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-2007-2165(NW-AAZ)

MAY 1 4 2007

Florida's Turnpike Enterprise
Attn: Catherine Bradley
PO Box 613069
Ocoee, FL 34761

Dear Ms. Bradley:

Your application for a Department of the Army permit received on March 22, 2007, has been assigned number SAJ-2007-2165(NW-AAZ). A review of the information and drawings provided shows the proposed work involves modifying the Sunrise Mainline Toll Plaza at the Sawgrass Expressway (State Road 869). The modifications include construction of a double-span SunPass Gantry, which would allow the traffic to pass through the middle of the plaza without stopping. As a result of the project, approximately 0.1 acre of waters of the United States would be impacted with fill material. To accommodate the modifications, the impacted ditch would be relocated westward by excavating approximately 90 feet in length by 30 feet in width. The project is located along Sawgrass Expressway at the Sunrise Mainline Toll Plaza, Section 23, Township 49 South, Range 40 East, Broward County, Florida.

The Supreme Court handed down a decision on June 19, 2006, in the Rapanos and Carabell cases. That decision addresses the scope of Clean Water Act jurisdiction over certain waters of the United States, including wetlands. We anticipate that the decision will lead the Corps and the U.S. Environmental Protection Agency to make some changes in our scope of jurisdiction.

Your project includes activities, which are regulated under the current interpretation of Federal jurisdiction under Section 404 of the Clean Water Act. Your project includes special conditions that require compensatory mitigation for impacts to areas of Federal jurisdiction. Any changes to our scope of jurisdiction could require reassessment of these mitigation requirements and/or other project modification. You will have an

opportunity to re-address the terms or conditions of this authorization following issuance of the anticipated EPA/Army substantive Rapanos/Carabell guidance, if such guidance affects Federal jurisdiction on your permit site.

Your project, as depicted on the enclosed drawings, is authorized by Nationwide Permit (NWP) Number 14. In addition, project specific conditions have been enclosed. This verification is valid until **May 14, 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 14. 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.

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 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-14
Application Number: SAJ-2007-2165

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): _____

_____

_____

****

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-2007-2165

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.

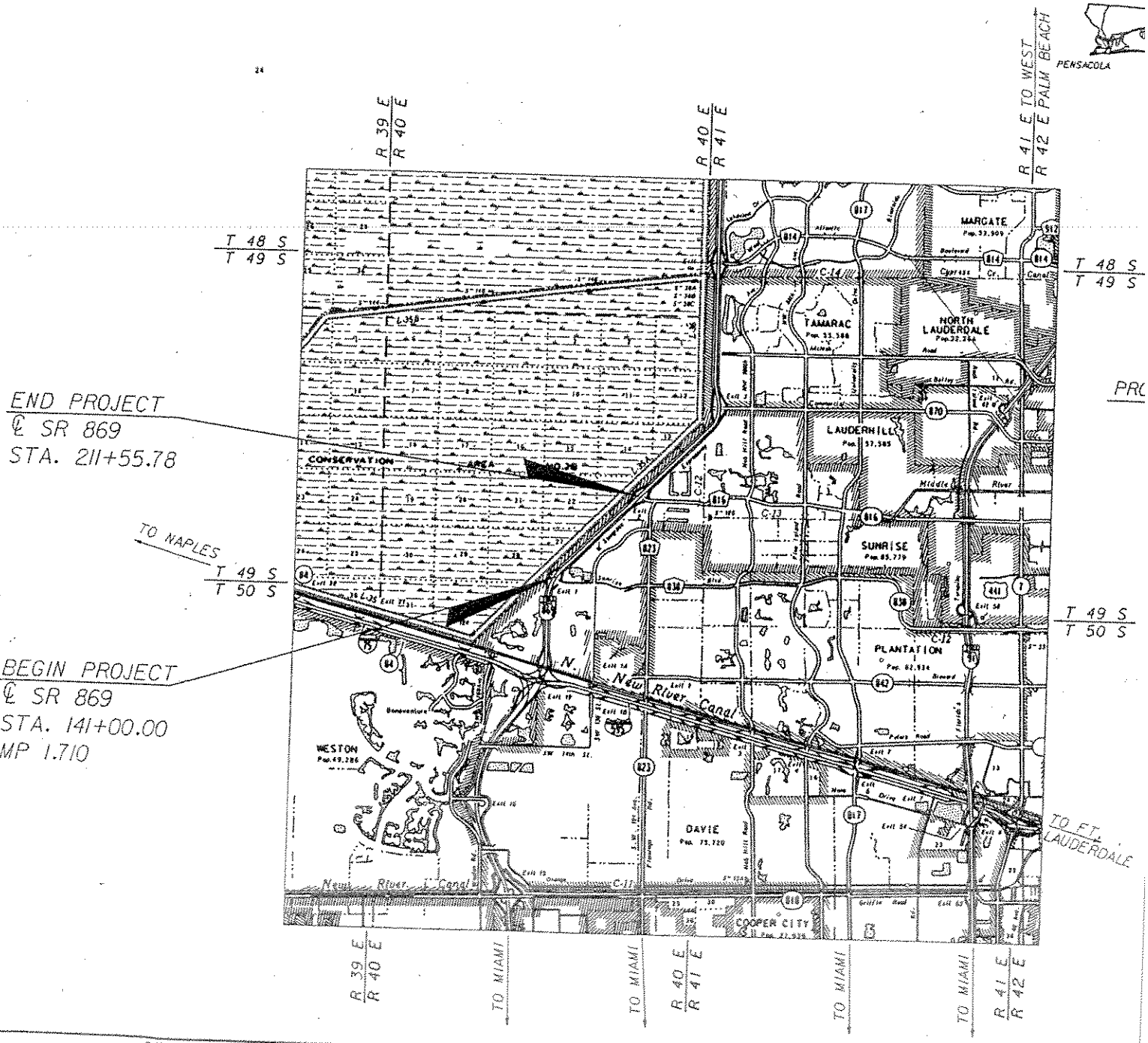
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery 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.

RECEIVED
MAR 22 2007
JACKSONVILLE DISTRICT
USACE



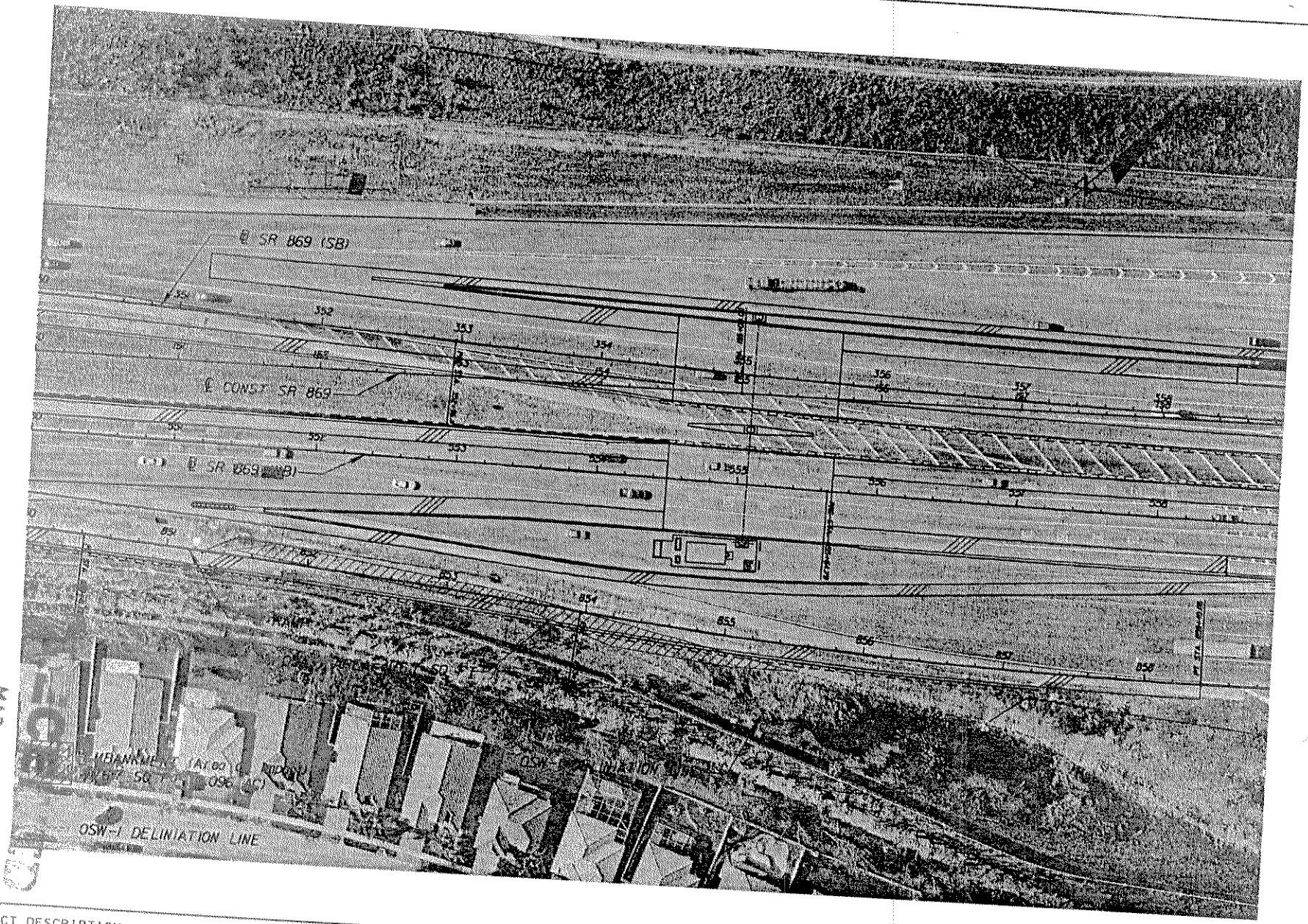
REVISIONS			
DESCRIPTION	DATE	BY	DESCRIPTION

RS&H
Reynolds, Smith and Hills, Inc.
1006 Legion Place, Suite 600
Orlando, Florida 32801
407-893-5800
FL Cert. No. EB0005820
Engineer of Record: Jesse J. Forst PE No. 56777

LOCATION MAP

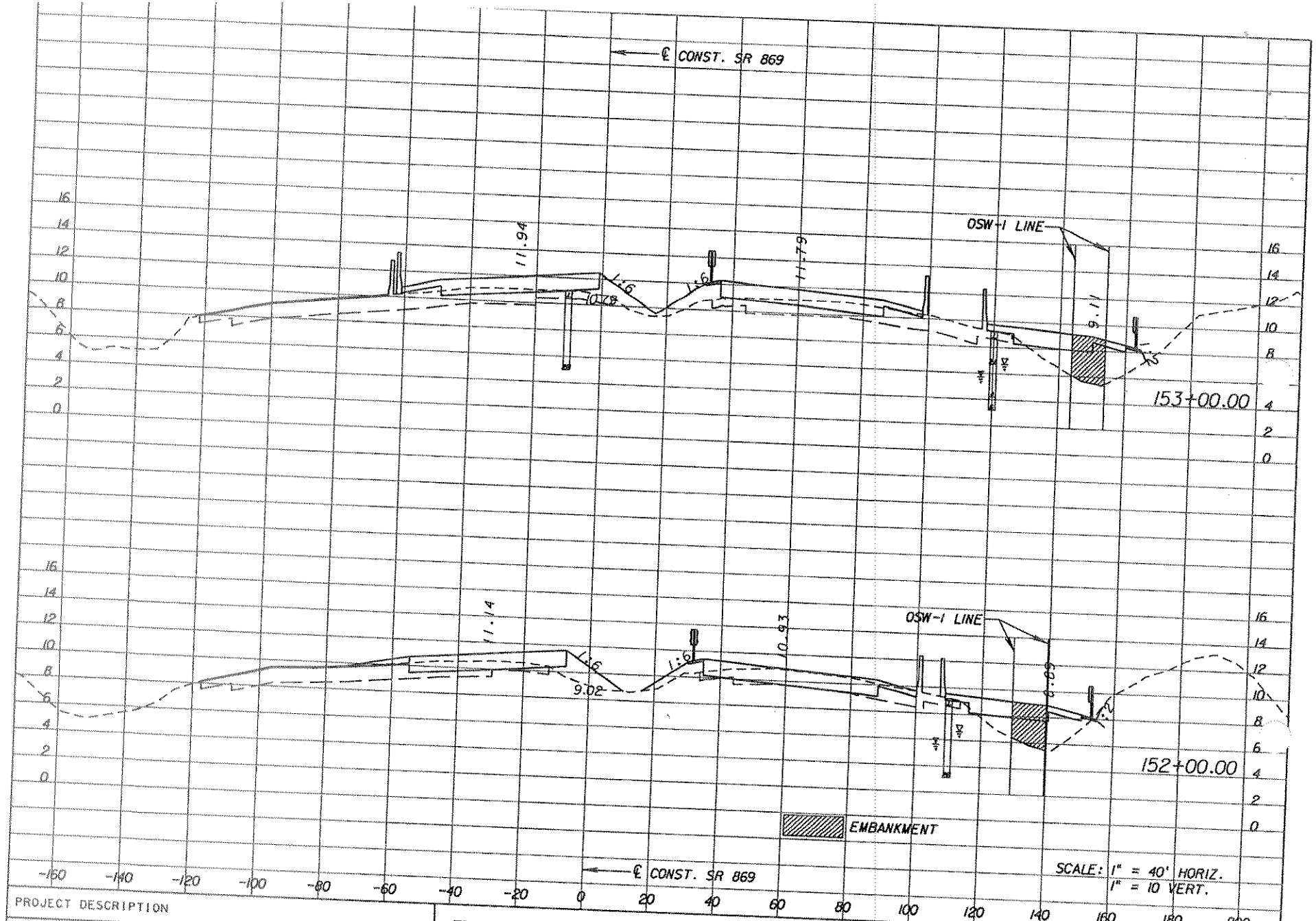
ROAD NO.	COUNTY	FINANCIAL PROJECT

Facsimile



MAR 22 2007
JACKSONVILLE DISTRICT
USACE

PROJECT DESCRIPTION	FLORIDA DEPARTMENT OF TRANSPORTATION	STATE PROJECT NO.	
SR 869 (SAWGRASS EXPRESSWAY SUNRISE TOLL PLAZA)	NAME:	FINANCIAL PROJECT ID: 420289-1-52-01	
TWP: 49 SOUTH RNG: 40 EAST	SIGNATURE	BROWARD COUNTY	SHEET 2 OF 4
SEC: 27	CERTIFICATE NO. DATE:		DATE:



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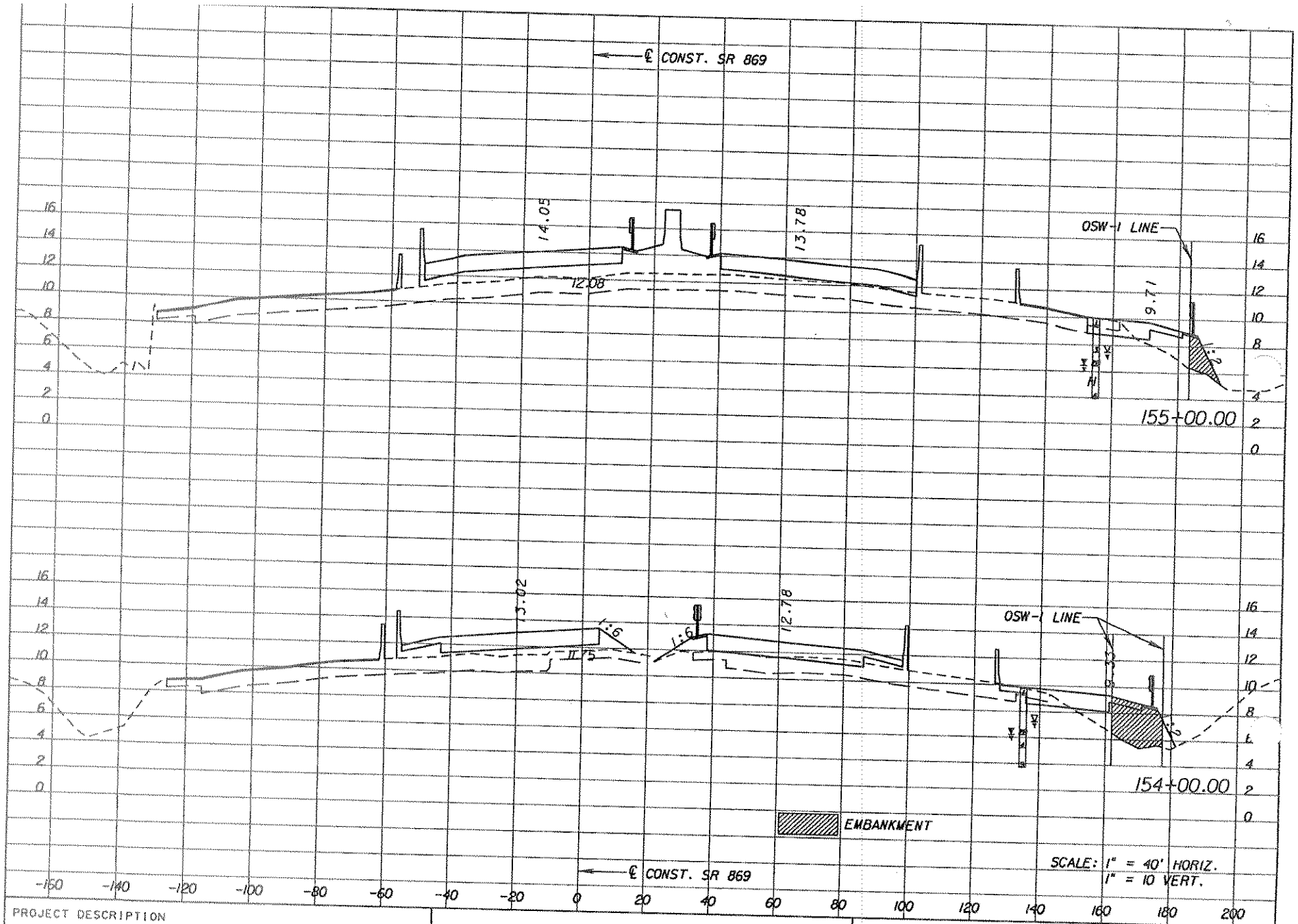
		DATE:

CD-MMM-YYYY HH:MMM
*CONSPECIFICATION*******



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SEC: 27	CERTIFICATE NO. _____ DATE: _____	SHEET 4 OF 4
		DATE:

DD-MMM-YYYY HH:MMM
*DGN$SPECIFICATION*******

TABLE 1

PROJECT WETLAND AND OTHER SURFACE WATER SUMMARY

WL & SW ID	WL & SW TYPE	WL & SW SIZE	WL & SW NOT IMPACTED	TEMPORARY WL & SW IMPACTS			PERMANENT WL & SW IMPACTS			MITIGATION AREA ID
				WL & SW TYPE	IMPACT SIZE	IMPACT TYPE	WL & SW TYPE	IMPACT SIZE	IMPACT TYPE	
OSW 1	PEM1Cx	0.48 ac	0.386 ac				PEM1Cx	0.10	F	Not required
PROJECT TOTALS:		0.48 ac	0.38 ac					0.1		

Note:
WL = Wetland; **SW** = Surface water; **ID** = Identification number, letter, etc.
Wetland Type: Use an established wetland classification system and, in the comments section below, indicate which classification system is being used.
Impact Code (Type): D = dredge; F = fill; H = change hydrology; S = shading; C = clearing; O = other
Multiple entries per cell are not allowed, except in the "Mitigation ID" column.
Comments:

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