



**FLORIDA INLAND NAVIGATION DISTRICT
DREDGED MATERIAL MANAGEMENT
AREA DU-9 EXPANSION
ST. JOHNS COUNTY, FLORIDA**

**APPENDIX B
ENVIRONMENTAL PERMITS**



**FLORIDA INLAND NAVIGATION DISTRICT
DREDGED MATERIAL MANAGEMENT
AREA DU-9 EXPANSION
ST. JOHNS COUNTY, FLORIDA**

APPENDIX B

Florida Department of Environmental Protection
55-129250-006-EI



Florida Department of Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

Permittee/Authorized Entity:

Mark Crosley, Executive Director
Florida Inland Navigation District
1314 Marcinski Road
Jupiter, FL 33477
mcrosley@aicw.org

Engineering Consultant:

Lori Brownell, P. E., Director
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Jacksonville, FL 32256
LBrownell@Taylorengeering.com

Environmental Consultant:

Noah Adams
Taylor Engineering, Inc.
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Jacksonville, FL 32256
NAdams@Taylorengeering.com

FIND DMMA DU-9 Expansion

Environmental Resource Permit

U.S. Army Corps of Engineers Authorization – Not Approved

Permit No.: 55-129250-006-EI

Permit Issuance Date: August 23, 2016

Permit Construction Phase Expiration Date: August 23, 2021

Environmental Resource Permit
Permit No: 55-129250-006-EI-31

PROJECT LOCATION

The activities authorized by this permit is located in Ponte Vedra, Florida 32081, in Sections 19, 30, 39 & 40, Township 3S, Range 29E in St. Johns County, at latitude 30°13'29.79", longitude 81°25'40.05"W.

PROJECT DESCRIPTION

The permittee is authorized to expand the existing dredged material management area (DMMA) DU-9 from 33.7 acres to 94 acres in total footprint. With the southerly expansion and removal of the existing southern berm and slurry wall, the combined containment basin will have total capacity of approximately 1.1 million cubic yard and provides 2 feet freeboard and 2 feet ponding depth. The facility is designed to support maintenance dredging operations in Reach VII of the Intracoastal Waterway for 50 years.

The containment basin will be excavated to the bottom elevations between 12.4 feet and 9.9 feet NAVD88. New dike, underdrain system, perimeter access road and perimeter ditch will be tied in with the existing ones. The dike specifications match the existing dike, which includes a 12.0 feet wide dike crest with final elevation of 25.4 feet NAVD88 and side slopes of 3H:1V. Dike seepage and slope stability analysis are performed. Groundwater analysis was also performed due to historical contamination onsite (Site # COM_179673). It concludes that the current groundwater contamination present in the expansion area does not present an impediment to construction and operation of the DMMA DU-9. Methods of construction, materials for construction, and construction assurance and quality control are specified in Attachment 9 of the permit application, titled Supplemental Information for DMMA Construction Projects, Dated August 2016.

Weir structures and discharge pipeline are existing. Weir elevations can be adjusted by moving flashboards. A mean ponding depth of 2.0 feet between weir elevation and maximum deposition surface shall be maintained throughout operation to provide an effective retention time required for sedimentation and effluent water quality. Operation and maintenance requirements of the DMMA during and after a dredging project are included in Supplemental Information for DMMA Construction Projects.

Stormwater runoff from the dike crest, outside dike slopes and perimeter road will be collected into the perimeter ditch, which is 2.0 feet wide at the bottom, 3.0 feet in depth and 2H:1V in slopes. The ditch provides treatment volume equals to runoff from a 3-year, 1-hour storm and recover it within 72 hours. Authorized activities are depicted on the attached exhibits.

AUTHORIZATIONS

FIND DMMA DU-9 Expansion

Environmental Resource Permit

The Department has determined that the activity qualifies for an Environmental Resource Permit. Therefore, the Environmental Resource Permit is hereby granted, pursuant to Part IV of Chapter 373, Florida Statutes (F.S.), and Chapter 62-330, Florida Administrative Code (F.A.C.).

Federal Authorization

Your proposed activity as outlined on your application and attached drawings **does not qualify** for Federal authorization pursuant to the State Programmatic General Permit and a **SEPARATE permit** or authorization **Shall be required** from the Corps. A copy of your permit application has been forwarded to the Corps for their review. The Corps will issue their authorization directly to you or contact you if additional information is needed. If you have not heard from the Corps within 30 days from the date your application was received at the local FDEP Office, contact the Corps for status and further information. **Failure to obtain Corps authorization prior to construction could subject you to federal enforcement action by that agency.**

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection, or Duly Authorized Designee, State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Coastal Zone Management

Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

Water Quality Certification

This permit also constitutes a water quality certification under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

You are advised that authorizations or permits for this activity may be required by other federal, state, regional, or local entities including but not limited to local governments or municipalities. This permit does not relieve you from the requirements to obtain all other required permits or authorizations.

The activity described may be conducted only in accordance with the terms, conditions and attachments contained in this document. Issuance and granting of the permit and authorizations herein do not infer, nor guarantee, nor imply that future permits, authorizations, or modifications will be granted by the Department.

PERMIT

The activities described must be conducted in accordance with:

- **The Specific Conditions**
- **The General Conditions**
- **The limits, conditions and locations of work shown in the attached drawings**
- **The term limits of this authorization**

You are advised to read and understand these conditions and drawings prior to beginning the authorized activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings herein. If you are using a contractor, the contractor also should read and understand these conditions and drawings prior to beginning any activity. Failure to comply with these conditions, including any mitigation requirements, shall be grounds for the Department to revoke the permit and authorization and to take appropriate enforcement action. Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit, as described.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES:

1. Ground which will become the foundation of earthen dams needs to be stripped of all vegetation and organic detritus or residue, including muck, mud, slimes, or other material which would flow or undergo excessive consolidation under heavy loading. All earth foundation surfaces on which fill is to be placed should be scarified or moistened and compacted prior to spreading of first course of fill material, and the earthen dam base shall be well drained during construction.
2. The construction shall meet specifications documented in Supplemental Information for DMMA Construction Projects, Dated August 2016 and submitted to the Department on August 10, 2016. Dike inspection shall be conducted under the direction of licensed professional engineers experienced in the investigation, design, construction and operation of dikes, applying the disciplines of hydrologic, hydraulic, soils and structural engineering and engineering geology. All field inspections shall be conducted by qualified engineers, engineering geologists and other specialists, knowledgeable in the investigation, design and construction of earthen dikes. Record of each inspection, including dike material specifications, results and intervals of dike compaction tests, erosion control practices, construction details, the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted shall be available for inspection upon request by the Department.
3. The permittee shall maintain in a permanent file the following construction records. These records shall be available to Department upon request.
 - a. Aerial photo of construction site in the immediate area after initial site preparation but before shaping of the dams.
 - b. Final specifications and plans (e.g. bid documents).
 - c. Results of all soil tests on foundations and fill materials.
 - d. Logs of borings and engineering geology reports.

- e. Copies of construction progress inspections pertinent to containment basin, underdrain, and other significant phases of the construction. Photographs of various structural items may be included in the file.
 - f. Aerial photo of completed containment basin area taken after construction is completed.
 - g. Description of and justification for all deviations or variances from the bid documents.
 - h. As-built drawings
4. Upon completion of construction, the permittee shall submit to the Department of Form 62-330.310(1) "As-Built Certification and Request for Conversion to Operation Phase". The form shall be certified by a registered professional and serve to notify the Department that the project, or independent portion of the project, is completed and ready for inspection by the Department. The person completing Form 62-330.310(1) shall inform the Department if there are substantial deviations from the plans approved as part of the permit and include as-built drawings with the form.
5. The plans must be clearly labeled as "as-built" or "record" drawings and shall consist of the permitted drawings that clearly highlight (such as through "red lines" or "clouds") any substantial deviations made during construction. The permittee shall be responsible for correcting the deviations [as verified by a new certification using Form 62-330.310(1)]. If such deviations require a modification of the permit under Rule 62-330.315, F.A.C., the permittee shall separately request a modification to the permit, which must be issued by the Department prior to the Department approving the request to convert.
6. When projects authorized by the permit are to be constructed in phases, each phase or independent portion of the permitted project must be completed and the permittee must have submitted Form 62-330.310(1) "As-Built Certification and Request for Conversion to Operation Phase," in accordance with subparagraph 62-330.350(1)(f)2., F.A.C., certifying as to such completion prior to the use of that phase or independent portion of the project. The request for conversion to the operating phase for any phase or independent portion of the permitted project shall occur before construction of any future work that may rely on that infrastructure for conveyance and water quality treatment and attenuation. Phased construction can include a partial certification.

SPECIFIC CONDITIONS – OPERATION AND MAINTENANCE ACTIVITIES

7. The operation and maintenance shall be conducted in accordance with specifications documented in Supplemental Information for DMMA Construction Projects, Dated August 2016 and submitted to the Department on August 10, 2016. A registered professional must perform inspections annually to identify if there are any deficiencies in structural integrity, degradation due to insufficient maintenance, or improper operation of the facility that may endanger public health, safety, or welfare, or the water resources, and to assure that facility is functioning as designed and permitted. Dike inspection shall be conducted under the direction of licensed professional engineers experienced in the investigation, design, construction and operation of dikes, applying the disciplines of hydrologic, hydraulic, soils and structural engineering and engineering geology. The inspection is not required if the facility did not operate during the calendar year, however the permittee shall notify the Department that the facility was inactive for the calendar year. If the facility has not been

operating for 2 years or more, the permittee shall provide for the registered professional inspection and furnish the Department the inspection report prior to resuming operation.

8. Within 30 days of the inspection, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification." In addition, the permittee shall state in the report what operational maintenance has been performed during the previous year.

9. The permittee shall provide periodic maintenances and inspections to check for certain critical conditions. This is especially important during dredging operations. The permittee must maintain a record of each inspection and make such record available upon request of the Department. Each record shall include the date of inspection, the name and contact information of the inspector, whether the facility was functioning as designed and permitted. Within 30 days of any failure of any system or deviation from the permit, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.

10. The permittee shall immediately notify the Department by telephone whenever a serious problem occurs at this facility. Notification shall be made to the Northeast District Office at (904) 256-1700. Within 7 days of telephone notification, a report shall be submitted electronically or in writing to the Department using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the extent of the problem, its cause, the remedial actions taken to resolve the problem.

11. Once a dredging project is complete, the weirs shall be operated such that residual ponded and clarified surface water within the basin can be slowly released. Water quality standards must be maintained throughout the discharge. Following the release, the weir boards shall be re-installed to the final weir configuration, which includes two weir boards (12-inches of height) above the mean finished dredged material surface to provide capacity of retaining stormwater during 25-year, 24-hour storm.

GENERAL CONDITIONS FOR INDIVIDUAL PERMITS

The following general conditions are binding on all individual permits issued under chapter 62-330, F.A.C., except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate project-specific conditions.

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.

2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency

staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5., F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice," [October 1, 2013], which is incorporated by reference [in](#) paragraph 62-330.350(1)(d), F.A.C., indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

- a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex – "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
- b. For all other activities – "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
- c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:

- a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

- b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the Agency in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.
13. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.

15. 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 binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with subsection 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any email address, any facsimile number, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 21 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right 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 (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Junhong Shi, P. E. at the letterhead address or (904) 256-1645 or junhong.shi@dep.state.fl.us.

Sincerely,



Richard S. Rachal III, P.G.
Permitting Program Administrator

RR:js

Attachments:

Project Drawings, 14 sheets
Construction Commencement Notice /Form 62-330.350(1)
As-built Certification and Request for Conversion to Operational Phase/ Form 62-330.310(1)
Operation and Maintenance Inspection Certification/Form 62-330.311(1)

Copies furnished to:


U.S. Army Corps of Engineers (corpsJaxReg@usace.army.mil)
FWC, Imperiled Species Management Section (fcmpmail@myfwc.com)
Lori Brownell (LBrownell@Taylorengineering.com)
Noah Adams (NAdams@Taylorengineering.com)
Alisha Simpson, NED FDEP
Richard Rachal, NED FDEP
Thomas Kallemeyn, NED FDEP
Junhong Shi, NED FDEP
Merrilee L Palcic, NED FDEP
Aaron Sarchet, NED FDEP

CERTIFICATE OF SERVICE

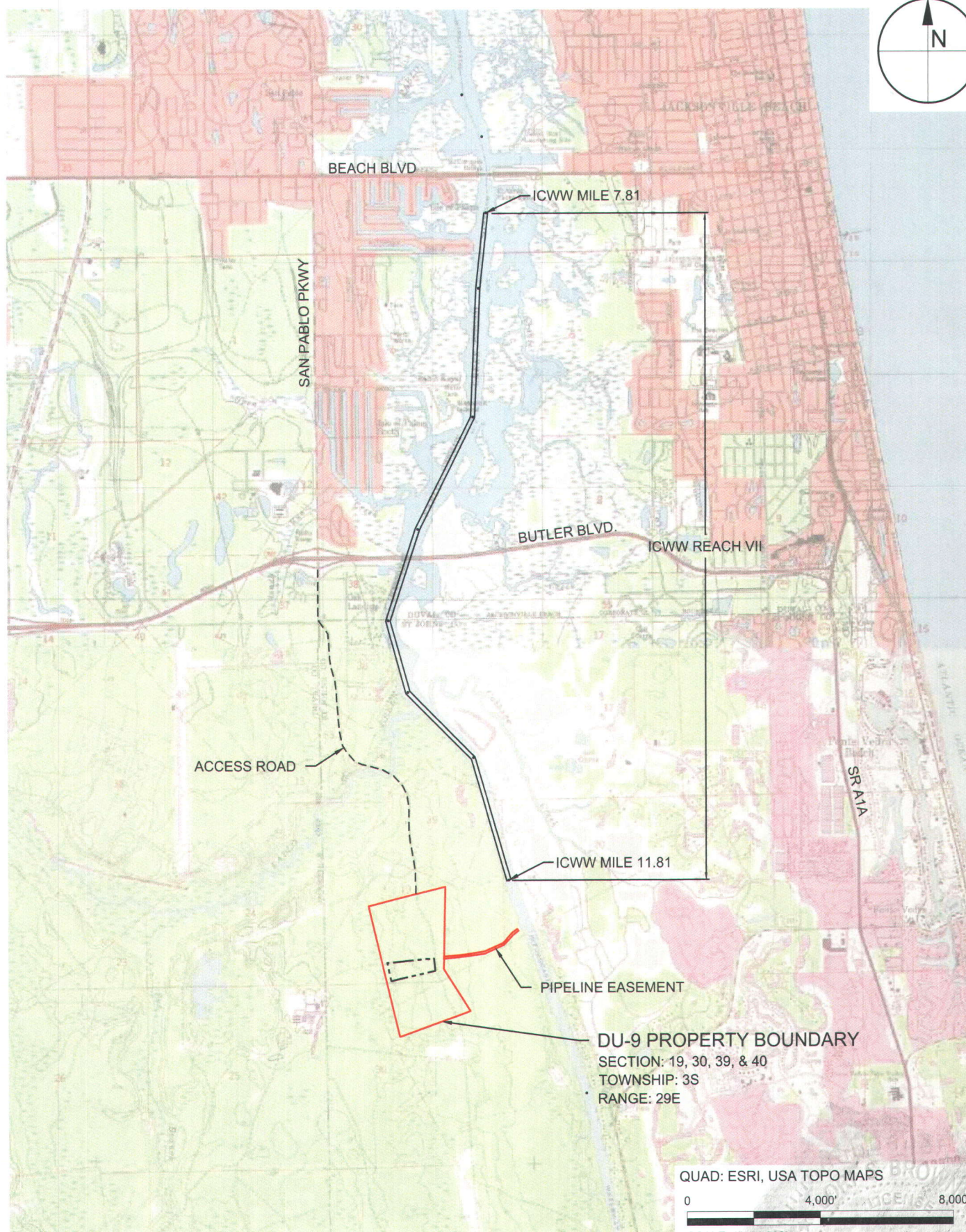
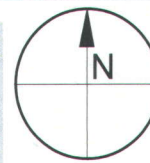
The undersigned hereby certifies that this permit, including all copies, was mailed before the close of business on August 23, 2016 to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date, under 120.52(7) of the
Florida Statutes, with the designated Department Clerk,
receipt of which is hereby acknowledged.


Clerk

August 23, 2016
Date



QUAD: ESRI, USA TOPO MAPS
0 4,000' 8,000'
SCALE: 1" = 4,000'



TAYLOR ENGINEERING INC.
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE A-1
PROJECT LOCATION
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

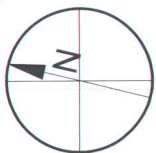
PROJECT	DRAWN BY	SHEET	DATE
C2014-075	AF	1 of 4	AUG 2016

SEAL

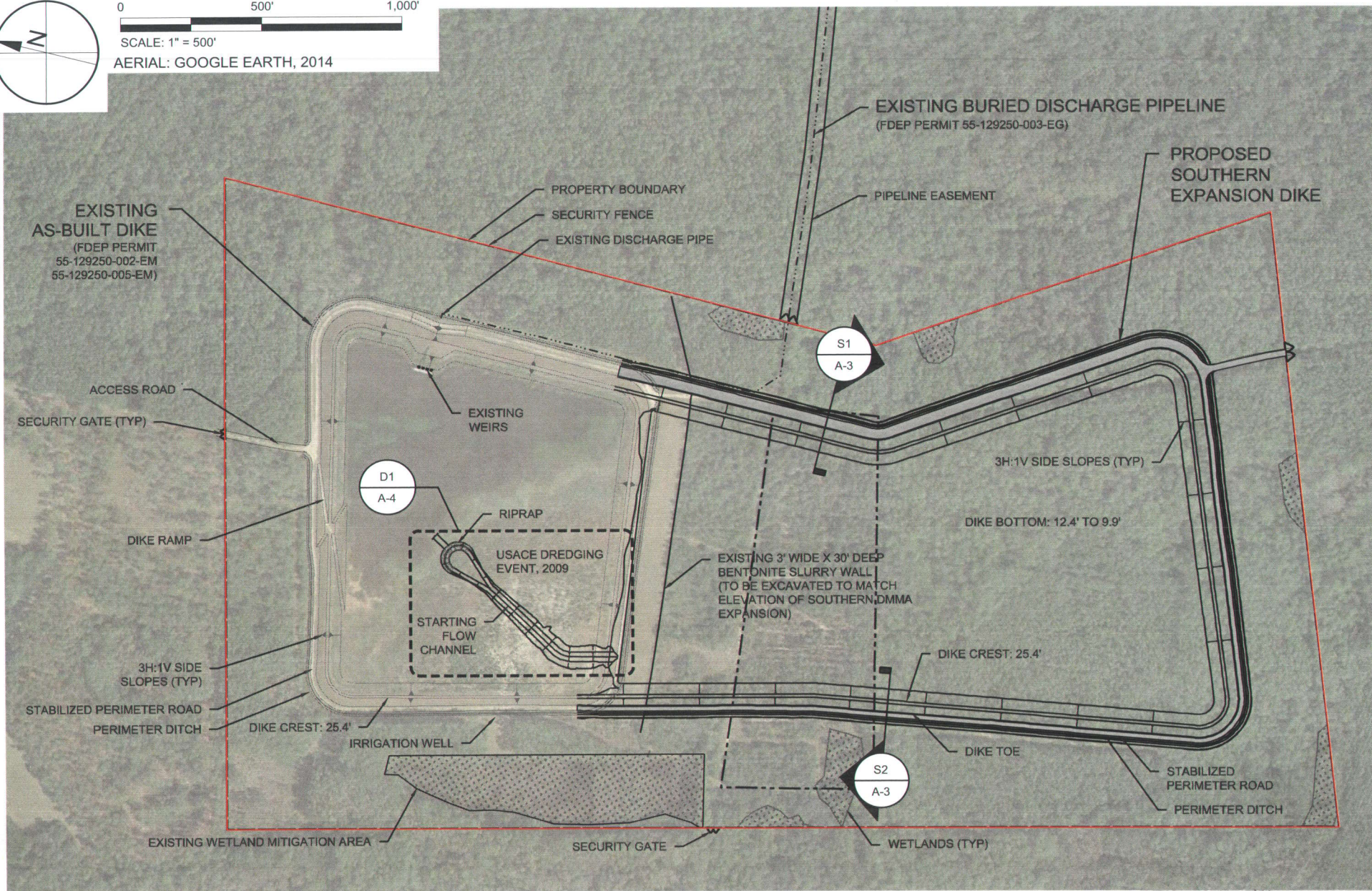
LORI S. BROWNELL P.E. # 60025
DATE 8/10/2016

75_DUG_PERMIT/PERMIT/C2013-031-P-LOCATION MAP.DWG 8/1/2016 5:17:15 PM
ANTON X/SYS/PROJEC

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



0 500' 1,000'
SCALE: 1" = 500'
AERIAL: GOOGLE EARTH, 2014



TAYLOR ENGINEERING INC.

10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

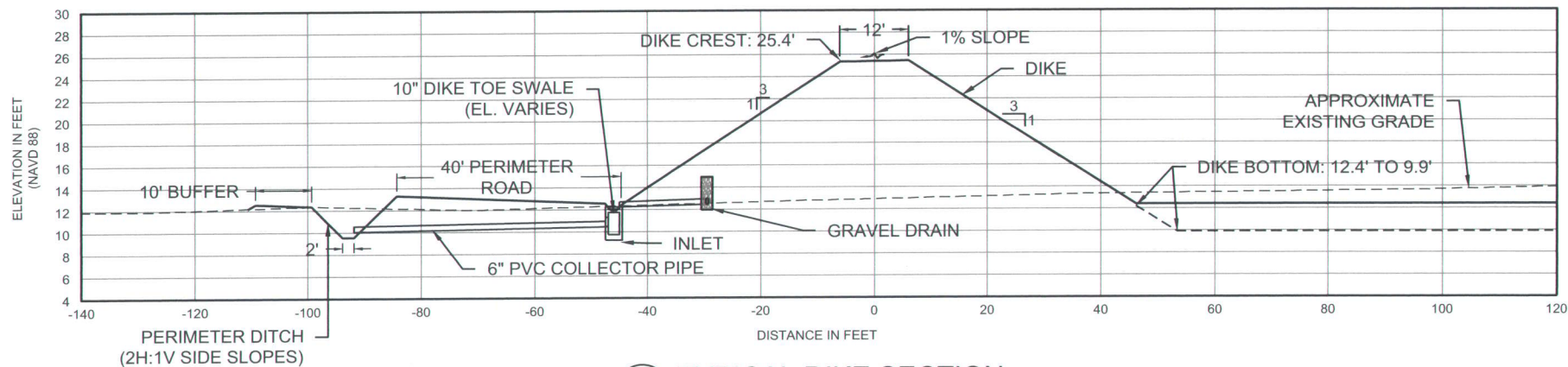
FIGURE A-2
PLAN VIEW
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	2 of 4
DATE	AUG 2016

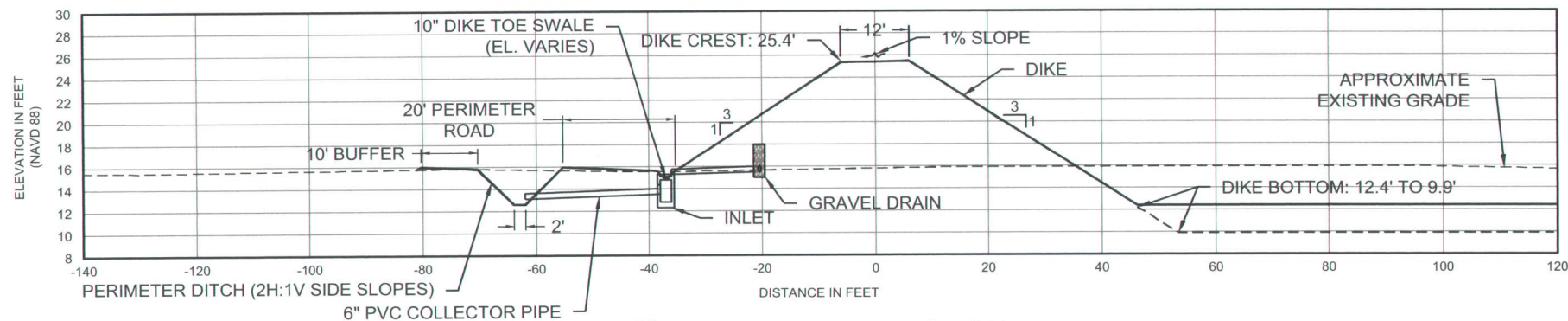
SEAL

[Signature] 8/10/2016
LORI S. BROWNELL, P.E. # 60025
DATE

ANTON X:\SYS\PROJECTS\C2014-075_DU9_PERMIT\PERMIT\C2013-031-P-SECTIONS.DWG 8/10/2016 5:18:40 PM



S1
A-2
TYPICAL DIKE SECTION
SCALE: 1" = 30'
0 30'



S2
A-2
TYPICAL DIKE SECTION
SCALE: 1" = 30'
0 30'



TAYLOR ENGINEERING INC.

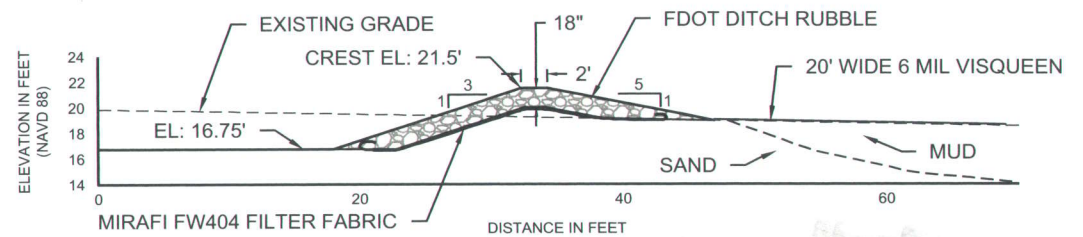
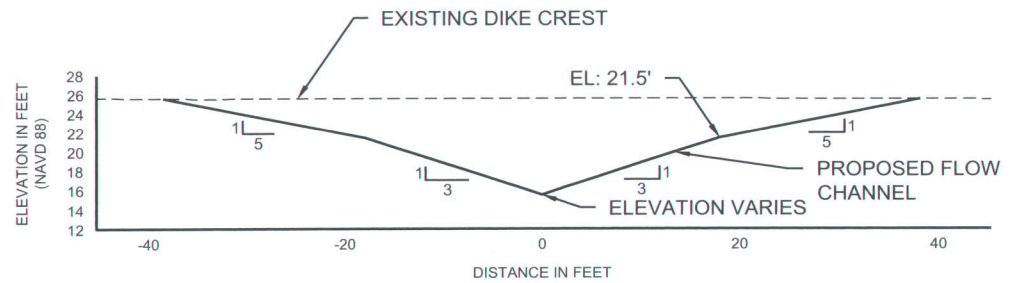
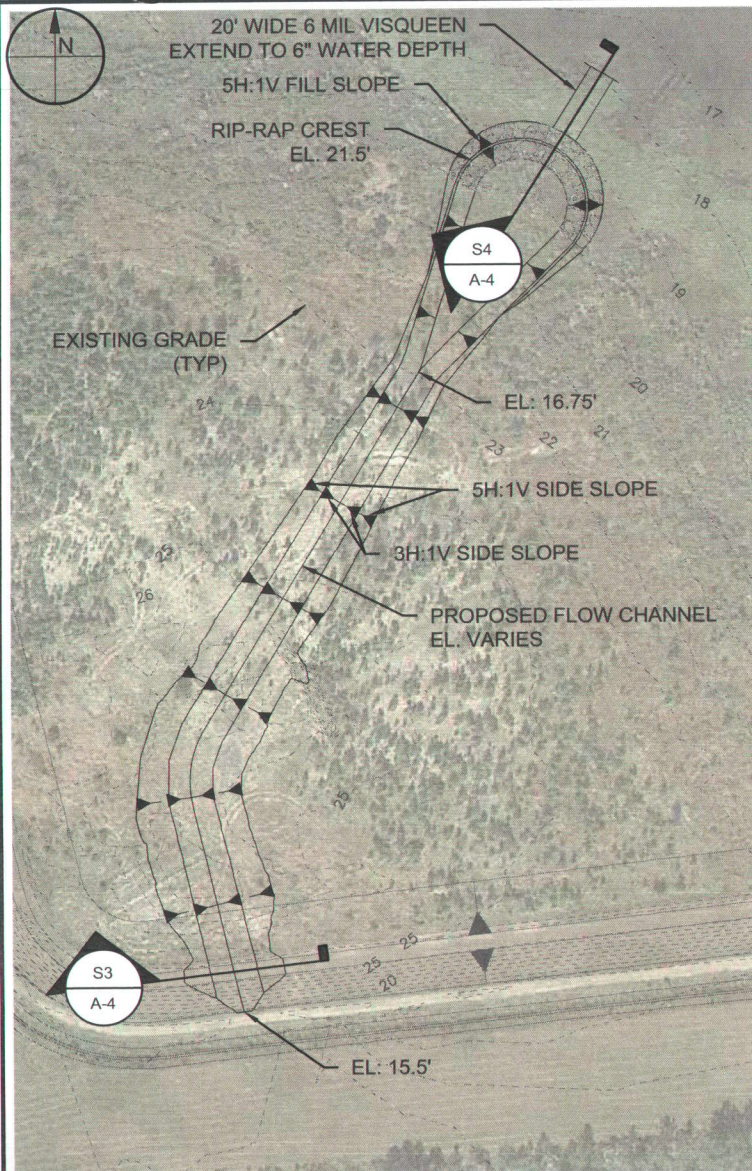
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE A-3
SECTION VIEW
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	3 of 4
DATE	AUG 2016

SEAL

LORI S. BROWNELL
P.E. # 60025
8/10/2016
DATE



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JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE A-4
SECTION VIEW
DREDGED MATERIAL MANAGEMENT AREA DU-9
PROJECT ADDRESS

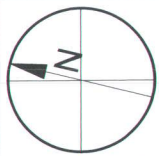
PROJECT C2014-075
DRAWN BY AF
SHEET 4 of 4
DATE AUG 2016

SEAL
LORI S. BROWNELL
P.E. # 60025
DATE

Received

AUG 10 2016

FDEP



0 500' 1,000'
SCALE: 1" = 500'
AERIAL: GOOGLE EARTH, 2014



TAYLOR ENGINEERING INC.

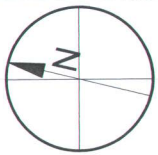
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-1
PRE-CONSTRUCTION DRAINAGE
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075	SEAL	
DRAWN BY	AF		
SHEET	1 of 10		
DATE	AUG 2016		
		LORI S. BROWNELL P.E. # 60025	8/10/2016

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

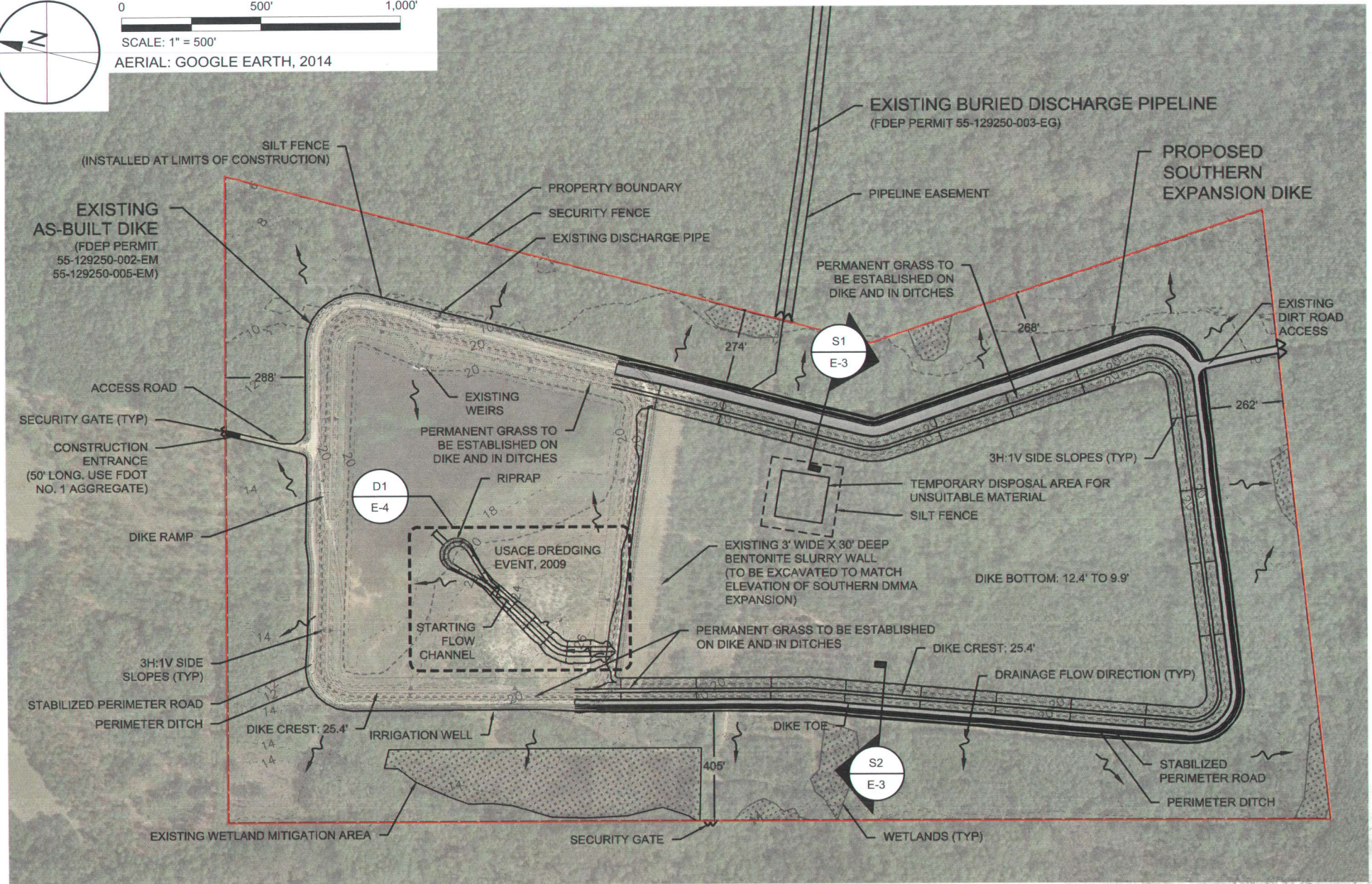
ANTON X:\SYSTEMS\PROJECTS\2014\075_DUG_PERMIT\PERMIT\C2014-075-DUG_PERMIT\DWG\8/10/2016 5:19:37 PM



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SCALE: 1" = 500'

AERIAL: GOOGLE EARTH, 2014




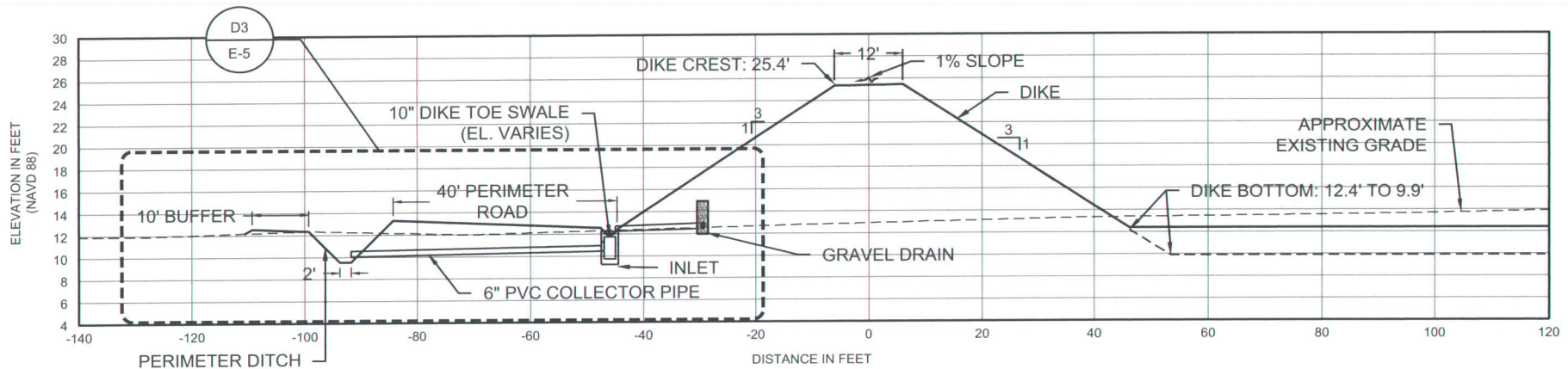
TAYLOR ENGINEERING INC.

10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

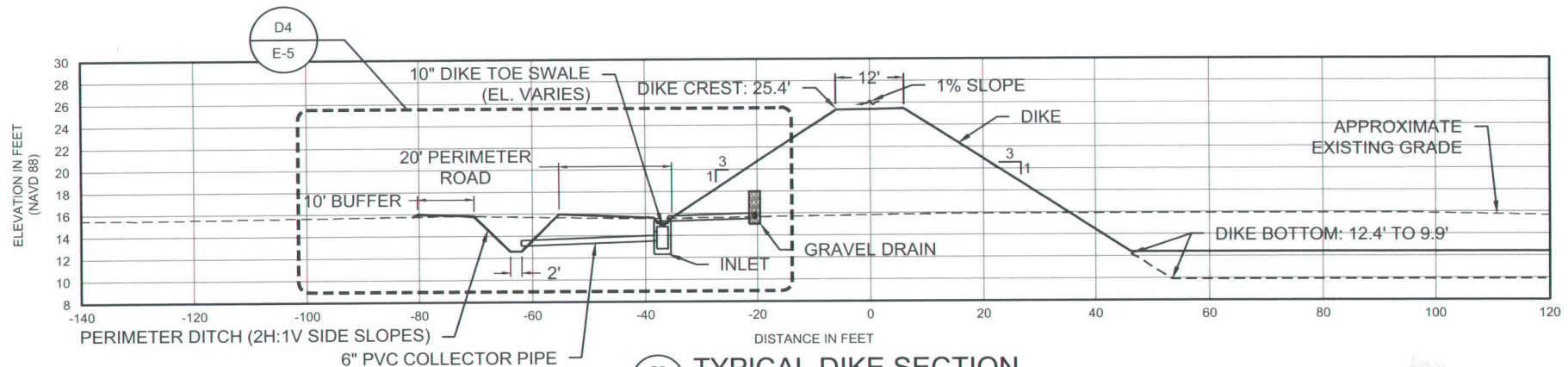
FIGURE E-2
POST-CONSTRUCTION SITE PLAN AND DRAINAGE
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	2 of 10
DATE	AUG 2016

SEAL	
	8/10/2016
LORI S. BROWNELL, P.E. # 60029	DATE



S1
E-2
SCALE: 1" = 30'



S2
E-2
SCALE: 1" = 30'



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JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-3
SECTION VIEW
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	3 of 10
DATE	AUG 2016

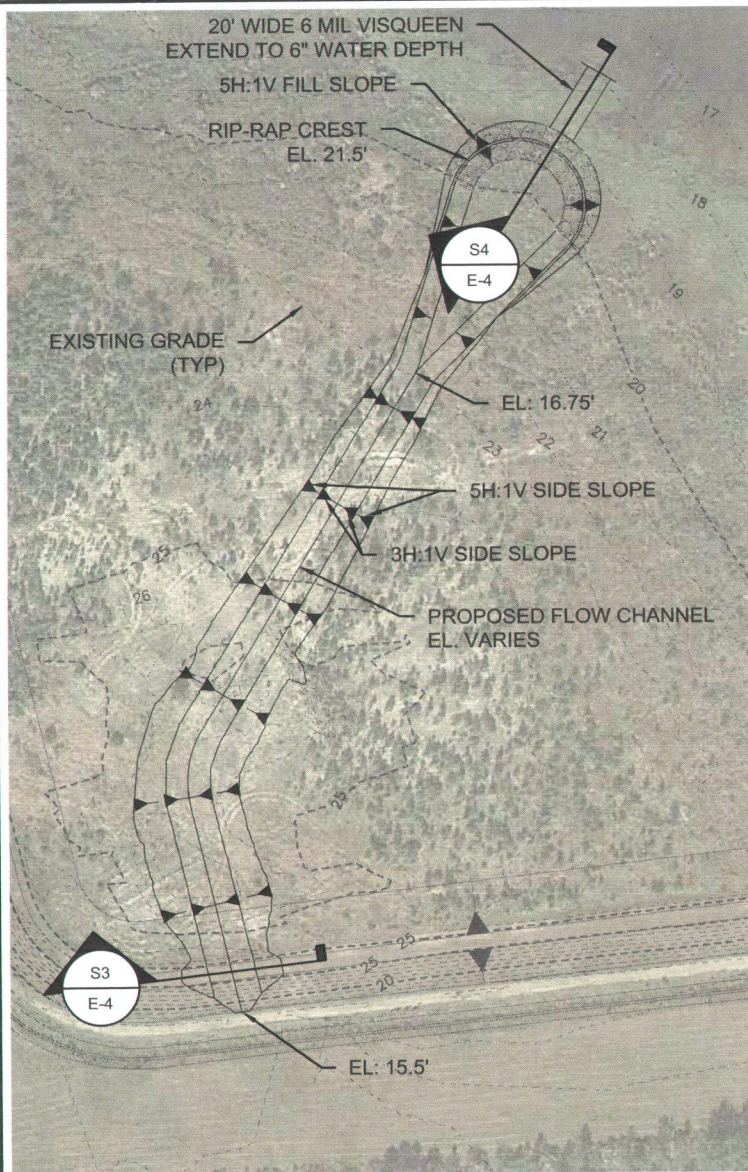
SEAL

LORI S. BROWNELL
P.E. # 60025

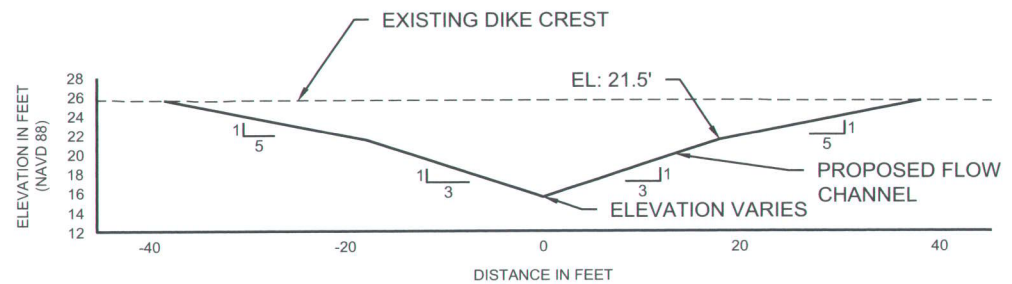
8/10/2016

DATE

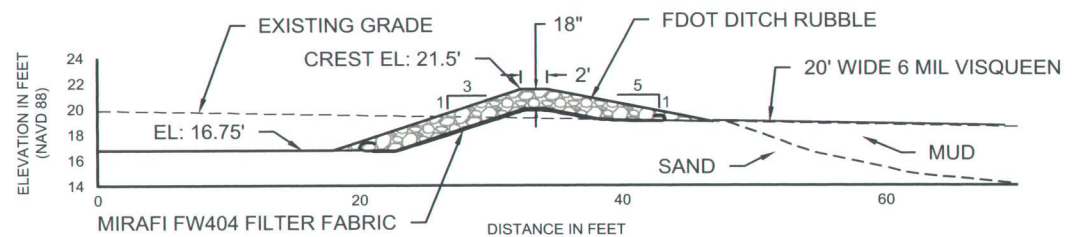
ANTON X:\SYS\PROJECTS\C2014-075_DUG_PERMIT\PERMIT\C2014-075_P-SECTIONS NORTH.DWG 8/1/2016 5:21:25 PM



D1
E-2 **FLOW CHANNEL PLAN DETAIL**
SCALE: 1" = 150'



S3
E-4 **FLOW CHANNEL SECTION**
SCALE: 1" = 20'



S4
E-4 **FLOW CHANNEL RIPRAP SECTION**
SCALE: 1" = 15'



TAYLOR ENGINEERING INC.

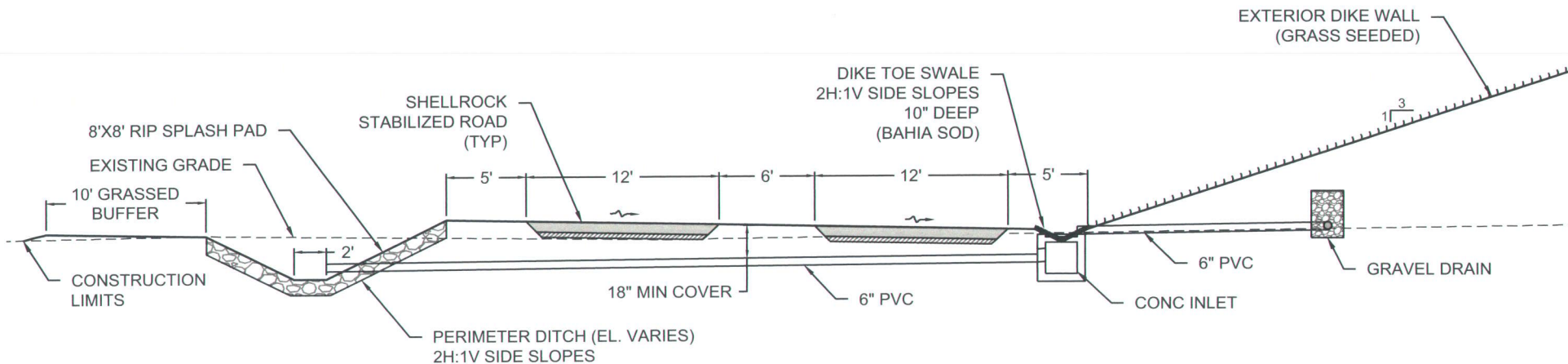
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-4
SECTION VIEW
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

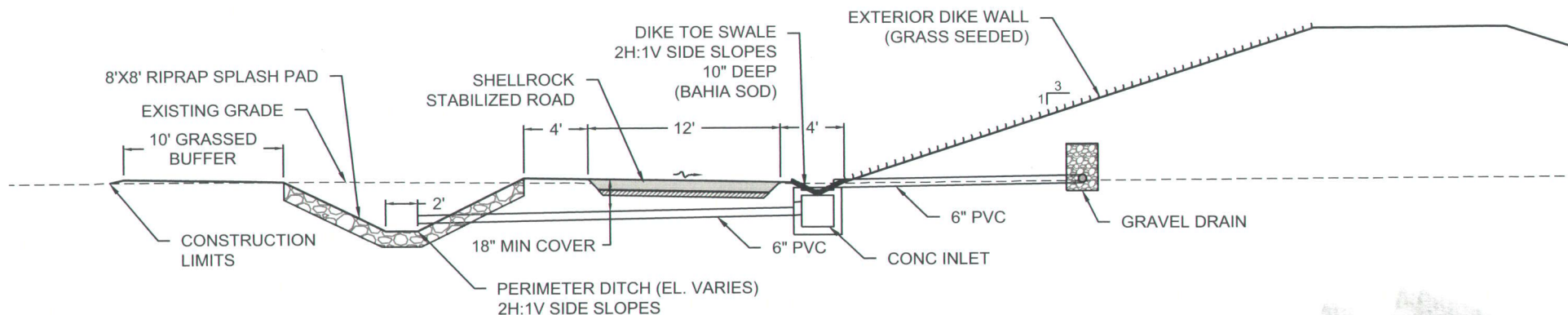
PROJECT	C2014-075
DRAWN BY	AF
SHEET	4 of 10
DATE	AUG 2016

SEAL
LORI S. BROWNELL
P.E. # 60025
8/10/2016
DATE

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D3
E-3
TYPICAL SECTION DETAIL
SCALE: 1" = 10'



D4
E-3
TYPICAL SECTION DETAIL
SCALE: 1" = 10'

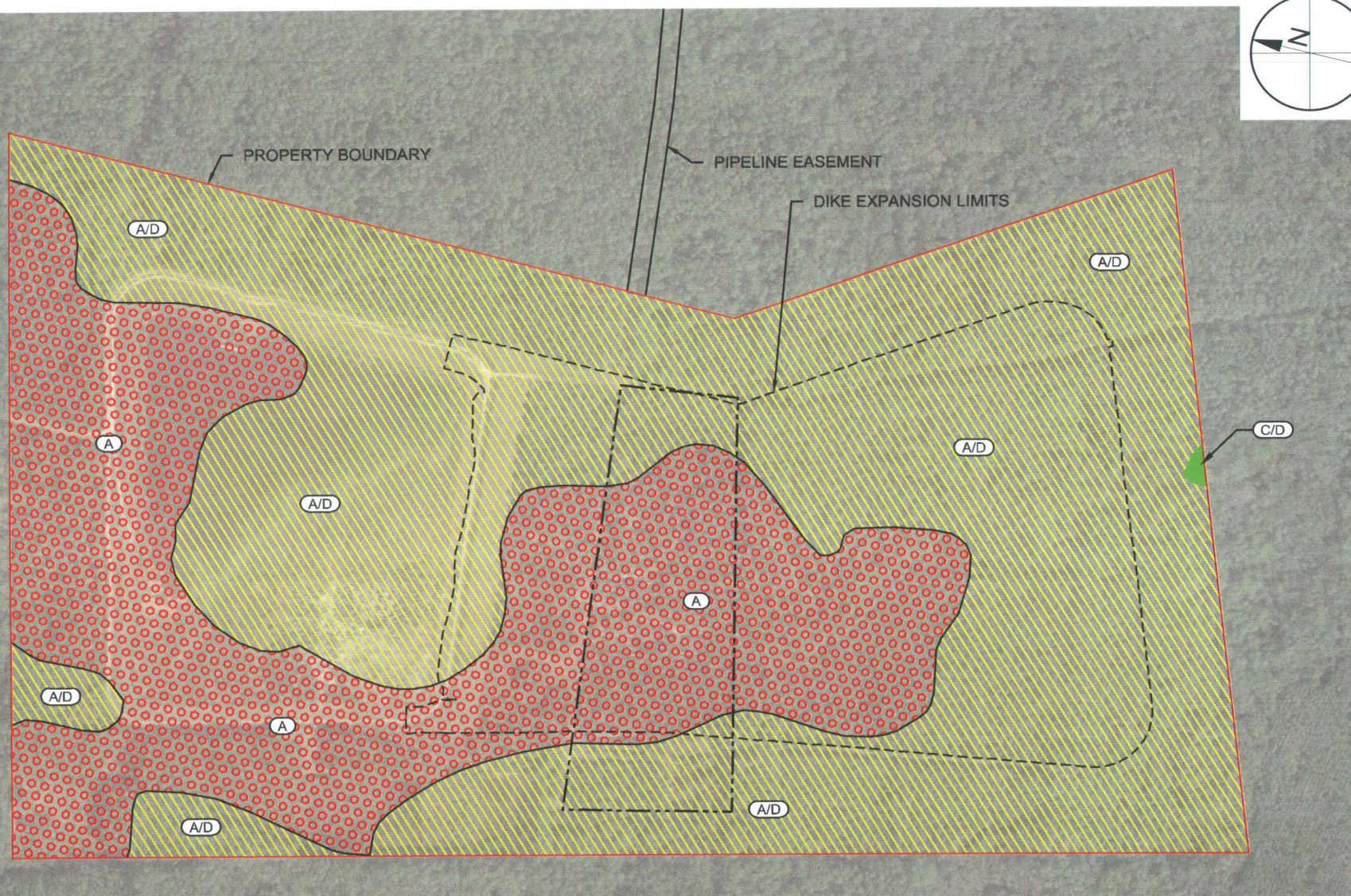


TAYLOR ENGINEERING INC.
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

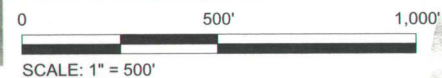
FIGURE E-5
SECTION DETAILS
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	5 of 10
DATE	AUG 2016

SEAL
LORI S. BROWNELL
P.E. # 80025
8/1/2016
DATE



AERIAL: GOOGLE EARTH, 2014
SOILS: USDA/NRCS, 2015:



NRCS HYDROLOGIC SOILS GROUP		
	CODE	ACRES
	A	62.02
	A/D	117.86
	C/D	0.13



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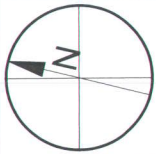
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-6
NRCS HYDROLOGICAL SOIL CLASSIFICATIONS
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	6 of 10
DATE	AUG 2016

SEAL

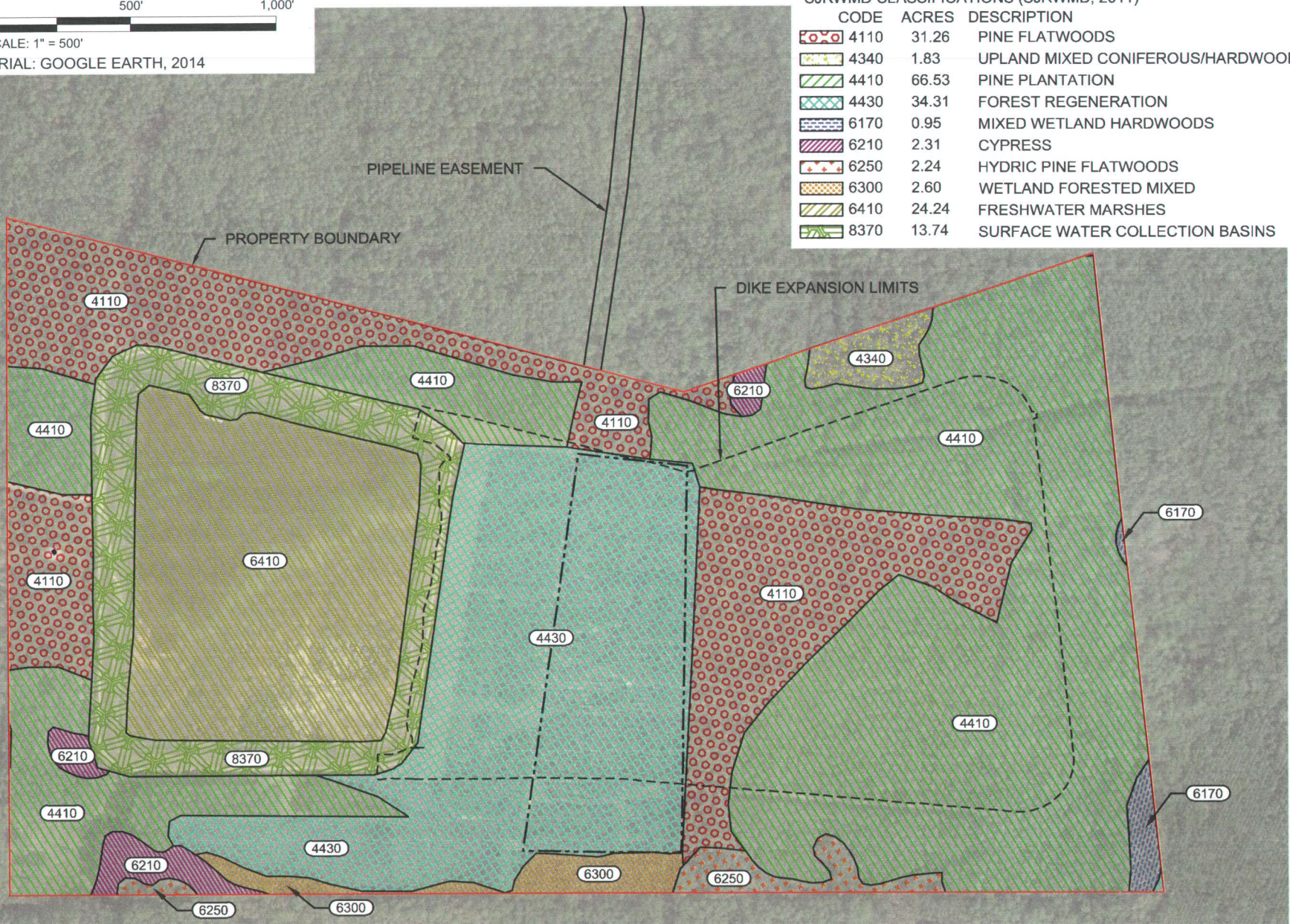
LORI S. BROWNELL P.E. # 60025
DATE 8/14/2016



0 500' 1,000'
SCALE: 1" = 500'
AERIAL: GOOGLE EARTH, 2014

SJRWMD CLASSIFICATIONS (SJRWMD, 2011)

CODE	ACRES	DESCRIPTION
4110	31.26	PINE FLATWOODS
4340	1.83	UPLAND MIXED CONIFEROUS/HARDWOOD
4410	66.53	PINE PLANTATION
4430	34.31	FOREST REGENERATION
6170	0.95	MIXED WETLAND HARDWOODS
6210	2.31	CYPRESS
6250	2.24	HYDRIC PINE FLATWOODS
6300	2.60	WETLAND FORESTED MIXED
6410	24.24	FRESHWATER MARSHES
8370	13.74	SURFACE WATER COLLECTION BASINS



TAYLOR ENGINEERING INC.

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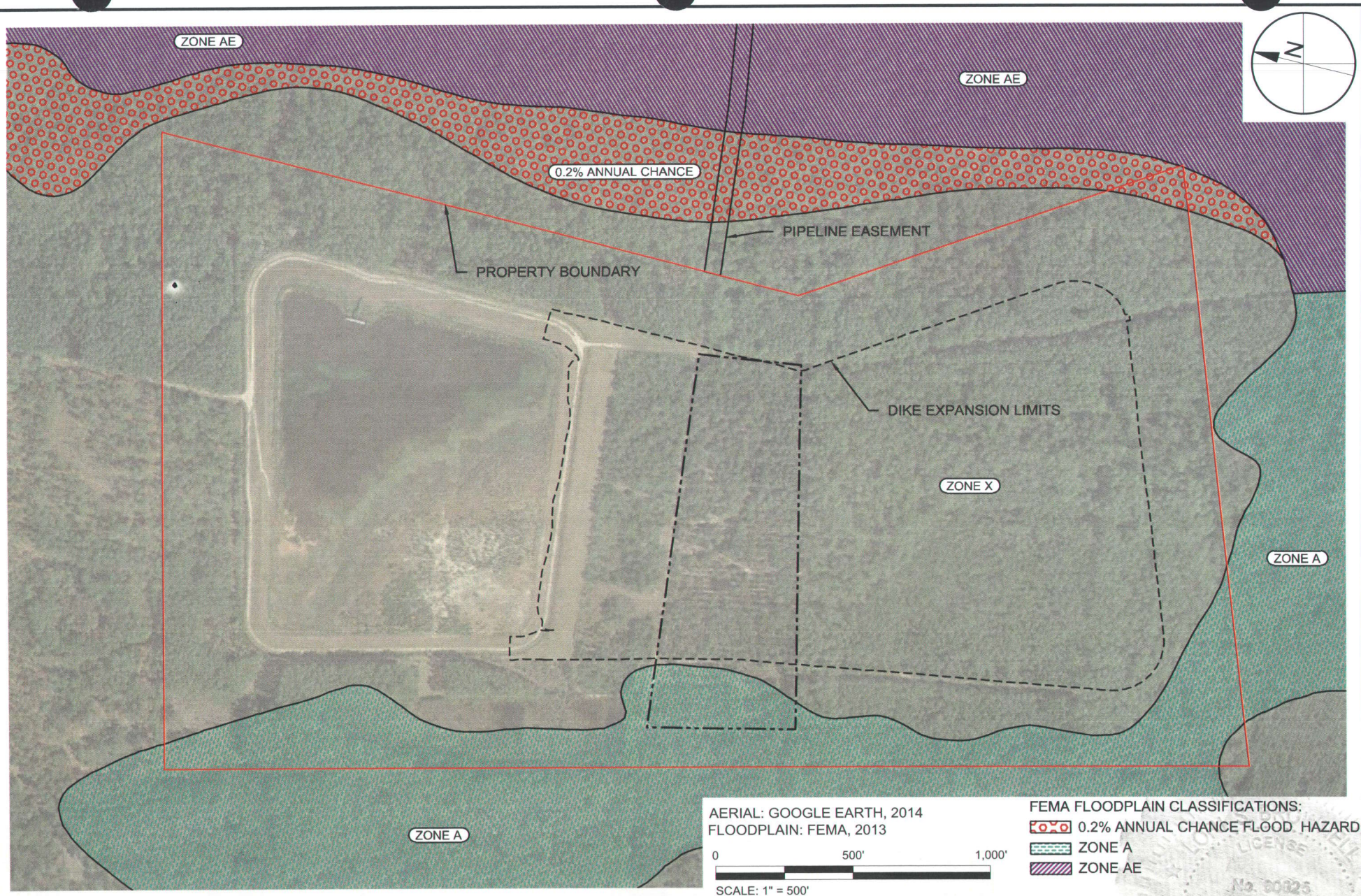
FIGURE E-7
SJRWMD LAND COVER CLASSIFICATIONS
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	7 of 10
DATE	AUG 2016

SEAL

LORI S. BROWNELL P.E. # 60025
DATE

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TAYLOR ENGINEERING INC.

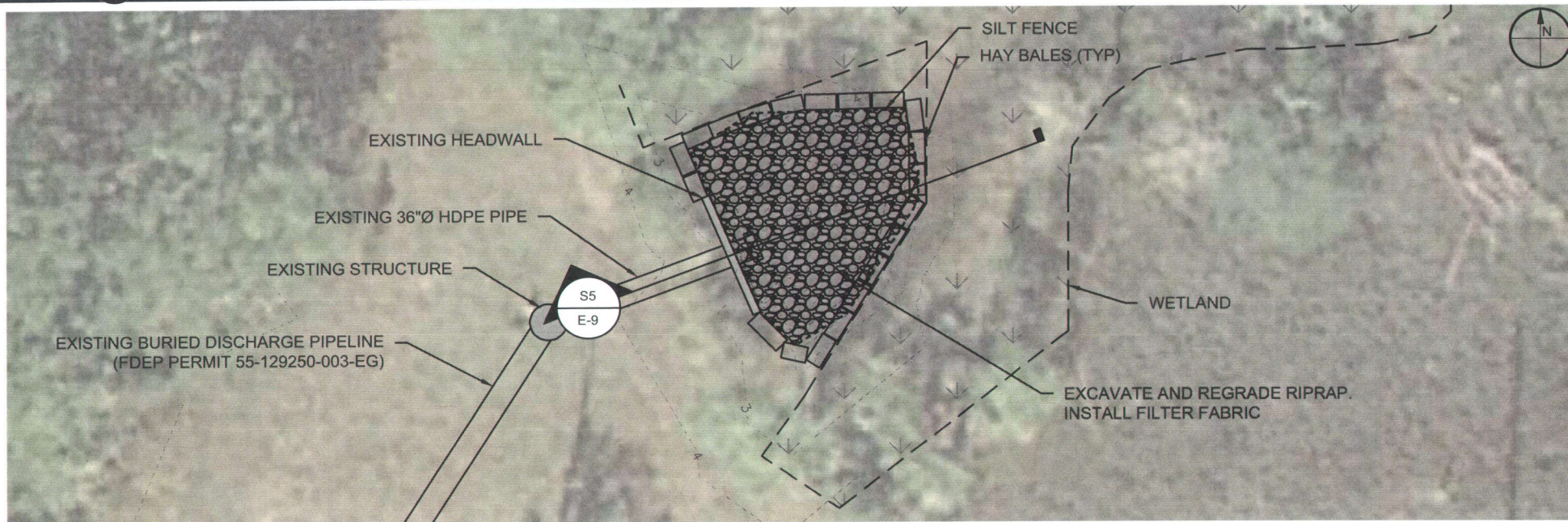
10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-8
FEMA FLOODPLAIN
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	8 of 10
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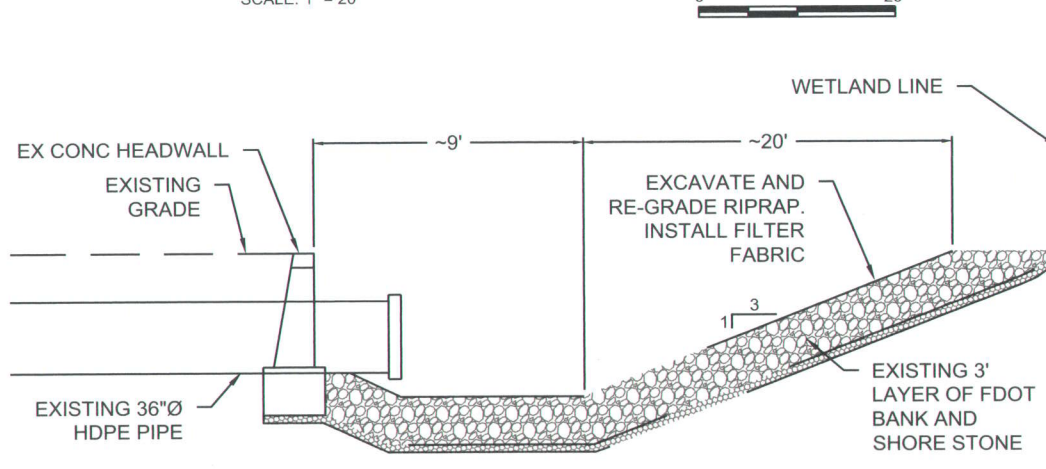
SEAL

[Signature] 8/10/2016
LORI S. BROWNELL P.E. # 60025 DATE



DISCHARGE PIPE OUTFALL PLAN DETAIL

SCALE: 1" = 20'



S5
E-9

DISCHARGE PIPE OUTFALL SECTION

NOT TO SCALE



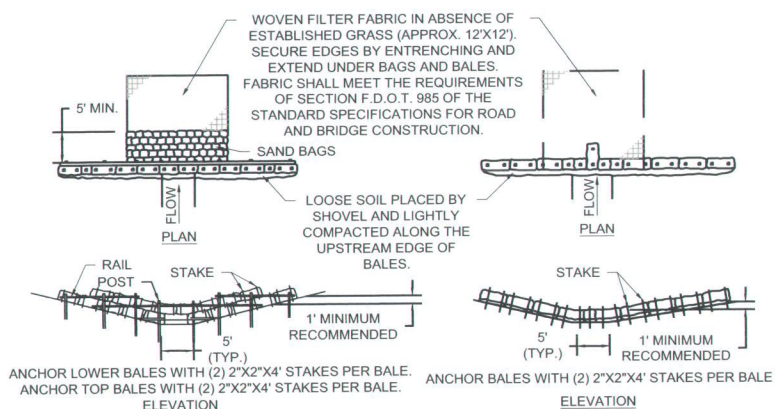
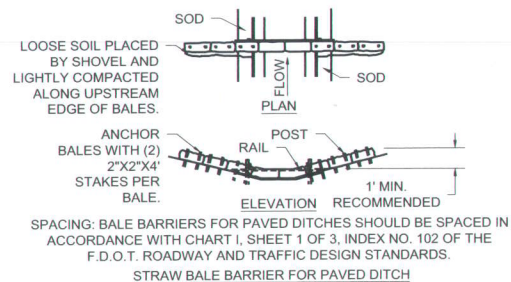
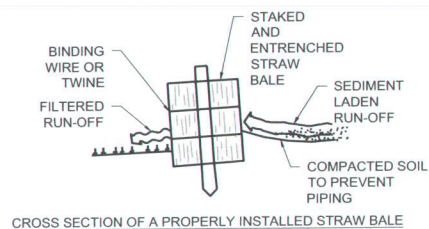
TAYLOR ENGINEERING INC.

10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

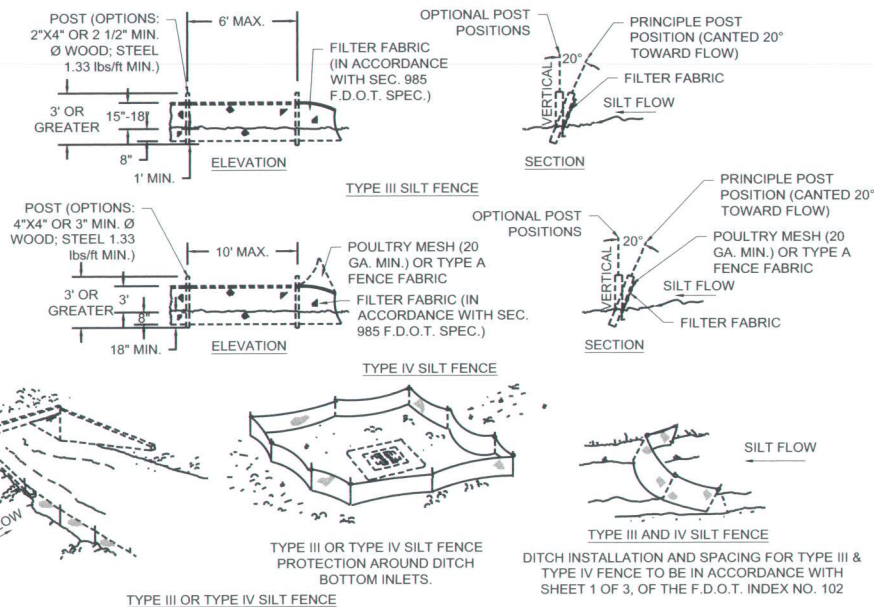
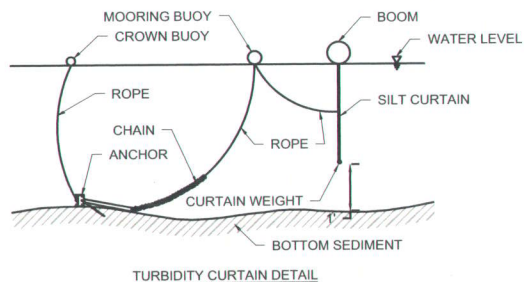
FIGURE E-9
DISCHARGE PIPE OUTFALL RESTORATION
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	9 of 10
DATE	AUG 2016

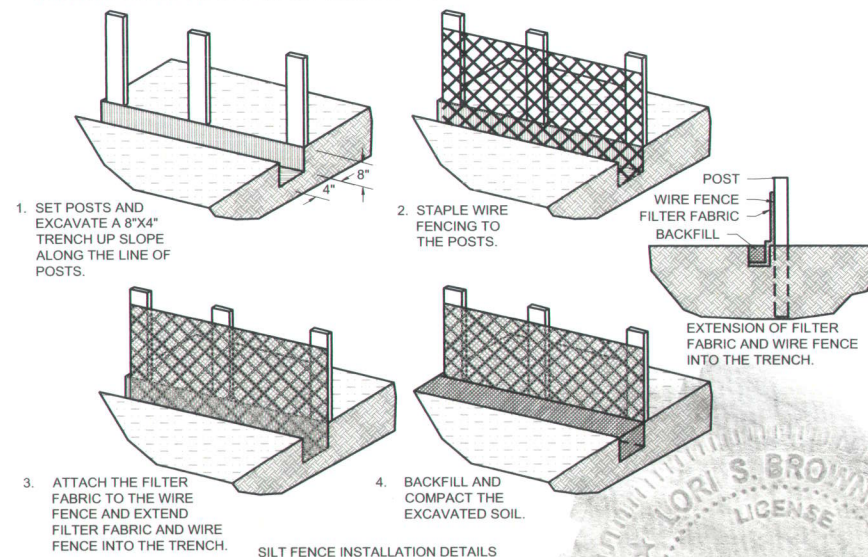
SEAL
LORI S. BROWNELL
LICENSE
No. 60025
8/10/2016
DATE



TYPE II TYPICAL STRAW BALE DETAIL



DO NOT DEPLOY IN A MANNER THAT SILT FENCES WILL ACT AS A DAM ACROSS PERMANENT FLOWING WATERCOURSES. SILT FENCES ARE TO BE USED AT UPLAND LOCATIONS AND TURBIDITY BARRIERS USED AT PERMANENT BODIES OF WATER.



TAYLOR ENGINEERING INC.
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CERTIFICATE OF AUTHORIZATION # 4815

FIGURE E-10
EROSION CONTROL DETAILS
DREDGED MATERIAL MANAGEMENT AREA DU-9
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	10 of 10
DATE	AUG 2016

SEAL
LORI S. BROWNELL
P.E. # 60025
DATE
8-10-2016

CONSTRUCTION COMMENCEMENT NOTICE

Instructions: In accordance with Chapter 62-330.350(1)(d), F.A.C., complete and submit this form at least 48 hours prior to commencement of activity authorized by permit.

Permit No. _____ Application No. _____
Project _____
Name _____ Phase _____

Construction of the system authorized by the above referenced Environmental Resource
Permit and Application, is expected to commence on _____, 20 _____
and will have an estimated completion date of _____, 20 _____

PLEASE NOTE: If the actual construction commencement date is not known within 30 days of issuance of the permit, District staff should be so notified in writing. As soon as a construction commencement date is known, the permittee shall submit a completed construction commencement notice form.

_____ Permittee's or Authorized Agent's Signature	_____ Company	
_____ Print Name	_____ Title	_____ Date
_____ E-mail		_____ Phone Number



AS-BUILT CERTIFICATION AND REQUEST FOR CONVERSION TO OPERATION PHASE

Instructions: Complete and submit this page within 30 days of completion of the permitted activities, as required by the permit conditions. **Any components of the permitted activities that are not in substantial conformance with the permit must be corrected or a modification of the permit will be required in accordance with Rule 62-330.315, Florida Administrative Code (F.A.C.).** The operation phase of the permit is effective when the construction certification for the entire permit/application is approved by the Agency. If the final operation and maintenance entity is not the permittee, the permittee shall operate the system, works or other activities temporarily until such time as the transfer to the operation entity is finalized (use Form 62-330.310(2)).

Permit No.:	Application No(s).	Permittee:
Project Name:		Phase (if applicable):

I HEREBY CERTIFY THAT (please choose accurately and check only one box):

- ☐ I hereby notify the Agency of the completion of construction of all the components of the system, works or other activities for the above referenced project and certify that it has been constructed in substantial conformance with the plans specifications and conditions permitted by the Agency. Any minor deviations will not prevent the system from functioning in compliance with the requirements of Chapter 62-330, F.A.C. Attached is documentary evidence of satisfaction of any outstanding permit conditions, other than long term monitoring and inspection requirements.
- ☐ At the time of final inspection, the works or activities were NOT completed in substantial conformance with the plans and specifications permitted by the Agency. (The registered professional shall describe the substantial deviation(s) in writing, and provide confirming depiction on the as-built drawings and information.)

If there were substantial deviations, plans must be submitted clearly labeled as "as-built" or "record" drawings reflecting the substantial deviations. If there are no substantial deviations, do not submit "as built" drawings.

For activities that require certification by a registered professional:

By:

Signature

Print Name

Fla. Lic. or Reg. No

! AFFIX SEAL !

Company Name

Company Address

Date

For activities that do not require certification by a registered professional:

By:

Signature

Print Name

Company Name

Company Address

Date



DRAWINGS AND INFORMATION CHECKLIST

Following is a list of information that is to be verified and/or submitted by the Registered Professional or Permittee:

1. All surveyed dimensions and elevations shall be certified by a registered Surveyor or Mapper under Chapter 472, F.S.
2. The registered professional's certification shall be based upon on-site observation of construction (scheduled and conducted by the registered professional of record or by a project representative under direct supervision) and review of as-built drawings, with field measurements and verification as needed, for the purpose of determining if the work was completed in accordance with original permitted construction plans, specifications and conditions.
3. If submitted, the as-built drawings are to be based on the permitted construction drawings revised to reflect any substantial deviations made during construction. Both the original design and constructed condition must be clearly shown. The plans need to be clearly labeled as "as-built" or "record" drawings that clearly highlight (such as through "red lines" or "clouds") any substantial deviations made during construction. As required by law, all surveyed dimensions and elevations required shall be verified and signed, dated and sealed by an appropriate registered professional. The following information, at a minimum, shall be verified on the as-built drawings, and supplemental documents if needed:
 - a. Discharge structures - Locations, dimensions and elevations of all, including weirs, orifices, gates, pumps, pipes, and oil and grease skimmers;
 - b. Detention/Retention Area(s) – Identification number, size in acres, side slopes (h:v), dimensions, elevations, contours or cross-sections of all, sufficient to determine stage-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems,
 - c. Side bank and underdrain filters, or exfiltration trenches - locations, dimensions and elevations of all, including clean-outs, pipes, connections to control structures and points of discharge to receiving waters;
 - d. System grading - dimensions, elevations, contours, final grades or cross-sections to determine contributing drainage areas, flow directions and conveyance of runoff to the system discharge point(s);
 - e. Conveyance - dimensions, elevations, contours, final grades or cross-sections of systems utilized to divert off-site runoff around or through the new system;
 - f. Benchmark(s) - location and description (minimum of one per major water control structure);
 - g. Datum- All elevations should be referenced to a vertical datum clearly identified on the plans, preferably the same datum used in the permit plans.
4. Wetland mitigation or restoration areas - Show the plan view of all areas, depicting a spatial distribution of plantings conducted by zone (if plantings are required by permit), with a list showing all species planted in each zone, numbers of each species, sizes, date(s) planted and identification of source of material; also provide the dimensions, elevations, contours and representative cross-sections depicting the construction.
5. Any additional information or outstanding submittals required by permit conditions or to document permit compliance, other than long-term monitoring or inspection requirements.

OPERATION AND MAINTENANCE INSPECTION CERTIFICATION

Instructions: Submit this form to the Agency within 30 days of completion of the inspection after any failure of a stormwater management system or deviation from the permit. This form may also be used to document inspections required under Section 12.4 of Applicant's Handbook Volume I, however submittal to the Agency is not required unless requested by the Agency.

Permit No.: _____ Application No.: _____ Date Issued: _____

Identification or Name of Stormwater Management System: _____

Phase of Stormwater Management System (if applicable): _____

Inspection Date: _____

Inspection results: (check all that apply)

☐ The undersigned hereby certifies that the works or activities are functioning in substantial conformance with the permit. This certification is based upon on-site observation of the system conducted by me or my designee under my direct supervision and my review of as-built plans.

☐ The following maintenance was conducted since the last inspection (attach additional pages if needed):

☐ The undersigned hereby certifies that I or my designee under my direct supervision has inspected this surface water management system and the system does not appear to be functioning in substantial conformance with the permit. I am aware that maintenance or alteration is required to bring the system into substantial compliance with the terms and conditions of the permit. As appropriate, I have informed the owner of the following:

- (a) The system does not appear to be functioning properly;
- (b) That maintenance or repair is required to bring the system into compliance; and
- (c) If maintenance or repair measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to approval by the agency below.

The following components of the system do not appear to be functioning properly (attach additional pages if needed):

Any components of the constructed system that are not in substantial conformance with the permitted system shall require a written request to modify the permit in accordance with the provisions of Rule 62-330.315, F.A.C. If such modification request is not approved by the agency below, the components of the system that are not in conformance with the permit are subject to enforcement action under Sections 373.119, .129, .136, and .430, F.S.



Name of Inspector: _____ Florida Registration Number: _____

Company Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Fax: _____ Email: _____

Signature of Inspector Date

Report Reviewed by Permittee:

Name of Permittee: _____

Signature of Permittee Date

Title (if any)



**FLORIDA INLAND NAVIGATION DISTRICT
DREDGED MATERIAL MANAGEMENT
AREA DU-9 EXPANSION
ST. JOHNS COUNTY, FLORIDA**

APPENDIX B
Department of Army
SAJ-2008-04116



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
POST OFFICE BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

August 4, 2016

Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-2008-04116

Florida Inland Navigation District
Attn: Mr. Mark Crosley
1314 Marcinski Road
Jupiter, Florida 33477

Dear Mr. Crosley:

Reference is made to the Department of the Army permit application submitted by your agent, Taylor Engineering, Incorporated. The proposed project site is contiguous to the Florida Inland Navigation District (FIND) Duval Number 9 (DU-9) Dredged Material Management Area (DMMA) in portions of Section 19, 30, 39, and 40, Township 3 South, Range 29 East, St. Johns County, Florida. The property is part of St. Johns County Property Appraiser Parcel Identification Number 0524600010; and, the approximate central coordinate of the area are latitude 30.224312° and longitude - 81.428262°. The U.S. Army Corps of Engineers (Corps) assigned the application the file number SAJ-2008-04116.

The Corps previously conducted a formal jurisdictional determination of the property. Through that action, the Corps determined that a small hydrologically isolated wetland near the center of a previous sludge disposal area was not within Federal jurisdiction under the Clean Water Act of 1972 (CWA), as amended. However, the Corps determined that several other wetland areas adjacent to the boundaries of the FIND DU-9 DMMA site were within Federal jurisdiction under the CWA.

The information from your agent identifies work that would expand the FIND DMMA DU-9. The Corps reviewed the information submitted. 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.

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. You may contact the Jacksonville FWS office at 904-731-3077.

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 me at the letterhead address or by telephone at 904-232-2028.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. The Corps strives to perform our duty in a friendly and timely manner while working to preserve our environment. The Corps invites you to take a few minutes to visit http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey and complete the 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,

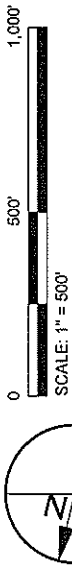


Mark R. Evans
Senior Project Manager


Enclosure

Copies Furnished:

Mr. Noah Adams, Taylor Engineering, 10151 Deerwood Park Boulevard, Building 300,
Suite 300, Jacksonville, Florida 32256



AERIAL: GOOGLE EARTH, JAN 2014

-  1998 WETLANDS, LOTSPREICH & ASSOCIATES, INC.
-  2015 WETLANDS, ENVIRONMENTAL SERVICES, INC.
-  2008 MITIGATION AREA



TAYLOR ENGINEERING INC.

10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

FIGURE 1
PRELIMINARY WETLAND BOUNDARIES
DU-9 DREDGED MATERIAL MANAGEMENT AREA
ST. JOHNS COUNTY, FLORIDA

PROJECT	C2014-075
DRAWN BY	AF
SHEET	1 OF 1
DATE	APR 2016



**FLORIDA INLAND NAVIGATION DISTRICT
DREDGED MATERIAL MANAGEMENT
AREA DU-9 EXPANSION
ST. JOHNS COUNTY, FLORIDA**

APPENDIX B

Florida Fish and Wildlife Conservation Commission
Gopher Tortoise Incidental Take Permit #STJ-24
St. Johns County

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



JAMES L. "JAMIE" ADAMS, JR.
Bushnell

BARBARA C. BARSH
Jacksonville

QUINTON L. HEDGEPEETH, DDS
Miami

H.A. "HERKY" HUFFMAN
Deltona

DAVID K. MEEHAN
St. Petersburg

JULIE K. MORRIS
Sarasota

TONY MOSS
Miami

EDWIN P. ROBERTS, DC
Pensacola

JOHN D. ROOD
Jacksonville

ALLAN L. EGBERT, Ph.D., Executive Director
VICTOR J. HELLER, Assistant Executive Director

November 28, 2000

OFFICE OF ENVIRONMENTAL SERVICES
BRADLEY J. HARTMAN, DIRECTOR
(850)488-6661 TDD (850)488-9542
FAX (850)922-5679

Mr. David Roach
Florida Inland Navigation District
1314 Marcinski Road
Jupiter, Florida 33477-9498

Re: Gopher Tortoise Incidental Take Permit
#STJ-24, St. Johns County

Dear Mr. Roach:

Enclosed is permit STJ-24 for the incidental taking of gopher tortoises, their eggs and their burrows within the development boundaries specified. The application for this permit was complete as of November 28, 2000.

Please contact me or Mr. Rick McCann at (850) 488-6661 if you have any questions regarding this permit.

Sincerely,

A handwritten signature in cursive script that reads "Brian Barnett, for".

Bradley J. Hartman, Director
Office of Environmental Services

BJH/ps
ENV 3-2/5
Enclosure
gtpermit.ltr

cc: Ms. Georgia Katz, St. Johns County Planning Department
Mr. Don Silverberg, Lotspeich and Associates, Inc.
Mr. Paul Stodola, U.S. Army Corps of Engineers, Jacksonville
Ms. Joan Berish, Gainesville Lab, FWC
Major Love, Central Region, FWC
Mr. Rick McCann, OES, FWC
Ms. Angela Williams, Division of Wildlife, FWCC

**PERMIT FOR TAKING OF GOPHER TORTOISES AND
THEIR BURROWS**
Chapter 39-27.002(4) F.A.C.

STATE OF FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Issuance Date: November 28, 2000

Permittee: Florida Inland Navigation District

Permittee Address: 1314 Marcinski Road
Jupiter, FL 33477-9498
(Attn: Mr. David Roach)

Consultant: Mr. Don Silverberg

Consultant Address: Lotspeich and Associates, Inc.
422 West Fairbanks Avenue, Suite 201
Winter Park, FL 32789

Permit Number: STJ-24

Location of Affected Site: approximately 102.8 acres of the 180-acre Dredged Material Management Area DU-9 site, including approximately 54.8 acres of occupied gopher tortoise habitat, situated about 0.5 miles west of the Intracoastal Waterway and 0.5 miles southeast of Pablo Creek, within portions of Sections 19, 30, and 40, T3S, R29E, in St. Johns County (see Attachments 1 and 2). **The 77.2-acre buffer zone surrounding the active disposal area is not included within the area authorized under this permit.**

Permitted Action: The permittee or its agents are authorized to take gopher tortoises, their eggs and their burrows within its development boundaries where such taking is incidental to development activities. The criteria of Rule 39-27.002(4), F.A.C., have been satisfied and the taking, as conditioned below, will not be detrimental to the survival potential of the species.

Provisions/Conditions:

The permittee shall contribute to the acquisition of 13.7 acres of tortoise habitat by paying \$59,362.00 (\$4,333.00 X 13.7 acres) to the **FWC-Land Acquisition Trust Fund, Northeast Florida account**, of the Florida Fish and Wildlife Conservation Commission. Payment shall be sent to the **Florida Fish and Wildlife Conservation Commission, Post Office Box 6150, Tallahassee, FL 32314-6150.**

2. This permit will not go into effect until the permittee has obtained a receipt from the FWC for the mitigation funds specified under condition #1. As described in the permit Notice of Rights Statement, issuance of this permit may be appealed by a concerned party within 21 days of the permittee's receipt of this notice. If a Petition for Administrative Hearing is timely filed within the prescribed time period, the permittee will be notified by the FWC. Upon such notification, the permittee shall cease all work authorized by this permit until the petition is resolved.
3. Receipt of payment must occur in a timely manner so that regional habitat conservation areas can be purchased. Payment shall be made within six months from the date of this notice.

If complete payment of the prescribed mitigation funds is not received by the FWC within the specified time frame, this permit is subject to being voided.

4. This permit does not relieve the permittee from any other "taking" requirements by the U.S. Fish and Wildlife Service (USFWS) or the FWC as to other listed species. Specifically, this permit does not authorize any destruction of scrub jays or scrub jay habitat. Consultation with the USFWS should be sought if this species is present.
5. The permittee or its approved agents are authorized to move tortoises, at their discretion, within the property boundaries to minimize taking. This permit does not authorize the permittee or its agents to possess or move tortoises off the contiguous ownership of the permittee nor to move tortoises into areas previously authorized as a relocation site by a FWC permit. A separate relocation permit from the FWC shall be required for those activities.
6. This permit does not authorize any taking of gopher tortoises beyond that which is a direct result of development activities or the on-site movement of animals addressed in condition #5. Any other form of taking or relocation will require a separate permit from the Executive Director.
7. This permit must be available for inspection at all times while engaged in the permitted activities.
8. This permit is transferrable to subsequent owners of the property.

Notice of Rights Statement: In accordance with Rules 28-5.111 and 28-6.008, F.A.C., and Section 120.60, F.S., any party may request a hearing on this matter pursuant to Section 120.57, F.S., by filing a completed Elections of Rights form (copy attached) by certified mail, return receipt requested, with the undersigned within twenty-one (21) days of receipt of this notice. If timely requested and a hearing is granted, the hearing will be conducted under the procedures established by Section 120.57, F.S. A party will be given the opportunity to be represented by counsel or other qualified representative, to take testimony, to call and cross-examine witnesses, and to have subpoenas issued on your behalf.

Allan L. Egbert, Ph.D.
Executive Director

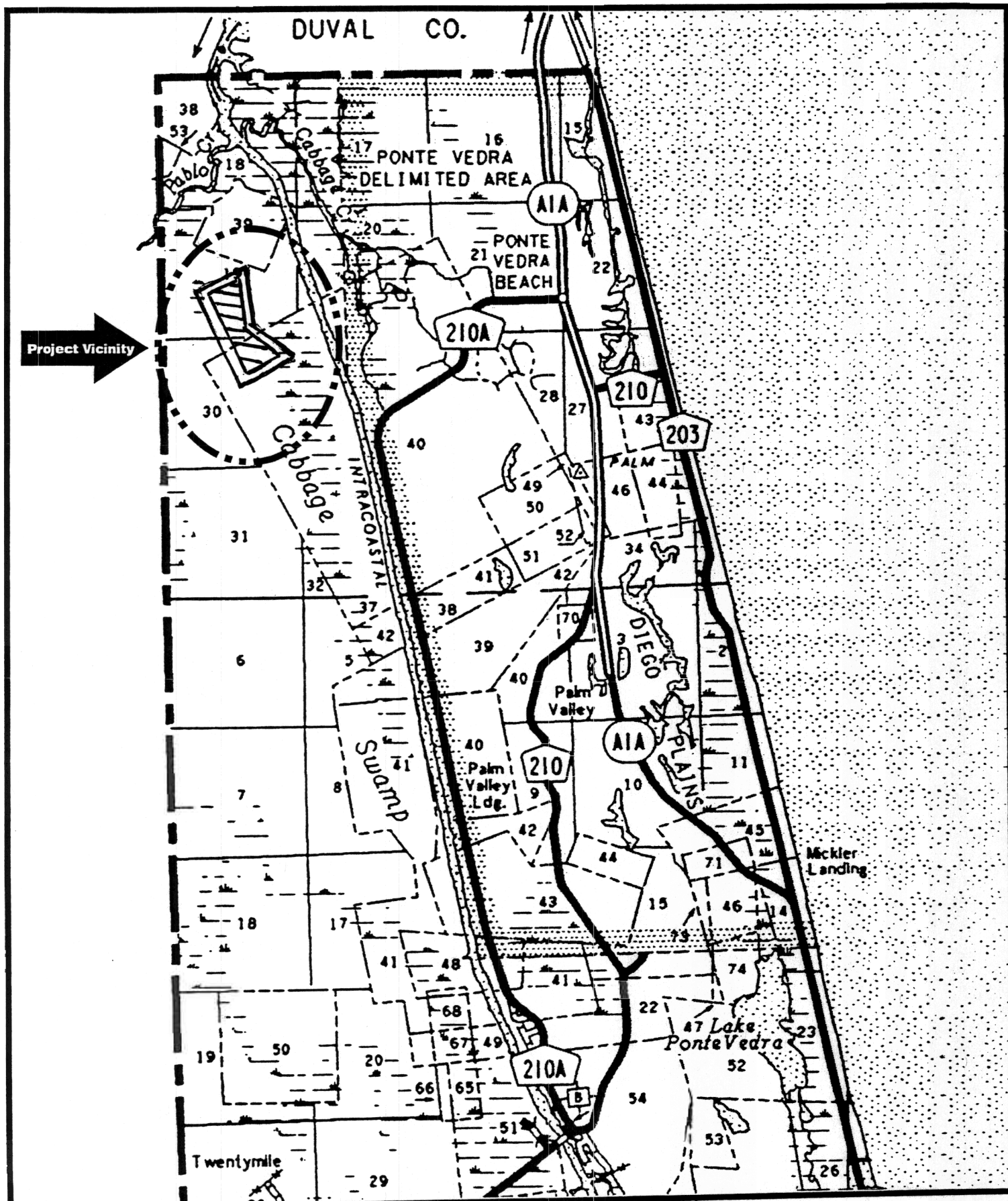
By: Brian Barnett

ENV 3-2/5

gtstj-24

Attachments:

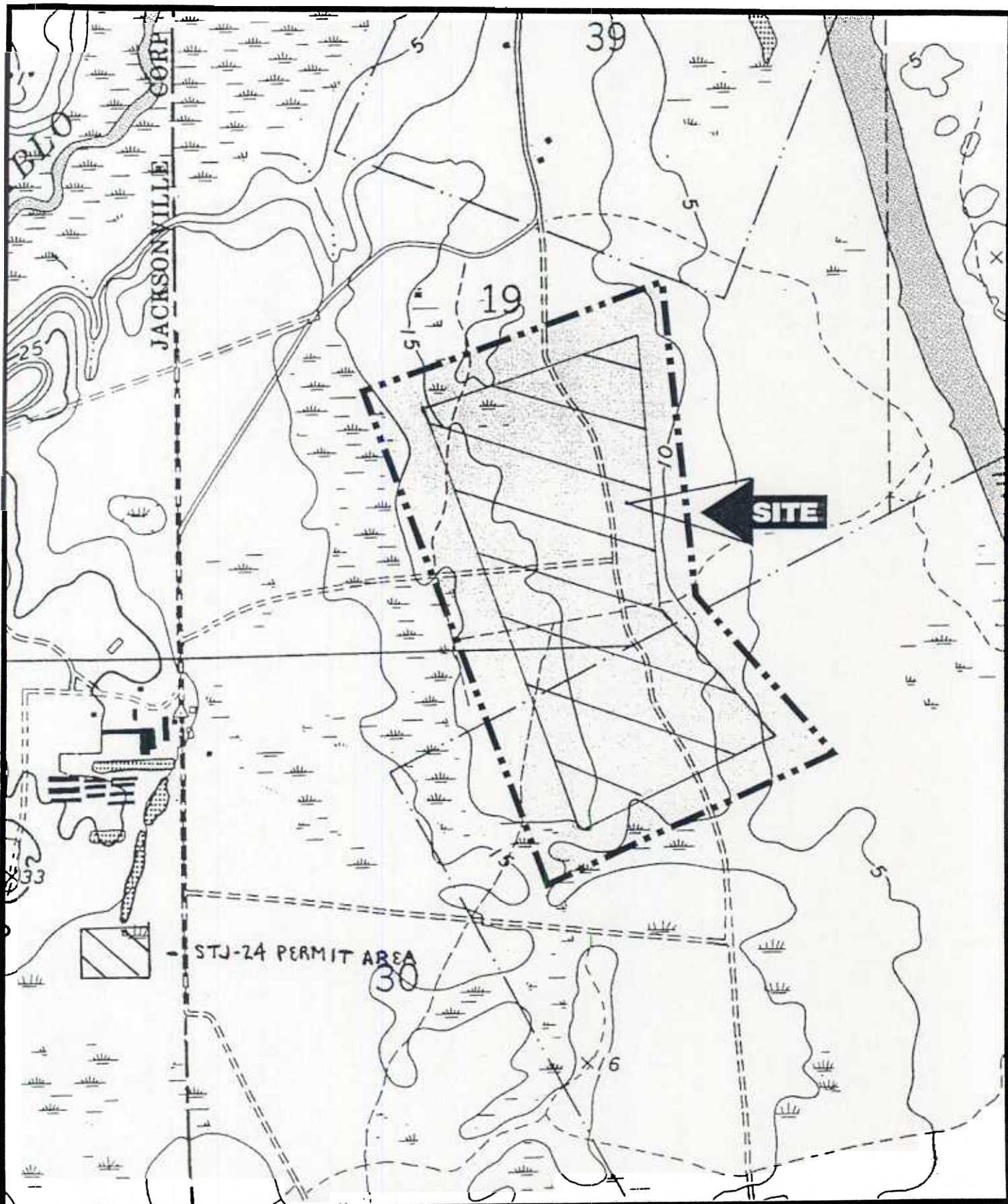
1. General location map
2. Project boundaries map
3. Notice of Rights form



Lotspeich and Associates, Inc.
ECOLOGICAL CONSULTANTS

Dredged Material Management
102.8 ac of Area DU-9
(180.0 acres in Sections 19, 30 & 40, Township 3S, Range 29E)

Vicinity Map



Lotspeich and Associates, Inc.
ECOLOGICAL CONSULTANTS

Dredged Material Management
102.8 ac of Area DU-9

Topographic Map

Source: USGS Palm Valley, FL Quad, 1992