

Environmental Compliance Matrix for the Kissimmee River Restoration, Contract 18A S-65EX1 Spillway Structure

Permittee: USACE
Permit No.: 030849-001
Date of Issue: May 24, 2012
Expiration Date: May 24, 2017
County: Okeechobee

Project: Kissimmee River Restoration – S-65EX1 Spillway Structure, Contract 18A

Solicitation Number: W912EP-12-R-0016

Prepared: January 2013, Rebecca Lee-Duffell, PD-EP, 904-232-2585

Reviewed: January 2013, Diana Martuscelli, PD-EP, 904-232-1877

Action	Date	Responsible Party	Non-compliance Protocol	Source of Requirement
A copy of the complete permit with all conditions, attachments, modifications, and time extensions shall be kept at the work site. The contractor and subcontractor must review the permit, plans, and specifications before construction.	Throughout contract	Contractor		WQC SC-6 WQC GC-8 P&S S-015720 Part 1
Preconstruction meeting with contractors, DEP, USACE, FWC, USFWS, and other environmental regulatory agencies.	Notification at least two weeks before meeting (email)	COE Jean Wilson	Coordinate with Agencies/Jean Wilson	WQC SC-7
The Contractor shall provide a proposed construction schedule and submit to COE and DEP	Within 30 days from NTP to the Contractor or upon COE approval	Contractor		WQC SC-7
The Contractor shall instruct all personnel associated with the project that endangered species may be present in the area.	Prior to construction	Contractor		WQC SC-2
The Contractor shall prepare an Environmental Protection Plan and submit to COE and DEP.	No later than 15 days prior to the preconstruction meeting. At least	Contractor	No work shall begin at the site	WQC SC-10 P&S S-015720 Part 1

	30 days prior to construction.			
Stake and fence the perimeter of the wetlands adjacent to the construction area to prevent encroachment into the wetlands. Notify the Corps and DEP in writing when the fencing is complete for a joint inspection.	Before construction	Contractor/COE Karen Gonzalez		WQC SC-4 P&S S-015720 Part 3
Schedule a final site visit with DEP to allow for inspection of the project site once the temporary works have been removed.	After temporary works are removed	Contractor/COE Karen Gonzalez		WQC SC-4
Notify the COE, DEP, and SHPO if any historical or archaeological artifacts are discovered on site.	Immediately	Contractor/COE	Stop work in that area	WQC SC-18 WQC GC-11 P&S S015720 Part 3
Obtain NPDES Generic Construction Permit for Stormwater Discharge.	Before construction	Contractor	No work shall begin at the site	WQC SC-16 P&S S-015720 Part 1
NPDES General Permit for the Discharge of Produced Ground Water from any Non-Contaminated Site Activity.	Before construction	Contractor	No work shall begin at the site	WQC SC-17 P&S S-015720 Part 1
A copy of the SHPO letter must be sent to DEP.	Before construction	Contractor/COE David McCullough		WQC SC-18
Best management practices for erosion and sediment control.	Throughout contract	Contractor		WQC SC-11 P&S S-015720 Part 3
The Contractor shall monitor turbidity levels at least twice daily and once every four hours during all operations that may create turbidity. Comply with all turbidity monitoring and reporting requirements as listed in the permit and P&S.	Daily	Contractor	Stop work, notify Karen Gonzalez & DEP immediately	WQC SC-12&13 P&S S-015725 Part 3
All construction work in surface waters shall be conducted in a manner to comply with State Water Quality Standards.	Throughout contract	Contractor	Stop work, notify Karen Gonzalez & DEP	WQC SC-14
Ensure water use permits are obtained by the contractor and submitted to RPPS FDEP.	Throughout contract	Contractor/Jean Wilson		WQC SC-15

The contractor shall utilize existing local roads. Temporary or permanent access roads outside the project footprint are not authorized.	During construction	Contractor/COE Karen Gonzalez		WQC SC-19
Maintain the S-65EX1 spillway structure area until the project is turned over to the Non-Federal Sponsor. Routine inspections shall be performed to confirm the restored area's hydraulic connections are functional.	Throughout contract	Contractor/COE Karen Gonzalez		WQC SC-24
Submit an "Annual Status Report" to DEP detailing the construction activities.	Throughout contract	Contractor/COE Karen Gonzalez		WQC SC-25
If the Contractor or Corps does not comply with any condition or limitation specified in the permit, the Corps shall immediately provide DEP with a written report.	Throughout contract	Contractor COE/Karen Gonzalez	Letter to DEP	WQC GC-3
Obtain any applicable licenses, permits, or other authorizations which may be required by federal, state, local, or special district laws and regulations.	Before construction	Contractor	No work shall begin at the site	WQC GC-4
Any anticipated significant deviation from the permitted plans the COE shall notify DEP.	Immediately and before implementation	COE Rebecca Lee-Duffell	Letter to DEP	WQC GC-2
Written notice of commencement shall be submitted to DEP indicating anticipated start and end dates.	At least 48 hours prior to commencement	COE Karen Gonzalez	Letter and email to DEP	WQC GC-10
Written notice of completion shall be submitted to DEP.	Within reasonable time after construction	COE Karen Gonzalez	Letter to DEP	WQC GC-12
The Contractor shall furnish the qualifications of the bird monitor and eastern indigo snake observer to the COE.	Within 20 calendar days after the Notice of Award	Contractor		P&S S-015720 Part 1
Consult with and coordinate all wildlife monitoring plans, activities, and reports with COE.	Throughout contract	Contractor	Contact COE	P&S S-015720 Part 1
The Contractor shall keep construction activities under surveillance, management, and control to minimize interference with, disturbance to, and damage of fish and	Throughout contract	Contractor	Contact COE	P&S S-015720 Part 3

wildlife				
In the event that a threatened or endangered species is harmed as a result of construction activities, the Contractor shall cease all work and notify the COE immediately.	Throughout contract	Contractor	Stop Construction Contact COE Erin Duffy & Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall prepare Eastern Indigo snake educational material(s) and monitoring guidelines for COE and USFWS approval.	Within 60 days of the conclusion of clearing phase	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 1
The Contractor shall submit a written report of the absence or occurrence of environmental incident to the COE.	Within 30 days following completion of the project	Contractor	Contact COE	P&S S-015720 Part 1
Contractor shall be responsible for following all manatee protection requirements/procedures stated in the specs.	Throughout contract	Contractor	Stop Construction Contact COE Diana Martuscelli	WQC SC-16 P&S S-015720 Part 3
The Contractor shall keep construction activities under surveillance, management, and control to prevent impacts to migratory birds and their nests. The Contractor shall conduct migratory bird monitoring activities 1 April thru 31 August if construction activities occur during that period.	Throughout contract	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall immediately notify the COE if any gopher tortoises or their burrows are encountered during construction activities. The Contractor shall stay at least 25 feet from the entrances of gopher tortoises or individual burrows.	When available	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
If the preconstruction survey identifies the existence of Caracara nests, monitoring is required during nesting season (Dec – April) or until nestlings have fledged the nest. Caracara protection requirements shall be followed according to the specs. A report shall be submitted to the COE after the monitoring of each nesting season concludes.	Before and during construction	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3

If the preconstruction survey identifies the existence of Everglades snail kites nests, no activities shall be conducted within 425 feet of the nest during the breeding season. The Contractor shall be responsible for following all snail kite protection requirements/procedures stated in the specs.	Throughout contract	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall avoid disturbing actively foraging wood storks. Project activities shall be halted until the storks leave the area and the Contracting Officer and the COE have been contacted.	Throughout contract	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall keep construction activities under surveillance, management, and control to prevent impacts to burrowing owls and their nests. The Contractor shall monitor for burrowing owls beginning February 15 through July 10 if construction activities occur during this period.	Throughout contract	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall report sightings of Eastern Indigo snakes, gopher tortoises, and crested caracaras to the COE. A Comprehensive Final Report shall be provided to the COE and shall indicate location, date, and time as well as actions taken (i.e. construction halted until snake left the area).	Throughout contract/ post construction	Contractor	Contact COE Diana Martuscelli	P&S S-015720 Part 3
The Contractor shall control particulates and minimize pollution of air resources at all times (i.e. Particulates, Burning, Odors and Sound Intrusions).	Throughout contract	Contractor		P&S S-015720 Part 3
The Construction shall restore all landscape features damage or destroyed during construction operations outside the limits of the approved work areas.	Post construction	Contractor		P&S S-015720 Part 3

U.S. Army Corps of Engineers key personnel:

- Javier Cortes, USACE, Environmental Engineer, 904-232-1896
- Erin Duffy, USACE, Resident Engineer, 863-471-1741
- Karen Gonzalez, USACE, Project Engineer, 813-503-1363
- Rebecca Lee-Duffell, USACE, Environmental Scientist, 904-232-2585
- Diana Martuscelli, USACE, Biologist, 904-232-1877
- David McCullough, USACE, Archeologist, 904-232-3685

Addresses of other Agency Personnel:

- Stacey Feken, Chief, Environmental Manager, Office of Ecosystem Projects, FDEP, 3900 Commonwealth Blvd. MS 24 Tallahassee, FL 32399

- Marissa Krueger, Environmental Specialist II, Office of Ecosystem Projects, FDEP,
3301 Gun Club Road, West Palm Beach, Florida 33406
- Chance Cowan, Species Conservation Planning Section, FWC,
8535 Northlake Boulevard West Palm Beach, FL 33412
- Bob Pace, USFWS, 1330 W 20th Street Vero Beach, FL 32960