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

REPLY TO
ATTENTION OF

APR 24 2007

Regulatory Division
Special Projects and Enforcement Branch
SAJ-2007-2157(NW-AAZ)

Florida Department of Transportation, District 6
Attn: Alice Bravo
1000 NW 111th Avenue, Room 6103
Miami, FL 33172

Dear Ms. Bravo:

Your application for a Department of the Army permit received on March 30, 2007, has been assigned number SAJ-2007-2157(NW-AAZ). A review of the information and drawings provided shows the proposed work involves conducting repairs to five existing piers on the northwestern side of the Harris Channel Bridge along State Road 5/US-1. The project consists of placing rubble riprap around five piers that experienced scour damage caused by Hurricane Wilma. As a result of the project, approximately 0.014 acre (621 square feet) of riprap would be placed within the scour holes under the bridge in waters of the United States connecting the Atlantic Ocean to the Gulf of Mexico. The project is located along SR-5/US-1 at the Harris Channel Bridge, Latitude 24°38′27.593″, Longitude -81°34′22.4816″, Monroe County, Florida.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 3. In addition, project specific conditions have been enclosed. This verification is valid until **April 24, 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 72, March 12, 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 3. 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. The permittee agrees that the riprap shall only be placed within the scour holes and at a level that would not exceed the pre-existing water depths or the surrounding bottom contours.

4. The Permittee shall ensure that there are no impacts to aquatic resources as a result of this project, including but not limited to, propeller scouring; and vessel or barge anchoring, grounding or spudding. The Corps may require restoration and mitigation for any unauthorized impacts.

5. The permittee shall adhere to the attached Standard Construction Conditions for the Protection of the Manatee and the Smalltooth Sawfish dated June 2001.

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 561-472-3514, by fax at 561-626-6971 or by email at Alisa.A.Zarbo@saj02.usace.army.mil.

Thank you for your cooperation with our permit program.

Sincerely,

Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

Enclosures

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-3
Application Number: SAJ-2007-2157

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-2007-2157

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 of 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.