#### **DEPARTMENT OF THE ARMY**

JACKSONVILLE DISTRICT CORPS OF ENGINEERS 1002 WEST 23<sup>RD</sup> STREET, SUITE 350 PANAMA CITY, FLORIDA 32405

August 25, 2016

REPLY TO ATTENTION OF
Regulatory Division
North Permits Branch
Panama City Permits Section
SAJ-2016-01022(NPR-LSL)

Mr. Phillip Creek Couch Aggregates, LLC 715 Twitchell Road Dothan, Alabama 36303

Dear Mr. Creek:

Reference is made to the application received on March 30, 2016, for a Department of the Army permit to expand an existing sand mine. The proposed project site is located at an existing sand mine called in Section 5 and 6, Township 1 South, Range 14 West, Southport, Bay County, Florida. The application has been assigned the file number SAJ-2016-01022.

The project as proposed will not require a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 as it is not located within the navigable waters of the United States. Furthermore, a permit will not be required in accordance with Section 404 of the Clean Water Act as it will not involve the discharge of dredged or fill material into waters of the United States. Provided the work is done in accordance with the enclosed drawings, Department of the Army authorization will not be required.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination/decision, you may request an administrative appeal under Corps' regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination/decision, you must submit a completed RFA form to the South Atlantic Division Office at the following address:

Mr. Jason Steele South Atlantic Division U.S. Army Corps of Engineers CESAD-CM-CO-R, Room 9M15 60 Forsyth St., SW. Atlanta, Georgia 30303-8801. Mr. Steele can be reached by telephone number at 404-562-5137, or by facsimile at 404-562-5138.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by **October 24, 2016**. It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work. Please be advised this determination reflects current policy and regulations and is valid for a period of no longer than 5 years from the date of this letter unless new information warrants a revision of the determination before the expiration date. If after the 5-year period, the Corps has not specifically revalidated this determination, it will automatically expire. Any reliance upon this determination beyond the expiration date may lead to possible violation of current Federal laws and/or regulation.

Additionally, your project site may contain species protected by the Endangered Species Act (ESA) of 1972, as amended. You should contact your local U.S. Fish and Wildlife Service (FWS) office to determine if federally listed species or their habitat are present on your project site. If it is determined that federally listed species may be affected by the proposed project, authorization for "incidental take" may be required. FWS offices can be contacted by the following telephone numbers: Jacksonville at 904-232-2580, Panama City at 850-769-0552, St. Petersburg at 727-570-5398, or Vero Beach at 772-562-3909.

This letter does not obviate the requirement to obtain any other Federal, State, or local permits that may be necessary for your project. Should you have any questions, please contact Mrs. Lisa S. Lovvorn at the letterhead address or by telephone at 850-763-0717, extension 27.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our

environment. We invite you to take a few minutes to visit http://per2.nwp.usace.army.mil/survey.html and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

Sincerely,

Lisa S. Lovvorn Project Manager

Enclosures

Copy Furnished:

Mrs. Bethany Womack, Cypress Environmental of Bay County, LLC Mr. Stephen Price, Panhandle Engineering, Inc.

#### NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applica	ant: Mr. Phillip Creel, Couch Aggregates, LLC	File Number: <b>SAJ-2016-01022</b>	Date: August 25, 2016
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit of	or Letter of permission)	Α
	PROFFERED PERMIT (Standard Permit or Letter	of permission)	В
	PERMIT DENIAL		С
Х	APPROVED JURISDICTIONAL DETERMINATION	N .	D
	PRELIMINARY JURISDICTIONAL DETERMINATI	ON	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <a href="http://www.usace.army.mil/CECW/Pages/reg\_materials.aspx">http://www.usace.army.mil/CECW/Pages/reg\_materials.aspx</a> or Corps regulations at 33 CFR Part 331.

- A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer
  for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is
  authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its
  entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional
  determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.
- B: PROFFERED PERMIT: You may accept or appeal the permit
- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer
  for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is
  authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its
  entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional
  determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions
  therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by
  completing Section II of this form and sending the form to the division engineer. This form must be received by the
  division engineer within 60 days of the date of this notice.
- C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.
- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days
  of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the
  approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: Y preliminary JD. The Preliminary JD is not appealable. If you appealed), by contacting the Corps district for further instruct consideration by the Corps to reevaluate the JD.	wish, you may request an appr	roved JD (which may be
SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO	AN INITIAL PROFFERED PE	RMIT
REASONS FOR APPEAL OR OBJECTIONS: (Describe you initial proffered permit in clear concise statements. You may your reasons or objections are addressed in the administrative	r reasons for appealing the dec attach additional information to	cision or your objections to an
ADDITIONAL INFORMATION: The appeal is limited to a revi	ew of the administrative record	, the Corps memorandum for
the record of the appeal conference or meeting, and any sup		
is needed to clarify the administrative record. Neither the app	oellant nor the Corps may add	new information or analyses
to the record. However, you may provide additional information	on to clarify the location of info	rmation that is already in the
administrative record.		
POINT OF CONTACT FOR QUESTIONS OR INFORMATIO		
If you have questions regarding this decision and/or the	If you only have questions reg	arding the appeal process
appeal process you may contact:	you may also contact:	
Project Manager as noted in letter	Jason Steele	
1 10,000 manager ac neces in 12.11.1	404-562-5137	
RIGHT OF ENTRY: Your signature below grants the right of consultants, to conduct investigations of the project site during the	g the course of the appeal pro-	cess. You will be provided a
15 day notice of any site investigation, and will have the opportunity	, , ,	
	Date:	Telephone number:
Signature of appellant or agent.		

## Prepared By:Cypress Environmental of Bay County,

WATERBODY/CLASS: APPLICANT/CLIENT: Couch Aggregate SR 20 Sand Mine

PURPOSE: Environmental Assessment

PROJECT LOCATION / USGS: River Pond Road/Crystal Lake LATITUDE: N30° 26' 01.6"

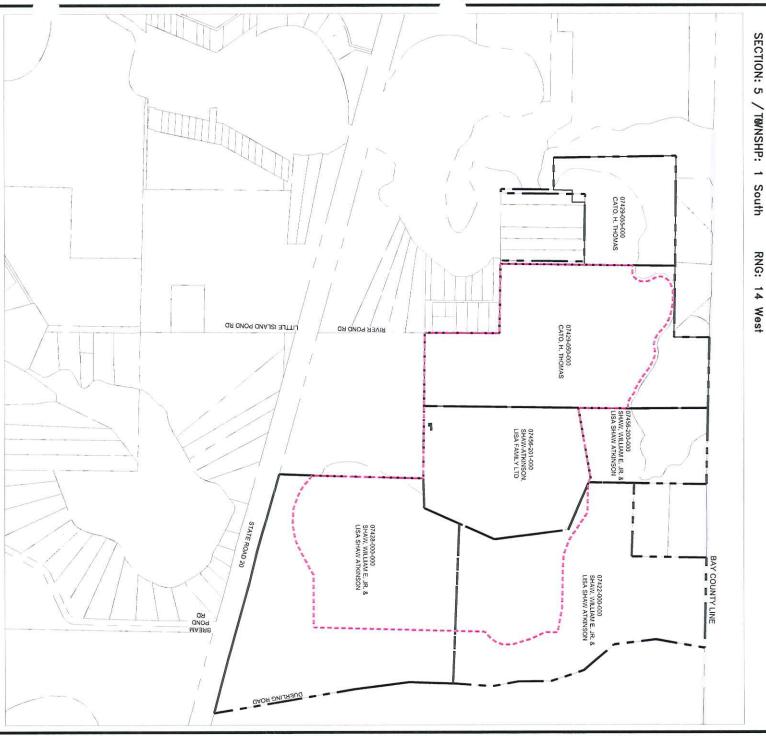
LONGITUDE: W85° 40' 20.5"

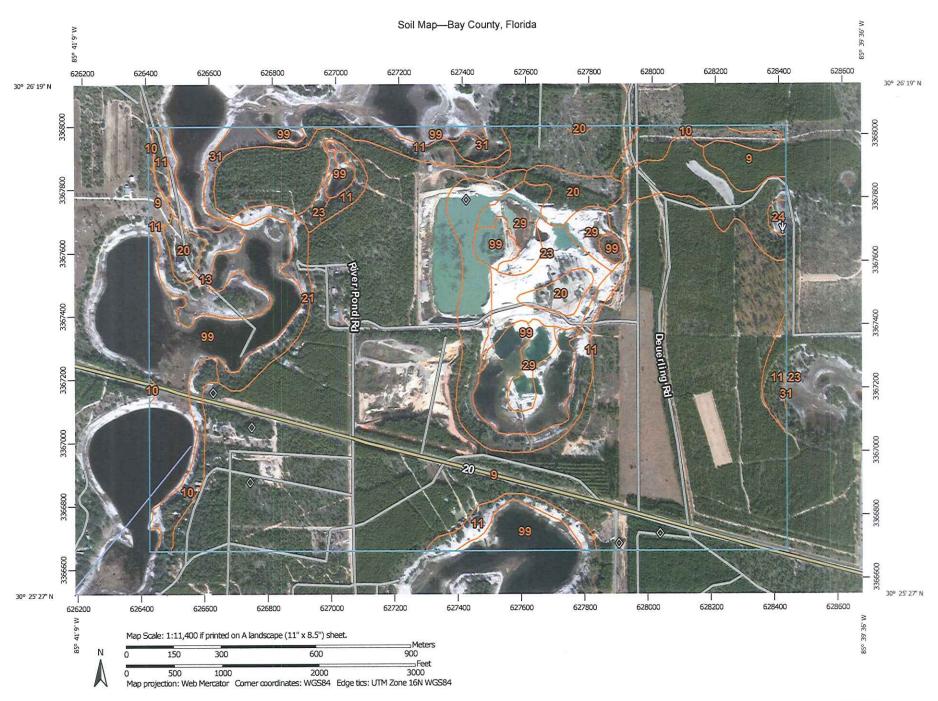
SECTION: 5 / TOWNSHP: 1 South

DEP: JOB: 104.26

COE:

DATE: March 22, 201 SHEET: VICINITY MAP OTHER: Multiple Parcels 2016





#### MAP LEGEND

#### Area of Interest (AOI)

Area of Interest (AOI)

#### Soils

Soil Map Unit Polygons



Soil Map Unit Lines



Soil Map Unit Points

#### Special Point Features

Blowout (0)



Clay Spot ×

Closed Depression

Gravel Pit X

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry 爱

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

-Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot Very Stony Spot

0

Wet Spot

Other Δ

Special Line Features

#### Water Features

Streams and Canals

#### Transportation

Rails

Interstate Highways



**US Routes** 



Major Roads

Local Roads

#### Background



Aerial Photography

#### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Bay County, Florida

Survey Area Data: Version 15, Nov 18, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 5, 2010—Dec 10,

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

# Map Unit Legend

	Bay County, Florida (FL005)	ida (FL005)	
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
9	Lakeland sand, 0 to 5 percent slopes	400.7	59.8%
10	Lakeland sand, 5 to 8 percent slopes	17.4	2.6%
11	Lakeland sand, 8 to 12 percent slopes	71.9	10.7%
13	Leon sand, 0 to 2 percent slopes	16.1	2.4%
20	Foxworth sand, 0 to 5 percent slopes	17.4	2.6%
21	Foxworth sand, 5 to 8 percent slopes	10.5	1.6%
23	Chipley sand, 0 to 5 percent slopes	17.2	2.6%
24	Chipley sand, 5 to 8 percent slopes	1.3	0.2%
29	Rutlege sand, 0 to 2 percent slopes	17.8	2.7%
31	Osier fine sand	8.8	1.3%
99	Water	90.5	13.5%
Totals for Area of Interest		669.6	100.0%

# PREPARED BY: CYPRESS ENVIRONMENTAL

Client / Applicant: State Road 20 Sand Pit Waterbody / Class:

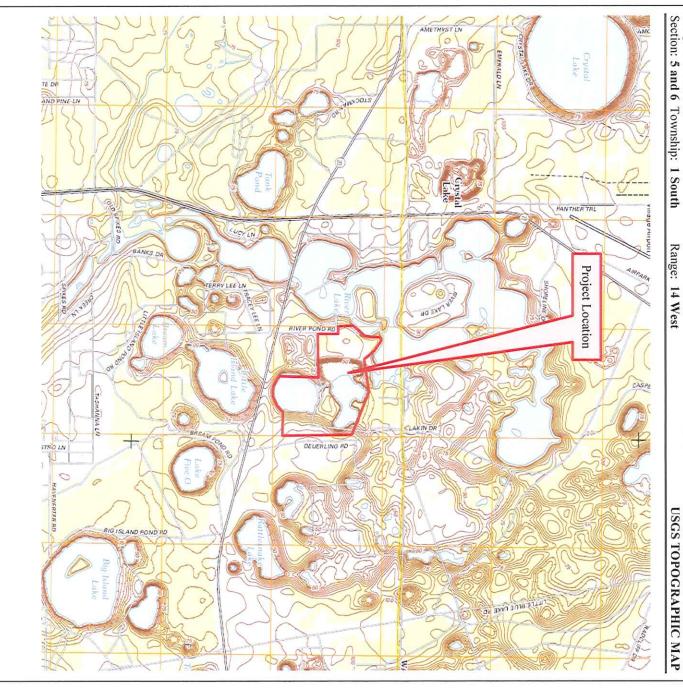
Purpose: Environmental Assessment
Project Location / USGS: River Pond Road / Crystal Lake
Latitude: N30° 26' 01.6"
Longitude: W85° 40' 20.5"
Section: 5 and 6 Township: 1 South
Range: 14 Wes

Job: **104.26** DEP:

COE:

Other: Multiple Parcels
Date: February 22, 2016
Sheet:

USGS TOPOGRAPHIC MAP



### U.S. Fish and Wildlife Service **National Wetlands Inventory**

Mar 1, 2016



#### Wetlands

Freshwater Emergent

Freshwater Forested/Shrub

Estuarine and Marine Deepwater

Estuarine and Marine

Freshwater Pond

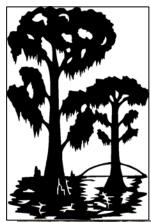
Lake

Riverine

Other

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**User Remarks:** 



### PREPARED BY: CYPRESS ENVIRONMENTAL OF BAY COUNTY, LLC

APPLICANT/CLIENT: Couch Aggregates WATERBODY/CLASS: Isolated Wetlands PURPOSE: Environmental Assessment

PROJECT LOCATION / USGS: River Pond Rd/Crystal Lake

LATITUDE: N30° 26' 01.6" LONGITUDE: W85° 40' 20.5"

SECTION: 5 & 6 TWNSHP: 1 South RNG: 14 West

JOB: 104.26

DEP/WMD:MMR\_0223204-001

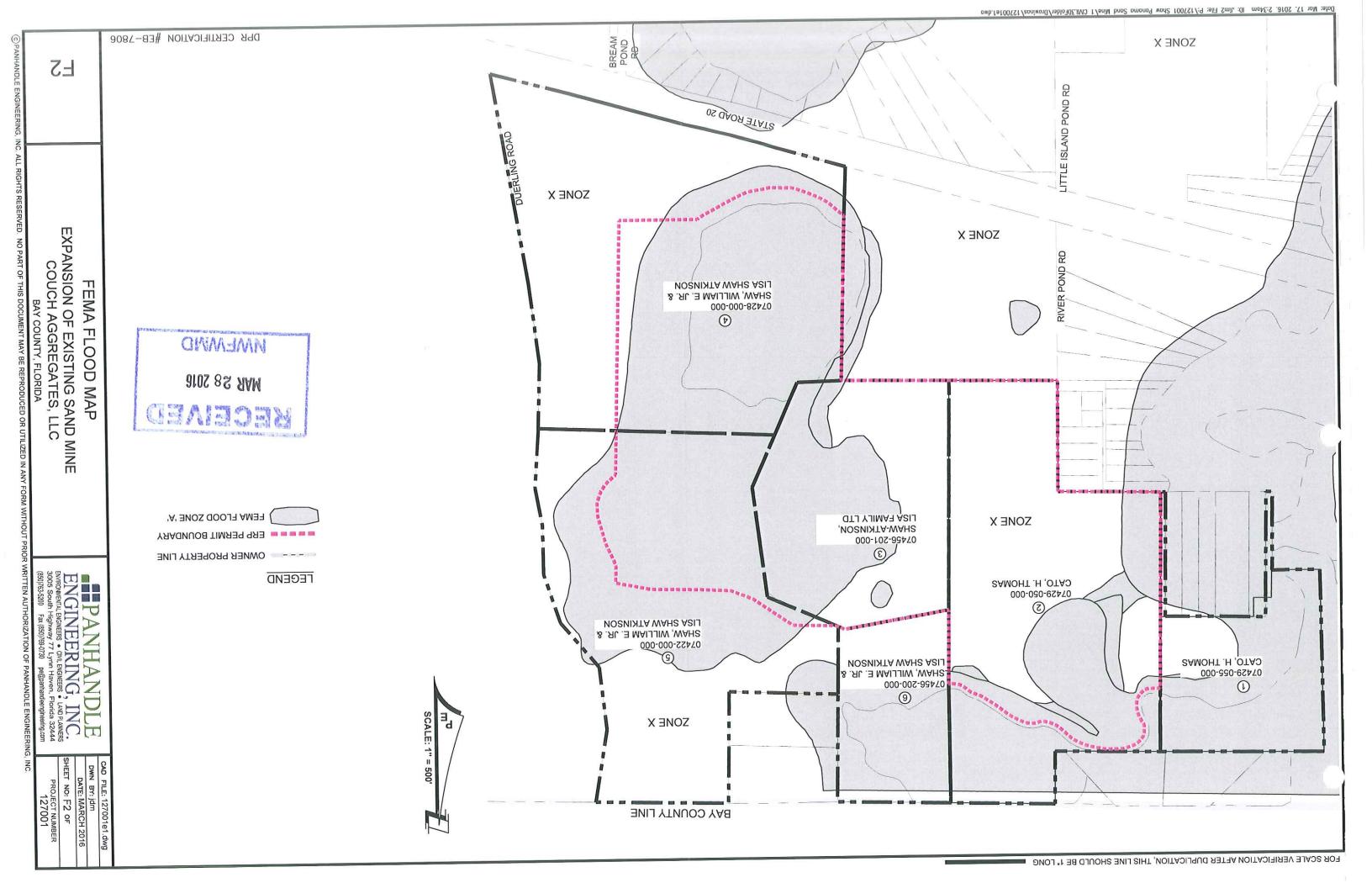
COE: SAJ-2016-01022

OTHER:

DATE: August 1, 2016

SHEET:





ENVIRONMENTAL RESOURCE PERMIT FOR EXPANSION OF EXISTING SAND MINE

CATO S.R. 20 SAND PIT & SHAW PANAMA SAND MINE BAY COUNTY, FLORIDA

PREPARED FOR:



**ADDRESS** P.O. BOX 8648 DOTHAN, AL 36304 (334) 673-8233

R14W R15W LAT. N30° 26' 00" LONG. W85° 40' 23" N G T N 523205.2569 C O U E 1598832.2858 Island Fivemile 388 T1S R14W R15W

DRAWING INDEX

No. - TITLE

1 - PROPERTY OWNER MAP

2 - ERP PROJECT BOUNDARY MAP WITH AERIAL

RECEIVED

MAR 28 2016

NWFWMD

**MARCH 2016** PROJECT #127001

3 - ERP PROJECT BOUNDARY MAP

4 - EXISTING SITE TOPO AND FEATURES

5 - POST-DEVELOPMENT GRADING PLAN

6 - MINING AND CONSTRUCTION PLAN

7 - TYPICAL CROSS SECTIONS SHEET 1 OF 2 8 - TYPICAL CROSS SECTIONS SHEET 2 OF 2

9 - FINAL GRADING & RECLAMATION PLAN

10 - EROSION CONTROL NOTES & DETAILS

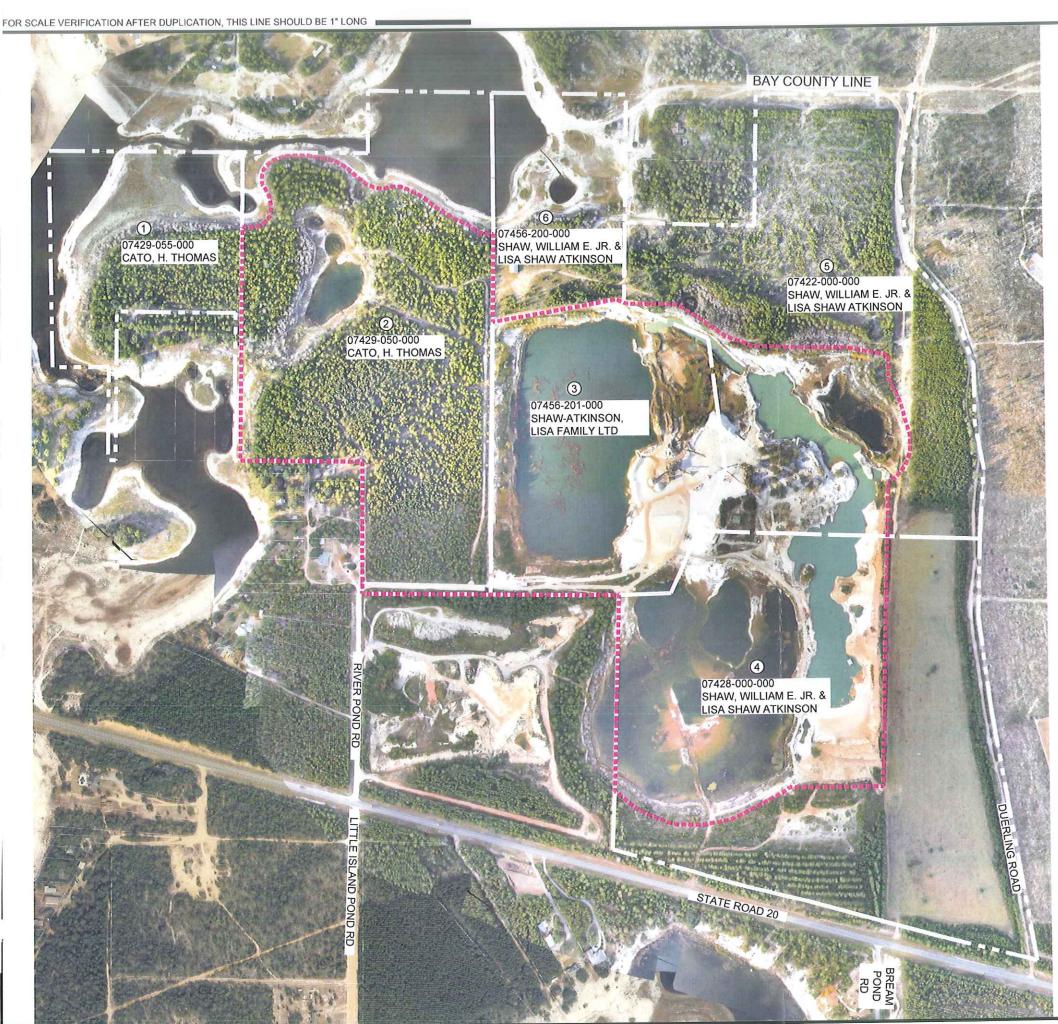
PREPARED BY:

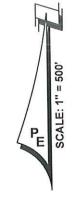


ENVIRONMENTAL ENGINEERS • CIVIL ENGINEERS LAND PLANNERS 3005 South Highway 77 Lynn Haven, Florida 32444 (850)763-5200 Fax (850)769-0730 pe@panhandleengineering.com

VICINITY MAP







**LEGEND** 

--- OWNER PROPERTY LINE

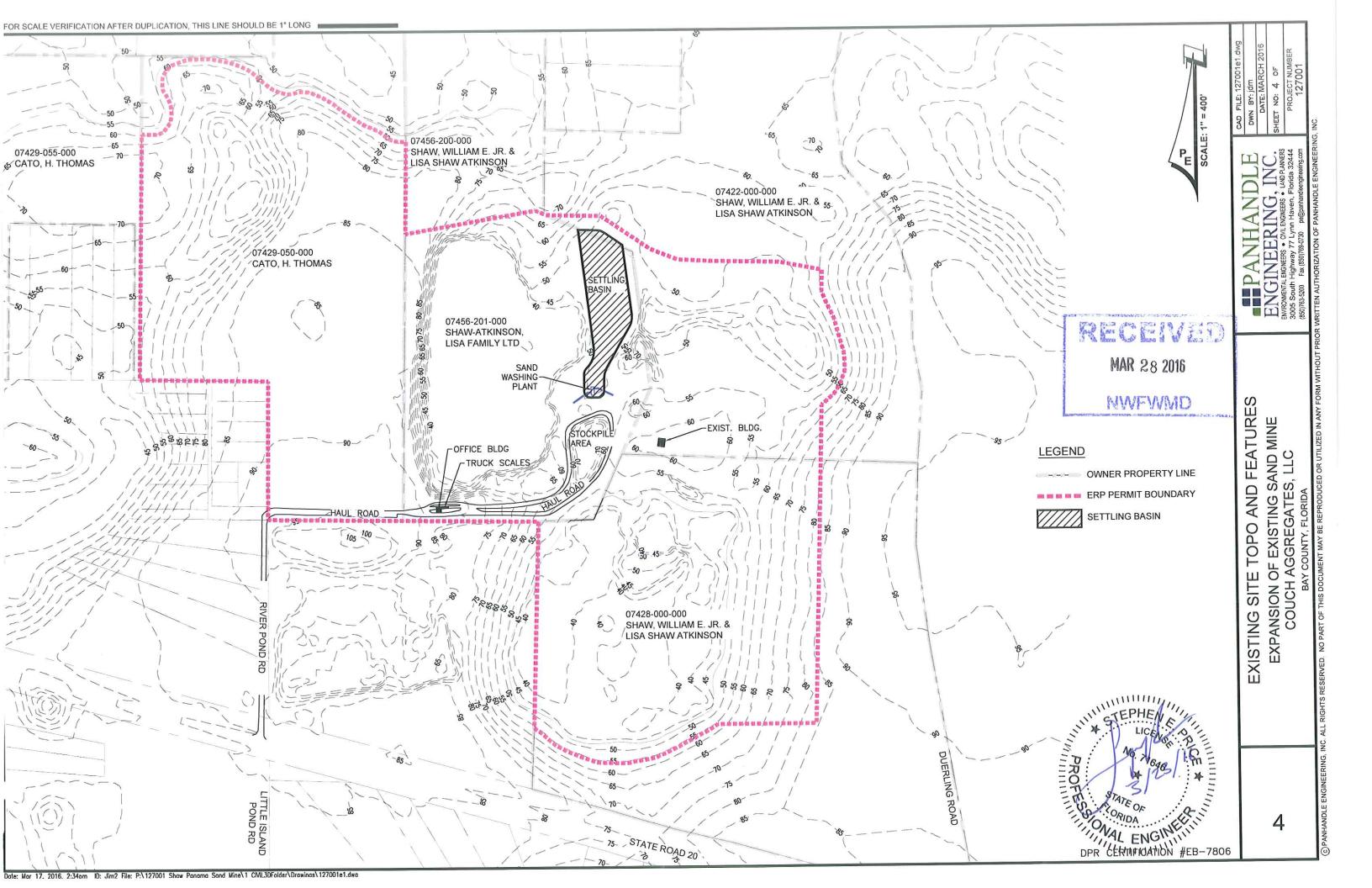
ERP PERMIT BOUNDARY

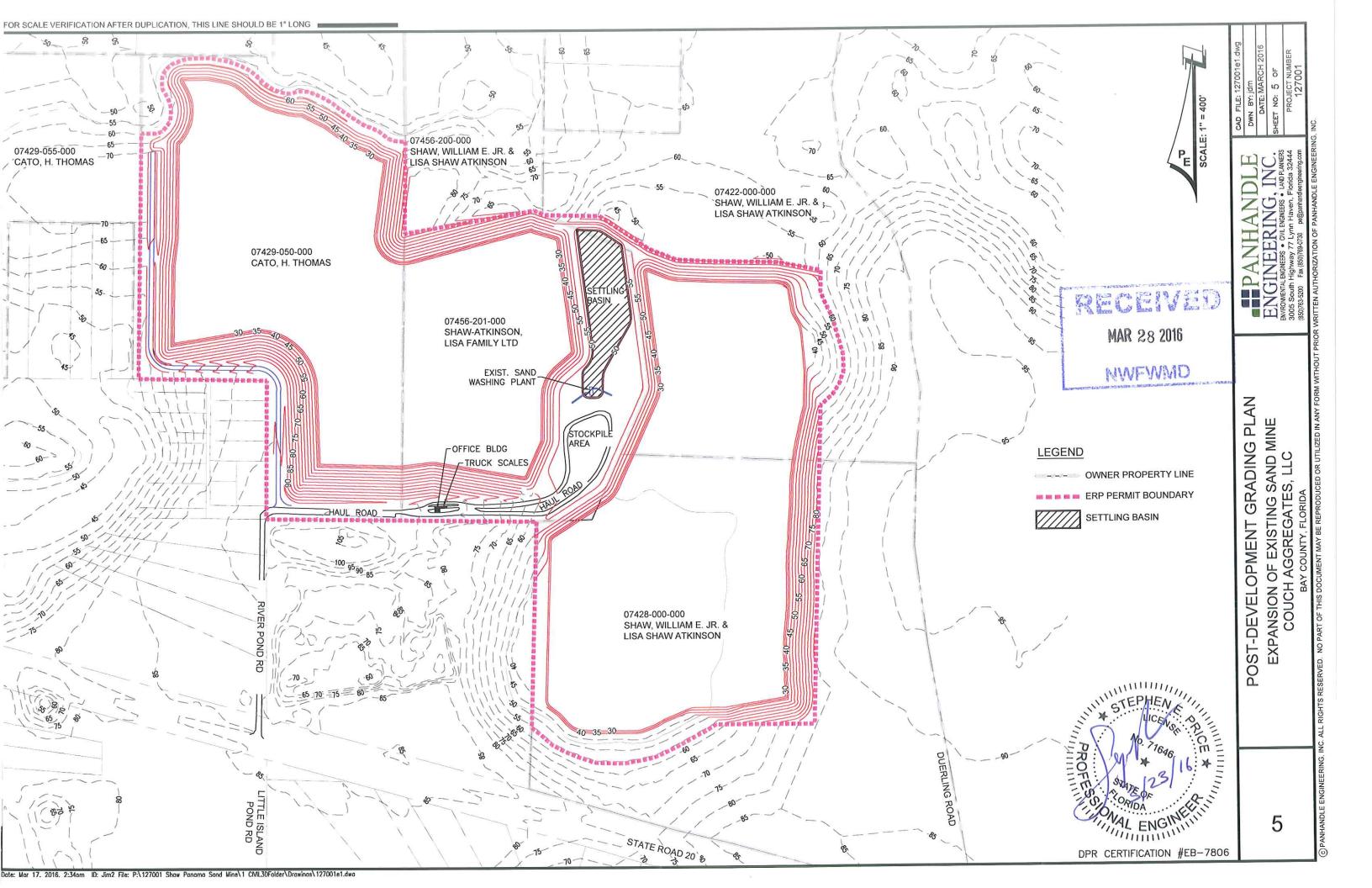


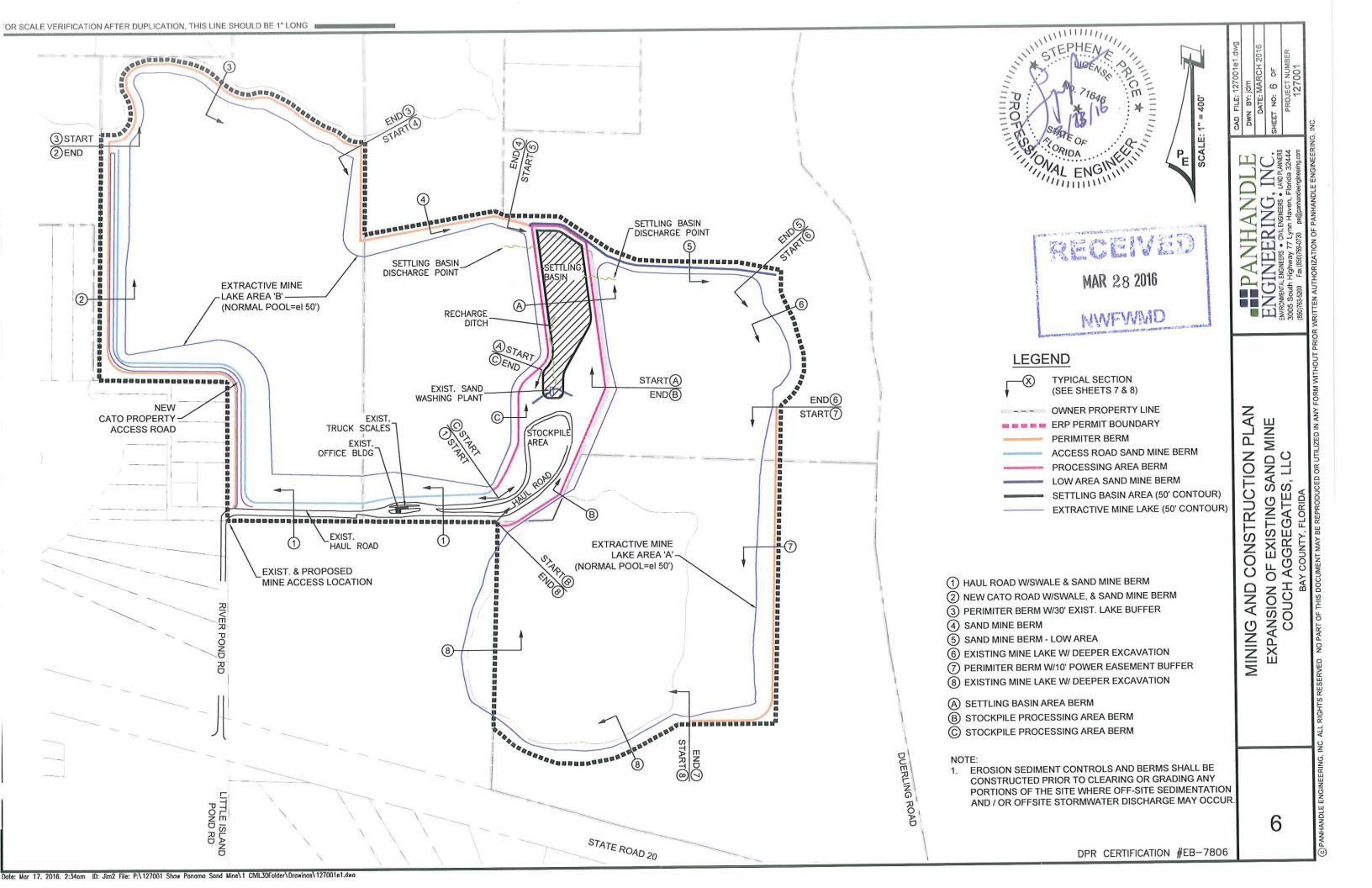


ERP

PROJECT BOUNDARY MAP WITH AERIAL EXPANSION OF EXISTING SAND MINE COUCH AGGREGATES, LLC







TYPICAL CROSS SECTIONS SHEET 1 OF EXPANSION OF EXISTING SAND MINE COUCH AGGREGATES, LLC

ENGINEERING, INC.
BWIROWIENTAL ENGINEERS • CHVIL ENGINEERS
3005 South Highway 77 Lynn Haven, Florida 32444

2

Date: Mar 17. 2016. 2:34pm ID: Jim2 File: P:\127001 Shaw Panama Sand Mine\1 CN/L3DFolder\Drawinas\127001e1.dwa

PERIMITER

BERM

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PERIMITER BERM W/10' POWER EASEMENT BUFFER

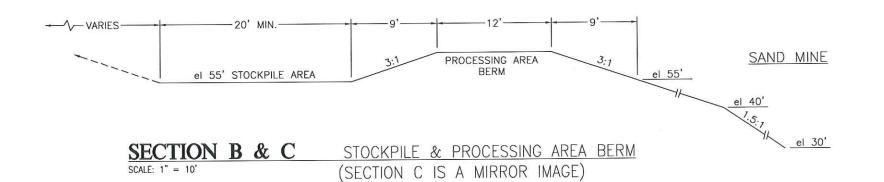
SAND MINE

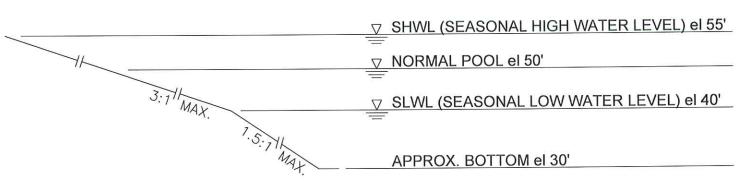
el 30'

el 40'

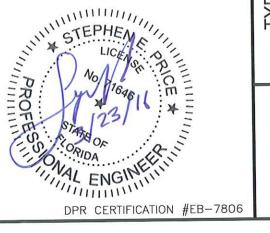
**SECTION** 

#### SECTION A SETTLING BASIN AREA BERM SCALE: 1" = 10'





SAND MINE WATER LEVELS

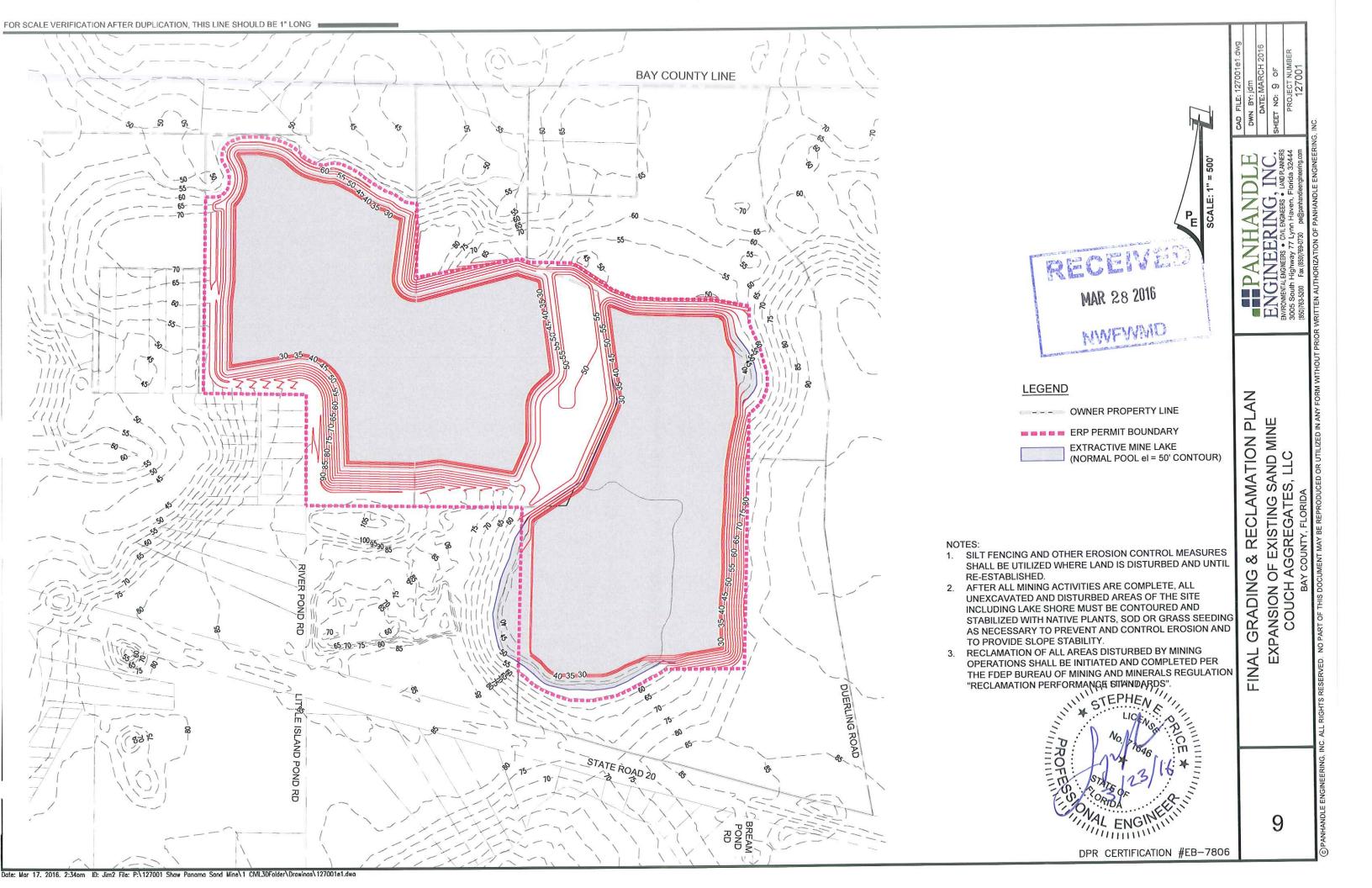


TYPICAL CROSS SECTIONS SHEET 2 OF EXPANSION OF EXISTING SAND MINE COUCH AGGREGATES, LLC

ENGINEERING, INC.
BIVIRONMENTAL ENGINEERS • CIVIL ENGINEERS • LAND PLANNERS
3005 South Highway 77 Lynn Haven, Florida 32444

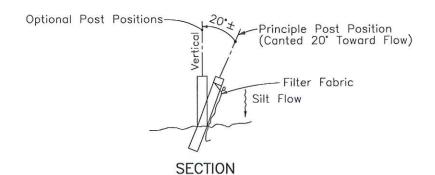
2

Date: Mar 17. 2016. 2:34pm | ID: Jim2 File: P:\127001 Shaw Panama Sond Mine\1 CMIL3DFolder\Drawinas\127001e1.dwa

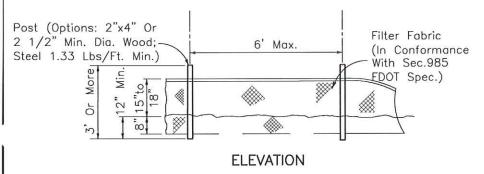


#### STRAW BALE BARRIER INSTALLATION DETAIL

NOT TO SCALE



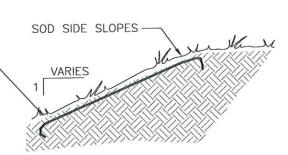
Note: Silt Fence to be paid for under the contract unit price for Staked Silt Fence (LF).



TYPE III SILT FENCE

EROSION CONTROL BLANKET #2010-01 BY EROSION CONTROL SYSTEMS. (1-800-641-3277) UNDER SOD ANCHORED WITH 6" SOD STAPLES.

> TO BE INSTALLED WHERE INDICATED ON PLANS.

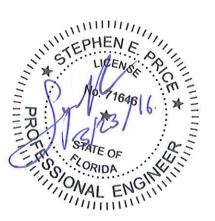


SLOPE STABILIZATION DETAIL NOT TO SCALE

**EROSION AND SEDIMENT CONTROL NOTES:** 

- PRIOR TO, DURING CONSTRUCTION, AND UNTIL ALL DISTURBED AREAS HAVE BEEN STABILIZED AFTER CONSTRUCTION, EROSION AND SEDIMENT CONTROL MEASURES REQUIRED TO RETAIN SEDIMENT ON-SITE SHALL BE IMPLEMENTED AS NECESSARY AND AS DIRECTED BY THE ERP PERMIT.
- ALL SILT FENCE AND OTHER EROSION CONTROL MEASURES IMPLEMENTED ON-SITE SHALL BE INSPECTED ON A WEEKLY BASIS. ANY ACCUMULATED SEDIMENT SHALL BE REMOVED AND BARRIER BREACHES/DAMAGE SHALL BE REPAIRED UPON
- UNLESS NOTED OTHERWISE NO CONSTRUCTION ACTIVITY OR OTHER DISTURBANCE SHALL OCCUR IN OR WITHIN 25-FEET WETLANDS AND OTHER SURFACE WATERS PRESENT ON AND/OR ADJACENT TO THE SITE. THE 25-FOOT BUFFER AROUND THESE RESOURCES SHALL BE CLEARLY IDENTIFIED IN THE FIELD USING WOODEN STAKES AND FLAGGING AT A 50-FEET OR SHORTER LATERAL INTERVAL
- ALL EROSION AND SEDIMENT CONTROLS SHALL BEST MANAGEMENT PRACTICES SHALL BE IN ACCORDANCE TO CURRENT FLORIDA STORMWATER, EROSION, AND SEDIMENT CONTROL REQUIREMENTS.
- 5. IN ADDITION TO THE EROSION CONTROL MEASURES DEPICTED ON THESE PLANS, SILT FENCE, EROSION CONTROL BLANKETS, MULCH, SEDIMENT TRAPS, TEMPORARY GRASS SEED, PERMANENT SOD, AND FLOATING TURBIDITY BARRIER MAY BE REQUIRED TO RETAIN SEDIMENT ON-SITE AND PREVENT VIOLATIONS OF STATE WATER QUALITY STANDARDS.
- THE MINING CONTRACTOR SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING ALL EROSION & SEDIMENT CONTROL MEASURES ON-SITE. ALL CONTRACTOR PERSONNEL ASSOCIATED WITH THE PROJECT SHALL BE INSTRUCTED TO ADHERE TO BEST MANAGEMENT PRACTICES CITED ABOVE AND ALL CONDITIONS OF THE ERP PERMIT.





EROSION CONTROL NOTES & DETAILS EXPANSION OF EXISTING SAND MINE COUCH AGGREGATES, LLC

10

DPR CERTIFICATION #EB-7806

NOT TO SCALE Date: Mar 17, 2016, 2:34pm ID: Jim2 File: P:\127001 Shaw Panama Sand Mine\1 CML3DFolder\Drawinas\127001e1.dwa

10

ENGINEERING, INC.
ENGINEERS • CIVILENGINEERS • LANDPLANNERS
3005 South Highway 77 Lynn Haven, Florida 32444

#### PREPARED BY: CYPRESS ENVIRONMENTAL

Client / Applicant: State Road 20 Sand Pit

Waterbody / Class:

Purpose: Environmental Assessment

Project Location / USGS: River Pond Road / Crystal Lake

Latitude: N30° 26' 01.6" Longitude: W85° 40' 20.5"

Section: 5 and 6 Township: 1 South Range: 14 West

Job: **104.26** 

DEP: COE:

Other: Multiple Parcels
Date: February 22, 2016

Sheet:

**AERIAL MAP** 

