



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**
SOUTHEAST DISTRICT OFFICE
3301 GUN CLUB ROAD, MSC 7210-1
WEST PALM BEACH, FL 33406
561-681-6600

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

April 6, 2016

Florida Inland Navigation District (FIND)
C/O Mark Crosley, Executive Director
1314 Marcinski Road
Jupiter, FL 33477-9498
Email: mcrosley@aicw.org

RE: File Name: FIND Dredged Material Management Area (DMMA) O-7 Modification
File No.: 43-0296831-004-EM

Dear Mr. Crosley:

Your request to modify FDEP Permit No.: 43-0296831-001-EM has been received and reviewed by Department's staff. The modification entails: 1) replacing the bridge to a double 7-ft. by 7-ft. by 60-ft. double box culvert at Hog Creek for the access road; 2) modifying the DMMA weir outfall structures from the previously permitted three, 8-ft. half pipe risers with a total of 24-ft. of weir length to two, 4-ft. side weir riser boxes each with 16-ft. of weir length, for a total system weir length of 32 ft.; and 3) lowering the previously permitted bottom depth of the DMMA by one foot.

PROJECT LOCATION

The project is located 900 feet northwest of the St. Lucie Lock and Dam and approximately 5,500 feet south-southwest of the Florida Turnpike and Interstate 95 immediately north of Hog Creek., Section 1, Township 38 South, Range 40 East (Latitude: 27° 6' 56.28", Longitude: 80° 17' 53.89").

The activities described herein must be conducted in accordance with:

- **The Specific Conditions**
- **The limits, conditions and locations of work shown in the attached drawings (Exhibits 1-7)**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit modification as specifically described above. The above changes are not expected to adversely affect water quality and will not be contrary to the public interest. By

copy of this letter and the attached drawings (Exhibits 1-7), we are notifying all necessary parties of the modification. Since the proposed modification with the above description is not expected to result in any adverse environmental impact or water quality degradation, the permit modification is hereby modified as requested, and subject to the following conditions:

SPECIFIC CONDITIONS:

(1) This letter of approval does not alter the previously issued General and Specific Conditions under DEP Permit No.: 43-0296831-001, unless specifically revised herein. All terms, and required conditions of the original permit shall remain effective and enforceable under this permit modification.

(2) The expiration date (**July 16, 2017**) of the original Permit No. 43-0296831-001-SI, and this Permit Modification No. 43-0296831-004-EM will remain effective and will not change as a result of this modification.

(3) The proposed modification shall be conducted as described and depicted in the attached Exhibits 1 to 7.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review


The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in West Palm Beach, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

 4/6/2016
Jason Andreotta Date
Permitting Program Administrator
Southeast District

Attachments:


Exhibits 1-7

CC:

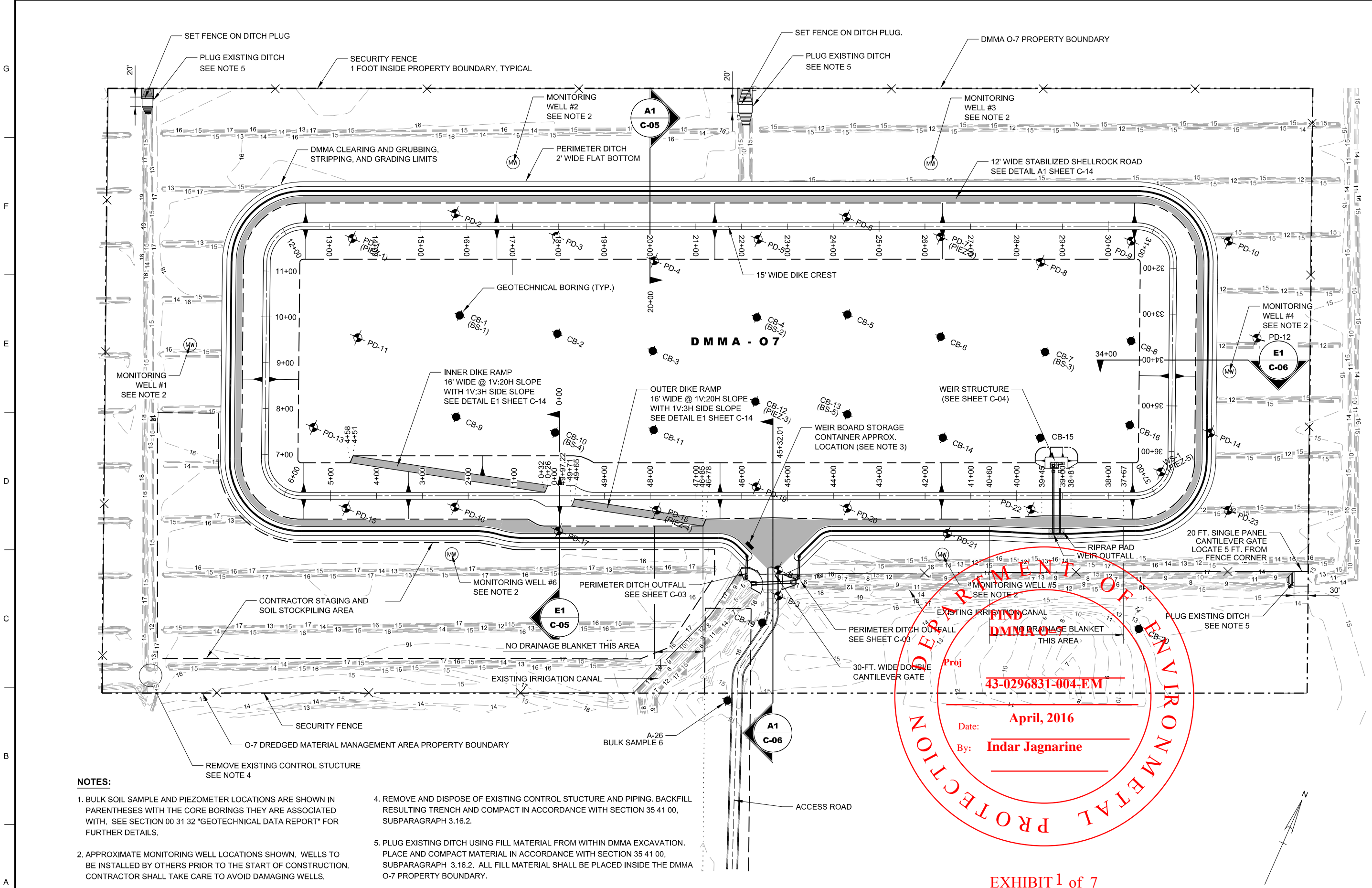
FDEP- Indar Jagnarine, Monica Sovacool
USACE Jacksonville, Jason.J.Spinning@usace.army.mil
USACE Jacksonville , Paul.J.Karch@usace.army.mil

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to 120.52(11),
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.

 4/6/2016
Clerk Date

OCULUS: ERP/Permitting Auth./ERP_0296831/Permit(MOD) Final/ERP-EM/004



NOTES:

1. BULK SOIL SAMPLE AND PIEZOMETER LOCATIONS ARE SHOWN IN PARENTHESES WITH THE CORE BORINGS THEY ARE ASSOCIATED WITH. SEE SECTION 00 31 32 "GEOTECHNICAL DATA REPORT" FOR FURTHER DETAILS.
2. APPROXIMATE MONITORING WELL LOCATIONS SHOWN. WELLS TO BE INSTALLED BY OTHERS PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL TAKE CARE TO AVOID DAMAGING WELLS.
3. APPROXIMATE LOCATION OF WEIR STORAGE CONTAINER SHOWN. EXACT LOCATION TO BE DETERMINED IN THE FIELD AND APPROVED BY THE CONTRACTING OFFICER.
4. REMOVE AND DISPOSE OF EXISTING CONTROL STRUCTURE AND PIPING. BACKFILL RESULTING TRENCH AND COMPACT IN ACCORDANCE WITH SECTION 35 41 00, SUBPARAGRAPH 3.16.2.
5. PLUG EXISTING DITCH USING FILL MATERIAL FROM WITHIN DMMA EXCAVATION. PLACE AND COMPACT MATERIAL IN ACCORDANCE WITH SECTION 35 41 00, SUBPARAGRAPH 3.16.2. ALL FILL MATERIAL SHALL BE PLACED INSIDE THE DMMA O-7 PROPERTY BOUNDARY.

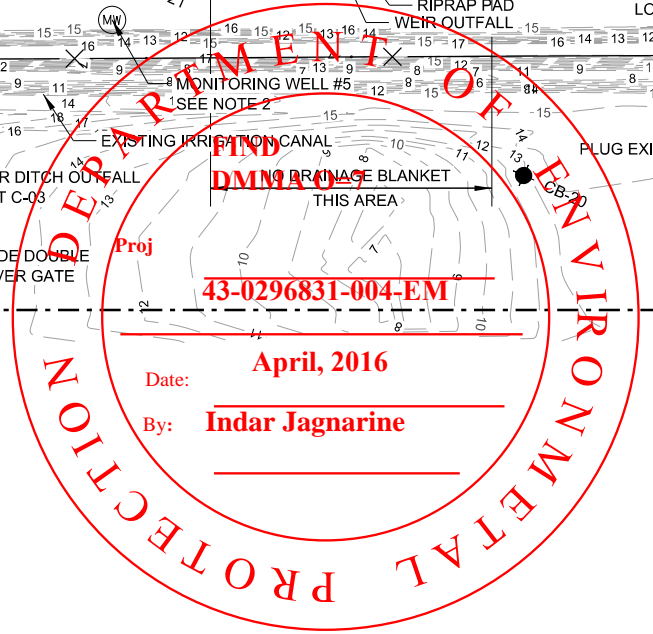
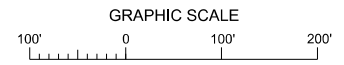


EXHIBIT 1 of 7



US Army Corps of Engineers

ISSUE DATE:	DATE:	MARK:	DESCRIPTION:
DESIGNED BY:	DESIGNER:	CONTRACT NO.:	
CHECKED BY:	CHECKER:	DRAWING DATE:	
FILE NAME:	FILE SIZE:		

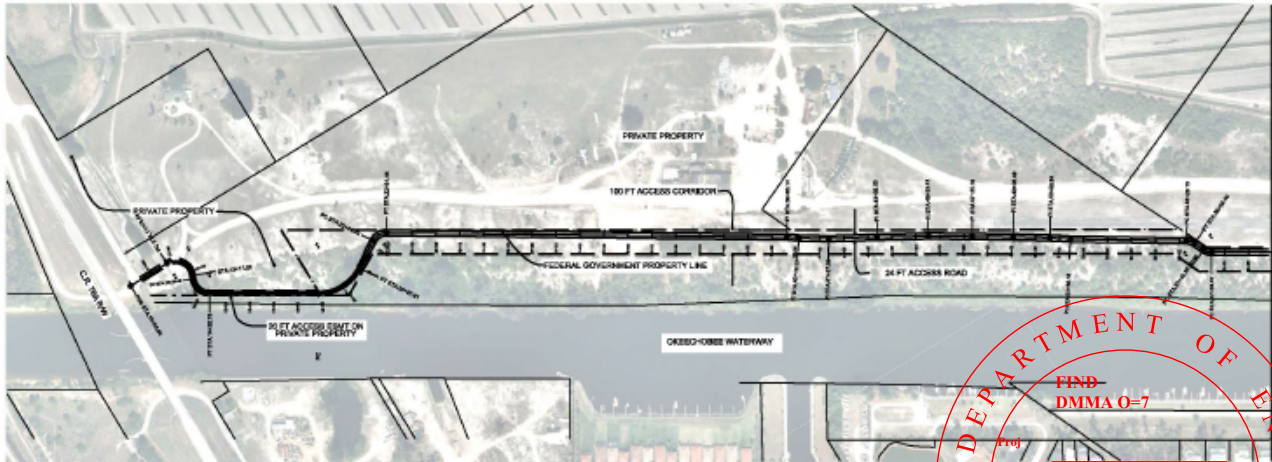
U.S. ARMY CORPS OF ENGINEERS
JACKSONVILLE DISTRICT
701 SAN MARCO BLVD
JACKSONVILLE, FL 32207

OKEECHOBEE WATERWAY, FLORIDA
CONSTRUCTION OF
DREDGED MATERIAL MANAGEMENT AREA O-7
MARTIN COUNTY, FLORIDA

CIVIL
DIKE
SITE PLAN

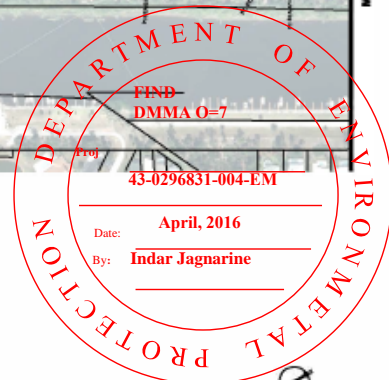
SHEET ID
C-01

PRELIMINARY



MATCHLINE PLATE 3 OF 3

ACCESS ROAD ENTRANCE TO STA. 60+00



5
EXHIBIT of 7



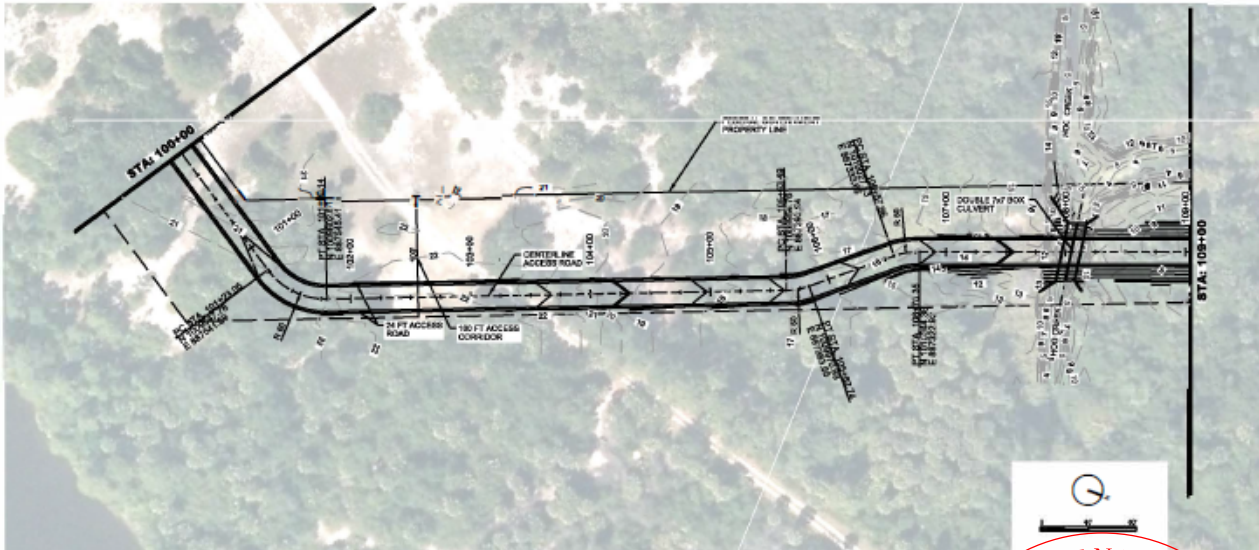
U.S. Army Corps
of Engineers
Jacksonville
District

**PERMIT DRAWING
NOT FOR CONSTRUCTION**

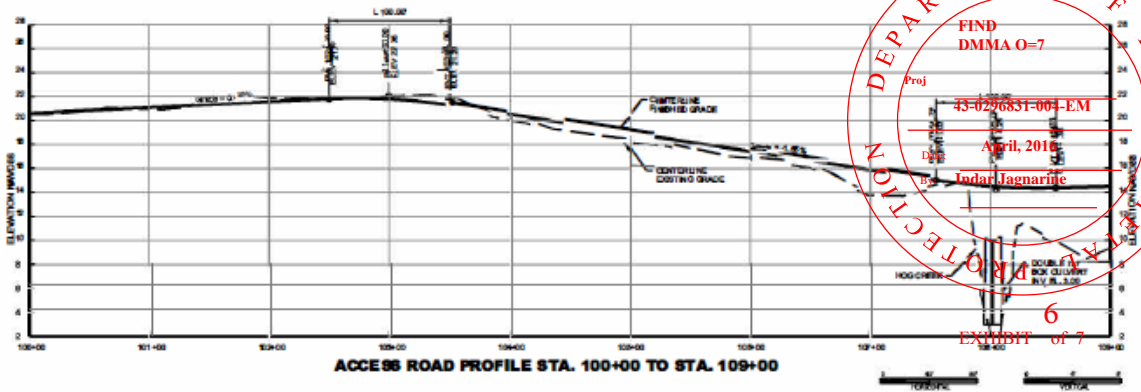
**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA**

**MARTIN COUNTY, FLORIDA
DMMA O-7 CONSTRUCTION
WATER QUALITY CERTIFICATE MODIFICATION
FEBRUARY 2016**

**PLATE
2 OF 3**



ACCESS ROAD PLAN STA. 100+00 TO STA. 109+00



ACCESS ROAD PROFILE STA. 100+00 TO STA. 109+00

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 FIND
 DMMA O-7
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 By Indar Jagnarine
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 EXHIBIT of 7



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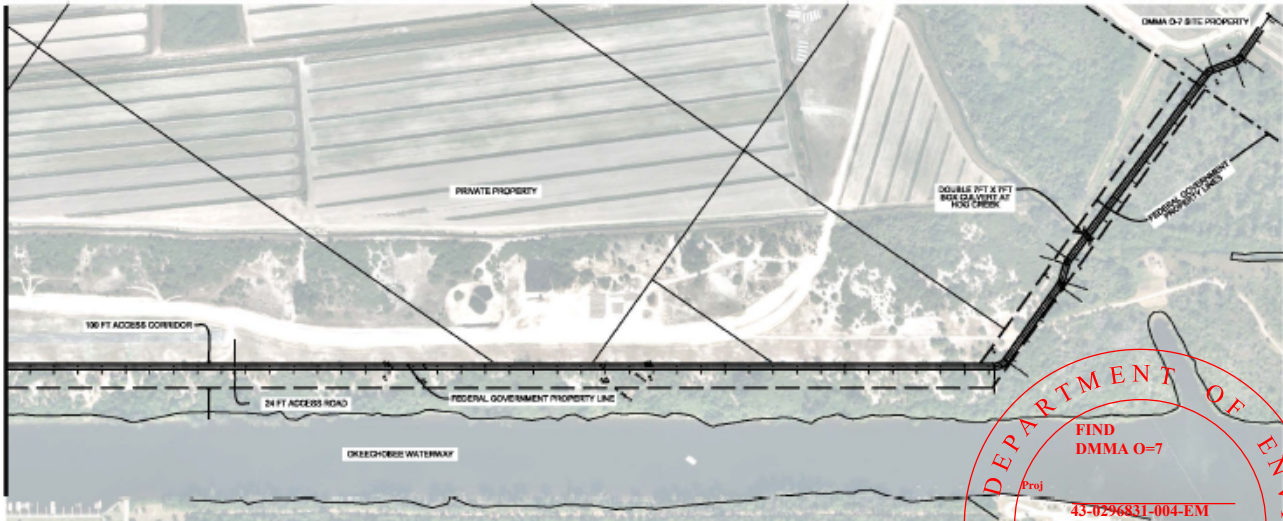
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JACKSONVILLE, FLORIDA**

**MARTIN COUNTY, FLORIDA
DMMA O-7 CONSTRUCTION
WATER QUALITY CERTIFICATE MODIFICATION
FEBRUARY 2016**

PLATE

1 OF 3

MATCHLINE PLATE 2 OF 3



ACCESS ROAD STA. 60+00 TO DMMA O-7 SITE PROPERTY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

FIND
DMMA O-7

Proj: 43-0296831-004-EM

Date: April, 2016

By: Indar Jagnarine

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EXHIBIT 8 of 7



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JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
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WATER QUALITY CERTIFICATE MODIFICATION
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PLATE
3 OF 3