



DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
2170 SW Canal Street  
Stuart, FL 34997

REPLY TO  
ATTENTION OF

Regulatory Division  
Special Projects and Enforcement Branch  
SAJ-2007-2761(NW-AAZ)  
Modification 2

**JUL 17 2007**

South Florida Water Management District  
Attn: Carol Wehle  
3301 Gun Club Road  
West Palm Beach, FL 33416

Dear Ms. Wehle:

Your application for a Department of the Army permit modification received on June 26, 2007, has been assigned number SAJ-2007-2761(NW-AAZ). A review of the information and drawings provided shows the proposed work is to (1) permanently dispose dredged material on top of the existing C-41 spoil area adjacent to Fisheating Bay, (2) redistribute the sand material in the Lake Okeechobee (Lake) bottom that was placed at the site to create haul roads at the Okeetantie site, and (3) utilize the staging area at Okeetantie as the temporary disposal site until the final disposal site is approved. The work shall be conducted in accordance with the attachment labeled Supporting Information.

The project is located in the Lake at Fisheating Bay in Glades County, at South Bay in Palm Beach County, and Eagle Bay Island in Okeechobee County, Florida. The Fisheating Bay site is located north of the City of Moore Haven and west of the Harney Pond Canal in Section 24, Township 40 South, Range 32 East, Glades County, Florida. The South Bay site is located close to the City of Belle Glade just off the shore of Tory Island, Sections 12, 14, and 23, Township 43 South, Range 36 East, Palm Beach County, Florida. The Eagle Bay Island site is located close to the City of Okeechobee in Section 24, Township 40 South, Range 32 East, Okeechobee County, Florida.

Your modified project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 27. In addition, project specific conditions have been enclosed. This

verification is valid until **July 17, 2009**. Please access the U.S. Army Corps of Engineers' Jacksonville District's Regulatory web address at <http://www.saj.usace.army.mil/permit/permitting/nwp.htm> to access web links to view the Final Nationwide Permits, Federal Register Vol. 72, dated March 12, 2007, the Corrections to the Final Nationwide Permits, Federal Register Vol. 72, dated May 8, 2007, and the List of Regional Conditions. These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 27. Additionally, enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 1) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

- a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

- b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-

Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

2. Reduction and/or elimination of turbid water conditions in adjacent water bodies and wetlands are to be achieved through the use of silt curtains or turbidity screens in the construction area during periods of fill placement.

3. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date.

4. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historic Resources, Review and Compliance Section at 850/245-6333 or 800/847-7278, as well as appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources.

5. The permittee shall notify the Corps of Engineers, the Environmental Protection Agency (West Palm Beach office), the State Historic Preservation Officer Division of Historical Resources (500 South Bronough Street, Room 423, Tallahassee, FL 32399-0250), and the U.S. Fish and Wildlife Service (Vero Beach office) of the location of the final disposition site no less than 15 days prior to disposition to ensure there are no impacts to wetlands, water quality, cultural resources, and threatened or endangered species.

6. The applicant shall maintain all disposal areas and implement protective measures necessary to contain all material on the disposal site as well as prevent any material from entering into any wetland or water body.

7. If it is discovered that additional temporary storage sites are needed for placement of excavated muck, the applicant shall notify the Corps for review and approval of new site selections for any additional temporary disposal sites prior to utilization.

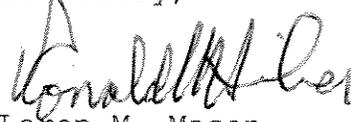
This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. In Florida, projects qualifying for this NWP must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under §. 373.069, F.S., or a local government with delegated authority under §. 373.441, F.S., and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) (or a waiver), as well as any authorizations required by the State for the use of sovereignty submerged lands. You should check State-permitting requirements with the Florida Department of Environmental Protection or the appropriate water management district.

This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Alisa Zarbo by telephone at 772-219-8418, by fax at 772-219-9162 or by email at Alisa.A.Zarbo@saj02.usace.army.mil.

Thank you for your continued cooperation with our permit program.

Sincerely,

  
Loren M. Mason  
Chief, Special Projects and  
Enforcement Branch

Enclosures

Copies Furnished:  
CESAJ-RD-PE

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW 27  
Application Number: SAJ-2007-2761

Permittee's Name & Address (please print or type): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Location of the Work: \_\_\_\_\_

\_\_\_\_\_

Date Work Started: \_\_\_\_\_ Date Work Completed: \_\_\_\_\_

Description of the Work (e.g., bank stabilization, residential or commercial filling, docks, dredging, etc.): \_\_\_\_\_

\_\_\_\_\_

Acreage or Square Feet of Impacts to Waters of the United States:

\_\_\_\_\_

Describe Mitigation completed (if applicable): \_\_\_\_\_

\_\_\_\_\_

Describe any Deviations from Permit (attach drawing(s) depicting the deviations): \_\_\_\_\_

\_\_\_\_\_

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I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2007-2761

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Branch, Post Office Box 4970, Jacksonville, FL 32232-0019.

\_\_\_\_\_  
(TRANSFEREE-SIGNATURE)

\_\_\_\_\_  
(SUBDIVISION)

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(LOT)

\_\_\_\_\_  
(BLOCK)

\_\_\_\_\_  
(NAME-PRINTED)

\_\_\_\_\_  
(STREET ADDRESS)

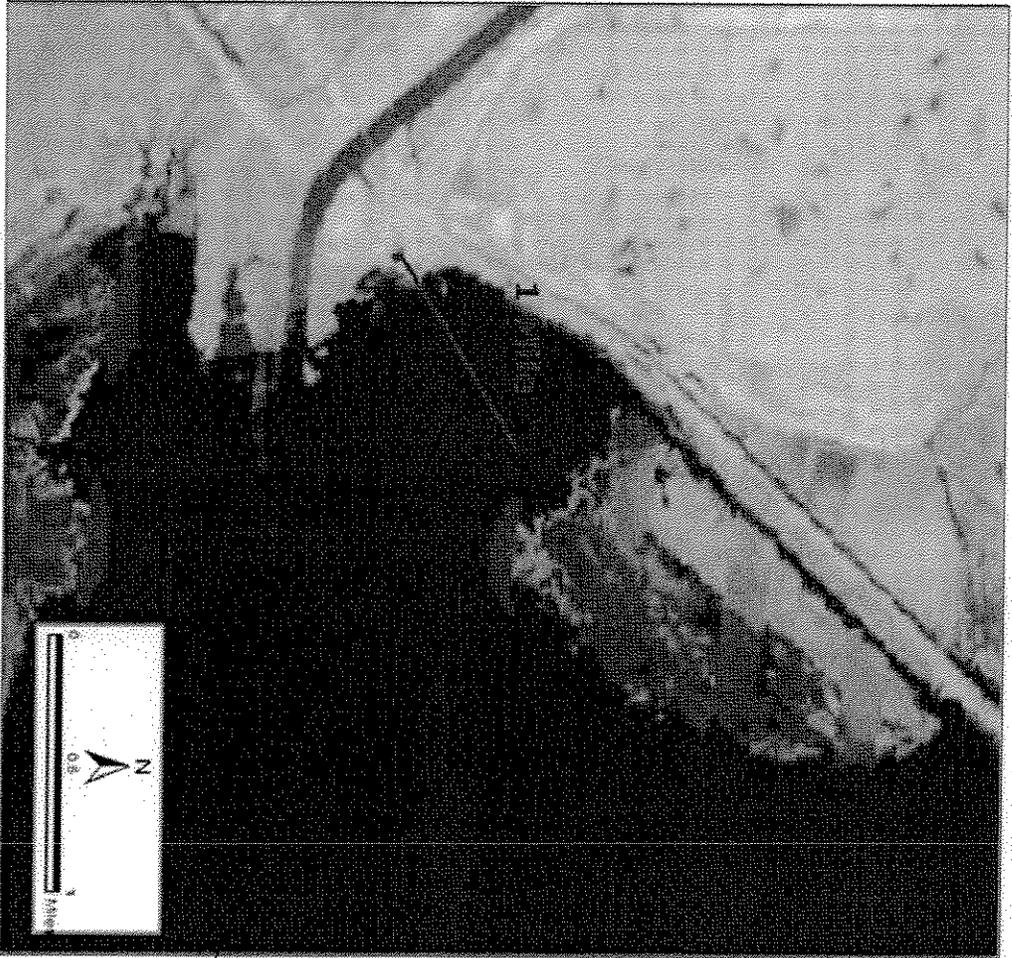
\_\_\_\_\_  
(MAILING ADDRESS)

\_\_\_\_\_  
(CITY, STATE, ZIP CODE)

GENERAL CONDITIONS  
33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on **date identified in the letter**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.



Eagle Bay Island & Okeetante Haul Roads

Haul Road #1

APPLICANT: SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT

WATER BODY: LAKE OKEECHOBEE

COUNTY:

DATUM:

EAGLE BAY ISLAND AND  
OKEETANTE HAUL ROADS  
SITE PLAN

ORIGINAL WORK  MAINTENANCE

SHEET NO. 1 OF 2

DATE: 6/14/07

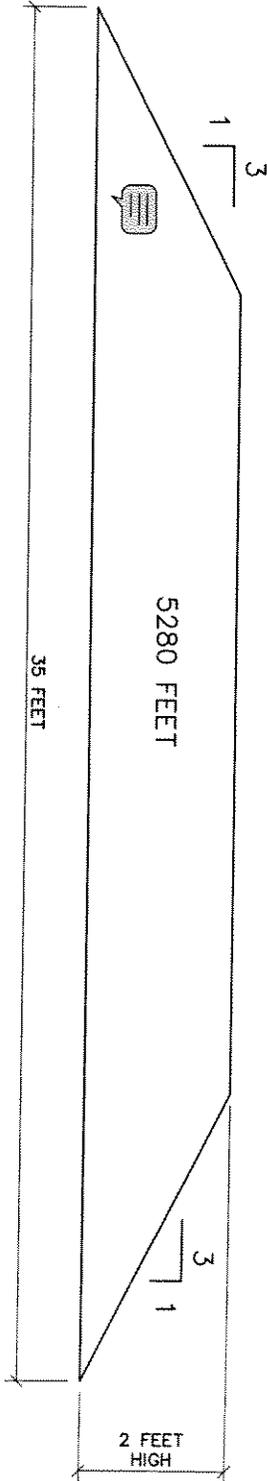
DRAWING NAME: LKG

FOR REVIEW ONLY; NOT FOR CONSTRUCTION.

DESIGNED UNDER SUPERVISION OF  
DON NUELLE  
FLA. ENGINEER CERT. NO. 52046

DATE:

*[Handwritten signature]*  
6/20/07



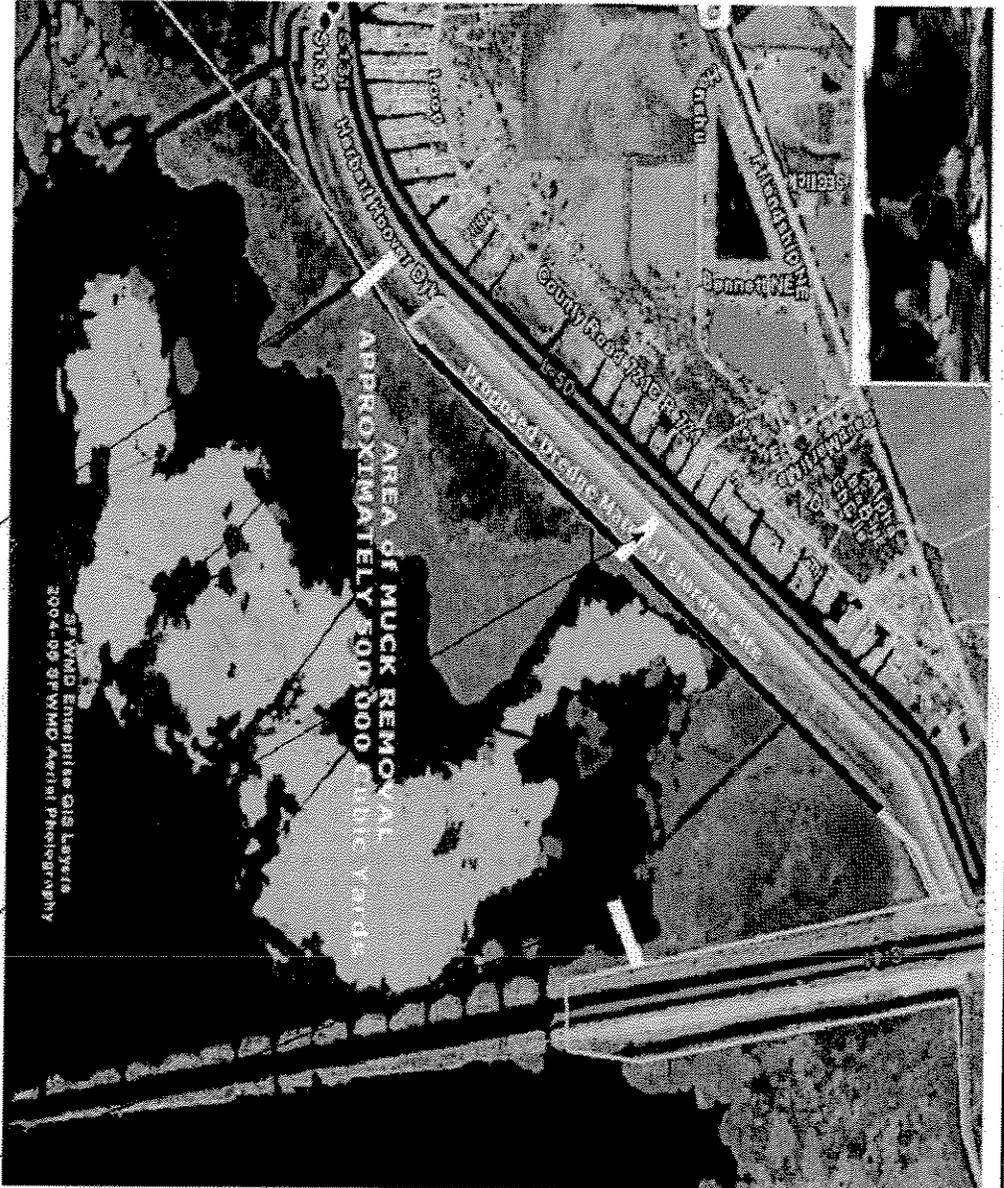
**CROSS SECTION AT HAUL ROAD NO. 1**  
N.T.S.

lgreenw Note	6/20/2007 7:38:32 AM
No impacts to wetlands or adjacent water bodies.	

APPLICANT: **SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT**  
WATER BODY: LAKE OKEECHOBEE  
COUNTY: \_\_\_\_\_  
DATUM: \_\_\_\_\_

**EAGLE BAY ISLAND AND  
OKEETANTE HAUL ROADS  
CROSS SECTION AT HAUL  
ROAD NO. 1**  
ORIGINAL WORK  MAINTENANCE   
SHEET NO. 2 OF 2  
DATE: 6/14/07  
DRAWING NAME: LKG

**FOR REVIEW ONLY; NOT FOR CONSTRUCTION.**  
DESIGNED UNDER SUPERVISION OF  
DON MOELLE  
FLA. ENGINEER/CERT. NO. 52848  
DATE: 6/20/07



Fishheating Bay Haul Routes

HAUL ROAD #2

HAUL ROAD #3

HAUL ROAD #1

ST WIND Enterprises GIS Layers  
2004-09-07 WIND Aerial Photo Overlay

APPLICANT: **SOUTH FLORIDA  
WATER MANAGEMENT DISTRICT**

WATER BODY: **LAKE OKEECHOBEE**

COUNTY:

DATUM:

FISHHEATING BAY HAUL ROUTES

SITE PLAN

ORIGINAL WORK  MAINTENANCE

SHEET NO. 1 OF 4

DATE: 6/14/07

DRAWING NAME: LKG

FOR REVIEW ONLY; NOT FOR CONSTRUCTION.

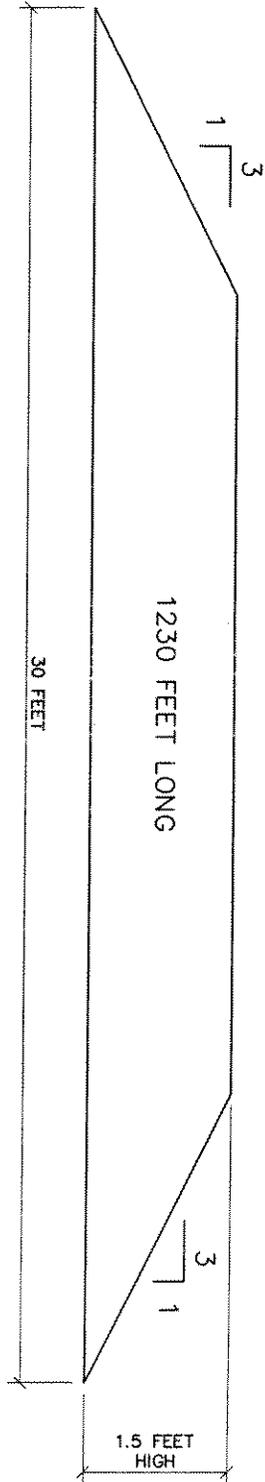
DESIGNED UNDER SUPERVISION OF

DON ANGELE

P.E., ENGINEER CERT. NO. 52946

DATE: 6/20/07

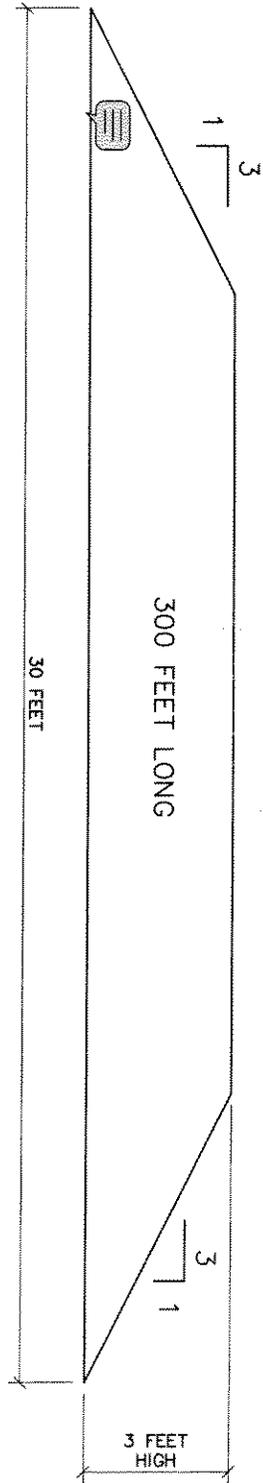
*[Signature]*



**CROSS SECTION AT HAUL ROAD NO. 1**  
N.T.S.

Road 1 is 1230 feet long 35 wide 18 inches deep totaling 2878 cu. yards.  
Road did not impact any wet land vegetation, other they voluntary grasses  
Road only crossed one small ditch 3 feet deep and 10 feet wide. There was no water when road was installed (silted in with muck)

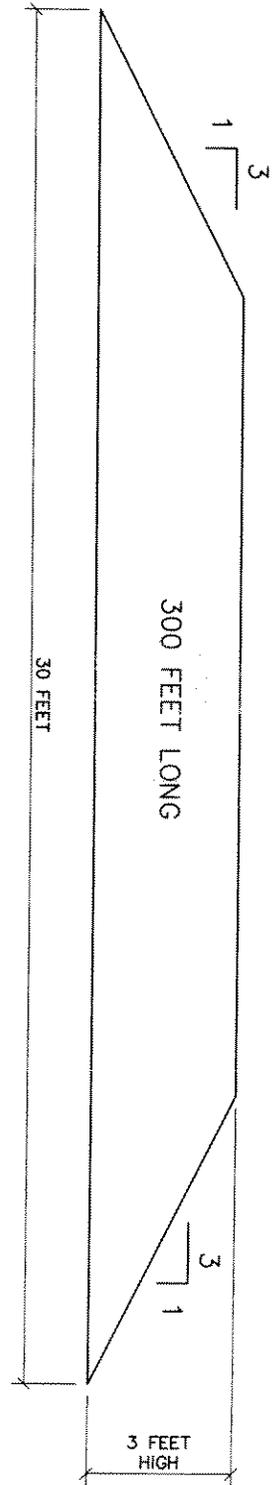
<p>APPLICANT: <b>SOUTH FLORIDA WATER MANAGEMENT DISTRICT</b></p> <p>WATER BODY: <u>LAKE OKEECHOBEE</u></p> <p>COUNTY: _____</p> <p>DATUM: _____</p>	<p><b>FISHEATING BAY HAUL ROUTES CROSS SECTION AT HAUL ROAD NO. 1</b></p> <p>ORIGINAL WORK <input checked="" type="checkbox"/> MAINTENANCE <input type="checkbox"/></p> <p>SHEET NO. <u>2</u> OF <u>4</u></p> <p>DATE: <u>6/14/07</u></p> <p>DRAWING NAME: <u>LKG</u></p>	<p><b>FOR REVIEW ONLY. NOT FOR CONSTRUCTION.</b></p> <p>DESIGNED UNDER SUPERVISION OF DON-ANDELLE FLA. ENGINEER, CERT. NO. 52046</p> <p>DATE: <u>6/20/07</u></p>
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**CROSS SECTION AT HAUL ROAD NO. 2**  
N.T.S.

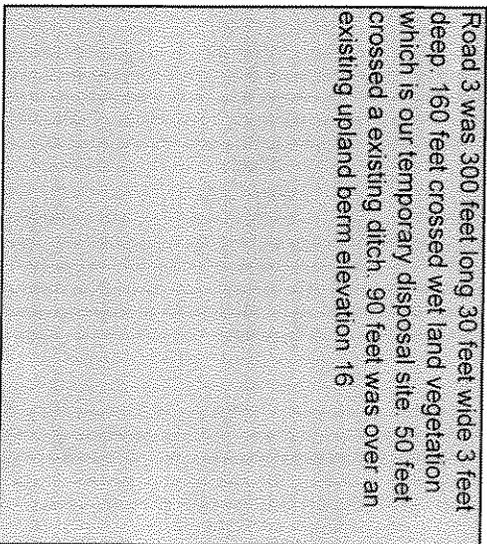
Road 2 was 300 feet long 30 feet wide 3 feet deep 160 feet crossed wet land vegetation which is our temporary disposal site. 50 feet crossed a existing ditch. 90 feet was over an existing upland berm elevation 17

APPLICANT: <b>SOUTH FLORIDA WATER MANAGEMENT DISTRICT</b> WATER BODY: <u>LAKE OKEECHOBEE</u> COUNTY: _____ DATUM: _____	FISHEATING BAY HAUL ROUTES <b>CROSS SECTION AT HAUL ROAD NO. 2</b> ORIGINAL WORK <input checked="" type="checkbox"/> MAINTENANCE <input type="checkbox"/> SHEET NO. <u>3</u> OF <u>4</u> DATE: <u>6/14/07</u> DRAWING NAME: <u>LKG</u>	FOR REVIEW ONLY. NOT FOR CONSTRUCTION. DESIGNED UNDER SUPERVISION OF DON NUELLE FLA. ENGINEER CERT. NO. 52046 DATE: <u>6/14/07</u>
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**CROSS SECTION AT HAUL ROAD NO. 3**  
N.T.S.

Road 3 was 300 feet long 30 feet wide 3 feet deep. 160 feet crossed wet land vegetation which is our temporary disposal site. 50 feet crossed a existing ditch. 90 feet was over an existing upland berm elevation 16



<p>APPLICANT: <b>SOUTH FLORIDA WATER MANAGEMENT DISTRICT</b></p> <p>WATER BODY: <u>LAKE OKEECHOBEE</u></p> <p>COUNTY: _____</p> <p>DATUM: _____</p>	<p><b>FISHING BAY HAUL ROUTES</b></p> <p><b>CROSS SECTION AT HAUL ROAD NO. 3</b></p> <p>ORIGINAL WORK <input checked="" type="checkbox"/> OF <input type="checkbox"/> MAINTENANCE <input type="checkbox"/></p> <p>SHEET NO. <u>4</u> OF <u>4</u></p> <p>DATE: <u>6/14/07</u></p> <p>DRAWING NAME: <u>LKG</u></p>	<p><b>FOR REVIEW ONLY. NOT FOR CONSTRUCTION</b></p> <p>DESIGNED UNDER SUPERVISION OF DON MUELLE FLA. ENGINEER, CERT. NO. 52046</p> <p>DATE: <u>6/29/07</u></p>
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