



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**JACKSONVILLE DISTRICT CORPS OF ENGINEERS**  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

**February 16, 2017**

Regulatory Division  
North Permits Branch  
Cocoa Section  
SAJ-2007-05637 (SP-JCP)  
Modification- # 3

United States Department of the Navy  
C/o Captain John A. Sager  
PO Box 1623  
Cape Canaveral, FL 32920-1623

Dear Captain Sager:

The U.S. Army Corps of Engineers has completed the review and evaluation of your modification request in which you asked to; a) revise the existing permit to allow previously-excluded dredge material to be placed into the Canaveral Harbor Ocean Dredged Material Disposal Site (ODMDS) (from dredging units TB-2, MTB-3, and MTB-4), and b) request a time extension to the previous expiration date associated with the Canaveral Harbor ODMDS under Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 (MPRSA; 33 U.S.C. 1413) for dredged material placement under the initial permit (for dredging units Cut 1A, Navy Entrance Channel Widener, Trident Access Channel (TAC), and units within the Trident Turning Basin (TTB) not mentioned previously as excluded areas). The project referenced is for Department of the Army permit number SAJ-2007-05637, for the United States Department of Navy, Canaveral Harbor maintenance dredge project.

In reference to the time extension for the areas described above; a time extension request was sent to the US Environmental Protection Agency (EPA) dated December 7, 2016, requesting a 6 month extension to the previous concurrence that was issued by the EPA on November 6, 2013 (expiration date of December 31, 2016). The request was granted by the EPA in a letter dated December 19, 2016, which approved an extended expiration date of June 30, 2017 for the dredging units previously approved for ODMDS disposal.

In reference to the placement of previously-excluded dredged material (from dredging units TB-2, MTB-3, and MTB-4) within the Canaveral Harbor ODMDS; information from the US Army Corps of Engineers, Jacksonville District, Planning

Division was supplied to the EPA for Section 103 evaluation and concurrence that the proposed dredged material would meet the criteria for ocean disposal at the Canaveral Harbor ODMDS. A concurrence letter was received from the EPA on February 14, 2017 approving ocean disposal of the dredging units TB-2, MTB-3, and MTB-4 at the Canaveral Harbor ODMDS.

Therefore, this modification amends several portions of the permit including the project description, special conditions, and exhibits. The modified information is as follows:

**Project Description:** To maintenance dredge up to 500,000 cubic yards of material annually from the United States Navy (USN) portions of five areas at Canaveral Harbor (aka Port Canaveral): Cut 1A, Navy Trident Turning Basin (TTB), Trident Access Channel (TAC), Middle Turning Basin (MTB), and the Entrance Channel Widener. The TAC and TTB will be dredged to the maintenance depth of -41 foot (ft) mean low lower water (MLLW) with a 2 foot paid overdredge depth, -43 ft MLLW. The Cut IA and the Navy Entrance Channel Widener will be dredged to the maintenance depth of -44 foot MLL W with a 2 foot paid overdredge depth, -46 ft MLL W. All dredging shall be conducted by either cutterhead or clamshell equipment only.

Maintenance Dredge Area	Dredge depth MLLW	Paid Overdredge Depth	Disposal location
Cut 1A	44 foot	2 foot	Nearshore or Canaveral ODMDS
Navy Entrance Channel Widener	44 foot	2 foot	Nearshore or Canaveral ODMDS
Trident Access	41 foot	2 foot	Canaveral ODMDS
Trident Turning Basin	41 foot	2 foot	Canaveral ODMDS (TB-1 – Upland)
Middle Turning Basin	35 foot 43 foot	2 foot	Canaveral ODMDS

**General Conditions:**

1. The Time limit for completing the work authorized under Section 10 of the Rivers and Harbors Act ends on **December 31, 2019**. The time limit for completing the work authorized under Section 103 of the MPRSA for dredging units TB-2, MTB-3, and MTB-4 ends on **February 14, 2020**. The time limit for completing the work authorized under Section 103 of the MPRSA for dredging units Cut 1A,

Navy Entrance Channel Widener, Trident Access Channel (TAC), and units within the Trident Turning Basin (TTB) not previously excluded ends on **June 30, 2017**.

**Special Conditions:**

**Special Conditions Associated with Dredging Operations:**

1. Reporting Address: All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following addresses:

a. U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL 32232.

Or by email: CESAJ-ComplyDocs@usace.army.mil

b. U.S. Environmental Protection Agency (EPA), Wetlands, Oceans & Coastal Branch, 61 Forsyth Street, Atlanta, GA 30303. Or by email: Lehmann.Wade@epa.gov

**11. Site Monitoring and Management Plan:** The Permittee shall comply with the monitoring and reporting requirements referenced in the Site Monitoring and Management Plan (SMMP) dated February 2012, for the Canaveral ODMDS.

**Special Conditions for use of Canaveral ODMDS:**

**15. ODMDS Exclusion Area:** The area depicted as TB-1 within the Trident Turning Basin is located within the Exclusion Zone for ODMDS, as reflected in Attachment 1 (as revised), drawing sheet 14 of 22. Material from this excluded area may NOT be transported to the Canaveral ODMDS. Material from this area will be excavated and placed in an upland disposal site that has been identified as either upland disposal site CDA-C or upland disposal site CDA-A, as identified in Attachment 1 (as revised), drawing sheets 20 and 21 of 22. The upland disposal area called CDA-C is located immediately to the west of the Trident Turning Basin. The upland disposal area called CDA-A is located immediately to the east of the Trident Wharf Facility.

**18.** The Permittee agrees that only dredged materials from areas considered suitable by the Environmental Protection Agency as considered in their letters dated December 19, 2016 and February 14, 2017 will be disposed of in the Canaveral ODMDS.

ODMDS Exclusion Area: The area depicted as TB-1 within the Trident Turning Basin is located within the Exclusion Zone for the ODMDS, as reflected in Attachment 1 (as revised), drawing 14 of 22. Material from this excluded area may NOT be transported to the Canaveral ODMDS. Material from this area will be excavated and placed in an upland disposal site that has been identified as either upland disposal site CDA-C or upland disposal site CDA-A, as identified in drawing Attachment 1 (as revised), drawing sheets 20 and 21 of 22. The upland disposal area called CDA-C is located immediately to the west of the Trident Turning Basin. The upland disposal area called CDA-A is located immediately to the east of the Trident Wharf Facility.

**Limitations:**

**33:** The expiration date for the dredging authorized under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and the Section 404 of the Clean Water Act (33 U.S.C. 1344) is **December 31, 2019.**

The expiration date for the use of the Canaveral ODMDS for disposal of specifically designated dredge materials authorized under Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413) is **June 30, 2017 and February 14, 2020.** As defined in General Condition 1.

You should attach this letter and the attached exhibits to the permit. All other conditions of the permit and previous modifications remain in full force and effect.

If you have any questions concerning this permit modification, please contact John Palmer at the letterhead address, by telephone at 321-504-3771 extension 10 or by electronic mail at john.palmer@usace.army.mil.

Thank you for your cooperation with our permit program.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



for Jason A. Kirk  
Colonel, U.S. Army  
District Commander

Copy Furnished: CESAJ-RD-PE (via e-mail)  
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