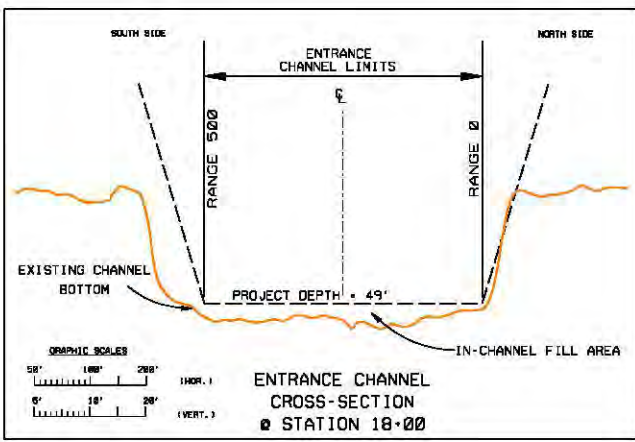
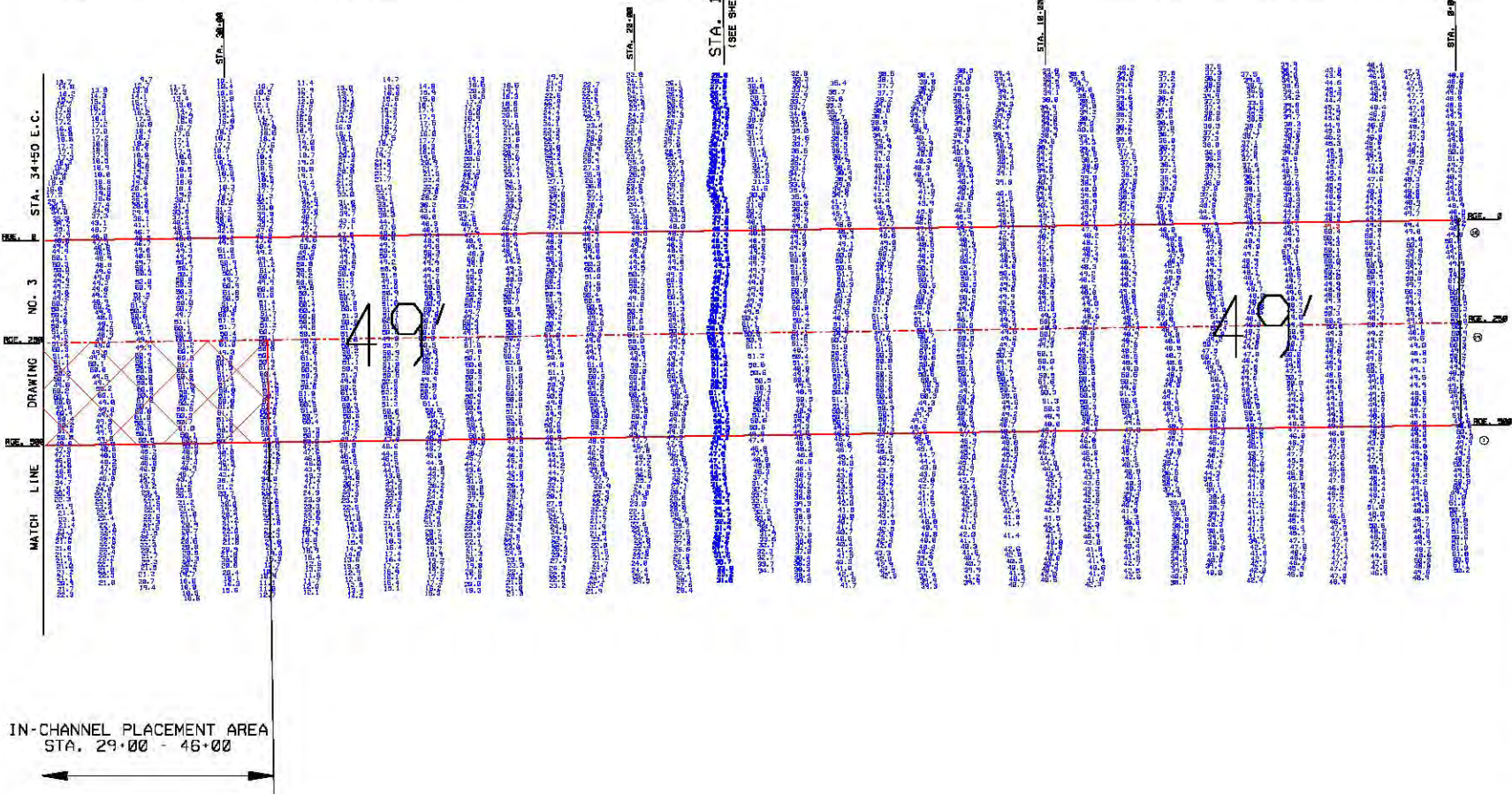


APPENDIX D

2002 PROJECT CONDITIONS SURVEY - PORT EVERGLADES FEDERAL NAVIGATION PROJECT AND PLACEMENT PLANS



DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

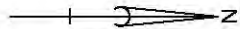
APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,

PORT EVERGLADES HARBOR, FLORIDA

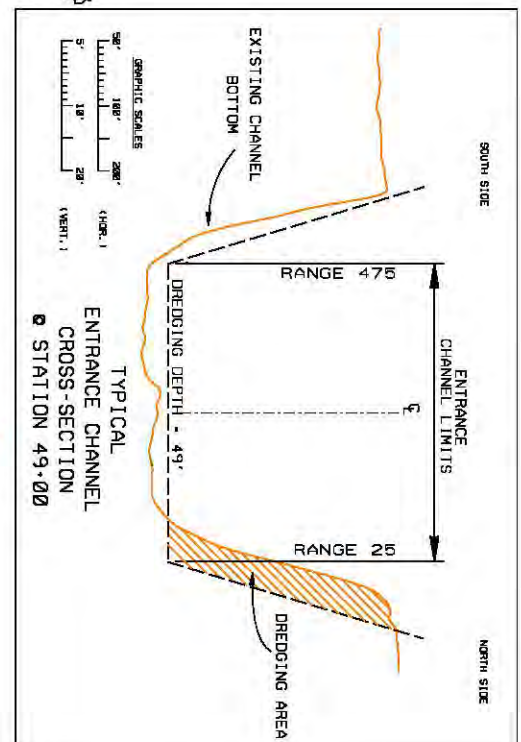
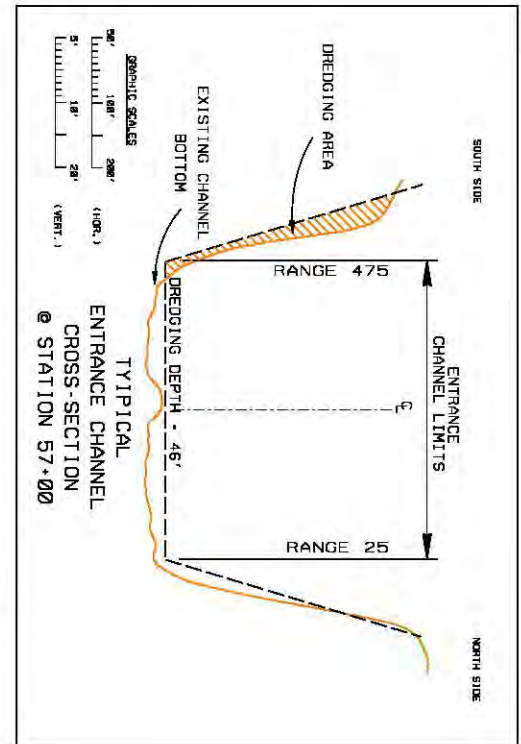
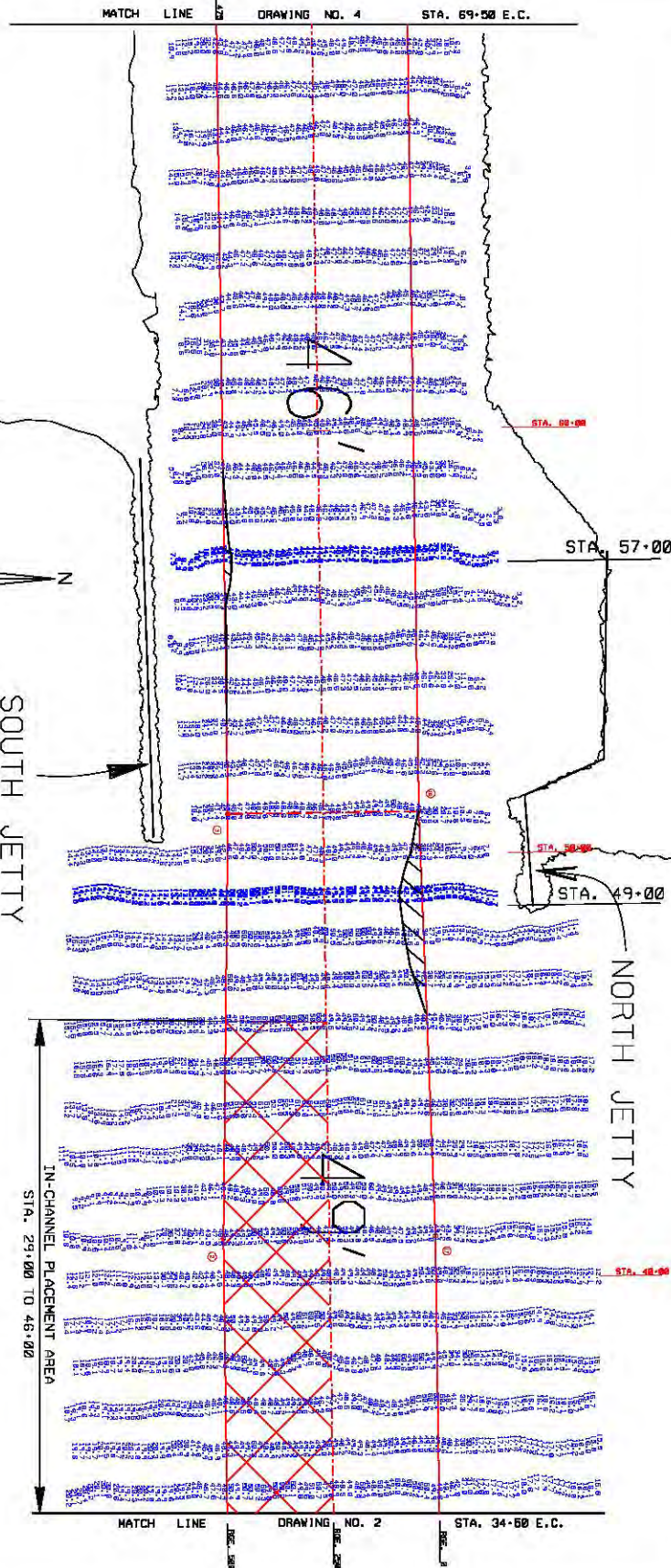
DATE: APRIL 2004 SHEET 2 OF 7

NOTE: DEPTHS SHOWN ARE DREDGING DEPTHS, NOT AUTHORIZED PROJECT DEPTH



SOUTH JETTY

IN-CHANNEL PLACEMENT AREA
STA. 29+00 TO 46+00

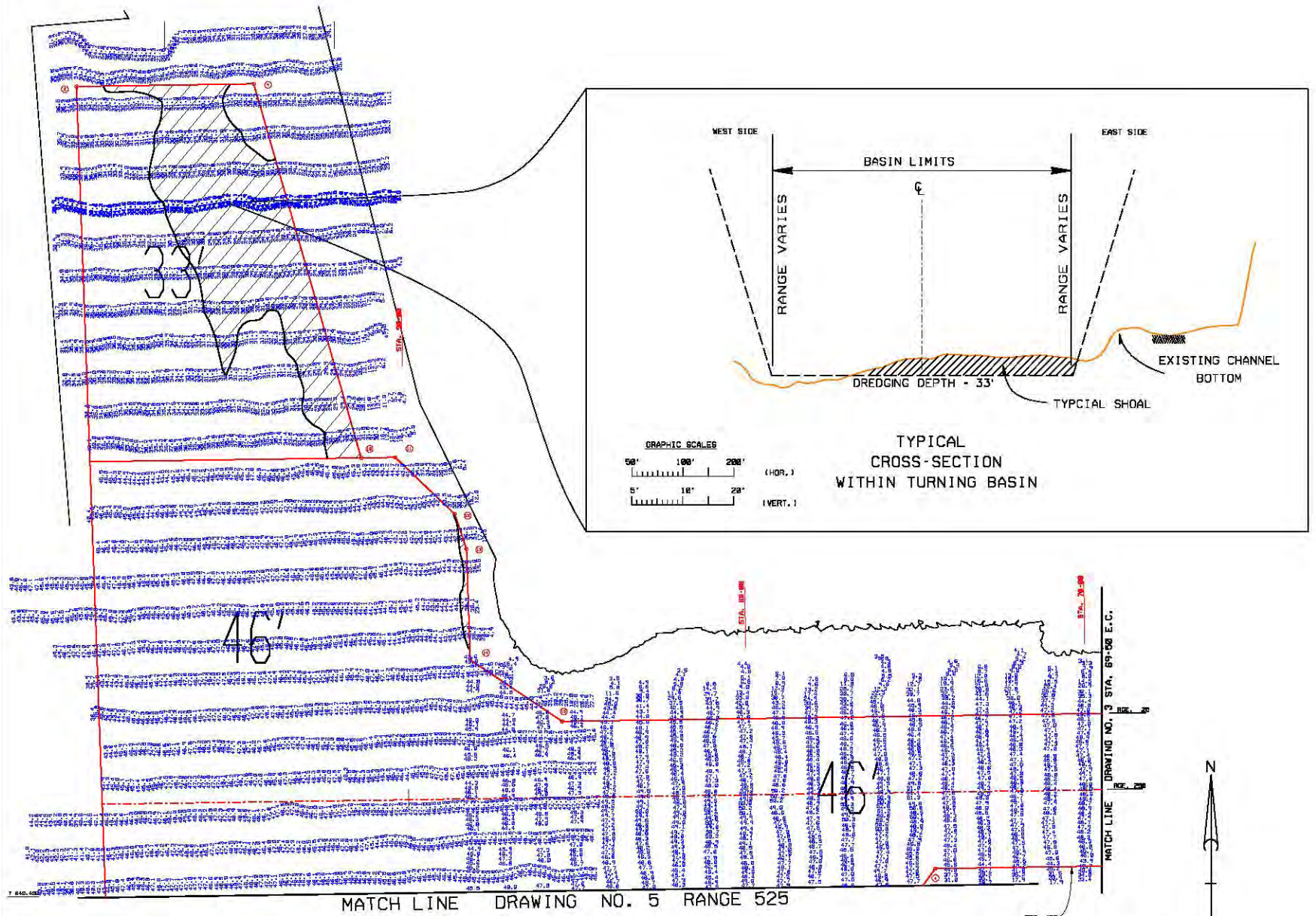


DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,
PORT EVERGLADES HARBOR, FLORIDA

DATE: APRIL 2004 SHEET 3 OF 7



DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,

PORT EVERGLADES HARBOR, FLORIDA

DATE: APRIL 2004 SHEET 4 OF 7



MATCH LINE DRAWING NO. 4 RANGE 525



DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,
PORT EVERGLADES HARBOR, FLORIDA

DATE: APRIL 2004 SHEET 5 OF 7



APPROXIMATELY 4.5 MILES

X 973,417.51
Y 652,433.85

X 973,462.51
Y 646,375.85

X 978,885.52
Y 652,474.83

X 978,932.29
Y 646,416.81

ODMDS



2400 0 2400 4800
SCALE IN FEET

DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



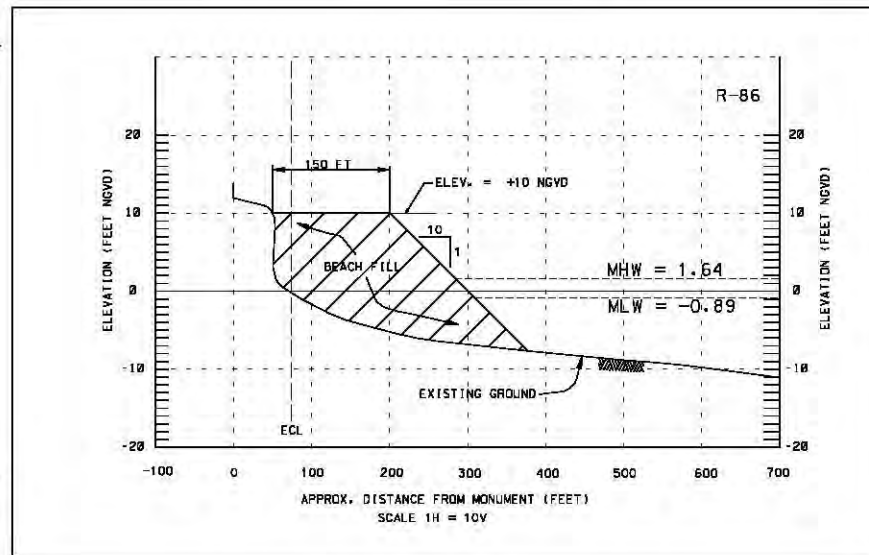
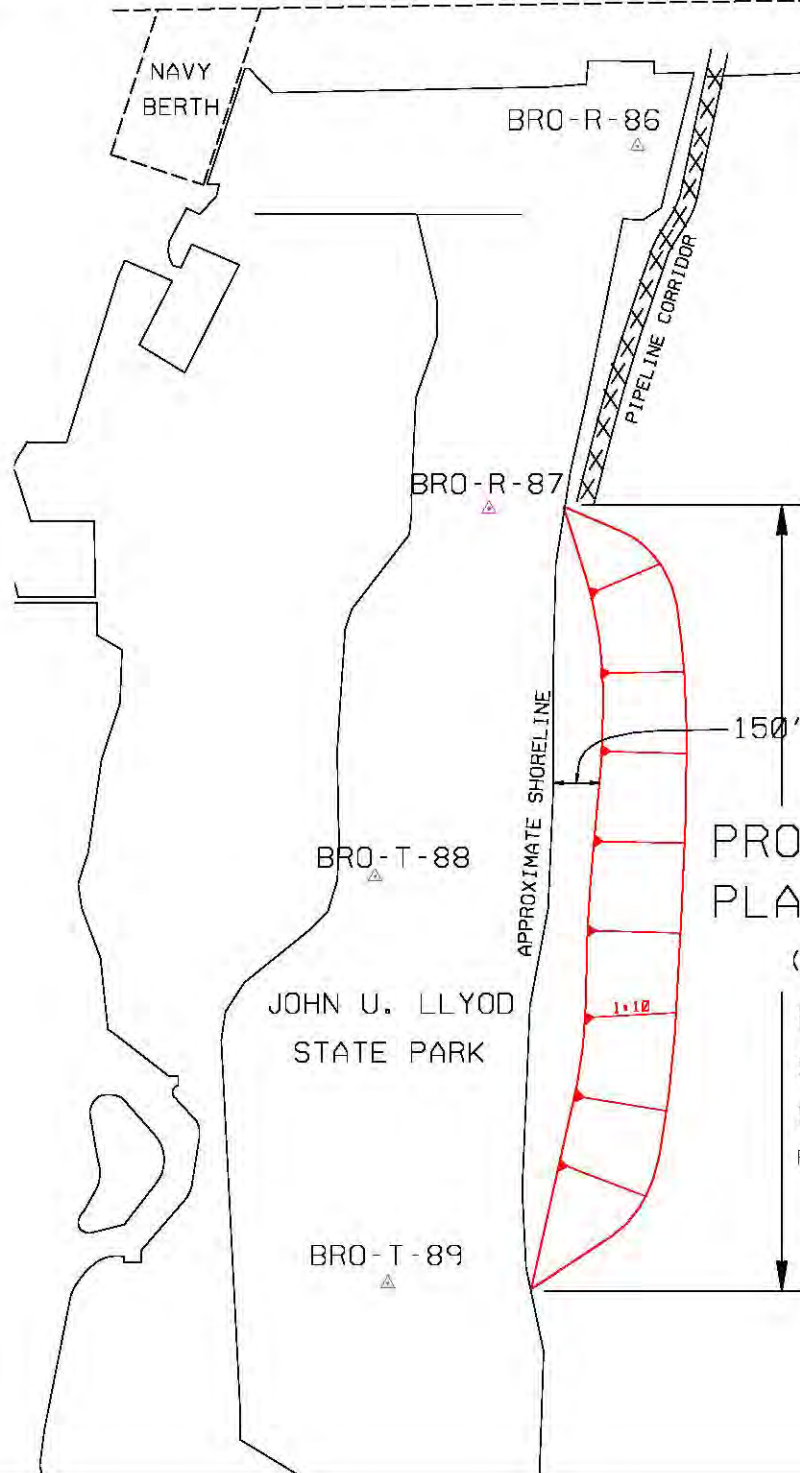
APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,

PORT EVERGLADES HARBOR, FLORIDA

DATE: APRIL 2004 SHEET 6 OF 7

ENTRANCE CHANNEL



DRAWINGS TO ACCOMPANY THE
APPLICATION FOR WATER QUALITY
CERTIFICATE SUBMITTED TO THE
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

APPLICANT: U.S. ARMY CORPS OF ENGINEERS

PROJECT: MAINTENANCE DREDGING,

PORT EVERGLADES HARBOR, FLORIDA

DATE: APRIL 2004

SHEET 7 OF 7



APPENDIX E

PREVIOUS PERMITS FOR MAINTENANCE DREDGING IN PORT EVERGLADES AND CURRENT APPLICATION FOR WATER QUALITY CERTIFICATE



Department of Environmental Protection

Lawton Chiles
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Virginia B. Wetherell
Secretary

CERTIFIED - RETURN RECEIPT REQUESTED

August 21, 1998

Mr. Allan D. Sosnow, Env. Projects Manager
Port Everglades Department of Broward County
1850 Eller Drive
Fort Lauderdale, Florida 33316-4201

Permit No. 0112329-001-ES, Broward County
Port Everglades Department of Broward County
Entrance Channel Shoal Removal

Dear Mr. Sosnow:

Your request for a Standard General Environmental Resource Permit and authorization to use sovereign submerged lands, issued pursuant to Chapters 253 and 373, Florida Statutes, and Title 62, Florida Administrative Code, has been approved by the Department. Please read the enclosed permit and permit conditions closely before starting construction. Particularly note the conditions pertaining to the post-construction report that must be submitted to the Department.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permittee or any of the parties listed below must be filed within 14 days of receipt of this letter. A petitioner must mail a copy of the petition to the permittee at the address indicated above, at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have 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 will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the permittee's name and address, the Department Permit File Number and the county in which the

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Notice of Permit Issuance
Port Everglades Department of Broward County
Permit No. 0112329-001-ES
Page 2

- project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
 - (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
 - (d) A statement of the material facts disputed by the petitioner, if any;
 - (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
 - (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
 - (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this permit.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this letter. Persons whose substantial interests will be affected by any decision of the Department with regard to the permit have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

This permit constitutes final agency action unless a petition is filed or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the Department. Any party to this letter has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this permit is filed with the Clerk of the Department.

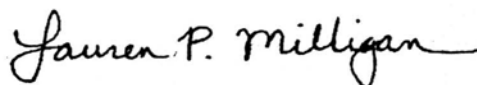
When there has been no publication of notice of agency action or notice of proposed agency action as prescribed in Rule 62-103.150, F.A.C., a person who has actual knowledge of the agency action or has knowledge which would lead a reasonable person to conclude that the Department has taken final agency action, has a duty to make further inquiry within 14 days of obtaining such knowledge by contacting the Department to ascertain whether action has occurred. The Department shall upon receipt of such an inquiry, if agency action has occurred, promptly provide the person with notice as prescribed by Rule 62-103.150, F.A.C. The Department does not require notice of this agency action to be published. However, the

Notice of Permit Issuance
Port Everglades Department of Broward County
Permit No. 0112329-001-ES
Page 3

applicant may elect to publish notice as prescribed in Rule 62-103.150, F.A.C., which constitutes notice to the public and establishes a time period for submittal of any petition.

Please direct any questions regarding this document to me by letter at the above address (add Mail Station 310), or by telephone at (850) 487-4471, ext. 141.

Sincerely,



Lauren P. Milligan
Environmental Specialist
Bureau of Beaches and Coastal Systems

Enclosure

cc: Mary Figueira, DEP, Southeast District
Florida Marine Patrol
Eric Myers, Broward County DNRP
Stephen Higgins, Broward County DNRP
Don Fore, USACOE, Jacksonville District
BBCS File



Department of Environmental Protection

Lawton Chiles
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Virginia B. Wetherell
Secretary

CONSOLIDATED ENVIRONMENTAL RESOURCE PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:	Permit/Authorization No.: 0112329-001-ES
Port Everglades Department of Broward Co.	Date of Issue: August 21, 1998
c/o Mr. Allan D. Sosnow	Expiration Date/
Environmental Projects Manager	Construction Phase: August 21, 1999
1850 Eller Drive	County: Broward
Fort Lauderdale, Florida 33316-4201	Project: Entrance Channel Shoal Removal

This permit is issued under the authority of Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.). The activity is not exempt from the requirement to obtain an Environmental Resource Permit. Pursuant to Operating Agreements executed between the 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.

ACTIVITY DESCRIPTION:

The project is to dredge up to 24,000 cubic yards of sandy material from (< 1 acre) shoals in the federally maintained Port Everglades Harbor Entrance Channel. Dredged material will be distributed within a deeper 23 acre reach of the channel. A 10-year joint coastal permit will be obtained prior to future scheduled Port Everglades Harbor Entrance Channel and Turning Basin maintenance dredging and beach placement of sand.

ACTIVITY LOCATION:

Located east of Port Everglades and north of John U. Lloyd Beach State Recreation Area in Fort Lauderdale, Broward County, Atlantic Ocean, Class III Waters.

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. This permit also constitutes certification of compliance with state water quality standards pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, 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

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Printed on recycled paper.

Permittee: Port Everglades
Permit No.: 0112329-001-ES
Page 2

Department has 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. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the activity qualifies for a 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, pursuant to Chapter 253.77, F.S., to perform the activity on the specified sovereign submerged lands.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the General Conditions and Specific Conditions, which are a binding part of this permit and authorization.** You are advised to read and understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities.

Performance of the activity is not authorized except when determined to be in conformance with all applicable rules and with the general and specific conditions of this permit/certification/ authorization, as specifically described below.

GENERAL CONDITIONS:

1. All activities authorized by this permit shall be implemented as set forth in the plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required.
2. If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Bureau of Beaches and Coastal Systems (Bureau) and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time

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Permit No.: 0112329-001-ES
Page 3

the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits which may be required by federal, state, local or special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high-water line, or, if established, the 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. The permittee is responsible for obtaining any other necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state-owned lands.

5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.

6. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.

7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

8. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.

Permittee: Port Everglades
Permit No.: 0112329-001-ES
Page 4

9. At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Bureau and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date.

10. If historical or archaeological artifacts, such as, but not limited to, Indian canoes, arrow heads, pottery or physical remains, are discovered at any time within the project site, the permittee shall immediately stop all activities which disturb the soil and contact the Department and the Bureau of Historic Preservation, Division of Historical Resources, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250.

SPECIFIC CONDITIONS:

1. Best management practices for turbidity control shall be used at all times during dredging and disposal operations to prevent siltation and turbid discharges in excess of state water quality standards, pursuant to Rule 62-302, F.A.C. Turbid water and sediment shall not be permitted to overflow or spill out of the hopper dredge, barge, or scow during dredging or transport to the disposal area. The maximum mixing zone allowed shall be a circle with a radius of 150 meters originating from the dredge, barge, scow, or discharge pipe, as appropriate. Turbidity shall be monitored as described in the Monitoring Required section of this permit.

The following measures shall be taken by the permittee whenever turbidity levels at the limit of the mixing zone exceed the standards described in the Monitoring Required section:

- a. Immediately cease all work contributing to the water quality violation.
- b. Modify the work procedures that were responsible for the violation;
- c. Notify the DEP Bureau of Beaches and Coastal Systems at (850) 487-4471, ext. 141 and the Southeast District Office at (561) 681-6649 within 24 hrs. of the time the violation is first detected.

2. During dredging and related activities, any anchoring done to secure the dredge or equipment shall be done within the navigation channel or in areas where there are no seagrass, algal, hardbottom, or coral communities.

3. Within 14 days after completion of the maintenance dredging event, a final report shall be submitted to the DEP Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 310, Tallahassee, Florida 32399-3000, and DEP Southeast District Office, Post Office Box 15425, West Palm Beach, Florida 33416-5425. This report shall include the following information:

Permittee: Port Everglades
Permit No.: 0112329-001-ES
Page 5

- a. A description of the dredging and disposal methods and equipment used;
 - b. The date on which dredging began and the date of completion;
 - c. The turbidity monitoring data collected at the dredging and channel disposal sites, including the location, date, and time for each sample collected, values for background samples, and values for compliance samples; and
 - d. The quantity of material dredged and placed in the disposal site.
4. In order to ensure that manatees are not adversely affected by the activities authorized by this permit, the permittee shall adhere to the following conditions:
- a. The contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All project personnel are responsible for observing water-related activities for the presence of manatees, and shall implement appropriate precautions to ensure their protection.
 - b. All construction personnel shall be advised 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. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.
 - c. Siltation barriers 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.
 - d. All vessels associated with the project shall operate at "idle speed/no wake" at all times while in water where the draft of the vessel provides less than 4 ft. of clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 - e. If 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 of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown

Permittee: Port Everglades
Permit No.: 0112329-001-ES
Page 6

of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.

- f. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol (1-800-DIAL-FMP) and to the U. S. Fish and Wildlife Service, Jacksonville Office (904-232-2580) for North Florida or the Vero Beach Field Office (561-562-3909) for South Florida.
- g. Prior to commencement of construction, the prime contractor involved in the construction activities shall construct and display at least two temporary signs (placards) concerning manatees. For all vessels, a temporary sign (at least 8.5" X 11") reading "**Manatee Habitat/Idle Speed In Construction Area**" will be placed in a prominent location visible to employees operating the vessels. In the absence of a vessel, a temporary sign (at least 2' X 2') reading "**Warning: Manatee Habitat**" will be posted in a location prominently visible to land based, water-related construction crews.

A second temporary sign (at least 8.5" X 11") reading "**Warning, Manatee Habitat: Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL-FMP**" will be located prominently adjacent to the displayed issued construction permit. Temporary notices are to be removed by the permittee upon completion of construction.

MONITORING REQUIRED: TURBIDITY - NTUs

Frequency: Twice daily during all daylight dredging and disposal activities, at least four hours apart.

Locations: Background: At mid-depth, at least 300 meters upcurrent from the dredge or the discharge point, outside of any visible turbidity plume.

Compliance: At mid-depth, no more than 150 meters downcurrent from the dredge or the discharge point, in the densest portion of any visible turbidity plume.

If at any time turbidity at the compliance location rises more than 29 NTUs above background, all corrective efforts shall be made, up to and including shutdown. A summary of the turbidity monitoring data shall be submitted to the Bureau of Beaches and Coastal Systems

Permittee: Port Everglades
Permit No.: 0112329-001-ES
Page 7

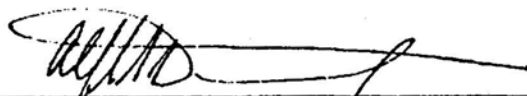
and to the Southeast District Office in West Palm Beach within 14 days of completion with documents containing the following information: a) time of day samples taken; b) depth of water body; c) depth of sample; d) antecedent weather conditions; e) tidal stage and direction of flow; f) wind direction and velocity; g) a statement describing the methods used in collection, handling, storage and analysis of the samples; h) a map indicating the sampling locations; and i) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data.

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 the compliance site greater than or equal to 29 NTUs above turbidity levels at the corresponding background site, 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 DEP Southeast District Office in West Palm Beach at (561) 681-6649 and the Bureau of Beaches and Coastal Systems in Tallahassee at (850) 487-4471, ext. 141 within 24 hours of the time the violation is first detected.

Failure to submit monitoring reports in a timely manner constitutes grounds for revocation of the permit. When submitting this information to the DEP, please clearly include, at the top of each page or as a cover page to the submittal: "This information is provided in fulfillment of the monitoring requirements in Permit No. 0112329-001-ES."

Executed in Tallahassee, Florida.

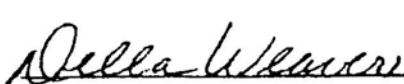
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

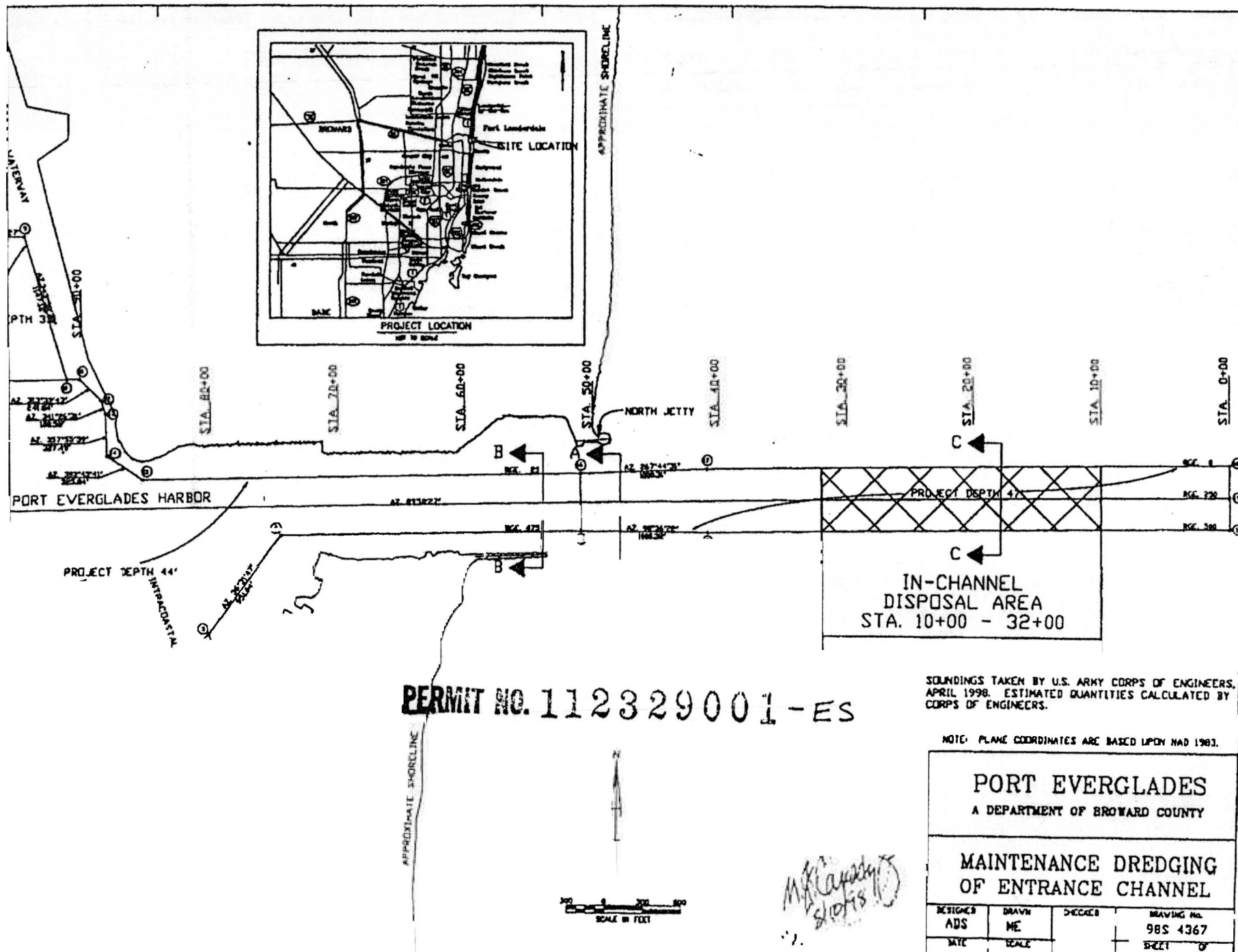


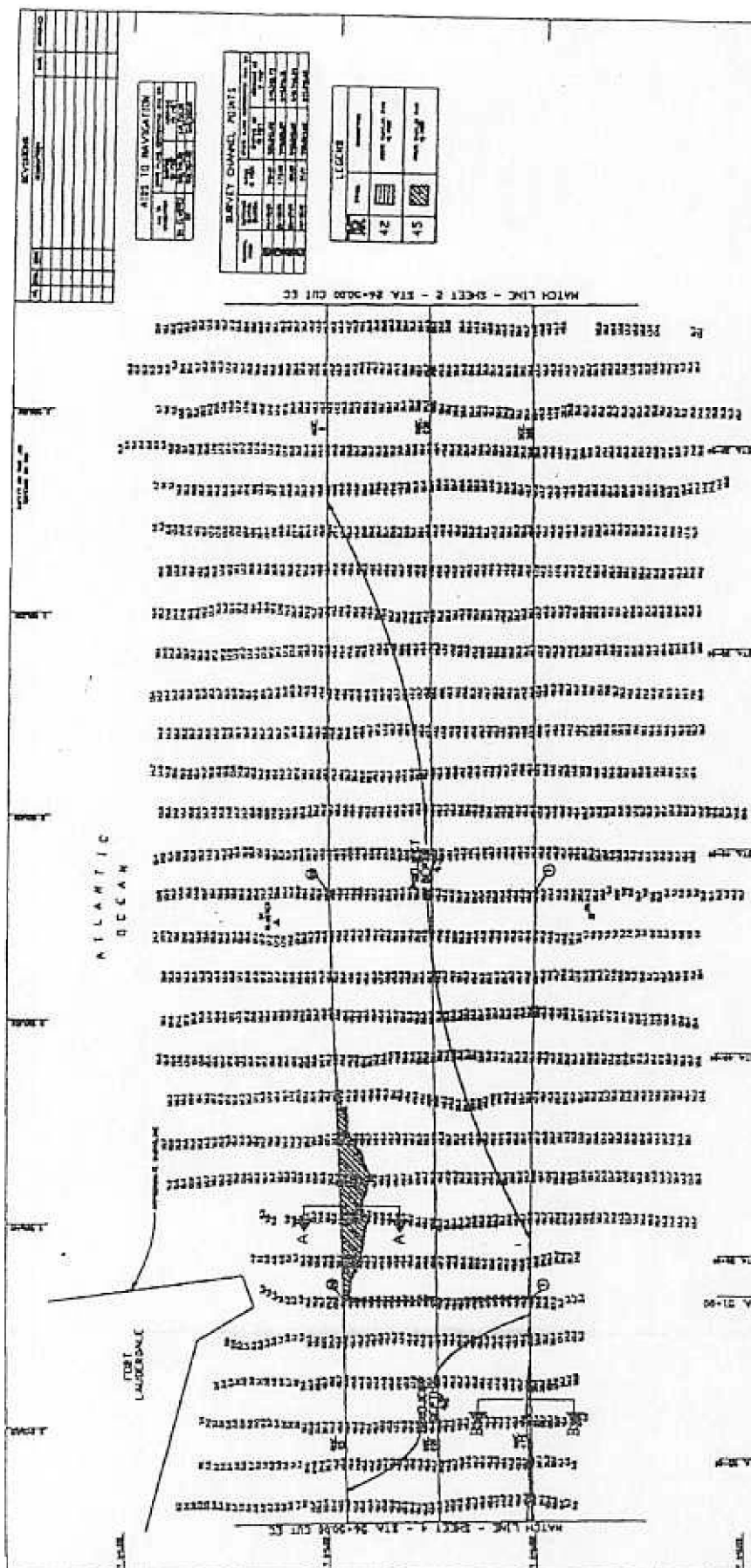
Alfred B. Devereaux, Jr., Chief
Bureau of Beaches and Coastal Systems

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.

 8/21/98
Deputy Clerk Date





SOUNDINGS TAKEN BY U.S. ARMY CORPS OF ENGINEERS, APRIL 1998. ESTIMATED QUANTITIES CALCULATED BY CORPS OF ENGINEERS.

PORT EVERGLADES
A DEPARTMENT OF BROWARD COUNTY

MAINTENANCE DREDGING OF ENTRANCE CHANNEL

DESIGNED ADS	DRAWN ME	CHECKED	DRAWING NO.
DATE 8/2/98	SCALE 1"=400'	CAS 1	98S 4367
		ARCH 100	SHEET 15

M.J. Conley
8/10/98

PORT EVERGLADES HARBOR

ENTRANCE CHANNEL
AL 871227

45'-0" PROJECT DEPTH STA. 21+00
AL 871227

34
29
31
29
38
31
33
42
52
67
81
106
169
256
407
431
437
443
443
437
446
445
459
472
478
472
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461
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339
311
224
171
148
132
105

STA. 51

18 SURVEY
16 SURVEY

R4 CLUSTER
Δ

23

PROJECT DEPTH 45'

49.3	49.8	46.3	43.8	48.1	49.4	47.8
49.7	49.8	47.5	46.4	47.9	49.1	48.3
49.1	50.0	47.5	48.2	49.1	48.9	47.0
50.1	50.3	50.9	48.8	49.3	49.1	49.2
48.3	50.2	50.0	49.1	49.3	49.6	50.5
49.4	49.3	50.2	49.8	49.9	49.6	49.9
51.0	48.3	49.4	49.8	49.6	49.6	49.9
50.3	48.5	49.6	49.3	48.7	48.1	49.5
48.9	48.2	50.5	49.2	48.7	48.7	50.3
50.7	48.0	49.4	49.6	48.1	48.1	50.0
49.7	48.0	49.9	48.7	48.2	49.1	50.0
49.7	49.3	49.4	49.3	48.7	48.7	50.3
49.2	47.7	47.9	49.0	48.2	49.2	51.0
48.2	48.2	48.2	48.3	47.5	48.8	49.2
47.8	47.6	46.7	47.8	47.8	45.9	47.5
46.3	44.4	44.6	46.3	46.9	45.3	47.7
44.8	41.6	42.2	44.8	46.1	46.3	46.5
41.7	40.8	41.2	43.2	44.8	43.8	45.2
40.9	37.4	38.6	41.8	39.9	35.7	44.0
39.6	37.4	38.6	40.4	19.5	19.9	19.9
38.7	37.4	37.4	23.7	19.5	19.8	19.8
				18.2	19.2	19.2
				18.8	19.1	19.8

PERMIT NO. 112329001-ES

PORT EVERGLADES HARBOR

INCE CHANNEL

AZ. 89°10'27"



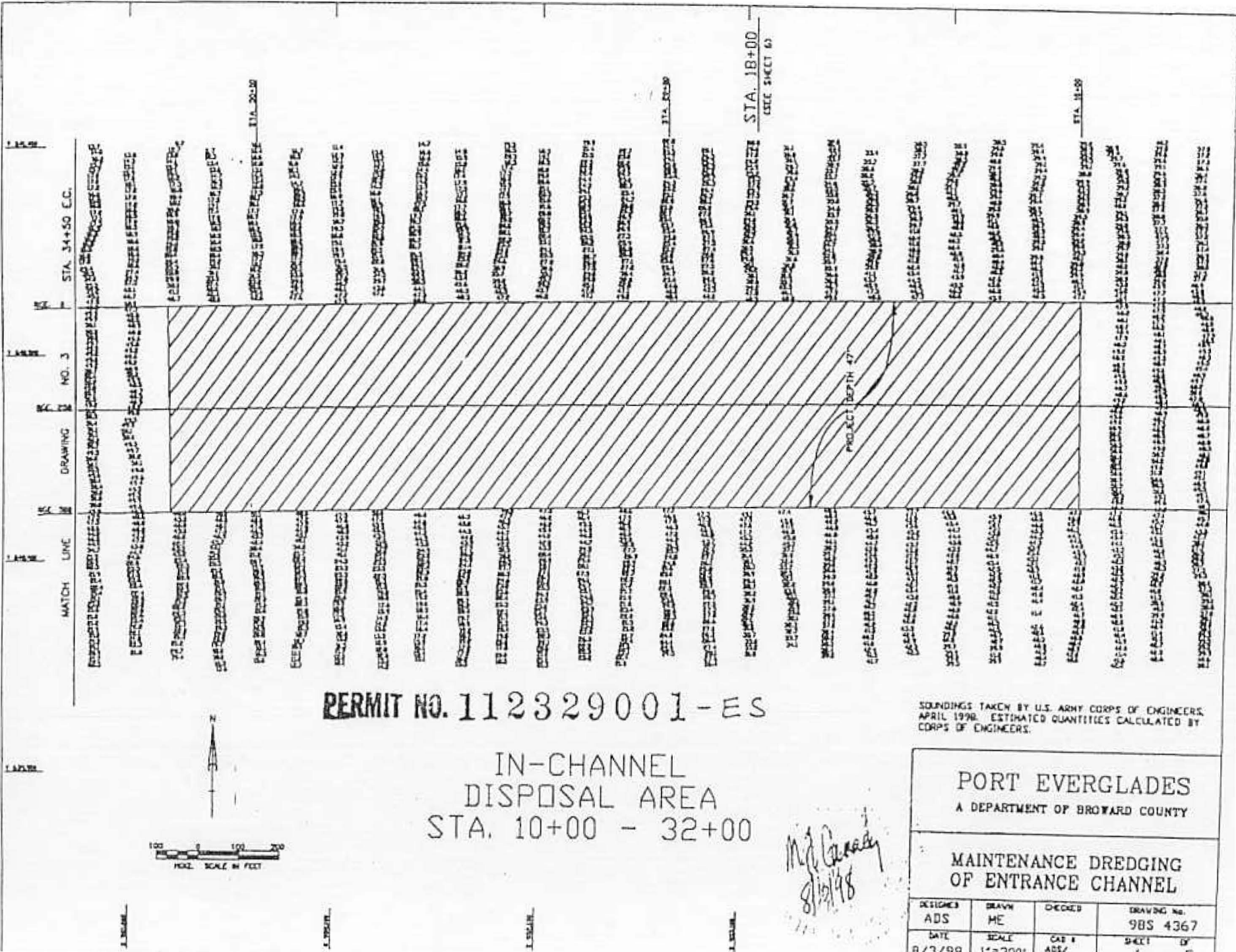
DEPARTMENT BROWARD COUNTY

MAINTENANCE DREDGING
OF ENTRANCE CHANNEL

SOUND
APRIL 1
CORPS

DRPS OF ENGINEERS
CALCULATED BY

DRAWING No.
98S 4367
SHEET
3





JOINT APPLICATION FOR JOINT COASTAL PERMIT/AUTHORIZATION TO USE
SOVEREIGN SUBMERGED LANDS/FEDERAL DREDGE AND FILL PERMIT

GENERAL APPLICATION INFORMATION

FOR AGENCY USE ONLY

ACOE Application Number: _____
Date Application Received: _____

DEP Application Number: _____
Date application Received: _____

1. Name of authorized agent for permit
application (if applicable)
Richard E. Bonner

Mailing Address

PO Box 4970

City
Jacksonville

State
Florida

Zip Code
32232-0019

Telephone
(904)232-2586

2. Name of Applicant
U.S. Army Corps of Engineers

Mailing Address
P.O. Box 4970

City
Jacksonville

State
Florida

Zip Code
32232

Telephone
Same as Above

3. Name of Activity: Maintenance Dredging of the Port Everglades Harbor, Ft. Lauderdale and Hollywood, Broward Co. Florida

4. Location of activity (use additional sheets, if needed):

County(ies) Broward

Section(s) 24 and 25 Township 50S Range 42E

Section(s) _____ Township _____ Range _____

Section(s) _____ Township _____ Range _____

Latitude _____ Longitude _____

State Plane Coordinates x=385,000 to x=400,000 y=640,000 to y=660,000

DNR Reference Monument(s) _____

Land Grant name, if applicable _____

Tax Parcel Identification Number _____

Street address, road, or other location Not Applicable

City, Zip Code, if applicable Not Applicable

5. Describe in general terms the proposed activity including any phasing.

To maintenance dredge the Port Everglades Harbor of approximately 100,000 cu. Yds. Of material at 3 year intervals or as needed to restore the authorized depths of 31ft plus 2 ft. of allowable over depth (AOD) in the north and south turning basins, 36 ft .plus 2 ft. AOD and 37 ft plus 2ft AOD adjacent to the NW corner of the basin, 38 ft. plus 2 ft. AOD in the pier 7 channel, and 47 ft. plus 2 ft. AOD in the entrance channel. Placement of dredged material to be; sand east of sta 32+00 in the deeper part of the entrance channel, and silt in the EPA approved disposal site (if eligible or available)

6. Are you requesting any exemptions? ☐ YES ☒ NO If yes, provide explanation and cite rule number(s)

7. Describe the purpose and need of the proposed activity including any public benefits.

This project will provide the authorized depth for navigation. The maintained depth will allow for a more efficient and safe flow of port traffic. Please refer to the attachment 1 for more detailed. This Federal Project is in the public interest.

☒ Check here if information is continued on an attached sheet

8. Identify the requested permit duration. 10 years.

9. Please Identify by number any Wetland Resource/ERP/Permits pending, issued or denied for projects at the location, and any related enforcement actions.

Agency	Date	No./Type of Application	Action Taken
<u>DER</u>	<u>11-15-84</u>	<u>060823189</u>	<u>ISSUED</u>
<u>DER</u>	<u>09-01-89</u>	<u>061407349</u>	<u>ISSUED</u>
<u>DEP</u>	<u>08-2101998</u>	<u>0112329-001-ES</u>	<u>ISSUED</u>

10. Have you obtained approval from the Department of State, Division of Historical Resources?

☐ YES ☒ NO if yes please provide a copy of the letter of approval.

11. Has an Erosion Control Line been established pursuant to Sections 161.141 - 161.211, Florida Statutes?

☐ YES ☒ NO

12. Are you requesting authorization to use Sovereign Submerged Lands?

☐ YES ☒ NO ☐ UNDETERMINED

ALL APPLICANTS ARE TO SUBMIT THE FOLLOWING ITEMS AS ATTACHMENTS:

13. A copy of the Division of State Lands title determination. If you do not have title determination, department staff will request that the Division of State Lands conduct a title check.

☐ N/A ☐

14. Written evidence of title to the subject riparian upland property in the form of the recorded deed, title insurance, legal opinion of title, or a long term lease which specifically includes riparian rights. Evidence submitted must demonstrate that the applicant has sufficient title interest in the riparian upland property. If the applicant is not the property owner, then authorization for such use from the property owner must be provided.

☐ N/A ☐

15. A detailed statement describing the existing and proposed upland uses and activities. For project sponsored by a local government, indicate whether or not the facilities will be open to the general public. Provide a breakdown of any user fees that will be assessed to the general public and indicate whether or not such user fees will generate revenue or will simply cover costs associated with maintaining the facilities.

☐ N/A ☐

16. A list of the names and addresses of owners of all riparian property within 1,000 feet (and within a 500 ft radius) of the proposed coastal construction, from the latest county tax roll. If the property is under cooperative or condominium ownership, the name and mailing address of the cooperative or condominium association will be adequate.

☐ N/A ☐

17. Written evidence, provided by the appropriate government agency having jurisdiction over the activity, that the proposed activity, as submitted to the Department, is consistent with the state-approved Local Comprehensive Plan.

☐ N/A ☐

18. A fee, as set forth in Rule 62B-49.006, Florida Administrative Code.

☐ N/A ☐

19. SIGNATURE(S)

A. By signing this application form, I am applying, or I am applying on behalf of the applicant, for the permit and any proprietary authorizations identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application and represent that such information is true, complete and accurate. I understand this is an application and not a permit, that work prior to approval is a violation, and any permit issued or proprietary authorization issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I agree, or I agree on behalf of my corporation, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statements or representations in the application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Richard E. Bonner P.E.

Typed /Printed Name of Applicant (if no Agent used) or Agent (if one is so authorized below)

Signature of Applicant/Agent

Date

(Name of political subdivision, municipality, or business entity and title of person signing on its behalf, if applicable)

AN AGENT MAY SIGN ONLY IF THE APPLICANT COMPLETES THE FOLLOWING:

B. I hereby designate and authorize the agent listed above to act on my behalf, or on behalf of my corporation, as the agent in the processing of this application for the permit and/or proprietary authorization indicated above; and to furnish, on request, supplemental information in support of the application. In addition, I authorize the above-listed agent to bind me, or my corporation, to perform any requirement which may be necessary to procure the permit or authorization indicated above. I understand that knowingly making any false statement or representation in this application is a violation of Section 373.430, F.S. and 18 U.S.C. Section 1001.

Typed/Printed Name of Applicant

Signature of Applicant

Date

(Name of political subdivision, municipality, or business entity and title of person signing on its behalf, if applicable)

Please note : The applicant's original signature (not a copy) is required

PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:

C. I either own the property described in the application or I have legal authority to allow access to the property, and I consent, after receiving prior notification, to any site visit on the property by agents or personnel from the Department of Environmental Protection and the U.S. Army Corps of Engineers necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

Typed /Printed Name of Applicant

Signature of Applicant

Date

(Name of political subdivision, municipality, or business entity and title of person signing on behalf, if applicable)

INFORMATION FOR ASSESSMENT OF IMPACTS TO THE COASTAL SYSTEM

Attached	To Be Provided	Waiver Requested	Not Applicable
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ALL APPLICANTS ARE TO SUBMIT THE FOLLOWING ITEMS AS ATTACHMENTS:

20. Two copies of a topographic and bathymetric survey drawing of the proposed project site in accordance with Rule 62B-41.007(1)(h), F.A.C. Identify the elevation of the mean high water and mean low water referenced to NGVD for each wetland or surface water site and the source of the tidal datum information.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

21. Provide a legal description of all property involved including sovereign submerged land used in carrying out the project

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

22. Describe how boundaries of wetlands or other surface waters were determined. If there has ever been a jurisdictional declaratory statement, a formal wetland determination, a formal determination, a validated informal determination, or a revalidated jurisdictional determination, provide the identifying number.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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23. An engineering description or as-built drawings, if available, of any existing structures on the site which may be directly or indirectly affected by, or which may directly or indirectly affect, the proposed activity.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

24. Two Complete sets of construction plans and specifications for the proposed activity, certified by an engineer duly registered pursuant to Chapter 471, Florida Statutes. The plans shall include the following:

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

a. Plan view of the proposed activity depicting the mean high water line any easement boundary, or the erosion control line, within the area of influence of the proposed activity. Identify the boundaries of significant geographical features (e.g., channels, shoals) and natural communities (e.g., submerged grass beds, hardbottom, or mangroves) within the area of influence of the activity.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

b. A sufficient number of elevation views of the proposed activity depicting the mean high-water-line, any easement boundary, and the erosion control line, within the area of influence of the proposed activity. Identify the boundaries of significant geographical features and natural communities in the area of influence of the proposed activity.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

c. Details of construction, including materials and general construction procedures and equipment to be used (e.g., construction access, dredging method, dredged material containment, pipeline location).

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

25. In addition to the full-size drawings requested above, the information required under Paragraphs (20), (23) and (24) above shall be provided on 8 1/2-inch by 11-inch paper.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

26. An aerial map of scale 1"=200', showing: the project boundaries, DNR Reference Monument locations, major county landmarks, and special aquatic or terrestrial sites (parks, sanctuaries, refuges, etc.) within the project boundary and one quarter mile in both shore parallel directions of the project boundary.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

27. A proposed construction schedule.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

28. Permit applications for excavation or fill activities shall include the following detailed information concerning the material to be excavated:

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

a. Core boring logs and sediment grain size analysis from representative points throughout the area to be excavated. Logs should extend at least two feet below the proposed bottom elevation. The depth of each visible horizon in the log should be reported relative to NGVD and the material in each stratum classified according to grain size.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

b. Particle size analysis to the sediment and a measure of the percent organics by dry weight. Gradation curves should be produced from sieve analysis of each stratum in the core. Grain size distribution must be determined down to the standard 200 sieve size.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	--------------------------	--------------------------	--------------------------

c. Chemical analysis shall be required if there is reason to suspect that the sediments are contaminated.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	-------------------------------------	--------------------------	--------------------------

X

Attached	To Be Provided	Waiver Requested	Not Applicable
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29. Using an established natural community classification system, describe each natural community within the area of influence of the proposed activity and include:

- a. Acreage
- b. Identification of the flora and fauna to the lowest taxon practicable.
- c. Characterization of dominant and important flora and fauna and estimates of percent biotic cover.
- d. Sampling locations, date of sampling or measurements; and methods used for sampling.

30. Detailed information on season of occurrence, density, and location of threatened or endangered species whose range occurs within the proposed activity.

31. Results of available wildlife surveys that have been conducted on the site, and any comments pertaining to the proposed activity from the Florida Game and Fresh Water Fish Commission and the U.S. Fish and Wildlife Service.

32. A general description of all commercial and recreational fisheries, diving regions, and other recreational uses within the area of influence of the proposed activity.

33. Analysis of the expected effect of the proposed activity on the coastal system including but not limited to:

- a. Analysis of the expected effect of the proposed activity on the existing coastal conditions and natural shore and inlet processes.
- b. Analysis of the compatibility of the fill material with respect to the native sediment at the disposal site. The analysis should include all relevant computations, the overfill ratios, and composite graphs of the grain-size distribution of the fill material and that native sediment at the disposal site.
- c. Demonstration of consistency with the inlet management plan or a proposed draft inlet management plan in accordance with Rule 62B-41.008(1)(m), F.A.C.
- d. Analysis of how water quality and natural communities will either be impacted, undisturbed, preserved or maintained within the area of influence of the proposed activity with an estimate of the affected acreage of each impacted community.

34. Describe the location and details of the erosion, sediment and turbidity control measures to be implemented during each phase of construction and all other measures used minimize adverse affects to water quality.

35. Describe any methods proposed to protect threatened or endangered species.

36. A written statement providing the necessity and justification for the potential impacts to the coastal ecosystem which may be caused by the proposed coastal construction.

37. A narrative description of any proposed mitigation plans, including purpose, maintenance, monitoring, estimated cost, construction sequence and techniques.

38. An analysis of available alternatives to the proposed coastal construction, on meeting the stated performance objectives and any related affects on the coastal system.

NOTE: Additional information may be required by statute or rule, or if found by staff to be reasonable necessary for proper evaluation of the application under statutory and rule criteria.
Specific Authority 161.041, 253, 258, 370.021, 370.12 Part IV of 373, Florida Statutes.

JOINT APPLICATION FOR JOINT COASTAL PERMIT/AUTHORIZATION TO USE
SOVEREIGN SUBMERGED LANDS

NOTICE OF RECEIPT OF APPLICATION

This information is required in addition to that required in other sections of the application. Please submit five copies of this notice of receipt of application and all attachments with the other required information. Please submit all information on 8 1/2" x 11" paper.

Project Name: Maintenance Dredging of the Port Everglades Basin

County: Broward

Owner: N/A

Applicant: U.S. Army Corps of Engineers, Jacksonville District

Applicant's Address: 701 San Marco Ave (PO Box 4970)
Jacksonville, Florida 32232

1. Indicate the activity boundaries on a USGS quadrangle map. Attach a location map showing the boundary of the proposed activity. The map should also contain a north arrow and a graphic scale; show Section(s), Township(s), and Range(s); DNR reference monuments; political boundaries; identifiable landmarks; and must be of sufficient detail to allow a person unfamiliar with the site to find it. This information is provided in the drawings (Tab B,C and the application).
2. Attach a depiction (plan and section views), which clearly shows the construction or other activities proposed to be constructed. Use multiple sheets, if necessary. Use a scale sufficient to show the location and type of work. This information is provided in the drawings (Tabs B & D).
3. Provide the names of all wetlands, or other surface waters that would be dredged, filled, impounded, diverted, drained, or would receive discharge (either directly or indirectly), or would otherwise be impacted by the proposed activity, and specify if they are in an Outstanding Florida Water or Aquatic Preserve: There will be no impacts to wetlands. Some of the work will occur near the John U. Lloyd State Recreation Area. No new wetlands will be impacted
4. Briefly describe the proposed project (such as "beach restoration", "inlet maintenance dredging", "terminal groin"): This is an inlet and port maintenance dredging project
5. Specify the acreage of wetland or other surface waters, by natural community type, that are proposed to be filled, excavated, or otherwise disturbed or impacted by the proposed activity: There will be no impacts to wetlands.
6. Provide a brief statement describing any proposed mitigation for impacts to natural communities (attach additional sheets if necessary): No mitigation is required at this time.

FOR AGENCY USE ONLY

Application Name: _____

Application Number: _____

Office where the application can be inspected: _____

Note to Notice recipient: The information in this notice has been submitted by the applicant and has not been verified by the agency. It may be incorrect, incomplete or may be subject to change.

PORT EVERGLADES HARBOR, FLORIDA

ATTACHMENT 1

PROJECT AUTHORITY:

ACTS	WORK AUTHORIZED	DOCUMENTS
3 Jul 1930	Maintenance of harbor constructed by local interests.	H. Doc. 357/71/2
30 Aug 1935	Enlarge entrance channel to existing project dimensions and complete turning basin to 1,200 feet square.	R. & H. Comm. Doc. 25/74/1
20 Jun 1938	Widen turning basin 350 feet on north side.	H. Doc. 545/75/3
24 Jul 1946	Widen turning basin 200 feet on north side, 500 feet on south side, and enlarge flare at entrance channel.	H. Doc. 768/78/2
3 Jul 1958	Deepen and widen entrance channel on a new alignment and increase turning basin in size and depth.	H. Doc. 346/85/2
H.R. 9 May 1974 S.R.31 May 1974	Deepen and widen entrance channel on a new alignment, deepen turning basin and add a new channel to the southeast of the turning basin.	H. Doc. 144/93/1

PROJECT: An entrance channel 45 feet deep and 500 feet wide within a channel 40 feet deep and 575 feet wide from deep water to station 41+00 converging to a width of 450 feet and depth of 42 feet at station 51+00; thence a channel 42 feet deep and 450 feet wide to station 74+50 where the channel flares into a turning basin 42 feet deep and 2600 feet along the westerly side, 800 feet along the north side and 1,100 feet along the south side, a turning basin extension to the south of the 42 foot basin with a depth of 31 feet and measuring about 1,000 feet north-south and 1100 feet east-west with a channel inside along the westerly edge, varying in depth from 37 to 36 feet and narrowing in width from 300 to 150 feet over a distance of about 1,000 feet; a turning basin extension 1200 feet to the north with a depth of 31 feet and east-west dimension tapering from 800 to 500 feet. Length of the project is about 1.6 miles.

All channels have an allowable over depth dredging of two feet. The total volume estimated to be maintained over the life of the water quality certificate is 400,000 cu. yds, or as necessary with a volume every three years estimated from 75,000cu. yds. To 100,000 cu. yds.

DISPOSAL AREAS: The disposal areas are; for sandy material disposal in the deeper parts of the channel to the east of station 32+00, or for silty material in an EPA designated Ocean Dredged Material Disposal Area offshore (if eligible and when designated). The Coordinates of the ODMDS are

NW Corner X= 973,417.51	Y=652,433.85
SW Corner X=973,462.51	Y=646,375.85
NE Corner X=978,886.52	Y=652,474.83
SE Corner X=978,932.29	Y=646,416.81\

SPONSOR: Port Everglades Authority
Post Office Box 13136
Port Everglades, Florida 33316

NOTES FOR APPLICATION:

A preapplication meeting was held with the Florida DEP on 12 August 2003. In accordance with the working agreements between the US Army Corps of Engineers and the State of Florida DEP the following responses to the specific items in the application are provided.

QUESTION 1 THROUGH 14: We have addressed these questions in accordance with the working policy that we have developed from past meetings with DEP staff. We will obtain all appropriate documents to conduct the work, such as easements and rights of way, etc, prior to commencement of the work. Additional information is provided below and in the Water Quality Certification (WQC) application.

QUESTION 10: Information from the Department of State, Division of Historical Resources is provided in Tab J of the enclosed binder. This maintenance dredging project is to be performed in areas formerly dredged and coordinated with the SHPO.

QUESTION 11: An erosion control line has not been established for this project.

QUESTION 12: Authorization of Sovereign Submerged Lands is not applicable for this Project. This is a Federal Maintenance Dredging Project.

QUESTION 13: State Lands title determination is not applicable. All necessary easements and rights of way will be obtained for this project.

QUESTION 14: All necessary easements and rights of way will be obtained for this project.

QUESTION 15: This work involves maintenance dredging in Port Everglades Inlet as part of the Federally Authorized and funded project. No user fees will be imposed by the US Army. Corps of Engineers..

QUESTION 16: Due to the large size of this project, we will put out a public notice per your requirements for the Notice of Intent to issue (NOI and/or a Notice of Application if it applies) on this project rather than providing you with a list of property owners within the project area

QUESTION 17: Information on state-approved Local Comprehensive Plan is not applicable to this project. We will be coordinating this project with all appropriate parties, including your office and the local sponsor, Broward County.

QUESTION 18: No fee is provided in accordance with the working policy between our agencies.

QUESTION 19: The appropriate signatures are provided in the application.

QUESTION 20: Copies of the project drawings are provided in Tab B and project survey in Tab I.

QUESTION 21: Legal description is not applicable. We will provide you all appropriate information. All necessary easements and rights of way will be obtained for this project. Authorization of Sovereign Submerged Lands is not applicable for this project.

QUESTION 22: There will be no impacts to wetlands from this project.

QUESTION 23: There will be no impact to any permanent structures from this project.

QUESTION 24: The plans and specification will be provided at a later time. We do not anticipate these being completed until we approach the construction time frame, which we anticipate being in the December of 2003 time frame. We will provide you copies of the plans and specification when they become available. In addition, based on the opinion of State Attorney General Bob Butterworth, dated July 13, 1996, we are not required to submit drawings that are certified.

QUESTION 25: Drawings, plan views and cross sections, are provided. Please refer to Tab B.

QUESTION 26: Copies of aerials are provided within the project drawings in Tab B. and Tab E.

QUESTION 27: We anticipate work beginning in the December of 2003 time period. We expect the work to take approximately 1 month to complete.

QUESTION 28: Geotechnical and chemical information is provided in Tab H. Material will come from the Federal channel, as conducted previously, and will be predominantly sand in the entrance channel and silt in the inner channels and turning basin. While the silty material may have levels of contaminants above natural background they will have to pass rigorous testing requirements in order to be considered suitable for ocean disposal.

QUESTION 29: For information on environmental resources in the project area, please refer to Tab F.

QUESTION 30: For information on threatened and endangered species in the project area, please refer to Tab F.

QUESTION 31: For information on Wildlife Surveys, please refer to Tab F.

QUESTION 32: There are no significant fisheries in the project area. The major use is to improve navigation, storm protection and general recreation, which will be enhanced by maintenance dredging and the subsequent filling activities.

QUESTION 33: We do not anticipate any long-term impacts associated with this project (please refer to Tab F). Inlet features from this work will be improved with improved navigation. Material would be placed either in the deeper portions of the channel or in

the EPA Approved Ocean Dredged Material Disposal site. We believe this to be in accordance with DEP policy of placing material within the littoral zone. Under the current design, we do not anticipate any impacts to environmental resources in the project areas (please refer to Tab F).

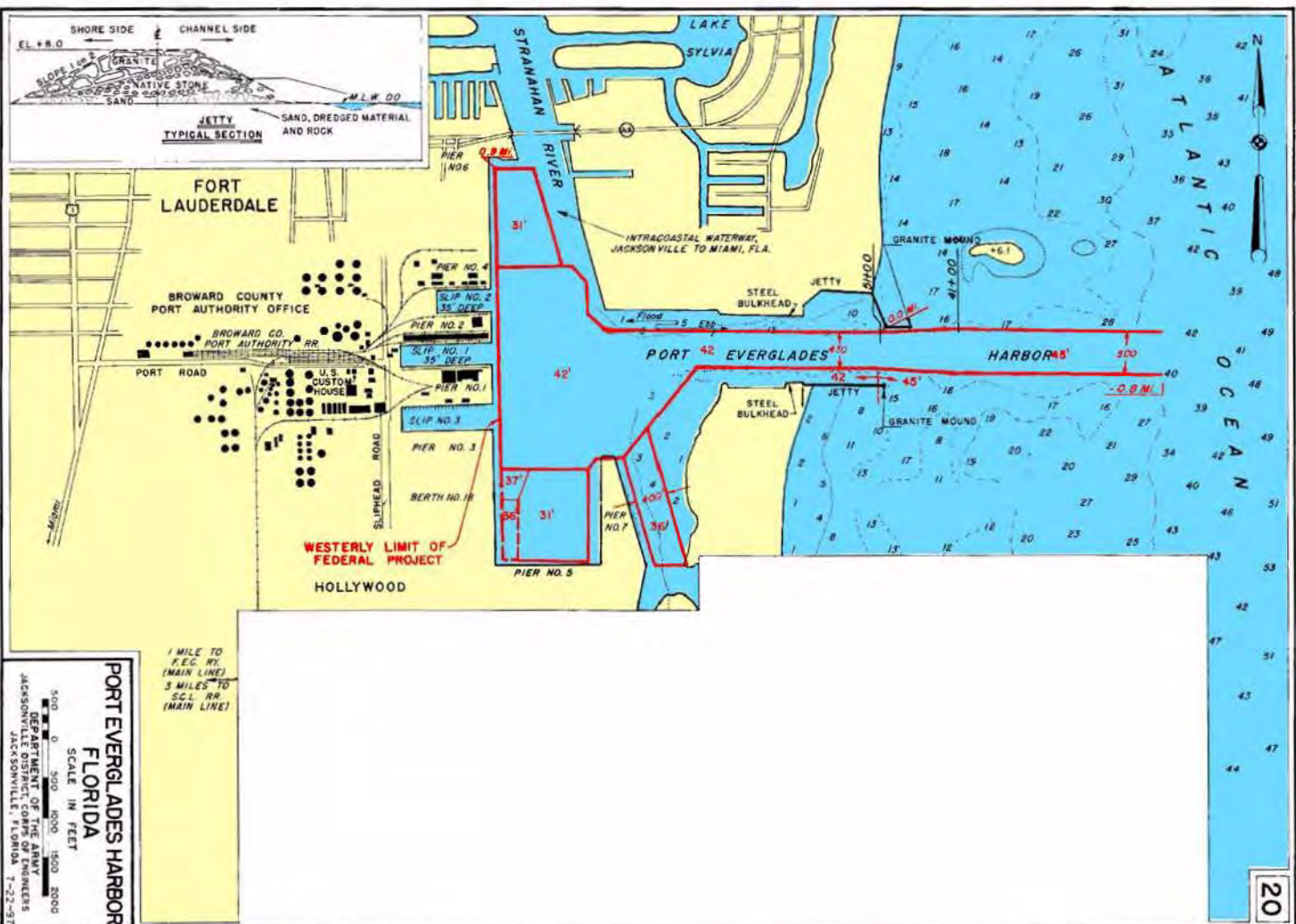
QUESTION 34: Water quality will be monitored for the duration of the project. The material in the entrance channel is coarse grained; therefore, we do not anticipate any water quality problems. We anticipate using the standard turbidity requirements for Class III Waters of not exceeding 29 NTU's above background with a 150 meter mixing zone.

QUESTION 35: For information on protection of threatened and endangered species in the project area, please refer to Tab F.

QUESTION 36: We do not anticipate any impacts to the coastal ecosystem from this project. This is a federally approved project with a scope that will not exceed that performed in past work.

QUESTION 37: At this time, we do not anticipate any impacts to environmental resources and therefore no mitigation is proposed.

QUESTION 38: This work is federally approved under the (House Document H. Doc. 144/93/1). We have investigated several alternatives and based on available information, believe that this is the best alternative (please refer to Tab B). This project will provide improvements to navigation, and recreational value.



US Army Corps
of Engineers
Jacksonville District
South Atlantic Division

Port Everglades Authorized Depths
Tab D



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

October 9, 2003

U.S. Army Corps of Engineers
Mr. Richard E. Bonner, P.E.
P.O. Box 4970
Jacksonville, Florida 32232-0019

Att: Mr. Jim McAdams

Request for Additional Information #1 – Notice of Incompleteness
File No. 0220509-001-JC, Broward County
Applicant Name: U.S. Army Corps of Engineers
Port Everglades Maintenance Dredging

Dear Mr. Bonner:

This letter is to acknowledge receipt of your application, received September 12, 2003, for a Joint Coastal Permit, pursuant to Chapter Part IV of Chapter 373, Florida Statutes and authorization to use state-owned submerged lands, pursuant to Chapter 253, Florida Statutes. The maintenance dredging of the Port Everglades Harbor will be approximately 100,000 c.y. of material at 3 year intervals or as needed to restore the authorized depths of 31 ft. plus 2 ft. of allowable over depth (AOD) in the north and south turning basins, 36 ft. plus 2 ft. AOD and 37 ft plus 2ft AOD adjacent to the NW corner of the basin, 38 ft. plus 2 ft. AOD in the pier 7 channel, and 47 ft. plus 2 ft. AOD in the entrance channel. Placement of dredged material to be; sand east of sta 32+00 in the deeper part of the entrance channel, and silt in the EPA approved disposal site (if eligible or available)

Please be advised that your permit application is considered to be incomplete as provided for by Chapter 120.60 Florida Statutes and Rule 62B-49, Florida Administrative Code. Receipt of information listed below is required in order for the department to consider your application.

Please address the following questions. The items of information are numbered to correspond with the item numbers on the application form and additional items are numbered consecutively The application is generally quite well prepared but a primary question/recommendation is related below for addition of the possible alternative of placing beach quality sand from the inlet shoal to nourish Broward County beach. The application document indicates the Preferred Alternative is for beach-quality sand placement on Broward beach while the project description indicates shoal sand near the inlet will be placed in a deeper portion of the channel.

Request for Additional Information #1
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If the applicant fails to provide all information required to complete the application within six (6) months after a request for additional information has been sent, the staff will close the permit application file after written notice to the applicant, except that a request for an extension of time for a period agreeable to the Department, but not to exceed one year, shall be granted upon demonstration by the applicant that the delay in completion of the application has been caused by matters beyond the control of the applicant. Application files closed under these procedures shall be closed without prejudice and a new application, accompanied by the appropriate fee, shall be required to renew the application.

5. Please revise your project description to include the beach disposal option for any beach compatible sand.
13. A copy of the Division of State Lands title determination. If you do not have title determination, department staff will request that the Division of State Lands conduct a title check. This item will remain incomplete pending a title determination by the department's Division of State Lands.
25. In addition to the full-size drawings requested above, the information requested under Items Nos. 20, 23, and 24 above shall be provided on 8 1/2-inch by 11-inch paper. The depths shown in the sheets (2-5) provided are illegible. Please provide depth soundings at an appropriate scale to make the sheets legible or delete soundings and replace with contour interval maps.
Please provide plan views and cross sections of any beach disposal site. Please provide cross sections of in channel disposal sites.
28. Permit applications for excavation or fill activities shall include the following detailed information concerning the material to be excavated:
 - a. Core boring logs and sediment grain size analyses from representative points throughout the area to be excavated. Logs should extend at least two feet below the proposed bottom elevation. The depth of each visible horizon in the log should be reported relative NGVD and the material in each stratum classified according to grain size. We acknowledge receipt of core boring logs dated June, 2003 and that additional sediment information will be submitted as it becomes available. Please provide a core boring location map with future submittals.
 - b. Particle size analysis to the sediment and a measure of the percent organics by dry weight. Gradation curves should be produced from sieve analysis of each stratum in the core. Grain size distribution must be determined down to the standard unit 230 sieve size. Provide a statement regarding the beach compatibility of the spoil material. In general, sand material of grain size diameter between .125 mm and 4.76 mm is considered beach compatible. If the spoil material is beach

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compatible, indicate the feasibility of depositing the spoil at a public beach in the area. Your application will remain incomplete pending receipt of this information.

29. Using an established natural community classification system, describe each natural community within the area of influence of the proposed activity and include;
- Acreage.
 - Identification of the flora and fauna to the lowest taxon practicable.
 - Characterization of dominant and important flora and fauna and estimates of percent biotic cover.
 - Sampling locations, date of sampling or measurements; and methods used for sampling.
33. Analysis of the expected effect of the proposed activity on the coastal system including but not limited to:
- Analysis of the expected effect of the proposed activity on the existing coastal conditions and natural shore and inlet processes.
 - Analysis of the compatibility of the fill material with respect to the native sediment the disposal site. The analysis should include all relevant computations, the overfill ratios, and composite graphs of the grain-size distribution of the fill material and the native sediment at the disposal site.
 - Demonstration of consistency with an inlet management plan or a proposed draft inlet management plan in accordance with Rule 62B-41.005(16), F.A.C. If the proposed project is not included in the inlet management plan the applicant will provide the information specified in Rule 62B-41.008(1)(m), F.A.C.
 - Analysis of how water quality and natural communities will either be impacted, undisturbed, preserved or maintained within the area of influence of the proposed activity with an estimate of the affected acreage of each impacted community.
Please provide a summary of the turbidity monitoring from the last dredging event.

Please address the current status of designation for the Ocean Dredged Material Disposal Site (ODMDS) to which the fine-grained dredge spoil is proposed to be deposited. Please provide verification of the EPA approval for the site. As plans are finalized,

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please provide the details of the dredged material disposal plan and vessel tracking criteria.

34. Describe the location and details of the erosion sediment and turbidity control measures to be implemented during each phase of construction and all other measures used to minimize adverse affects to water quality.
38. An analysis of available alternatives to the proposed coastal construction, on meeting the stated performance objectives and any related affects on the coastal system. Please indicate what coordination has been maintained with the sponsor, Broward County, with regard to the port plans, inlet management, and beach placement possibilities.

DREDGING

(Chapters 62-312, 62-330, or 62-343, Florida Administrative Code)

Provide detailed information concerning the proposed measures that will be taken to prevent sediments from being released into the surrounding waters, especially areas containing notable biological communities, during dredging and disposal.

2. Provide a detailed description and map of the seagrasses, or other submerged land characteristics within the dredge area or disposal area. If the areas contain wetlands, submerged or emergent vegetation, oyster beds, or other biological resources, include a map that indicates the location and delineation of those resources. Mitigation may be required for destruction of natural resources. If no natural resources exist within the project area, provide confirmation of this.
3. Address the proposed slope of the channel and describe how that slope will impact nearby resources.
4. The alternatives you mention for disposal need to be addressed more precisely and clearly (specifically, address whether any natural resources exist near these areas, and how they will be impacted).
5. Provide a statement from local government which explicitly indicates that the proposed project is consistent with the local government's comprehensive plan.

Hydrographic Requirements

I. Navigation Channels

Provide a more specific description of the authorized depths. For example, the Authorized Depths section of Tab D give 45 ft authorized for the Outer Entrance Channel seaward of the inlet while the project depth for the application gives 47 ft plus 2 ft overdredge (AOD) for total of 49 feet. The Inner Entrance Channel landward of the inlet and including the Main Turning Basin, the authorized depth is only 42 ft. The Pier 7 channel of Tab D show 36 ft authorized while project description gives 38 ft plus 2 ft AOD for total of 40 ft. Please be aware that the permit application is for periodic maintenance dredging and not further construction. Also be aware that the dredging depths given on the charts of Tab I are in relation to Mean Lower Low Water (MLLW) and that NGVD is 0.95 ft below MLLW near the Entrance channel. Tab D appears to be in relation to MLW (Mean Low Water). Please indicate what all project depths are proposed in relation to NGVD (NAD 1983) and the Federally authorized depths.

2. Provide a detailed and specific description of tidal amplitude and periodicity.

II. Maintenance Dredging

Provide a detailed and specific description of the history of the rate of sedimentation within the waterway.

2. Provide a detailed and specific description of sediment grain size distribution and silt/clay content percentage of the material to be dredged.
3. Please respond to additional questions on Attachment 1

FOR YOUR INFORMATION

Your project is in Class III Waters. According to 373.414(1), F.S., you must provide reasonable assurance that state water quality standards applicable to waters, as defined in 403.031(13), F.S., will not be violated. The specific state water quality standards for Class III Waters are contained in F.A.C. Rules 62-302.500, 510, and 530. The specific state water quality standards for Outstanding Florida Waters are contained in F.A.C. Rule 62-4.242.

Your project may be located within or adjacent to:

X manatee habitat

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Your project may be located within or adjacent to:

- ☒ bird nesting areas
- ☒ sea turtle nesting habitat
- ☒ the John U. Lloyd State Park / Whiskey Creek OFW and Manatee Sanctuary

and may be affected by comments from those entities having special interest in the project. Modifications to your project may be necessary upon receipt of the requested comments. [See 18-21.004(2)(c), F.A.C.]

An inspection of the project site may be conducted to determine and evaluate the resources expected to be impacted. Project modifications may be required following the inspection. [See 18-21.004(2)(c), F.A.C.]

Please publish the enclosed Notice of Application. Pursuant to Section 403.815, Florida Statutes and Rule 62-110.106, Florida Administrative Code, you (the applicant) are required to publish at your own expense the enclosed Notice of Application. This notice shall be published one time only within 14 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, Florida Statutes, in the county where the activity is to take place. The applicant shall provide proof of publication to the Department within seven (7) days of publication.

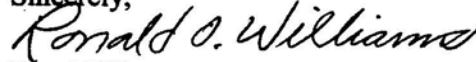
You will be notified regarding the completeness and acceptability of all submitted information. For unacceptable or incomplete submissions, we will explain why the information request has not been satisfied.

If the applicant fails to provide all information required to complete the application within six (6) months after a request for additional information has been sent, the staff will close the permit application file after written notice to the applicant, except that a request for an extension of time for a period agreeable to the Department, but not to exceed one year, shall be granted upon demonstration by the applicant that the delay in completion of the application has been caused by matters beyond the control of the applicant. Application files closed under these procedures shall be closed without prejudice and a new application shall be required to renew the application.

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If I may be of any assistance, please contact me at the letterhead address (add Mail Station 300) or by telephone at (850) 487-4471, ext. 141.

Sincerely,



Ron Williams
Environmental Specialist
Bureau of Beaches and Wetland Resources

Attachment 1: Additional Questions

cc:

Tim Rach, DEP, SE District (electronic)
Brad Hartman, FWCC, BPSM
Carol Knox, FWCC, BPSM
SFWMD, Regulation Dept.
Steve Higgins, Broward Co. Beach Erosion Program (electronic)
Allan Sosnow, Broward Co. Port Everglades (electronic)
M. Leadon/Dr. Al-Salek/R.Clark/R. Dow/J. Thompson BBWR (electronic)
M. Seeling BBWR (electronic)
DEP, BBWR Permit Information Center
DEP, BBWR File

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF APPLICATION**

The Department announces receipt of an application for a Joint Coastal Permit (File No. 0220509-001-JC), pursuant to Chapter 161 and Part IV of Chapter 373, Florida Statutes, and for authorization to use sovereign submerged lands, pursuant to Chapter 253, Florida Statutes. The applicant is the U.S. Army Corps of Engineers, and the proposed activity is to maintenance dredge the Port Everglades Harbor of approximately 100,000 cubic yards of material at 3 year intervals or as needed to restore the authorized depths of 31 ft plus 2 ft. of allowable over depth (AOD) in the north and south turning basins, 36 ft .plus 2 ft. AOD and 37 ft plus 2ft AOD adjacent to the NW corner of the basin, 38 ft. plus 2 ft. AOD in the pier 7 channel, and 47 ft. plus 2 ft. AOD in the entrance channel. Placement of dredged material to be for sand east of sta. 32+00 into the deeper part of the entrance channel, and silt in the EPA approved disposal site (if eligible or available)

Copies of the application and drawings which describe the work in more detail may be examined during normal working hours at the Department of Environmental Protection, Bureau of Beaches and Wetland Resources, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304. If you have any questions regarding this application, you may contact Ron Williams of the Department, at (850) 487-4471, ext. 141. This information can also be viewed at the Department's Internet Web site at <http://www.dep.state.fl.us/beaches/permitting/permits.htm>

Comments should be sent to the Department of Environmental Protection, Bureau of Beaches and Wetland Resources, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000 within fourteen (14) calendar days of the date of this notice. Please refer to the file number in your response.

ATTACHMENT 1

A Sediment Compatibility

1. Please provide a particle size analysis of the sediment and the same of the segment III of the Shore Protection Plan of John U. Lloyd State Park. If possible please provide information on color, odor, taste etc.
2. Please provide core boring logs and sediment grain size analysis from throughout the area to be excavated. Grain-size distributions be determined down to the standard unit 200 sieve size [Please refer to 62-312.080(1), F.A.C.]. Gradation curves should be produced from sieve analysis of each visible horizon in the core.
3. Please provide description for each of the sediment samples (i.e based on visual examination using a binocular microscope). Please provide a location map for the surface grab samples and bore logs.
4. Please provide percent of organics, total coarse and total fines and weight percent of the material finer than the #200 sieve mesh size.
5. Check if a high percentage of shell fragments and lithic grains are present.
- 6 Please provide median grain sizes for the samples in mm also
7. Please provide individual grain-size frequency (not cumulative frequency) curves.
8. Please provide the characteristics and volume of the various types of material expected to be found within the site over the entire proposed excavation depths.
9. Check if the dredged materials comply with all the requirements addressed in BBWR memorandum issued by Ms. Roxane R. Dow of DEP to Mr Terri Jordan of USACE on 18 August, 2003 (which was included with the application)

B Sediment Budget and Inlet By-Passing Objective

1. Please provide information on the expected change or modification on the sediment budget after the dredging.
2. Check if the proposed dredging will meet the annualized bypassing objective.
It may be noted that 100,000 cubic yards of sediment will be dredged by this project. The adopted Inlet Management Plan requires an annualized bypassing objective of at least 44,000 cubic yards to be placed on the down drift beaches. Dean (DEP, 1987) estimated that 80,000 cubic yards should be bypassing the inlet channel from north to south to maintain the beaches in John U. Lloyd State Park.

Dredging Operation

C Dredging Operation (con't)

1. Please provide information on the maximum duration of dredging, the frequency of dredging (i.e., if it is yearly, 6-monthly, once in a three year period, etc.). It may be noted that the frequency of dredging will have effects on, among other things, recovering process of the the coastal flora and fauna.
2. Please provide information on the maximum turbidity levels and their durations during the dredging operation and the locations of the maximum turbidity levels.
3. Please provide information on the duration and intensity of the maximum light emission during dredging activities.

D Literature Review

1. Please provide a literature review on relevant issues described in page 2 (Section 1.4) of the USACE report on environmental assessment.

E Water quality

1. Please provide information on the type and the concentrations of the pesticides found.

F Compliance

1. Please provide more information on the evaluation of Flood Plain Management Compliances.
2. Please provide more information on the evaluation of Coral Reef Protection Compliances.



Department of Environmental Protection

Jeb Bush
Governor

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Colleen M. Castille
Secretary

CONSOLIDATED JOINT COASTAL PERMIT AND SOVEREIGN SUBMERGED LANDS AUTHORIZATION

PERMITTEE/AUTHORIZED ENTITY:

Port Everglades Dept. of Broward Co.
c/o Mr. Allan D. Sosnow
Environmental Projects Manager
1850 Eller Drive
Fort Lauderdale, FL 33316-4201

Permit/Authorization No.: 0226688-001-JC

Date of Issue: November 4, 2004

Expiration Date of Construction Phase:
November 4, 2009

County: Broward

Project: Port Everglades Entrance Channel
Shoal Removal

This permit is issued under the authority of Chapter 161 and Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62 and 40, Florida Administrative Code (F.A.C.). Pursuant to Operating Agreements executed between the Florida Department of Environmental Protection (Department or DEP) 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.

ACTIVITY DESCRIPTION:

The project is to dredge (once only) the approximately 1.4-acre northern shoal within the federally maintained Port Everglades Harbor Entrance Channel and place the sandy material at a "Broward County Segment III Beach Nourishment Project" pumpout facility. This material shall be used to supplement the borrow material dredged for beach nourishment under Permit No. 0163435-001-JC. Rocky material that is too coarse for beach placement shall be deposited in designated offshore disposal sites. Use of these rock disposal sites is authorized for this project as well as the Broward County Beach Nourishment Project (Permit No. 0163435-001-JC).

ACTIVITY LOCATION:

The dredging site is located within the northern section of the Federal Navigation Channel, at the entrance to Port Everglades Inlet, directly south of Fort Lauderdale, Class III waters. The northern rock disposal site lies approximately 2.2 miles offshore, east the city of Deerfield Beach, in the Atlantic Ocean. The southern disposal site lies approximately 2.5 miles offshore, east the city of Hallandale, in the Atlantic Ocean. The John U. Lloyd Beach State Park (JUL) pumpout facility is located on the Atlantic intracoastal waterway (AIWW), Class III Waters, **not** OFW. Pumpout stations near Hollywood, Hallandale and Dania beaches are located nearshore, between R-104 and R-128, in the Atlantic Ocean, Class III waters. All sites lie within the local jurisdiction of Broward County.

**Joint Coastal Permit
Port Everglades Entrance Shoal Removal Project
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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. This permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

This activity also requires a proprietary authorization, as the activity is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, 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 Department has 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. In addition to the above, this proprietary authorization has been reviewed in accordance with Chapter 253, F.S., Chapter 18-21, Section 62-343.075, F.A.C., and the policies of the Board of Trustees.

As staff to the Board of Trustees, the Department has reviewed the activity described above, and has determined that the dredging 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, pursuant to Chapter 253.77, F.S., to perform the dredging activity on the specified sovereign submerged lands.

The Department has further determined that the disposal of coarse material over $\frac{3}{4}$ inches (19 mm) in diameter requires a public easement for use of those offshore sites within state waters, pursuant to Rule 18-21.005(1)(f), F.A.C. The final documents required to execute the easement have been sent to the Division of State Lands (DSL). The Department intends to issue the public easement upon satisfactory execution of those documents. **You may not begin disposal activities on state-owned, sovereign submerged lands until the public easement has been executed to the satisfaction of the Department.**

A copy of this authorization has been sent to the U. S. Army Corps of Engineers (USACE) for review. The USACE may require a separate permit. Failure to obtain this authorization prior to construction could subject you to enforcement action by that agency. You are hereby advised that authorizations also may be required by other federal, state, and local entities. This authorization does not relieve you from the requirements to obtain all other required permits and authorizations.

The above named permittee is hereby authorized to construct the work shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof. **This permit and authorization to use sovereign submerged lands is subject to the limits, conditions, and locations of work shown in the attached drawings, and is also subject to the General Conditions and Specific Conditions, which are a binding part of this permit and authorization.** You are advised to read and

understand these drawings and conditions prior to commencing the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these drawings and conditions prior to commencing the authorized activities.

GENERAL CONDITIONS:

- 1 All activities authorized by this permit shall be implemented as set forth in the plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required.
2. If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Bureau of Beaches and Coastal Systems (Bureau) and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.
3. This permit does not eliminate the necessity to obtain any other applicable licenses or permits which may be required by federal, state, local or special district laws and regulations. This permit is not a waiver or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high-water line, or, if established, the 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. The permittee is responsible for obtaining any necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state-owned lands.
5. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under section 373.421(2), F.S., provides otherwise.
6. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on

property which is not owned or controlled by the permittee. The issuance of this permit does not convey any vested rights or any exclusive privileges.

7. This permit or a copy thereof, complete with all conditions, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
8. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
9. At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Bureau and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date.
10. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the State Historic Preservation Officer and the Bureau.
11. Within 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the permittee shall submit to the Bureau of Beaches and Coastal Systems and the appropriate District office of the Department a written statement of completion and certification by a licensed professional engineer registered in the state of Florida. This certification shall state that: all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on two copies of as-built drawings submitted to the Department.

SPECIFIC CONDITIONS:

1. This project shall be conducted in conjunction with construction activities of the Broward County Beach Nourishment Project (Segment III). No part of this permit shall be construed to allow activities that would violate the conditions of Permit No.

**Joint Coastal Permit
Port Everglades Entrance Shoal Removal Project
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0163435-001-JC or its subsequent modifications. In case of conflict between permit terms, the more stringent conditions shall apply.

2. Hopper dredges used to excavate and transport the sediment shall include screening devices to separate the coarser material from the sand. The coarser limestone fragments exceeding $\frac{3}{4}$ inches (19 mm) in diameter may be deposited in two (2) deepwater disposal areas located in Florida State waters, offshore of Broward County, as delineated in the attached drawings. These areas are authorized as disposal sites only for initial dredge and fill activities conducted under this permit and the Broward County Beach Nourishment (Segment III) project (Permit No. 0163435-001-JC). This condition does not preclude dumping of rock/rubble material in any other approved spoil disposal area, such as the Port Everglades Harbor Ocean Dredged Material Disposal Site (ODMDS).

3. All reports or notices relating to this permit shall be sent to the following offices:

DEP Bureau of Beaches & Coastal Systems
Attn: JCP Compliance Officer
3900 Commonwealth Boulevard
Mail Station 300
Tallahassee, Florida 32399-3000
Phone: (850) 487-4471
Fax: (850) 488-5257

DEP Southeast District Office
Submerged Lands & Environmental Resources
400 N. Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6600
Fax: (561) 681-6755

4. At least 48 hours prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction.

At least 14 days prior to commencement of the dredging and beach fill placement construction activities authorized by this permit, 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 Department staff representatives. The permittee shall provide written notification, at least 14 days in advance of the meeting, to the Bureau (to the attention of the JCP Compliance Officer), the DEP district office and the following Fish & Wildlife Conservation Commission (FWC) office, advising of the date, time, and location of the pre-construction conference.

Imperiled Species Management Section
Fish & Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
Phone: (850) 922-4330
Fax: (850) 921-4369

6. The Permittee shall develop a Sediment Quality Control/Quality Assurance Plan, as required by Rule 62B-41.008(1)(k)4.b., F.A.C. Once approved by the Department,

compliance with the Plan shall be a specific condition of this permit and must be incorporated in the relevant Terms and Conditions of construction contracts. The plan shall include a project-specific sediment quality specification for grain size distribution, color, and carbonate composition to ensure that the sediment from the borrow site will meet the standards in Rule 62B-41.007(2)(j), F.A.C. The plan shall also provide quality control procedures for excavating sediment from within the authorized horizontal and vertical limits of the permitted borrow site (i.e. within the Federal Channel).

7. **No work shall be conducted** under this permit until the permittee has received a written Notice to Proceed from the Department. At least 30 days prior to the requested date of issuance of the notice to proceed, the permittee shall submit the following for review and approval by the Department:
 - a. ***A Sediment Quality Control/Quality Assurance Plan***, as required by Rule 62B-41.008(1)(k)4.b., F.A.C. and Specific Condition No. 6;
 - b. A copy of the ***Physical Monitoring Plan*** described in Permit No. 0163435-001-JC, revised to include bathymetric surveys of the inlet dredge area in pre and post-construction monitoring activities. Under this plan, an engineering report and the monitoring data shall be submitted within 90 days following completion of a survey. The physical monitoring plan shall be supplemented by the Offshore Disposal Site Monitoring Plan, as described in Specific Condition No. 10 (Physical Monitoring section);
 - c. Two hard copies and an electronic copy of detailed ***final construction plans and specifications*** for all authorized activities, including a vessel operations plan. These documents shall be signed and sealed by the design engineer, who must be registered in the State of Florida, and shall bear the certifications specified in Rule 62B-41.007(4), F.A.C. The plans and specifications shall include a description of the beach construction methods to be utilized and drawings and surveys which show all biological resources and work spaces (e.g. anchoring area, pipeline corridors, staging areas, boat access corridors, etc.) to be used for this project. The Department may request additional information that may be necessary to understand and evaluate the proposal;
 - d. ***Turbidity monitoring qualifications***. Construction at the project site shall be monitored closely to assure that turbidity levels do not exceed the compliance standards established in this permit. This individual shall have authority to alter construction techniques or shut down the dredging operations if turbidity levels exceed the compliance standards established in this permit. The names and qualifications of those individuals performing these functions along with 24-hour contact information shall be submitted for approval;

- e. ***Biological monitoring qualifications.*** The names and qualifications of those individuals performing the biological monitoring shall be submitted for Department approval. All biological monitoring required by this permit shall be conducted by individuals having a good working knowledge of manatee behavior.
8. Data collection for this permit may coincide with other project or annual county-wide monitoring, and consolidation of data collection should be considered. However, monitoring submittals must clearly identify all permits and permit conditions that the submittals are intended to satisfy. This will allow for permit compliance tracking by the Department and more efficient accounting by all parties.

MONITORING REQUIRED:

9. Water Quality Monitoring (Turbidity)

Turbidity monitoring in the vicinity of the dredge area shall be monitored during construction. Turbidity will be measured at background and compliance stations.

Dredge Site

Frequency: Immediately following the completion of each dredge cycle (i.e. one or more consecutive dredging passes through inlet shoal), plus once every six (6) hours if the dredge cycle exceeds six (6) hours.

Location: Background: Mid-depth, at least 300 meters upcurrent from the dredge site, clearly outside of any turbidity generated by the project.

Compliance: Mid-depth, no more than 150 meters downcurrent from the dredge site, within the densest portion of any visible turbidity plume.

Weekly summaries of all turbidity monitoring data shall be submitted to the Bureau of Beaches and Coastal Systems' JCP Compliance Officer and to the Southeast District Office within one week of collection, with documents containing the following information: (1) "Permit Number 0226688-001-JC"; (2) "Port Everglades Entrance Channel Shoal Removal"; (3) dates and times of sampling and analysis; (4) a statement describing the methods used in collection, handling, storage and analysis of the samples; (5) a map indicating the sampling locations, current direction, plume configuration and the location of the dredge and discharge point(s); and (6) a statement by the individual responsible for implementation of the sampling program concerning the authenticity, precision, limits of detection and accuracy of the data. Monitoring reports shall also include the following information for each sample that is taken: a) time of day samples taken; b) depth of water body; c) depth of sample; d) antecedent weather conditions; e) tidal stage and direction of flow; f) wind direction and velocity; and g) DGPS position.

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 the compliance sites are greater than 29 NTUs above the associated background turbidity levels, construction activities shall **cease immediately** and not resume until corrective measures have been taken and turbidity has returned to acceptable levels.

10. Physical Monitoring

The physical monitoring conditions described in Permit No. 0163435-001-JC, revised to include the inlet dredge area in pre- and post-construction bathymetric surveys, shall apply. The volume of sand removed from the shoal shall be calculated from the bathymetric surveys. Monitoring reports and data submitted to the Department shall reference all applicable permits and permit conditions.

In addition, the rock/rubble disposal sites shall be monitored 90 days after construction is complete for any of the authorized projects, and at subsequent years 1 and 3, or coincident with monitoring required by USACE Permit No. SAJ-1999-5545(IP-SLN). The permittee shall develop an Offshore Disposal Site Monitoring Plan prior to construction. The monitoring plan shall identify scope of work, monitoring methods to be used and types of data analyses. Monitoring shall be conducted using towed video survey (the same survey methodology used for the baseline survey), for comparative purposes.

Copies of the baseline and annual monitoring reports submitted to the U.S. Army Corps of Engineers shall be submitted to the two offices listed in Specific Condition No. 3. The initial monitoring report shall clearly identify the final location of deposited materials in relation to the boundaries delineated in the Easement to be executed by the DEP Division of State Lands. The monitoring report at years 1 and 3 shall compare results of the baseline surveys with archival reports or assessment data of similar offshore reef sites as available, or where appropriate. The final contract report shall discuss the success/failure of recruitment of natural resources to the rock/rubble deposited at the site.

When submitting any monitoring information to the Department, please include a transmittal cover letter clearly labeled with the following at the top of each page: "**This monitoring information is submitted in accordance with Item No. [XX] of Permit No. [XX] for the monitoring period [XX].**"

11. Biological Monitoring (Manatees)

In order to ensure that manatees are not adversely affected by the activities authorized by this permit, the permittee shall adhere to the following conditions:

- a. The contractor shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All project personnel are responsible for observing water-related activities for the

presence of manatees, and shall implement appropriate precautions to ensure their protection.

- b. All construction personnel shall be advised 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. The permittee and/or contractor may be held responsible for any manatee harmed, harassed, or killed as a result of construction activities.
- c. Siltation barriers 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.
- d. All vessels associated with the project shall operate at "idle speed/no wake" at all times while in water where the draft of the vessel provides less than 4 ft. of clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- e. If 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 of 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.
- f. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol (1-888-404-FWCC) and to the U. S. Fish and Wildlife Service Vero Beach Field Office (772-562-3909).
- g. Prior to commencement of construction, the prime contractor involved in the construction activities shall construct and display at least two temporary signs (placards) concerning manatees. For all vessels, a temporary sign (at least 8.5" X 11") reading "**Manatee Habitat/Idle Speed In Construction Area**" will be placed in a prominent location visible to employees operating the vessels. In the absence of a vessel, a temporary sign (at least 2' X 2') reading "**Warning: Manatee Habitat**" will be posted in a location prominently visible to land based, water-related construction crews.


A second temporary sign (at least 8.5" X 11") reading "**Warning, Manatee Habitat: Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Any collision with**

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and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-888-404-FWCC" will be located prominently adjacent to the displayed issued construction permit. Temporary notices are to be removed by the permittee upon completion of construction.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Michael R. Barnett, P.E., 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 S. MacLeod