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

05 DEC 2007

REPLY TO
ATTENTION OF

Regulatory Division
Special Projects and Enforcement Branch
SAJ-2006-8052(LP-AAZ)

Florida Department of Transportation, District 4
Attn: Georgi Celusnek
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

Dear Ms. Celusnek:

This is in reference to your request for a Department of the Army (DA) permit to perform work in or affecting waters of the United States. If you determine that the permit provided is acceptable in its entirety and you have chosen to proceed with the authorized activity, then upon recommendation of the Chief of Engineers, Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), you are authorized under a Letter of Permission to excavate approximately 652 cubic yards of material from the C-18 Canal bottom (approximately 0.90 feet across the canal) and place 119.6 cubic yards of fill in the C-18 Canal bottom to stabilize the bridge foundation. The fill for the canal bottom consists of cement riprap. The canal banks will be regraded to a 1:6 slope and cement riprap will be placed along the shoreline under the new bridge sections. The bridge over the C-18 Canal will be widened towards the median to accommodate the additional interstate lanes. The project includes the excavation of the site slopes of the ditches that run parallel to I-95 to maintain at least a 1:4 side slope. No work will be performed in the bottom of the ditches. The work is required to widen the I-95 from 6 lanes to 10 lanes including ramp improvements at Donald Ross Road and Indiantown Road. The project is located along Interstate 95 (I95) from Donald Ross Road to Indiantown Road including Bridge work at the C-18 Canal in Sections 4, 9, 10, 15, 22, 23, and 26; Township 41 South; Range 42 East; Palm Beach County, Florida.

Geographic Position:	Latitude	26° 55′ 47.5″ North
	Longitude	80° 08′ 55.9″ West

The project must be completed in accordance with the ten enclosed construction drawings, and the general and special conditions which are incorporated in, and made a part of, the permit.

Special Conditions:

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-1996-3984(IP-AAZ), on all submittals.

2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.

3. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.

4. **As-Builts:** 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 2) 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.

5. **Fill Material:**

(a) The Permittee shall use only clean fill material for this project. The fill material shall be free from items such as trash, debris, automotive parts, asphalt, construction materials, concrete block with exposed reinforcement bars, and soils contaminated with any toxic substance, in toxic amounts in accordance with Section 307 of the Clean Water Act.

(b) The dredged spoil material and associated effluent shall be pumped to a self-contained temporary, bermed upland disposal site.

6. **Endangered Species:** The permittee agrees to abide by the enclosed standard construction conditions designed to protect the endangered West Indian manatee.

If the work authorized is not completed on or before **December 5, 2009**, authorization, if not previously revoked or specifically extended, shall cease and be null and void.

Instructions for Objecting to Permit terms and Conditions: This letter contains an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by 05 FEB 2008. It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

Should you have any questions regarding this letter, please contact Alisa Zarbo by phone at 772-219-8418, by email at Alisa.A.Zarbo@saj02.usace.army.mil, or in writing at the letter head address.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: http://www.saj.usace.army.mil/permit/forms/customer service.htm. Your input is appreciated - favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Lynn M. Mason, Ph.D.
Dep. Chief, Reg. Div.
for Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

Enclosures

Copy Furnished:
CESAJ-RD-PE (w/SOF & enclosures)

REQUEST PERMIT TRANSFER: PERMIT NUMBER: SAJ-2006-8052(LP-AAZ)

When the structures or work verified 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. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida 32232-0019.

_____ _____
(PRESENT PERMITTEE SIGNATURE) (DATE)

_____ _____
(TRANSFEREE SIGNATURE) (DATE)

_____ _____
(Name - Printed) Lot/Block of site

_____
(Street Address)

_____
(City, State, and Zip Code)

Flood Plain Information:

This Department of the Army permit does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions. You should contact the local office in your area that issues building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If your local office cannot provide you the necessary information, you may request a flood hazard evaluation of the site by providing this office with a letter and a small scale map showing the location of the site. The request should be addressed to the **Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019.** Phone inquiries may be made at 904-232-2515.

GENERAL CONDITIONS
33 CFR PART 320-330
PUBLISHED FR DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on the date noted in the permit 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.

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Section at 904-232-2907.

1. Department of the Army Permit Number: SAJ-2006-8052(LP-AAZ)

2. Permittee Information:

   Name_____

   Address_____

3. Project Site Identification:

   Physical location/address_____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

_____ _____
Signature of Engineer Name (Please type)

_____ _____
(FL, PR or VI) Reg. Number Company Name

_____ _____ _____ _____
Address City State ZIP

(Affix Seal)

_____ _____
Date Telephone Number

Attach additional pages as necessary to identify deviations from the approved permit drawings and special conditions.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2006-8052(LP-AAZ)

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

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: FDOT, District 4	File Number: SAJ-2006-8052(LP-AAZ)	Date: 05 DEC 2007
Attached is:		See Section below
X	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

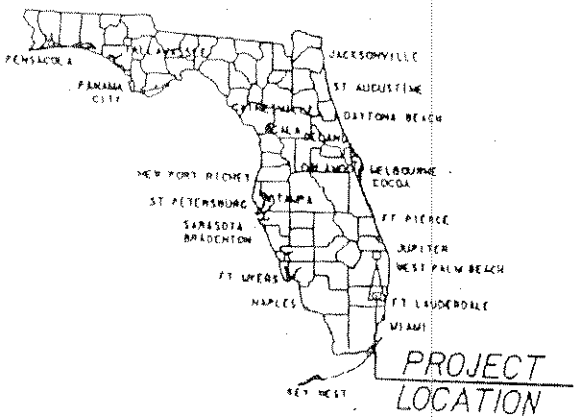
ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact:
Project Manager as noted in letter	for process: Stuart Santos 904-232-2018 for JD: Michael F. Bell 404-562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
Signature of appellant or agent.		



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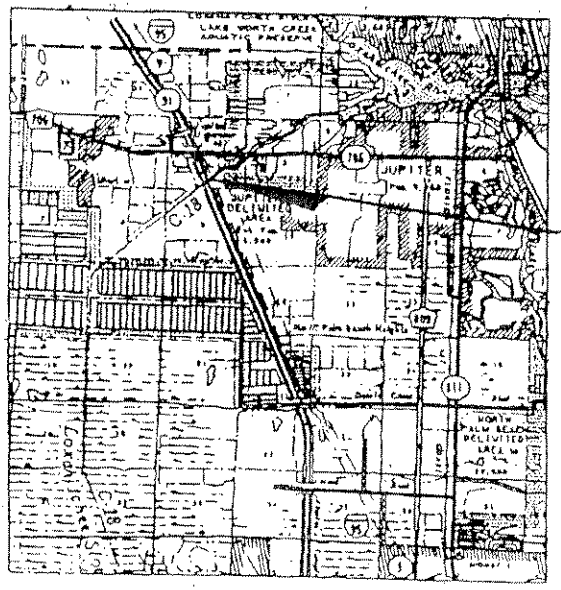


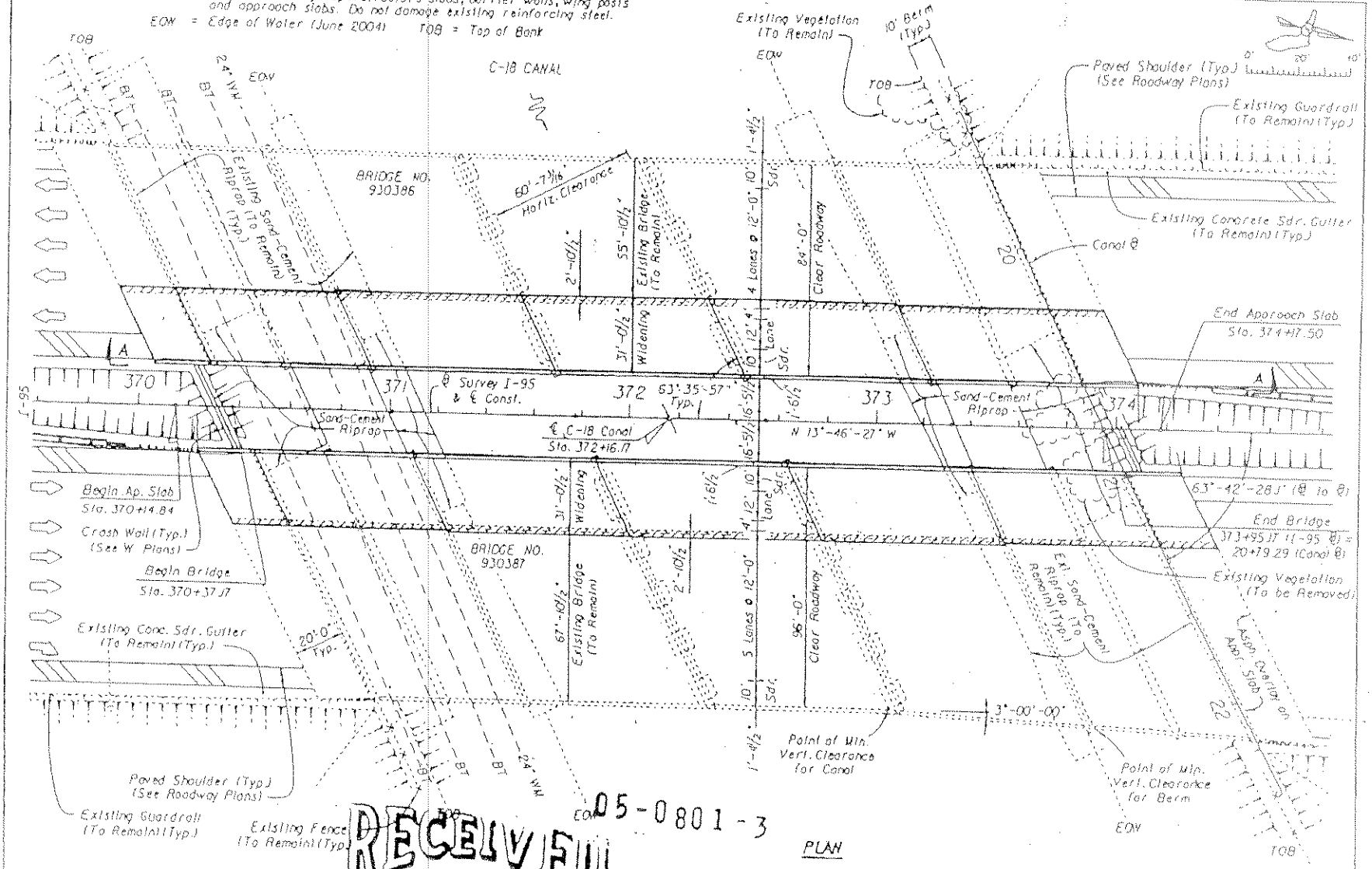
PROJECT LOCATION

WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL

WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL

PROJECT DESCRIPTION: I-95 WIDENING FROM DONALD ROSS ROAD TO INDIANTOWN ROAD	FLORIDA DEPARTMENT OF TRANSPORTATION	PALM BEACH COUNTY	FPN 406870-2-52-01
LATITUDE: 26.90° N / LONGITUDE: 79.95° W	NAME: JERRY PICCOLO PE	FOOT BRIDGE NOS. 930386 & 930387	
TWP: 42S / RNG: 42E	SIGNATURE	BCBNRP / CG	SHEET 1 OF 6
SEC: 1	CERTIFICATE NO. 22979 / DATE: 7/30/05	COE / WMD	DATE 7/30/05

LEGEND: ////// = Remove existing superstructure slabs, barrier walls, wing posts and approach slabs. Do not damage existing reinforcing steel.
EOW = Edge of Water (June 2004) TOB = Top of Bank



PLAN

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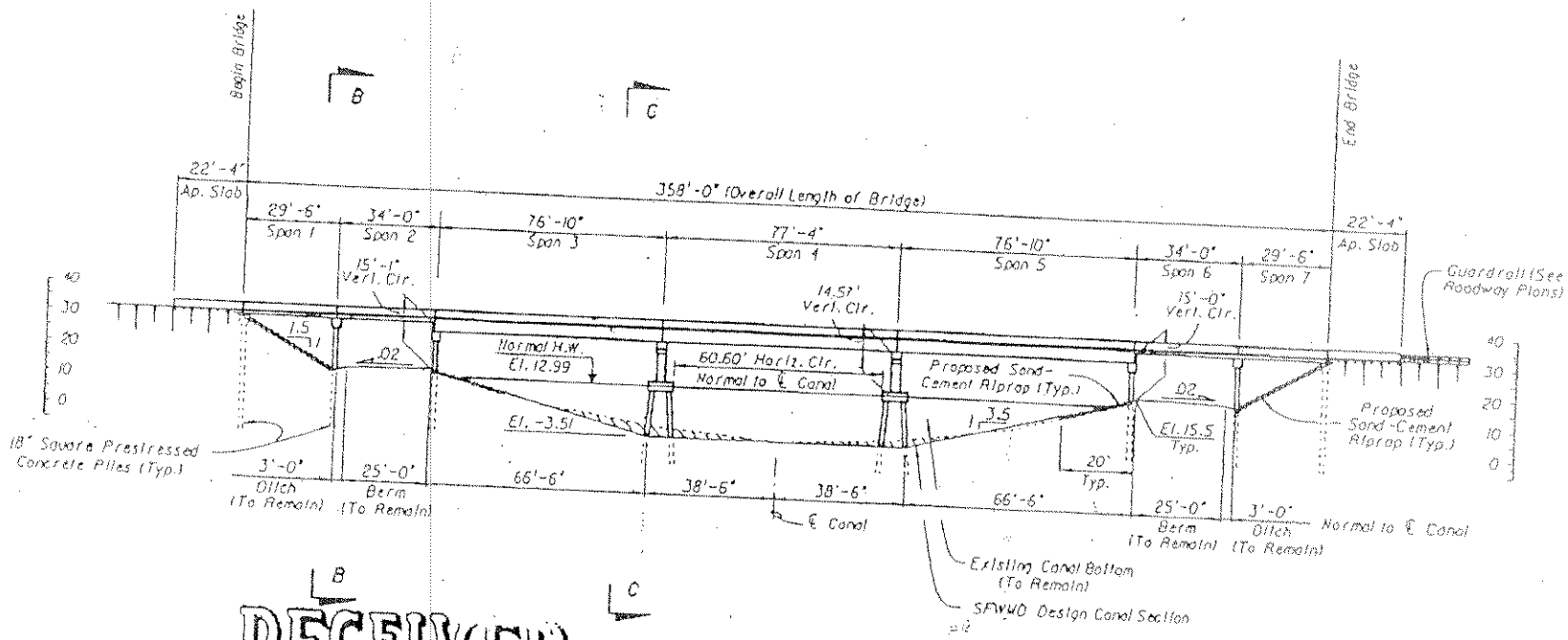
WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL

PROJECT DESCRIPTION: I-95 WIDENING FROM BLOUNT ROSS ROAD TO INDIANTOWN ROAD	FLORIDA DEPARTMENT OF TRANSPORTATION	PALM BEACH COUNTY	FPN 406870-2-52-01
LATITUDE: 26.90° N LONGITUDE: 79.95° W	NAME: JERRY PICCOLO PE	FOOT BRIDGE NOS. 930386 & 930387	
TWP: 12S RNG: 12W	SIGNATURE	BCBNRP / CG	SHEET 2 OF 6
SEC 4	CERTIFICATE NO. 22979 DATE: 7/30/05	COE / WMO	DATE 7/30/05



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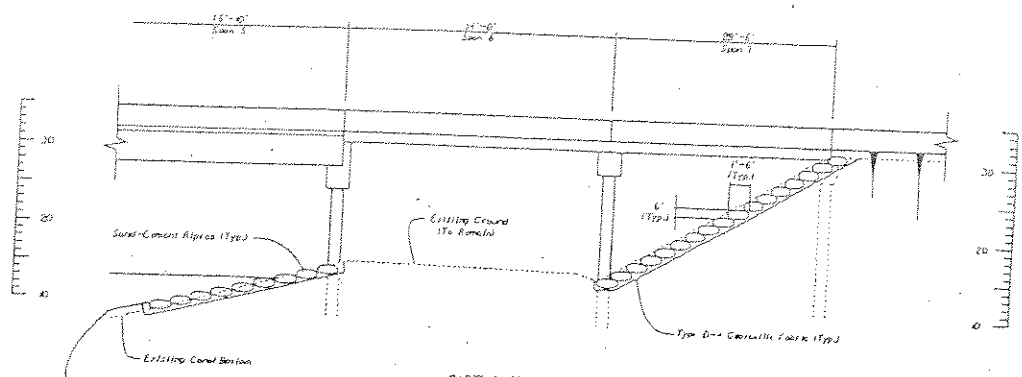
ELEVATION
(Section A-A)

05-0801-3

NOTE: All elevations on this page are based on the NAVD survey datum. NGVD = 1.50' + NAVD.

PROJECT DESCRIPTION I-95 WIDENING FROM DONALD ROSS ROAD TO INDIANTOWN ROAD			WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL
LATITUDE: 26.90° N	LONGITUDE: 79.95° W	FLORIDA DEPARTMENT OF TRANSPORTATION	PALM BEACH COUNTY FPN 406870-2-52-01
TWP: 42S	RNG: 42W	NAME: JERRY PICCOLO PE	FDOT BRIDGE NOS. 930386 & 930387
SEC 4		SIGNATURE	BCBNRP / CC / SHEET 3 OF 6
		CERTIFICATE NO. 28979 DATE: 7/30/05	COE / WMD / DATE 7/30/05



PARTIAL ELEVATION
(Riprap Details)

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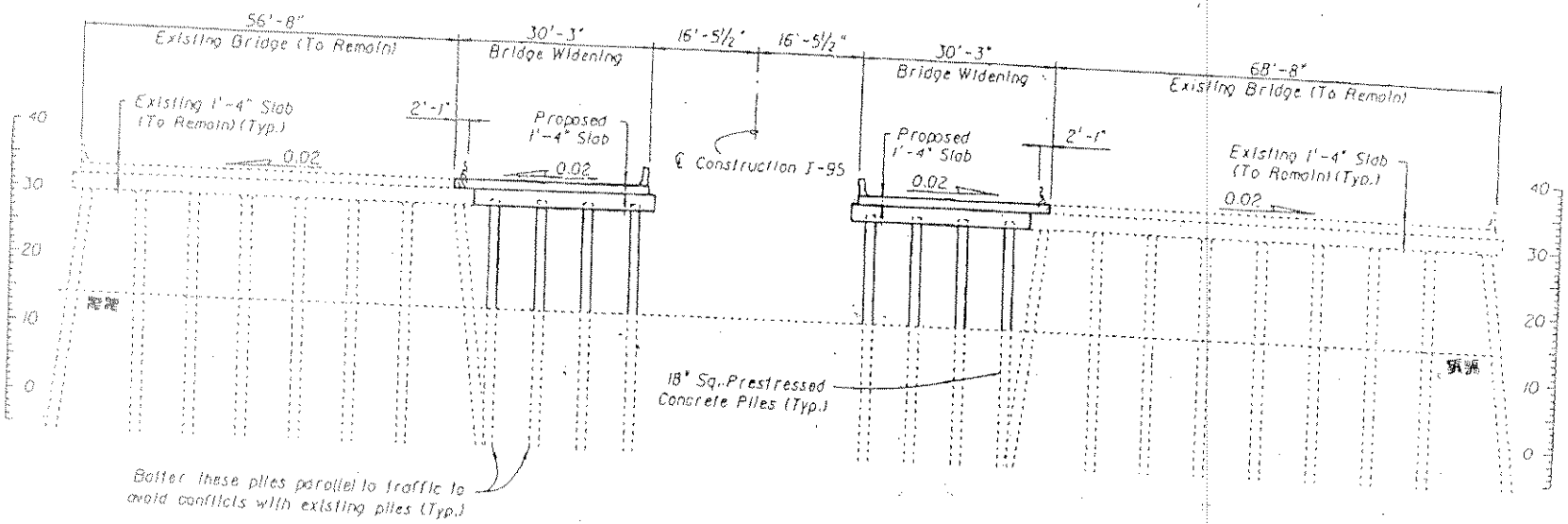
05-0801-3

WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL

PROJECT DESCRIPTION: I-95 WIDENING FROM DONALD ROSS ROAD TO INDIANTOWN ROAD	FLORIDA DEPARTMENT OF TRANSPORTATION	PALM BEACH COUNTY	FPN 406810-2-52-01
LATITUDE: 26.30' N LONGITUDE: 79.95' W	NAME: JENNY MCCOLL PE	FDOT BRIDGE NOS. 930366 & 930387	
TWP: 45 RNG: 42W	SIGNATURE	BUDWRP / CC	SHEET 4 OF 6
SEC:	CERTIFICATE NO. 2073 DATE: 7/30/09	CDE / WMD	DATE 7/30/09



TYPICAL SECTION THRU SPANS 1, 2, 6 & 7

(Section B-B)

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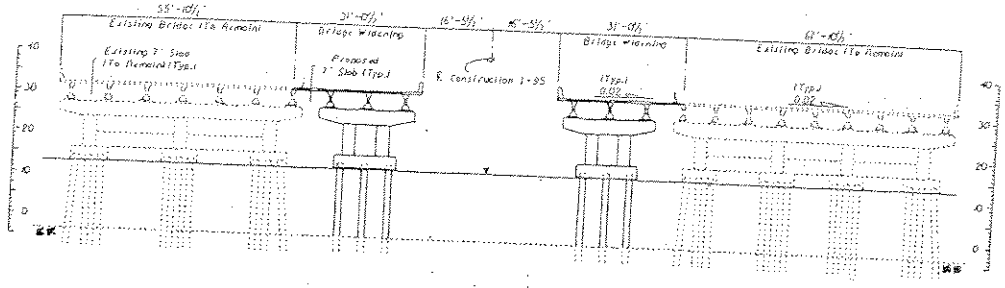
05-0801-3

PROJECT DESCRIPTION I-95 WIDENING FROM DONALD ROSS ROAD TO INDIANTOWN ROAD	FLORIDA DEPARTMENT OF TRANSPORTATION	WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL	
LATITUDE: 26.90° N LONGITUDE: 79.95° W	NAME: JERRY PICCOLO PE	PALM BEACH COUNTY	FPN 406870-2-52-01
TWP: 12S RNG: 42E	SIGNATURE	FDOT BRIDGE NOS. 930386 & 930387	
SEC 4	CERTIFICATE NO. 22979 DATE: 7/30/05	BC&NRP / CG	SHEET 5 OF 6
		COE / KHO	DATE 7/30/05



TYPICAL SECTION THRU SPANS 3, 4 & 5
(Section C-C)

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WIDENING OF I-95 BRIDGES OVER THE C-18 CANAL

PROJECT DESCRIPTION: I-95 WIDENING FROM DONALD ROSS ROAD TO INDIANTOWN ROAD	FLORIDA DEPARTMENT OF TRANSPORTATION	PALM BEACH COUNTY FPN #06970-2-52-01
LATITUDE: 26.87 N LONGITUDE: 79.95 W	NAME: [illegible]	FDOT BRIDGE NOS. 930366 & 930267
TWP: 45 RNG: 40	SIGNATURE	BCBWMP / CG / SHEET 6 OF 6
SEC 4	CERTIFICATE NO. [illegible] DATE: 7/30/05	CDE / WMD / DATE 7/30/05