material shall be free of construction debris, rocks, or other foreign matter and shall not contain, on average, greater than 10

percent fines (i.e., silt and clay) (passing the #200 sieve) and shall be free of coarse gravel or cobbles.

b. Construction related activities are authorized to occur on the nesting beach (seaward of existing coastal armoring structures or the dune crest) during the nesting season under the following conditions:

i. A daily marine turtle nest survey of the nesting beach in the vicinity of the project (including areas of beach access) shall be conducted starting April 15 and continue until October 31. Only those nests that may be affected by construction activities shall be relocated. Nests requiring relocation shall be moved no later than 9 a.m. the morning following deposition to a nearby self-release beach site in a secure setting where artificial lighting will not interfere with hatchling orientation. Nest relocations in association with construction activities shall cease when construction activities no longer threaten nests. Nests deposited within areas where construction activities have ceased or will not occur for 65 days shall be marked and left in place unless other factors threaten the success of the nest. such nests will be marked and the actual location of the clutch determined. A circle with a radius of ten (10) feet, centered at the clutch, shall be marked by stake and survey tape or string. No construction activities shall enter this circle and no adjacent construction shall be allowed which might directly or indirectly disturb the area within the staked circle.

ii. It is the responsibility of the permittee to ensure that the project area and access sites are surveyed for marine turtle nesting activity. All nesting surveys, nest relocations screening or caging activities etc. shall be conducted only by persons with prior experience and training in these activities and who is duly authorized to conduct such activities through a valid permit issued by the Fish and Wildlife Conservation Commission (FWCC), pursuant to Florida Administrative Code 62R-1.

c. From April 15 through October 31, staging areas for construction equipment shall be located off the beach. Nighttime storage of construction equipment not in use shall be off the beach to minimize disturbance to sea turtle nesting and hatching activities.

d. From April 15 through October 31, all project lighting shall be limited to the immediate area of active construction only and shall be the minimal lighting necessary to comply with U. S. Coast Guard and/or OSHA requirements. Stationary lighting on the beach and all lighting on the dredge shall be minimized through reduction, shielding, lowering, and appropriate placement of lights to minimize illumination of the nesting beach and water.

e. The applicant shall arrange a meeting between representatives of the contractor, the Department, the FWCC, and the permitted person responsible for egg relocation at least 30 days prior to the commencement of work on this project. At least 10 days advance notice shall be

provided prior to conducting this meeting. This will provide an opportunity for explanation and/or clarification of the sea turtle protection measures.

f. Reports on all nesting activity and marine turtle protection measures taken during construction shall be provided for the initial nesting season and for a minimum of two additional nesting seasons. Monitoring of nesting activity in the two seasons following construction shall include daily surveys and any additional measures authorized by the FWCC. Reports submitted shall include daily report sheets noting all activity, nesting success rates, hatching success of all relocated nests, hatching success of a representative sampling of nests left in place (if any), dates of construction and names of all personnel involved in nest surveys and relocation activities.

g. In the event a sea turtle nest is excavated during construction activities, the permitted person responsible for egg relocation for the project should be notified so the eggs can be moved to a suitable relocation site.

h. Upon locating a dead, injured, or sick endangered or threatened sea turtle specimen, initial notification must be made to the FWCC at 1-800-DIAL FMP. Care should be taken in handling sick or injured specimens to ensure effective treatment and care and in handling dead specimens to preserve biological materials in the best possible state for later analysis of cause of death. In conjunction with the care of sick or injured endangered or threatened species or preservation of biological materials from a dead animal, the finder has the responsibility to ensure that evidence intrinsic to the specimen is not unnecessarily disturbed.

i. In the event a hopper dredge is utilized for sand excavation, all conditions in the NMFS Biological Opinion for hopper dredging along the SE U. S. Atlantic Coast (dated August 25, 1995) must be followed, and the Bureau of Protected Species Management shall be sent copies of the reports specified in Condition 6 of the Biological Opinion.

j. Immediately after completion of the beach nourishment project and prior to April 15 for three subsequent years, sand compaction shall be monitored in the area of restoration in accordance with a protocol agreed to by the FWCC, the Department, the U. S. Fish & Wildlife Service, and the applicant. At a minimum, the protocol provided under a and b below shall be followed. If required, the area shall be tilled to a depth of 36 inches. All tilling activity must be completed prior to April 15. If the project is completed during the nesting season, tilling shall not be performed in areas where nests have been left in place or relocated. A report on the results of compaction monitoring shall be submitted to the FWCC prior to any tilling actions being taken. An annual summary of compaction surveys and the actions taken shall be submitted to the FWCC. This condition shall be evaluated annually and may be modified if necessary to address sand compaction problems identified during the previous year.

i. Compaction sampling stations shall be located at 500-foot intervals along the project area. One station shall be at the seaward edge of the dune/bulkhead line (when material is placed in this area); one station shall be midway between the dune line and the high water line (normal wrack line); and one station shall be located just landward of the high water line.

ii. At each station, the cone penetrometer shall be pushed to a depth of 6, 12, and 18 inches three times (three replicates). Material may be removed from the hole if necessary to ensure accurate readings of successive levels of sediment. The penetrometer may need to be reset between pushes, especially if sediment layering exists. Layers of highly compact material may lay over less compact layers. Replicates shall be located as close to each other as possible, without interacting with the previous hole and/or disturbed sediments. The three replicate compaction values for each depth shall be averaged to produce final values for each depth at each station. Reports shall include all 27 values for each transect line, and the final 9 averaged compaction values.

iii. If the average value for any depth exceeds 500 psi for any two or more adjacent stations, then that area shall be tilled prior to April 15. If values exceeding 500 psi are distributed throughout the project area but in no case do those values exist at two adjacent stations at the same depth, then consultation with the Department shall be required to determine if tilling is required. If a few values exceeding 500 psi are present randomly within the project area, tilling shall not be required.

k. Visual surveys for escarpments along the project area shall be made immediately after completion of the beach nourishment project and prior to April 15 for 3 subsequent years. Results of the surveys shall be submitted to the FWCC and the Department prior to any action being taken. Escarpments that interfere with sea turtle nesting or that exceed 18 inches in height for a distance of 100 feet shall be leveled to the natural beach contour by April 15. If the project is completed during the sea turtle nesting and hatching season, escarpments may be required to be leveled immediately, while protecting nests that have been relocated or left in place. The Department shall be contacted immediately if subsequent reformation of escarpments that interfere with sea turtle nesting or that exceed 18 inches in height for a distance of 100 feet occurs during the nesting and hatching season to determine the appropriate action to be taken. If it is determined that escarpment leveling is required during the nesting or hatching season, the Department will provide a brief written authorization that describes methods to be used to reduce the likelihood of impacting existing nests. An annual summary of escarpment surveys and actions taken shall be submitted to the Department.

MONITORING REQUIRED:

1. Water Quality - Turbidity - Nephelometric Turbidity Units (NTUs)

A. Borrow Site:

Frequency: Every six hours during dredging.

Location: Background: Mid-depth, at least 300 meters upcurrent from the dredge site, clearly outside of any turbidity generated by the project.

Compliance: Mid-depth, no more than 150 meters downcurrent from the dredge site, within the densest portion of any visible turbidity plume.

B. Beach Disposal Area:

Frequency: Every six hours during pumping operations.

Location: Background: Mid-depth, at a point approximately 150 meters offshore and 1,000 meters upcurrent from the discharge point, clearly outside of any turbidity generated by the project.

Compliance: Mid-depth, at a point approximately 150 meters offshore and no more than 1500 meters downcurrent from the discharge point, within the densest portion of any visible turbidity plume.

Weekly summaries of all monitoring data shall be submitted to the Office of Beaches and Coastal Systems and to the Northeast District Office within one week of collection with documents containing the following information: (1) permit number; (2) dates and times of sampling and analysis; (3) a statement describing the methods used in collection, handling, storage and analysis of the samples; (4) a map 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. Monitoring reports shall also include the following information for each sample that is taken: a) time of day samples taken; b) depth of water body; c) depth of sample; d) antecedent weather conditions; e) tidal stage and direction of flow; and f) wind direction and velocity.

The above information may be submitted on the Corps' Turbidity Monitoring Test Report form, Section 01131, Appendix No. A.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at the compliance sites are greater than 29 NTUs above the associated background turbidity levels,

construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels.

2. Hydrographic Monitoring

A. Topographic and bathymetric profile surveys of the project area shall be conducted for a period of five (5) years following completion of construction. These surveys shall include profiles at each of the Department of Environmental Protection's DNR reference monuments from R-117 through R-157 in St. Johns County. All profiles shall be measured along the same azimuths previously surveyed by the Department, shall commence at the reference monument, and shall extend seaward to a depth of -30.0 feet (NGVD) up to a maximum of 3,000 feet offshore. The profiles shall be surveyed immediately prior to construction, immediately following construction, and annually thereafter. Additional surveys may be required following a major storm as determined by the Department.

B. Bathymetric surveys of the ebb-shoal complex, including the attachment bars, shall be conducted prior to construction and during the second and fourth annual monitoring events. Immediately following completion of construction the affected portion of the ebb shoal shall be surveyed. Survey grid lines shall be located to provide sufficient detail for accurate volumetric calculations for each area of interest within the ebb-shoal complex, they shall be spaced a maximum of 500 feet apart, and they shall extend a minimum of 500 feet beyond the boundaries of the area of interest.

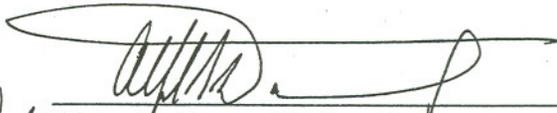
C. Aerial photography shall be taken immediately following completion of construction and annually thereafter for a period of five (5) years. The limits of the aerial photography shall be from DNR reference monument R-117 through R-157 in St. Johns County. The photography shall be centered on the local shoreline, shall include the ebb-shoal complex (including any attachment bars), and shall be taken at approximate low water as close to the date of the topographic profile surveys as possible. The photography shall be furnished to a scale of 1" = 500' (1:6000 controlled) on 9"x 9" prints (contact the office staff for additional information on Department standards).

D. The permittee shall submit an engineering report and the monitoring data to the Office of Beaches and Coastal Systems within 90 days of completion of the post-construction survey and each annual survey. The survey data shall be submitted on floppy disk in an ASCII format stored according to the Department's standards for file structure (contact the Office staff for additional information on specific requirements) and include all survey control information. The report shall present and discuss the data (including any potential sources for errors in the data set), identify erosion and accretion patterns within the entire area monitored, compare and discuss the actual project evolution with the anticipated evolution, verify the analyses that were conducted in the development of the design of the project, and identify any adverse impacts, which could be

attributable to the project. Appendices should include plots of survey profiles and graphical presentations of volumetric and shoreline position changes for both the monitoring area and at each profile survey. Results should be analyzed for patterns, trends, or changes between annual surveys and cumulatively since project construction.

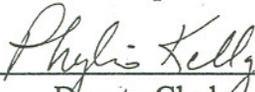
Executed in Tallahassee, Florida.

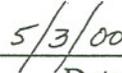
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


for Kirby B. Green, III, Deputy Secretary

FILING AND ACKNOWLEDGMENT

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


Deputy Clerk


Date