



**ATLANTIC INTRACOASTAL
WATERWAY
MAINTENANCE DREDGING
NASSAU COUNTY REACH I, FLORIDA**

APPENDIX C

USACE Permit SAJ-2016-00719 (RGP-SCW)
Modification SAJ-2008-03402 (SP-SCW)
USACE Permit SAJ-1997-02063 (SP-BAL)



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FL 32232

August 10, 2016

REPLY TO
ATTENTION OF

Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-2016-00719 (RGP-SCW)

Florida Inland Navigation District (FIND)
Mr. Mark Crosley
1314 Marcinski Road
Jupiter, Florida 33477

Dear Mr. Crosley:

Your application for a Department of the Army permit received on June 16, 2016, has been assigned number SAJ-2016-00719. A review of the information and drawings provided shows the proposed work is to mechanically or hydraulically cutter-suction maintenance dredge the Atlantic Intracoastal Waterway (AIWW) in two locations to federally authorized depth with two feet of allowable overdredge. The federally authorized depth is -12 feet below Mean Lower Low Water (MLLW), with 125 foot base width, and 3:1 side slopes. The applicant seeks to maintenance dredge 30,000 cubic yards of sediment from the northernmost portion of the project, located between AIWW Cut 9 to Cut B and 140,000 cubic yards of sediment from the southernmost portion of the project, located between AIWW Cut-27M to Cut-27G. The dredged material from the northernmost project site would be disposed of in DMMA NA-1. The dredged material from the southernmost project site would be disposed of in DMMA DU-2 and/or NA-1. The project would affect waters of the United States associated with the Atlantic Intracoastal Waterway (AIWW) navigation channel in Nassau County, Florida. The proposed project extends from Fernandina Harbor Project (FHP) Cut-9 (Station 1+93) through AIWW Cut-B (Station 0+11) and AIWW Cut-27M (Station 6+16) through AIWW Cut 27-G (Station 5+90). The dredged material disposal sites are Florida Inland Navigation District (FIND) Dredged Material Management Areas (DMMA) NA-1 and DU-2.

Your project, as depicted on the enclosed drawings, is authorized by Regional General Permit (GP) SAJ-93. This authorization is valid until April 26, 2021. Please access the Corps' Jacksonville District Regulatory Division Internet page to view the special and general conditions for SAJ-93, which apply specifically to this authorization. The Internet URL address is:

<http://www.saj.usace.army.mil/Missions/Regulatory.aspx>

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Once there you will need to click on "Source Book"; and, then click on "General Permits". Then you will need to click on the specific SAJ permit noted above. You must comply with all of the special and general conditions of the permit; and, any project-specific conditions noted below, or you may be subject to enforcement action. The following project-specific conditions are included with this authorization:

1. **As-Built Certification:** Within 60 days of completion of the authorized work, the Permittee shall furnish the Corps an "As built Drawing" of the completed project, including a certified/sealed drawing which includes elevations and stations illustrating the total area, including depths. The Permittee shall also provide the Geographic Information Systems (GIS) data set for the area dredged. The information shall be submitted to:

CESAJ-ComplyDocs@usace.army.mil and nmfs.ser.monitoringreportshc@noaa.gov

Hardcopies may be sent to:

Jacksonville District, Regulatory Division
South Permits Branch, Enforcement Section
Post Office Box 4970, Jacksonville, Florida 32232

2. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. **Turbidity Measures:** Turbidity control measures will be used to minimize turbidity impacts from dredging to the maximum extent practicable to control water quality and the work must be in accordance with State Surface Water Quality Standards as outlined in Chapter 62.302, Florida Administrative Code (F.A.C.). Turbidity control measures may include, but are not limited to, turbidity control curtains, the exclusive use of suction dredging, and the exclusive use of closed "clam shell" dredging, or any other technique necessary to reduce turbidity to meet State Surface Water Quality Standards. The FDEP may require the applicant to submit a turbidity report within seven (7) days of sample collection, which may be verified by federal, state, or local government inspectors. More frequent report submissions, such as daily, may be requested or

required by FDEP. If turbidity generated from the project exceeds acceptable levels as defined in Chapter 62-302.530, F.A.C. during normal work hours, i.e., 8:00 am to 5:00 pm, the Permittee shall immediately notify the Corps. If the exceedance occurs after normal work hours, the Permittee shall notify the Corps on the morning of the following workday. All dredging or disposal shall cease until corrective measures have been taken and turbidity has returned to acceptable levels.

4. Environmental Protection Plan: The Permittee is prohibited from dumping oil, fuel, or hazardous wastes in the work area, and will adopt safe and sanitary measures for the disposal of solid wastes in accordance with federal, state, and local requirements. The Permittee shall develop an environmental protection plan to address concerns regarding monitoring of equipment, maintenance and security of fuels, lubricants, and spill prevention. The plan shall be submitted to the Corps for review and approval at least 30 days prior to commencement of work under this permit. Subsequent environmental protection plans for individual verifications are not required unless provided there are no major changes to the plan.

5. Manatee Conditions:

- a. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work - 2011" available at:
http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/Manatee/2011_StandardConditionsForIn-waterWork.pdf .
- b. For any proposed project located within 500-feet of a Warm Water Aggregation Area (WWAA) or Important Manatee Area (IMA) (identified on the Manatee Key maps available at
http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/Manatee/County_Maps_2013.pdf , the Permittee shall comply with the listed restricted dredging protocols. If a proposed project is within 500-feet of a WWAA or IMA and the Permittee is unable to implement the specified dredging protocols, the Corps will coordinate with the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. Upon completion of coordination, the Corps may elect to verify the project under this permit with the inclusion of any additional applicable special conditions. The Manatee Key 2013, or any future revised keys, is available at:
<http://www.saj.usace.army.mil/Missions/Regulatory/SourceBook.aspx>.
(Note: The manatee key may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the verification of any dredging activity under this permit).

- c. During clamshell dredging operations, a dedicated observer shall monitor for the presence of manatees. The dedicated observer shall have experience in manatee observation and be equipped with polarized sunglasses to aid in observing. Nighttime lighting of waters within and adjacent to the work area shall be illuminated using shielded or low-pressure sodium-type lights, to a degree that allows the dedicated observer to sight any manatee on the surface within 200 feet of the dredging operation. The dredge operator shall gravity-release the clamshell bucket only at the water surface, and only after confirmation that there are no manatees within the safety distance identified in the standard construction conditions.
- d. Barges shall install mooring bumpers that provide a minimum 4-foot standoff distance under maximum compression between other moored barges and large vessels.
- f. Pipelines may be weighted or floated and shall be positioned such that they do not restrict manatee movement to the maximum extent possible. Pipelines transporting dredged material shall be weighted or secured to the bottom substrate as necessary to prevent movement of the pipeline and to prevent manatee entrapment or crushing.
- g. In the event that such pipeline positioning has the potential to impact seagrass or nearshore hardbottom, the pipeline may be elevated or secured to the bottom substrate to minimize impacts

6. Sea Turtle and Smalltooth Sawfish Conditions:

- a. The Permittee shall comply with National Marine Fisheries Service's "Sea Turtle and Smalltooth Sawfish Construction Conditions" dated March 23, 2006 and available at http://www.saj.usace.army.mil/Portals/44/docs/regulatory/sourcebook/endangered_species/sea_turtles/inwaterWorkSeaTurtle032306.pdf .

7. Cultural Resources/Historic Properties:

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, 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), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office (850-245-6333) and the Corps (904-232-1658) to

assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7.

- b. In the unlikely event that human remains are identified, they will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, the State Archaeologist (850-245-6444) and the Corps (904-232-1658) shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.

8. Annual Reporting: The Permittee shall provide an annual report to the Corps by 31 March of each year that includes: a list of all verifications under this permit; total quantity of material dredged; GIS coverage of all cuts/shoals dredged; construction schedule; the results of all required mitigation and monitoring, including pre and post seagrass surveys with supporting GIS data set; and miles of shoreline where dredged material was placed on the beach for the prior year.

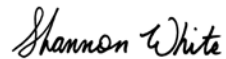
This authorization does not give absolute Federal authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions mandated by the National Flood Insurance Program. You should contact your local office that issues building permits to determine if your site is located in a flood-prone area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program.

If you are unable to access the internet or require a hardcopy of any of the conditions, limitations, or expiration date for the above referenced RGP, please contact Shannon White by telephone at 904-232-1681.

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 complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

Sincerely,

A handwritten signature in black ink that reads "Shannon White". The script is cursive and fluid.

Shannon White
Project Manager

Enclosures

Copies Furnished:

Taylor Engineering, 10151 Deerwood Park Blvd., Bldg 300, Jacksonville, FL 32256
CESAJ-RD-PE

GENERAL CONDITIONS
33 CFR PART 320-330

1. The time limit for completing the work authorized ends on the **dates identified in the letter.**
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representative from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: RGP-93
Application Number: SAJ-2016-00719

Permittee's Name & Address (please print or type): _____

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

PROPERTY IS INACCESSIBLE WITHOUT PRIOR NOTIFICATION: YES _____ NO _____

TO SCHEDULE AN INSPECTION PLEASE CONTACT _____
AT _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks,
dredging,
etc.): _____

Acreage or Square Feet of Impacts to Waters of the United States: _____

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

DEPARTMENT OF THE ARMY PERMIT TRANSFER REQUEST

PERMIT NUMBER: SAJ-2016-00719 (RGP-SCW)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. Although the construction period for works authorized by Department of the Army permits is finite, the permit itself, with its limitations, does not expire.

To validate the transfer of this permit and the associated responsibilities associated with compliance with its terms and conditions, have the transferee sign and date below and mail to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, FL 32232-0019.

(TRANSFEREE-SIGNATURE)

(SUBDIVISION)

(DATE)

(LOT)

(BLOCK)

(NAME-PRINTED)

(STREET ADDRESS)

(MAILING ADDRESS)

(CITY, STATE, ZIP CODE)

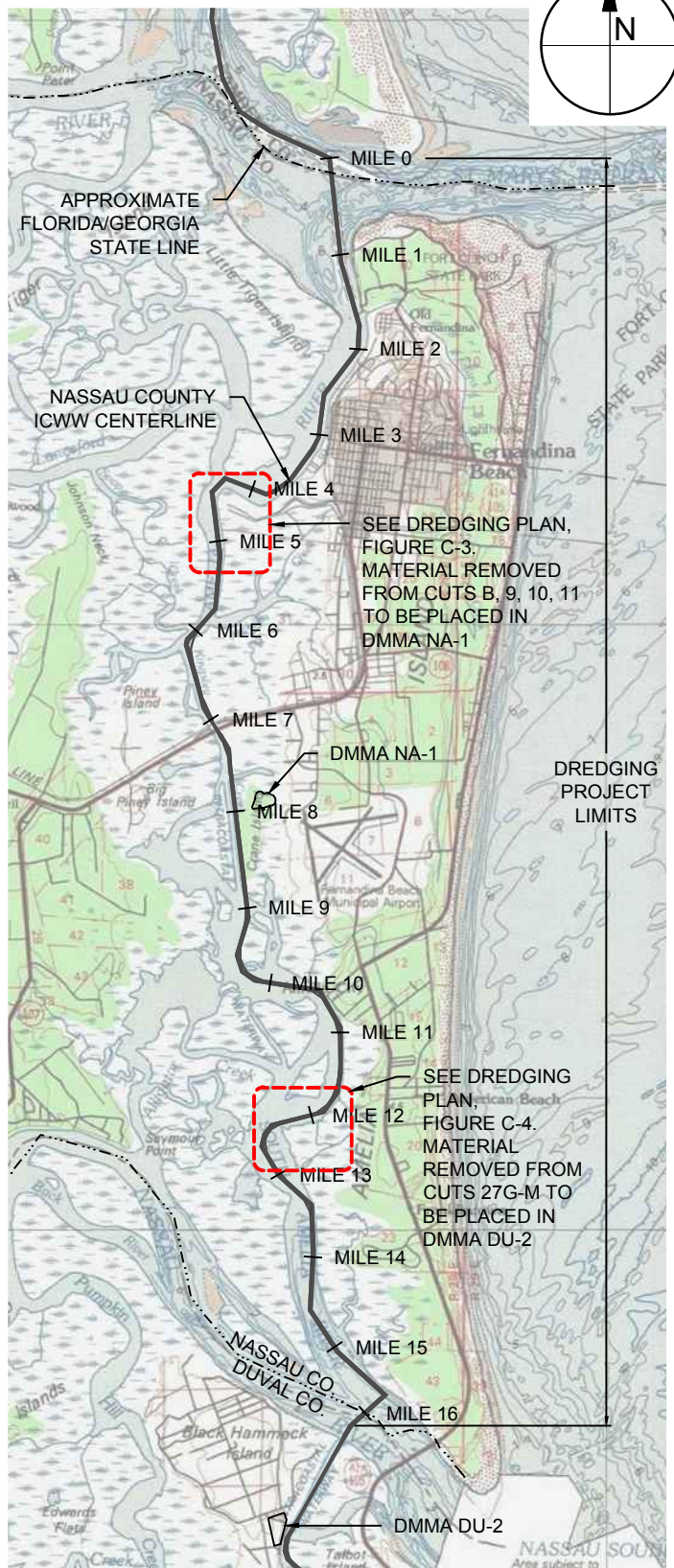


DRAWING INDEX

- C-1 TITLE SHEET
- C-2 OVERVIEW
- C-3 DREDGING PLAN CUTS A, B, 11, 10
- C-4 DREDGING PLAN CUTS 27-G THRU 27-M
- C-5 DREDGING PLAN CUTS A, B, 11, 10, ALT 2
- C-6 DMMA DU-2 PLAN
- C-7 DMMA NA-1 PLAN
- C-8 TYPICAL DREDGING SECTIONS

GENERAL NOTES:

1. HORIZONTAL DATA ARE IN FEET AND RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM BASED ON THE TRANSVERSE MERCATOR PROJECTION FOR FLORIDA, EAST ZONE (0901), NORTH AMERICAN DATUM, (NAD) OF 1983, 1990 ADJUSTMENT.
2. VERTICAL DATA ARE IN FEET AND RELATIVE TO MEAN LOWER LOW WATER (MLLW). MEAN LOWER LOW WATER WAS TRANSLATED FROM THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) UTILIZING THE LATEST VERSION OF VDUTUM (VERTICAL DATUM TRANSFORMATION) PROVIDED BY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA), NATIONAL OCEAN SERVICE (NOS).
3. INTRACOASTAL WATERWAY NASSAU COUNTY, FLORIDA CHANNEL BATHYMETRY SURVEY WAS CONDUCTED ON JULY 9-11, 2014 AND JANUARY 31, 2015 BY SEA DIVERSIFIED, INC.
4. TOPOGRAPHIC SURVEY OF FIND DMMA DU-2 WAS CONDUCTED BY SEA DIVERSIFIED, INC ON OCTOBER 7-8, 2015.
5. AERIAL IMAGERY TAKEN IN 2014 AND OBTAINED FROM GOOGLE EARTH. AERIAL IMAGERY DISPLAYED HEREON FOR INFORMATIONAL PURPOSES ONLY, NO PHOTOGRAPHIC ACCURACY IS IMPLIED BY THIS MAP.
6. FEDERAL NAVIGATION CHANNEL LIMITS OBTAINED FROM THE U.S. ARMY CORPS OF ENGINEERS JACKSONVILLE DISTRICT.
7. ALL DREDGE SPOIL WILL BE DISCHARGED WITHIN FLORIDA INLAND NAVIGATION DISTRICT (FIND) OWNED UPLAND DREDGED MATERIAL MANAGEMENT AREAS (DMMA) NA-1 AND DU-2.
8. DMMA'S ARE SITED TO REMAIN ON UPLAND PROPERTY ABOVE THE MEAN HIGH WATER LINE. DMMA'S WILL INCLUDE STAKED HAY BALES AND TURBIDITY CURTAINS AT ANY CONTROLLED OVERFLOW/DISCHARGE AREAS.
9. DREDGING IS PROPOSED IN TWO AREAS: FHP CUT-9 THROUGH AIWW CUT-B; AIWW CUT-27L THROUGH CUT-27G.



VICINITY MAP

1"= 10,000'



TAYLOR ENGINEERING INC.

10151 DEERWOOD PARK BLVD.
BLDG. 300, SUITE 300
JACKSONVILLE, FL 32256

CERTIFICATE OF AUTHORIZATION # 4815

FIGURE C-1
TITLE SHEET
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT C2015-048 DRAWN BY AF SHEET 1 of 8 DATE JAN 2016

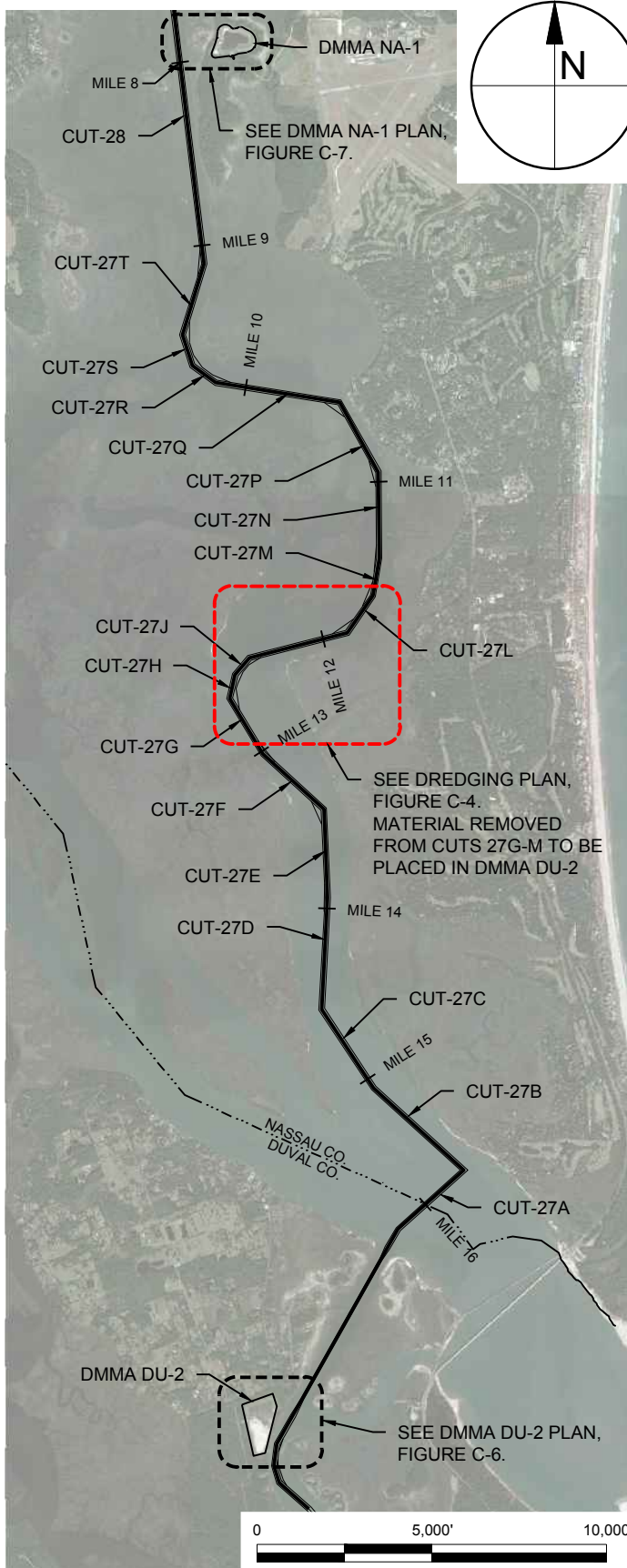
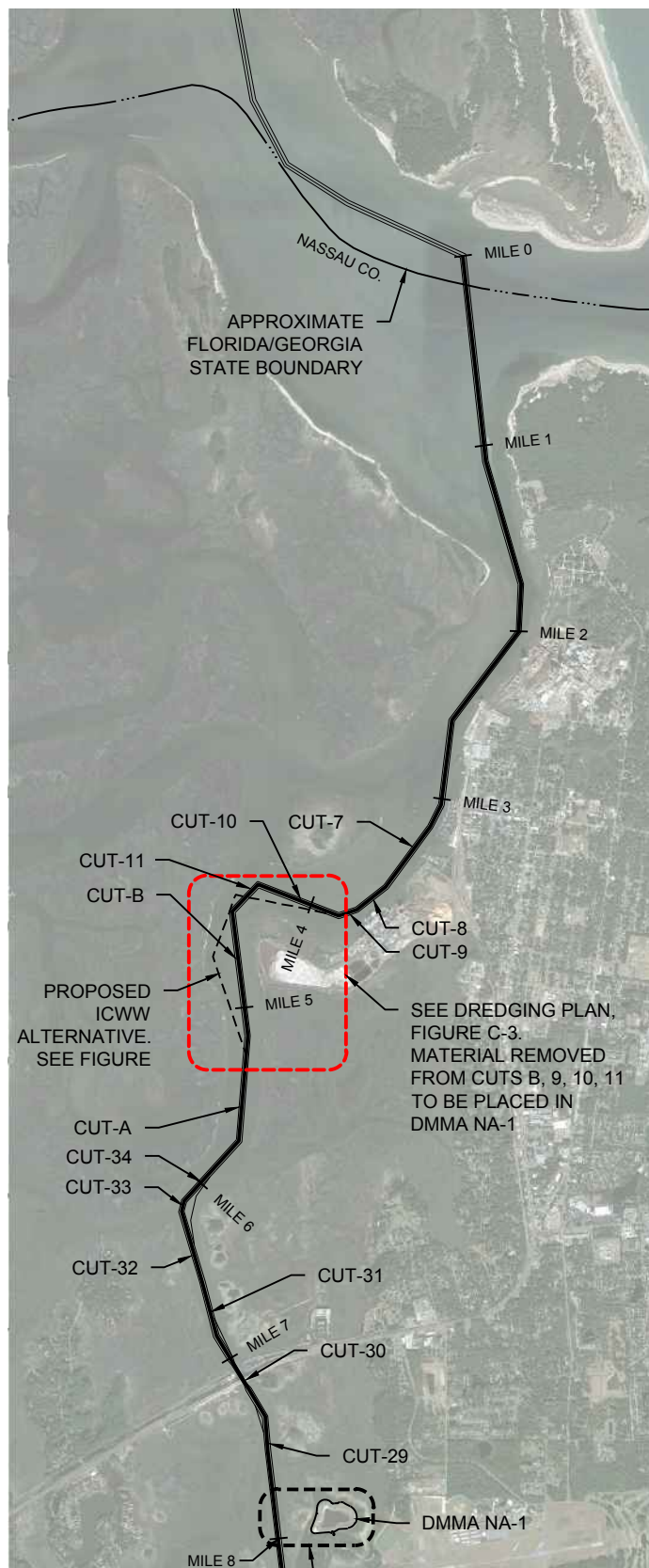
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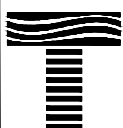
BILL ALEY, PG. #16747

DATE

NOTE: DREDGING IS PROPOSED IN TWO AREAS: FHP CUT-9 THROUGH AIWW CUT-B; AIWW CUT-27L THROUGH CUT-27G.



ANTON FLEWELLING X:\SYSTEMS\PROJECTS\2015-048 FIND NASSAU REACH 1\PERMIT\2015-048 P-DREDGE OVERVIEW.DWG 3/16/2016 9:15:26 AM



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JACKSONVILLE, FL 32256
CERTIFICATE OF AUTHORIZATION # 4815

**FIGURE C-2
OVERVIEW
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA**

PROJECT	DRAWN BY	SHEET	DATE
C2015-048	AF	2 of 8	JAN 2016

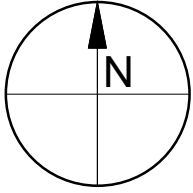
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BILL ALEY, PG. #16747

DATE

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



LIMIT OF DREDGING
CUT-10-ALT2
STA: 4+88

CUT-10

LIMIT OF DREDGING
CUT-9
STA: 1+93

CUT-11

CUT-9

CUT-B

OFFICIAL ICWW CENTERLINE

PROPOSED ICWW CENTERLINE

LIMIT OF DREDGING
CUT-B-ALT2
STA: 11+29

LIMITS OF DREDGING (TYP)

LIMIT OF DREDGING
CUT-B-ALT2
STA: 0+11

CUT-A

S3

C-8

DREDGE VOLUME: 26,387 CY

0 600' 1,200'

SCALE: 1" = 600'



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JACKSONVILLE, FL 32256

CERTIFICATE OF AUTHORIZATION # 4815

FIGURE C-3

DREDGING PLAN CUTS A, B, 11, 10, ALT 2
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

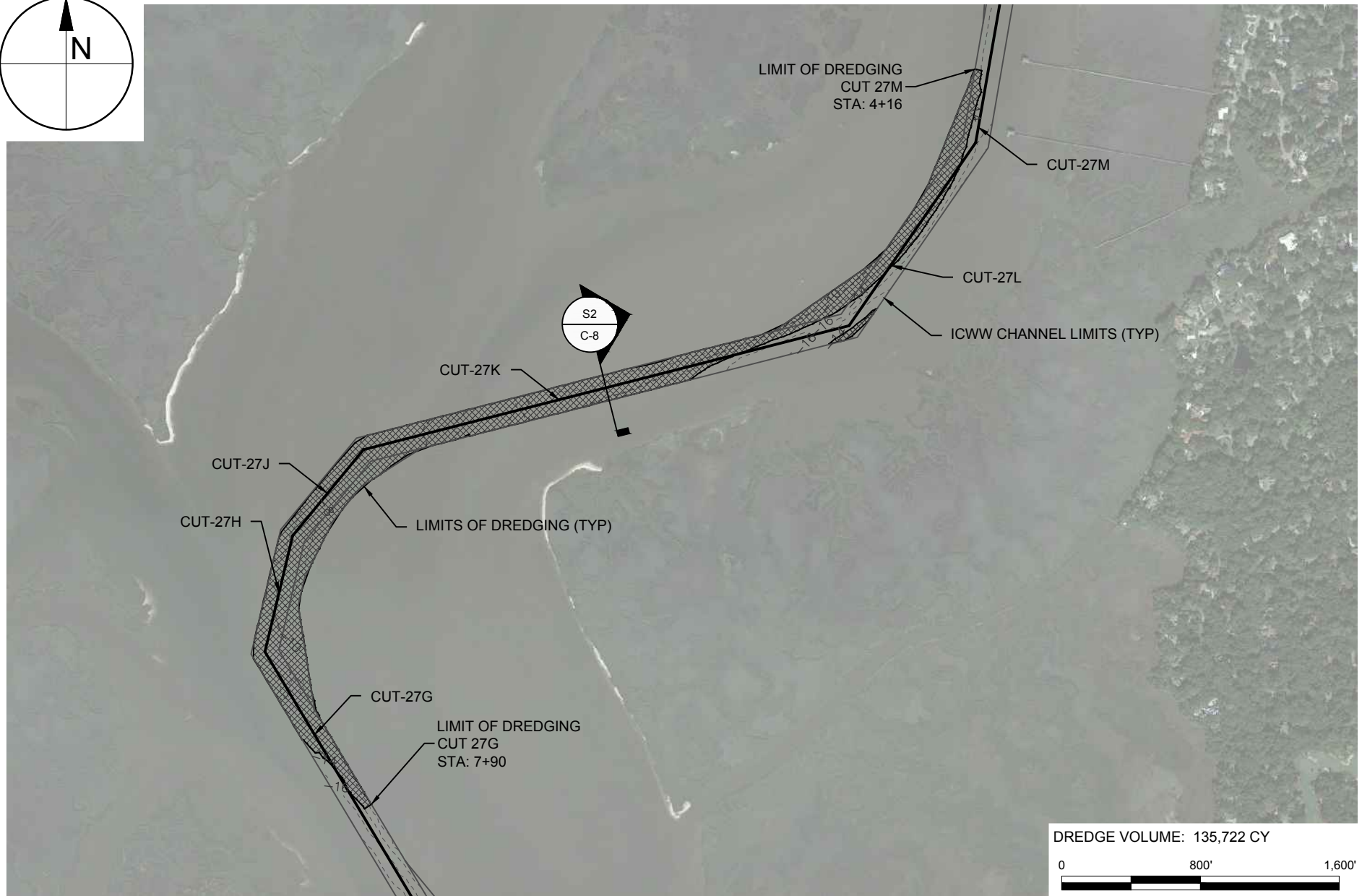
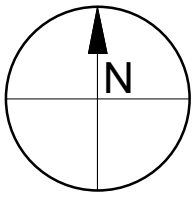
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PROJECT	C2015-048	DRAWN BY	AF	SHEET	5 of 8	DATE	JAN 2016
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BILL ALEY, PG. #16747

DATE



DREDGE VOLUME: 135,722 CY

0 800' 1,600'

SCALE: 1" = 800'



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FIGURE C-4
DREDGING PLAN CUTS 27-G THRU 27-M
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	AF
SHEET	4 of 8
DATE	JAN 2016

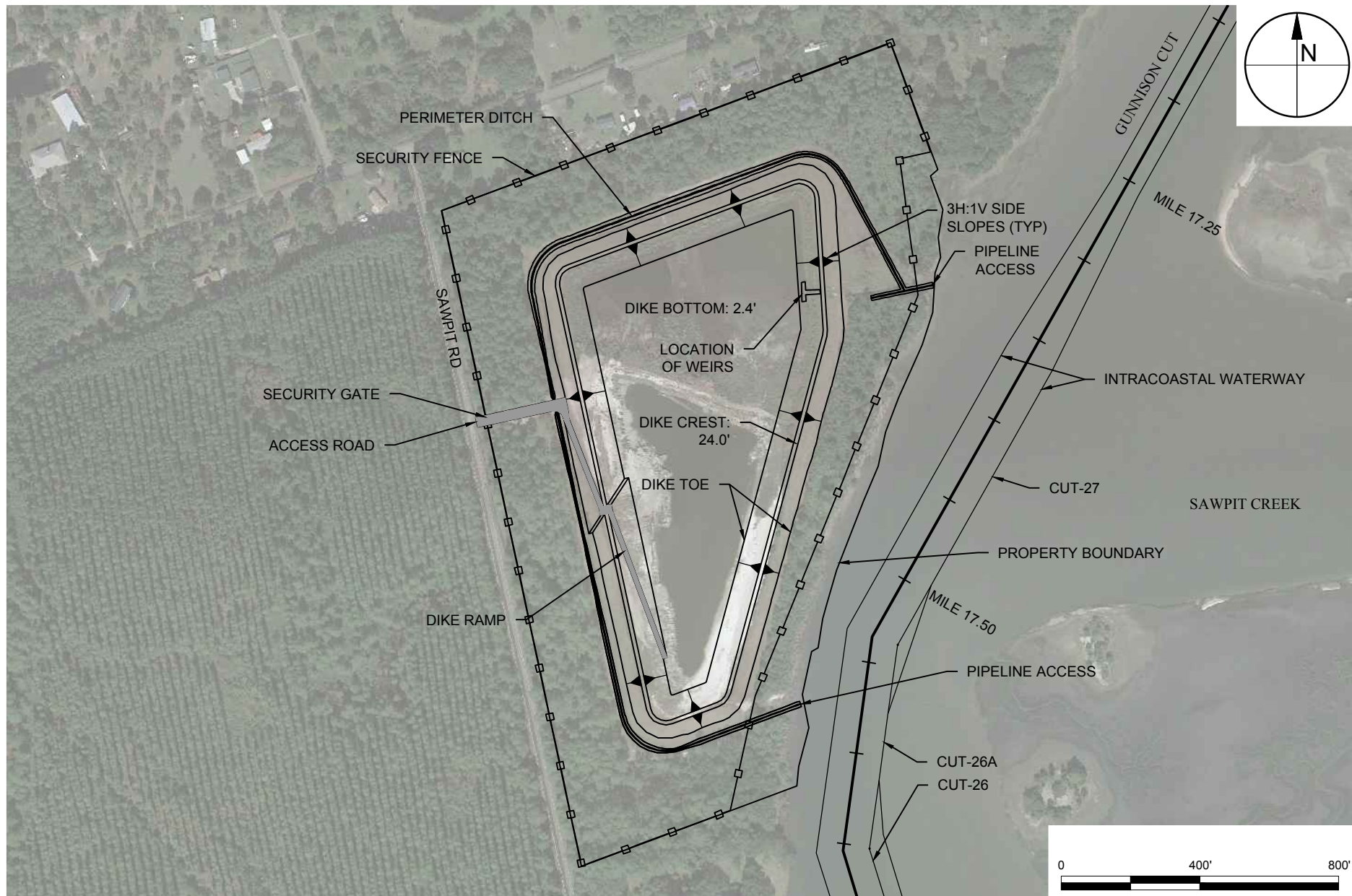
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BILL ALEY, PG. #16747

DATE

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CERTIFICATE OF AUTHORIZATION # 4815

FIGURE C-6
DMMA DU-2 PLAN
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	AF
SHEET	6 of 8
DATE	JAN 2016

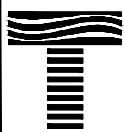
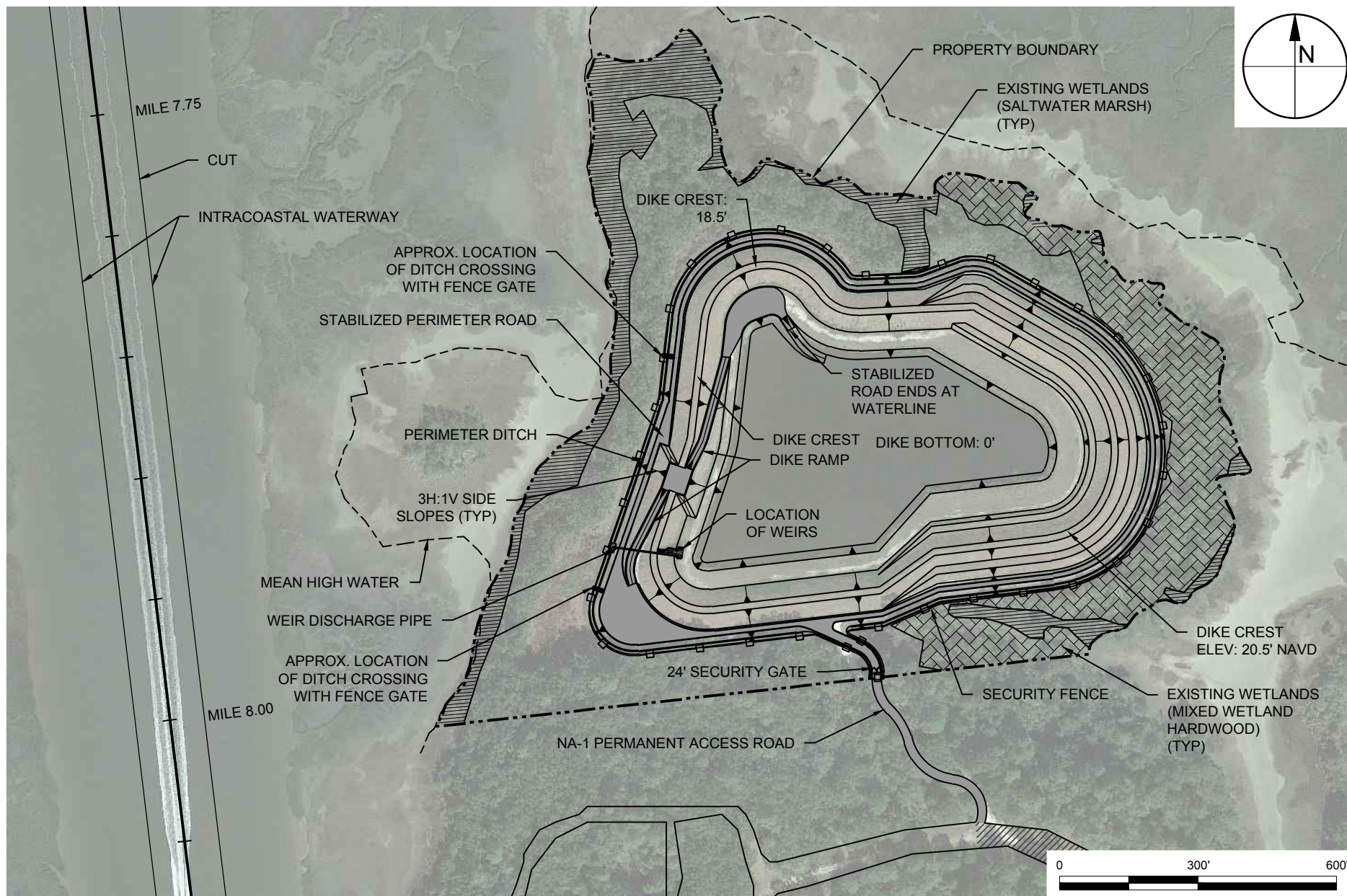
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BILL ALEY, PG. #16747

DATE

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

FIGURE C-7
DMMA NA-1 PLAN
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	AF
SHEET	7 of 8
DATE	JAN 2016

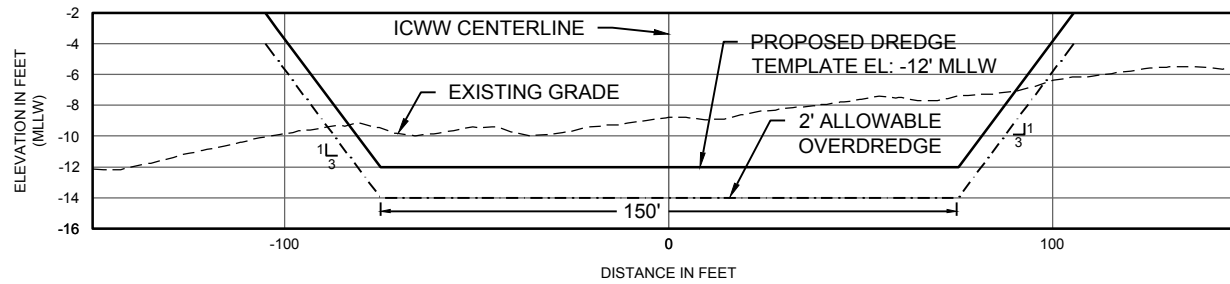
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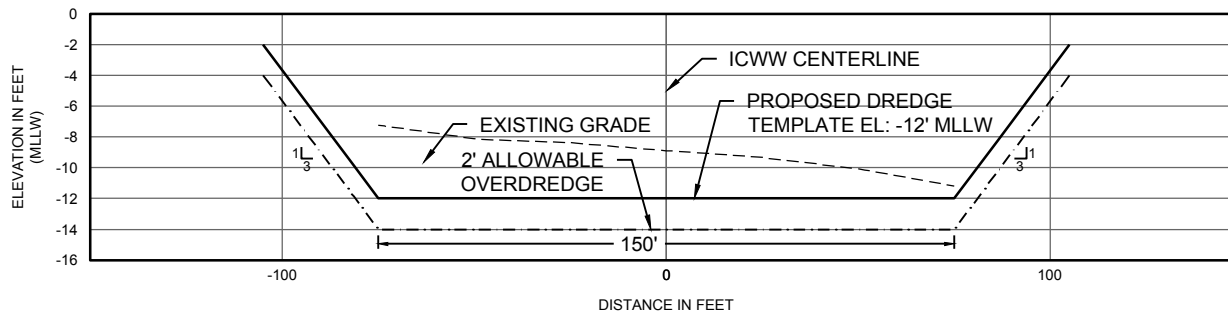
BILL ALEY, PG. #16747

DATE

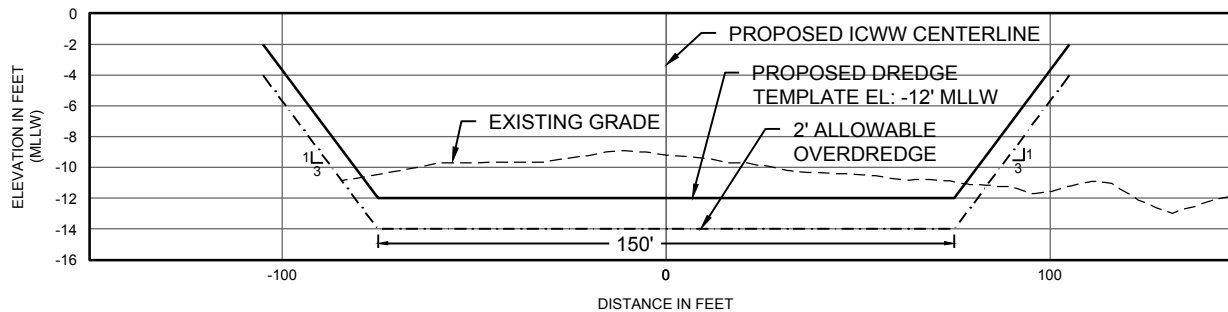
ANTON FLEWELLING X:\SYS\PROJECTS\C2015-048\FND NASSAU REACH 1\PERMIT\C2015-048-P-DREDGE SECTIONS.DWG 3/16/2016 9:17:04 AM



S1
C-3
TYPICAL DREDGING SECTION - CUT-B
SCALE: 1" = 50'



S2
C-4
TYPICAL DREDGING SECTION - CUT-27K
SCALE: 1" = 50'



S3
C-5
TYPICAL DREDGING SECTION - CUT-B-ALT2
SCALE: 1" = 50'



TAYLOR ENGINEERING INC.

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

FIGURE C-8
TYPICAL DREDGING SECTIONS
NASSAU CO. ICWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	AF
SHEET	8 of 8
DATE	JAN 2016

SEAL

DRAFT

BILL ALEY, PG. #16747

DATE



REPLY TO
ATTENTION

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. BOX 4970
JACKSONVILLE, FLORIDA 32232

December 7, 2016

Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-2008-03402 (SP-SCW)
Modification-1

Florida Inland Navigation District (FIND)
Attn: Mark Crosley
1314 Marcinski Road
Jupiter, Florida 33477

Dear Mr. Crosley:

The U.S. Army Corps of Engineers (Corps) has completed the review and evaluation of your modification request, received on July 22, 2016, in which you asked to revise the plans authorized by Department of the Army permit number SAJ-2008-08270 issued on December 9, 2011. The permit expires on December 9, 2021 and authorizes the discharge fill to permanently eliminate 1.87 acres of waters of the United States (1.30 mixed wetland hardwoods and 0.57 acre of inland pond and slough wetlands) for the construction of a 19.5-acre dredge material management area. The purchase of 1.27 mitigation bank credits from the Loblolly Mitigation Bank was required to compensate for the authorized impacts to waters of the U.S. (wetlands). The project site is located on Crane Island, west of Fernandina Beach Municipal Airport, in Section 19, Township 2 North, Range 28 East, Amelia Island, Nassau County, Florida.

The proposed modification would result in 1.03-acre of temporary impact to tidal marsh wetlands associated with a 60-foot by 550-foot pipeline corridor for the temporary placement of dredge discharge and return pipes. The modification must be completed in accordance with the two pages of enclosed construction drawings, and the special conditions, which are incorporated in, and made a part of the permit.

>Special Conditions:

1. **Temporary Wetland Impacts:** Within 120 days from the date of completing the work authorized by this permit, the Permittee shall restore 1.06 acre of temporary wetland impacts as detailed on Drawing 2 of 2 to pre-existing contours, elevations, vegetation, habitat type, and hydrology.

2. **Assurance of Navigation and Maintenance:** The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of

the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. **Turbidity Barriers:** Prior to the initiation of any of the work authorized by this permit, the Permittee shall install floating turbidity barriers with weighted skirts that extend to within 1 foot of the bottom around all work areas that are in, or adjacent to, surface waters. The turbidity barriers shall remain in place and be maintained until the authorized work has been completed and all suspended and erodible materials have been stabilized. Turbidity barriers shall be removed upon stabilization of the work area.

4. **Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work – 2011” (Attachment 2).

5. **Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with National Marine Fisheries Service's “Sea Turtle and Smalltooth Sawfish Construction Conditions” dated March 23, 2006 (Attachment 3).

6. **Cultural Resources/Historic Properties:**

a. No structure or work shall adversely affect impact or disturb properties listed in the *National Register of Historic Places* (NRHP) or those eligible for inclusion in the NRHP.

b. If during the ground disturbing activities and construction work within the permit area, there are archaeological/cultural materials encountered which were not the subject of a previous cultural resources assessment survey (and which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes, evidence of structures or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work and ground-disturbing activities within a 100-meter diameter of the discovery and notify the Corps within the same business day (8 hours). The Corps shall then notify the Florida State Historic Preservation Officer (SHPO) and the appropriate Tribal Historic Preservation Officer(s) (THPO(s)) to assess the significance of the discovery and devise appropriate actions.

c. Additional cultural resources assessments may be required of the permit area in the case of unanticipated discoveries as referenced in accordance with the above Special Condition ; and if deemed necessary by the SHPO, THPO(s), or Corps, in accordance with 36 CFR 800 or 33 CFR 325, Appendix C (5). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume on non-federal lands without written authorization from the SHPO for finds under his or her jurisdiction, and from the Corps.

d. In the unlikely event that unmarked human remains are identified on non-federal lands, they will be treated in accordance with Section 872.05 Florida Statutes. All work and ground disturbing activities within a 100-meter diameter of the unmarked human remains shall immediately cease and the Permittee shall immediately notify the medical examiner, Corps, and State Archeologist within the same business day (8-hours). The Corps shall then notify the appropriate SHPO and THPO(s). Based, on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend or revoke the permit in accordance with 33 CFR Part 325.7. Such activity shall not resume without written authorization from the State Archeologist and from the Corps.

The impact of your proposal on navigation and the environment has been reviewed and found to be insignificant. The permit is hereby modified in accordance with your request. You should attach this letter to the permit. All other conditions of the permit remain in full force and effect.

If you have any questions concerning this permit modification, please contact the project manager Shannon White at the letterhead address, by telephone at 904-232-1681 or by electronic mail at shannon.c.white@usace.army.mil.

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 complete our automated Customer Service Survey at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. Please be aware this Internet address is case sensitive; and, you will need to enter it exactly as it appears above. Your input is appreciated – favorable or otherwise.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

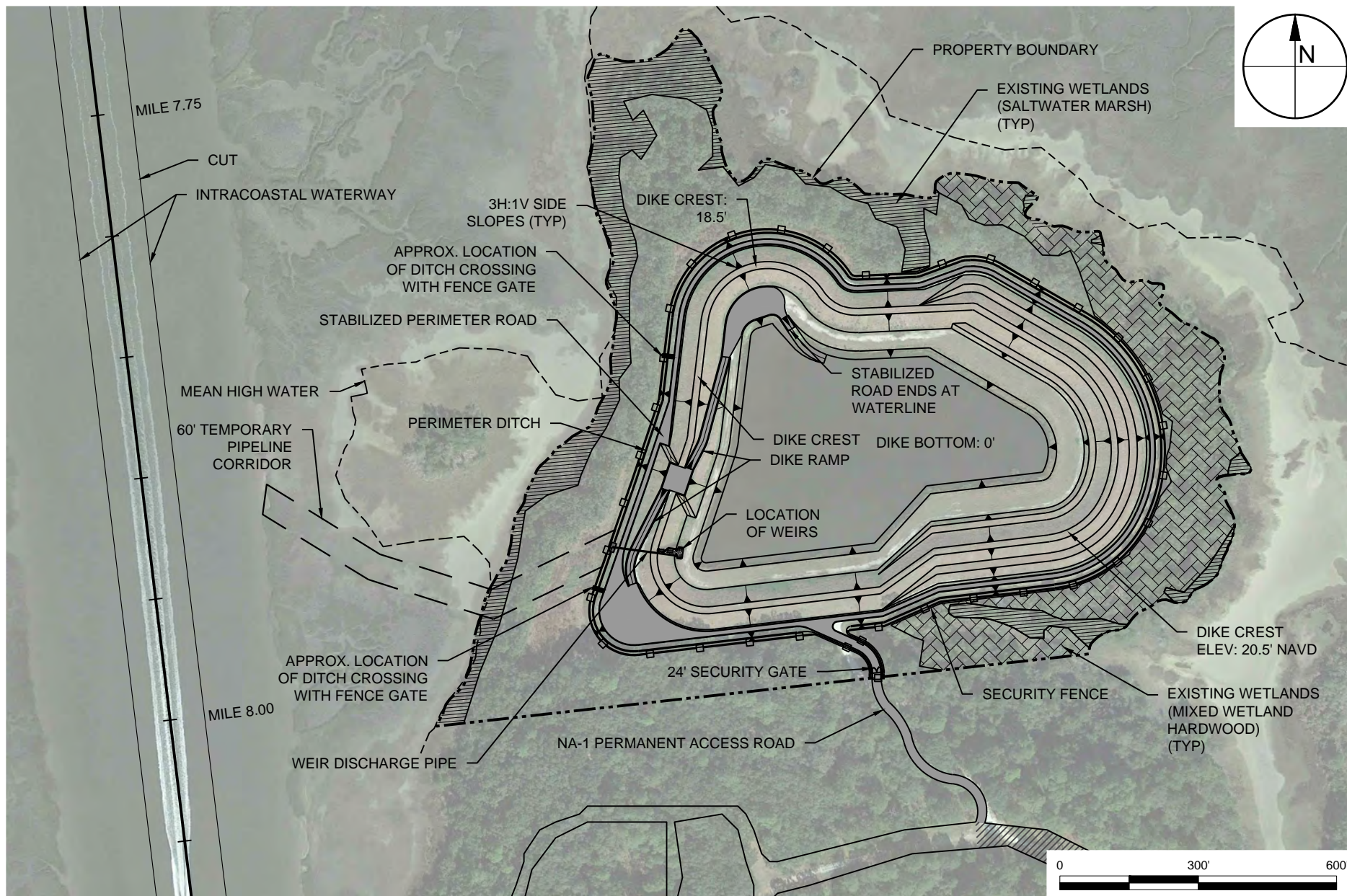
for: Jason A. Kirk, P.E.
Colonel, U.S. Army
District Commander

Enclosures

Copies Furnished:

Taylor Engineering, Inc., Bill Aley, 10151 Deerwood Park Blvd., Jacksonville, FL 32256
CESAJ-RD-PE

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TAYLOR ENGINEERING INC.

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

FIGURE C-1
DMMA NA-1 PIPELINE CORRIDOR OVERVIEW
NASSAU CO. AIWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	CAS
SHEET	1 of 2
DATE	JUNE 2016

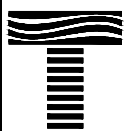
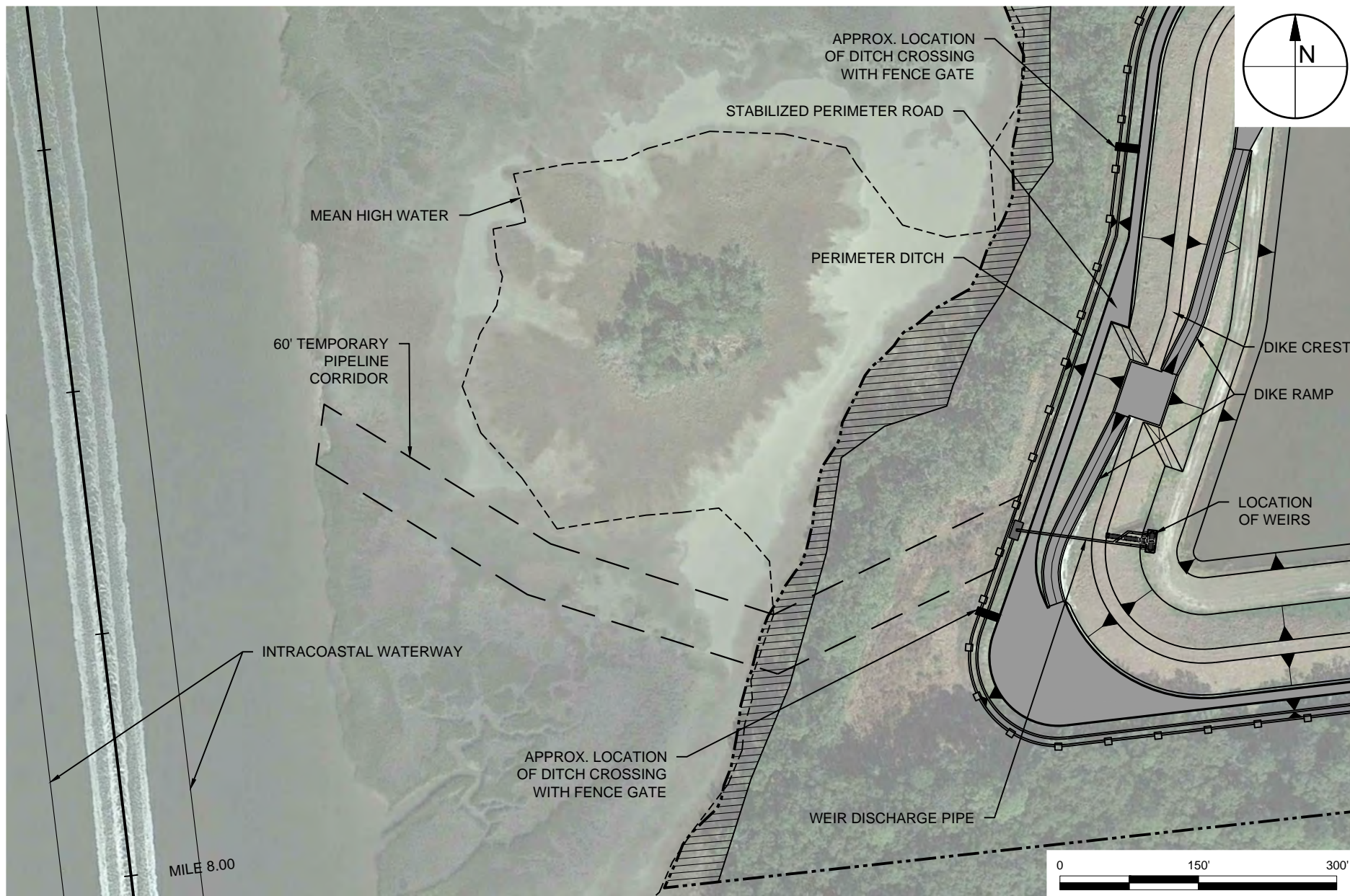
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DRAFT

BILL ALEY, PG. #16747

DATE

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TAYLOR ENGINEERING INC.

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

FIGURE C-2
DMMA NA-1 PIPELINE CORRIDOR PLAN
NASSAU CO. AIWW MAINT. DREDGING PERMIT
NASSAU COUNTY, FLORIDA

PROJECT	C2015-048
DRAWN BY	CAS
SHEET	2 of 2
DATE	JUNE 2016

SEAL

DRAFT

BILL ALEY, PG. #16747

DATE

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc



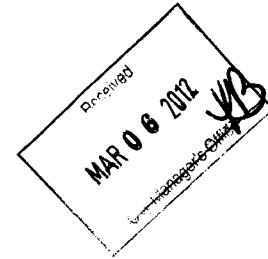
cc: Glenn Semanisin
Joe Springer



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P.O. Box 4970
Jacksonville, FL 32232-0019

March 5, 2012



Regulatory Division
North Permits Branch
Jacksonville Permits Section
SAJ-1997-02063(SP-BAL)

Mr. David W. Lott
Interim City Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034

Dear Mr. Lott:

The U.S. Army Corps of Engineers (Corps) is pleased to enclose the Department of the Army permit, which should be available at the construction site. Work may begin immediately but the Corps must be notified of:

- a. The date of commencement of the work,
- b. The dates of work suspensions and resumptions of work, if suspended over a week, and
- c. The date of final completion.

This information should be mailed to the Special Projects & Enforcement Branch of the Regulatory Division of the Jacksonville District at Post Office Box 4970, Jacksonville, Florida 32232-0019. The Special Projects & Enforcement Branch is also responsible for inspections to determine whether Permittees have strictly adhered to permit conditions.

IT IS NOT LAWFUL TO DEVIATE FROM
THE APPROVED PLANS ENCLOSED.

Sincerely,


for Donald W. Kinard
Chief, Regulatory Division

Enclosure

Copy Furnished:

CESAJ-RD-PE

DEPARTMENT OF THE ARMY PERMIT



Permittee: City of Fernandina Beach
Attn: Mr. David W. Lott
204 Ash Street
Fernandina Beach, FL 32034

Permit No: SAJ-1997-02063(SP-BAL)

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The permittee is authorized to maintenance dredge the marina basin, install a secondary seawall and construct a dredged material management area with an outfall structure. The basin will be mechanically or hydraulically maintenance dredged to 8-feet below mean low water. Approximately 19,318 cubic yards of material will be dredged from the 4.04-acre basin. The applicant will install a 730-foot linear secondary seawall waterward of an existing vertical retaining wall. The north section of the secondary seawall will be approximately 240 linear feet and the south section of the secondary seawall will be approximately 490 linear feet. The secondary seawall will consist of 14-foot tall sheet piling that will be installed at an elevation of -1.6 NGVD and placed approximately 15 feet waterward of the existing structure. Four inch wooden marker poles will be installed on 50-foot centers along the waterward end of the new proposed secondary seawall. The dredged material management area (DMMA) will be constructed near the marina basin. A weir board control structure will be installed with a 12-inch PVC outfall pipe that will discharge into a ditch. The dredged material will either be placed in the newly constructed DMMA, an approved upland disposal area or upland property approved by the Florida Department of Environmental Protection. The work described above is to be completed in accordance with the 18 pages of drawings dated January 11, 2012, and attachments affixed at the end of this permit instrument.

Project Location: The proposed project is located in the Amelia River at the end of Center Street, in Section 22, Township 03 North, Range 28 East, Fernandina Beach, Nassau County, Florida.

LATITUDE & LONGITUDE: Latitude 30.6816°
Longitude -81.4825°

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 2 of 7

Directions to the Site: To access the site from downtown Jacksonville, go north on Interstate-95, take the Fernandina Beach exit, go east on A1A, cross the bridge to Amelia Island, proceed straight on A1A which is also 14th St., take a left on Centre St. and the site is located at the end of Centre St.

Permit Conditions

General Conditions:

1. The time limit for completing the work authorized ends on **5 March 2017** for the construction of the secondary seawall and installation of the outfall pipe at the dredged material management area and on **5 March 2022** for the maintenance dredging. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature and the mailing address of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 3 of 7

Special Conditions:

- 1. Reporting Address:** The Permittee shall submit all reports, documentation and correspondence required by the conditions of this permit to the following address: U.S. Army Corps of Engineers, Regulatory Division, **Special Project & Enforcement Section**, P.O. Box 4970, Jacksonville, FL 32232. The Permittee shall reference this permit number, SAJ-1997-02063(SP-BAL), on all submittals.
- 2. Commencement Notification:** The Permittee shall provide the Corps a written notification of the date of commencement of work authorized by this permit within 10 days from the date of initiating the authorized work.
- 3. Manatee Conditions:** The Permittee shall comply with the “Standard Manatee Conditions for In-Water Work - 2011” attached to the permit.
- 4. Sea Turtle and Smalltooth Sawfish Conditions:** The Permittee shall comply with the “Sea Turtle and Smalltooth Sawfish Construction Conditions – March 2006” attached to this permit.
- 5. Regulatory Agency Changes:** Should any other regulatory agency require changes to the work authorized or obligated by this permit, the Permittee is advised that a modification to this permit instrument is required prior to initiation of those changes. It is the Permittee’s responsibility to request a modification of this permit from the Jacksonville Regulatory Office.
- 6. Self-Certification:** Within 60 days of completion of the authorized work or at the expiration of the construction window of this permit, whichever occurs first, the Permittee shall complete the attached “Self-Certification Statement of Compliance” form (Attachment 3) and submit to the Corps. In the event that the completed work deviates, in any manner, from the authorized work, the Permittee shall describe, on the Self-Certification Form, the deviations between the work authorized by the permit and the work as constructed. Please note that the description of any deviations on the Self-Certification Form does not constitute approval of any deviations by the Corps.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - (x) Section 10 of the Rivers and Harbors Act of 1899
(33 U.S.C. 403).
 - (x) Section 404 of the Clean Water Act (33 U.S.C. 1344).

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 4 of 7

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

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal projects.

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

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

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

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

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

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 5 of 7

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

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

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

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

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

David W. Lott 2/28/12
(PERMITTEE) (DATE)

DAVID W. LOTT, INTERIM CITY MANAGER
(PERMITTEE NAME-PRINTED)

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

Alfred A. Pantano, Jr. 5 March 2012
(DISTRICT ENGINEER) (DATE)
for ALFRED A. PANTANO, JR.
Colonel, U.S. Army

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 6 of 7

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

(TRANSFEREE-SIGNATURE)

(DATE)

(NAME-PRINTED)

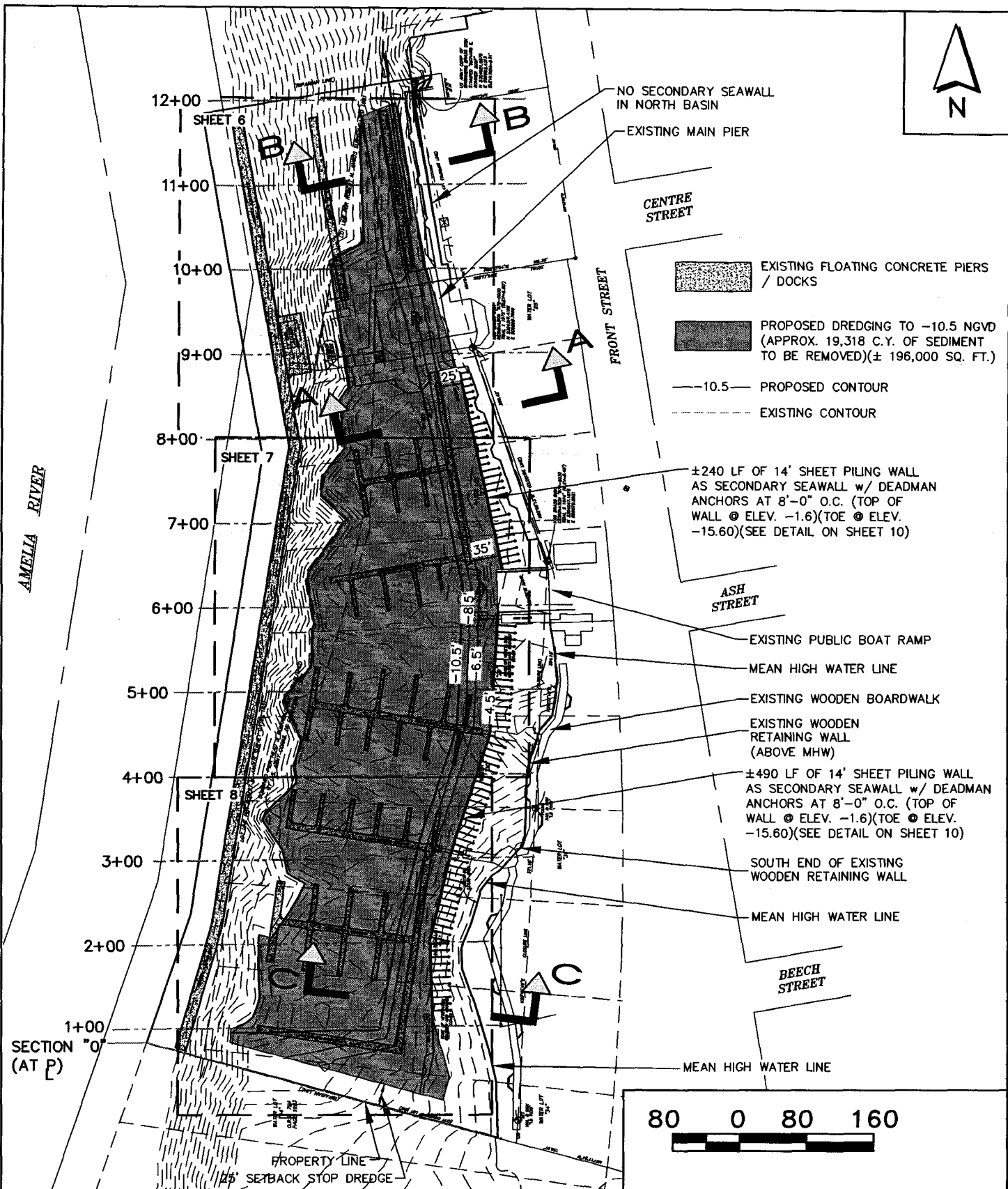
(ADDRESS)

(CITY, STATE, AND ZIP CODE)

PERMIT NUMBER: SAJ-1997-02063(SP-BAL)
PERMITTEE: City of Fernandina Beach – Marina
PAGE 7 of 7

***Attachments to Department of the Army
Permit Number SAJ-1997-02063(SP-BAL)***

1. PERMIT DRAWINGS: 18 pages, dated January 11, 2012.
2. WATER QUALITY CERTIFICATION: Specific Conditions of the water quality permit/certification in accordance with General Condition number 5 on page 2 of this DA permit. 3 pages.
3. STANDARD MANATEE CONDITION for IN-WATER WORK – 2011
4. SEA TURTLE & SMALLTOOTH SAWFISH CONDITIONS – 2006
5. SELF-CERTIFICATION STATEMENT OF COMPLIANCE



EXHIBITS PREPARED BY:



**ZEV COHEN
& ASSOCIATES, INC.**

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4516) (LC 62)
PLANNERS • TRANSPORTATION • ENVIRONMENTAL
WWW.ZEVCOHEN.COM

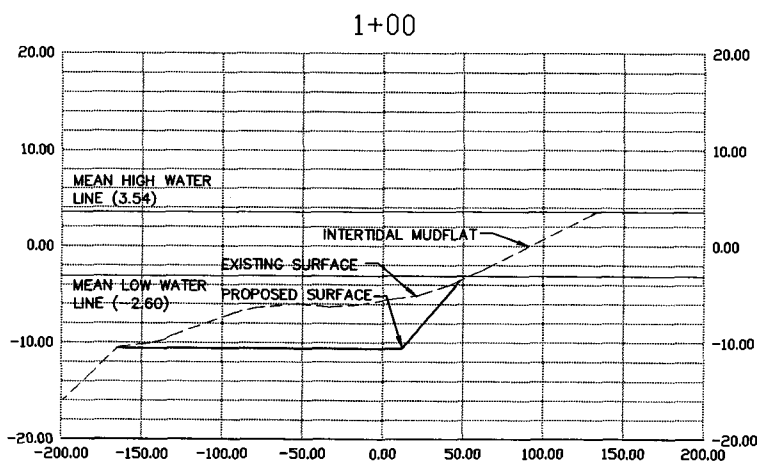
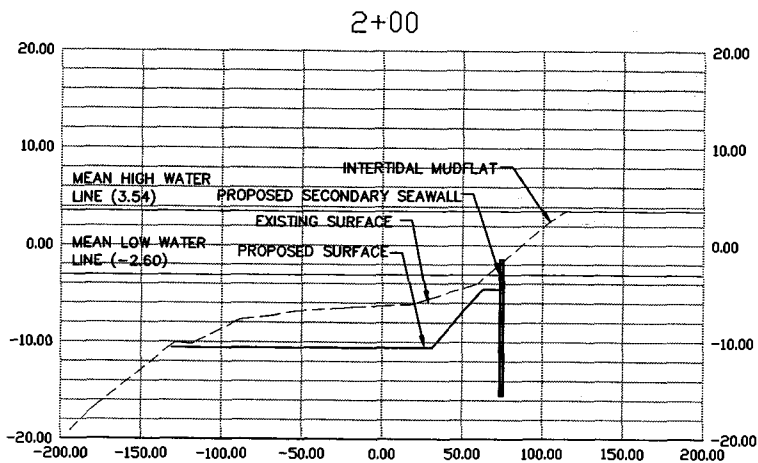
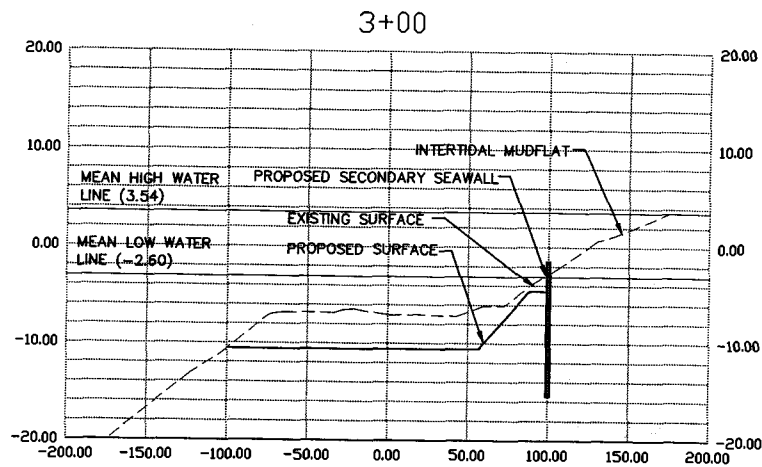
FERNANDINA HARBOR MAINTENANCE DREDGING

PROPOS

DATE PREPARED: 4/29/201

U.S. ARMY CORPS OF ENGINEERS
SAJ-1997-02063(SP-BAL)
DATE: 11 January 2012
DRAWING PAGE: 2 OF 18

16 AUG 11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'

EXHIBITS PREPARED BY:



**ZEV COHEN
& ASSOCIATES, INC.**

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4516) (LC 62)
PLANNERS • TRANSPORTATION • ENVIRONMENTAL
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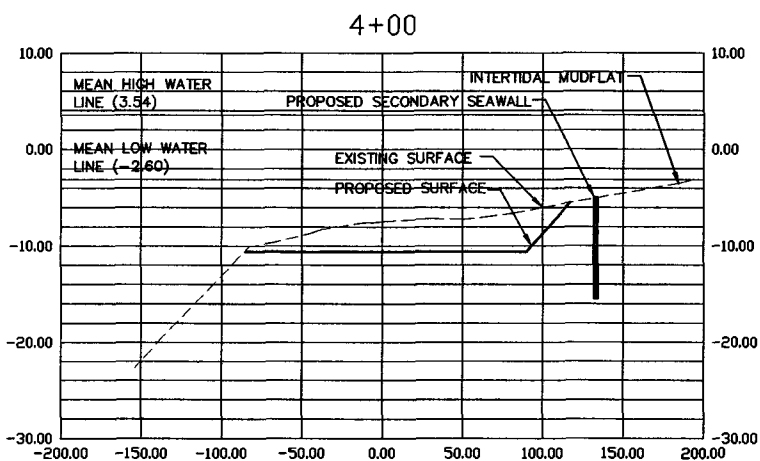
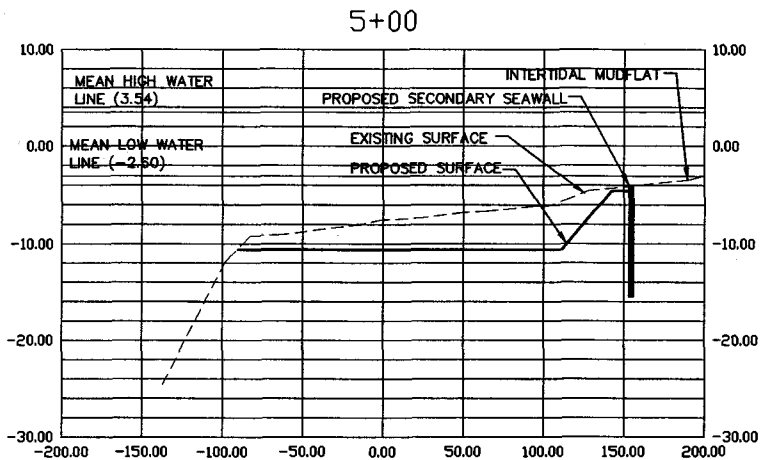
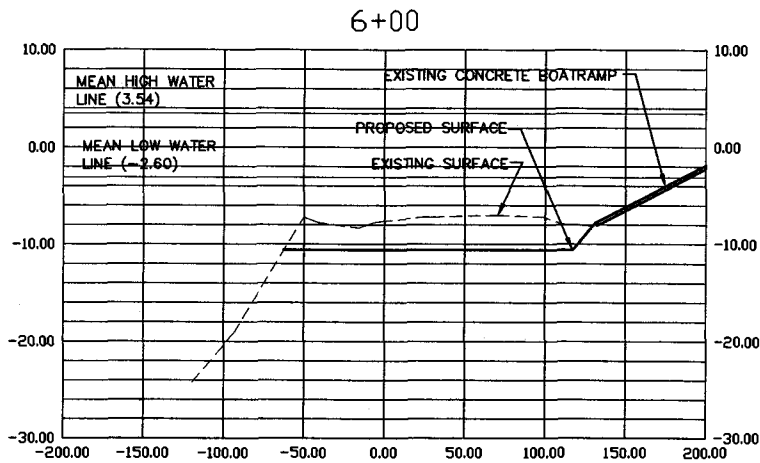
FERNANDINA HARBOR
MAINTENANCE DREDGING

DREDGE

DATE PREPARED: 4/29/201

U.S. ARMY CORPS OF ENGINEERS
SAJ-1997-02063(SP-BAL)
DATE: 11 January 2012
DRAWING PAGE: 6 OF 18

16 AUG 11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'



EXHIBITS PREPARED BY:
ZEV COHEN
& ASSOCIATES, INC.

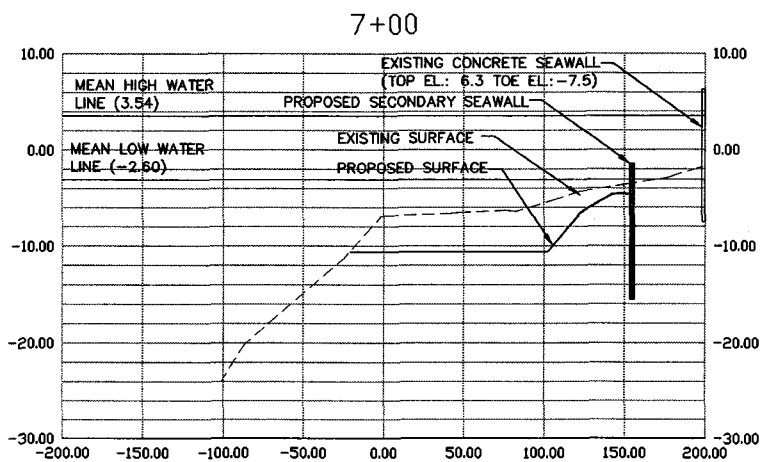
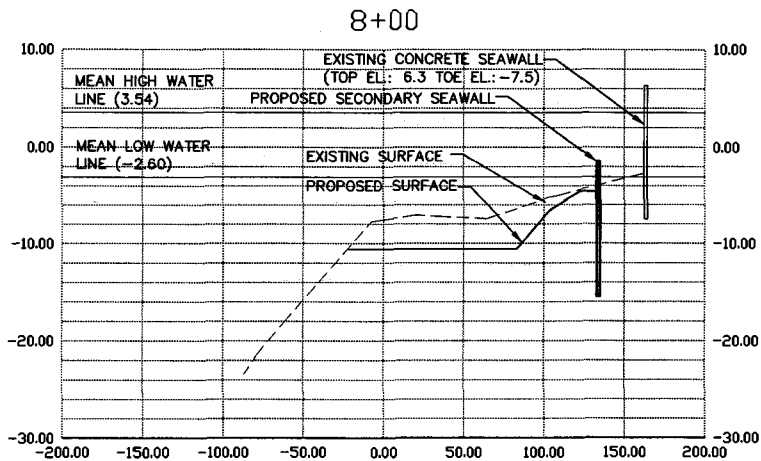
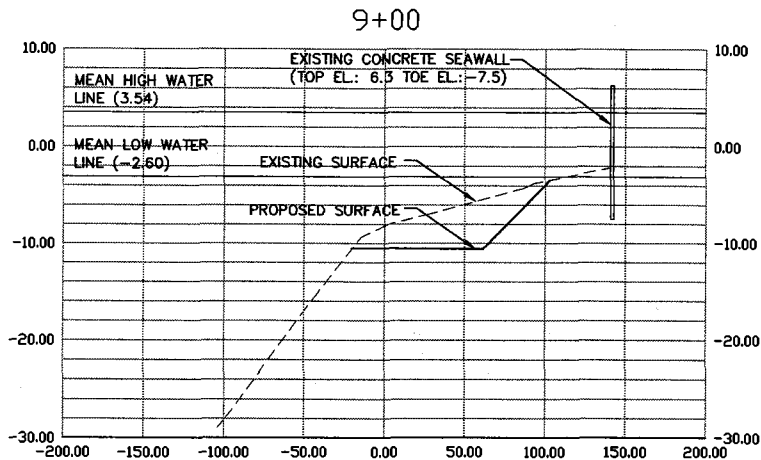
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(EB 4516) (LC 62)
PLANNERS • TRANSPORTATION • ENVIRONMENTAL
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FERNANDINA HARBOR
MAINTENANCE DREDGING

DATE PREPARED: 4/29/21

U.S. ARMY CORPS OF ENGINEERS
SAJ-1997-02063(SP-BAL)
DATE: 11 January 2012
DRAWING PAGE: 7 OF 18

16 AUG 11



HORIZ. SCALE: 1"=120'
 VERT. SCALE: 1"=20'



EXHIBITS PREPARED BY:

ZEV COHEN
 & ASSOCIATES, INC.

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FERNANDINA HARBOR
 MAINTENANCE DREDGING

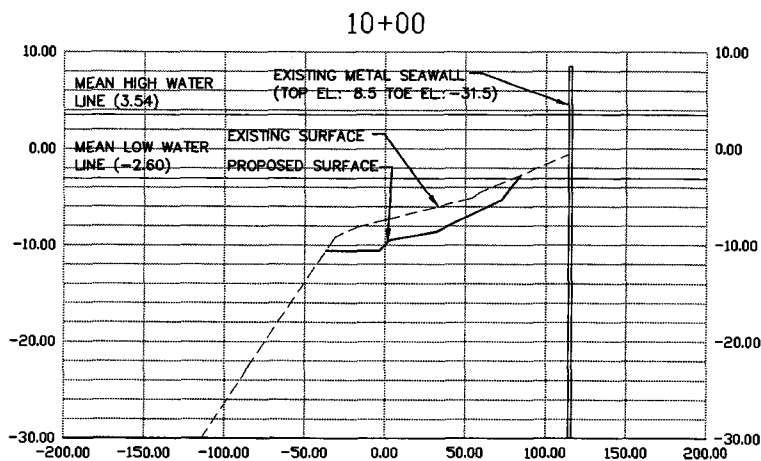
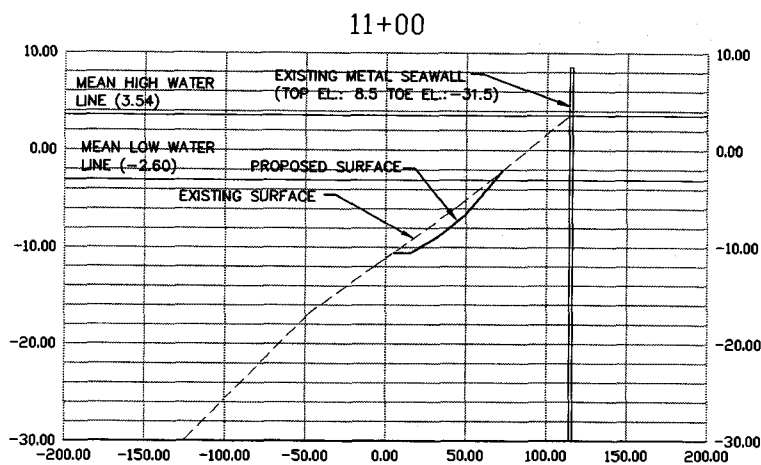
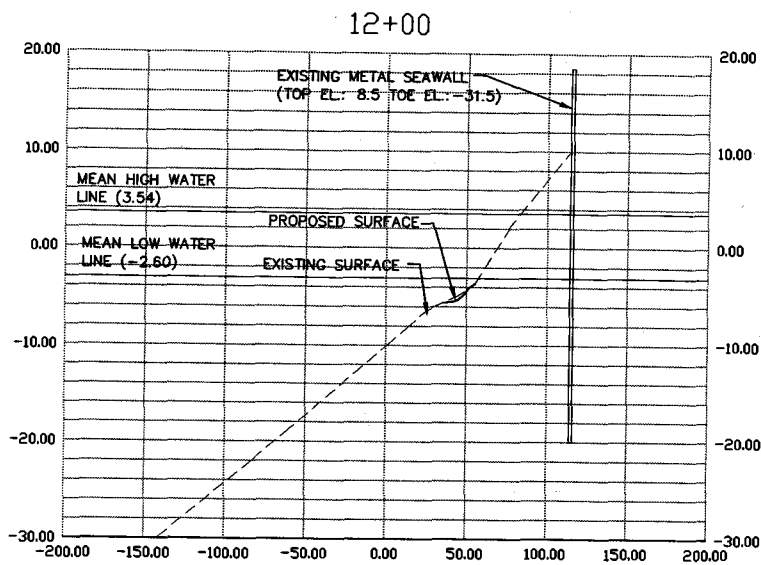
DREDGE

DATE PREPARED: 4/29/201

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 SAJ-1997-02063(SP-BAL)

DATE: 11 January 2012
 DRAWING PAGE: 8 OF 18

16 AUG 11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'



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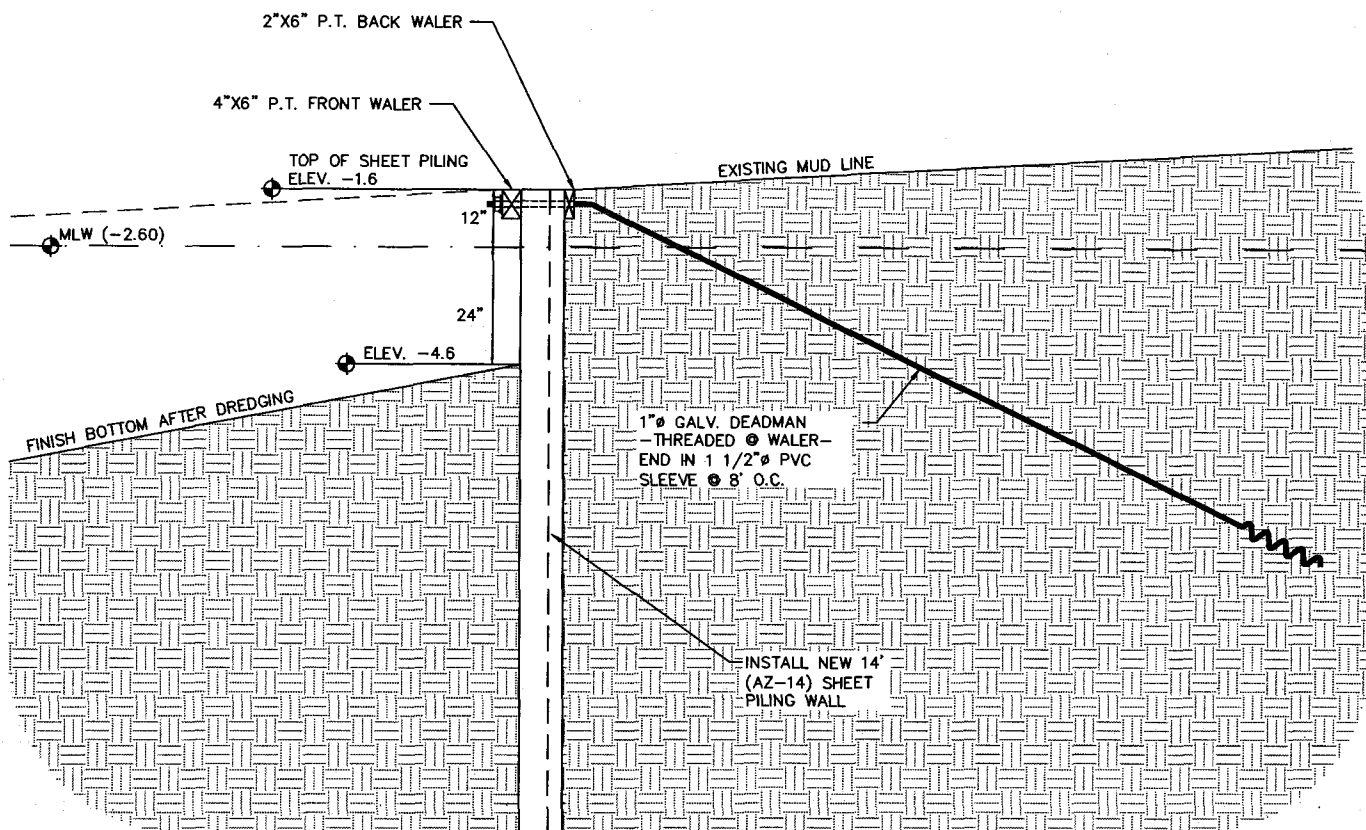
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MAINTENANCE DREDGE

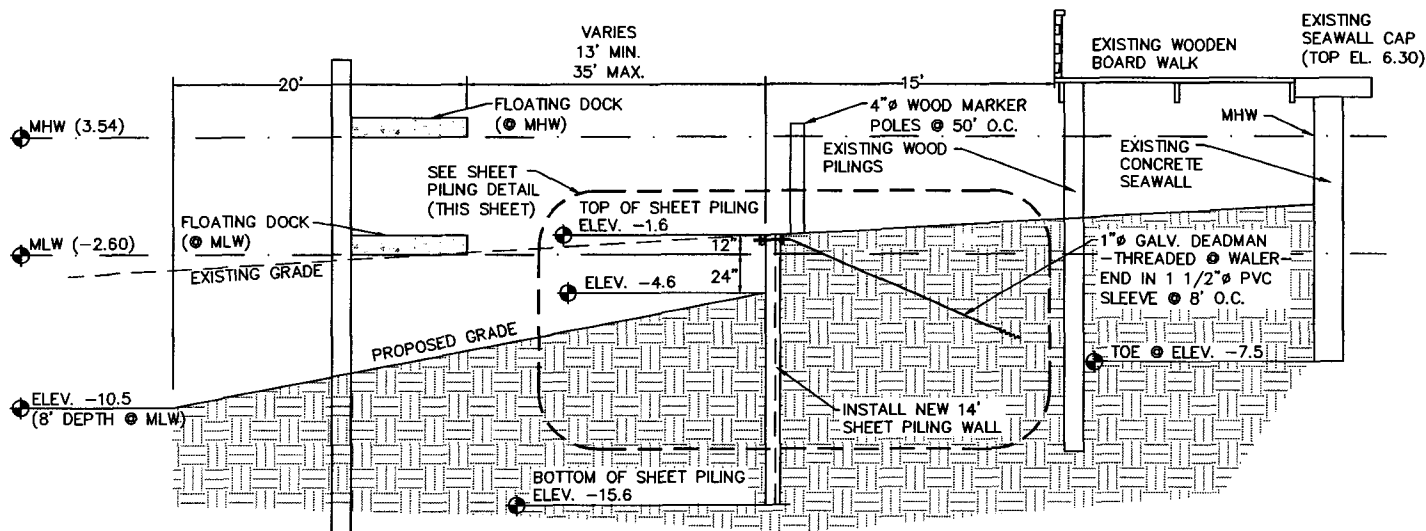
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SEAWALL CONSTRUCTION DETAIL
N.T.S.



SEAWALL TYPICAL SECTION A-A (STA. 6+00 TO STA. 8+00)
N.T.S.



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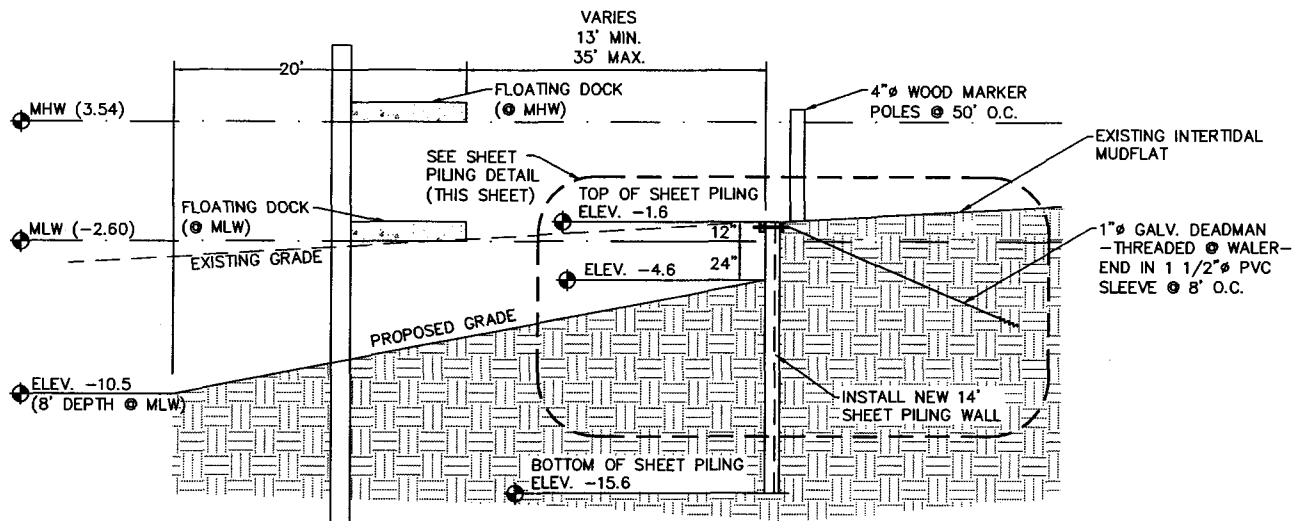
**FERNANDINA HARBOR
MAINTENANCE DREDGING**

SECONDARY

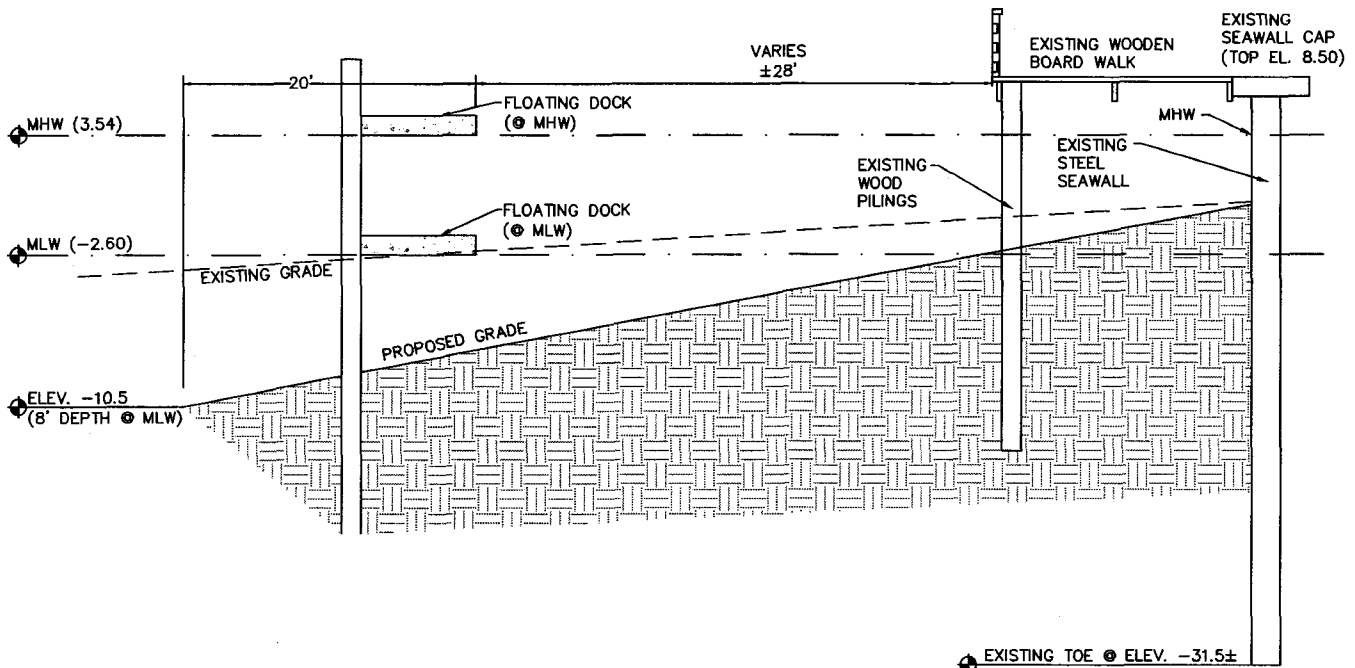
DATE PREPARED: 4/29/2011

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DATE: 11 January 2012
DRAWING PAGE: 10 OF 18**

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SEAWALL TYPICAL SECTION C-C (STA. 1+00 TO STA. 6+00)
N.T.S.



SEAWALL TYPICAL SECTION B-B (STA. 9+00 TO STA. 12+00)
N.T.S.



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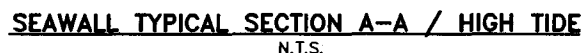
FERNANDINA HARBOR
MAINTENANCE DREDGING

SECONDARY

DATE PREPARED: 4/29/2011

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FERNANDINA HARBOR
MAINTENANCE
TIDE EXTENSION

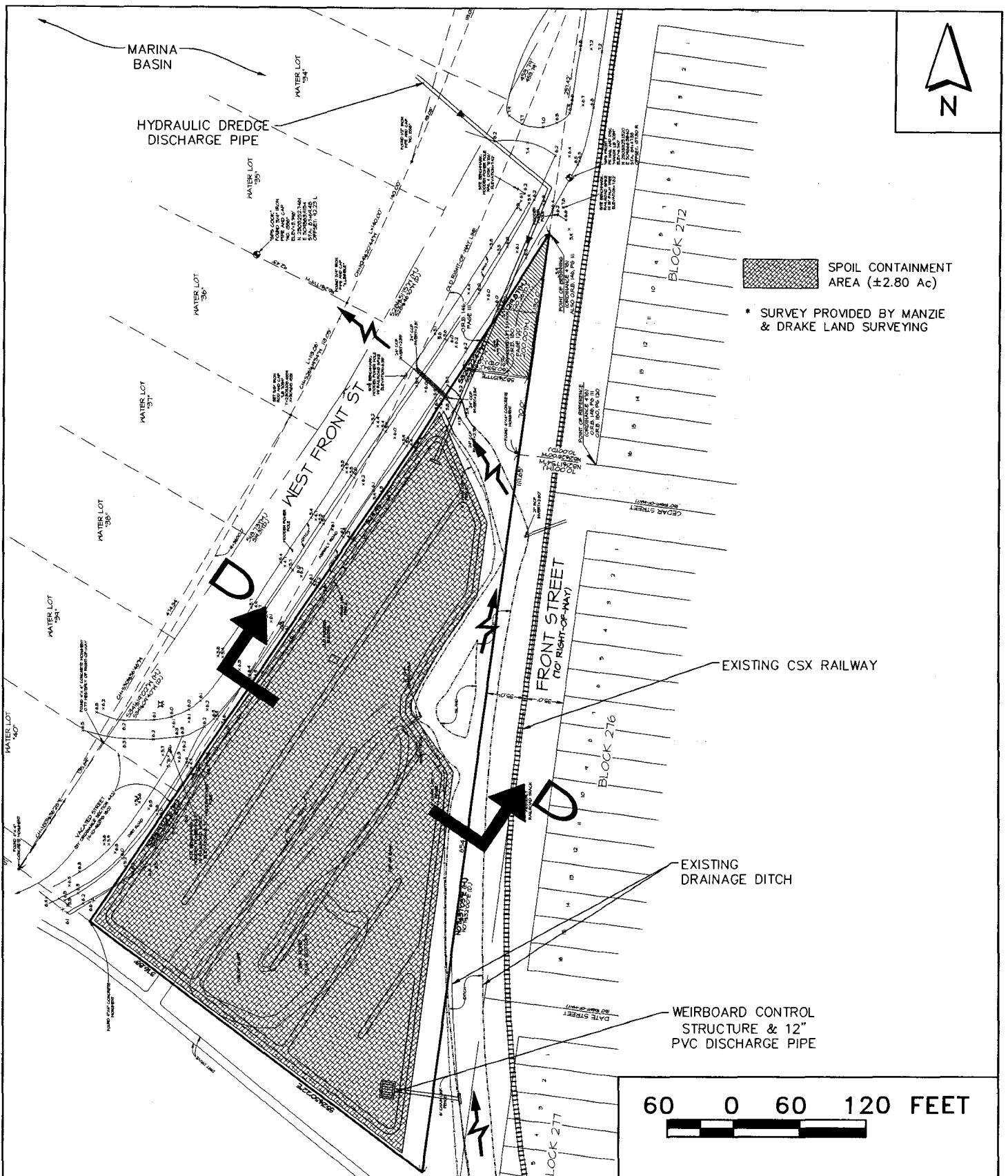
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 SPOIL CONTAINMENT AREA (±2.80 Ac)

* SURVEY PROVIDED BY MANZIE & DRAKE LAND SURVEYING

60 0 60 120 FEET




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FERNANDINA HARBOR MAINTENANCE DREDGING

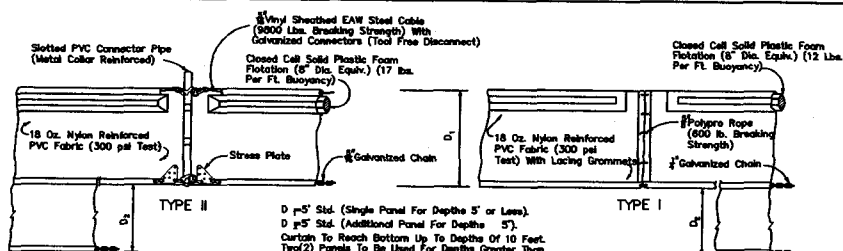
DREDGE MATI

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SAJ-1997-02063(SP-BAL)

DATE: 11 January 2012
DRAWING PAGE: 13 OF 18

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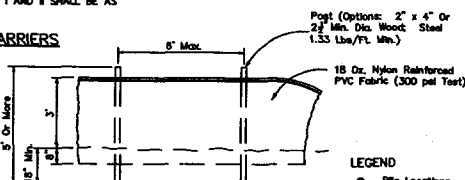
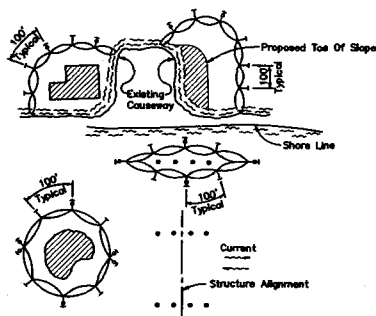
D = 5' Std. (Single Panel For Depths 5' or Less).
D = 5' Std. (Additional Panel For Depths 5').
Curtain To Reach Bottom Up To Depths Of 10 Feet.
Two (2) Panels To Be Used For Depths Greater Than 10 Feet Unless Special Depth Curtains Specifically Called For In The Plans Or As Determined By The Engineer.

GENERAL NOTES

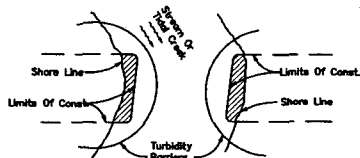
1. Floating turbidity barriers are to be paid for under the contract unit price for Floating Turbidity Barrier, LF.
2. Staked turbidity barriers are to be paid for under the contract unit price for Staked Turbidity Barrier, LF.

NOTICE: COMPONENTS OF TYPES I AND II MAY BE SIMILAR OR IDENTICAL TO PROPRIETARY DESIGNS. ANY INFRINGEMENT ON THE PROPRIETARY RIGHTS OF THE DESIGNER SHALL BE THE SOLE RESPONSIBILITY OF THE USER. SUBSTITUTIONS FOR TYPES I AND II SHALL BE AS APPROVED BY THE ENGINEER.

FLOATING TURBIDITY BARRIERS



STAKED TURBIDITY BARRIER



- LEGEND
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy =/Anchor
 - Anchor
 - Barrier Movement Due To Current Action

NOTES:

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

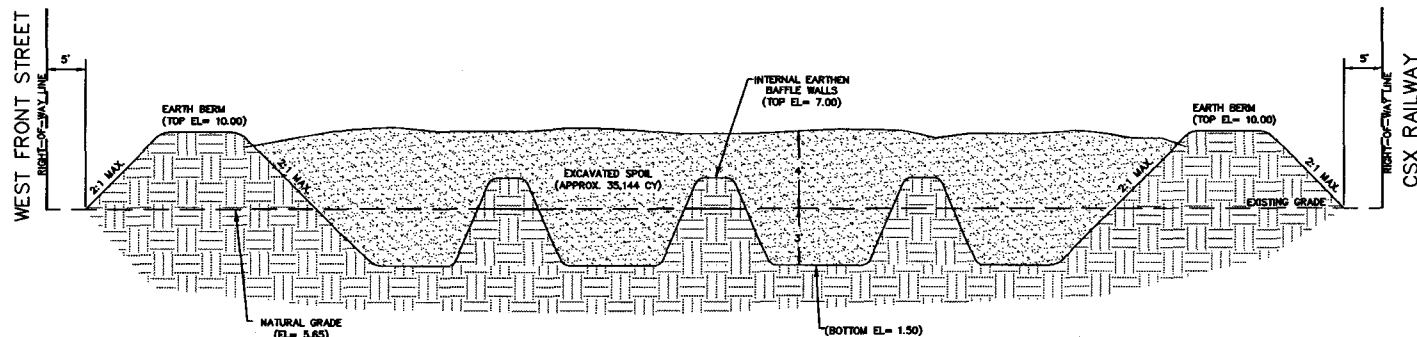
Note: Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combinations of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractor's option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

TURBIDITY BARRIER APPLICATIONS

N.T.S.

CONSTRUCTION BARGE (TYP.)

N.T.S.



NOTES:

1. ONCE SPOIL MATERIAL IS DRY, ALL MATERIAL TO BE TRANSPORTED TO AN APPROVED UPLAND LANDFILL.
2. DREDGED MATERIAL WILL BE REMOVED FROM THE TEMPORARY CONTAINMENT AREA AND HAILED AWAY BY THE CONTRACTOR AS NEEDED.

DREDGE MATERIAL MANAGEMENT AREA SECTION D-D

N.T.S.

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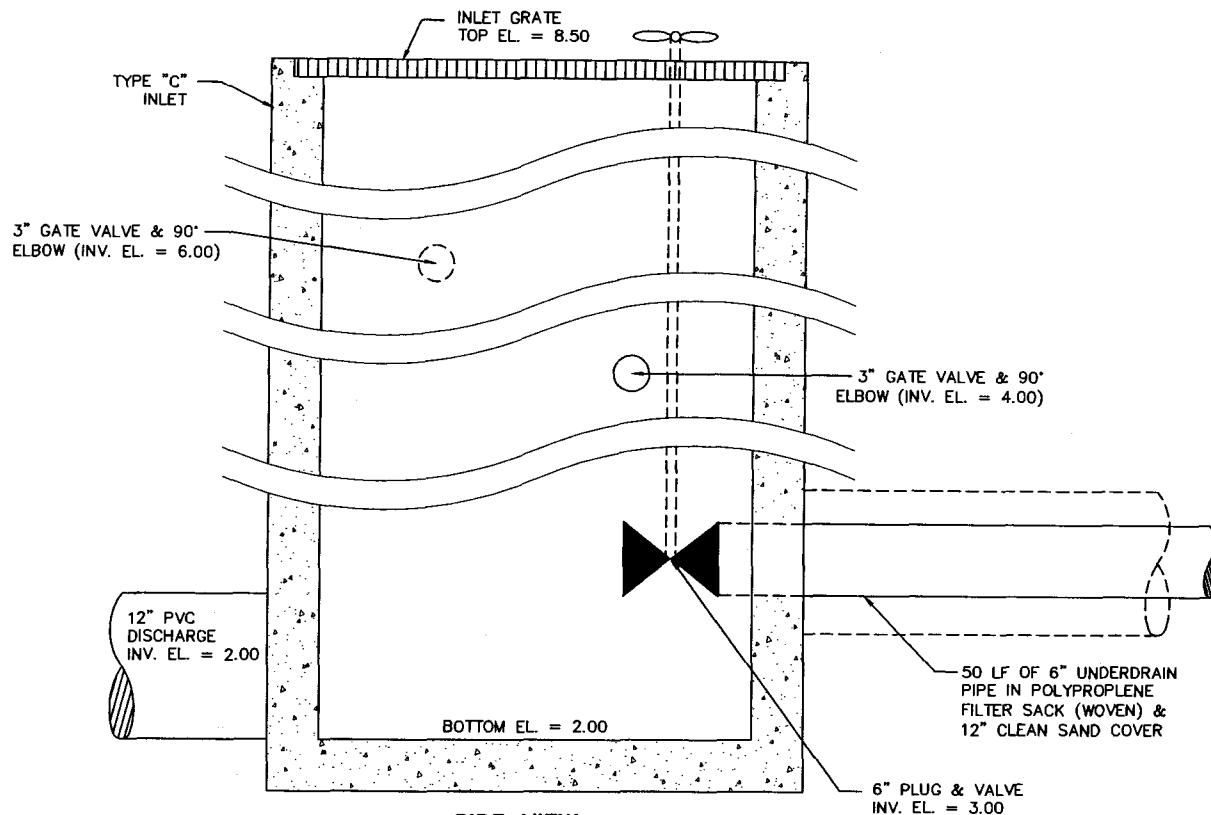
FERNANDINA HARBOR
MAINTENANCE

DMMA CRO

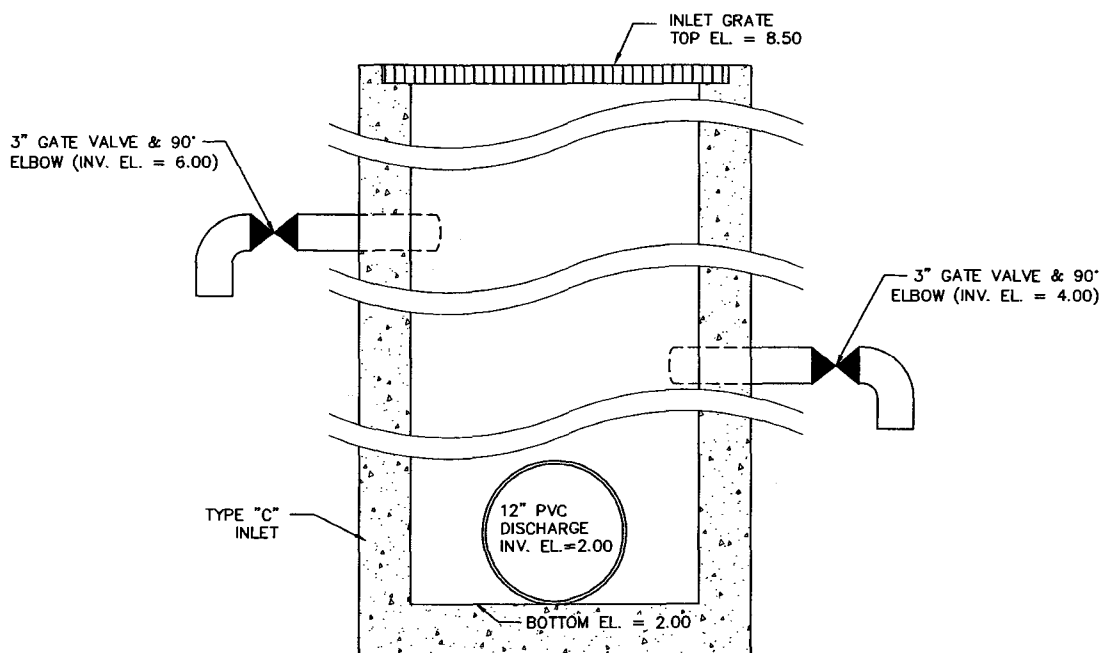
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DATE: 11 January 2012
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SIDE VIEW



END VIEW

WEIR CONTROL STRUCTURE

N.T.S.



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FERNANDINA HARBOR
 MAINTENANCE

WEIR CONTROL STRUCTURE

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 SAJ-1997-02063(SP-BAL)
 DATE: 11 January 2012
 DRAWING PAGE: 15 OF 18

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FERNANDINA BEACH MUNICIPAL AIRPORT

SECTION 06, TOWNSHIP 2 NORTH, RANGE 28 EAST

250 0 250 300 FEET



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FERNANDINA HARBOR
MAINTENANCE DREDGING

UPLAND DRED

DATE PREPARED: 6/15/2011

U.S. ARMY CORPS OF ENGINEERS
SAJ-1997-02063(SP-BAL)
DATE: 11 January 2012
DRAWING PAGE: 16 OF 18

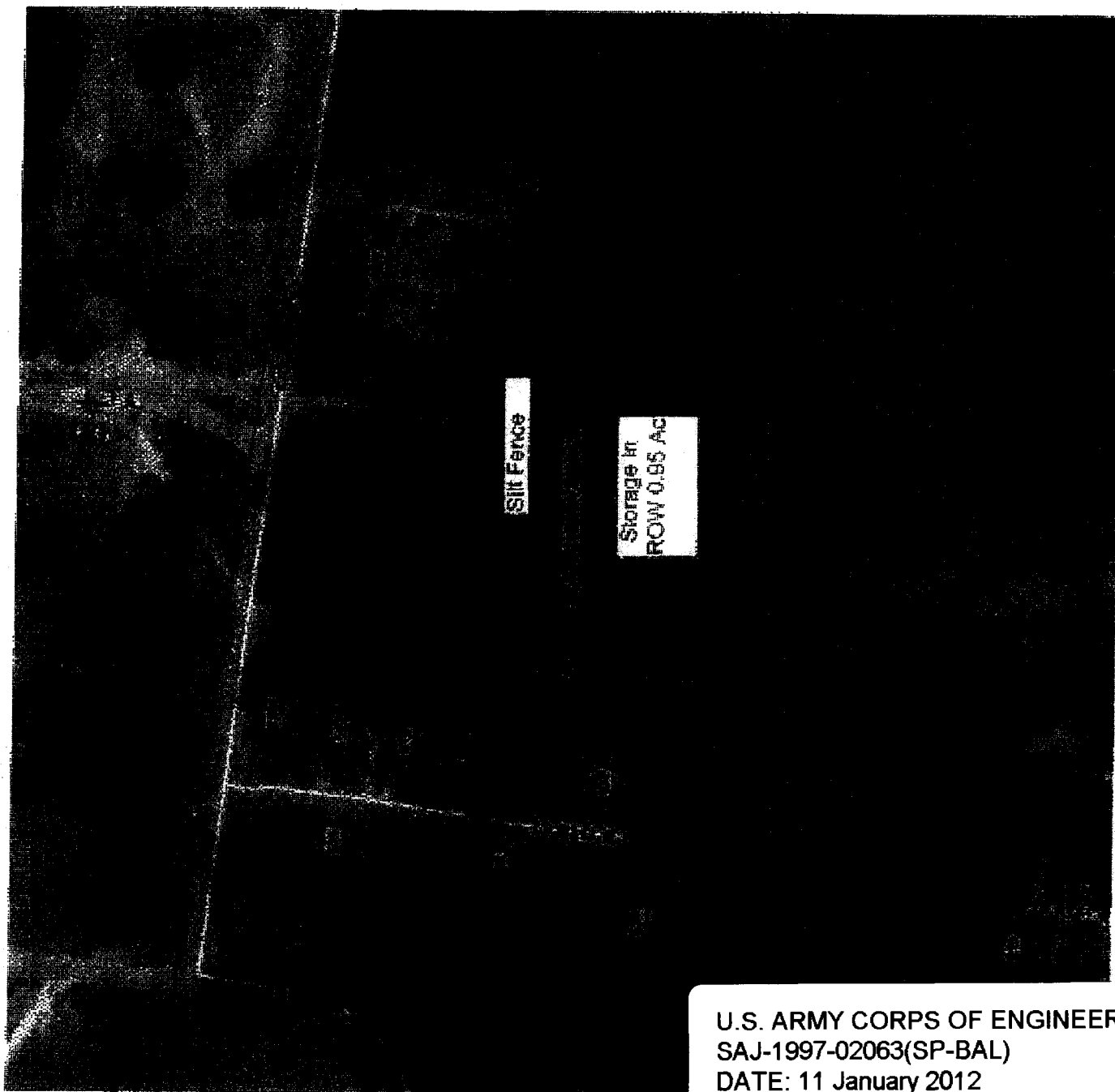
(16 AUG 11)

Off 14th St

Storage in
ROW =
0.50 Ac

Silt Fence

Off Franklin Street



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SAJ-1997-02063(SP-BAL)
DATE: 11 January 2012
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Other Authorizations

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

PERMIT SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described herein must be conducted in accordance with:

The Specific Conditions

The General Conditions

The General Conditions for Sovereignty Submerged Lands Authorization

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 commencing the **authorized** activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization and sovereignty submerged lands authorization, as specifically described above.

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

1. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Submerged Lands and Environmental Resources Program, Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.
2. Prior to commencement of the work authorized by this permit, the permittee shall provide proof of ownership for the parcel or a temporary spoil disposal agreement between the City of Fernandina Beach and Rayonier Performance Fibers for the temporary upland disposal site.

SPECIFIC CONDITIONS - CONSTRUCTION ACTIVITIES

3. If 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, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the Department of Environmental Protection at 904-256-1700. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. The following excerpt from **872.05 Unmarked Human Burials** is provided for informational purposes:

872.05(4) DISCOVERY OF AN UNMARKED HUMAN BURIAL OTHER THAN DURING AN ARCHAEOLOGICAL EXCAVATION.--When an unmarked human burial is discovered other than during an archaeological excavation authorized by the state or an educational institution, **all activity that may disturb the unmarked human burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or the State Archaeologist.**

4. All wetland areas or water bodies, which are outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring, excess turbidity, or dewatering. Turbidity curtains, hay bales, and other such erosion/turbidity control devices shall be installed pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, prior to the commencement of dredging, filling, or construction activity. The devices shall remain functional at all times and shall be maintained on a regular basis. Turbidity and/or sedimentation resulting from any activities associated with the project shall not be allowed to enter waters of the State.
5. Floating turbidity curtains (FDOT Type II or equivalent) shall be used to surround all open water work areas and shall remain in place until such time as turbidity levels within these work areas have reduced sufficiently so as not to exceed the State water quality standards.
6. The work shall be done during periods of average or low water.
7. The project shall comply with applicable State Water Quality Standards, namely:
Surface Waters, Minimum Criteria, General Criteria - **62-302.500**,
Class III Waters - Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife. - **62-302.400**.
8. There shall be no stockpiling of tools, materials (i.e., lumber, pilings, riprap, sheet piles) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit.
9. All cleared vegetation (including logging slash), scrap wood, trash, garbage, construction debris and other foreign debris or material shall be removed from the wetlands and placed in approved landfill or other authorized upland location within 14 days of completion of the work authorized in this permit.
10. The structure authorized by this permit shall not be placed on any property, other than that owned by the permittee, without the prior written approval of that property owner.
11. Outside the specific limits of construction authorized by this permit, any damage to the wetlands/shoreline/littoral zone as a result of the dredge activity or bulkhead construction shall be repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size and density as that in the adjacent undisturbed wetland or littoral areas.

Dredging

12. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the dredge area. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed the state water quality standard. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
13. The dredging operation shall be continuously monitored visually for turbidity, by an observer who is familiar with the state water quality standard. If at any time it is suspected that any turbidity generated may exceed the state water quality standard, the dredging operation shall be halted. It may be resumed once measures are taken to reduce the turbidity generated to below state water quality standards.
14. The dredged material shall be placed in a self-contained, upland disposal site that will prevent the escape of dredged material and associated effluent into wetlands and surface waters.
15. All areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

Dredge Material Management Area

16. No off-site flooding shall occur as a result of the development.

17. To minimize erosion and sedimentation during construction activities, temporary erosion and sedimentation control measures (silt fencing, hay bales, etc) shall be correctly installed, along with other Best Management Practices to provide proper erosion and sediment control during and after construction, until such time as the areas are properly stabilized.

18. The contractor shall follow the Dredging/ DMMA operation & inspection plan provided to the Department.

Secondary Seawall

19. Any future repair or replacement of the secondary seawall must occur within the same footprint of the authorized structure.

SPECIFIC CONDITIONS – MANATEE CONDITIONS

20. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with, and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

21. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.

22. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall not impede manatee movement.

23. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, shall be shutdown if a manatee comes within 50 feet of the operation. Activities shall not resume until every manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes has elapsed wherein a manatee has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

24. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida.

25. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Please see the Florida Fish and Wildlife Conservation Commission website for information on how to obtain appropriate signs: http://www.myfwc.com/docs/WildlifeHabitats/Manatee_EducationalSign.pdf

GENERAL CONDITIONS

(1) The following general conditions shall be a part of all permits issued pursuant to this chapter and Chapter 40C-40, F.A.C., unless the conditions are inapplicable to the activity authorized by the permit.

(a) All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

(b) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the Florida Fish and Wildlife Conservation Commission (FWC) Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or in Vero Beach (1-772-562-3909) for south Florida, and emailed to FWC at ImperiledSpecies@myFWC.com.
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 8½" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at http://www.myfwc.com/WILDLIFEHABITATS/manatee_sign_vendors.htm. Questions concerning these signs can be forwarded to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work
all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:

Wildlife Alert:

1-888-404-FWCC(3922)

cell *FWC or #FWC





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701

SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

The permittee shall comply with the following protected species construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.

Revised: March 23, 2006

O:\forms\Sea Turtle and Smalltooth Sawfish Construction Conditions.doc





Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

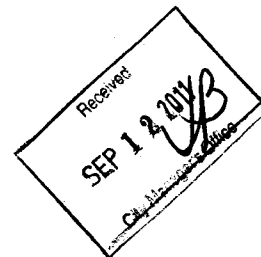
Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Permittee/Authorized Entity:

Michael Czymbor
City Manager, City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida, 32034, Nassau County



Authorized Agent/Consultant:

Glenn Semanisin, P.E.
Project Manager, City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida, 32034, Nassau County

Fernandina Harbor Maintenance Dredge and Secondary Seawall

**Environmental Resource Permit
State-owned Submerged Lands Authorization – Granted**

U.S. Army Corps of Engineers Authorization – Separate Corps Authorization Required

**Permit No.: 45-75835-008-EI
Existing Lease File No.: 450338822**

**Permit Issuance Date: September 7, 2011
Permit Construction Phase Expiration Date: September 7, 2016**

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee: Michael Czymbor, City of Fernandina Beach
Permit No: 45-75835-008-EI

PROJECT LOCATION

The activities authorized by this Permit and sovereignty submerged lands authorization are located at 3 South Front Street, Fernandina Beach, Florida 32034, in Sections 17, 22, and 23, Township 3 North, Range 28 East in Nassau County, at Latitude 30°40'14.25"/Longitude -81°27'57.92".

AUTHORIZATIONS

Fernandina Harbor Maintenance Dredge and Secondary Seawall

Project Description

The permittee is authorized to mechanically or hydraulically maintenance dredge approximately 19,318 cubic yards of material from an existing marina basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and install 730 linear feet of secondary seawall waterward of an existing vertical retaining wall located landward of Mean High Water on the Amelia River, a Class III waterbody, not an Outstanding Florida Waterbody, not within an aquatic preserve. The secondary seawall will be located on privately owned submerged land and will have a finished top elevation of -1.6 NGVD 1929. The dredged material will be placed in an engineered dredge material management area located on a vacant upland lot adjacent to the marina. Authorized activities are depicted on the attached exhibits.

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

Sovereignty Submerged Lands Authorization

The activity is located on submerged lands owned by the State of Florida. It therefore also requires authorization, from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, Florida Statutes (F.S.).

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined that the activity qualifies for a Letter of Consent, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

Coastal Zone Management

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

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

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

PERMIT SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described herein must be conducted in accordance with:

The Specific Conditions

The General Conditions

The General Conditions for Sovereignty Submerged Lands Authorization

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 commencing the **authorized** activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization and sovereignty submerged lands authorization, as specifically described above.

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

1. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Submerged Lands and Environmental Resources Program, Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.
2. Prior to commencement of the work authorized by this permit, the permittee shall provide proof of ownership for the parcel or a temporary spoil disposal agreement between the City of Fernandina Beach and Rayonier Performance Fibers for the temporary upland disposal site.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

3. If 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, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the Department of Environmental Protection at 904-256-1700. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. The following excerpt from **872.05 Unmarked Human Burials** is provided for informational purposes:

872.05(4) DISCOVERY OF AN UNMARKED HUMAN BURIAL OTHER THAN DURING AN ARCHAEOLOGICAL EXCAVATION.--When an unmarked human burial is discovered other than during an archaeological excavation authorized by the state or an educational institution, all activity that may disturb the unmarked human burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or the State Archaeologist.

4. All wetland areas or water bodies, which are outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring, excess turbidity, or dewatering. Turbidity curtains, hay bales, and other such erosion/turbidity control devices shall be installed pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, prior to the commencement of dredging, filling, or construction activity. The devices shall remain functional at all times and shall be maintained on a regular basis. Turbidity and/or sedimentation resulting from any activities associated with the project shall not be allowed to enter waters of the State.
5. Floating turbidity curtains (FDOT Type II or equivalent) shall be used to surround all open water work areas and shall remain in place until such time as turbidity levels within these work areas have reduced sufficiently so as not to exceed the State water quality standards.
6. The work shall be done during periods of average or low water.
7. The project shall comply with applicable State Water Quality Standards, namely:
Surface Waters, Minimum Criteria, General Criteria - **62-302.500**,
Class III Waters - Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife. - **62-302.400**.
8. There shall be no stockpiling of tools, materials (i.e., lumber, pilings, riprap, sheet piles) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit.
9. All cleared vegetation (including logging slash), scrap wood, trash, garbage, construction debris and other foreign debris or material shall be removed from the wetlands and placed in approved landfill or other authorized upland location within 14 days of completion of the work authorized in this permit.
10. The structure authorized by this permit shall not be placed on any property, other than that owned by the permittee, without the prior written approval of that property owner.
11. Outside the specific limits of construction authorized by this permit, any damage to the wetlands/shoreline/littoral zone as a result of the dredge activity or bulkhead construction shall be repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size and density as that in the adjacent undisturbed wetland or littoral areas.

Dredging

12. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the dredge area. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed the state water quality standard. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
13. The dredging operation shall be continuously monitored visually for turbidity, by an observer who is familiar with the state water quality standard. If at any time it is suspected that any turbidity generated may exceed the state water quality standard, the dredging operation shall be halted. It may be resumed once measures are taken to reduce the turbidity generated to below state water quality standards.
14. The dredged material shall be placed in a self-contained, upland disposal site that will prevent the escape of dredged material and associated effluent into wetlands and surface waters.
15. All areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

Dredge Material Management Area

16. No off-site flooding shall occur as a result of the development.

17. To minimize erosion and sedimentation during construction activities, temporary erosion and sedimentation control measures (silt fencing, hay bales, etc) shall be correctly installed, along with other Best Management Practices to provide proper erosion and sediment control during and after construction, until such time as the areas are properly stabilized.

18. The contractor shall follow the Dredging/ DMMA operation & inspection plan provided to the Department.

Secondary Seawall

19. Any future repair or replacement of the secondary seawall must occur within the same footprint of the authorized structure.

SPECIFIC CONDITIONS – MANATEE CONDITIONS

20. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with, and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

21. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.

22. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall not impede manatee movement.

23. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, shall be shutdown if a manatee comes within 50 feet of the operation. Activities shall not resume until every manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes has elapsed wherein a manatee has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

24. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida.

25. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Please see the Florida Fish and Wildlife Conservation Commission website for information on how to obtain appropriate signs: http://www.myfwc.com/docs/WildlifeHabitats/Manatee_EducationalSign.pdf

GENERAL CONDITIONS

(1) The following general conditions shall be a part of all permits issued pursuant to this chapter and Chapter 40C-40, F.A.C., unless the conditions are inapplicable to the activity authorized by the permit.

(a) All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

(b) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(c) Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

(d) Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as practicable.

(e) Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(f) At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a fully executed "Construction Commencement Notice" Form 62-343.900(3) indicating the actual start date and the expected completion date.

(g) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an Annual Status Report Form 62-343.900(4). These forms shall be submitted during June of each year.

(h) For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the Department for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

(i) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

(j) Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 62-343.900(5) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the Department. Submittal of the completed form shall serve to notify the Department that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the "as-built" or "record" drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;

3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas 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, when appropriate;
4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
6. Existing water elevation(s) and the date determined; and
7. Elevation and location of benchmark(s) for the survey.

(k) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph (i) above, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

(l) Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the Department of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(m) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40C-4 or 40C-40, F.A.C.

(n) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

(o) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Rule 62-343.040, F.A.C., provides otherwise.

(p) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(q) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(r) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department.

(s) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

(2) In addition to those general conditions set forth in subsection (1), the Department shall impose on any permit granted under this chapter and Chapter 40C-40, F.A.C., such reasonable project-specific conditions as are necessary to assure that the permitted system will not be inconsistent with the overall objectives of the District or be harmful to the water resources of the District as set forth in District and Department rules. Upon receipt of the notice of intended Department action, any person whose substantial interests are affected shall have the right to request a hearing in accordance with Chapter 28-106 and Rule 62-110.106, F.A.C.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S. and, as applicable, Chapter 258, F.S.:

1. Sovereignty submerged lands may be used only for the specified activity or use and any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.
2. Authorization under Rule 18-21.005, Florida Administrative Code (F.A.C.), conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.
4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

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 filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

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, 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 14 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 14 days of publication of the notice or within 14 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 14 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.

Judicial Review

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.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Aaron Sarchet at the letterhead address or at 904-256-1654 or via his internet email address Aaron.Sarchet@dep.state.fl.us.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



James R. Maher, P.E.
Program Administrator
Submerged Lands & Environmental
Resource Program

Attachments:

Project Drawings and Design Specs., 19 pages
Commencement notice /62-343.900(3)
Annual status report/62-343.900(4)
As-built certification/62-343.900(5)
Inspection certification/62-343.900(6)
Transfer construction to operation phase/ 62-343.900(7)
Application for transfer of an ERP permit/62-343.900(8)

Copies furnished to:

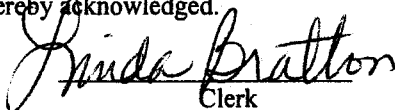
U.S. Army Corps of Engineers
File

CERTIFICATE OF SERVICE

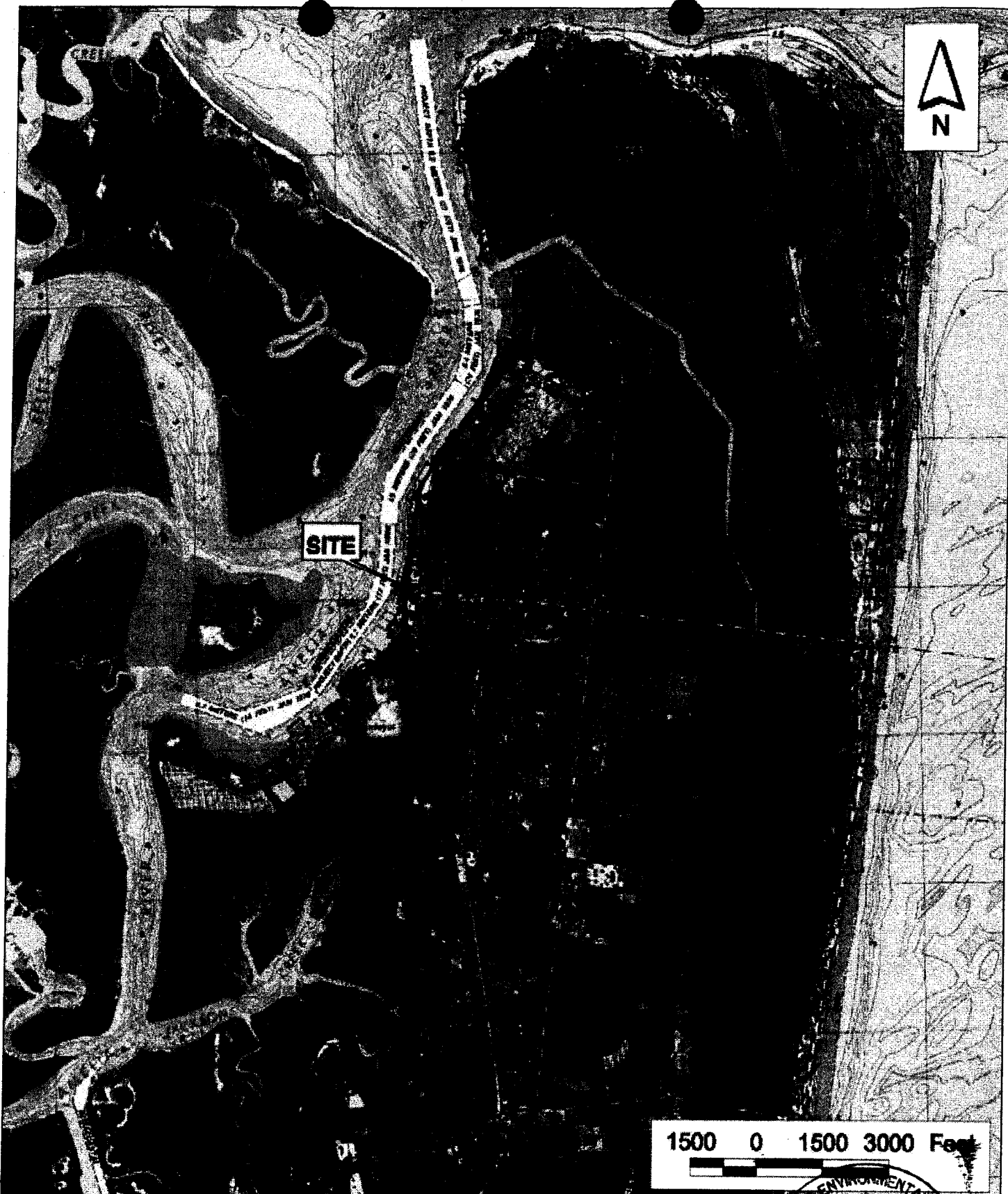
The undersigned hereby certifies that this permit and authorization to use sovereignty submerged lands, including all copies, were mailed before the close of business on 9/8/11, to the above listed persons.

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

9/8/11
Date



EXHIBITS PREPARED BY:



ZEV COHEN
& ASSOCIATES, INC.

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4518) (LC 62)

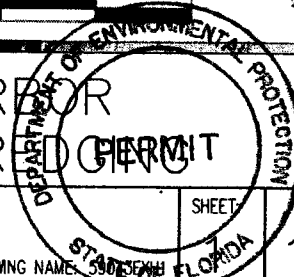
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WWW.ZEVCOHEN.COM

FERNANDINA HARBOR
MAINTENANCE DREDGING

VICINITY MAP 1

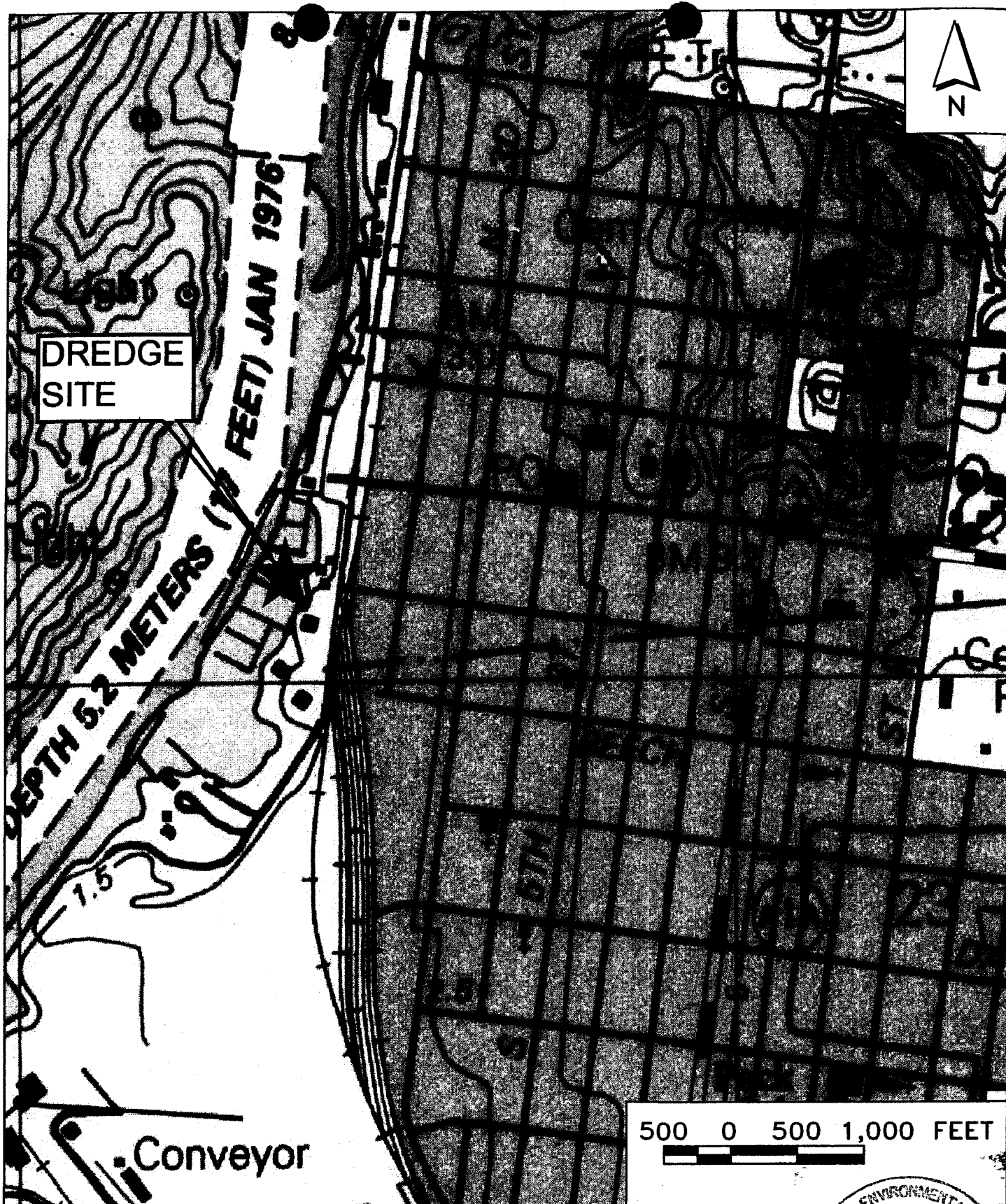
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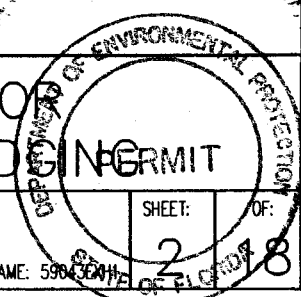
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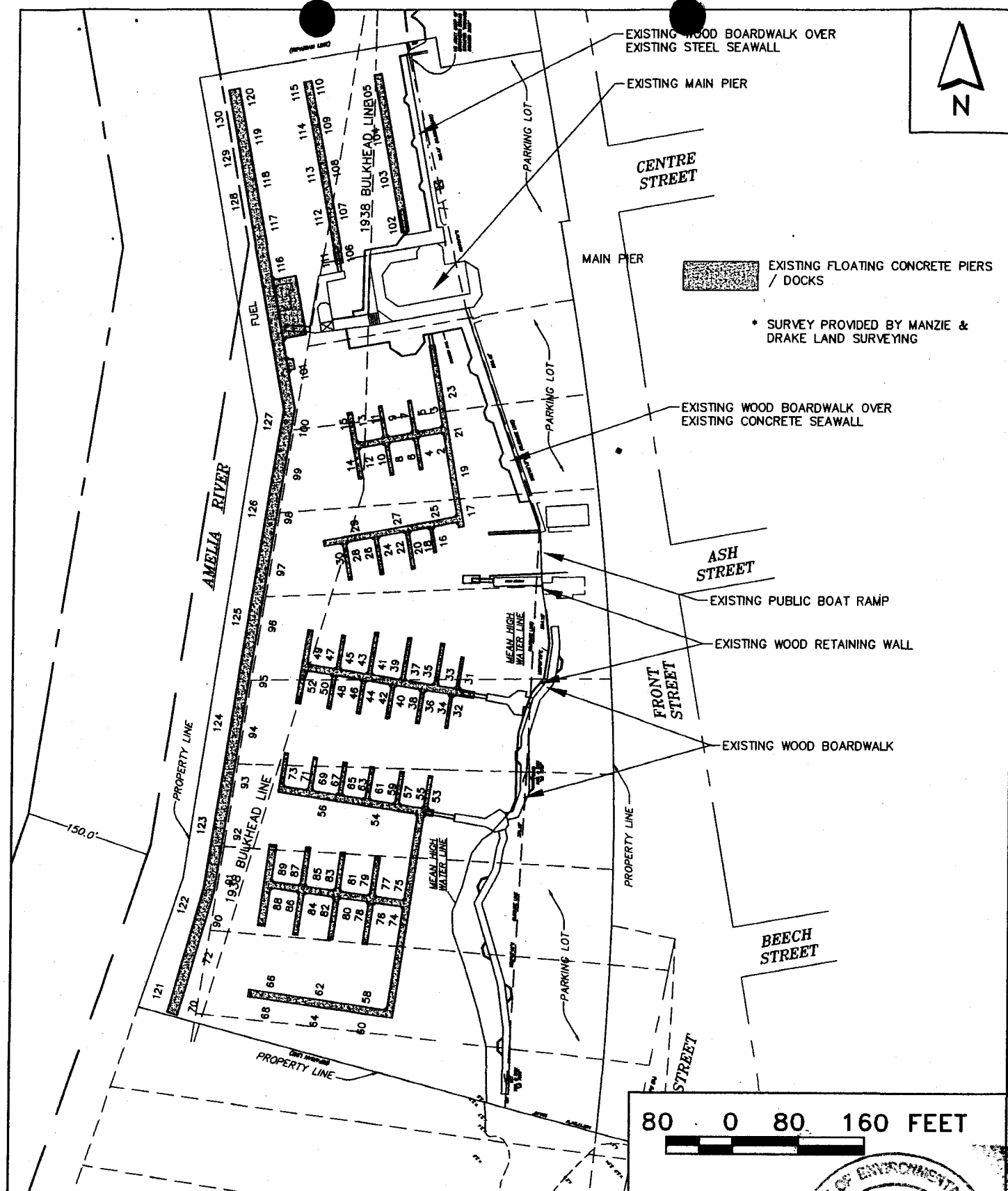


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FERNANDINA HARBOR
 MAINTENANCE DREDGING PERMIT
 VICINITY MAP 2
 DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043-001
 SHEET: 2 OF: 18



16 AUG 11





EXISTING WOOD BOARDWALK OVER
EXISTING STEEL SEAWALL

EXISTING MAIN PIER

CENTRE
STREET

EXISTING FLOATING CONCRETE PIERS
/ DOCKS

* SURVEY PROVIDED BY MANZIE &
DRAKE LAND SURVEYING

* ELEVATIONS BASED ON NGVD 1929
MHW= 3.52
MLW= -2.60

EXISTING WOOD BOARDWALK OVER
EXISTING CONCRETE SEAWALL

ASH
STREET

EXISTING PUBLIC BOAT RAMP

EXISTING WOOD RETAINING WALL

FRONT
STREET

EXISTING WOOD BOARDWALK

BEECH
STREET

80 0 80 160 FEET



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FERNANDINA HARBOR
MAINTENANCE DREDGING

EXISTING BATHYMETRIC SURVEY

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SHEET 4 OF 18

10 AUG 11



NO SECONDARY SEAWALL
IN NORTH BASIN

EXISTING MAIN PIER

CENTRE
STREET

FRONT STREET

- EXISTING FLOATING CONCRETE PIERS / DOCKS
- PROPOSED DREDGING TO -10.5 NGVD (APPROX. 19,318 C.Y. OF SEDIMENT TO BE REMOVED)(± 196,000 SQ. FT.)
- 10.5— PROPOSED CONTOUR
- - - - - EXISTING CONTOUR

±240 LF OF 14' SHEET PILING WALL
AS SECONDARY SEAWALL w/ DEADMAN
ANCHORS AT 8'-0" O.C. (TOP OF
WALL @ ELEV. -1.6)(TOE @ ELEV.
-15.60)(SEE DETAIL ON SHEET 10)

ASH
STREET

- EXISTING PUBLIC BOAT RAMP
- MEAN HIGH WATER LINE
- EXISTING WOODEN BOARDWALK
- EXISTING WOODEN
RETAINING WALL
(ABOVE MHW)
- ±490 LF OF 14' SHEET PILING WALL
AS SECONDARY SEAWALL w/ DEADMAN
ANCHORS AT 8'-0" O.C. (TOP OF
WALL @ ELEV. -1.6)(TOE @ ELEV.
-15.60)(SEE DETAIL ON SHEET 10)
- SOUTH END OF EXISTING
WOODEN RETAINING WALL
- MEAN HIGH WATER LINE

BEECH
STREET

MEAN HIGH WATER LINE

80 0 80 160



AMELIA RIVER

12+00
SHEET 6

11+00

10+00

9+00

8+00
SHEET 7

7+00

6+00

5+00

4+00
SHEET 8

3+00

2+00

1+00

SECTION "0"
(AT P)

PROPERTY LINE
15' SETBACK STOP DREDGE

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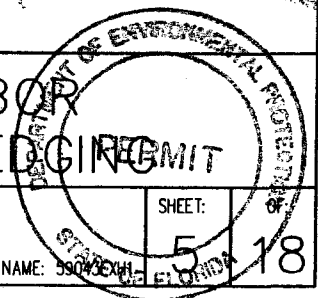
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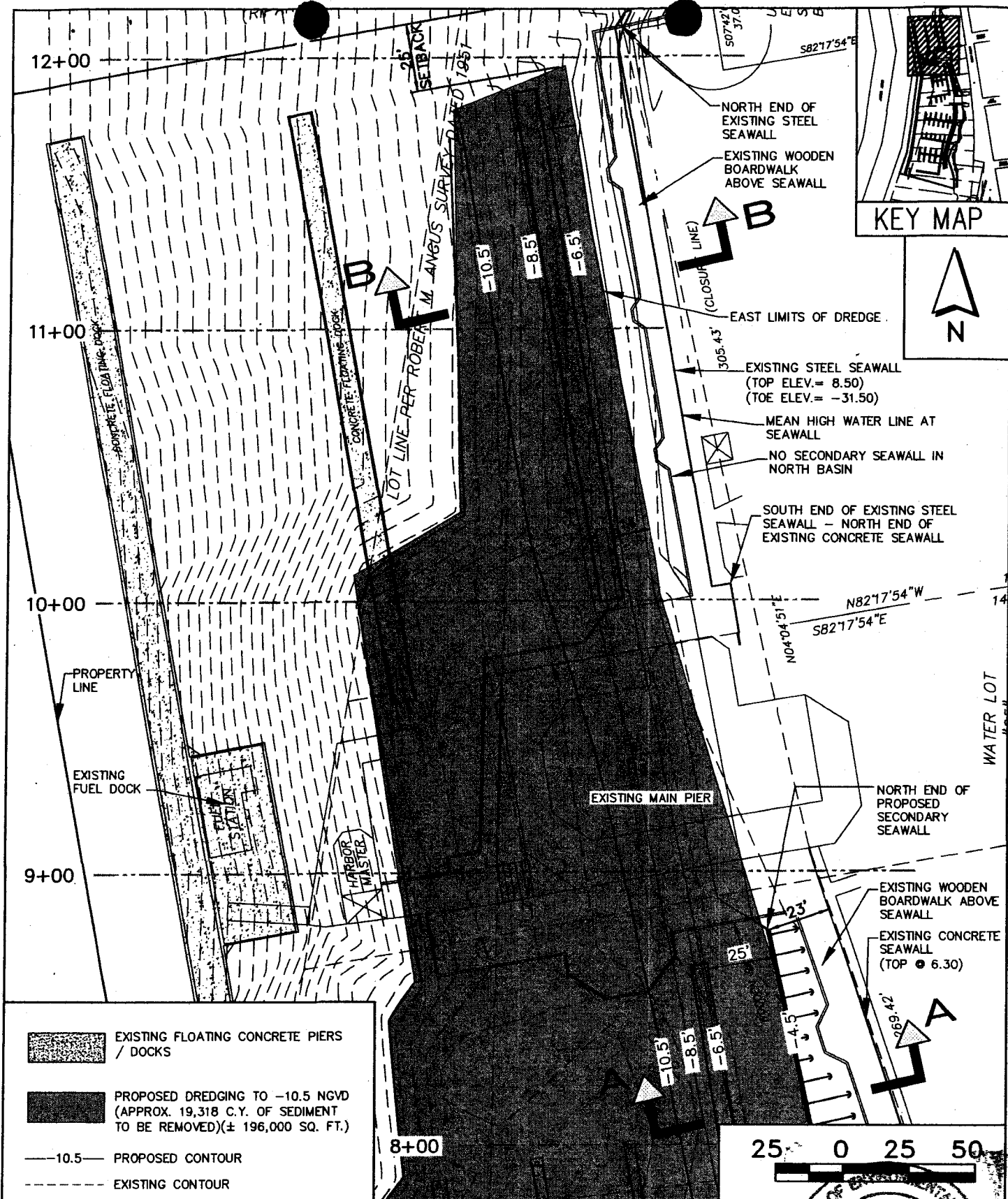
FERNANDINA HARBOR MAINTENANCE DREDGING

PROPOSED WORK

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043-01



10/10/11



EXISTING FLOATING CONCRETE PIERS / DOCKS



PROPOSED DREDGING TO -10.5 NGVD
(APPROX. 19,318 C.Y. OF SEDIMENT
TO BE REMOVED)(± 196,000 SQ. FT.)

—10.5— PROPOSED CONTOUR

--- EXISTING CONTOUR



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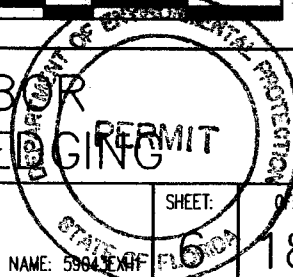
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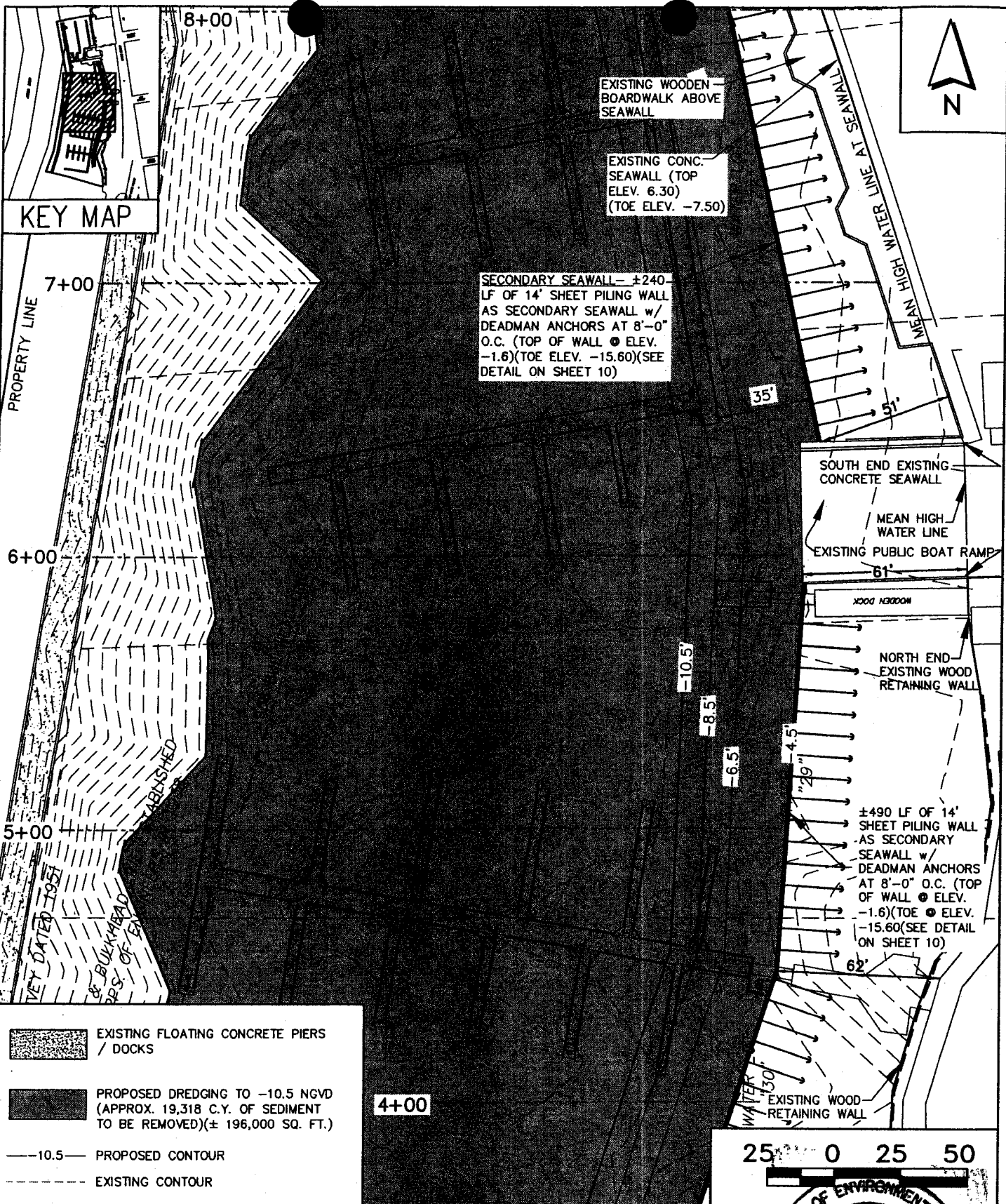
FERNANDINA HARBOR
MAINTENANCE DREDGING

PROPOSED WORK

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14 AUG 11



KEY MAP

EXISTING WOODEN BOARDWALK ABOVE SEAWALL

EXISTING CONC. SEAWALL (TOP ELEV. 6.30) (TOE ELEV. -7.50)



SECONDARY SEAWALL - ±240' LF OF 14' SHEET PILING WALL AS SECONDARY SEAWALL w/ DEADMAN ANCHORS AT 8'-0" O.C. (TOP OF WALL @ ELEV. -1.6) (TOE ELEV. -15.60) (SEE DETAIL ON SHEET 10)

SOUTH END EXISTING CONCRETE SEAWALL

MEAN HIGH WATER LINE
EXISTING PUBLIC BOAT RAMP

NORTH END EXISTING WOOD RETAINING WALL

±490 LF OF 14' SHEET PILING WALL AS SECONDARY SEAWALL w/ DEADMAN ANCHORS AT 8'-0" O.C. (TOP OF WALL @ ELEV. -1.6) (TOE @ ELEV. -15.60) (SEE DETAIL ON SHEET 10)

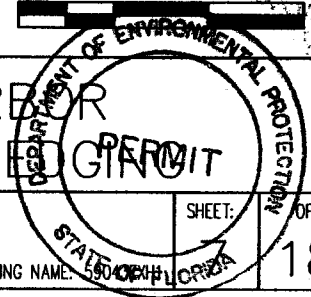
-  EXISTING FLOATING CONCRETE PIERS / DOCKS
-  PROPOSED DREDGING TO -10.5 NGVD (APPROX. 19,318 C.Y. OF SEDIMENT TO BE REMOVED) (± 196,000 SQ. FT.)
- 10.5— PROPOSED CONTOUR
- - - - - EXISTING CONTOUR

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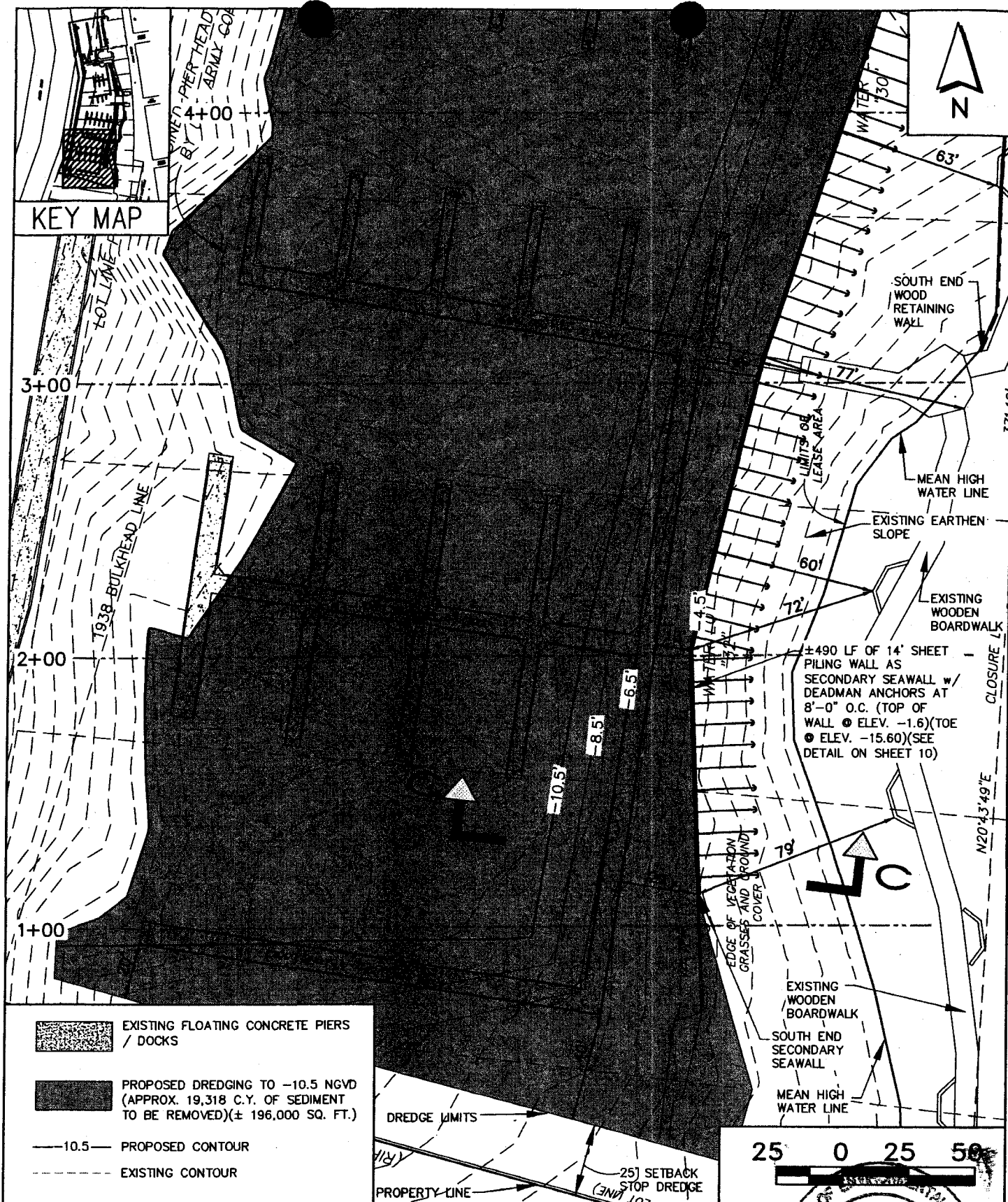
FERNANDINA HARBOR
 MAINTENANCE DREDGING



PROPOSED WORK

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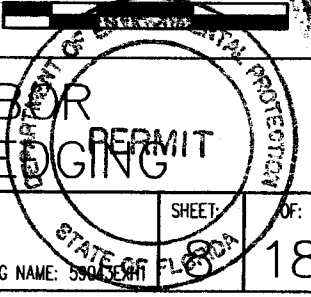
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 16 AUG 11



-  EXISTING FLOATING CONCRETE PIERS / DOCKS
-  PROPOSED DREDGING TO -10.5 NGVD (APPROX. 19,318 C.Y. OF SEDIMENT TO BE REMOVED)(± 196,000 SQ. FT.)
- 10.5— PROPOSED CONTOUR
- - - - - EXISTING CONTOUR

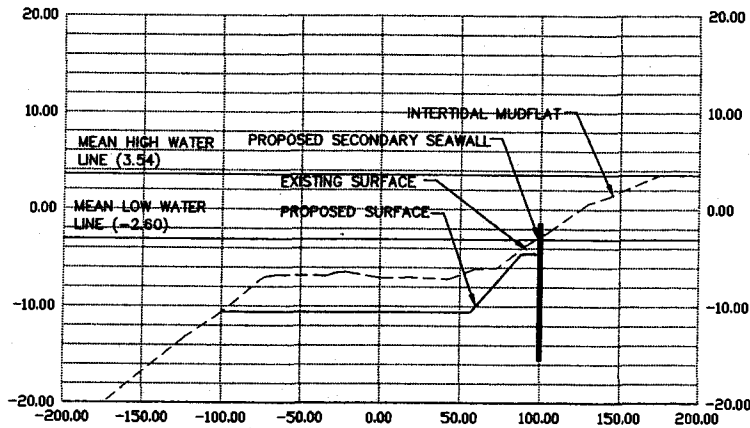
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 MAINTENANCE DREDGING
PROPOSED WORK
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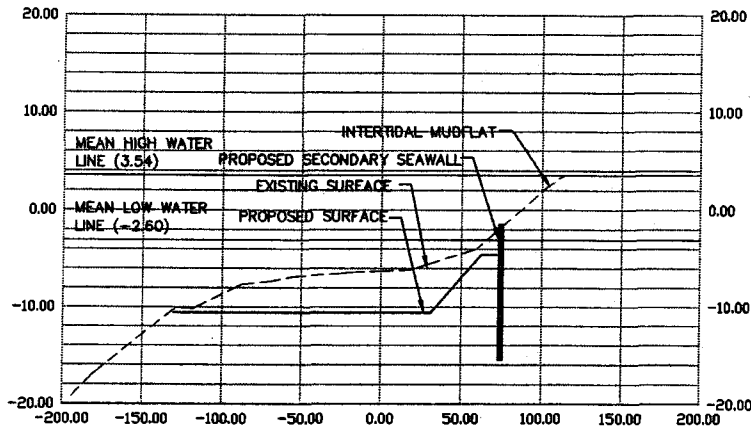


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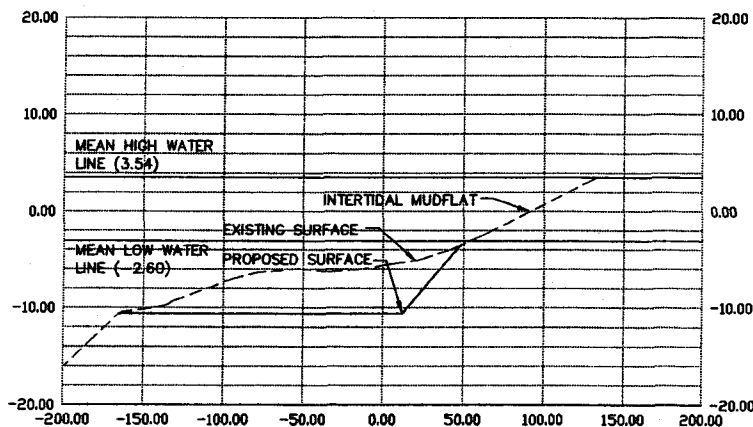
3+00



2+00



1+00



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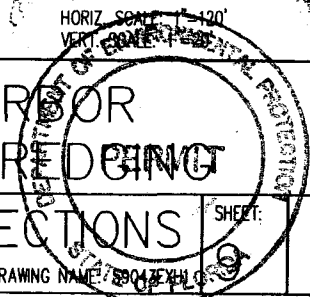
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FERNANDINA HARBOR
MAINTENANCE DREDGING

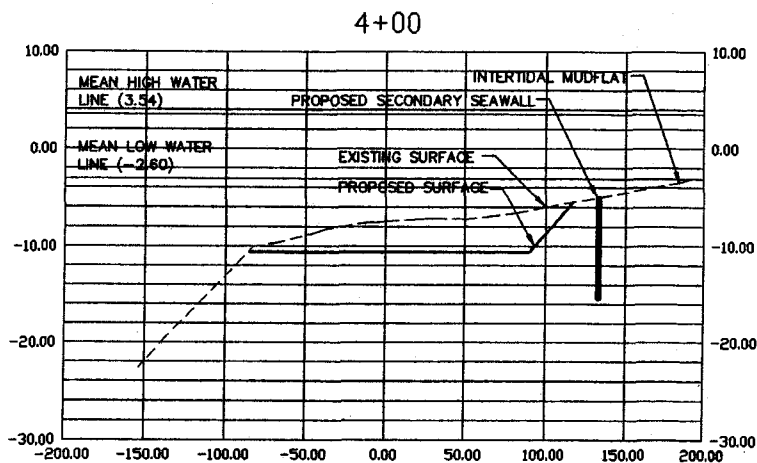
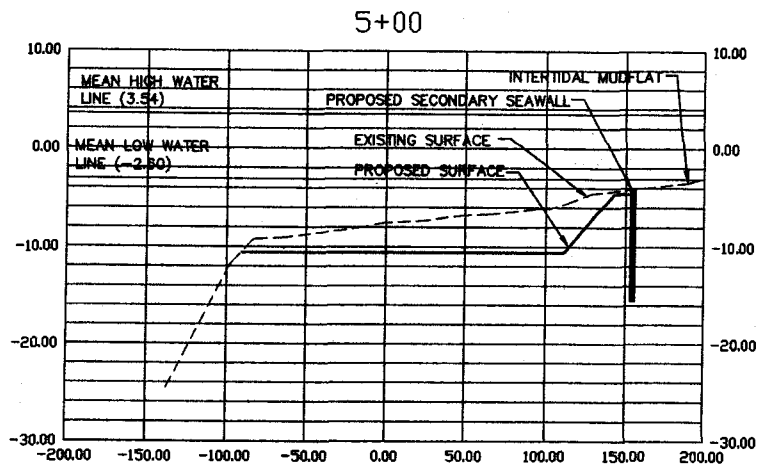
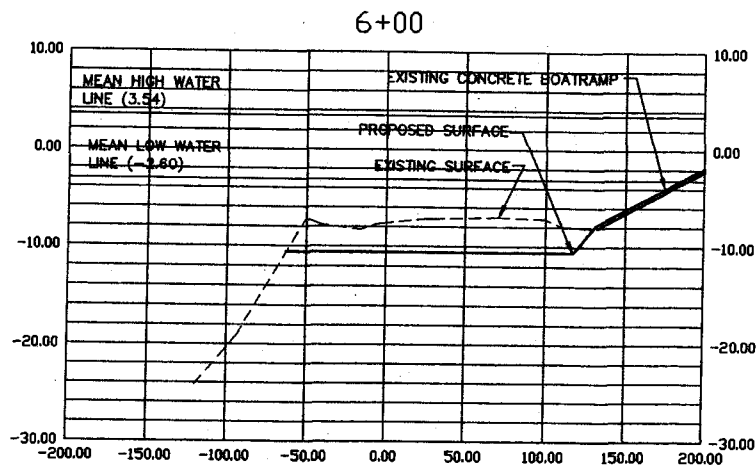
DREDGE CROSS SECTIONS

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SHEET: 18 OF: 18



14 AUG 11



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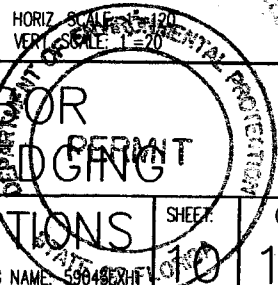
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MAINTENANCE DREDGING

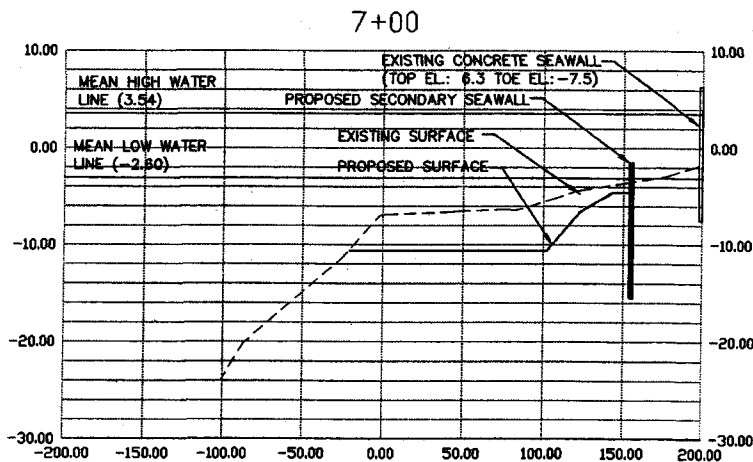
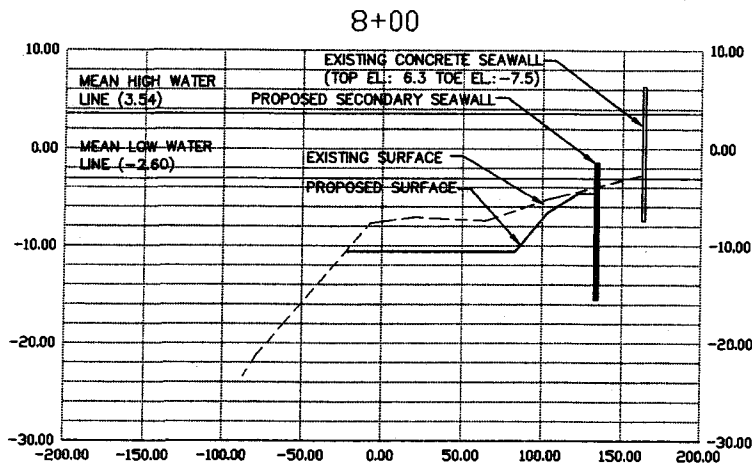
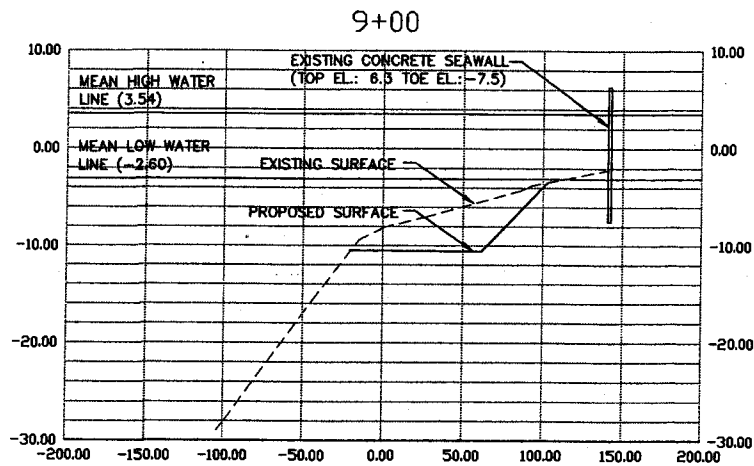
DREDGE CROSS SECTIONS

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SHEET 18 OF 18



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HORIZ. SCALE 1"=20'
 VERT. SCALE 1"=20'



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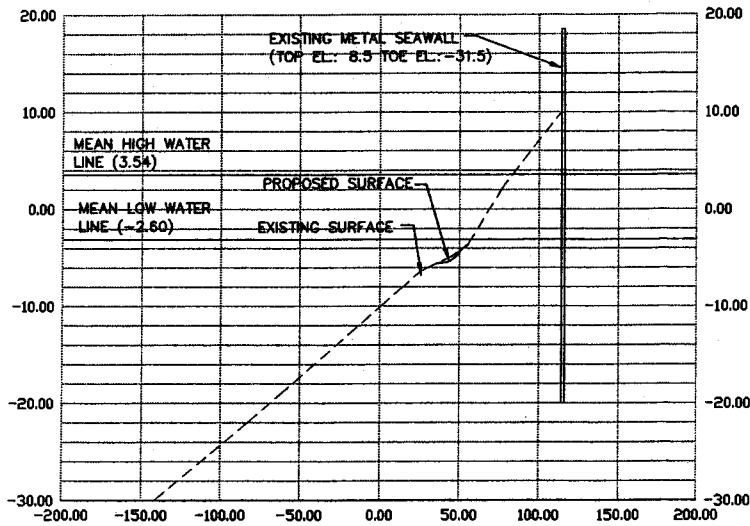
DREDGE CROSS SECTIONS

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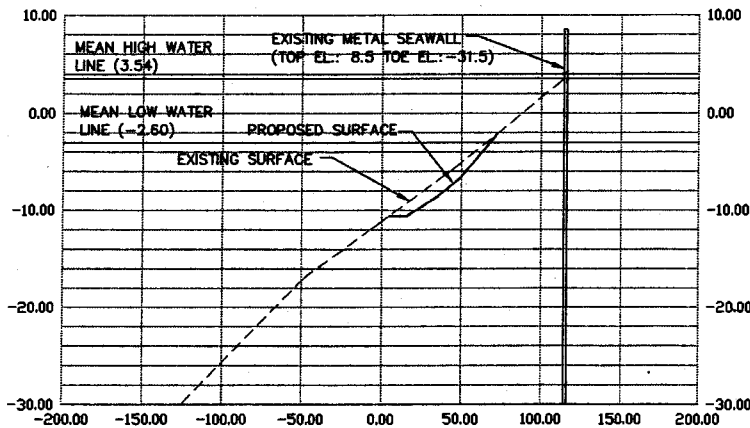
SHEET: 11 OF 18

10 AUG 11

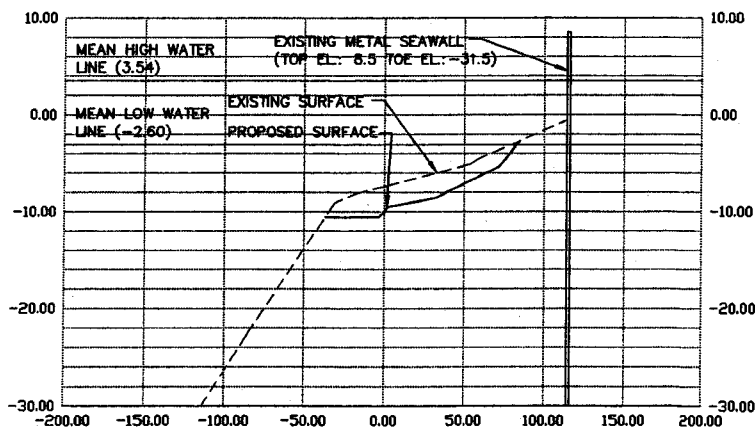
12+00



11+00



10+00



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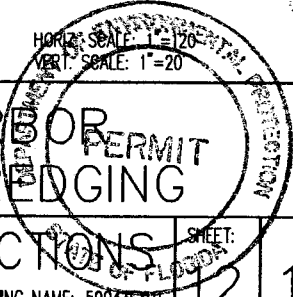
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MAINTENANCE DREDGING

DREDGE CROSS SECTIONS

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HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'



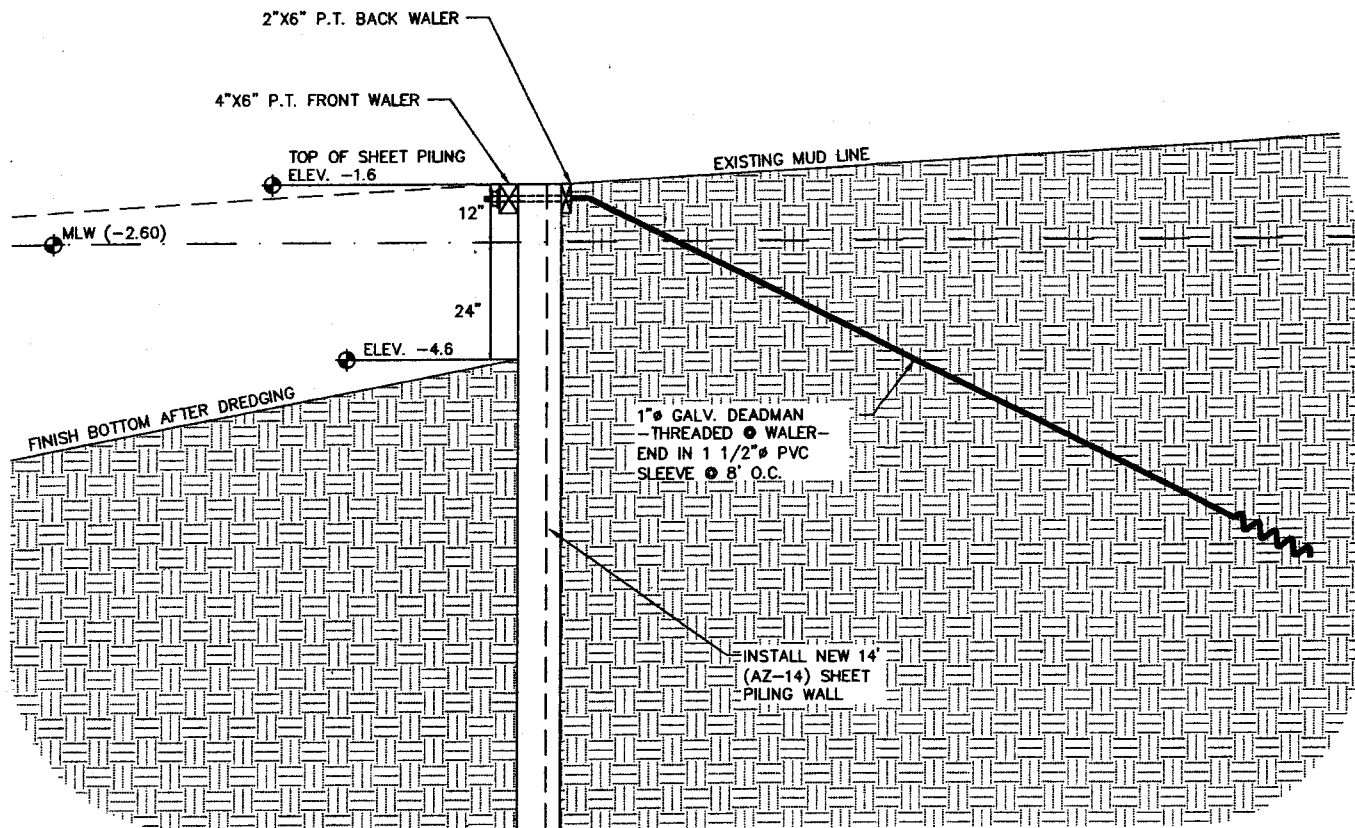
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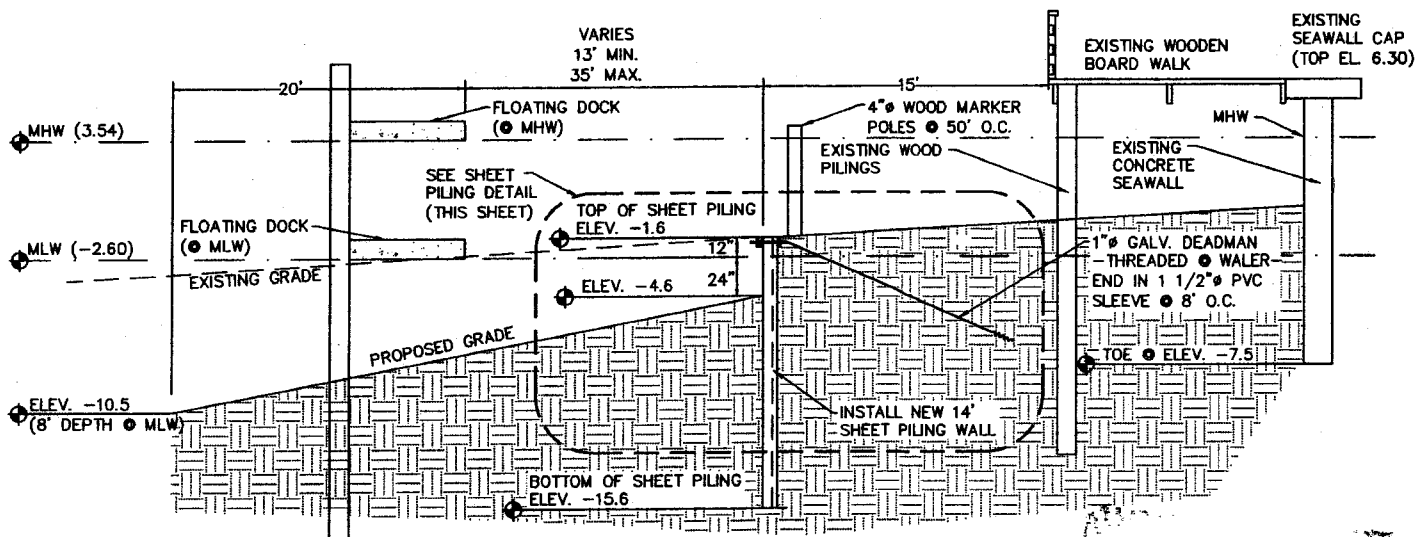
12

18

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SEAWALL CONSTRUCTION DETAIL
N.T.S.



SEAWALL TYPICAL SECTION A-A (STA. 6+00 TO STA. 8+00)
N.T.S.

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FERNANDINA HARBOR
 MAINTENANCE DREDGING

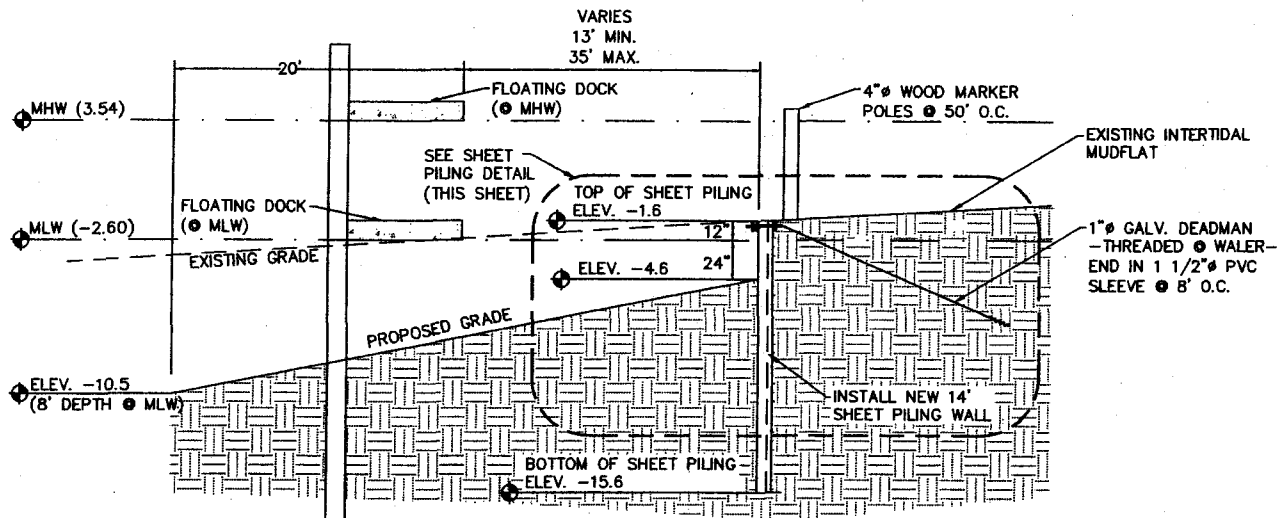
SECONDARY SEAWALL DETAILS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043.XD11

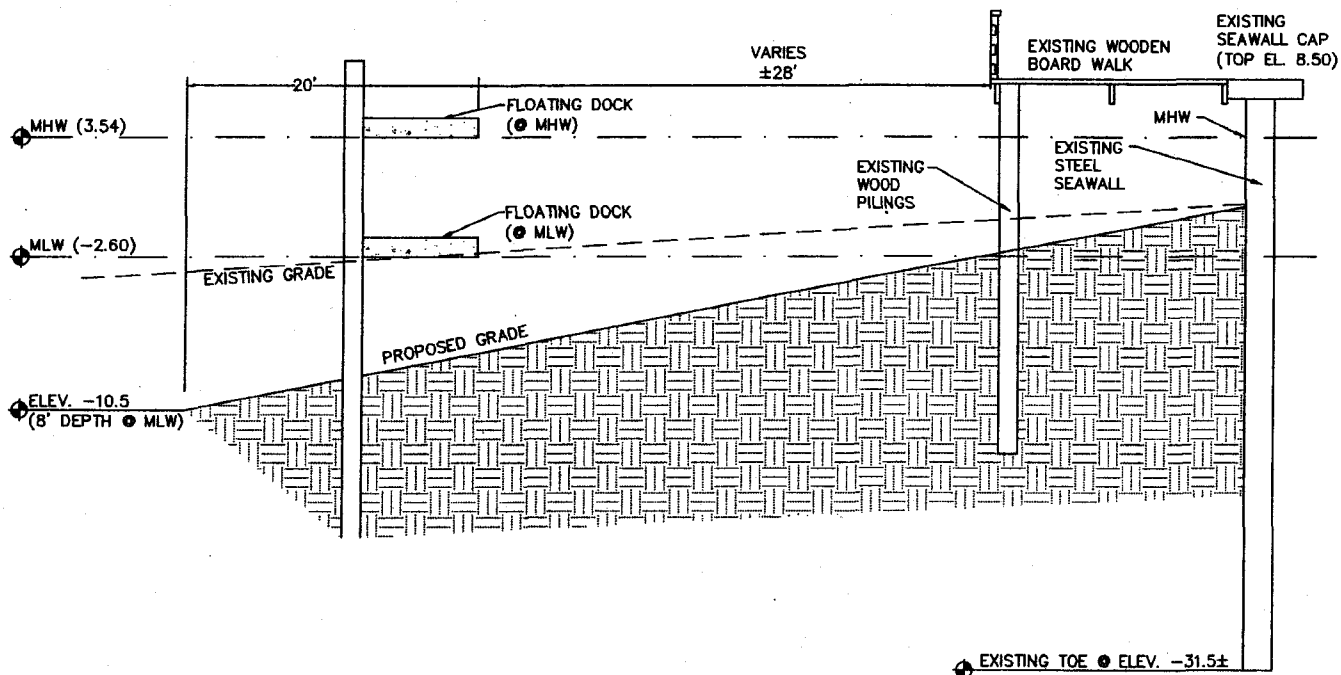


SHEET: 15 OF: 18

100 AUG 11



SEAWALL TYPICAL SECTION C-C (STA. 1+00 TO STA. 6+00)
N.T.S.



SEAWALL TYPICAL SECTION B-B (STA. 9+00 TO STA. 12+00)
N.T.S.

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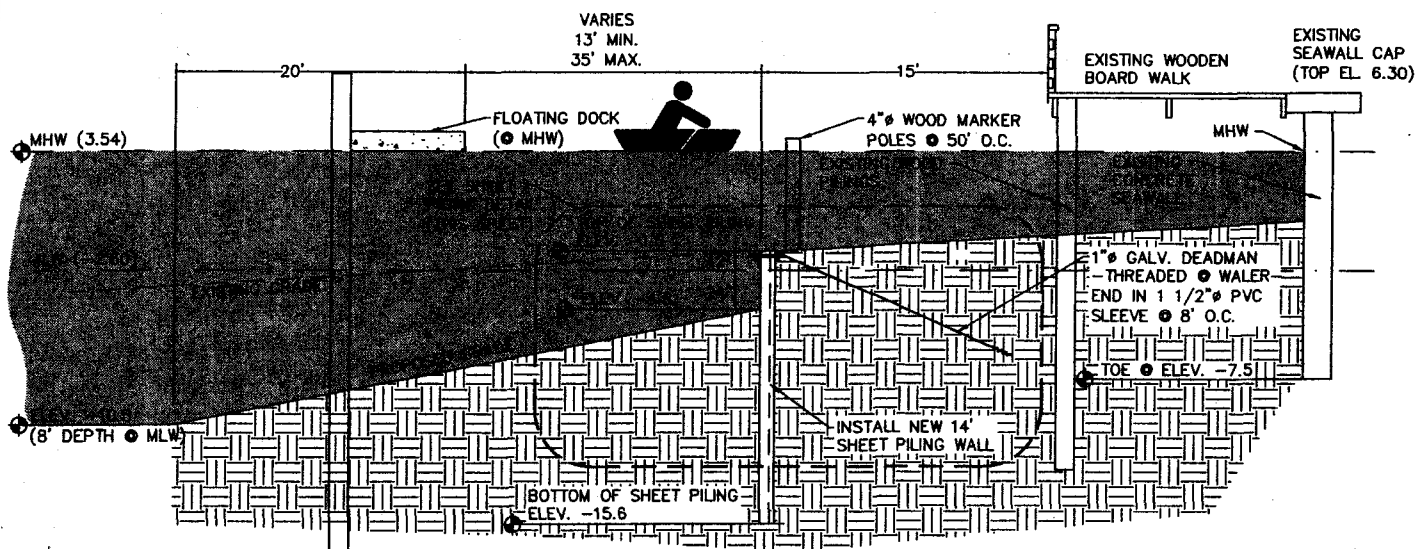
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MAINTENANCE DREDGING

SECONDARY SEAWALL DETAILS

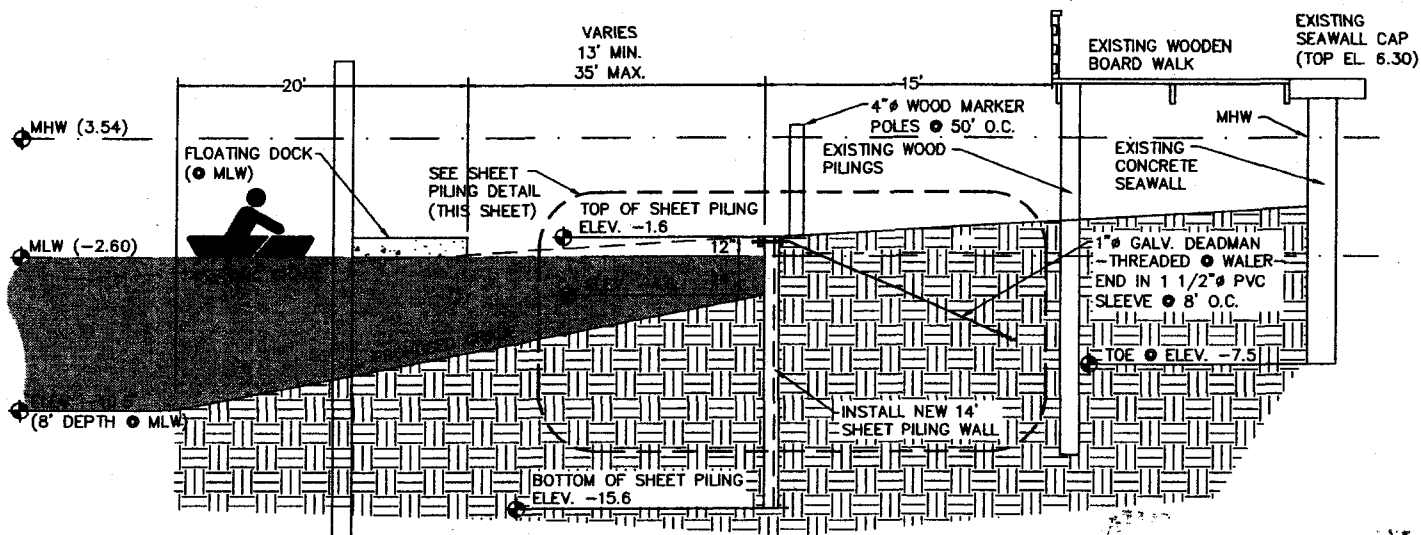
DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043 EXHIBIT

SHEET: 14 OF: 18

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SEAWALL TYPICAL SECTION A-A / HIGH TIDE
N.T.S.



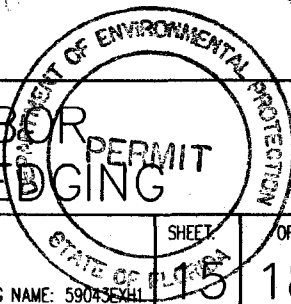
SEAWALL TYPICAL SECTION A-A / LOW TIDE
N.T.S.

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TIDE EXHIBIT

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1



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MARINA BASIN

HYDRAULIC DREDGE
DISCHARGE PIPE

 SPOIL CONTAINMENT
AREA (± 2.80 Ac)

* SURVEY PROVIDED BY MANZIE
& DRAKE LAND SURVEYING

WEST FRONT ST

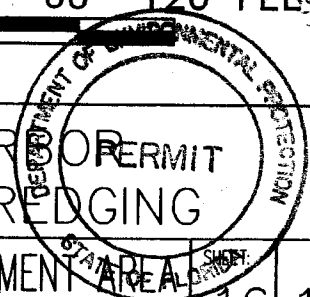
FRONT STREET
(TO RIGHT-OF-WAY)

EXISTING CSX RAILWAY

EXISTING
DRAINAGE DITCH

WEIRBOARD CONTROL
STRUCTURE & 12"
PVC DISCHARGE PIPE

60 0 60 120 FEET



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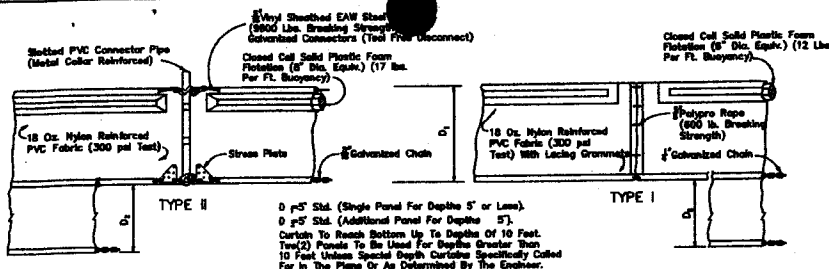
FERNANDINA HARBOR
MAINTENANCE DREDGING

DREDGE MATERIAL MANAGEMENT AREA

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

16 OF 18

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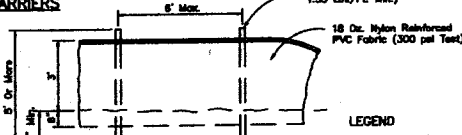
GENERAL NOTES

1. Floating turbidity barriers are to be paid for under the contract unit price for Floating Turbidity Barrier, LF.
2. Staked turbidity barriers are to be paid for under the contract unit price for Staked Turbidity Barrier, LF.

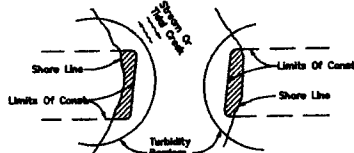
NOTICE

COMPONENTS OF TYPES I AND II MAY BE SIMILAR OR IDENTICAL TO PROPRIETARY DESIGNS. ANY IMPROVEMENT ON THE PROPRIETARY RIGHTS OF THE DESIGNER SHALL BE THE SOLE RESPONSIBILITY OF THE USER. SUBSTITUTIONS FOR TYPES I AND II SHALL BE AS APPROVED BY THE ENGINEER.

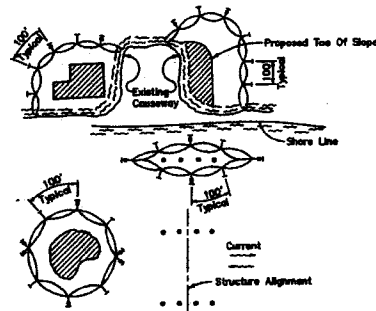
FLOATING TURBIDITY BARRIERS



STAKED TURBIDITY BARRIER



- LEGEND
- Pile Locations
 - ▨ Dredge Or Fill Area
 - Mooring Buoy w/Anchor
 - Anchor
 - Barrier Movement Due To Current Action



NOTES

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.

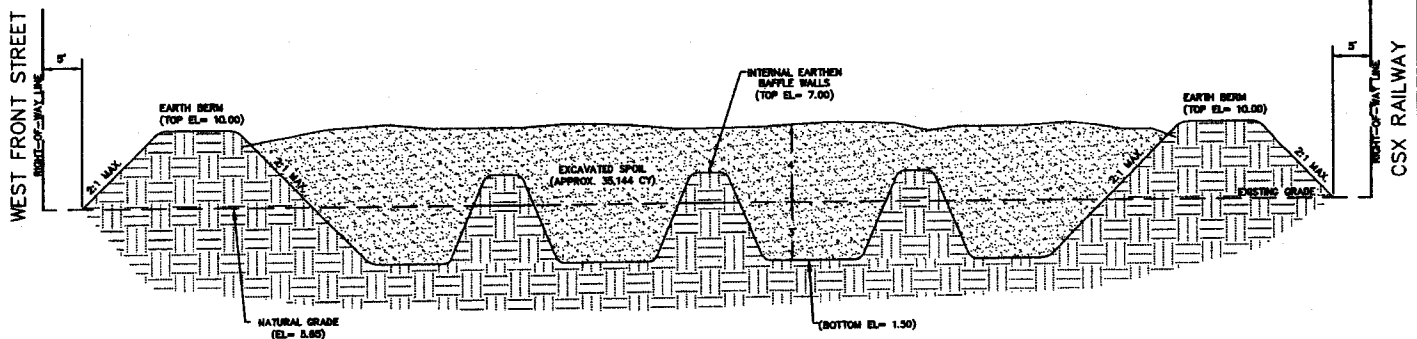
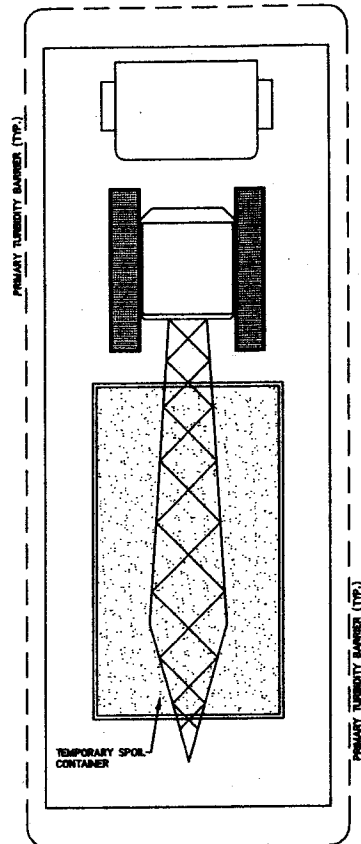
Note: Turbidity barriers for floating streams and tidal creeks may be either floating, or staked types or any combination of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractor's option unless otherwise specified in the plans, however payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Posts in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

TURBIDITY BARRIER APPLICATIONS

N.T.S.

CONSTRUCTION BARGE (TYP.)

N.T.S.



NOTES

1. ONCE SPOIL MATERIAL IS DRY, ALL MATERIAL TO BE TRANSPORTED TO AN APPROVED UPLAND LANDFILL.
2. DREDGED MATERIAL WILL BE REMOVED FROM THE TEMPORARY CONTAINMENT AREA AND HAULED AWAY BY THE CONTRACTOR AS NEEDED.

DREDGE MATERIAL MANAGEMENT AREA SECTION D-D

N.T.S.



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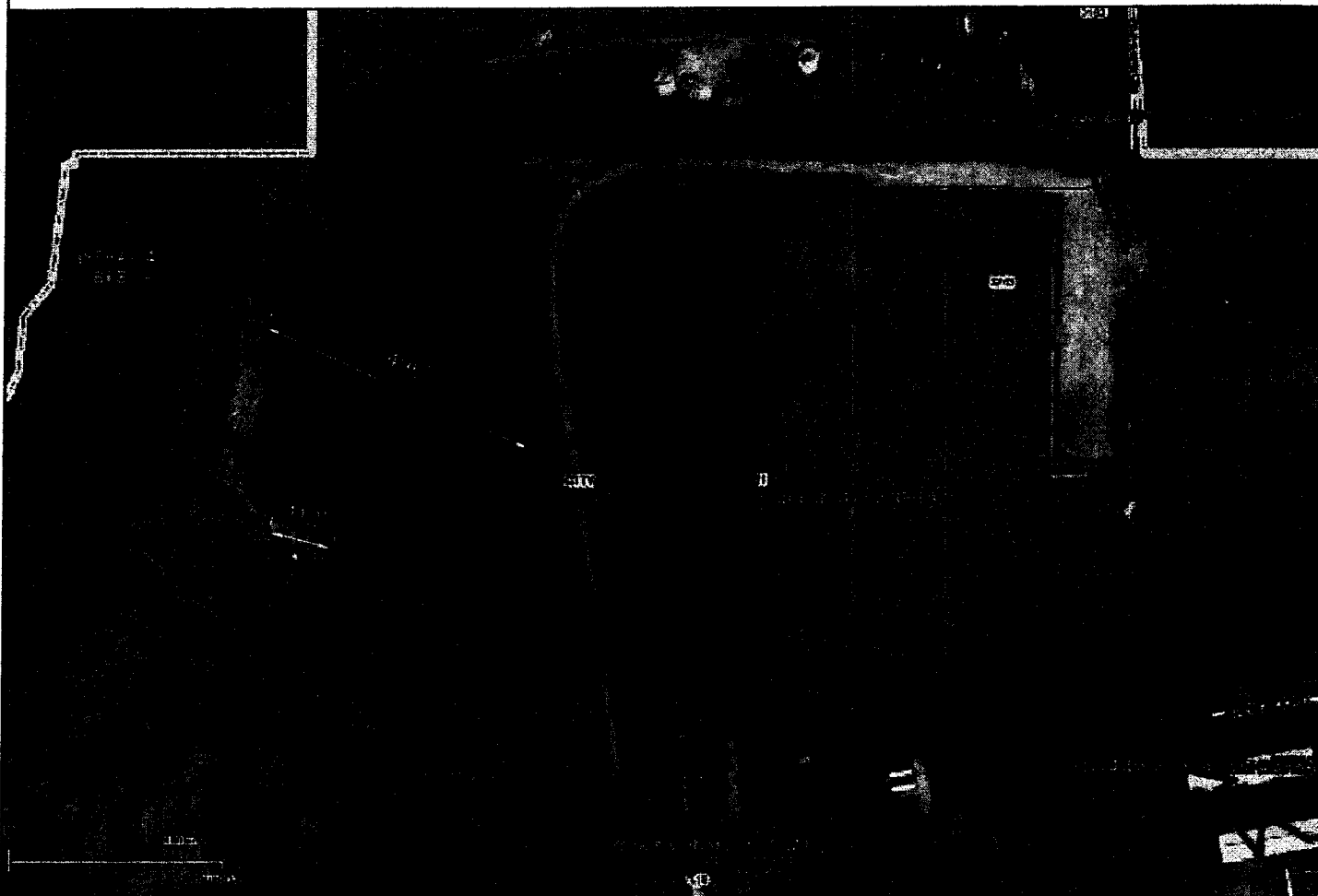
FERNANDINA HARBOR
MAINTENANCE DREDGING

DMMA CROSS SECTION & DETAILS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET 17 OF 18

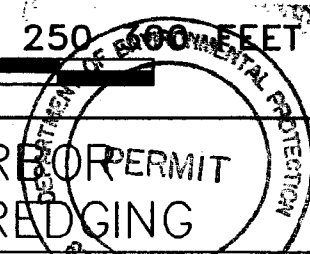
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FERNANDINA BEACH MUNICIPAL AIRPORT

SECTION 06, TOWNSHIP 2 NORTH, RANGE 28 EAST

250 0 250 500 FEET



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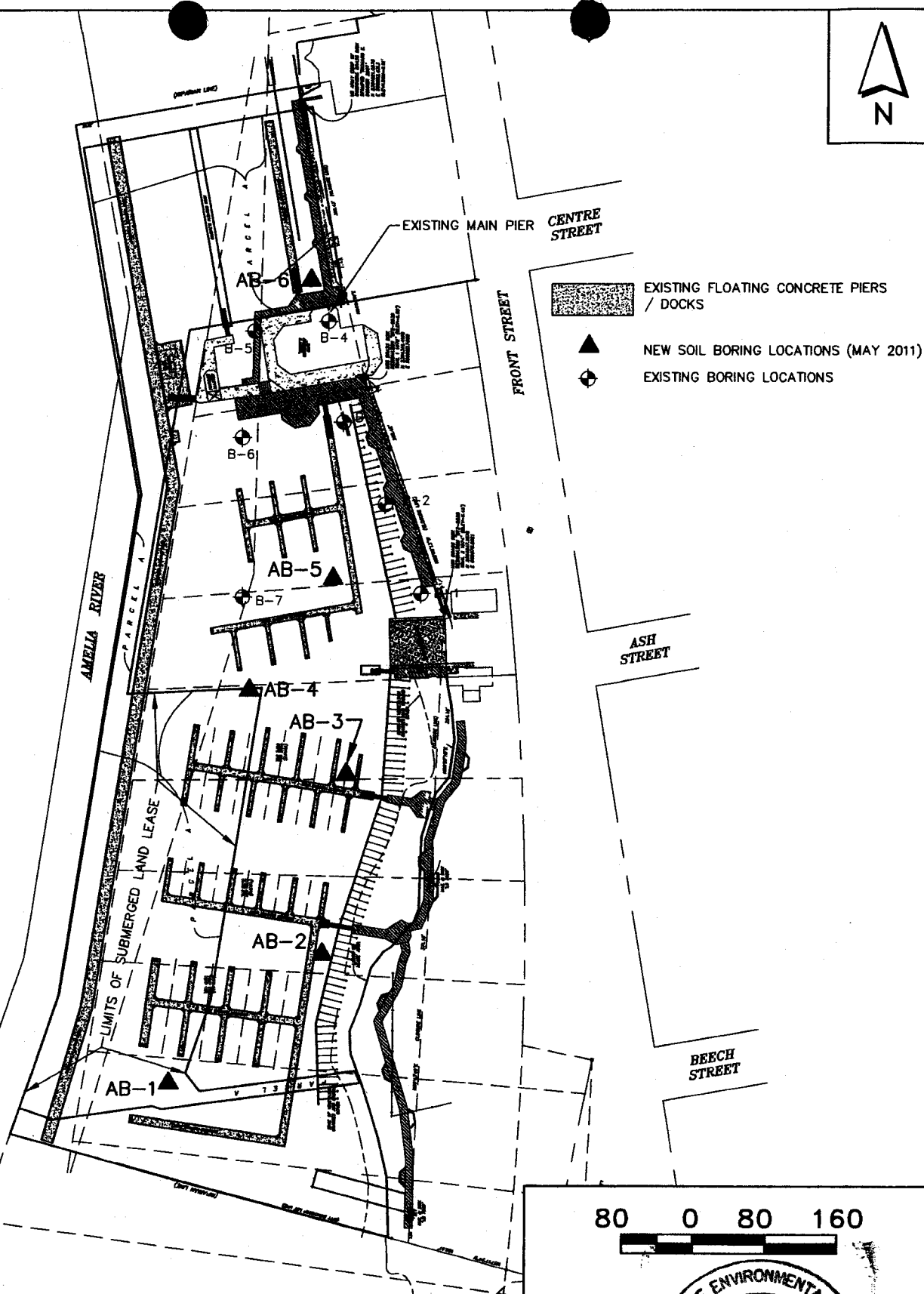
FERNANDINA HARBOR PERMIT
MAINTENANCE DREDGING

UPLAND DREDGE SPOILS DISPOSAL AREA

SHEET 18b OF 18

DATE PREPARED: 6/15/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

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PLANNERS • TRANSPORTATION • ENVIRONMENTAL
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FERNANDINA HARBOR MAINTENANCE DISTRICT GEOTECH BORING LOCATIONS

DATE PREPARED: 05/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: GEOTECH BORING LOCATIONS

SHEET:

OF:

1

16 AUG 11

NOTICES SUBMITTED TO THE DEPARTMENT

Your permit DEP File No.: 45-75835-008-EI requires you to submit the attached Notices to the Department at the times indicated. Failure to submit these notices will constitute noncompliance with the conditions of your permit and an enforcement action may be brought against you. If you are using a contractor you are responsible for insuring these notices are submitted to the Department.

PLEASE NOTE - References to stormwater management systems in the attached forms refers to the activity or activities authorized in your permit.

CONSTRUCTION COMMENCEMENT NOTICE -- FORM 62-343.900(3)

To be submitted 48 hours PRIOR to the commencement of the activity

ANNUAL STATUS REPORT - Form 62-343.900(4)

To be submitted annually each JUNE whenever the construction period exceeds one year after the construction commencement date.

AS BUILT CERTIFICATION PRIVATE RESIDENT -- FORM NED/AS-BUILT

In some cases, such as a single family resident constructing a structure on their own property for their own use, certification by a registered professional is not required. However, written notice to the Department within 30 days of completion of construction of the date the structure was completed is required. If you are a private single family resident property owner please use the As Built Certification - Private Resident form .

APPLICATION FOR TRANSFER OF PERMIT -- Form 62-343.900(8)

To be submitted within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or real property at which the system is located.

SUBMIT ALL NOTICES TO: Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590

**ENVIRONMENTAL RESOURCE PERMIT
CONSTRUCTION COMMENCEMENT NOTICE**

PROJECT: _____ PHASE: one (1)

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No.: 45-75835-008-EI has / is expected to commence on _____ 20____, and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual commencement date is not known, Department staff should be notified in writing in order to satisfy permit conditions.

Permittee or
Authorized Agent

Title and Company

Date

Phone

Address

Form #62-343.900(3), F.A.C.
Form Title: Construction
Commencement Notice
Date: October 3, 1995

**APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION
OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM**

Permit No. _____ Date Issued _____ Date Expires _____

FROM (Name of Current Permit Holder): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

Identification or Name of Facility/Surface Water Management System: _____

Phase of Facility/Surface Water Management System (if applicable): _____

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): _____ Date: _____

TO (Name of Proposed Permit Transferee): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee): _____

Title (if any): _____ Date: _____

Project Engineer Name (if applicable) _____

Mailing Address: _____

Telephone: (____) _____

**ENVIRONMENTAL RESOURCE PERMIT
ANNUAL STATUS REPORT FORM**

Permit No.: 45-75835-008-EI

County: _____

Project Name: _____

Phase: ONE (1)

the following activity has occurred at the above referenced project during the past year, between
June 1, 20____ and May 30, 20_____.

Permit Condition Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use additional Sheets As Necessary)

Benchmark Description (one per major control structure:)

Not Applicable

Print Name

Phone

Permittee's or Authorized
Agent's Signature

Title and Company

Date

This form shall be submitted to the above referenced Department Office During June of each year for activities whose duration of construction exceeds one year.

Form: #62-343.900(4), F.A.C.
Form Title: Annual Status Report
Date: October 3, 1995

NOTICE

YOUR PROJECT DID NOT QUALIFY FOR THE STATE AND FEDERAL COMBINED-STATE PROGRAMMATIC GENERAL PERMIT (SPGP) PROGRAM. THE ATTACHED AUTHORIZATION(S) DOES NOT INCLUDE THE REQUIRED FEDERAL AUTHORIZATION FOR YOU TO CONSTRUCT YOUR PROJECT. A COPY OF YOUR APPLICATION HAS BEEN SENT TO THE US ARMY CORPS OF ENGINEERS (USACOE) FOR PROCESSING. THE FEDERAL AUTHORIZATION FOR YOUR PROJECT WILL BE SENT TO YOU SEPARATELY BY THE USACOE. YOU CANNOT CONSTRUCT YOUR PROJECT WITHOUT THE APPROPRIATE FEDERAL AUTHORIZATION. THE USACOE CAN BE CONTACTED IN JACKSONVILLE AT 904-232-1177.



Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

91 7108 2133 3936 4226 3326

SUBMERGED LANDS AND ENVIRONMENTAL RESOURCES PROGRAM CONSOLIDATED NOTICE OF INTENT TO ISSUE

August 15, 2011

In the Matter of an
Application for Permit/Water Quality Certification,
and Authorization to Use Sovereign Submerged Lands by:

APPLICANT:

Michael Czymbor
City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida 32034

PROJECT NAME:

**Fernandina Harbor Maintenance Dredge and Secondary
Seawall**
FILE NO: 45-75835-008-EI
COUNTY: Nassau

CONSULTANT:

Glenn Semanisin, P.E.
City of Fernandina Beach
204 Ash Street
Fernandina Beach, Florida 32034

CONSOLIDATED NOTICE OF INTENT TO ISSUE ENVIRONMENTAL RESOURCE PERMIT AND CONSENT TO USE SOVEREIGN SUBMERGED LANDS

The Department of Environmental Protection gives notice of its intent to:

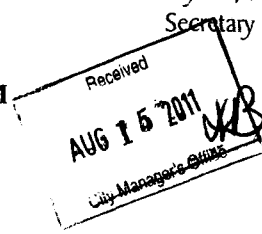
(a) issue an environmental resource permit under Part IV of Chapter 373, Florida Statutes (F.S.), and Title 62, Florida Administrative Code (F.A.C.) (draft copy of permit attached). Issuance of the environmental resource permit also constitutes certification of compliance with state water quality standards pursuant to Section 401 of the Clean Water Act, 33 U.S.C. 1341.

(b) grant consent to use sovereign submerged lands for the proposed activity, under Article X, Section 11 of the Florida Constitution, Chapter 253, F.S., and Title 18, F.A.C., as described below.

Where applicable (such as activities in coastal counties), issuance of the environmental resource permit also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Management Act.

I. DESCRIPTION OF THE PROPOSED ACTIVITY

The applicant, The City of Fernandina Beach, applied on January 20, 2011, to the Department of Environmental Protection for a permit/water quality certification and authorization to use sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees) to maintenance dredge approximately 19,318 cubic yards of material from an existing marina basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and the installation of 730 linear feet of secondary seawall located varying distances waterward of an existing vertical wall on the Amelia River depending on the amount of and extent of mudflats located waterward of the vertical wall. The secondary seawall will have a finished top elevation of -1.6 NGVD 1929 and will be located on privately owned submerged land.



City of Fernandina Beach
Fernandina Harbor
DEP File No.: 45-75835-008-EI

The activity is located at 3 South Front Street, Fernandina Beach, Florida, Nassau County, Sections 17, 22, and 23, Township 3 North, Range 28 East, Latitude 30°40'14.25"N, Longitude -81°27'57.92"W Amelia River, not a Shellfish Harvesting Area, not Outstanding Florida Waters, not an Aquatic Preserve.

II. AUTHORITY FOR REVIEW

The Department has permitting authority under Part IV of Chapter 373, F.S., and Chapters 62-330, 62-341 and 62-343, F.A.C. The activity is not exempt from the requirement to obtain an environmental resource permit. Pursuant to Operating Agreements executed between the Department and the Water Management Districts, as referenced in Chapter 62-113, F.A.C., the Department is responsible for reviewing this application.

The activity also requires a proprietary authorization, as it is located on sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund. The activity is not exempt from the need to obtain a proprietary authorization. Pursuant to Article X, Section 11 of the Florida Constitution, Sections 253.002 and 253.77, F.S., Sections 18-21.00401, 18-21.0051, 62-343.075, F.A.C., and the Operating Agreements executed between the Department and the Water Management Districts, as referenced in Chapter 62-113, F.A.C., the Department has the responsibility to review and take final action on this request for proprietary authorization.

III. BACKGROUND/BASIS FOR ISSUANCE

A. General

Fernandina Harbor Marina is located along the eastern shoreline of the Amelia River. It is within the Downtown Historic District at the foot of Centre Street. It lays 3 miles south of the St Mary's Inlet and immediately south of the Port of Fernandina, an international port of entry that serves large ocean going freighters. Fernandina Harbor Marina is open to the general public all year and offers 129 slips and 20 mooring buoys for both transient and local boaters. The municipal marina provides short and long term dockage for recreational boaters as well as commercial activities. The marina can accommodate vessels from 25 feet to 225 feet in length and up to 12 foot draft. The marina is open daily and has a full time marina director, dock master and assistants to operate the fuel dock, assist boaters, manage the mooring field, and maintain the facility. The facility provides boaters with restrooms, showers, laundry rooms, a wastewater pump-out station, solid waste disposal and recycling facilities.

There will be no change to the existing dock layout or an increase in the number of slips within the marina basin. Dredging will be done solely to allow full use of all slips for recreational vessels. At the present time, many slips have only one foot of water depth at MLW. The spoil from dredging will be temporarily disposed of at a temporary dredge material management area located at a vacant lot adjacent to the marina for dewatering. Currently Rayonier Performance Fibers owns the parcel; however, the city is in negotiations to purchase the property from Rayonier. The permit will be conditioned such that the City obtains a temporary spoil disposal agreement from Rayonier, or provides the Department with proof of ownership prior to construction. Once spoil is sufficiently dewatered it will be transported to the City of Fernandina Beach Municipal Airport, where it will be spread as topsoil. Dredging will be done landward of the existing breakwater, from the fuel dock south to the southernmost limits of the marina basin and along the northeast seawall by either mechanical or hydraulic means. All dredging equipment will moor and operate within the marina basin. Continuous monitoring of surface waters for turbidity during dredging will be performed by the applicant or their representative. All appropriate turbidity controls will be deployed during the dredging operation. A recent geotechnical investigation determined that the dredged material will consist of very silty material and will not be suitable for construction purposes.

A new seawall is to be constructed parallel with and waterward of existing seawalls that line the shoreline of the marina basin. The purpose of this secondary seawall is to protect the structural integrity of the shallow concrete seawall in the central marina basin and to preserve an intertidal mud flat that lays waterward of an existing wooden

seawall in the southern marina basin. This secondary wall will also prevent the mud flat from "sliding" into the dredged basin. The proposed wall will be located waterward of any existing marsh therefore there will be no wetland impacts.

The Florida Fish & Wildlife Conservation Commission, Division of Habitat and Species Conservation, Imperiled Species Management Section recommended on February 9, 2011, that: (1) the Standard Manatee Construction Conditions for In-water Work (2011) shall be followed for all in-water activity.

B. Specific Regulatory Basis for Issuance

Through the above and based on the general/limiting and specific conditions to the permit, the applicant has provided affirmative reasonable assurance that the construction and operation of the activity, considering the direct, secondary and cumulative impacts, will comply with the provisions of Part IV of Chapter 373, F.S., and the Rules adopted thereunder, including the Conditions for Issuance or Additional Conditions for Issuance of an environmental resource permit, pursuant to Part IV of Chapter 373, F.S., Chapters 62-330, and Sections SJRWMD 40C-4.301 and 40C- 4.302, F.A.C. The construction and operation of the activity will not result in violations of the water quality standards set forth in Chapters 62-4, 62-302, 62-520, 62-522, and 62-550, F.A.C. The applicant has also demonstrated that the construction of the activity, including a consideration of the direct, secondary, and cumulative impacts, is not contrary to the public interest pursuant to paragraph 373.414(1)(a), F.S.

C. Specific Proprietary Basis for Issuance

Through the above and based on the special conditions to the consent to use, the applicant has met all applicable requirements for proprietary authorizations to use sovereignty submerged lands, pursuant to Article X, Section 11 of the Florida Constitution, Chapter 253, F.S., and associated Rule 18-21, F.A.C. The applicant has provided reasonable assurance that the activity:

- (1) is "not contrary to the public interest";
- (2) will maintain essentially existing conditions;
- (3) will not cause adverse impacts to fish and wildlife resources or public recreation or navigation; and
- (4) will not interfere with the riparian rights of adjacent property owners.

In addition, the project is consistent with the goals and objectives of the "Conceptual State Lands Management Plan" adopted by the Board of Trustees on March 17, 1981, and as modified on March 15, 1983.

IV. PUBLICATION OF NOTICE

The Department has determined that the proposed activity, because of its size, potential effect on the environment or the public, controversial nature, or location, is likely to have a heightened public concern or likelihood of request for administrative proceedings. Therefore, pursuant to Section 373.413(4), F.S., and paragraph 62-343.090(2)(k), F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue. The notice is required to be published one time within 30 days, in the legal ad Section of a newspaper of general circulation in the area affected. For the purpose of this Rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to:

**Department of Environmental Protection
Submerged Lands and Environmental Resources
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590**

The proof of publication shall be provided to the above address within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time shall be grounds for denial of the permit and consent to use sovereign submerged lands.

V. RIGHTS OF AFFECTED PARTIES

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 filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

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, 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 14 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 14 days of publication of the notice or within 14 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 14 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

City of Fernandina Beach
Fernandina Harbor
DEP File No.: 45-75835-008-EI

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

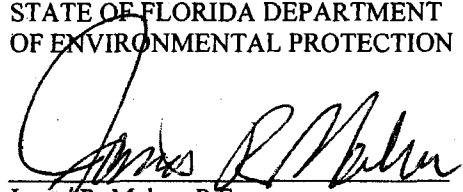
Mediation is not available in this proceeding.

Judicial Review

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



James R. Maher, P.E.
Program Administrator
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
Phone: (904)256-1700

Copies furnished to:
U. S. Army Corps of Engineers, Jacksonville
FFWCC, Bureau of Imperiled Species Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this **CONSOLIDATED INTENT TO ISSUE** and all copies were mailed before the close of business on 8/12/11, 2011, to the above listed persons.

PUBLICATION NOTICE

Attached is the notice to be published in a newspaper of local circulation

All of the attached pages must be in the notice

(Do not publish this page)

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT AND CONSENT TO USE SOVEREIGN SUBMERGED LANDS

The Department of Environmental Protection gives notice of its intent to issue a permit (File No. 45-75835-008-EI) to maintenance dredge approximately 19,318 cubic yards of material from an existing marina basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and the installation of 730 linear feet of secondary seawall waterward of an existing vertical wall on the Amelia River.

The activity is located at 3 South Front Street, Fernandina Beach, Florida, Nassau County, Sections 17, 22, and 23, Township 3 North, Range 28 East, Latitude 30°40'14.25"N, Longitude -81°27'57.92"W Amelia River, not a Shellfish Harvesting Area, not Outstanding Florida Waters, not an Aquatic Preserve.

The Department will issue the permit with conditions and the consent to use sovereign submerged lands unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes. The procedures for petitioning for a hearing are set forth below.

Rights of Affected Parties

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, 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 14 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 14 days of publication of the notice or within 14 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 14 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.

Judicial Review

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.

Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization

Permittee: Michael Czymbor, City of Fernandina Beach
Permit No: 45-75835-008-EI

PROJECT LOCATION

The activities authorized by this Permit and sovereignty submerged lands authorization are located at 3 South Front Street, Fernandina Beach, Florida 32034, in Sections 17, 22, and 23, Township 3 North, Range 28 East in Nassau County, at Latitude 30°40'14.25"/Longitude -81°27'57.92".

AUTHORIZATIONS

Fernandina Harbor Maintenance Dredge and Secondary Seawall

Project Description

The permittee is authorized to mechanically or hydraulically maintenance dredge approximately 19,318 cubic yards of material from an existing marina basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and install 730 linear feet of secondary seawall waterward of an existing vertical retaining wall located landward of Mean High Water on the Amelia River, a Class III waterbody, not an Outstanding Florida Waterbody, not within an aquatic preserve. The secondary seawall will be located on privately owned submerged land and will have a finished top elevation of -1.6 NGVD 1929. The dredged material will be placed in an engineered dredge material management area located on a vacant upland lot adjacent to the marina. Authorized activities are depicted on the attached exhibits.

The project described above may be conducted only in accordance with the terms, conditions and attachments contained in this permit. The issuance of this permit does not infer, nor guarantee, nor imply that future permits or modifications will be granted by the Department.

Sovereignty Submerged Lands Authorization

The activity is located on submerged lands owned by the State of Florida. It therefore also requires authorization, from the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), pursuant to Article X, Section 11 of the Florida Constitution, and Sections 253.002 and 253.77, Florida Statutes (F.S.).

As staff to the Board of Trustees of the Internal Improvement Trust Fund (Board of Trustees), the Department has determined that the activity qualifies for a Letter of Consent, as long as the work performed is located within the boundaries as described herein and is consistent with the terms and conditions herein.

Federal Authorization

A copy of this permit has been sent to the U.S. Army Corps of Engineers (USACE). The USACE may require a separate permit. Failure to obtain any required federal permits prior to construction could subject you to enforcement action by that agency.

Coastal Zone Management

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

Water Quality Certification

This permit constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341.

Other Authorizations

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

PERMIT SOVEREIGNTY SUBMERGED LANDS CONDITIONS

The activities described herein must be conducted in accordance with:

The Specific Conditions

The General Conditions

The General Conditions for Sovereignty Submerged Lands Authorization

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 commencing the **authorized** activities, and to ensure the work is conducted in conformance with all the terms, conditions, and drawings. If you are utilizing a contractor, the contractor also should read and understand these conditions and drawings prior to commencing the authorized activities. Failure to comply with these conditions, including any mitigation requirements, shall constitute grounds for revocation of the Permit and appropriate enforcement action by the Department.

Operation of the facility is not authorized except when determined to be in conformance with all applicable rules and this permit/certification/authorization and sovereignty submerged lands authorization, as specifically described above.

SPECIFIC CONDITIONS - PRIOR TO CONSTRUCTION

1. Prior to commencement of work authorized by this permit, the permittee shall provide written notification of the date of the commencement and proposed schedule of construction to the Submerged Lands and Environmental Resources Program, Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256-7590.
2. Prior to commencement of the work authorized by this permit, the permittee shall provide proof of ownership for the parcel or a temporary spoil disposal agreement between the City of Fernandina Beach and Rayonier Performance Fibers for the temporary upland disposal site.

SPECIFIC CONDITIONS – CONSTRUCTION ACTIVITIES

3. If 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, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Review and Compliance Section at (850) 245-6333 or (800) 847-7278, as well as the Department of Environmental Protection at 904-256-1700. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. The following excerpt from 872.05 Unmarked Human Burials is provided for informational purposes:

872.05(4) DISCOVERY OF AN UNMARKED HUMAN BURIAL OTHER THAN DURING AN ARCHAEOLOGICAL EXCAVATION.--When an unmarked human burial is discovered other than during an archaeological excavation authorized by the state or an educational institution, all activity that may disturb the unmarked human burial shall cease immediately, and the district medical examiner shall be notified. Such activity shall not resume unless specifically authorized by the district medical examiner or the State Archaeologist.

4. All wetland areas or water bodies, which are outside the specific limits of construction authorized by this permit shall be protected from erosion, siltation, scouring, excess turbidity, or dewatering. Turbidity curtains, hay bales, and other such erosion/turbidity control devices shall be installed pursuant to Chapter 6 of The Florida Land Development Manual, A Guide to Sound Land and Water Management, prior to the commencement of dredging, filling, or construction activity. The devices shall remain functional at all times and shall be maintained on a regular basis. Turbidity and/or sedimentation resulting from any activities associated with the project shall not be allowed to enter waters of the State.
5. Floating turbidity curtains (FDOT Type II or equivalent) shall be used to surround all open water work areas and shall remain in place until such time as turbidity levels within these work areas have reduced sufficiently so as not to exceed the State water quality standards.
6. The work shall be done during periods of average or low water.
7. The project shall comply with applicable State Water Quality Standards, namely:
Surface Waters, Minimum Criteria, General Criteria - **62-302.500**,
Class III Waters - Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife. - **62-302.400**.
8. There shall be no stockpiling of tools, materials (i.e., lumber, pilings, riprap, sheet piles) within wetlands, along the shoreline within the littoral zone, or elsewhere within waters of the state unless specifically approved in this permit.
9. All cleared vegetation (including logging slash), scrap wood, trash, garbage, construction debris and other foreign debris or material shall be removed from the wetlands and placed in approved landfill or other authorized upland location within 14 days of completion of the work authorized in this permit.
10. The structure authorized by this permit shall not be placed on any property, other than that owned by the permittee, without the prior written approval of that property owner.
11. Outside the specific limits of construction authorized by this permit, any damage to the wetlands/shoreline/littoral zone as a result of the dredge activity or bulkhead construction shall be repaired by reestablishing the pre-construction elevations and replanting vegetation of the same species, size and density as that in the adjacent undisturbed wetland or littoral areas.

Dredging

12. Prior to the initiation of any work authorized by this permit, floating turbidity screens with weighted skirts that extend to within 1 ft. of the bottom shall be placed around the dredge area. The screens shall be maintained and shall remain in place for the duration of the project construction to ensure that turbidity levels outside the construction area do not exceed the state water quality standard. The permittee shall be responsible for ensuring that turbidity control devices are inspected daily and maintained in good working order so that there are no violations of state water quality standards outside of the turbidity screens.
13. The dredging operation shall be continuously monitored visually for turbidity, by an observer who is familiar with the state water quality standard. If at any time it is suspected that any turbidity generated may exceed the state water quality standard, the dredging operation shall be halted. It may be resumed once measures are taken to reduce the turbidity generated to below state water quality standards.
14. The dredged material shall be placed in a self-contained, upland disposal site that will prevent the escape of dredged material and associated effluent into wetlands and surface waters.
15. All areas to be dredged shall be in accordance with the attached permit drawings and shall not exceed the areas and depths indicated on those drawings.

Dredge Material Management Area

16. No off-site flooding shall occur as a result of the development.

17. To minimize erosion and sedimentation during construction activities, temporary erosion and sedimentation control measures (silt fencing, hay bales, etc) shall be correctly installed, along with other Best Management Practices to provide proper erosion and sediment control during and after construction, until such time as the areas are properly stabilized.

18. The contractor shall follow the Dredging/ DMMA operation & inspection plan provided to the Department.

Secondary Seawall

19. Any future repair or replacement of the secondary seawall must occur within the same footprint of the authorized structure.

SPECIFIC CONDITIONS – MANATEE CONDITIONS

20. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with, and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.

21. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels shall follow routes of deep water whenever possible.

22. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers shall not impede manatee movement.

23. All on-site project personnel are responsible for observing water-related activities for the presence of manatees. All in-water operations, including vessels, shall be shutdown if a manatee comes within 50 feet of the operation. Activities shall not resume until every manatee has moved beyond the 50-foot radius of the project operation, or until 30 minutes has elapsed wherein a manatee has not reappeared within 50 feet of the operation. Animals shall not be herded away or harassed into leaving.

24. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-FWCC. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida.

25. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Awareness signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used. One sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* must be posted. A second sign measuring at least 8 1/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shutdown of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Please see the Florida Fish and Wildlife Conservation Commission website for information on how to obtain appropriate signs: http://www.myfwc.com/docs/WildlifeHabitats/Manatee_EducationalSign.pdf

GENERAL CONDITIONS

(1) The following general conditions shall be a part of all permits issued pursuant to this chapter and Chapter 40C-40, F.A.C., unless the conditions are inapplicable to the activity authorized by the permit.

(a) All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

(b) This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by Department staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(c) Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.

(d) Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in Chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources as soon as practicable.

(e) Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(f) At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the Department a fully executed "Construction Commencement Notice" Form 62-343.900(3) indicating the actual start date and the expected completion date.

(g) When the duration of construction will exceed one year, the permittee shall submit construction status reports to the Department on an annual basis utilizing an Annual Status Report Form 62-343.900(4). These forms shall be submitted during June of each year.

(h) For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the Department for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the Department when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

(i) Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

(j) Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 62-343.900(5) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the Department. Submittal of the completed form shall serve to notify the Department that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the "as-built" or "record" drawings:

1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;

3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas 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, when appropriate;
4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
6. Existing water elevation(s) and the date determined; and
7. Elevation and location of benchmark(s) for the survey.

(k) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the condition in paragraph (i) above, the Department determines the system to be in compliance with the permitted plans, and the entity approved by the Department in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the Department, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.

(l) Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the Department of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(m) This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40C-4 or 40C-40, F.A.C.

(n) The permittee shall hold and save the Department harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

(o) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Rule 62-343.040, F.A.C., provides otherwise.

(p) The permittee shall notify the Department in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 62-343.130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(q) Upon reasonable notice to the permittee, Department authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.

(r) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the Department.

(s) The permittee shall immediately notify the Department in writing of any previously submitted information that is later discovered to be inaccurate.

(2) In addition to those general conditions set forth in subsection (1), the Department shall impose on any permit granted under this chapter and Chapter 40C-40, F.A.C., such reasonable project-specific conditions as are necessary to assure that the permitted system will not be inconsistent with the overall objectives of the District or be harmful to the water resources of the District as set forth in District and Department rules. Upon receipt of the notice of intended Department action, any person whose substantial interests are affected shall have the right to request a hearing in accordance with Chapter 28-106 and Rule 62-110.106, F.A.C.

GENERAL CONDITIONS FOR SOVEREIGNTY SUBMERGED LANDS AUTHORIZATION

Any use of sovereignty submerged lands is subject to the following general conditions are binding upon the applicant and are enforceable under Chapter 253, F.S. and, as applicable, Chapter 258, F.S.:

1. Sovereignty submerged lands may be used only for the specified activity or use. Any unauthorized deviation from the specified activity or use and the conditions for undertaking that activity or use will constitute a violation. Violation of the authorization will result in suspension or revocation of the applicant's use of the sovereignty submerged lands unless cured to the satisfaction of the Board of Trustees.
2. Authorization under Rule 18-21.005, Florida Administrative Code (F.A.C.), conveys no title to sovereignty submerged lands or water column, nor does it constitute recognition or acknowledgment of any other person's title to such land or water.
3. Authorizations under Rule 18-21.005, F.A.C., may be modified, suspended or revoked in accordance with its terms or the remedies provided in Sections 253.04, F.S. and Chapter 18-14, F.A.C.
4. Structures or activities will be constructed and used to avoid or minimize adverse impacts to resources.
5. Construction, use, or operation of the structure or activity will not adversely affect any species which is endangered, threatened or of special concern, as listed in Rules 68A-27.003, 68A-27.004, and 68A-27.005, F.A.C.
6. Structures or activities will not unreasonably interfere with riparian rights. When a court of competent jurisdiction determines that riparian rights have been unlawfully affected, the structure or activity will be modified in accordance with the court's decision.
7. Structures or activities will not create a navigational hazard.
8. Structures will be maintained in a functional condition and will be repaired or removed if they become dilapidated to such an extent that they are no longer functional.
9. Structures or activities will be constructed, operated, and maintained solely for water dependent purposes.
10. The applicant agrees to indemnify, defend and hold harmless the Board of Trustees and the State of Florida from all claims, actions, lawsuits and demands in any form arising out of the authorization to use sovereignty submerged lands or the applicant's use and construction of structures on sovereignty submerged lands. This duty to indemnify and hold harmless will include any and all liabilities that are associated with the structure or activity including special assessments or taxes that are now or in the future assessed against the structure or activity during the period of the authorization.
11. Failure by the Board of Trustees to enforce any violation of a provision of the authorization or waiver by the Board of Trustees of any provision of the authorization will not invalidate the provision not enforced or waived, nor will the failure to enforce or a waiver prevent the Board of Trustees from enforcing the unenforced or waived provision in the event of a violation of that provision.
12. Applicant binds itself and its successors and assigns to abide by the provisions and conditions set forth in the authorization. If the applicant or its successors or assigns fails or refuses to comply with the provisions and conditions of the authorization, the authorization may be terminated by the Board of Trustees after written notice to the applicant or its successors or assigns. Upon receipt of such notice, the applicant or its successors or assigns will have thirty (30) days in which to correct the violations. Failure to correct the violations within this period will result in the automatic revocation of this authorization.
13. All costs incurred by the Board of Trustees in enforcing the terms and conditions of the authorization will be paid by the applicant. Any notice required by law will be made by certified mail at the address shown on page one of the authorization. The applicant will notify the Board of Trustees in writing of any change of address at least ten days before the change becomes effective.
14. This authorization does not allow any activity prohibited in a conservation easement or restrictive covenant that prohibits the activity.

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 filing of a petition means that the Department's final action may be different from the position taken by it in this notice.

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, 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 14 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 14 days of publication of the notice or within 14 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 14 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.

Judicial Review

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.

Thank you for applying to the Submerged Lands and Environmental Resource Permit Program. If you have any questions regarding this matter, please contact Aaron Sarchet at the letterhead address or at 904-236-1654 or via his internet email address Aaron.Sarchet@dep.state.fl.us.

Executed in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

DRAFT

James R. Maher, P.E.
Program Administrator
Submerged Lands & Environmental
Resource Program

Attachments:

Project Drawings and Design Specs., 19 pages
Commencement notice /62-343.900(3)
Annual status report/62-343.900(4)
As-built certification/62-343.900(5)
Inspection certification/62-343.900(6)
Transfer construction to operation phase/ 62-343.900(7)
Application for transfer of an ERP permit/62-343.900(8)

Copies furnished to:
U.S. Army Corps of Engineers
File

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this permit and authorization to use sovereignty submerged lands, including all copies, were mailed before the close of business on _____, 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

Date

NOTICES SUBMITTED TO THE DEPARTMENT

Your permit DEP File No.: 45-75835-008-EI requires you to submit the attached Notices to the Department at the times indicated. Failure to submit these notices will constitute noncompliance with the conditions of your permit and an enforcement action may be brought against you. If you are using a contractor you are responsible for insuring these notices are submitted to the Department.

PLEASE NOTE - References to stormwater management systems in the attached forms refers to the activity or activities authorized in your permit.

CONSTRUCTION COMMENCEMENT NOTICE -- FORM 62-343.900(3)

To be submitted 48 hours PRIOR to the commencement of the activity

ANNUAL STATUS REPORT - Form 62-343.900(4)

To be submitted annually each JUNE whenever the construction period exceeds one year after the construction commencement date.

AS BUILT CERTIFICATION PRIVATE RESIDENT -- FORM NED/AS-BUILT

In some cases, such as a single family resident constructing a structure on their own property for their own use, certification by a registered professional is not required. However, written notice to the Department within 30 days of completion of construction of the date the structure was completed is required. If you are a private single family resident property owner please use the As Built Certification - Private Resident form .

APPLICATION FOR TRANSFER OF PERMIT -- Form 62-343.900(8)

To be submitted within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or real property at which the system is located.

SUBMIT ALL NOTICES TO: Department of Environmental Protection
Environmental Resources Program
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256-7590

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W



EXHIBITS PREPARED BY:
ZEV COHEN
& ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4516) (LC 82)
PLANNERS • TRANSPORTATION • ENVIRONMENTAL
WWW.ZEVCOHEN.COM

FERNANDINA HARBOR MAINTENANCE DREDGING

VICINITY MAP 1

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
1	18

9
5/16/11



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ZEV COHEN
& ASSOCIATES, INC.
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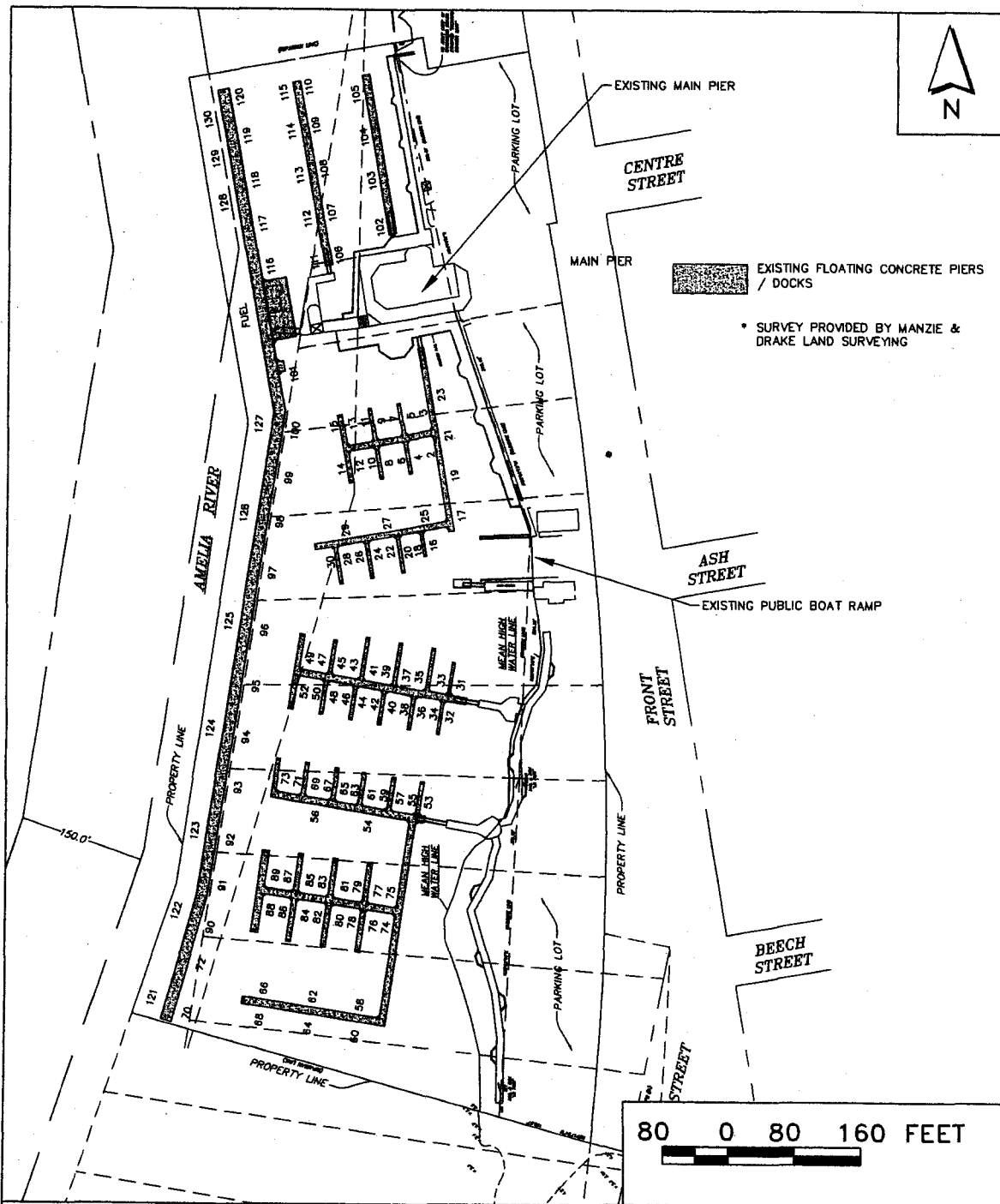
FERNANDINA HARBOR
MAINTENANCE DREDGING

VICINITY MAP 2

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET: 2 OF: 18

9
5/16/11



EXHIBITS PREPARED BY:

ZEV COHEN
& ASSOCIATES, INC.

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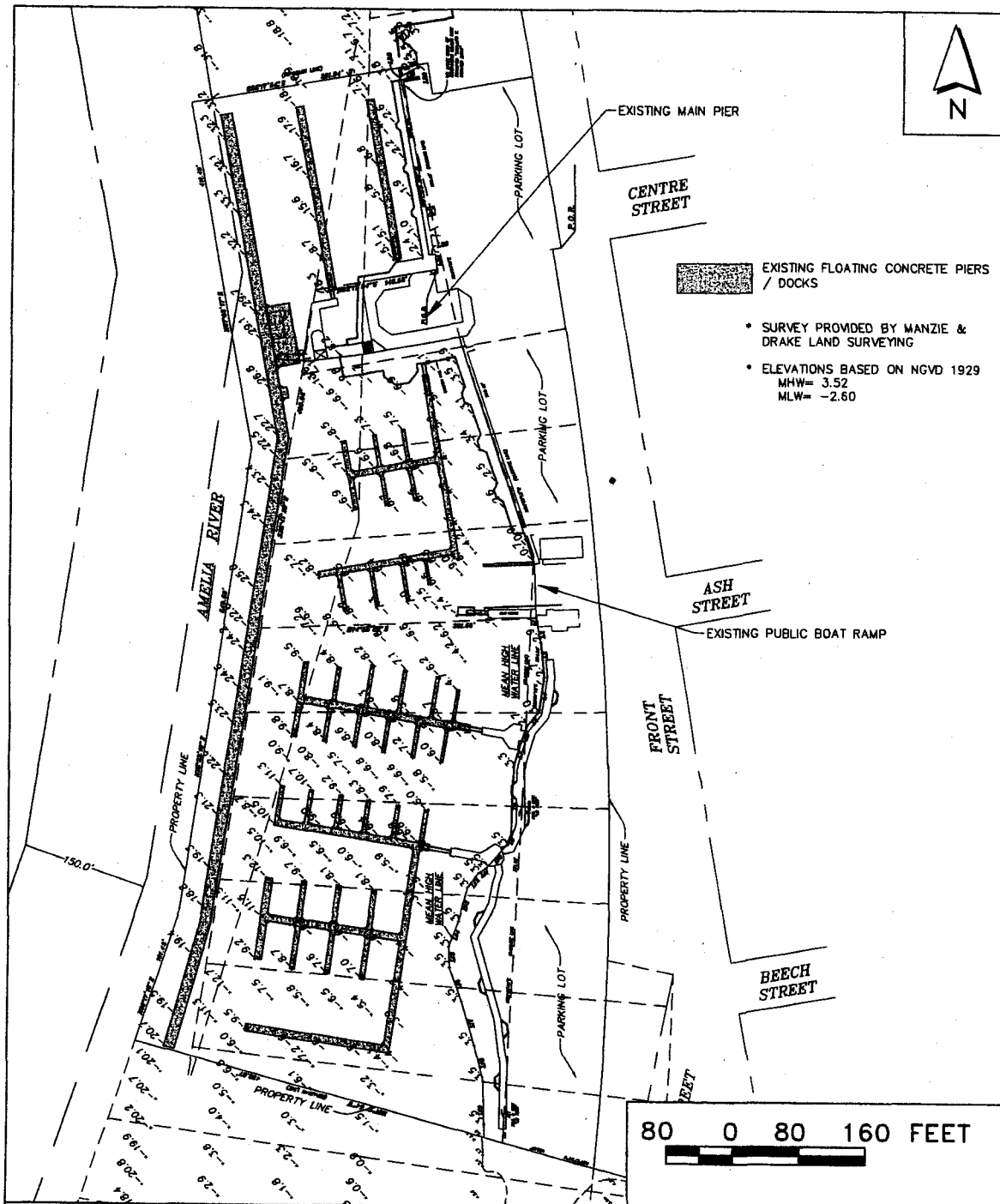
FERNANDINA HARBOR MAINTENANCE DREDGING

EXISTING DOCKS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET: 3 OF: 18

5/16/11



EXHIBITS PREPARED BY:

ZEVE COHEN & ASSOCIATES, INC.

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(EB 4518) (LC 62)

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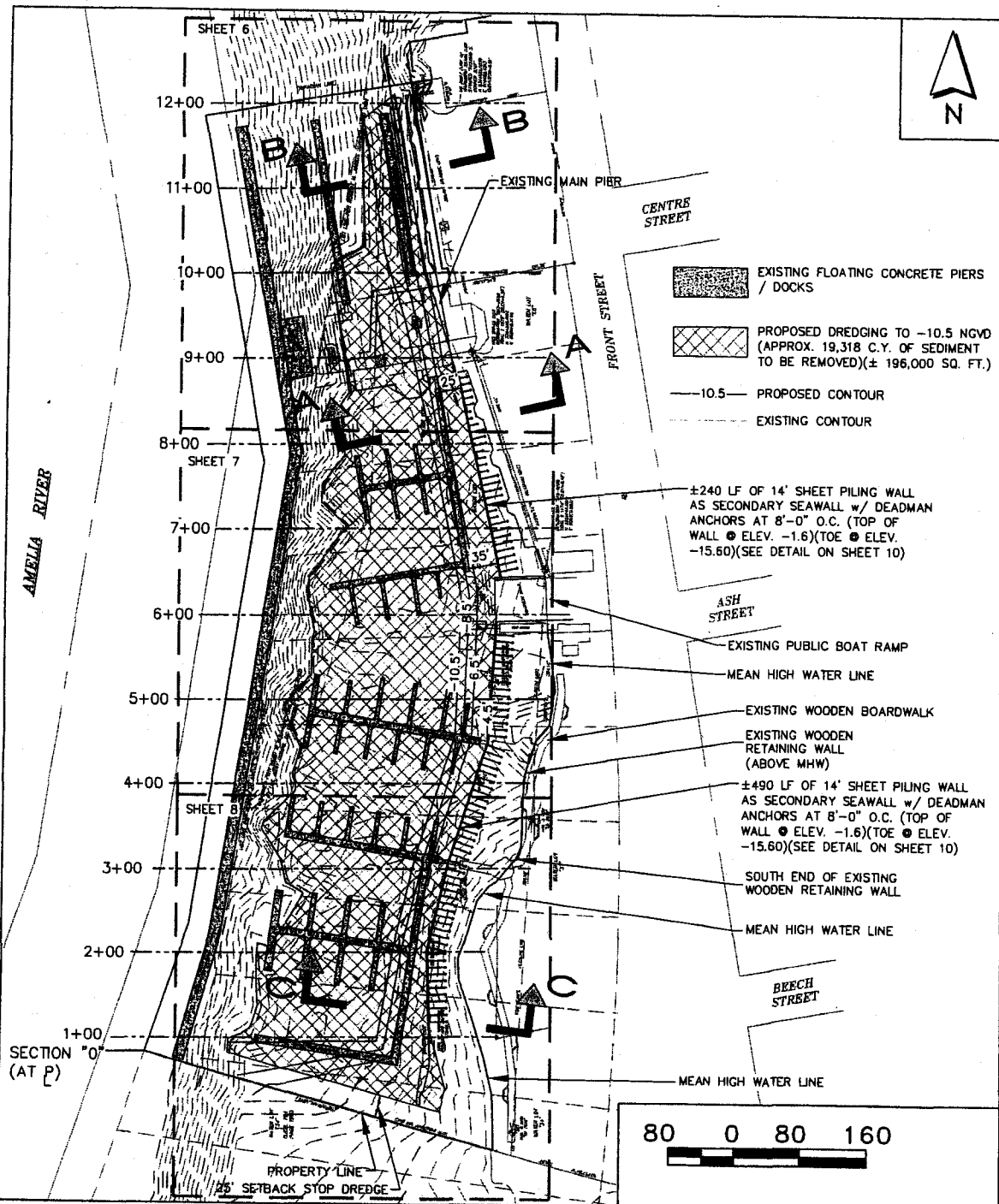
FERNANDINA HARBOR MAINTENANCE DREDGING

EXISTING BATHYMETRIC SURVEY

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
4	18

Handwritten signature
5/16/11



EXHIBITS PREPARED BY:

ZEV COHEN & ASSOCIATES, INC.

CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4516) (LC 82)

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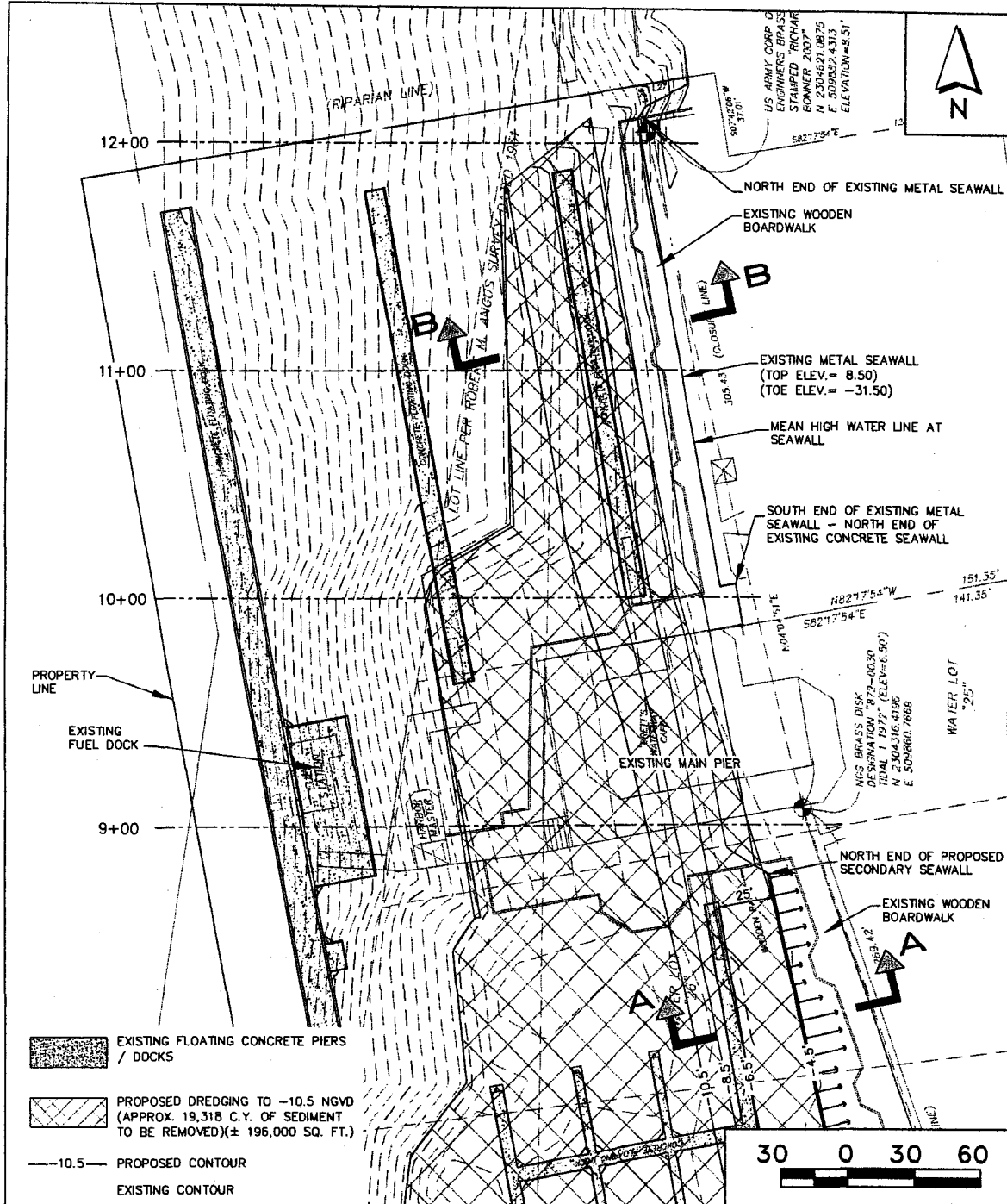
FERNANDINA HARBOR MAINTENANCE DREDGING

PROPOSED WORK

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET: 5 OF: 18

5/16/11



EXHIBITS PREPARED BY:
ZEVE COHEN & ASSOCIATES, INC.
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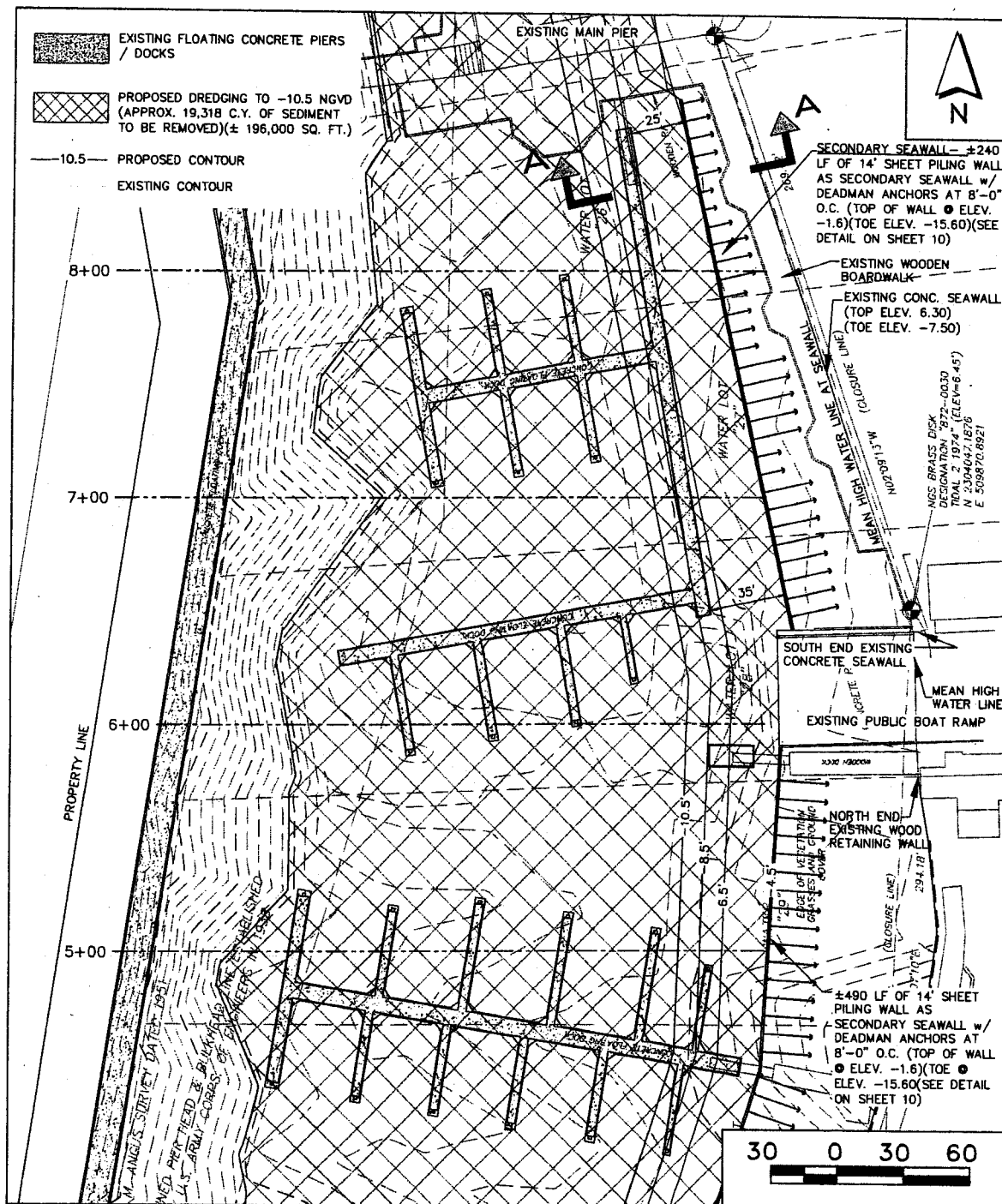
FERNANDINA HARBOR MAINTENANCE DREDGING

PROPOSED WORK

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
6	18

5/16/11

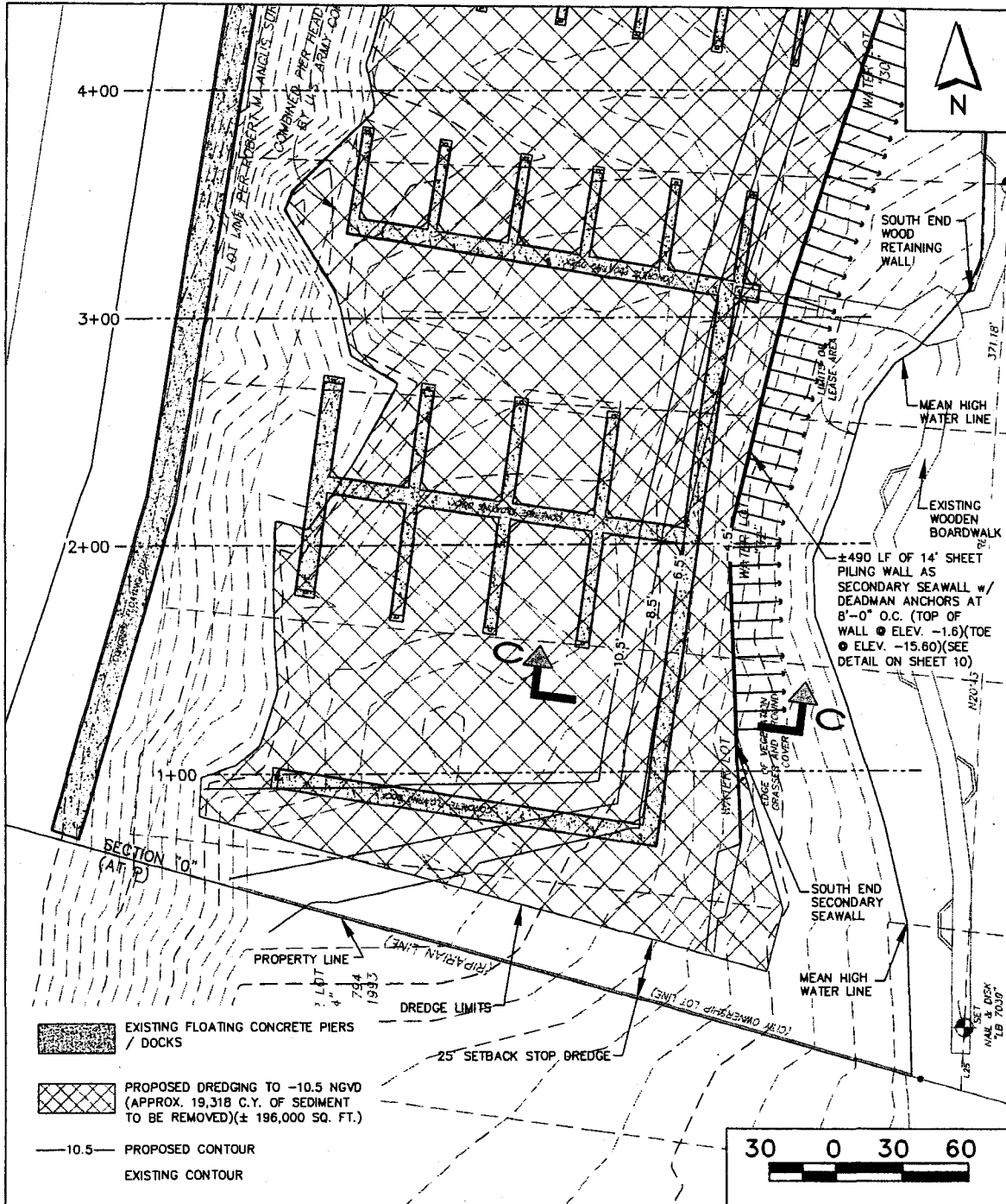


EXHIBITS PREPARED BY:
ZEV COHEN & ASSOCIATES, INC.
 CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
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FERNANDINA HARBOR
 MAINTENANCE DREDGING
 PROPOSED WORK

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EX01	SHEET: 7	OF: 18
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 5/16/11



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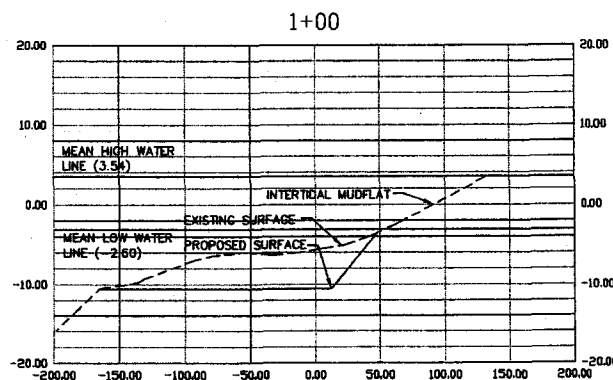
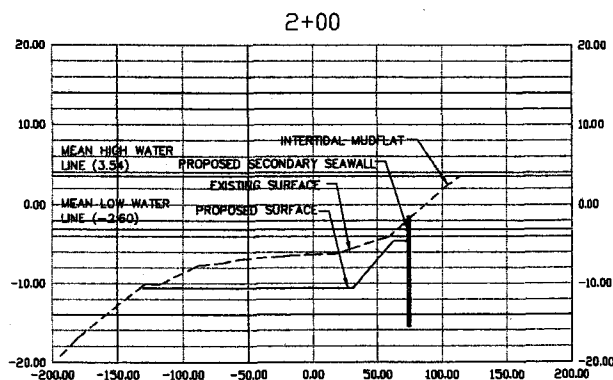
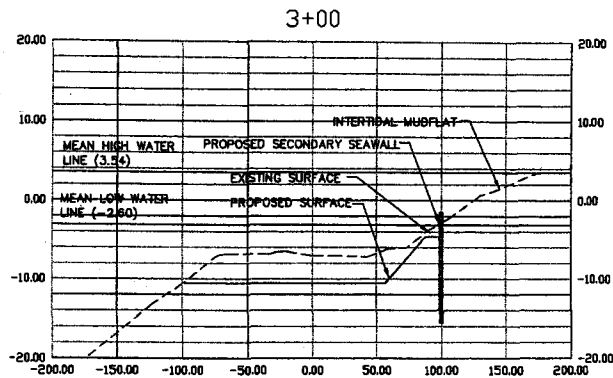
FERNANDINA HARBOR MAINTENANCE DREDGING

PROPOSED WORK

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
8	18

5/16/11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'

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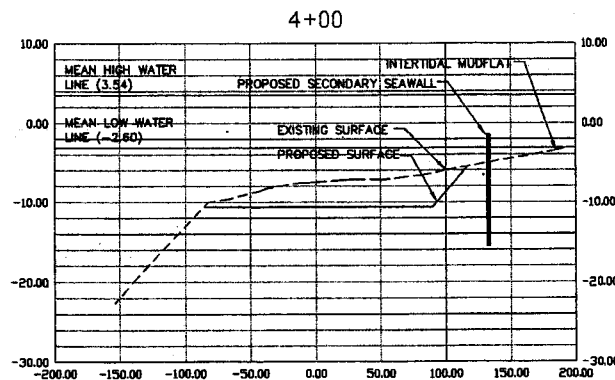
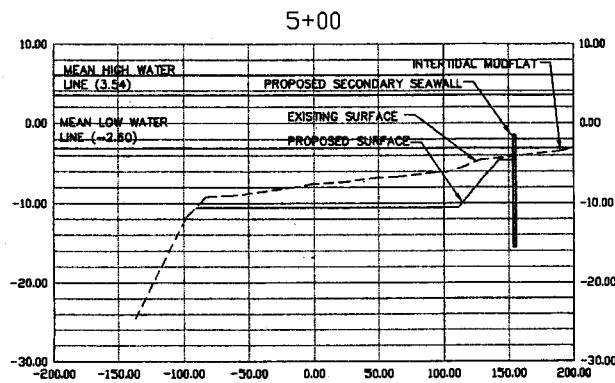
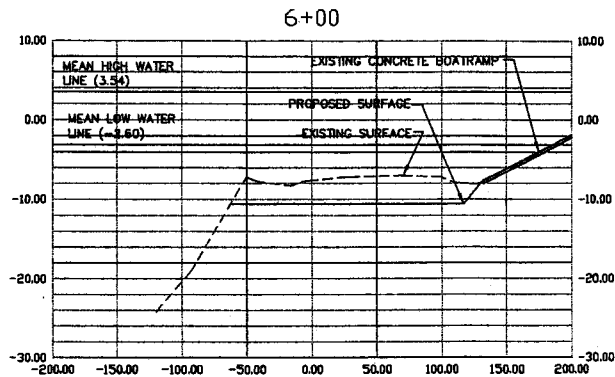
FERNANDINA HARBOR MAINTENANCE DREDGING

DREDGE CROSS SECTIONS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
9	18

9
5/16/11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'

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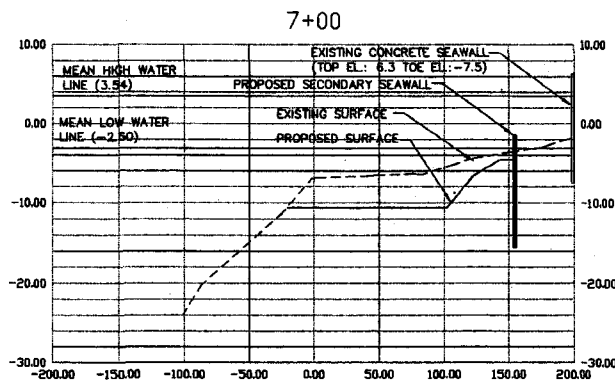
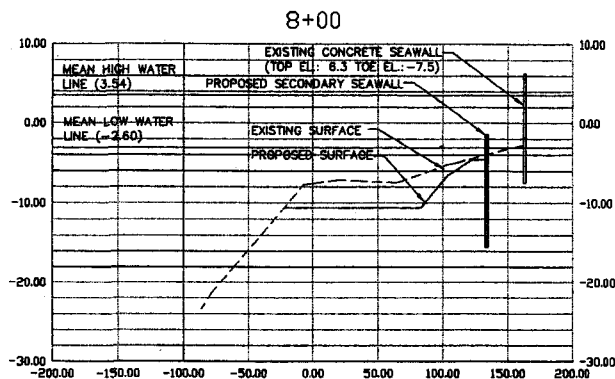
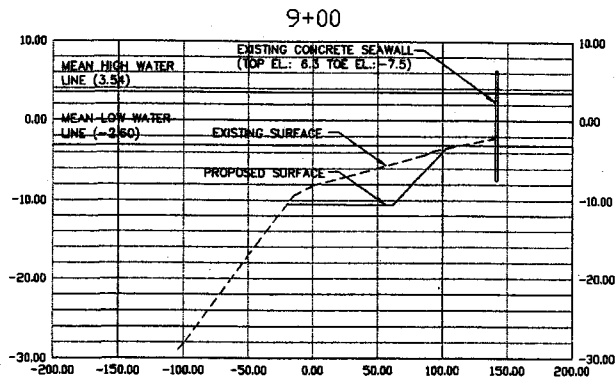
FERNANDINA HARBOR MAINTENANCE DREDGING

DREDGE CROSS SECTIONS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
10	18

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5/16/11



HORIZ. SCALE: 1"=120'
 VERT. SCALE: 1"=20'

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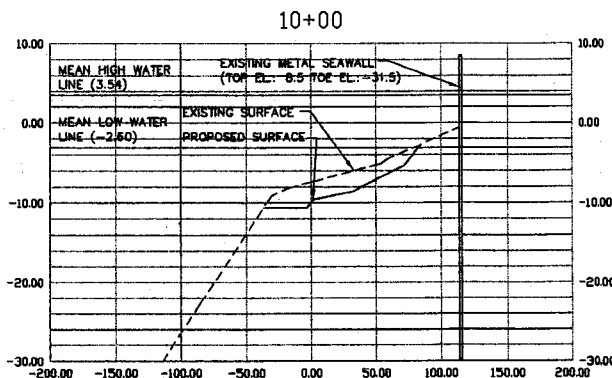
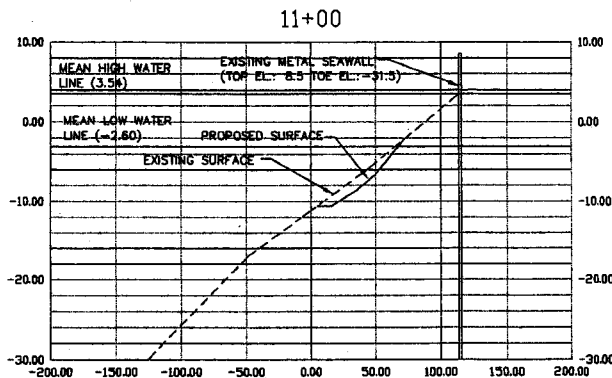
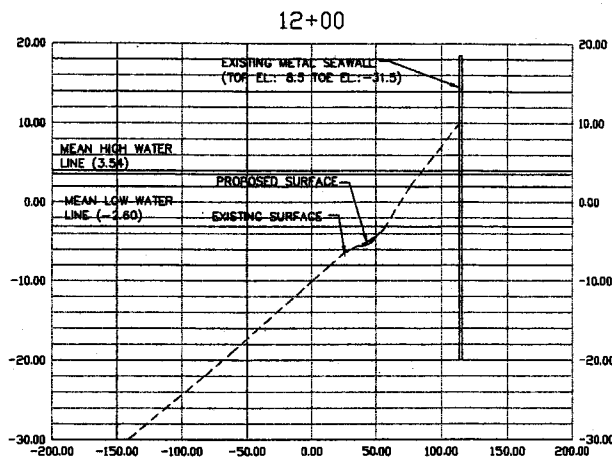
FERNANDINA HARBOR MAINTENANCE DREDGING

DREDGE CROSS SECTIONS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EX01

SHEET:	OF:
11	18

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 5/14/11



HORIZ. SCALE: 1"=120'
VERT. SCALE: 1"=20'

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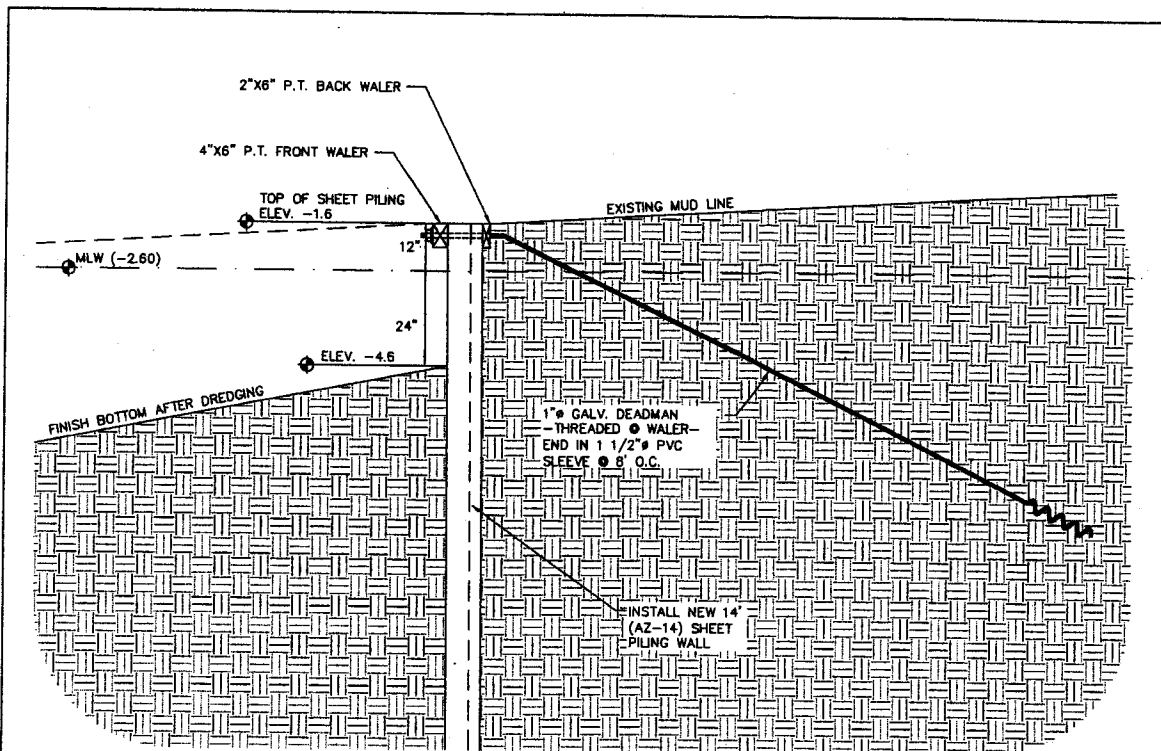
FERNANDINA HARBOR MAINTENANCE DREDGING

DREDGE CROSS SECTIONS

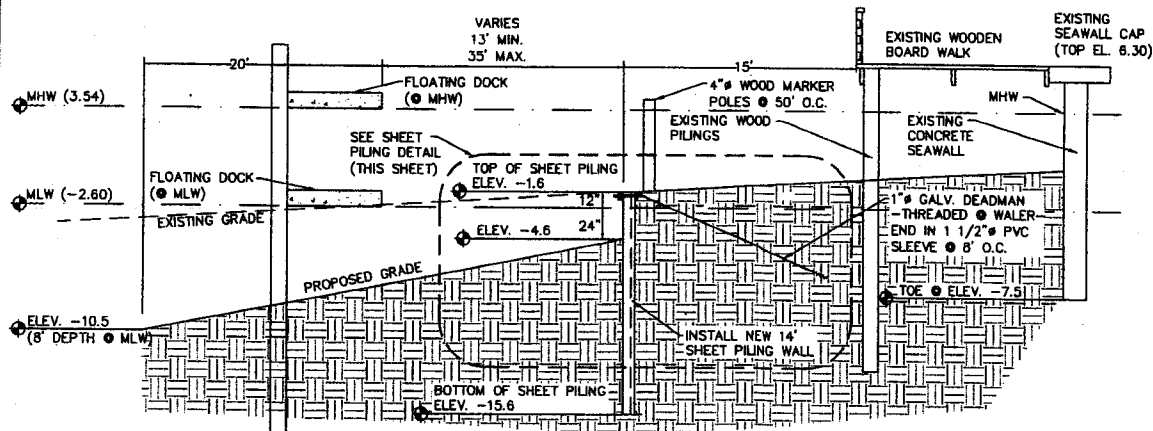
DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

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12	18

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5/16/11



SEAWALL CONSTRUCTION DETAIL
N.T.S.



SEAWALL TYPICAL SECTION A-A (STA. 6+00 TO STA. 8+00)
N.T.S.

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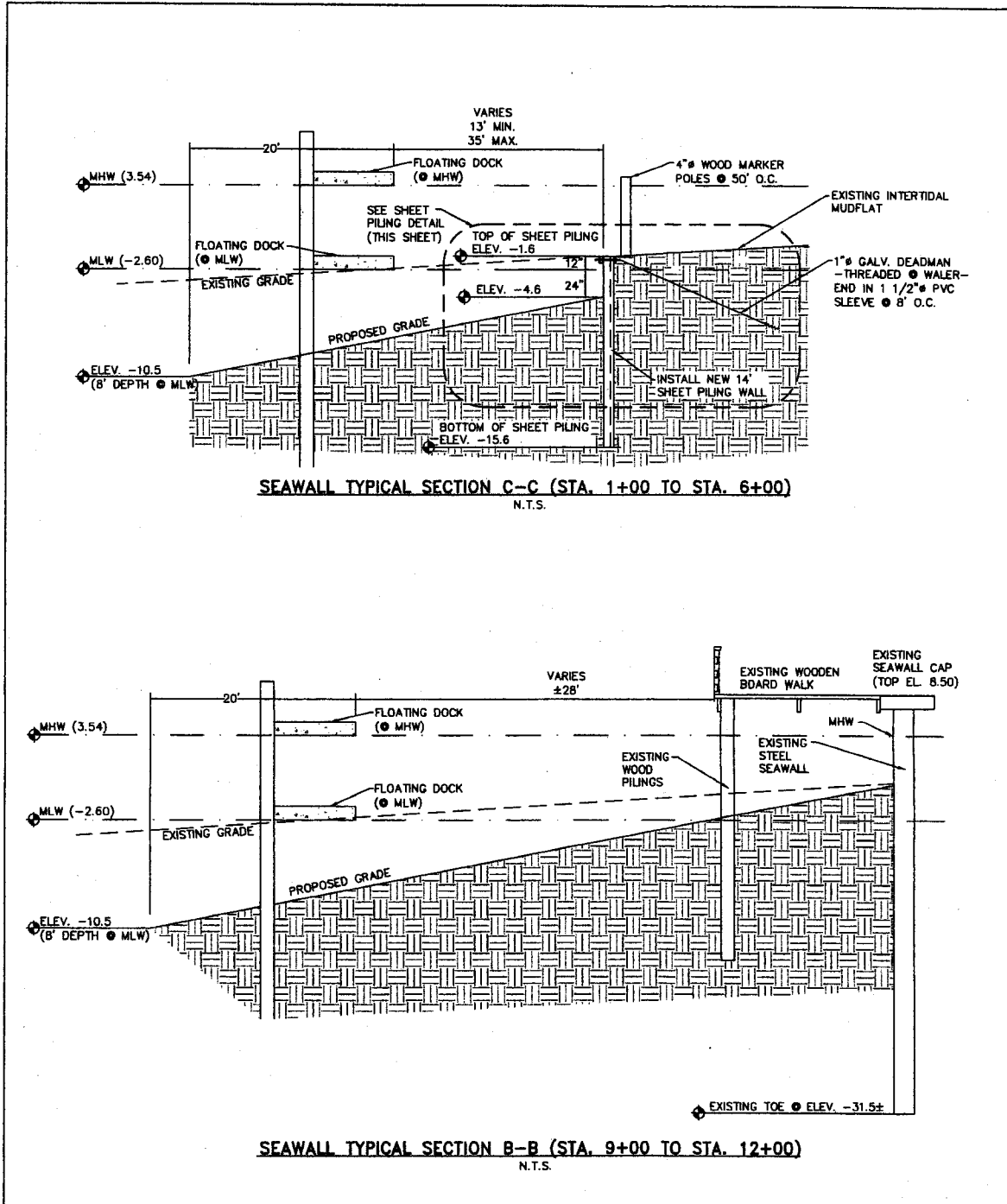
FERNANDINA HARBOR
 MAINTENANCE DREDGING

SECONDARY SEAWALL DETAILS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

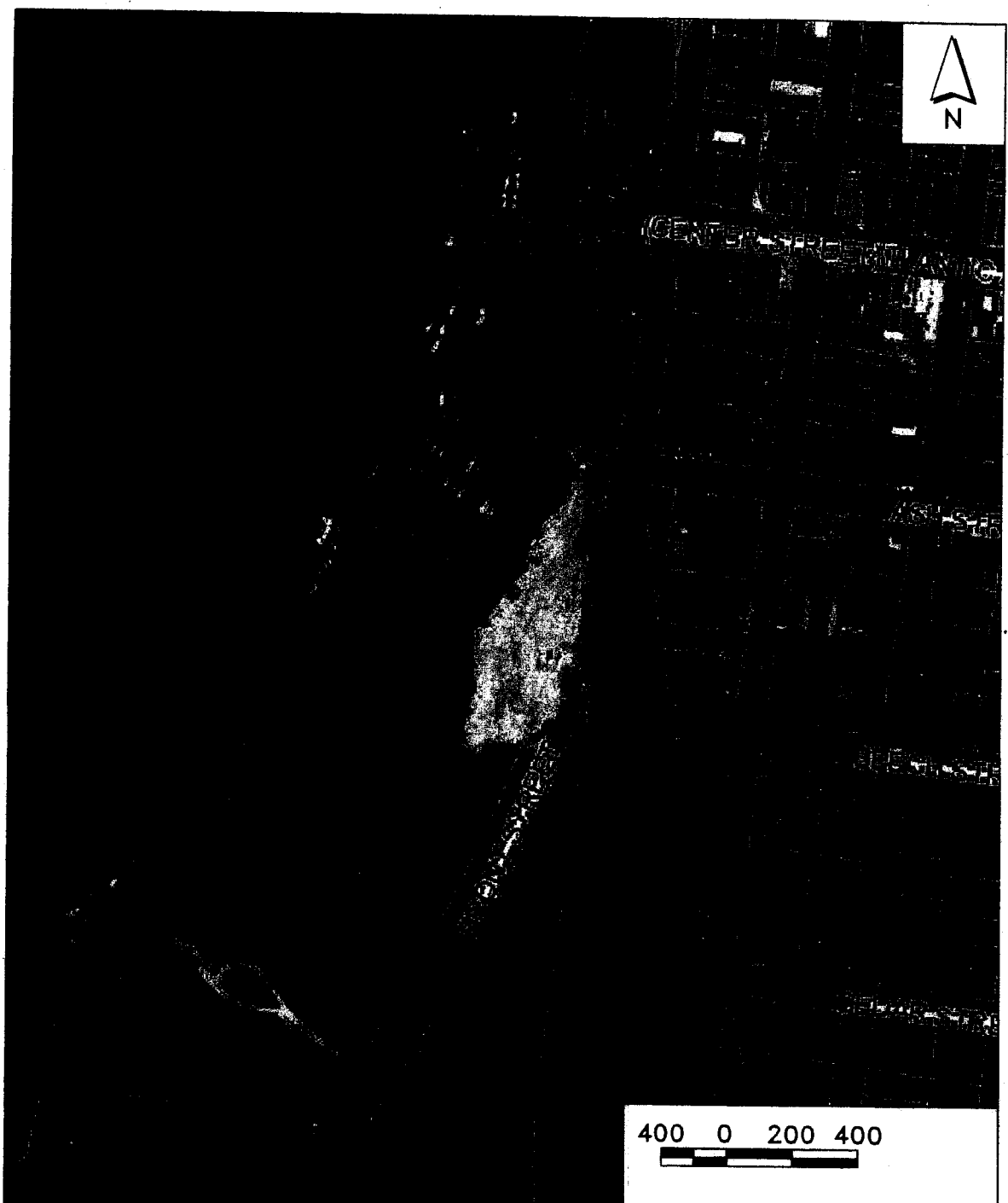
SHEET: 13 OF: 18

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 5/16/11



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5/16/11



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& ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4518) (LC B2)
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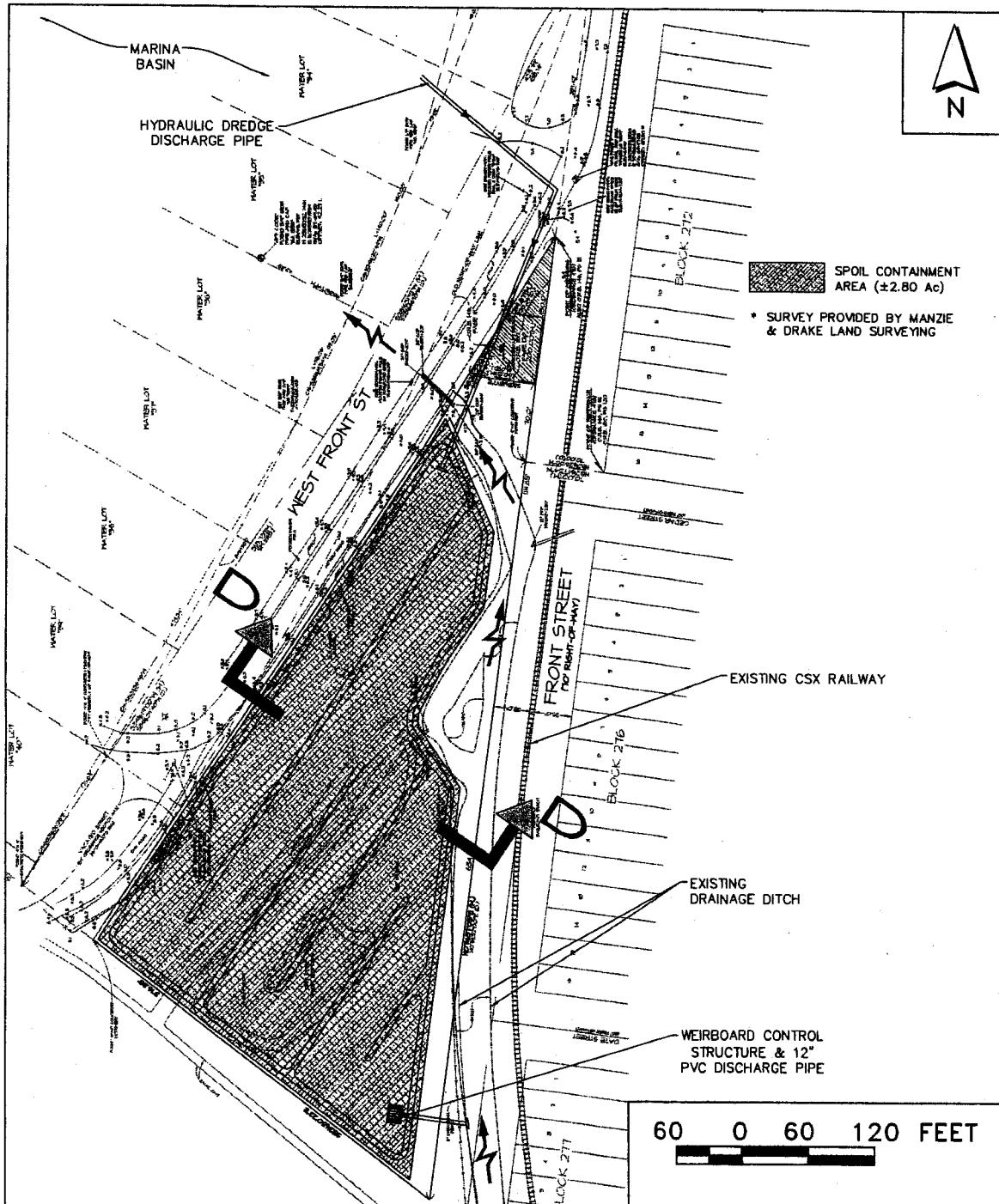
FERNANDINA HARBOR
MAINTENANCE DREDGING

AERIAL IMAGERY

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
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5/16/11



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(EB 4516) (LC 62)

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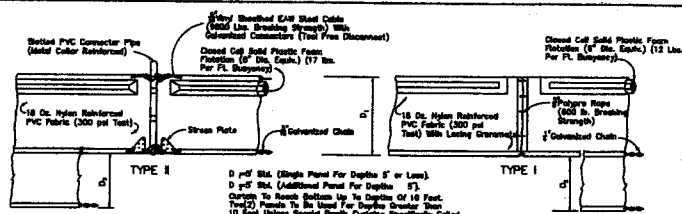
FERNANDINA HARBOR MAINTENANCE DREDGING

DREDGE MATERIAL MANAGEMENT AREA

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043D011

SHEET:	OF:
16	18

92
5/16/11

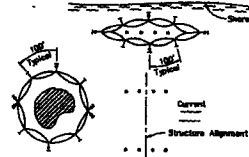
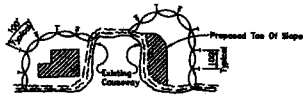


GENERAL NOTES

1. Floating turbidity barriers are to be paid for under the contract unit price for Floating Turbidity Barrier, L.F.
2. Staked turbidity barriers are to be paid for under the contract unit price for Staked Turbidity Barrier, L.F.

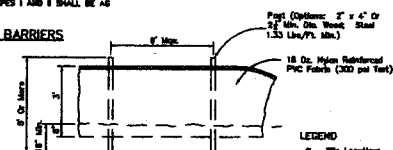
NOTICE: COMPONENTS OF TYPES I AND II MAY BE SIMILAR OR IDENTICAL TO PROPRIETARY DESIGNS. ANY IMPROVEMENT ON THE PROPRIETARY RIGHTS OF THE INVENTOR SHALL BE THE SOLE RESPONSIBILITY OF THE USER. SUBSTITUTIONS FOR TYPES I AND II SHALL BE AS APPROVED BY THE ENGINEER.

FLOATING TURBIDITY BARRIERS

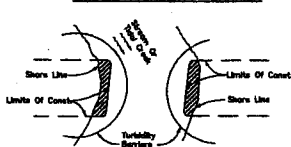


NOTES:

1. Turbidity barriers are to be used in all permanent bodies of water regardless of water depth.
2. Number and spacing of anchors dependent on current velocities.
3. Deployment of barrier around pile locations may vary to accommodate construction operations.
4. Navigation may require segmenting barrier during construction operations.
5. For additional information see Section 104 of the Standard Specifications.



STAKED TURBIDITY BARRIER



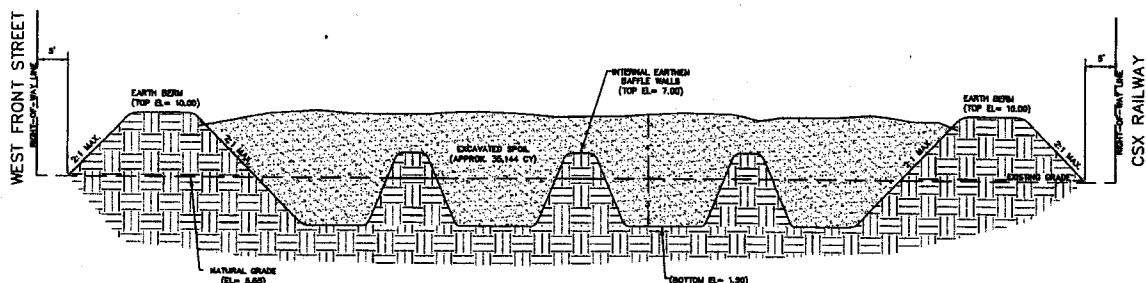
Water Turbidity barriers for flowing streams and tidal creeks may be either floating, or staked types or any combination of types that will suit site conditions and meet erosion control and water quality requirements. The barrier type(s) will be at the Contractor's option unless otherwise specified in the plans. However payment will be under the pay item(s) established in the plans for Floating Turbidity Barrier and/or Staked Turbidity Barrier. Piles in staked turbidity barriers to be installed in vertical position unless otherwise directed by the Engineer.

TURBIDITY BARRIER APPLICATIONS

R.T.S.

CONSTRUCTION BARGE (TYP.)

R.T.S.



NOTES:

1. DREDGE SPOIL MATERIAL IS DRY ALL MATERIAL TO BE TRANSPORTED TO AN APPROVED UPLAND LANDFILL.
2. DREDGED MATERIAL WILL BE REMOVED FROM THE TEMPORARY CONTAINMENT AREA AND HAULED AWAY BY THE CONTRACTOR AS NEEDED.

DREDGE MATERIAL MANAGEMENT AREA SECTION D-D

R.T.S.

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FERNANDINA HARBOR
 MAINTENANCE DREDGING

DMMMA CROSS SECTION & DETAILS

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

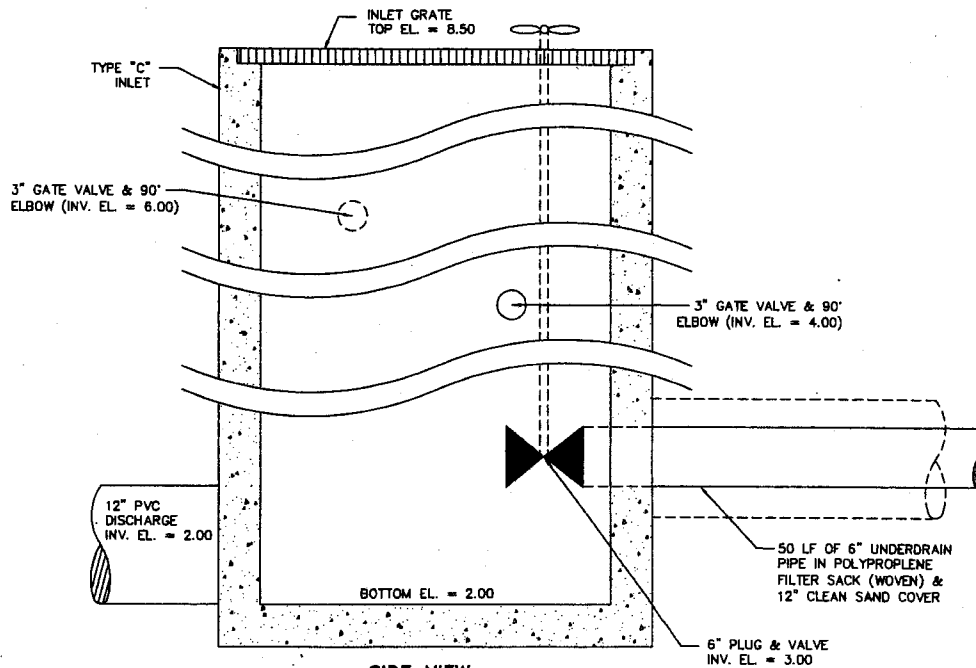
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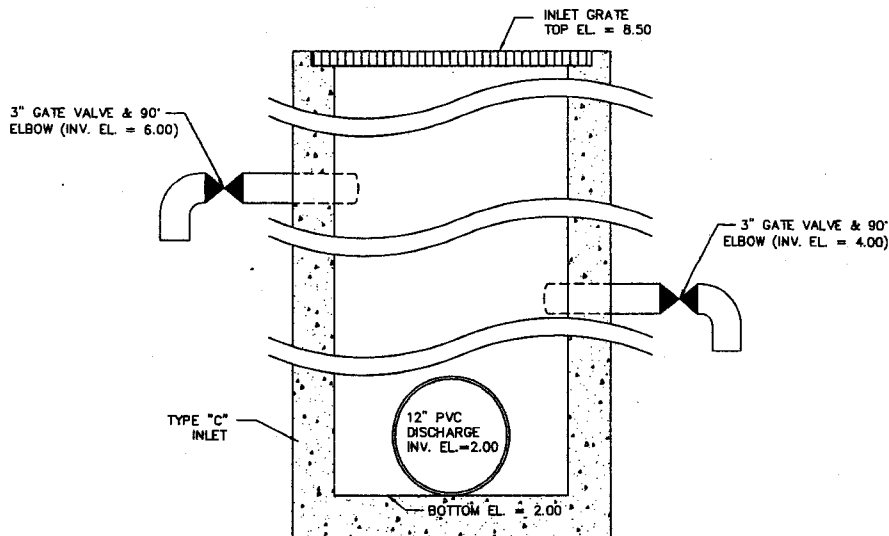
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5/16/11



SIDE VIEW



END VIEW

WEIR CONTROL STRUCTURE

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 (EB 4516) (LC 62)
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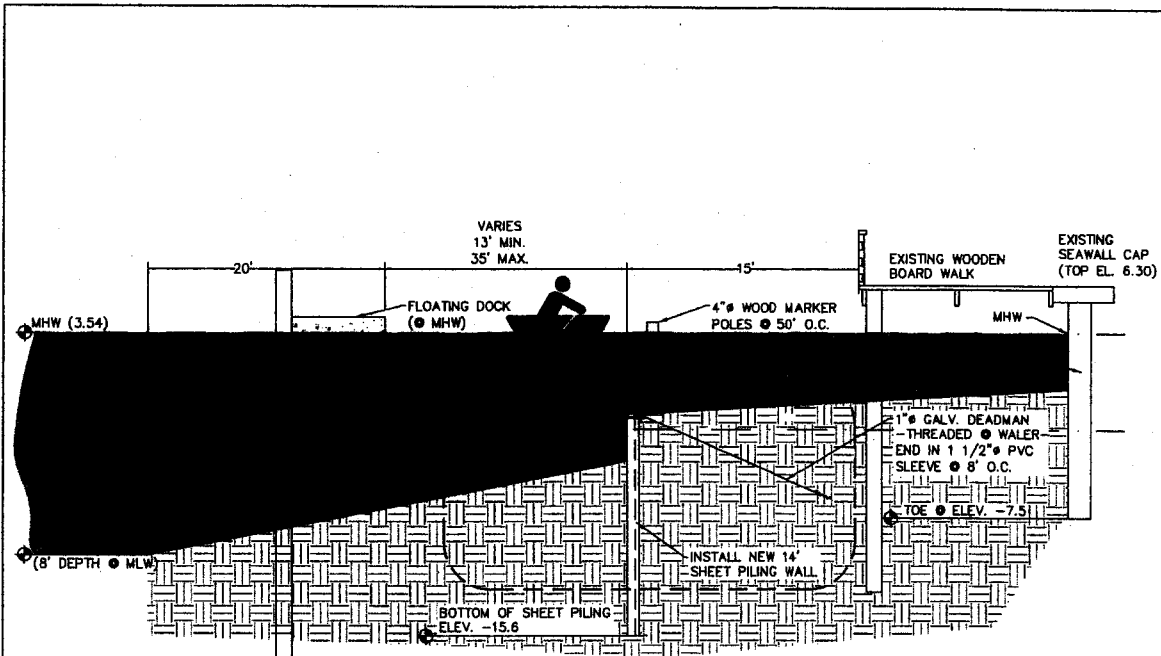
FERNANDINA HARBOR
 MAINTENANCE DREDGING

WEIR CONTROL STRUCTURE

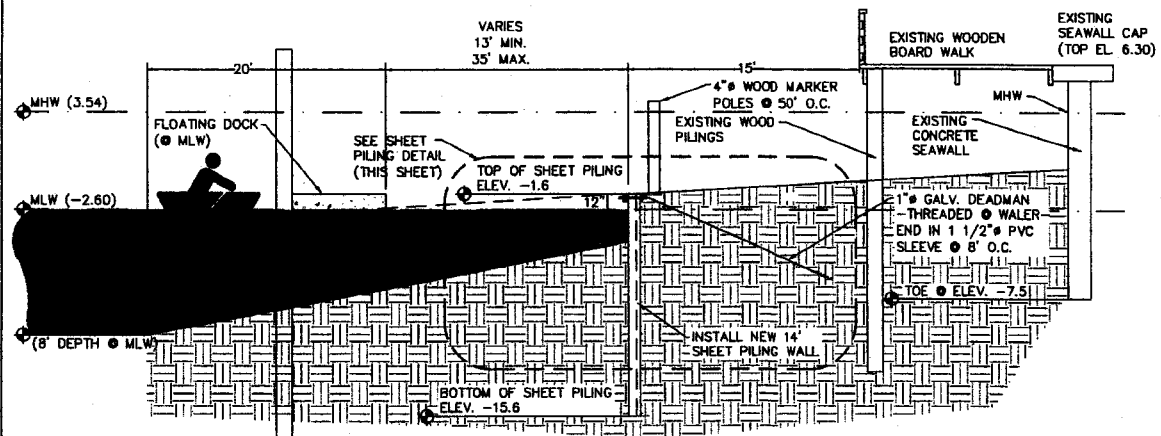
DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:	OF:
18	18

Handwritten signature and date:
 5/16/11



SEAWALL TYPICAL SECTION A-A / HIGH TIDE
N.T.S.



SEAWALL TYPICAL SECTION A-A / LOW TIDE
N.T.S.

EXHIBITS PREPARED BY:
ZEVE COHEN & ASSOCIATES, INC.
CIVIL ENGINEERS • LANDSCAPE ARCHITECTS
(EB 4518) (LC 62)
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FERNANDINA HARBOR
MAINTENANCE DREDGING

TIDE EXHIBIT

DATE PREPARED: 4/29/2011 BY: RTC JOB NO.: 59043 DRAWING NAME: 59043EXH1

SHEET:
TIDE

5/16/11

**ENVIRONMENTAL RESOURCE PERMIT
CONSTRUCTION COMMENCEMENT NOTICE**

PROJECT: _____ PHASE: one (1)

I hereby notify the Department of Environmental Protection that the construction of the surface water management system authorized by Environmental Resource Permit No.: 45-75835-008-EI has / is expected to commence on _____ 20_____, and will require a duration of approximately _____ months _____ weeks _____ days to complete. It is understood that should the construction term extend beyond one year, I am obligated to submit the Annual Status Report for Surface Water Management System Construction.

PLEASE NOTE: If the actual commencement date is not known, Department staff should be notified in writing in order to satisfy permit conditions.

Permittee or
Authorized Agent

Title and Company

Date

Phone

Address

Form #62-343.900(3), F.A.C.
Form Title: Construction
Commencement Notice
Date: October 3, 1995

**ENVIRONMENTAL RESOURCE PERMIT
ANNUAL STATUS REPORT FORM**

Permit No.: 45-75835-008-EI

County: _____

Project Name: _____

Phase: ONE (1)

the following activity has occurred at the above referenced project during the past year, between
June 1, 20____ and May 30, 20____.

Permit Condition Activity	% of Completion	Date of anticipated Completion	Date of Completion
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Use additional Sheets As Necessary)

Benchmark Description (one per major control structure:)

Not Applicable

Print Name _____

Phone _____

Permittee's or Authorized
Agent's Signature _____

Title and Company _____

Date _____

This form shall be submitted to the above referenced Department Office During June of each year for activities whose duration of construction exceeds one year.

Form: #62-343.900(4), F.A.C.
Form Title: Annual Status Report
Date: October 3, 1995

ENVIRONMENTAL RESOURCE PERMIT
AS-BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL

Permit Number:

Project Name:

I hereby certify that all components of this surface water management system have been built substantially in accordance with the approved plans and specifications and are ready for inspection. Any substantial deviations (noted below) from the approved plans and specifications will not prevent the system from functioning as designed when properly maintained and operated. These determinations are based upon on-site observation of the system conducted by me or by my designee under my direct supervision and/or my review of as-built plans certified by a registered professional or Land Surveyor licensed in the State of Florida.

Name (please print)

Signature of Professional

Company Name

Florida Registration Number

Company Address

Date

City, State, Zip Code

Telephone Number

(Affix Seal)

Substantial deviations from the approved plans and specifications:

(Note: attach two copies of as-built plans when there are substantial deviations)

Within 30 days of completion of the system, submit two copies of the form to:

**APPLICATION FOR TRANSFER OF ENVIRONMENTAL RESOURCE PERMIT AND NOTIFICATION
OF SALE OF A FACILITY OR SURFACE WATER MANAGEMENT SYSTEM**

Permit No. _____ Date Issued _____ Date Expires _____

FROM (Name of Current Permit Holder): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

Identification or Name of Facility/Surface Water Management System: _____

Phase of Facility/Surface Water Management System (if applicable): _____

The undersigned hereby notifies the Department of the sale or legal transfer of this facility, or surface-water management system, and further agrees to assign all rights and obligations as permittee to the applicant in the event the Department agrees to the transfer of permit.

Signature of the current permittee: _____

Title (if any): _____ Date: _____

TO (Name of Proposed Permit Transferee): _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: (____) _____

The undersigned hereby notifies the Department of having acquired the title to this facility, or surface-water management system. The undersigned also states he or she has examined the application and documents submitted by the current permittee, the basis of which the permit was issued by the Department, and states they accurately and completely describe the permitted activity or project. The undersigned further attests to being familiar with the permit, agrees to comply with its terms and with its conditions, and agrees to assume the rights and liabilities contained in the permit. The undersigned also agrees to promptly notify the Department of any future changes in ownership of, or responsibility for, the permitted activity or project.

Signature of the applicant (Transferee): _____

Title (if any): _____ Date: _____

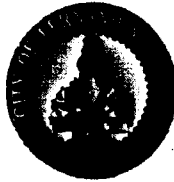
Project Engineer Name (if applicable) _____

Mailing Address: _____

Telephone: (____) _____

NOTICE

YOUR PROJECT DID NOT QUALIFY FOR THE STATE AND FEDERAL COMBINED STATE PROGRAMMATIC GENERAL PERMIT (SPGP) PROGRAM. THE ATTACHED AUTHORIZATION(S) DOES NOT INCLUDE THE REQUIRED FEDERAL AUTHORIZATION FOR YOU TO CONSTRUCT YOUR PROJECT. A COPY OF YOUR APPLICATION HAS BEEN SENT TO THE US ARMY CORPS OF ENGINEERS (USACOE) FOR PROCESSING. THE FEDERAL AUTHORIZATION FOR YOUR PROJECT WILL BE SENT TO YOU SEPARATELY BY THE USACOE. YOU CANNOT CONSTRUCT YOUR PROJECT WITHOUT THE APPROPRIATE FEDERAL AUTHORIZATION. THE USACOE CAN BE CONTACTED IN JACKSONVILLE AT 904-232-1177.



City of Fernandina Beach

Office of the City Clerk

CERTIFIED MAIL

7009 0820 0001 7599 5862

August 29, 2011

Florida Dept. of Environmental Protection
Submerged Lands & Environmental Resources
7825 Baymeadows Way, Suite B200
Jacksonville, FL 32256-7590

Re: Intent to Issue a Permit for Dredge Maintenance
City of Fernandina Beach
File No. 45-75835-008-EI

Dear Sir:

As required, enclosed is Proof of Publication for the marina project which ran in our local paper as a legal on August 24, 2011 regarding the intent to issue a permit for dredge maintenance for the City of Fernandina Beach, File No. 45-75835-008-EI.

Should you have any questions, please do not hesitate to call our office.

Sincerely,

CITY OF FERNANDINA BEACH

Mary L. Mercer
City Clerk

Enc.

cc: Glen Semanisin, P.E.

FLORIDA'S OLDEST WEEKLY NEWSPAPER

NEWS LEADER

AMELIA ISLAND • FERNANDINA BEACH • NASSAU COUNTY

Published Weekly

511 Ash Street/P.O. Box 766 (904) 261-3696
Fernandina Beach, Nassau County, Florida 32034

STATE OF FLORIDA COUNTY OF NASSAU:

Before the undersigned authority personally appeared

Michael B. Hankins

Who on oath says that he is the Advertising Director of the Fernandina Beach News-Leader, a weekly newspaper published at Fernandina Beach in Nassau County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of

NOTICE OF INTENT TO ISSUE PERMIT AND EASEMENT TO USE SOVEREIGN SUBMERGED LANDS

Was published in said newspaper in the issues of

08/24/2011

Ref# 0040

Affiant further says that the said Fernandina Beach News-Leader is a newspaper published at Fernandina Beach, in said Nassau County, Florida and that the said newspaper has heretofore been continuously published in said Nassau County, Florida, each week and has been entered as second class mail matter at the post office in Fernandina Beach in said Nassau County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affiant further says that he has neither paid nor promised any the purpose of securing this advertisement for publication in the said newspaper.

Michael B. Hankins

Sworn to and subscribed before me
This 24th day of August, A.D. 2011.

Robert O. Fiege
Robert O. Fiege, Notary Public

JA Personally Known



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT AND EASEMENT TO USE SOVEREIGN SUBMERGED
LANDS

The Department of Environmental Protection gives notice of its intent to issue a permit (File No. 45-75835-008-EI) to maintenance dredge approximately 19,318 cubic yards of material from an existing marina basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and the installation of 730 linear feet of secondary seawall waterward of an existing vertical wall on the Amelia River.

The activity is located at 3 South Front Street, Fernandina Beach, Florida, Nassau County, Sections 17, 22, and 23, Township 3 North, Range 28 East, Latitude 30°40'14.25"N, Longitude -81°27'57.92"W Amelia River, not a Shellfish Harvesting Area, not Outstanding Florida Waters, not an Aquatic Preserve.

The Department will issue the permit with conditions and the consent to use sovereign submerged lands unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes. The procedures for petitioning for a hearing are set forth below.

Rights of Affected Parties

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, 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 14 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 14 days of publication of the notice or within 14 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 14 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.

Judicial Review

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.

NOTE:

Please run as a Legal in the Wednesday, August 24th edition of the News-Leader.

Please send proof of publication to:

City Clerk's Office
City Hall, 204 Ash Street
Fernandina Beach, FL 32034
904/277-7305

NOTE: Please call Mary Mercer at 277-7305 as soon as the Proof of Publication is available as we are mandated by Florida Statutes to provide this Proof to the Department of Environmental Protection within 7 days of publication.

Mary Mercer

From: Glenn Semanisin
Sent: Wednesday, August 17, 2011 12:35 PM
To: Mary Mercer
Cc: mczybor@fbfl.org; Tammi E. Bach
Subject: Marina Dredging
Attachments: Notice of Intent.docx

Mary

Please run this ad one time in the legal ad section of the News Leader next week.

Bill to account string 300-3000-572-6428

Proof of publication shall be sent within seven (7) days of publication to

Florida Dept of Environmental Protection
Submerged Lands & Environmental Resources
7825 Baymeadows Way, Suite B200
Jacksonville, FL 32256-7590

Glenn Semanisin, P.E.
Project Manager
City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
904-277-7215

gsemanisin@fbfl.org



Go Green: Please don't print this unless its really necessary

Disclaimer: According to Florida Public Records Law, email correspondence to and from the City of Fernandina Beach, including email addresses and other personal information, is public record and must be made available to the public and media upon request, unless otherwise exempt by the Public Records Law. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Mary Mercer

From: Mary Mercer
Sent: Wednesday, August 17, 2011 12:55 PM
To: dlongobardo@fbnewsleader.com
Cc: Anita Ross (aross@fbfl.org)
Subject: Legal Ad - Notice of Intent (Department of Environmental Protection)
Attachments: Notice of Intent 081711.docx

Importance: High

Attached is a legal ad. Please run as a Legal in the Wednesday, August 24th edition of the News-Leader. We are also faxing a copy of this ad to you.

Please email me a proof to review prior to publishing.

Please also send proof of publication to:

City Clerk's Office
City Hall, 204 Ash Street
Fernandina Beach, FL 32034
904/277-7305

NOTE: Please call Mary Mercer at 277-7305 as soon as the Proof of Publication is available as we are mandated by Florida Statutes to provide this Proof to the Department of Environmental Protection within 7 days of publication.

If you have any questions, please let me know.

Thanking you in advance,

Mary L. Mercer, C.M.C.

City Clerk

City of Fernandina Beach
204 Ash Street
Fernandina Beach, FL 32034
904/277-7305
904/277-7308 (Fax)
TDD: 277-7399
Email: mmercerc@fbfl.org
Website: www.fbfl.us

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FLORIDA'S OLDEST WEEKLY NEWSPAPER

NEWS LEADER

AMELIA ISLAND • FERNANDINA BEACH • NASSAU COUNTY

P. O. Box 766, 511 Ash Street • Fernandina Beach, FL 32035

(904) 261-3696 • (904) 261-3698 Fax

Fed. I.D. # 58-2249820

Fax Number 904-277-7308

Ref# 0040

Attn: Legal Proofing

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT AND BASEMENT TO USE SOVEREIGN SUBMERGED LANDS

The Department of Environmental Protection gives notice of its intent to issue a permit (File No. 45-75835-008-E) to maintenance dredge approximately 19,318 cubic yards of material from an existing moraine basin (4.04 acres) in order to restore the marina harbor to its original permitted depth of -8.0 feet at mean low water and the installation of 730 linear feet of secondary seawall waterward of an existing vertical wall on the Amelia River.

The activity is located at 3 South Front Street, Fernandina Beach, Florida, Nassau County, Sections 17, 22, and 23, Township 3 North, Range 28 East, Latitude 30°40'14.25"N, Longitude -81°27'57.92"W, Amelia River, not a Shellfish Harvesting Area, not Outstanding Florida Waters, not an Aquatic Preserve.

The Department will issue the permit with conditions and the consent to use sovereign submerged lands unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes. The procedures for petitioning for a hearing are set forth below. Rights of Affected Parties

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, 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.

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Extension of Time

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11/08-24-2011
0040

August 22, 2011

Please review the following legal scheduled to run 8/24

Please notify our office no later than **12 Noon MONDAY** with any errors, via fax 904 261-3698

Thank you,

Legal Advertising

TO Tally

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