

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation, District 2
Attn: Van Humphreys
1109 South Marion Ave.
Lake City, Florida 32025-5874

RECEIVED

AUG 27 2008

Permit No: SAJ-2007-2914 (IP-AWP)

JACKSONVILLE DISTRICT
USACE

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 into 1.8 acres of waters of the United States (1.09 acres of wetlands and 0.71 acres of jurisdictional surface waters) for the widening of SR-16 from two-lanes to four-lanes between International Golf Parkway and CR-16A. The work described above is to be completed in accordance with the 5 attachments affixed at the end of this permit instrument.

Project Location: The project is located along State Road 16 between County Road 16A and International Golf Parkway, in Section 38, Township 06 South, Range 28 East, St. Johns County, Florida. The project as proposed will impact wetlands hydrologically connected to the St. Johns River, specifically Mill Creek.

Directions to site: From the intersection of Interstate-95 and County Road (CR) 208, proceed west on CR-208. At the intersection of CR-208 and State Road (SR) 16 proceed north on CR-16. Project limits occur between International Golf Parkway and CR-16A.

Latitude & Longitude: Latitude 29°58'12.18" North
Longitude 81°30'6.59" West

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Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **August 19, 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.

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6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. **Reporting Address:** All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-2007-2914(IP-AWP), on all submittals.
2. **Commencement Notification:** Within 10 days from the date of initiating the authorized work, the Permittee shall provide to the Corps a written notification of the date of commencement of work authorized by this permit.
3. **Erosion Control:** Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Immediately after completion of the final grading of the land surface, all slopes, land surfaces, and filled areas adjacent to wetlands shall be stabilized using sod, degradable mats, or a combination of similar stabilizing materials to prevent erosion. The erosion control measures shall remain in place and be maintained until all authorized work has been completed and the site has been stabilized.
4. **Compensatory Mitigation:** The mitigation site is located on the south side of Six Mile Creek in Section 31, Township 6 South, Range 28 East, St. Johns County, Florida. The site is approximately 2.5 miles west of the project area. Within 6 months from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall complete the following mitigation objectives in accordance with the approved compensatory mitigation plan (Attachment 2).

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a. Offsite Mitigation

(1) Upland Enhancement: The applicant will selectively thin planted pines to restore the upland buffer to a natural community.

(2) Wetland Enhancement: The applicant will implement a wetland management plan to include site protection, trash removal, and exotic vegetation monitoring and removal.

(3) Upland and Wetland Preservation: Secure a conservation easement granted in favor of the St. Johns River Water Management District to include preservation of 20.14 acres of forested wetlands and 2.05 acres of uplands.

The offsite compensatory mitigation area shall be preserved in perpetuity. These natural preserve areas will not be disturbed by any dredging, filling, land clearing, agricultural activities, planting, or any other construction work whatsoever with the exception of the required restoration. The Permittee agrees that the only future utilization of the preserved areas in question will be as purely natural areas.

5. **Performance Standards:** To meet the objectives of the approved compensatory mitigation plan, the Permittee shall achieve the following performance standards:

a. At least 80 percent cover by appropriate wetland species (i.e., FAC or wetter).

b. Cover of Category I and II invasive exotic plant species, pursuant to the most current list established by the Florida Exotic Pest Plant Council at <http://www.fleppc.org>, and the nuisance species primrose willow (*Ludwigia peruviana*), dogfennel (*Eupatorium capillifolium*), Bermudagrass (*Cynodon* spp.), Bahiagrass (*Paspalum notatum*), and cattail (*Typha* spp.) shall total less than 5 percent.

c. Less than 20 percent mortality of planted wetland species.

The Permittee shall achieve the above performance standards by the end of the 5-year monitoring period, with no maintenance

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during the 5th year of monitoring. In the event that the above performance standards have not been achieved, the Permittee shall undertake a remediation program approved by the Corps in accordance with the **Remediation** Special Condition of this permit.

6. **Monitoring and Reporting Timeframes:** To show compliance with the performance standards the Permittee shall complete the following:

a. Perform a time-zero monitoring event of the wetland mitigation area(s) within 60 days of completion of the compensatory mitigation objectives identified in the **Compensatory Mitigation** Special Condition of this permit.

b. Submit the time-zero report to the Corps within 60 days of completion of the monitoring event. The report will include at least one paragraph depicting baseline conditions of the mitigation site(s) prior to initiation of the compensatory mitigation objectives and a detailed plan view drawing of all created, enhanced and/or restored mitigation areas.

c. Subsequent to completion of the compensatory mitigation objectives, perform semi-annual monitoring of the wetland mitigation areas for the first 3 years and annual monitoring thereafter for a total of no less than 5 years of monitoring.

d. Submit annual monitoring reports to the Corps within 60 days of completion of the monitoring event. Semi-annual monitoring will be combined into one annual monitoring report.

e. Monitor the mitigation area(s) and submit annual monitoring reports to the Corps until released in accordance with the **Mitigation Release** Special Condition of this permit.

7. **Reporting Format:** Annual monitoring reports shall follow a 10-page maximum report format for assessing compensatory mitigation sites. The Permittee shall submit all documentation to the Corps on 8½-inch by 11-inch paper, and include the following:

a. Project Overview (1 Page):

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- (1) Department of the Army Permit Number
- (2) Name and contact information of Permittee and consultant
- (3) Name of party responsible for conducting the monitoring and the date(s) the inspection was conducted
- (4) A summary paragraph defining the purpose for the approved project, acreage and type of aquatic resources impacted, and mitigation acreage and type of aquatic resources authorized to compensate for the aquatic impacts
- (5) Written description on the location and any identifiable information to locate the site perimeter(s)
- (6) Directions to the mitigation site (from a major highway)
- (7) Dates compensatory mitigation commenced and/or was completed
- (8) Short statement on whether the performance standards are being met
- (9) Dates of any recent corrective or maintenance activities conducted since the previous report submission
- (10) Specific recommendations for any additional corrective or remedial actions.

b. Requirements (1 page): List the monitoring requirements and performance standards, as specified in the approved mitigation plan and special conditions of this permit, and evaluate whether the compensatory mitigation project site is successfully achieving the approved performance standards or trending towards success.

c. Summary Data (maximum of 4 pages): Data shall be provided to substantiate the success and/or potential challenges associated with the compensatory mitigation project. Any photo documentation shall be dated and clearly labeled with the

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direction from which the photo was taken, and be identified on the appropriate maps.

d. Maps (maximum of 3 pages): Maps shall be provided to show the location of the compensatory mitigation site relative to other landscape features, habitat types, locations of photographic reference points, transects, sampling data points, and/or other features pertinent to the mitigation plan.

e. Conclusions (1 page): A general statement shall be included describing the conditions of the compensatory mitigation project. If performance standards are not being met, a brief explanation of the difficulties and potential remedial actions proposed by the Permittee, including a timetable, shall be provided.

8. **Mitigation Release:** The Permittee's responsibility to complete the required compensatory mitigation, as set forth in the **Compensatory Mitigation** Special Condition of this permit will not be considered fulfilled until mitigation success has been demonstrated and written verification has been provided by the Corps. A mitigation area which has been released will require no further monitoring or reporting by the Permittee; however the Permittee, Successors and subsequent Transferees remain perpetually responsible to ensure that the mitigation area(s) remain in a condition appropriate to offset the authorized impacts in accordance with General Condition 2 of this permit.

9. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall submit as-built drawings of the authorized work and a completed As-Built Certification Form (Attachment 4) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

a. A plan view drawing of the location of the authorized work footprint (as shown on the permit drawings) with an overlay of the work as constructed in the same scale as the attached permit drawings (8½-inch by 11-inch). The drawing should show all "earth disturbance," including wetland impacts, water management structures, and any on-site mitigation areas.

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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.

10. **Fill Material:** 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.

11. The Permittee agrees to follow the Eastern Indigo Snake Protection Measures included as attachment 5.

Further Information:

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

() 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).

2. Limits of this authorization.

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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.



(PERMITTEE)

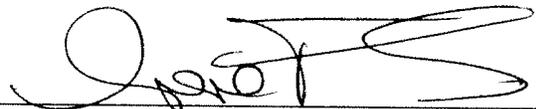
8-22-08

(DATE)

Van Humphreys

(PERMITTEE/NAME-PRINTED)

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



(DISTRICT ENGINEER)

AUG 28 2008

(DATE)

fy
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.

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

(CITY, STATE, AND ZIP CODE)

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***Attachments to Department of the Army
Permit Number SAJ-2007-2914 (IP-AWP)***

1. PERMIT DRAWINGS: 8 pages, dated 7/16/07

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. pages.

3. Mitigation Procedures: 6 pages

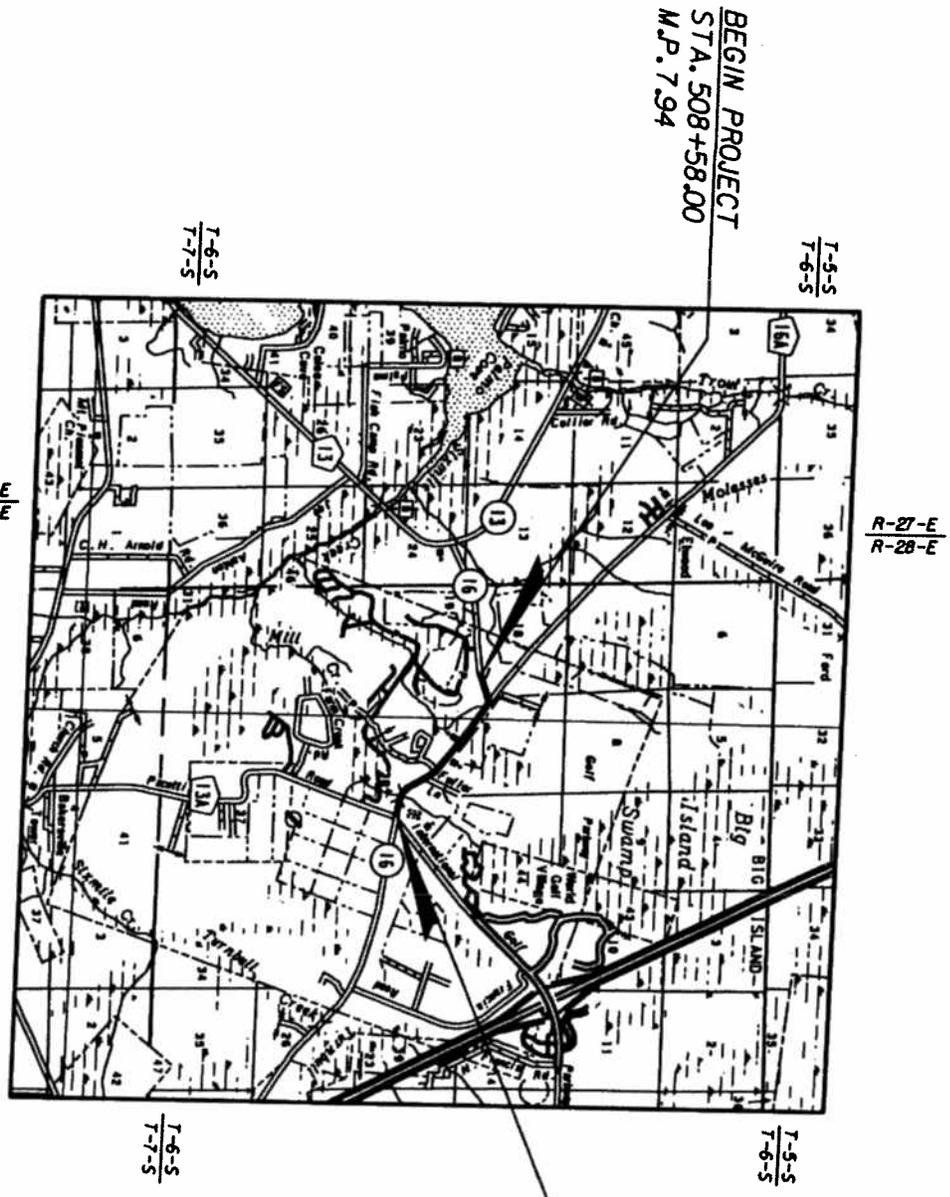
4. As-Built Certification: 1 page

5. Eastern Indio Snake Protection Measures: 1 pages


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VICINITY MAP
S.R. 16 / C.R. 16A TO INTERNATIONAL GOLF PARKWAY

SECTION: 38, TOWNSHIP: 6-S, RANGE: 28-E

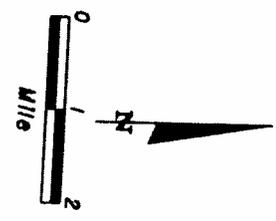


BEGIN PROJECT
 STA. 508+58.00
 M.P. 7.94

END PROJECT
 STA. 588+96.00
 M.P. 9.40

U.S. Army Corps of Engineers
 Permit # SAT-2007-2914
 Date: AUG 06 2008
 Attachment: 2

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 Date: JUL 16 2007
 Sheet 1 of 8



WETLAND RECOURSE PLAN
S.R. 16 WIDENING PROJECT

LEGEND

-  Upland Cut Ditch Impacts (NWD Jurisdictional)
FLUCFCS 511 - 4.67 AC
-  Upland Cut Ditch Not Impacted (NWD Jurisdictional)
FLUCFCS 511 - 0.76 AC
-  Wetland Cut Ditch Impacts (NWD + COE Jurisdictional)
FLUCFCS 511 - 0.39 AC
-  Natural Wetland Impacts (NWD + COE Jurisdictional)
FLUCFCS 615 + 630 - 1.09 AC
-  Natural Wetlands Not Impacted (NWD + COE Jurisdictional)
FLUCFCS 615 - 0.32 AC

ABBREVIATIONS

- WMD =
 - COE =
 - FLUCFCS =
 - 511 =
 - 615 =
 - 630 =
- ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
U. S. ARMY CORPS OF ENGINEERS
FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM
DITCH
STREAM SWAMP
MIXED FORESTED WETLAND



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WETLAND RESOURCE PLAN

LEGEND

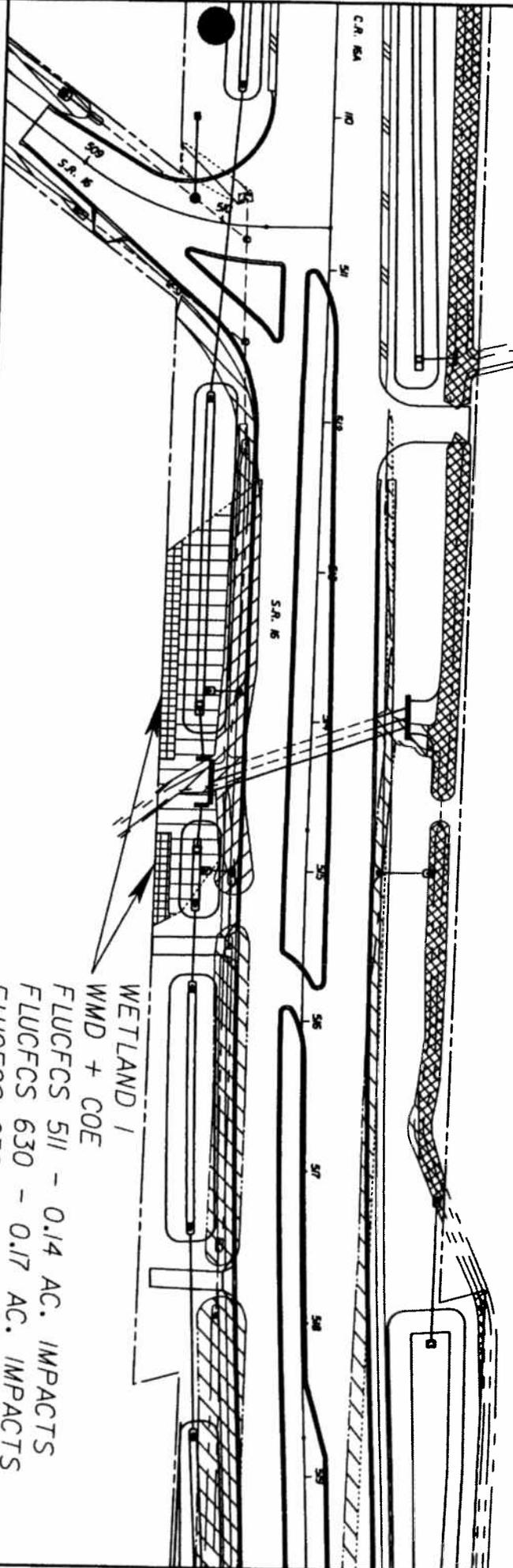
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WETLAND 1
WMD + COE
FLUCFCS 511 - 0.14 AC. IMPACTS
FLUCFCS 630 - 0.17 AC. IMPACTS
FLUCFCS 630 - 0.05 AC. NON-IMPACTS

WETLAND RESOURCE PLAN

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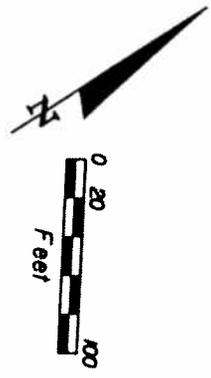
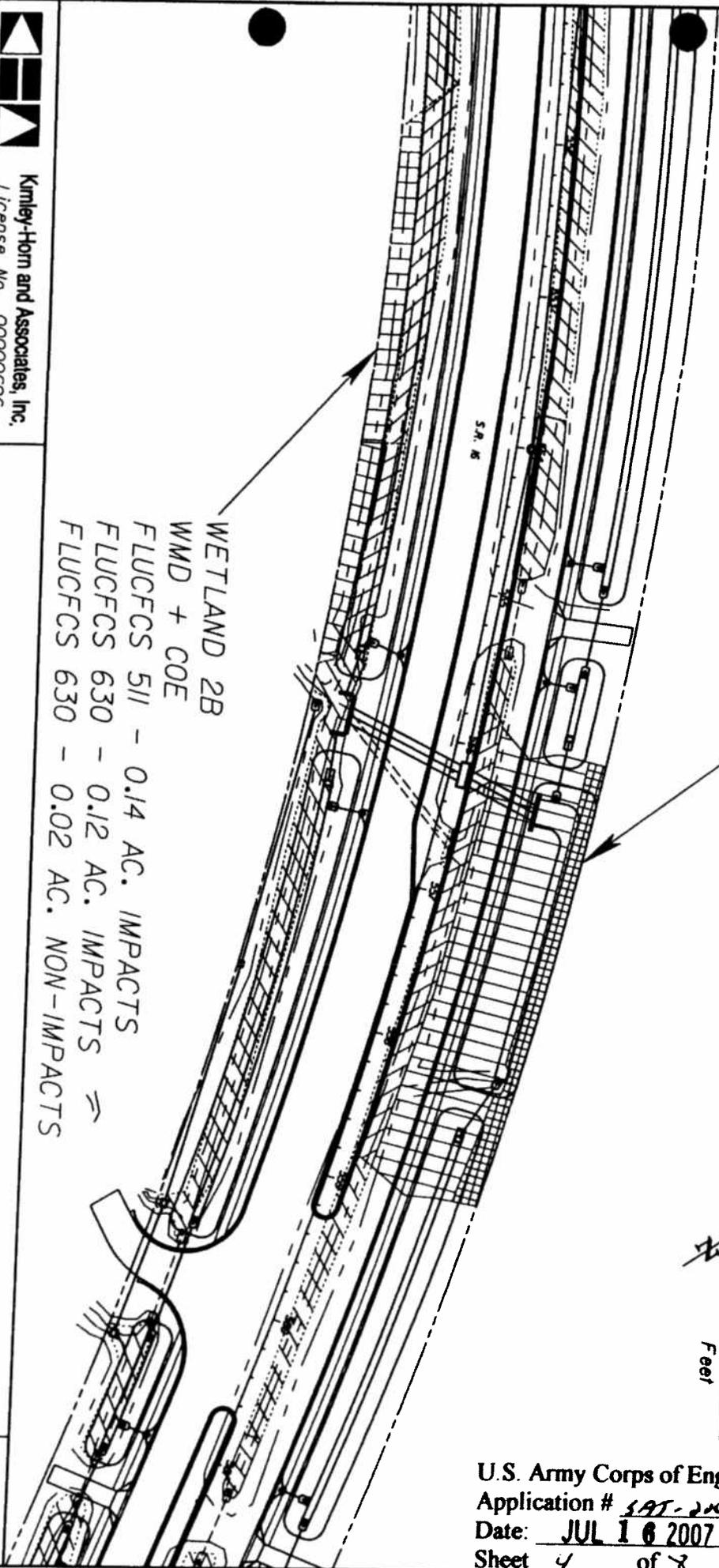
8657 Boypine Road Suite 300
Jacksonville, Florida 32256



Exhibit 1

WETLAND 2A
 WMD + COE
 FLUCFCS 511 - 0.11 AC. IMPACTS
 FLUCFCS 630 - 0.42 AC. IMPACTS
 FLUCFCS 630 - 0.08 AC. NON-IMPACTS

WETLAND 2B
 WMD + COE
 FLUCFCS 511 - 0.14 AC. IMPACTS
 FLUCFCS 630 - 0.12 AC. IMPACTS
 FLUCFCS 630 - 0.02 AC. NON-IMPACTS



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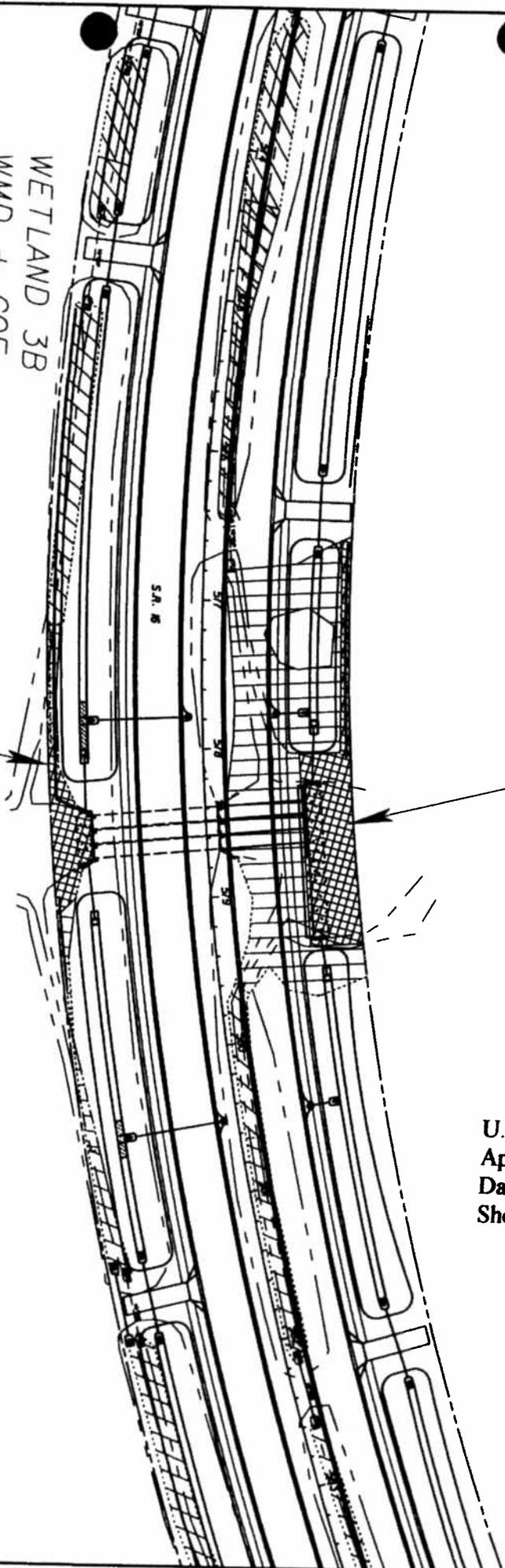
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WETLAND RESOURCE PLAN

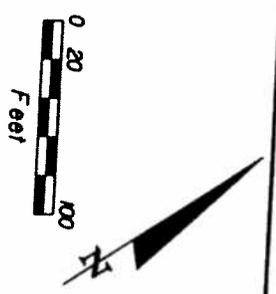
Exhibit 2

WETLAND 3A
 WMD + COE
 FLUCFCS 615 - 0.37 AC. IMPACTS
 FLUCFCS 615 - 0.12 AC. NON-IMPACTS

WETLAND 3B
 WMD + COE
 FLUCFCS 615 - 0.01 AC. IMPACTS
 FLUCFCS 615 - 0.05 AC. NON-IMPACTS



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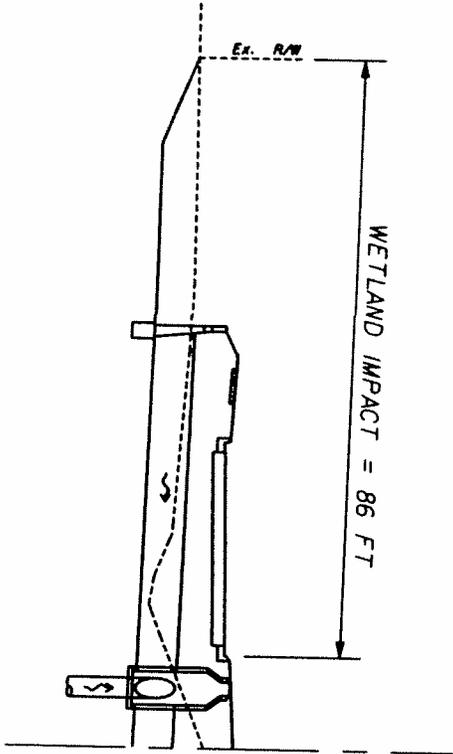



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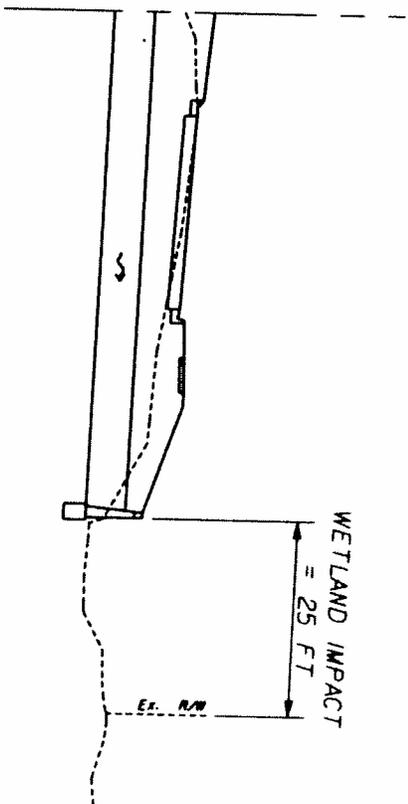
WETLAND RESOURCE PLAN

Exhibit 3

STA. 556+34.20 (LT)



STA. 555+96.78 (RT)



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WETLAND IMPACT CROSS-SECTION

EXHIBIT 4

Charleston

5/25/2007

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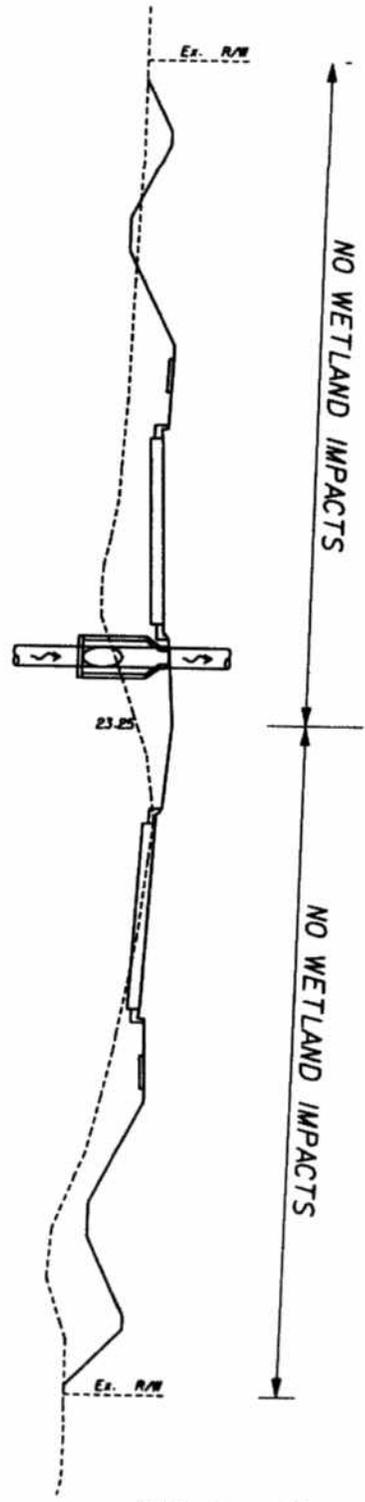
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WETLAND IMPACT CROSS-SECTION

EXHIBIT 5

STA. 554+00.00



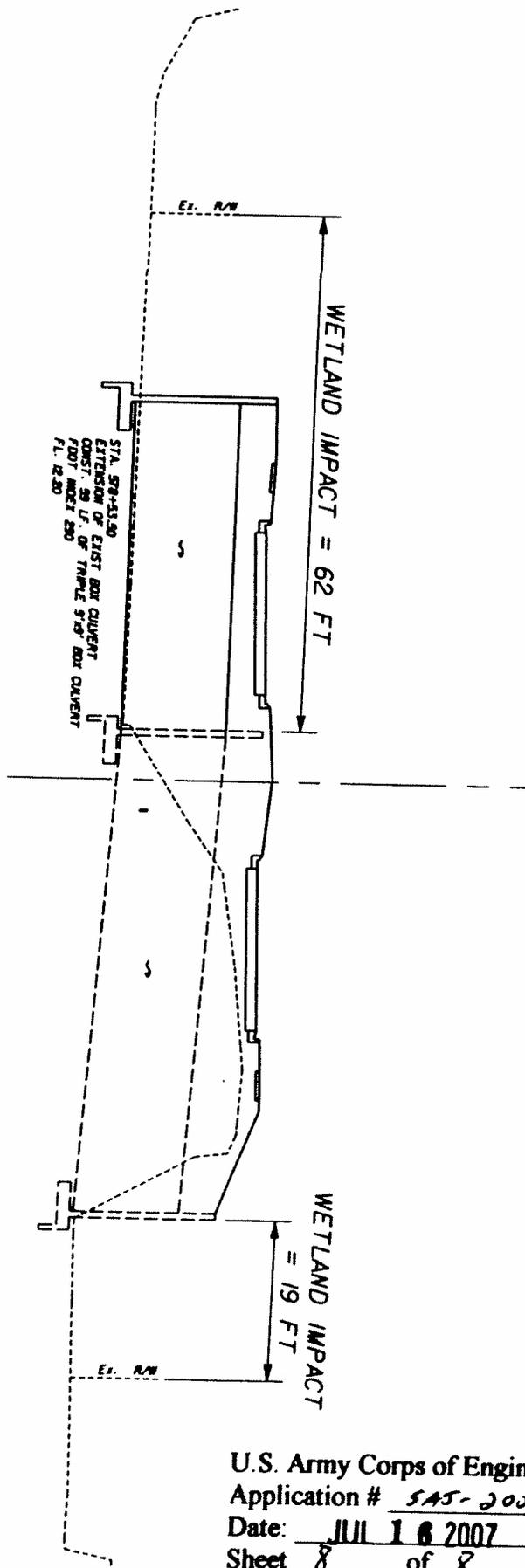
U.S. Army Corps of Engineers
Application # SAT-2007-2714
Date: JUL 16 2007
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WETLAND IMPACT CROSS-SECTION

EXHIBIT 6



U.S. Army Corps of Engineers
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charlie.tran

5/25/2007

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D:\044821000_SRF6\permits\WETLAND RE

S.R. 16 ROAD WIDENING

REVISED MITIGATION PLAN – MARCH 25, 2008 FOR THE U.S. ARMY CORPS OF ENGINEERS

1.0 INTRODUCTION

This report provides a revised wetland mitigation plan for the S.R. 16 Road Widening project located in St. Johns County, Florida. The original permit application proposed mitigation through the purchase of credits from the Tupelo Mitigation Bank. At this time, the mitigation bank has no credits available for purchase. The revised mitigation plan proposes the use of upland and wetland preservation within a 54.20 acre tract of land identified as Tract B. The tract is located along the south side of Six Mile Creek in Township 6 South, Range 28 East, Section 31 (see attached Picolata Quad Map and aerial photo) and is approximately 2.5 miles to the west of the project area.

2.0 UMAM ASSESSMENT

A UMAM assessment has been performed on the wetland impact areas and the mitigation area. A summary table of the functional loss and functional gain is attached. The three forested wetland impact areas have been evaluated separately. The wetland-cut ditches have been evaluated together, as are the secondary impacts. The majority of the wetland impact areas are rated in the minimal range, primarily due to man-made disturbances within and adjacent to the wetlands. No mitigation is proposed for impacts to the upland-cut ditches because the drainage functions will be maintained with the proposed stormwater treatment system.

3.0 MITIGATION PLAN

Mitigation for the wetland impacts is proposed through the preservation of approximately 22.19 acres within Tract B (see attached map). A legal description will be prepared upon approval of the mitigation plan by the regulatory agencies. The wetlands consist of a mature, bottomland swamp community (19.54 acres) that fronts directly on a portion of Six Mile Creek and a small (0.60 acres) portion of a pine plantation and hardwood community. The uplands consist of a hardwood hammock (0.84 acres) and a pine plantation (1.21 acres). The upland pine plantation community will be enhanced through selective thinning of the planted pines. The pines will be thinned with hand-held equipment leaving trees on an approximate 25.0 ft. by 25.0 ft. spacing. Hardwoods will be allowed to recruit naturally into the area allowing for the establishment of a mixed forested community. The preservation area will be recorded under a conservation easement that will be granted to the St. Johns River Water Management District.

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Date: AUG 06 2008
Attachment: 2



4.0 MANAGEMENT PLAN

A management plan is proposed to assure the success of the mitigation plan. The following items will be performed under the management plan:

- No trespassing signs will be posted along the western property boundary to discourage dumping and other disturbances by adjacent residents.
- The site will be reviewed on a bi-annual basis by the applicant's property manager to monitor for trespassing activities and the condition of the vegetation.
- Any discarded materials will be removed from the site and taken to an appropriate disposal area.
- Any exotic vegetation that invades the site will be removed, to the extent possible, by hand-clearing methods. No controlled burning is planned because the site is intended to support a mixture of hardwood trees and shrubs along with the existing pines.

Impacts S.R. 16 Widening

3/24/2008

U.S. ARMY CORPS OF ENGINEERS

Habitat Type

	Location and Landscape Support		Water Environment		Community Structure		Acres	Functional Loss
	before	after	before	after	before	after		
1	4	0	4	0	4	0	0.17	0.0680
2	4	0	4	0	7	0	0.54	0.2700
3	7	0	8	0	8	0	0.38	0.2913
4	2	0	4	0	2	0	0.39	0.1040
5	6	4	6	6	8	8	4.76	0.3173
6								0.0000
7								0.0000
8								0.0000
9								0.0000
10								0.0000

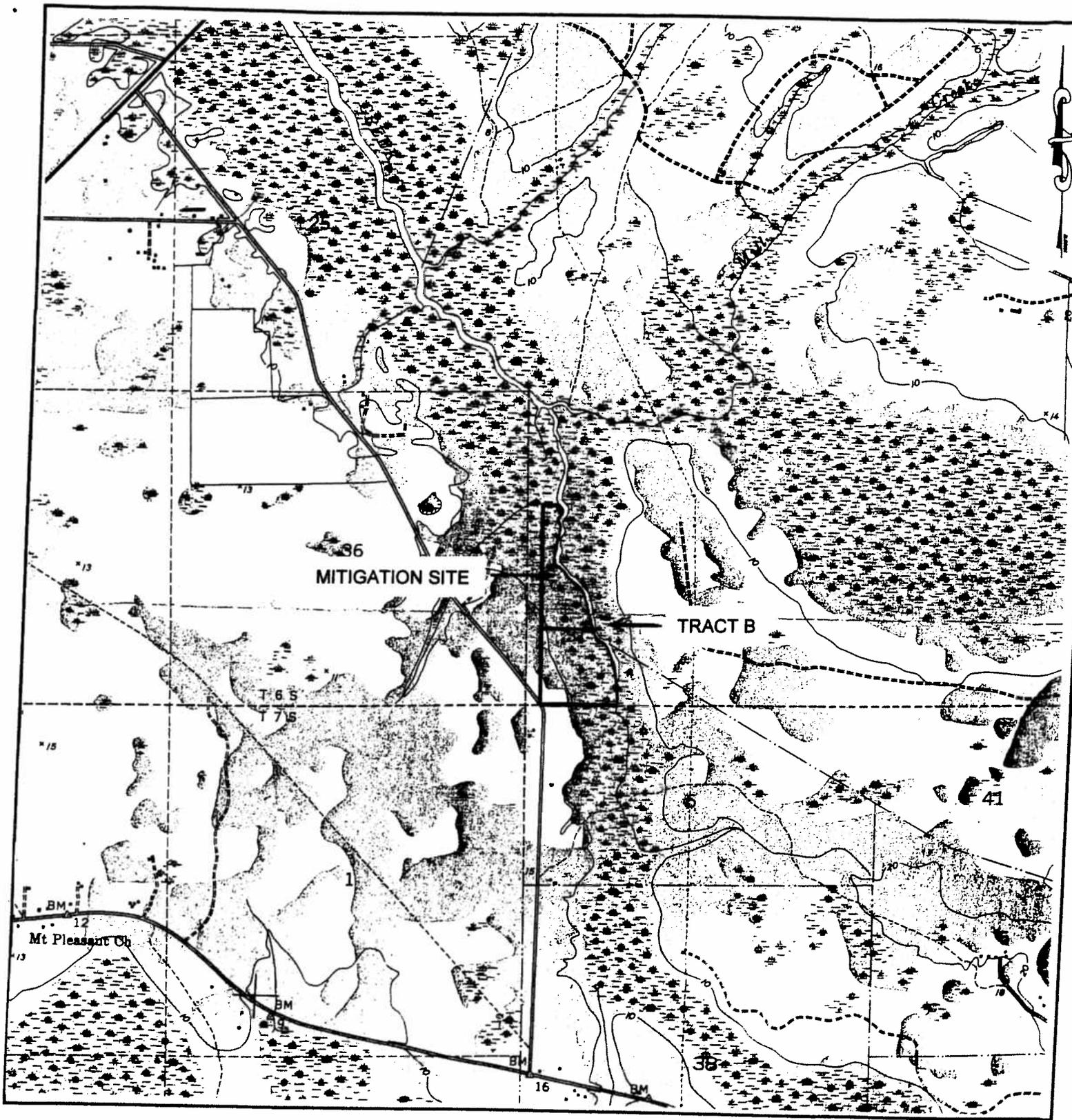
Total Functional Loss Units 1.051

Total Functional Gain Units 1.056

Total Impact Acres
Wetland Acres Provided
Upland Acres Provided

Mitigation Habitat Type

	Location and Landscape Support		Water Environment		Community Structure		Time Lag	Risk Factor	Preservation Adjustment Factor	Relative Functional Gain	Acres Provided	Functional Gain Units
	before	after	before	after	before	after						
1	8	10	10	10	10	10	1	1.25	0.8	0.0427	19.54	0.8337
2	8	10	10	10	10	10	1	1.25	0.8	0.0427	0.6	0.0256
3							1	1		0.0000		0.0000
4							1	1		0.0000		0.0000
5							1	1		0.0000		0.0000
6							1	1		0.0000		0.0000
7							1	1		0.0000		0.0000
8							1	1		0.0000		0.0000
9							1	1		0.0000		0.0000
10							1	1		0.0000		0.0000
u1	8	9	x	x			1	1		0.0000		0.0000
u2	8	9	x	x	7	9	1	1.25	0.8	0.0960	0.84	0.0806
u3			x	x	7	9	1	1.25	0.8	0.0960	1.21	0.1162
u4			x	x			1	1		0.0000		0.0000
u5			x	x			1	1		0.0000		0.0000



**HAKALA &
ASSOCIATES, INC.**

1135 Natures Hammock Rd. N.
Fruit Cove, Florida 32259
(904) 230-9113

PICOLATA QUAD MAP
S.R. 16 MITIGATION SITE

DRAWN BY USGS

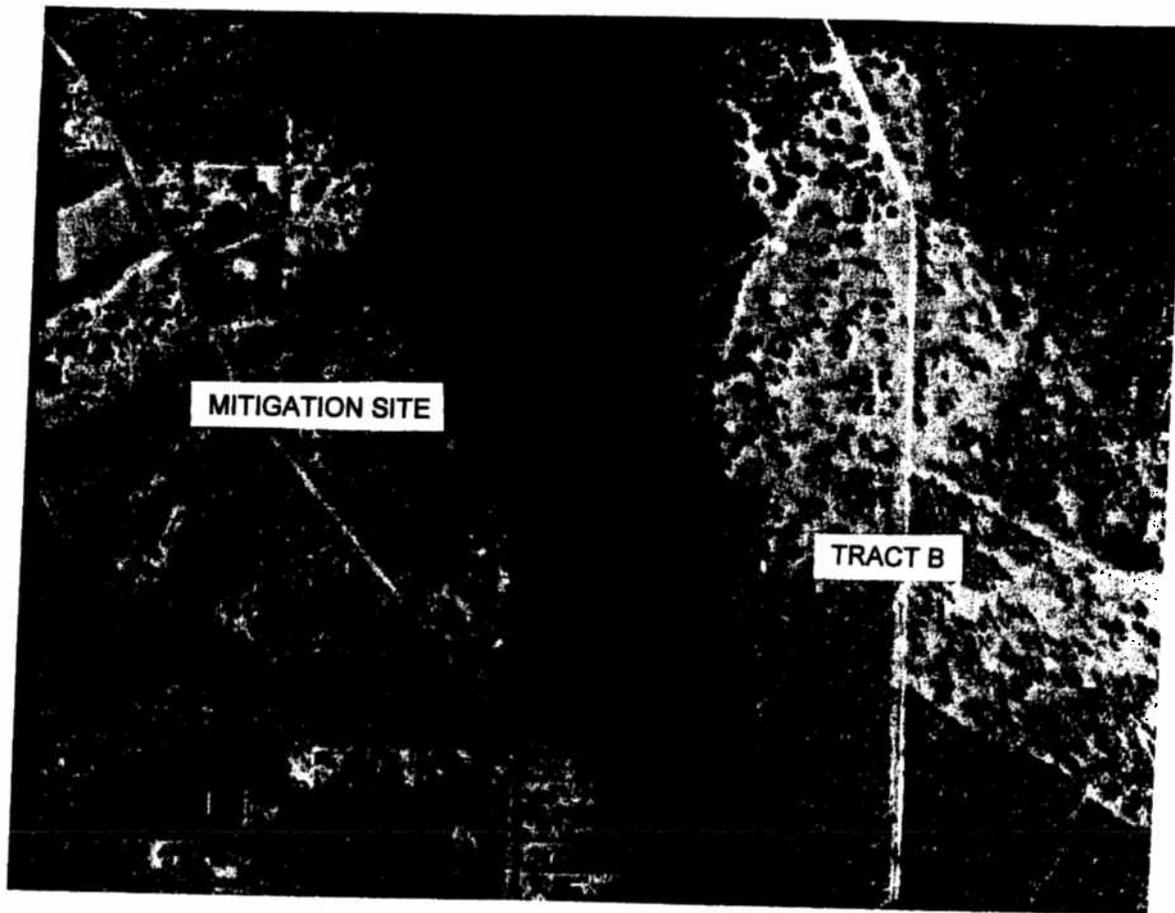
DESIGNED BY _____

PROJECT NO. 04-044.1

SCALE 1" = 2000'

DATE 3/25/08

SHEET _____ OF _____



MITIGATION SITE

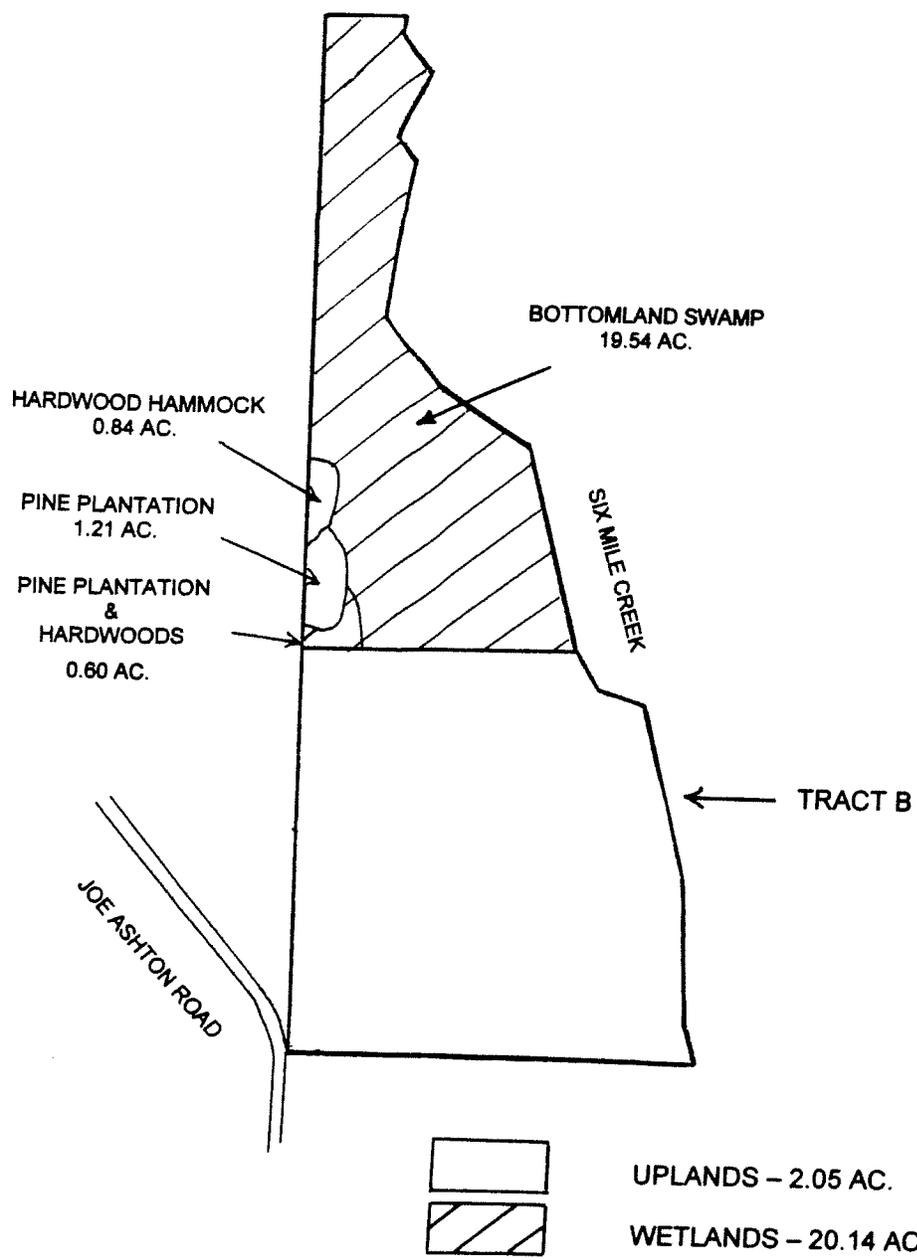
TRACT B

**HAKALA &
ASSOCIATES, INC.**

1135 Natures Hammock Rd. N.
Fruit Cove, Florida 32259
(904) 230-9113

AERIAL PHOTO
S.R. 16 MITIGATION SITE

DRAWN BY WMD
DESIGNED BY _____
PROJECT NO. 04-044.1
SCALE NTS
DATE 3/25/08
SHEET _____ OF _____



**HAKALA &
ASSOCIATES, INC.**

1135 Natures Hammock Rd. N.
Fruit Cove, Florida 32259
(904) 230-9113

UPLANDS & WETLANDS
FOR
S.R. 16 MITIGATION SITE
22.19 ACRES

DRAWN BY SPH

DESIGNED BY _____

PROJECT NO. 04-044.1

SCALE 1" = 600'

DATE 3/25/08

SHEET _____ OF _____

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO. 4-109-110931-1

DATE ISSUED: August 12, 2008

PROJECT NAME: SR 16 (SR 16A to International Golf Parkway)

A PERMIT AUTHORIZING:

Construction of a surface water management system with stormwater treatment by dry detention and retention for SR 16 Roadway Reconstruction, a 33.94-acre project to add two travel lanes and sidewalks, which will have 6.15 acres of wetland/surface water impacts.

LOCATION:

Section(s): 38

Township(s): 6S

Range(s): 28E

St. Johns County

ISSUED TO:

Florida Department of Transportation
1109 S Marion St
Lake City, FL 32025

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated August 12, 2008

AUTHORIZED BY: St. Johns River Water Management District

Department of Water Resources

Governing Board

By:


Jeff Elledge
(Director)

By:


Kirby B. Green III
(Assistant Secretary)

U.S. Army Corps of Engineers
Permit # SAT-2007-2914
Date: AUG 15 2008
Attachment: 2



"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-109-110931-1
FLORIDA DEPARTMENT OF TRANSPORTATION
DATED AUGUST 12, 2008

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior

to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:
 1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.

11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and

stabilization.

22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
 23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
 24. This surface water management system shall be constructed in accordance with the calculations and plans received by the District on April 18, 2007 and amended by sheets 27 and calculations received by the District on December 11, 2007.
 25. This permit authorizes work in, on, or over 1.43 acres of wetlands and other surface waters and secondary impacts to an additional 4.76 acres of off-site wetlands. Mitigation to offset these impacts must be conducted in accordance with the Revised Mitigation Plan received by the District on May 14, 2008.
 26. Prior to initiation of construction, the permittee shall submit a detailed erosion and sediment control plan to the District for written approval. The plan shall detail all erosion and sediment control measures to be implemented both during and after construction. At a minimum the plan shall include:
 - Identification of any areas where any dewatering will be performed during construction;
 - Details of specific erosion and sediment control measures to be implemented to control the discharge of turbid water due to any dewatering activities; and
 - Construction sequencing and details of all erosion and sediment control measures to be implemented during each sequence.
- Construction shall not commence until the permittee receives written approval of the plan from the District.
27. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours.

If at any time the system is not functioning as designed and permitted, then within 14 days the entity shall submit an Exceptions Report to the District, on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
 28. This permit requires the recording of a conservation easement over 22.19 acres of wetlands and uplands as denoted on the sketch and legal description received by the District on May 14, 2008..

Description of Conservation Easement Area: The permittee shall provide to the District for review and written approval a copy of: (a) the preliminary plat showing the area to be encumbered by the conservation easement, or (b) a surveyor's sketch and legal description of the area to be placed under the conservation easement, per the approved mitigation plan, at least 45 days prior to dredging, filling, or clearing any wetland or surface water for which mitigation is required.

Recording of Conservation Easement: Prior to dredging, filling, or clearing any wetland or surface water for which mitigation is required, the permittee shall record a conservation easement which shall include restrictions on the real property pursuant to section 704.06, Florida Statutes, and shall be consistent with section 12.3.8, Applicant's Handbook, Management and Storage of Surface Waters (February 1, 2005). The conservation easement shall be in the form received by the District on May 14, 2008, as approved in writing by the District on July 8, 2008.

Pursuant to section 704.06, Florida Statutes, the conservation easement shall prohibit all construction, including clearing, dredging, or filling, except that which is specifically authorized by this permit, within the mitigation areas delineated on the final plans and/or mitigation proposal approved by the District. The easement must contain the provisions set forth in paragraphs 1(a)-(h) of section 704.06, Florida Statutes, as well as provisions indicating that the easement may be enforced by the District, and may not be amended without written District approval.

Additional Documents Required: The permittee shall ensure that the conservation easement identifies, and is executed by, the correct grantor, who must hold sufficient record title to the land encumbered by the easement. If the easement's grantor is a partnership, the partnership shall provide to the District a partnership affidavit stating that the person executing the conservation easement has the legal authority to convey an interest in the partnership land. If there exist any mortgages on the land, the permittee shall also have each mortgagee execute a consent and joinder of mortgagee subordinating the mortgage to the conservation easement. The consent and joinder of the mortgagee shall be recorded simultaneously with the conservation easement in the public records of the county where the land is located.

Within 30 days of recording, the permittee shall provide the District with: (a) the original recorded easement (including exhibits) showing the date it was recorded and the official records book and page number, (b) a copy of the recorded plat (if applicable), (c) a surveyor's sketch of the easement area plotted on the appropriate USGS topographic map, and (d) the original recorded consent and joinder(s) of mortgagee (if applicable).

Demarcation of Conservation Easement Area: Prior to lot or parcel sales, all changes in direction of the easement area boundaries must be permanently monumented above ground on the project site.

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

(Affix Seal)

City State ZIP

Date

Telephone Number

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

U.S. Army Corps of Engineers
Permit # 545-2007-2714
Date: AUG 06 2008
Attachment: 3



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

U.S. Army Corps of Engineers
Permit # 505.2017-2914
Date: AUG 06 2008
Attachment: 4

