

DEPARTMENT OF THE ARMY PERMIT
(DUPLICATE)

Permittee: GATE MARITIME PROPERTIES, INC.

Permit Number: 199102068(IP-BAL)

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 Location: The project is located along the eastern portion of Blount Island in the Back River slipway, which is connected to the St. Johns River in Sections 20 & 29, Township 01 South, Range 28 East, Jacksonville, Duval County, Florida.

Latitude 30°23'45"N Longitude 81°60'19"W

Project Description: To expand an existing commercial port facility. The expansion work consists of installing 5,500 linear feet of bulkhead and backfilling to various widths a total of 9.45 acres of unvegetated shoreline, open waters and 3.45 acres of salt marsh; constructing a 900 feet by 90 feet marginal wharf; constructing an additional 1,700 feet by 90 feet of pile supported loading deck; constructing two T-head piers; constructing a 640 linear foot rock revetment; and dredging within the slipway. The work at Berth 2 will consist of constructing a 900 feet by 90 feet marginal wharf with bumpers and installing 1,000 linear feet of bulkhead and backfilling to the shoreline. The work at Berths 3 and 5, which appear as one continuous berth, will consist of the construction of 1,700 feet by 90 feet pile supported deck with bumpers running parallel to the south shore of the slipway and installing 1,200 linear feet of bulkhead and backfilling to the shoreline. The work at Berth 4 will consist of installing 2,400 linear feet of bulkhead and backfilling to the shoreline. Approximately 900 linear feet of vertical bulkhead will be installed at the dead-end of the slipway and capped with concrete. Further east (inside the slipway and towards the main channel) of Berth 4, the applicant

will construct two T-head piers that will not exceed 300 feet in length. A 640 linear foot rock revetment will be constructed for shoreline stabilization southeast of the proposed T-head piers within the slipway. The slipway will be dredged to maintain a depth of -40.0 feet mean low water with no over dredging below that depth. There will be approximately 2.3 million cubic yard of dredging over a ten-year period. The maintenance dredging cycles occur approximately every two to three years. The dredged material will be placed in an upland confined disposal facility. All work is to be completed in accordance with the attached plans numbered 199102068 (IP-BAL) in 12 sheets dated 17 December 2003.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on DECEMBER 17, 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 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 certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall notify the Corps in writing at the following address. All information regarding this permit and reports shall be submitted to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, Florida 32232-0019 and shall reference the permit number, 199102068 (IP-BAL).

2. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).

3. 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 of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.

4. Siltation barriers shall be installed and shall be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exit from essential habitat.

5. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in the construction area and while 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.

6. If a manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet to a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

7. Any collision with and/or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. **Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida.**

8. Temporary signs concerning manatees shall be posted prior to and during construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least 3 feet by 4 feet which reads *Caution: Manatee Area* will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2 inches by 11 inches, which reads:

Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of the operation. A collision with and/or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. The U.S. Fish and Wildlife Service should also be contacted in Jacksonville (1-904-232-2580) for north Florida.

9. The permittee shall install wharf fenders to reduce the risk of a vessel crushing a manatee. The wharf fenders shall be installed with appropriate materials to provide sufficient standoff space of at least 4 feet under compression. Fenders or

buoys providing a minimum standoff space of at least 4 feet under compression shall be utilized between two vessels that are moored together.

10. The permittee shall provide as-built drawings of the authorized work, and a completed As-Built Certification Form. The drawings and Certification Form are to be submitted within 60 days of completion of the authorized work, or at the expiration of the construction authorization of the permit, whichever comes first. The drawings and As-Built Certification Form must be signed and sealed by a professional engineer registered in the State of Florida. The submitted As-Built Certification Form and drawing shall include the following:

- a. The Department of the Army permit number on each sheet.
- b. A plan view of the overall footprint of the project showing all "earth disturbance", including wetland impacts.
- c. Clear indication of any deviations, which have been described on the As-Built Certification Form. In the event that the completed work deviates from the approved permit drawings and special conditions, the permittee shall describe, on the Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the depiction and description of the deviations on the drawings and Certification Form does not necessarily mean that the Corps will approve of them.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344)

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time that the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions: General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

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

GATE MARITIME PROPERTIES INC.

Thomas A. Mantia Dec. 24, 2003
(PERMITTEE) V.P. & GENERAL MANAGER (DATE)

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

Robert M. Carpenter
(DISTRICT ENGINEER)
Robert M. Carpenter
Colonel, U.S. Army

8 January 2004
(DATE)

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

(TRANSFEREE)

(DATE)

(NAME-PRINTED)

(ADDRESS)

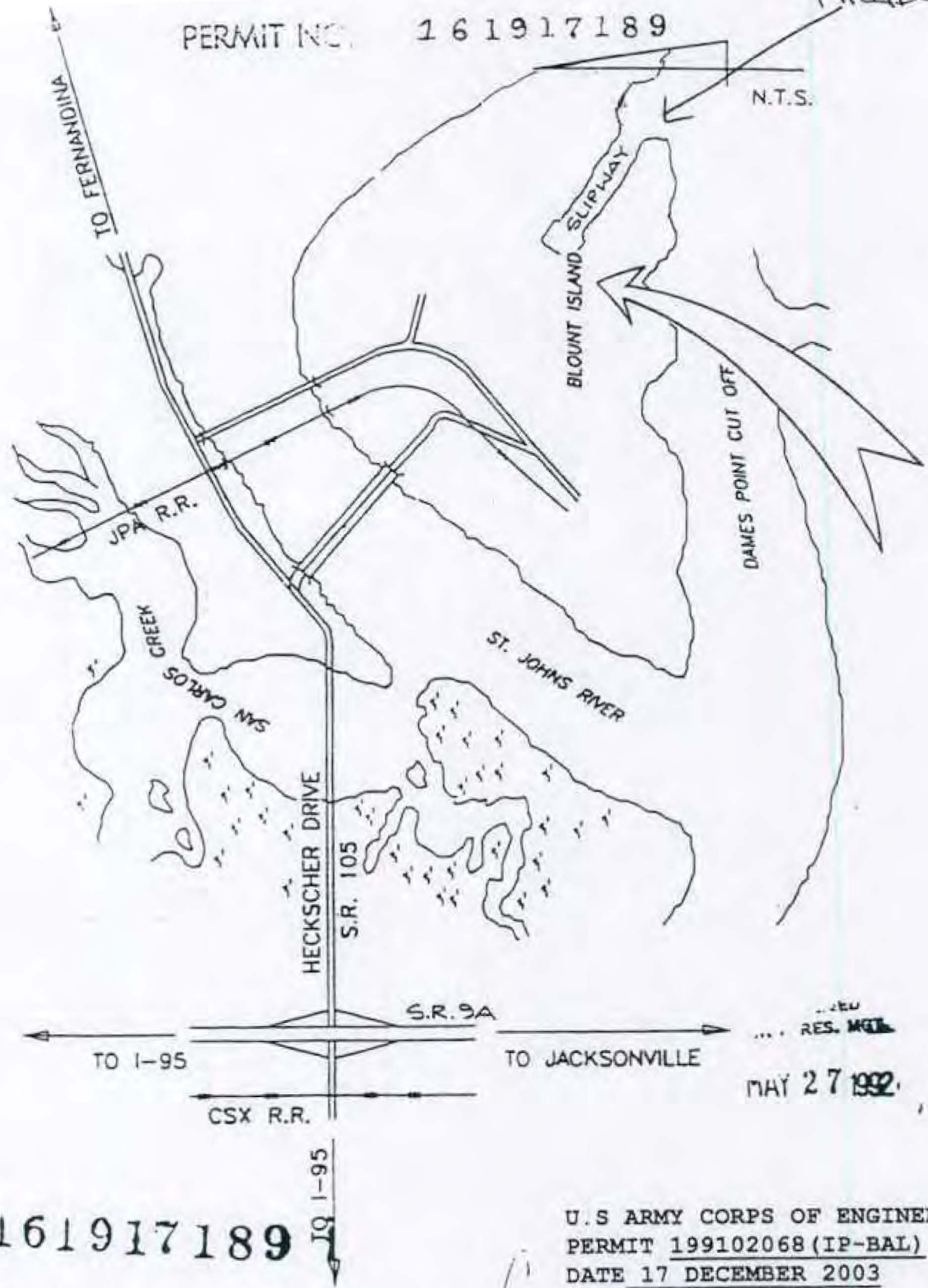
(CITY, STATE, AND ZIP CODE)

LOCATION MAP

PROJECT

PERMIT NO. 161917189

N.T.S.



RES. MGT.
MAY 27 1992

PERMIT NO. 161917189

SHEET 1

U.S. ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 1 OF 12



U. S ARMY CORPS OF ENGINEERS
 PERMIT 199102068 (IP-BAL)
 DATE 17 DECEMBER 2003
 DRAWING PAGE 2 OF 12

PRELIMINARY DRAWINGS
 THESE DRAWINGS ARE NOT IN FINAL FORM, BUT
 ARE BEING TRANSMITTED FOR PERMITTING AGENCY REVIEW.

RECEIVED

SCALE: 1" = 2000'

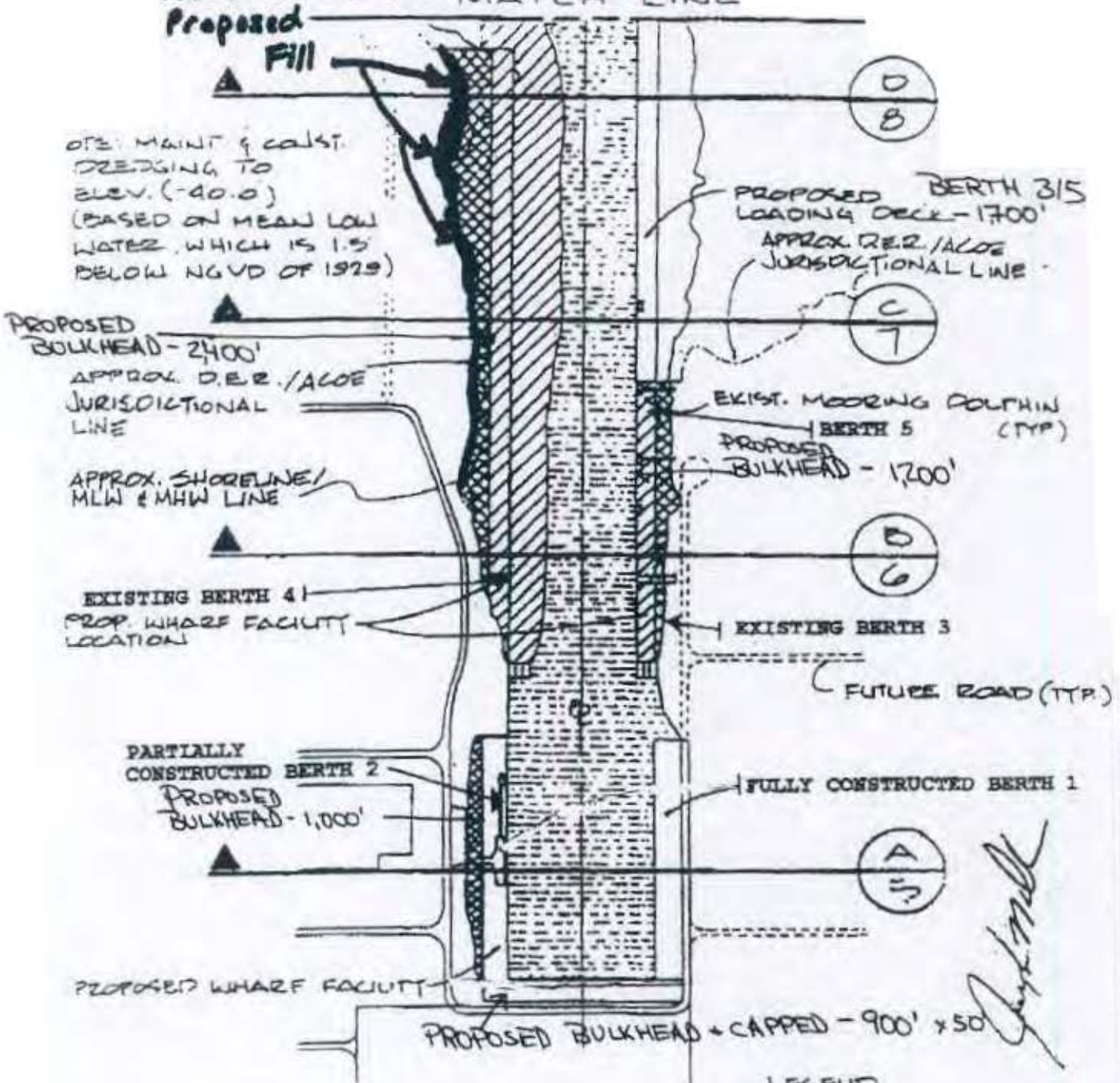
TAYLOR ENGINEERING INC.
 9000 CYPRESS GREEN DRIVE, SUITE 200
 JACKSONVILLE, FLORIDA 32256

MAY 20 2003
 BLOUNT ISLAND REVETMENT
 SITE LOCATION
 STATE OF FLORIDA
 DEPT OF ENV PROTECTION
 NORTHEAST DISTRICT-JAX

PROJECT C2002-018
 DRAWN BY E. RAFF
 SHEET 1 OF 3
 DATE MAY 2003

SEAL
K.A. Knight
 5/28/03
 K. A. KNIGHT P.E. 58084

ACOE WETLANDS (3.45 AC.)



OPS. MAINT & CONST. DREDGING TO ELEV. (-40.0) (BASED ON MEAN LOW WATER, WHICH IS 1.5' BELOW NGVD OF 1929)

PROPOSED BULKHEAD - 2400' APPROX. D.E.R./ACOE JURISDICTIONAL LINE

APPROX. SHORELINE/MLW & MHW LINE

EXISTING BERTH 4/1 PROP. WHARF FACILITY LOCATION

PARTIALLY CONSTRUCTED BERTH 2 PROPOSED BULKHEAD - 1,000'

PROPOSED WHARF FACILITY

PROPOSED BERTH 3/5 LOADING DECK - 1700' APPROX. D.E.R./ACOE JURISDICTIONAL LINE

EXIST. MOORING DOLPHIN (TYP) BERTH 5

PROPOSED BULKHEAD - 1700'

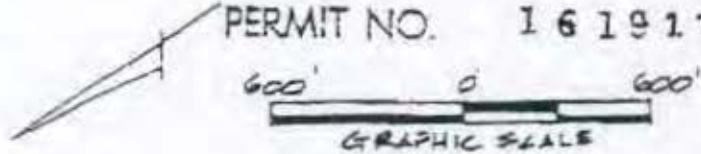
EXISTING BERTH 3

FUTURE ROAD (TYP.)

FULLY CONSTRUCTED BERTH 1

PROPOSED BULKHEAD + CAPPED - 900' x 50'

PERMIT NO. 161917189



LEGEND

- MAINTENANCE DREDGING
- CONSTRUCTION & MAINT. DREDGING
- BACKFILLING

9-30-98 5-17-92 5-14-96 11-8-91

SHEET 3

THE MARITIME DREDGERS INC.

WETLAND FILL

U.S. ARMY CORPS OF ENGINEERS
 PERMIT 199102068 (IP-BAL)
 DATE 17 DECEMBER 2003
 DRAWING PAGE 3 OF 12

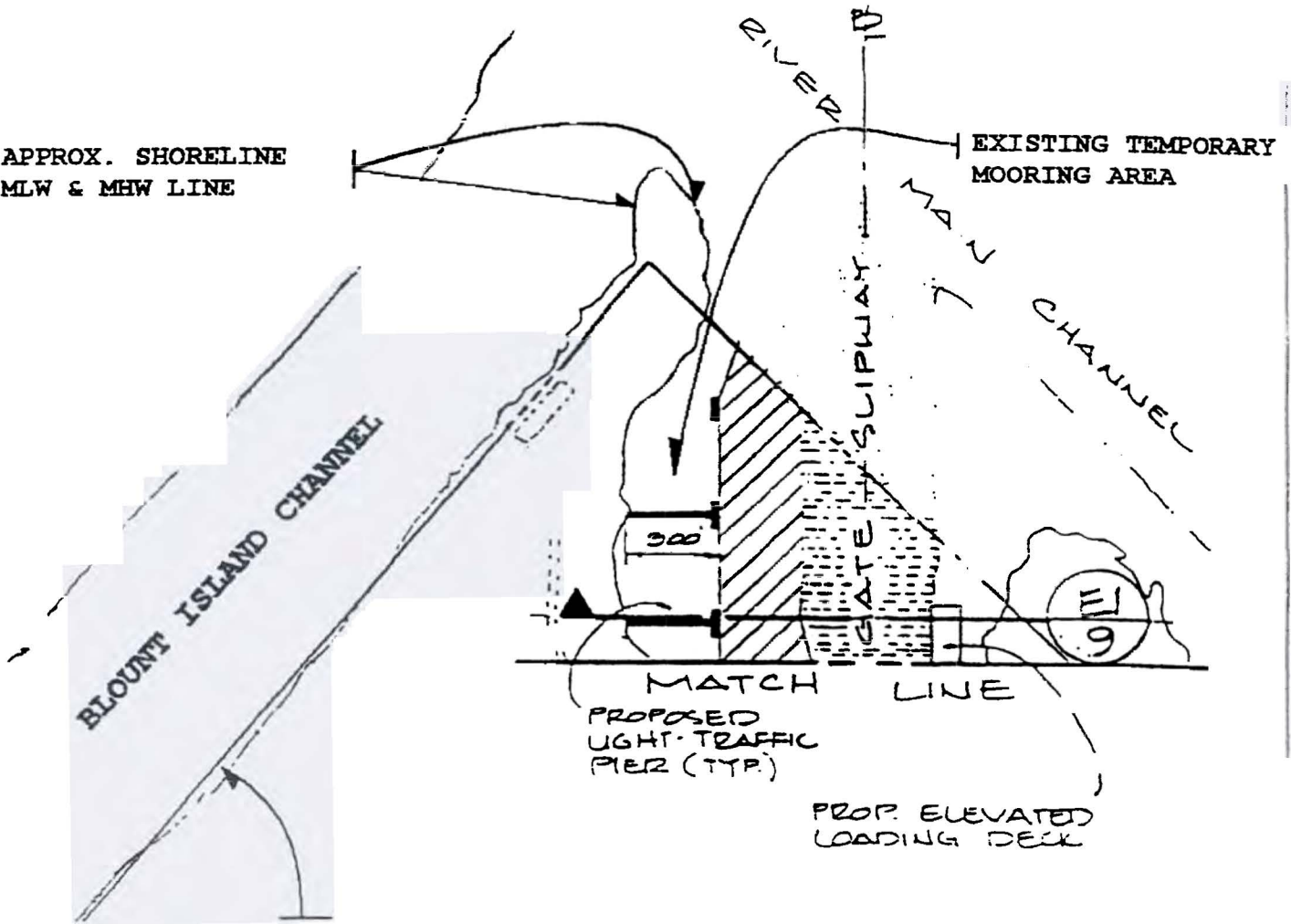
NOTE: SEE LEGEND, SHEET 3

NOTE: MAINTENANCE & CONST.
DREDGING TO ELEV. (-40.0)
(BASED ON MEAN LOW WATER,
WHICH IS 1.5 FT BELOW NGVD
OF 1929)



ST. JOHN'S PERMIT NO. 161917185

APPROX. SHORELINE
MLW & MHW LINE



PROPERTY LINE:
GATE MARITIME
PROPERTIES, INC.

SHEET 4

GATE MARITIME PROPERTIES, INC

[Handwritten signature]
10/6/92

6/02/03
9-4-92
5-19-92
5-14-92
91

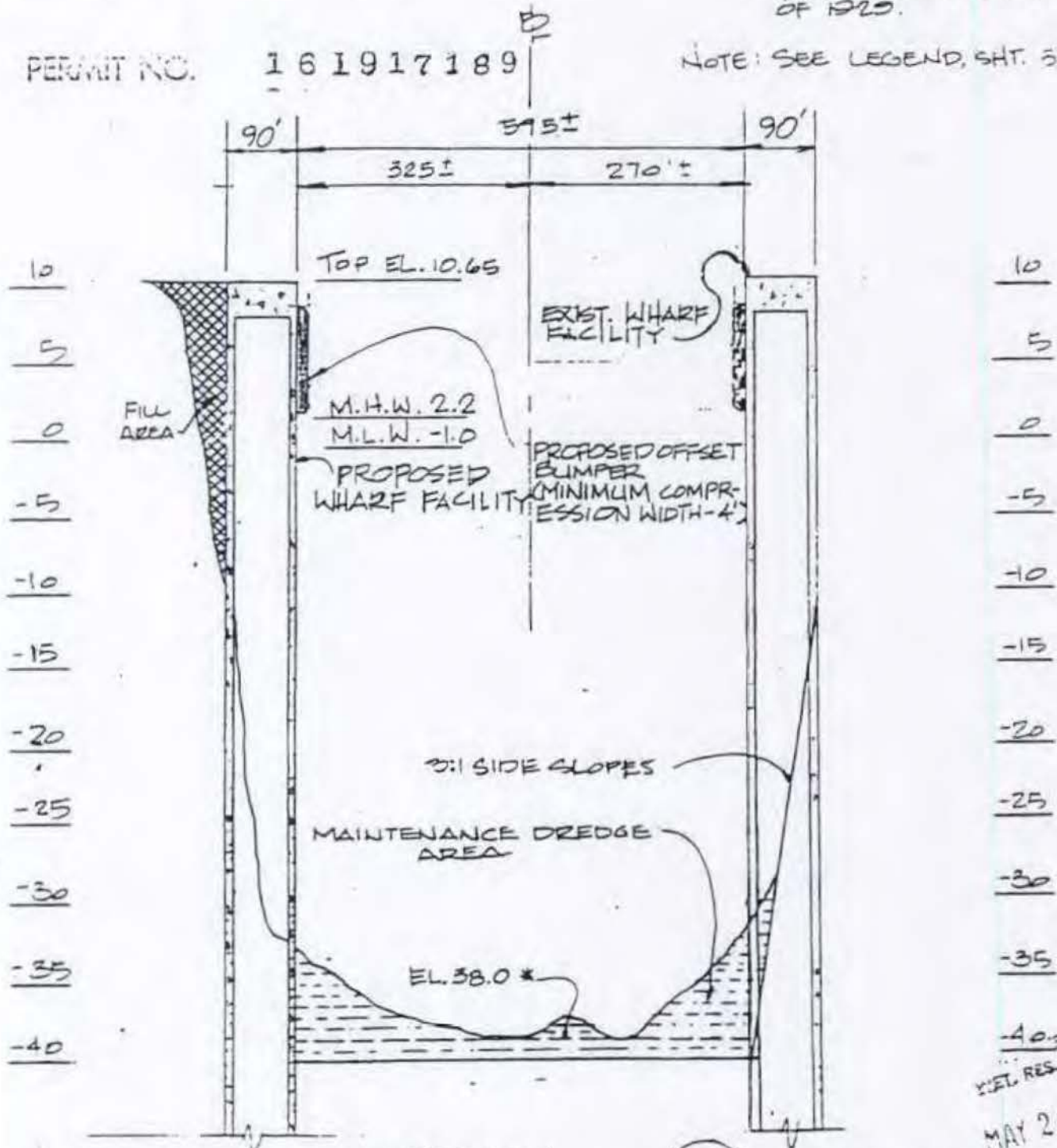
U.S ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 4 OF 12

38.0 = MAX. LIMITS OF
 SILTATION BEFORE
 MAINTENANCE DREDGING
 IS REQUIRED.

NOTE: ELEVATIONS SHOWN
 ARE BASED ON
 MEAN LOW WATER
 (MLW) WHICH IS
 1.0' BELOW NGVD
 OF 1929.

PERMIT NO. 161917189

NOTE: SEE LEGEND, SHT. 5



SECTION

A
3

SCALE: HORIZ. 1" = 200'
 VERT. 1" = 10'

U.S. ARMY CORPS OF ENGINEERS
 PERMIT 199102068 (IP-BAL)
 DATE 17 DECEMBER 2003
 DRAWING PAGE 5 OF 12

SHEET 5

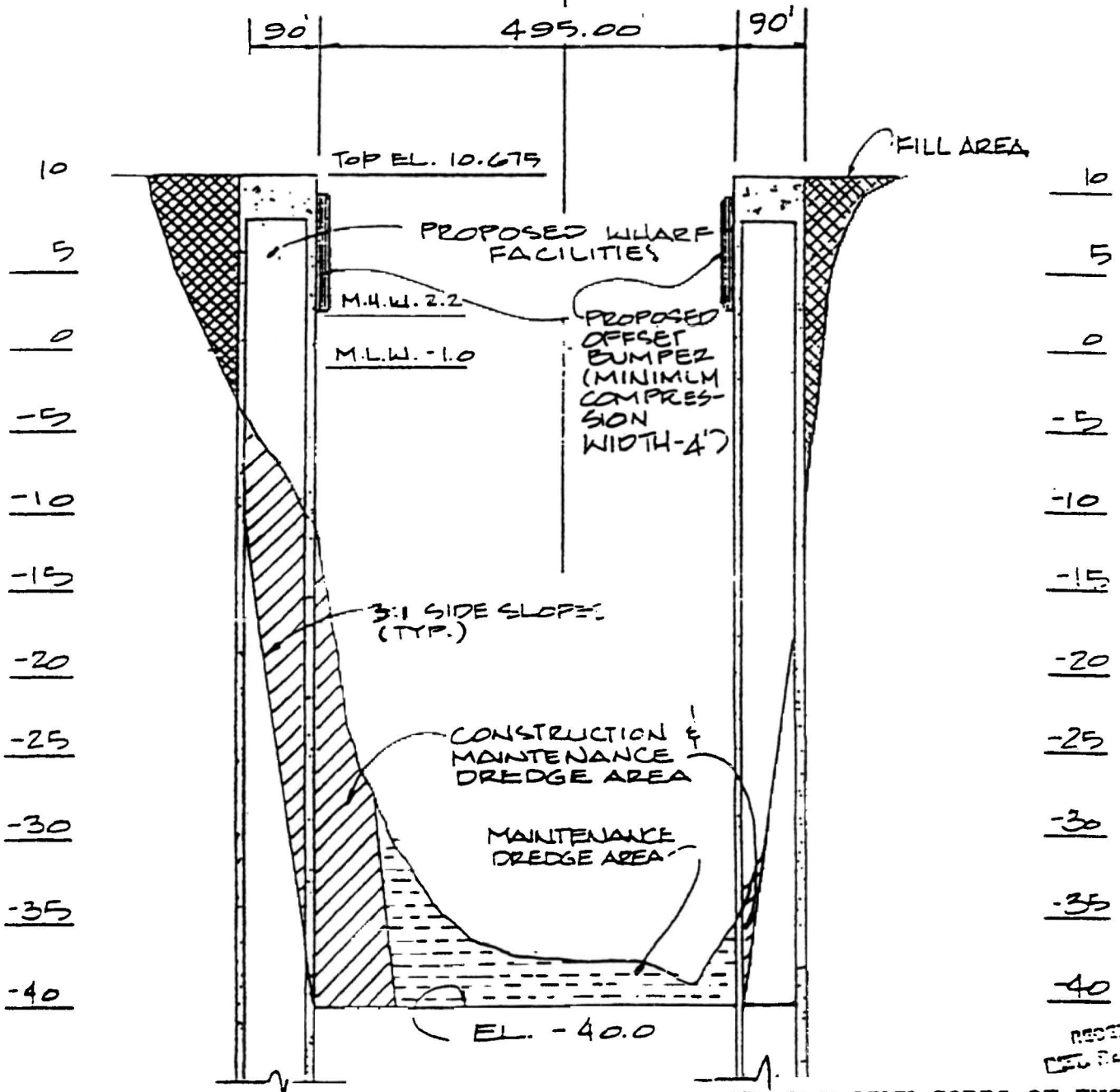
EL. 30.0 = MAX. LIMITS OF SILTATION BEFORE MAINTENANCE DREDGING IS REQUIRED.

NOTE: ELEVATIONS SHOWN ARE BASED ON MEAN LOW WATER (MLW) WHICH IS 1.0' BELOW NGVD OF 1929.

NOTE: SEE LEGEND, SHT. 3

PERMIT NO.

161917189



SECTION B

SCALE: HORIZ. 1" = 200'
VERT. 1" = 10'

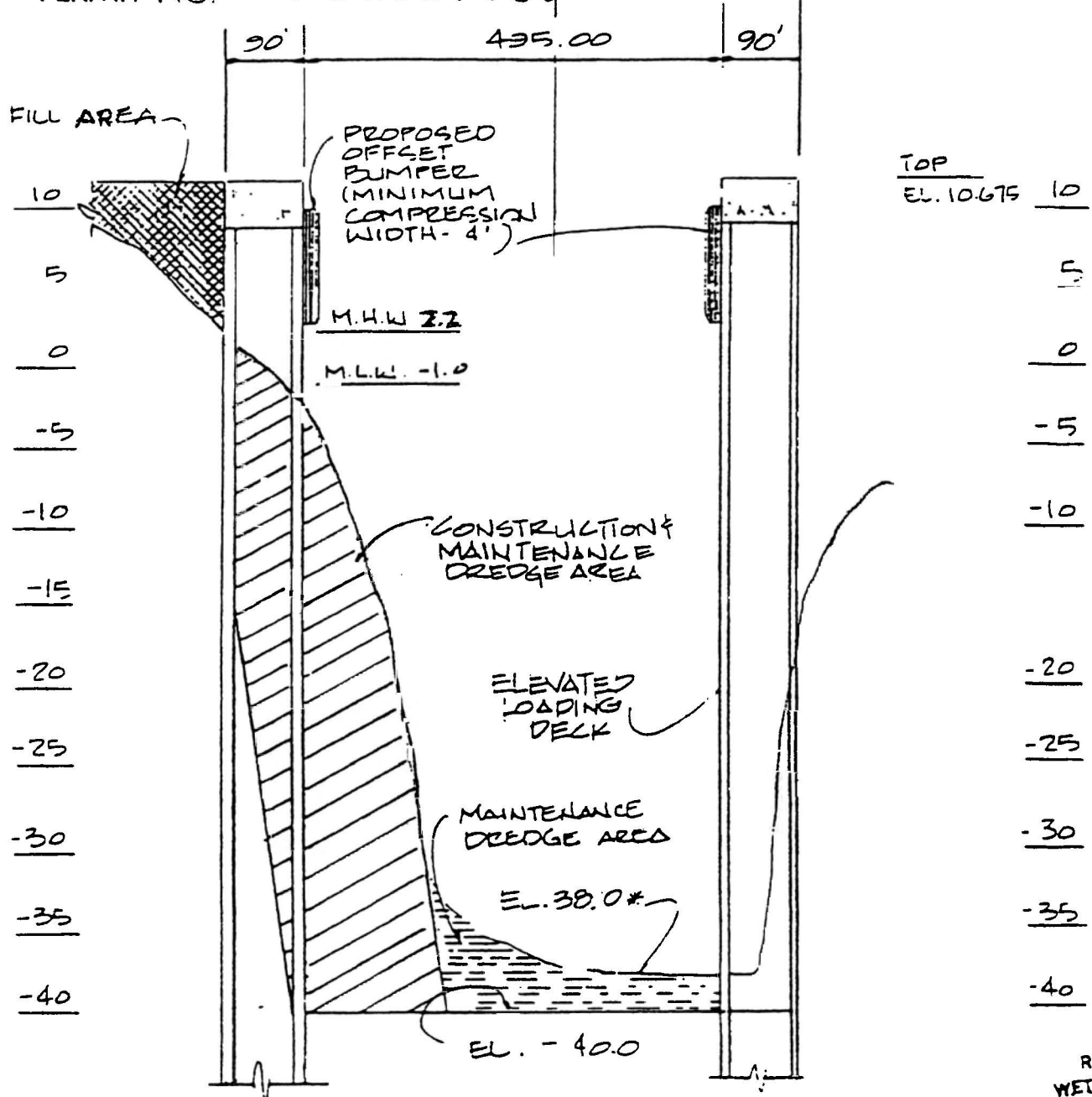
U.S. ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 6 OF 12

* EL. 38.0 = MAX LIMITS OF SILTATION BEFORE MAINTENANCE DREDGING IS REQUIRED.

NOTE ELEVATIONS SHOWN ARE BASED ON MEAN LOW WATER (MLW) WHICH IS 1.0' BELOW NGVD OF 1929.

PERMIT NO. 161917189

NOTE. SEE LEGEND, SHEET 3



SECTION C

SCALE: HORIZ. 1" = 200'
VERT. 1" = 10'

C

RECEIVED WEL. RES. MTC

MAY 27 1992

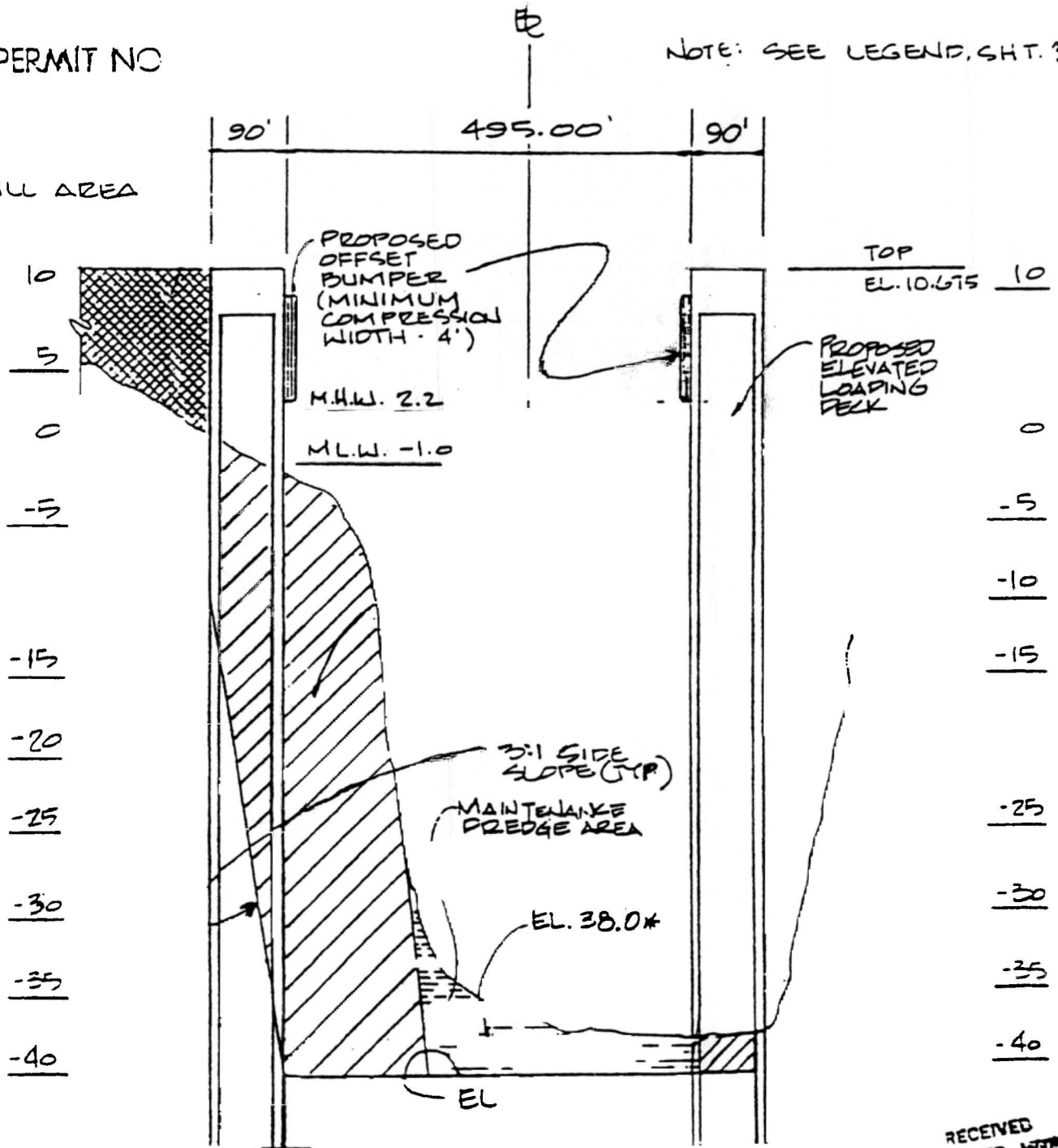
U.S. ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 7 OF 12

SHEET: 7

PERMIT NO

NOTE: SEE LEGEND, SHT. 3

FILL AREA



SECTION

SCALE: HORIZ. 1" = 200'
VERT. 1" = 10'

RECEIVED
WET. RES. MGR.

MAY 27 1997

U.S. ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 8 OF 12

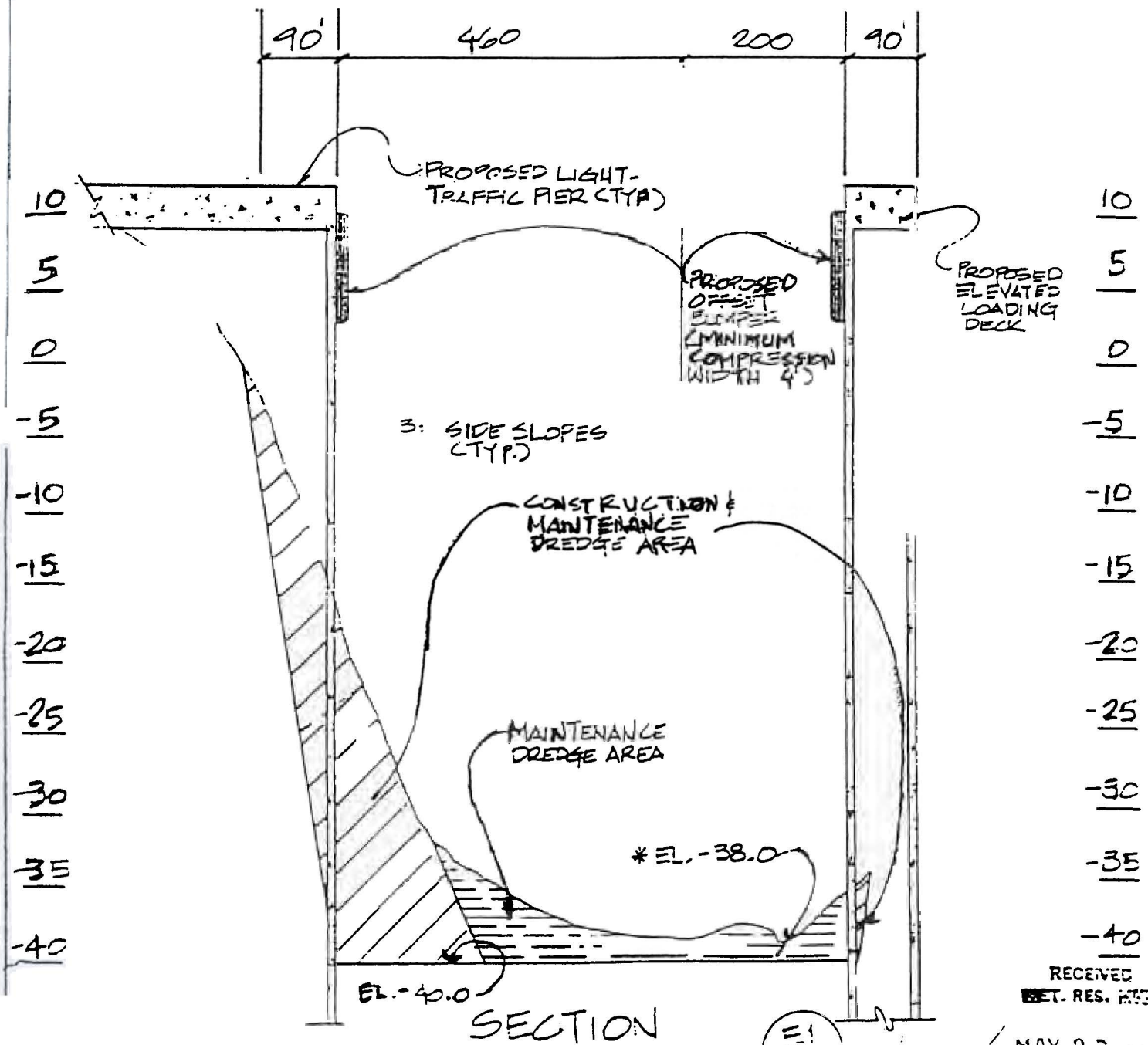
SHEET B

- EL. -38.0 = MAX. LIMITS OF SILTATION BEFORE MAINTENANCE DREDGING IS REQUIRED

NOTE: ELEVATION SHOWN ARE BASED ON MEAN LOW WATER (MLW) WHICH IS 1.0' BELOW NGVD OF 1929.

PERMIT NO. 161917189

NOTE: SEE LEGEND, SHEET

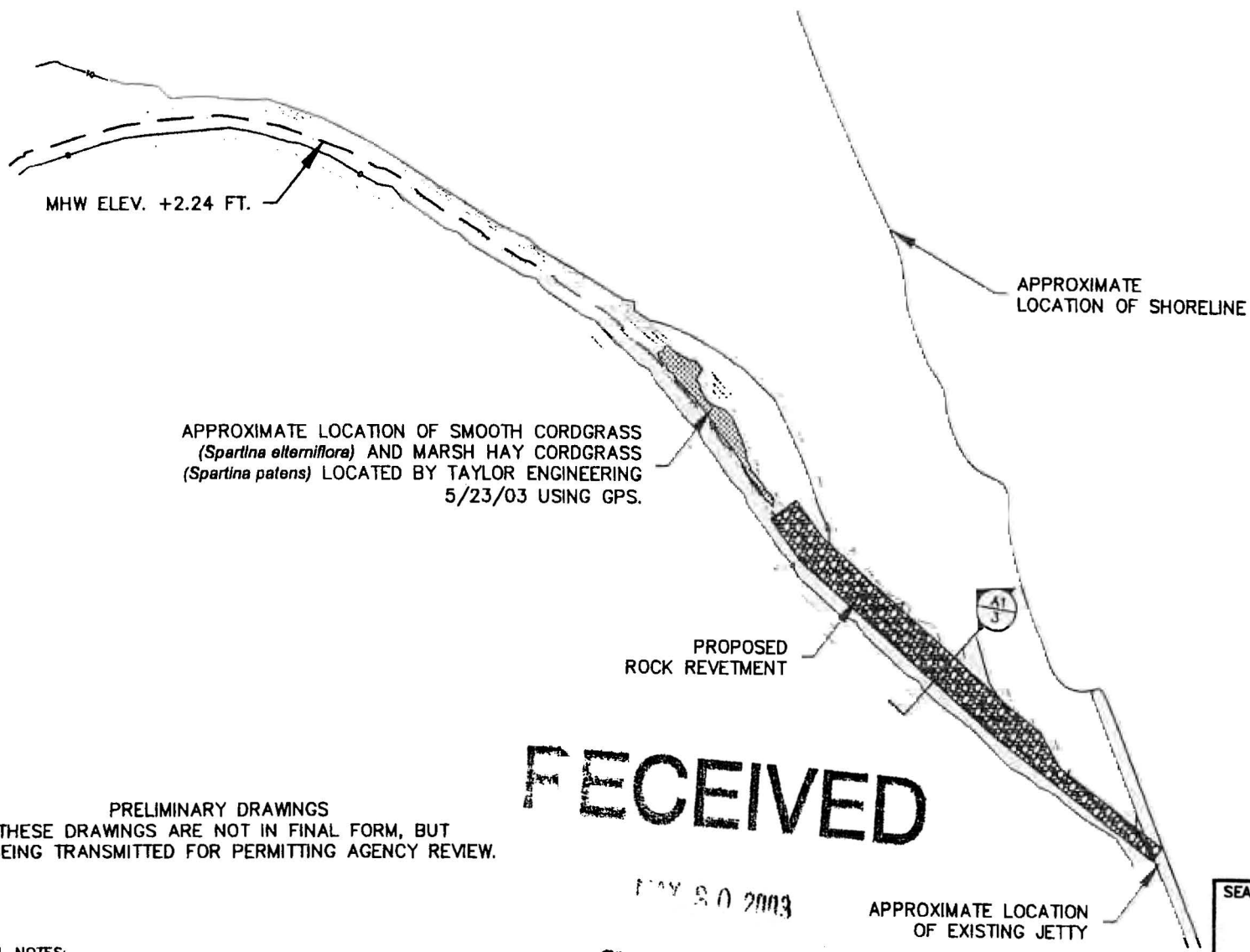


RECEIVED
EST. RES. M&E

U.S. ARMY CORPS OF ENGINEERS
 PERMIT 199102068 (IP-BAL)
 DATE 17 DECEMBER 2003
 DRAWING PAGE 9 OF 12

SCALE HORIZ. 1" = 200'
 VERT. 1" = 10'

SHEET 9



U. S. ARMY CORPS OF ENGINEERS
 PERMIT 199102068 IP-BAL
 DATE 17 DECEMBER 2003
 DRAWING PAGE 10 OF 12

PRELIMINARY DRAWINGS
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 ARE BEING TRANSMITTED FOR PERMITTING AGENCY REVIEW.

RECEIVED

MAY 8 0 2003

- GENERAL NOTES:
1. HORIZONTAL COORDINATES ARE REFERENCED TO FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE N.A.D. 1927.
 2. ELEVATIONS SHOWN ARE REFERENCED TO NGVD 29 (FEET).
 3. TIDAL DATA FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S LAND BOUNDARY INFORMATION SYSTEM (LABINS) WEBSITE, M.H.W. DATA POINT I.D. 4712
 4. TOPOGRAPHIC DATA COLLECTED BY TAYLOR ENGINEERING INC., JUNE, 2002.

STATE OF FLORIDA
 DEPT. OF ENV. PROTECTION
 NORTHEAST DISTRICT-JAX

SCALE: 1" = 200'

SEAL

K.A. Knight
 5/28/03

TAYLOR ENGINEERING INC.
 9000 CYPRESS GREEN DRIVE, SUITE 200
 JACKSONVILLE, FLORIDA 32256

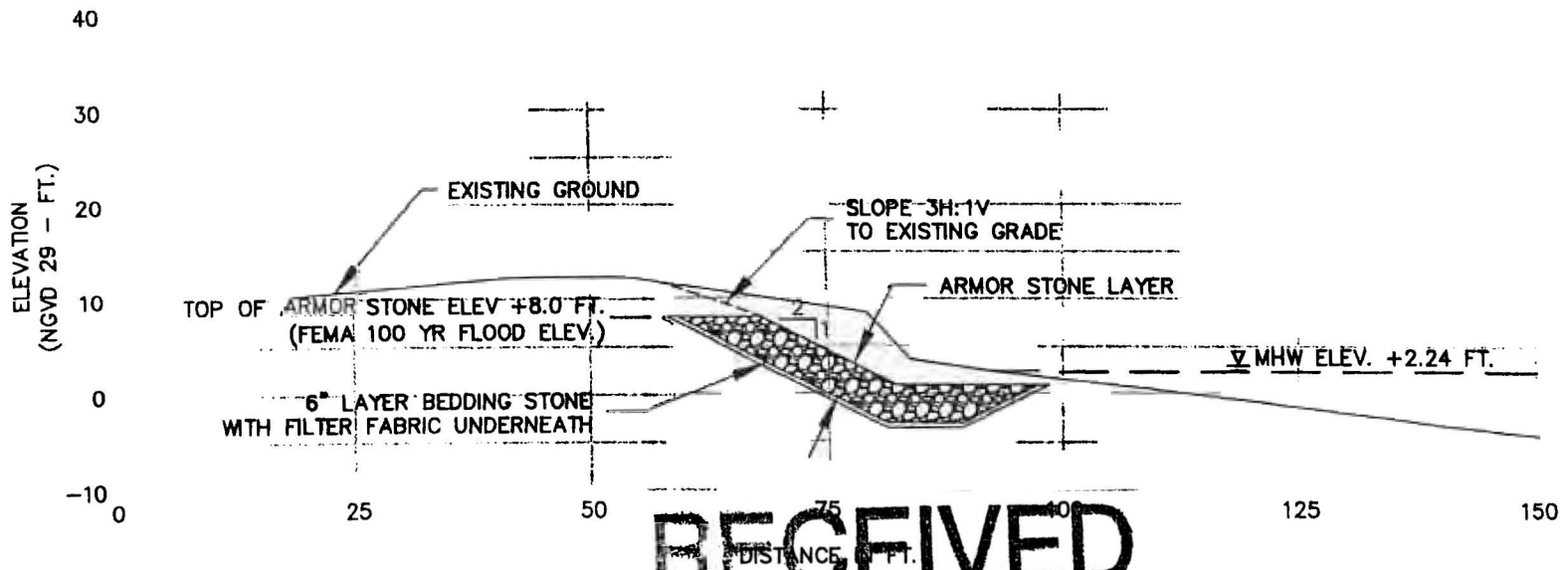
BLOUNT ISLAND REVETMENT
 SITE OVERVIEW

PROJECT	C2002-018
DRAWN BY	E. RAFF
SHEET	2 OF 3
DATE	MAY 2003

K. A. KNIGHT P.E. 58084

GENERAL NOTES:

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4. TOPOGRAPHIC DATA COLLECTED BY TAYLOR ENGINEERING INC., JUNE, 2002.



RECEIVED

TYPICAL SECTION

MAY 30 2003

STATE OF FLORIDA
DEPT. OF ENV. PROTECTION
NORTHEAST DISTRICT-JAX

SCALE: " = 20'

SEAL

K.A. Knight
5/28/03

PRELIMINARY DRAWINGS
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TAYLOR ENGINEERING INC.
9000 CYPRESS GREEN DRIVE, SUITE 200
JACKSONVILLE, FLORIDA 32256

BLOUNT ISLAND REVETMENT
TYPICAL SECTION

PROJECT	C2002-018
DRAWN BY	E. RAFF
SHEET	3 OF 3
DATE	MAY 2003

K. A. KNIGHT P.E. 58084

U.S. ARMY CORPS OF ENGINEERS
 PERMIT 199102068 (IP-B&I)
 DATE 17 DECEMBER 2003
 DRAWING PAGE 11 OF 12

340'

4.2 A.C.±

EXISTING
ALLIGATOR LAKE
(TIDAL TO ST. JOHNS RIVER)

750'

COMPLETED 5.2 ACRE
MARSH CREATION AREA

EXISTING TIDAL MARSH

APPROXIMATE LOCATION
OF EXISTING CULVERT

160'

UPLANDS

1.0 A

300'

ALLIGATOR CREEK AND
ST. JOHNS RIVER CONNECTION

5-18-03

SEASIDE MARITIME PROPERTIES, INC.

COMPLETED MARSH CREATION AREA

U.S. ARMY CORPS OF ENGINEERS
PERMIT 199102068 (IP-BAL)
DATE 17 DECEMBER 2003
DRAWING PAGE 12 OF 12