

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation
District III
P.O. Box 607
Chipley, Florida 32428

Permit No: SAJ-2007-1175 (IP-AWP)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The placement of clean fill material in approximately 5.73 acres and the dredging of approximately 0.32 acres of marsh, forested, and stream wetlands in order to widen approximately 1.6 miles of US331. No dredge or fill activities will occur in the Choctawhatchee Bay. The work described above is to be completed in accordance with the 3 attachments affixed at the end of this permit instrument.

Project Location: The widening of US 331 from two to four lanes, beginning at the intersection of US98 and US331, heading north and ending at the south end of the Choctawhatchee Bay Bridge. The project is located at the south end of US331, in Sections 20, 29, 30, and 31, Township 2 South, and Range 19 West, Walton County, Florida.

Directions to site: From the San Destin, head east on US98 to the US331 intersection, which is the southern project limit. The project ends at southern shore of Choctawhatchee Bay.

Latitude & Longitude: Latitude 30°22'30" North
Longitude 86°10'49" West

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Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **February 3, 2013**. 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 and the mailing address 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 representatives from this office to inspect the authorized activity at any time deemed necessary to

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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.

6. 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.

7. Within 1 year from the date of issuance of this permit instrument the permittee agrees to replace 3.77 functional units of loss which will result from impacts to 6.05 acres of jurisdictional wetlands. Wetland impacts for this project will be mitigated through the Northwest Florida Umbrella, Watershed-Based, Regional Mitigation Plan (PLAN), as defined in the agreement between the Northwest Florida Water Management District (NFWWMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, July 31, 2006. The PLAN has identified acquisition, preservation, and restoration within the Live Oak Peninsula; section 5.3.5, February 8, 2008, update. The NFWWMD will deduct 3.77 credits from the Live Oak Peninsula mitigation ledger.

8. If NFWWMD is unable to secure satisfactory mitigation within the Live Oak Peninsula within 1 year from the issuance of this permit the permittee shall submit an alternate compensatory

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mitigation proposal to fully offset the functional loss that occurred as a result of the project. Also, the alternate mitigation proposal will include additional mitigation to compensate for the temporal loss of wetland function associated with the delayed mitigation efforts. The permittee will also submit a functional assessment for the alternate compensatory mitigation proposal that clearly indicates that the functions and values will be replaced. The Corps reserves the right to fully evaluate, amend, and approve the alternate compensatory mitigation proposal.

9. The NFWFMD shall provide an annual status report, in July 2008, as defined in the January 2007 PLAN revision, Section 11.0. The report shall include all six reporting criteria listed in the PLAN.

10. The NFWFMD shall provide annual provisions for full cost accounting as defined in Article IV, (14) of the Agreement between NFWFMD and the Corps executed July 31, 2006.

11. A representative of the Corps will be allowed 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 this permit.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

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2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the

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circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Joy Giddens
(PERMITTEE)

2/22/08
(DATE)

Joy Giddens FDST Permits Coordinator
(PERMITTEE NAME-PRINTED)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Paul L. Grosskruger

3 March 08
(DATE)

(DISTRICT ENGINEER)
Paul L. Grosskruger
Colonel, U.S. Army
District Commander

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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. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEEE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
Permit Number SAJ-2007-1175(IP-AWP)***

1. PERMIT DRAWINGS: 22 pages, dated August 10, 2007.

2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 38 pages.

3. AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER: 1 page

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U.S. Army Corps of Engineers

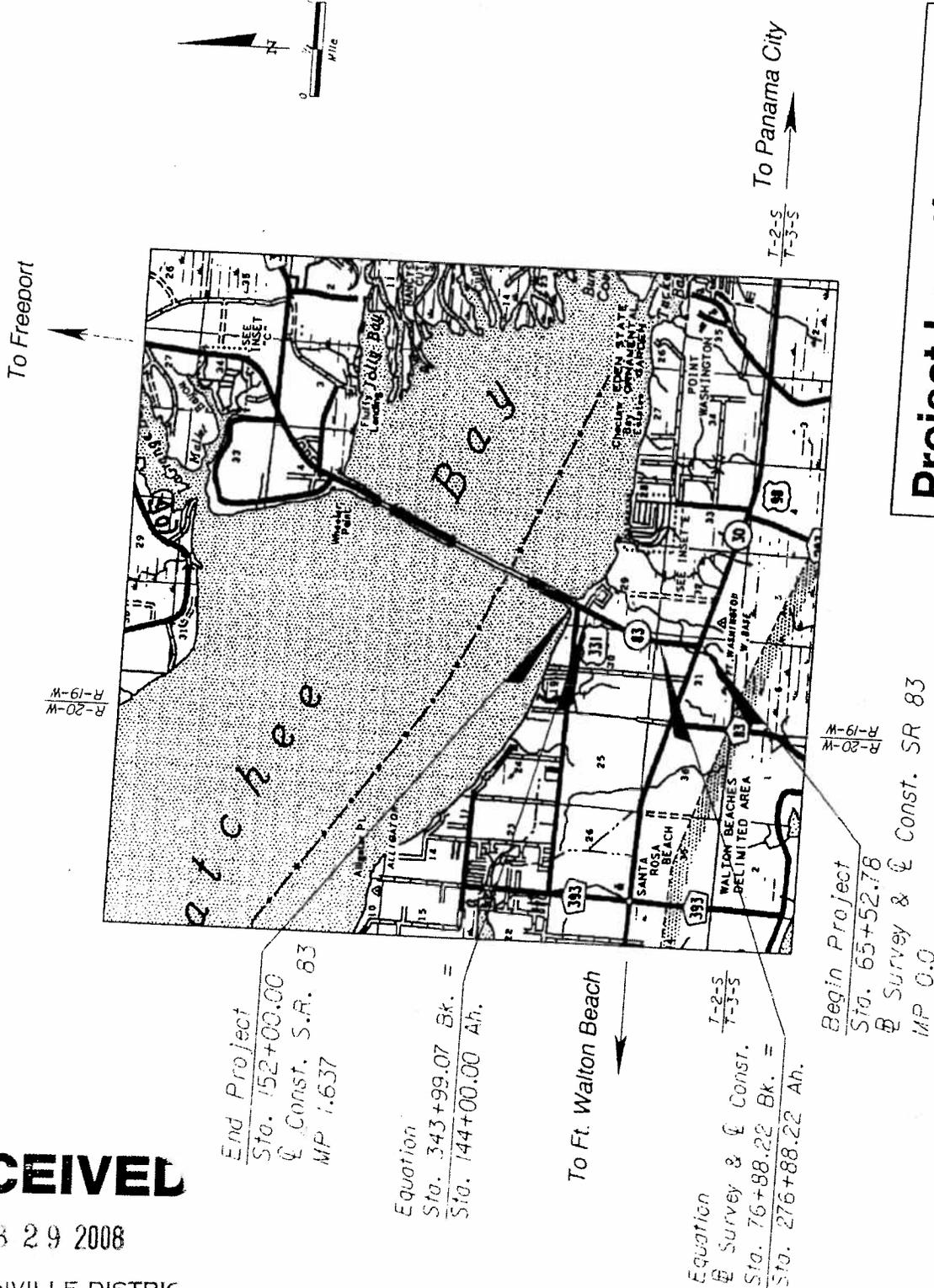
Permit # AT-2007-1175

Date: FEB 21 2008

Attachment: 1



octawatchee Bridge



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U.S. Army Corps of Engineers

Permit # AT-2007-1175

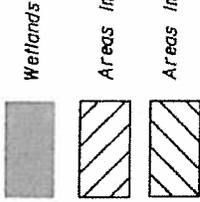
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Attachment: 1



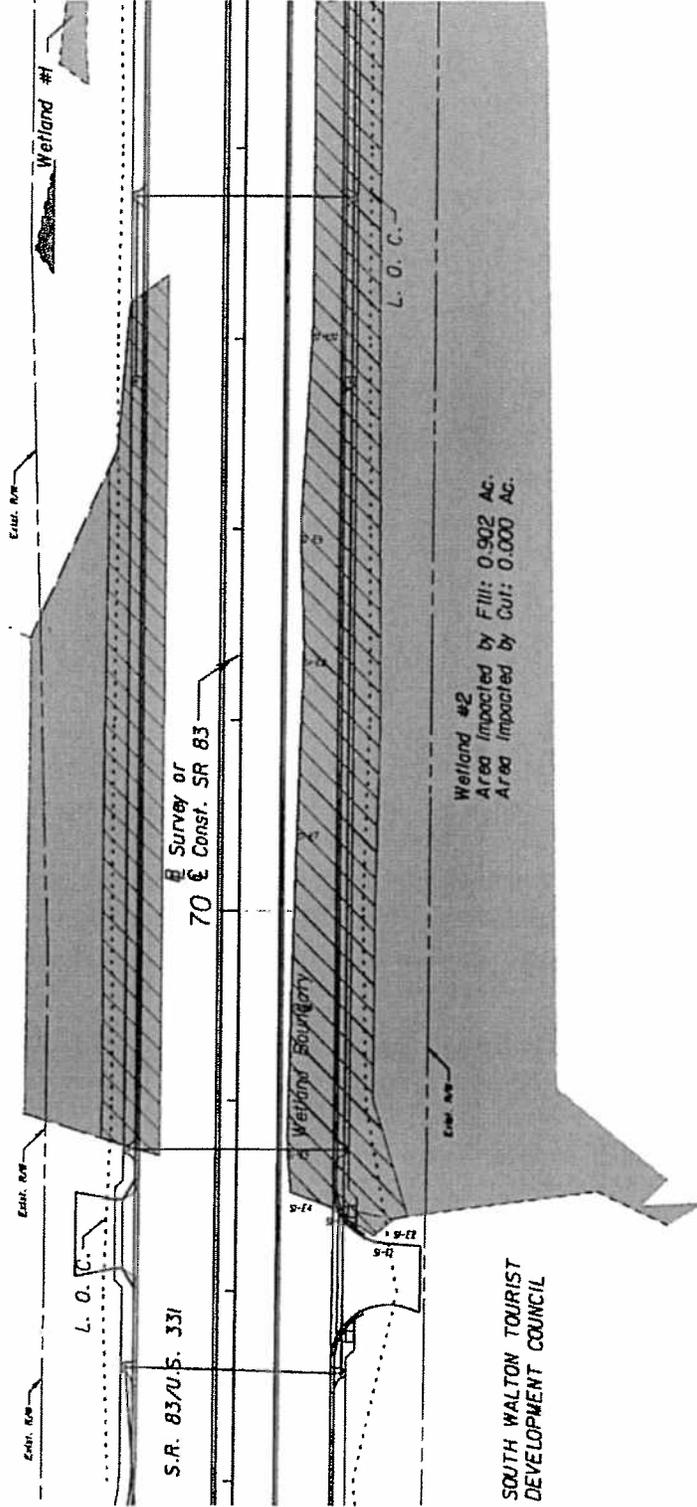
octawatchee Bridge

1" = 100'



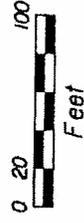
Wetland #TT
Area Impacted by Fill: 0.302 Ac.
Area Impacted by Cut: 0.000 Ac.

FOOD STORE



Wetland #2
Area Impacted by Fill: 0.902 Ac.
Area Impacted by Cut: 0.000 Ac.

SOUTH WALTON TOURIST
DEVELOPMENT COUNCIL



LOCHNER

3940 EAST PARK AVENUE, SUITE 200
TALLAHASSEE, FLORIDA 32301
FBPR CERTIFICATE OF AUTH. # 894
SANDRA LAND P.B. # 43315

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

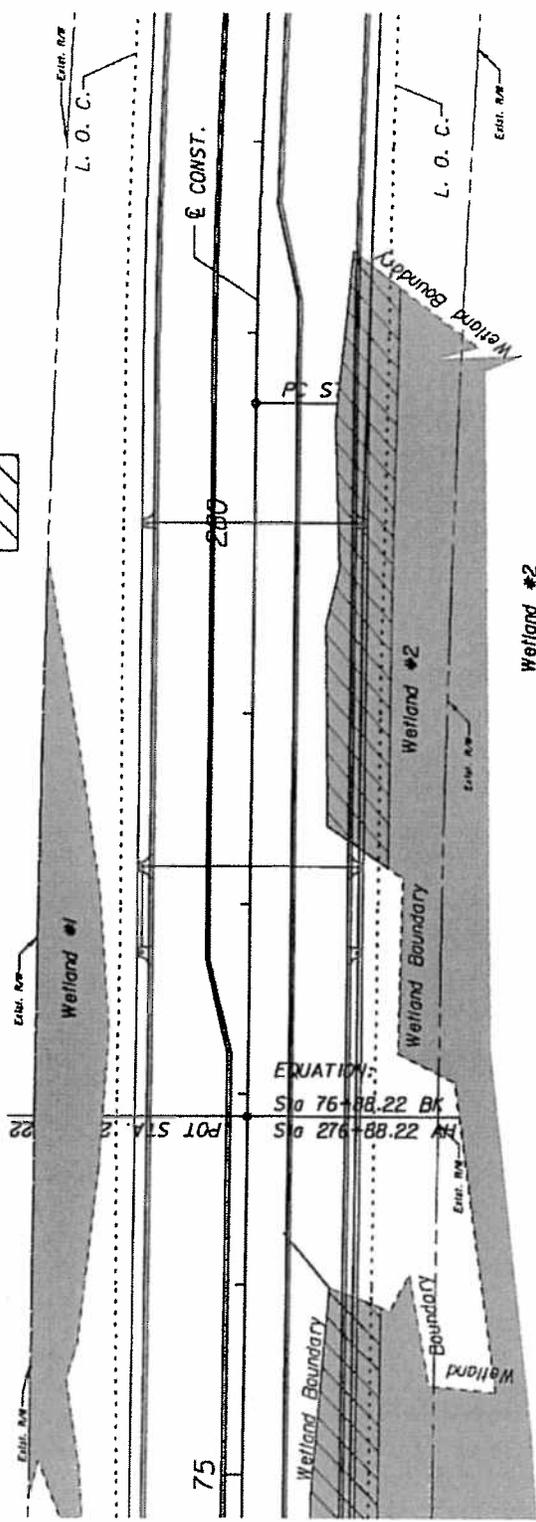
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS
SR 83

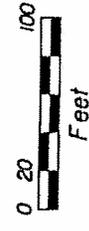
SHEET NO.
1

1" = 100'

- Wetlands
- Areas Impacted by Cut
- Areas Impacted by Fill



Wetland #2
 Area Impacted by Fill: 0.902 Ac.
 Area Impacted by Cut: 0.000 Ac.



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 3940 EAST PARK AVENUE, SUITE 200
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 SANDRA LAMB, P.E. # 43216

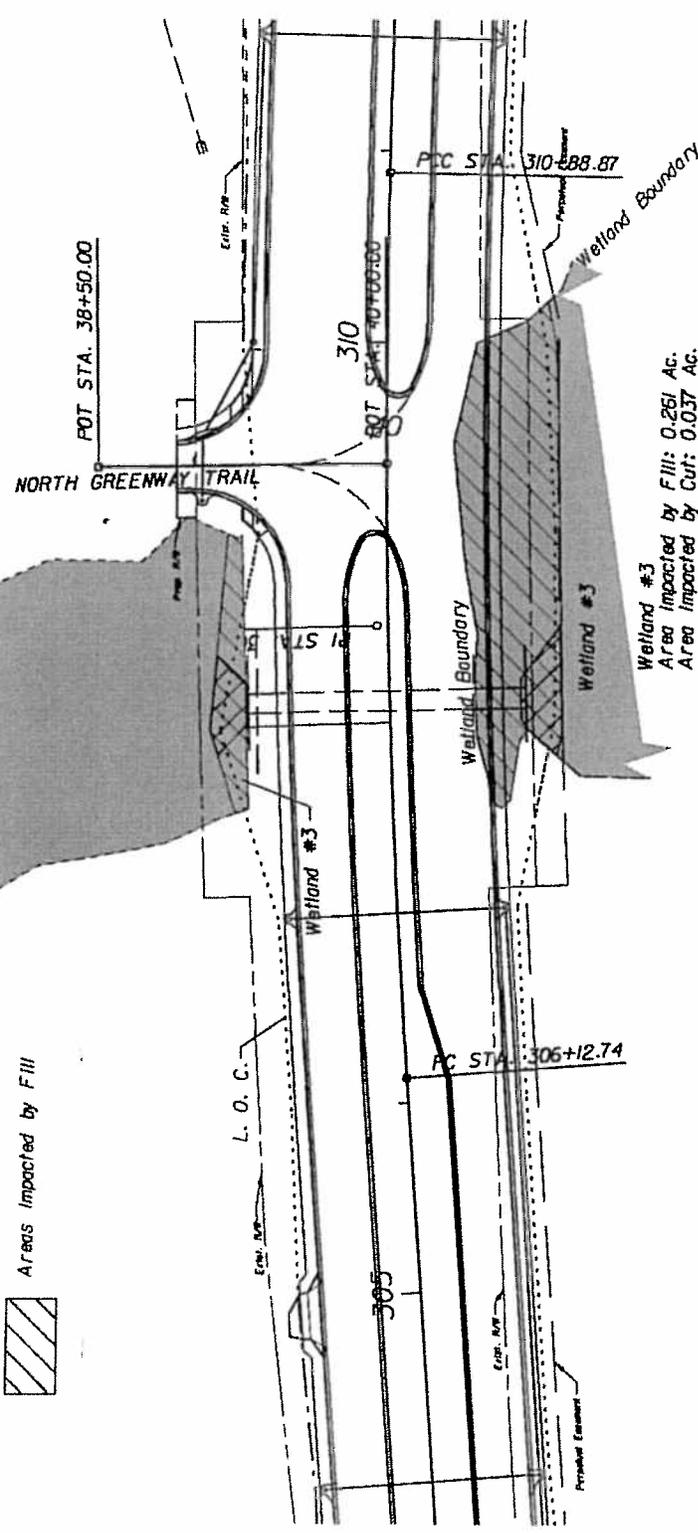
STATES OF FLORIDA
 DEPARTMENT OF TRANSPORTATION
 ROAD NO. 83 COUNTY WALTON FINANCIAL PROJECT ID 220664-1-52-01

WETLAND IMPACTS
SR 83

SHEET NO. 2



- Wetlands
- Areas Impacted by Cut
- Areas Impacted by Fill



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STATE OF FLORIDA
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ROAD NO.	COUNTY	FINANCIAL PROJECT ID
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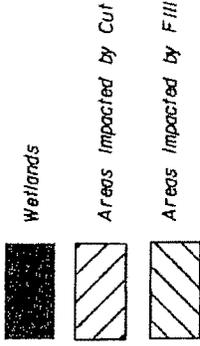
WETLAND IMPACTS

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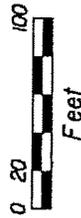
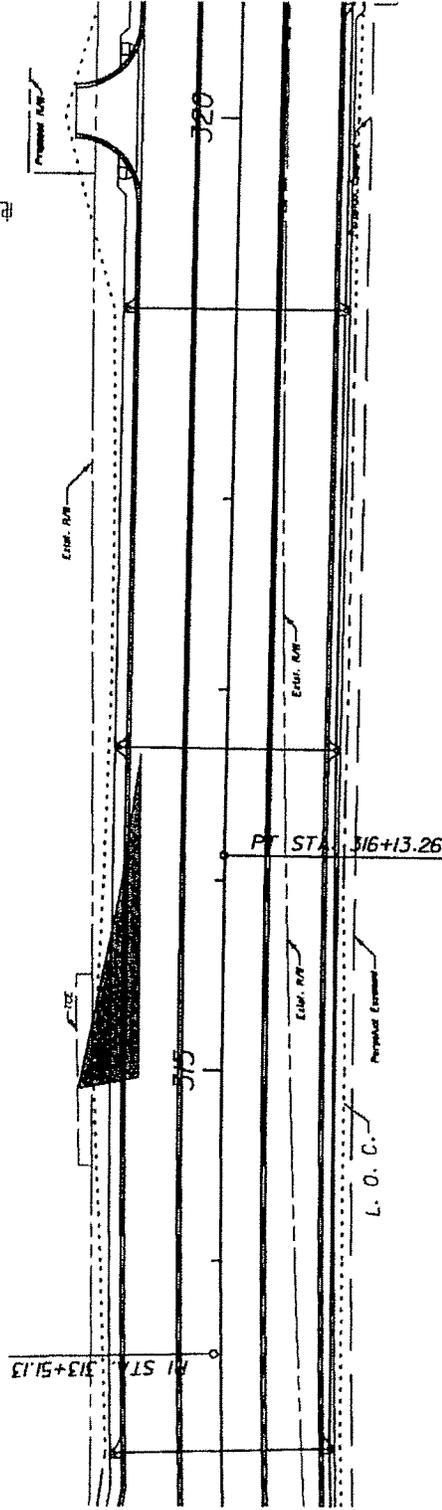
SHEET NO.

3

1" = 100'



Wetland #4
Area Impacted by Fill: 0.057 Ac
Area Impacted by Cut: 0.000 Ac.



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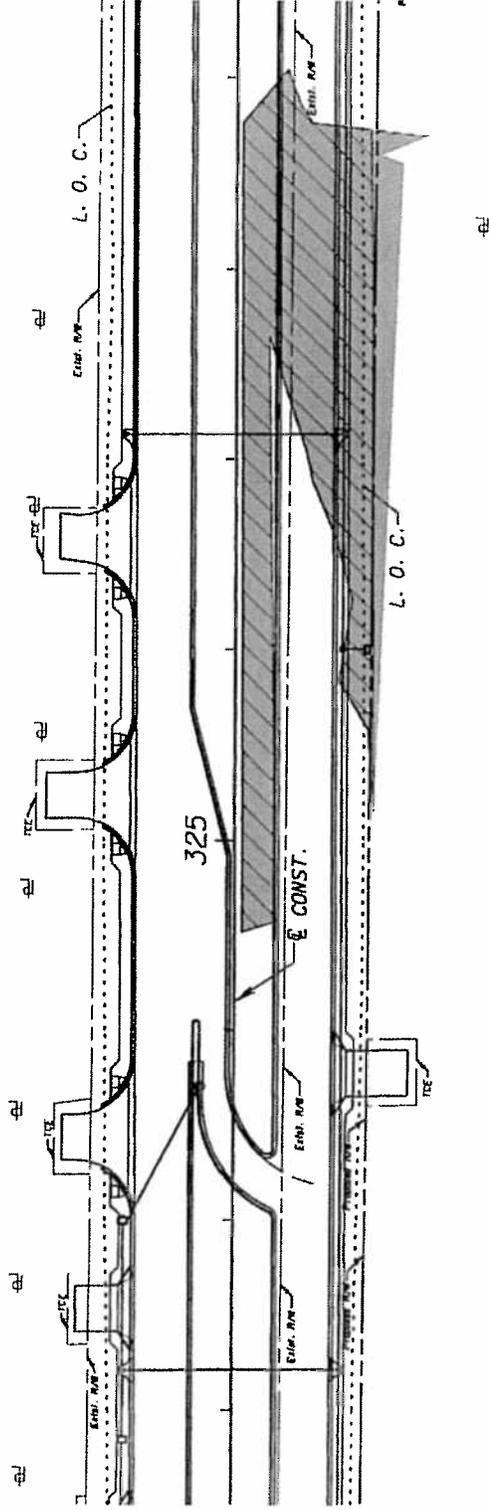
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS
SR 83

SHEET NO.
4



-  Wetlands
-  Areas Impacted by Cut
-  Areas Impacted by Fill



Wetland #6
 Area Impacted by Fill: 0.423 Ac
 Area Impacted by Cut: 0.000 Ac.



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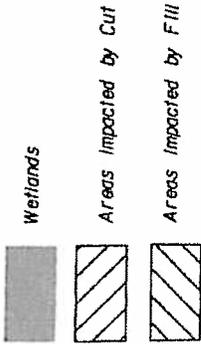
2940 EAST PARK AVENUE, SUITE 200
 TALLAHASSEE, FLORIDA 32301
 FBR CERTIFICATE OF AUTH. #: 894
 SANDRA LAMB, P.E. #: 43215

STATE OF FLORIDA
 DEPARTMENT OF TRANSPORTATION

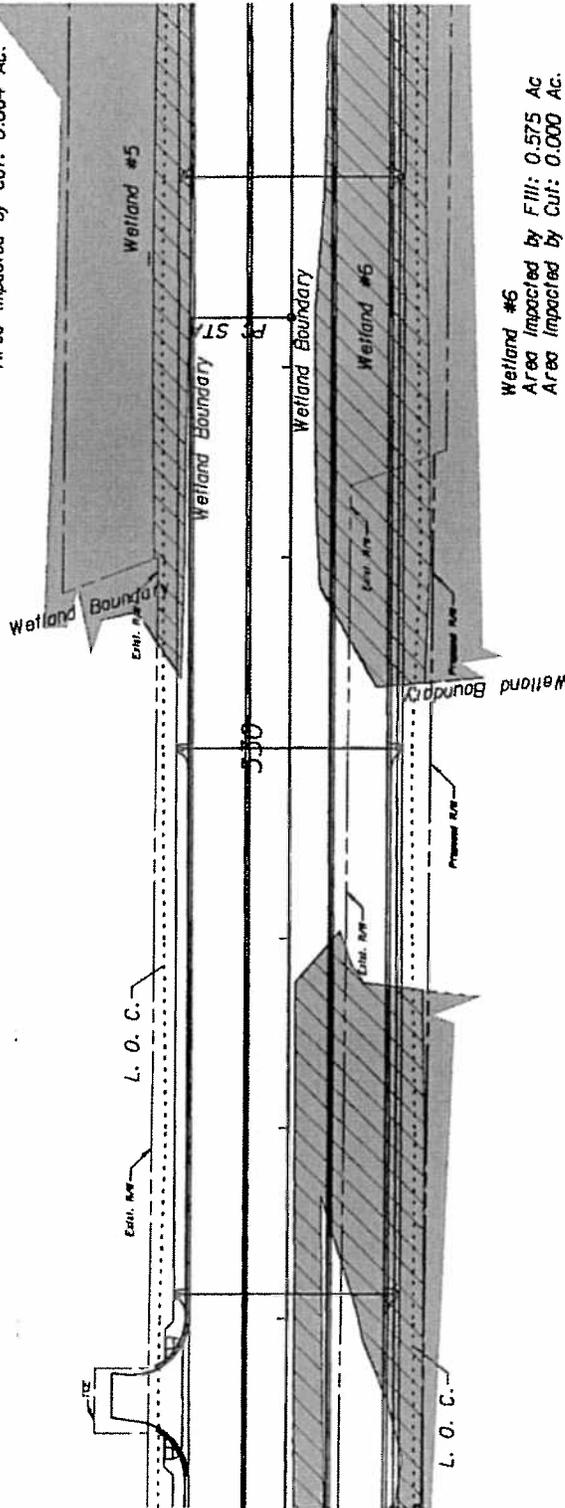
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS
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SHEET NO.
 5



Wetland #5
 Area Impacted by Fill: 0.154 Ac
 Area Impacted by Cut: 0.004 Ac.



Wetland #6
 Area Impacted by Fill: 0.575 Ac
 Area Impacted by Cut: 0.000 Ac.

Wetland #6
 Area Impacted by Fill: 0.423 Ac
 Area Impacted by Cut: 0.000 Ac.



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3940 EAST PARK AVENUE, SUITE 300
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 FBP CERTIFICATE OF AUTH. # 894
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STATE OF FLORIDA
 DEPARTMENT OF TRANSPORTATION

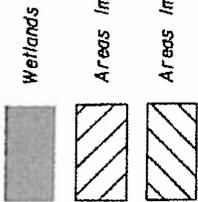
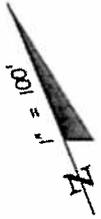
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS

SR 83

SHEET NO.

6



Wetland #5
Area Impacted by Fill: 0.154 Ac
Area Impacted by Cut: 0.004 Ac.

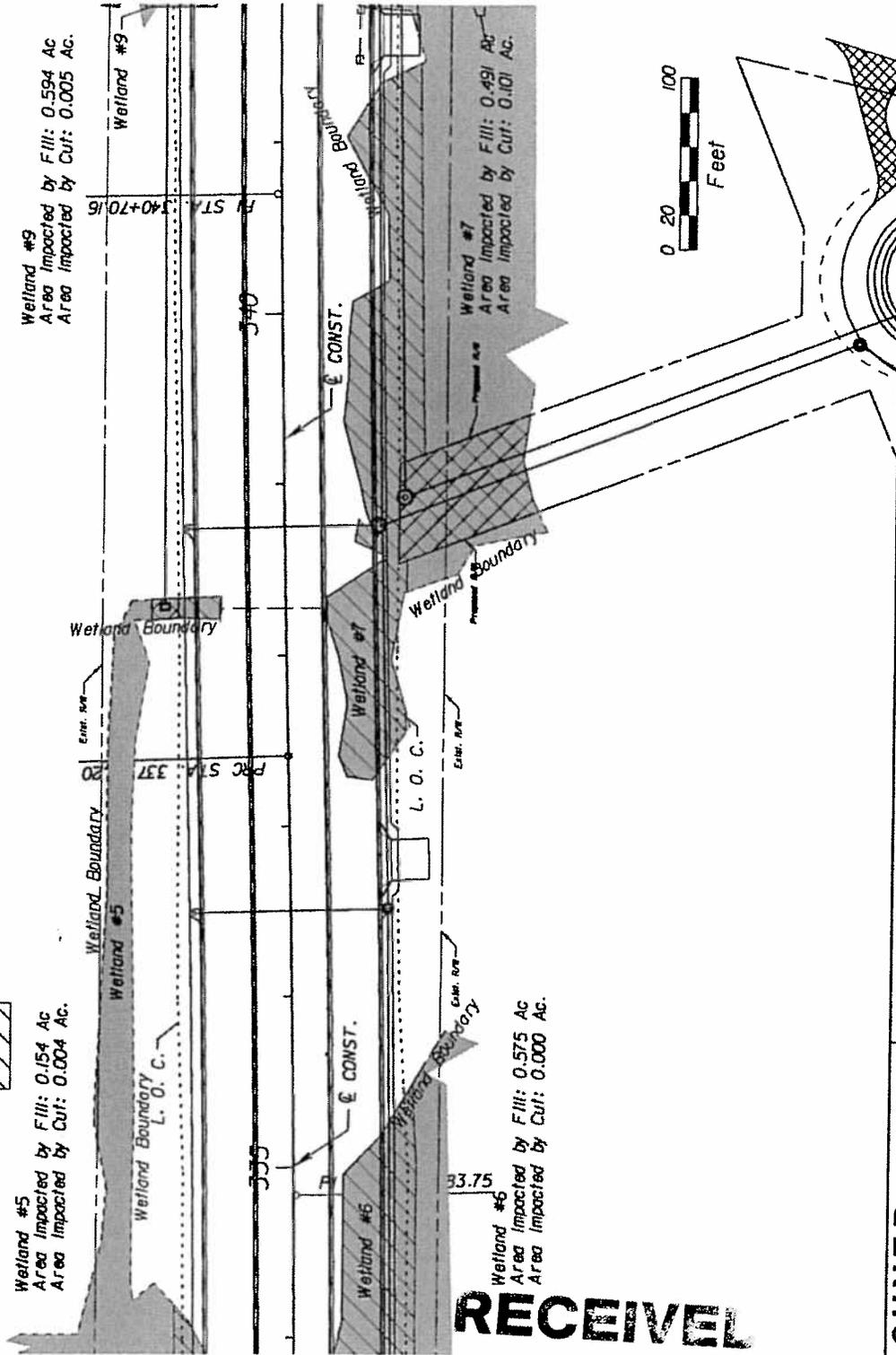
Wetland #9
Area Impacted by Fill: 0.594 Ac
Area Impacted by Cut: 0.005 Ac.

Wetland #6
Area Impacted by Fill: 0.575 Ac
Area Impacted by Cut: 0.000 Ac.

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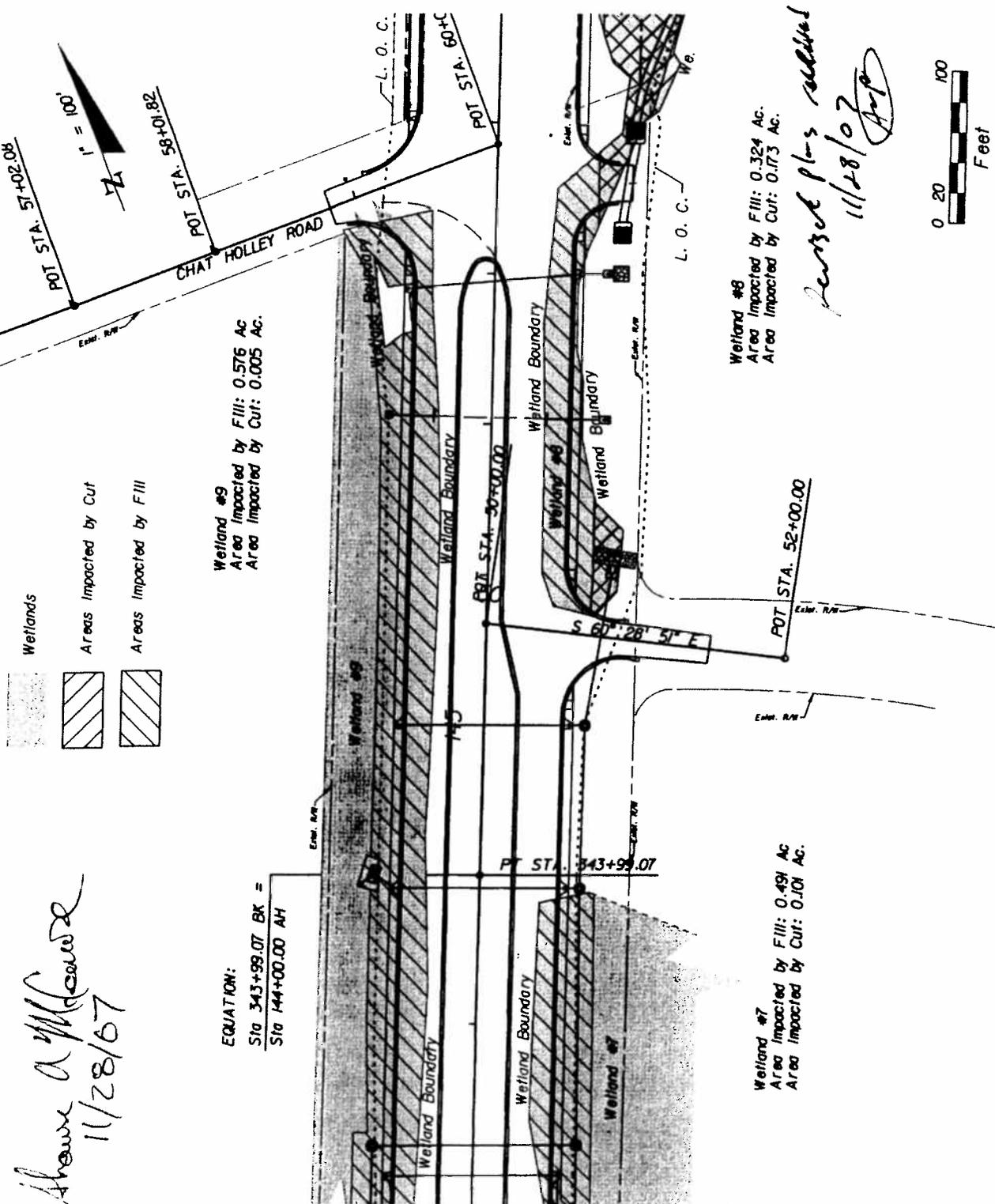


LOCHNER		STATES OF FLORIDA		WETLAND IMPACTS		SHEET NO.	
2940 EAST PARK AVENUE, SUITE 300		DEPARTMENT OF TRANSPORTATION		SR 83		7	
TALLAHASSEE, FLORIDA 32301		ROAD NO.		COUNTY		H:\PROJECTS\2248 (1539)\220664\520\PERMITS\PERMIT_IMPACT_505.DGN	
FBPR CERTIFICATE OF AUTH. # 894		83		WALTON			
SANDRA LAMB, P.E. # 43115		220664-1-52-01		FINANCIAL PROJECT ID			
		August 10, 2007 10:50:39 EST					

*Shore A/McGowan
11/28/07*

EQUATION:

$$\frac{Sta\ 343+99.07\ BK}{Sta\ 144+00.00\ AH} =$$



Wetland #8
Area Impacted by Fill: 0.324 Ac.
Area Impacted by Cut: 0.173 Ac.

Wetland #7
Area Impacted by Fill: 0.491 Ac.
Area Impacted by Cut: 0.101 Ac.

Wetland #9
Area Impacted by Fill: 0.576 Ac.
Area Impacted by Cut: 0.005 Ac.

*Revised plans submitted
11/28/07
[Signature]*



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2940 EAST PARK AVENUE, SUITE 200
TALLAHASSEE, FLORIDA 32301
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STATE OF FLORIDA
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COUNTY	WALTON
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**WETLAND IMPACTS
SR 83**

SHEET NO.

8

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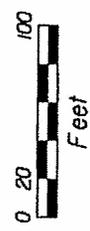
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USACE



1" = 100'

Wetlands
 Areas Impacted by Cut
 Areas Impacted by Fill



Wetland #10
 Area Impacted by Fill: 0.044 Ac.
 Area Impacted by Cut: 0.000 Ac.

Wetland #8
 Area Impacted by Fill: 0.324 Ac.
 Area Impacted by Cut: 0.073 Ac.

⊕ SURVEY & Ⓢ CONST. 155

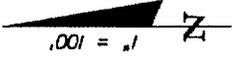
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 FPR CERTIFICATE OF AUTH. # 894
 SANDRA LAND, P.E. # 43215

STATE OF FLORIDA	
DEPARTMENT OF TRANSPORTATION	
ROAD NO. 83	FINANCIAL PROJECT ID 220664-1-52-01
COUNTY WALTON	

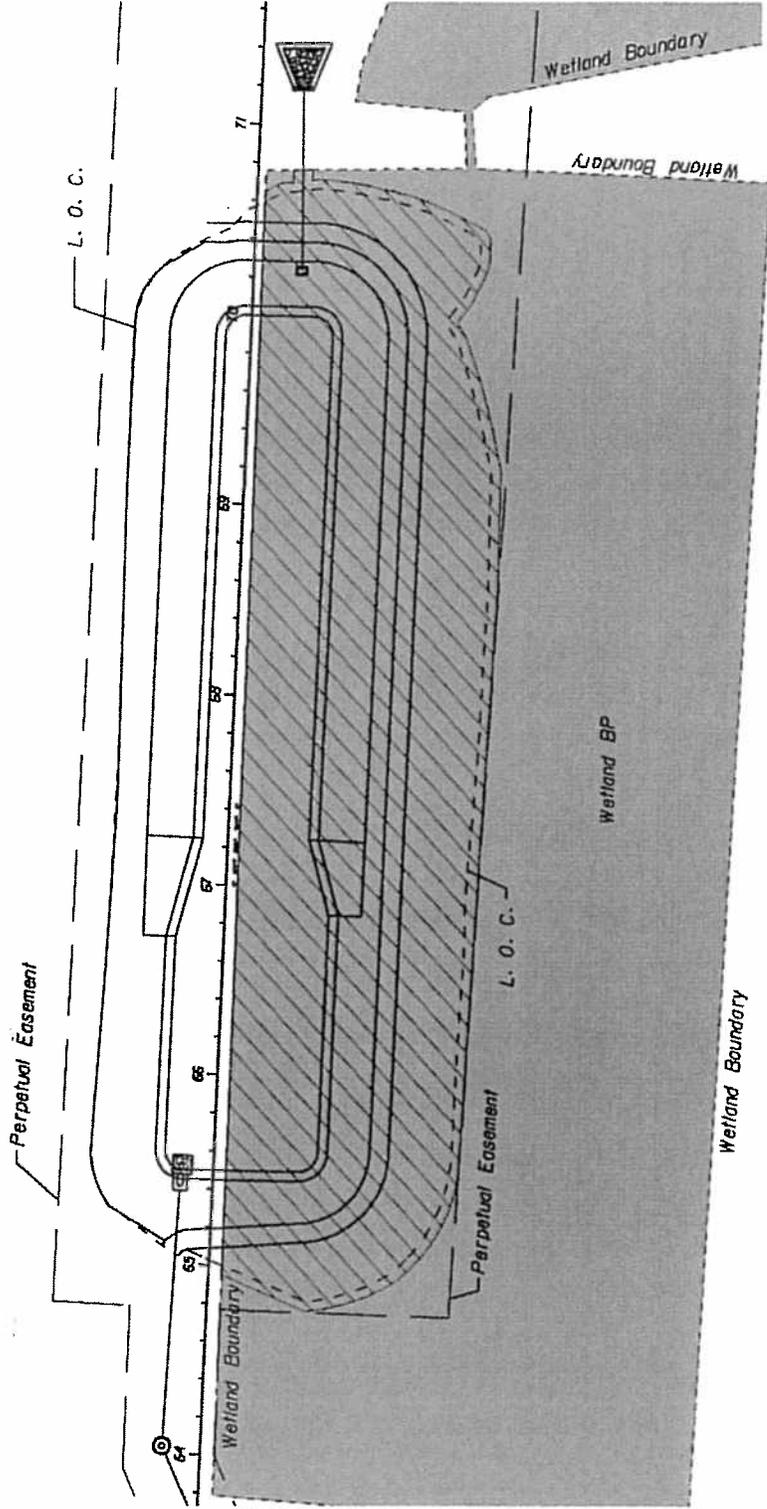
WETLAND IMPACTS

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SHEET NO.
9



-  Wetlands
-  Areas Impacted by Cut
-  Areas Impacted by Fill



Wetland BP
 Area Impacted by Fill: 1.624 Ac.
 Area Impacted by Cut: 0.000 Ac.



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 DEPARTMENT OF TRANSPORTATION

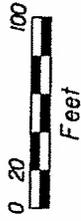
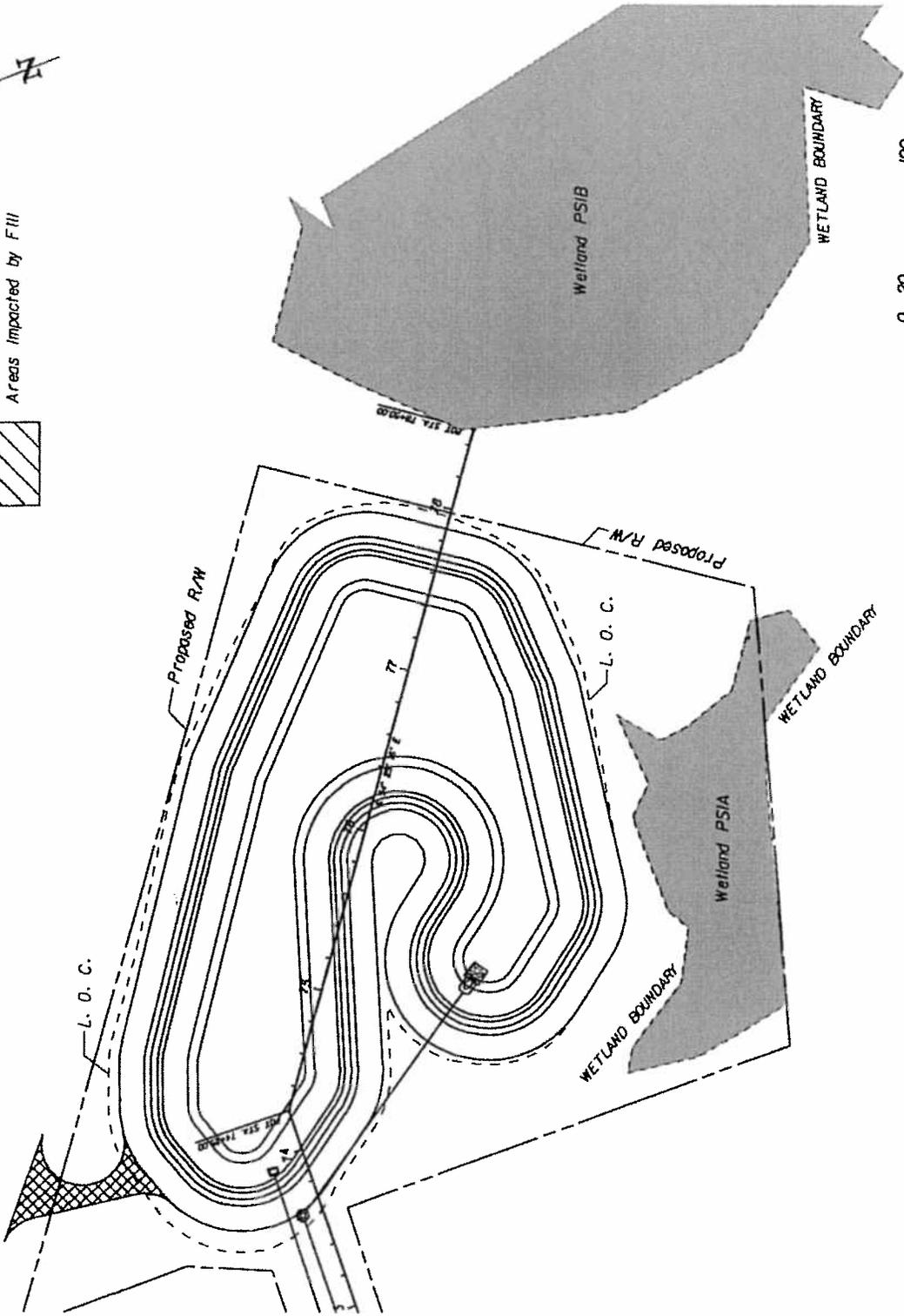
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS
SR 83

SHEET NO. 10



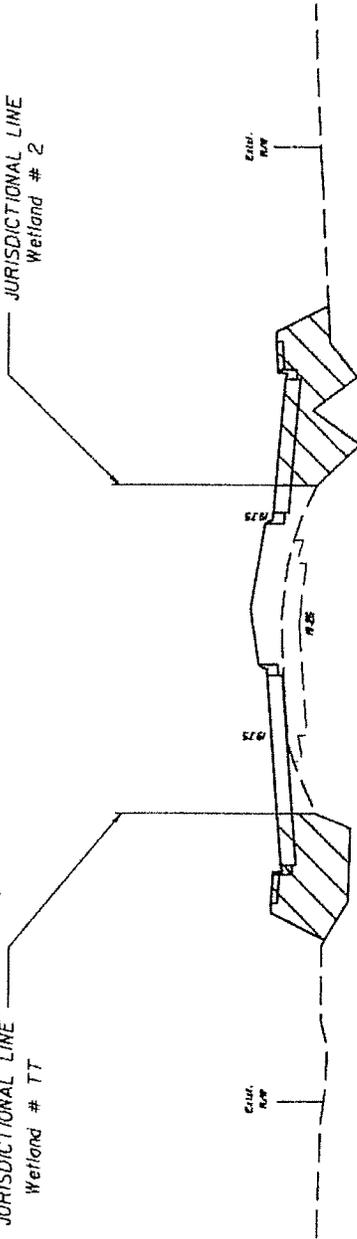
- Wetlands
- Areas Impacted by Cut
- Areas Impacted by Fill



LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBR CERTIFICATE OF AUTH. # 894 SANDRA LAND, P.E. # 43216	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83		SHEET NO. 11
	ROAD NO. 83	COUNTY WALTON	FINANCIAL PROJECT ID 220664-1-52-01		

JURISDICTIONAL LINE
Wetland # TT

JURISDICTIONAL LINE
Wetland # 2

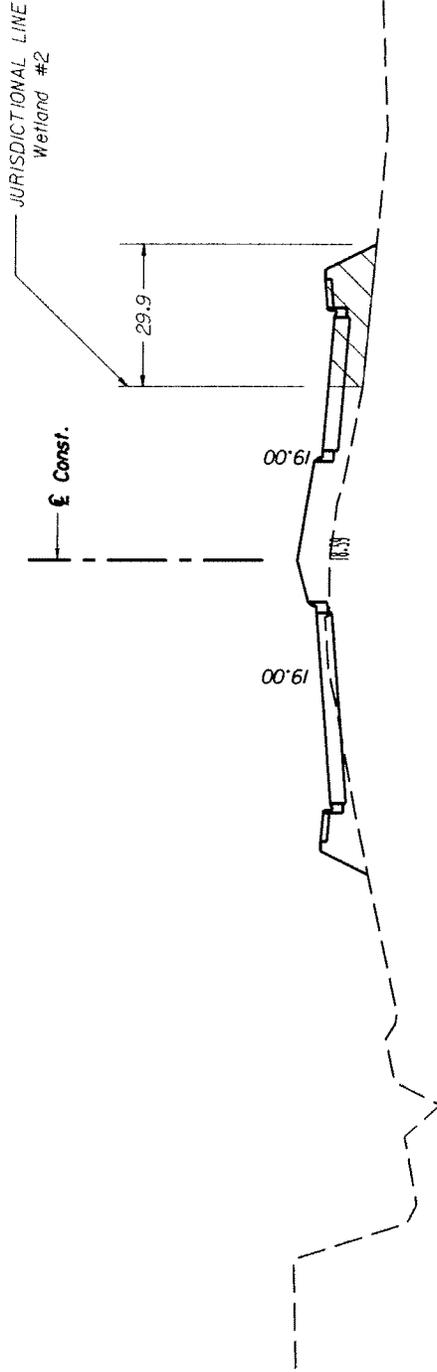


JURISDICTIONAL AREA IMPACTED BY FILL

70+00.00 @ Const.
S.R. 83

Scale: 1" = 40' Horiz.
1" = 10' Vert.

LOCHNER 2940 EAST PARK AVENUE, SUITE 300 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215		STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 83 COUNTY WALTON FINANCIAL PROJECT ID 220664-1-52-01		WETLAND IMPACTS SR 83	SHEET NO. 12
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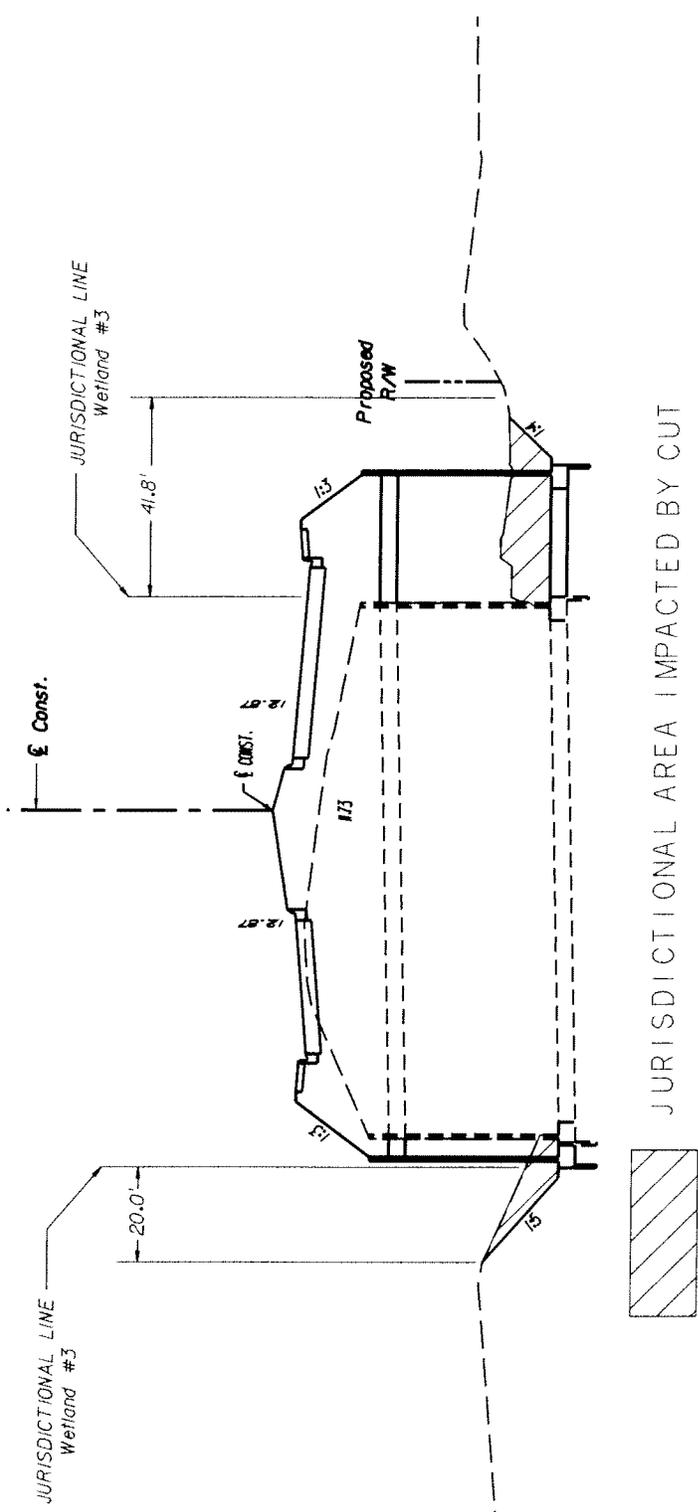


JURISDICTIONAL AREA IMPACTED BY FILL

75+00.00 & Const.
S.R. 83

Scale: 1" = 40' Horiz.
1" = 10' Vert.

LOCHNER 2940 EAST PARK AVENUE, SUITE 100 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		FINANCIAL PROJECT ID 220664-1-52-01	WETLAND IMPACTS SR 83	SHEET NO. 13
	ROAD NO. 83	COUNTY WALTON			

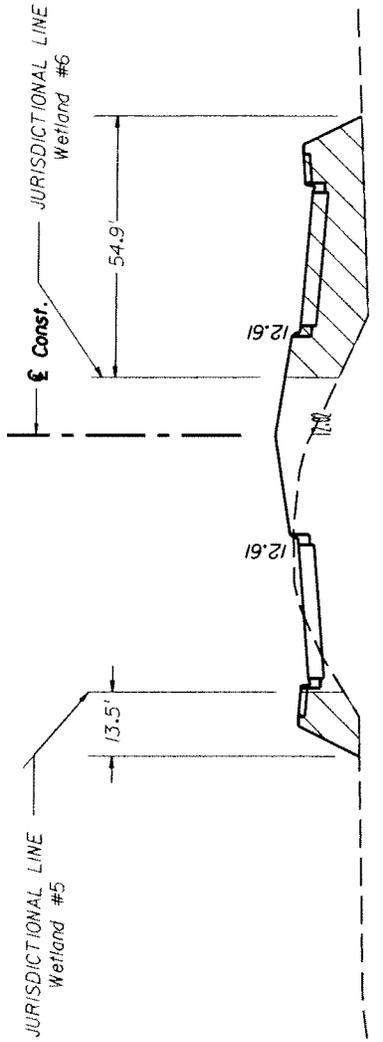


Scale: 1" = 40' Horiz.
1" = 10' Vert.

308+10.00 Const.
S.R. 83

LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215	STATE OF FLORIDA		WETLAND IMPACTS SR 83	SHEET NO. 14
	DEPARTMENT OF TRANSPORTATION	COUNTY WALTON		
	ROAD NO. 83			

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JACKSONVILLE DISTRICT
USACE

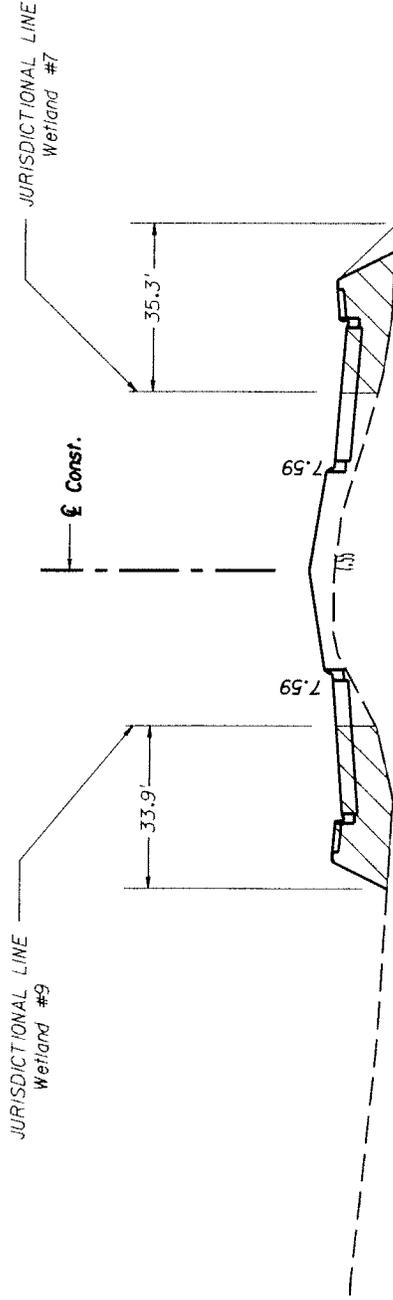


JURISDICTIONAL AREA IMPACTED BY FILL

332+00.00 \pm Const.
S.R. 83

Scale: 1" = 40' Horiz.
1" = 10' Vert.

LOCHNER 2940 EAST PARK AVENUE, SUITE 300 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43315	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		FINANCIAL PROJECT ID 220664-1-52-01	WETLAND IMPACTS SR 83	SHEET NO. 15
	ROAD NO. 83	COUNTY WALTON			



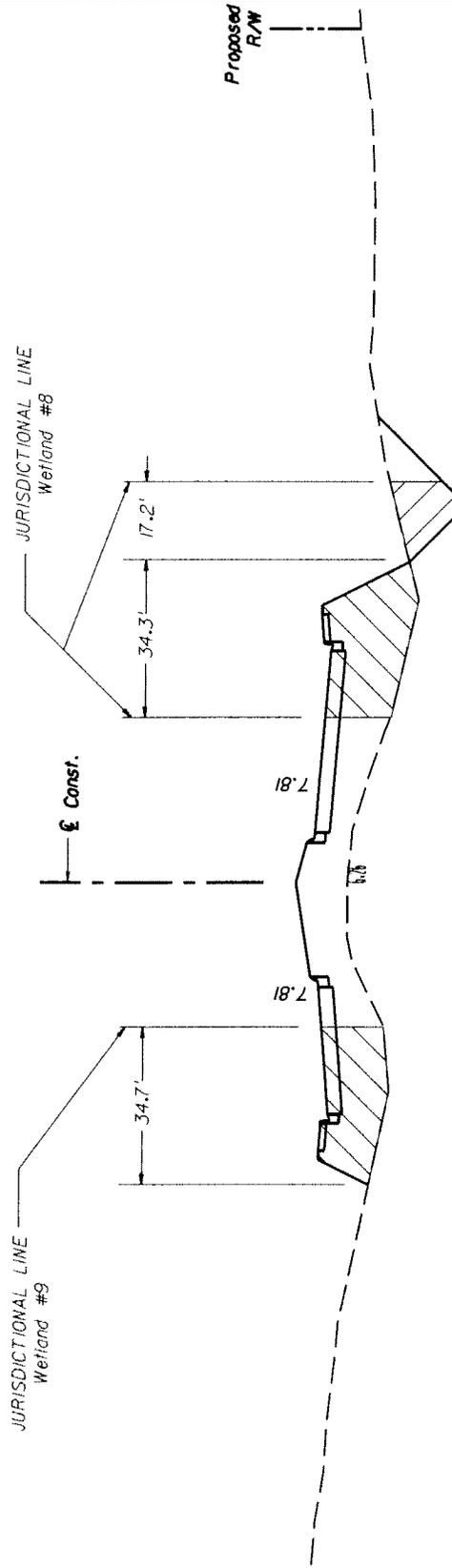
JURISDICTIONAL AREA IMPACTED BY FILL



343+00.00 C Const.
S.R. 83

Scale: 1" = 40' Horiz.
1" = 10' Vert.

LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		FINANCIAL PROJECT ID 220664-1-52-01	WETLAND IMPACTS SR 83	SHEET NO. 16
	ROAD NO. 83	COUNTY WALTON			



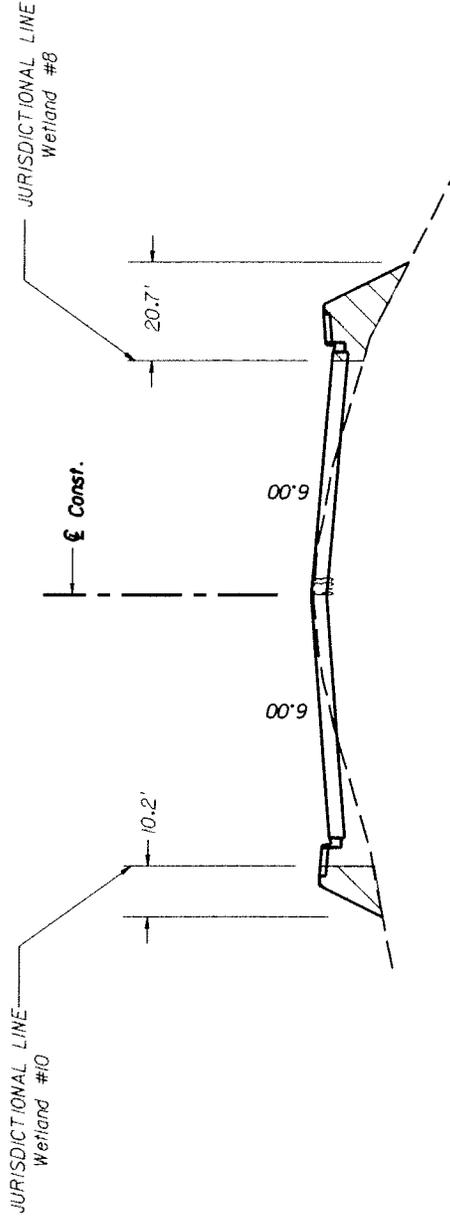
JURISDICTIONAL AREA IMPACTED BY FILL

JURISDICTIONAL AREA IMPACTED BY CUT

Scale: 1" = 40' Horiz.
1" = 10' Vert.

146+00.00 & Const.
S.R. 83

LOCHNER 2940 EAST PARK AVENUE, SUITE 300 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43315	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		ROAD NO. 83	COUNTY WALTON	FINANCIAL PROJECT ID 220664-1-52-01	WETLAND IMPACTS SR 83	SHEET NO. 17

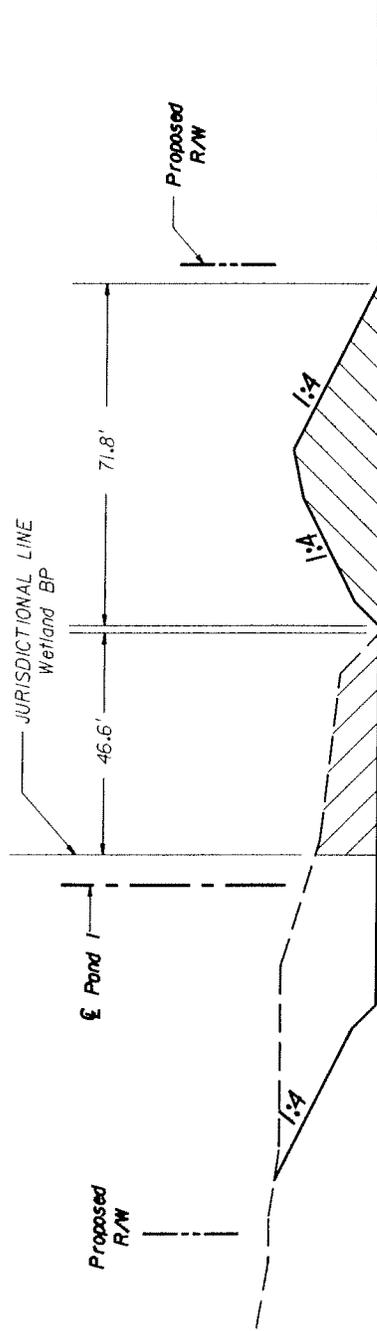


JURISDICTIONAL AREA IMPACTED BY FILL

Scale: 1" = 40' Horiz.
1" = 10' Vert.

152+00.00 £ Const.
S.R. 83

LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43315	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		FINANCIAL PROJECT ID 220664-1-52-01	SHEET NO. 18
	ROAD NO. 83	COUNTY WALTON		



JURISDICTIONAL AREA IMPACTED BY CUT

JURISDICTIONAL AREA IMPACTED BY FILL

66+22.00 £ Const.
Pond 1

LOCHNER

2940 EAST PARK AVENUE, SUITE 300
TALLAHASSEE, FLORIDA 32301
FBPR CERTIFICATE OF AUTH. # 894
SANDRA LAMB, P.E. # 43215

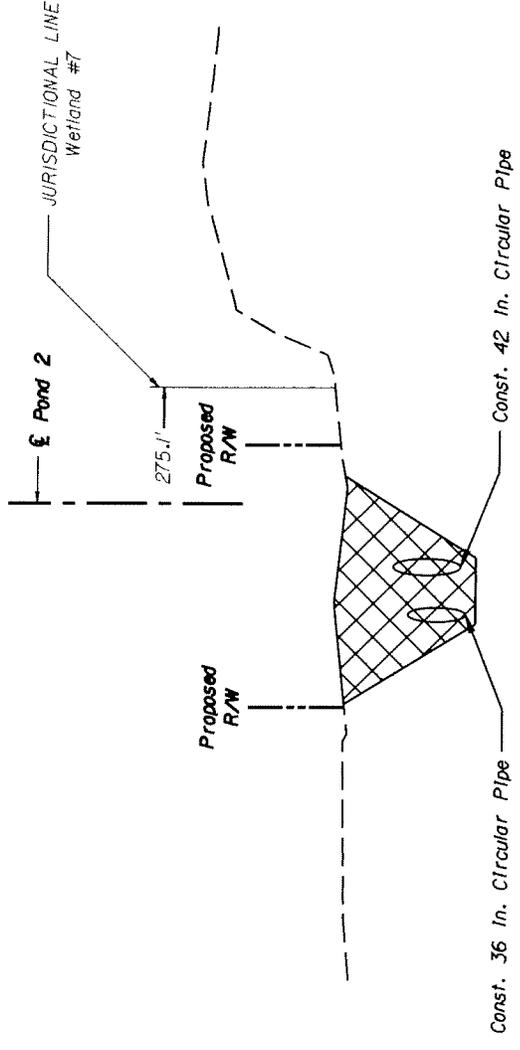
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

ROAD NO.	COUNTY	FINANCIAL PROJECT ID
83	WALTON	220664-1-52-01

WETLAND IMPACTS
SR 83

SHEET NO.

19



JURISDICTIONAL AREA IMPACTED BY CUT AND FILL

Scale: 1" = 40' Horiz.
1" = 10' Vert.

71+50.00 @ Pond 2

LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS POND 2		SHEET NO. 20	
ROAD NO.	COUNTY	FINANCIAL PROJECT ID					
83	WALTON	220664-1-52-01					

SR83 WETLAND IMPACTS

Wetland Number	Impacted by Fill		Impacted by Cut	
	Area (Ac.)	Volume (CY)	Area (Ac.)	Volume (CY)
TT	0.302	1754.1	N/A	N/A
2	0.902	3109.7	N/A	N/A
3	0.261	2005.6	0.037	1.1
4	0.057	517.1	N/A	N/A
5	0.154	34.7	0.004	13.5
6	0.998	3985.0	N/A	N/A
7	0.491	1706.6	0.101	81.5
8	0.324	1859.5	0.173	106.6
9	0.576	2059.8	0.005	4.0
10	0.044	88.8	N/A	N/A
BP	1.624	8336.1	N/A	N/A
TOTALS	5.73	25457.0	0.32	206.7



Florida Department of Environmental Protection

Northwest District Office
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 30, 2007

CERTIFIED - RETURN RECEIPT REQUESTED

RECEIVED
DEC 03 2007
Environmental Management

Joy Giddens
Florida Department of Transportation
P.O. Box 607, Highway 90 East
Chipley, Florida 32428-0607

Dear Ms. Giddens:

Enclosed is Wetland Resource Permit Authorization No. 66-0273702-001-DF, issued pursuant to Part IV of Chapter 373, Florida Statutes, and Title 62, Florida Administrative Code.

Appeal rights for you as the permittee and for any affected third party are described in the text of the permit along with conditions which must be met when permitted activities are undertaken. Please review this document carefully to ensure compliance with both the general and specific conditions contained herein. If you have any questions about this document, please contact me at (850)595-8300, extension 1107.

Sincerely,

Ted Reese
Environmental Specialist
Submerged Lands and Environmental Resources Program

"More Protection, Less Process"
www.dep.state.fl.us

U.S. Army Corps of Engineers
Permit # 2007-1175
Date: FEB 21 2008
Attachment: 2





Florida Department of Environmental Protection

Northwest District Office
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

WETLAND RESOURCE PERMIT

PERMITTEE/AUTHORIZED ENTITY:

Florida Department of Transportation
1074 Highway 90 East
Chipley, Florida 32428

Permit/Authorization Number:
66-0273702-001-DF

Date of Issue: November 30, 2007
Expiration Date/ November 30, 2012
County: Walton
Project: To widen State Road 83 / US 331 from
US Hwy 98 to the south end of the
Choctawhatchee Bay Bridge.

This permit is issued under the authority of Part IV of Chapter 373, F.S., and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain a Wetland Resource Permit. The Department is responsible for reviewing and taking final agency action on this activity.

This permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

A copy of this authorization also 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 drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the attached 15 General Conditions and 20 Specific Conditions, which are a binding part of this permit.** 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. Failure to comply with all drawings and conditions shall constitute grounds for revocation of the permit and appropriate enforcement action.

ACTIVITY DESCRIPTION:

The project is to widen State Road 83 to four lanes of traffic with sidewalks and stormwater treatment structures, from US Hwy 98 to the south end of the Choctawhatchee Bay Bridge. The expanded roadway and a stormwater treatment pond will impact nine wetland areas along the 1.6 mile corridor totaling 4.97 acres of impact by fill and 0.32 acre of impact by excavation.

ACTIVITY LOCATION:

The project area begins at the intersection of State Road 83/U.S.Highway 331 and US Hwy 98 then north approximately 1.6 miles to the causeway at the south end of the Choctawhatchee Bay Bridge, in unnamed wetlands, Class III Waters of the State, Sections 20, 29, 30, and 31, Township 2-South, Range 19-West, Walton County.

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit 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 submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. 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. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500).

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used; and
 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. If during the progress of this project 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, shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section Chapter 872.05, Florida Statutes.

2. At least 48 hours and no more than 1 week prior to commencement of work authorized by this permit, the permittee shall notify the Department of Environmental Protection, Submerged Lands & Environmental Resources Program, Compliance and Enforcement Section, 160 Governmental Center, Pensacola, FL, 32502, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 872-4375 during normal working hours.
3. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.
4. Prior to the initiation of any work authorized by this permit, the permittee, project CEI and/or environmental scientist, and the construction contractor shall attend a pre-construction conference with a representative of the Department. The permittee shall contact the Compliance and Enforcement Section of the Submerged Lands and Environmental Resource Program, 160 Governmental Center, Pensacola, Florida 32502-5794, in writing to schedule a conference.
5. The permittee and its contractors shall adhere to the standard specification for prevention, control and abatement of erosion and water pollution, as stated in Section 104 of the Florida Department of Transportation – Standard Specifications for Road and Bridge Construction, and to any stricter standards as required in this permit. The permittee and its contractors shall be responsible for ensuring that turbidity/erosion control devices and procedures are inspected and maintained daily during all phases of construction authorized by this permit until all areas that were disturbed during construction are sufficiently stabilized to prevent erosion, siltation, and turbid discharges.
6. All wetland areas or water bodies, which are outside the specific limits of construction authorized by this permit, must be protected from erosion, siltation, scouring and/or dewatering using best management practices. At no time shall there be any discharge in violation of the water quality standards in Chapter 62-302, Florida Administrative Code. Turbidity/erosion controls shall be installed prior to any clearing, excavation or placement of fill material and shall be maintained in an effective condition at all locations until construction is completed, disturbed areas are stabilized, and turbidity levels have fallen to less than 29 NTU's above background. The Department must be notified immediately if turbidity levels have exceeded 29 NTU's above background. Once these conditions are met, the turbidity and erosion control devices shall be removed within 14 days. Erosion controls shall be positioned at the edge of the permitted fill slopes where they are adjacent to wetlands in order to prevent turbid run-off and erosion. Floating turbidity barriers shall be installed prior to any excavation or placement of fill material and shall be maintained in effective condition at all locations until construction is completed and disturbed areas are stabilized. Thereafter, the permittee must remove the barriers.
7. The permittee shall assign a qualified project CEI and/or environmental scientist(s), who is independent of the construction contractors, to be responsible for daily inspections of the erosion and turbidity control devices discussed in Specific Conditions #5-6, for maintaining the flagging and signs described in Specific Condition #10, for overseeing turbidity monitoring, for keeping a daily log, and for ensuring that the effectiveness of each erosion and turbidity control device is maintained at all times until post-construction turbidity levels in wetlands or open waters are less than 29 NTUs above natural background levels and vegetative stabilization is achieved on land. The daily inspection log shall note

the date that the control devices were installed, the type of devices, occurrences of precipitation, adequacy of devices, turbidity levels (measured in accordance with Specific Condition #8), corrective or maintenance measures required, and the date that the devices were removed. The log shall be kept up to date and shall be submitted to the Northwest District Submerged Lands and Environmental Resource Program Compliance and Enforcement section at 160 Governmental Center, Pensacola, Florida 32501, at the end of every three months beginning with three months after construction begins. The name, address, phone number, and qualifications of the environmental scientist(s) shall be indicated in the construction commencement notice referenced in Specific Condition #2.

8. Turbidity monitoring shall be conducted and reported in accordance with Specific Condition #8 above and as described below:

Frequency: At least weekly and within 3 hours after a rain event, equal to or greater than 0.25 inches, beginning the first week of the start of any construction activities including clearing and grubbing activities associated with this project.

Location: In open waters and in wetland surface waters adjacent to any wetland impact sites where turbidity problems seem apparent. The impact sample shall be taken approximately 5 feet outside of the turbidity/erosion control devices and/or within any visible turbidity plume. The background sample shall be taken in open waters and wetland surface waters upstream of the impact areas and construction limits/outside of any disturbance area or turbidity plume generated by this project.

Readings: The turbidity levels shall be monitored using EPA Method 180.1 and the project CEI and/or environmental scientist shall conduct the quality control measures, instrument calibrations, and turbidity sample readings in accordance with the operations manual of the turbidimeter instrument being utilized.

9. If, as a result of construction activities associated with this project, turbidity levels in open waters or wetlands outside of the authorized areas of impact are elevated by 29 or more NTUs above natural background levels, the permittee or the environmental scientist who is responsible for turbidity control (see Specific Condition #8) shall notify the Northwest District Submerged Lands and Environmental Resource Program Compliance section within 24 hours, construction activities shall cease in that section of the project, and immediate corrective action shall be taken by the permittee and its contractors. Construction shall not begin again in that area until the turbidity/erosion control devices have been adequately repaired, replaced or enhanced and turbidity levels are reduced to within 29 NTUs of the natural background levels.

10. Construction activities within wetlands, including clearing, equipment access and stockpiling of materials, shall be limited to the authorized areas of impact that are shown on the permit drawings. These areas do not necessarily extend to the edge of the right-of-way. Before construction activities begin, the agent and/or the contractor shall mark the limits of the authorized areas of impact with highly visible staked flagging labeled 'wetland line - do not cross'. All construction personnel shall be shown the location(s) of all wetland areas outside of the construction area to prevent encroachment from heavy equipment into these areas. The flagging shall be legible from 25 feet away and shall be posted on 50-foot intervals.

11. The disposal of construction debris from this project shall only take place in an approved solid waste disposal site in accordance with all applicable Federal, State, and local regulations. Best management

practices shall be used at all times during the demolition of the bridge or portion of the bridge such that construction debris is not discarded into open waters or wetlands.

12. No hazardous materials, used in association with this project, shall be stored within or over the limits of the Department's jurisdiction. All refueling sites shall be located in uplands.

13. All stockpiled fill material to be used in future construction activities of the project shall be maintained and stabilized in such a manner as to prevent possible erosion or turbid discharges into wetlands or open waters following rain events. Methods of stabilization shall include, but are not limited to the use of staked hay bales, staked filter cloth, sodding, seeding, and mulching; staged construction; and the installation of turbidity screens around the immediate stockpiled fill area. The stockpiled fill shall not be stockpiled in a partially constructed stormwater ponds associated with this project.

14. Construction activity shall be confined to the authorized impact areas only. Any unauthorized impacts to adjacent wetlands as a result of construction activities shall be reported by the permittee and its consultants/contractors to the Compliance and Enforcement Section of the Submerged Lands and Environmental Resource Program at (850) 595-8300, within 48 hours of discovering the unauthorized impact.

15. At no time during culvert construction shall jurisdictional wetland connections be severed. Culvert construction/placement activities shall include implementation of functional temporary channels or culverts prior to any fill placement in waterways.

16. This permit does not authorize any dewatering activities. The permittee shall notify the Department before conducting dewatering activities as well as obtain the proper permits for such activities if needed. In addition, if dewatering of surface water is necessary for culvert installation, it shall be accomplished by pumping the water into temporary holding pond in such a manner that the water percolates through the pond and does not discharge into waters of the state. The capacity of the ponds and the management of pumping rates and discharges shall be adequate to control turbidity such that the turbidity level of the effluent is less than 29 NTUs above natural background levels.

17. This permit does not authorize the construction of any utilities in DEP waters of the state outside the authorized impact areas and construction limits associated with this permit. In such a situation, the utility company shall obtain separate permits from the Department before beginning construction.

18. If a particular utility will be constructed within the impact areas and construction limits of this permit, but will begin its construction prior to the construction contractor beginning construction activities, then the permittee shall oversee the utility construction to ensure that all of the permit general and specific conditions associated with this project are followed.

19. Within 30 days of completion of construction, the permittee shall ensure that an As Built Certification, prepared by a Florida Registered engineer, is submitted to the Department at the following address: Department of Environmental Protection; Submerged Lands & Environmental Program, Compliance and Enforcement Program; 160 Governmental Center; Pensacola, Florida 32501-5794.

Permittee: Florida Department of Transportation

File No.: 66-0273702-001-DF

Page 8

20. The Water Management Districts, in consultation with the Department and the U.S. Army Corps of Engineers (COE), develop regional plans for the mitigation needs for the Department of Transportation. Mitigation for the impact of 5.29 acres of wetlands, totaling 3.77 functional loss units using the Uniform Mitigation Assessment Method (62-345, Florida Administrative Code), shall be associated with this Regional Mitigation Plan pursuant to OGC #99-1877.

21. This permit shall be readily available at the project site to any duly authorized representative of the Department, the U.S. Army Corps of Engineers, or any empowered law enforcement officer. A copy of this permit and associated drawings shall be clearly posted and remain on site at all times during the activities. In addition you are required to post weather-resistant signs no smaller than 8 1/2 inches x 11" with the words "DEP Permit No. 66-0273702-001-DF". The signs shall be posted where they can be clearly seen from the road and shall remain posted while activities that are authorized in this permit are being constructed.

RIGHTS OF AFFECTED PARTIES:

This permit is hereby granted. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under rule 62-110.106(4) of the Florida Administrative Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the

presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(4), petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Under sections 120.569(2)(c) and (d) of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

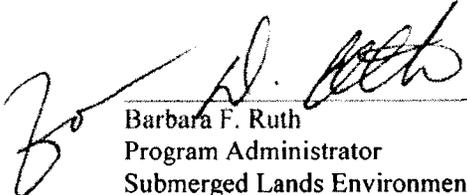
This permit constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the

Permittee: Florida Department of Transportation
File No.: 66-0273702-001-DF
Page 10

373.114(1) or 373.4275 of the Florida Statutes. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

Executed in Pensacola Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Barbara F. Ruth
Program Administrator
Submerged Lands Environmental
Resource Program

BFR:tr

Enclosure: Location Map
Permit Drawings

cc: U.S. Army Corps of Engineers
Shawn Mclemore, H.W. Lochner, Inc.

Permittee: Florida Department of Transportation
File No.: 66-0273702-001-DF
Page 11

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit including all copies were mailed before the close of business on November 30, 2007 to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(9),
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

Clerk

Date

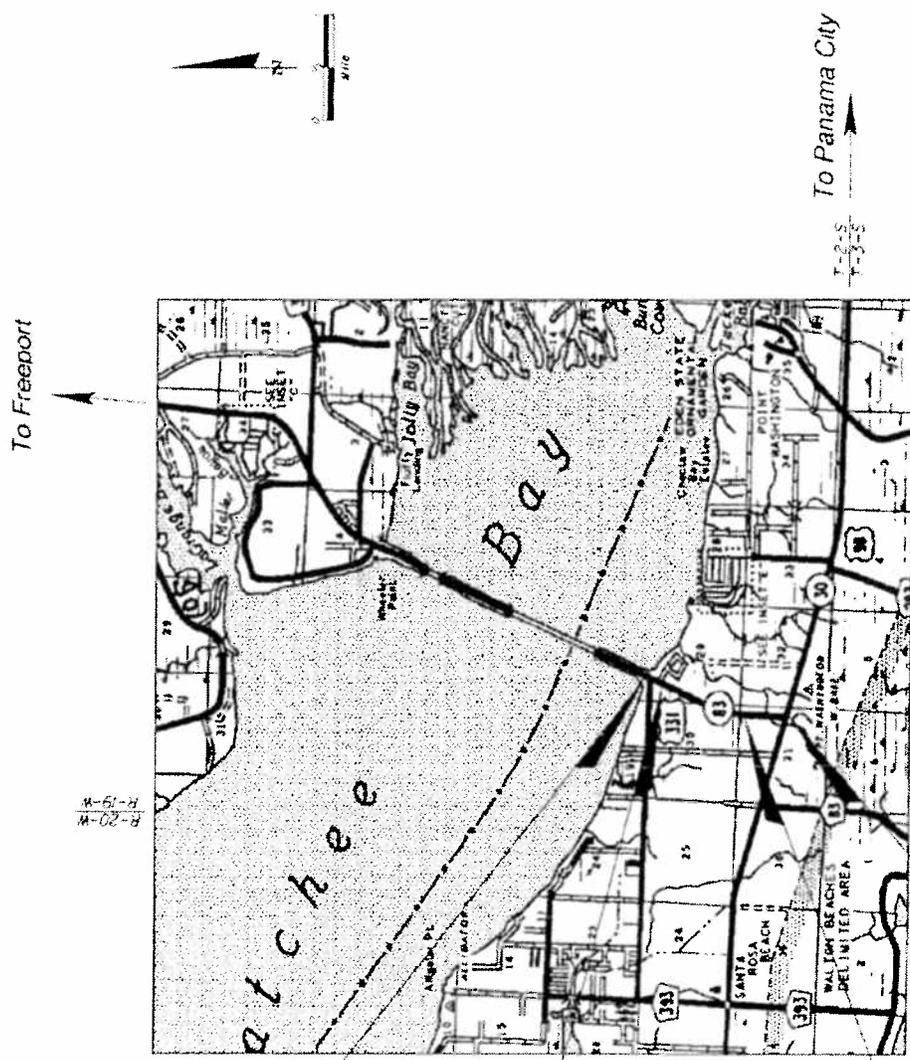
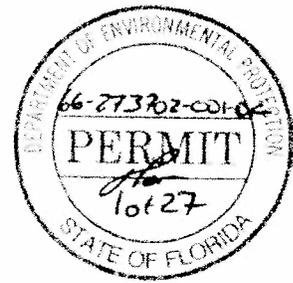
Cheryl P. Cullen

11/29/07

Prepared By:

Jed R...

27 pages attached



End Project
 Sta. 152+00.00
 @ Const. S.R. 83
 MP 1.637

Equation
 Sta. 343+99.07 Bk. =
 Sta. 144+00.00 Ah.

To Ft. Walton Beach

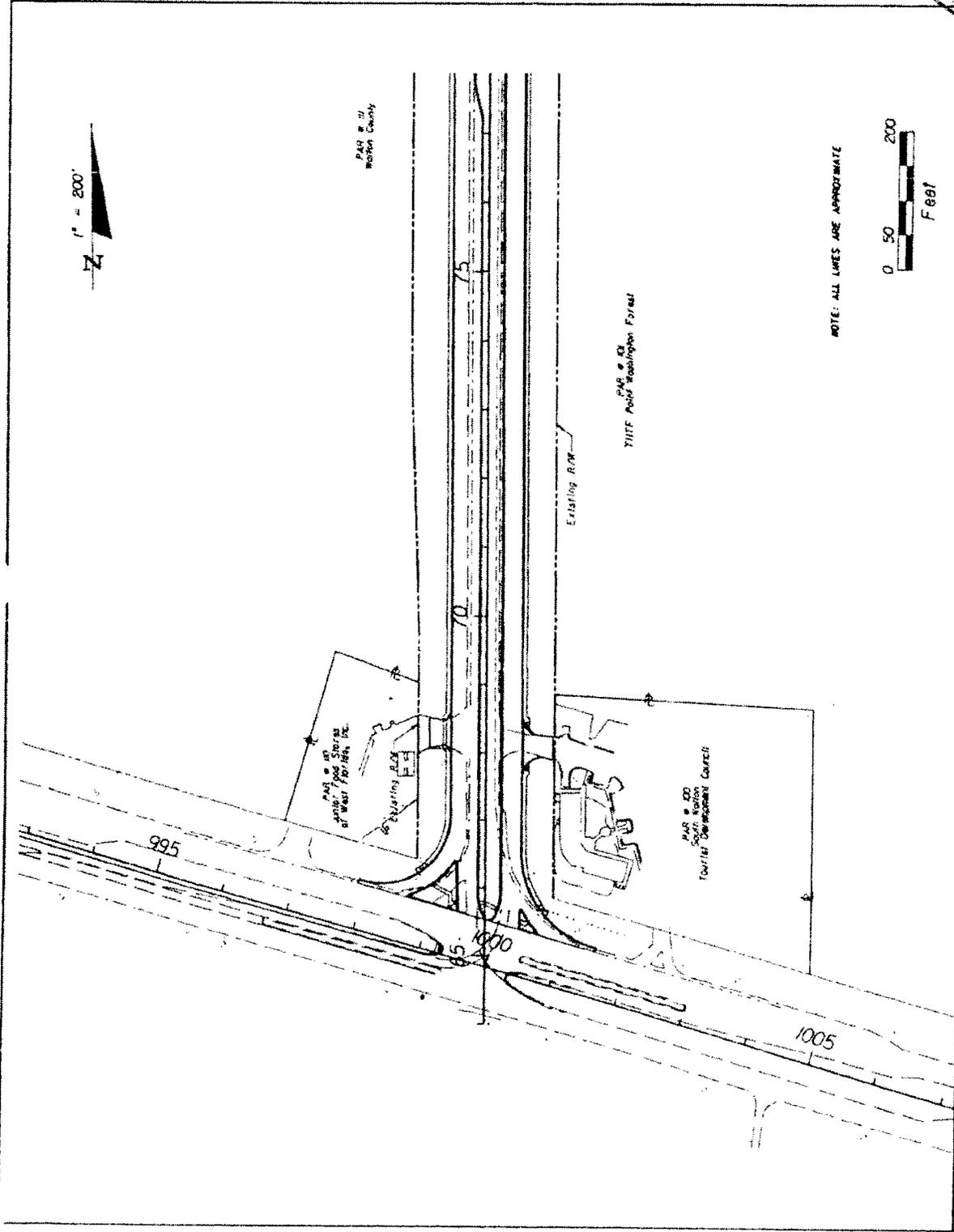
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Begin Project
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 @ Survey & Const. SR 83
 MP 0.0

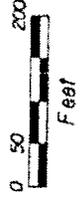
Project Location Map



NOTE: THE ORIGINAL RECORD OF THIS SHEET IS THE ELECTRIC FILE SHEET AND SEALED UNDER RULE 68B-21.003, F.A.C.



NOTE: ALL LINES ARE APPROXIMATE

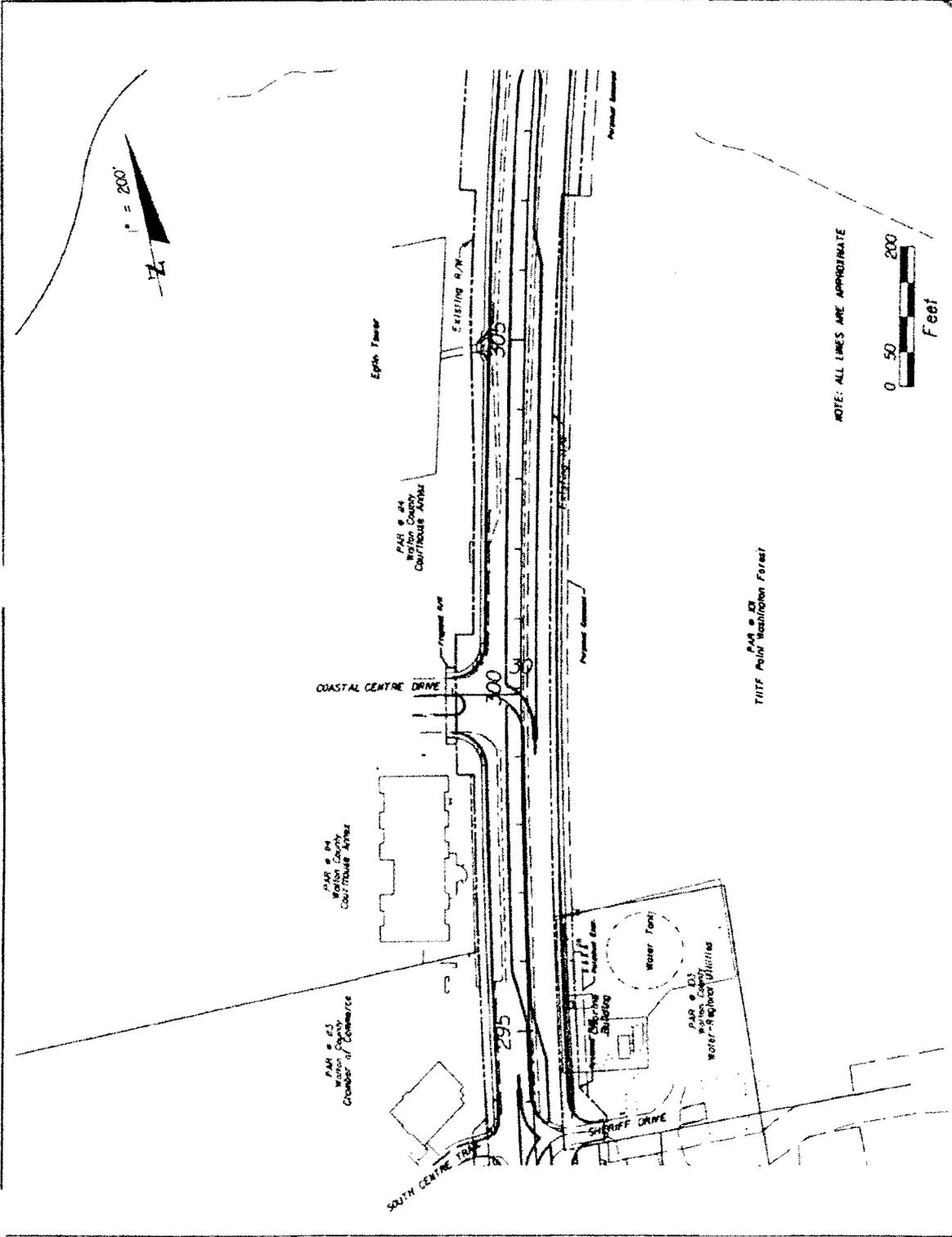


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1948 EAST PARK AVENUE, SUITE 100 TALLAHASSEE, FLORIDA 32301 FPBR CERTIFICATE OF AUTH. # 014 SANDRA LAMB, P.E. # 43214		DEPARTMENT OF TRANSPORTATION		PROJECT VIEW PERMITS - SR 83	
ROAD NO.	COUNTY	FINANCIAL PROJECT ID			
83	WALTON	220664-1-52-01			

December 31, 2008 (09:08:29 EST) NY-PROJECTS-2248 (1538)NADSS-SSONVE-0015 (0.00)101.000



CHECK THE ORIGINAL RECORD OF THIS SHEET IN THE ELECTRONIC FILE SHEET AND SEALED UNDER FILE 6609-21003, F.A.S.



NOTE: ALL DIMS ARE APPROXIMATE



SHEET NO. 3

PROJECT VIEW PERMITS - SR 83

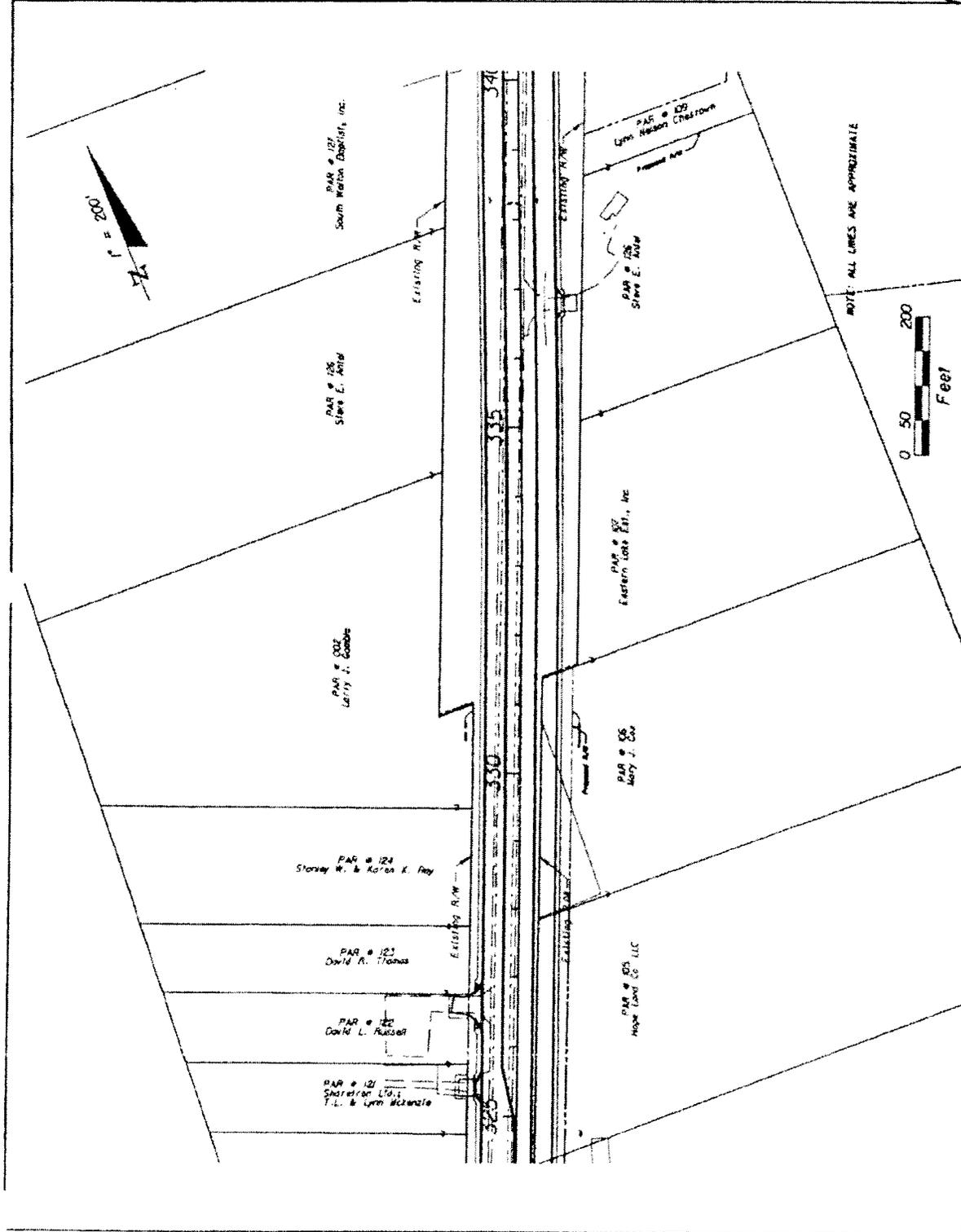
STATE OF FLORIDA	
DEPARTMENT OF TRANSPORTATION	
ROAD NO.	FINANCIAL PROJECT ID
83	220664-1-52-01
COUNTY	
WALTON	

LOCHNER
 2940 EAST PARK AVENUE, SUITE 200
 TALLAHASSEE, FLORIDA 32301
 FBPR CERTIFICATE OF AUTH. # 491
 SANDRA LAMR, P.E. # 4811

DATE: 01/25/2008 10:27:25 EST PROJECT: 2248 (559)220664200VPERMITS/PERMITS/01/01/08

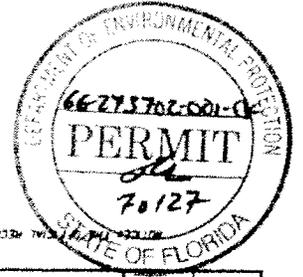


ALL RECORDS OF THIS SHEET IN THE ELECTRONIC FILE SHOWN ARE SCALED AND SEALED UNDER FILE 6605-25.003, F.A.C.

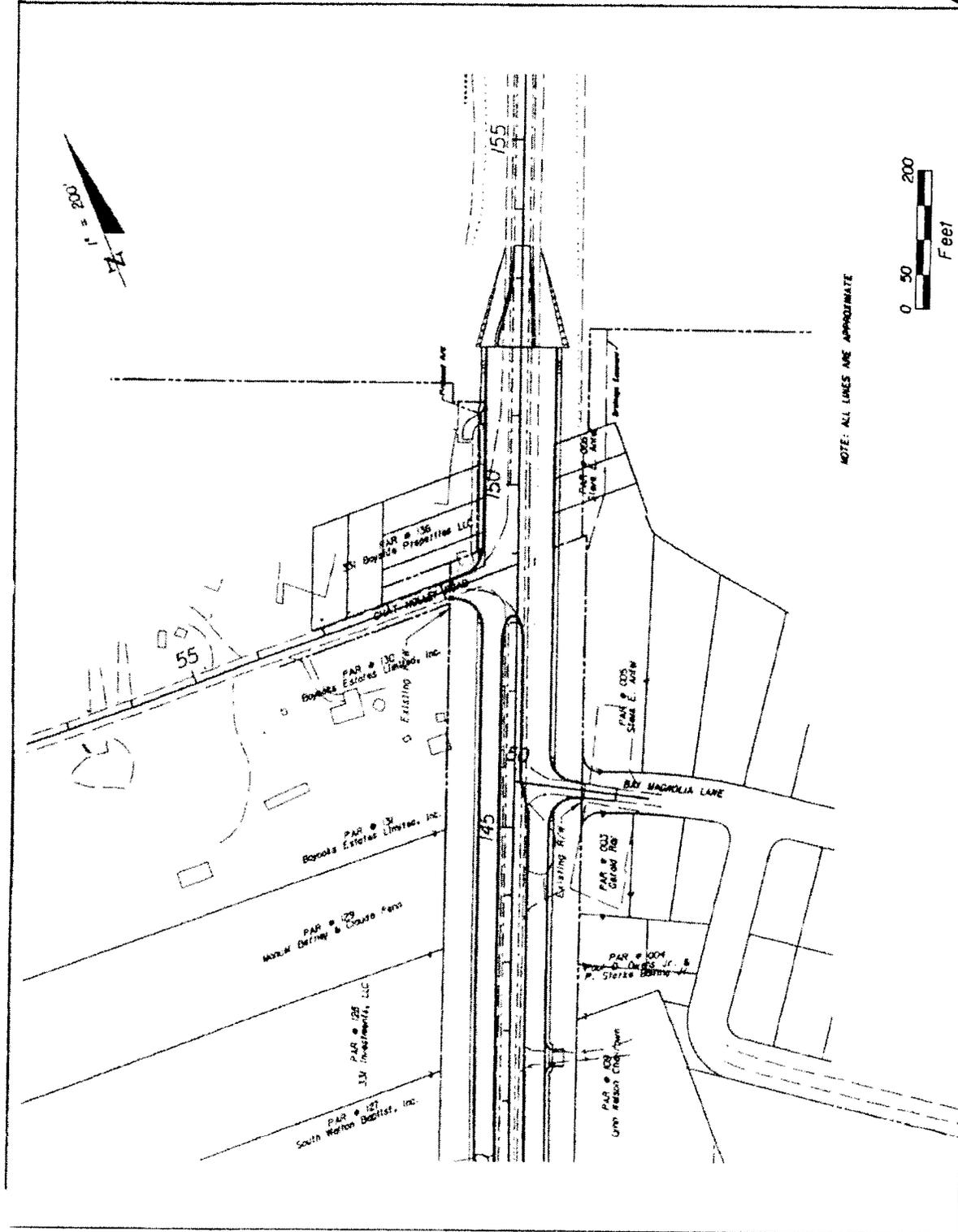


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340 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 PBPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 42315		ROAD NO. 83		COUNTY WALTON		FINANCIAL PROJECT ID 220664-1-52-01		5	

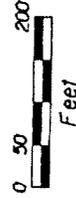
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ALL RECORDS OF THIS SHEET IS THE ELECTRONIC FILE SHOULD AND SEALED UNDER RULE 6A-25.23(3), F.A.C.

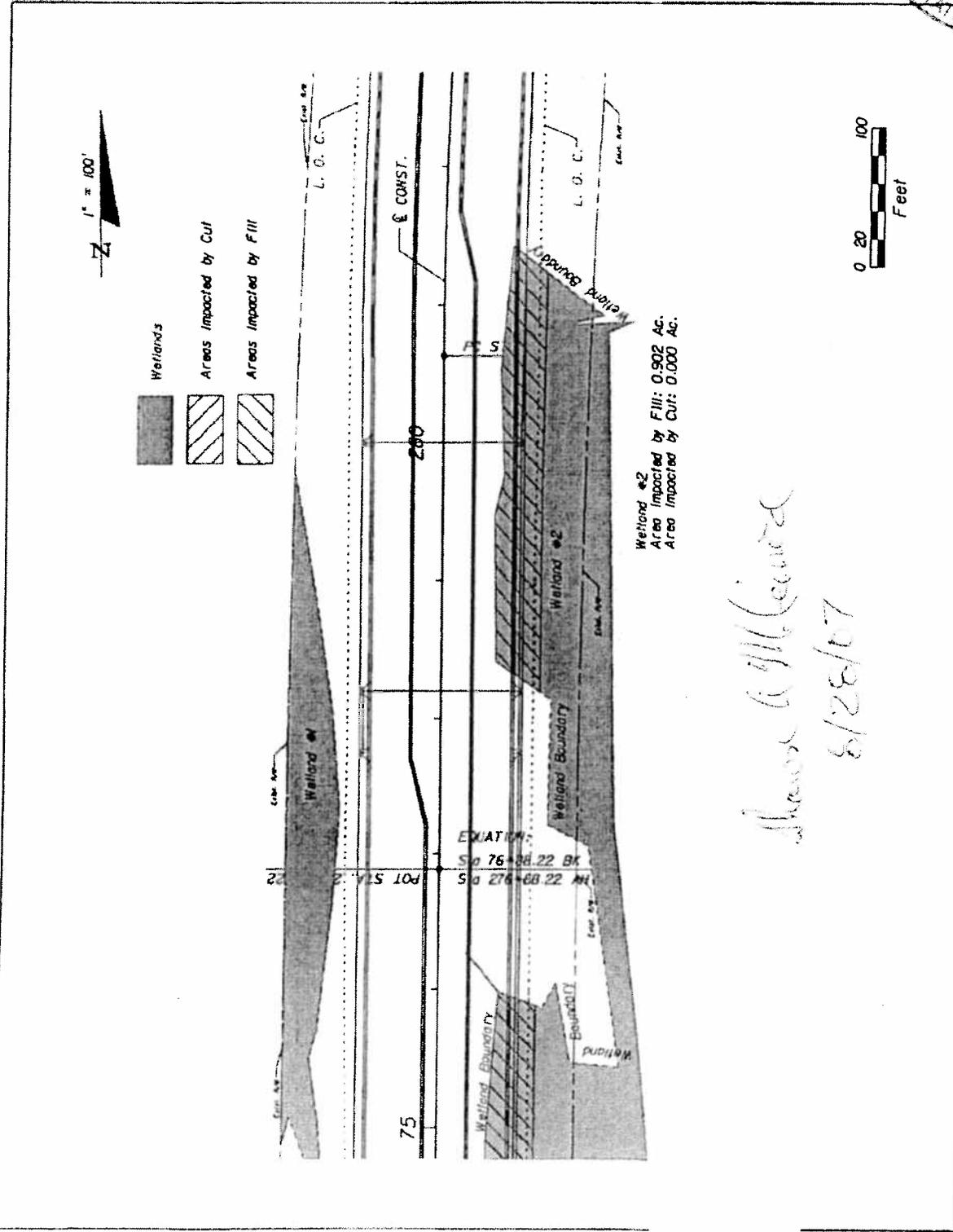


NOTE: ALL LINES ARE APPROXIMATE



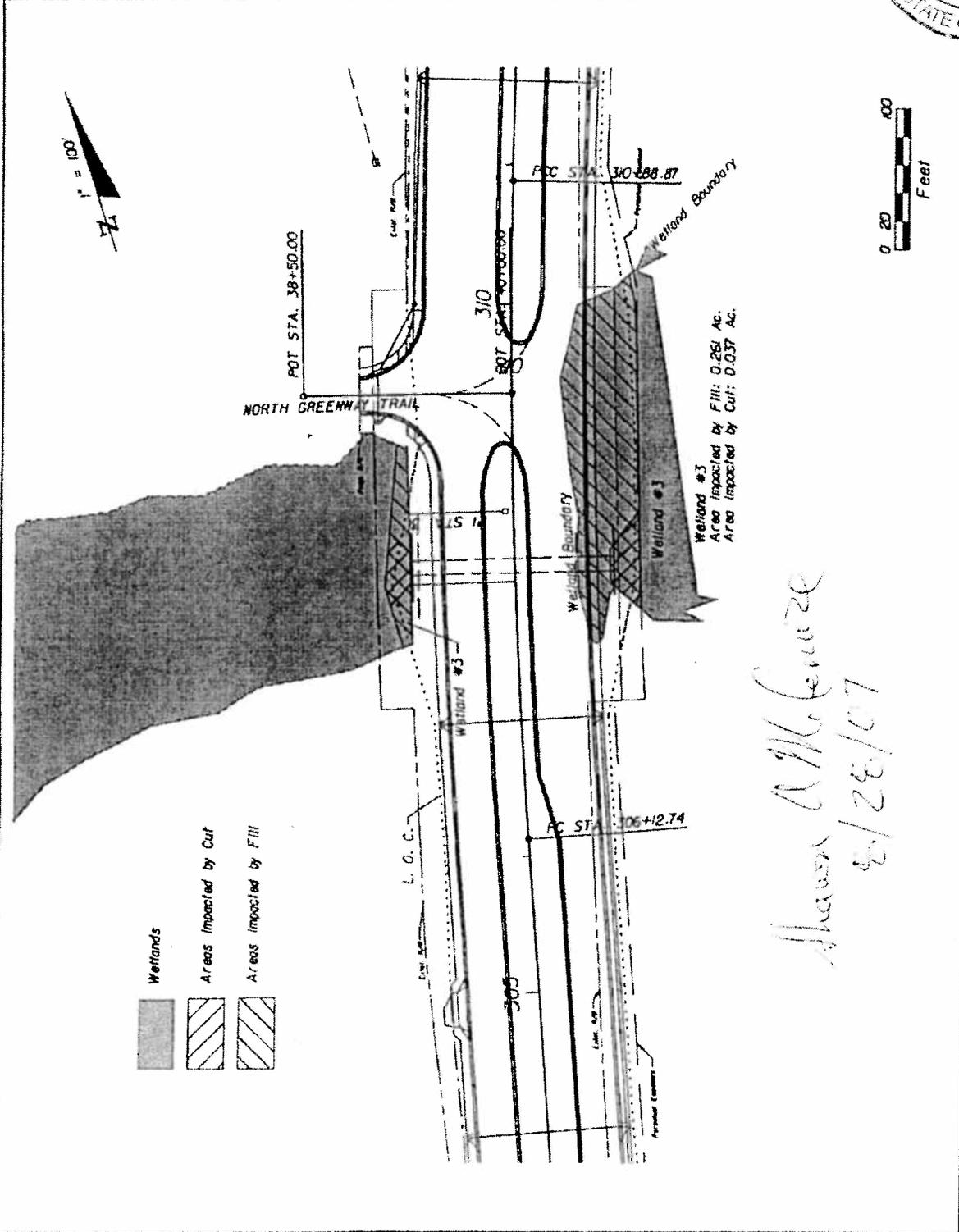
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		WALTON		220664-1-52-01	
		ROAD NO.			
		83			

December 21, 2028 12:45:52 EST 41-PROJECTS\2246 15591\300664-500-V-Permits\VIEW\VIEW.DWG



Sharon Gilliland
8/28/07

LOCHNER 3740 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 PBR CERTIFICATE OF AUTH. # 874 SANDRA LAMB, P.E. # 43115	STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 83	FINANCIAL PROJECT ID 220664-1-52-01	COUNTY WALTON	SHEET NO. 2
	WETLAND IMPACTS SR 83			

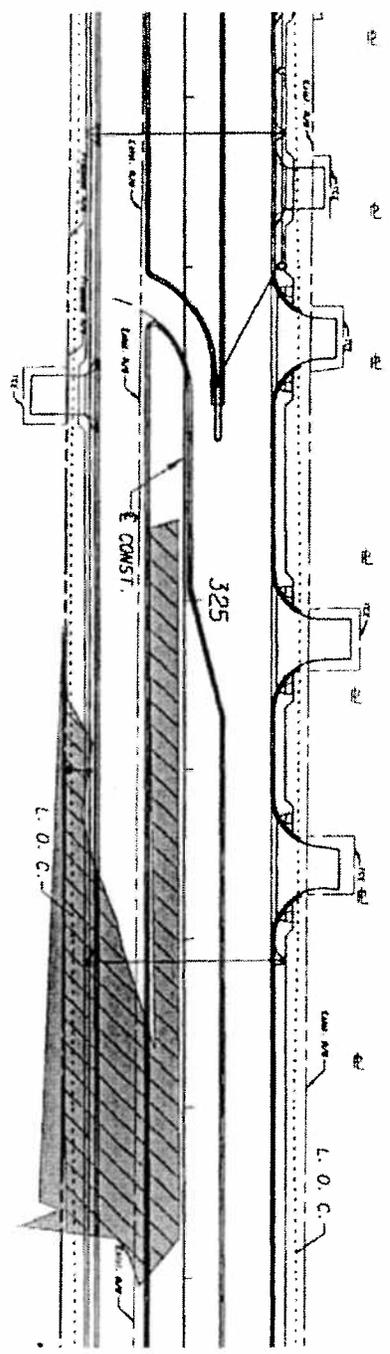


Alison A. McGenere
8/28/07

LOCHNER 1949 EAST PARE AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FBP# CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43114	STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION		SHEET NO. 3
	ROAD NO. 83	COUNTY WALTON	FINANCIAL PROJECT ID 220664-1-52-01
WETLAND IMPACTS SR 83			H:\PROJECTS\2248 10589\220664-52\PERMITS\PERMIT_IMPACTS.DWG



-  Wetlands
-  Areas Impacted by Cut
-  Areas Impacted by Fill



James McKeown
8/28/07

Wetland #6
Area Impacted by Fill: 0.423 Ac
Area Impacted by Cut: 0.000 Ac

LOCHNER

240 EAST PARK AVENUE, SUITE 108
TALLAHASSEE, FLORIDA 32301
PBBR CERTIFICATE OF AUTH. # 894
SANDRA LANB, P.E. # 43118

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

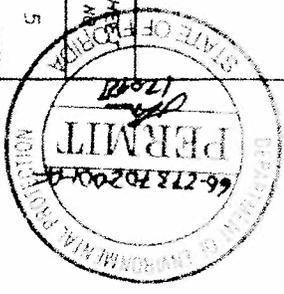
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83	WALTON	220664-1-52-01

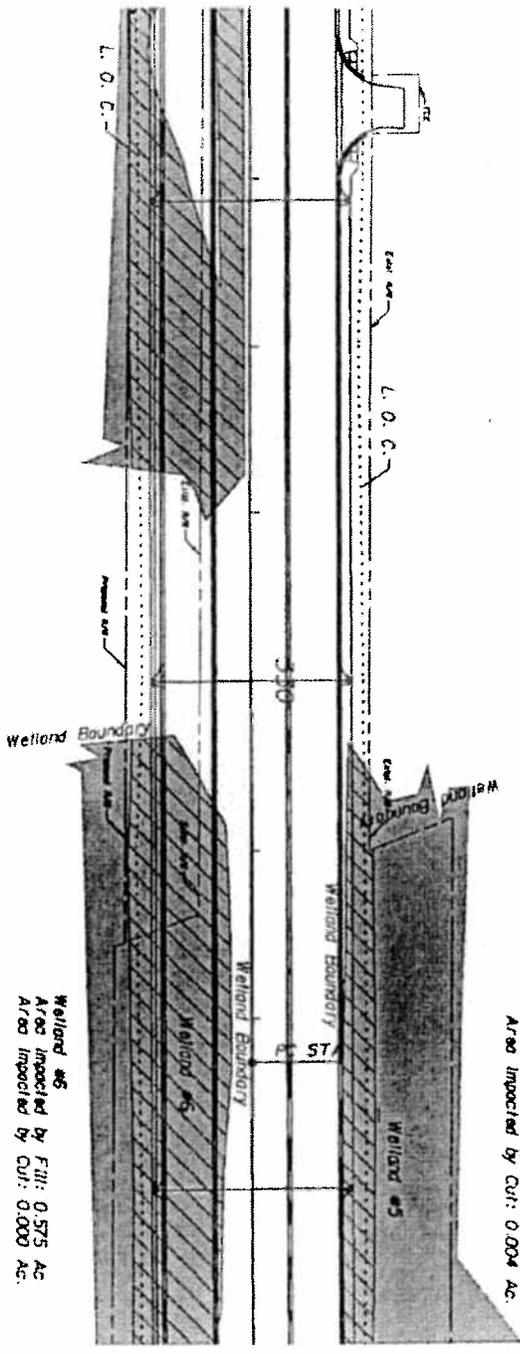
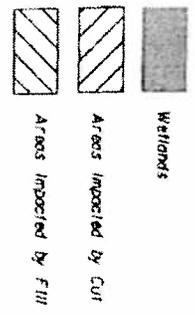
WETLAND IMPACTS

SR 83

5

ASHT 60, 2007 07/21/28 EST7 H:\PROJECTS\2248 (SR) \220664-5201\PERMITS\PERMIT IMPACTS.DWG





Wetland #6
 Area Impacted by Fill: 0.423 Ac
 Area Impacted by Cut: 0.000 Ac

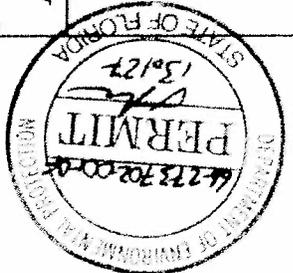
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 Area Impacted by Cut: 0.004 Ac

Wetland #6
 Area Impacted by Fill: 0.575 Ac
 Area Impacted by Cut: 0.000 Ac

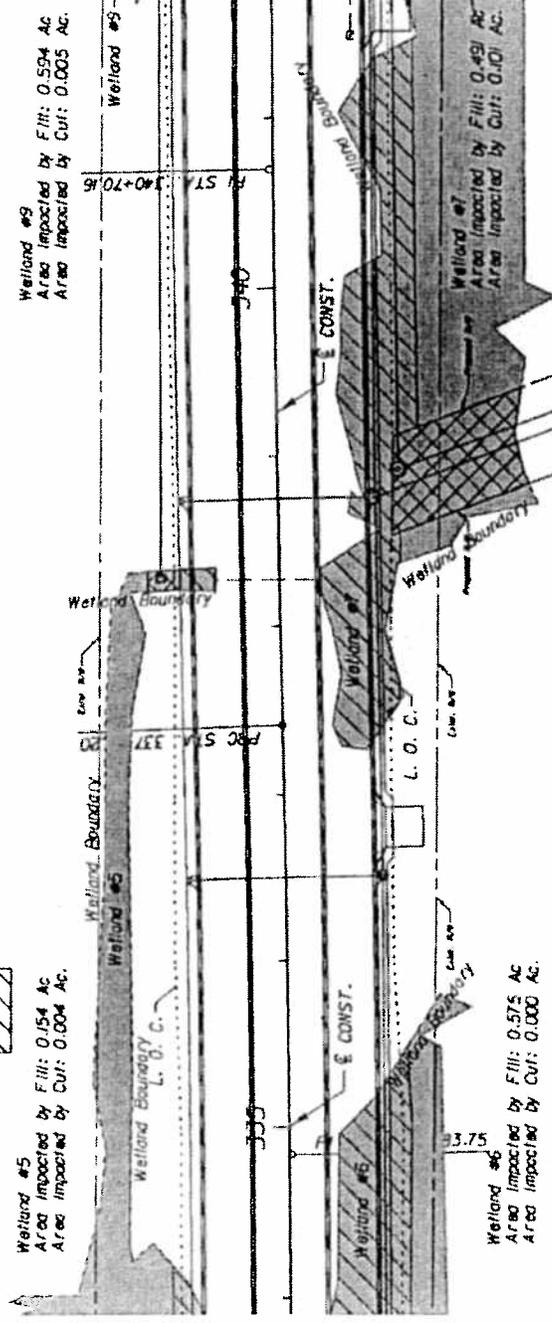
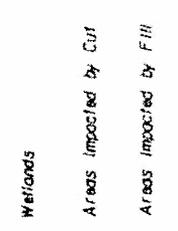
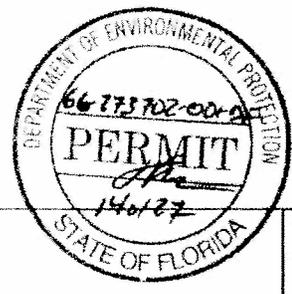
*Handwritten signature: Nancy A. McLeone
 8/22/07*



LOCHNER 798 EAST PARK AVENUE, SUITE 100 TALLAHASSEE, FLORIDA 32301 FBR CERTIFICATE OF AUTH. # 8M SANDRA LAMB, P.E. # 43811		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83	SHEET NO. 6
		ROAD NO. 83	COUNTY WALTON		



August 14, 2007 10:49:33 EST H:\PROJECTS\2242\0580\0066\K203\VEN\173\PERMIT_LUPACT\S04.DWG



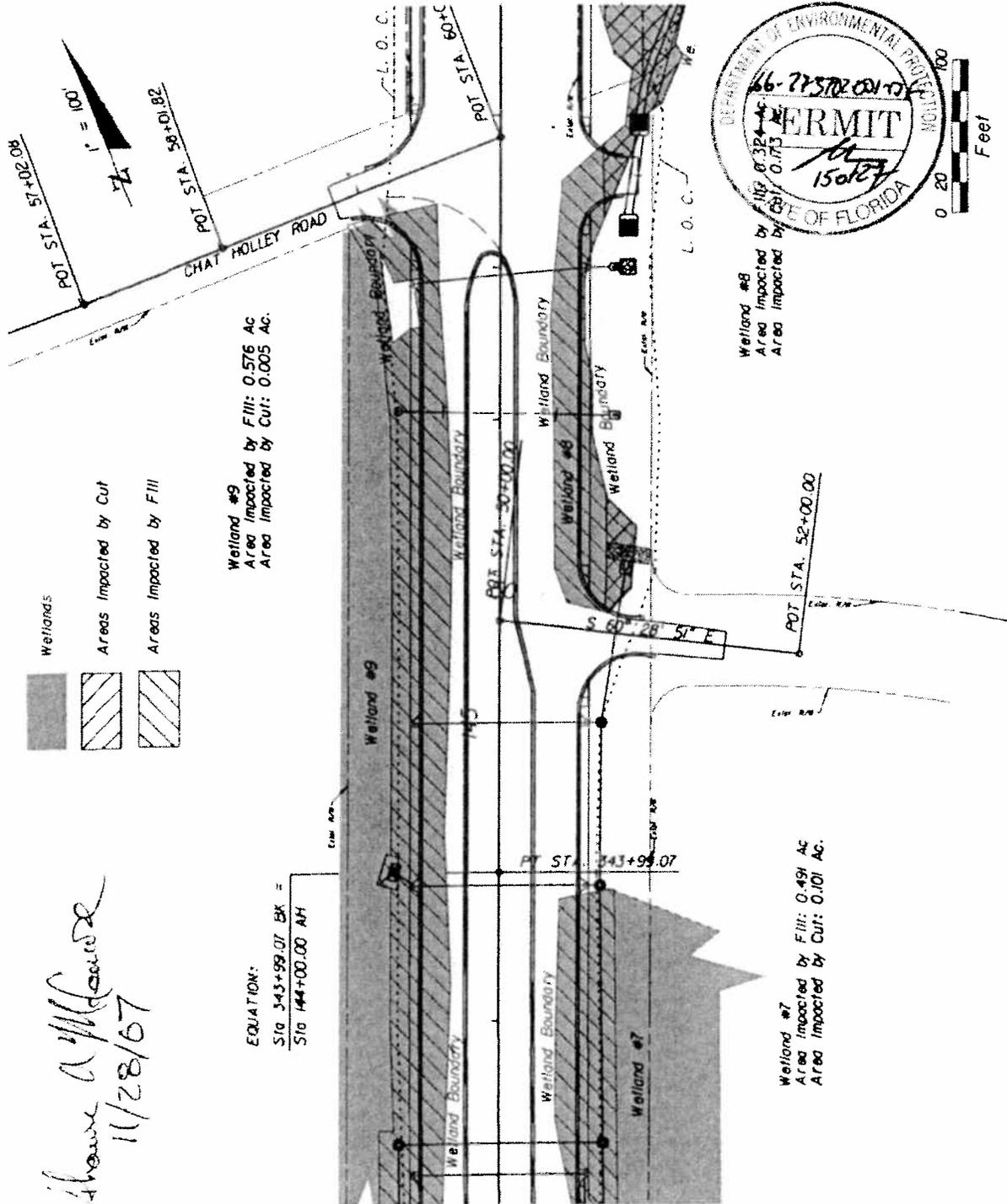
*Steven D. McLeese
8/28/07*

LOCHNER 370 EAST PARK AVENUE, SUITE 100 TALLAHASSEE, FLORIDA 32301 PBPR CERTIFICATE OF AUTH. # 874 SANDRA LAND, P.E. :: 43111	STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83	SHEET NO. 7
	ROAD NO. 83	COUNTY WALTON		

April 10, 2007 10:50:39 CST | PROJECT'S USER: US59-220664-1-52-01-5 PERMIT_IMPACTS.DGN

*Shore A/H/Case
11/28/07*

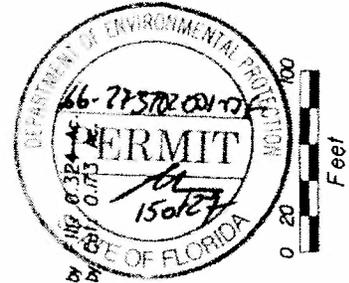
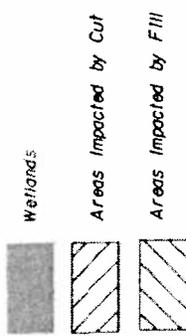
EQUATION:
Sta 343+99.07 BK =
Sta 144+00.00 AH



Wetland #9
Area Impacted by Fill: 0.576 Ac
Area Impacted by Cut: 0.005 Ac.

Wetland #7
Area Impacted by Fill: 0.491 Ac
Area Impacted by Cut: 0.101 Ac.

Wetland #8
Area Impacted by Fill: 0.324 Ac
Area Impacted by Cut: 0.173 Ac.

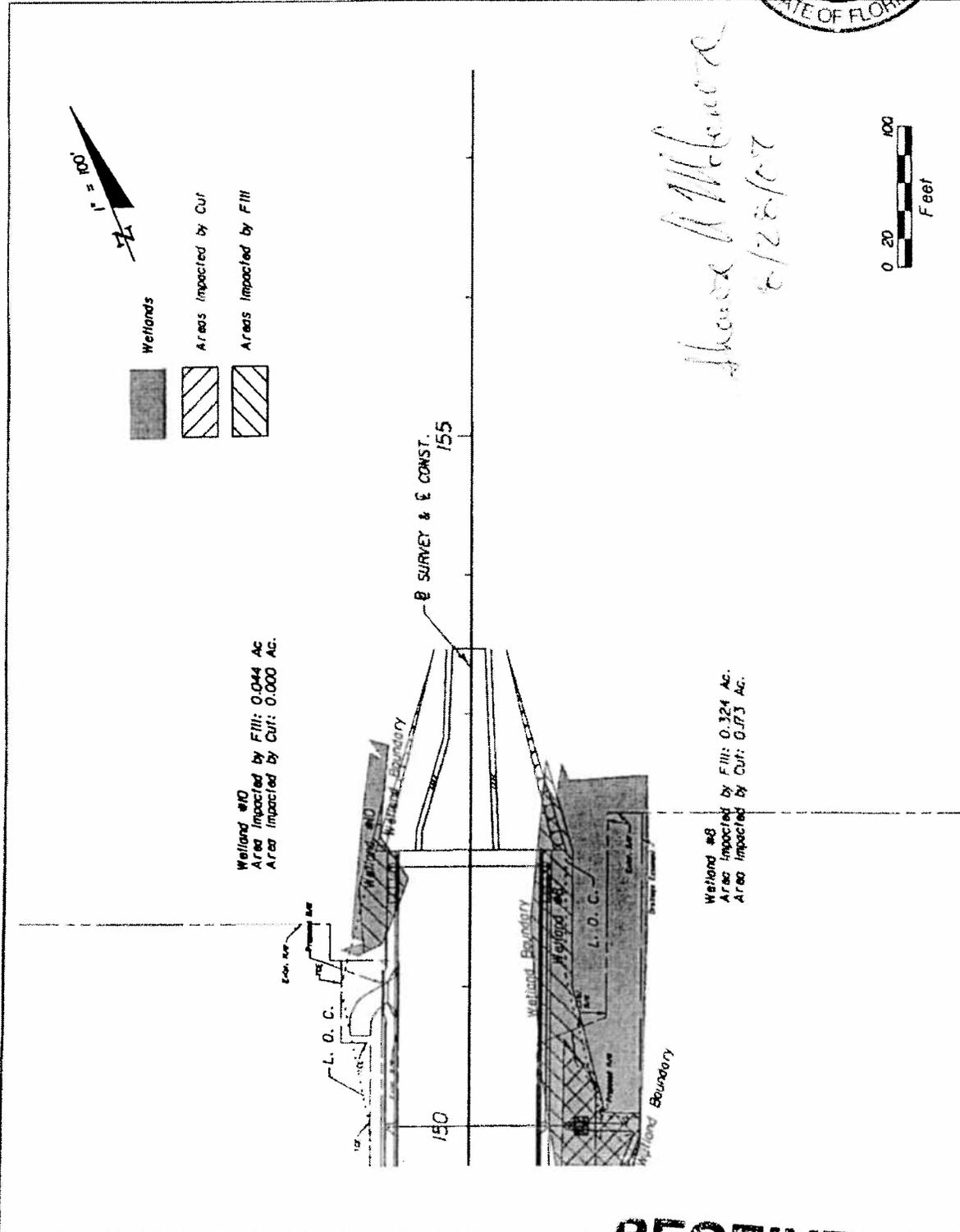


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NOV 29 2007

NORTHWEST FLORIDA
DEP

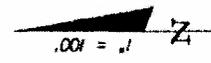
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		COUNTY		FINANCIAL PROJECT ID			
83		WALTON		2206664-1-52-01			



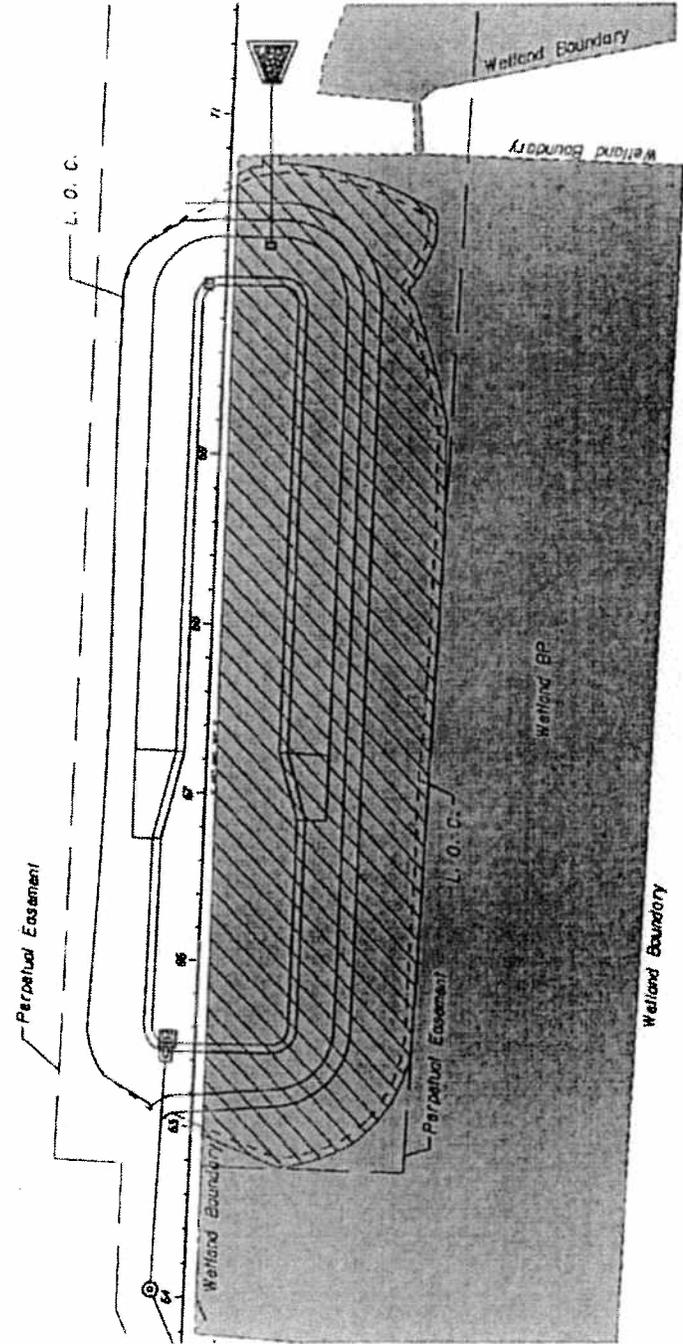
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83		WALTON		220664-1-52-01			

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RECEIVED
FEB 29 2008
JACKSONVILLE DISTRICT
USACE



-  Wetlands
-  Areas Impacted by Cut
-  Areas Impacted by Fill

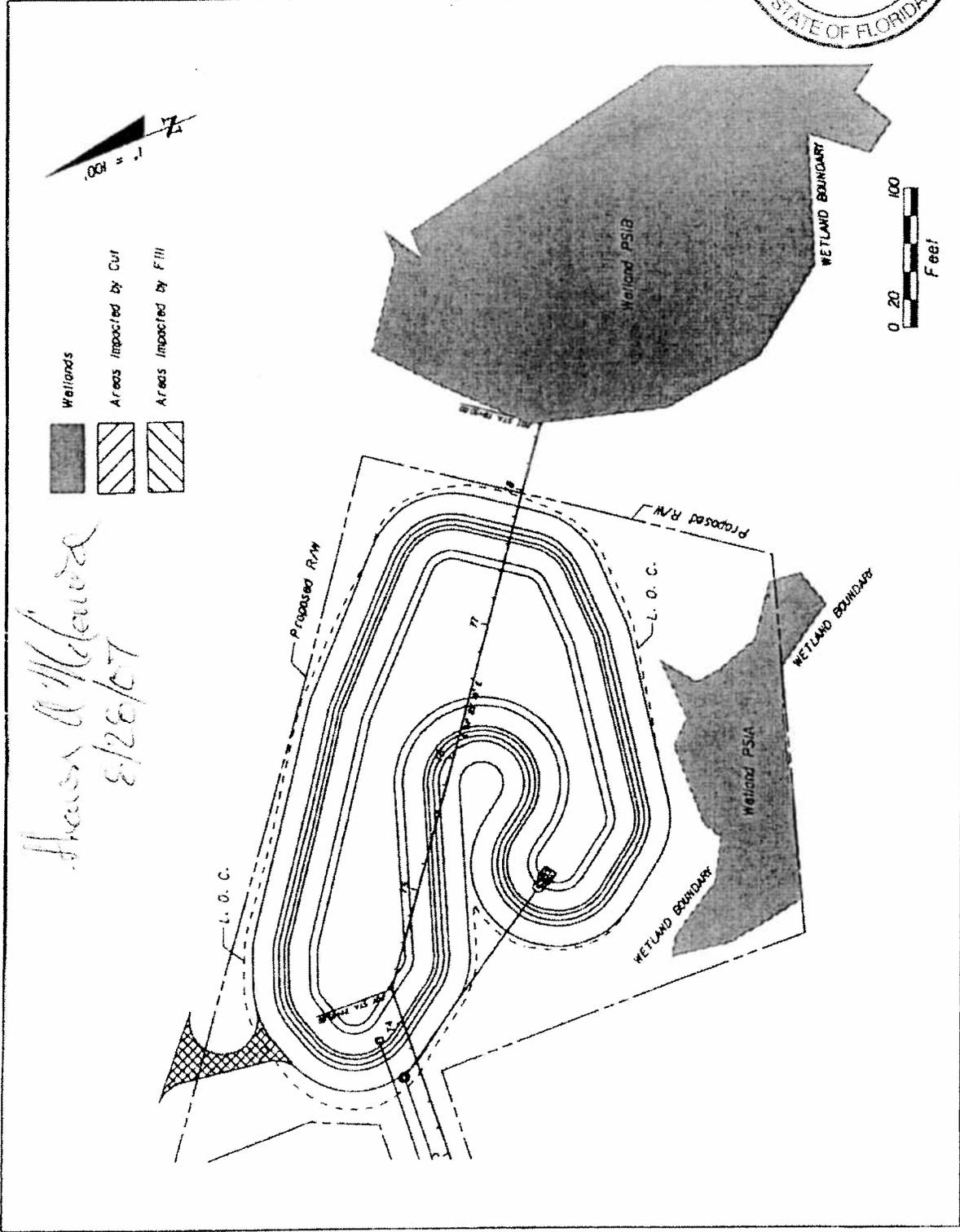
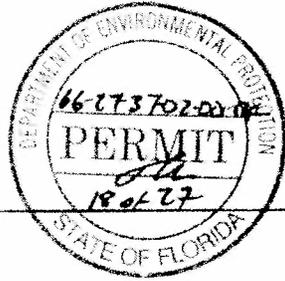


Wetland BP
 Area Impacted by Fill: 1.624 Ac.
 Area Impacted by Cut: 0.000 Ac.

*Alison A. McNeill
 8/28/07*

LOCHNER 7940 EAST PARK AVENUE, SUITE 300 TALLAHASSEE, FLORIDA 32301 FBPK CERTIFICATE OF AUTH. " 894 SANDRA LAHR, P.E. " 41316	STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS		SHEET NO.
	ROAD NO. 83	COUNTY WALTON	FINANCIAL PROJECT ID 220664-1-52-01	SR 83	10

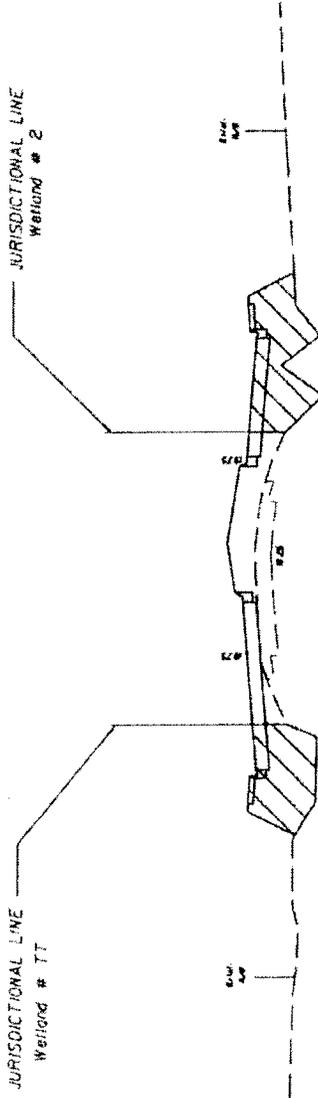
APR 10, 2007 10:52:22 EST | PROJECTS\2240_11599\22066415201\PERMITS\PERMIT_IMPACTS\501.DWG



LOCHNER 790 EAST PARK AVENUE, SUITE 209 TALLAHASSEE, FLORIDA 32301 PDHM CERTIFICATE OF AUTH. # 894 SANDRA LAXID, P.E. # 43316	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83		SHEET NO. 11
	ROAD NO. 83	COUNTY WALTON	FINANCIAL PROJECT ID 220664-1-52-01		

August 10, 2007 08:52:46 EST / N:\PROJECTS\SR83\1890\220664\SD\PERMITS\PERMIT_IMPACTSOR.DWG

Maase & McInerney
8/28/87



JURISDICTIONAL AREA IMPACTED BY FILL



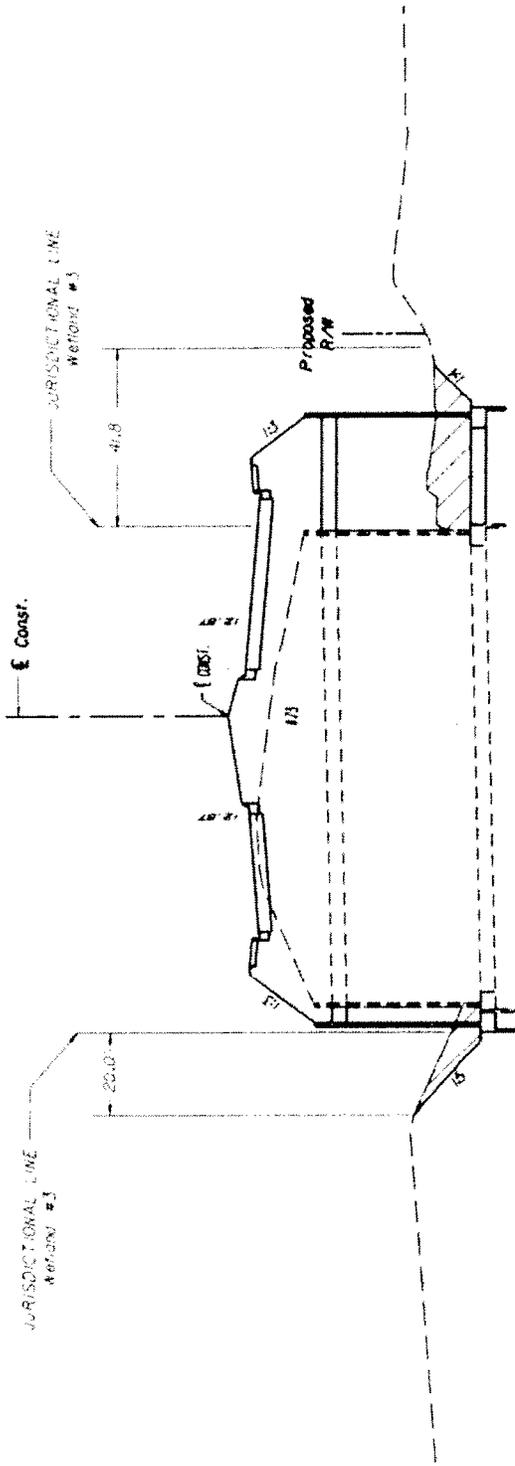
70+00.00 ± Const.
 S.R. 83

Scale: 1" = 40' Horiz.
 1" = 10' Vert.



LOCHNER 2940 EAST PINE AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FIDPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 4331E	STATES OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83	SHEET NO. 12
	ROAD NO. 83	COUNTY WALTON		

*Sharon R. McHenry
6/28/07*

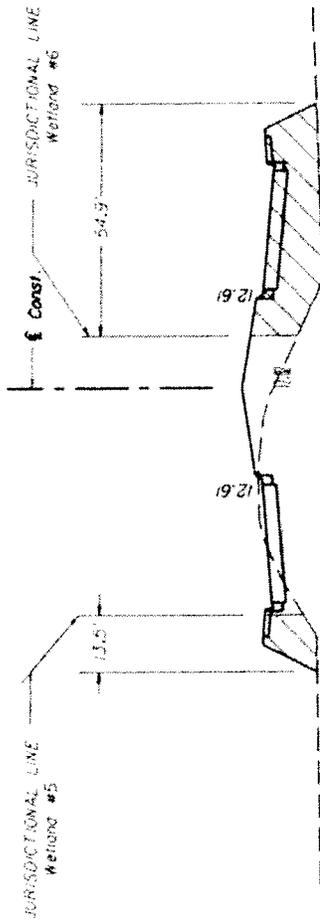


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1" = 10' Vert.

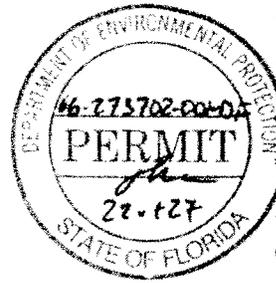
308+10.00 E Const.
S.R. 83

LOCHNER 2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32310 FBRP CERTIFICATE OF AUTH. # 84 SANDRA LAMB, P.E. # 42315		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS		SHEET NO.
ROAD NO.	COUNTY	FINANCIAL PROJECT ID	SR 83			14
83	WALTON	220664-1-52-01				

6/28/07 10:30 AM 10/28/07 10:30 AM 10/28/07 10:30 AM



JURISDICTIONAL AREA IMPACTED BY FILL



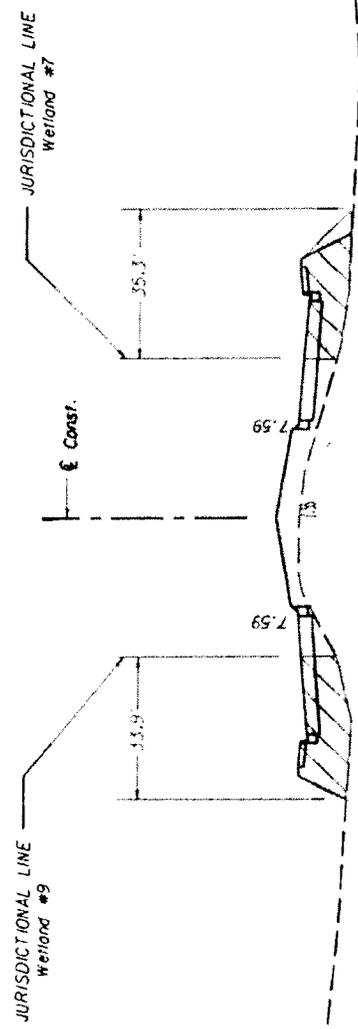
Scale: 1/4" = 10' Horiz.
1" = 10' Vert.

332+00.00 @ Const.
S.R. 83

Shirley R. McConville
5/28/87

LOCHNER		STATE OF FLORIDA		WETLAND IMPACTS		SHEET NO.
2940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 PBPK CERTIFICATE OF AUTH # 894 SANDRA LAMB, P.E. # 4313		DEPARTMENT OF TRANSPORTATION		SR 83		15
ROAD NO.	COUNTY	FINANCIAL PROJECT ID				
83	WALTON	220664-1-52-01				

*James A. Henderson
Sketch*



JURISDICTIONAL AREA IMPACTED BY FILL

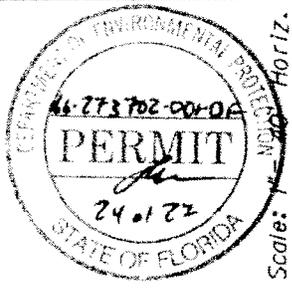
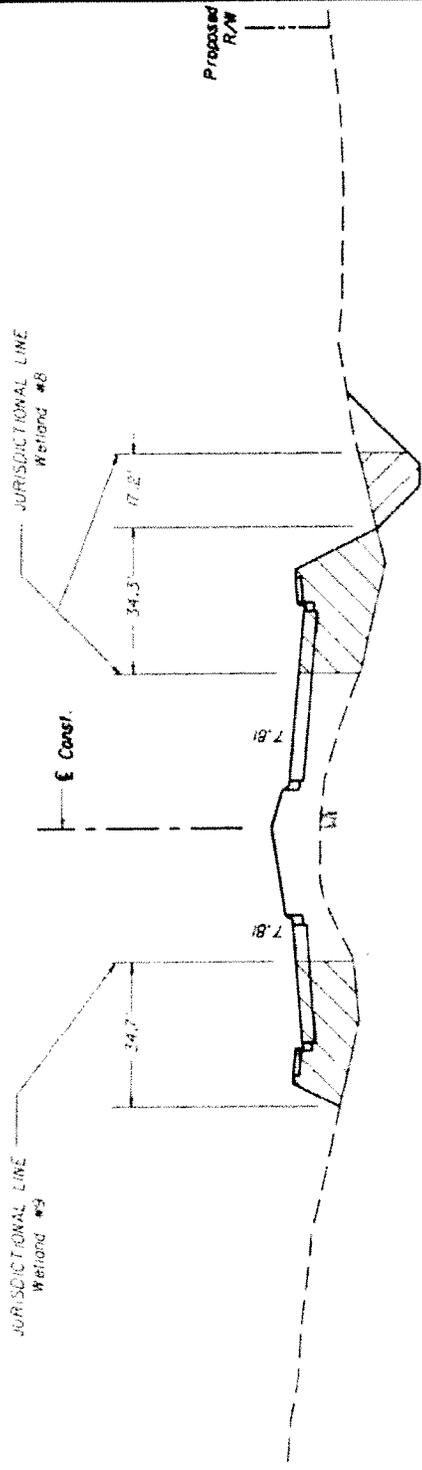


343+00.00 @ Const.
S.R. 83

Scale: 1" = 40' Horiz.
1" = 10' Vert.

LOCHNER 2940 EAST PARK AVENUE, SUITE 300 TALLAHASSEE, FLORIDA 32301 FPR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 42215	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83	SHEET NO. 16
	ROAD NO. 83	COUNTY WALTON		

*Shoreline Wetlands
8/28/07*



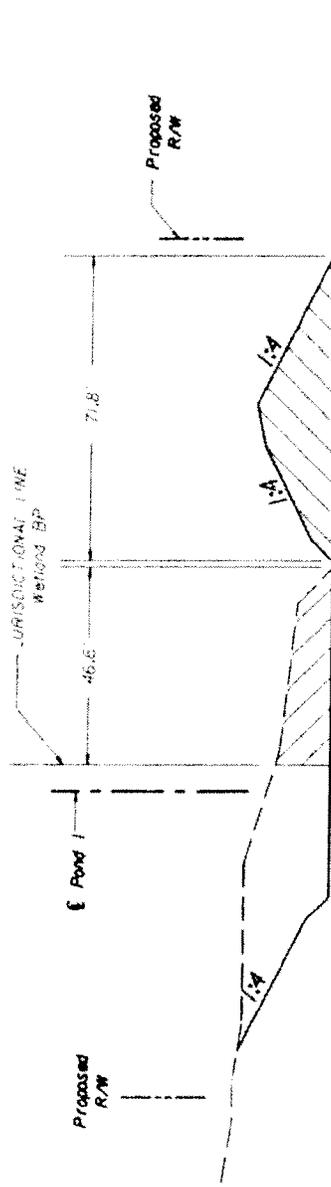
JURISDICTIONAL AREA IMPACTED BY FILL

JURISDICTIONAL AREA IMPACTED BY CUT

146+00.00 ± Const.
S.R. 83

LOCHNER 3940 EAST PARK AVENUE, SUITE 200 TALLAHASSEE, FLORIDA 32301 FPBR CERTIFICATE OF AUTH. # 894 SANDRA LAMB, P.E. # 43215		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS		SHEET NO.
ROAD NO.	COUNTY	FINANCIAL PROJECT ID	SR 83			17
83	WALTON	220664-1-52-01				

*Adress A McLeure
8/23/07*



JURISDICTIONAL AREA IMPACTED BY CUT

JURISDICTIONAL AREA IMPACTED BY FILL

66+22.00 £ Const.
Pond 1



LOCHNER 240 EAST PARK AVENUE, SUITE 100 TALLAHASSEE, FLORIDA 32301 FPR CERTIFICATE OF AUTH. # 874 SANDRA LAMR, P.E. # 43115	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		WETLAND IMPACTS SR 83	SHEET NO. / 9
	ROAD NO. 83	COUNTY WALTON		

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

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

1. Department of the Army Permit Number: _____

2. Permittee Information:

Name _____

Address _____

3. Project Site Identification:

Physical location/address _____

4. As-Built Certification:

I hereby certify that the authorized work 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)

Florida Reg. Number

Company Name

Address

City State ZIP

(Affix Seal)

Date

Telephone Number

Deviations from the approved plans and specifications: (attach additional pages if necessary)

U.S. Army Corps of Engineers
Permit # 545-247-1175
Date: FEB 21 2008
Attachment: 3



Statement of Findings

Number: _____



Conversion services provided by:

MICROGRAPHICS

The Information and Image Managers

1925-A NW Second Street

Gainesville, FL 32609

Phone: (352) 372-6039 - Fax: (352) 378-6039

On-line: www.micrographicsinc.com

FEB 22 2008

CESAJ-RD-P (1145b)
2007-1175 (IP-AWP)

MEMORANDUM FOR RECORD

SUBJECT: Department of the Army Environmental Assessment and Statement of Findings for the Above-numbered Permit Application

1. Applicant: Florida Department of Transportation, District III
Attn: Joy Giddens
P.O. Box 607
Chipley, Florida 32428

2. Location, Project Description, Existing Conditions: The project is located at the south end of US331, in Sections 20, 29, 30, and 31, Township 2 south, and Range 19 west, Walton County, Florida.

The Florida Department of Transportation (FDOT) proposes to fill approximately 5.73 acres and dredge approximately 0.32 acres of marsh, forested, and stream wetlands in order to widen approximately 1.6 miles of US331 from two to four lanes, beginning at the intersection of US98 and US331, heading north, and ending at the south end of the Choctawhatchee Bay Bridge. No dredge or fill activities are proposed in Choctawhatchee Bay.

The 1.6-mile linear project area is restricted to existing FDOT right of way. The project will impact several wetland communities, at nine identified sites, as shown on project drawings and summarized in the following table:

The area surrounding the project site consists of FDOT easement, commercial development, residential development, undeveloped land, and Choctawhatchee Bay to the north.

3. Project Purpose: Basic: To make road improvements.
Overall: To widen a segment of US331 to meet increased transportation needs in south Walton County.

4. Scope of Analysis: The scope of analysis was limited to the project site and included endangered species, essential fisheries habitat concerns, and cultural resources.

5. Statutory Authority: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

6. Other Federal, State, and Local Authorizations Obtained or Required and Pending:

CESAJ-RD-P (1145b)
2007-1175(IP-AWP)

MEMORANDUM FOR RECORD

SUBJECT: Department of the Army Environmental Assessment and Statement of Findings for the Above-numbered Permit Application

1. Applicant: Florida Department of Transportation, District III
Attn: Joy Giddens
P.O. Box 607
Chipley, Florida 32428

2. Location, Project Description, Existing Conditions: The project is located at the south end of US331, in Sections 20, 29, 30, and 31, Township 2 south, and Range 19 west, Walton County, Florida.

The Florida Department of Transportation (FDOT) proposes to fill approximately 5.73 acres and dredge approximately 0.32 acres of marsh, forested, and stream wetlands in order to widen approximately 1.6 miles of US331 from two to four lanes, beginning at the intersection of US98 and US331, heading north, and ending at the south end of the Choctawhatchee Bay Bridge. No dredge or fill activities are proposed in Choctawhatchee Bay.

The 1.6-mile linear project area is restricted to existing FDOT right of way. The project will impact several wetland communities, at nine identified sites, as shown on project drawings and summarized in the following table:

The area surrounding the project site consists of FDOT easement, commercial development, residential development, undeveloped land, and Choctawhatchee Bay to the north.

3. Project Purpose: Basic: To make road improvements.
Overall: To widen a segment of US331 to meet increased transportation needs in south Walton County.

4. Scope of Analysis: The scope of analysis was limited to the project site and included endangered species, essential fisheries habitat concerns, and cultural resources.

5. Statutory Authority: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

6. Other Federal, State, and Local Authorizations Obtained or Required and Pending:

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a. State Permit/Certification: The Department of Environmental Protection (DEP) permit number 66-0273702-001-DF was issued on 30 November 2007.

b. Coastal Zone Management (CZM) consistency/permit: There is no evidence or indication from the State of Florida that the project is inconsistent with the Florida Coastal Zone Management Plan. Issuance of a DEP permit certifies that the project is consistent with the CZM plan.

c. Other Authorizations: No information has been received regarding any other authorizations that may be required.

7. Date of Public Notice and Summary of Comments

a. The application was received on 20 February 2007. Additional information was requested by letter dated 6 March 2007. The application was considered complete on 23 March 2007. A public notice was issued on 30 March 2007, and sent to all interested parties including appropriate State and Federal agencies. All comments received on this application have been reviewed and are summarized below:

(1) Environmental Protection Agency (EPA): Did not respond to the public notice.

(2) U.S. Fish and Wildlife Service (FWS): By letter dated 2 May 2007, FWS stated the proposed work is not likely to adversely affect resources protected by the Endangered Species Act. Further, the FWS commented in accordance with the Fish and Wildlife Coordination Act, stating the project should be mitigated in accordance with South Walton County Area Mitigation Project. A portion of the project may be located in the Bowman Bayou Priority Area.

(3) National Marine Fisheries Service (NMFS): By letter dated 30 April 2007, the NMFS stated the project will not directly impact trust resources. NMFS recommended that the road's stormwater treatment system be upgraded to prevent degraded water from entering estuarine habitats within Choctawhatchee Bay.

(4) State Historic Preservation Officer (SHPO): By letter dated 26 April 2007, SHPO indicated that the proposed project would have no effect on any sites listed, or eligible for

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listing, in the National Register of Historic Places, or otherwise of national, state, or local significance.

(5) No comments were received from State or Local agencies, organizations, individuals or any other interested party.

b. Applicant's response to the comments: The comments were not coordinated with the applicant since no adverse comments were received.

8. Alternatives:

a. Avoidance (No action, uplands, availability of other sites): The no action alternative would not allow for project completion. The applicant proposes to widen an existing roadway within its right-of-way. Two stormwater ponds will be constructed outside of the existing right-of-way. One pond will utilize an existing borrow pit and the other will impact shrub wetlands which have been impacted by lack of fire suppression. The roadway corridor is predominately developed with the exception of the southern third of the project limits. Alternative corridors were not evaluated due to increased cost and environmental concerns. New roadway corridors would not be feasible.

b. Minimization (modified project designs, etc.): Based on the developed nature of the project corridor and the limited amount of available right-of-way, the applicant has minimized wetland impacts to the maximum extent practicable. The Corps previously authorized installation of a buried gas line along the western limits of the roadway. The installation of this gas line has impacted existing on-site wetlands. The applicant was not asked to further explore minimization alternatives beyond those already achieved, given the quality of the existing resource.

c. Compensatory Mitigation (Wetland enhancement, creations, etc.): The applicant has completed a functional assessment and determined the project as proposed will cause the loss of 3.8 functional units. During this site visit the Corps observed the installation of a pipe line by the Okaloosa Gas District authorized by Department of the Army (DA) permit SAJ-2005-9438(IP-DEB). Additionally, the Corps observed that wetland 2 has been impacted by the relocation of existing utilities. The installation of utilities has altered the functions and values of wetlands on the west side of the roadway within the roadway

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corridor, specifically wetlands 1, 2, & 5. The Corps generally concurs with the functional assessment provided by the applicant. The applicant will provides mitigation pursuant to Senate Bill 1986 Rule - Section 373.4137 Florida Statutes (F.S.). Compensation for the loss of 3.77 functional units will include acquisition, preservation, and enhancement of uplands and wetlands within the Live Oak Peninsula, section 5.3.5, February 8, 2008, update of the Northwest Florida Umbrella, Watershed-Based, Regional Mitigation Plan (PLAN), as defined in the agreement between the Northwest Florida Water Management District (NFWFMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, July 31, 2006.

9. Evaluation of the 404(b)(1) Guidelines: The proposed project has been reviewed in accordance with the 404 (b)(1) Guidelines. The review shows that all the alternatives have been reviewed and it has been adequately demonstrated that the proposed alternative is the least environmentally damaging and only practicable alternative considering cost, existing technology and logistics. It would not cause or contribute to violations of State Water quality standards, jeopardize the existence of any endangered species or impact a marine sanctuary. No significant degradation would be expected and all appropriate and practicable steps have been taken to minimize impacts.

10. Public Interest Review:

a. Corps analysis of comments and responses: All comments received in response to the public notice have been considered in the following public interest review.

b. All public interest factors have been reviewed, including but not limited to the effects the work might have on conservation, economics, esthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, land use, navigation, shore erosion and accretion, recreation, water quality, safety, and consideration of property ownership. It has been determined that the proposed work will not adversely impact any of the public interest factors.

c. Describe the relative extent of the public and private need for the proposed structure or work: Public benefits include employment opportunities and a potential increase in the local tax base. Private benefits include land use and economic return on the property.

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d. Describe the practicability of using reasonable alternative locations and methods to accomplish the objective of the purposed work where there are unresolved conflicts as to resource use: The NMFS recommended the applicant upgrade the stormwater treatment system to prevent degraded water from entering estuarine habitats. The applicant has upgraded the stormwater system to include wet detention ponds for treatment and storage of runoff. A small portion of the project just south of the existing bridge cannot be captured due to topographic changes. Additional impacts to residences and businesses would have been required to capture and treat this small area. The applicant determined these impacts could not be financially justified. There are no other unresolved conflicts regarding resource use.

e. Describe the extent and permanence of the beneficial and/or detrimental effects which the proposed work is likely to have on the public and private uses to which the area is suited: Detrimental impacts are expected to be minimal although they would be permanent in the construction area. The beneficial effects for public transportation may include an increase in public safety, increased carrying capacity of the roadway and the more effective movement of vehicular traffic. The increased carrying capacity may also facilitate intrastate/interstate commerce.

f. Threatened or Endangered Species: The proposed project will not jeopardize the continued existence or critical habitat of any threatened or endangered species. This determination is supported by the FWS letter dated 2 May 2007.

g. Essential Fisheries Habitat (EFH): The public notice included an initial determination that the project would have a minor adverse impact on EFH or Federally managed fisheries. The NMFS did not provide any EFH conservation recommendations in response to the public notice. Therefore, the Corps is satisfied that the consultation procedures outlined in 50 CFR Section 600.920 of the regulation to implement the EFH provisions of the Magnuson-Stevens Act have been met.

h. Corps Wetland Policy: The proposed wetland alteration is necessary to realize the project purpose and should result in minimal adverse environmental impacts. The benefits of the project would outweigh the minimal detrimental impacts. The

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project would result in a no-net loss of wetland functions and values. Therefore the project is in accordance with the Corps wetland policy.

i. Cumulative and Secondary Impacts: Cumulative and secondary impacts would not be unacceptable. Cumulative impacts will be reduced by the completion of compensatory mitigation within the same drainage basin. If mitigation cannot be secured within the same basis additional mitigation including a proximity factor will be required to offset any cumulative impacts. Filling of wetlands at this project site would not set precedent for additional filling activities in waters of the United States to occur. The applicant will implement Best Management Practices as well as erosion control measures to reduce secondary impacts.

j. Corps Comments and Responses: NMFS comments were forward to the applicant for consideration. The applicant responded stating the existing roadway does not have any stormwater treatment and the roadway improvements will incorporate stormwater management requirements consistent with FDEP regulations. The portion of the roadway near the bay cannot be conveyed back to the wet detention pond.

11. Determinations:

a. Finding of No Significant Impact (FONSI). Having reviewed the information provided by the applicant and all interested parties and an assessment of the environmental impacts, I find that this permit action will not have a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement will not be required.

b. Compliance with 404(b)(1) guidelines. Having completed the evaluation in paragraph 7 above, I have determined that the proposed discharge complies with the 404(b)(1) guidelines.

c. Public interest determination: I find that issuance of a Department of the Army permit is not contrary to the public interest.

d. Section 176(c) of the Clean Air Act General Conformity Rule Review: The proposed permit action has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined that

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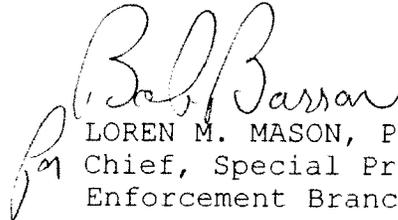
the activities proposed under this permit will not exceed *de minimis* levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps' continuing program responsibility and generally cannot be practicably controlled by the Corps. For these reasons a conformity determination is not required for this permit action.

PREPARED BY:



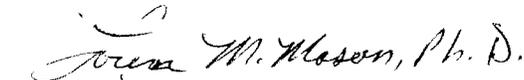
ANDREW W. PHILLIPS
Project Manager

REVIEWED BY:



LOREN M. MASON, Ph.D.
Chief, Special Projects and Enforcement Branch

APPROVED BY:



for Dep. Chief RD
PAUL L. GROSSKRUGER
Colonel, Corps of Engineers
Commanding

CF:
CESAJ-RD-PE