



**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
**COCOA REGULATORY FIELD OFFICE**  
**400 HIGH POINT DRIVE, SUITE 600**  
**COCOA, FLORIDA 32926**

REPLY TO  
ATTENTION OF

**April 11, 2008**

Cocoa Permits Section  
SAJ-2007-5239 (NW-AWP)

Florida Department of Transportation  
Attn: Patrick Muench  
719 South Woodland Blvd.  
Deland, Florida 32720

Dear Mr. Muench:

Your application for a Department of the Army permit received on September 6, 2007, has been assigned number SAJ-2007-5239 (NW-AWP). A review of the information and drawings provided shows the proposed work is the widening of State Road 415 from State Road 46 to the St. Johns River Bridge. The proposed widening will impact 0.18 acre of waters of the United States (wetlands) and 0.049 acre of jurisdictional surface waters. The project is located in Section 34, Township 19 South, Range 31 East, Seminole County, Florida.

Your project, as depicted on the received drawings, is authorized by Nationwide Permit (NWP) Number 14. In addition, project specific conditions have been enclosed. This verification is valid until April 11, 2010. Please access the U.S. Army Corps of Engineers' Jacksonville District's Regulatory web address at <http://www.saj.usace.army.mil/regulatory/permitting/nwp/nwp.htm> to access web links to view the Final Nationwide Permits, Federal Register Vol. 72, dated March 12, 2007, the Corrections to the Final Nationwide Permits, Federal Register 72, May 8, 2007, and the List of Regional Conditions. These files contain the description of the Nationwide Permit authorization, the Nationwide Permit general conditions, and the regional conditions, which apply specifically to this verification for NWP 14. Enclosed is a list of the six General Conditions, which apply to all Department of the Army authorizations. You must comply with all of the special and general conditions and any project specific condition of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

The following special conditions are included with this verification:

1. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.

2. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research/nris.htm>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at [fmsfile@dos.state.fl.us](mailto:fmsfile@dos.state.fl.us) or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on

Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

4. The Permittee agrees to follow the Standard Protection Measures for the Eastern Indigo Snake during construction. (Attachment 1)

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

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.

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

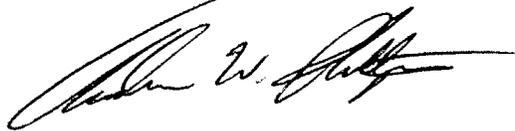
This letter does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your

local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced NWP, please contact Andrew Phillips by telephone at 321-504-3771 ex 14.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey: <http://regulatory.usacesurvey.com/>. Your input is appreciated - favorable or otherwise.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew W. Phillips", written in a cursive style.

Andrew W. Phillips  
Project Manager

Enclosures

GENERAL CONDITIONS  
33 CFR PART 320-330

PUBLISHED FEDERAL REGISTER DATED 13 NOVEMBER 1986

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

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: NW-14

Application Number: SAJ-2007-5239

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

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

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

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

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

\_\_\_\_\_  
Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

## STANDARD PROTECTION MEASURES FOR THE EASTERN INDIGO SNAKE

1. An eastern indigo snake protection/education plan shall be developed by the applicant or requestor for all construction personnel to follow. The plan shall be provided to the Service for review and approval at least 30 days prior to any clearing activities. The educational materials for the plan may consist of a combination of posters, videos, pamphlets, and lectures (*e.g.*, an observer trained to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur). Informational signs should be posted throughout the construction site and along any proposed access road to contain the following information:
  - a. a description of the eastern indigo snake, its habits, and protection under Federal Law;
  - b. instructions not to injure, harm, harass or kill this species;
  - c. directions to cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing; and,
  - d. telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water and then frozen.
2. If not currently authorized through an Incidental Take Statement in association with a Biological Opinion, only individuals who have been either authorized by a section 10(a)(1)(A) permit issued by the Service, or by the State of Florida through the Florida Fish Wildlife Conservation Commission (FWC) for such activities, are permitted to come in contact with an eastern indigo snake.
3. An eastern indigo snake monitoring report must be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
  - a. any sightings of eastern indigo snakes and
  - b. other obligations required by the Florida Fish and Wildlife Conservation Commission, as stipulated in the permit.

Revised February 12, 2004

*Attachment 1*





*James S. Bassett*  
4/11/08

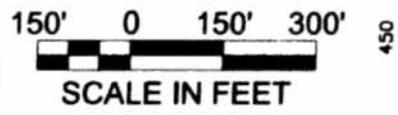
MATCHLINE

*USACE Jurisdictional Wetland*

*USACE Jurisdictional surface water*

*Non Jurisdictional*

109788 38



ENGINEER OF RECORD  
**James S Bassett, P.E.**  
*James S. Bassett*  
Date: 08/28/2007  
Florida License Number: 53124

**Sciences**  
E Sciences, Incorporated  
FL Engineering Lic. #8891  
228 South Hughey Avenue  
Orlando, Florida, 32801  
www.esciencesinc.com  
Fax: 407.481.9827  
Phone: 407.481.9006

**SR415 SEMINOLE COUNTY**  
FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

**OVERVIEW SOUTH**  
SCALE: 1" equals 300'  
DATE: 8/31/2007

FIGURE  
**1**

LIMITS OF CONSTRUCTION

WETLAND LIMIT

W-C

PROPOSED RIGHT OF WAY

PROPOSED RIGHT OF WAY

SURFACE WATER LIMIT

SW-2

SW-2

SURFACE WATER LIMIT

EXISTING RIGHT OF WAY

LIMITS OF CONSTRUCTION

WETLAND LIMIT

460

CONSTRUCTION

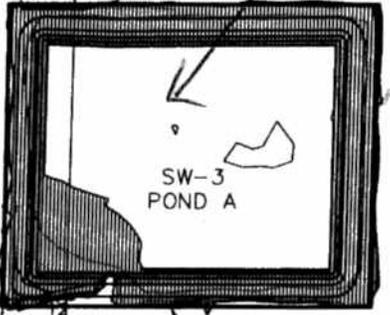
ESMT1

EXISTING RIGHT OF WAY

110

105

10



PROPERTY LIMIT

455

SURVEY SR46

002

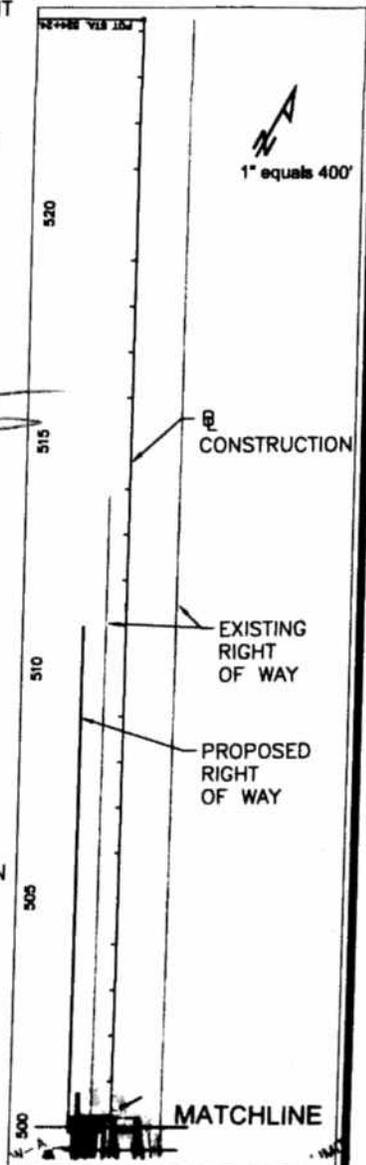
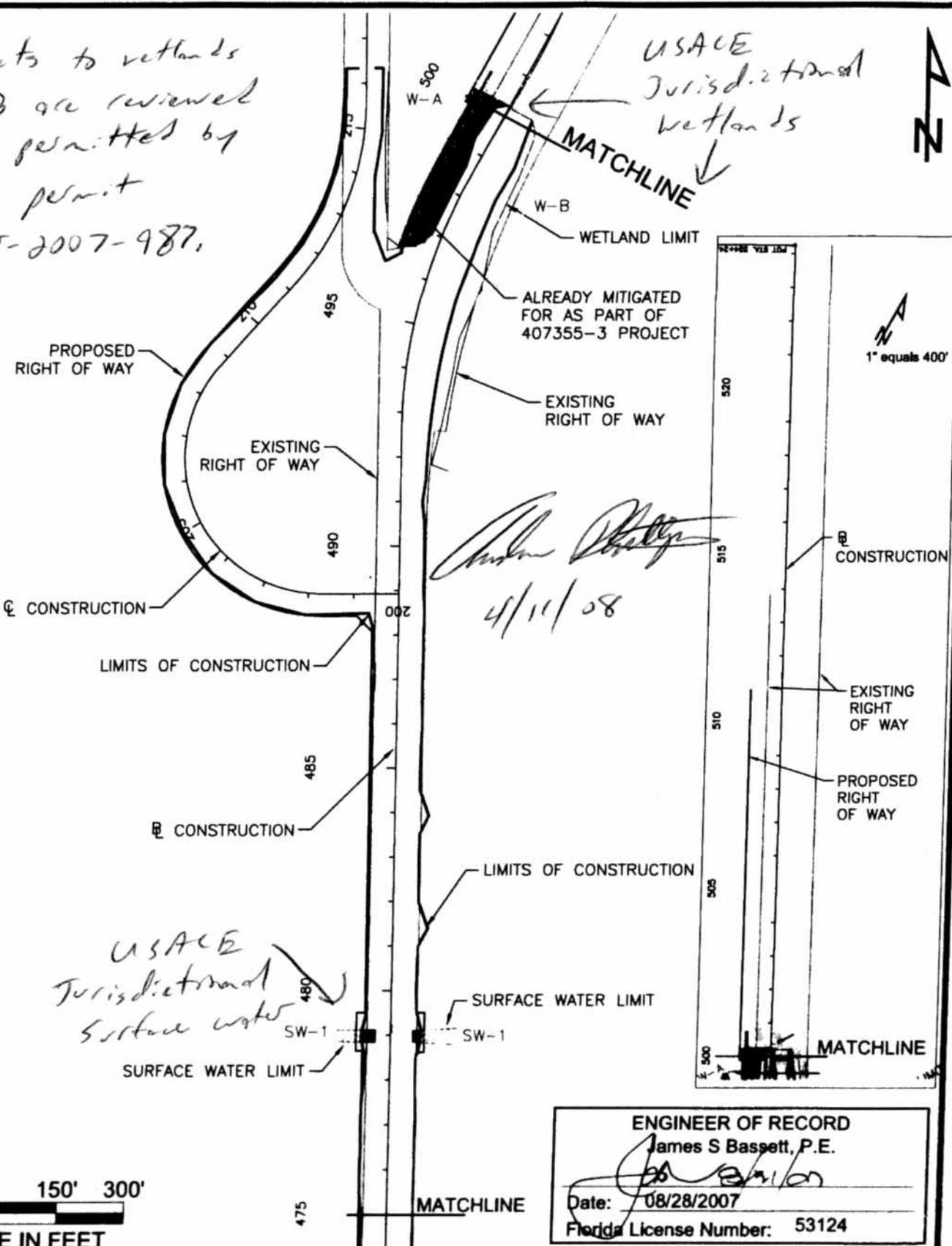
002

012

11

Impacts to wetlands  
 A+B are reviewed  
 and permitted by  
 DA permit  
 SAT-2007-987.

USACE  
 Jurisdictional  
 Wetlands



ENGINEER OF RECORD  
 James S Bassett, P.E.  
 Date: 08/28/2007  
 Florida License Number: 53124

**E Sciences**  
 E Sciences, Incorporated  
 FL Engineering Lic. #9891  
 228 South Hughey Avenue  
 Orlando, Florida, 32801  
 www.esciencesinc.com  
 Fax: 407.481.9827  
 Phone: 407.481.9008

**SR415 SEMINOLE COUNTY**  
 FID 407355-1-52-01  
 S 34, T 19S, R 31E  
 SEMINOLE COUNTY, FL

**OVERVIEW NORTH**  
 SCALE: 1" equals 300'  
 DATE: 8/31/2007

FIGURE  
**2**

DRAWN BY: RCO  
 CHECKED BY: [Signature]  
 PROJECT NUMBER: 1-0780-001



WETLAND LIMIT

110

ESMT1

W-D  
1048.88sf  
PERMANENT FILL

PROPERTY  
LINE

SURFACE WATER  
140,762.3sf  
PERMANENT FILL

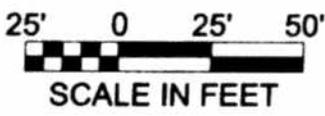
POND A  
SW-3

PERMANENT WATER  
QUALITY IMPACT

ENGINEER OF RECORD  
James S Bassett, P.E.

Date: 08/28/2007

Florida License Number: 53124



SCALE IN FEET



E Sciences, Incorporated  
FL Engineering Lic. #0091  
228 South Hughey Avenue  
Orlando, Florida, 32801  
www.esciencesinc.com  
Fax: 407.481.9827  
Phone: 407.481.9008

**SR415 SEMINOLE COUNTY**

FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

STATION 108+00

FIGURE

**3**

DRAWN BY: RCO	CHECKED BY: <i>[Signature]</i>	PROJECT NUMBER: 1-0780-001
---------------	--------------------------------	----------------------------

SCALE: 1" equals 50'	DATE: 8/31/2007
----------------------	-----------------

P:\Projects\SR415\SR415-01.dwg (11/11/07) 11:00 AM







EXISTING RIGHT OF WAY

EXISTING RIGHT OF WAY

LIMITS OF CONSTRUCTION

PROPOSED RIGHT OF WAY

SURFACE WATER LIMIT

SURFACE WATER LIMIT

SW-1  
879.75sf  
PERMANENT FILL

SW-1  
516.35sf  
PERMANENT FILL

LIMITS OF CONSTRUCTION

PROPOSED RIGHT OF WAY

CONSTRUCTION

477  
478  
479  
480

25' 0 25' 50'

SCALE IN FEET

ENGINEER OF RECORD  
 James S Bassett, P.E.  
*(Signature)*  
 Date: 08/28/2007  
 Florida License Number: 53124

**E Sciences**  
 E Sciences, Incorporated  
 FL Engineering Lic. #6891  
 228 South Hughey Avenue  
 Orlando, Florida, 32801  
 www.esciencesinc.com  
 Fax: 407.481.9827  
 Phone: 407.481.9008

SR415 SEMINOLE COUNTY

FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

STATION 479+00

FIGURE

6

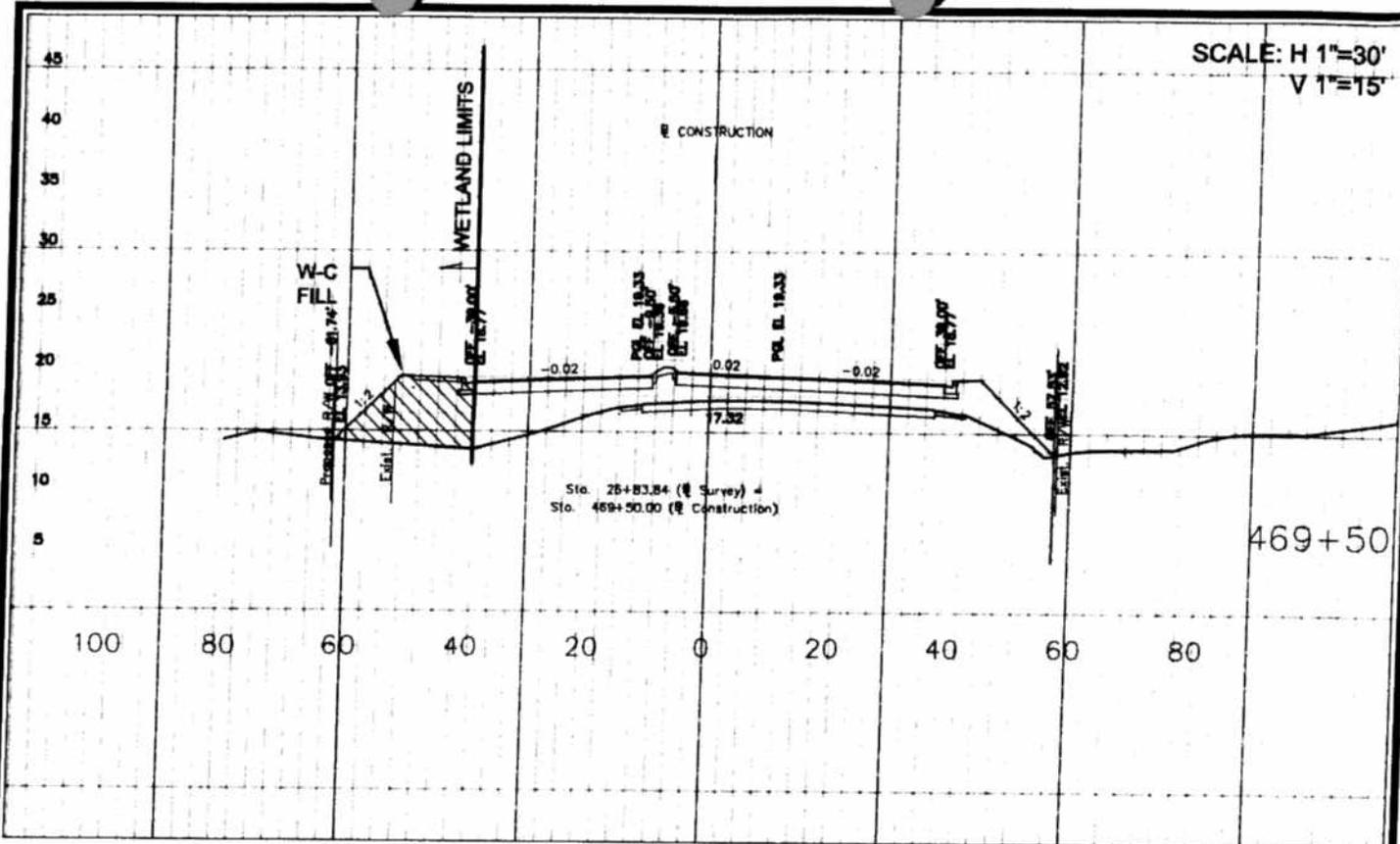
DRAWN BY: RCO  
 CHECKED BY: *(Signature)*  
 PROJECT NUMBER: 1-0780-001

SCALE: 1" equals 50'  
 DATE: 8/31/2007

Project: SR415-08-01-01.dwg, PLOT DATE: 08/31/07, PLOT SCALE: 1"=50', PLOT SHEET: 6 OF 6, PLOT BY: jrb

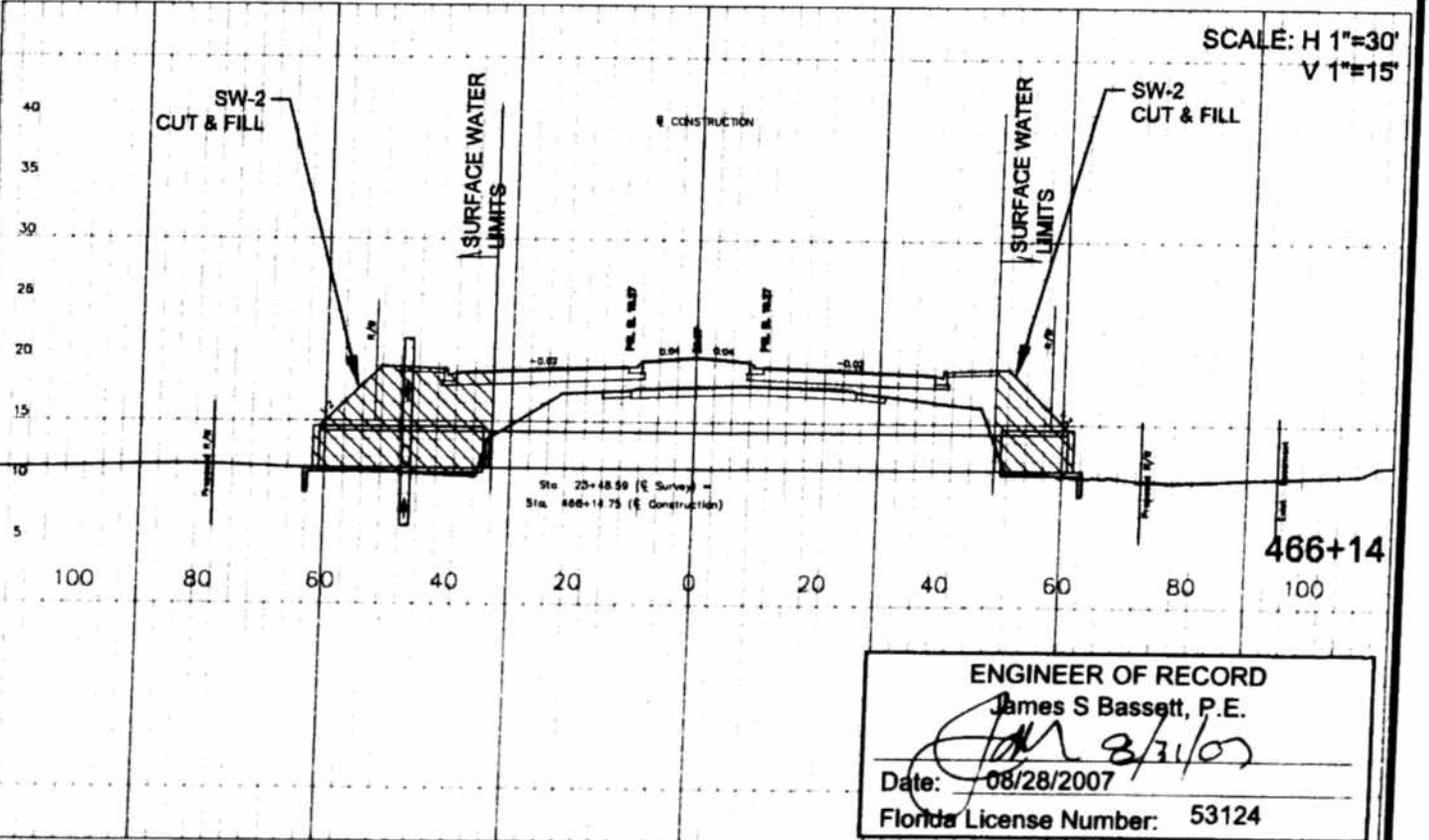


SCALE: H 1"=30'  
V 1"=15'



469+50

SCALE: H 1"=30'  
V 1"=15'



466+14

ENGINEER OF RECORD  
James S Bassett, P.E.  
*[Signature]*  
Date: 08/28/2007  
Florida License Number: 53124



E Sciences, Incorporated  
FL Engineering Lic. #8091  
228 South Hughey Avenue  
Orlando, Florida, 32801  
www.esciencesinc.com  
Fax: 407.481.9827  
Phone: 407.481.9008

SR415 SEMINOLE COUNTY  
FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

CROSS SECTIONS  
466+14 AND 469+50  
SCALE: 1" equals 30'  
DATE: 8/31/2007

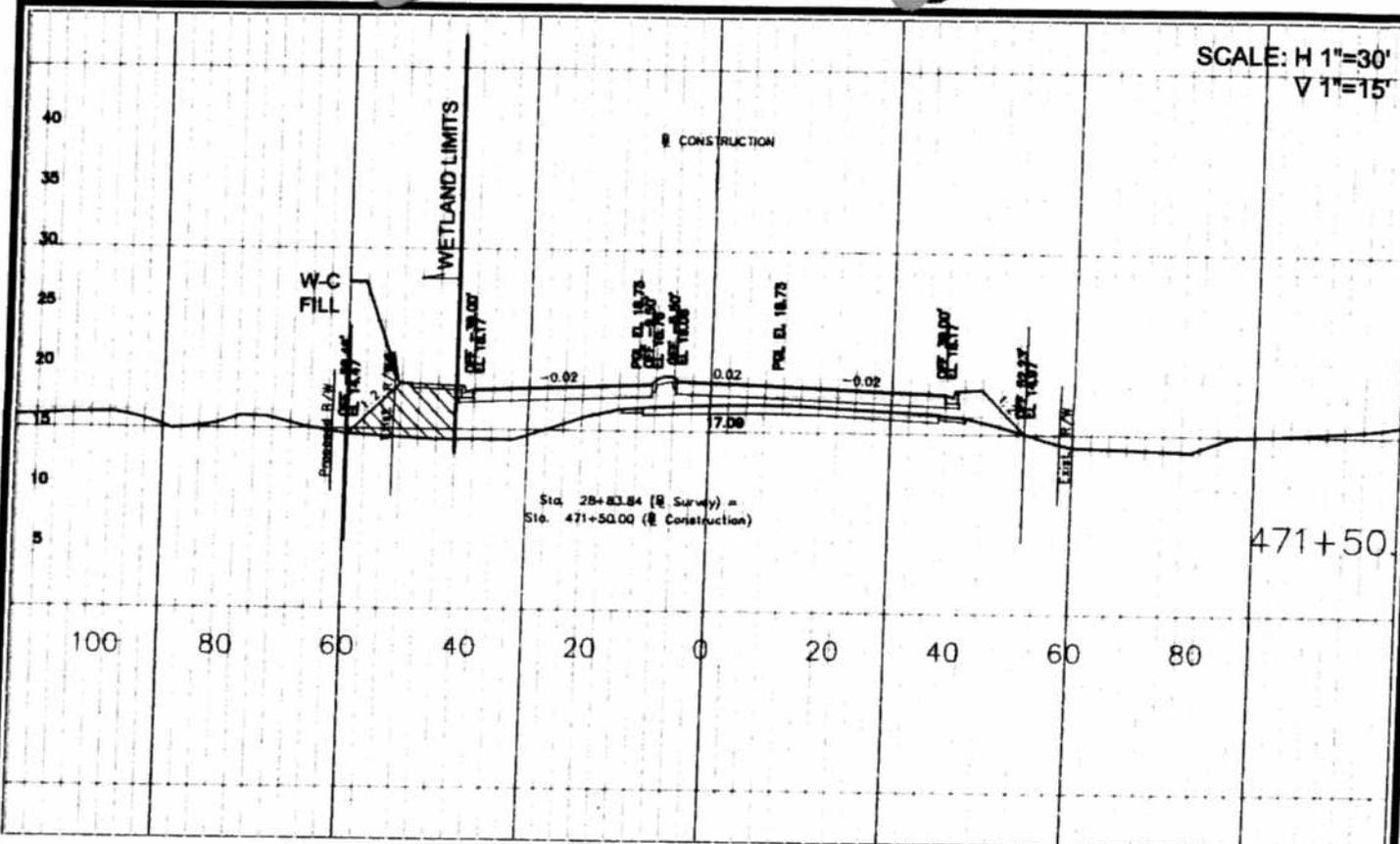
FIGURE  
**8**

DRAWN BY: RCO  
CHECKED BY: [Signature]  
PROJECT NUMBER: 1-0780-001

P:\Projects\SR415\1-0780-001\08-28-07\08-28-07-101-101.dwg (P.L. 10/11/07) (P.L. 10/11/07) (P.L. 10/11/07) (P.L. 10/11/07)

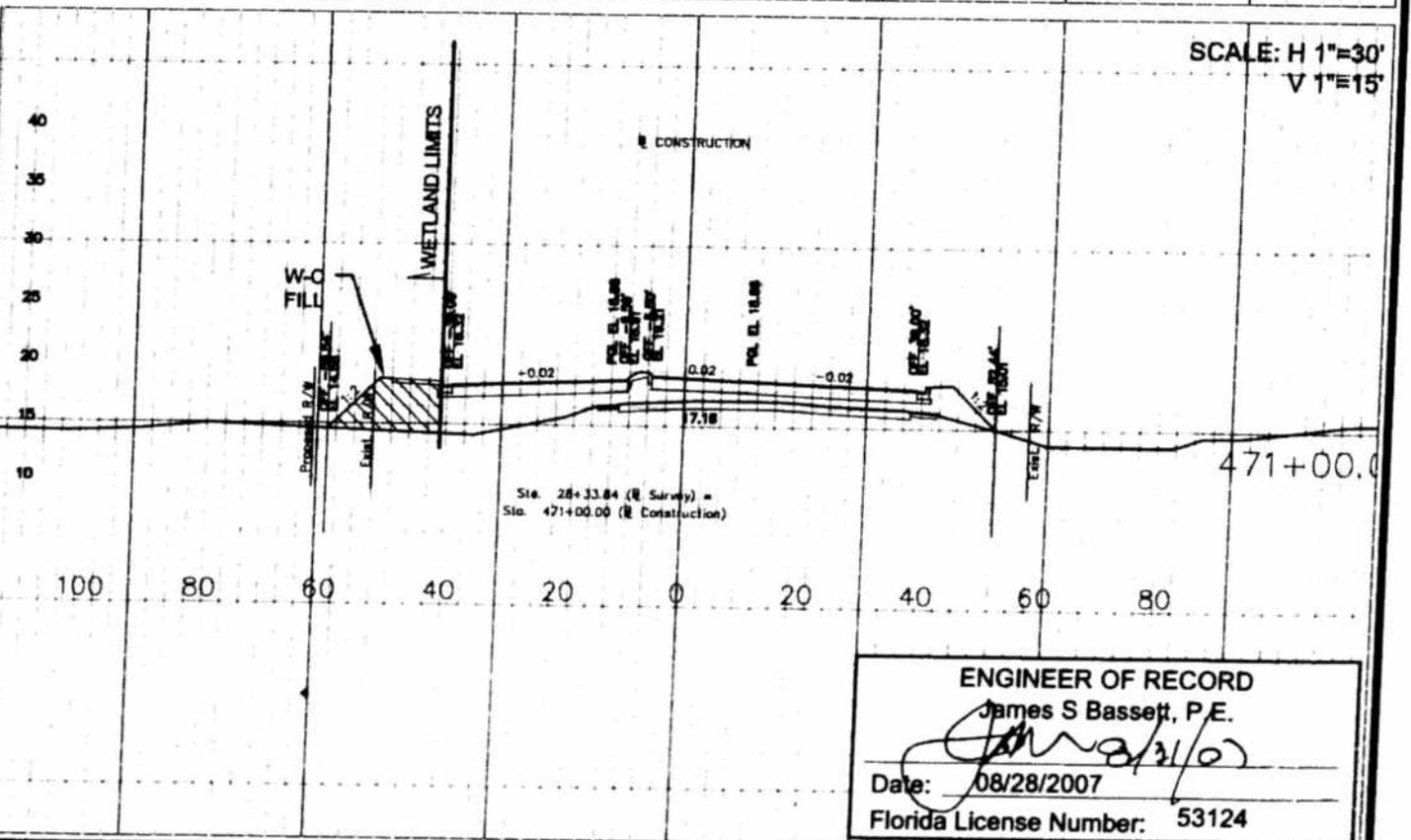


SCALE: H 1"=30'  
V 1"=15'



471+50.0

SCALE: H 1"=30'  
V 1"=15'



471+00.0

ENGINEER OF RECORD  
James S Bassett, P.E.  
*[Signature]*  
Date: 08/28/2007  
Florida License Number: 53124

**E Sciences**  
E Sciences, Incorporated  
FL Engineering Lic. #8891  
228 South Hughey Avenue  
Orlando, Florida, 32801  
www.esciencesinc.com  
Fax: 407.481.9627  
Phone: 407.481.9008

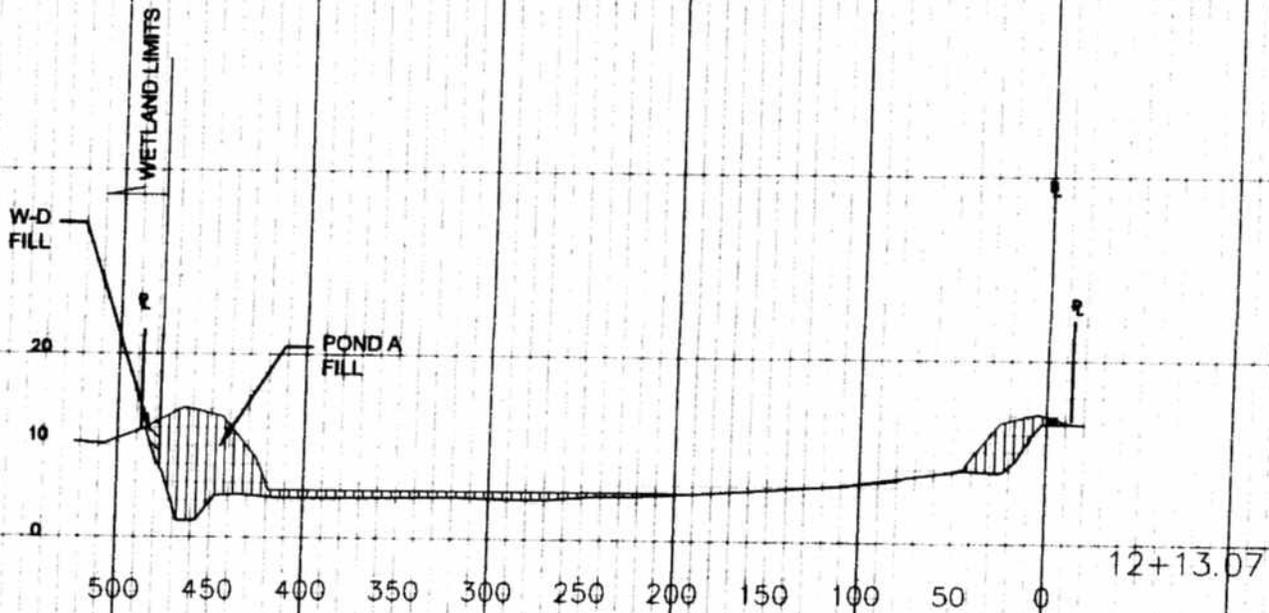
**SR415 SEMINOLE COUNTY**  
FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

**CROSS SECTIONS**  
471+00 AND 471+50  
SCALE: 1" equals 30'  
DATE: 8/31/2007

FIGURE  
**10**

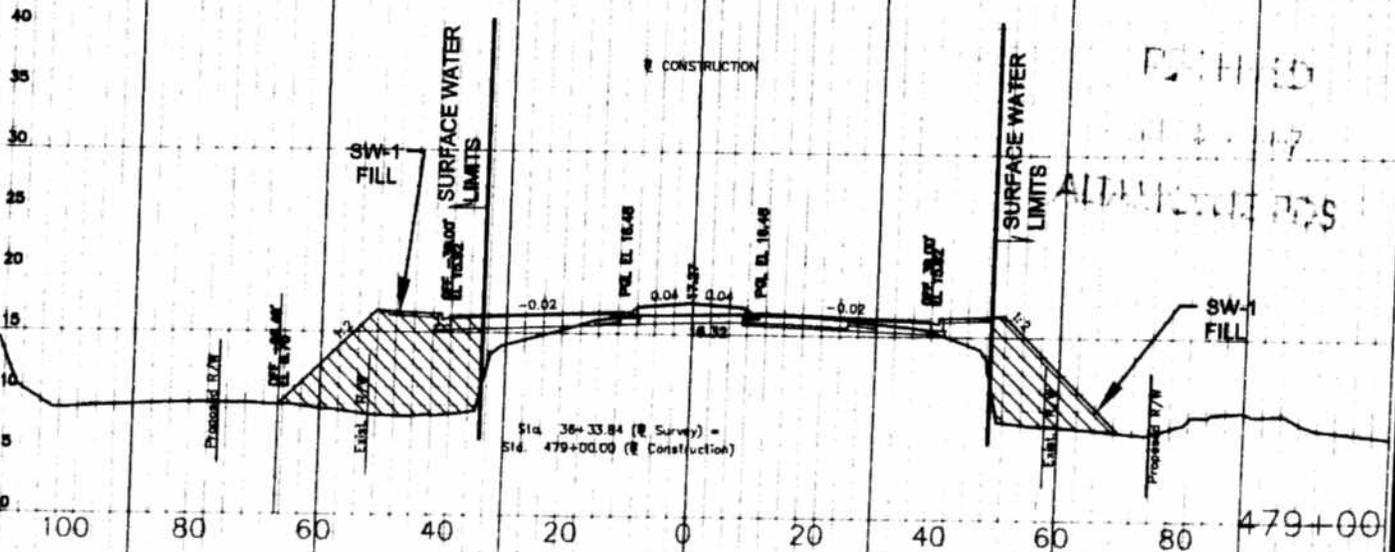
DRAWN BY: RCO  
CHECKED BY: *[Signature]*  
PROJECT NUMBER: 1-0780-001

SCALE: H 1"=100'  
V 1"=10'



109788 3 X

SCALE: H 1"=30'  
V 1"=15'



ENGINEER OF RECORD

James S Bassett, P.E.

Date: 08/28/2007

Florida License Number: 53124



E Sciences, Incorporated  
FL Engineering Lic. #8891  
228 South Hughey Avenue  
Orlando, Florida, 32801  
www.esciencesinc.com  
Fax: 407.481.9827  
Phone: 407.481.9008

SR415 SEMINOLE COUNTY

FID 407355-1-52-01  
S 34, T 19S, R 31E  
SEMINOLE COUNTY, FL

CROSS SECTIONS  
479+00 AND WETLAND D

FIGURE

11

DRAWN BY: RCO  
CHECKED BY:  
PROJECT NUMBER: 1-0780-001

SCALE: 1" equals 30'  
DATE: 8/31/2007

# 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](http://www.micrographicsinc.com)

11 April 2008

MEMORANDUM FOR RECORD

SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

1. For each of the reissued and new Nationwide Permits (NWP), HQUSACE issued a decision document that contains an Environmental Assessment (EA), Statement of Findings, public interest review, and as appropriate, a Section 404(b)(1) Guidelines analysis. The Office of the Chief of Engineers has determined that division and district engineers will impose, as necessary, additional conditions on the NWP authorization or exercise discretionary authority to address locally important factors relating to the public interest, including any potential adverse effects on the human environment, and to ensure that the authorized activity results in no more than minimal individual and cumulative adverse effects on the environment. Supplemental documentation was prepared for the division engineer to address the individual and cumulative effects of the NWP(s) on local resources. On 12 July 2007, the supplemental documentation was issued by the division engineer and the Jacksonville District's proposed regional conditions were approved. Where required by the terms of the permit, general conditions, and/or regional conditions, the Jacksonville District will continue to perform case-specific review to ensure that the NWP will authorize only activities with no more than minimal individual and cumulative adverse effects on the environment and those activities will not be contrary to the public interest.

2. Name and address of applicant: FDOT  
Attn: Patrick Muench  
719 South Woodland Blvd.  
DeLand, Florida 32720

3. Project description: The applicant proposes to fill 0.18 acre of waters of the United States (wetlands) and 0.049 acre of jurisdictional surface waters for widening of State Road (SR) 415 from SR 46 to the southern shore of the St. Johns River. Impacts to Wetland A will be evaluated under Department of the Army permit application SAJ-2007-987(IP-AWP). This verification pertains to wetlands C, D, and surface waters 1, 2, and 3. This activity meets the terms and conditions for authorization under Nationwide Permit 14, as published in the 12 March 2007, issue of the Federal Register (72 FR 11092).

4. Project location: The project is located in Section 34, Township 19 South, Range 31 East, Seminole County, Florida. The on-site wetlands are hydrologically connected to the St. Johns River.

CESAJ-RD-P (1145b)

SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

5. Existing site conditions: The applicant has identified 4 distinct wetland systems within the project footprint. All of the wetlands are forested wetland hardwood systems dominated by laurel oak, sweetgum, red maple, and cabbage palm. Wetlands A and B are associated with the St. Johns River floodplain. Wetland C is hydrologically connected to the St. Johns River via a man made ditch. Two of the three surface waters identified are man made ditches which exhibit an ordinary high water mark and consistent water flow. Wetland D and Surface water 3 are not jurisdictional to the U.S. Army Corps of Engineers due to SWANCC and non-significant nexus.

6. Scope of Analysis: The scope of analysis for this project is limited to the road right-of-way and associated storm water management systems.

7. Alternatives: See Decision Document for Nationwide Permit 14 and 27, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

8. Evaluation of the potential adverse environmental effects (direct, indirect, and cumulative) of the proposed activity: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

9. Mitigation required to ensure that the activity being verified by the U.S. Army Corps of Engineers (Corps) will have no more than minimal adverse effect on environment: No compensatory mitigation is required for this action. The applicant will provide compensatory mitigation under DA permit action SAJ-2007-987(IP-AWP).

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

a. Clean Water Act Section 401 Water Quality Certification (WQC): The SJRWMD issued permit number 4-127-109788-3 at the April 2008 SJRWMD Governing Board Meeting.

b. Coastal Zone Management (CZM) consistency certification: Issuance of WQC will certify the project is consistent with CZM.

CESAJ-RD-P (1145b)

SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

c. Endangered Species Act compliance: The applicant has completed wildlife surveys at both the impact site and the mitigation site. No federally listed species were observed. The Corps has determined the project may affect but is not likely to adversely affect the eastern indigo snake with the including of the *Standard Protection Measure for the Eastern Indigo Snake* during construction activities or the wood stork with the inclusion of compensatory mitigation for the loss of wood stork foraging habitat. This determination was coordinated with the USFWS via letter dated 21 February 2008. USFWS responded via letter dated March 12, 2008, stating they concur with our determination.

d. National Historic Preservation Act (NHPA) compliance: NHPA concerns will be addressed by the placement of a special condition in the verification letter advising Permittee to contact the State Historic Preservation Office prior to initiating work and how to proceed should unexpected cultural resources be encountered.

e. Other authorizations: The Corps has determined the project as proposed will have no impact on Essential Fish Habitat.

11. Special Conditions: The following special conditions will be included in any permit issued and will aid in the reduction and or eliminate of any cumulative or secondary impacts. Within 60 days of completion of the work authorized, the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Army Corps of Engineers. Mail the completed form to the Regulatory Division, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019.

The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those

CESAJ-RD-P (1145b)

SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

eligible for inclusion in the National Register. Prior to the start of work, the Permittee or other party on the Permittee's behalf, shall conduct a search in the National Register Information System (NRIS). Information can be found at; <http://www.cr.nps.gov/nr/research/nris.htm>. Information on properties eligible for inclusion in the National Register can be identified by contacting the Florida Master File Office by email at [fmsfile@dos.state.fl.us](mailto:fmsfile@dos.state.fl.us) or by telephone at 850-245-6440.

If unexpected cultural resources are encountered at any time within the project area that was not the subject of a previous cultural resource assessment survey, work should cease in the immediate vicinity of such discoveries. The permittee, or other party, should notify the SHPO immediately, as well as the appropriate Army Corps of Engineers office. After such notifications, project activities should not resume without verbal and/or written authorization from the SHPO.

If unmarked human remains are encountered, all work shall stop immediately, and the proper authorities notified in accordance with Section 872.05, Florida Statutes, unless on Federal lands. After such notifications, project activities on non-Federal lands shall not resume without verbal and/or written authorization from the Florida State Archaeologist for finds under his or her jurisdiction.

The Permittee agrees to follow the Standard Protection Measures for the Eastern Indigo Snake during construction.

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

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.

CESAJ-RD-P (1145b)

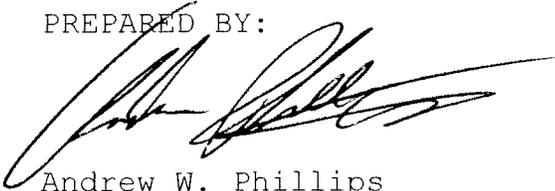
SUBJECT: Statement of Findings/Environmental Assessment/Finding of No Significant Impact/Public Interest Determination

12. Public interest review: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007, and Supplemental Environmental Assessment for Nationwide Permit 14, which was approved by the South Atlantic Division Commander on 12 July 2007.

13. Finding of No Significant Impact: See Decision Document for Nationwide Permit 14, which was approved by the Director of Civil Works on 1 March 2007.

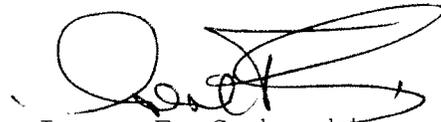
14. Public Interest Determination: This activity, if conducted in accordance with the terms and conditions of the NWP and the special conditions stated in the NWP verification letter, will not be contrary to the public interest.

PREPARED BY:



Andrew W. Phillips  
PROJECT MANAGER

REVIEWED BY:



Irene F. Sadoswki  
Chief, Cocoa Permits Section