

# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Florida Department of Transportation - District 2  
Attn: Van Humphreys  
1109 South Marion Avenue  
Lake City, Florida 32025

NOV 20 2008

**Permit No:** SAJ-1997-5278(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 reauthorization of Department of the Army Permit SAJ-1997-5278(IP-AWP) which authorized impacts to 51.43 acres of waters of the United States, including wetlands, for the widening of a 13-mile segment of roadway; and 1.03 acre of additional impacts to waters of the United States required to address roadway profile changes resulting for geotechnical limitations identified within the design footprint. The work described above is to be completed in accordance with the 4 attachments affixed at the end of this permit instrument.

**Project Location:** The project is located in wetlands adjacent to Alligator Creek, Mills Creek, Boggy Creek, and Tom Mann Swamp, along State Road (SR) 200/US 301 from Griffin Road to Stratton Road. The project starts just west of Interstate 95 (I-95) and terminates in Callahan, in Nassau County.

**Directions to site:** From the intersection of I-95 and SR 200 proceed west on SR 200. The project is located between Griffin Road and Stratton Road.

**Latitude & Longitude:** Latitude 30.612 North  
Longitude 81.73 West

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JACKSONVILLE DISTRICT  
USACE

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NOV 21 2013

JACKSONVILLE DISTRICT  
USAGE

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **November 18, 2013**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to

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ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. **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.

2. The Permittee agrees incorporate and follow the Standard Eastern Indigo Snake Protection Measures included as attachment 2 during construction activities.

3. **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-1999-607(IP-AWP), on all submittals.

4. **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.

5. **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.

6. **As-Builts:** Within 60 days of completion of the authorized work or at the expiration of the construction window

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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.

7. **Compensatory Mitigation:** Wetland impacts will be mitigated pursuant to the Senate Bill 1986 Rule - Section 373.4137 Florida Statutes (F.S.). 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 compensatory mitigation in accordance the FDOT MITIGATION PLAN, Mitigation Project Group. A minimum of 0.75 functional units shall be replaced by the acquisition of additional wetlands at the Four Creeks mitigation site.

SJRWMD shall submit an annual status report and five year update of the mitigation described above in accordance with the Memorandum of Understanding between the SJRWMD and the United

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States Army Corps of Engineers, Jacksonville District signed October 16, 2007 and October 9, 2007 respectively.

**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.

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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)

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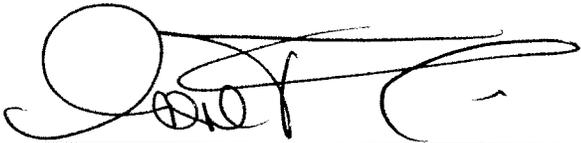
Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
(PERMITTEE)

11-21-08  
\_\_\_\_\_  
(DATE)

Van Hapheys  
\_\_\_\_\_  
(PERMITTEE NAME-PRINTED)

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

  
\_\_\_\_\_

**NOV 26 2008**  
\_\_\_\_\_  
(DATE)

**F07**  
(DISTRICT ENGINEER)  
Paul L. Grosskruger  
Colonel, U.S. Army  
District Commander

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When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEEE-SIGNATURE)

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

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

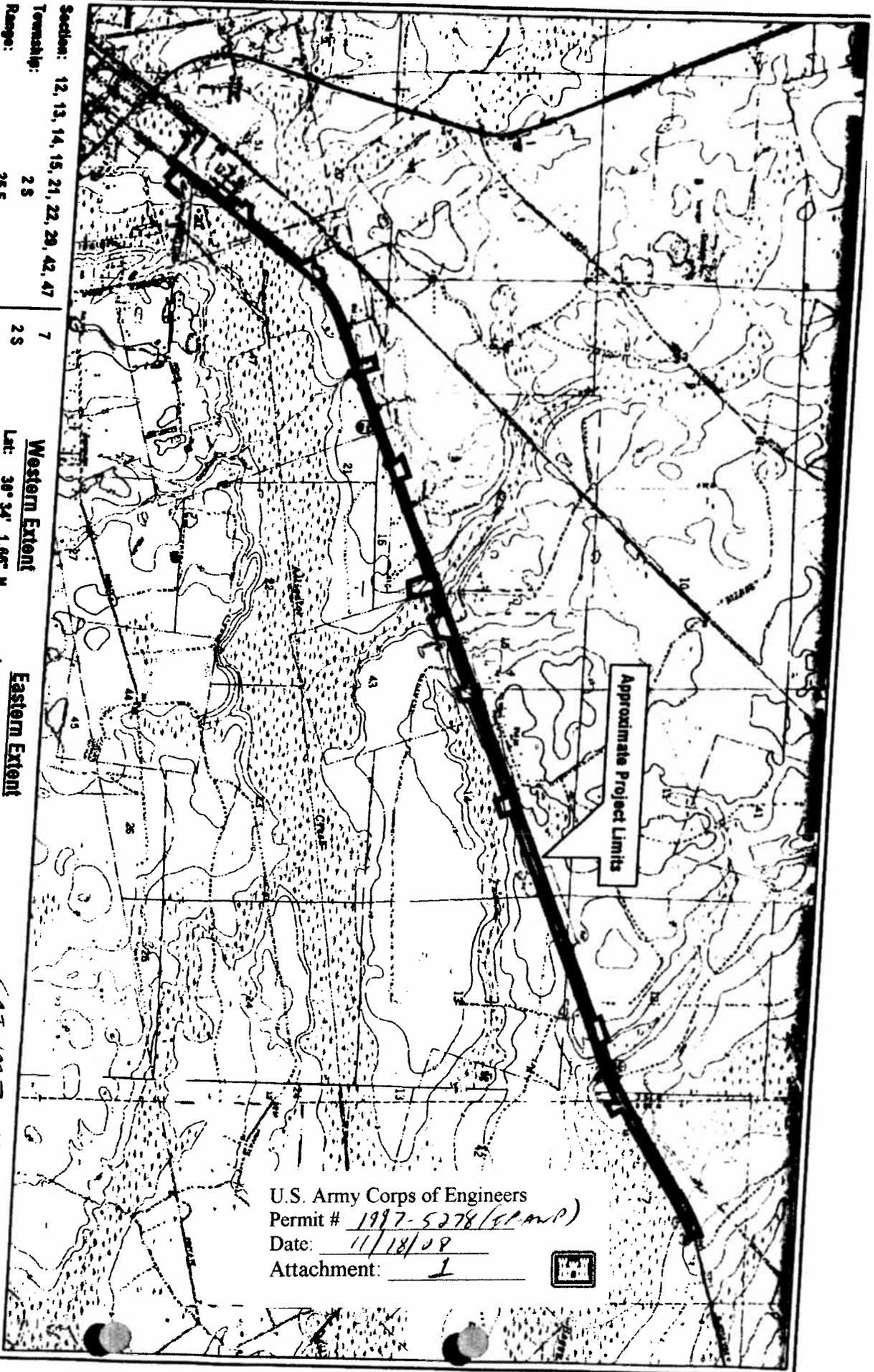
\_\_\_\_\_  
(ADDRESS)

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

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***Attachments to Department of the Army  
Permit Number SAJ-1997-5278(IP-AWP)***

1. PERMIT DRAWINGS: 21 pages, dated 4/13/99
2. Standard Eastern Indigo Snake Protection Measures: 1 page
3. 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. 5 pages.
4. As-Built Certification: 1 page



Approximate Project Limits

Section: 12, 13, 14, 15, 21, 22, 29, 42, 47  
 Township: 2 S  
 Range: 25 E

Western Extent  
 Lat: 39° 34' 1.66" N  
 Long: 81° 48' 36.89" W

Eastern Extent  
 Lat: 39° 36' 37.62" N  
 Long: 81° 44' 16.59" W



**Environmental Resource Solutions Inc.**  
 1467 The Greenway,  
 Suite 200  
 Rockledge Beach, FL 32250

**SR 200  
 Location Map**

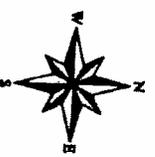
Source: USGS 7.5' Contour, 1:250,000, NAD 83  
 Topographic Coordinates

By: KC

Project No.:	08415
Exhibit No.:	1
Date:	3-14-08
Rev. Date:	

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U.S. Army Corps of Engineers  
 Permit # 1997-5278 (SR 200)  
 Date: 11/18/08  
 Attachment: 1



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**IMPACT ON NATURAL RESOURCES:** Preliminary review of this application indicates that an Environmental Impact Statement will not be required. Coordination with US Fish and Wildlife Service, Environmental Protection Agency (EPA), the National Marine Fisheries Service, and other Federal, State, and local agencies, environmental groups, and concerned citizens generally yields pertinent environmental information that is instrumental in determining the impact the proposed action will have on the natural resources of the area. By means of this notice, we are soliciting comments on the potential effects of the project on threatened or endangered species or their habitat.

**IMPACT ON CULTURAL RESOURCES:** Review of the latest published version of the National Register of Historic Places indicates that no registered properties, or properties listed as eligible for inclusion therein, are located at the site of the proposed work. Presently, unknown archaeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof, among these are conservation, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act of the criteria established under authority of Section 102(a) of the Marine, Protection, Research, and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

The US Army Corps of Engineers (Corps) is soliciting comments from the public: Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make or deny this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**COASTAL ZONE MANAGEMENT CONSISTENCY:** In Florida, the State approval constitutes compliance with the approved Coastal Zone Management Plan. In Puerto Rico, a Coastal Zone Management Consistency Concurrence is required from the Puerto Rico Planning Board. In the Virgin Islands, the Department of Planning and Natural Resources permit constitutes compliance with approved Coastal Zone Management Plan.

**REQUEST FOR PUBLIC HEARING:** Any person may request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

David S. Hobbs  
Regulatory Division

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SAS-197-5278

Wetland Impact Map and Comparison Tables

Exhibit 4

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ERS/Table 1 Wetland ID	Original Total Ac.	CWI Impact Area Ac.	CWI Impact Area Ac.	New CWI Impact Area Ac.	Current Total Ac.	Change in Impact Ac. (Current-Original)	ERS/Table 1 Wetland ID
1	0.49	2	0.056		0.056	-0.434	1
2	1.31	3	1.137		1.137	-0.173	2
3	0.07	4	0.072	1	0.082	0.012	3
4	0.02	5	0.009		0.009	-0.011	4
5	0.11	6	0.118		0.118	0.006	5
6	1.08	8	0.74	7	0.747	-0.343	6
7	0.04	10	0.021		0.021	-0.019	7
8	2.31	11	2.22		2.22	-0.09	8
9	0.19	12	0.193		0.193	0.003	9
10	0.23	13	0.239	9	0.246	0.016	10
11	0.01	14	0.01		0.01	0	11
12	0.24	15	0.341		0.341	0.101	12
13	0.72	17	0.902		0.902	0.182	13
14	0.19	16	0.261		0.261	0.071	14
15	0.04	18	0.035		0.035	-0.005	15
16	0.2	19	0.249		0.249	0.049	16
17	0.03	20	0.09		0.09	0.06	17
18	0.05	21	0.101		0.101	0.051	18
19	0.09	22	0.184		0.184	0.094	19
20	0.13	23	0.121		0.121	-0.009	20
21	0.65	24	0.666		0.666	0.016	21
22	0.03	25	0.039		0.039	0.009	22
23	0.04	26	0.071		0.071	0.031	23
24	0.25	27	0.267		0.267	0.017	24
25	1.1	28	1.237		1.237	0.137	25
26	0		0		0	0	26
27	0.01	28	0.016		0.016	0.006	27
28	0		0		0	0	28
29	0.21	30	0.226		0.226	0.016	29
30	0.07	31	0.066		0.066	-0.004	30
31	0.04	32	0.074		0.074	0.034	31
32	0.3	33	0.333		0.333	0.033	32
33	0.58	34	0.653		0.653	0.073	33
34	1.69	35	1.506		1.506	-0.184	34
35	0.38	36	0.311		0.311	-0.069	35
36	0.55	37	0.646		0.646	0.096	36
37	1.91	38	2.145		2.146	0.235	37
38	2.64	38	2.801		2.801	0.161	38
39	1.57	40	1.621		1.621	0.051	39
40	0.2	41	0.202		0.202	0.002	40
41	1.04	42	1.043		1.043	0.003	41
42	2.02	43	2.27		2.27	0.25	42
43	0.26	45	0.336		0.336	0.066	43
44	4.28	44	4.601		4.601	0.311	44
45	0.03		0		0	-0.03	45
46	0.48	46	0.551		0.551	0.071	46
47	1.39	47	1.505		1.505	0.115	47
48	0.04	48	0.071		0.071	0.031	48

SR 200 (from Boggy Creek to Callahan) Wetland Impacts Comparison Table - March 2008

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SAT-497-5278

1,029 acres

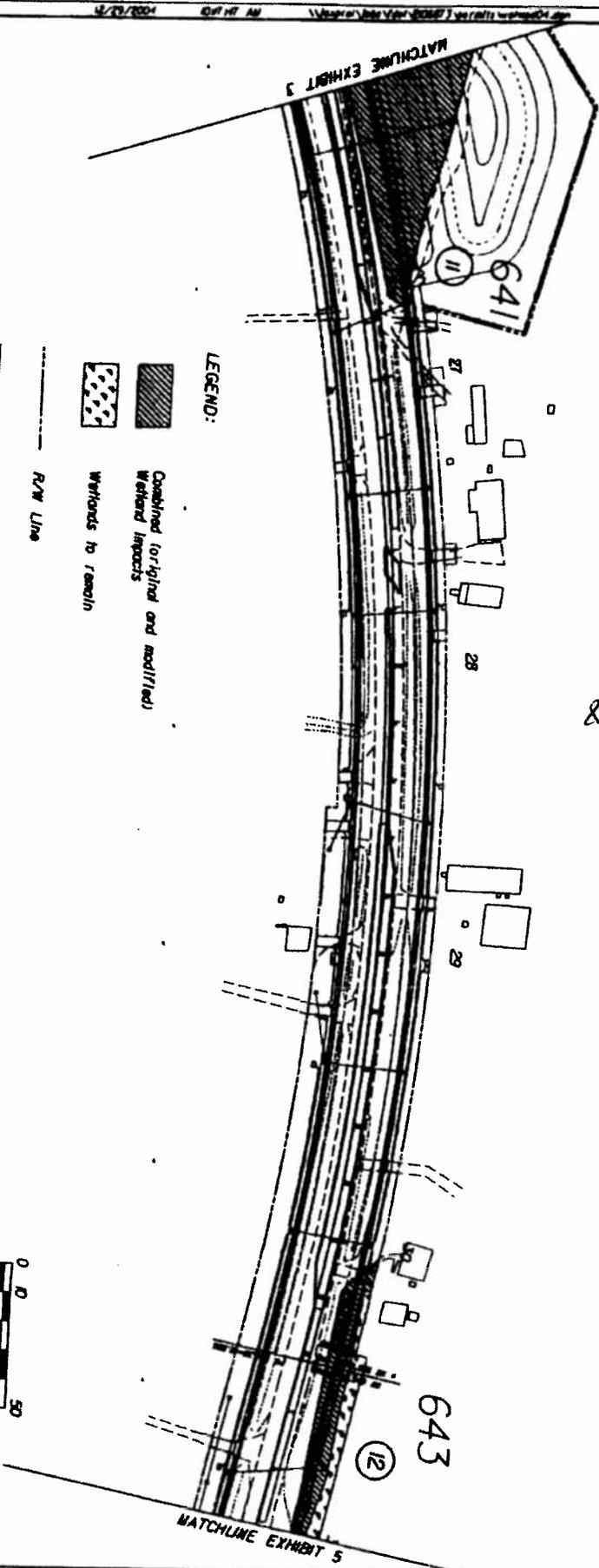
Total Additional Impacts =

MODIFIED WETLAND IMPACT AREAS		Total New plus Original =		Total Original =	
CWI WETLANDS	SIDE	MODIFIED IMPACT AREA (Ac.)	ERS REPORT AREA NO.	ERS IMPACT AREA TOTAL (Ac.)	
Area 1	RT	0.010	Not Included		
Area 2	LT	0.056	Wetland 1	0.48	
Area 3	RT	0.072	Wetland 3	0.07	
Area 4	LT	1.137	Wetland 2	1.31	
Area 5	RT	0.009	Wetland 4	0.02	
Area 6	LT/RT	0.118	Wetland 5	0.11	
Area 7	RT	0.007	Not Included		
Area 8	LT	0.740	Wetland 6	1.09	
Area 9	RT	0.007	Not Included		
Area 10	RT	0.021	Wetland 7	0.04	
Area 11	LT	2.220	Wetland 8	2.31	
Area 12	LT	0.193	Wetland 9	0.19	
Area 13	LT	0.239	Wetland 10	0.23	
Area 14	RT	0.010	Wetland 11	0.01	
Area 15	LT	0.341	Wetland 12	0.24	
Area 16	LT	0.261	Wetland 14	0.19	
Area 17	RT	0.902	Wetland 13	0.72	
Area 18	LT	0.035	Wetland 15	0.04	
Area 19	RT	0.249	Wetland 16	0.20	
Area 20	LT	0.080	Wetland 17	0.03	
Area 21	RT	0.101	Wetland 18	0.05	
Area 22	RT	0.184	Wetland 19	0.09	
Area 23	LT	0.121	Wetland 20	0.13	
Area 24	RT	0.666	Wetland 21	0.65	
Area 25	LT	0.039	Wetland 22	0.03	
Area 26	RT	0.071	Wetland 23	0.04	
Area 27	LT	0.267	Wetland 24	0.25	
Area 28	RT	1.237	Wetland 25	1.10	
Area 29	LT	0.016	Wetland 27	0.01	
Area 30	RT	0.226	Wetland 29	0.21	
Area 31	RT	0.066	Wetland 30	0.07	
Area 32	LT	0.074	Wetland 31	0.04	
Area 33	RT	0.333	Wetland 32	0.30	
Area 34	RT	0.653	Wetland 33	0.58	
Area 35	RT	1.508	Wetland 34	1.69	
Area 36	LT	0.311	Wetland 35	0.38	
Area 37	RT	0.846	Wetland 36	0.55	
Area 38	RT	2.145	Wetland 37	1.91	
Area 39	RT	2.801	Wetland 38	2.64	
Area 40	RT	1.621	Wetland 39	1.57	
Area 41	LT	0.202	Wetland 40	0.20	
Area 42	RT	1.043	Wetland 41	1.04	
Area 43	RT	2.270	Wetland 42	2.02	
Area 44	RT	4.601	Wetland 44	4.29	
Area 45	LT	0.336	Wetland 43	0.28	
Area 46	LT/RT	0.551	Wetland 45	0.03	
Area 47	RT	1.505	Wetland 46	0.48	
Area 48	LT	0.071	Wetland 47	1.39	
			Wetland 48	0.04	
					28.35

FLUCFCS CODES	ACRES
641	0.465
643	0.169
<b>TOTAL</b>	<b>0.634</b>

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- LEGEND:
-  Combined (original and modified) Wetland Impacts
  -  Wetlands to remain
  -  R/W Line
  -  Wetland Line



**CW**  
 Connelly & Wicker Inc.  
 ENGINEER OF RECORD  
 Richard C. Wicker, P.E.  
 FL PE No. 48378

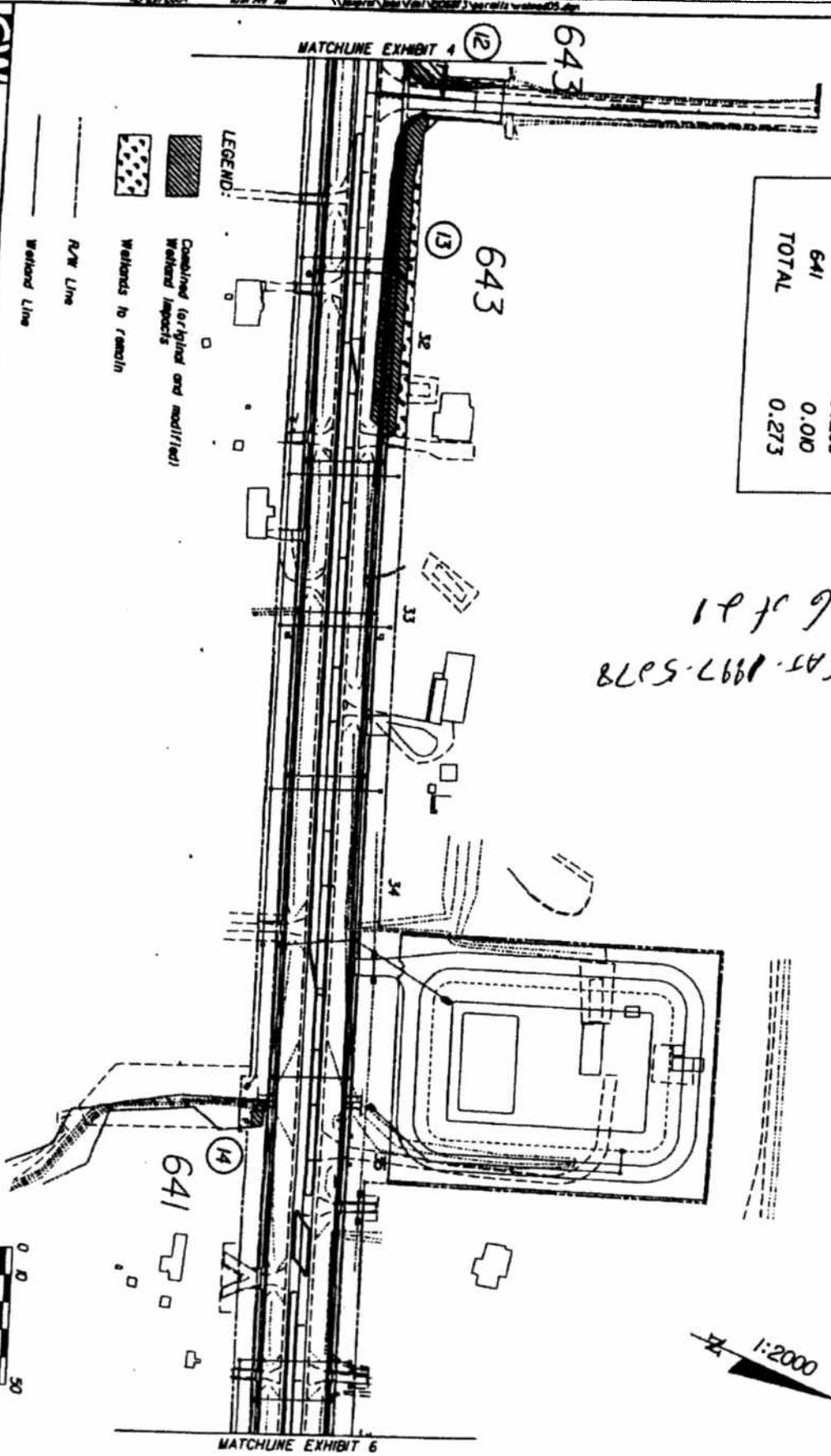
1711 South 6th Street, Jacksonville Beach, FL 32256-4949  
 904.248.7888 EB No. 2828  
 Consulting Engineers  
 Jacksonville Beach, FL 32256-4949  
 904.241.1128

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.:	9704-06
DATE: 04/12/99	REV.: 12/29/04
EXHIBIT NO.:	4

FLUCFCS CODES	ACRES
643	0.263
641	0.010
<b>TOTAL</b>	<b>0.273</b>

SAT. 1997-5278  
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LEGEND:

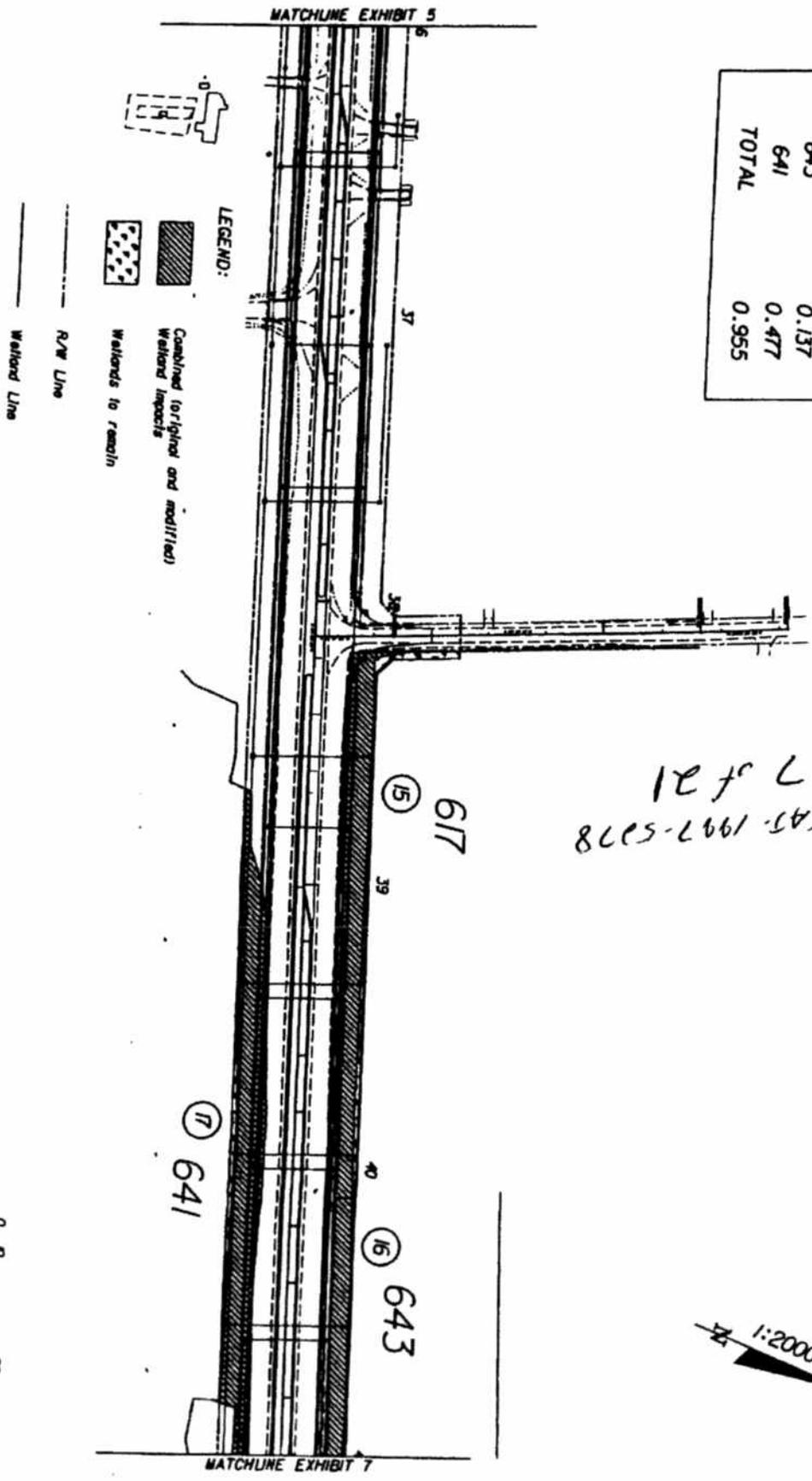
- Combined (original and modified) Wetland impacts
- Wetlands to remain
- R/W Line
- Wetland Line

**CW**  
**Connelly & Wicker Inc.**  
 ENGINEERS & ARCHITECTS  
 Richard C. Wicker, P.E.  
 FL PE No. 40278  
 CONSULTING ENGINEERS  
 1715 South 4th Street Jacksonville Beach, FL 32206-4544  
 PH: 321.278.2943 FAX: 321.278.1178

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 5

FLUCFCS CODES	ACRES
617	0.341
643	0.137
641	0.477
<b>TOTAL</b>	<b>0.955</b>



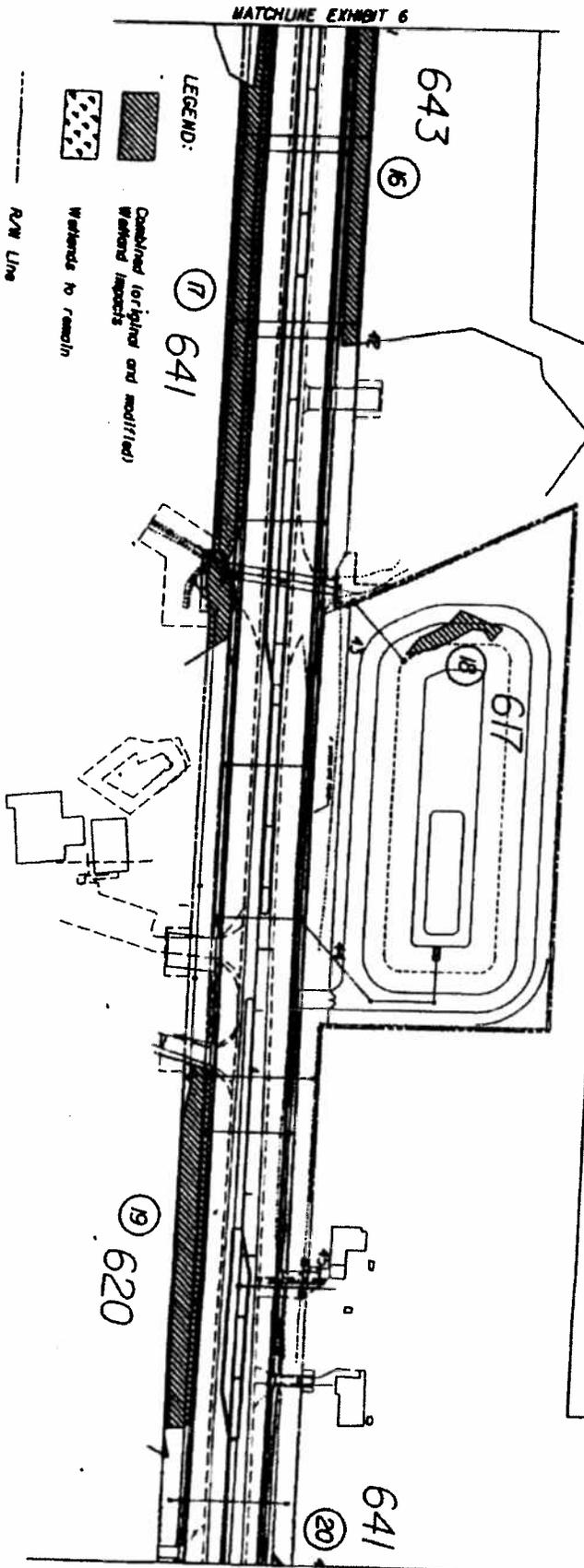
**CW**  
**Connelly & Wicker Inc.**  
 Engineers of Record  
 Richard C. Wicker, P.E.  
 FL PE No. 40378  
 Consulting Engineers  
 1711 South 6th Street Jacksonville Beach, FL 32216-1044  
 904.258.7500 88 W. 30th St. Jacksonville, FL 32205  
 Fax 904.251.1150

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 6

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FLUCFCS CODES	ACRES
617	0.035
620	0.249
643	0.125
641	0.427
<b>TOTAL</b>	<b>0.836</b>



LEGEND:

-  Combined (original and modified) Wetland Impacts
-  Wetlands to remain
-  R/W Line
-  Wetland Line



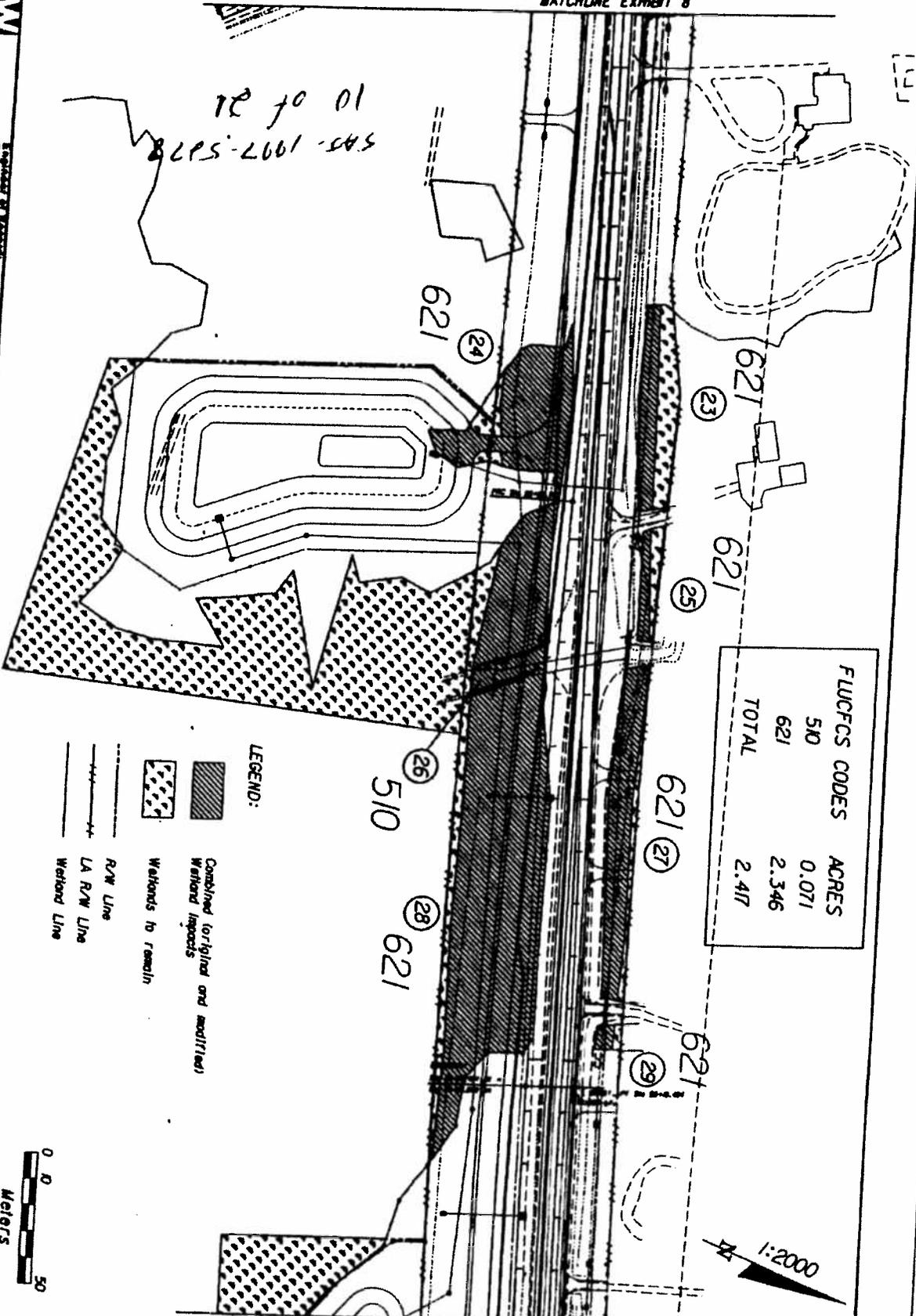
**CW**  
**Connelly & Wicker Inc.**  
 Registered Professional Engineer  
 Richard C. Wicker, P.E.  
 FL PE No. 48278  
 111 South 2nd Street, Jacksonville Beach, FL 32209-4848  
 904.240.1795  
 Fax No. 904.240.1795  
 Consulting Engineers

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 7



MATCHLINE EXHIBIT 8



FLUCFCS CODES	ACRES
510	0.071
621	2.346
<b>TOTAL</b>	<b>2.417</b>

LEGEND:

-  Combined (original and modified) Wetland Impacts
-  Wetlands to remain
-  R/W Line
-  LA R/W Line
-  Wetland Line



MATCHLINE EXHIBIT 10

**OW**  
**Connelly & Wicker Inc.**  
 ENGINEER OF RECORD  
 Matthew C. Wicker, P.E.  
 FL PE No. 46378  
 Consulting Engineers  
 1711 South 4th Street, Jacksonville Beach, FL 32250-6646  
 904 246 7700  
 24th St. SW, Suite 200  
 Jacksonville, FL 32202  
 904 251-1128

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99  
 EXHIBIT NO.: 9  
 REV.: 12/29/04


  
**Connelly & Wicker Inc.**
  
 Consulting Engineers

Engineer of Record:
   
 Richard C. Wicker, P.E.
   
 FL PE No. 48278

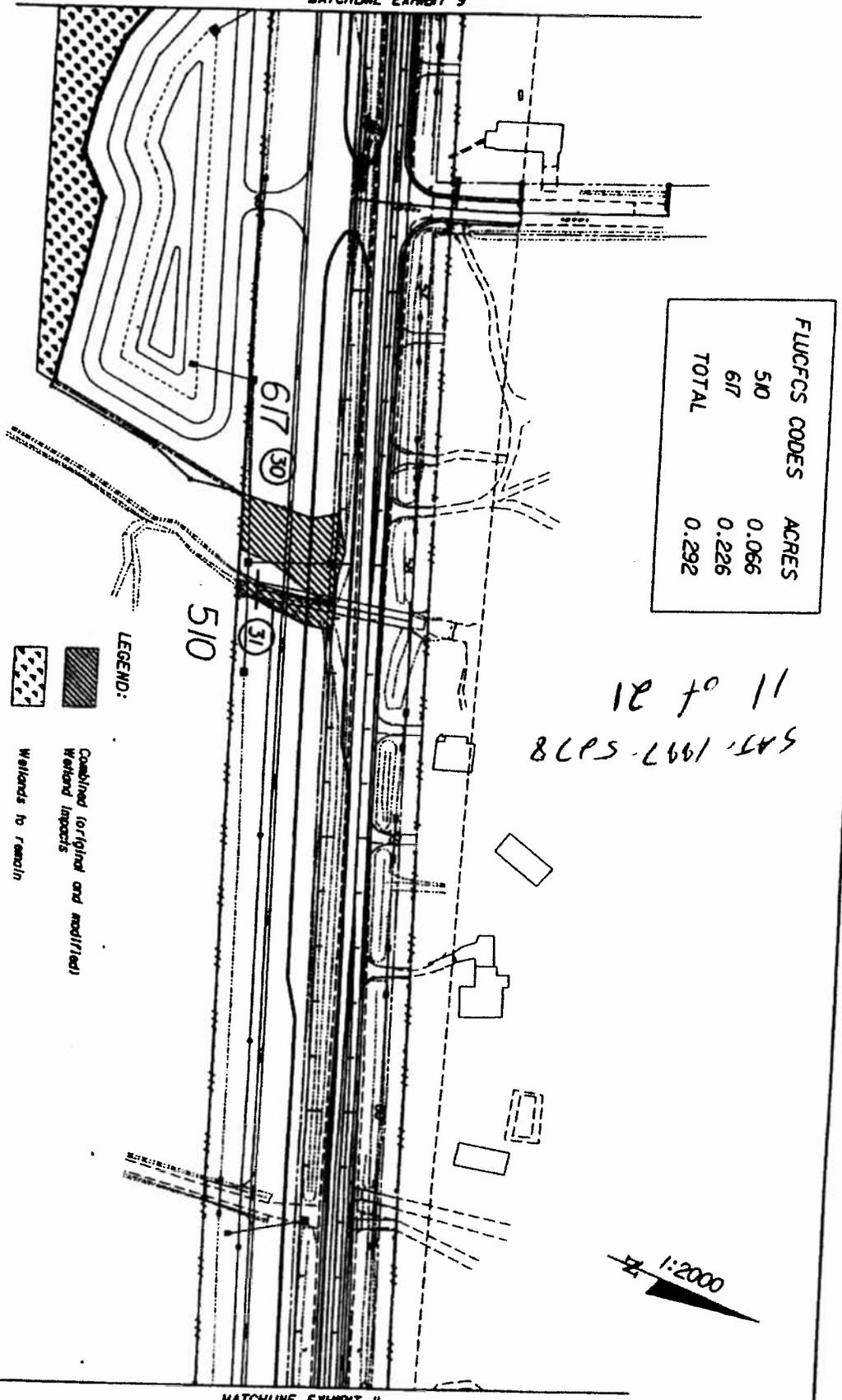
1715 South 5th Street, Jacksonville Beach, FL 32206-4646
   
 Phone: 321.278.7888
   
 Fax: 321.278.7888

**S.R. 200**
  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06
   
 DATE: 04/13/99
   
 REV.: 12/29/04
   
 EXHIBIT NO.: 10

8/20/2004 08:00 AM

MATCHLINE EXHIBIT 9



FLUCFCS CODES	ACRES
510	0.066
617	0.226
<b>TOTAL</b>	<b>0.292</b>

SAT. 1997-5278
   
 11 of 21

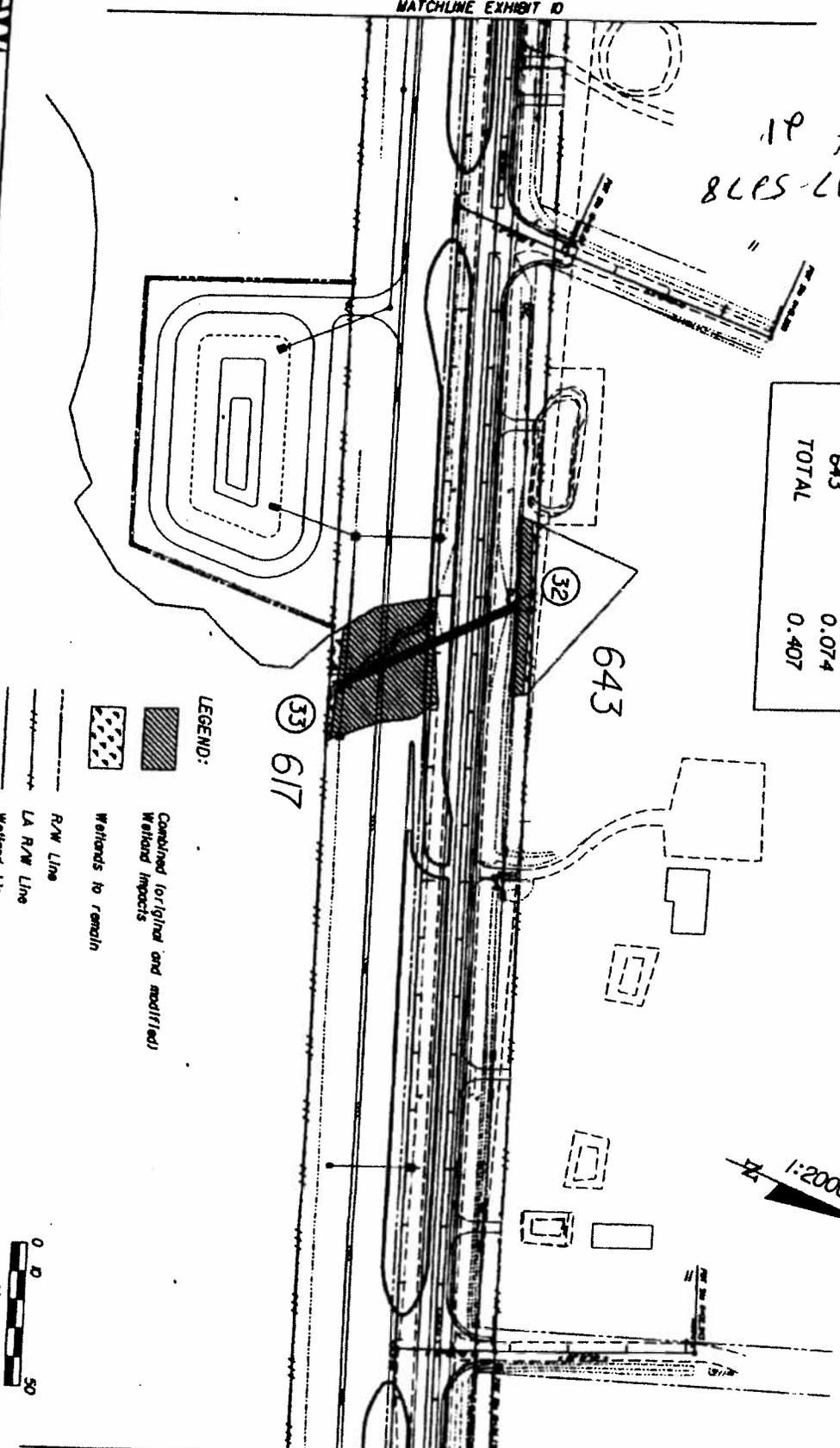
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MATCHLINE EXHIBIT 8

MATCHLINE EXHIBIT 10

12 of 21  
SAS-1997-5278

FLUCFCS CODES	ACRES
617	0.333
643	0.074
<b>TOTAL</b>	<b>0.407</b>



LEGEND:

- Contained (original and modified) Wetland Impacts
- Wetlands to remain
- R/W Line
- LA R/W Line
- Wetland Line



MATCHLINE EXHIBIT 12

**CW**  
**Connelly & Wicker Inc.**  
 ENGINEER OF RECORD  
 Richard C. Wicker, P.E.  
 FL PE No. 40279  
 CONSULTING ENGINEERS  
 1711 South 9th Street Jacksonville Beach, FL 32206-4446  
 904.247.7595 Fax 904.247.1128

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

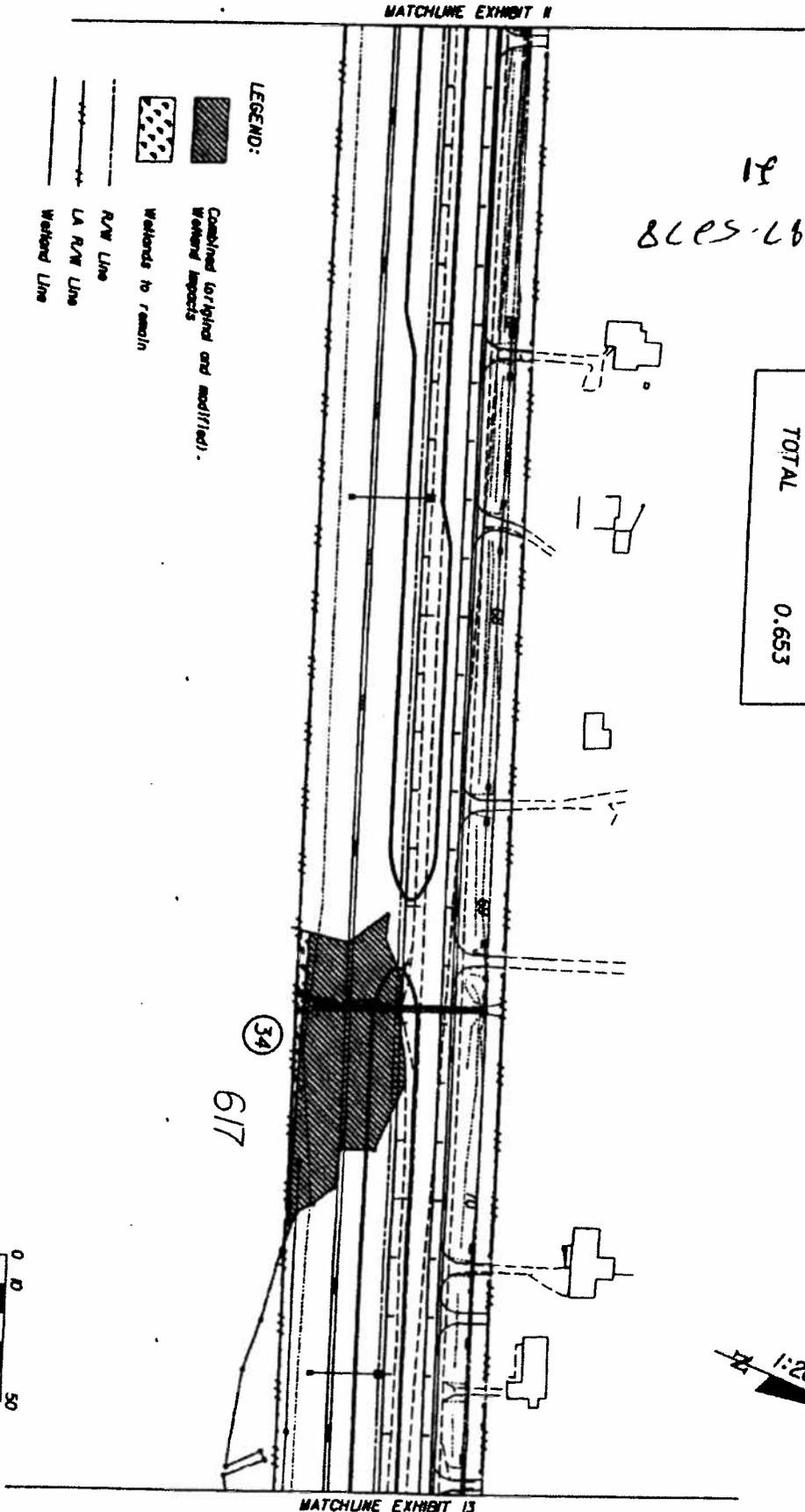
PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: II


**Connelly & Wicker Inc.**  
 Consulting Engineers  
 1715 South 5th Street, Jacksonville Beach, FL 32216-1046  
 MacLure 7898 ES No. 3888 FL PR No. 40378  
 Engineer of Record:  
 Richard C. Wicker, P.E.  
 FL PR No. 40378

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 12

- LEGEND:**
-  Combined layout and modified.
  -  Wetland impacts
  -  Wetlands to remain
  -  R/W Line
  -  LA R/W Line
  -  Wetland Line



13 of 21  
 SAT. 1997-5278  
 8CS-1861-545

FLUCFCS CODES	ACRES
617	0.653
<b>TOTAL</b>	<b>0.653</b>

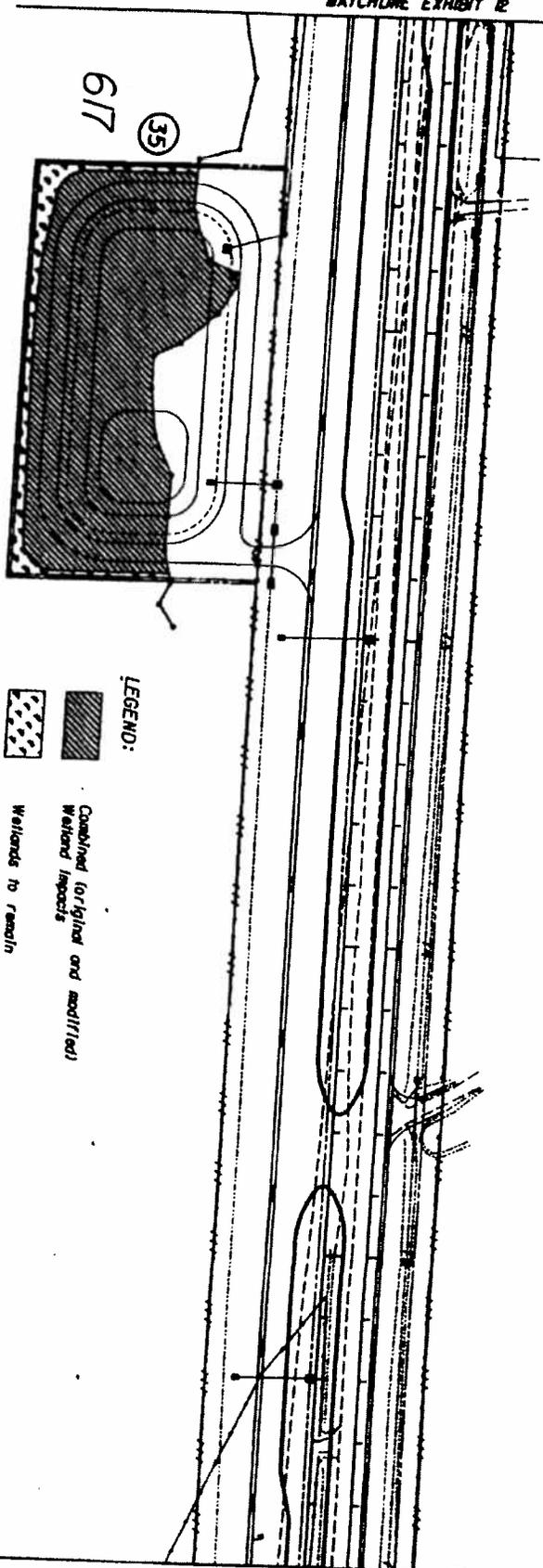


MATCHLINE EXHIBIT 13

MATCHLINE EXHIBIT R

14 of 21  
SAS-1997-5278

FUFCFS CODES	ACRES
617	1.506
TOTAL	1.506



- LEGEND:**
-  Combined (original and modified) Wetland Impacts
  -  Wetlands to remain
  -  R/W Line
  -  LA R/W Line
  -  Wetland Line



**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

**GW**  
 Connelly & Wicker Inc.  
 CONSULTING ENGINEERS  
 William G. Wicker, P.E.  
 P.L. No. 48378

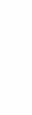
1711 South 4th Street, Jacksonville Beach, FL 32206-4444  
 904.246.7700 FAX 904.246.7800  
 1711 South 4th Street, Jacksonville Beach, FL 32206-4444  
 904.246.7700 FAX 904.246.7800

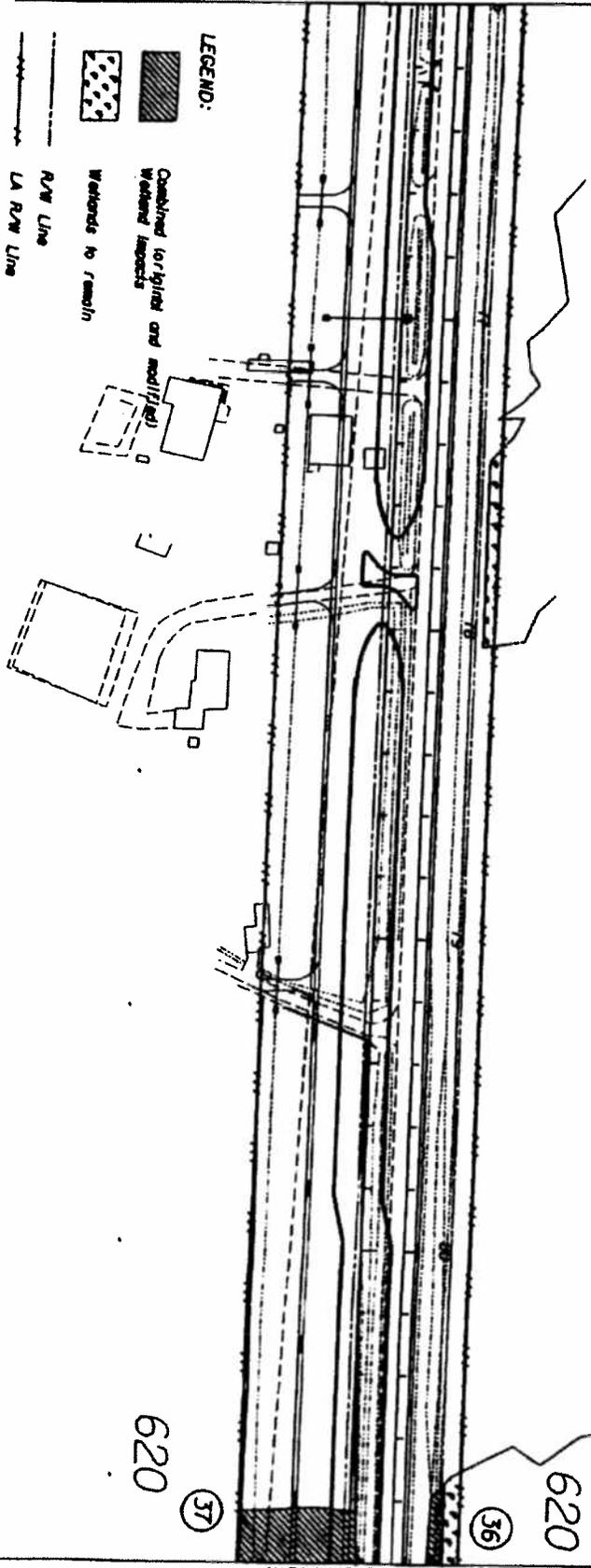
PROJECT NO.:	9704-06
DATE:	04/13/99
REV.:	12/29/04
EXHIBIT NO.:	15

MATCHLINE EXHIBIT H

MATCHLINE EXHIBIT 13

15 of 21  
SAS-1997-5278  
82PS-2661-545

- LEGEND:**
-  Combined (original and modified) Wetland Impacts
  -  Wetlands to remain
  -  R/W Line
  -  LA R/W Line
  -  Wetland Line



FLUCFCS CODES	ACRES
620	0.179
<b>TOTAL</b>	<b>0.179</b>

**CW**  
**Connelly & Wacker Inc.**  
 Registered Professional Engineer  
 Richard C. Wacker, P.E.  
 P.E. No. 48278  
 Consulting Engineers  
 1711 South 5th Street Jacksonville Beach, FL 32256-4646  
 904.228.7868 88 So. 28th Palm Beach, FL 33481-1138

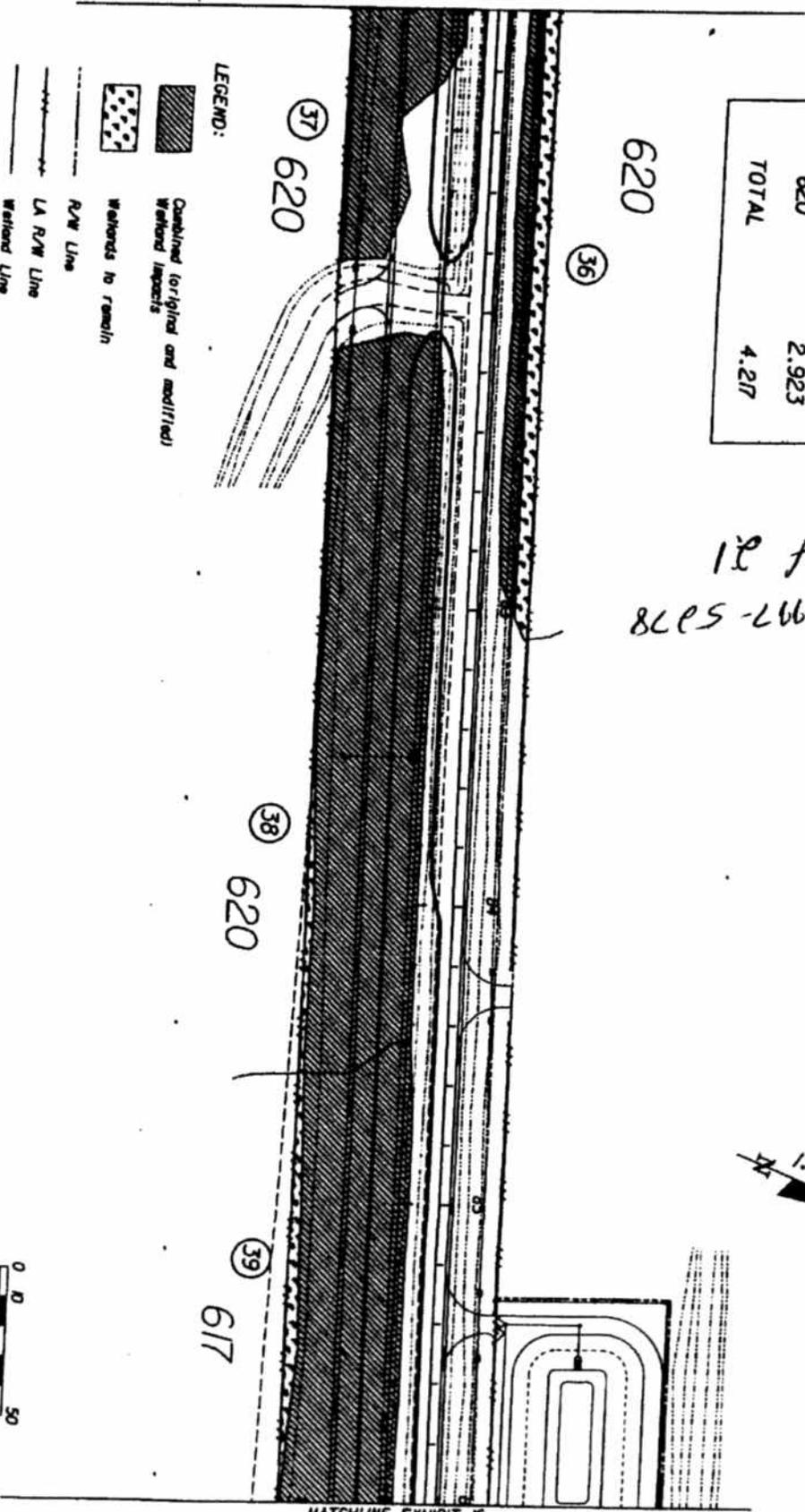
**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 14

MATCHLINE EXHIBIT 15

FLUCFCS CODES	ACRES
617	1.294
620	2.923
<b>TOTAL</b>	<b>4.217</b>

SAT. 1997-5278  
16 of 21



**CW**  
**Connelly & Wicker Inc.**  
 ENGINEER OF RECORD  
 Richard C. Wicker, P.E.  
 P.L. No. 40378  
 Consulting Engineers  
 17745-200 Street Jacksonville Beach, FL 32216-4645  
 Tel: 321-276-7200 Fax: 321-276-1128

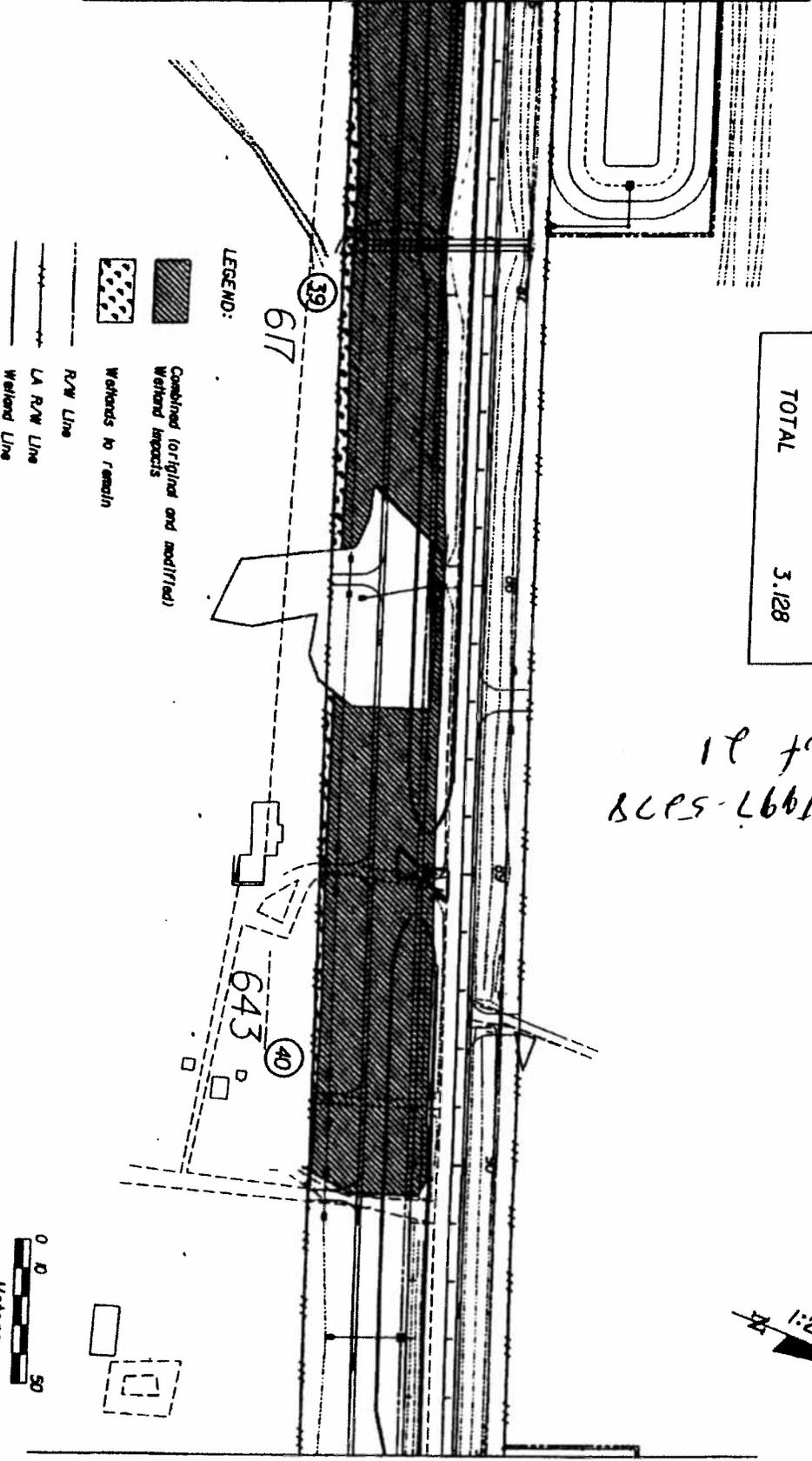
**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 15

MATCHLINE EXHIBIT 15

F/LUCFCS CODES	ACRES
617	1.507
643	1.621
<b>TOTAL</b>	<b>3.128</b>

545-1997-5278  
17 of 21



LEGEND:

-  Combined (original and modified) Wetland Impacts
-  Wetlands to remain
-  R/W Line
-  LA R/W Line
-  Wetland Line

MATCHLINE EXHIBIT 17

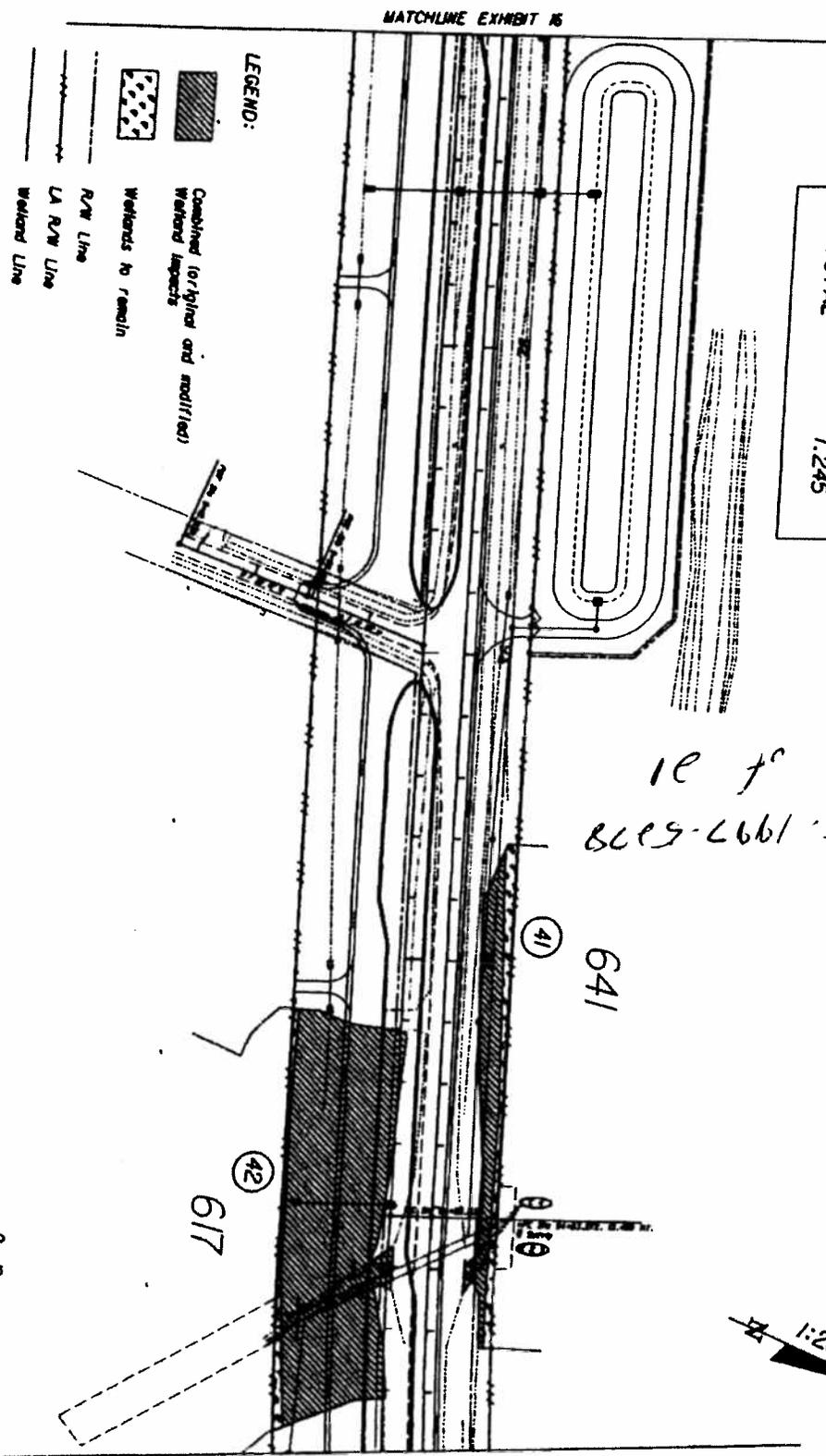
**CW**  
 Connelly & Wicker Inc.  
 Registered Professional Engineer  
 Registered Professional Surveyor  
 Registered Professional Land Surveyor  
 P. E. No. 46379  
 P. L. No. 11179

1711 South 4th Street, Jacksonville Beach, FL 32216-1446  
 Phone: 321/700-1100 Fax: 321/700-1119

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.:	9704-06
DATE:	04/13/99
REV.:	12/29/04
EXHIBIT NO.:	16

FLUCFCS CODES	ACRES
617	1.043
641	0.202
<b>TOTAL</b>	<b>1.245</b>



- LEGEND:**
- Combined (original and modified) Wetland Impacts
  - Wetlands to remain
  - R/W Line
  - LA R/W Line
  - Wetland Line



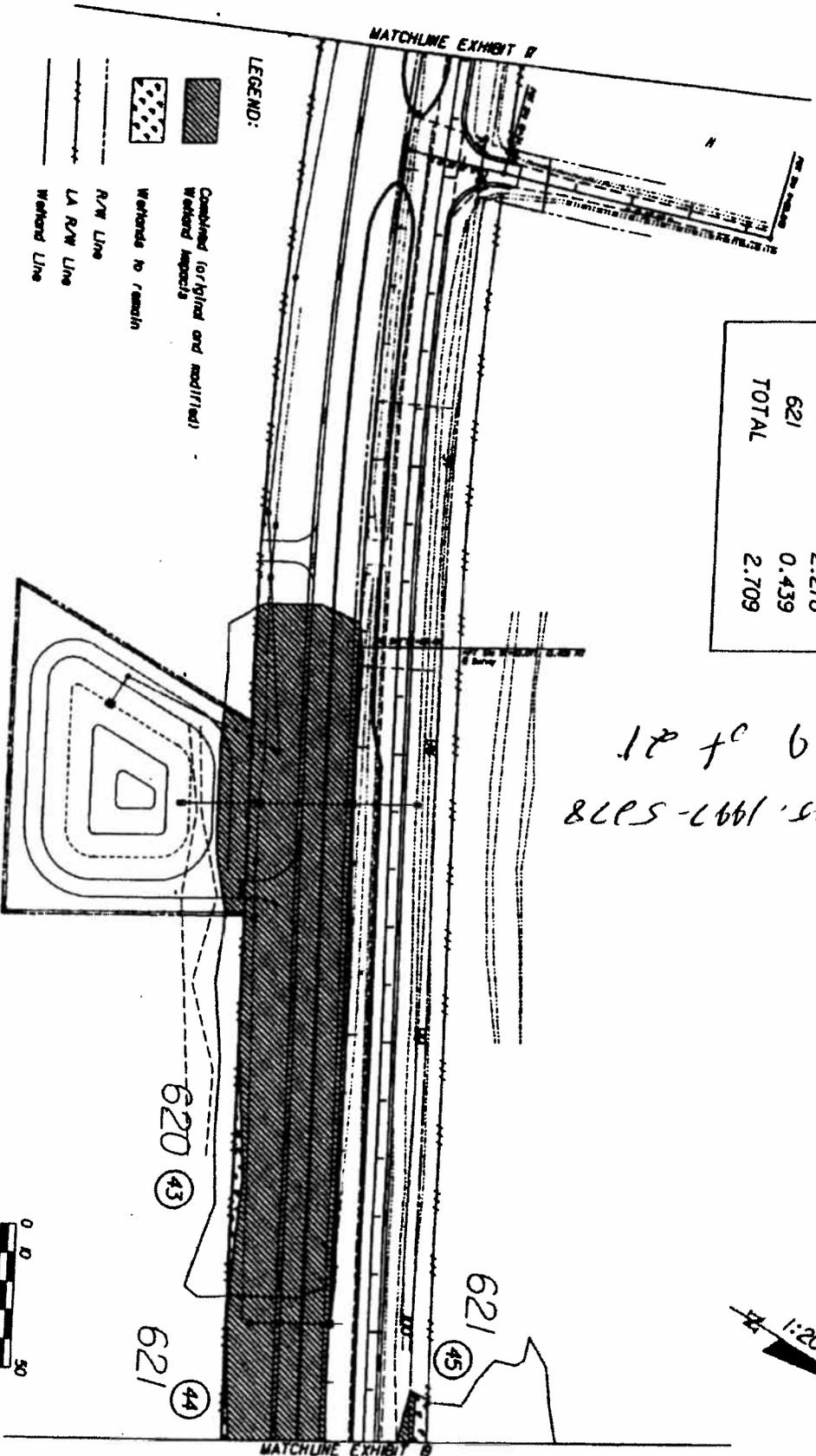
**COW**  
**Connelly & Wicker Inc.**  
 Registered Professional Engineer  
 1711 South 4th Street, Jacksonville Beach, FL 32216-4444  
 904.240.7885 EA No. 2000  
 Consulting Engineers  
 P.L. PE No. 48278

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 17

FUCCFS CODES	ACRES
620	2.270
621	0.439
<b>TOTAL</b>	<b>2.709</b>

*12 of 61  
S.A.S. 1997-5278*



**LEGEND:**

-  Completed (original and modified) Wetland Impacts
-  Wetlands to remain
-  R/W Line
-  LA R/W Line
-  Wetland Line



**CW**  
**Connellally & Wicker Inc.**  
 Registered Professional Engineer  
 License No. 40217  
 1111 South 4th Street, Jacksonville, Florida 32209-4949  
 Phone: 321.778.1111 Fax: 321.778.1134  
**Consulting Engineers**

**S.R. 200  
 WETLAND IMPACT MODIFICATIONS**

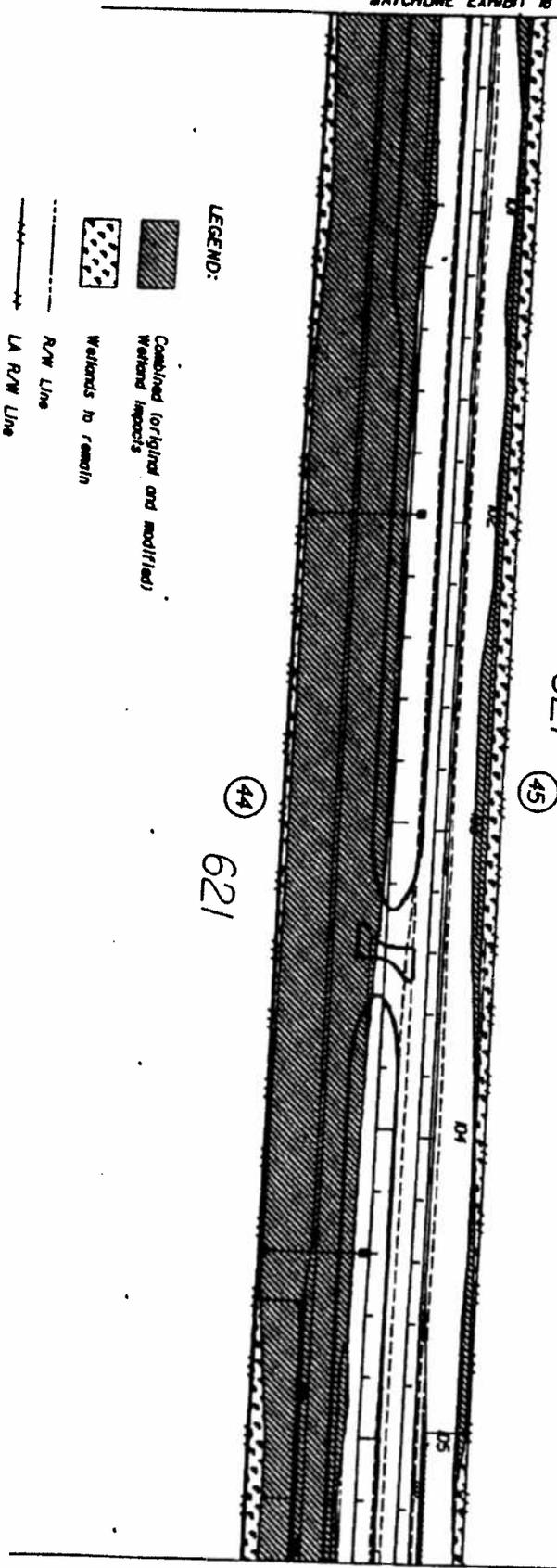
PROJECT NO.:	9704-06
DATE:	04/13/99
REV.:	12/29/04
EXHIBIT NO.:	18

MATCHLINE EXHIBIT 10

FUFCFS CODES	ACRES
621	4.091
<b>TOTAL</b>	<b>4.091</b>

SAT. 1997-5078  
 10 of 21  
 621 (45)

- LEGEND:
-  Combined (original and modified) Wetland Impacts
  -  Wetlands to remain
  -  R/W Line
  -  LA R/W Line
  -  Wetland Line



MATCHLINE EXHIBIT 20



**CON**  
**Connelly & Wicker Inc.**  
 REGISTERED PROFESSIONAL ENGINEERS  
 Registered in the State of Florida, P.E.  
 P.L. No. 40379  
 CONSULTING ENGINEERS  
 1711 South 9th Street Jacksonville Beach, FL 32216-4446  
 904.246.7700 FAX 904.241.1128

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

PROJECT NO.: 9704-06  
 DATE: 04/13/99 REV.: 12/29/04  
 EXHIBIT NO.: 19

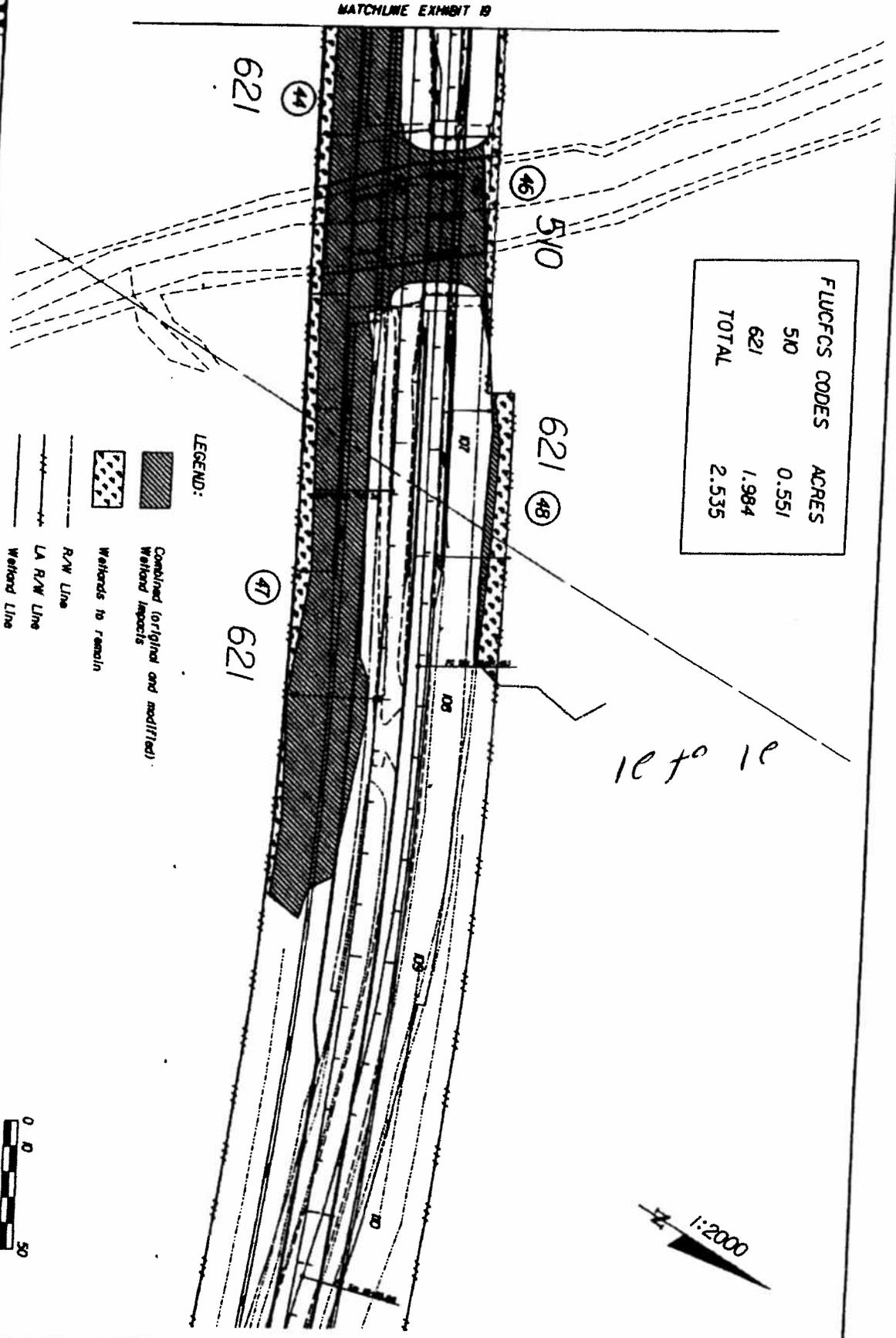
1717 South 9th Street  
 4041 200 7700  
 Jacksonville Beach, FL 32208-4949  
 P.O. Box 241 1128

**Engineer of Record**  
 Richard C. Wicker, P.E.  
 FL PE No. 40278

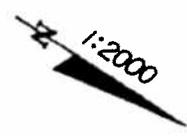
**Consulting Engineers**  
**Connellally & Wicker Inc.**

**S.R. 200**  
**WETLAND IMPACT MODIFICATIONS**

FUWCFCS CODES	ACRES
510	0.551
621	1.984
<b>TOTAL</b>	<b>2.535</b>



- LEGEND:**
- Combined (original and modified) Wetland Impact
  - Wetlands to remain
  - R/W Line
  - LA R/W Line
  - Wetland Line



PROJECT NO.:	9704-06
DATE: 04/13/99	REV.: 12/29/04
EXHIBIT NO.:	20

## 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 # 5AT-1997-5278(F.P.A.P)  
Date: 11/18/08  
Attachment: 2



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

PERMIT NO. 4-089-76140-5

DATE ISSUED: November 11, 2008

PROJECT NAME: SR 200 Widening from Callahan to Boggy Creek

**A PERMIT AUTHORIZING:**

Construction of a surface water management system with stormwater treatment by wet detention for the widening of SR 200 from Callahan to Boggy Creek, a 195.70-acre project.

**LOCATION:**

Section(s): 1, 3, 7, 8, 9, 10, 11, Township(s): 2N Range(s): 25E  
12, 13, 14, 15, 16,  
20, 21, 29, 42, 43,  
47, 51  
1, 3, 4, 5, 7, 8, 9, Township(s): 2N Range(s): 26E  
10, 11, 12, 13, 14,  
15, 16, 20, 21, 29,  
42, 43

Nassau County

**ISSUED TO:**

Florida Department of Transportation  
1109 S Marion Ave  
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 November 11, 2008

**AUTHORIZED BY:** St. Johns River Water Management District

Department of Water Resources

Governing Board

By: Jeff Elledge  
Jeff Elledge  
(Director)

By: Kirby B. Green III  
Kirby B. Green III  
(Assistant Engineer)

U.S. Army Corps of Engineers  
Permit # SAS-1997-5279(EPA)  
Date: 11/18/08  
Attachment: 3



**"EXHIBIT A"**  
**CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 4-089-76140-5**  
**FLORIDA DEPARTMENT OF TRANSPORTATION**  
**DATED NOVEMBER 11, 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

RECORDED  
NOV 20 2008  
JACKSONVILLE DISTRICT  
USAGE

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 drawings 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. 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.

21. 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.
22. 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.
23. The surface water management system shall be constructed in accordance with plans received by the District on May 16, 2008, August 27, 2008 and September 18, 2008.
24. The stormwater management system shall be inspected by the operation and maintenance entity once within two years after completion of construction and every two years thereafter to insure that the system is functioning as designed and permitted. If a required inspection reveals that the system is not functioning as designed and permitted, then within 14 days of the inspection the entity shall submit an Exceptions Report on form number 40C-42.900(6), Exceptions Report for Stormwater Systems Out of Compliance. The operation and maintenance entity must maintain a record of the 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.
25. Mitigation to offset the impacts to wetlands and other surface waters authorized by this permit will be provided through Section 373.4137, F.S.
26. This permit for construction shall expire on November 11, 2018.

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 # 545-097-5278(51-AV)  
Date: 11/18/08  
Attachment: 4



SEP 29 2008

MEMORANDUM FOR RECORD

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

1. Applicant: Florida Department of Transportation  
District 2  
Attn: Van Humphreys  
1901 South Marion St.  
Lake City, Florida 32035

2. Location, Project Description, Existing Conditions: The project is located in wetlands adjacent to Alligator Creek, Mills Creek, Boggy Creek, and Tom Mann Swamp, along State Road (SR) 200/US 301 from Griffin Road to Stratton Road. The project starts just west of Interstate 95 (I-95) and terminates in Callahan, in Nassau County.

The applicant requested modification and re-authorization of Department of the Army permit SAJ-1997-5278(IP-BAL), issued December 18, 2002, to allow for 1.03 acres of additional wetland impacts. The applicant has identified geotechnical limitations which required design changes in the roadway profile resulting in increased side slopes and necessitating additional wetland impacts.

The U.S. Army Corps of Engineers issued Department of Army permit SAJ-1997-5278(IP-BAL) to the Florida Department of Transportation authorizing impacts to 51.43 acres of waters of the United States, including wetlands, for the widening of a 13-mile segment of a roadway extending from I-95 to Stratton Road. The work would consist of widening the road from two to four lanes and constructing stormwater detention ponds.

To date the applicant has completed the first phase of the project by widening SR 200 from I-95 to Griffin Road. The proposed action would widen SR 200 from Griffin Road to Stratton Road. Additionally, the applicant mitigated for wetland impacts by contributing funds to the St. Johns River Water Management District (SJRWMD) pursuant to Florida Statutes 373.4137 (Senate Bill 1986).

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SUBJECT: Department of the Army Environmental Assessment and Statement of Findings on the Above-Numbered Permit Application.

The project as proposed will impact bottomland swamps, mixed wetland hardwoods, hydric planted pine, cypress swamps, freshwater marsh, and wet prairie. See the Statement of Findings for SAJ-1997-5278(IP-BL) for additional wetland descriptions.

3. Project Purpose: Basic: Widen SR-200 from 2 lanes to four lanes.

Overall: Widen SR-200 from 2 lanes to four lanes including stormwater management features.

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

5. Statutory Authority: Section 404 of the Clean Water Act (33 U.S.C. 1344).

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

a. State Permit/Certification: The SJRWMD permit number 4-089-76140-5 was issued on 11 November 2008.

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

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

7. Date of Public Notice and Summary of Comments

a. The application was received on 15 May 2008. After receiving additional information the application was considered complete on 26 August 2008. A public notice was issued on 28 August 2008, and sent to all interested parties including appropriate State and Federal agencies. All comments received on this application have been reviewed and are summarized below:

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

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(2) U.S. Fish and Wildlife Service (FWS): Did not respond to the public notice.

(3) National Marine Fisheries Service (NMFS): Did not respond to the public notice.

(4) State Historic Preservation Officer (SHPO): Did not respond to the public notice. The Corps will special condition any permit issued advising the applicant how to proceed in accordance with the National Historic Preservation Act.

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

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

#### 8. Alternatives:

a. Avoidance (No action, uplands, availability of other sites): The no action alternative would not allow for project completion. The applicant completed an alternative design analysis and alternatives analysis during the 2002 permitting of the project. The applicant and the resource agencies concluded the alternative proposed is the least damaging alternative. The construction of a new alignment is not feasible considering cost and environmental impacts associated with a new roadway. The 1.03 acres of additional wetland impacts are required to address geotechnical limitations resulting from highly plastic clay soils found within the right-of-way. The proposed design change does not alter the proposed alignment. The Corps continues to concur with its 18 December 2002 determination that the proposed alternative is the least environmentally damaging practicable alternative. The applicant was not asked to seek additional alternative alignments or designs.

b. Minimization (modified project designs, etc.): The project has been minimized to the maximum extent possible that would allow the applicant to achieve the project purpose. The additional impacts are required to address geotechnical limitations. The applicant was not asked to further explore minimization alternatives beyond those already achieved.

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c. Compensatory Mitigation (Wetland enhancement, creations, etc.): The Corps previously completed a Wetland Rapid Assessment Procedure (WRAP) and determined the project would eliminate 34.82 WRAP units. The applicant has mitigated for the functional loss by contributing funds to the SJRWMD pursuant to Florida Statutes 373.4137 (Senate Bill 1986). To date the SJRWMD has acquired and preserved approximately 1,583 acres at the Four Creeks mitigation site. The site contains approximately 773 acres of wetlands and 812 acres of uplands. Additionally, the applicant has acquired 15.07 federal credits.

To offset the additional 1.03 acres of wetland impact the applicant will contribute an additional \$98,000 toward the acquisition of wetlands at the Four Creeks mitigation site. The acquisition will offset 0.75 functional unit of loss. The contribution will be completed in accordance with Florida Statutes 373.4137.

SJRWMD shall submit an annual status report and five year update of the mitigation described above in accordance with the Memorandum of Understanding between the SJRWMD and the United States Army Corps of Engineers, Jacksonville District signed 16 October 2007 and 9 October 2007 respectively.

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

10. Public Interest Review:

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

b. All public interest factors have been reviewed, including but not limited to the effects the work might have on conservation, economics, aesthetics, general environmental

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concerns, wetlands, historic properties, fish and wildlife values, land use, navigation, shore erosion and accretion, recreation, water quality, safety, and consideration of property ownership. It has been determined that the proposed work will not adversely impact any of the public interest factors. The inclusion of special conditions requiring the applicant to follow the Eastern Indigo Snake Protection Measures and provide compensatory mitigation and will ensure the project meets the public interest review factors and 404(b)(1) guidelines.

c. Describe the relative extent of the public and private need for the proposed structure or work: The proposed work is required to insure public safety, increased carrying capacity of the roadway and the more effective movement of vehicular traffic. The proposed work will also provide a temporary economic stimulus within the area surrounding the project.

d. Describe the practicability of using reasonable alternative locations and methods to accomplish the objective of the proposed work where there are unresolved conflicts as to resource use: There are no unresolved conflicts regarding resource use.

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

f. Threatened or Endangered Species: During the initial (2002) review of this application the Corps determined the project would have "no effect" on federally listed species. Since permit issuance new information has been provided by FWS which identified *Core Foraging Areas* for the endangered wood stork. A review of this information indicated the project is located within the Core Foraging Area of the wood stork. The Corps has determined the proposed modification "may affect, but is not like to adversely affect" the wood stork with the inclusion of wetland compensation for the loss of wetland habitat. Additionally, the Corps has information indicating the

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potential for the threatened eastern indigo snake to be present in the project area. The Corps has determined the project "may affect, but is not likely to adversely affect" the eastern indigo snake with the inclusion of the Standard Protection Measures for the Eastern Indigo Snake in any permit issued. These determinations were coordinated with the FWS via letter dated 19 May 2008. FWS provided concurrence with these determinations via letter dated 4 June 2008, pursuant to Section 7 of the Endangered Species Act.

g. Essential Fisheries Habitat (EFH): This project was initially coordinated with the National Marine Fisheries Service (NMFS) in 2002. The NMFS determined the project impacts wetlands provide water quality functions which benefit the Nassau River. Additionally, the Nassau River is utilized by various life stages of post larvae, subadult, and adult white shrimp, pink shrimp, brown shrimp, subadults of red drum, cobia. The estuarine water column is also habitat for juvenile and adult bluefish, summer flounder. NMFS determined the project would not adversely impact EFH with the inclusion of the compensatory mitigation.

The Corps determined the proposed action would not have a substantial adverse impact on EFH or Federally managed fisheries in wetlands which may contribute to EFH functions within Nassau River with the inclusion of compensatory mitigation. NMFS concurred with this determination via letter dated June 12, 2008. Therefore, the Corps is satisfied that the consultation procedures outlined in 50 CFR Section 600.920 of the regulation to implement the EFH provisions of the Magnuson-Stevens Act have been met.

h. Corps Wetland Policy: The proposed wetland alteration is necessary to realize the project purpose and should result in minimal adverse environmental impacts. The benefits of the project would outweigh the minimal detrimental impacts. The project would result in a no-net loss of wetland functions and values. Therefore the project is in accordance with the Corps wetland policy.

i. Cumulative and Secondary Impacts: The project as proposed should not cause cumulative or secondary impacts. Impacting wetlands at this project site would not set precedent for impacts to occur in wetlands surrounding the site. The applicant proposes compensatory mitigation within the same drainage basin thereby eliminating cumulative wetland losses.

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Additionally, the applicant will implement best management practices during construction which will reduce the likelihood of adverse secondary impacts.

j. Corps Comments and Responses: Full consideration was given to all comments received during the public notice. The applicant will provide compensatory mitigation in accordance with the 404(b)1 guidelines and pursuant to NMFS recommendations.

11. Determinations:

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

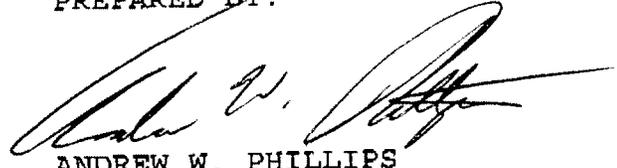
b. Compliance with 404(b)(1) guidelines. Having completed the evaluation in paragraph 7 above, I have determined that the proposed discharge complies with the 404(b)(1) guidelines.

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

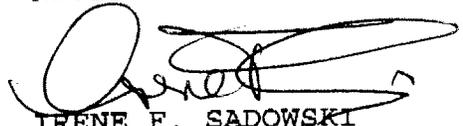
d. Section 176(c) of the Clean Air Act General Conformity Rule Review: The proposed permit action has been analyzed for conformity applicability pursuant to regulations implementing Section 176(c) of the Clean Air Act. It has been determined that the activities proposed under this permit will not exceed *de minimis* levels of direct emissions of a criteria pollutant or its precursors and are exempted by 40 CFR Part 93.153. Any later indirect emissions are generally not within the Corps' continuing program responsibility and generally cannot be practicably controlled by the Corps. For these reasons a conformity determination is not required for this permit action.

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PREPARED BY:

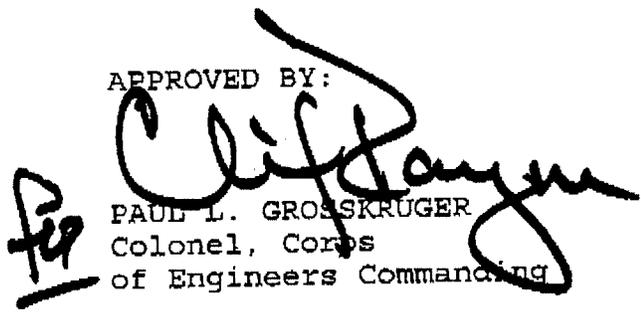


ANDREW W. PHILLIPS  
Project Manager  
REVIEWED BY:



IRENE F. SADOWSKI  
Chief, Cocoa Permits  
Section

APPROVED BY:



PAUL L. GROSSKRÜGER  
Colonel, Corps  
of Engineers Commanding

CF:  
CESAJ-RD-PE