DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Department of Transportation, District 3
Attn: Joy Giddens
P.O. Box 607
Chipley, Florida 32428

Permit No: SAJ-2008-1195(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 into 1.34 acres of waters of the United States (wetlands) and 0.51 acre of isolated wetlands for the widening of SR-79 (FPN # 220773-1-52-01). Impacts to wetland 1 were previously authorized by Department of the Army number SAJ-2006-4624(IP-DEB). Wetland 2 East is not within the U.S. Army Corps of Engineers jurisdiction pursuant to the Supreme Court decision, Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, 531 U.S. 159(2001) (SWANCC). 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 project is the widening of State Road 79 (SR-79) between Environmental Road and Strickland Road, in Section 5, Township 1 North, Range 16 West, and Section 32, Township 1 North, Range 16 West, Ebro, Washington County, Florida. Wetlands 2 West and Wetland 3 are hydrologically connected to Pine Log Creek.

Directions to site: From the intersection of SR-79 and Interstate 10 proceed south on SR-79 to the town of Ebro.

Latitude & Longitude: Latitude 30.427 North
Longitude 85.875 West

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.

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. 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 and US Army Corps of Engineers, Cocoa Regulatory Field Office, Attn: Andrew Phillips, 400 High Point Drive, Suite 600, Cocoa, Florida 32926. The Permittee shall reference this permit number, SAJ-2008-1195(IP-AWP), on all submittals.

2. 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.

3. 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 (NWFWMD) and the U.S. Army Corps of Engineers (Corps), Jacksonville District, July 31, 2006.

4. Within 30 days from the date of initiating the authorized work or 12 months from the effective date of this permit, whichever first occurs, the Permittee shall provide verification to the Corps that 1.09 federal mitigation bank credits have been purchased from the Sand Hill Lakes Mitigation Bank SAJ-2002-5061(NW-DEB). The required verification shall reference this project's permit number (SAJ-2008-1195(IP-AWP)).

5. 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.

6. 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.

7. Prior to the initiation of any work authorized by this permit, the Permittee shall install erosion control measures around 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.

8. 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 3) to the Corps. The drawings shall be signed and sealed by a registered professional engineer and include the following:

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

b. List any deviations between the work authorized by this permit and the work as constructed. In the event that the completed work deviates, in any manner, from the authorized work, describe on the As-Built Certification Form the deviations between the work authorized by this permit and the work as constructed. Clearly indicate on the as-built drawings any deviations that have been listed. Please note that the depiction and/or description of any deviations on the drawings and/or As-Built Certification Form does not constitute approval of any deviations by the U.S. Army Corps of Engineers.

c. The Department of the Army Permit number.

d. Include pre- and post-construction aerial photographs of the project site, if available.

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.

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 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.

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

Joy Giddens 9/2/08
(PERMITTEE) (DATE)

Joy Giddens - FDOT 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.

for 9/8/2008
(DISTRICT ENGINEER) (DATE)
Paul L. Grosskruger
Colonel, U.S. Army
District Commander

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)

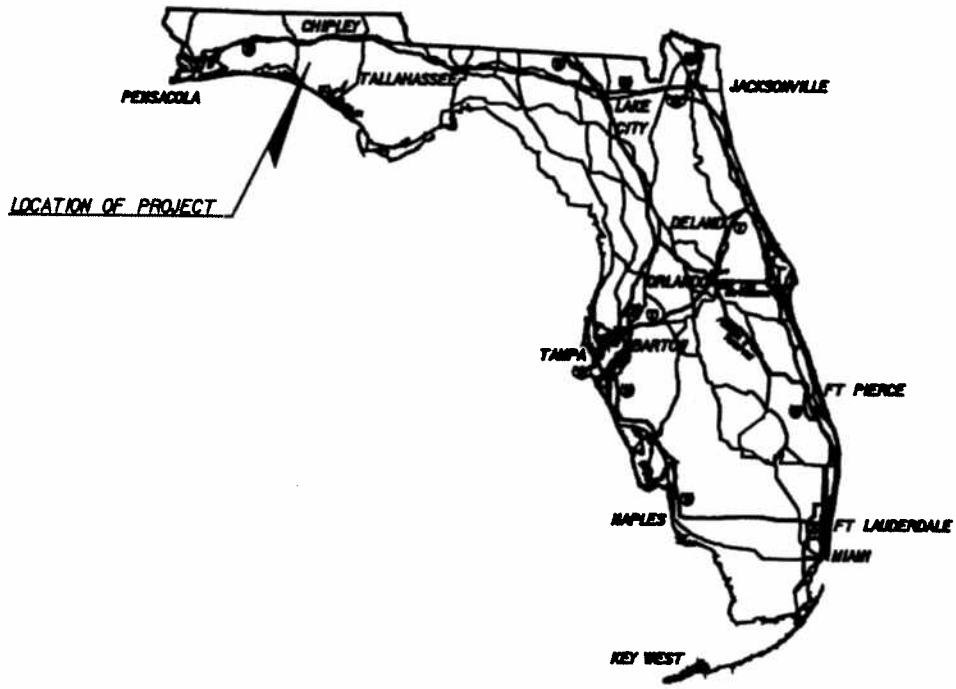
_____
(CITY, STATE, AND ZIP CODE)

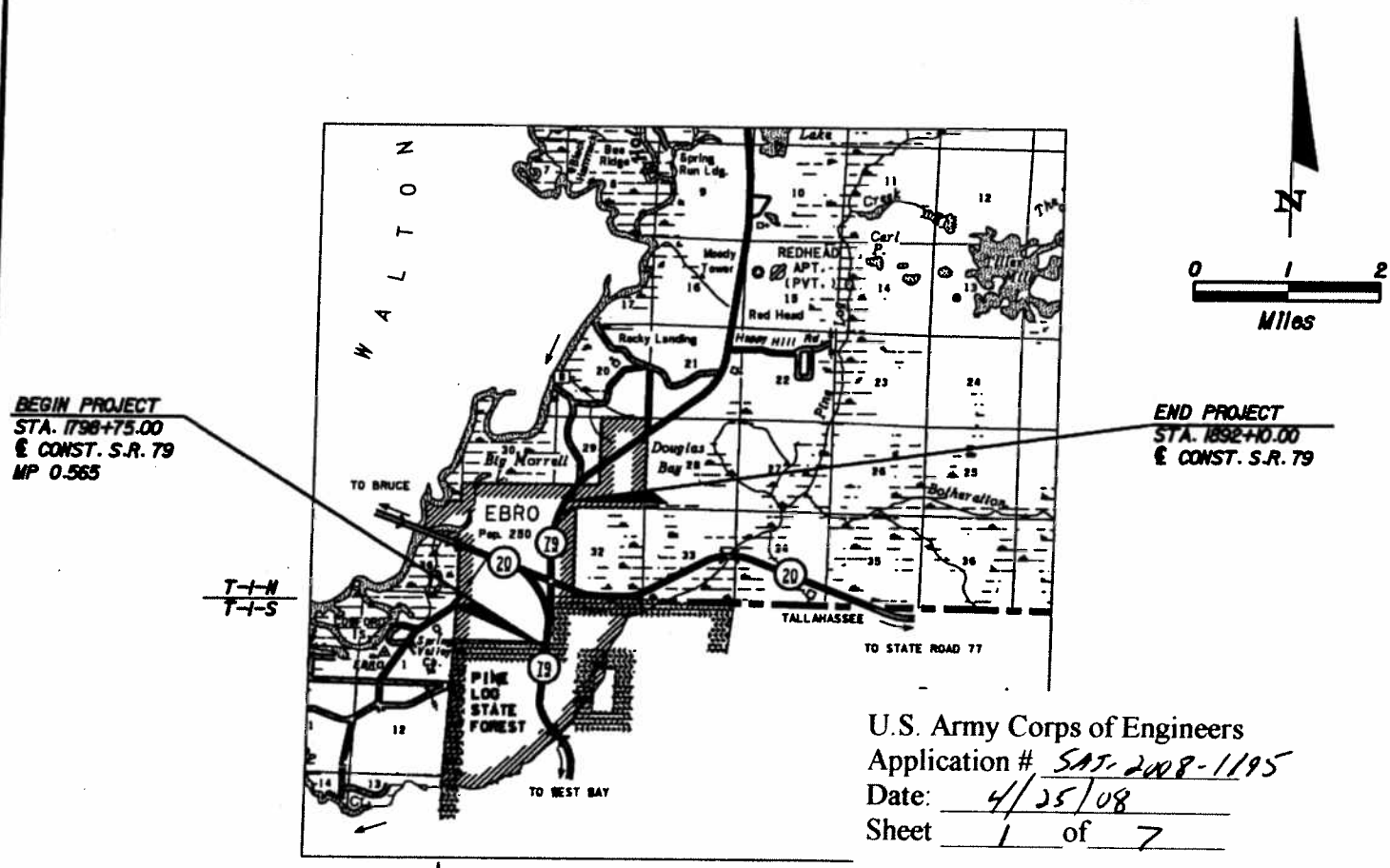
Attachments to Department of the Army Permit Number SAJ-2008-1195(IP-AWP)

1. PERMIT DRAWINGS: 8 pages, dated 8/4/08

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. 10 pages.

3. As-Built Certification: 1 page

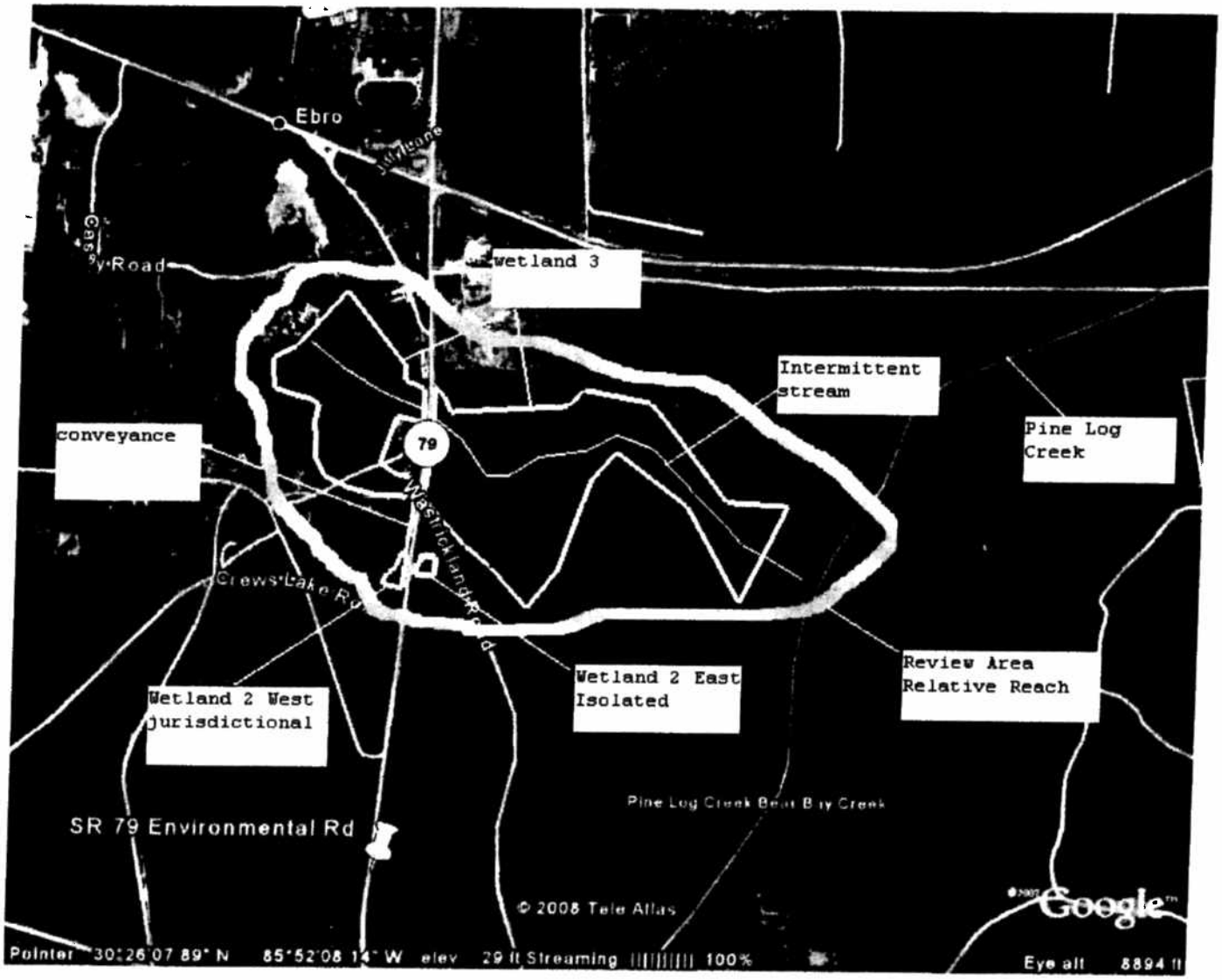


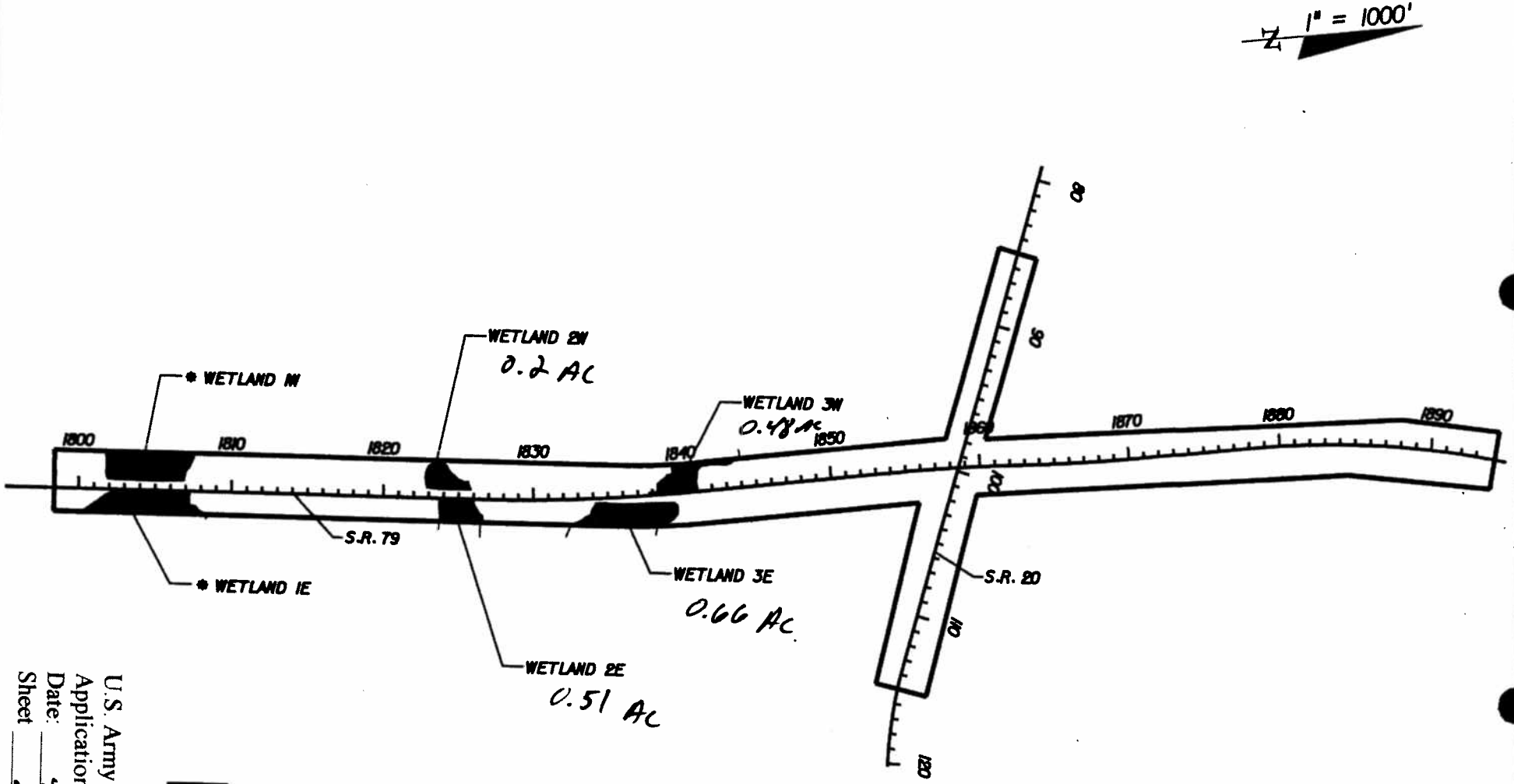


U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 1 of 7

U.S. Army Corps of Engineers
Permit # SAJ-2008-1195
Date: 8/18/08
Attachment: 1

APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)	PURPOSE:	
WATER BODY:	N/A	ORIGINAL WORK	
COUNTY:	WASHINGTON	SHEET NO.:	1 OF 6
DATUM:	NAVD 1988	DATE:	JANUARY 2008

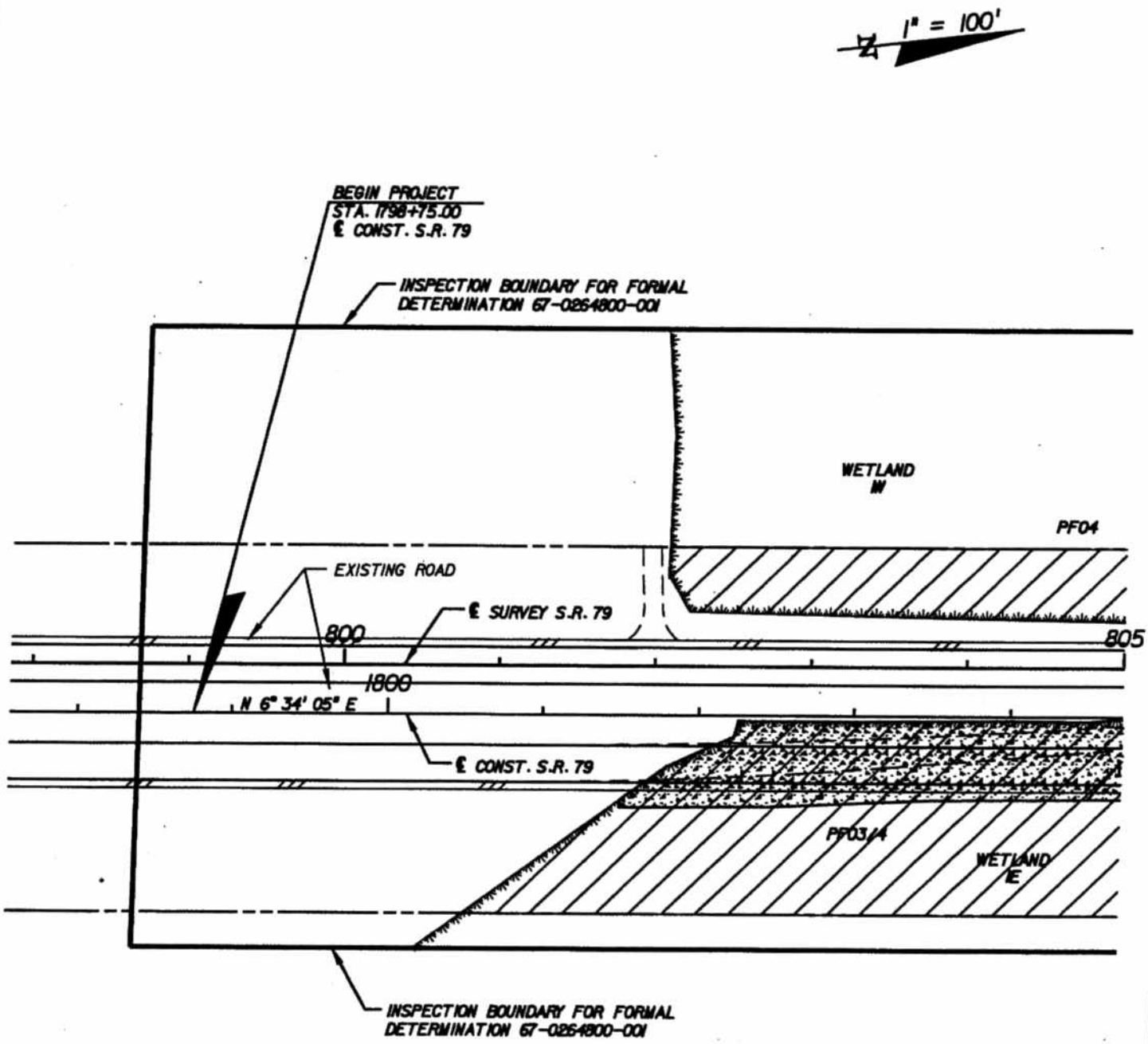

Ebro
Casey Road
wetland 3
Intermittent stream
Pine Log Creek
conveyance
79
Crews Lake Rd
Wetland 2 West jurisdictional
Wetland 2 East Isolated
Review Area Relative Reach
Pine Log Creek Bear Bay Creek
SR 79 Environmental Rd
© 2008 Tele Atlas
Google
Pointer 30°26'07.89" N 85°52'08.14" W elev 29 ft Streaming 100%
Eye alt 8894 ft



* WETLAND IE AND IW HAVE BEEN PERMITTED WITH THE EXISTING PERMIT SAJ-2006-4624-IP-DEB, FDEP PERMIT NUMBER 03-0258000-001-DF

U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 2 of 7

PROJECT LAYOUT



Wetland 11 previously permitted

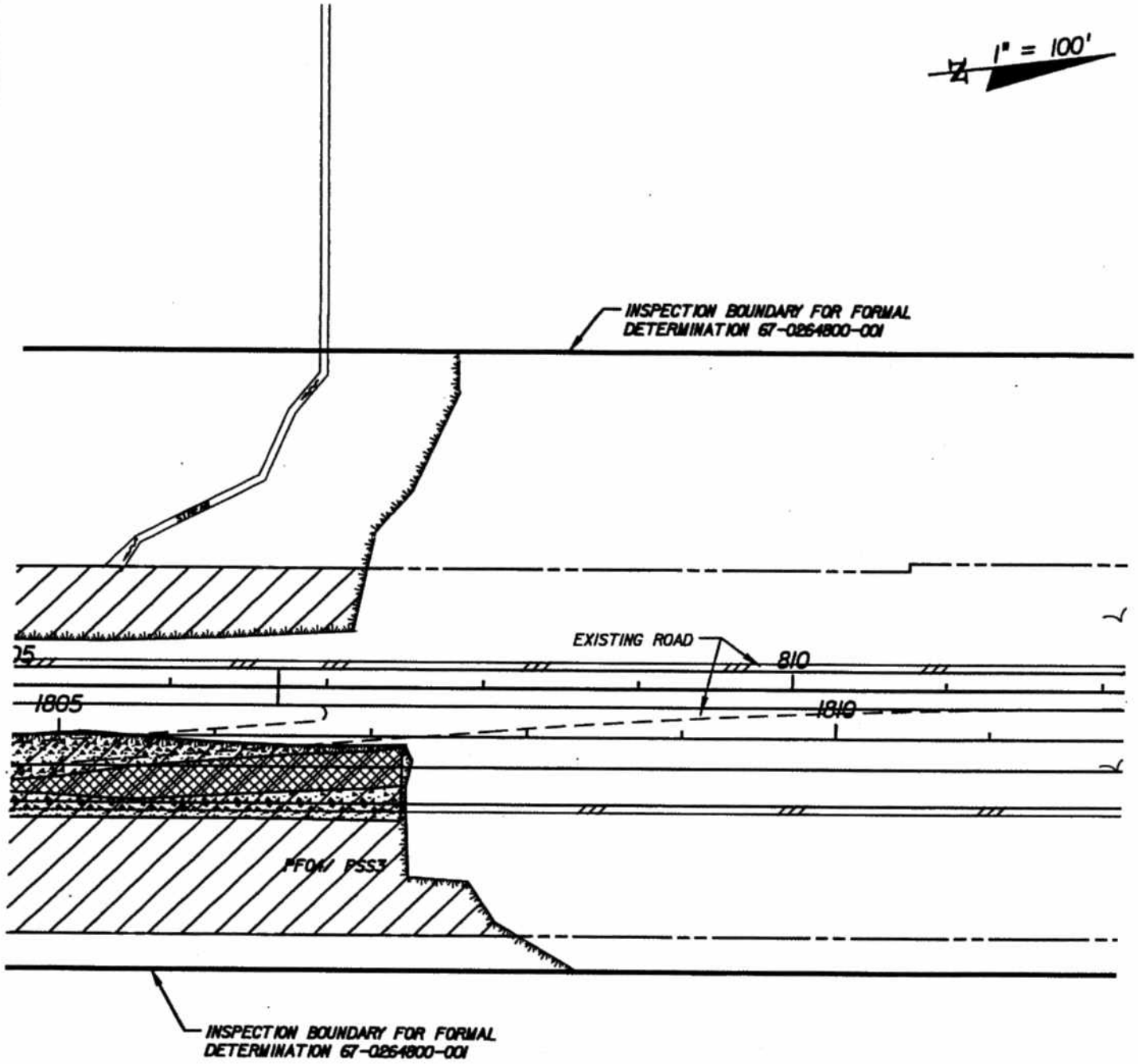
LEGEND

- WETLANDS
- CUT
- FILL

U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 3 of 7

APPLICANT: FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)
WATER BODY: N/A
COUNTY: WASHINGTON
DATUM: NAVD 1988

PURPOSE: DREDGE & FILL FOR WIDENING OF SR 79
ORIGINAL WORK ☒ MAINTENANCE ☐
SHEET NO.: 2 OF 6
DATE: JANUARY 2008



U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 4 of 7

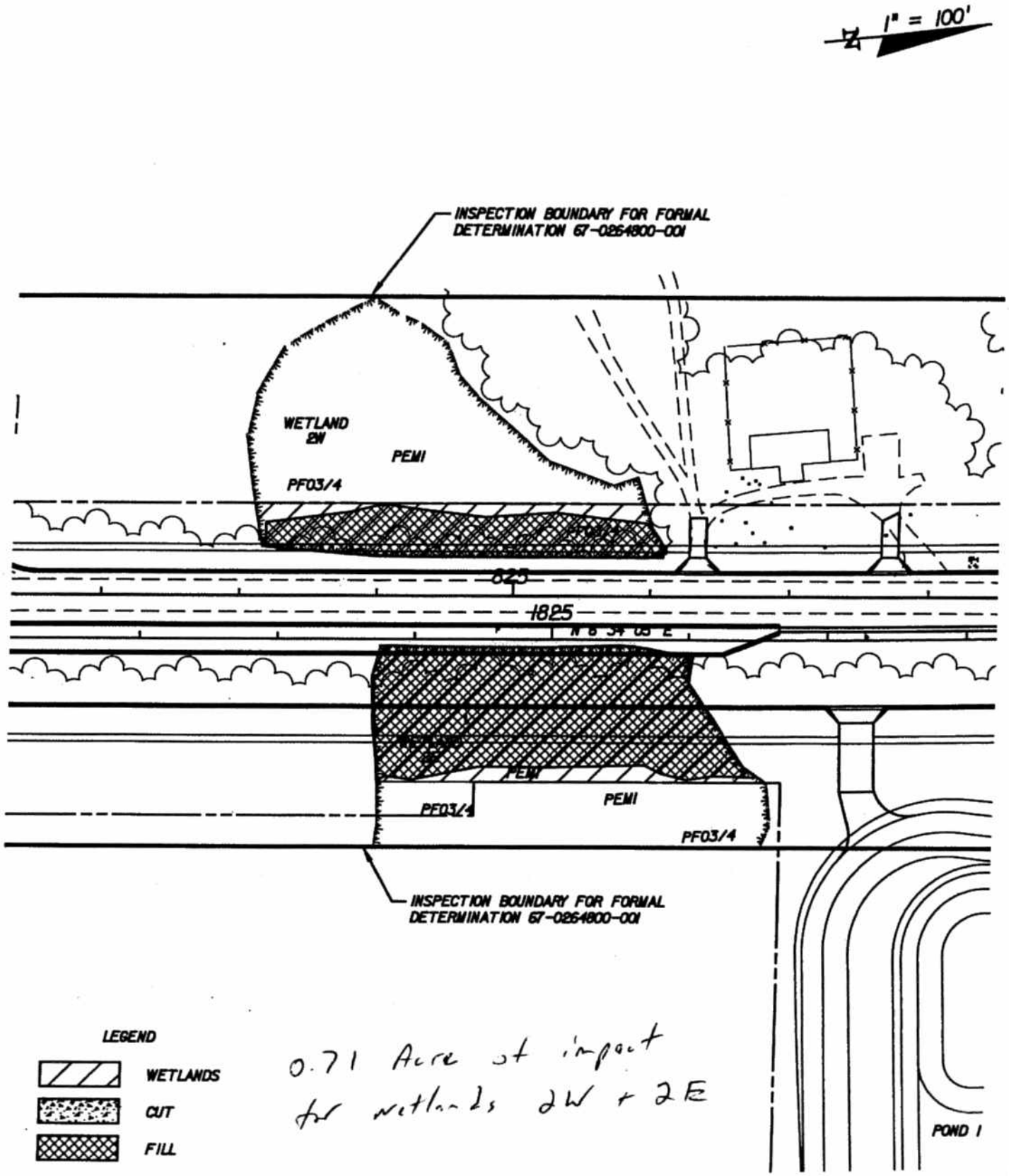
LEGEND

- WETLANDS
- CUT
- FILL

wetland 1 previously permitted

APPLICANT: FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)
WATER BODY: N/A
COUNTY: WASHINGTON
DATUM: NAVD 1988

PURPOSE: DREDGE & FILL FOR WIDENING OF SR 79
ORIGINAL WORK ☒ MAINTENANCE ☐
SHEET NO.: 3 OF 6
DATE: JANUARY 2008

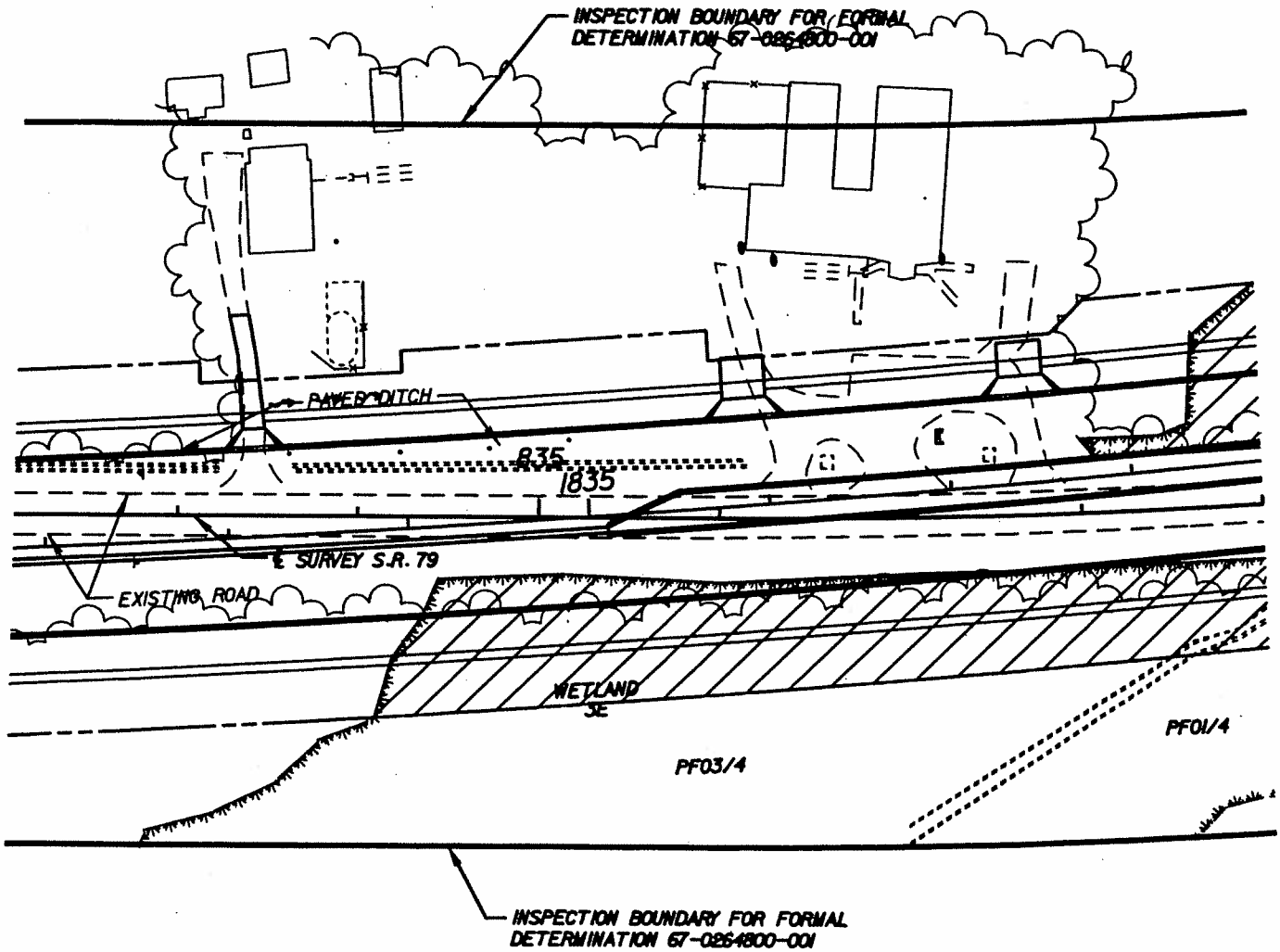


0.71 Acre of impact for wetlands 2W + 2E

U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 5 of 7

APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)	PURPOSE:	
WATER BODY:	N/A	ORIGINAL WOR	
COUNTY:	WASHINGTON	SHEET NO.:	
DATUM:	NAVD 1988	DATE:	JANUARY 2008

1" = 100'



LEGEND

- WETLANDS
- CUT
- FILL

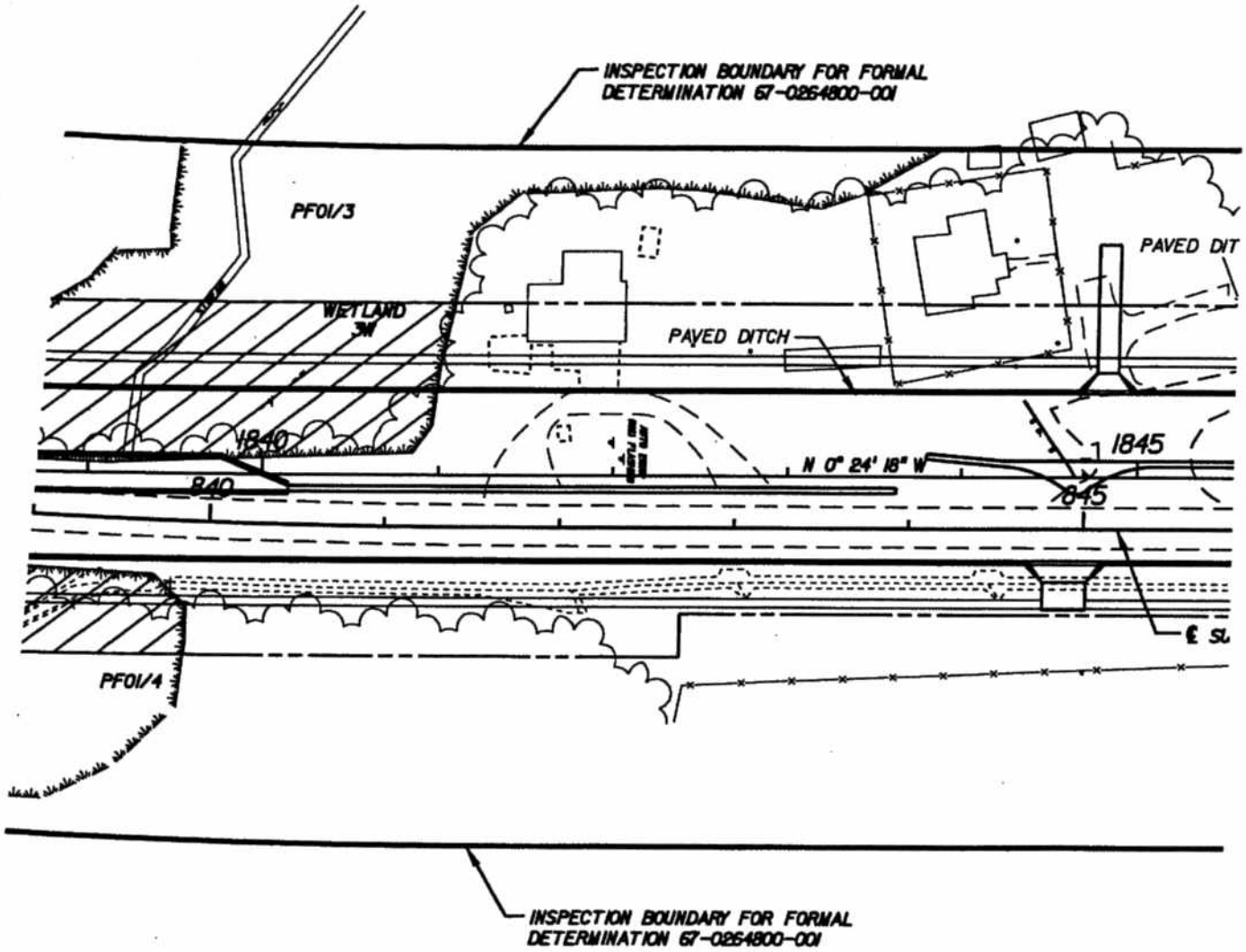
1.14 Acres of Impact for wetlands 3E + 3W

U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 6 of 7

APPLICANT: FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)
WATER BODY: N/A
COUNTY: WASHINGTON
DATUM: NAVD 1988

PURPOSE:
ORIGINAL WORK ☒ MAINTENANCE ☐
SHEET NO.: 5 OF 6
DATE: JANUARY 2008

1" = 100'



LEGEND

- WETLANDS
- CUT
- FILL

U.S. Army Corps of Engineers
Application # SAJ-2008-1195
Date: 4/25/08
Sheet 7 of 7

APPLICANT:	FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)	PURPOSE:	DREDGE & FILL FOR WIDENING OF SR 79
WATER BODY:	N/A	ORIGINAL WORK	☒ MAINTENANCE ☐
COUNTY:	WASHINGTON	SHEET NO.:	6 OF 6
DATUM:	NAVD 1988	DATE:	JANUARY 2008

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 # SAJ-2008-1175
Date: 8/18/08
Attachment: 3

Florida Department of Environmental Protection

Northwest District Branch Office
2353 Jenks Avenue
Panama City, Florida 32405-4389

WETLAND RESOURCE PERMIT

PERMITTEE/AUTHORIZED ENTITY:

Florida Department of Transportation
P.O. Box 607
Chipley, Florida 32428

Permit/Authorization Number:

67-0286499-001-DF
Date of Issue: August 11, 2008
Expiration Date: August 11, 2013
County: Washington
Project: Filling of 1.85 acres of FDEP jurisdictional wetlands for the widening of Hwy 79.

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 Consolidated 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. <u>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.</u>

ACTIVITY DESCRIPTION:
The applicant, Florida Department of Transportation, applied on February 18, 2008 to the Department of Environmental Protection for a permit/water quality certification to impact 1.85 acres of DEP jurisdictional wetlands for the widening of SR 79 through the project area from a two lane rural road typical section to a four-lane rural typical section. The site is located at Latitude 85° 52' 30", Longitude 30° 25' 43", near the town of Ebro, between Environmental Road and Strickland Road, Section 5, Township 01-South, Range 16-West, Washington County, Florida.

ACTIVITY LOCATION:

The activity is located in unnamed wetlands located on Hwy 79 extends from Environmental road with in the Pine Log State Forest and ends at Strickland road, just north of the dog track in Ebro, Florida. The site is located at Latitude 85° 52' 30", Longitude 30° 25' 43", near the town of Ebro, between Environmental Road and Strickland Road, Section 5, Township 01-South, Range 16-West, Washington County, Florida.

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. 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 to having the permit on site, the permittee is required to have a weather resistant sign, no smaller than 8 ½ inches by 11 inches, which states DEP Permit No.: 67-0286499-001-DF this sign must be posted in such a location that it can be clearly seen from the road. This sign shall be posted on site for the duration of the construction authorized by this permit**

2. 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.

3. At least 48 hours 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, Suite 202, Northwest District Panama City Branch Office, 2353 Jenks Ave, Panama City, Florida 32405, in writing. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 872-4375 during normal working hours.

4. 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. 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 and disturbed areas are stabilized. Staked filter cloth 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. The permittee shall be responsible for ensuring that erosion control devices/procedures are inspected/maintained daily during all phases of construction authorized by this permit. Once these conditions are met, the turbidity and erosion control devices shall be removed within 14 days. At no time shall there be any discharge in violation of the water quality standards in Chapter 62-302, Florida Administrative Code.

The following measures shall be taken by the permittee if turbidity levels within waters of the State, exceed 29 NTUs above background:

a. Immediately cease all work contributing to the water quality violation.
b. Stabilize all exposed soils contributing to the violation, modify the work procedures that were responsible for the violation, install more turbidity containment devices and/or repair any non-functioning turbidity containment devices.
c. Notify the Submerged Lands and Environmental Resources Program at the time the violation is first detected.

5. There shall be no storage or stockpiling of tools, equipment or materials (i.e., lubricants, gasoline, lumber, pilings etc.) within wetlands, along the shoreline within the littoral zone or elsewhere within waters of the state unless specifically approved in the permit. Construction debris (cleared vegetation, excess lumber, scrap wood, trash, garbage, etc.) shall be removed from wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

6. If the approved permit drawings conflict with the specific conditions, then the specific conditions shall prevail.

7. This permit does not authorize the construction of any additional structures not illustrated on the permit drawings.

8. Prior to construction, the limits of the proposed fill areas shall be clearly flagged and staked by the agent and/or the contractor. All construction personnel shall be shown the location(s) of all wetland and conservation easement areas outside of the construction area to prevent encroachment from heavy equipment into these areas.

9. All wetland areas or water bodies, which are adjacent to the specific limits of construction authorized by this permit, shall be protected from erosion, sedimentation, siltation, scouring, excess turbidity or dewatering.

10. Construction equipment shall not be repaired or refueled in wetlands or elsewhere within waters of the State.

11. Substances in concentrations which injure, are chronically toxic to, or produce adverse physiological or behavioral response in humans, animals, or plants, shall not be present.

12. All material used as fill for construction shall be clean material and shall not be contaminated with vegetation, garbage, trash, tires, hazardous, toxic waste or other materials that are not suitable for construction within or adjacent to waters of the State as so determined by the Department.

13. Best management practices for erosion control shall be implemented and maintained at all times during construction to prevent siltation and turbid discharges in excess of State water quality standards pursuant to Rule 62-302, F.A.C. Methods 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 project site.

14. This permit does not constitute any approval of a storm water or surface water management system which must be obtained separately from the appropriate agency.

15. The structure/work authorized by this permit shall not be placed/conducted on any property, other than that owned by the permittee, without the prior written approval of that property owner.

16. All exposed and disturbed land surfaces shall be stabilized with sod, seed or mulch immediately following completion of final grades at the project site to prevent erosion. All side slopes shall be stabilized with sod within 48 hours following completion of the placement and compaction of the fill material.

17. After selection of the contractor to perform the authorized activities and prior to the initiation of any work authorized by this permit, the permittee (or authorized agent) and the contractor shall attend a preconstruction conference with a representative of the Department. The permittee shall contact the Department (850-872-4375) or in writing to schedule the conference.

18. 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) 872-4375, within 48 hours of discovering the unauthorized impact.

19. All cleared vegetation, excess lumber, scrap wood, trash, garbage, and any other type of debris shall be removed from the wetlands/waters of the state within 14 days of completion of the work authorized in this permit.

Mitigation Conditions:

20. Mitigation shall be associated with the Regional Mitigation Plan pursuant to OGC #99-1877 and Senate Bill 1986 (Chapter 373.4137, F.S.).

Executed in Bay County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Sally M. Cooey
Panama City Branch Administrator

Attachments: Project Drawings; Vicinity maps; Mitigation Plan
cc: U.S. Army Corps of Engineers
Volket & Associates

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this permit and authorization to use sovereign submerged lands, including all copies were mailed before the close of business on 8/11/08 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
Cora L Claus	8/11/08

Prepared By: Jeffrey E. Cole