

Florida Department of Environmental Protection

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CONSOLIDATED JOINT COASTAL PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE:

U.S. Army Corps of Engineers Attn.: Eric Summa P.O. Box 4970 Jacksonville, Florida 32232-0019

PERMIT INFORMATION:

Permit Number: 0308009-001-JC

Project Name: Ponce de Leon Inlet

Maintenance Dredging

County: Volusia

Issuance Date: August 3, 2012

Expiration Date: August 3, 2022

REGULATORY AUTHORIZATION:

This permit is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). Pursuant to Operating Agreements executed between the Department of Environmental Protection (Department) and the water management districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing and taking final agency action on this activity.

PROJECT DESCRIPTION:

The project is to conduct maintenance dredging of the Ponce de Leon Inlet entrance channel, Inlet throat, and Inlet channels leading to the Atlantic Intracoastal Waterway (AIWW). Approximately 200,000 cubic yards of shoal material are expected to be removed every 4 years to maintain the federal channel depths. The channels will be maintained to the following maximum depths, which include the design depths, plus 2 feet of allowable overdepth: -17 feet mean lower low water (MLLW) for the entrance channel across the ocean bar; -14 feet MLLW for the Inlet throat; -14 feet MLLW for the southward channel to the AIWW; -14 feet MLLW for Cut-3N, Cut-4N and Cut-5N in the northward channel to the AIWW; and -9 feet MLLW for the remaining northward channel to the AIWW (Cut-6N through Cut-13N). Dredged material will be placed in a nearshore disposal area (D/A), located 1 mile south of the south jetty, for the initial maintenance dredging event only. The landward portion of the D/A will be filled first, and disposal will proceed waterward only as the landward portion reaches capacity.

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Dredged material from subsequent maintenance dredging events will be placed on the beach, when sufficient beach-quality material and funding are available. A permit modification will be required for the placement of dredged material on the beach.

PROJECT LOCATION:

The maintenance dredging area is located at Ponce de Leon Inlet and the interior channels connecting the Inlet to the AIWW. The nearshore disposal area is located one mile south of the Inlet, with a landward edge along the -12-foot mean lower low water (MLLW) contour line. The project is located in Volusia County, Sections 32 and 37, Township 16 South, Range 34 East, in Ponce de Leon Inlet and the Atlantic Ocean, Class III Waters.

PROPRIETARY AUTHORIZATION:

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands held in trust by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, F.S. The activity is not exempt from the need to obtain a proprietary authorization. The Board of Trustees delegated, to the Department, the responsibility to review and take final action on this request for proprietary authorization in accordance with Section 18-21.0051, F.A.C., and the Operating Agreements executed between the Department and the water management districts, as referenced in Chapter 62-113, F.A.C. This proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the project described above, and has determined that the dredged material disposal activity qualifies for a Letter of Consent to use sovereign, submerged lands, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein. Therefore, consent is hereby granted to the U.S. Army Corps of Engineers (Corps), pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

The Department acknowledges that maintenance dredging of the inlet falls within one of the federal powers listed in the Submerged Lands Act under 43 USC 1311(d) or 43 USC 1314, and, under those provisions, the Corps needs no authorization from the Board of Trustees to utilize sovereignty submerged lands for that activity. However, under the provisions of the Coastal Zone Management Act (16 USC 1451-1465), this activity requires Florida's concurrence with a determination of consistency with the sovereignty submerged lands provisions of Florida's approved Coastal Management Program prior to federal approval of the proposed activity. The State has

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determined that the activity is consistent with the sovereignty submerged lands provisions of Florida's approved Coastal Management Program.

COASTAL ZONE MANAGEMENT:

This permit constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

WATER QUALITY CERTIFICATION:

This permit constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

AGENCY ACTION:

The above named Permittee is hereby authorized to construct the work outlined in the project description and project location of this permit and shown on the approved permit drawings, plans and other documents attached hereto. This agency action is based on the information submitted to the Department as part of the permit application, and adherence with the final details of that proposal shall be a requirement of the permit. This permit and authorization to use sovereign submerged lands are subject to the General Conditions and Specific Conditions, which are a binding part of this permit and authorization. Both the Permittee and their Contractor are responsible for reading and understanding this permit (including the permit conditions and the approved permit drawings) prior to commencing the authorized activities, and for ensuring that the work is conducted in conformance with all the terms, conditions and drawings.

GENERAL CONDITIONS:

- 1. This permit, including its general and specific conditions, must be construed in light of the February 28, 2006 Interagency Coordination Agreement for Civil Works Projects (ICA) between the Department and the Corps. As recognized in the ICA, the Department has the authority to include reasonable conditions in this permit. All of the conditions in this permit, both general and specific, are enforceable to the extent sovereign immunity has been waived under 33 U.S.C. §§ 1323 and 1344(t). The ICA is incorporated herein by reference.
- 2. All activities approved shall be implemented as set forth in the drawings incorporated by reference and in compliance with the conditions and requirements of this document. The Corps shall notify the Department in writing of any anticipated changes in:
 - a) operational plans;
 - b) project dimensions, size or location;

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- c) ability to adhere to permit conditions;
- d) project description included in the permit;
- e) monitoring plans.

If the Department determines that a modification to the permit is required then the Corps shall apply for and obtain the modification. Department approval of the modification shall be obtained prior to implementing the change, unless the change is determined by the Department to reduce the scope of work from that authorized under the original permit, and will not affect compliance with permit conditions or monitoring requirements.

- 3. If, for any reason, the Corps does not comply with any condition or limitation specified herein, the Corps shall immediately provide the Department with a written report containing the following information:
 - a) a description of and cause of noncompliance;
 - b) the period of noncompliance, including dates and times;
 - c) impacts resulting or likely to result from the non-compliance;
 - d) steps being taken to correct the non-compliance; and
 - e) the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

Compliance with the provisions of this condition shall not preclude the Department from taking any enforcement action allowed under state law with respect to any non-compliance.

- 4. The Corps shall obtain any applicable licenses, permits, or other authorizations which may be required by federal, state, local or special district laws and regulations. Nothing herein constitutes a waiver or approval of other Department permits or authorizations that may be required for other aspects of the total project.
- 5. Nothing herein conveys to the Corps or creates in the Corps any property right, any interest in real property, any title to land or water, constitutes State recognition or acknowledgment of title, or constitutes authority for the use of Florida's sovereign submerged lands seaward of the mean high-water line or an established erosion control line, unless herein provided, and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State.

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- 6. Any delineation of the extent of a wetland or other surface water submitted as part of the application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this authorization or a formal determination under section 373.421(2), F.S., provides otherwise.
- 7. Nothing herein authorizes any entrance upon or activities on property which is not owned or controlled by the Corps or local sponsor, or conveys any vested rights or any exclusive privileges.
- 8. This document or a copy thereof, complete with all conditions, attachments, modifications, and time extensions shall be kept at the work site of the authorized activity. The Corps shall require the contractor to review this document prior to commencement of the authorized activity.
- 9. The Corps specifically agrees to allow Department personnel with proper identification, at reasonable times and in compliance with Corps specified safety standards access to the premises where the authorized activity is located or conducted for the purpose of ascertaining compliance with the terms of this document and with the rules of the Department and to have access to and copy any records that must be kept; to inspect the facility, equipment, practices, or operations regulated or required; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance.

 Reasonable time may depend on the nature of the concern being investigated.
- 10. At least forty-eight (48) hours prior to the commencement of authorized activity, the Corps shall submit to the Department a written notice of commencement of activities indicating the anticipated start date and the anticipated completion date.
- 11. If historic or archaeological artifacts such as, but not limited to, Indian canoes, arrow heads, pottery or physical remains, are discovered at any time on the project site, the Corps shall immediately stop all activities in the immediate area which disturb the soil and notify the Department and the State Historic Preservation Officer. In the event that unmarked human remains are encountered during permitted activities, all work shall stop in the immediate area and the proper authorities notified in accordance with Section 872.05, Florida Statutes.
- 12. Within a reasonable time after completion of construction activities authorized by this permit, the Corps shall submit to the Department a written statement of

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completion. This statement shall notify the Department that the work has been completed as authorized and shall include a description of the actual work completed. The Department shall be provided, if requested, a copy of any asbuilt drawings required of the contractor or survey performed by the Corps.

SPECIFIC CONDITIONS:

- 1. The Permittee and the Department, within their respective authorities and funding, shall ensure that beach compatible dredged material is placed on Florida's beaches, consistent with Florida's beach management plan adopted pursuant to Chapter 161, F.S. and other beneficial uses criteria as may be specified by the Department and applicable federal standards. The authorized activity includes a one-time placement of dredged beach-quality material in the nearshore disposal area. Future maintenance dredging events will be required to place beach-quality dredged material on the beach per the Ponce de Leon Inlet Management Plan of 1997. If the Permittee desires to perform additional maintenance dredging events under this authorization, a permit modification will be necessary.
- 2. Dredged material shall initially be placed at the -12-foot MLLW contour of the nearshore disposal area. When the -12-foot MLLW contour reaches capacity, the dredged material shall be deposited waterward in the disposal area, until the volume of material is exhausted, but shall not be placed seaward of the -18-foot MLLW contour.
- 3. The Permittee shall not store or stockpile tools, equipment, materials, etc., within littoral zones or elsewhere within surface waters of the state without prior written approval from the Department. Storage, stockpiling or access of equipment on, in, over or through seagrass (or other aquatic vegetation) beds, wetlands or vegetated dunes is prohibited unless within a work area or ingress/egress corridor specifically approved by this permit. Anchoring or spudding of vessels and barges within beds of aquatic vegetation or over hardbottom areas is also prohibited.
- 4. The Permittee shall not conduct project operations or store project-related equipment in, on or over dunes, or otherwise impact dune vegetation, outside the approved staging, beach access and dune restoration areas designated in the permit drawings.
- 5. **Pre-Construction Conference.** The Permittee shall conduct a pre-construction conference to review the specific conditions and monitoring requirements of this permit with Permittee's contractors, the engineer of record and the JCP

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> Compliance Officer (or designated alternate) prior to each construction event. In order to ensure that appropriate representatives are available, at least twenty-one (21) days prior to the intended commencement date for the permitted construction, the Permittee is advised to contact the Department, and the other agency representatives listed below:

DEP, Bureau of Beaches & Coastal Systems **ICP** Compliance Officer Mail Station 300 3900 Commonwealth Boulevard Tallahassee, Florida 32399-3000

phone: (850) 414-7716

e-mail: JCPCompliance@dep.state.fl.us

DEP Central District Office Submerged Lands and Environmental Resources Program 3319 Maguire Boulevard Orlando, Florida 32803-3767 phone: (407) 894-7555

Imperiled Species Management Section Florida Fish & Wildlife Conservation Commission 620 South Meridian Street Tallahassee, Florida 32399-1600

phone: (850) 922-4330

fax: (850) 921-4369 or email: marineturtle@myfwc.com

The Permittee is also advised to schedule the pre-construction conference at least a week prior to the intended commencement date. At least seven (7) days in advance of the pre-construction conference, the Permittee shall provide written notification, advising the participants (listed above) of the agreed-upon date, time and location of the meeting, and also provide a meeting agenda and a teleconference number.

6. **Pre-Construction Submittals.** At least fourteen (14) days prior to the date of the pre-construction conference (as required above), the Permittee shall submit the final plans and specifications for this project, which must be consistent with the activity description of this permit and the approved permit drawings. The Permittee shall point out any deviations from the activity description or the approved permit drawings, and any significant changes would require a permit modification. Submittal shall include one (1) hardcopy (sized 11 inches by 17

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inches or greater, with all text legible) and one (1) electronic copy of the final plans and specifications. The plans and specifications shall be accompanied by a letter indicating the project name, the permit number, the type of construction activity, the specific type of equipment to be used, the anticipated volume of material to be moved (if applicable) and the anticipated schedule. Further, the Permittee shall specify any anticipated sites that will be used (such as a disposal or re-use location) and appropriate contact information for those facilities. The final plans and specifications submitted under this condition must comply with all conditions set forth in this permit.

Fish and Wildlife Protective Measures for Dredging

- 7. **Manatee and Marine Turtle Protection Conditions**: During all construction authorized by this permit, the Permittee shall comply with the following conditions intended to protect manatees and marine turtles from direct project effects:
 - a. All personnel associated with the project shall be instructed about the presence of marine turtles, manatees and manatee speed zones, and the need to avoid collisions with (and injury to) these protected marine species. The Permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
 - b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 - c. If siltation or turbidity barriers are used, they shall be made of material in which manatees and marine turtles cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid entanglement or entrapment. Barriers must not impede manatee or marine turtle movement.
 - d. All on-site project personnel are responsible for observing water-related activities for the presence of marine turtles and manatees. All in-water operations, including vessels, shall be shutdown if a marine turtle or manatee comes within 50 feet of the operation. Activities shall not resume until the animal(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the animal(s) has not reappeared

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within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

e. Any collision with or injury to a marine turtle or manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922, and to FWC at

<u>ImperiledSpecies@myFWC.com</u>. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service (FWS) in Jacksonville at 1-904-731-3336.

f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the Permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8 ½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Two of these signs are attached, and signs already approved by the FWC can be viewed at www.MyFWC.com/manatee. Questions concerning these signs can be sent to the email address listed above.

Caution Boaters
Watch for Manatees

Wildlife Alert:
1-888-404-FWCC(3922)

Cell *FWC or #FWC

Report collisions, sick, dead or injured manatees
and any wildlife or boating law violations.

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CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC

- g. At least one person shall be designated as a manatee observer when in-water work is being performed. That person shall have experience in manatee observation during dredging activities, and be equipped with polarized sunglasses to aid in observation. The manatee observer shall be on site during all in-water construction activities and advise personnel to cease operation upon sighting a manatee within 50 feet of any in-water construction activity. Two observers who have experience in manatee observation during night time dredging activity shall be used when nighttime clamshell dredging is conducted during the months of April through November.
- h. During clamshell dredging, the dredge operator shall gravity-release the clamshell bucket only at the water surface, and only after confirmation that there are no manatees within the safety distance identified in the standard construction conditions.
- i. Hydraulic dredging shall be used as much as practicable.
- 8. **Marine Turtle Protection Conditions for Dredging Activities:** The following recommendations are made to ensure consistency with the Florida Coastal Zone Management Act, specifically with Section 379.2431(1), F.S.

In the event a hopper dredge is utilized, the following requirements shall be met in conjunction with the Terms and Conditions of the applicable National Marine Fisheries Service (NMFS) Regional Biological Opinion for Hopper Dredging (South Atlantic):

a. Handling of sea turtles captured during hopper dredging projects shall be conducted only by persons with prior experience and training in these activities and who is duly authorized to conduct such activities as a NMFS-approved sea turtle observer or have

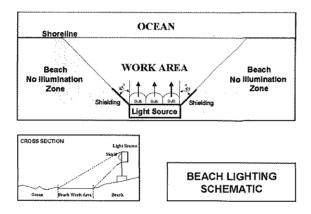
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submitted documentation to the Corps of meeting the FWC Marine Turtle Conservation Guidelines specific to stranding activities (Section 3). The Corps will forward documentation to FWC and the Department for review concurrent with the submission of the contractor Environmental Protection Plan.

- b. Corps staff or their designee that transport live or dead marine turtles or marine turtle parts into, out of or within, the state of Florida shall notify FWC in writing specifying the number, species of sea turtle, type of specimen, and the destination after transport is complete. Before transport, if the turtle is believed to be alive, Corps staff or their designee will coordinate with FWC and/or NMFS to determine the appropriate facility to receive live sea turtles for rehabilitation. Corps staff or their designee shall abide by the State of Florida's FWC Marine Turtle Conservation Guidelines (http://www.myfwc.com/wildlifehabitats/managed/sea-turtles/conservation-guidelines/) specific to transport of live stranded turtles.
- c. *Dredging Pumps*: Standard operating procedure shall be that dredging pumps shall be disengaged by the operator, or the draghead bypass valve shall be open and in use when the dragheads are not firmly on the bottom, to minimize impingement or entrainment of sea turtles within the water column. This precaution is especially important during the cleanup phase of dredging operations.
- d. Sea Turtle Deflecting Draghead: A state-of-the-art rigid deflector draghead shall be used on all hopper dredges in all channels at all times of the year.
- e. The Sea Turtle Stranding and Salvage Network (STSSN) Coordinator shall be notified at 1-904-573-3930 or via e-mail at Allen.Foley@myfwc.com of the start-up and completion of hopper dredging operations. In the event of capturing or recovering marine turtles or marine turtle parts, the STSSN should be contacted at 1-888-404-FWCC (3922).
- f. Relocation trawling or non-capture trawling shall be implemented in accordance with the applicable NMFS Biological Opinion and Incidental Take authorization. Any activity involving the use of nets to harass and/or to capture and handle marine turtles in Florida waters requires a Marine Turtle Permit from FWC.
 - i. A summary (use FWC Trawl Report spreadsheet, attached) of all trawling activity, including non-capture trawling, and all turtles captured in Florida waters, including all measurements, the latitude and longitude (in decimal degrees) of captures and tow start-stop points, and times for the start-stop points of the tows, including those tows on which no turtles are captured, shall be submitted to <u>MTP@myfwc.com</u> by January 15 of the following year.
- 9. **Project Lighting for Marine Turtle Protection**: Direct lighting of the beach and nearshore waters shall be limited to the immediate construction area during the

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marine turtle nesting season and shall comply with safety requirements. Lighting on offshore or onshore equipment shall be minimized through reduction, shielding, lowering, and appropriate placement to avoid excessive illumination of the water's surface and nesting beach while meeting all Coast Guard, EM 385-1-1, and OSHA requirements. Light intensity of lighting equipment shall be reduced to the minimum standard required by OSHA for General Construction areas, in order not to misdirect sea turtles. Shields shall be affixed to the light housing and be large enough to block light from all lamps from being transmitted outside the construction area (Figure below).



10. **Equipment Storage and Placement:** Staging areas for construction equipment shall be located off the beach, if off-beach staging areas are available, during the sea turtle nesting season. Nighttime storage of construction equipment not in use shall be off the beach. In addition, all construction pipes that are placed on the beach shall be located as far landward as possible without compromising the integrity of the existing or reconstructed dune system. Pipes placed parallel to the vegetation line shall be 5 to 10 feet away from the toe of the vegetation line. Temporary storage of pipes shall be off the beach to the maximum extent possible. If the pipes shall be on the beach, they shall be placed in a manner that will minimize the impact to nesting habitat and shall not compromise the integrity of the dune systems. If it will be necessary to extend construction pipes past a known migratory bird nesting site or over-wintering area for piping plovers, then whenever possible, those pipes should be placed landward of the site before birds are active in that area. No pipe or sand shall be placed within or seaward of a migratory bird nesting site during the migratory bird nesting season.

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- 11. Marine Turtle or Nest Encounters: Upon locating a dead or injured sea turtle adult, hatchling or egg that may have been harmed or destroyed as a direct or indirect result of the project, the Corps and/or local sponsor shall be responsible for notifying FWC Wildlife Alert at 1-888-404-FWCC (3922). Care shall be taken in handling injured sea turtles or their eggs to ensure effective treatment or disposition, and in handling dead specimens to preserve biological materials in the best possible state for later analysis. In the event a marine turtle nest is excavated during construction activities, the permitted person responsible for egg relocation for the project shall be notified immediately so the eggs can be moved to a suitable relocation site.
- 12. The following species are protected by the Federal Migratory Bird Treaty Act, as well as Chapter 379, F.S., which prohibits the take and/or harassment of migratory birds and their nests and eggs for the following species: piping plover (*Charadrius melodus*), American oystercatcher (*Haematopus palliates*), black skimmer (*Rynchops niger*), brown pelican (*Pelecanus occidentalis*), little blue heron (*Egretta caerulea*), snowy egret (*Egretta thula*), tricolored heron (*Egretta tricolor*), white ibis (*Eudocimus albus*), Wilson's plover (*Charadrius wilsonia*).
- 13. **Environmental Protection Plan:** The contractor's Environmental Protection Plan (EPP) shall be submitted for review and comment to the Department in coordination with FWC prior to any construction activity. This plan shall include monitoring of nesting migratory birds and marine turtle nests onsite during construction, as well as steps that will be followed to address any unavoidable take of migratory birds and/or marine turtles should that occur.

Monitoring Required

14. **Water Quality** - Turbidity shall be monitored as follows:

Monitoring for turbidity shall be conducted by an individual with professional experience conducting turbidity monitoring for coastal dredging projects. The monitoring shall continue for the duration of the dredging and filling activities. This monitoring is designed for a hopper dredge and nearshore placement. A permit modification would be required to adjust the turbidity monitoring if a pipeline dredge will be used or beach placement is proposed.

Units: Nephelometric Turbidity Units (NTUs).

Frequency: Twice daily, during separate hopper dredge loads.

Dredge Site: While the maximum turbidity plume, generated by overflow from the hopper, extends to the edge of the mixing zone.

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Nearshore Disposal Site: During flood tide, while the maximum turbidity plume, generated by discharge of sediment from the hopper, extends to the edge of the mixing zone.

Location:

Background: At the surface and mid-depth, clearly outside the influence of any artificially generated turbidity plume.

Dredge Site: approximately 300 meters upcurrent from the dredge.

Nearshore Disposal Site: approximately 300 meters upcurrent of the dredged material placement template, and the same distance offshore as the associated compliance sample.

Compliance: At the surface and mid-depth, within the densest portion of any turbidity plume generated by this project.

Dredge Site: Samples shall be collected 150 meters downcurrent from the overflowing hopper dredge, in the densest portion of the turbidity plume.

Nearshore Disposal Site: Samples shall be collected where the densest portion of the turbidity plume extends, (no more than) 150 meters from the point where the dredged material is discharged into the Atlantic Ocean.

Turbidity Reports. All turbidity monitoring data shall be submitted within one week of collection, along with documents containing the following information:

- a. time of day samples were taken;
- b. dates of sampling and analysis;
- c. depth of water body;
- d. depth of each sample;
- e. antecedent weather conditions, including wind direction and velocity;
- f. tidal stage and direction of flow;

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- g. water temperature;
- h. a map indicating the sampling (compliance and background) locations;
- i. a statement describing the methods used in collection, handling, storage and analysis of the samples;
- j. a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection, calibration of the meter and accuracy of the data.

Monitoring reports shall be emailed to the JCP Compliance Officer at <u>ICPCompliance@dep.state.fl.us</u>. Failure to submit reports in a timely manner constitutes grounds for revocation of the permit. When submitting this information to the Department, on the submittal cover page and at the top of each page of the report, please state: "This information is provided in partial fulfillment of the monitoring requirements in Permit No. 0308009-001-JC, Ponce de Leon Inlet Maintenance Dredging."

Calibration: The instruments used to measure turbidity shall be fully calibrated prior to, but within one month of, the commencement of the current dredging and filling activities, and at least once a month throughout those activities. Calibration shall be verified each morning prior to use, and after each time the instrument is turned on, using a turbidity "standard" that is different from the one used during calibration.

The compliance locations given above shall be considered the limits of the temporary mixing zone for turbidity allowed during construction. If monitoring reveals turbidity levels at compliance sites that are greater than 29 NTUs above background levels, construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels. Any such occurrence shall also be immediately reported to the JCP Compliance Officer in Tallahassee at (850) 414-7716 or ICPCompliance@dep.state.fl.us and the Department's Central District office in Orlando, Florida, at (407) 894-7555.

Any project-associated discharge other than dredging or authorized placement (e.g., scow leakage) shall also be monitored as close to the source as possible every hour until background turbidity levels return or until otherwise directed by the Department. The Permittee shall notify the Department, by separate email to the JCP Compliance Officer, of such an event within 24 hours of the time the Permittee first becomes aware of the discharge. The subject line of the email

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> shall state "PROJECT-ASSOCIATED DISCHARGE-OTHER", and include the Project Name and the Permit Number.

15. All reports or notices relating to this permit shall be sent to the Department, Bureau of Beaches and Coastal Systems, JCP Compliance Officer, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000 (email address: JCPCompliance@dep.state.fl.us) and the Department's Central District Office, at the following mailing address:

> **DEP Central District Office** Submerged Lands and Environmental Resources Program 3319 Maguire Boulevard Orlando, Florida 32803-3767

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Gene Chalecki, Acting Bureau Chief Bureau of Beaches and Coastal Systems

FILING AND ACKNOWLEDGMENT

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

Deputy Clerk Date

Prepared by Tom Jacobs.

Attachments: Approved Permit Drawings (25 pages)

DESIGN AUTHENTICATION

PROJECT: Ponce de Leon Inlet, Volusia County, FL (Maintenance Dredging Ponce de Leon Inlet with nearshore placement)

ATTACHED PLAN SHEETS: 1 through 24

The attached plans were prepared by the Jacksonville District, U.S. Army Corps of Engineers (USACE). The initials or signatures and registrations designations of the signatory below or that appear on these project documents are within the scope of employment as required by USACE Engineering Regulation 1110-1-8152, PROFESSIONAL REGISTRATION, 8 Aug 1995, and are not made in the individual capacity of the signatories.

USACE employee signatures are provided in support of the "Interagency Coordination Agreement for Civil Works Projects", signed 28 Feb 2006 by the Florida Department of Environmental Protection, the USACE Jacksonville District, and USACE Mobile District.

These plans are for permitting purposes only, and are not for construction.

Richard I. McMillen, P.E.

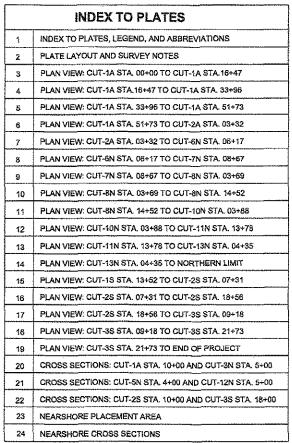
Chief, Navigation Branch

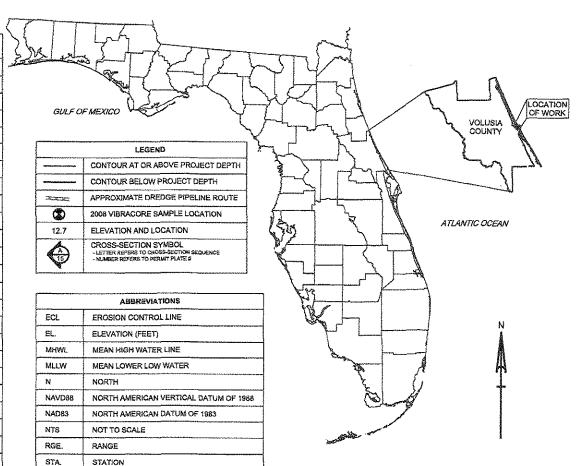
Operations Division

DAID

PERMIT # 308009001

PONCE DE LEON INLET VOLUSIA COUNTY, FLORIDA MAINTENANCE DREDGING, 12-FOOT PROJECT





PERMIT # 308009001

| US Army Corps |
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NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT, CORPS OF ENGINEER

JACKSONVILLE, FLORIDA

WQC PLATES

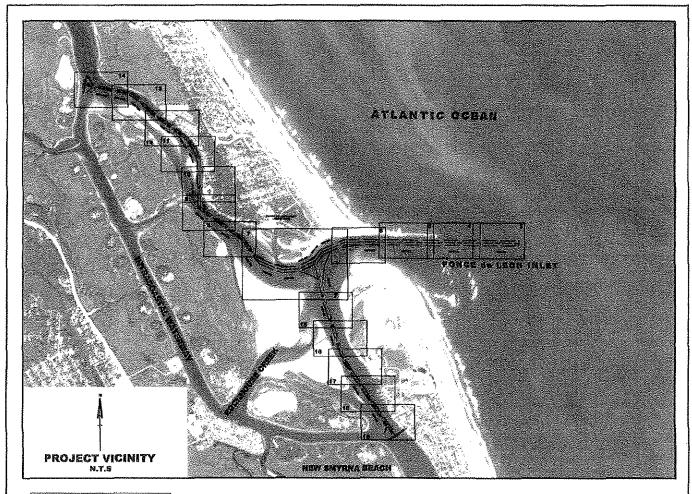
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GENERAL NOTES

VOLUSIA COUNTY, FL
MAINTENANCE DREDGING
PONCE DE LEON INLET
PROJECT COVER SHEET,
LEGEND, AND INDEX

PLATE:



DEP CONTROL MONUMENTS (NAD 83) NORTH BEACH PLACEMENT LIMITS X Y 677083.46 1730806.62 677372.17 1730413.55 678337.11 1729367.65 T-140 R-142 R-143 678862,81 1728696,58 679380.53 1727847.52 679907.06 1727144.70 R-145 680512.70 1726371.37 681037.32 1725569.47 R-146

681570.51 1724927.46







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| SOUTH BEACH PLACEMENT LIMITS | | | | | |
|------------------------------|-----------|------------|--|--|--|
| MONUMENT | Х | γ | | | |
| Я-158 | 667001.63 | 1715414.68 | | | |
| R-159 | 687374.93 | 1714513.21 | | | |
| R-160 | 687825.04 | 1713632.23 | | | |
| R-161 | 888252.54 | 1712768.15 | | | |
| R-162 | 688737.25 | 1711945.21 | | | |
| R-163 | 889102.51 | 1711005.81 | | | |
| R-164 | 888605.27 | 1710198.76 | | | |
| R-165 | 890044,63 | 1709340.91 | | | |
| R-166 | 890494.33 | 1708374,78 | | | |
| R-167 | 690958.46 | 1707515.31 | | | |
| R-168 | 691344.19 | 1708783.51 | | | |
| R-169 | 891704.98 | 1705871.95 | | | |
| R-170 | 692201,48 | 1704983.18 | | | |
| R-171 | 692593.82 | 1704126.75 | | | |
| R-172 | 893175.80 | 1703327.40 | | | |
| R-173 | 893550.02 | 1702537.29 | | | |
| R-174 | 694020.97 | 1701679.25 | | | |
| R-175 | 694473.85 | 1700852.03 | | | |
| R-176 | 695003.84 | 1700038.26 | | | |
| R-177 | 695454.77 | 1699145.70 | | | |

DEP CONTROL MONUMENTS (NAD 83)

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| - | GREAN LICKTED BLOW |
| | CAN PUCY |
| 25. | HANN HARY |
| 43 | TIDE STAFF |

MAP SHEET NOTES:

REFER TO SURVEY MUMBERS 10-170

ELEVATIONS ARE IN FEET AND TENTHS AND REFER TO HORA'S REPORTED MLLM OF THE 1983-2001 TIDAL EPOCH,

TIDAL REDUCTIONS WERE OBTAINED UTRIZING REAL-TIME KINESIATIC GPS AND REFERENCED TO MILW (Volusis-Brovard (ws Fortgannversi)-07/wso2010.ktd).

ALL ELEVATIONS ARE BELOW THE CHART DATUM UNLESS PRECEEDED BY A (+) SIGN.

PLANE COORDINATES ARE BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR THE EAST ZONE OF FLORIDA AND REFERENCED TO THE MORTH AMERICAN DATUM OF 1983 (NAD 63).

THIS SURVEY WAS PERFORMED USING REAL-TIME KINEWATIC SPS POSITIONING WITH THE FOLLOWING REFERENCE GASE LOCATIONS

'REFERENCE BASE LOCATED AT 1972 1147 A"

HORTHING: EASTHYA NAVOSS ELEVATION:

1718382,240° 683175,104° 2,83°

"TIDE STAFF LOCATED FROM "STE 1147 TIDAL 1"(A.SO' MILLY)

VERTICAL MEASUREMENTS WERE MADE USING A ROSS SMART SOU 335 FREQUENCY 28 HAZ AND 200 HAZ SINGLE BEAM TRANSDUCEN.

| SUNVEY VESSEL STATION | DATE OF SURVEY | CUT | Base |
|-----------------------------|-------------------|----------------------|-------------|
| \$B-32 | 18 NOV 2010 | CUT 13N 5H CUT 38 18 | 872 1147 A |
| \$B-32 | 17 NOV 2010 | CUTSH 4H CUTTA 3A | 472 1847 A |
| 59-32 | 18 NOV 2010 | CUT LONGITUDINAL # | 47.3 1147 A |

SURVEY ACCURACY STANDARDS, QUALITY CONTROL, AND QUALITY ASSURANCE REQUIREMENTS WERE FOLLOWED DURING THIS SURVEY IN ACCORDANCE WITH USACE EM 1110-2-1009, HYDROGRAPHIC SURVEYING, 1 JAN 02.

PERMIT # 308009001



WQC PLATES NOT FOR CONSTRUCTION

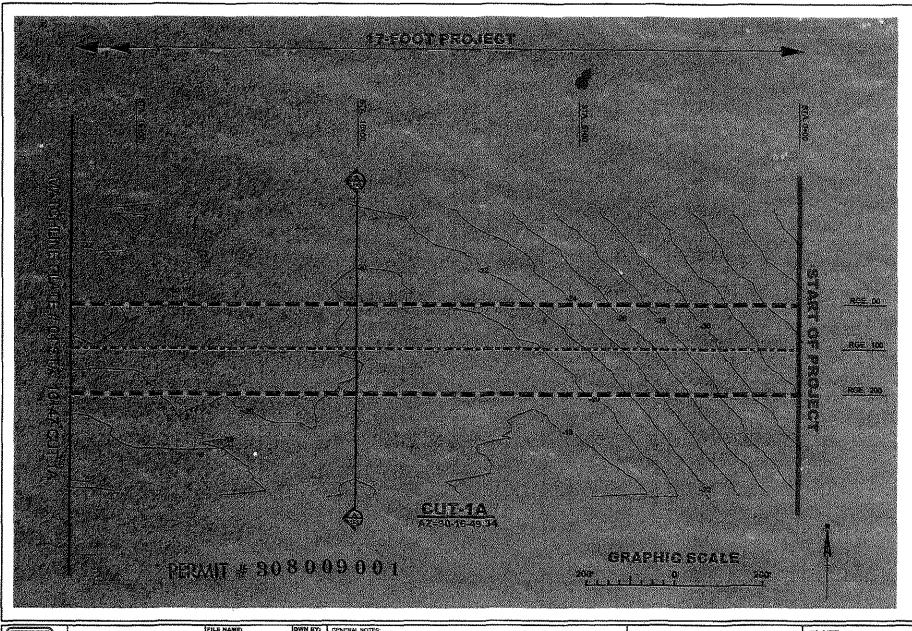
DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS JACKSONVILLE, FLORIDA

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VOLUSIA COUNTY, FLORIDA

MAINTENANCE DREDGING PONCE DE LEON INLET PAGE LAYOUT AND SURVEY NOTES

PLATE:





WQC PLATES
NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY

LACKSONVILLE DISTRICT, CORPS OF ENGINEERS

JACKSONVILLE, FLORIDA

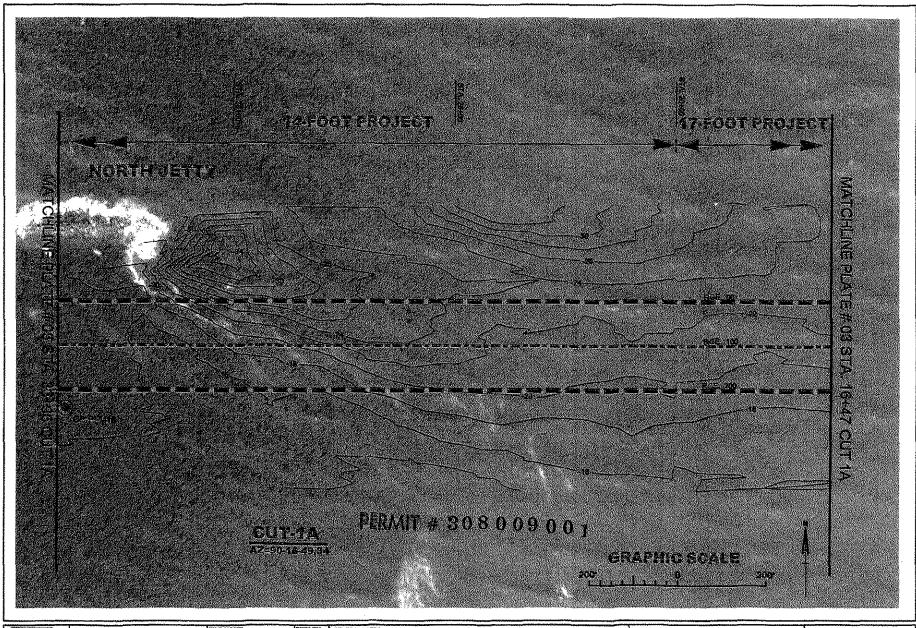
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SENERAL NOTES:
- CONTOURS SHOWN ARE AT 2 FOOT INTERVALS
- RED CONTOURS ARE ABOVE PROJECT DEPTH
- BLUE CONTOURS ARE BELOW PROJECT DEPTH

VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET PLATE:

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WQC PLATES
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DEPARTMENT OF THE ARMY
JACKSONVELE DISTRICT, CORPS OF ENGINEERS
JACKSONVELE, FLORIDA

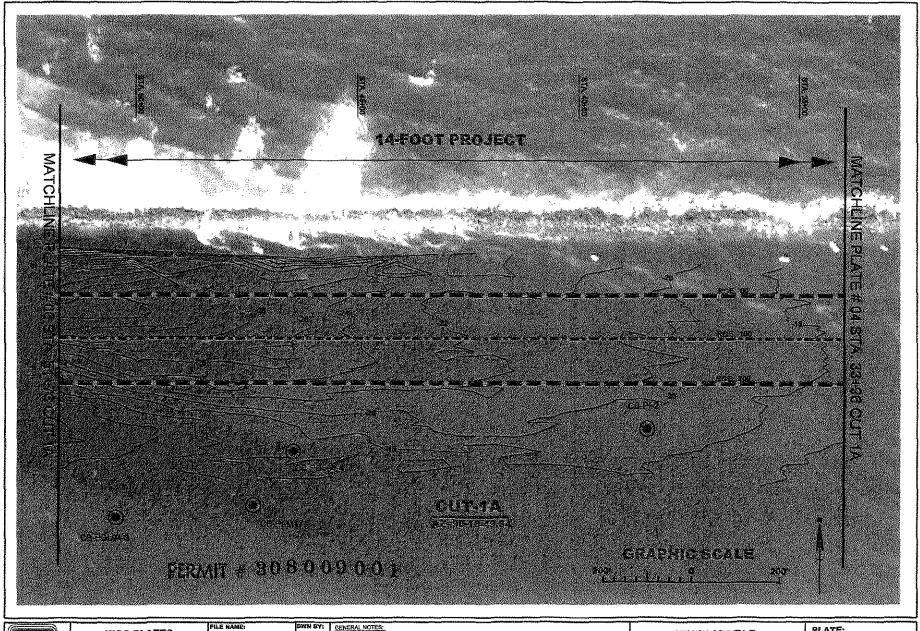
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VOLUSIA COUNTY, FL.

MAINTENANCE DREDGING PONCE DE LEON INLET PLATE:





JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

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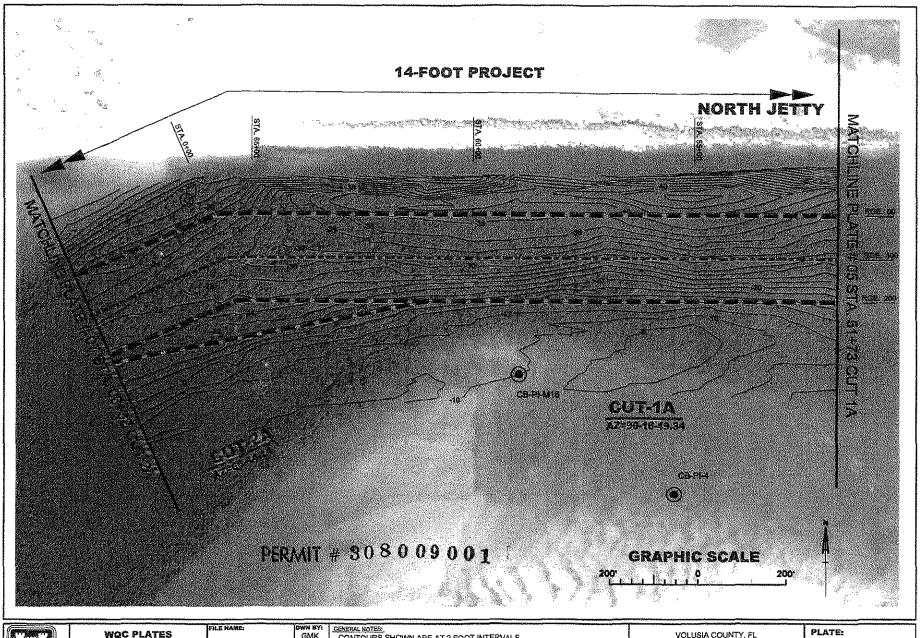
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

PLATE:



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NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS

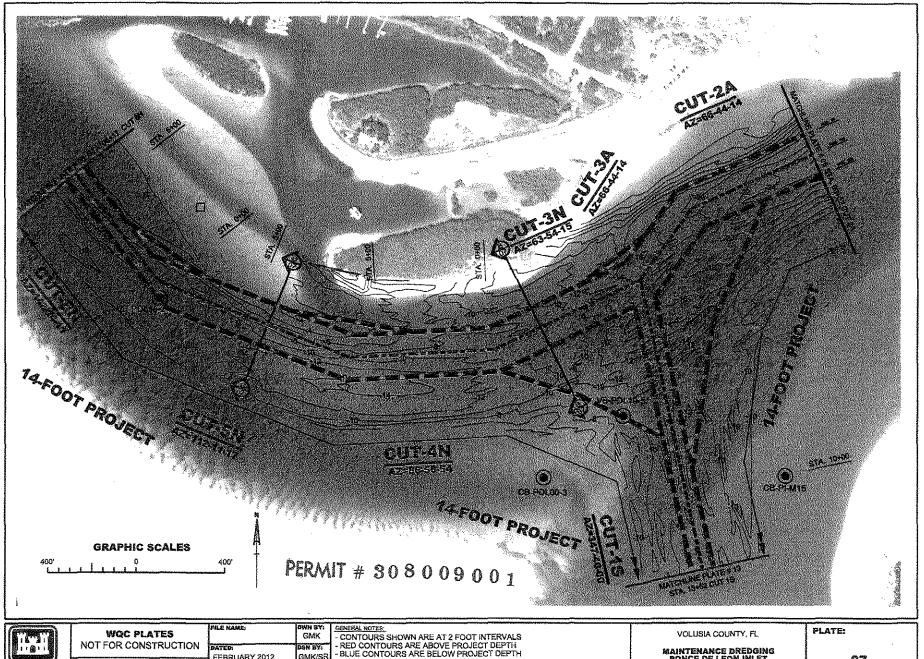
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET



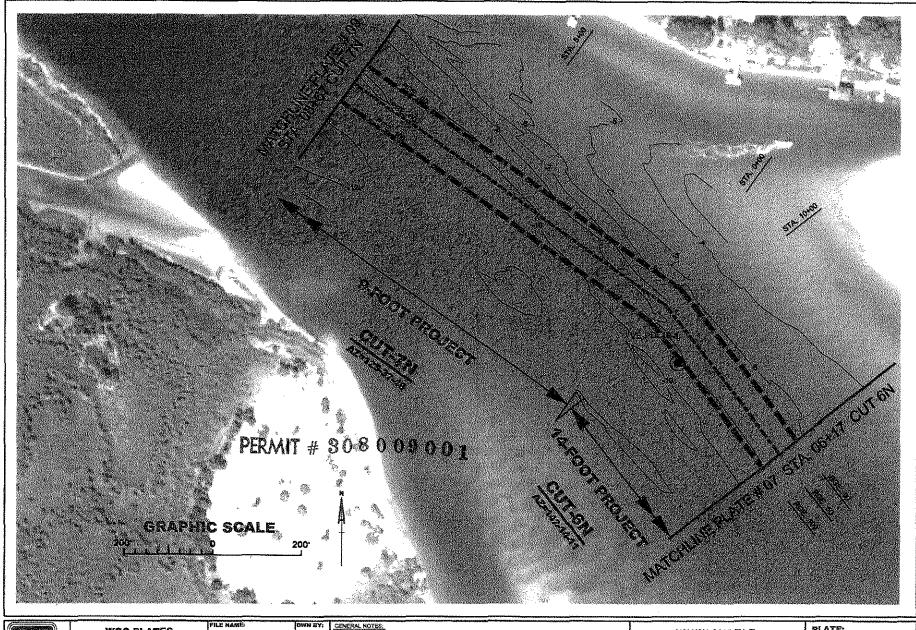


DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT, CORPS OF ENGINEERS JACKSONVILLE, FLORIDA

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MAINTENANCE DREDGING PONCE DE LEON INLET





US Army Corps of Engineers Jacksonville Dis

WQC PLATES NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY IACKSONVILLE DISTRICT, CORPS OF ENGINEERS

JACKSONVILLE, FLORIDA

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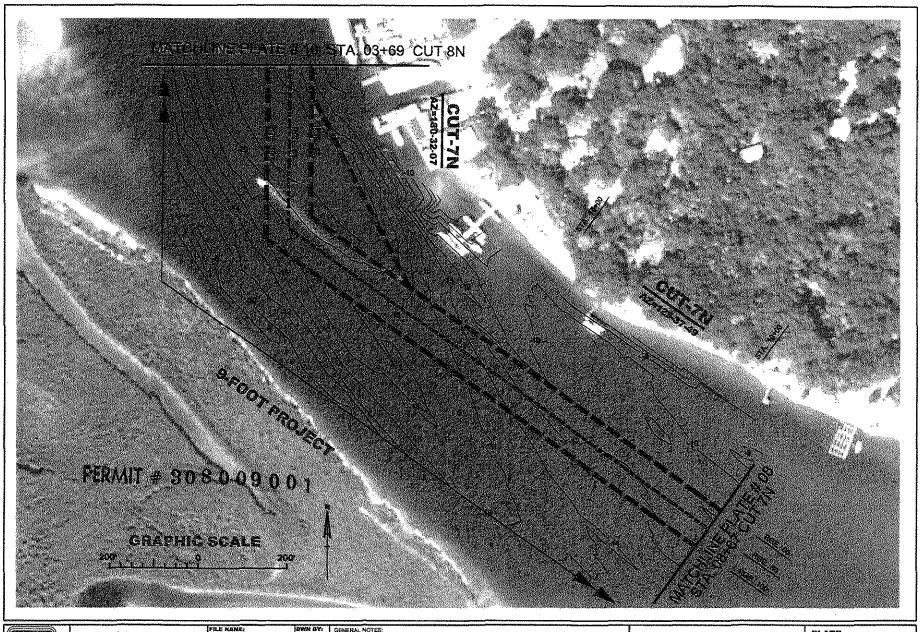
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

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WQC PLATES NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY ACKSONVILLE DISTRICT, CORPS OF ENGINEER: JACKSONVILLE, FLORIDA

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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

PLATE:





US Army Corps
of Engineers
Jacksonville District

WQC PLATES

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DEPARTMENT OF THE ARMY

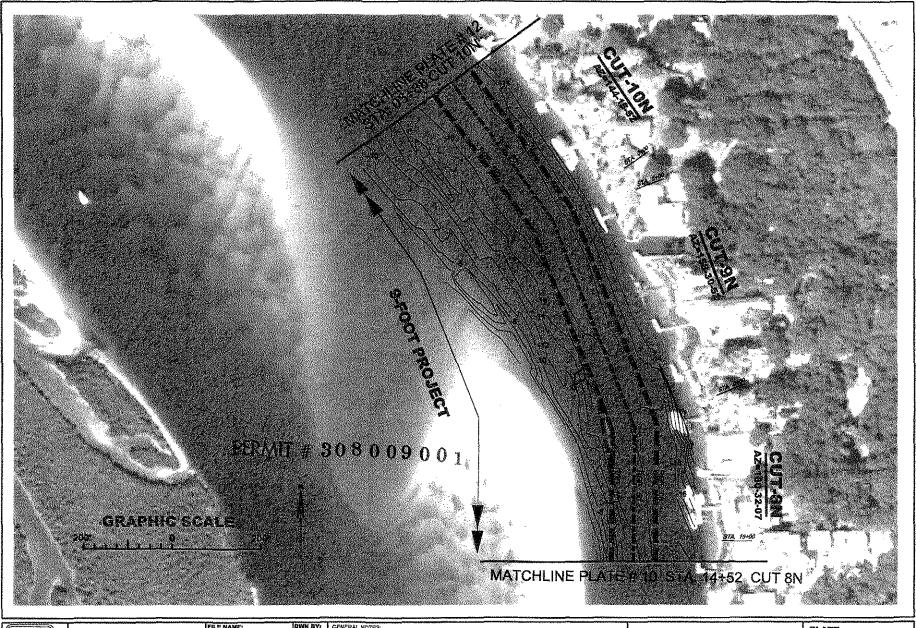
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET Plate:





WQC PLATES NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY

ACKSONVILLE DISTRICT, CORPS OF ENGINEERS JACKSONVILLE, FLORIDA

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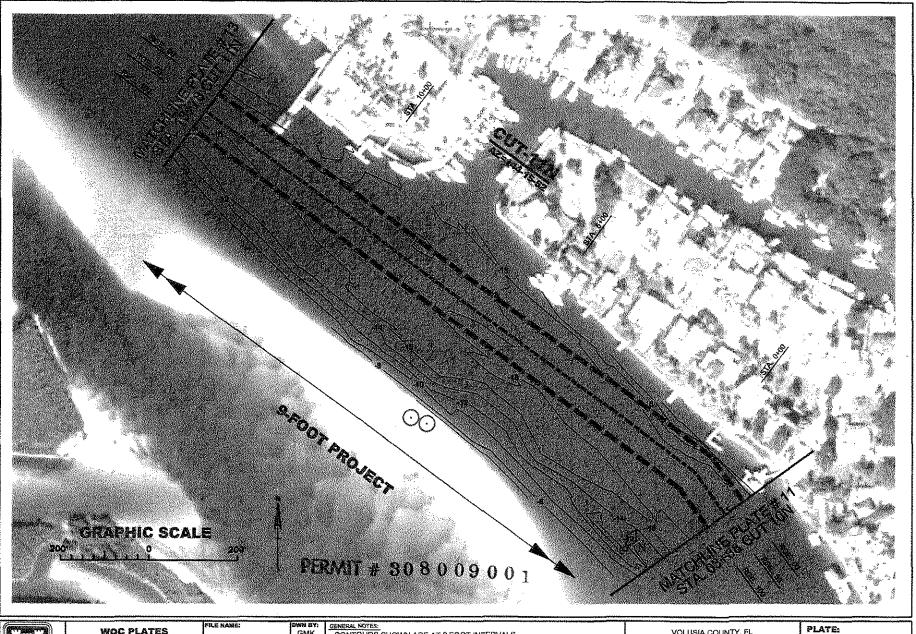
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

PLATE:





WQC PLATES NOT FOR CONSTRUCTION

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

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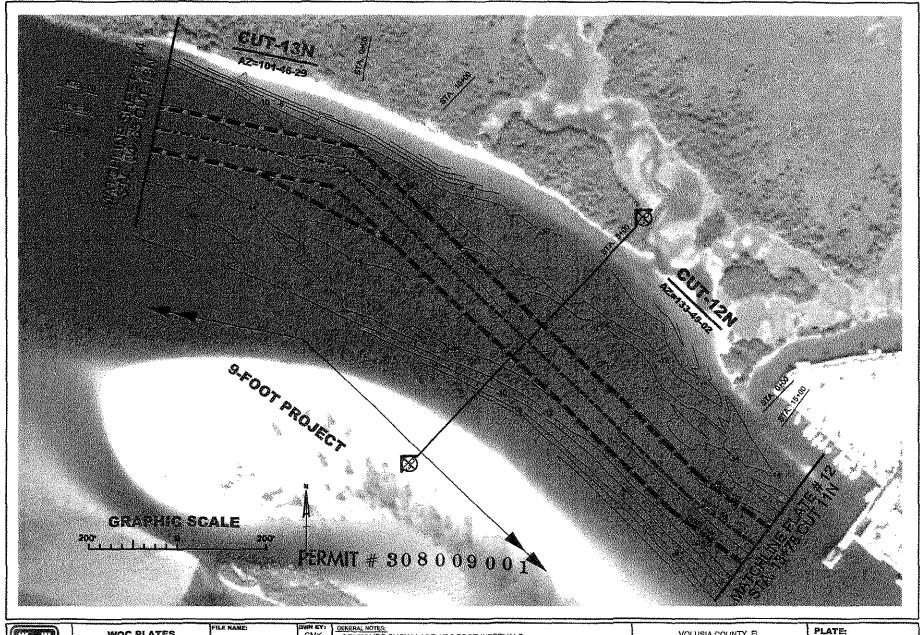
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET





WQC PLATES NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY

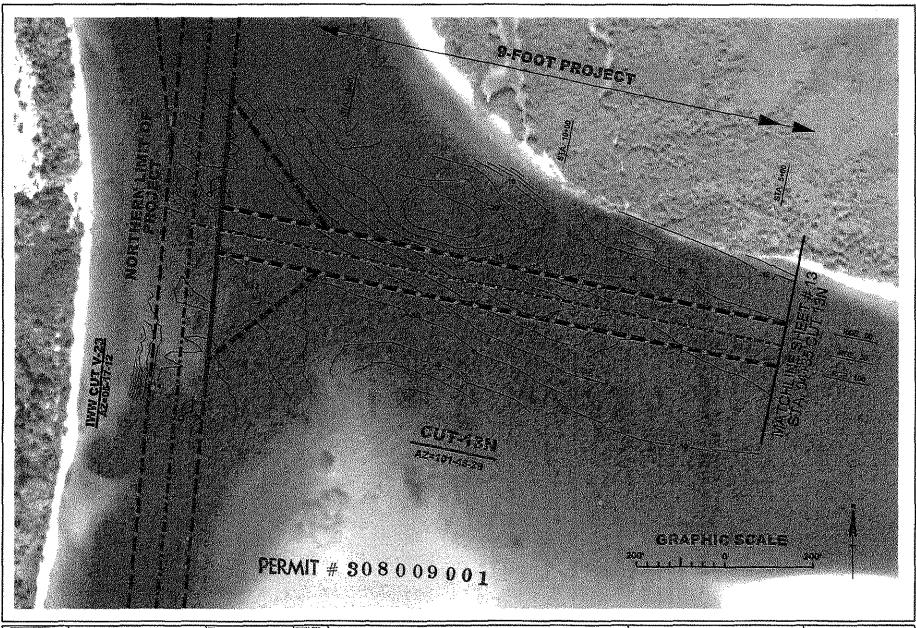
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET





DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
SCORUÜLE DISTRICT, CORPS OF ENGINEERS
SCORUÜLE PLORIDA

WQC PLATES

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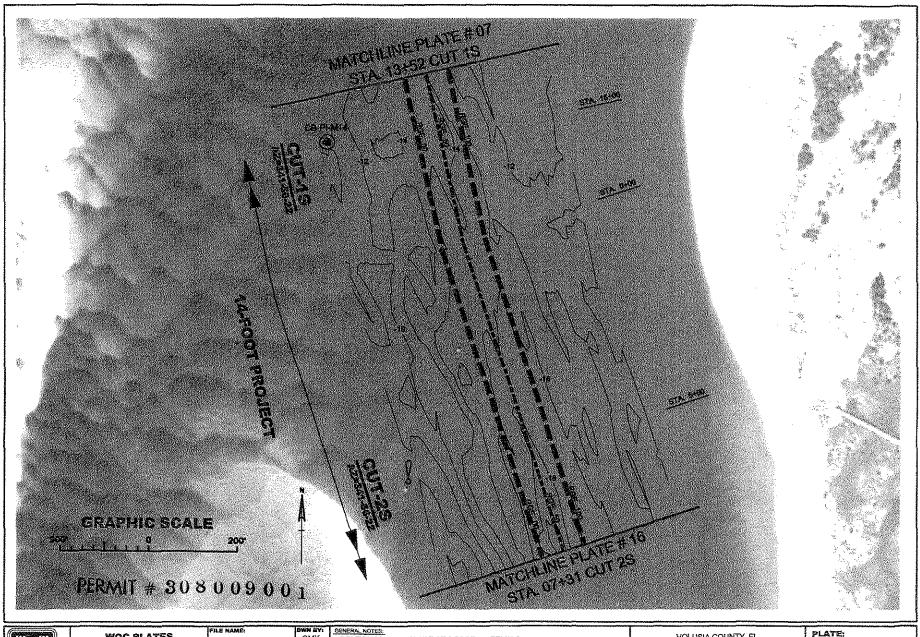
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VOLUSIA COUNTY, FL.

MAINTENANCE DREDGING PONCE DE LEON INLET PLATE:





WQC PLATES NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT, CORPS OF ENGINEERS

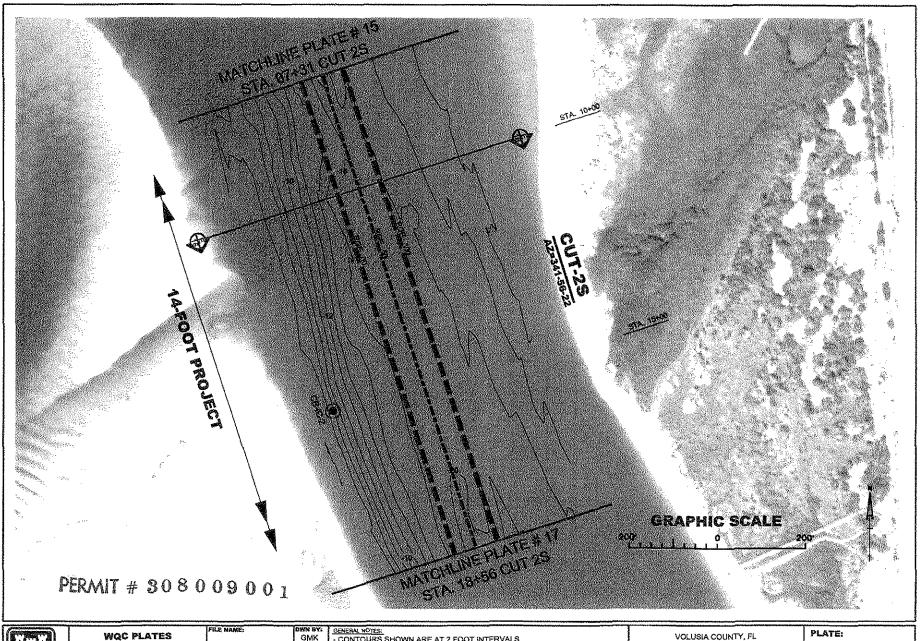
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET





NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS

JACKSONVILLE, FLORIDA

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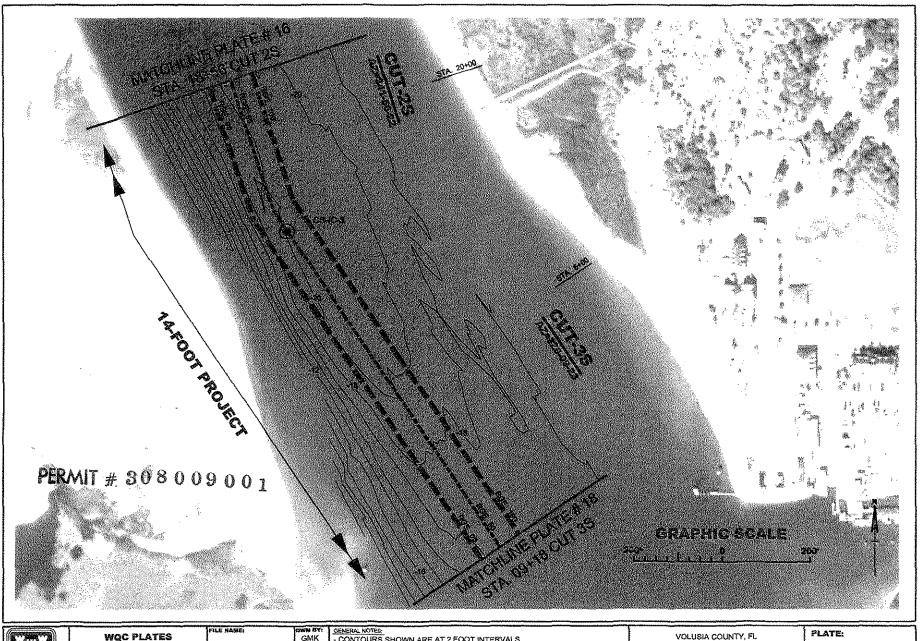
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

PLATE:





NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

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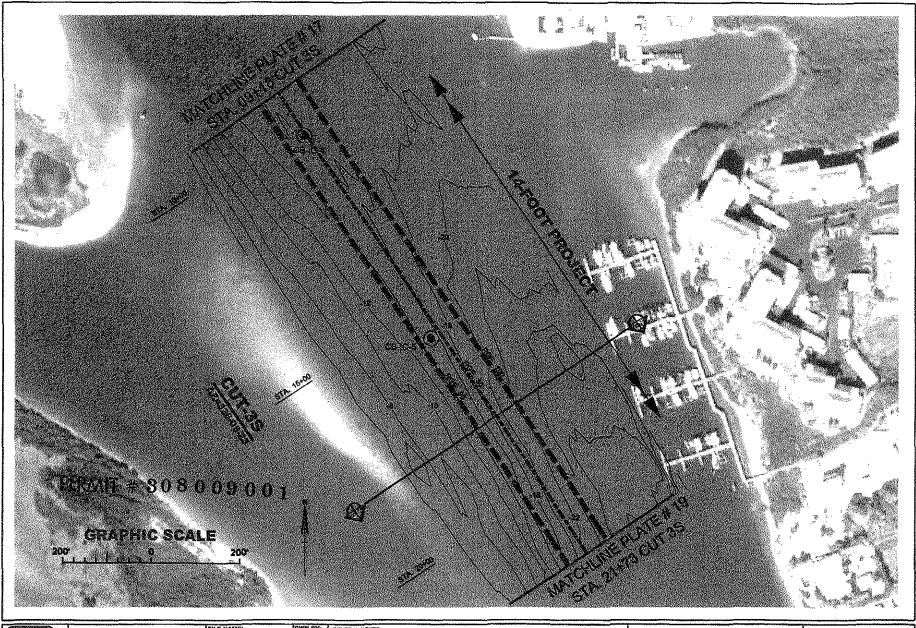
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET

PLATE:





US Army Corps of Engineers Jacksonville District WQC PLATES NOT FOR CONSTRUCTION

DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS JACKSONVILLE, PLORIDA

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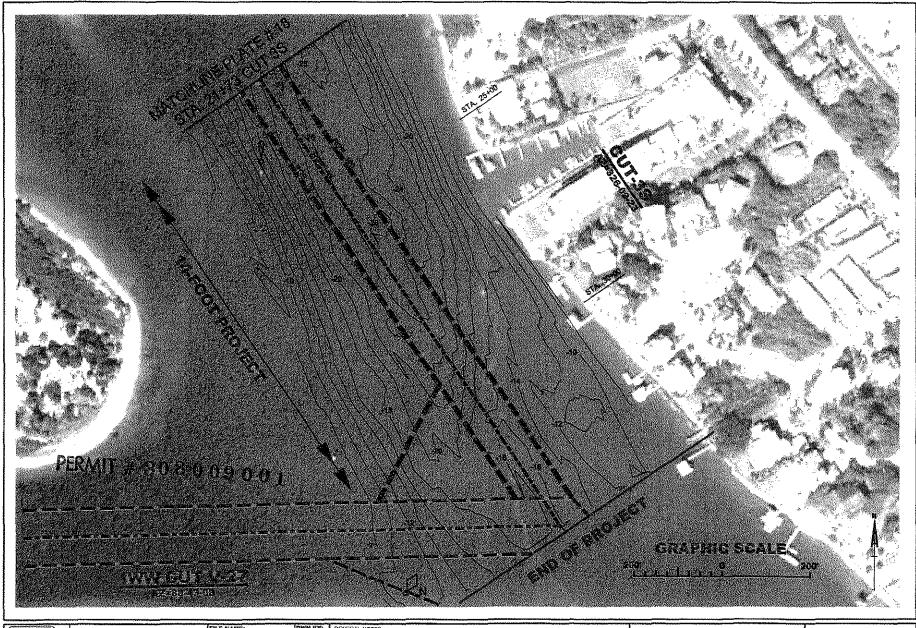
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VOLUSIA COUNTY, FL

MAINTENANCE DREDGING PONCE DE LEON INLET PLATE:





WQC PLATES NOT FOR CONSTRUCTION DEPARTMENT OF THE ARMY

JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
JACKSONVILLE, FLORIDA

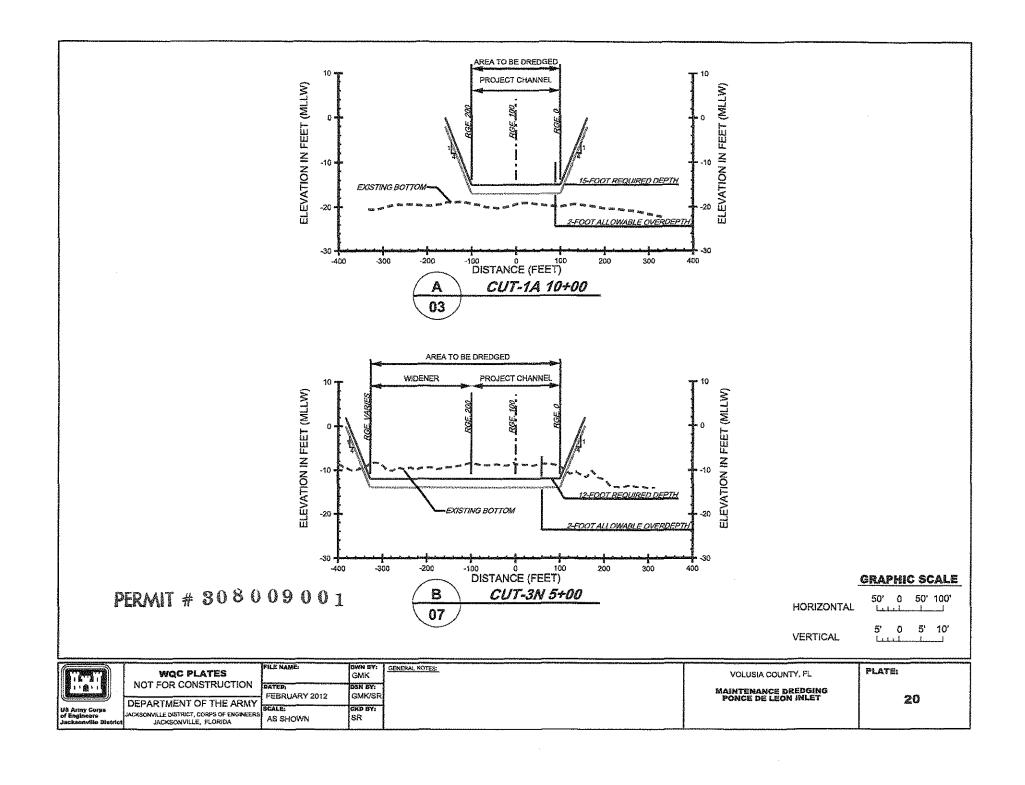
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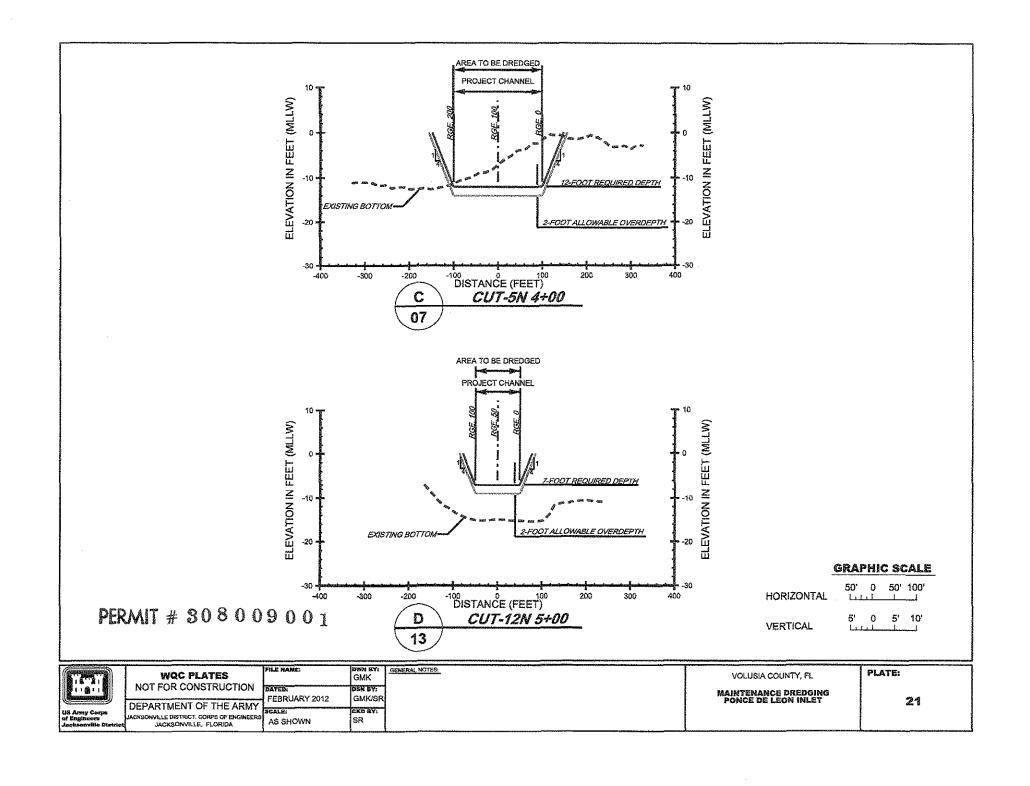
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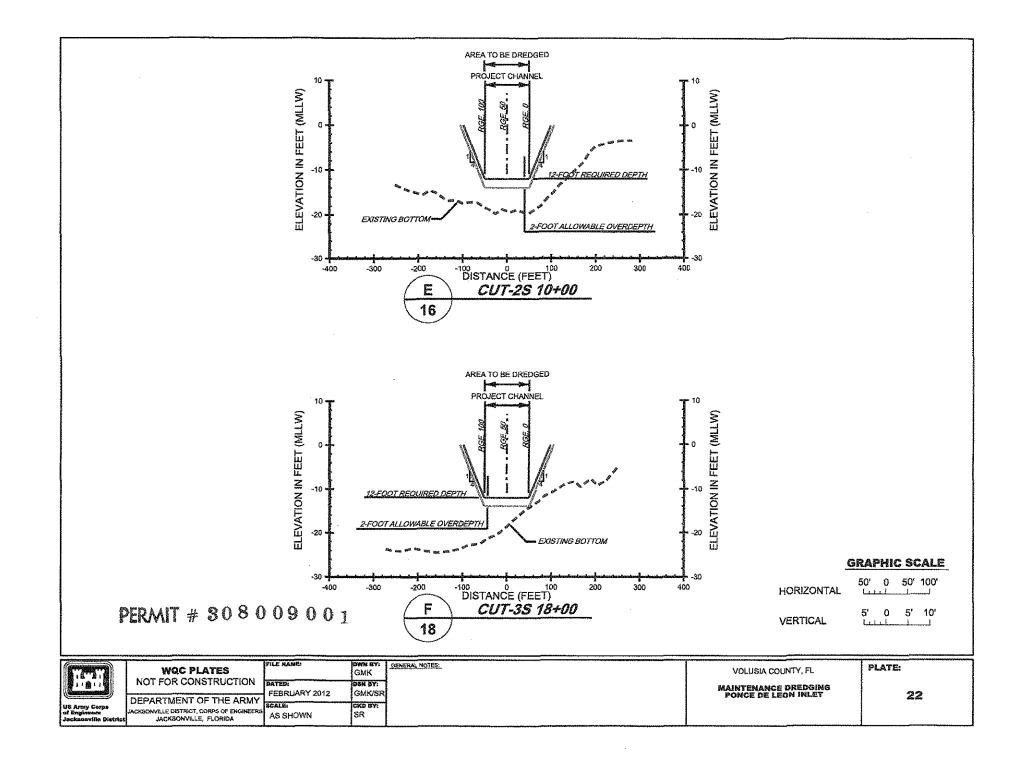
VOLUSIA COUNTY, FL

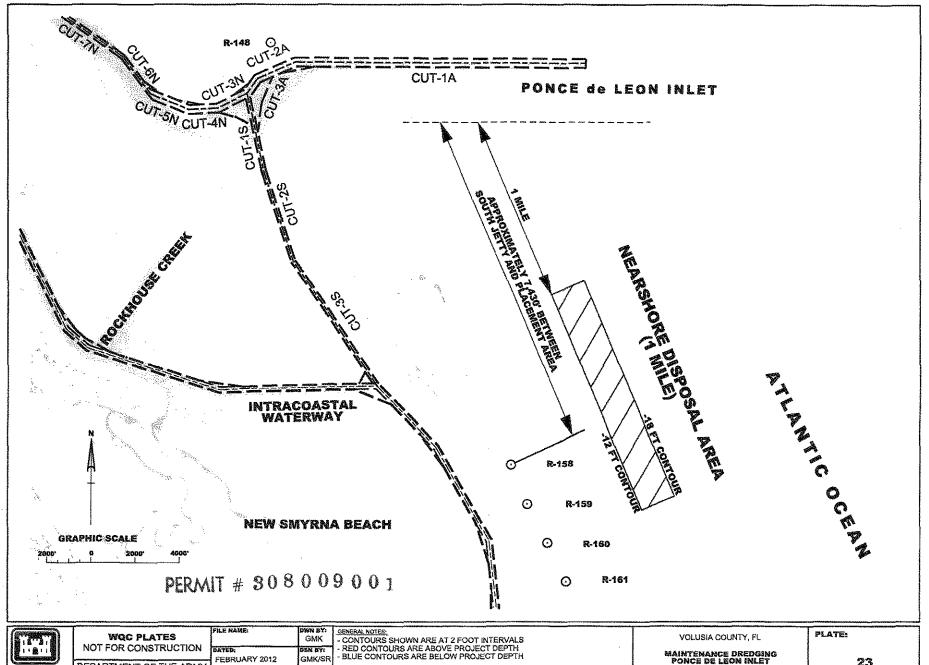
MAINTENANCE DREDGING PONCE DE LEON INLET

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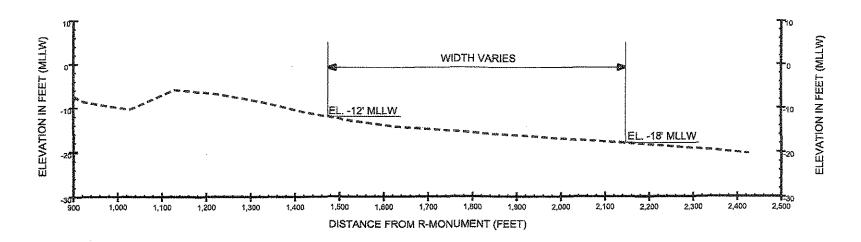
DEPARTMENT OF THE ARMY JACKSONVILLE DISTRICT, CORPS OF ENGINEERS

JACKSONVILLE, FLORIDA

FEBRUARY 2012 GMK/SR SCALE: CKD BY AS SHOWN SR

NEARSHORE PLACEMENT AREA

NEARSHORE PLACEMENT AREA CROSS-SECTION (PROFILE EXTENDING FROM R-158)



GRAPHIC SCALE

HORIZONTAL

50' 0 50' 100'

VERTICAL

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| DEPARTMENT OF THE ARMY |
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WQC PLATES

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GENERAL NOTES:

| VOLUSIA COUNTY, FL. |
|---|
| Maintenance Dredging Ponce de Leon Inlet |

PLATE: